

REGIONAL DISTRICT OF NANAIMO

ELECTORAL AREA SERVICES COMMITTEE

TUESDAY, JANUARY 10, 2017

4:00 PM

(RDN Board Chambers)

This meeting will be recorded

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

MINUTES

4-7 Minutes of the Electoral Area Services Committee meeting held Tuesday, November 22, 2016.

That the minutes of the Electoral Area Services Committee meeting held Tuesday, November 22, 2016 be adopted.

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

8-14 Correspondence re Development Variance Permit Application No. PL2016-113 – 1031 Robertson Boulevard, Electoral Area 'G'.

UNFINISHED BUSINESS

PLANNING

DEVELOPMENT PERMIT

15-22 Development Permit Application No. PL2016-164 – 923 McFeely Drive, Electoral Area 'G'.

23-30 Development Permit Application No. PL2016-179 – 3271 Jameson Road and 3155 Northwood Road, Electoral Area 'C'.

31-36 Development Permit Application No. PL2016-180 – 4179 Island Highway West, Electoral Area 'G'.

DEVELOPMENT VARIANCE PERMIT AND REQUEST FOR FRONTAGE RELAXATION

- 37-43 Development Variance Permit Application No. PL2016-113 and Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2016-112 – 1031 Robertson Boulevard, Electoral Area ‘G’.

SUBDIVISION APPLICATION

- 44-48 Subdivision Application No. PL2014-007 – 1831 Matterson Road, Electoral Area ‘F’.
- 49-61 Subdivision Application No. PL2016-134 – 2081 Lazy Susan Drive, Electoral Area ‘A’.

ZONING AMENDMENT APPLICATION

- 62-73 Zoning Amendment Application No. PL2016-161 – Pratt Road, Electoral Area ‘F’ – Bylaw 1285.27 – First and Second Reading.
- 74-85 Zoning Amendment Application No. PL2016-060 – 4775 & 4785 Anderson Avenue, Electoral Area ‘H’ – Bylaw 500.407 – First and Second Reading.

OTHER

- 86-91 Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2016-131 – 2221, 2225, 2237 Chelsea Place, Electoral Area ‘E’.
- 92-106 Electoral Area Telecommunication Antenna System Consultation and Information Policy with Bylaw No. 1259.11.

PARKS AND OPEN SPACE COMMITTEE MINUTES AND RECOMMENDATIONS

- 107-110 **Minutes of the Electoral Area ‘E’ Parks and Open Space Advisory Committee Meeting held Wednesday, October 12, 2016.**

That the Minutes of the Electoral Area ‘E’ Parks and Open Space Advisory Committee Meeting held Wednesday, October 12, 2016 be received for information.

Salish Sea Marine Trail Proposal from BC Marine Trails Network Association.

That staff be directed to work with the BC Marine Trails Network Association on the identification of Blueback Park as a Salish Sea Marine Trail day use area recognizing that this park has limited day-use facilities, with no overnight parking or camping.

111-113 **Minutes of the Electoral Area 'F' Parks and Open Space Advisory Committee Meeting held Wednesday, November 9, 2016.**

That the Minutes of the Electoral Area 'F' Parks and Open Space Advisory Committee Meeting held Wednesday, November 9, 2016 be received for information.

114-117 **Minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee Meeting held Thursday, December 1, 2016.**

That the Minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee Meeting held Thursday, December 1, 2016 be received for information.

Dunsmuir Community Park - Concept Plan

1. *That staff proceed with preparing construction drawings for Concept Plan A for Dunsmuir Community Park.*
2. *That staff proceed with clearing a view corridor into Dunsmuir Community Park as part of the 2017 Parks Work Plan.*

ADDENDUM

DIRECTORS' FORUM

- Planning
- Community Parks
- Emergency Preparedness
- Fire Protection
- Bylaw Enforcement
- Building Inspection
- Other Electoral Area Matters

BUSINESS ARISING FROM DELEGATIONS, COMMUNICATIONS OR DIRECTORS' FORUM

NEW BUSINESS

IN CAMERA

That pursuant to Sections 90 (1) (a) of the Community Charter the Committee proceed to an In Camera Meeting for discussions related to Board appointments.

ADJOURNMENT

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA SERVICE COMMITTEE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, NOVEMBER 22, 2016 AT 3:00 PM IN THE
RDN BOARD CHAMBERS**

In Attendance:

Director J. Stanhope	Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director B. Rogers	Electoral Area E
Director J. Fell	Electoral Area F
Director W. Veenhof	Electoral Area H

Also in Attendance:

P. Carlyle	Chief Administrative Officer
R. Alexander	Gen. Mgr. Regional & Community Utilities & Solid Waste
G. Garbutt	Gen. Mgr. Strategic & Community Development
T. Osborne	Gen. Mgr. Recreation & Parks
D. Trudeau	Gen. Mgr. Transportation and Emergency Planning Services
J. Harrison	Director of Corporate Services
W. Idema	Director of Finance
T. Armet	Mgr. Building & Bylaw Services
J. Hill	Mgr. Administrative Services
J. Holm	Mgr. Current Planning
P. Thompson	Mgr. Long Range Planning
G. Keller	Senior Planner, Current Planning
B. Ritter	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order and respectfully acknowledged the Coast Salish First Nations on whose traditional territory the meeting took place.

LATE DELEGATIONS

MOVED Director Rogers, SECONDED Director Veenhof, that late delegations be permitted to address the Committee.

CARRIED

Brock Williamson, re Development Permit with Variance Application No. PL2016-166 – Andover Road, Electoral Area ‘E’.

Brock Williamson spoke in support of Development Permit with Variance Application No. PL2016-166 – Andover Road, Electoral Area ‘E’, and advised of a change to the application to remove the watercourse setback variance.

ELECTORAL AREA SERVICES COMMITTEE MINUTES

Minutes of the Regular Electoral Area Services Committee meeting held Tuesday, October 11, 2016.

MOVED Director Veenhof, SECONDED Director McPherson, that the minutes of the Regular Electoral Area Services Committee meeting held Tuesday, October 11, 2016, be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Anne and Ted Kuzminski, re Development Permit with Variance Application No. PL2016-166 – Andover Road, Electoral Area 'E'.

MOVED Director Rogers, SECONDED Director Veenhof, that the correspondence from Anne and Ted Kuzminski regarding Development Permit with Variance Application No. PL2016-166 be received.

CARRIED

UNFINISHED BUSINESS

Electoral Area Telecommunication Antenna System Consultation and Information Policy.

MOVED Director Veenhof, SECONDED Director Young, that the attached amended draft policy titled Electoral Area Telecommunication and Antenna System Consultation and Information Policy be adopted as a Board policy.

MOVED Director Fell, SECONDED Director Veenhof, that Item 5.D.10 of the policy be amended to read:

“10. A map showing the maximum electromagnetic radiation power levels as watts per square metre, at ground level within 1000 metres of the proposed Telecommunication Antenna System. The map should include the cumulative effects of multiple Telecommunication Antenna Systems at the proposed location with any other existing Telecommunication Antenna Systems broadcasting in the area;”

CARRIED

MOVED Director Rogers, SECONDED Director Young, that this item be referred back to staff for a reconsideration of the fees with respect to tower height.

CARRIED

Electoral Area Boundary Amendment Process, Requirements, and Implications.

Staff provided a presentation on the Electoral Area Boundary Amendment Process, Requirements and Implications.

MOVED Director Fell, SECONDED Director Veenhof, that staff be directed to proceed with a land use analysis of parcels in Electoral Areas 'F' and 'G' which were affected by the construction of the Inland Island Highway.

CARRIED

MOVED Director Fell, SECONDED Director Veenhof, that staff be directed to proceed with the preparation of a draft electoral area boundary amendment proposal for parcels in Electoral Areas 'F' and 'G' which were affected by the construction of the Inland Island Highway.

CARRIED

PLANNING

DEVELOPMENT PERMIT

Development Permit Application No. PL2016-148 – Point Mercer Drive – Electoral Area 'G'.

MOVED Director Veenhof, SECONDED Director Rogers, that the Board approve Development Permit No. PL2016-148 to permit the construction of a dwelling unit and the reconstruction of an existing riprap revetment subject to the conditions outlined in Attachments 2 and 3.

CARRIED

DEVELOPMENT VARIANCE PERMIT

Development Variance Permit Application No. PL2016-163 – Andover Road – Electoral Area 'E'.

MOVED Director Rogers, SECONDED Director Veenhof, that the Board approve Development Variance Permit No. PL2016-163 to reduce the setback from the top of the slope adjacent to the sea and from the Other Lot Line to permit the construction of a dwelling unit on the subject property subject to the terms and conditions outlined in Attachment 2 to 4.

CARRIED

MOVED Director Rogers, SECONDED Director Veenhof, that the Board direct staff to complete the required notification for Development Variance Permit No. PL2016-163.

CARRIED

DEVELOPMENT PERMIT WITH VARIANCE

Development Permit with Variance Application No. PL2016-153 – Mariner Way – Electoral Area 'G'.

MOVED Director Veenhof, SECONDED Director Rogers, that the Board approve Development Permit with Variance No. PL2016-153 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.

CARRIED

MOVED Director Veenhof, SECONDED Director Rogers, that the Board direct staff to complete the required notification for Development Permit with Variance No. PL2016-153.

CARRIED

Development Permit with Variance Application No. PL2016-166 – Andover Rd – Electoral Area 'E'.

MOVED Director Rogers, SECONDED Director Veenhof, that the Board approve Development Permit with Variance No. PL2016-166 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4, as amended to remove the watercourse setback variance.

CARRIED

MOVED Director Rogers, SECONDED Director Veenhof, that the Board direct staff to complete the required notification for Development Permit with Variance No. PL2016-166.

CARRIED

OTHER

Zoning Amendment Application No. PL2016-007 - 4660 & 4652 Anderson Avenue – Electoral Area 'H' – Bylaw No. 500.405, First and Second Reading.

MOVED Director Veenhof, SECONDED Director Young, that the Board receive the Summary of the Public Information Meeting held on October 5, 2016.

CARRIED

MOVED Director Veenhof, SECONDED Director Young, that the conditions set out in Attachment 2 of the staff report be completed prior to Amendment Bylaw No. 500.405 being considered for adoption.

CARRIED

MOVED Director Veenhof, SECONDED Director Young, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.405, 2016", be introduced and read two times.

CARRIED

MOVED Director Veenhof, SECONDED Director Young, that the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.405, 2016", be chaired by Director Veenhof or his alternate.

CARRIED

DIRECTORS FORUM

The Directors' Forum included discussions related to Electoral Area matters.

NEW BUSINESS

Sleepy Hollow.

MOVED Director Fell, SECONDED Director Veenhof, that staff be directed to prepare a report outlining options for completion of the Sleepy Hollow building strata subdivision in approximate accordance with the layout proposed in 1997 and outline any necessary amendments to RDN bylaws required to enable the development to proceed.

CARRIED

IN CAMERA

MOVED Director Fell, SECONDED Director Young, that pursuant to Sections 90 (1) (f) and (i) of the *Community Charter* the Committee proceed to an In Camera Meeting for discussions related to law enforcement and solicitor-client privilege.

CARRIED

TIME: 4:50 PM

ADJOURNMENT

MOVED Director Veenhof, SECONDED Director Rogers, that this meeting be adjourned.

CARRIED

TIME: 4:51 PM

CHAIRPERSON

CORPORATE OFFICER

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Attention: Director Stanhope

Dear Sir:

**RE: 1031 Lowry's Road
Lot B, District Lot 81, Nanoose District, Plan 44150 Except Part in Plans
44151, VIP81836, VIP86635 and EPP12138**

Please be advised that I have reviewed the application pertaining to the above lot and I fully understand the variances being applied for.

I have no objection to the proposed variances for frontage and panhandle width. Subsequently, I am in support of the Development Permit with Variances being issued.

Yours truly,

NAME:

David A. McQueen

ADDRESS:

653 Wembley Road

Parksville BC V9P 2B4

DATE:

25 Dec 2016.

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Attention: Director Stanhope

Dear Sir:

**RE: 1031 Lowry's Road
Lot B, District Lot 81, Nanoose District, Plan 44150 Except Part in Plans
44151, VIP81836, VIP86635 and EPP12138**

Please be advised that I have reviewed the application pertaining to the above lot and I fully understand the variances being applied for.

I have no objection to the proposed variances for frontage and panhandle width. Subsequently, I am in support of the Development Permit with Variances being issued.

Yours truly,

WILLIAM CHARLES
ARCHIBALD

NAME:

W. C. Archibald

ADDRESS:

675 Lowry's Rd.
Parkville V9P 2N9

DATE:

Dec 28/16

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Attention: Director Stanhope

Dear Sir:

**RE: 1031 Lowry's Road
Lot B, District Lot 81, Nanoose District, Plan 44150 Except Part in Plans
44151, VIP81836, VIP86635 and EPP12138**

Please be advised that I have reviewed the application pertaining to the above lot and I fully understand the variances being applied for.

I have no objection to the proposed variances for frontage and panhandle width. Subsequently, I am in support of the Development Permit with Variances being issued.

Yours truly,

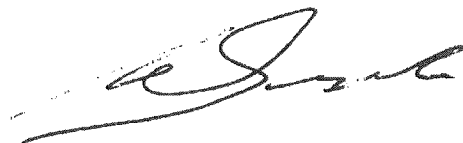
NAME: Arnold C. Teeple

ADDRESS: 688 Lowry's Rd.

Parisville BC.

V9P 2N9

DATE: Dec 28 2016



Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Attention: Director Stanhope

Dear Sir:

**RE: 1031 Lowry's Road
Lot B, District Lot 81, Nanoose District, Plan 44150 Except Part in Plans
44151, VIP81836, VIP86635 and EPP12138**

Please be advised that I have reviewed the application pertaining to the above lot and I fully understand the variances being applied for.

I have no objection to the proposed variances for frontage and panhandle width. Subsequently, I am in support of the Development Permit with Variances being issued.

Yours truly,

NAME: Tomy Kellowall

ADDRESS: 687 Lowry Rd

Parksville

DATE: Dec 22 / 2016



Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Attention: Director Stanhope

Dear Sir:

**RE: 1031 Lowry's Road
Lot B, District Lot 81, Nanoose District, Plan 44150 Except Part in Plans
44151, VIP81836, VIP86635 and EPP12138**

Please be advised that I have reviewed the application pertaining to the above lot and I fully understand the variances being applied for.

I have no objection to the proposed variances for frontage and panhandle width. Subsequently, I am in support of the Development Permit with Variances being issued.

Yours truly,

NAME: Darlene + Hans Mueller Darlene Mueller

ADDRESS: 681 Lowry's Rd.
Parksville B.C.

DATE: Dec. 28, 2016

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Attention: Director Stanhope

Dear Sir:

**RE: 1031 Lowry's Road
Lot B, District Lot 81, Nanoose District, Plan 44150 Except Part in
Plans 44151, VIP81836, VIP86635 and EPP12138**

I have reviewed the application pertaining to the above lot and fully understand the variances being applied for.

I have no objection to the reduced panhandle width or the frontage relaxation and therefore fully support the issuance of the Development Variance Permit to allow the subdivision to proceed.

Yours truly

Name: Joanne Nemeth

Address: 673 Wembley Road
Parksville B.C.
V9P 2B4
Jo Nemeth

Dated: Dec. 30/16

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Attention: Director Stanhope

Dear Sir:

**RE: 1031 Lowry's Road
Lot B, District Lot 81, Nanoose District, Plan 44150 Except Part in
Plans 44151, VIP81836, VIP86635 and EPP12138**

I have reviewed the application pertaining to the above lot and fully understand the variances being applied for.

I have no objection to the reduced panhandle width or the frontage relaxation and therefore fully support the issuance of the Development Variance Permit to allow the subdivision to proceed.

Yours truly

Name:

Jim McAllister

Address:

1009 ROBERTSON BLVD.

30 Dec 2016

Dated:

TO: Regional District of Nanaimo
Electoral Area Services Committee

MEETING: January 10, 2016

FROM: Sarah Preston
Planning Technician

FILE: PL2016-164

SUBJECT: **Development Permit Application No. PL2016-164**
Lot 8, District Lot 9, Newcastle District, Plan VIP69413
923 McFeely Drive – Electoral Area ‘G’

RECOMMENDATION

That the Board approve Development Permit No. PL2016-164 to permit the construction of a dwelling unit subject to the conditions outlined in Attachments 2 to 4.

SUMMARY

Westmark Construction Ltd has applied for a development permit in support of a proposed dwelling unit development located at 923 McFeely Drive. The dwelling unit is proposed to be constructed on a property subject to the Hazard Lands Development Permit Area (DPA), identified as such due to the potential for coastal flooding and erosion in the electoral area. A Geotechnical Hazard Assessment prepared by Lewkowich Engineering and Associates Ltd has been submitted in support of the application, as per the development permit area guidelines. Given that the development permit area guidelines have been met and no negative impacts are anticipated as a result of the proposed development, it is recommended that the Board approve the proposed development permit subject to the conditions outlined in Attachments 2-4.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Westmark Construction Ltd on behalf of Karen and William Driol to permit the construction of a 214.9 square metre dwelling unit with attached garage. The subject property is approximately 0.21 hectares in area and is zoned Residential 2 (RS2), Subdivision District ‘M’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is located to the north of Island Highway West off Kinkade Road in a residentially zoned neighbourhood bordering a National Wildlife Area and Little Qualicum River Regional Park (see Attachment 1 – Subject Property Map).

The property is currently undeveloped and is serviced by Surfside Properties Water and Surfside Sewer.

The proposed development is subject to the Hazard Lands Development Permit Area (DPA) per the “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Bylaw No. 1540, 2008”.

Land Use Implications

As per the DPA guidelines, the applicant has submitted a Geotechnical Hazard Assessment prepared by Lewkowich Engineering Associates Ltd, dated October 24, 2016. As part of their assessment, Lewkowich reviewed a previous geotechnical assessment prepared by Simpson Geotechnical Ltd in support of a similar proposal for the subject property in 2010. The 2010 assessment found that the risk of tsunami was the most significant, however, a number of recent contemporary studies and assessments have shown an increase in severity and frequency of significant storm events related to climate change. The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) recommends a cumulative method for flood construction level calculation that includes variables associated with sea level rise, a factor not addressed by the 2010 assessment. Based on this calculation method, Lewkowich found that the risk posed by the oceanic floodplain is greater than that posed by the floodplain of the Little Qualicum River. A Flood Construction Level (FCL) of 4.6 metres geodetic is recommended, which is a 0.6 metre increase from the 2010 calculation by Simpson. Lewkowich also notes that severe wave action or flooding may negatively impact the granular nature of the shoreline at the subject property, increasing the risk of future flooding and damage to the property during major storm events.

Previous studies, such as the 2010 assessment by Simpson and another prepared in 1996 by Lewkowich, indicate that the shoreline has varied significantly over time and while the changes have largely been the result of accretion, some areas have suffered degradation. The 1996 assessment posited that the accretion trend has been the result of protection afforded by a linear offshore feature located to the northeast that may be an abandoned breakwater or pier. The future of this feature and its ability to protect the shoreline from degradation over time is unknown, however the expectation is that without the protection afforded by this feature, the property could suffer from significant erosion. Thus, significant setbacks were established through covenant to ensure the protection of life and property.

The October 24, 2016 assessment by Lewkowich concludes that from a geotechnical point of view, the subject property is considered safe and suitable for the intended purpose and that future development will not result in a detrimental impact on the environment, subject property, or adjoining properties, provided the recommendations in the report are followed. Recommendations include confirmation of footing and floor elevations during construction by qualified survey personnel, evaluation of footing soils by a geotechnical engineer, and the installation of backflow preventers on all sewer and drainage piping. In addition, the assessment states that all construction shall be carried out within the requirements and recommendations of the environmental consultant and/or any defined jurisdictional setbacks, including existing restrictive covenants, whichever is more stringent.

A review of the permit application materials confirms that the proposed development conforms to the covenanted setback, (referenced as "covenant plan VIP 69415" – Attachment 3 – Proposed Site Plan), as well as side and front yard setbacks imposed by zoning. Parcel coverage and height restrictions have also been met by the proposal.

Staff recommend that issuance of this Permit be withheld until the applicant, at the applicant's expense, registers a Section 219 Covenant on the property title containing the Geotechnical Hazard Assessment by Lewkowich Engineering Associates Ltd dated October 24, 2016, and includes a save harmless clause that releases the Regional District of Nanaimo (RDN) from all losses and damages as a result of the potential hazard.

Staff also recommend discharging the Section 219 Covenant CA1587218 that registered the geotechnical assessment prepared by Simpson Geotechnical Ltd and dated February 26, 2010, as the recommended FCL has been shown to be inadequate based on current best practice recommended by APEGBC.

Given that the DPA guidelines and applicable land use regulations have been met it is anticipated that no negative impacts will be incurred by the proposed development.

Intergovernmental Implications

Staff have reviewed the proposed development and note that the proposal has no implications related to intergovernmental relations.

ALTERNATIVES

1. To approve Development Permit No. PL2016-164 subject to the conditions outlined in Attachments 2 to 4.
2. To deny Development Permit No. PL2016-164.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal will be in keeping with the 2016 – 2020 Board Strategic Plan. The Plans “Focus on the Environment” states that the Board will prepare for and mitigate the impact of environmental events. The DPA guidelines requirement for a geotechnical hazard assessment meets this goal by ensuring that the potential impact of environmental events are assessed on a site by site basis and measures are imposed to mitigate that impact.



Sarah Preston
spreston@rdn.bc.ca
December 14, 2016

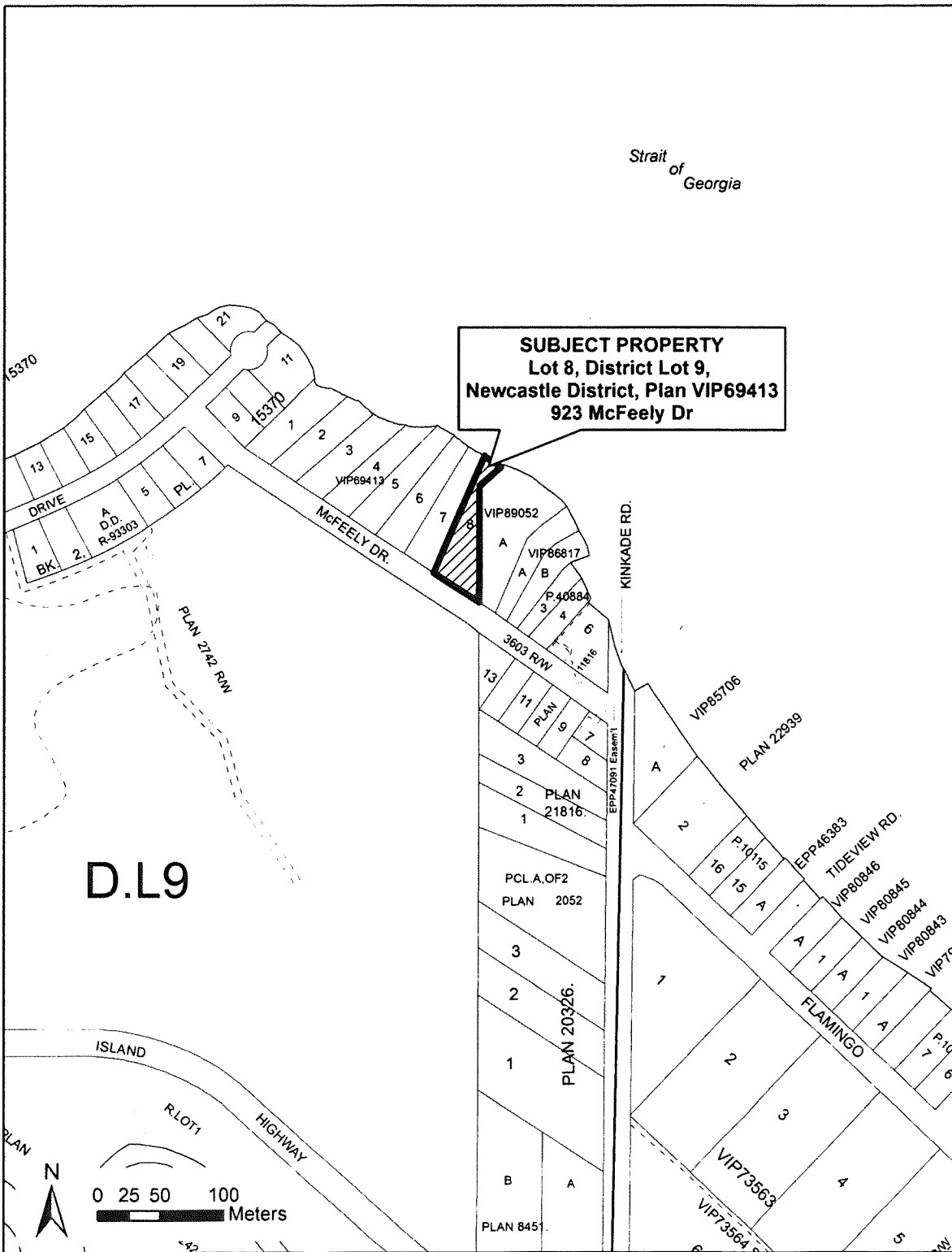
Reviewed by:

- P. Carlyle, Chief Administrative Officer
- J. Holm, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development

Attachments

1. Subject Property Map
2. Conditions of Permit
3. Proposed Site Plan
4. Building Plans and Elevations

Attachment 1
Subject Property Map



Attachment 2 Conditions of Permit

The following sets out the conditions of Development Permit No. PL2016-164:

Conditions of Approval

1. The site is developed in accordance with the Site Plan prepared by Turner Land Surveying dated October 3, 2016 and attached as Attachment 3.
2. The proposed development is in general compliance with the plans and elevations prepared by Sea Swan Enterprises dated November 8, 2016 and attached as Attachment 4.
3. The subject property shall be developed in accordance with the recommendations contained in the Geotechnical Hazard Assessment prepared by Lewkowich Engineering Associates Ltd dated October 24, 2016.
4. Staff shall withhold the issuance of this Permit until the applicant, at the applicant's expense, registers a Section 219 Covenant on the property title containing the Geotechnical Hazard Assessment by Lewkowich Engineering Associates Ltd dated October 24, 2016 as Schedule 'A', the referenced Geotechnical Assessment prepared by Simpson Geotechnical Ltd dated February 26, 2010 as Schedule 'B', and includes a save harmless clause that releases the Regional District of Nanaimo (RDN) from all losses and damages as a result of the potential hazard; and discharges Covenant No. CA1587218.
5. The property owner shall obtain the necessary permits for construction in accordance with the "Regional District of Nanaimo Building Regulations and Fees Bylaw No. 1250, 2001" as replaced or amended.

