

Electoral Area 'F' Zoning and Subdivision Bylaw Public Consultation Framework

Goals and Objectives

The goal of the Electoral Area 'F' Zoning Bylaw process is to adopt a new Zoning Bylaw for Electoral Area 'F' that meets both the needs of the community and the regulatory requirements of the *Local Government Act*.

The following objectives have been established to ensure that the final product meets these community and legislative needs:

- A. The Zoning Bylaw will be structured to accommodate existing range of uses and zone those parcels as "conforming", to the fullest extent reasonable and possible.
- B. Individual landowners will be directly engaged and consulted to ensure that the proposed zoning regulations are designed with their input.
- C. The jurisdiction of other agencies will be supported in the zoning bylaw.

There are two key issues to be addressed in the public process for the Area 'F' Zoning Bylaw. The first is the implementation of regulations in an area which contains a broad range of land uses- from small lot residential parcels to farmers' markets, from home based businesses to heavy industrial uses- the Zoning Bylaw must be designed to recognize the variety of uses, but also recognize current and potential conflicts resulting from the mix of land uses.

The second key issue is the 'fit' of the Area 'F' Zoning Bylaw with the Electoral Area 'F' Official Community Plan and the Region's Growth Management Plan. The Growth Management Plan was amended upon the adoption of the Electoral Area 'F' Official Community Plan to recognize the new village centres and rural separation boundary area in the OCP. Both the OCP and future zoning bylaw recognize the goals and guiding principles of the Growth Management Plan in directing the future of the RDN. Further, the OCP establishes criteria for the zoning bylaw, and states that, wherever possible, existing uses will be zoned 'conforming' as long as established criteria can be met. These 4 criteria are:

1. Is there an adequate and approved means of sewage disposal?
2. Are all requirements of the jurisdictions having authority over the lands or use addressed?
3. Is the use compatible with the surrounding properties and the character of the area?
4. Is there any negative impact on groundwater, surface water or the natural environment?

Given these two key issues, the public consultation strategy focuses on both the individual property owner and the larger community (other citizens, government agencies and member municipalities). The public consultation framework as outlined below seeks to inform, educate, consult with and make decisions with individuals on their own properties, with citizens on the impact of adjacent land uses, and with agencies and member municipalities on issues of jurisdiction and regional growth management.

Method

The proposed bylaw has generated a great deal of community interest from residents in Electoral Area 'F', as was evidenced in the earlier public consultation on the Area 'F' Official Community Plan. As such, it is imperative to ensure that the public remains informed as the proposed bylaw progresses toward a public hearing.

The following actions are planned:

- Direct contact with more than 100 land owners on the proposed zoning for their property
- Contact with government agencies and member municipalities on issues surrounding the draft bylaw
- A legal review of the draft bylaw

Outcomes and Products

The intent of the Electoral Area 'F' public consultation process is to establish a Zoning Bylaw for the area that reflects the diversity of land uses in Electoral Area 'F', accommodates the needs of the landowners, avoids creating "non-conformity" based on criteria outlined in the Electoral Area 'F' Official Community Plan and meets the regulatory requirements established by the *Local Government Act*.

Schedule

Date	Action
April 2001	<ul style="list-style-type: none"> Prepare Draft Zoning Bylaw for public consultation
May 2001	<ul style="list-style-type: none"> Meet with municipalities, agencies to discuss background on Draft Bylaw, and receive initial feedback on approach for Area 'F'
May 2001	<ul style="list-style-type: none"> Direct mail newsletter to all property owners in Area 'F' to provide overview of zoning, solicit input on proposed zoning and advertise RDN Site Office Post Draft Zoning Bylaw on RDN Website Advertise RDN Site Office in local newspapers Make copies of Draft Zoning Bylaw available at public agencies in the area
May 14- ongoing	<ul style="list-style-type: none"> Open RDN Site Office to receive input from public on proposed zoning Gather information on amendments/changes/comments to the Draft Bylaw Gather information on properties that require site specific zoning
June/ July 2001	<ul style="list-style-type: none"> Public input received summarized and the Draft Bylaw will be amended Requests/recommendations for site specific zoning will be evaluated
July 2001	<ul style="list-style-type: none"> Initial referral to adjacent municipalities, government agencies
August 2001	<ul style="list-style-type: none"> Report to RDN Development Services Committee recommending 1st and 2nd reading on the proposed Electoral Area 'F' Zoning and Subdivision Bylaw
September 2001	<ul style="list-style-type: none"> Recommendation forwarded to Board for consideration
September 2001	<ul style="list-style-type: none"> Notification of Public Hearing posted in local newspapers
October 2001	<ul style="list-style-type: none"> Public Hearing held pursuant to the <i>Local Government Act</i>
October 2001	<ul style="list-style-type: none"> Report to RDN Board on Public Hearing and requesting consideration of 3rd reading for Electoral Area 'F' Zoning and Subdivision Bylaw
October / November 2001	<ul style="list-style-type: none"> Referral of Bylaw to Ministry of Transportation and Highways pursuant to the Local Government Act
November/ December 2001	<ul style="list-style-type: none"> Report to RDN Board requesting consideration of 4th reading and adoption (pending receipt of approval from above noted Ministry)

Resources

Existing staff resources will administer all components of public consultation process for the Electoral Area 'F' Zoning Bylaw. It is expected that this project will take 9 months to complete.

Budget

Staff time for this project has been budgeted as part of the work program in the 2001 Development Services Department Budget. The cost of the public consultation process is estimated at \$10,000.00. This budget includes costs to set up and maintain the RDN Site Office, meeting room rentals, printing and advertising.

Monitoring and Evaluation

The public consultation process will be evaluated pursuant to the successful completion of the consultation requirement specified in the *Local Government Act*. This process, which includes a site office, will also be evaluated to see if establishing satellite offices for consultation is an effective means of distributing information and receiving input on RDN initiatives.

The Area F Planning Project

Volume 1, Issue 1
May 2001



REGIONAL DISTRICT OF NANAIMO
DEVELOPMENT SERVICES

Area F Zoning & Subdivision Bylaw

In late 1999, the Official Community Plan (OCP) for Electoral Area F was adopted. One of the key steps to implement the OCP is the creation of a Zoning Bylaw, tailored to fit the broad range of uses that are located in Area F.

The **Draft Bylaw** is intended to resolve future land use conflicts, comply with provincial regulations and respond to changes to provincial legislation (particularly around watercourse protection) and recognize the need to address health concerns about potable water and sewage disposal.

The **Draft Bylaw** proposes to do this by: directing conflicting land uses to separate zones; establishing setbacks from roads, watercourses and neighbouring lot lines; and permitting

expanded uses where sewer and water will be provided in the future. Overall, the objective of the **Draft Bylaw** is to implement the OCP by recognizing existing uses and promoting mixed-use development in some locations and by protecting rural residential neighbourhoods and rural activities in other locations.

In addition, the **Draft Bylaw** is intended to provide a level of certainty for landowners and prospective purchasers of land in Area F; help developers, entrepreneurs, and home based businesses promote their interests; and help to protect the environment and public health.

Read on to find out more!

Draft Bylaw Review

Public comments and direction received during the OCP process and input from area property owners were used to create the **Draft Bylaw**.

Because this is a technical document that affects individual properties, it is important to ask for verification from individual property owners to improve and refine this **Draft Bylaw**.

This newsletter provides an overview of what Zoning is and outlines the zoning standards in the **Draft Bylaw**.

Copies of the **Draft Bylaw** are available throughout the District, at the RDN Site Office and on the RDN Website. Also included with this newsletter is a Draft Zoning Map for Area F.

The Site Office located in Unit #1 of the Pine Tree Centre at 1343 Alberni Highway, will be open **May 14th**.

Please come down and talk about your property!

Inside this Issue:

What is Zoning?	2
Zoning Standards	2
What If the Proposed Zoning Doesn't Match?	2
Zoning and the ALR	3
Draft Bylaw and Opportunities for Input	3
Tear Away Comment Sheet	4

Starting May 14th:

RDN Site Office

Phone: (250) 248-0500

Fax: (250) 248-0509

Unit #1, Pine Tree Centre, 1343 Alberni Highway

Email: areafzoning@rdn.bc.ca

What is Zoning?

Under the *Local Government Act*, a local government may divide an Area into zones, name each zone, and establish boundaries for each zone. Within each zone, a local government may provide **standards** for the use of land, buildings and structures.

A Zoning Bylaw includes **standards** related to the permitted uses within each zone, building size, parcel coverage, setbacks of buildings from the lot lines, and density.

In the case of subdivision, a local government may set **standards** for the shape, dimension, and area for all newly created parcels of land.



Zoning Standards

The **standards** included in the **Draft Bylaw** are:

Permitted Uses - Permitted uses are included in each zone to ensure that the various uses in an area are compatible, and to minimize potential land use conflicts.

Density - Density is included to ensure that the number of dwellings permitted can be supported by the size of the lot. In addition, the density is a consideration for fire safety, access for vehicles, provision of adequate parking, and storm water drainage.

Lot Size - Lot size is included to ensure that Health Unit regulations can be met for distance separation between wells, septic fields and buildings. Lot size is also included to provide for fire safety and access for emergency vehicles as well as ensuring adequate space for on-site parking.

Please Note: *minimum lot size requirements only apply to lots subdivided in the future and not to existing lots.*

Lot Coverage - Lot coverage is included to ensure that

the amount of lot covered by the buildings and structures, does not affect the ability of the lot to provide for on-site parking, well protection, septic field area. In addition, lot coverage ensures that the scale of development fits the surrounding area and stormwater drainage issues area addressed.

Building Height - Building height is included to recognize possible firefighting capability issues and to limit possible impacts on properties from development on adjacent lands.

Setbacks - Setbacks are included to meet existing provincial requirements (Highways and Environment) as well as to separate land uses on adjacent lands, ensure fire safety, access for emergency vehicles, safe location of signs and parking spaces.

Parking Standards - Parking regulations are included to fulfill existing Ministry of Transportation and Highways regulatory requirements, address safety issues and the minimum parking needs of specific uses on a property.

What If the Proposed Zoning Doesn't Match My Property?

The **Draft Bylaw** proposes a number of different zones for Area F, but due to the broad range of uses located throughout the area, not **all** uses on **all** properties will be covered by these basic zones. In these cases, individual parcels may be considered for site specific zoning using the following criteria. These criteria were outlined in the OCP:

1. *Is there an adequate and approved means of sewage disposal?*
2. *Are all requirements of the jurisdictions having authority over the lands or use addressed?*

3. *Is the use compatible with surrounding properties and the character of the area? and*

4. *Is there any negative impact on groundwater, surface water or the natural environment?*

If these criteria are met, then site specific zoning will be considered for the property.

As outlined in the OCP, the objective of this Draft Bylaw is to zone existing land uses as 'conforming', to the fullest extent that is reasonable and possible.

Zoning and the Agricultural Land Reserve (ALR)

A commitment made as part of the OCP process was to negotiate with the Land Reserve Commission on a new General Order for Area F to allow for an expanded definition of Home Based Business. The intent was to address the wide range of uses currently on ALR lands. The Commission is also exploring changes to their regulations and is open to input from landowners and the RDN on this issue.

To date, a number of ideas have been raised to address uses on ALR lands. These include:

- Excluding selected properties from the ALR (properties fronting on the Alberni Highway or adjacent to the Village Centres);
- Working with landowners on new General Orders for expanded uses in the ALR;
- Working with landowners for special use permits on specific parcels; or
- Leaving the ALR boundaries and regulations as is.

Let us know what you think by returning the tear away sheet on page 4 of the newsletter!



RDN Site Office **Unit #1, Pine Tree Centre** **1343 Alberni Highway**

Starting **May 14th** the Site Office will open

Feel free to drop in anytime,
the Office Hours are:

Monday thru Friday 9:00 am to 4:00 pm

Wednesday 9:00 am to 7:00 pm

Phone: (250) 248-0500

Fax: (250) 248-0509

Email: areafzoning@rdn.bc.ca



Getting the Draft Bylaw & Opportunities for Input

Starting May 7th, copies of the **Draft Bylaw** will be available on our web-site as well as at: Vancouver Island Regional Library Branches in Qualicum Beach and Parksville; Ravensong Aquatic Centre, District 69 Arena, RDN Church Road Transfer Station and RDN Main Office in Nanaimo or by mail on request.

We ask that you take a look at the Draft Bylaw, locate your property, check the proposed zone and then come in, fax, email, or call us about your specific property.

Starting May 14th you can also pick up a copy of the **Draft Bylaw** at our **Site Office** which will be located in Unit #1 of the Pine Tree Centre at 1343 Alberni Highway.

The Site Office will be open Monday to Friday from May 14. Site office hours will be 9:00-4:00 on Monday through Friday. For your convenience, the office will remain open until 7:00 pm on Wednesday evenings. Staff are available to discuss the proposed zoning for your property as well as answer any questions you may have.

If the above times are not convenient for you, please call us to arrange a suitable time or a visit to your property. Information sessions for community groups and organizations may also be arranged through the site office.

The phone number at the site office is (250) 248-0500, the fax number is (250) 248-0509, or you can reach us via email at areafzoning@rdn.bc.ca

May 2001						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
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6	7	8	9	10	11	12
13	14	15	16	17	18	19
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27		29	30	31		

Our site office in Area F will open on May 14 at Unit # 1-1343 Alberni Highway in the Pine Tree Centre. Prior to the 14th please feel free to contact us at the RDN Main Office in Nanaimo.



**REGIONAL
DISTRICT
OF NANAIMO**



**PLEASE DROP OFF, MAIL, FAX OR
EMAIL YOUR RESPONSE TO:**

RDN Site Office

Phone: (250) 248-0500

Fax: (250) 248-0509

Email: areafzoning@rdn.bc.ca

**In Person: Unit #1, Pine Tree
Centre, 1343 Alberni Highway**

RDN Main Office

Phone: (250) 390-6510

Toll Free: 954-3798

Fax: (250) 390-7511

Email: areafzoning@rdn.bc.ca

Mail/In Person: 6300

**Hammond Bay Road, Nanaimo,
V9T 6N2**

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

How do you think that issues about the use of land in the ALR should be addressed?

Any other comments?

Electoral Area 'F' Planning Project
Draft Zoning Bylaw Community Consultation Process

Summary of Community Consultation, Feedback and Issues

Starting May 14, 2001, a Site Office was established by the Electoral Area 'F' Planning Project team to receive input and feedback from area landowners on the proposed Zoning Bylaw for the area. Over the past month, the project team has talked to over 475 individual property owners that have an interest in approximately 850 properties in Electoral Area 'F'. In addition, a number of site visits, with property owners, were conducted as well as three meetings with community stakeholder groups.

The guiding principles behind the community consultation process was to engage individuals on a case-by-case basis to verify and 'fine tune' the proposed zoning, recognize existing uses, meet the expectations/needs of the community, address OCP and Growth Management objectives and manage future development in this portion of the Regional District.

The following provides an overview of the feedback and key issue areas that were highlighted with regards to the proposed Zoning Bylaw. These comments were gathered through face-to-face discussions, phone calls, and written submissions.

Key Electoral Area 'F' Issues and Comments

1. ***The Consultation Process*** – The Area 'F' Site Office was established on May 14, 2001 and was open for 6 weeks. The office was conveniently located in the Pine Tree Centre on the Alberni Highway and was open 5 days a week from 9:00 am to 4:00 pm. On Wednesdays, the Site Office was open until 7:00 pm to allow working individual and families to interact with RDN planners and provide comments on the proposed zoning for their property.

During the consultation process, RDN staff spoke to over 350 area residents that represented an interest in approximately 850 properties. A phone survey was initiated by Staff prior to the site office opening that contacted 150 area residents to determine their input on approaches to zoning in Area 'F'. The people contacted during the Site Office process as well as during our phone survey were generally happy with the broad approach to implementing zoning in the area. Although, many had issues with the Regional District of Nanaimo in general, they were satisfied that the proposed zoning would address their existing uses. If the proposed zoning did not fit their property, RDN Staff in consultation with other regulatory agencies worked with landowners to adjust the zoning to recognize their existing uses.

To gather additional feedback and input, RDN staff met with 3 resident groups to discuss issues related to the proposed Bylaw, land use issues in their neighbourhoods and incompatible land uses that are currently in place in the community. Staff then conducted a series of site visits with area land owners to confirm zoning for properties, to better understand existing uses on parcels for site specific zoning and to verify proposed development plans for parcels. This process was very well received and area residents commented that this 'hands on' approach was useful.

2. ***Minimum Parcel Size/Density*** - The proposed minimum parcel sizes for the zoning bylaw were created based on the OCP and Health Unit standards. Residents indicated that this was appropriate for future development. Residents understood that density is an important issue for groundwater protection. Residents generally felt that the rural integrity of the area could be balanced with the pressures for residential development if future subdivision reflected these standards of 1 Dwelling Unit per 2.0 ha (5ac) in Rural zoned areas and 1 Dwelling Unit per 1.0 ha (2.5ac) in Rural Residential areas.

Some key comments on minimum parcel size and density were directed towards the Qualicum River Estates area in and around the Corcan Road and Meadowood Way area. The agent for Wicklow West Holdings has requested that the zoning reflect the building scheme that is in place on these properties. The building scheme permits 2 dwellings to be built on 1.0 ha properties. The agent has indicated that a study was completed regarding the capability of the soils for ground disposal. RDN staff is currently waiting for supporting documentation prior to confirming any changes to the proposed zoning in consultation with the property developer.

3. ***General Regulations***

Size of Home Based Business (HBB) – Based on comments received by staff, HBB's in Area 'F' are typically much larger than suburban development areas, involve outdoor storage and due to the lack of zoning restrictions, are more industrial in nature. The proposed restrictions limit HBB to a total of 150 m² including all outdoor storage and most input received by residents indicated that this regulation is much too small, and most existing HBBs are far in excess of this size. Residents felt that due to the large parcel sizes in the area that the impact of these businesses is minimal. Residents indicated that existing HBB sizes ranged from 200 to 450 m².

Building Height – Maximum heights have been established for buildings and structures in each zone. Staff have received mixed comments with some residents seeing no need for restrictions whereas others see it as critical due to volunteer fire fighting capability and National/BC Building Code provisions.

Unlicensed Vehicles – The General Regulations prohibit the storage of more than 3 unlicensed vehicles on a property. General feedback indicates that this regulation is too restrictive for the area. When asked about the issue of vehicle storage, residents felt that there needed to be restrictions, especially for vehicles that were not screened from view. Residents also raised concerns about ground water impacts from derelict vehicles and that some line had to be drawn between 'reasonable' storage and a wrecking yard.

Signage – The draft Bylaw includes regulations that address business signage on properties in Area 'F'. During the consultation process we heard that the community does not want a 'Sign Bylaw'. The feeling was that signage controls currently proposed are not overly restrictive and are appropriate. The one criticism heard was that prohibiting third party signs on parcels (outside of the ALR) is not appropriate

for this community. Residents indicated that many area businesses and non-profit organizations rely on signage along the Alberni Highway to direct consumers to their properties.