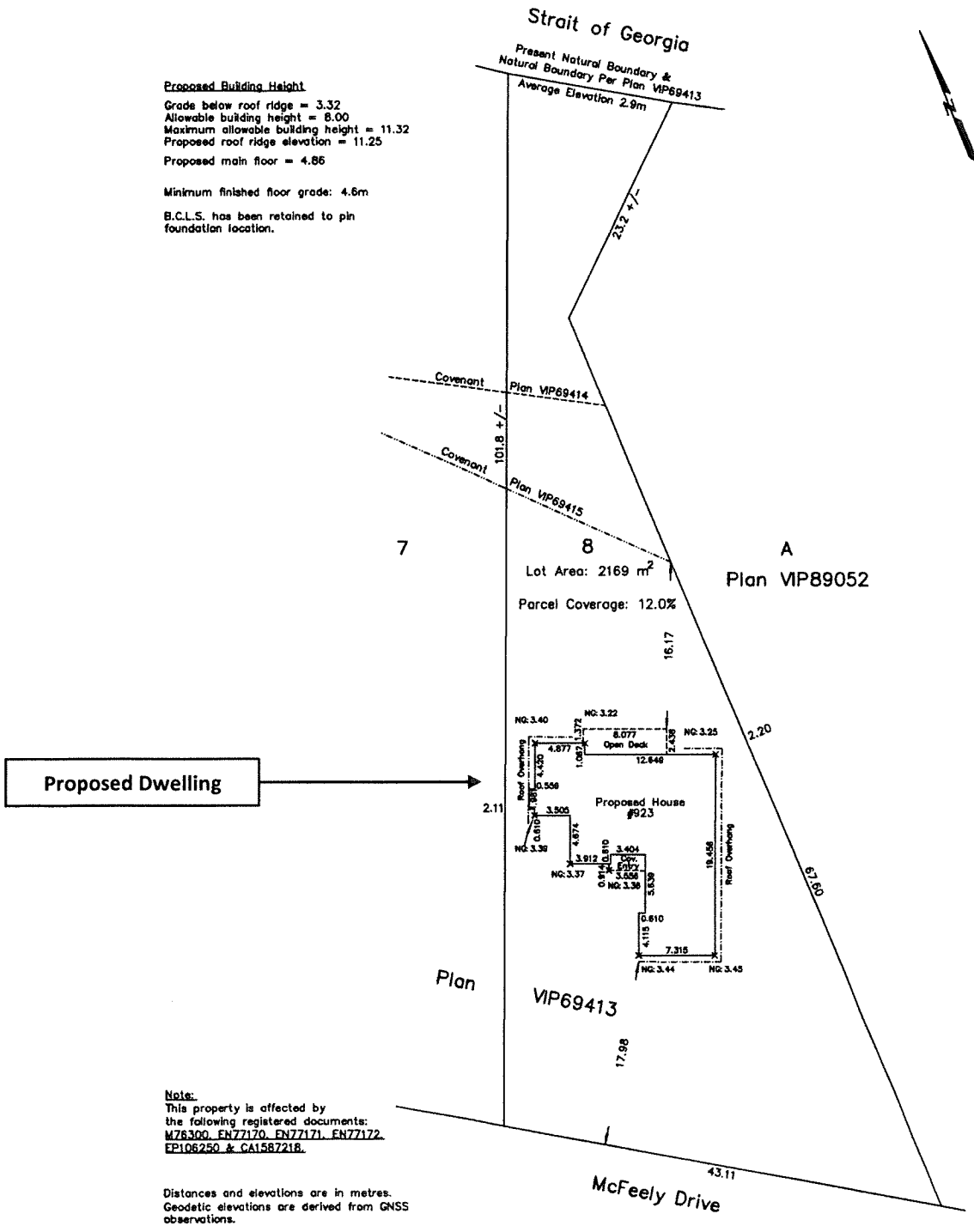
Attachment 3 Proposed Site Plan

Proposed Building Height

Grade below roof ridge = 3.32
 Allowable building height = 8.00
 Maximum allowable building height = 11.32
 Proposed roof ridge elevation = 11.25
 Proposed main floor = 4.86

Minimum finished floor grade: 4.6m

B.C.L.S. has been retained to pin foundation location.



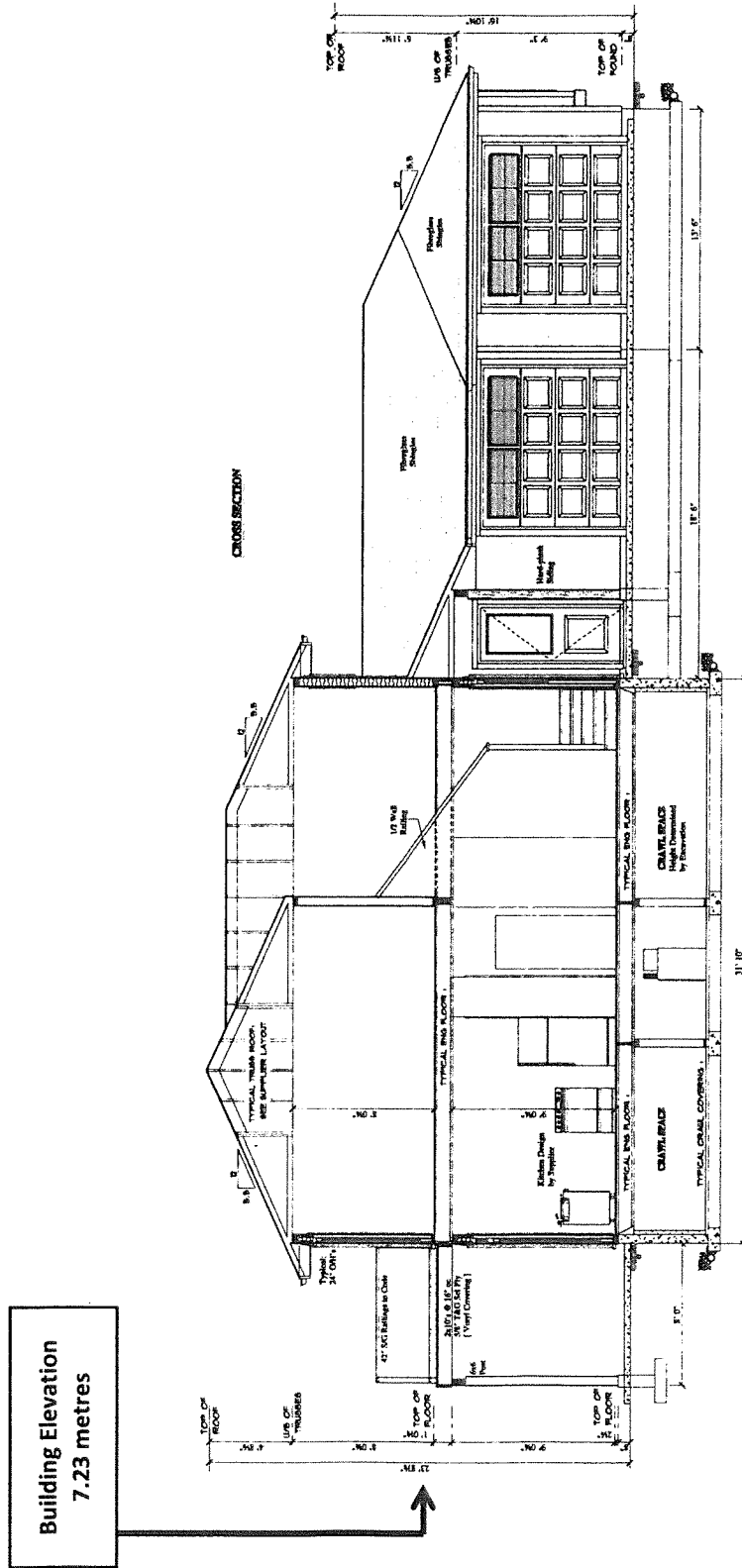
Proposed Dwelling

Note:

This property is affected by the following registered documents:
 M76300, EN77170, EN77171, EN77172,
 EP106250 & CA158721B.

Distances and elevations are in metres.
 Geodetic elevations are derived from GNSS observations.

Attachment 4 Building Elevations



TO: Regional District of Nanaimo
Electoral Area Services Committee

DATE: December 23, 2016

FROM: Sarah Preston
Planning Technician

MEETING: January 10th, 2017

FILE: PL2016-179

**SUBJECT: Development Permit Application No. PL2016-179
Lot 10, Sections 13 and 14, Range 2, Mountain District, Plan VIP80085
3271 Jameson Road and 3155 Northwood Road – Electoral Area ‘C’**

RECOMMENDATION

That the Board approve Development Permit No. PL2016-179 to permit the development of two dwelling units subject to the conditions outlined in Attachments 2 to 4.

SUMMARY

Gordon, Juanita, and Allan Dickerson have applied for a development permit to allow the development of two dwelling units and accompanying driveways within the Fish Habitat Protection Development Permit Area (DPA). The Regional District has received a riparian assessment prepared by Aquaparian Environmental Consulting Ltd and notification of assessment from the Province in accordance with the DPA guidelines. Given that the DPA guidelines have been met and no negative impacts are anticipated as a result of the proposed development, it is recommended that the development permit be approved subject to the conditions outlined in Attachments 2 to 4.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Gordon Dickerson, Juanita Dickerson, and Allan Dickerson to permit the construction of two dwelling units and related driveways. The subject property is 2.02 Hectares in area and is zoned Rural One (RU1), Subdivision District ‘D’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is located to the south-west of Jingle Pot Road on Jameson Road (see Attachment 1 – Subject Property Map).

The property is currently undeveloped and largely forested; though clearing of the building site accessed from Jameson Road was previously completed. The dwelling units are proposed to be serviced by separate wells and on-site sewerage systems.

The proposed development is subject to the Fish Habitat Protection Development Permit Area per the “Regional District of Nanaimo Electoral Area ‘C’ Official Community Plan Bylaw No. 1055, 1997”.

Proposed Development

The applicants propose to construct an approximately 238 square metre dwelling unit with attached garage fronting on Jameson Road (Proposed House A), and an approximately 68 square metre dwelling unit fronting on Northwood Road (Proposed House B). Both proposed buildings and their driveways are within a 30 metre riparian assessment area for water features located on the subject property.

Land Use Implications

The applicant has submitted a Site Plan prepared by Turner Land Surveying Inc dated April 16, 2016. The proposed dwelling units siting meet zoning setbacks for lot lines and watercourses, as well as parcel coverage and height regulations. Submitted building elevations prepared by Jenish House Design Limited, dated November 2015, support the height resolve calculations by Turner (223.90 metres allowable, 223.73 metres proposed). In addition, the proposed dwelling unit locations conform with the floodplain bylaw for setbacks to watercourses (minimum 15.1 metres from top of bank) and floodplain elevation requirements (minimum 5.1 metres above the surveyed edge of standing water).

Environmental Implications

A riparian area assessment performed by Aquaparian Environmental Consulting Ltd dated October 13, 2016 has been submitted in support of the applicants proposal. The subject property contains two water features. The first is a wetland that was historically modified by the construction of Jameson Road. It now functions as part of the roadside ditch system. However, it still possesses wetland characteristics with a high, sloping bank. The primary water source is posited to be seasonal runoff and groundwater flows. Proposed House A is sited 30 metres from the surveyed high water mark, which is the extent of the setback established by the riparian area assessment. Aquaparian has recommended that as land within the 30 metre setback was previously cleared, it should be allowed to revegetate naturally. The existing canopy is comprised of a mix of coastal Douglas fir, western red cedar, red alder, and arbutus. The driveway was constructed through the area prior to its establishment and the applicant advises that the region between the top of bank and edge of standing water was revegetated with western red cedar saplings this past fall.

Proposed House B, accessed off Northwood Road, is sited 19.1 metres from the second water feature (top of bank). The existing driveway crosses this water feature. Aquaparian has established a 10 metre streamside protection and enhancement area (SPEA) for this water feature, which is described as a remnant section of stream. The water feature is characterized by a natural stream channel with a canopy of western red cedar and red alder. Groundcover is comprised of dull oregon grape, salal, sword fern, and bracken fern. The stream channel is fed by upstream roadside ditches off Long View Place and Northwood Road. Downstream, the channel enters the ditch flowing along Northwood Road.

Both water features, the modified wetland and remnant stream, eventually discharge into McGarrigle Creek, which is a tributary of the Millstone River. The Millstone River is known to provide habitat for cutthroat trout, rainbow trout, Coho Salmon, chum salmon and pink salmon.

As both proposed dwelling units are located outside of the SPEAs and no further land clearing is expected, Aquaparian has recommended that the SPEAs be staked by a surveyor prior to construction site layout. Where construction is started during the winter, standard construction mitigation measures are recommended, which include the installation of silt fencing along the SPEA impacting Proposed House B, prohibiting access to both SPEAs, and ensuring heavy equipment is maintained clean and free

of leaks. It is not expected that environmental monitoring will be required. A post development inspection report is required to be completed by a qualified environmental professional and submitted to the Province.

As per the development permit area guidelines, it is recommended that the homeowner implement all measures necessary to maintain the integrity of the SPEA as specified in the riparian area assessment, and that such measures are included as a condition of permit.

Intergovernmental Implications

Staff have reviewed the proposed development and note that the proposal has no implications related to intergovernmental relations.

ALTERNATIVES

1. To approve Development Permit No. PL2016-179 subject to the conditions outlined in Attachments 2 to 4.
2. To deny Development Permit No. PL2016-179.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal will be in keeping with the 2016 – 2020 Board Strategic Plan. The Board’s “Focus on the Environment” is supported through the Watercourse Protection DP Guideline requirement for the assessment of the proposals impact by a Qualified Environmental Professional. Further, the Strategic Plan acknowledges the importance of water in supporting our economic and environmental health.



Sarah Preston
spreston@rdn.bc.ca
December 22, 2016

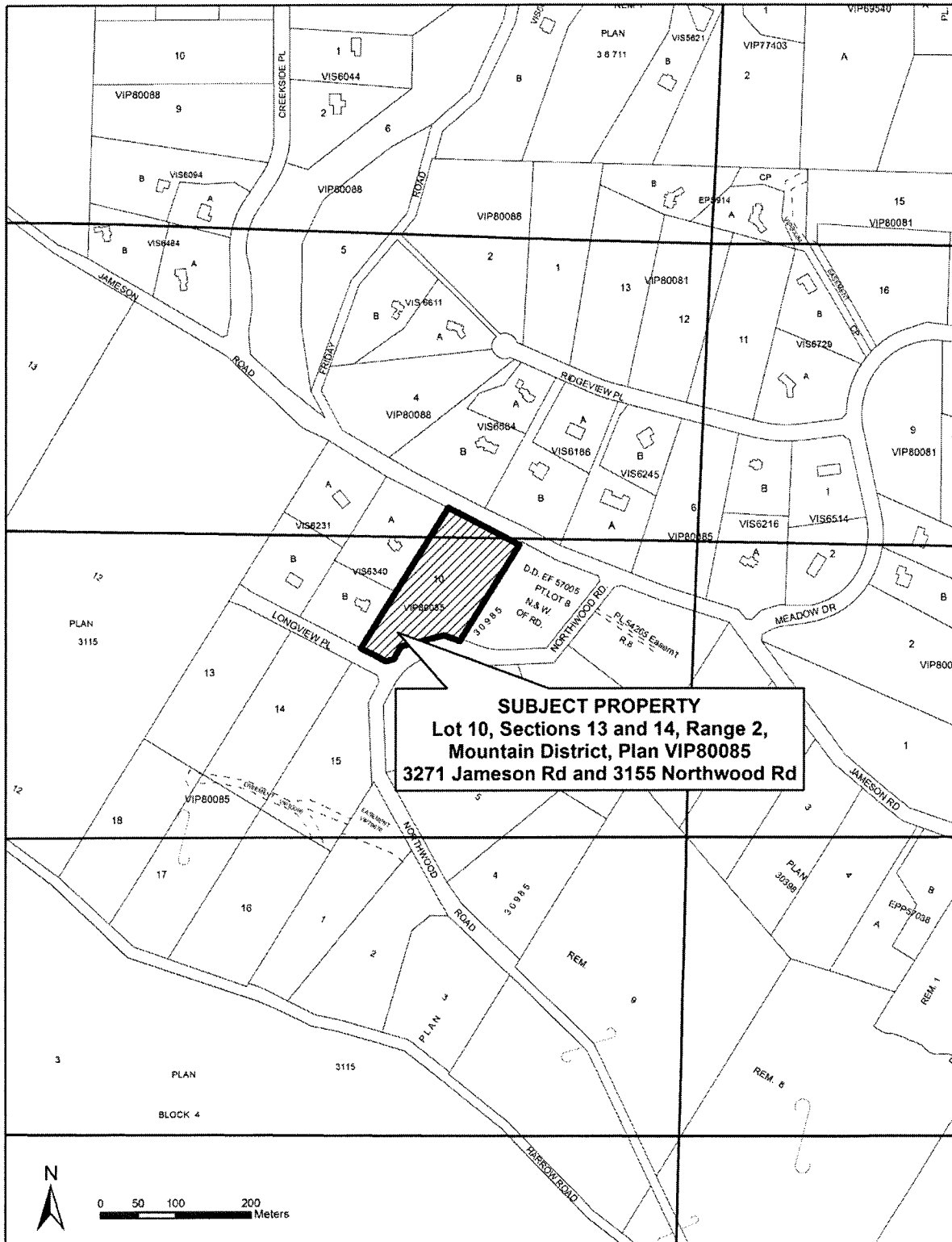
Reviewed by:

- P. Carlyle, Chief Administrative Officer
- T. Brown, Acting Manager, Current Planning
- P. Thompson, Acting General Manager, Strategic & Community Development

Attachments

- Subject Property Map
- Conditions of Permit
- Proposed Site Plan
- Building Plans and Elevations

Attachment 1
Subject Property Map



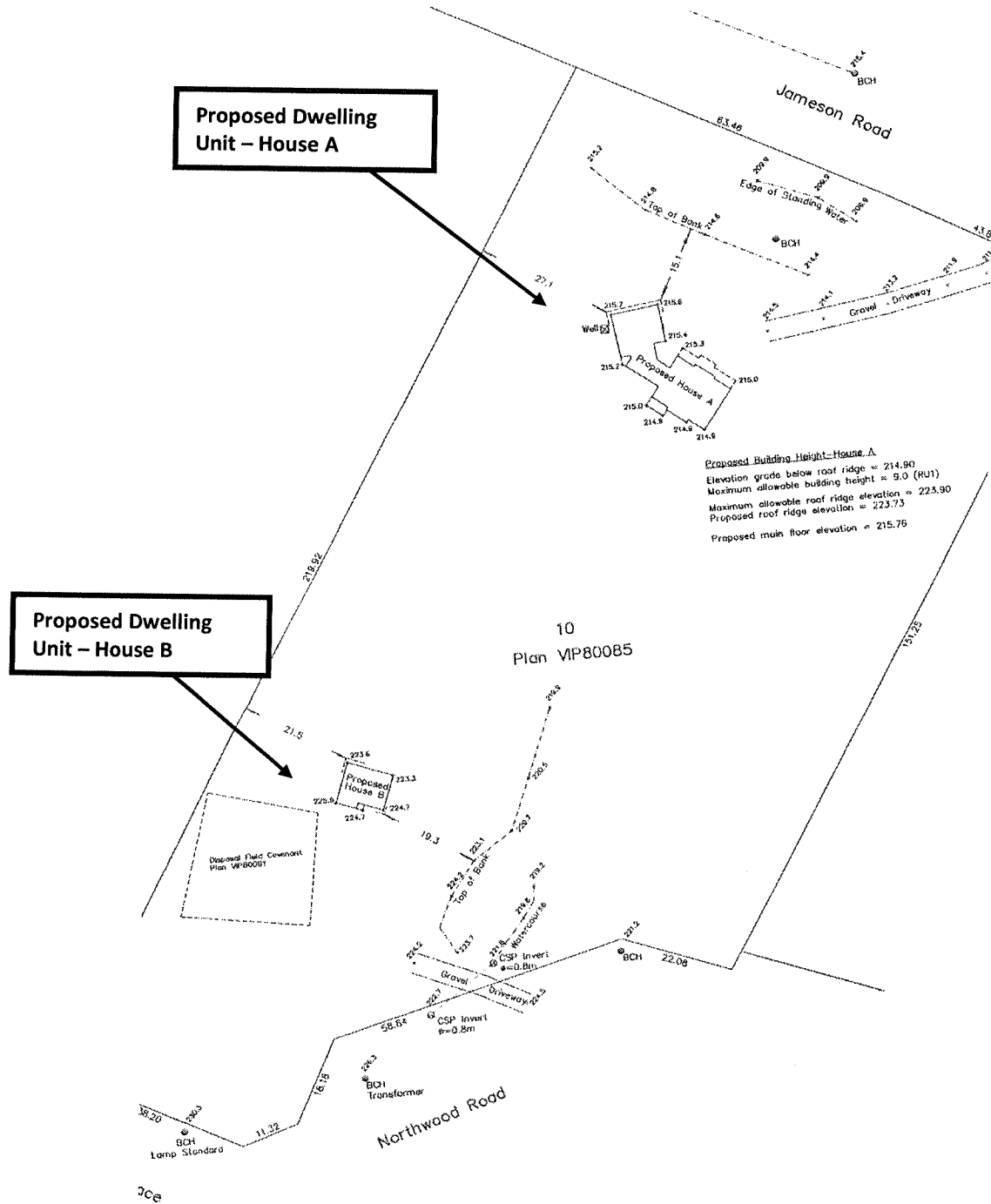
Attachment 2 Conditions of Permit

The following sets out the conditions of Development Permit No. PL2016-179:

Conditions of Approval

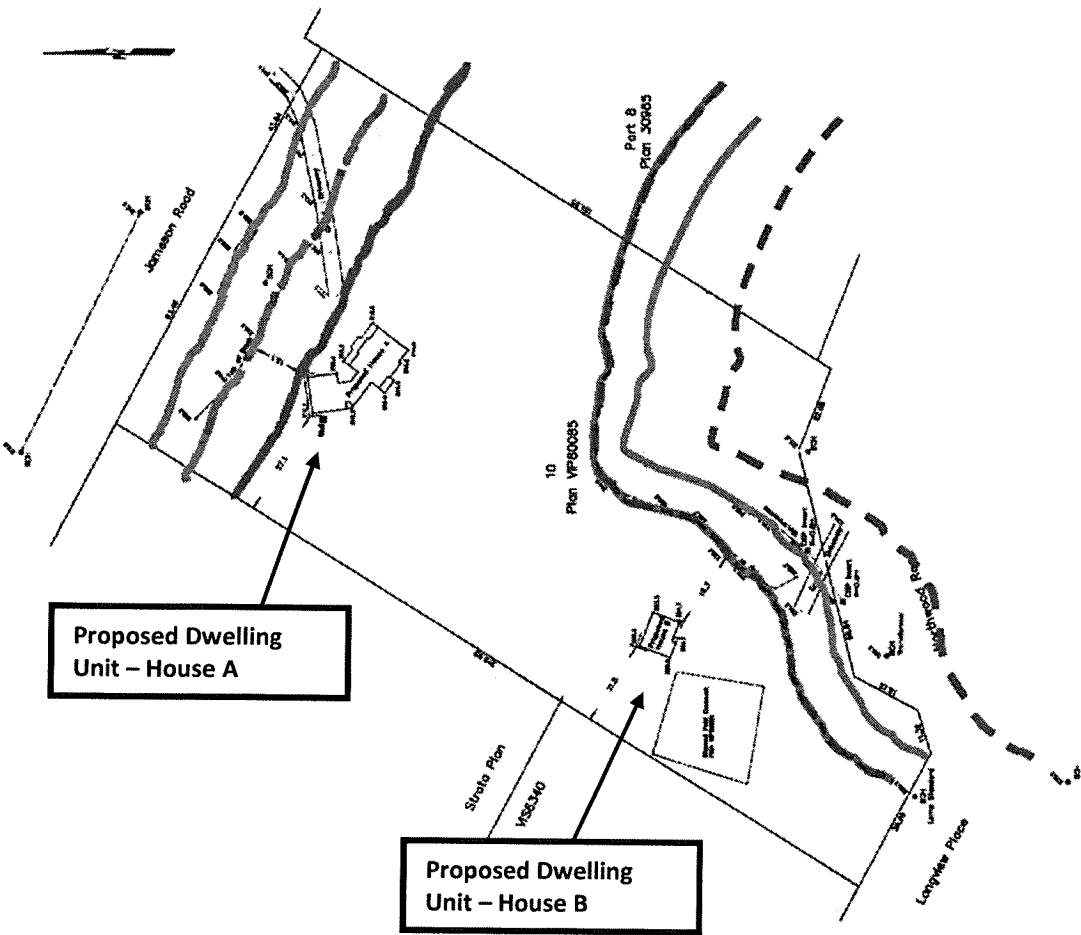
1. The site is developed in accordance with the Site Plan prepared by Turner Land Surveying Inc, dated April 16, 2016 and attached as Attachment 3.
2. The proposed development is in general compliance with the plans and elevations prepared by Jenish House Design Limited, dated November 2015 (House A) and December 2015 (House B), attached as Attachment 4.
3. The subject property shall be developed in accordance with the recommendations contained in the Riparian Areas Assessment prepared by Aquaparian Environmental Consulting Ltd dated October 13, 2016.
4. Prior to any physical development occurring, the SPEA setback boundaries on the subject property are to be marked on the ground with stakes by a surveyor.
5. The Qualified Environmental Professional (QEP) shall be required to provide confirmation to the RDN that the development has been completed in accordance with the QEP's recommendations prior to occupancy, by copy of the post-development assessment required by the Province.
6. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

Attachment 3
Proposed Site Plan
(1 of 2)



Attachment 3
Proposed Site Plan
(2 of 2)

- LEGEND:**
- High Water Mark
 - Large Woody Debris
 - Leaf Litter Insect Drop
 - Shade
 - Streamside Protection & Enhancement Area



An assessment of the natural hazard by a geotechnical engineer or other qualified professional is required to determine if the site is safe for the intended use and provide recommendations to ensure that the proposed development is protected from the natural hazard and will not result in a detrimental impact on the environment or adjoining properties.