Notification Distance/Complaints Zone – The Bylaw establishes a 500 m notification zone for rezoning and variance applications due to the large parcel sizes in this rural area. The community found this to be an appropriate distance but there were numerous comments regarding the ability of other area residents having the right to comment or have input on the uses on properties far from their own neighbourhood. Other jurisdictions in Canada and the United States have used a 'complaints zone' approach to managing land use conflicts and feedback from residents indicated that establishing a maximum distance for property complaints may be appropriate for this area.

Community Water/Sewer Utility Definition – The draft Bylaw requires that all new sewer and water systems created in Area 'F' must be RDN or local government owned, operated and maintained. During the consultation, there have been some comments that this regulation is not appropriate and too restrictive. Based on directives from the Province regarding water/sewer utility development and the costs associated with the RDN assuming responsibility for upgrading, maintaining and operating these private utilities when they fail, the Bylaw regulations have been written to address these concerns.

Language Clarification – The draft bylaw includes several terms that community members have requested clarification on or expansion to.

4. ***A-1 Agriculture Zone*** – This zone was created to follow the Land Reserve Commission land use regulations and to ensure consistency between local government and provincial regulations. ALR regulations and enforcement has been a long-standing source of concern for property owners in Area 'F' and during the consultation process, staff received a broad range of comments regarding regulations in this zone. Staff received comments that ALR regulations should be enforced and the zoning bylaw should ensure that all landowners in the ALR should be subject to the same rules. Staff heard from residents that the minimum parcel size should be lowered to 2 hectares and ALR permitted uses should be expanded to recognize the land capability and difficulty farming on parcels in Area 'F'. Staff also received a number of letters indicating that there should be no zoning on ALR land because a level of regulation already exists and an additional level of regulation is not required.
5. ***R-1 Rural Zone*** - This zone was designed to accommodate the range of uses that have developed in the area as these parcels do not have the restrictions associated with the ALR or the FLR. As such, there are a large number of diverse light industrial and natural resource processing activities that are taking place on these lands. The feedback received from residents indicated that typically in rural areas, due to large parcel sizes and existing vegetative buffers, a range of uses can coexist without conflict and the zone should allow for these uses.

A number of comments were received regarding rural parcels that have light to heavy industrial uses on them. Comments indicated that the majority of the industrial and resource uses were concentrated in the Chatsworth Road portion of the community. The Chatsworth Road area is surrounded by ALR and FLR lands and a large number of these parcels have some combination of sawmills, aggregate processing, value added wood processing, outdoor storage, warehousing and a concrete plant.

Due to the types of uses and relative isolation of these particular uses in the Chatsworth area, residents commented that allowing natural resource oriented uses throughout the rural zoned lands is inappropriate and may have a negative impact on the rural character of the community. Feedback from some residents indicated that a few uses in the R-1 zone were also inappropriate and that they have negative externalities such as noise and traffic that make them incompatible with adjacent rural uses. Key uses of concern highlighted by residents were primary mineral processing, sawmills and kennels.

6. ***R-2 Rural Residential Zone*** – This zone was created to recognize the large lot residential areas located in the community. Permitted uses and regulations for this zone will ensure that future subdivision in these areas meet health and water quality standards as well as separating inappropriate land uses. Feedback from the community was positive provided that the proposed home based business (HBB) regulations in the Area 'F' Zoning Bylaw were broad enough to address existing HBB's. Staff also received a large number of comments about the proposed restriction of two dwellings to a parcel. Based on input and discussions with the Health Unit and area residents, there are a large number of parcels with two dwellings that are zoned R-2 with valid health permits. The community felt that the regulation prohibiting a maximum of one dwelling unit per lot is too restrictive and is not required by the area OCP.

The Price Road area, south of the Church Road Rural Separation Area, has a broad mix of existing uses including manufacturing, marshalling yards, outdoor storage and residential uses. The proposed zoning in this area is R-2 Rural Residential and based on input received from residents there are a number of properties that are clearly commercial/light industrial which do not have negative impacts on their neighbours. These parcels are currently developed, the uses are much larger than HBBs, employ more than two non-residents, and they have been developed with the consideration of their neighbours in mind. The general feeling from area residents is that mixing these types of uses with residential properties is appropriate and in order to accommodate these non-residential parcels, a separate zone may be required.

7. ***C-1 Local Commercial Zone*** – The purpose of this zone is to recognize and existing small scale retail and commercial parcels that provide convenience services to local area residents. Feedback from residents indicated that this zone had an appropriate range of uses that mixed well with adjacent residential uses. One criticism received, indicated that the proposed regulations for the C-1 Local Commercial Zone do not

allow for a mix of residential, small scale cottage manufacturing and commercial uses in one building (eg. furniture manufacturer/retailing and dwelling unit). Based on input received from the community, the opportunity for 'Live-Work' arrangements is a significant issue for small business owners and it is important for these parcels to continue to provide this mix. Staff also received feedback that a 'gas bar' that provides local fuel service should also be included in the proposed zone. Provided that proper septic disposal is in place for the building residents felt that this mix of uses would not be detrimental to the area.

8. ***C-2 Tourist Commercial Zone*** – This zone was created to recognize existing and proposed tourist accommodation and service areas identified in the OCP. The feedback from residents was positive with regards to regulations in this zone. Staff received a number of comments that the uses in this zone for parcels not located on high traffic areas or along the major transportation routes did not need the broad range of uses in the zone. Residents and landowners of these parcels felt that a new zone should be created just for tourist accommodation (hotel, bed and breakfast, cabins and campgrounds) to ensure that the permitted uses don't have negative impacts on the adjacent residential uses. Some residents also felt that permitted uses should not include the rental and service of gasoline-powered recreational vehicles.
9. ***C-3 General Commercial/Light Industrial Zone*** – This zone was created to address the broad range of existing uses and development proposals for parcels located in the village centres and rural separation boundary. Feedback received from the community and landowners during the consultation process indicated that the size of development, density and permitted uses for the C-3 zone are sufficiently broad to recognize the diverse uses in Area 'F'. Area residents and landowners in the C-3 zone also commented that the 'cap' on the size of commercial development, especially the undeveloped areas, will provide sufficient restrictions on future development, given the limited services in the area and lack of exposure to the Inland Island Highway.

Staff received comments that some residential areas have been zoned C-3 incorrectly and should be changed to R-3. The key area for consideration is the east end of Allsbrook Road, where residents indicate that some existing industrial businesses are not appropriate to the area, have negative off-site impacts and that these parcels should not be zone C-3 due to the residential nature of the area.

10. ***S-1 Salvage and Wrecking Zone*** – During the OCP process, the community commented that salvage and wrecking yards are a distinct type of use in Area 'F'. and the off-site impacts that these types of uses have, may be detrimental to the neighbourhood. The key impact identified during the consultation process was vehicle storage and groundwater contamination. The draft Bylaw includes an exclusive zone for these uses, however no parcels were initially given this zoning. Based on discussions with property/salvage business owners and ICBC records, individual properties will be given this zone. Based on our discussions, no businesses

Electoral Area 'F' Planning Project
Draft Zoning Bylaw Community Consultation Process

can receive ICBC vehicles without the proper zoning and non-conforming zoning would effectively prevent these residents from operating their businesses.

June 4, 2001 Meeting with Errington Residents
Regional District Area F Site Office
Meeting Minutes

Attendance

Donna Carpenter – 1070 Price
Terry Moore – 1376 Leffler (248-4918)
Dennis Skidmore – 1285 Kopernick (248-6410)
Steve Chomolok – 1227 Leffler (248-2894)
John Mansell – 1375 Kopernick (248-9606)
Barbara Mansell – 1375 Kopernick (248-9606)
Trevor Wicks – 1246 Middlegate (248-9824)
Leanne Escuin – 1317 Kopernick (248-8097)
Pamela Shaw – Regional District of Nanaimo
Geoff Garbutt – Regional District of Nanaimo
Lindsay Chase – Regional District of Nanaimo

Overview of approach to Draft Zoning Bylaw

Staff provided an overview of the approach taken to create this Bylaw. The focus of the Zoning Bylaw is to implement Official Community Plan (OCP), to recognize existing uses on the ground, to recognize that this area has had no land use regulations, and that ground water as a source of drinking water is essential to this area.

Drafting this Bylaw is the reverse of the process for the OCP- a draft has been provided so that people have something to comment on first, and then feedback is solicited from individual property owners-Difference between OCP and Zoning is that OCP is the policy document for the future, zoning is the regulatory tool and is property specific.

The feedback so far has been fairly positive as individual property owners see that they will not be affected as long as they have valid health permits for their septic disposal fields.

Donna - Agrees with positive feedback, concerned about misrepresentation by property owners about uses on their property.

Steve - property is located on the in Agricultural Land Reserve (ALR), property is not suitable for farming, small lot, happy with proposed zoning. Serious concerns about primary processing, and temporary sawmills. ALR works for large acreages, but with the number of small parcels that are in the ALR in Area F, these two uses are a concern.

Geoff - explained that all A-1 and FR-1 zones came from Land Reserve Commission (LRC) regulations.

Donna – Property is zoned R-2 and she is happy with the proposed zoning, concerned that they are heavily impacted by adjacent industrial and mixed use development. Have concerns about enforcement of LRC regulations, and that significant violations have occurred.

Trevor – property is located in the ALR, proposed zoning is A-1. Concerned about 2 existing homes on the property and ALR regulations. What will happen to all properties that have 2 dwellings on property, for example if one burns down. Trevor submitted two items that he wrote last year, one was a land use impact matrix used to assess compatibility for zoning and the other was a letter to the ALR Commission regarding enforcement of ALR regulations in Area F.

The group had a general discussion about ALR and Forest Land Reserve (FLR) subdivision, other ALR regulations and 2nd Dwellings on ALR properties.

Terry – Has 1 ha parcel zoned R-1, was curious about site specific zoning and 2nd dwelling unit on adjacent parcel.

Geoff—talked about health permits, and requirements for specific permits if a certain number of dwelling units are exceeded.

The group had a general discussion about existing mobile home parks and previous history surrounding some waste management permits.

The group had concerns about water use in area by mobile home parks, and comments about certain properties getting zoning on the property so that they are legal conforming instead of covered by s.911 of the Local Government Act.

Dennis – His property is zoned R-1 and main concerns revolve around the zoning of Errington Cedar Products, and Errington Sawmill and Wheaton Industrial Saws. Has concerns about noise, traffic, and environmental implications of storage of logs. He indicated that there is carbide in the air because vents suck dust outside to protect the employees. Ground outside the door is red from the dust.

Traffic and parking associated with Errington Mill is a safety concern as frequently the trucks parked on the road block access to the area. Noise associated with the mill and debarker is an issue for properties at the back of the Errington Mill. This impact is spread to a very large area depending on the prevailing winds.

John – has concerns with Errington Mill, Wheaton Saws as well as with Site Specific Zoning. Not happy with lack of community input to Site Specific Zoning (SSZ). He felt that this makes a farce of community and indicated that if every parcel receives SSZ then that is contrary to plan. Also expressed concerns about primary processing, kennel and temporary sawmill being included in the R-1 zone. Would like to see these three uses excluded from this zone.

Geoff indicated that some of those uses are important to the Chatsworth area, and that residents in that area see those uses as important and appropriate for the area. A new zone for the Chatsworth area is being proposed that will include the resource uses. Based on information we have received these are not key uses in the rest of the R-1 lands and therefore the uses may be removed from the R-1 zone. Throughout the community

consultation process we are trying to identify community issues and make sure the zoning fits with the needs of the area. In this case, if primary processing and sawmills are not a priority for areas outside of Chatsworth then it is appropriate to remove it from the rest of R-1 lands. The group felt that creating a new zone was a good approach and that the primary processing, kennel and temporary sawmill uses should be removed from the R-1 zone to protect the character of the area. Existing kennels should be given SSZ because they are already a permitted use in A-1.

The group and staff had a general discussion regarding the approach to SSZ, the need for a clearly defined process for community input on SSZ, as well as comments and discussion about non-conforming uses, the *Local Government Act* and intended use.

Questions from Group

1. About the process, what will be done with their questions and concerns, and what will happen after this office is closed?

A - Report to the Development Services Committee and Regional Board, as per the regular process for a Bylaw. After June 15, the map will be altered to reflect what we have heard, and everyone that we have talked to will be phone to ensure that what we discussed will be reflected on the map. Then after that the report will be put together. If everything goes smoothly, a report to the DSC in September, 1st and 2nd reading in October, followed by a hearing.

The were comments by the Group that people with owners of specific properties are coming in and getting what they want without public comment. Geoff responded saying that problem properties will be highlighted, and the Board will have to decide what will ultimately be done with the property. There are quality of life issues on many properties.

Local Government Act s.941- Geoff gave explanation that RDN will not be liable for perceived “down zonings.”

There was discussion around that fact that the most important purchase a person makes is the purchase of a home. In this area the business owner carries a lot of weight. The concerns about down zoning are that in urban areas, the greater the intensity of the use, the greater or better the use is and the highest possible zoning will be required. This results in more money coming in to the municipal coffers. In a rural area, the opposite is true, a high intensity use moves into an area and the community starts to go downhill and the people closest to the afflicted property are stuck as they are unable to sell their property. In addition the value of the property is affected by the adjacent intense or undesirable use, resulting in less tax revenues for the community.

2. Question about the contaminated Site Registry—when properties are rezoned, properties that were mined for gravel should be on the site registry. Do properties

that have had no zoning and then are zoned, does that constitute a rezoning, and will they therefore have to go thru the registry process?

A - We need to confirm with our lawyers. Will provide that information to the group

There were general comments that the average person doesn't have the time or money to play watchdog to all the SSZ's that people are asking for. Also there was discussion surrounding the business/residential schism. It is generally felt that the business owners are the ones complaining about zoning. There are problems with the way businesses are operating. Business doesn't want zoning and the residential people do.

3. In terms of non-conforming status, why doesn't the Regional District make these places non-conforming and provide incentives to get them to move to more appropriate areas?

A - Can't give site-specific incentives, or money to get them to move. No direct incentives are allowed under the local Government Act. We will check with our lawyer to explore options on how to provide different types of 'incentives' and report back to group about an approach to helping inappropriate uses move.

It was suggested that the Regional District should make it worthwhile for them to move and hard for them to stay. Make it so that they have non-conforming status and then provide incentives. Would like to see these industrial uses taxed heavily to discourage them from locating in rural residential/rural areas. Roads are not built to high use specifications, hydro wires are low, speed limits need to be enforced.

A comment was made that there are two ways of checking with your lawyer -can we do this, or how can we do this? It is Geoff's responsibility to try and correct some of the past history of the area and work as an advocate for Area F.

4. What is being done about Water and Water Management? The group was concerned with the impact of industrial uses on storm water management, and groundwater recharge given that the aquifer recharge area is under a major industrial site.

A - The RDN is working on creating development standards for subdivision. For future development, all subdivisions will have to meet these standards and they will focus on water, sewer, stormwater and road design. The whole point is to incrementally improve things relative to what the community is willing to support. We can have wholesale change or incremental change. Wholesale change will not work. This kind of change is better than going back 4 steps each time and never getting ahead. Storm water standards and groundwater protection are important issues for the area.

5. The Group identified a number of Definitions that need clarification. The following summarizes this discussion:

- a) **Campground** - continuous occupancy needs to be defined and 6 months needs to be qualified
- b) **Farm Use**-would like to see number of animals specified in terms of a #/ha
- c) **Home Based Business** needs to be more clearly defined-could be done in terms of impacts, decided that this already is in the Bylaw
- d) **Rental of Outdoor Recreation Equipment**—concern that it should be worded to not include service and repair of fuel powered equipment
- e) **Silviculture**-definition leaves openings, should read - *not including the construction, maintenance, repair, or storage of machinery or equipment for logging, saw milling or wood processing.* Does this exclude log storage and sorting? And can it be restricted to the timber coming off of the land
- f) Can individual lot owners become R-2 on request if the area is now R-1? The answer is Yes and no. It is area specific and partly dependant on the parcel size and location of the property.
- g) Why are **Kennels** allowed on R-1 land? Because they already exist, group thought that the use should be removed from R-1 and allowed by SSZ.
- h) **Height**-nobody wanted height restrictions, the group discussed that due to fire code and capability of volunteer fire departments, height restrictions are needed.
- i) Why did Rural OCP designations become rural residential in zoning? In the Englishman River area there are a number of building schemes that are essentially Rural Residential.
- j) **Temporary Sawmill**-should be 6 months, output should be tied to output of parcel, no outside lumber coming in – the group felt that it is better to take this use right out the R-1 zone.
- k) **Waste Disposal Site**-it should exclude biomedical waste disposal.
- l) Section 2.3 permitted uses e) and f) public uses permitted in any Zone. The group raised this as an issue, shouldn't be allowed in the rural and A-1 lands— community has spoken on this issue. The reason this is there so that we don't have to rezone properties to put in a pump station, there may need to be some further thought on this issue.
- m) **Site Specific Zoning**—Will this happen only as part of the bylaw, or will this happen after the bylaw is passed. Our recommendation will be that SSZ is the tool to implement this bylaw—not the purpose to use this as an ongoing sort of thing. The group suggested that there be a statement that SSZ zoning is only during the draft stage of the bylaw process. Group also commented strongly that the process for SSZ (the 4 OCP criteria) must be defined especially for controversial properties. Following these defined criteria is essential to truly implement the OCP.
- n) **How will surrounding land uses and adjacent properties be defined?** Some of the feedback has been that only people who are physically adjacent or who are within 500 metres of property.
 - Comment that an impact area needs to be defined. Water, dust, sound, traffic— something that is measurable-don't want it to be too close or too far so that the supporters who don't live nearby can weight the vote.

- Comment to please make sure the use is exactly specified in the SZ so that the use is not able to expand or change significantly.
- Is there a possibility of phasing the zoning due to a selected few parcels so that the entire zoning process isn't held up when only 3% of the area is controversial? Don't hold up 97% of the property due to a few problem properties.
- o) **Is all A-1 land ALR?** Yes with the exception of a few crown parcels
- p) **Under A-1 Can specific setbacks be specified for Kennel uses?** Same for primary processing and temporary sawmills Comment that specific setbacks need to be specified for noise reasons, and in case of kennels for the waste that dogs produce.
 - RDN can increase setbacks for specific uses such as kennels. For parcels A-1 that border R-1 parcels, the setback can be X meters. Want something that will minimize the impacts on adjacent non ALR properties. Comment that it setback should be 30 m which is the same as setback for livestock or manure buildings. Setbacks should be the same for primary processing and temporary sawmills
- q) Terry submitted letters documenting people requesting a noise bylaw.
- r) **General Regulations - unlicensed vehicles** - may be taken out, difficult to enforce, **Signage** - no third party signs is currently in bylaw, not sure what to do, currently, most people don't have a problem with signage regulations-general discussion on topic—HBB regs will be changed to increase size of HBB permitted—Sec 2.26 recycling not being permitted, need to clarify term to mean industrial, or commercial recycling—parking regulations—general discussion, communal parking must be in same zone as business
- s) **MH-1** - All allow manufactured homes and a manufactured home counts as a dwelling unit. Mobile Home parks are limited to the number specified on the health permit.
- t) **R-3 Convenience Store** - suitability in terms of other permitted uses? Decided it is ok
- u) **C-1, C-2, C-3, R-3** – Question regarding what happened to the OCP rural separation boundary? Answered that the line is just a boundary line, not an area. It is the urban containment boundary line and does not include anything. It dictates that higher and more intense use will occur within the boundary. The buffer around each separation boundary is the ALR or the FLR. Feedback so far is that C-1 should include a live work unit or artisan manufacturing type use.
- v) **C-2 Gasoline Service Station** - should be limited to fuel service only and this also makes business for local mobile mechanics. No ancillary uses. Just the gasoline service station
- w) **C-3** - see definition regarding 6 months for campgrounds
- x) **P-1** - see definition about waste disposal site
- y) **I-1** - Question around suitability or compatibility of professional practices being included in this zone. Would be good to encourage professional buildings in village centers—discussion was that if they don't care, why should we? The heavy industrial park doesn't exist anymore, its more of a mixed use park. Professional practice is often associated with industrial use of some sort. Also a concern about the Health Board. Question regarding commercial heliport locating in I-1 zone. Concerns about noise with this use.

- z) **R-2** - Comment that we may include a Englishman River zone which will have 1 du/ha, not to a max on the parcel
- aa) **S-1**- they have to come in and ask for their zones. One property has been added. Use is isolated by having a specific zone only allowing the salvage yard.
- bb) **P-1** – Question about why isn't Errington Community park not P-1 instead of T-1, RDN to call Bob Herbison 248-9810 re: park and Hall.

The meeting ended on the understanding that all attendees would get a copy of the minutes of this meeting and that these discussions would be reflected in the RDN Report to the Development Services Committee and the Regional Board. John Mansell submitted a copy of his notes regarding concerns/questions about the proposed draft Bylaw.

June 12, 2001 Coombs Farmers Institute
Regional District Area F Site Office
Meeting Minutes

Attendance

Colin Springford – 2140 Sun King
Don Brittain – 1193 Winchester
Don Brittain Jr. – 454 Wheeler (Parksville)
Andrew Brown – 1642 McKibben
Michael Anthony – Box 304 Errington
K&D Jensen – Coombs
Sheden – Box 89 Coombs
Sylvia Needen – Alberni Highway
Geoff Garbutt – Regional District of Nanaimo
Lindsay Chase – Regional District of Nanaimo

Questions Raised

1. **Height restrictions?** – not applied to farm buildings/ or silo's
2. **Home Based Business (HBB)?** Accessory to farm use on property, and would also allow a farm business on the property. Proposed A-1 zone also included items that currently need a special use permit such as kennels and agri-tourist accommodation.

HBB regulations have changed to recognize the nature of rural home based business such as larger lots, more intensive land use and that business generally takes place in an outbuilding.
3. **Manufactured Home?** – 2nd dwelling can be a manufactured home, as per Land Reserve Commission (LRC) regulations, regulations may change with the government
4. **What about small parcels of land in the ALR?** – There are some parcels that are about ¾ of an acre that are within the land reserve commission. Lots that are already in existence at the time of the bylaw being adopted will be allowed the permitted uses in that zone, and the setbacks or whatever will be worked out through variances. Rebuilding an existing building in a non-conforming siting is fine within the bylaw. The setbacks are so minimal that most parcels wouldn't be affected. For your house or other non-livestock buildings the setback is 8 meters.
5. **Comment** – in lieu of setbacks only on ALR land, it is suggested that there be setbacks for properties adjacent to ALR land as well. For new development that takes place on the new lots, there should be a setback from ALR lands. Possibly buffer areas on new subdivision that abuts ALR lands.

The point of the Bylaw is to concentrate development in nodes and encourage people to go to areas where they won't put pressure on surrounding agricultural land.

6. **General Comments** – Group felt that farm land needs to be protected, and that the farmers groups would be interested in working with the RDN on developing farm related bylaws etc.

In addition, buffer zones should be incorporated in the Zoning Bylaw, and the distance separation should be about 10 meters.

General conversation on how the 3 levels of plan fit together, Streamside Protection regulations, what would the RDN position be on agriculture if all land were removed from the ALR, Health Department regulations with regards to the number of units on a parcel, update on meetings with the LRC, parks in the RDN and Area 'F'.

**July 13th, 2001 Allsbrook Road Residents
Regional District Area F Site Office
Meeting Minutes**

Attendance

Chris Christensen – 825 Allsbrook Road (250) 984-1655

Jim Sneddon – 1069 Popham Road (250) 248-8928

M.R. Mackenzie – 1099 Popham Road (250) 248-5349

Gary & Jenno Sneddon – 816 Allsbrook Road (250) 248-3554

Jacqui & Jim Melanson – 821 Allsbrook Road (250) 248-2473

Robin Cole – 829 Allsbrook Road (250) 954-0317

Geoff Garbutt – Regional District of Nanaimo

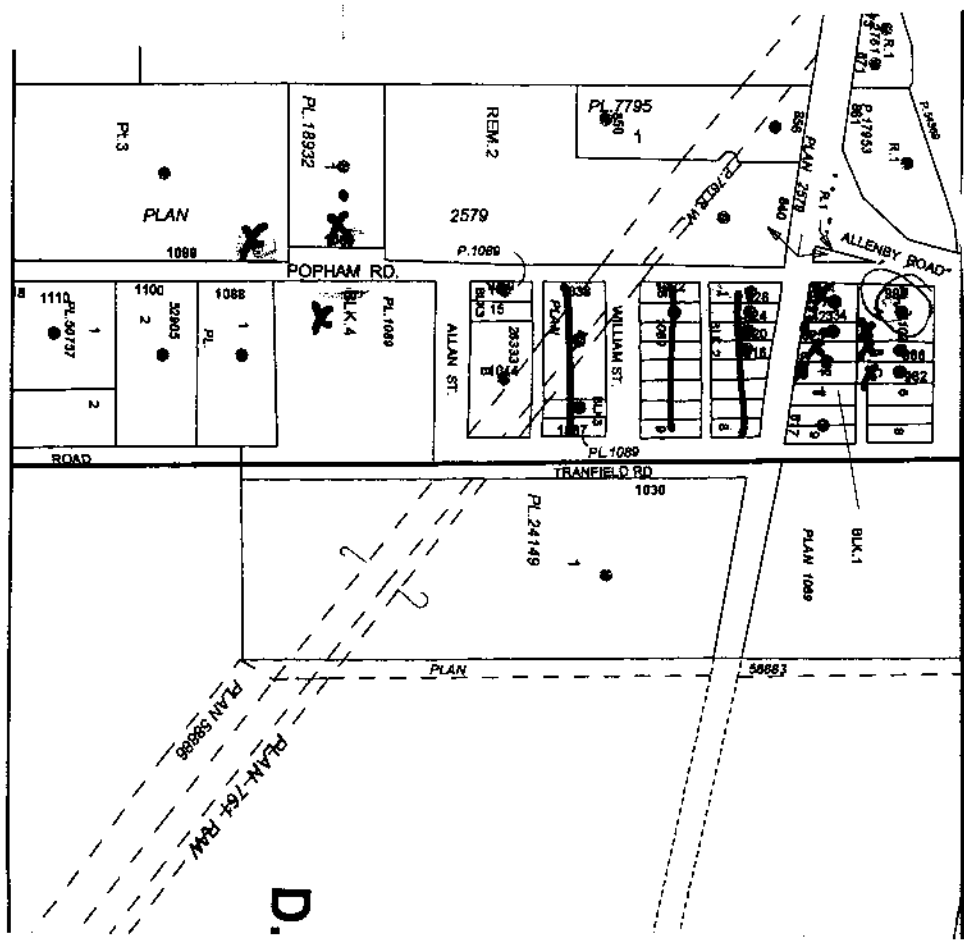
Questions/Issues Raised

- The group asked questions regarding the relocation of First Choice Landscaping and raised questions regarding groundwater, air, and traffic impacts of this business on their neighbourhood.
- The group felt that this use was not appropriate for the area. Felt it is a residential area and this type of business was not welcome.
- The group stated that the proposed zoning for the area was incorrect and it should be changed residential R-3 and not C-3.
- As for the landscaping property, it was felt that they should not have commercial zoning due to impacts on neighbours and that they should be R-3 as well. Geoff explained that according to the owner, the business would be relocated, totally developed and operating by the time the Bylaw is in place and regardless of the zoning the business could continue with non-conforming status.
- The group had questions regarding 'Non-conforming Status'. Geoff explained what non-conforming status meant and that the *Local Government Act* outlines the conditions for a use on a property retaining this status. The group questioned the rationale or reasons behind this provision of the act and felt that this was unfair to adjacent property owners. The group asked if there was anything they or the RDN could do to stop the use. Geoff answered that the only way for the use to be stopped would be if some other legislation was broken including, Ministry of Environment permits and Ministry of Transportation permits.
- With the Group, Geoff brainstormed ideas of how to deal with the use on the property to make the impacts less on the neighbourhood. Some ideas were:
 - Minimum side yard setback for outdoor storage
 - Minimum setback of 30m from well to storage of manure/contaminants
 - Landscaping along all lot lines
 - Limited hours of operation
 - No soil processing/screening

The group felt that this landscaping storage use was inappropriate and should not be allowed in their area. Geoff indicated that he would meet with the landowner, discuss the residents concerns and try to find some area for compromise to minimize impacts of the business on the neighbours.

July 13/01

Name	Address	Mailing Address	Phone #
CHRIS CHRISTENSEN	825 AUSBROOK RD PO Box	PARKSVILLE, BC, V9P 2A9	(250) 954-1655
Jim SNEEDON	1069 POPHAM RD	PARKSVILLE BC V9P 2A9	PH 248 8778
M. R. Mackenzie	1094 Popham Rd.	Box 1528 Parksville B.C. 248 5349	
GARY/JENNO SNEDDON	816 AUSBROOK RD	PARKSVILLE B.C.	248 3554
Jacqui/Jim Melanson	821 AUSBROOK RD	PARKSVILLE, B.C.	248-2473
Robin Cole	829 Allsbrookes	Parksville BC	9540317



AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

How do you think that issues about the use of land in the ALR should be addressed?

Any other comments?

AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- 860 Hilliers Rd. S. Qualicum Beach, BC. Lot 1 & 2 Plan 37773, DL 4, Cameron Land District – approximately 4,500 sq. ft. retail & workshop – apartment above – parking available for 30 vehicles – would wish for C-3 zoning.

How do you think that issues about the use of land in the ALR should be addressed?

- Use Option #3 – work with landowners for special use permits on specific parcels.

Any other comments?

AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- Yes. 1244 Ruffels Road – Gale Prestash – 250-248-6243.

How do you think that issues about the use of land in the ALR should be addressed?

- Sooner rather than later. Consideration to environment and agriculture protection a high priority.

Any other comments?

- I am pleased to see zoning implemented. Zoning is a well established practice for the healthy development of community generally and long overdue in this area.

AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- Would like to be zone R-3 05 769 10460.160 19
999 Price Road, Parksville, BC V9P 2C9 Gordon & Bernice Brown 248-6880.

How do you think that issues about the use of land in the ALR should be addressed?

- Leave as is and enforce it. ALR land is less expensive to buy and taxes are less so only use it for the purpose intended.

Any other comments?

- Looks pretty good to us. Let's get on with it.



**AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001**

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- Regional District of Nanaimo is an illegal governing body, not created by the people of this area. There was no vote by any person or persons wanting this type of hatred or dictatorship forced upon them in this country.

How do you think that issues about the use of land in the ALR should be addressed?

Any other comments?

- Sooner you all disappear the better: it is bad enough you're taking money out of my pocket without my consent.

AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- Yes, the zoning matches our property as 'ALR'.

How do you think that issues about the use of land in the ALR should be addressed?

- Under no circumstance should ALR land be removed from this designation. There are enough infractions on land with ALR status as it is, there needs to be protection for ALR land without reducing the properties in this category.

Any other comments?

- Please know the RDN is supported whole heartily in its goal to regulate properties in Area F – we need zoning desperately, which is solely evident in the rampant uncontrolled development in the past decade. I don't believe that the vocal anti-zoning group represents the majority of residents.

AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- 3190 Palmer Rd., Qualicum Beach V9K 1W4 Lot 4, Pl 1981, DL 8, Cameron District
Agriculture – Dwight Unrau 752-5535

How do you think that issues about the use of land in the ALR should be addressed?

- Should be at a public forum, not everyone trying to make their own little deals should be able to subdivide a 5 acre parcel off your parcel of (19 acres or more) or even 15 acres for that matter.

Any other comments?

- Yes - my neighbour wants to be able to bring soil on and take sand & gravel off, which is totally against ALR rules, if you are registered ALR you shouldn't be allowed. He wants to bring a screener in and have dup trucks coming and going all day, this is a rural area and we do not want that, he already has done it once and was shut down. I don't want an industrial activity next to me on ALR land. Over 60 neighbours signed a petition to stop him last time, now he is trying again. Put rules against industrial activity and little gravel pits in the area.



**AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001**

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- 2062 Alberni Highway, Lot 10 Plan 1115, Nanoose Land District – Salvation Army Lots.

How do you think that issues about the use of land in the ALR should be addressed?

- Excluding 2000 ft. on all property from ALR that is fronting the Alberni Highway to be used for multi-purpose because not all properties are suitable for ALR purposes like the property above which topsoil was stripped to hardpan.

Any other comments?



**AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001**

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- Bob Hannay 248-9751. 1769 Errington Road, DL 58, Lot 7, Plan 22454. Yes the proposed zoning suits my land use.

How do you think that issues about the use of land in the ALR should be addressed?

- I feel strongly that ALR should remain ALR! Exceptions for exclusions after the fact should not be permitted. Specifically, the irregularly shaped parcel REM DL 58, which is adjacent to Morison Creek, has lately been logged and plowed to make a field ostensibly for agricultural purposes. This property I feel should not be permitted to have more than the one dwelling which it presently has.

Any other comments?

AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

How do you think that issues about the use of land in the ALR should be addressed?

- I think that ALR land should remain as farm use if possible. BUT if the land is obviously not suitable for farm use, then it may be rezoned to fit in with surrounding zoning. It must be rezoned to fit in with the character of the neighbourhood! Big business & industry should not be able to abuse this at the expense of quiet residential areas!

Any other comments?

- Some industrial businesses located in residential areas MUST be zoned non-conforming. There is no ethical way that they fit in with the character of the neighbourhood. They knew this when they first built and couldn't have cared less what neighbours thought. NOISE BYLAWS must also be considered in future bylaws.

AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- Yes. 2400 Alberni Highway, Coombs. Hazel R. Baker 248-5694.

How do you think that issues about the use of land in the ALR should be addressed?

Any other comments?

- Since coming to live in this area in 1979 I feel it has deteriorated – possibly zoning or some controls will help. We have no anti-noise bylaws and have to suffer from the neighbours' extraneous sounds. At times it is difficult to have a country walk because of dogs running loose either on road or in one's own garden. We'd have less pollution and a cleaner environment if we have a local bus service. Small businesses are good but they should consider aesthetics and make their outsides pleasing to the eye – e.g. plantings, screen with trees etc.

AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- Zoning proposal is fine. I believe in controls. Art Laviolette – 248-6564.

How do you think that issues about the use of land in the ALR should be addressed?

- Keep ALR as is.

Any other comments?

- I will be happy to see controls in the Errington area. I now have to put up with sawmill in my area, which is residential and do not want any more noisy industry within hearing of my house.



**AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001**

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- Yes – A-1 Agriculture. Lot 3, Block A, Plan 2017, DL 15, Cameron Land District. PID – 006-641-440 – 769 12444.000. Anthony & Yosbyl Webb – 604-980-4061.

How do you think that issues about the use of land in the ALR should be addressed?

- We must preserve as much truly agricultural land as possible, for future generations food production. I would hate to see the Alberni Highway become a strip development of small (often untidy) commercial/industrial use. Don't forget the Alberni Highway is a major tourist route to the Pacific. The village concept is excellent.

Any other comments?

- I am concerned about the designation P-1 being given to small strips and small lots that do not constitute public recreational land e.g. in Hilliers. The Coombs-Hilliers Fire Station is well sited, but it is not park in the recreational sense. I am concerned that when the small strips etc. are included in the total of all park acreage in the area, that it will deny us proper designation of larger areas.

AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- Robert & Doreen Mackay 752-7233. 3411 Alberni Highway Qualicum Beach. At the present time we are living and running a small business off the property. The business consists of a 1600 sq. ft. shop and approximately half an acre display area on the highway. The business at this time buys, sells and repairs farm and industrial equipment.

How do you think that issues about the use of land in the ALR should be addressed?

- In a perfect world the ALR would be greatly modified to protect legitimate farmland. At this point I would be happy to see the properties bordering the Alberni Highway excluded from the ALR and given zoning to fit the existing businesses which are now operating.

Any other comments?

- Due to the tight economic situation in area F and the trend toward small independent businesses supplying a large portion of the employment, priority must be given to support small business. This area has been forgotten by the ALR for many years and no enforcement has been used. To now start back tracking and try and control what has been operating for years would cause undue stress and trouble for the local population.

AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- Yes.

How do you think that issues about the use of land in the ALR should be addressed?

- More employees to handle the system so changes with the time and needs of the farming business are addressed. Subdivision allowed for family members. But not multi residential. 5 acre minimum to subdivide.

Any other comments?

- I am very displeased with the decision to go ahead on the industrial use established already on Church Road. A much better alternative was originally offered – mixed commercial / light industrial / residential (C-3). This could have offered a model community unique to Area F and in support of entrepreneurship. Instead we are risking the aquifer water system.

AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- No – you only have the front corner of acreage on the Alberni Highway as C-2. The rest you have as A-1. It should all be C-2 as of last year. Becky & Norm Skipsey 752-2777 / 3910 Alberni Highway Lot A DL9 Cameron District 29648.

How do you think that issues about the use of land in the ALR should be addressed?

- I feel very strongly that the property owner be able to present his reasons for removal without being made to feel as if he is creating havoc with the environment.

Any other comments?

- There should be some common sense approach to land uses. In our case – we are under high tension wires and it is wet year round. The agricultural uses put forth to us were totally impractical. The board based its decisions more on the soil samples than anything.

AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- Yes. My property address is 1088 Errington Road – owner A. Lynne Nilsson (250) 337-8037. My deepest concerns are the air, soil and noise pollution caused by industry in the area, and possible loss of ALR. This residential rental is my sole income, a residue of my parents' commercial dairy farm. I need assurance that industry will not destroy this.

How do you think that issues about the use of land in the ALR should be addressed?

- Very delicately, clean, arable soil will be a premium commodity in the next 50 years. The principles of the Reserve are highly valuable and directly responsible for preserving what agricultural economy this province contains. If organic growers were encouraged by governments, this economy could stabilize and increase. Allotment of irrigation water will also be vital.

Any other comments?