Land Use Implications

The applicant recently demolished the existing dwelling and would like to construct a new dwelling unit in the same general location as shown on the attached site plan (see Attachment 3 – Site Plan).

To satisfy the Hazard Lands DPA guidelines, the applicant has submitted: a “Geotechnical Hazards Assessment” dated August 22, 2008 prepared by Ground Control Geotechnical Engineering Ltd. (GCG) and a “Geotechnical Hazard Assessment Report” dated December 1, 2016 prepared by Lewkowich Engineering Associates Ltd (LEA). The later (LEA) report reconfirms the findings of the previous (GCG) report and provides recommendations regarding setback of buildings from the crest of the slope. The report also makes recommendations regarding on-site stormwater management.

The LEA report recommends a minimum distance of 50.0 metres from the crest of the slope at its closest proximity to the proposed dwelling. The setback of the proposed dwelling is noted on the site plan as 54.3 metres from the crest of the slope, thus, the proposed setback satisfies the general requirements for safe setbacks.

ALTERNATIVES

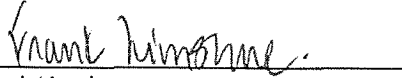
1. To approve Development Permit No. PL2016-180 subject to the conditions outlined in Attachment 2 to 3.
2. To request further information for Development Permit No. PL2016-180.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2016 – 2020 Board Strategic Plan. The strategic priority labelled “Focus on the Environment” states that the Board will prepare for and mitigate the impact of environmental events. The DPA guidelines requirements for a Geotechnical Hazard Assessment and recommendations for the protection of life and property meets this priority by ensuring that the potential impact of environmental events are assessed on a site-by-site basis and measures are imposed to mitigate that impact.



Frank Limshue
flimshue@rdn.bc.ca
December 13, 2016

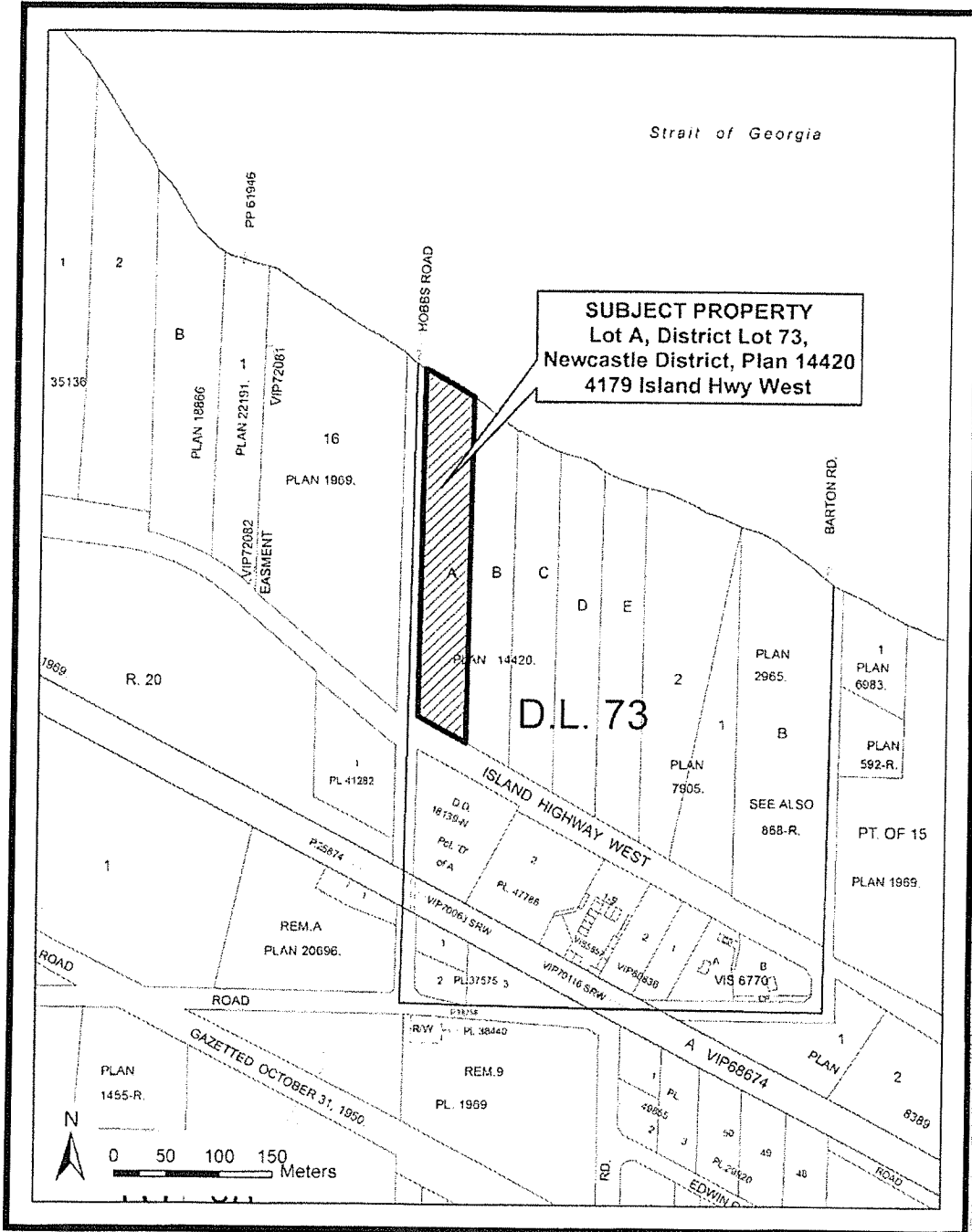
Reviewed by:

- J. Holm, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property
2. Conditions of Permit
3. Proposed Site Plan
4. Building Plans and Elevations

Attachment 1
Subject Property Map



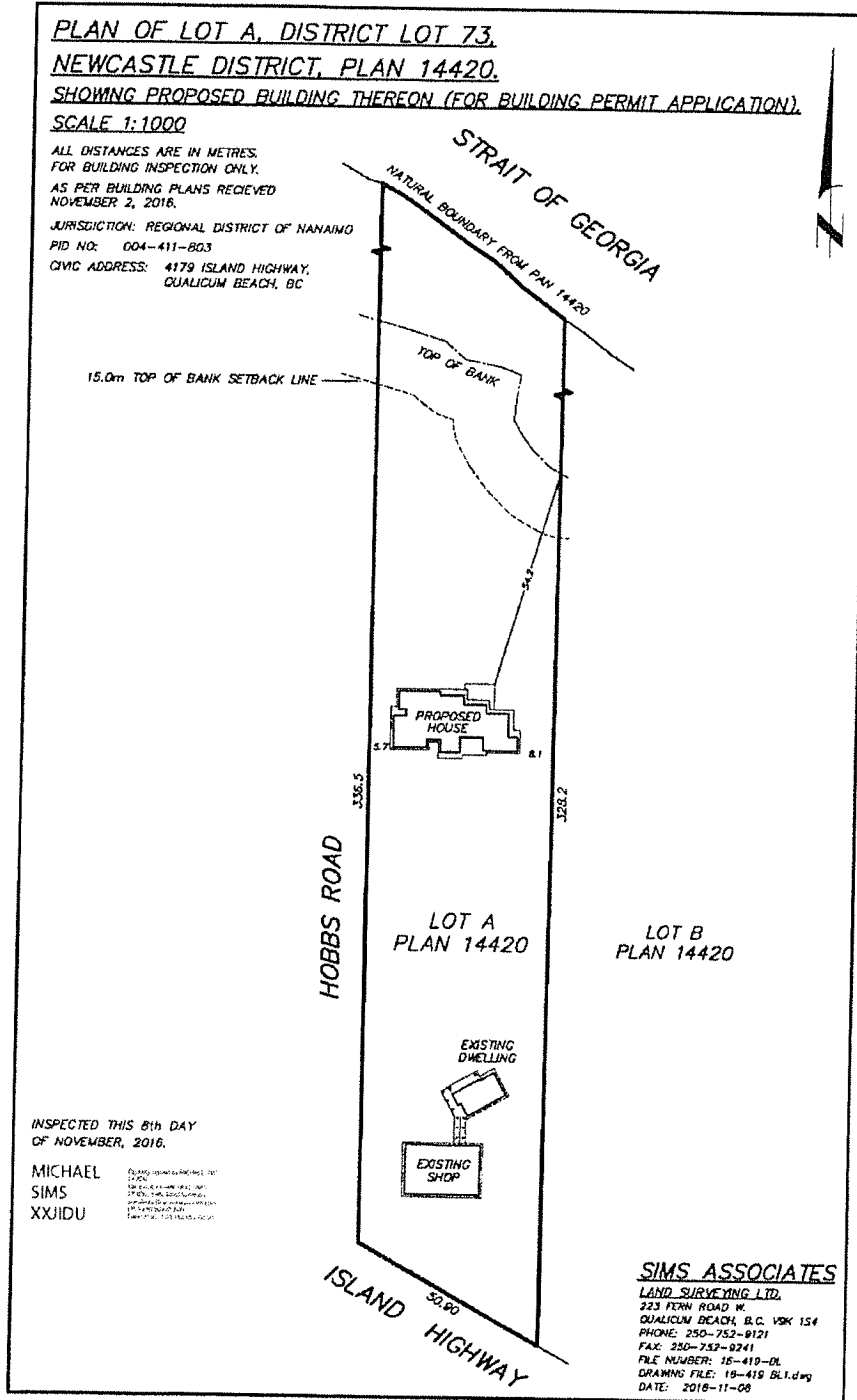
Attachment 2
Conditions of Permit

The following sets out the conditions of Development Permit No. PL2016-180:

Conditions of Approval

1. The site is developed in accordance with the site plan prepared by Sims Associates Surveying Ltd., dated November 8, 2016 and attached as Attachment 3.
2. The subject property shall be developed in accordance with the recommendations contained in the Geotechnical Hazards Assessment prepared by Lewkowich Engineering Associates Ltd., dated December 1, 2016.
3. Staff shall withhold the issuance of this Permit until the applicant, at the applicant's expense, registers a Section 219 Covenant on the property title containing the Geotechnical Engineering Review prepared by Lewkowich Engineering Associates Ltd., dated December 1, 2016, and includes a save harmless clause that releases the Regional District of Nanaimo (RDN) from all losses and damages as a result of the potential hazard.
4. The property owner shall obtain the necessary permits for construction in accordance with the "Regional District of Nanaimo Building Regulations and Fees Bylaw No. 1250, 2001" as replaced or amended.

Attachment 3
 Proposed Site Plan



TO: Electoral Area Services Committee **MEETING:** January 10, 2017

FROM: Kristy Marks
Planner **FILE:** PL2016-113 & PL2016-112

SUBJECT: **Development Variance Permit Application No. PL2016-113 and Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in relation to Subdivision Application No. PL2016-112**
Lot B, District Lot 81, Nanoose District, Plan 44150, Except Part in Plans 44151, VIP81836 and EPP12138
1031 Robertson Boulevard – Electoral Area ‘G’

RECOMMENDATIONS

1. That the Board approve Development Variance Permit No. PL2016-113 to reduce the minimum panhandle width for proposed lots 6 and 7 subject to the terms and conditions outlined in Attachments 2 to 3.
2. That the Board approve the request to relax the minimum 10% perimeter frontage requirements for proposed Lots 6 and 7 in relation to Subdivision Application No. PL2016-112.
3. That the Board direct staff to complete the required notification for Development Variance Permit No. PL2016-113.

SUMMARY

This is an application for a development variance permit to reduce the minimum panhandle width from 6.0 metres to 4.0 metres and a frontage relaxation for proposed lots 6 and 7 to permit a seven lot subdivision.

Given the guidelines of Board Policy B1.5 *Development Variance Permit, Development Permit with Variance and Floodplain Exemption Application Evaluation* have been satisfied, the proposed parcels meet the minimum site area requirements and will provide adequate area to support the permitted uses, staff recommend that the proposed development variance permit and frontage relaxation be approved pending the outcome of public notification and subject to the conditions outlined in Attachment 2.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Fern Road Consulting Ltd. on behalf of Lorrie and Nancy Shaver to relax the minimum panhandle width provisions pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” (Bylaw No. 500) and relax the minimum 10% frontage requirement in conjunction with a proposed seven lot Subdivision Application No. PL2016-113.

The subject property is approximately 0.6 hectares in area and is zoned Residential 1 Zone (RS1), Subdivision District ‘Q’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is surrounded by developed residential parcels to the north and east, Robertson Boulevard to the south, and developed residential parcels and Lowry’s Road to the west (see Attachment 1 – Subject Property Map).

The property contains an existing mobile home and an accessory building that will be removed prior to subdivision of the parcel. The parcel is currently serviced by community water and sewer.

Proposed Development and Variance

The applicant is proposing to subdivide the subject property into seven parcels serviced with community water and sewer (see Attachment 3 - Proposed Site Plan and Variances). The applicant proposes to vary the following regulation from the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”:

- **4.5(3)(b) – Parcel Shape and Dimensions** to reduce the minimum panhandle width requirement for lots where no further subdivision is possible from 6.0 metres to 4.0 metres for proposed lots 6 and 7.

Minimum 10% Perimeter Frontage Requirement

Proposed lots 6 and 7 do not meet the minimum 10% perimeter frontage requirement, pursuant to Section 512 of the *Local Government Act*. Therefore, approval of the RDN Board is required to allow exemption from the requirements of Section 512. The applicant has requested approval from the Board to reduce the frontage requirement as follows:

<i>Proposed Lot No.</i>	<i>Perimeter (m)</i>	<i>Required Frontage (m)</i>	<i>Proposed Frontage (m)</i>	<i>% Perimeter</i>
Lot 6	200.3	20.0	4.0	2.0
Lot 7	208.0	20.8	4.0	1.9

Land Use Implications

The applicant is requesting a variance to the minimum panhandle width for proposed lots 6 and 7 and is proposing a reciprocal access agreement for shared access to these parcels. In addition, the applicant is requesting a relaxation to the minimum 10% parcel frontage for proposed lots 6 and 7.

Board Policy B1.5 for evaluation of Development Variance Permit Applications requires that there is an adequate demonstration of an acceptable land use justification prior to the Board's consideration. In this case the parent parcel is an irregular shape and in order to provide access to lots 6 and 7, back to back panhandles and a reciprocal access agreement is proposed. The applicant has provided the following justification for the requested variance:

- A reciprocal access agreement will be registered over the panhandles and allow adequate access to both parcels with ample distance from the Robertson Boulevard intersection to allow for safe access;
- Redesigning the subdivision to provide 6-metre-wide panhandles would result in the reduction in the widths of Lots 5, 6 and 7 and increase in the length of the panhandles;
- Lots 1 and 2 would have to be reconfigured resulting in irregularly shaped parcels with restricted building envelopes and yard areas.

In addition, staff discussed planned improvements to Robertson Boulevard to address community concerns related to vehicular traffic and pedestrian and bike mobility and safety along Robertson Boulevard with MOTI staff. MOTI staff confirmed that subdivision of this parcel would not trigger any requirements for road improvements. However, they did note that planned improvements to Robertson Boulevard will include the addition of a 1.5 m wide paved shoulder to increase pedestrian safety on the south side of Robertson Boulevard, opposite the subject property. In addition, there is existing signage in place that identifies this stretch of Robertson Boulevard as part of the Parksville – Qualicum Beach Links trail.

Given that the applicant has provided sufficient rationale and there are no negative land use implications anticipated as a result of the proposed variance, the applicants have made reasonable efforts to address Policy B1.5 guidelines.

Intergovernmental Implications

The Ministry of Transportation and Infrastructure have reviewed the application and has issued a preliminary layout approval for the proposed subdivision and have not noted any concern with the proposed frontage relaxation.

Public Consultation Implications

Pending the Electoral Area Services Committee's recommendation and pursuant to the *Local Government Act* and the "Regional District of Nanaimo Development Approvals and Notification Procedures Bylaw No. 1432, 2005", property owners and tenants of parcels located within a 50.0 metre radius of the subject property will receive a direct notice of the proposal and will have an opportunity to comment on the proposed variance prior to the Board's consideration of the application.

ALTERNATIVES

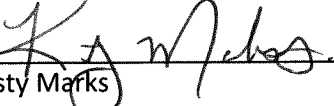
1. To approve Development Variance Permit No. PL2016-113 and request for relaxation of the minimum 10% frontage requirement for proposed lots 6 and 7 subject to the conditions outlined in Attachments 2 to 3.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2016 – 2020 Board Strategic Plan.



Kristy Marks
kmarks@ren.bc.ca
December 21, 2016

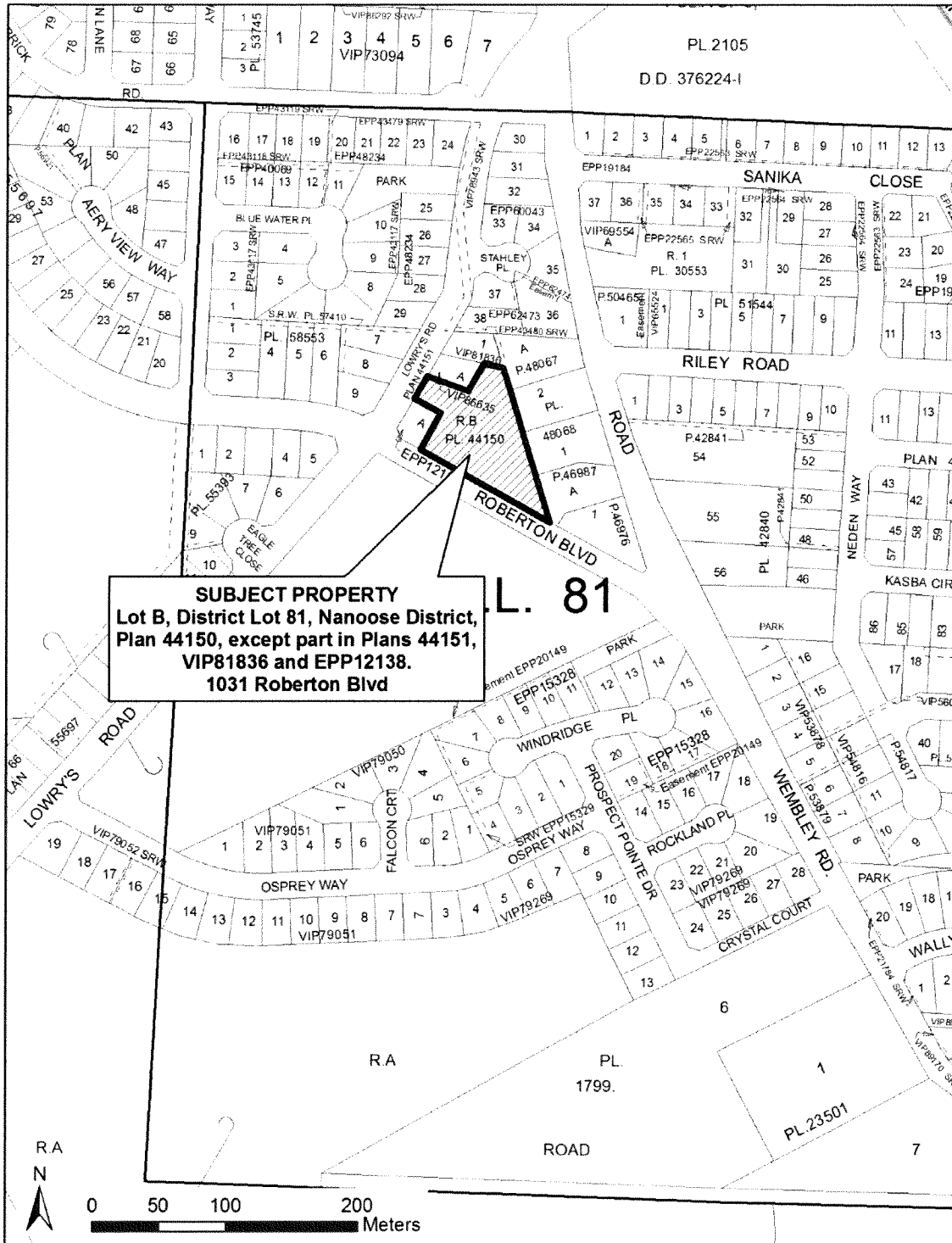
Reviewed by:

- J. Holm, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. Terms and Conditions of Permit
3. Proposed Site Plan and Variances

Attachment 1
Subject Property Map



Attachment 2 Terms and Conditions of Permit

The following sets out the terms and conditions of Development Variance Permit No. PL2016-113:

Bylaw No. 500, 1987 Variance

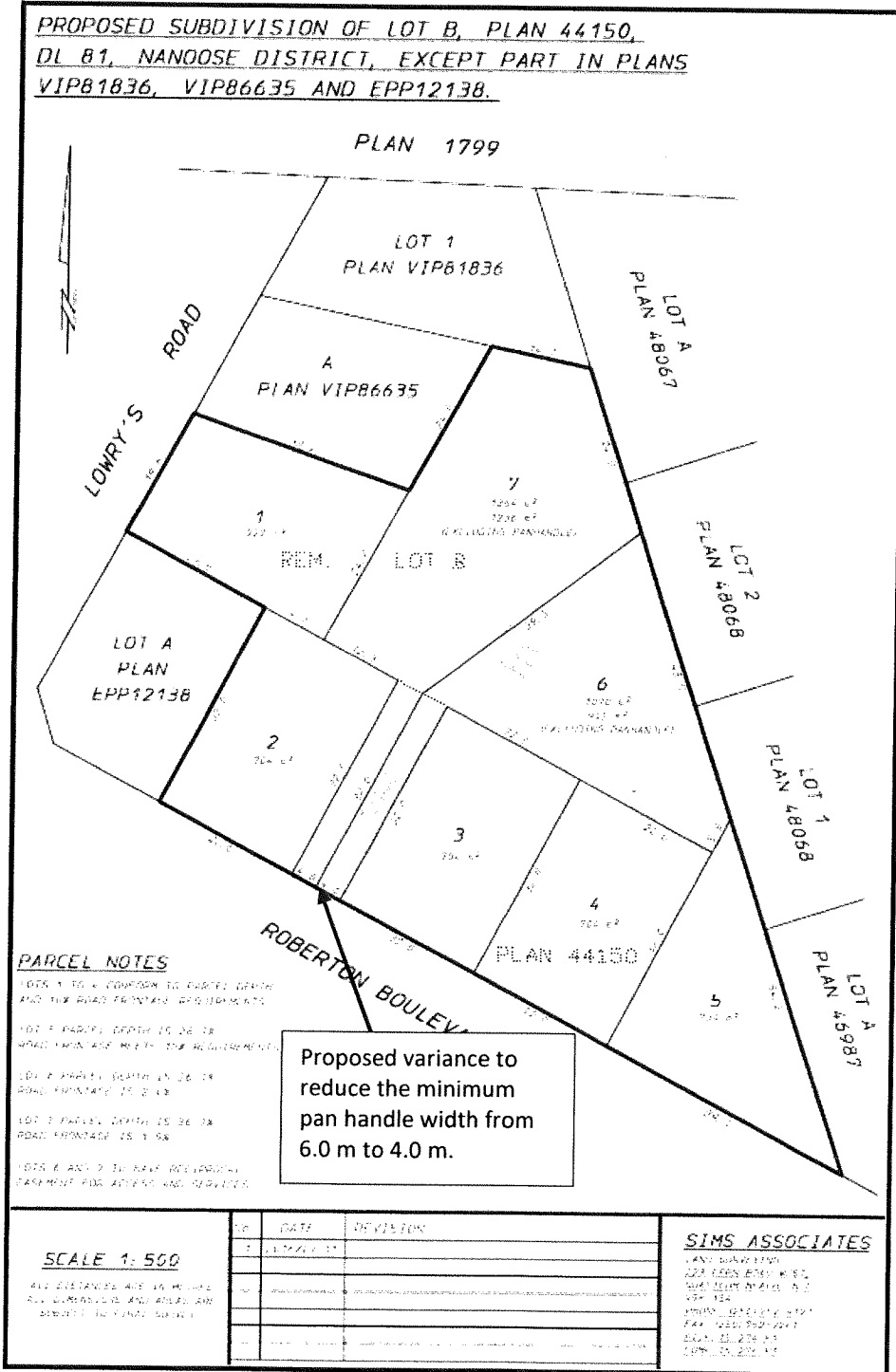
With respect to the lands, “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” is varied as follows:

4.5(3)(b) – Parcel Shape and Dimensions to reduce the minimum panhandle width requirement for lots where no further subdivision is possible from 6.0 metres to 4.0 metres for proposed lots 6 and 7.

Conditions of Approval

1. The site is developed in accordance with the Proposed Plan of Subdivision prepared by Sims Associates Land Surveying, dated July 11, 2016 and attached as Attachment 3.
2. That the applicant, at the applicant’s expense shall register a reciprocal access easement combined with a Section 219 covenant, on the title of proposed lots 6 and 7, concurrently with the plan of subdivision.
3. The property owner shall obtain the necessary permits for construction or demolition in accordance with the “Regional District of Nanaimo Building Regulations and Fee Bylaw No. 1250, 2001” as replaced or amended.

Attachment 3
Proposed Site Plan and Variance



TO: Electoral Area Services Committee **MEETING:** January 10, 2017

FROM: Greg Keller
Senior Planner **FILE:** PL2014-007

SUBJECT: Subdivision Application No. PL2014-007
Lot 2, District Lot 114, Nanoose District, Plan VIP78443
1831 Matterson Road – Electoral Area ‘F’

RECOMMENDATION

That the Board approve the request to relax the minimum lot frontage requirements for proposed Lot A in relation to Subdivision Application No. PL2014-007.