- This is primarily and historically a residential and farming community. An integral part of this is the privacy and quiet of such a lifestyle. The huge increase of industry in the area will seriously affect this, unless noise bylaws are instituted under a “good neighbour” policy. Such bylaws would eliminate noises between 8 pm – 8 am, thus ensuring landlords, such as myself, optimum tenants and rental rates.

AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- Why was "Bell Lake" (10 acre body of water between Grafton & Swayne Roads) not shown on the map? And I can't determine what zoning my property has. Also, what is the lot size for Rural/Residential? Richard Arnold / 2095 Swayne Road / 248-8876.

How do you think that issues about the use of land in the ALR should be addressed?

- By implementing a zoning bylaw as soon as possible.

Any other comments?

- I served on the CSC for 2 years, have lots of input, and was disappointed to see the Draft Plan weakened as a result (I assume) of constant & Vociferous input from the anti-planning faction. We need some fair controls in this area, and *QUALITY OF LIFE (e.g., the right to enjoy peace and quiet), a *RURAL ATMOSPHERE, and *PROTECTION FO THE NATURAL ENVIRONMENT should be top priority.



AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- 1827 Gibbs Road, Coombs, BC V0R 1M0 250-951-0110

How do you think that issues about the use of land in the ALR should be addressed?

- By local input to the local governing bodies.

Any other comments?

- We are presently running a heavy construction contracting business from this location and we serve the local areas from Nanaimo to Courtenay. We have been active from this property for the past two years. Jake Klaassen.

AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

- Lorne Whibley, 1042-1060 Shearmer Road, Coombs. 248-0102 (am only). Zoned Rural – rented shops include electrical business, body shop, Rented dwellings include 1 mobile home and 1 small house. 1 Personal Residence. Personal Business hobby 2 large shops for heavy equipment repair.

How do you think that issues about the use of land in the ALR should be addressed?

- Most ALR land is not viable for farming or agricultural so should be zoned for appropriate uses.

Any other comments?

- I think there should be a public forum on this Bylaw. I question where I stand in this zoning Bylaw.

AREA 'F' ZONING BYLAW
QUESTIONNAIRE RESPONSES
2001

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

David Frier / 382 McCarthy St. S., Campbell River, BC V9W 2R2 287-2662

I am concerned that this "draft bylaw" will impose repressive rules such as the "zoning standards". I purchased my property in Errington specifically to get away from building restrictions and excessive bureaucratic red tape. I have 5 acres off of Bellevue Road and I haven't built on it yet, but I plan to one day. I own Lot 2, DL 136, Nanoose District, Plan VIP55980.

How do you think that issues about the use of land in the ALR should be addressed?

Any other comments?

I live in Campbell River and it does have building restrictions, and yes, those restrictions are repressive. For example a landowner is not allowed to build an outbuilding (ie. a garage) larger than 55 m². This is nonsense. That is why I own land in Errington. I purchased my Errington lot in 1993. If you impose repressive building restrictions on my land then you can very well pay me (ie. buy my 5 acres from me) what I paid for the lot in 1993 plus 4% interest compounded annually to 2001.

Delivered by Internet

From: WJA [washbee@home.com]
Sent: Monday, May 14, 2001 11:19 PM
To: areafzoning@rdn.bc.ca
Subject: The Area F Planning Project

Dear Sirs:

I have received information from your office regarding the Draft Bylaw Review and Area F Zoning & Subdivision Bylaw.

I am the owner of lots 67 and 68 in Strata Plan #VIS4673 Little Qualicum River Village, and I would like to know how the planned re-zoning may affect my property and under which category it will be listed, as the map that was enclosed with the information does not indicate specifically how our lots 67 and 68 will be zoned.

Could you please be kind enough to let me know your proposed zoning for lots 67 and 68 to enable us to have some input into the planning process in that area.

Thank you and I would like to hear from you at your earliest.

Wendy Ashbee

~~Engineering/Planning~~

From: worland/mayhew [peppers@island.net]
Sent: Wednesday, May 16, 2001 9:03 PM
To: areafzoning@rdn.bc.ca
Subject: draft bylaw

Please advise under the current draft as to the status of a developed lot in an R-1 District conforming with respect to use but less than the indicated minimum lot size.

Also, is the frontage on both streets abutting a corner lot used in calculating frontage?

Thank you,

Wilfrid Worland

Secretary, March

From: Disney and Dusty [disneydusty@home.com]
Sent: Tuesday, May 15, 2001 8:45 PM
To: areafzoning@rdn.bc.ca
Subject: Area F Zoning

To Whom It May Concern:

I have recently received information regarding Area F Zoning & Subdivision Bylaw.

On behalf of our company, 621903 BC Ltd. we have recently purchase Block 1376 Cameron Lake, Alberni Hwy, BC. It is currently zoned R1.

Within the next five years we anticipate using the property as recreational property. Please see the website from the Ministry of Small Business Tourism and Culture - <http://www.sbtbc.gov.bc.ca/programs/gateways.html>

We hope to meet the objectives and work with the Master Plan set out for MacMillan Provincial Park dated June 1992.

My questions are:

What type of zoning would be required?

Should zoning be reviewed at this time? (We plan on holding and cleaning the property until we are ready to move forward, therefore the proposed business will not be bringing in revenue at this time.)

Any comments or suggestions would be wonderful.

Thank you in advance,

Yvonne van Heek
Secretary
621903 BC Ltd.

RECEIVED

MAY - 9 2001

REGIONAL DISTRICT
of NANAIMO

Mr. Marcel Portier
832 Ralph Str.
Victoria, BC V8X3E2
May 8, 2001.

Regional District of Nanaimo
Development Services
6300 Hammond Bay Road
Nanaimo, BC
V9T6W2.

Dear Sir -

Please send me a copy of the draft
by law for my property in Parksville.
My lot is at the corner of Middlegate,
Lefler and Kopernick. On the map
attached to the papers I received I ^{was} not
able to locate the area as the map
does not have street name.

Would you please send me another
map with ^{my} this property indicated.

Thank you
M. Portier

Garbutt, Geoff

From: [REDACTED]
Sent: Thursday, April 19, 2001 10:50 AM
To: Garbutt, Geoff; Lapham, Bob; Shaw, Pamela
Cc: Connelly, Neil
Subject: FW: Industrial Business in Area F.

PLANNING DEPT

-04- 19 2001

RECEIVED

Perhaps of interest for your zoning exercise...

-----Original Message-----

From: Dennis [mailto:denmore@macn.bc.ca]
Sent: Wednesday, April 18, 2001 4:02 PM
To: growthmanagement@rdn.bc.ca
Subject: Industrial Business in Area F.

Dear Sir or Madam;

I had mixed emotions while reading the Spring 2001 "Special Report". My first reaction was positive because maybe RDN cares about the lifestyles in rural areas, but my second reaction was of disappointment because I know that an existing industrial business, Wheaton Industrial Saws, will continue to operate as usual in our residential neighborhood even after the Official Community Plan is in place because of the Local Government Act.

This business should never have been built there and it should not stay there. The noise and traffic disrupts the lifestyle of families living in the neighborhood. This type of rural integrity stinks! Furthermore, there are 5 acre lots for sale on this road that have been on the market ever since this industrial business started. The only prospective buyer was for a future sawmill but the owner would not sell to them.

This business discharges metal grinding dust unfiltered directly outside and into the air and also onto the ground. Workers Compensation requires this hazardous dust to be ventilated away from the workers inside. This dust is known to cause cancer and serious respiratory diseases. It infuriates me that these pollutants do not fall in the jurisdiction of the Min. of Health and Min. of Environment. Please read the attached letter to the Environmental Defense Fund for more details.

Finally, this letter is among the many letters that I have written regarding this subject and have never received any positive feedback. It would be a true joy to live within the goals of the GMP as stated in the newsletter. Business is needed for a healthy economy, but people also need a healthy, safe environment to raise their families.

Sincerely,
Dennis Skidmore

PO Box 117
Errington, B.C.
V0R 1V0

Letter to the Environmental Defense Fund

Dear sir or madam;

I have serious concerns regarding a large (> 8000 sq.ft.) industrial saw sharpening business located in our rural residential neighborhood. It sharpens and repairs industrial & domestic saw blades that can contain CARBIDE or STELLITE as indicated in their "Yellow Pages" listing. The sharpening and repair process involves grinding away material that results in metallic dust or welding that results in smoke. These hazards must be ventilated away from the inside worker according to Workers Compensation Board because of health hazards such as lung disease, cobalt asthma, nasal and upper respiratory irritation, lung or nasal cancer,and so on.

The workers are protected by a large blower that discharges these hazardous materials to the outside environment without the use of any filters. My concern is what long-term effect that these pollutants will have on the surface water that supplies drinking water for many, the risk of this dust becoming airborne and if the smoke from the welding of these materials may be harmful to neighboring families.

Ministry of Environment or Ministry of Health have no answers for me and don't appear interested in my concerns. Also, this area has no municipal regulations as of yet. I think it is terrible that WCB addresses that these materials pose a serious health risk but the Provincial government is not concerned about the impact they may have on the environment.

Could you please direct me to any resources for info regarding the hazards of these materials to the general public: carbide dust, stellite dust or welding fumes. I am desperate for any help or direction.

Sincerely,

Dennis Skidmore

Beetstra, Marion

From: Barbara Smith [stomith@uniserve.com]
Sent: Tuesday, May 29, 2001 10:14 AM
To: areafzoning@rdn.bc.ca
Subject: Coombs

My property - Salvation Army Lot 11 is on the Alberni Highway and is zoned properly A1.

I think that all properties in the ALR should be used for low density uses so no campgrounds or tourist related activities.

Thanks.
Barbara Smith



DAVID W. KENNEDY

1144 Meadowood Way
Qualicum Beach B.C. V9K 2R6
Phone (250) 752 3500

RECEIVED

JUN 05 2001

REGIONAL DISTRICT
of NANAIMO

ms

June 1, 2001

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo B.C.
V9T 6N2

Dear Sir:

Reference: Area F Planning Project

**1144 Meadowood Way
Lot: B BL : 359 PL : VI S4405**

Please note that this property is part of Qualicum River Estates with Building Restrictions outlined in our Strata Rules and subject to the Strata Act.

This property occupies approximately 1/3 of a 5 Acre lot which was subdivided under the Strata Act to facilitate building 3 homes. The other 2 homes are situated at 1136 and 1140 Corcan Road.

You may wish to review the Strata Act prior to making changes to Zoning.

Yours truly,

David W. Kennedy

DWK



REGIONAL
DISTRICT
OF NANAIMO



PLEASE DROP OFF, MAIL, FAX OR
EMAIL YOUR RESPONSE TO.

RECEIVED

JUN 04 2001

REGIONAL DISTRICT
OF NANAIMO

RDN Site Office

Phone: (250) 248-0500

Fax: (250) 248-0509

Email: areafzoning@rdn.bc.ca

In Person: Unit #1, Pine Tree
Centre, 1343 Alberni Highway

RDN Main Office

Phone: (250) 390-6510

Toll Free: 954-3798

Fax: (250) 390-7511

Email: areafzoning@rdn.bc.ca

Mail/In Person: 6300
Hammond Bay Road, Nanaimo,
V9T 6N2

Does the proposed zoning match your property? If it doesn't, please indicate what uses you presently have on your property. Please include the address or legal description of the property and a name and phone number where you can be contacted.

Yes - A1 Agriculture.

Lot 3, Block A, Plan 2017

Direct Lot 15, Cameron Land District

PID - 006-641-440

769-12444-000

(604)

Anthony & Gyskyl Webb - 980-4061

How do you think that issues about the use of land in the ALR should be addressed?

We must preserve as much truly agricultural land as possible for future generations food production. I would hate to see the Alberni Highway become a strip development of small (often untidy) commercial/industrial use. Don't forget the Alberni Highway is a major tourist route to the Pacific. The village concept is excellent.

Any other comments?

I am concerned about the designation P-1 being given to small strips and small lots that do not constitute ^{public} recreational land eg in Hellier. The Coombs-Hellier Fire Station is well sited, but it is not park in the recreational sense. I am concerned that when the small strips etc are included in the total of all park acreage in the area, that it will deny us proper designation of larger areas.

Anthony & Gyskyl Webb

(604) 980-4061 (North Vancouver)

COPY ONLY
discard

Wicklow West Holdings Ltd.

*Suite 404-1199 West Hastings Street
Vancouver, B.C. V6E 3F5
Tel. (604) 689-5050
Fax. (604) 689-5455*

June 18, 2001

Ms. Lindsay Chase
Planner, Development Services
6300 Hammond Bay Road
Nanaimo, B.C.
V9T 6N2

*Forwarded to
Lindsay
June 18/01
m*

Dear Ms. Chase,

Thank you for the time and care you have given to the proposed change in the zoning for Qualicum River Estates.

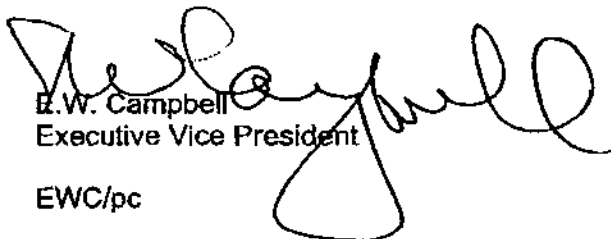
As you are aware, the development of the property is almost 20 years old. Up until the time your proposed changes go into effect we have set the standards; 1 ha+ with a maximum of 2 dwellings and 2 ha+ with a maximum of 3 dwellings, all very dependent on the availability of percolation and water. I understand you are being supplied with percolation and water records which I think you will find are the best in the district.

This seems to have worked very well, and we would like to continue along similar lines, perhaps a maximum of two homes per original lot with a minimum original lot size of 1 ha, all conditional on perc and water availability. I also think it is important to allow a building strata subdivision of the original lots into two lots as this allows a builder to offer two reasonably affordable homes to prospective purchasers without increasing the overall density.

We have also found that prospective purchasers are quite happy with the smaller lots and are unwilling to pay very much for additional acreage.

While it is our objective to sell lots, we are also determined to do whatever is necessary to make Qualicum River Estates an attractive and comfortable place to reside.

Yours very truly,


E.W. Campbell
Executive Vice President

EWC/pc

c.c. Ross Harvey
Sutton Whitecap Realty Ltd.

Hi! would you
kindly send me a copy
of this letter! Thank

R. m. Zubeid

Mailed June 18/01
ms

... will implement the Area 'F'
Official Community Plan,
which was adopted in 2000. A
newsletter with details about
the Draft Zoning and
Subdivision Bylaw has been
mailed to all registered property
owners in Area 'F'. Property
owners or residents who did not
receive the newsletter can
contact RDN Development
Services to have a copy mailed

JUNE 18/01

TERRY MOORE
1376 LEFFLER RD.
P.O. Box 154
ERRINGTON, BC.
V0R 1V0
248-4917

PAMELA SHAW
REGIONAL DISTRICT
OF NANAIMO,
HAMMOND BAY RD,
NANAIMO.

RECEIVED
DEPT
-06-19 2001
TELETYPE

Dear Pamela Shaw:

This represents my written request for site specific zoning of my property. For some time now I have been recycling building materials. Demolition of buildings results in many reusable items (lumber, roof gutters, bathtubs, etc) and my place has various amounts of this stuff on the front half of my property. It cannot be seen from the road due to high vegetation growth. I hope you concur. Thanks you, Terry Moore

CANADIAN DEPT

-06- 28 2001

RECEIVED

JUNE 20 2001

TO WHOM IT MAY CONCERN:

I AM A 40 YEAR RESIDENT OF POPHAM ROAD, WHICH IS NEAR THE ALLSBROOK ROAD AREA. AS WELL, I AM THE OWNER OF SEVEN LOTS DIRECTLY ACROSS FROM THE UP AND COMING SITE OF "FIRST CHOICE LANDSCAPE COMPANY" ON ALLSBROOK ROAD.[LOTS:8,9,10,11,12,13,14. BL: 2 PL:10 89 DL:43] LAND DISTRICT- NANOOSE. I WOULD LIKE TO VOICE MY DISAPPROVAL OF ANY HEAVY INDUSTRY OPERATING IN AN AREA THAT IS TO BE ZONED RESIDENTIAL. MY MAIN OBJECTIONS BEING:1-CONTAMINATION OF KNOWN AQUIFER IN THIS REGION. 2-AIR AND NOISE POLLUTION, IN A USUALLY QUIET AND CLEAN RESIDENTIAL AREA. 3-DANGEROUS FIRE HAZZARD CAUSED BY SPONTANEOUS COMBUSTION OF MULCHES AND WOOD CHIPS. THE SITE IS COMPLETELY SURROUNDED BY A HEAVILY WOODED AREA, HOMES, AND HYDRO SUB STATION. MY PROPERTY BEING THE MAIN SOUCE OF WOODLAND DIRECTLY ACROSS FROM THE SITE. 4-LAND VALUE EXCESSIVLY REDUCED BY EXTREME DETERENT FOR RESALE. {EYE AND EAR SORE}. 5-HEAVY ADDITION TO TRAFFIC FLOW. INDUSTRIAL SIZE VEHICLES ARE NOT WELCOME IN AN AREA THAT HAS BEEN SLATED AS RESIDENTIAL. SAFTEY OF THE CHILDREN AND ADULTS WHO RESIDE IN THIS AREA MUST BE CONSIDERED. ALLSBROOK ROAD ALREADY HAS A SPEEDING TRAFFIC PROBLEM. ADDING INDUSTRIAL SIZE VEHICLES IS A CERTAIN RECIPE FOR A DISASTER!

THOSE OF US THAT RESIDE IN THIS COMMUNITY WOULD LIKE TO STAND TOGETHER AND LET IT BE KNOWN THAT THIS IS AN UNACCEPTABLE RISK TO TAKE WHEN LIVES AND A PRECIOUS COMMODITY SUCH AS WATER ARE INVOLVED. WE ARE PREPARED TO DO WHAT EVER IT TAKES TO STOP THE FIRST CHOICE COMPANY FROM OPERATING IN THIS AREA. FIRST AND FOR MOST ,WE WOULD LIKE TO SEE A PROPOSAL TO ZONE THIS AREA RESIDENTIAL IMMEDIATELY. PLEASE HELP PROTECT THE RIGHTS OF THOSE INVOLVED.

THANKYOU
MACDONALD ROSS MACKENZIE.
1099 POPHAM ROAD PARKSVILLE B.C.

JUNE 19 2001

To whom it may concern:

We are writing as the concerned homeowners of the lot directly across from the designated site of the "FIRST CHOICE LANDSCAPE COMPANY" ,owned and operated by Mr.R.Farmer. Although our neighborhood is small and modest,it boasts clean country living with a georgeous ocean veiw,large trees,peaceful trails, pampered gardens, a clean ample water supply,animals, and lots of children.It came as a relief to know that in a few short months[November]our lovely neighborhood would be protected by a zoning change that would make it residential forever.But in the last month it would seem as though we have all awoken to our worst nightmare, as a small industry of the worst kind is moving right in to the heart of our homes.Certainly there must be some way to stop an industrial site operating right in the center of a neighborhood that is clearly residential !!! Our strongest fear is that the water supply here will be contaminated by toxic fertilizers,fecal matter,or rotting fish carcasses.Not to mention the obvious decline [already] in air quality.The air is filled with a continuous cloud of dust and diesel exhaust.When the yard is filled with it`s supplies there is also a foul odor that we assume comes from the fertilizers.We have a son that has a mild form of asthma that is triggered by an allergy to dust.He has not had any symptoms at home for approximently four years.A week ago he started coughing at night.We are praying that the return of his symptoms are not from poor air quality, in a place where clean air has always been taken for granted.Another huge concern for us is that a continous flow of dangerous traffic may endanger the lives of our children and pets.There is also a children`s daycare very close to the site,and due to the size of the loading trucks and their difficulty turning around, Mr. Farmer and his sons have chosen Tranfield Rd. as there back up route,which means they will be backing up huge vehicles with limited visibility right onto the doorstep of a daycare.We cannot express how disappointed and sad we will all be to see our nieghborhood ruined by a selfish business man who obviously has no regards for those of us here ,who hold our homes in our hearts.With many new industrial parks opening in the Parksville area, it`s a shame Mr. Farmer didn`t choose a more suitable site for his business.

Jennifer Kobe and Gary Sneddon,tax paying country homeowners of
816 Allsbrook Rd. Parksville B.C. V9P 2A9 250-248-3554.

Melinda Tymn
829 B Allsbrook Rd.
Parksville, BC, V9P 2A9

Attn: RDN Board

I have lived on Allsbrook Road for three years now, and I've come to love the quiet nature of the neighborhood. I have a young child, and I feel that with the relocation of First Choice Landscaping, our peace will be compromised. In the past years, when spring arrived, so did the big trucks, the dust, and the sneezing. It was tolerable only because they were located around the corner, and the trucks rarely passed in front of our home. There has existed a general feeling of unease during the spring/summer months, and when they shut down for the winter, it was a welcome silence.

I am concerned about their "product" contaminating our drinking water, as our community well is adjacent to their business. We have already felt the increase in traffic past our home, especially large, stinky trucks. My son does not like to play in the front yard anymore because the air brakes on the trucks startles him and hurts his ears. The dust from the road and the dirt escaping the pup of the truck emulate a dust storm. Personally, I have developed seasonal allergies since moving here, and I experience fatigue, sinus congestion, dependancy on antihistamines to function properly.

I would like your help to improve our quality of life here on Allsbrook Road, and I ask that you imagine what it would be like if you and your family lived in a similar scenario. I moved to BC from the prairies for clean air and water, which is abundant in this beautiful province. I would like that to be a reality for my family here on Allsbrook Road.

Sincerely,

Melinda Tymn

A handwritten signature in black ink, appearing to be 'Melinda Tymn', written in a cursive style. The signature is positioned to the right of the printed name.

Neil & Chris Christensen
825 Allsbrook Road
Parksville, B.C., V9P 2A9
Tel# 250-954-1655

June 18, 2001

Regional District Of Nanaimo
Development Committee

Ladies and Gentlemen:

Our neighborhood is being invaded by the threat of water pollution and by increased noise pollution, air pollution, and traffic by First Choice Landscaping Supplies (owned and operated by Ray Farmer), a primary processing/open sales business which is being allowed to open its doors in the middle of our rural neighborhood.

A person's home is supposed to be a place of refuge from the day-to-day stresses of the workweek, somewhere that you and your children can live happy, safe, and healthy for many years to come.

Like many others, you work long, hard, and stressful hours so that you can own and enjoy your home (being comfortable and happy with what you have accomplished, enjoying your yard, deck and inside living space) only to have someone move their business into your backyard, making you lose that sense of "control over your environment" as it infiltrates your home.

- Imagine having your **right to clean drinking water** taken away by a business that is able to place hazardous materials (eg. rotten chicken manure compost, fish fertilizer, steer manure, cedar chips, and diesel fuel) near your **community well water system (servicing eleven households)**. Materials that can cause serious illnesses, such as E-Coli.
- Imagine the **air pollution** that causes you to dust your home every one or two days - dust clouds flying in your face while trying to enjoy your deck, adding a distinctive layer to any food or drink.
- Imagine the **noise pollution** from large trucks and heavy machinery. Slamming tailgates, loud Jake brakes, back up alarms, and the loud motor of the screening plant running on Saturday morning at 7:00 am through to the end of day on Sunday.
- Imagine the treed "noise barrier" between you and the busy new bypass has been stolen away. Trees have been cleared from the Ministry of

Highway's right-of-way (through the trespassing and illegal cutting by this business) causing a significant increase in the already existing highway traffic noise pollution.

- Imagine this business causing a huge increase in traffic on your street which is a **daily threat to the safety of numerous children** in your neighborhood. Large trucks with trailers passing between your homes, throughout the day, is just a part of your constant concern.
- Imagine working all those years to find out **your home is worth nothing**. After all, who would want to live in this neighborhood? Would you feel good about passing this health and safety hazard along to any one else?

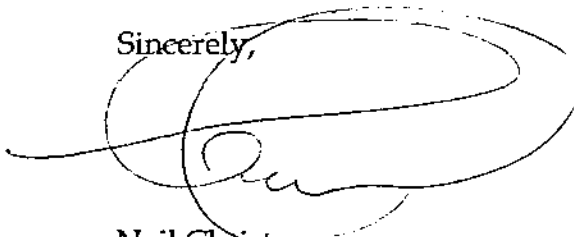
Please accept this as our plea to your committee to take right and honorable actions to help stop this business from destroying our quality of life any further and ruining the homes that we have worked so hard for. With seventeen households in our immediate neighborhood, a business/industry such as this is completely non-conforming with the existing use of the properties in this immediate area.

We understand that it is not within the RDN's power to stop this business/industry from operating in our neighborhood at this time. Zoning needs to be put into place to conform to the existing usage of Rural Residential (R-3) and we ask that you zone all of the property in this area (including Plan 1089, Lots 6 to 11) as Rural Residential (R-3) and designate this business/industry legally non-conforming. We ask that you refuse "site specific zoning in this area so that our neighborhood will be protected from future hazardous development.

We also ask your cooperation in lobbying our Ministry of Health to disallow this business/industry from operating in our neighborhood. The health and safety of our children, and ourselves, is in your hands.

Thank you for you anticipated consideration and cooperation.

Sincerely,



Neil Christensen

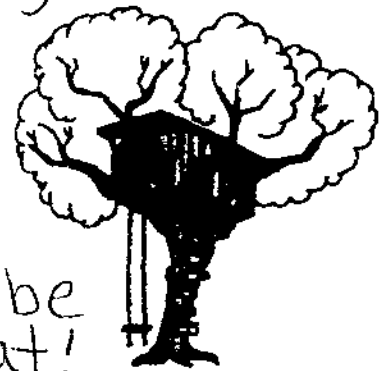


Chris Christensen

June 15/10

To whom it may Concerns.

I am writing in regards to "First Choice Landscaping". I have major concerns about our water, pollution, and high traffic i.e. Big trucks. I currently run a family childcare center, right across the street. I have many children in my care on an on going basis. With the fertilizers going in the chance for our water to be contaminated is very great! I am a mother of 4 beautiful children and I am not willing to take the chance that one of my ~~care~~ day care children or my own to get sick, are you? Currently I have 2 children in my care one with sever asthma, the other with multiple allergies. I live on a gravel road, the dust and smell that comes from those trucks is incredible, along with the trucks, which, turn around in front of my house; is dangerous. every little boy dreams of being a truck driver. They love to watch the big trucks. Unfortunately there is a safety hazard: That one will run in front, or stand to close behind and, the driver will not be able to see the child. I am a licensed child

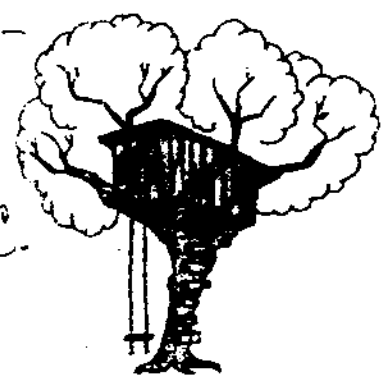


2027

June 15/1

Care facility I have my water and surrounding checked every 6 months if they feel that they are not safe. I will be shut down. I love my job, and I love the children in my care.

Please take this into consideration. I thank you for your time.



TREE HOUSE F.C.C.
248-6697.

P.S. We all breathe this air! ☹️
and these children are our future. 😊

J. Melanson
821 Allbrook Rd.
Ervington, B.C.
V0R0V0.

June 14, 2001.

To Whom It May Concern,

My husband and I have resided in this neighbourhood for 15 years. It has always been quiet and clean. I have never had to worry about our quality of life.

Now with First Choice Landscaping moving in next door, I get worry about the quality of my water. First Choice is planning on putting open bins of chicken manure, fish compost, cedar chips, etc. beside our communal well. They run on diesel and his machinery also uses hydraulic fluid. I worry about leaching into the aquifer through the gravelly soil.

Air pollution is another worry. I have seen clouds of dust drifting from his present location two doors down, and have seen

the dust accumulation on the houses and trees. A six foot fence is being put up beside the new location, but only extends part way down our property line and will not stop the clouds of dust to roll over onto our deck and gardens. My husband is allergic to dust and cedar and unless this pollution is stopped he will have serious health problems.

Another major problem is noise pollution and this is the most prevalent. I am finding it hard to concentrate, already, and the heavy traffic has not yet started.

There are six school buses that pick up and drop off children every day. I worry about their safety.

We are asking for your assistance in resolving our worries.

Sincerely,
Jim & Jacquie Melanson

Impact of Neighborhood Regarding The Handseeping Business.

- I have an 11 yr. old son with severe asthma. He has acute swelling and muscle spasms of his airways. He has been hospitalized several times for continuous therapy and missed alot of school.
- The main reason that I moved to Errington was to give him a better quality of life as the environment wasn't polluted.
- My main concern is that air pollution is a known trigger for people with asthma. With the increase of pollution (re. dust, mould, and fumes from the increased traffic) these are all irritants that can cause an acute asthma attack for my son.
- I would like to keep my son out of the hospital and let him enjoy the neighborhood.

FAX COVER SHEET

CHILTON FARMS LTD.
 Box 54
 1019 Errington Road
 Errington B.C. V0R 1V0
 Canada
 250-248-5288
 250-248-8533

SEND TO		From	
Company name	R D N	From	JAGMAR LOOY
Attention	GEOFF GARBOTT	Date	AUGUST 18 / 2001
Office location	NANAIMO	Office location	ERRINGTON B.C.
Fax number	250-390-7511	Phone number	250-248-5288

Urgent
 Reply ASAP
 Please comment
 Please review
 For your information

Total pages, including cover: 3

COMMENTS

Please respond
 Thank you
 Jagmar Looy

Date: Aug 18 / 2001

Name: PAGMAR + ALLEN LOOY

Address 1019 ERRINGTON RD. BH-54

City ERRINGTON B.C.

Postal V0R 1V0

Attention: RDN Planning Department
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC,
V9T 6N2

Re: Area F Draft Zoning Bylaw

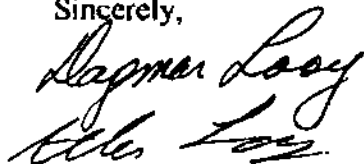
I own and reside on the property identified above. This property is zoned Agriculture Land Reserve (ALR) and all land use planning and authority is controlled by the Agriculture Land Commission (ALC), including land use restrictions and permitted uses.

I do not want or agree to have the Regional District of Nanaimo add a new, additional level of land use controls and restrictions onto my property, above and beyond those already in place through the ALR.

Therefore please accept this letter of notification to have my entire property "site specifically removed" from the RDN Bylaw, A1 - Agriculture Zone and identified as ALR Land with all land use planning and control remaining with the ALC.

I request confirmation in writing from you at the earliest possible date that my ALR property has been excluded from any Area F Zoning Bylaw as proposed today or in the future.

Sincerely,



C.C. ALRC
C.C. GILLIAN TRUMPER MLA

CHILTON FARMS LTD.
BOX 54, ERRINGTON, B.C. V0R 1V0
PH:250-248-5288 FAX:250-248-8533

Agricultural Land Reserve Commission
133-4940 Canada Way
Burnaby, B.C. V5G 4K6

August 18, 2001

Attention Mr. Gordon Bednard, Research Officer:

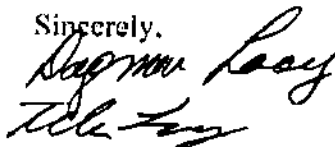
I am writing you voicing my concern regarding the RDN's proposed "**Electoral Area "F Zoning and Subdivision Draft Bylaw, May 2001 Draft"**". According to the RDN's proposed zoning "**A-1" Agriculture**, the "**Country Inn**", as approved by your commission (ALRC), would be deemed "**illegal and non-conforming**". This proposed by-law would also place a secondary "**governing authority**" over the existing ALRC which, in many situations is in direct violation to the ALRC regulations and in conflict with the "**right to farm act**".

We have therefore, submitted a letter, (copy enclosed), to the RDN requesting "**site specific removal**" from the RDN bylaw **A1-Agriculture** zone and have requested to be identified as **ALRC Land** with all land use planning and control thereof remaining with the ALRC.

We are hereby requesting that the ALRC respond with a letter specifically stating that this proposed Inn is legal and conforming and therefore cannot be over-ruled or hindered by any proposed or actual by-law the RDN may implement.

We are farmers, not politicians, and are under the assumption that the ALRC and non others, authorizes land use on ALR land.

Sincerely,



cc Regional District Nanaimo
cc Gillian Trumper MLA

COPY

Chris & Neil Christensen
825 Allsbrook Road, Parksville, BC, V9P 2A9
Tel# 250-954-1855



Fax

To: GEOFF GARBUTT, Planner **From:** Chris & Neil Christensen

Fax: 250-248-0509 & 250-390-7511 **Pages:** 7

Phone: **Date:** 8/21/01

Re: Request from Residents Regarding **CC:**
Planned Property Zoning in Area F

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

• **Comments:**

Good Day, Geoff:

Please find attached are copies of letters that have been signed by some of our neighbors which request that you plan to zone their property as R-3 (Rural Residential) once zoning comes into effect in Area F in November, 2001.

In addition, we are also requesting your serious consideration of disallowing "site specific" zoning in our area as well as the implementation of a reasonable "noise bylaw" within our neighbourhood/area.

It should also be noted that the Shelly Creek Fish Preservation sign is located half-way up Popham Road which makes the proposal for C-3 zoning in our area quite questionable. Not only is Popham and our specific area of Allsbrook Roads all residential households but why would the RDN put this creek's preservation at risk from industrialization??

Please ensure that these points and the attached letters are included in your report to the Development Services Committee as soon as possible. In addition, we would request that you please email us at eclipsenow@home.com to confirm that you have, in fact, received this fax.

Our thanks for your support and consideration. Your further comments are most welcome!

DATE: 20 AUG 01

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

ATTN: Geoff Garbutt, RDN Senior Planner

RE: Request for Change to Proposed Zoning for Property In Area F

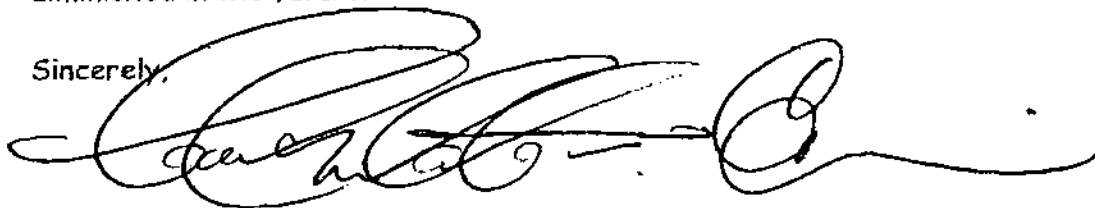
Dear Geoff:

Please accept this as my/our request to have the proposed zoning of my/our property changed from Commercial/Light Industrial (C-3) to Rural Residential (R-3). I/We believe that the RDN has made an error in proposing that our neighborhood be zoned as Commercial/Light Industrial (C-3) and feel that a Rural Residential (R-3) zoning is much more suitable to the existing land use, protecting the quality of life that I/we and my/our neighbors currently enjoy.

Further, I/we feel that there should be serious consideration to disallow any site specific zoning which may allow for commercial operations in our neighborhood. Entertaining any such exceptions would certainly make light of the RDN's intention to protect our well-being as well as the value of our properties.

We are also aware that there currently are no proposed by laws for noise within the OCP. Noise is a serious detriment to our well-being and the enjoyment of our homes, and I/we request that you seriously consider the implementation of a by law which imposes reasonable restrictions on noise so that our health and enjoyment of our property is not diminished in the future.

Sincerely,



NAME: Neil & Celis Christensen

ADDRESS: 825 Ausbrook Rd, Parksville, BC

TELEPHONE: 954-1655

DATE: 08 AUG 2001

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

ATTN: Geoff Garbutt, RDN Senior Planner

RE: Request for Change to Proposed Zoning for Property In Area F

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Sincerely,

NAME: M. R. MacKenzie

ADDRESS: 1099 Popham Rd.

TELEPHONE: 248 5349

Also

↓
LOT 7-12 BL2 PLAN 1099 allbrook Rd. DL 43 87

LOT 13 BL2 PLAN 1099 DL 43

LOT 14 BL2 PLAN 1099 DL 43

BL 4 PLAN 1099 DL 43

DATE: AUG. 8, 2001

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

ATTN: Geoff Garbutt, RDN Senior Planner

RE: Request for Change to Proposed Zoning for Property In Area F

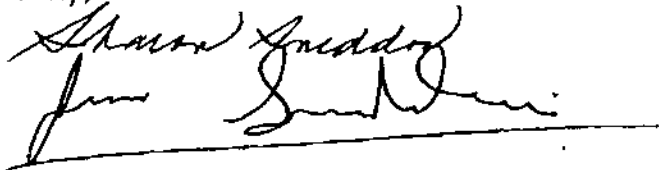
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Sincerely,



NAME: SHARON + JIM SNEDDON

ADDRESS: 1069 POPHAM RD. PARKSVILLE, B.C.

TELEPHONE: 250-248-8778

DATE: Aug 14/01

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

ATTN: Geoff Garbutt, RDN Senior Planner

RE: Request for Change to Proposed Zoning for Property In Area F

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Sincerely,

NAME:

Joy Marie May

Joy May.

ADDRESS:

1022 Popham Rd

TELEPHONE:

248 6523

DATE: Aug. 8, 2001.

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

ATTN: Geoff Garbutt, RDN Senior Planner

RE: Request for Change to Proposed Zoning for Property In Area F

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Sincerely, Lillian Bishop.

NAME: Thomas & Lillian Bishop

ADDRESS: 1100 Popham Rd

TELEPHONE: Parksville, B.C. V9P 2A9 2483458

DATE: AUG. 8, 2001.