SUMMARY

The Regional District of Nanaimo has received an application from Fern Road Consulting Ltd. on behalf of Edward and Linda Matt to relax the minimum 70 metre lot frontage requirement for proposed Lot A as part of a subdivision to provide a separate residence for a family member pursuant to Section 514 of the *Local Government Act*. The proposed subdivision will meet the applicable minimum parcel size requirements and provide adequate site area for the intended residential use. Despite the reduced frontage, no negative land use implications are anticipated. Ministry of Transportation and Infrastructure staff have confirmed that they have no concerns with the requested frontage relaxation. Therefore, staff recommends that the requested frontage relaxation be approved.

BACKGROUND

The subject property is approximately 3.6 hectares in area and is zoned Rural 1 (RU1), pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 1285, 2002”. The property is a rural acreage located to the north west of the intersection of Matterson Road and Courtney Road and is surrounded by other rural acreages (see Attachment 1 – Subject Property Map).

Proposed Development

The proposed Section 514 subdivision is shown on Attachment 2. Proposed Lot A would be 1.0 hectare and currently does not contain any buildings or structures. Proposed Lot B would be 2.6 hectares and currently contains two dwelling units and a number of accessory buildings. Access to proposed Lot A is to be off of Courtney Road while access to proposed Lot B may be from either Courtney Road or Matterson Road.

Land Use Implications

Proposed Lot A does not meet the minimum lot frontage required under Bylaw 1285 pursuant to Section 512 of the *Local Government Act* (see Attachment 3 – Proposed Lot Frontage). Therefore, approval of the RDN Board is required to allow an exemption from the requirements of Section 512. The applicant has requested approval from the Board to reduce the frontage requirement as follows:

Proposed Lot No.	Required Lot Frontage (m)	Proposed Lot Frontage (m)	% of Perimeter
A	70	58.7	12.7

With regards to the requested relaxation for proposed Lot A, the lot configuration will meet minimum lot size requirements in accordance with Section 6.7(4) of Bylaw No. 1285 and provide adequate site area to support the permitted uses on both proposed parcels. The proposal would provide ample road frontage to accommodate access to both proposed lots. Given this information, the proposed relaxation is not anticipated to result in any negative development implications.

ALTERNATIVES

1. To approve the request for relaxation of the minimum lot frontage requirement for proposed Lot A as shown on Attachment 3.
2. To deny the request for relaxation of the minimum lot frontage requirement.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2016 – 2020 Board Strategic Plan.



Greg Keller
gkeller@rdn.bc.ca
December 22, 2016

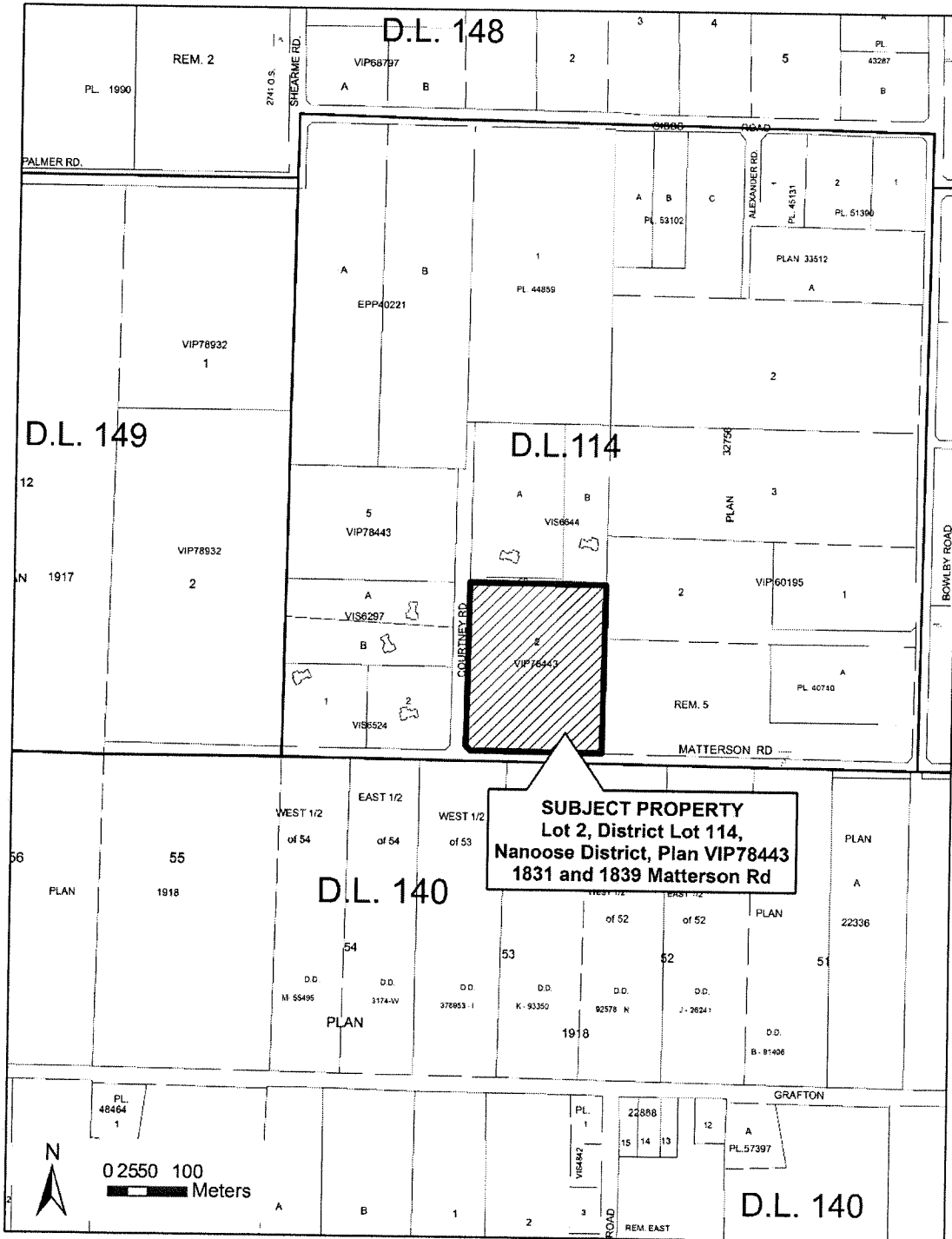
Reviewed by:

- J. Holm, Manager, Current planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

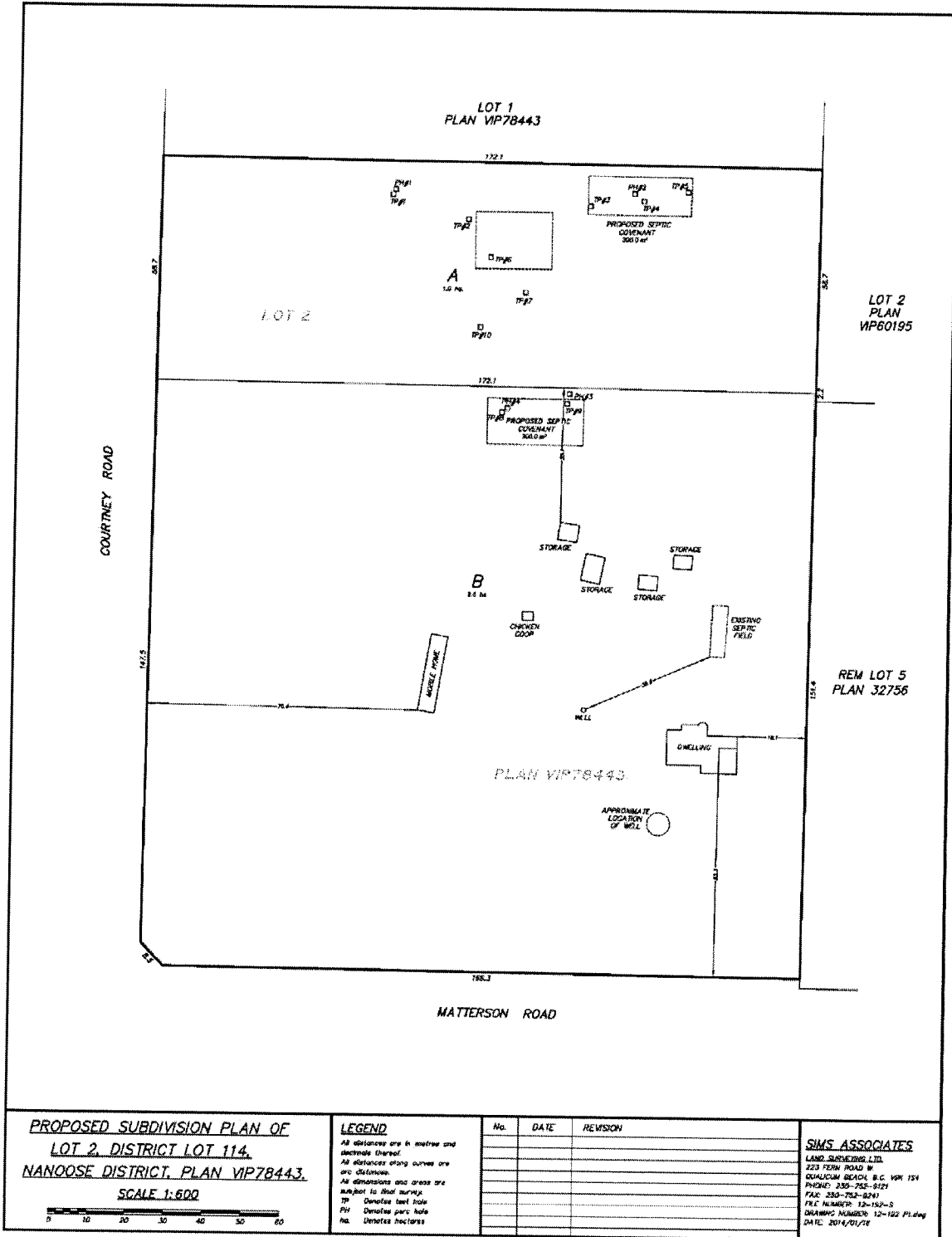
Attachments

1. Subject Property Map
2. Proposed Plan of Subdivision
3. Proposed Lot Frontage

Attachment 1
Subject Property Map

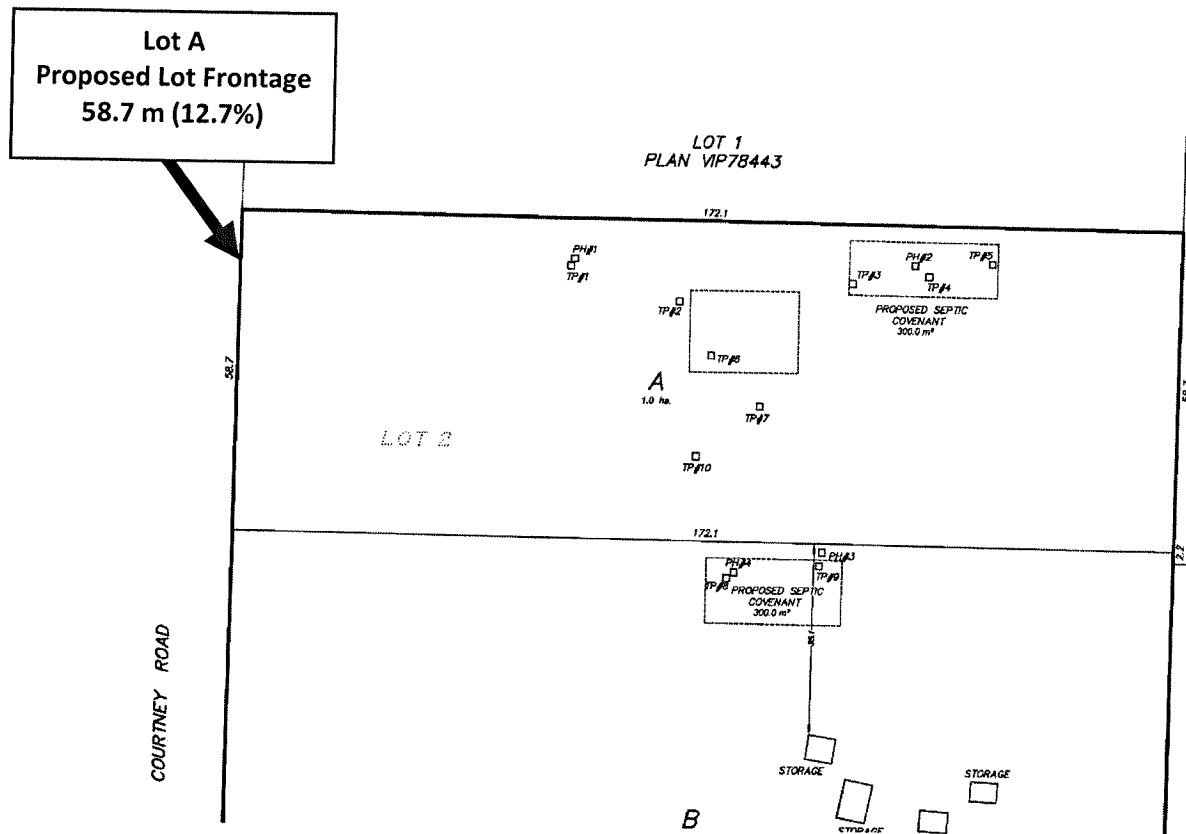


Attachment 2
Proposed Plan of Subdivision



Attachment 3
Proposed Lot Frontage

Proposed Lot No.	Required Lot Frontage (m)	Proposed Lot Frontage (m)	% of Perimeter
A	70	58.7	12.7



TO: Electoral Area Services Committee **DATE:** January 10, 2017

FROM: Frank Limshue
Planner **FILE:** PL2016-134

SUBJECT: **Subdivision Application No. PL2016-134**
The West 60 Acres of Section 12, Range 1, Cedar District, Except Parcel A (DD6974N), and
Except Those Parts Within the Areas Outlined Red on Plans 573RW, 657RW and
1997RW, and Except Those Parts in Plans 7914, 23683 and EPP41405
2081 Lazy Susan Drive – Electoral Area 'A'

RECOMMENDATION

That five percent (5%) cash-in-lieu of parkland dedication in conjunction with Subdivision Application No. PL2016-134, be accepted.

SUMMARY

The applicant proposes a four lot subdivision on the lands known as 2081 Lazy Susan Drive. As this application for subdivision involves the creation of more than three parcels, the provision of parkland and/or cash-in-lieu is required, pursuant to Section 510 of the *Local Government Act*. The applicant is proposing parkland dedication. The recommendation is to require five percent cash-in-lieu rather than parkland as the proposal for park dedication is not in keeping with the Electoral Area 'A' OCP, Bylaw No. 1620 policies regarding parkland.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Richard Parrish to permit a four lot subdivision (including remainder). The subject property is approximately 8.13 hectares in area and is zoned Residential 2 (RS2) Zone, Subdivision District 'M' pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The property is located at 2081 Lazy Susan Drive, bound by Agricultural Land Reserve lands to the west and residential dwellings to the north, south and east (see Attachment 1 - Subject Property Map), and contains an existing dwelling unit, garage and workshop.

The subject property is designated Rural within the "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011".

Proposed Development

The applicant is proposing a four lot subdivision with individual on-site septic system and on-site wells, which meet the minimum parcel requirements for approval with the health authority for a parcel and also meets the minimum parcel size requirements of Bylaw 500 for unserved lots (see Attachment 2 – Plan of Subdivision).

As this application for subdivision involves the creation of more than three parcels and the smallest lot being created is less than 2 hectares, the provision of parkland and/or cash-in-lieu is required, pursuant to Section 510 of the *Local Government Act*. The RDN may require cash-in-lieu representing five percent of the predevelopment value of the land. Alternatively, the Regional District of Nanaimo may require five percent parkland dedication or a combination of parkland dedication and cash-in-lieu to the equivalent of five percent of the total subject property.

Parkland Dedication/Cash-in-Lieu

The applicant submitted the proposed parkland dedication as shown on Attachment 3 – Proposed Parkland Dedication. This proposal includes approximately 0.62 hectares which includes an area on the north side of Hemer Creek and the 10.0 metre riparian area along the creek.

Policy 10.2.3.d of the Electoral Area ‘A’ OCP, Bylaw No. 1620, 2011 states that, “generally, as environmentally sensitive lands cannot be developed, the protection of these lands should be in addition to the minimum parkland dedication requirements pursuant to the *Local Government Act*”. The applicant’s proposal to include lands within the riparian area as part of the parkland dedication for subdivision is not consistent with this OCP policy. As the proposal does not provide any connectivity to either the regional or community trail network staff from Parks Services and Current Planning recommend that the RDN seek cash-in-lieu of park dedication.

A Public Information Meeting was held on Thursday, November 10, 2016 at the Cedar Heritage Centre (see Attachment 4 – Summary of Public Information Meeting). The Electoral Area ‘A’ Parks, Recreation and Culture Commission considered the proposal at its November 16, 2016 meeting and recommended accepting five percent cash-in-lieu of parkland dedication (see Attachment 5 – Minutes of Electoral Area ‘A’ Parks, Recreation and Culture Commission Regular Meeting).

ALTERNATIVES

1. To accept a combination of parkland dedication and cash-in-lieu.
2. To accept park dedication only – the offer.
3. To accept cash-in-lieu only – the recommendation.

FINANCIAL IMPLICATIONS

Regional District of Nanaimo “Board Policy C1.2 Cash-in-lieu of Parkland” indicates where a cash-in-lieu option is pursued, an independent appraisal shall be required, the costs of which is to be shared equally by the developer and the RDN. It has been the practice for the RDN to have the developer cover the entire cost of the appraisal, and reduce the cash-in-lieu contribution by the RDN’s share of the appraisal costs. Should the Board approve cash-in-lieu; the funds will be directed to the “Capital Reserve for Parks

Cash in Lieu Electoral Area A” for future acquisition of parkland in Electoral Area ‘A’. Thus, the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLANNING IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal is consistent with the 2016-2020 Board Strategic Plan.

The RDN Strategic Priority “Focus on Organizational Excellence and Services” states “the RDN will deliver efficient and economically viable services that meet the needs of the Region”. The cash-in-lieu provides the opportunity for the RDN to be more strategic in future parkland acquisition, thus allowing the RDN to look at the costs/benefits for providing effective and efficient recreational amenities.

Frank Limshue

Frank Limshue

flimshue@rdn.bc.ca

December 2, 2016

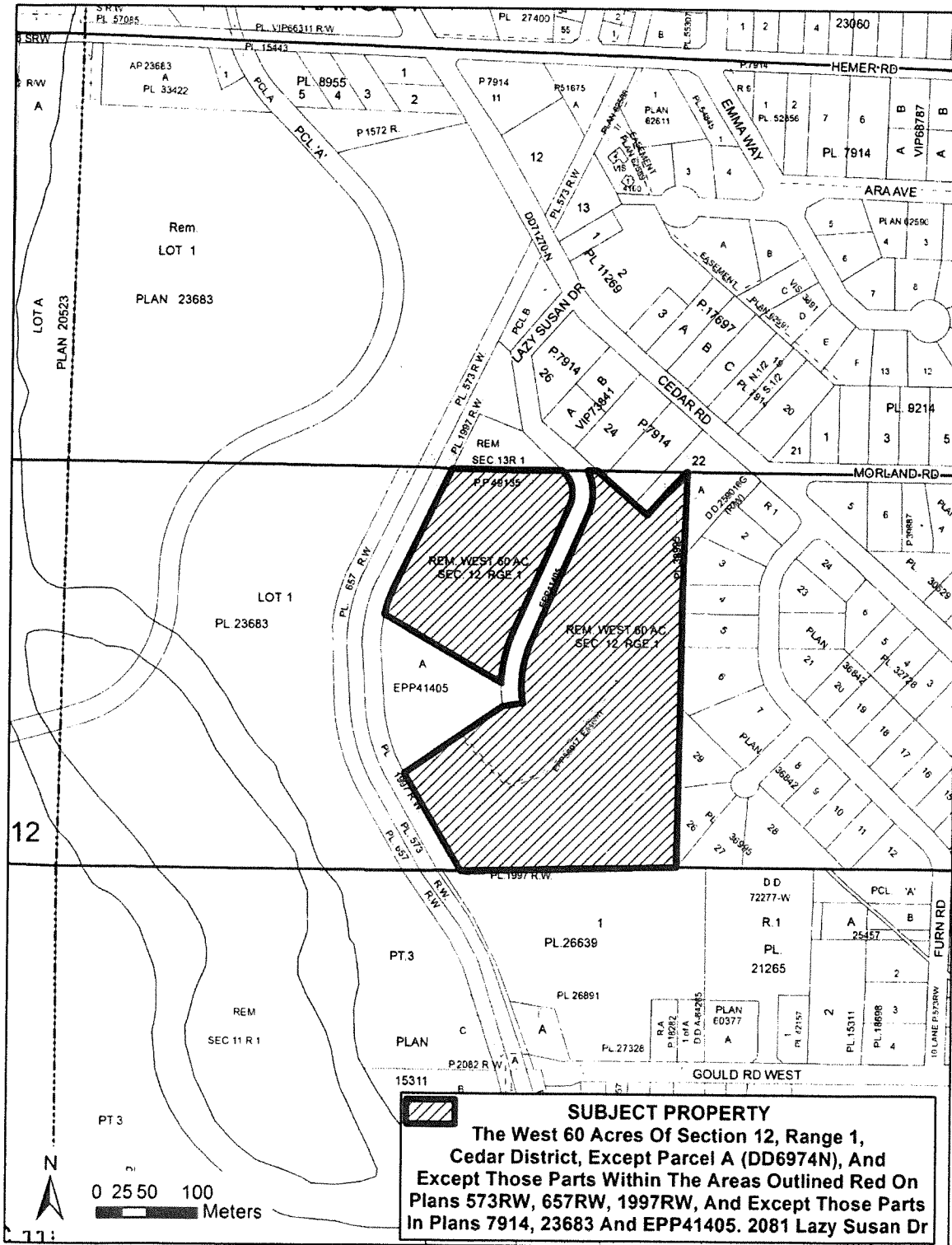
Reviewed by:

- Jeremy Holm, Manager, Current Planning
- Geoff Garbutt, GM Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

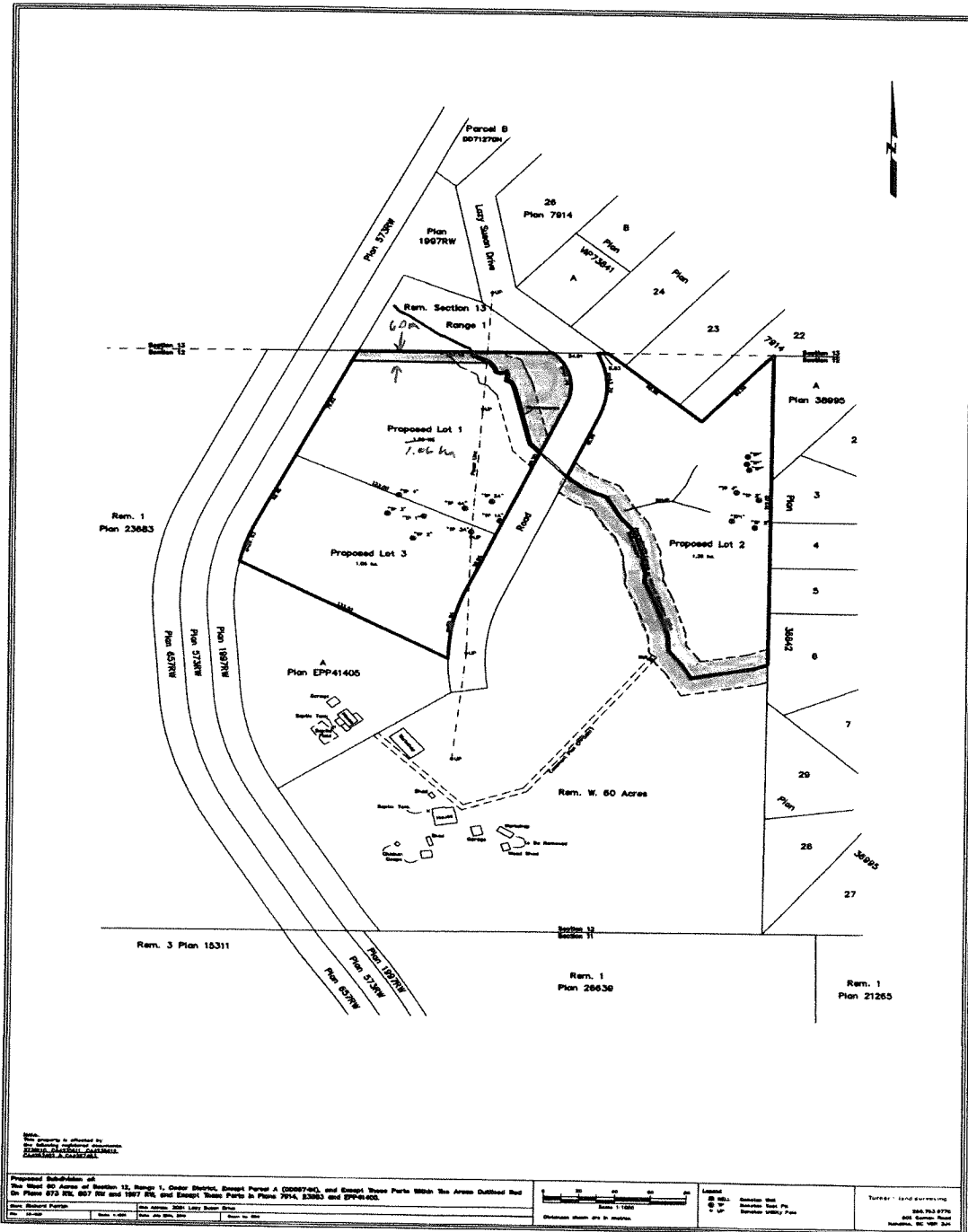
Attachments

1. Subject Property Map
2. Plan of Subdivision
3. Proposed Parkland Dedication
4. November 10, 2016 – Summary of Public Information Meeting
5. November 16, 2016 – Minutes of the Electoral Area ‘A’ Parks , Recreation & Culture Commission

**Attachment 1
 Subject Property Map**



Attachment 3
Proposed Parkland Dedication



Attachment 4

**Summary of the Public Information Meeting
Held at Cedar Heritage Centre
1644 MacMillan Road, Nanaimo
Thursday, November 10, 2016 at 6:30 pm**

Note: This summary of the meeting is not a verbatim recording of the proceedings, but is intended to summarize the comments and questions of those in attendance at the PIM.