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

ATTN: Geoff Garbutt, RDN Senior Planner

RE: Request for Change to Proposed Zoning for Property In Area F

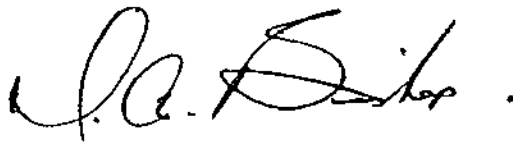
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Sincerely,



NAME: DON & MARILYN BISHOP

ADDRESS: 1088 POPHAM RD, PARKVILLE, B.C. V9P2A9.

TELEPHONE: (250) 248-3432



*British Columbia
Assets & Land Corporation*

August 21, 2001

File: 1400351

Geoff Garbutt, Senior Planner
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo BC V9T 6N2

Attention: Geoff Garbutt, Senior Planner

RE: ZONING OF PARCEL A, PLAN 41831, RDN AREA F, HILLIERS BC

This letter summarizes the mutual agreement between British Columbia Assets and Land Corporation (BCAL) and the Regional District of Nanaimo (RDN) to change the land use for the subject parcel and also comments on the disposition process.

The RDN is currently in the process of reviewing the Electoral Area F zoning and subdivision draft bylaw. It is mutually agreed between BCAL and the RDN that the proposed land use of Institutional (T-1) is not appropriate.

In discussions between senior staff of BCAL and the RDN, it was concluded that Mixed Use Residential (R3) is the most obvious use for the site, however, commercial uses could also be considered.

Subsequently, BCAL has listed the property for sale and has received a number of offers. Once a conditional offer is accepted by BCAL, a "due diligence" period will be provided to the prospective purchaser. During this period, the purchaser will be responsible to determine whether his contemplated use of the land is acceptable to the RDN.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Peter Norman', is written over a printed name and title.

Peter Norman, R.I. (B.C.)
British Columbia Assets and Land Corporation

PN/vsw



Red Williams Well Drilling
980 Pratt Road
Qualicum Beach, BC
V9K 1W5

August 7, 2001

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

**Attention: Mr. Geoff Garbutt, Senior Planner
Electoral Area F Zoning and Subdivision Draft Bylaw**

This document shall serve as official notification to the Regional District of Nanaimo (RDN) regarding my "Intended Uses" for several properties which I currently own in Area F of the RDN. As well, it documents specific concerns which I have with regards to the Electoral Area F Zoning and Subdivision Draft Bylaw No. 1155, (the BYLAW), dated May, 2001 as it relates to my properties.

1. Little Qualicum River Village (LQRV) Strata Development Properties.

I own 5 properties in LQRV which are all currently undeveloped and all intended for Tourist Commercial purposes. The key issues are documented as follows on a lot by lot basis:

1.1 Lot 77 Wallace Wood Way

This lot is proposed in the BYLAW as Zone R-1 Rural. Based on this designation, the lot fits within the defined Current Regulations, however, this is not the Intended Use. The original Intended Use for this property is identified as 1 Dwelling Unit of up to 275 sq. m for Residential and Retreat/Meeting use, 4 Recreational Cottages at 140 sq. m each and a caretaker Dwelling Unit of up to 200 sq. m., all subject to LQRV approval and Environmental Health Program approval for potable water and sewage disposal. Based on the BYLAW for R-1 Rural, anything over 2 Dwellings would be considered non-conforming.

Based on the BYLAW, including the defined Current Regulations, a C-2 Tourist Commercial designation appears to be a closer fit, except for the "1 Unit per ha." ruling which would allow only 4.3 units. As defined above, the Intended Use is 6 units, subject to LQRV and Environmental Health Program approval.

1.1.1 Recommendation:

- a.) that Lot 77 be changed from R-1 Rural to C-2 Tourist Commercial
- b.) that “Site Specific” status be provided for Lot 77 to provide for up to 2 Single Family Dwellings and 4 Cabins as defined in Tourist Accommodation.
- c.) that the definition of Entertainment Centre as a Permitted Use for C-2 be expanded to include “Retreat” and “Meeting Room” or that Site Specific status be provided to accommodate same for Lot 77.

1.2 Lots 169 and 170 Abbey Road

These two lots are currently proposed by the BYLAW as C-2 Tourist Commercial. Based on the RDN proposed Current Regulations Table, both Lot 169 and Lot 170 are smaller than the RDN minimum allowable lot size of 1 ha. All other regulations are within the guidelines. Although these two lots would appear to be non-conforming based on lot size, they are “grand-fathered” into the C-2 Zoning based on the BYLAW, Section 2 - Page 2, Clause 2.8, “Undersized Lots and Existing Uses” which states:

“ Where a lot exists prior to the effective date of this Bylaw, and the area of the lot does not conform with the minimum lot area established in the parts of the Bylaw relating to minimum permitted lot size, such a lot may be used for any of the uses permitted in the zone in which the lot is situated, subject to all other regulations for that zone.”

Currently, the Intended Use identified for these two lots is one Residence per lot or two Recreational Cottages per lot. The RDN restriction is identified in C-2 Tourist Commercial, Section 4.8 - Page 8 under Regulations Clause 4.8.4 as: “All lots zoned C-2 will be limited to 1 Dwelling Unit per ha.” In this case, each lot is less than 1 ha.

1.2.1 Recommendation:

- a.) that each lot be provided with the “site specific” status to allow up to 2 dwelling units per lot comprised of either 2 Cabins per lot or 1 Cabin and 1 Single Family Dwelling per lot, subject to LQRV and Environmental Health Program approval.

1.3 Lots 232 and 233 Taylor Walk

These two lots are currently proposed by the BYLAW as C-2 Tourist Commercial. Based on the RDN proposed Current Regulations Table, both Lot 232 and Lot 233 are smaller than the RDN minimum allowable lot size of 1 ha. All other regulations are within the guidelines. Although these two lots would appear to be non-conforming based on lot size, they are also “grand-fathered” into the C-2 Zoning based on the BYLAW, Section 2 - Page 2, Clause 2.8, “Undersized Lots and Existing Uses”.

Currently, the Intended Use identified for these two lots is one Residence per lot or two Recreational Cottages per lot. As well, I intend to use a portion of both lots to create road access and a shared parking area for the exclusive use of walk-on property owners for lots 232 - 243 inclusive. An RDN restriction is identified in C-2 Tourist Commercial, Section 4.8 - Page 8 under Regulations Clause 4.8.4 as: "All lots zoned C-2 will be limited to 1 Dwelling Unit per ha." In this case, each lot is less than 1 ha. Parking is a Permitted Use for C-2 Commercial

1.3.1 Recommendation:

- a.) that each lot be provided with the "site specific" status to allow up to 2 dwelling units per lot comprised of either 2 Cabins per lot or 1 Cabin and 1 Single Family Dwelling per lot, subject to LQRV and Environmental Health Program approval.

2. 1125 Smithers Road

This property is proposed by the BYLAW as C-3 General Commercial/Light Industrial. The property currently includes one Single Family Dwelling and Accessory Building, plus a Work Shop being used for cabinet construction and includes an attached Batchelor Suite with additional Accessory Buildings. There is also a large commercial/industrial complex currently under development for business purposes.

The property does not fit accurately within the RDN Regulations Table as defined for a C - 3 General Commercial/Light Industrial zone. The lot size is below regulation but is covered by a "grandfather" clause. Although total lot coverage is within the 30% guideline based on the actual lot size, four buildings are located within the minimum setback requirements, causing them to be classified as non-conforming. In this case, there is no grandfather clause in the RDN Draft Zoning Bylaw to cover these exceptions for buildings and foundations put into place prior to the RDN Zoning Bylaw process.

The Current Use for this property does not appear to fit accurately within the BYLAW Permitted Uses as defined for a C - 3 General Commercial/Light Industrial zone. Permitted Use includes a Single Family Dwelling and Manufactured Home. This property contains a Single Family Dwelling and Batchelor Suite attached to a Work Shop, requiring Site Specific status.

The Intended Uses for this property are identified as retail store, indoor sales - new & used, outdoor sales - new & used, sales lot, sales office, business office, machine shop, furniture school, parts storage and equipment storage. Cabinet Shop, a current use, is also a requirement.

All of the identified Intended Uses for this property appear to fit somewhere within the permitted use guidelines as defined by the BYLAW at this time, however, most are not "expressly permitted". There are some questionable areas and serious points of

clarification required from the RDN, such as the use of words like “products” or “goods” to mean both new and used throughout the definitions section.

A key example is the Intended Use for a **Retail Store**, which is not listed as a Permitted Use for Zone C-3 Light Industrial. The definition under Retail Centre and under General Commercial, both permitted Uses in Zone C-3, specifically use the words “**sales outlet**” as a Permitted Use. However, the words “**sales outlet**” is not listed in the Definition Section 5 of the BYLAW. However, the “key word” **Retail Store**, an Intended Use for this property, is defined in the BYLAW as “a *sales outlet* within a building having a floor area not exceeding 1000 sq. m providing for the retail sale, servicing and display of goods and includes a temporary outdoor flea market.” Although defined in the BYLAW, **Retail Store** is not listed as a Permitted Use for C-3 zoning. Technically, as the term **Retail Store** did not come up in any permitted use wording for Zone C- 3, it can be concluded that the 1000 sq. m restriction does not apply to the Smithers Road property.

My point here, is that the RDN BYLAW states clearly in item 1.3, Section 1, Page 1:

“A use that is not expressly permitted in a zone is prohibited.”

The RDN have also “buried” a permitted use for an Outdoor Flea Market for anyone with a permitted use for a Retail Store by listing it in the definition section, rather than identifying it as a listed Permitted Use within the Zoning Category. Yet, in the case of C-3 zoning, a “Temporary Outdoor Flea Market” *has been included* on the Permitted Use master list, but not a Retail Store.

2.1 Recommendation

- a.) that the RDN add a “grandfather clause” for all buildings located within the minimum setback requirements for Lot Lines and Watercourses for buildings and foundations put into place prior to the RDN BYLAW, similar to that defined for “Undersized Lots and Existing Uses” or provide the Smithers Property with Site Specific status for actual lot setbacks in place prior to the BYLAW.
- b.) similarly, that the RDN add “grandfather clauses” for minimum Lot Frontages, Lot Coverage, Building and Structure Height and Maximum Density.
- c.) that the RDN provide written confirmation that *each* of the Current Uses and Intended Uses as defined in this correspondence are to be added to the Permitted Use list or are to be correlated into the Permitted Uses as defined for C-3 Zoning for the Smithers Property.

3. 980 Pratt Road, Zoned A-1 Agriculture

This property is 3.75 ha and is included in the Agriculture Land Reserve (ALR) and falls under the land use authority of the Agriculture Land Commission (ALC). On this basis, I have been advised by the RDN Planning Department that they have no land use jurisdiction over the ALR, other than in an advisory capacity, and therefore cannot consider my needs for Site Specific status for my Pratt Road property.

In spite of this fact, the RDN have still zoned my ALR property as A-1 Agriculture and have defined Permitted Uses, including a Regulations Table, for this property. The Permitted Uses include a Single Family Dwelling, Manufactured Home and a Home Based Business.

Using the Regulations Table and Home Based Business definition as a guideline, I have identified the following potential problems:

- the lot size is less than the 4.0 ha minimum
- the second Dwelling is not be a Manufactured Home
- there may be a violation of maximum building and structure height
- there may be a violation of the 8 m setback from all lot lines
- there may be a watercourse setback violation on the front ditch
- the Home Based Business may be non-conforming

Another major concern for this property is the definition of “Prohibited Uses” identified under the BYLAW General Regulations Section 2, Point 2.1, Applicability of General Regulations which states:

“Except as otherwise specified in this Bylaw, Section 2 applies **to all zones** established under this Bylaw.” Based on this statement, it would appear that A-1 Agriculture is subject to all the General Regulations for enforcement by the RDN regardless of the ALR authority.

Acceptance of an A-1 Agriculture status for the Pratt Property could be interpreted as agreement to participate in the RDN Zoning Bylaw. This may open the door for the RDN to enforce the General Regulations, the Regulations Table and Permitted Uses on my A-1 zoned property based on the final Zoning Bylaw, thereby usurping the authority of the ALR. This then brings into question the legal right for the RDN to enforce A-1 Agriculture zoning, albeit Section 2, Page 8, Clause 2.38, Agriculture Land Reserve.

3.1 Home Based Business Activity

The OCP for Area F states in Resource Lands, section 2, page 6:

“it is recognized that there is a wide range of home based business activities on ALR lands in Area F. The RDN shall negotiate with the Agricultural Land Commission (ALC) to obtain a General Order for Electoral Area F to allow for an expanded definition of home based businesses beyond what is normally permitted by the ALC.”

There is no reference in the RDN Draft Zoning Bylaw regarding any agreement with the ALC for a General Order as identified in the Area F OCP. There is also no explanation how a non-conforming home based business use in the ALR can receive “site specific” status under the RDN Zoning Bylaw.

3.1.1 Inferences Not in the BYLAW

Also, in “The Area F Planning Project” document released by the RDN as Volume 1, Issue 1, May 2001 to announce the RDN Site Office, under the heading “Zoning and the Agriculture Land Reserve (ALR)”, there is a reference to the General Order, in the past tense, as follows:

“The intent was to address the wide range of uses currently on ALR lands. The Commission is also exploring changes to their regulations and is open to input from land owners and the RDN on this issue.” The article continues, “To date, a number of ideas have been raised to address uses on ALR lands. These include:

- Excluding selected properties from the ALR (properties fronting on the Alberni Highway or adjacent to the Village Centres.)
- Working with landowners on new General Orders for expanded uses in the ALR
- Working with landowners for special use permits on specific parcels; or
- Leaving the ALR boundaries and regulations as is.”

The most viable option would be to exclude my entire property from the ALR, although technically, this property may not be fronting on the Alberni Highway. The property is fronting onto Pratt Road. It could be argued, however, that the property is adjacent to the Alberni Highway.

3.1.2 Removal From the ALR

Another issue that needs to be addressed by the RDN in the BYLAW is the red tape created by the Area F OCP if you are given permission by the ALC to leave the ALR. The RDN Area F OCP under Resource Lands, General Policies item 6, Section 2, Page 6 states:

“ Where land is removed from the ALR or FLR, the Resource Lands designation *shall remain* and the permitted uses shall be limited to *rural resource activities* as defined in the OCP and Zoning.” There is no Zone in the RDN BYLAW designated “rural resource” defining rural resource activities. Resource Lands in the Area F OCP, Section 5, Page 2 are defined as “lands located within the ALR, FLR, as well as Crown lands other than lands designated as Park Land.” Therefore, based on this definition, although you are removed from the ALR, you are still in the ALR.

3.1.3 General Regulations Section 2

This section of the BYLAW restricts the keeping and storage of unlicensed motor vehicles, other farm vehicles, detached parts and used tires. This is a very serious issue with regards to my Pratt Road property. My position is simple - I live in the country, not the city. These silly “make work” city regulations in Section 2 seem to be designed only to employ bureaucrats at the RDN and should be eliminated from the BYLAW completely.

3.2 Recommendation.

- a.) that the A-1 Agriculture Zone be eliminated from the RDN BYLAW in total and be replaced with a land designation as ALR with no RDN land controls identified or that my Pratt Road property be “site specifically removed” from the A-1 Agriculture Zone until a realistic alternative is defined.
- b.) that the RDN be advised to change the wording in all future discussions with the ALC regarding “excluding selected properties from the ALR (properties fronting on the Alberni Highway or adjacent to the Village Centres) to “excluding selected properties from the ALR (properties fronting or adjacent to the Alberni Highway or Village Centres.”)
- c.) that firm clarification be received in writing as soon as possible from the RDN as to the exact steps that I must take to guarantee direct communication regarding the possible removal of this land from the ALR as it relates to the RDN Area F OCP and the BYLAW, including input to the BC Government, the ALC and the RDN.
- d.) that an immediate moratorium be placed on the BYLAW until a firm decision is reached regarding the RDN commitment in the Area F OCP to negotiate a General Order or alternate solution with the ALC.

- e.) that clarification be received in writing from the RDN defining how the correct RDN replacement zoning will be received immediately upon release from the ALR, without the property going into a temporary zone, resulting in paying fees and getting tied up in unnecessary bureaucratic red tape.
- f.) that restrictions on the keeping and storage of unlicensed motor vehicles, other farm vehicles, detached parts and used tires be totally removed from the BYLAW.

4. Conclusion

This document points out that each of my seven properties have serious issues that must be resolved regarding the RDN proposed BYLAW. To discuss the contents of this document or review these issues in more detail, please contact my consultant, Mr. Reg Nosworthy direct at R. G. Nosworthy Consulting Ltd. at 1-250-954-1661.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Red Williams".

Red Williams,
Red Williams Well Drilling

cc. Jack McLean - Director, Area F
Gillian Trumper, MLA, Alberni - Qualicum

Date: AUGUST 20 2001

Name: LINDSAY P. BALDWIN

Address 1600 ERRINGTON RD BOX 44

City ERRINGTON. B.C

Postal V0R-1V0

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC,
V9T 6N2
Fax: (250) 390-7511

Attention: RDN Planning Department
Re: Area F Draft Zoning Bylaw

I own and reside on the property identified above. This property is zoned Agriculture Land Reserve (ALR) and all land use planning and authority is controlled by the Agriculture Land Commission (ALC), including land use restrictions and permitted uses.

I do not want or agree to have the Regional District of Nanaimo add a new, additional level of land use controls and restrictions onto my property, above and beyond those already in place through the ALR. Therefore please accept this letter of notification to have my entire property "site specifically removed" from the RDN Bylaw, A1 - Agriculture Zone and identified as ALR Land with all land use planning and control remaining with the ALC.

I request confirmation in writing from you at the earliest possible date that my ALR property has been excluded from any Area F Zoning Bylaw as proposed today or in the future.

Sincerely,

L.P. Baldwin

LINDSAY PAUL BALDWIN (MR)

cc. Gillian Trumper
MLA, Alberni - Qualicum
3075 3rd Ave
Port Alberni, BC
V9Y 2A4
fax: (250) 720-4511

Jack McLean
RDN Director, Area F
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2
fax: (250) 390-7511

Gordon Bednard
Research Officer, ALC
133 - 4940 Canada Way
Burnaby, BC
V5G 4K6
fax: (604) 660-7033

Date: Aug 20/01Name: DEREK BALDWINAddress: 1607 ERRINGTON ROAD, Box 247,City: ERRINGTON, B.C. V0R1V0.Postal: V0R1V0.

Regional District of Nanaimo
 6300 Hammond Bay Road
 Nanaimo, BC,
 V9T 6N2
 Fax: (250) 390-7511

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I request confirmation in writing from you at the earliest possible date that my ALR property has been excluded from any Area F Zoning Bylaw as proposed today or in the future.

Sincerely,



cc. Gillian Trumper
 MLA, Alberni - Qualicum
 3075 3rd Ave
 Port Alberni, BC
 V9Y 2A4
 fax: (250) 720-4511

Jack McLean
 RDN Director, Area F
 6300 Hammond Bay Road
 Nanaimo, BC
 V9T 6N2
 fax: (250) 390-7511

Gordon Bednard
 Research Officer, ALC
 133 - 4940 Canada Way
 Burnaby, BC
 V5G 4K6
 fax: (604) 660-7033

Date: Aug 22 / 01

Name: David Evans

Address _____

City _____

Postal _____

Regional District of Nanaimo
 6300 Hammond Bay Road
 Nanaimo, BC,
 V9T 6N2
 Fax: (250) 390-7511

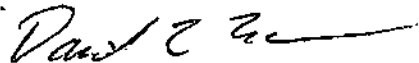
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I request confirmation in writing from you at the earliest possible date that my ALR property has been excluded from any Area F Zoning Bylaw as proposed today or in the future.

Sincerely,



cc Gillian Truiper
 MLA, Alberni - Qualicum
 3075 3rd Ave
 Port Alberni, BC
 V9Y 2A4
 fax: (250) 720-1511

Jack McLean
 RDN Director, Area F
 6300 Hammond Bay Road
 Nanaimo, BC
 V9T 6N2
 fax: (250) 390-7511

Gordon Hednard
 Research Officer, ALC
 133 - 4940 Canada Way
 Burnaby, BC
 V5C 4K6
 fax: (604) 660-7033

Date: Aug. 21 2001

Name: BILL VAN DUIN

Address: 3110 ALBERNI HWY.

City: QUALICUM,

Postal: ~~V9T 6N2~~ V9K 1X3

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC,
V9T 6N2
Fax: (250) 390-7511

Attention: RDN Planning Department
Re: Area F Draft Zoning Bylaw

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I request confirmation in writing from you at the earliest possible date that my ALR property has been excluded from any Area F Zoning Bylaw as proposed today or in the future.

Sincerely,

cc: Gillian Trumper
MLA, Alberni - Qualicum
3075 3rd Ave
Port Alberni, BC
V9Y 2A4
fax: (250) 720-4511

Jack McLean
RDN Director, Area F
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2
fax: (250) 390-7511

Gordon Hednard
Research Officer, ALC
133 - 4940 Canada Way
Burnaby, BC
V5G 4K6
fax: (604) 660-7032

Date: Aug. 24/01
 Name: DAVID NEDEN
 Address: 1030 HOWARD Rd.
 City: QUALICUM BEACH BC
 Postal: V9K 1W4

PLANNING DEPT
 -09- 07 2001
 RECEIVED

Regional District of Nanaimo
 6300 Hammond Bay Road
 Nanaimo, BC,
 V9T 6N2
 250-390-7511
 Attention: RDN Planning Department

Re: Area F Draft Zoning Bylaw

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I request confirmation in writing from you at the earliest possible date that my ALR property has been excluded from any Area F Zoning Bylaw as proposed today or in the future.

Sincerely,



cc. Gillian Trumper
 MLA, Alberni - Qualicum
 3075 3rd Ave
 Port Alberni, BC
 V9Y 2A4

Jack McLean
 RDN Director, Area F
 6300 Hammond Bay Road
 Nanaimo, BC
 V9T 6N2

Gordon Bednard
 Research Officer, ALC
 133 - 4940 Canada Way
 Burnaby, BC
 V5G 4K6

250-720-4511



250-390-7511

604-660-7033

AREA F ZONING BYLAW DRAFT COMMENTS
PREPARED JULY 3, 2001
BY CITY OF PARKSVILLE STAFF

General Comments

More zones would allow for a finer regulation of uses.

Some subdivision type regulations are included, but not a full range of subdivision regulations (i.e. road width/standards).

Administration/Basic Provisions Section 1

Well structured. No comments.

General Regulations Section 2

Well structured. Some comments:

2.5 This clause leaves an opening for large, propane (or similar) storage depots to locate. Consider refining the regulation to provide a prohibition, then as need arises accommodate in a sub-zone.

2.12 Temporary Accommodation of Seasonal Farm Workers – The ALC regulations provide for this. As I understand it there is no need to reiterate in the Zoning Bylaw, which is a subordinate Bylaw. I have seen this clause abused elsewhere. As written, you couldn't prohibit the introduction of a dozen mobile homes onto ALR land, under the guise of seasonal accommodation.

Also if the property is large enough there is a potential to register a building strata in these cases.

2.21 Signage Regulations can go into a separate bylaw. The provisions in this section are very generous. For example, the maximum size we permit in a traffic oriented commercial zone is 6 square metres. This provision allows 15 square metres. Why include this section at all, since it is so permissive rather than regulatory, i.e. do a sign bylaw at another time.

2.24 Home Based Business – Regulations – These are generous regulations. The provision for “processing of goods” could be abused. There is no definition as to the type of goods. You will find that 2.26 (a) will not be enforceable. “Outdoor recreation equipment” is not defined and there is no clear link to your definition of “outdoor recreation”. In the absence of a definition I can imagine someone wanting to consider RV rentals as outdoor recreation equipment. RV sales could then be a related sale of goods. If I thought of it, someone else might!

- 2.27 Keeping of Animals – I had to look up the term “household livestock”. It infers that only 1 horse or cow can be kept on lots greater than 500 square metres. You may want to reword.
- 2.32 Could this clause that allows off-site parking have the effect of enabling more use on a lot?

A-1 Zone

Are all A-1 zones on ALR land, or is there any A-1 that is non-ALR? If so, there isn't sufficient control. For example, without the ALR, “agri-tourist and agri-tourism accommodation could mean a hotel in the country!

The definition of “farm use” is broad enough that I question the need for “accessory farm use”. For example, is a pottery factory outlet that makes plant pots okay?

I doubt that you can set up “temporary sawmill” as “temporary”. The attempt to do this usurps the non-conforming regulations under the *Local Government Act*. Once you have legally allowed the use, they're there! Even if you could, how would you set out and monitor the provision. Instead, a better mechanism is to use a temporary use permit. Why is this use even needed? It appears in several zones.

FR-1 Forestry/Resource

Same notation as above regarding “temporary” sawmill.

R-1 – Rural

Why introduce the terminology greenhouse and nursery when then Farm Use covers them. Would an Art Knapp's be permitted?

Same comment as prior one about “temporary sawmill”.

R-3 – Mixed Use Residential

Can an apartment building be constructed if you have a lot larger than 1 ha? To what density?

MH-1 Manufactured Home Park

If there is community water and sewer, can you subdivide to create a mobile home subdivision of fee simple or strata lots? What prevents this?

C-1 Local Commercial

Neighbourhood pub – Why allow as an outright use? An alternative approach would be to do a separate zone, or a sub zone of this one which allows the use.

The term “commercial floor area” should be defined if it is intended to impose a size limit. Without a definition there could be an argument (think of big box with warehouse type areas) that the only commercial area is that which is around the cash registers.

C-2 Tourist Commercial

Have you contemplated “gambling” and casinos? Are they intended to be excluded?
Same comment as above about neighbourhood pubs.

C-3 General Commercial/Light Industrial

What limits the scope of activity? i.e. with a general commercial use? in a serviced scenario?

Why is manufacturing allowed, i.e. under general commercial use definition?

I-1 General Industrial

Too broad, should be separated into several zones.

S-1 Salvage and Wrecking

Even if this is tailored to an existing situation it would make sense to include reasonable setbacks and screening and buffering provisions, to show intent, if for no other reason.

C3 Build out Example

Figure 1

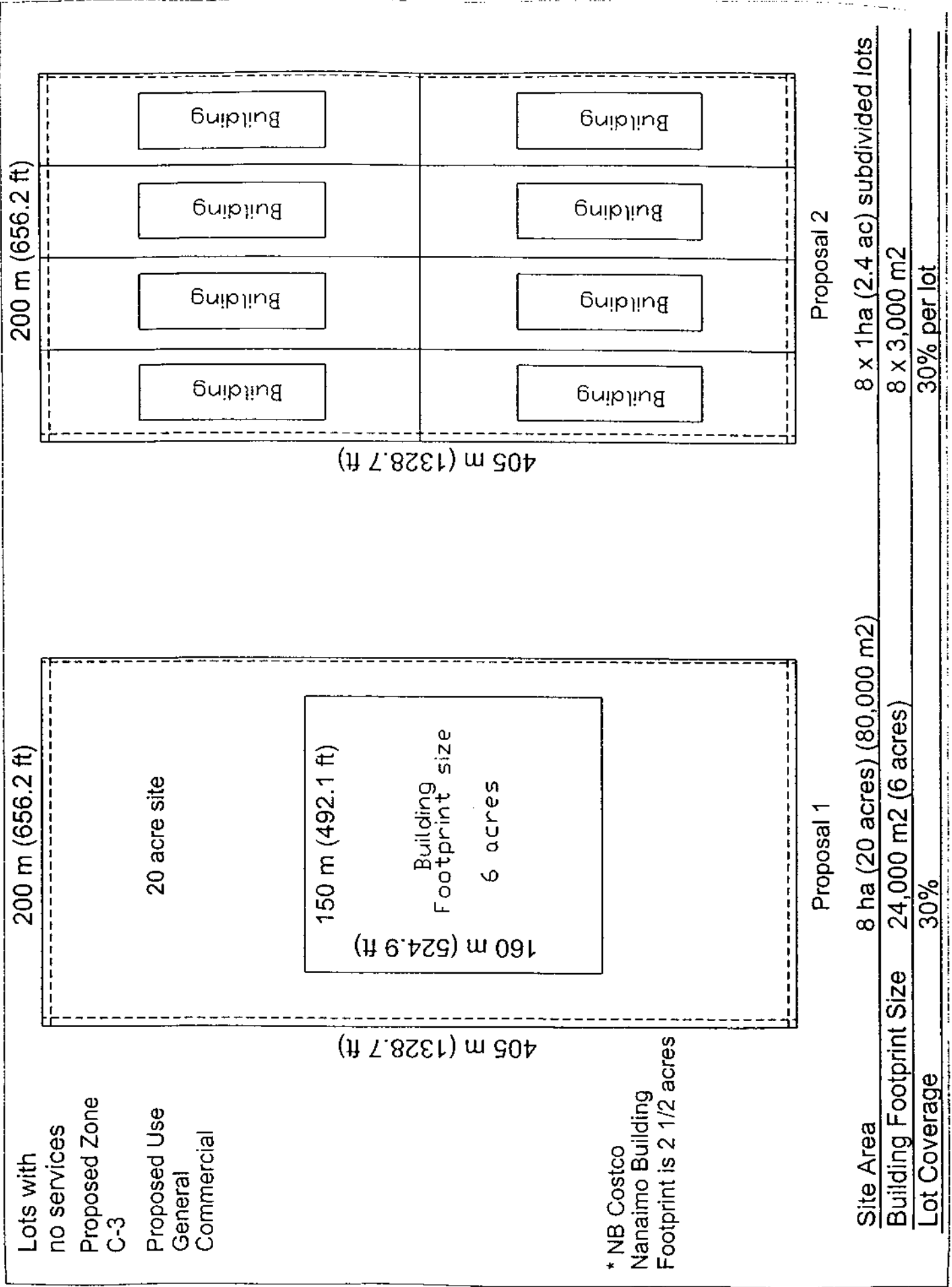
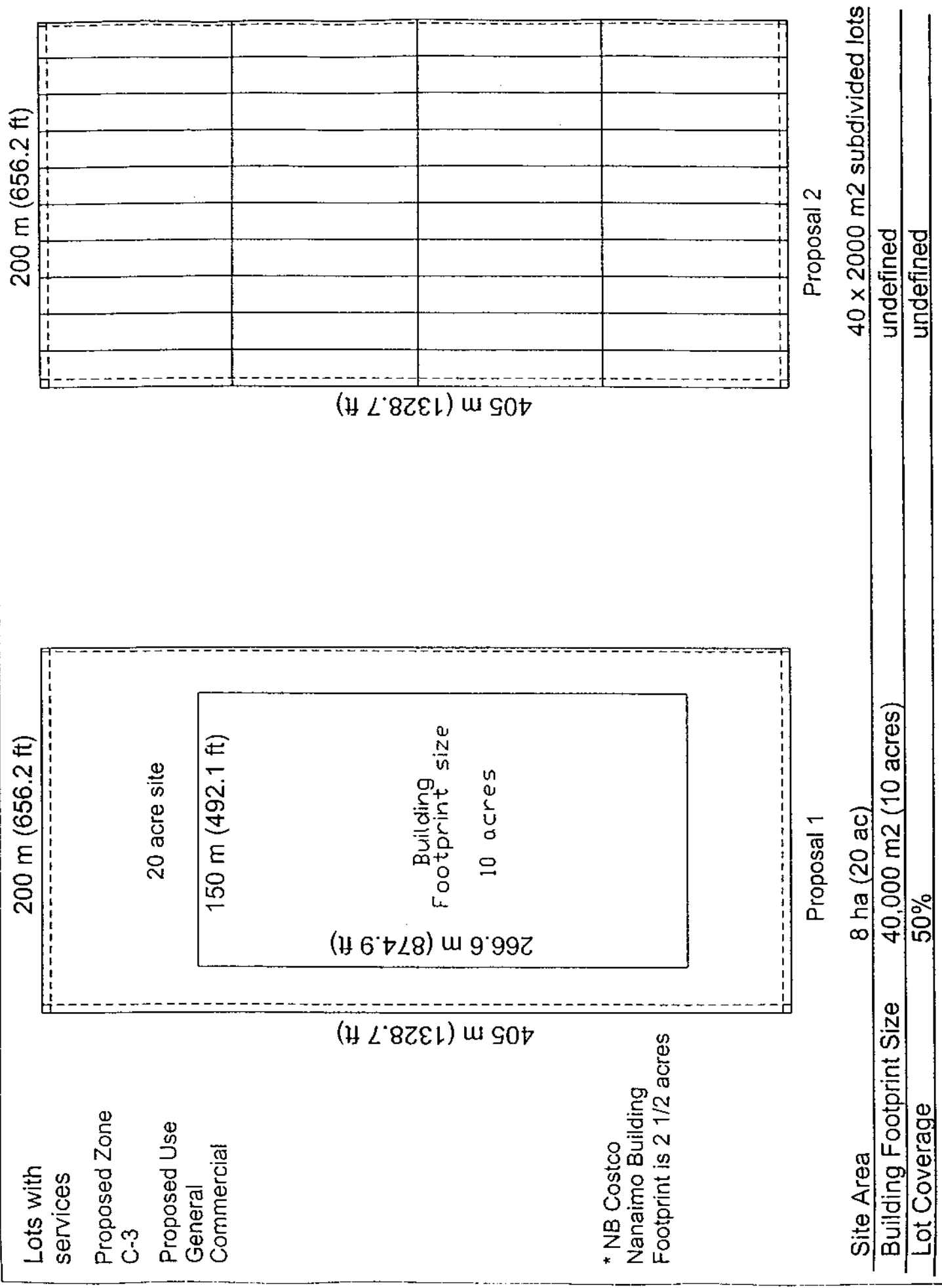


Figure 2

C3 Build out Example



Lots with services

Proposed Zone C-3

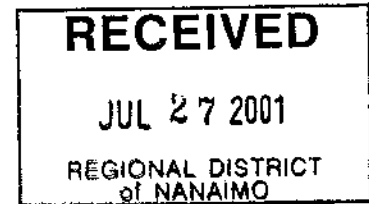
Proposed Use General Commercial

* NB Costco Nanaimo Building Footprint is 2 1/2 acres



July 25, 2001

Geoff Garbutt
Senior Planner
Regional District of Nanaimo
6300 Hammond Bay Rd
Nanaimo BC V9T 6N7



Dear Mr. Garbutt:

Re: Electoral Area "F" Zoning Bylaw – Consultative Draft Document

The CVIHR is very pleased that the Official Community Plan for area "F" was adopted and that the subsequent zoning bylaw is proceeding. In the past, the only criteria for land use planning in area "F" seemed to be the capability of land to support small on-site sewage disposal systems. Clearly, this placed an extremely onerous responsibility on my Environmental Health staff when other land use planning issues such as industrial, commercial and nuisance industries wished to locate in a open zoned area free from any restrictions except on-site sewage disposal. Often public health staff bore the brunt of public criticism for allowing unpopular developments to locate in area "F". Other public health concerns such as potable drinking water, solid waste disposal, density and perceived public health concerns such as dust, noise, traffic, etc. simply cannot be addressed through on-site sewage disposal.

I have commented below on several issues of concern to the area residents:

4.4 R-2 Rural Residential

While we have no strong objection to allowing a maximum of one dwelling per hectare, such development is often used as a pretext to future application for subdivision. We support the basic principle of one dwelling per parcel.

Qualicum River Estates is limited to one dwelling per ha. due to poor soil conditions. Any higher density is not supported.

4.10 I-1 General Industrial

The City of Parksville's well field and the community wells and aquifer servicing Breakwater must be protected. Any industrial development on the surrounding area must have zero impact on groundwater quality and quantity.

Page 1/2

Community Water/Sewer Utility

We strongly support the RDN owning/operating/maintaining water supply and sewerage utilities

Resort Vehicle Park

The suggested definition for resort vehicle park is unclear. How can a recreational vehicle park exclude tourists? How would this differ from a campground?

If you have any questions or comments please contact me at 755-6281

Your truly,

A handwritten signature in black ink, appearing to read "David G. Coombe". The signature is written in a cursive, flowing style.

David G. Coombe, C.P.H.I. (C)
Chief Environmental Health Officer

cc: Glenn Gibson



File: 53170-53/CID

July 31, 2001

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

Attention: Geoff Garbutt, Senior Planner

Re: Electoral Area 'F' Zoning Bylaw-Draft Document

Further to your letter of June 28, 2001, please find below the Ministry of Transportation's comments as they relate to the above noted document:

Section 7: Infrastructure, Transportation & Utilities
• Transportation Component

Suggest the addition of the following:

Sections of Highway 19, the Inland Route with a freeway designation, traverses the northern area of this Electoral Area. Highways 4 and 4A are also major connecting roads in the provincial road system, with an arterial classification. The Existing Roads shown on Map 5 may need to be four laned as developments evolve, and/or to meet increased traffic demands.

Access management forms part of (a) the on-going process in the upgrading and maintenance of the network system, and (b) also provides rationalization of access points and intersections to maintain acceptable safety standards.

W:\ORCS\11\PLANS\53170\53\CID\Elec Area F(a).doc

**Ministry of
Transportation**

**Vancouver Island Region
Planning & Development
Approvals**

**Mailing Address:
6475 Metral Drive
Nanaimo, BC V9T 2L9**

**Telephone: (250) 390-6170
Facsimile: (250) 390-6191**

Transportation Maps:

The information that the Ministry has received to date for Transportation Maps for Areas "A" and "F" is as follows:

-Electoral Area "A" OCP Map No 4

Transportation Legend-Highway, Major Road, Secondary Road, Overpass, Existing Traffic Light and Interchange

-Electoral Area "F" OCP, Map No 5

- Network Legend-Highway and Existing Road:

Suggest that consideration be given to providing the same transportation legends/designation for each Electoral Area.

- (b) Definitions of the road designations:

It would also be helpful to also provide definitions for the designated types of network roads common to all Electoral Areas.

- Section 2, Pages 5, 6 and 7—Parking

There should be reference to parking standards and highway accesses meeting Ministry of Transportation standards and specifications as we are the roads authority.