There were eighteen (18) members of the public in attendance at this meeting.

Present for the Regional District of Nanaimo:

Director Alec McPherson, Electoral Area 'A' (the Chair)
Jeremy Holm, Manager, Current Planning
Frank Limshue, Planner

Present for the Applicant:

Richard Parrish (Agent)

The Chair opened the meeting at 6:30 pm, outlined the evening's agenda, and introduced the RDN staff and the applicant (Richard Parrish). The Chair then stated the purpose of the Public Information Meeting and asked RDN staff to provide background information concerning the development application.

Frank Limshue provided a brief summary of the proposed overview of the following:

- The proposed subdivision and the requirement for 5% park dedication;
- Explanation of parkland requirements under the Act;
- Options available – 5% park land dedication, cash-in-lieu, or combination thereof;
- Lands in riparian zone would not count as parkland; and
- Explained applicant's proposal for parkland dedication.

The Chair invited the applicant to give a presentation of the development proposal.

Richard Parrish presented an overview of the proposed subdivision and explained the rationale for the proposed parkland dedication. He indicated that the proposed parkland dedication would provide a link to a possible future trail within the waterline right-of-way to the west of the property.

Following the presentation, the Chair invited questions and comments from the audience.

Dave Nordman, 2170 Mundie Road asked if none of the proposed parklands are taken will the lands be incorporated back into the proposed lots for park.

Richard Parrish responded yes.

Sean Roberts, 1990 Lazy Susan asked if there would be a bridge crossing over the creek along the panhandle portion.

Richard Parrish indicated yes, a pedestrian bridge may be required if park dedication is provided and a trail connection to the Harmac pipeline is constructed.

Jacques Salomonson, 2151 Furn Road asked if the land is in the ALR.

Richard Parrish confirmed the land is not in the ALR.

Sean Roberts 1990 Lazy Susan asked about the existing covenant along the riparian area for proposed Lot 1?

Richard Parrish confirmed that the covenant is still in place.

Jennifer McWilliam, 2037 Furn Road noting that there is an existing drainage pipe between Lots 3 and 4 on Furn Road, asked how the drainage will be dealt with.

Richard Parrish stated that the drainage will need to be addressed at time of construction.

Ms. Cavezza, 1999 Cedar Road expressed concern about future access to allow for the future subdivision of adjacent Lot 23.

Sean Mehrer, 2152 Gould Road West asked if there were plans for more subdivision in the future.

Richard Parrish stated there is potential for 8 lots; however, further subdivision would depend on costs and the availability of water.

Sean Roberts, 1990 Lazy Susan commented any plans to upgrade existing road as it is muddy; bridge over water course will need to be designed to Ministry standards; and are there restrictions on type of vegetation planned in the park?

Dalys Barney, 2045 Furn Road asked can the applicant carry on with his proposed park dedication.

Staff confirmed that RDN Board has final say on requiring parkland vs. cash-in-lieu.

Jim Fiddick, 1431 Leask Road stated that he was against having any more pocket parks as the Regional District has enough in Area A.

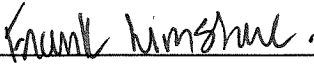
Dave Nordman, 2170 Mundie Road asked if the money collected through cash-in-lieu could be used for park acquisition in other Electoral Areas.

Staff confirmed funds collected in Electoral Area A must be used for park acquisition in Area A.

The Chair asked if there were any further questions or comments.

Being none, the Chairperson thanked those in attendance and announced that the Public Information Meeting was closed.

The meeting was concluded at 7:27 pm.



Frank Limshue
Recording Secretary

Attachment 5

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA 'A' PARKS, RECREATION AND CULTURE COMMISSION REGULAR MEETING HELD WEDNESDAY, NOVEMBER 16, 2016 7:00PM

(Cedar United Church)

Attendance: Alec McPherson, RDN Director, Chair
Jim Fiddick
Graham Gidden
Andrew Thornton
John O'Connor
Patti Grand

Staff: Hannah King, Superintendent of Recreation Program Services
Elaine McCulloch, Parks Planner
Ann-Marie Harvey, Recording Secretary

Regrets: Angela Davies
Bernard White
Kerri-Lynne Wilson

CALL TO ORDER

Chair McPherson called the meeting to order at 7:05pm.

DELEGATIONS/PRESENTATION

None

MINUTES

MOVED Commissioner O'Connor, SECONDED Commissioner Grand that the Minutes of the Regular Electoral Area 'A' Parks, Recreation and Culture Commission meeting held September 21, 2016 be adopted.

CARRIED

BUSINESS ARISING FROM THE MINUTES

Roadside Trails

Chair McPherson suggested, due to the inclement weather, that the Commission wait until the spring to visit possible roadside trails in the area.

Commissioner Fiddick provided photos of the fallen timber left in Ivor/Glynneath Park after the hazard tree work was completed. He expressed concern that the trees might be left on the ground as they significantly impact the usage of the park. The photos illustrate the volume of wood and the trees blocking much of the park. He requested the RDN look into the possibility of salvaging and selling the wood with the proceeds going back into the Electoral Area 'A' Community Parks budget. Ms. McCulloch will speak with Ms. Marshall and M. Dobbs to discuss any options that might be available.

Cedar Heritage Centre Agreement

MOVED Commissioner O'Connor, SECONDED Commissioner Gidden that the Lease and Site License Agreement with Cedar School and Community Enhancement Society (CSES) be extended for a two year term (January 1, 2017- December 31, 2018)

CARRIED

COMMUNICATIONS/CORRESPONDENCE

None

REPORTS

Monthly Update of Regional and Community Parks and Trail Projects – September 2016 (Handout)

Ms. McCulloch updated the Commission on the EA parks information, noting that construction of the Cedar Plaza Kiosk will begin at the end of November with completion by the end of the year. She has not heard back from the North Cedar Improvement District regarding the RDN's request for a water connection to Cedar Plaza.

Ms. McCulloch provided photos of the new rock stairs at the Shasta Road beach access installed by the developer of the home beside the access. The stairs comply with the conditions of the Development Permit with Variance and are to the satisfaction of the RDN Parks Manager. Ms. McCulloch asked the Commission if this access is one they would like to prioritize as a beach access for signage. If so, a railing would need to be installed on the stairs. This item is not currently in the 2017 budget.

Commissioner Fiddick provided some photos of the Shasta Road foreshore revetment and voiced his concerns about its encroachment onto the beach. Director McPherson advised that professionals oversaw all the works as per the Development Permit with Variance. Commissioner Fiddick noted that he also noticed that this property owner was damming the stream and redirecting the flow down the trail. He will email Ms. McCulloch some photos and she will contact MOTI to inquire about the damming.

Subdivision Application No. PL2016-134 Cash-in-lieu of Parkland

MOVED Commissioner Fiddick, SECONDED Commissioner Gidden that five percent (5%) cash-in-lieu of parkland dedication in conjunction with Subdivision Application No. PL2016-134, be accepted.

Driftwood Stairs Update – (Verbal)

Ms. McCulloch gave the Commission an update of the Driftwood Stairs project plan and budget. The next step will be to go to public consultation. Ms. McCulloch suggests having an open house at the beach access so attendees can discuss the area's needs on site. Commissioners are encouraged to attend.

MOVED Commissioner O'Connor, SECONDED Commissioner Grand that staff move forward to the public consultation phase of the development of the Driftwood Rd. Beach Access.

CARRIED

Cedar Heritage Centre Update (Verbal)

Ms. King gave an update of the Cedar Heritage Centre, noting as part of the building maintenance, new blinds had been purchased.

Ms. King told the Commission of a request from the CSES board to convert the middle room in the centre that is now used for storage/office space to a display area for heritage items. She gave an idea of what it could look like. Staff has asked CSES to bring a plan to staff for January and then it can be determined where the funding would come from.

MOVED Commissioner Grand, SECONDED Commissioner O'Connor that the reports be received.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NONE

NEW BUSINESS

Island Health Grant

Ms. King told the Commission about the Island Health Grant that the RDN received in the amount of \$154,933, of which \$7,290 is allocated to Electoral Area 'A' for funding for community wellness.

The Commission discussed different possible uses for the funds and the groups that could use it to its best benefit. Ms. King gave examples of how the funds are being used in other areas.

MOVED Commissioner Grand, SECONDED Commissioner Thornton that staff liaise with School District staff and Cedar School and Community Enhancement Society to get their ideas as how to use the Island Health Grant money best and bring it back to the Electoral Area A Parks Recreation and Culture Commission at the next meeting.

CARRIED

COMMISSIONER ROUND TABLE

Commissioners provided community updates to the Committee.

Commissioner O'Connor voiced his disappointment in the lack of applicants for the last Grant in Aid period. He mentioned a Performance Recognition Program he read about in another area and thought it would be a good thing for Area 'A'.

MOVED Commissioner Gidden, SECONDED Commissioner O'Connor that staff come forward with Performance/Volunteer Recognition templates to the next Electoral Area A Parks Recreation and Culture commission meeting for discussion.

CARRIED

IN CAMERA

MOVED Commissioner Gidden, SECONDED Commissioner O'Connor that pursuant to Section 90(1) (e) of the Community Charter the Committee proceed to an In Camera Committee meeting to consider items related to land issues.

Time: 8:50

ADJOURNMENT

MOVED Commissioner Gidden, SECONDED Commissioner O'Connor that the meeting be adjourned at 9:05pm.

CARRIED

Chair

TO: Electoral Area Services Committee **Meeting:** January 10, 2017

FROM: Angela Buick
Planner **FILE:** PL2016-161

SUBJECT: **Zoning Amendment Application No. PL2016-161**
Lot 7, DL 8, Cameron District, Plan EPP10381
Pratt Road – Electoral Area ‘F’
Amendment Bylaw 1285.27, 2017 – First and Second Reading

RECOMMENDATIONS

1. That “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017”, be introduced and read two times.
2. That the Public Hearing on “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017”, be chaired by Director Julian Fell or his alternate.
3. That the conditions set out in Attachment 2 be completed prior to “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017” being considered for adoption.

SUMMARY

The applicant proposes to rezone the subject property from the FR-1 Zone (Forestry/Resource 1), to a new FR-2 Zone (Forestry/Resource 2) to permit a second dwelling unit on the property and add secondary suite as an accessory use. Given that the application is consistent with the Official Community Plan (OCP), maintains the rural character of the area and does not propose a regionally significant land use change, the optional Public Information Meeting was waived.

It is recommended that “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017” be granted first and second reading and that the requirements set out in Attachment 2 are to be completed by the applicant prior to the Board’s consideration of the Bylaw for adoption.

BACKGROUND

The Regional District of Nanaimo has received an application from Maureen Pilcher & Associates Inc. on behalf of Wayne and Pamela Potts to rezone the subject property in order to permit a second dwelling unit and accessory secondary suites (one per dwelling). The subject property is approximately 5.6 hectares in area and contains one dwelling unit (see Attachment 4 – Proposed Site Plan). The property is

located north, south and east of lands zoned FR-1 (Forestry/Resource 1) and west and east of R-1 (Rural 1) zoned lands. Further, the property is accessed from Pratt Road and is surrounded by heavily forested Rural/Residential land (see Attachment 1).

Proposed Development

The applicant proposes to rezone the subject property from FR-1 (Forestry/Resource 1), to a new FR-2 zone (Forestry/Resource 2) to permit a second dwelling unit and accessory secondary suites. The development is proposed to be serviced by an existing well and on-site septic system (see Attachment 4 – Proposed Site Plan).

Official Community Plan Implications

The subject property is designated Resource Lands pursuant to “Regional District of Nanaimo Electoral Area ‘F’ Official Community Plan Bylaw No. 1152, 1999.” The General Policies section within the Resource Land Use Designation supports rural and resource activities on lands that have been removed from the Forest Land Reserve. As the Forest Land Reserve is no longer applicable to the subject property and the proposed uses are consistent to those supported within the Rural Land Use Designation, the proposed amendment is consistent with the Official Community Plan General Policies.

Land Use Implications

The existing zoning permits one Dwelling Unit, Farm Use, Log Storage and Sorting Yard, Primary Mineral Processing, Silviculture, Wood Processing as principal uses. Accessory Buildings and Structures, Farm Business and Home Based Business are permitted as accessory uses. The proposed FR-2 (Forestry/Resource) Zone would allow the same uses and increase the number of permitted dwelling units from one dwelling unit per lot to two dwelling units per lot (see Attachment 5 – Proposed Amendment Bylaw 1285.27, 2017). In addition, secondary suites would be permitted as an accessory use and subject to the general secondary suite regulations of the Electoral Area ‘F’ Zoning Bylaw. A maximum of one secondary suite per dwelling unit would be permitted, one of which could be contained within an accessory building. It is recommended that the applicant be required to register a Section 219 Covenant on the property title to prevent the stratification of the dwelling units by Building Strata pursuant to the *Strata Property Act*.

As the applicant is proposing to utilize an existing well and on-site septic system to service the second dwelling unit, it is recommended the applicant obtain the appropriate approvals from Island Health for domestic water supply to the proposed second dwelling unit prior to the final adoption of the amendment bylaw (see Attachment 2 – Conditions of Approval). In recognition of the increased development potential that would be achieved through rezoning the subject property, the applicant is offering a community amenity contribution in the form of \$1,000 towards local park improvements in Electoral Area ‘F’ (see Attachment 2 - Conditions of Approval).

As an alternative to the proposed FR-2 zone, an additional site specific zone could be added to the site specific zoning section of the Electoral Area ‘F’ Zoning Bylaw (Site Specific Zoning Regulations – Section 4.23). Such an approach would have the same land use implications without the need for the creation of an additional zone.

Intergovernmental Implications

The application was referred to the local fire department, Vancouver Island Health Authority and the Ministry of Transportation and Infrastructure for review and comment. All three agencies have advised that they do not have any concerns with the proposed amendment.

Public Consultation Implications

Given that the application is consistent with the OCP policy, maintains the rural character of the area and does not propose a regionally significant land use change, the optional Public Information Meeting was waived.

In accordance with Section 464 of the *Local Government Act*, should the Board grant first and second reading to the amendment bylaw, a Public Hearing is required to be held or waived prior to the Board's consideration of third reading. The purpose of the Public Hearing is to provide an opportunity for those who believe that their interest in their property is affected by the proposed bylaw to be heard by the Regional Board. In addition, the Regional Board may delegate the Public Hearing by resolution in accordance with Section 469 of the *Local Government Act*. Therefore, it is recommended, should the Board grant first and second reading to the proposed amendment bylaw, that a Public hearing be held in accordance with Section 464 of *The Local Government Act* and that the Public Hearing be delegated to Director Julian Fell or his alternate.

ALTERNATIVES

1. To proceed with Zoning Amendment Application No. PL2016-161, consider first and second reading of the Amendment Bylaw and proceed to Public Hearing.
2. To not proceed with the Amendment Bylaw readings and Public Hearing.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2016 – 2020 Board Strategic Plan.



Angela Buick
abuick@rdn.bc.ca
December 21, 2016

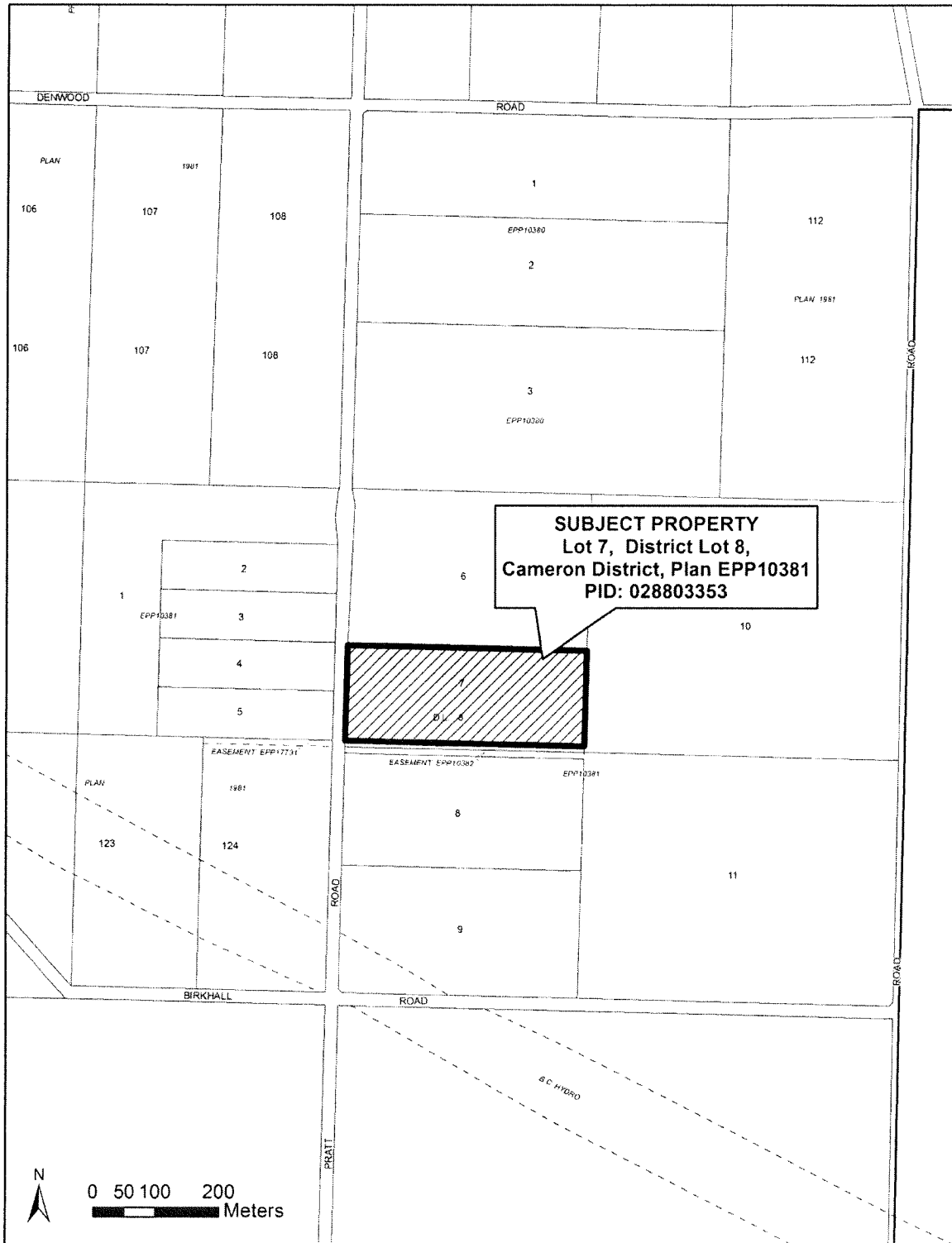
Reviewed by:

- Tyler Brown, Acting Manager, Current Planning
- Paul Thompson, Acting General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer Attachments

Attachments:

1. Subject Property Map
2. Conditions of Approval
3. Proposed Zoning Map
4. Proposed Site Plan
5. Proposed Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017

Attachment 1
Subject Property Map

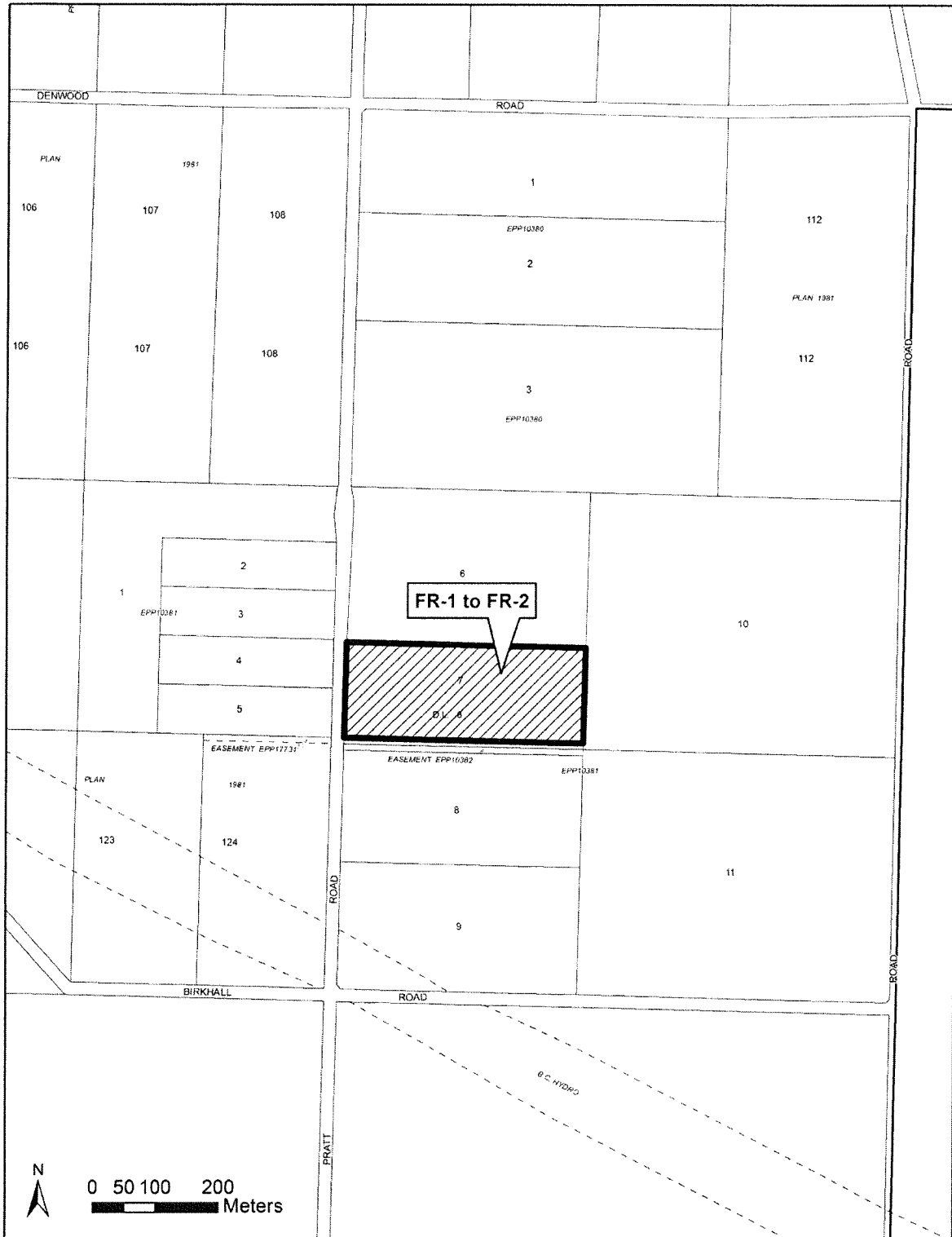


Attachment 2
Conditions of Approval

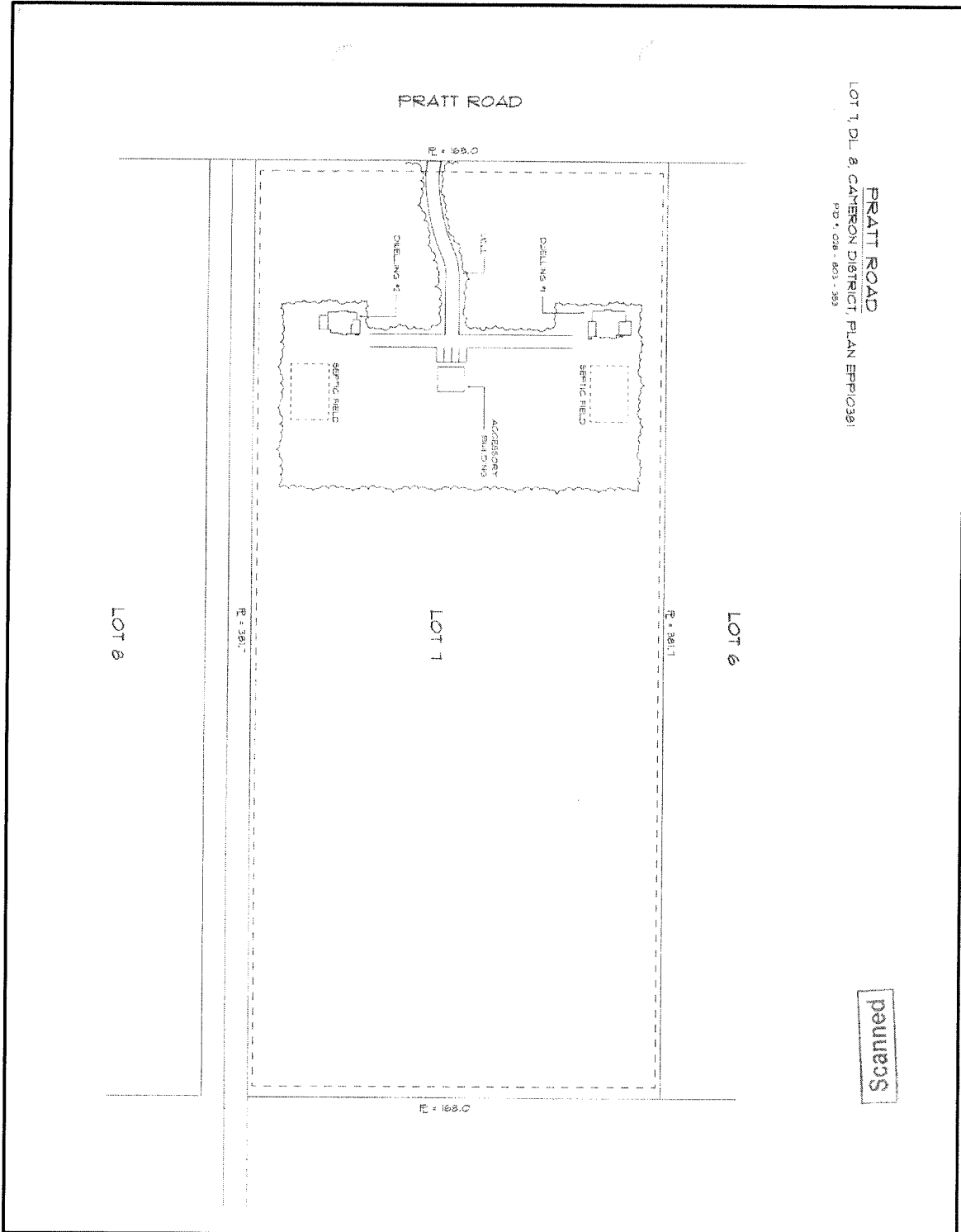
The following is required prior to “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017” being considered for adoption:

1. The applicant shall provide a voluntary community amenity contribution in the amount of \$1,000 to Electoral Area ‘F’ Parks Reserve Fund to be used for local park improvements.
2. The applicant shall obtain the appropriate approvals from Island Health for domestic water supply to the proposed second dwelling unit prior to adoption of Bylaw 1285.27, 2017.
3. The applicant shall register, at the applicant’s expense, a Section 219 Covenant on the property title prohibiting Building Strata, pursuant to the *Strata Property Act*, on the subject property.

Attachment 3 Proposed Zoning Map



**Attachment 4
Proposed Site Plan**



Attachment 5
Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision
Amendment Bylaw No. 1285.27, 2017

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1285.27**

**A Bylaw to Amend Regional District of Nanaimo
Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002**

The Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

- A. This Bylaw may be cited as "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017".
- B. "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002", is hereby amended as follows:
 - 1. Under the Table of Contents - SECTION 4 – ZONES, by adding the following zoning classification and corresponding short title after FR-1 Forestry/Resource 1:

FR-2 – Forestry/Resource 2 4.6 A/10
 - 2. Under SECTION 2 – GENERAL REGULATIONS, 2.14 Signs, Table 2.1 – Sign Regulations, a., by inserting "FR-2" after "FR-1"; 2.18 Secondary Suites, 1., by inserting "FR-2" after "R-4"; and 3.1 Establishment of Zones, Table 3.1 – Zones, by inserting "FR-2" after "FR-1".
 - 3. By adding Section 4.6 A, (FR-2 - Forestry/Resource 2) as shown on Schedule '1' which is attached to and forms part of this Bylaw.
 - 4. On Schedule "B" – Zoning Map by rezoning the lands shown on the attached Schedule '2' and legally described as Lot 7, District Lot 8, Cameron District, Plan EPP10381 from FR-1 – (Forestry/Resource 1) to FR-2 – (Forestry/Resource 2).

Introduced and read two times this ___th day of __, 201X.

Public Hearing held this ___th day of __, 201X.

Read a third time this ___th day of __, 201X.

Adopted this ___th day of __, 201X.

Chairperson

Corporate Officer

Chairperson

Corporate Officer

Schedule '1'

FR-2 – FORESTRY/RESOURCE 2

SECTION 4.6 A

4.6.1 Permitted Principal Uses

- a) Dwelling Unit
- b) Agriculture
- c) Log Storage and Sorting Yard
- d) Primary Mineral Processing
- e) Silviculture
- f) Wood Processing

4.6.2 Permitted Accessory Uses

- a) Accessory Buildings and Structures
- b) Farm Business
- c) Home Based Business
- d) Secondary Suite

4.6.3 Regulations Table

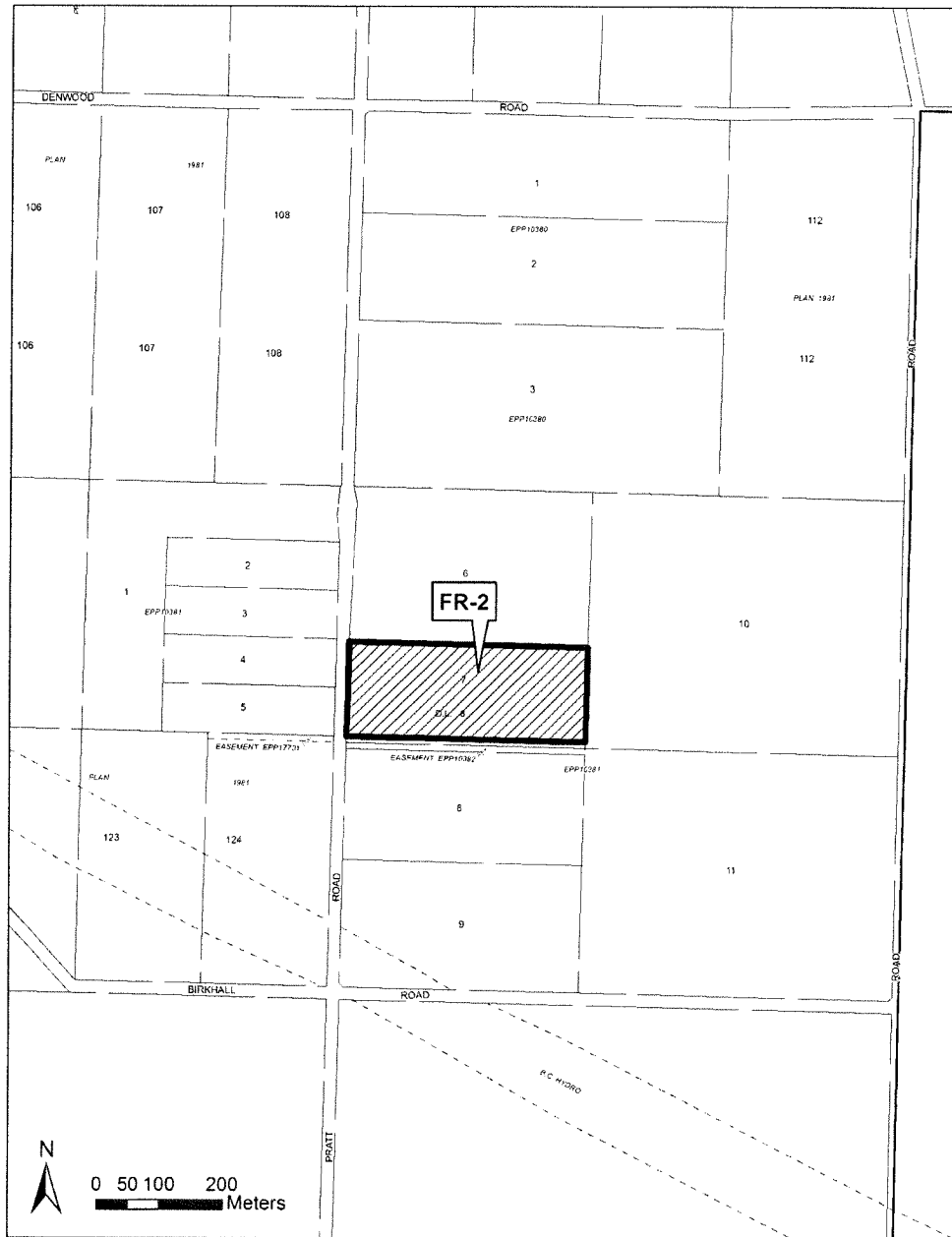
Category	Requirements
a) Maximum Density	1 Dwelling Unit per ha to a maximum of 2 Dwelling Units per lot
b) Minimum Lot Size	50 ha
c) Minimum Lot Frontage	400 metres
d) Maximum Lot Coverage	10 %
e) Maximum Building and Structure Height	10 metres
f) Minimum Setback from <ul style="list-style-type: none"> i) Front and Exterior Side Lot Lines ii) All Other Lot Lines 	4.5 metres 2 metres
g) Minimum Setback of all agricultural buildings, structures and uses	Refer to Section 2 – General Regulations
h) Minimum Setback of all buildings or structures for primary mineral processing from all watercourses	30 metres
i) General Land Use Regulations	Refer to Section 2 – General Regulations

Schedule '2' to accompany "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017"

Chairperson

Corporate Officer

Schedule '2'



Proposed Development

The applicant proposes to rezone the subject property from Rural 1 Zone (RU1), Subdivision District 'A' to Rural 6 Zone (RU6), Subdivision District 'D' to facilitate a future two lot subdivision (see Attachment 3 – Proposed Subdivision Plan). The zoning amendment is required to reduce the minimum parcel size from 20.0 hectares to 2.0 hectares to allow subdivision of the parcel and limit each parcel to one dwelling unit only.

The property is subject to the Environmentally Sensitive Features Development Permit Area for Aquifer and Watercourse Protection per the OCP, a development permit application will be required prior to the subdivision of the subject property.

The development is proposed to be serviced by individual wells and on-site septic systems. Access to and from the subject property will be from Anderson Avenue and Cowland Road.

Official Community Plan Implications

The subject property is designated Rural pursuant to the OCP. The Rural Lands designation supports a minimum parcel size of 2.0 hectares where a proposal meets the following criteria:

- a) Only one dwelling unit per parcel is permitted;
- b) A bare land strata subdivision is not proposed;
- c) No road frontage relaxation is required;
- d) No further road dedication to accommodate parcel frontage or additional parcels;
- e) A comprehensive plan for subdivision of the area being rezoned is provided with a report from a recognized professional with a geotechnical and hydrogeological experience indicating an assessment of the environmental suitability of the subdivision.

To satisfy the OCP criteria, the applicant is proposing to rezone from RU1 to RU6 which limits the number of dwelling units to one per parcel. In addition, a Section 219 restrictive covenant shall be registered on the title prohibiting Bare Land Strata subdivision as per the Strata Property Act (see Attachment 2 – Conditions of Approval). Therefore, the proposed amendment is consistent with the OCP policies.

Land Use Implications

The existing Rural 1 Zone allows agriculture, aquaculture, home-based business, produce stand, silviculture, and residential use with two dwellings currently permitted on the subject parcel as it is greater than 2.0 hectares in area. The subject property currently contains one dwelling unit and a mobile home. The mobile home may be considered a non-conforming secondary suite and therefore the limitation of one dwelling unit per parcel can be satisfied, subject to details to be confirmed at the time of subdivision. The applicant will have to consider their options with regard to the suite on a go forward basis at that time.

The applicant proposes to rezone the property to RU6 which allows the same permitted uses as the existing RU1 zone but will limit each parcel to one dwelling unit only. In addition, the applicant proposes to amend the current Subdivision District from Subdivision District 'A' (20.0 hectare minimum parcel size) to Subdivision District 'D' (2.0 hectare minimum parcel size) (see Attachment 5 – Proposed Amendment Bylaw 500.407, 2016).

As per “Board Policy B1.21 Groundwater – Application requirements for rezoning of un-serviced lands”, the applicant will be required, prior to final adoption of the amendment bylaw, to register a covenant on title requiring the wells to be constructed and tested, and a report submitted to the RDN prior to final approval of subdivision (see Attachment 2 – Conditions of Approval). The applicant has submitted a Supply Well Pumping Test Results report prepared by H2O Environmental Ltd., dated November 22, 2016 which indicates that there should be no adverse impacts on local groundwater resources and that the existing well exceeds the minimum required volume of 3.5 m³ per day.

Intergovernmental Implications

The application was referred to Island Health, Ministry of Transportation and Infrastructure (MOTI) and the local fire department for review and comment. The MOTI has granted preliminary approval for the rezoning provided that no additional drainage is directed to the Ministry’s drainage system and that all buildings or structures are to meet or exceed the minimum 4.5 metre setback. Island Health does not have any concerns with the application.

Public Consultation Implications

A Public Information Meeting (PIM) was held on December 12, 2016. Two members of the public attended and no written submissions were received prior to the PIM (see Attachment 4 – Summary of Minutes of the Public Information Meeting).

ALTERNATIVES

1. To proceed with Zoning Amendment Application No. PL2016-060, consider first and second reading of the Amendment Bylaw and proceed to public hearing.
2. To not proceed with the Amendment Bylaw readings and public hearing.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2016 – 2020 Board Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal is consistent with Board 2016-2020 Strategic Plan priorities related to economic health and the environment, recognizing the importance of water and the protection of the natural environment through the implementation Board Policy B1.21 and applicable DPA Guidelines.



Kristy Marks
kmarks@rdn.bc.ca
January 10, 2017

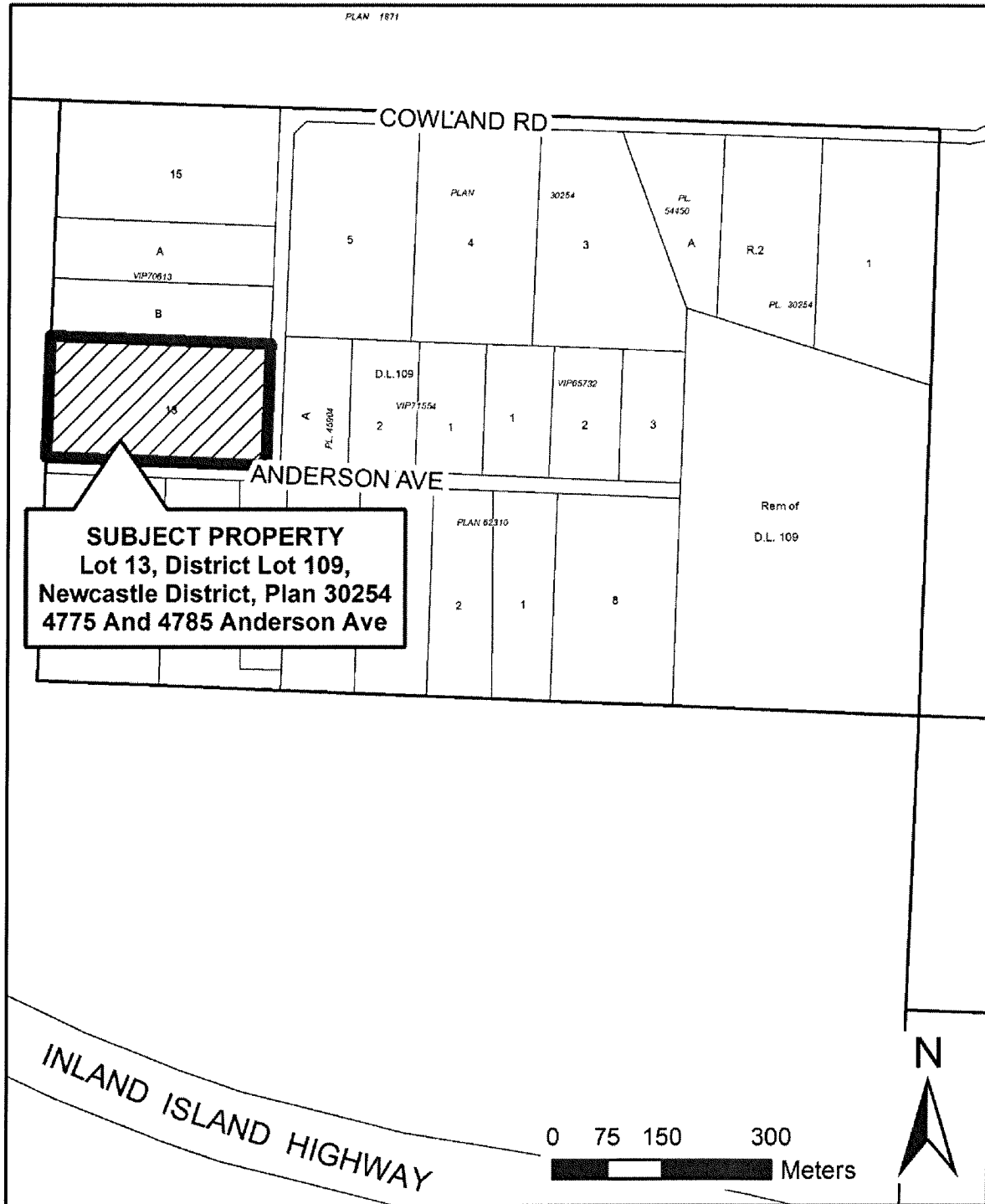
Reviewed by:

- J. Holm, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. Conditions of Approval
3. Proposed Subdivision Plan
4. Summary of Minutes of the Public Information Meeting
5. Proposed Amendment Bylaw No. 500.407, 2017

Attachment 1
Subject Property Map



Attachment 2
Conditions of Approval

The following is required prior to the “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.407, 2016” being considered for adoption:

1. The applicant shall register, at the applicant’s expense, a Section 219 Covenant on the property title requiring that the development of the land occur in a manner consistent with the Supply Well Pumping Test Results report prepared by H2O Environmental Ltd., dated November 22, 2016.
2. The applicant shall register, at the applicant’s expense, a Section 219 Covenant on the property title stating that the wells be constructed and tested, and a report from a Professional Engineer (registered in BC) be submitted to the Regional District of Nanaimo prior to final approval of subdivision in accordance with Policy B1.21 Groundwater – Application requirements for rezoning of un-serviced lands. No subdivision shall occur until such time that a report from a Professional Engineer (registered in BC) has been completed to the satisfaction of the Regional District of Nanaimo confirming that the wells have been pump tested and certified including well head protection, and that the water meets Canadian Drinking Water Standards.
3. The applicant shall register a Section 219 covenant on the property title prohibiting bare land Strata subdivision as per the *Strata Property Act*.

Attachment 4
Summary of the Public Information Meeting
Held at Lighthouse Community Centre
240 Lions Way
December 12, 2016 at 6:30 pm
RDN Application PL2016-060

Note: This summary of the meeting is not a verbatim recording of the proceedings, but is intended to summarize the comments and questions of those in attendance at the Public Information Meeting.

There were two members of the public in attendance at this meeting.

Present for the Regional District of Nanaimo:

Director Veenhof, Electoral Area 'H' (the Chair)
Jeremy Holm, Manager of Current Planning
Kristy Marks, Planner handling the development application

Present for the Applicant:

Diane Alexander, Subject Property Owner

The Chair opened the meeting at 6:40 pm, outlined the evening's agenda, and introduced the RDN staff and the applicant(s) in attendance. The Chair then stated the purpose of the Public Information Meeting and asked RDN staff to provide background information concerning the development application.

Kristy Marks provided a brief summary of the proposed zoning amendment application, supporting documents provided by the applicant, and the application process.

The Chair invited questions and comments from the audience.

Doug Alexander, 575 Cowland Rd asked for clarification of the limitation of one dwelling unit per parcel.

Kristy Marks replied that the OCP allows re-zoning to 2.0 hectare minimum parcel size where the new parcels would be limited to one dwelling unit each.

Dave Simpson, 5525 Deep Bay Drive noted that he is on the Deep Bay Improvement District Board and asked about additional wells and if upgrades to existing wells would be required.

Jeremy Holm, replied that an additional well would be required for the new parcel and that the property owner may be required to upgrade the well and/or septic to meet current Island Health regulations. He also noted the requirements of Board Policy B1.21 Groundwater – Application requirements for rezoning of un-serviced lands.

Doug Alexander, 575 Cowland Rd asked if the well would have to be upgraded even though it's been in place for 25 years or more.

Jeremy Holm replied that upgrades may be required at the time of subdivision.

Director Veenhof commented that upgrades to existing wells are typically not expensive.

Jeremy Holm added that the applicants' hydrogeologist would let them know what, if any, upgrades are required to bring the well up to current standards.

Diane Alexander, owner asked if a new septic system would be required.

Jeremy Holm replied that would be determined through the subdivision process by Island Health and the MOTI.

Dave Simpson, 5525 Deep Bay Drive commented that a new septic system is quite expensive, typically between \$20,000 – 30,000.

The Chair asked if there were any further questions or comments.

Being none, the Chairperson thanked those in attendance and announced that the Public Information Meeting was closed.

The meeting was concluded at 6:55 pm.



Kristy Marks
Recording Secretary

Attachment 5
Proposed Amendment Bylaw No. 500.407, 2017

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500.407**

**A Bylaw to Amend Regional District of Nanaimo
Land Use and Subdivision Bylaw No. 500, 1987**

The Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

- A. This Bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.407, 2017”.
- B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:
 - 1. By rezoning the lands shown on the attached Schedule ‘1’ and legally described as

Lot 13, District Lot 109, Newcastle District, Plan 30254

From Rural 1 Zone (RU1), Subdivision District ‘A’ to Rural 6 Zone (RU6), Subdivision District ‘D’

Introduced and read two times this ___ day of _____ 20XX.

Public Hearing held this ___ day of _____ 20XX.

Read a third time this ___ day of _____ 20XX.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this ___ day of _____ 20XX.

Adopted this ___ day of _____ 20XX.

Chairperson

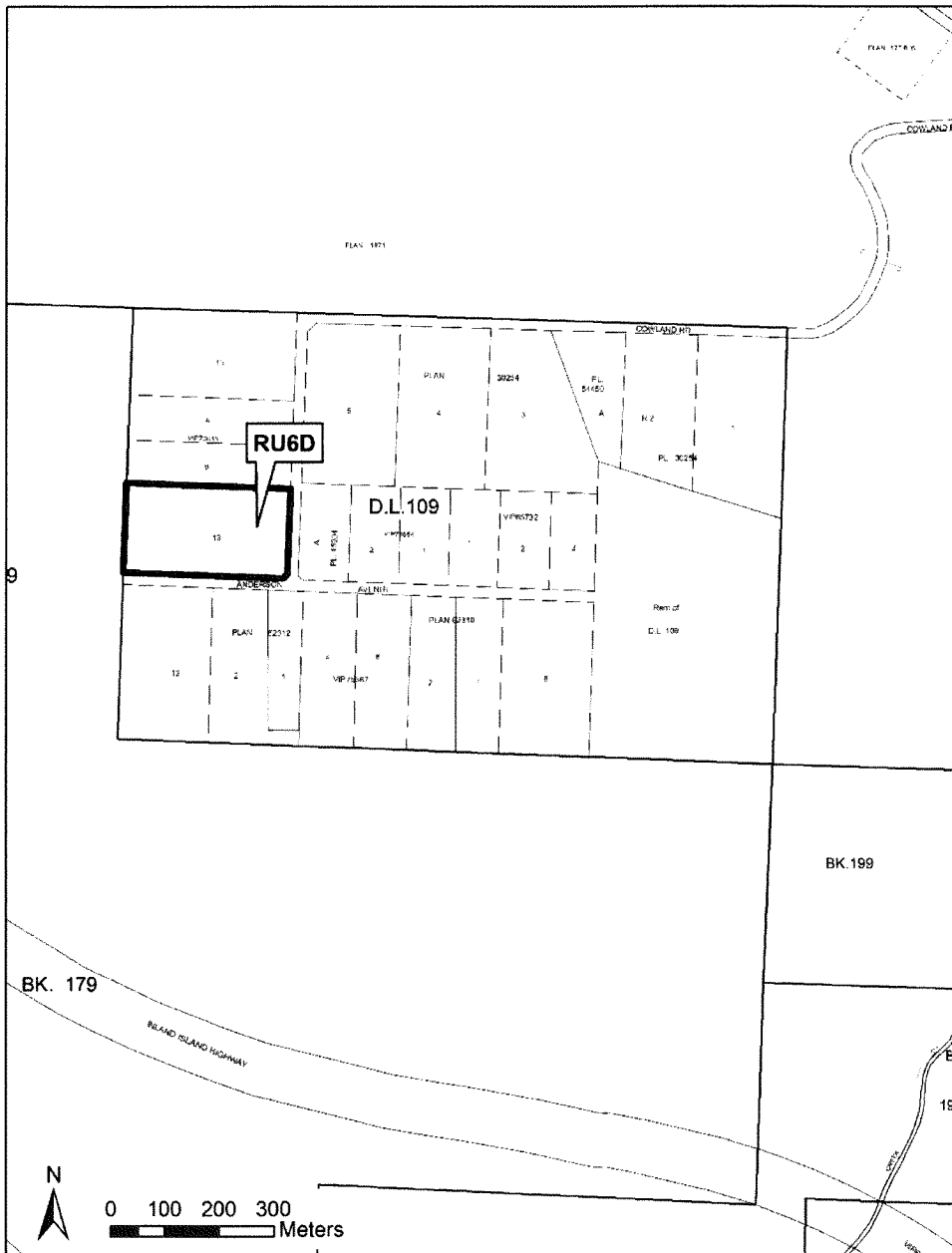
Corporate Officer

Schedule '1' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.407, 2017".

Chairperson

Corporate Officer

Schedule '1'



TO: Electoral Area Services Committee **MEETING:** January 10, 2016

FROM: Angela Buick
Planner **FILE:** PL2016-131

SUBJECT: Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2016-131
Lots 81, 82, 83 and 84, District Lot 78, Nanoose District, Plan 51142
2221, 2225, 2237 Chelsea Place – Electoral Area 'E'

RECOMMENDATION

That the Board approve a request to relax the minimum 10% perimeter frontage requirements for proposed Lot B in relation to Subdivision Application No. PL2016-131.

SUMMARY/CONCLUSIONS

The applicant has requested a relaxation of the minimum 10% perimeter frontage requirement for proposed Lot B within a proposed three lot subdivision of the subject properties. All proposed lots would exceed the minimum parcel size requirement and provide adequate site area for the intended residential use with sufficient buildable site area. Despite the reduced frontage, no negative land use implications are anticipated, and Ministry of Transportation and Infrastructure staff have confirmed that they have no concerns with the requested frontage relaxation. It is recommended that the requested frontage relaxation be approved.

BACKGROUND

The Regional District of Nanaimo has received an application from Fern Road Consulting Ltd on behalf of Brigit Albiston (Lot 81), Carl Eddison and Jane Head (Lot 82 & 83) and John and Lorraine Jacobson (Lot 84) to relax the minimum 10% perimeter frontage requirement for proposed Lot B in relation to a boundary adjustment subdivision.

The subject properties consist of four lots; Lot 81, 82, 83 and 84 totaling an area of 0.753 hectares. The subject property owners each want to purchase a portion of Lot 83 and consolidate it into their existing lots. In order to accomplish this, the applicant is proposing to dissolve Lot 83 (855.9 m² in size) by adjusting the lot line boundaries to create three new lots; Lot A, B, and C, 0.229 hectares, 0.290 hectares, and 0.234 hectares in size, respectively. The subject properties are zoned Residential 1 (RS1) Zone, Subdivision District 'P', pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The properties are located to the north of Chelsea Road, and south, east and west of other Residential Zoned lots (see Attachment 1 – Subject Property Map).

Currently, Lot 81, 82, and 84 each contain a dwelling unit whereas Lot 83 is vacant. The proposed subdivision, which would eliminate the vacant lot, and would result in Lot A, B and C each containing one dwelling unit. These lots are serviced by Regional District of Nanaimo (RDN) community water and sewer service areas.

Minimum 10% Perimeter Frontage Requirement

Proposed Lot B does not meet the minimum 10% perimeter frontage requirement pursuant to Section 512 of the *Local Government Act*. The applicant has requested approval of the RDN Board to reduce the frontage requirement as follows:

Proposed Lot No.	Required Frontage (m)	Proposed Frontage (m)	% of Perimeter
B	37.95	9.14	2.4

Land Use Implications

The applicant has submitted a site plan with lot area calculations outlining the proposed subdivision and requested frontage relaxation. The existing frontage to Lot 81 is 9.14 metres and is proposed to remain unchanged as the frontage to new Lot B. The size of the perimeter of new Lot B is greater than the perimeter of existing Lot 81 and as such the frontage of new Lot B is a smaller percentage of the parcel perimeter. Due to topography constraints the road frontage could not be increased as part of the new site configuration. Therefore, the applicants are confined to the constraints of the existing road frontage. The applicants’ rationale meets the evaluation criteria in “Board Policy B1.4 Frontage Requirements for Rural Lots”.

Proposed Lot A, B and C each would have future subdivision potential. Pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw 500, 1987” Part 4, Subdivision Regulations each lot must meet a minimum of 10 meters road frontage when a lot being created has future subdivision potential. As the frontage of proposed Lot B is less than 10 metres and has enough land area for future subdivision, the applicant has agreed to enter into a Section 219 Covenant restricting Lot B to no further subdivision.

Intergovernmental Implications

The Ministry of Transportation and Infrastructure has reviewed the application and has issued a Preliminary Layout Approval for the proposed subdivision. Ministry staff have confirmed that they have no concerns with the proposed frontage relaxation.

ALTERNATIVES

1. To approve the request for relaxation of the minimum 10% perimeter frontage requirement for proposed Lot B as shown on Attachment 3.
2. To deny the request for relaxation of the minimum 10% perimeter frontage requirement.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2016 – 2020 Board Strategic Plan.



Angela Buick
abuick@rdn.bc.ca
December 22, 2016

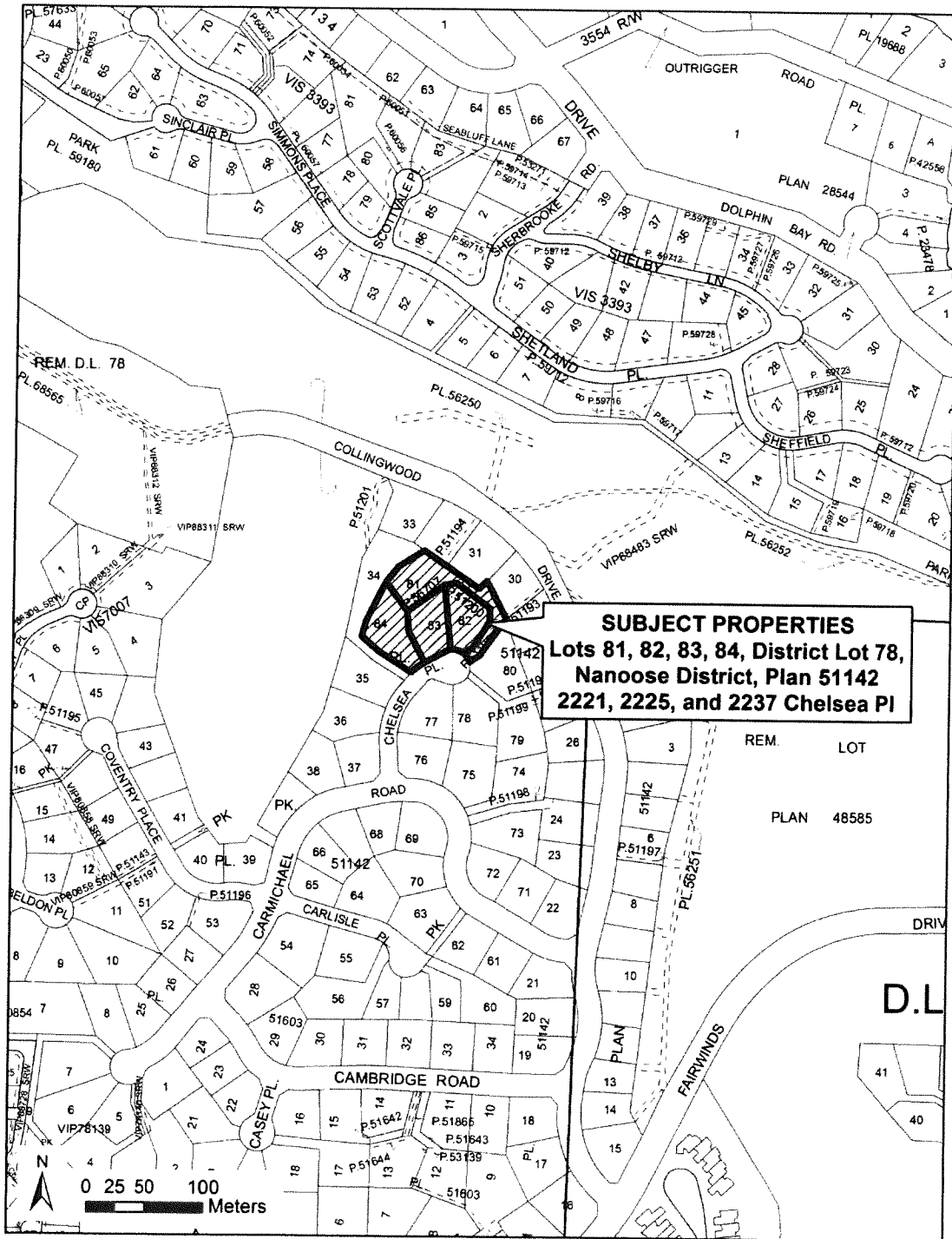
Reviewed by:

- J. Holm, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. Conditions of Permit
3. Proposed Plan of Subdivision

Attachment 1
Subject Property Map



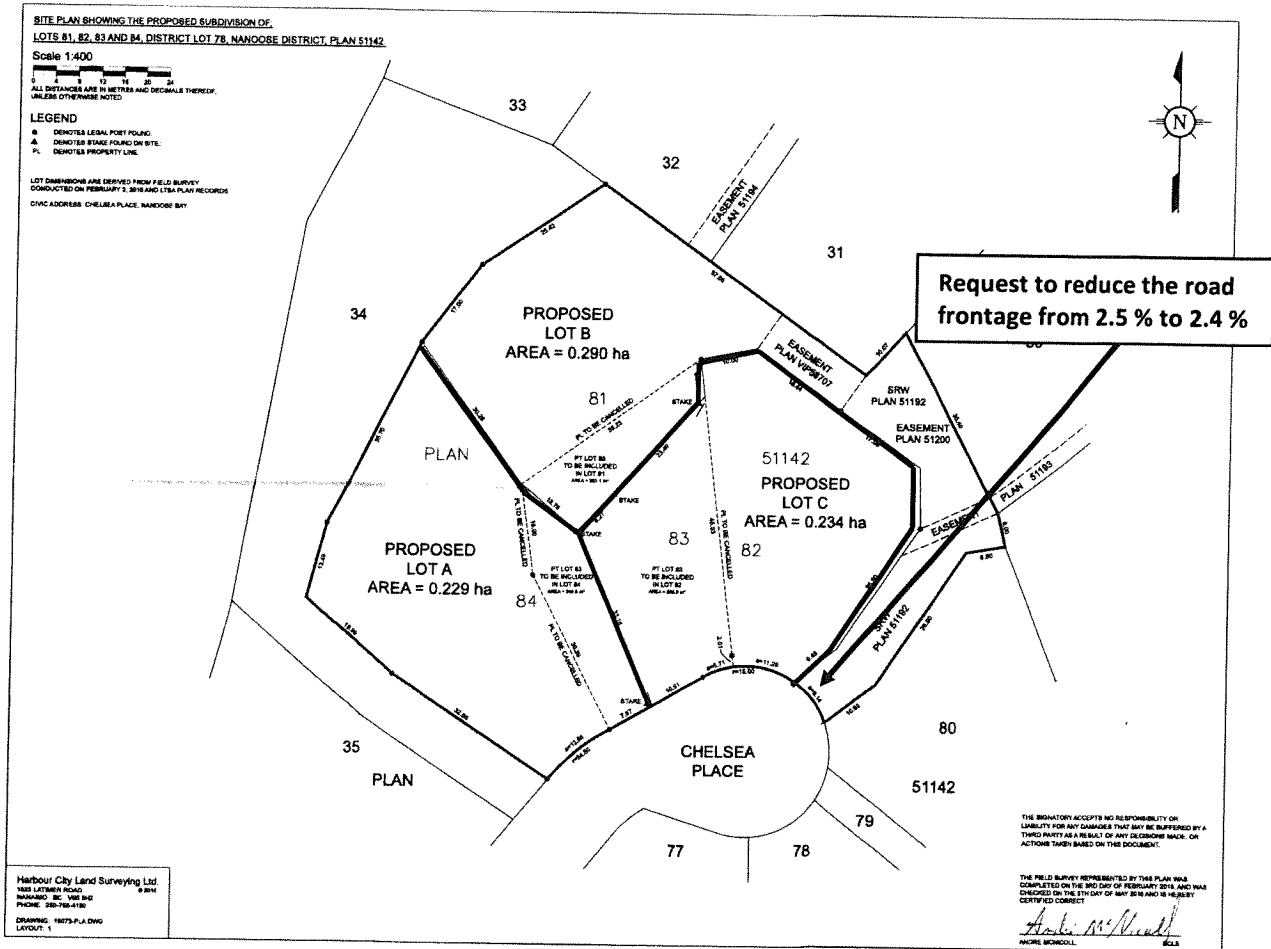
**Attachment 2
Conditions of Permit**

The following sets out the conditions of Development Permit No. PL2016-131:

Conditions of Approval

1. The site is developed in accordance with the Survey Plan prepared by Harbour City Land Surveying Ltd., dated May 5, 2016 and attached as Attachment 3.
2. Staff shall withhold the issuance of this Permit until the applicant, at the applicant's expense, registers a Section 219 Covenant on the property title restricting the use of proposed Lot B to no further subdivision.
3. The property owner shall obtain the necessary permits for construction in accordance with the "Regional District of Nanaimo Building Regulations and Fees Bylaw No. 1250, 2001" as replaced or amended.

Attachment 3
Proposed Plan of Subdivision



TO: Electoral Area Services Committee **MEETING:** January 10, 2017

FROM: Tyler Brown
Intergovernmental Liaison

SUBJECT: Electoral Area Telecommunication Antenna System Consultation and Information Policy

RECOMMENDATIONS

1. That the attached policy titled Electoral Area Telecommunication and Antenna System Consultation and Information Policy be adopted as a Board policy.
2. That "Regional District of Nanaimo Planning Services Fees And Charges Bylaw No. 1259.11, 2016" be introduced and read three times.
3. That "Regional District of Nanaimo Planning Services Fees And Charges Bylaw No. 1259.11, 2016" be adopted.

SUMMARY

A draft of the Electoral Area Telecommunication and Antenna System Consultation and Information Policy and the "Regional District of Nanaimo Planning Services Fees And Charges Bylaw No. 1259.11, 2016" amendment bylaw were initially presented to the Electoral Area Services Committee (EASC) at the October 11, 2016, meeting. The EASC recommended that the proposed policy and amendment bylaw be referred back to staff for additional considerations. Minor amendments were made to the draft policy and both the policy and the bylaw were presented to the EASC at the November 22, 2016 meeting and they were again referred back to staff for additional considerations.

Based on the direction received and comments heard at both EASC meetings, revisions to the draft policy have been made to require proponents to provide the Regional District of Nanaimo (RDN) with a map illustrating the maximum radiofrequency emission levels, as a function of watts per square metre, at ground level within 1000 metres of a proposed telecommunication antenna system; and explicitly state that co-location and taller towers are an important objective of the policy. The changes are highlighted in the draft policy attached (see pages 4, 5, 8 and 9 of Attachment 1). Industry was also consulted on the proposed application fee. Based on EASC Director comments that an application fee for a telecommunication antenna system should discourage shorter towers, a flat fee of \$4000 per application is now proposed rather than the previous fee proposal which was based on the tower/structure height.

It is recommended that the attached draft policy titled Electoral Area Telecommunication and Antenna System Consultation and Information Policy be adopted as a Board policy and that the RDN Planning Services Fees and Charges Bylaw be amended to help recover the costs associated with processing telecommunication infrastructure applications.

BACKGROUND

A draft Electoral Area Telecommunication and Antenna System Consultation and Information Policy and the "Regional District of Nanaimo Planning Services Fees And Charges Bylaw No. 1259.11, 2016" amendment bylaw were presented to the EASC at the October 11, 2016 and the November 22, 2016 meetings. At both meetings the EASC referred the proposed policy and amendment bylaw back to staff for additional considerations.

ALTERNATIVES

1. To adopt the amended draft Electoral Area Telecommunication and Antenna System Consultation and Information Policy as a Board policy and amend the "Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002" as proposed to include applications for telecommunication infrastructure.
2. To adopt the amended draft Electoral Area Telecommunication and Antenna System Consultation and Information Policy as a Board policy and amend the "Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002" to include applications for telecommunication infrastructure with additional revisions, or amendments as directed by the Board.
3. To not adopt the amended draft Electoral Area Telecommunication and Antenna System Consultation and Information Policy as a Board policy nor amend the "Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002" to include applications for telecommunication infrastructure, and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

Discussions at the October 11, 2016 EASC meeting regarding a proposed fee for processing telecommunication infrastructure applications centred on whether charging an application fee based on the tower height would incentivize industry proponents to build shorter towers to avoid the fees associated with constructing a taller tower¹. Following the meeting, an industry proponent was consulted on whether the application fee as proposed would deter or influence the type of tower they would pursue. Staff were informed that typically a local government's application fee is a minor cost in comparison to other expenses associated with site selection and tower construction and the fee proposed would not influence the type of tower they pursue.

At the December 6, 2016 Board meeting, the Board provided direction to consider whether the cost of an application fee should be reduced or potentially eliminated if a tower proposal accommodates more than one telecommunication provider. Section 3 of CPC-2-0-03 and CPC-2-0-17, the Innovation, Science and Economic Development Canada (ISED) procedures governing telecommunication infrastructure deployment, require that prior to building a new antenna supporting structure, proponents must consider sharing an existing antenna system or locate, analyze and attempt to use any feasible existing

¹ The fee for a telecommunication antenna system application was originally proposed to be determined by the tower height. A base application fee of \$1500 was proposed, with an additional \$100 increase for each metre in height over 15.0 metres.

infrastructure such as rooftops, water towers or other structures. This requirement is reflected in the RDN draft policy and proponents would be required to provide evidence to the RDN Board on why co-location is not possible. Co-location is an expressed priority of ISED and will also be an expressed priority of the RDN if the draft policy is adopted. Therefore, eliminating the application fee for proposals that accommodate multiple carriers to make co-location attractive to industry proponents is not required.

Unlike other development applications, there currently is no cost recovery mechanism for staff time spent on reviewing and processing telecommunication infrastructure applications. Therefore, the entire expense incurred processing telecommunication infrastructure proposals by the RDN is funded through service area requisitions. At a minimum, under the ISED mandated process, each application takes over three months to process and staff must meet with industry proponents, respond to public inquiries on a specific proposal, review application materials and prepare a Board report if industry requests siting concurrence.

Members of the public have strong opinions with respect to proposals in their local area. As such, a significant amount of staff time is spent responding to public inquiries. Based on prior Board feedback and feedback received from members of the public through various applications, the draft Electoral Area Telecommunication Antenna System Consultation and Information Policy proposes to increase the consultation radius and require newspaper notification. Therefore, it is anticipated that staff will field more public inquiries regarding telecommunication infrastructure applications in the future. In addition to an increased notification, the proposed policy also requires the proponent to hold a public information meeting which would typically be attended by RDN staff.

A flat fee of \$4000 per application is proposed to contribute towards recovering RDN costs associated with processing telecommunication infrastructure applications (see Attachment 2 – Planning Services Fees and Charges Amendment Bylaw). This is generally consistent with application fees charged by other jurisdictions.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the 2016 – 2020 Board Strategic Plan and note that the Electoral Area Telecommunication Antenna System Consultation and Information Policy is consistent with the RDN strategic priority of Focusing on Relationships as it requests increased public consultation on telecommunication infrastructure proposals, improving two-way communication between industry proponents and the public and industry proponents and the RDN. In addition, the Board policy is consistent with the strategic priority of Focusing on Service and Organizational Excellence as it promotes a consistent process and review of telecommunication infrastructure applications.



Tyler Brown

tbrown@rdn.bc.ca

December 20, 2016

Reviewed by:

- J. Holm, Manager, Current Planning
- P. Thompson, Acting General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Draft Electoral Area Telecommunication Antenna System Consultation and Information Policy
2. Planning Services Fees and Charges Amendment Bylaw

Attachment 1
Draft Electoral Area Telecommunication Antenna System Consultation and Information Policy

REGIONAL DISTRICT OF NANAIMO P O L I C Y

SUBJECT:	<i>Electoral Area Telecommunication Antenna System Consultation and Information Policy</i>	POLICY NO:	B 1.23
		CROSS REF.:	
EFFECTIVE DATE:	October 25, 2016	APPROVED BY:	Board
REVISION DATE:		PAGE:	1 of 10

1. PURPOSE

The purpose of this protocol is to outline the Regional District of Nanaimo’s (RDN) role in the siting of Telecommunication Antenna Systems in the Electoral Areas, excluding Electoral Area ‘B’; communicate the RDN’s expectations of the proponent with regards to public consultation and application submissions; establish that Innovation, Science and Economic Development Canada (ISED) has exclusive authority over the approval of the siting and installation of telecommunication infrastructure in Canada; and provide the RDN Board with consistent procedures and information in which to evaluate the siting of a Telecommunication Antenna System.

2. OBJECTIVES

The objectives of the protocol are:

1. To acknowledge that ISED has exclusive jurisdiction over the approval of the siting and installation of telecommunication infrastructure in Canada;
2. To establish a harmonized RDN-wide process for reviewing, evaluating and considering Board comment on telecommunication structure proposals in Electoral Areas, Excluding Electoral Area ‘B’;
3. To set out an objective process, succinct criteria and clear expectations that are transparent, consistent and predictable for the evaluation of telecommunication antenna structure proposals that:

- | | |
|------|--|
| I. | Encourage efficient and effective Telecommunication Antenna System infrastructure siting within the RDN while minimizing the number of new antenna sites by encouraging Co-location and the construction of taller towers; |
| II. | Establishes when public consultation is required; and |
| III. | Assists the proponent in identifying potential land-use, siting, or design concerns with the RDN at an early stage in the process. |

4. To establish a local land use consultation framework that respects the authority of ISED in the approval of telecommunication infrastructure while ensuring the RDN and members of the public

contribute local knowledge that facilitates and influences the siting, location, and development of telecommunication infrastructure within the Regional District;

5. To advocate for the responsible siting of telecommunication infrastructure within the Regional District;

6. To inform Proponents that the Regional District supports the construction of taller towers over shorter towers for the reason of public safety and supporting Co-location; and

7. To recover costs from telecommunication proponents with consideration given to the costs to the RDN to evaluate and process telecommunication infrastructure proposals.

3. JURISDICTION AND ROLES

A. Role of Innovation, Science and Economic Development Canada

Under the Radiocommunication Act, the Minister of ISED has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and license the location of Telecommunication Antenna Systems is made only by ISED. All technical aspects and siting of telecommunication and broadcasting services are regulated by the Federal government under the *Radiocommunication Act*. ISED has an established procedure, *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)*, which prescribes the process and review of proposed telecommunication structures. As part of the process, proponents are required to notify the local land-use authority and nearby residents. Moreover, the proponent is required to address the public's questions, concerns and comments through ISED's prescribed public consultation process.

B. Other Federal Legislation

With regard to public health, ISED refers to the standards set by Health Canada for determining acceptable levels of radiofrequency electromagnetic energy produced by telecommunication infrastructure. All telecommunication proponents are required to follow the guidelines outlined in Health Canada's *Safety Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 kHz to 300 GHz – Safety Code 6 (2009)*.² In addition to Health Canada's requirements, proponents must comply with the *Canadian Environmental Assessment Act* and any painting and lighting requirements for aeronautical safety prescribed by NAV Canada and Transport Canada.

C. Role of Local Government

Local governments are referred applications for proposed towers and are provided the opportunity to comment on the proposal. Ultimately, the role of the Regional District is to issue a statement of concurrence or non-concurrence to the Proponent and ISED.³ The statement considers the land-use compatibility of the antenna structure, the responses of the impacted residents and the proponent's adherence to this protocol. In addition, local government can communicate and provide guidance to the Proponent on the particular sensitivities, planning priorities, and characteristics of an area. Moreover, local government can establish siting guidelines, which includes reasonably augmenting the public

² The Regional District of Nanaimo does not assess any submission for an Antenna System with respect to health and radiofrequency exposure issues or any other non-placement or non-design related issues. Any questions or comments the public may wish to make regarding health issues related to cell phones, cell towers and radiofrequency exposure guidelines (Safety Code 6) should be directed to Health Canada on-line at healthcanada.gc.ca and to the Proponent's representative.

³ Regardless of whether the Regional District issues a statement of concurrence or non-concurrence, ISED has exclusive jurisdiction over the approval of the siting and installation of telecommunication infrastructure in Canada.

consultation process as defined in ISED's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* (CPC-2-0-03).

4. INTERPERTATION

Definitions

Co-location means the placement of antennas and equipment operated by one or more Proponents on a Telecommunication Antenna System owned by a different party, thereby creating a shared facility;

Community Association means an active area or neighbourhood specific group or association within the Regional District;

Emergency Service Providers means any police, fire, ambulance or search and rescue organization with a typical response area within the Notification Distance of a proposed Telecommunication Antenna System;

Localized Content means any public consultation materials, supporting documentation and/or other relevant promotional material provided by a Proponent for a proposed Telecommunication Antenna System which has been tailored specifically to the context of the RDN;

Neighbouring Land-Use Jurisdiction means any land-use authority or First Nations within a Prescribed Distance of any proposed Telecommunication Antenna System;

Notification Distance means the prescribed horizontal distance measured from the base of a proposed Freestanding Antenna System or the base of any building or structure that a Building/Structure-Mounted Antenna System is mounted to;

Proponent means a company or organization, including contractors or agents undertaking work for telecommunication carriers, for the purpose of providing commercial telecommunication services;

Regional District means the Regional District of Nanaimo;

School District means an area created or constituted as a school district under the *School Act*;

Sensitive Community Locations means institutions and services, such as schools, daycares, recreation facilities, public parks, or other sensitive locations;

Telecommunication Antenna System means an exterior transmitting device – or group of devices – used to receive and/or transmit radio-frequency (RF) signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas. Telecommunications Antenna Systems include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. This protocol refers to the following two types of Telecommunication Antenna Systems:

Freestanding Antenna System means a structure built from the ground for the expressed purpose of hosting transmitting devices; and

Building/Structure-Mounted Antenna System means a Telecommunication Antenna System mounted on an existing structure or building and for the purposes of height calculations, height shall be measured from the base of any building or structure to the most elevated portion of any antenna system.

5. INFORMATION AND CONSULTATION POLICY

A. *Exemptions from Telecommunication Antenna System Proposal Review and Public Consultation*

Activities exempt from public consultation requirements by ISED through its policies and procedures are also exempt from the Regional District's Telecommunication Antenna System proposal review and public consultation requirements. Exempt activities include the following:

1. Existing Freestanding Antenna Systems: where modifications are made, antennas added or the tower replaced, including facilitating Co-location, provided that the total cumulative height increase is no greater than 25% of the height of the initial Antenna System installation. No increase in height may occur within one year of completion of the initial construction;
2. Maintenance of existing radio apparatus including the Telecommunication Antenna System, transmission line, mast, tower or other antenna-supporting structure;
3. An addition to or modification of an existing Telecommunication Antenna System that does not result in an overall height increase;
4. Maintenance of a Telecommunication Antenna System's painting or lighting in order to comply with either Transport Canada or NAV Canada's requirements;
5. Installation, for a limited duration of not more than three months, of a Telecommunication Antenna System that is used for a special event, or one that is used to support local, provincial, territorial or national emergency operations during an emergency, and is removed within three months after the emergency or event.

B. *Site Investigation Meeting and Regional District Notification*

Prior to submitting a Telecommunication Antenna System siting proposal, the Proponent will notify the Manager of Current Planning that locations in the community are being considered for potential siting options. At such time the proponent will initiate a site investigation meeting with the Regional District.

The Proponent will bring information pertaining to the following to the site investigation meeting:

- The proposed location;
- Potential alternative locations;
- The type and height of the proposed Telecommunication Antenna System and alternatives considered;
- Preliminary drawings or visual renderings of the proposed Telecommunication Antenna System superimposed to scale; and
- Documentation regarding the investigation of Co-location potentials on existing or proposed Telecommunication Antenna Systems within 1000 metres of the subject proposal.

The purpose of the site investigation meeting is to:

- Identify preliminary issues of concern;
- Give opportunity for the Proponent to outline the proposal to the Regional District;
- Give opportunity for the Regional District to provide initial feedback to the Proponent;

- Identify any potential Sensitive Community Locations as defined by this policy;
- Identify any potential Neighbouring Land-Use Jurisdictions, School Districts, Emergency Service Providers and Community Associations that may be required to provide comment on the proposal as outlined in this Policy;
- Guide the proponent on creating Localized Content for public notification and distribution; and
- Inform the Proponent of the Regional District's preference of taller towers over shorter towers for the reason of public safety and supporting future Co-location opportunities.

C. Following the Site Investigation Meeting

Following the site investigation meeting, the Regional District will provide the proponent with an information package that includes:

1. This Protocol, which outlines the approval process and requirements for public consultation; and
2. Proposal submission requirements.

D. Submission to the Regional District: Initial Application Proposal

The Proponent must include the following information when submitting a Telecommunication Antenna System siting proposal to the Regional District that does not meet the exemption criteria for the proposal review and public consultation requirement:

1. A letter or report from the Proponent indicating the need for the proposal, the proposed site, the rationale for site selection, a map of RF coverage and capacity of existing Antenna Systems in the general area and a summary of opportunities for Co-location potentials on existing or proposed Antenna Systems within 1000 metres of the subject proposal;
2. A written and signed attestation that there are no Co-location opportunities within 1000 metres of the proposed siting location;
3. Engineering plans of the proposed structure which includes information outlining the number of antennas proposed on the structure, the type of wireless service each antenna provides, and the structure's ability to accommodate future antennas (including Co-location);
4. Visual rendering(s) of the proposed Antenna System superimposed to scale;
5. A site plan showing the proposed development situated on the site;
6. A map showing the horizontal distance between the property boundary of the proposed site and the nearest property in residential use;
7. Confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent or other person(s) having legal or equitable interest in the land;

8. A copy of Certificate of Indefeasible Title (dated within the past 30 days of proposal submission and any restrictions, restrictive covenants, easements or rights-of-way registered against the lands the Telecommunication Antenna System is proposed on;
9. A written and signed attestation that the Telecommunication Antenna System will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices including the cumulative effects of multiple Telecommunication Antenna Systems at the location and in the immediate area;

10. A map showing the maximum electromagnetic radiation power levels as watts per square metre, at ground level within 1000 metres of the proposed Telecommunication Antenna System. The map should include the cumulative effects of multiple Telecommunication Antenna Systems at the proposed location with any other existing Telecommunication Antenna Systems broadcasting in the area;

11. A preliminary geotechnical site investigation report where the potential for geotechnical hazards exist;
12. Any other documentation as identified by the Regional District following the site investigation meeting; and
13. The applicable application fee as required by Bylaw No. 1259, 2002.

E. Submission to the Regional District: Prior to Public Notification

Prior to public notification, the proponent must include the following information to the Regional District:

1. A draft of all public notices to be delivered by mail to the public, School Districts, Community Associations and Neighbouring Land-use Jurisdictions, which is to be approved by Regional District staff prior to mail out;
2. An address list and map indicating all properties which are to be notified by mail of the proposal;
3. A draft of newspaper advertisements indicating the time and date of any public information meeting, which is to be reviewed by Regional District staff prior to publication (if a public information meeting is required); and
4. A copy of written correspondence indicating that the Proponent has referred the proposal to local fire, police and ambulance services, and if given, any comments received from emergency services should be submitted to Regional District staff prior to mail out.

F. Submission to the Regional District: Request for Concurrence

Prior to submitting a formal request for siting concurrence, the proponent must include the following information to the Regional District:

1. A summary of and a copy of all public submissions and responses, as well as the proponent's response to public submissions as outlined in ISED's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)*;
2. A letter outlining any NAV Canada and Transport Canada requirements for lighting and painting on the proposed Telecommunication Antenna System;
3. A copy of all plans and studies (i.e. Environmental Review, Geotechnical Reports, etc.) required for the construction of the proposed Telecommunication Antenna System;
4. A package summarizing the results of the public information meeting containing at a minimum, the following:
 - i. The time, date, location and number of people in attendance of any public information meeting held;
 - ii. A List of attendees, including names, addresses and phone numbers (where provided voluntarily);
 - iii. Copies of all letters and other written communications received; and
 - iv. A letter outlining how all the concerns and issues raised by the public were addressed.

6. PUBLIC CONSULTATION PROCESS

In addition to ISED's public consultation requirements as prescribed in *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)* the Regional District requests the applicant complete the following augmentations to the public consultation process.

A. Notification Requirements

1. The Proponent will provide written notice, sent by regular mail or hand delivered, to all property owners with a Notification Distance of:
 - i. 10 metres for every one metre in height for a Freestanding Antenna System; or
 - ii. 10 metres for every one metre in height for a Building/Structure-Mounted Antenna System;
2. The Proponent will provide written notice, sent by regular mail or hand delivered, to all Neighbouring Land-Use Jurisdictions, Emergency Service Providers and School Districts with a Notification Distance of the greater of:
 - i. 500 metres; or
 - ii. 10 metres for every one metre in height for a Freestanding Antenna System or 10 metres for every one metre in height for a Building/Structure-Mounted Antenna System;
3. The Proponent will provide notice to ISED's regional office;
4. The Proponent will provide written notification to Community Associations identified at the site investigation meeting;
5. The proponent will place notice of the Telecommunication Antenna System proposal in at least two editions of a local newspaper;

6. Where a public information meeting is to be held for a proposed Telecommunication Antenna System, a notice of the meeting shall be placed in at least two editions of a local newspaper and the proponent will provide written notice of the meeting sent by regular mail or hand delivered, to all property owners, Land-Use Jurisdictions, Emergency Service Providers and School Districts with a Notification Distance of:
 - i. 10 metres for every one metre in height for a Freestanding Antenna System; or
 - ii. 10 metres for every one metre in height for a Building/Structure-Mounted Antenna System.

B. Public Information Session

The Regional District requests the Proponent chair a public information meeting for all proposed Telecommunication Antenna Systems exceeding 15 metres in height or where there is significant public interest in the proposed Telecommunication Antenna System. The type of public meeting to be conducted is up to the discretion of the proponent, however:

- An appropriate date, time and location for the public information meeting will be determined in consultation with the Regional District's Current Planning Department;
- The Proponent will make available at the public information meeting an appropriate visual display of the proposal, including a copy of the site plan submitted with the application and an aerial photograph of the proposed site; and
- All information and materials presented should consist of Localized Content.

The Proponent shall not schedule a public information meeting less than seven days prior to the close of the public consultation period.

C. Notice Requirements

The Proponent shall include at a minimum the following information in any mailed or otherwise delivered public notice:

1. Information on the location, height, type, design and colour of the proposed Telecommunication Antenna System, including a copy of the site plan submitted with the application;
2. The rationale, including height and location requirements, of the proposed Telecommunication Antenna System;
3. Clear information on the role of ISED as the sole approving authority for the siting of Telecommunication Antenna Systems and that the Regional District only provides a statement of siting concurrence/non-concurrence at the request of the proponent;
4. Information that comments and responses should be directed to the proponent and that all submissions received by the proponent will be forwarded to ISED and the Regional District for their records;
5. The name and contact information of a contact person for the Proponent;
6. The name and contact information of ISED;

5. The name and contact information of the Regional Districts Current Planning department;
6. An attestation that the Telecommunication Antenna System will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices; and
7. The date, time and location of the public information meeting where required.

The notification shall be sent in an envelope addressed to the "Occupant" and/or "Tenants" and shall clearly show in bold type on the face of the envelope the statement: "NOTICE FOR RESIDENTS: NEW PROPOSED CELL TOWER - INFORMATION IS ENCLOSED."

7. FEES

The Proponent must pay the applicable planning fee as required by Bylaw No. 1259, 2002.

The Proponent is responsible for securing applicable applications or permissions from all relevant Regional District departments and paying any applicable application fees or charges as required to the Regional District.

8. CLOSE OF CONSULTATION AND REQUEST FOR CONCURRENCE

The purpose of this protocol is to provide the RDN Board with consistent procedures and information in which to evaluate the siting of a Telecommunication Antenna System. Following the commencement of the consultation period, the Proponent may request a statement of concurrence from the RDN Board. Once a request is received, RDN staff will prepare a report, to be received first by the Electoral Area Services Committee, who will provide a recommendation to the Board. The staff report will include information on the proposed Telecommunication Antenna System, a site plan, the location of the proposal, an overview of the application and all public consultation materials submitted by the Proponent for the Board's review. It is the discretion of the Board to provide a statement of siting concurrence, non-concurrence or to provide no comment with respect to the Proponent's proposal.

A. Rescinding a Concurrence

The Regional District may rescind its concurrence if following the issuance of a concurrence statement, it is determined by the Regional District that the proposal contains a misrepresentation or a failure to disclose all the pertinent information regarding the proposal, or the plans and conditions upon which the concurrence was issued in writing have not been complied with, and a resolution cannot be reached to correct the issue. In such cases, the Regional District will provide notification in writing to the Proponent and to ISED and will include the reason(s) for the rescinding of its concurrence.

B. Duration of Concurrence

A concurrence statement remains in effect for a maximum period of three years from the date it was issued by the Regional District for a specific tower proposal. If construction has not commenced within this time period, the concurrence expires and a new submission and review process, including public consultation as applicable, is necessary prior to any construction occurring. In addition, the Regional District requests that the Proponent send a written notification of an intent to construct to the Regional

District's Current Planning Department once the work to erect the structure is about to start. This notification should be sent 60 days prior to any construction commencing. No further consultation or notification by the Proponent is required.

C. *Transfer of Concurrence*

Once concurrence has been issued, that concurrence may be transferred from the original Proponent to another Proponent without the need for further consultation provided that:

- All information gathered by the original Proponent in support of obtaining the concurrence from the Regional District is transferred to the current Proponent;
- The structure for which concurrence was issued to the original Proponent is what the current Proponent builds; and
- Construction of the structure is commenced within the duration of the concurrence period.

9. TERMS OF USE OF THIS POLICY

The Board of the Regional District of Nanaimo is not in any way bound by this policy and is free to apply, or not apply, any evaluation criterion it deems appropriate in its consideration of applications.

**Attachment 2
Planning Services Fees and Charges Amendment Bylaw**

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1259.11**

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO
PLANNING SERVICES FEES AND CHARGES BYLAW NO. 1259, 2002**

WHEREAS the Board of the Regional District of Nanaimo wishes to amend “Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002”:

THEREFORE IT BE RESOLVED that the Board of the Regional District of Nanaimo, in open meeting assembled enacts as follows:

1. This Bylaw may be cited as "Regional District of Nanaimo Planning Services Fees and Charges Amendment Bylaw No. 1259.11, 2016".
2. The “Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002” is hereby amended as follows:

by adding the following immediately following Part 5 Section 9:

10. Telecommunication Antenna System Application

The fee for a Telecommunication Antenna System Application shall be \$4,000.

Introduced and read three times this ___ day of _____, 201_.

Adopted this ___ day of _____, 201_.

Chairperson

Corporate Officer

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF ELECTORAL AREA 'E' PARKS AND OPEN SPACES ADVISORY
REGULAR COMMITTEE MEETING HELD
WEDNESDAY OCTOBER 12, 2016
6:30 PM
(Nanoose Place)**

Attendance: Director Bob Rogers - Chair
Peter Law – Secretary
Gordon Wiebe
Vicki Voros
Debbie Mitchell
Diana Young
Marlene Caskey

Staff: Wendy Marshall, RDN Parks Manager

CALL TO ORDER

Director Rogers called the meeting to order at 6:30 pm

ADOPTION OF AGENDA

MOVED V. Voros, SECONDED P. Law that the agenda be adopted.

CARRIED

DELEGATIONS

MOVED G. Wiebe, SECONDED D. Young to receive late delegations:

Mark Stephens - Nanoose FN Council - Input into Area E Community Parks

CARRIED

Mr. Stephens attended the meeting at the request of Director Rogers to provide input on the following subjects:

1. **Oakleaf Park** – renaming this new park using Coast Salish language.
Mr. Stephens indicated that Katie Bob has been to the Park and reviewed the park's plans. She will look into generating a more appropriate name before the end of November.
2. **Wallis Point** - the Nanoose FN have submitted a request to the Federal Government (owner of the Wallis Point lands) to dedicate the area as a Park.

MOVED P. Law, SECONDED G. Wiebe that the Electoral Area E Parks and Open Spaces Advisory Committee fully support the proposal by the Nanoose First Nations to the Federal Government, to designate Wallis Point (currently within the Canadian Forces Maritime Experimental and Test Ranges (CFMETR) as a Park.

Rowland Road Park – Vicki Voros provided Mr. Stephens with a summary about how Area E POSAC members had recommended a future “partnership” in redeveloping an existing park at the end of Rowland Road. The site is adjacent to the Nanoose Bay estuary and has potential archeological significance.

MINUTES

MOVED G. Wiebe, SECONDED D. Mitchell that the Minutes of the Electoral Area “E” Parks and Open Spaces Advisory Committee meeting held on May 11, 2016 be adopted as amended with the correct spelling of Davenham Rd.

CARRIED

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

Ms. Marshall summarized each of these items:

- Letter sent to Fairwinds Community Assoc. re: Illegal Tree Cutting in the Fairwinds Community.
- A planting plan was sent to Fairwinds Golf Course for replanting the area of tree removal.
- Letter received re: Proposed field upgrades
- Letter received about proposed gate at Jack Bagley field.

MOVED D. Young, SECONDED M. Caskey to receive the correspondence.

CARRIED

UNFINISHED BUSINESS

Beach Access Public Meeting held May 2016

Director Rogers reviewed the issues he heard during this meeting. He noted that he continues to get calls from residents about seeking local solutions. He suggested that the subject of “Road End/Beach Access improvements be discussed at the next POSAC meeting (Feb 2017).

MOVED M. Caskey, SECONDED V. Voros. that the subject of “Road Ends and Beach Access Improvements” be discussed at the next (February 2017) Area E POSAC meeting

CARRIED

Oakleaf Community Park

Ms. Marshall provided an update on the park developments. A new sign will include a Coast Salish name (as proposed by Nanoose FN).

Blueback Community Park

Ms. Marshall provided an update on the ongoing construction of the park. A wall is being constructed along the top path and it will include benches. Hydro seeding will be done in the coming weeks.

REPORTS

Monthly Update Regional and Community Parks and Trails Projects (June. 2016 to Aug. 2016):

Ms. Marshall provided members with a summary of a proposal called "Salish Sea Marine Trail Network" where the BC Marine Trails Network Association is proposing a number of RDN waterfront Parks as part of a marine kayak "drop-in" site. Discussion focused on the fact that (Area E's) Blueback Park is on the list as a stop-over.

MOVED D. Young, SECONDED G. Wiebe that staff be directed to work with the BC Marine Trails Network Association on the identification of Blueback Park as a Salish Sea Marine Trail day use area recognizing that this park has limited day-use facilities, with no overnight parking or camping.

CARRIED

Recreation Commission Report

G. Wiebe provided an excellent summary of the discussions he is party to as a member of the Commission, concerning Ravensong Pool upgrades and Sportsfield expansion.

Directors Report

Director Rogers noted that an "Area E Update" brochure will be delivered to households in the coming days, which will summarize a number of local projects he has been involved in, including:

- Nanoose Place upgrades
- A "share the road" initiative will be launched by improved signage on the Nanoose Peninsula road network. The goal of the project is to encourage cars to share the road with bikes.
- UBCM – Director Rogers had a meeting with Minister (local MLA) Stillwell about the "Share the Road" project, and the need for the Ministry of Transportation and Highways to allow development of trails in the road "right of way" for pedestrians.

MOVED G. Wiebe, SECONDED D. Mitchell that the reports be received.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

Nanoose Bay Parks and Open Space Plan (2001)

Director Rogers asked POSAC members to review the 15 year old - 2001 Nanoose Bay Parks and Open Spaces Plan and the recently adopted (2015) Community Parks and Trails Strategy to ensure the issues and policies found in these documents are current. This will be discussed at the February 2017 POSAC meeting.

5 Year Plan Parks Plan (2017-2021)

The Area E Planning worksheet was discussed. Some of the discussion included the following:

- The “high priority” park projects currently on the list will be completed within the next few months. This means the “medium priority” projects will move to “high priority” in 2017.
- Solving the parking issues (in the summer season) at Brickyard Park will be a priority. The local property owners in the area will have to be consulted.
- Director Rogers requested that the playground at the Nanoose Road Park be assessed for its condition.

POSAC Meeting Time

6:30 is a good time for the meeting.

Committee Members Term Expires: Law, Voros, Young.

Director Rogers encouraged members to re-apply to serve on the Committee for another 2 year term.

Committee Roundtable

P. Law – requested an update on a new issue of Milfoil in Dolphin Lake. His concern is about the possible transference of milfoil to Enos Lake. Ms. Marshall indicated that the RDN’s Planning Dept. and Seacliff Properties were looking into possibly involving VIU.

M.Caskey – requested a better map of Area E Parks for her file. Ms. Marshall said she could look in to securing a better map.

ADJOURNMENT

MOVED by D. Young, SECONDED G.Wiebe, that the meeting be adjourned at 8:40pm.

CARRIED

Chairperson

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF ELECTORAL AREA 'F' PARKS AND OPEN SPACE ADVISORY
REGULAR COMMITTEE MEETING HELD
WEDNESDAY NOVEMBER 9, 2016
7:00 pm**

(Arrowsmith Hall, Coombs)

ATTENDANCE: Julian Fell, director RDN Board, Chair
Alfred Jablonski
Barbara Smith
Reg Nosworthy
Dorothy Roi
Kurtis Kril

STAFF: Elaine McCulloch

GUESTS: Kevin Thomson

CALL TO ORDER

Chair Fell called the meeting to order at 7:05 pm

AGENDA

MOVED R. Nosworthy, SECONDED A. Jablonski that the agenda be amended with the addition of minutes from the Arrowsmith Community Trail POSAC Sub-Committee dated November 3, 2016 and correspondence from R. Dolan, D. DeVito, N. DeVito, D. Fawthorpe and B. Fawthorpe.

CARRIED

DELEGATIONS

None

MINUTES

MOVED R. Nosworthy, SECONDED A. Jablonski that the Minutes of the Electoral Area F Parks and Open Space Advisory Committee (POSAC) dated June 10, 2016 be approved.

CARRIED

MOVED R. Nosworthy, SECONDED A. Jablonski that the Minutes of the Arrowsmith Community Trail POSAC Sub-Committee meeting held Thursday, November 3, 2016 be approved.

CARRIED

BUSINESS ARISING FROM THE MINUTES

R. Nosworthy requested that additional barriers be installed along the ditch side of the Cranswick Trail to provide additional public safety as per the construction specifications. Director Fell directed staff to undertake this request.

Ms. McCulloch advised that the Errington War Memorial Society had been approached to propose a candidate for a position on this POSAC. There are two positions to be filled as K. Krill's term is up in December and one other member is needed.

COMMUNICATION/CORRESPONDENCE

MOVED R. Nosworthy, SECONDED A. Jablonski to receive the following correspondence:

R. Dolan, D. DeVito, N. DeVito, D. Fawthorpe and B. Fawthorpe to Regional District of Nanaimo,
 RE: Palmer Road between Pratt and Howard

CARRIED

UNFINISHED BUSINESS

REPORTS

Monthly Update Regional and Community Parks and Trail Projects – August & September 2016

Arrowsmith Community Trail (ACT)

The minutes of the November 3, 2016 ACT Sub-Committee were discussed including the following planning priorities:

Trail Project	Action	Priority
Carrothers Rd Trail	Planning & construction	2016 / 2017
Palmer Rd Trail (East)	Planning & construction	2017 / 2018
David Lundine Memorial Trail	Planning & construction	2017
Bellevue Corridor	Planning	2017

D. Roi advocated for moving up the time priority of a trail beside Palmer Road West but the committee determined that the present trail timeline priorities would remain.

MOVED R. Nosworthy, SECONDED A. Jablonski that Ms. McCulloch contact the Area Manager for the Ministry of Transportation and Infrastructure (MOTI) regarding placing a barrier on Palmer Road West.

CARRIED

MOVED R. Nosworthy, SECONDED A. Jablonski to adopt the recommendations contained in the Minutes of Arrowsmith Community Trail POSAC Sub-Committee meeting dated November 3, 2016 regarding the priorities for trail development.

CARRIED

Meadowood Community Park Community Centre Update

Chair Fell advised it is an ongoing process

E&N Regional Trail Update

Chair Fell suggested that the POSAC would like a tour of the trail before the opening at the end of this year.

2017 Work Plan

The Plan was reviewed. The reference to Palmer Road was revised to specify "east" Palmer Road.

MOVED B. Smith, SECONDED K. Kril to receive the reports.

CARRIED

NEW BUSINESS

RDN Recreation Notice

R. Nosworthy referred to the October 12, 2016 RDN Recreation Notice on two recreation projects for the District 69 (Oceanside) area and encouraged members to provide feedback on the Master Plan posted on the RDN website at www.rdn.bc.ca.

AJOURNMENT

MOVED B. Smith to adjourn the meeting at 8:45 p.m.

CARRIED

Chairperson

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA 'H' PARKS AND OPEN SPACE ADVISORY
REGULAR COMMITTEE MEETING**

THURSDAY, DECEMBER 1, 2016

10:00 AM

(Lighthouse Community Centre, Qualicum Bay)

ATTENDANCE: Bill Veenhof, Chair, Director, RDN Board
David Wiwchar
Nancy Robertson
Valerie Weismiller
Dagmar Seydel

STAFF: Elaine McCulloch, Parks Planner
Pam Newton, GIS Technician
Kevin Robillard, GIS Technician

OTHER: Ted Seaman, Bowser Trail Bashers
Tom Tryon, Bowser Trail Bashers
Terry King, Bowser Trail Bashers

CALL TO ORDER

Chair Veenhof called the meeting to order at 10:00am.

ELECTION OF SECRETARY

No secretary was elected. This item needs to appear on the next meeting's agenda. E. McCulloch will take the minutes for this meeting.

MINUTES

MOVED D. Wiwchar, SECONDED N. Robertson that the minutes of the regular Electoral Area 'H' Parks and Open Space Advisory Committee meeting held May 26th, 2016 be adopted.

CARRIED

BUSINESS ARISING FROM MINUTES

Water Access Signage

Staff reported that regulation signage has been removed from the water accesses and the Community Parks and will be replaced with basic water access identification signage. The Crab Rd. water access has been added to the to the development priorities. B. Veenhof to be copied on any correspondence between staff and MoTI regarding the removal of trespass over Water Access.

Bowser Elementary School Outdoor Classroom

Staff reported that after the POSAC's input at the last meeting the Bowser Elementary School Parents Advisory Committee (PAC) requested Community Works funding from the Regional Board and was awarded \$30,000 towards their project.

REPORTS

Monthly Update Regional and Community Parks and Trail Projects: June-August and September 2016

Ms. McCulloch provided a summary of the Regional and Community Parks and Trail Projects reports and answered questions. Additional verbal updates were provided on the following items:

Sunny Beach Park Use Permit – A Parks Use Permit was issued to the local Tidal Treasures tourist program to allow event signage at the Sunny Beach Water Access parking lot. Parks Staff are working with the permit holders to reduce the impact the program participants may on the beach and on the local residents.

Deep Bay Creek Trail – Parks Staff have made an agreement with the local Strata Council to allow Park Operations Staff to access the south end of the trail by way of their private driveway. Parks will construct a new small wooden bridge on the Strata property to improve this pedestrian access for both the Strata residents as well as for Parks Operations Staff.

Lions Park Lease Agreement – Staff is currently working with representatives from the Qualicum Bay Lions Club regarding the renewal of their lease agreement for the property. Committee members supported the idea of RDN Parks undertaking a Master Planning Process for Lions Park once the terms of the Lease Agreement have been determined.

Zoning amendment application 4660 & 4652 Anderson Ave, amenity contribution proposal – Staff reported that the applicant has put forward a proposal to include a \$3,000 amenity contribution towards park improvements in Electoral Area H as part of their zoning amendment application. V. Weismiller noted that there are unofficial trails that cross the property that are part of a larger trail network over Crown Lands. Staff will follow up with Planning on this item.

Official Community Plan (OCP) and Active Transportation Plan (ATP) Update – The OCP is currently being drafted and reviewed by the Community Working Group. The draft plan will include information on existing parks and acquisition priorities and criteria from the Community Parks and Trails Strategy. The timing of the new Regional Parks and Trails Plan to be completed in 2017/2018 is such that new priorities won't be able to be reflected in this revised OCP; however it will refer to the Regional Parks and Trails Strategy and the fact that it is updated and amended from time to time. The Active Transportation Plan is currently in the drafting phase; it is expected to be completed and available to the public in the early New Year.

Dunsmuir CP – Concept Plan

Ms. McCulloch presented a summary of the public input received through the second public open house held in September 2016. The Committee recommended proceeding with park development in a phased approach with the playground and court improvements being included in the first phase and considering bike park and trail development for future phases. The Committee supported the following elements to be included in the development of the Phase 1 construction drawings:

- Playground Concept A which includes a zip line
- Sport Court Resurfacing, perimeter fencing, and new basketball hoops
- Tennis Court Permanently remove the tennis net and repair or resurface the court for pickle ball, ball hockey, etc. Staff to investigate the options for resurfacing or repairing the existing tennis courts and provide a recommendation as to which is the most cost effective once maintenance and replacement costs are factored in.
- Park Layout The general proposed layout of the park including driveway access, parking lot, and picnic area was supported.
- Trails Trail development through the undeveloped portion of the park was generally supported by the public however the Committee recognized that given the poor drainage conditions it could be quite costly.
- Bike Skills /
Pump Track The development of a bike skills park were well supported by the public.

MOVED V. Weismiller, SECONDED D. Wiwchar that staff proceed with preparing construction drawings for Concept Plan A for Dunsmuir Community Park.

CARRIED

MOVED D. Wiwchar, SECONDED D. Seydel that staff proceed with clearing a view corridor into Dunsmuir Community Park as part of the 2017 Parks Work Plan.

CARRIED

NEW BUSINESS

Trail Mapping

RDN Mapping staff Pam Newton and Kevin Robillard presented the work they have done on mapping the Crown Land trails in Electoral Area 'H'. Members of the *Bowser Trail Bashers* were present at the meeting and asked the following questions:

When is the Olympic Torch Trail going to be completed? Staff assured them that this project is still on the Regional Parks and Trails list of projects and that staff continue to work with Planning to secure a route for the trail.

What is the status of the old Thompson Clarke Railroad? Staff will look into this.

The *Bowser Trail Bashers* requested that extruded metal grating be installed on the boardwalk along the Deep Bay Community Trail. The trail group would like to help parks staff with the install. Staff will follow up with them on this request.

DIRECTOR'S UPDATE

B. Veenhof provided an update on some of the issues that are being considered in the OCP review that have implications for parks.

COMMITTEE ROUND TABLE

V. Weismiller – Noted that Bowser area trails are included in the *book Best Biking Trails on Vancouver Island*.

ADJOURNMENT

MOVED D. Wivchar that the meeting be adjourned at 12:35 pm.

CARRIED

Chair