- Section 6, Page 3—Water Supply:

As this is a local government Bylaw, I recommend that the Regional District of Nanaimo be responsible to determine what constitutes a reasonable proof of a supply of potable water for each lot being created by subdivision. I also recommend that the wording of this section be amended to ensure that each lot has a supply of potable water of 3.5 m³ per day rather than "can be provided for."

Yours truly,



R. J. Howat
Provincial Approving Officer
Vancouver Island Region

RJH/ved/Elec Area F(a).doc

cc: Dean Anderson, Sr. District Development Technician, Central Island District



P.O. Box 616, Parksville, BC V9P 2G7
Telephone: 954-5388 Fax: 954-1948

July 26, 2001

Mr. Geoff Garbutt, Senior Planner
Regional District of Nanaimo
6300 Hammond Bay Rd.
Nanaimo, BC V9T 6N2

RE: Electoral Area 'F' Zoning Bylaw

Dear Geoff,

Several members of our organization have briefly reviewed the Area 'F' Zoning Bylaw and our comments are:

Definitions:

Natural Boundary – this definition conflicts with the Provincial Statute definition in the Land Act. The term “surveyed high water mark” is not a legal term and should be removed. We suggest using the definition in the Land Act (enclosed).

Water Course – this definition is an improvement over the definition in Bylaw 500. Is it possible to get a setback relaxation with a Geotechnical report?

Height – a vast improvement over Bylaw 500. This definition should be adopted in Bylaw 500 as well.

Setback Requirements from Watercourse and Streams

Should the building heights above natural boundary be addressed in this section?

Home Based Business

Does this Bylaw conflict with the Home Based Business Bylaw? If so, which Bylaw prevails?

Minimum Lot Frontage

Section 944 of the local Government Act provides a minimum frontage requirement. Our understanding is that a local Bylaw cannot overrule a Provincial Statute, so this means there are two minimum frontage requirements. The requirement in this Bylaw appears to be very similar to Section 944, so this raises several questions. Why is there an additional minimum frontage requirement? Can it be relaxed in Section 944 and could

there possible be cases when we would need a double relaxation? If there is a conflict, which prevails?

Engineering Standards

Community water and sewer does not exist in Area F. Can package treatment sewer systems be used in the nodal centres?

Cluster Housing

In order to support and enhance the “Community Values” (specifically items 4, 5 and 12) of the OCP and the Regional Growth Management Plan’s goal of protecting the natural environment, Section 6.12 of the proposed Bylaw should be amended to allow for cluster housing.

Density Averaging

The proposed Bylaw does allow for density averaging, but only for 50% of the lots in subdivision and only to 80% of their required size. We propose that this be eliminated and replaced as follows:

- 6.12 notwithstanding Section 6.11 above, parcels within land to be subdivided may be reduced in size in the applicable zone, provided that:
- a) 100% of the proposed parcels may be reduced in size; ~~and provided that~~
 - b) The average lot size of all the lots within the subdivision conforms with the lot size permitted in the applicable zone; and
 - c) A restrictive covenant in favour of the Regional District is registered against all lots in the subdivision prohibiting further subdivision of the land, unless the largest lot created within the subdivision is less than twice the minimum lot size applicable to that lot at the time of subdivision.

This should apply to conventional fee simple subdivisions as well as bare land strata subdivisions. This would allow more flexibility in design with regard to environmental protection and setbacks and would provide more open space to preserve the rural integrity sought by the OCP.

In order to further protect the character and integrity of the surrounding properties, this could be achieved by way of a development variance permit.

Number of Dwelling Units

Rural 2 zoning should have 2 units per lot. Certain areas such as “Qualicum River Estates” where the ability to service a slightly higher density is good (that area has probably the best percs and water – both quantity and quality – in the district) serious consideration should be given to a “Site Specific Zone” as it meets ALL the criteria they themselves have set out:

- Does the Lot have an approved means of sewage disposal? – Yes –
- Is the use compatible with surrounding land uses and the character of the area? – Yes –
- Does the lot meet all requirements of the Ministries that have authority over the lands or use? – Yes –
- Does the use have a negative impact on groundwater, surface water or the natural environment? – No –

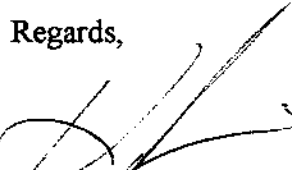
That is an area that has had a Building Scheme that has allowed 3 dwellings on 5 acres and 2 dwellings on 2 ½ acres and has developed very successfully with new construction and has filled a niche in the marketplace thru the use of "Building Stratas". It has been well accepted by the public and because of the excellent conditions the land supports it very well.

Building Stratas

Will they be allowed? They are a legal entity and are something now well accepted by the public, provide for economical housing and allow use of the density and provide individual title. It would be a mistake to disallow them.

Thank you for referring this Bylaw to our Association. We look forward to continue working with you in the future for consultation on other processes.

Regards,



Helen MacPhail Sims
Vice President
RDN Committee Chair

Encl:

Section 1

Columbia for which he or she may be appointed to discharge the duties of a commissioner under this Act;

“**construction purpose**” includes, without limitation,

(a) the building or maintenance of a road, railway bed, runway, berm, dam, impoundment, breakwater, dike, levee, foundation, rock wall and other similar thing, and

(b) the providing of fill and riprap;

“**conventional boundary**” means a boundary consisting of a straight line or a series of straight lines of fixed direction and length conforming as nearly as possible to the natural boundary, but eliminating minor sinuosities;

“**corporation**” means a corporation incorporated or registered in British Columbia;

“**Crown grant**” means an instrument in writing conveying Crown land in fee simple;

“**Crown land**” means land, whether or not it is covered by water, or an interest in land, vested in the government;

“**director**” means a person employed under the *Public Service Act* and designated by the minister as a director for the purposes of this Act;

“**disposition**” means the act of disposal or an instrument by which the act of disposal is effected or evidenced, or by which an interest in Crown land is disposed of or effected, or by which the government divests itself of or creates an interest in Crown land;

“**interest**” in reference to land includes a right or estate in that land;

“**land district**” means a portion of British Columbia that is a land district under section 2;

“**land recording district**” means a portion of British Columbia that is a land recording district under section 3;

“**natural boundary**” means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself;

“**public road**” means a portion of Crown land designated or indicated as a road on a plan of survey made under this Act, whether or not a road is constructed, and includes a road allowance or walkway allowance established under section 79;

“**registrar**” means the registrar under the *Land Title Act*;

“**registry**” means the Crown land registry continued under section 7;

“**reserved land**” means Crown land that has been withdrawn from disposition under this or any other Act;

“**right of way**” means a statutory right of way as defined in the *Land Title Act*;

ATTACHMENT NO. 7

Attachment No. 7 is available at the Development Services Department at
6300 Hammond Bay Road, Nanaimo

Office Hours 8:30 am to 4:30 pm



Electoral Area 'F' Planning Project
 Electoral Area 'F' Zoning and Subdivision Bylaw
 Zoning Implications Recommendation Matrix

Issue	Public Comments	Agency Comments	Staff Recommendation
Section 1 - Administration Notice of Amendment	<ul style="list-style-type: none"> Bylaw establishes a 500 m notification zone for rezoning and variance due to the large parcel sizes in this rural area feedback indicated that this distance was appropriate, many comments about creating a "complaints zone" so that residents could not comment or have input on uses/properties far from their immediate area 		<ul style="list-style-type: none"> Based on consultation with the RDN solicitor, it was determined that a complaints zone as it pertains to zoning regulations would not be permitted under the <i>Local Government Act</i>
Section 2 - General Regulations			
Permitted Uses Bylaw establishes a number of uses permitted in all zones	<ul style="list-style-type: none"> Community water supply facilities and sewage treatment facilities should not be allowed in all zones Temporary Flea Market should be permitted in all zones 		<ul style="list-style-type: none"> Providing for the location of essential community services in all zones is standard zoning regulation. The ability to site these uses is important to address community infrastructure requirements. Leave regulations as proposed Due to potential traffic and parking impacts and community safety concerns allowing this intensive use in all zones is not appropriate. Bylaw has not been amended to include temporary outdoor flea market in all zones
Prohibited Uses Bylaw establishes a number of uses prohibited in all zones	<ul style="list-style-type: none"> A number of uses should be restricted outright and regulations should be included to ensure uses do not have an impact on groundwater. Received comments that the disposal and storage of biomedical waste should be prohibited use 	<ul style="list-style-type: none"> Bylaw must include restrictions on uses and land use regulations to ensure that groundwater is protected - Parksville 	<ul style="list-style-type: none"> To address community/agency concerns around impacts a series of prohibited uses have been added to Section 2 and runoff control regulations have been added to ensure that all uses in Industrial, Commercial and Comprehensive Development zones do not have an impact on groundwater. Regulations incorporate best management practices developed based on new Sections of the <i>Local Government Act</i>
Nuisance Regulations	<ul style="list-style-type: none"> In addition to fuel storage restrictions, the development patterns and all structures on properties should meet BC Fire Code Restricting storage of tires is too intrusive and not appropriate due to the needs of agricultural operations Others felt that restricting tire storage is an appropriate regulation Regulations that prohibit storage of unlicensed vehicles to a maximum of 3 is too restrictive and the most common suggestion was 5 unlicensed vehicles or no limit. Seasonal commercial vehicle should be exempt from restriction 	<ul style="list-style-type: none"> Section could allow for large propane or fuel storage, prohibit the use - Parksville 	<ul style="list-style-type: none"> During the OCP, the community has not considered bulk fuel storage a negative issue and there was no direction to limit the zoning of these uses. Recognizing the potential for impact, the Section has been amended to include fuel storage regulations that prohibit underground storage of potential contaminants and containment regulations In order to ensure Fire Code is met, Building Inspection would be required and the community has clearly indicated that building inspection is not required. Leave regulations as proposed in Section Tires are often as a component of the agricultural industry in relatively large numbers, due to concerns expressed by community and relatively low risk, regulations have been deleted, where outdoor storage of old and unused tires is identified as trash or refuse and do pose an environmental risk, the storage will be regulated through Section 2 - Prohibited Uses Outdoor storage of derelict vehicles has been identified as a significant environmental issue and the intent of this regulation is to prohibit large-scale storage of unroadworthy vehicles. Given the nature of vehicle use in the community Section has been amended to a limit of 5 unlicensed vehicles and also amended to clearly state that farm vehicles are exempt from regulation
Temporary Accommodation of Seasonal Farm Workers	<ul style="list-style-type: none"> There are a number of farm uses on ALR land that produce seasonal festive products and due to the nature of production, require temporary accommodation 	<ul style="list-style-type: none"> LRC regulations allow for this, no need to reiterate this in the Bylaw, practice has been abused in other jurisdictions - Parksville 	<ul style="list-style-type: none"> The potential for abuse of this provision has been demonstrated in other Regional Districts, where multiple dwellings have been installed without adequate septic facilities. Delete regulation due to potential for abuse and defer to ALR regulations to allow for this farm use
Watercourse Setbacks		<ul style="list-style-type: none"> Bylaw should include building elevations for floodplains and could watercourse setbacks be relaxed with a geotechnical report - Oceanside Development & Construction Association 	<ul style="list-style-type: none"> Bylaw has not been amended to include building flood elevation regulations as there is no building inspection proposed for this area that would address floodplain regulation issues Application for variances can be accepted but the purpose for watercourse setbacks is streamside protection that is independent of geotechnical issues
Use Specific Setback Requirements	<ul style="list-style-type: none"> Specific uses should have setback requirements due to externalities like noise and dust, key uses identified include Kennels, Temporary Sawmills and Primary Mineral Processing 		<ul style="list-style-type: none"> Due to the offsite impacts of these uses and the history of community concern with these uses throughout the rural and ALR/FLR areas, Bylaw has been amended to include minimum setbacks for these specific uses
Setback & Lot Coverage Exemptions	<ul style="list-style-type: none"> Buildings and structures exempt from setbacks under Section should meet 		<ul style="list-style-type: none"> Section has been amended to require that structures must meet watercourse setbacks to be exempt from lot line



**Electoral Area 'F' Planning Project
Electoral Area 'F' Zoning and Subdivision Bylaw
Zoning Implications Recommendation Matrix**

Issue	Public Comments	Agency Comments	Staff Recommendation
Bylaw establishes various buildings, structures or uses exempt from setback and lot coverage provisions	<ul style="list-style-type: none"> watercourse setbacks All fences should be exempt from setback regardless of height 		setback requirements <ul style="list-style-type: none"> Leave fence regulations as proposed due to potential impacts on adjacent properties If a fence is moved back outside of side lot line setback the maximum height is dictated in each zone ranging from 9 to 15 m
Signage Regulations Bylaw includes limitations on the size, number and type of signs by Zone	<ul style="list-style-type: none"> Received comments that Residents don't want a 'Sign Bylaw' but proposed regulations aren't too restrictive Some felt that third party signs on parcels (outside of the ALR) should be ok and some felt that there was no need for any regulations 	<ul style="list-style-type: none"> Signage regulations are too permissive and should be included in separate Bylaw - Parksville 	<ul style="list-style-type: none"> Significant comments have been received regarding signage regulations and proposed zoning regulations balance individual commercial requirements with visual impact and safety concerns Based on consultation, regulations have been amended as follows <ul style="list-style-type: none"> Amend Table 2 1 to allow for 1 sign per lot in R, FR, MHP, P, W zones at a max of 1 5 m², amend signage for MU, RC, CD to 1 freestanding sign per lot not exceeding 3 m² and 1 sign per business not exceeding 3 m², amend Signage for C, I, T zones to 1 freestanding sign per lot not exceeding 15 m² and 1 sign per business not exceeding 3 m² Amend regulations to clearly state that farm business and forestry operations signs are exempt from signage regulations and that signs advertising institutional or public uses can be located on any lot to a maximum of 3 m²
Home Based Business	<ul style="list-style-type: none"> Received numerous comments regarding Section including <ul style="list-style-type: none"> There should be no limit to non-resident employees Residents said most existing HBB's are much larger than 150 m² (up to 450 m²) and due to large parcel sizes in the area impact of HBB is minimal "Recycling" should prohibit only large scale materials/waste recycling Rentals of outdoor recreation equipment should be limited to non-motorized vehicles 	<ul style="list-style-type: none"> Received comments that HBB regulations are broad and may need to include more restrictions on uses - Qualicum Received comments that HBB regulations are broad and may need to include more restrictions on uses - Parksville Provision for "processing of goods" is open to abuse, no definition of "goods", regulations would allow for rentals of motorized outdoor equipment and sales of related goods which may include such things as RV's - Parksville 	<ul style="list-style-type: none"> HBB in Area 'F' typically involve large floor area uses with outdoor storage requirements but with few non-resident employees Recognizing this, regulations are amended to increase maximum size regulations to 400 m² including all outdoor storage of materials The section is amended to restrict the processing of goods by prohibiting chemical processing petrochemical distribution, preservation and chemical treatment of wood products in the interest of public safety and the potential for groundwater contamination Where established rural commercial and industrial parcels with non-resident employees have been identified, Comprehensive Development (CD) zones have been drafted to narrowly define uses and recognize existing businesses
Parking	<ul style="list-style-type: none"> Required parking for Schools is to large and should be reduced to recognize temporary parking Required parking for recreation facility should be based on seating or assembly area 	<ul style="list-style-type: none"> Bylaw could allow offsite parking provisions which could be abused to increase density - Parksville Section should be amended to reference meeting Ministry of Transportation standards for parking and access - MoT 	<ul style="list-style-type: none"> Offsite parking regulations were initially proposed to provide flexibility for commercial/industrial developments to provide safe and adequate parking Given the large size of vacant or underdeveloped commercial/industrial parcels, providing parking on site is not an important issue Off-site parking provisions are not required and have been removed from the Bylaw In reviewing engineering standards for parking research indicates that Table 2 2 should be amended to require one parking space per 5 m² of assembly area or 1 per 3 spectator seats whichever is greater for Recreation Facilities and two parking space per classroom for Schools
Section 4 - Zones			
A-1 Agriculture Zone applies to all Agricultural Land Reserve properties	<ul style="list-style-type: none"> Zone should have a setback provision for kennel, primary processing, and temporary sawmill of 30 m for all A-1 lands that abut R-1 and R-2 There should be setback provision on all R-1 and R-2 lands that abut A-1 zone of a minimum of 10 m 	<ul style="list-style-type: none"> Definition of Agri-tourism and Agri tourism accommodation should limit the creation of large scale hotels - Parksville 	<ul style="list-style-type: none"> All land zoned A-1 in the proposed Bylaw is located in the ALR and as such are subject to existing ALR regulations and Right to Farm legislation It is the RDN's intention to zone these lands in accordance with ALR regulations and rely on the Land Reserve Commission and Ministry of Agriculture to interpret what constitutes a farm or agricultural use



Electoral Area 'F' Planning Project
Electoral Area 'F' Zoning and Subdivision Bylaw
Zoning Implications Recommendation Matrix

Issue	Public Comments	Agency Comments	Staff Recommendation
	<ul style="list-style-type: none"> A-1 zone should not be applied to ALR land, an additional level of regulation is not required and land use regulations are already in place Received comments that all land in the ALR in Area 'F' should be removed from the land reserve due to poor soils Received comments that the minimum parcel size for land zoned A-1 should be 2 ha 	<p>hotels – Parksville</p> <ul style="list-style-type: none"> Temporary Sawmill should be deleted as a permitted use in this zone and regulated using a temporary use permit - Parksville 	<ul style="list-style-type: none"> This zone has been drafted to mirror permitted uses in the ALR and the permitted uses in the zone includes a statement that any use deemed to be farm or agriculture related will be permitted in the zone. The intent is to recognize the mandate of the LRC and use the zoning to support agriculture in Area 'F', including Agri-tourism, Accommodation and Kennels Due to off-site impacts specific setbacks for sawmill, kennel and primary mineral processing have been included in Section 2 – General Regulations Minimum parcel sizes for the Area 'F' Zoning Bylaw were established based on the OCP and as a result the minimum parcel size for all A-1 lands has been maintained at 4 ha
<p>R-1 Rural Zone applies to lands not in ALR or FLR and are generally 2 ha in size</p>	<ul style="list-style-type: none"> Feedback from residents indicates that there are a diverse light industrial and resource processing activities that take place on R-1 lands. Most of these uses are concentrated in the Chatsworth area Allowing the natural resource uses throughout the rural zoned lands may have a negative impact on the rural character of the community Primary processing, temporary sawmill and kennel should be removed from R-1 Proposed density and parcel size regulations are consistent with rural area but maximum of 2 dwellings per parcel was too restrictive and that the zone should allow for 1 dwelling per 1 ha 	<ul style="list-style-type: none"> Temporary Sawmill should be deleted as a permitted use in this zone and regulated using a temporary use permit - Parksville 	<ul style="list-style-type: none"> Based on input received the R-1 zone includes a range of uses that have off-site impacts which may have a negative impact on the rural character of the area. Public input indicated that some of the resource uses should be restricted, while ensuring that where resource uses currently exist they are recognized. As a result the Bylaw has been amended to <ul style="list-style-type: none"> Create the MU-1 Chatsworth Resource zone that will recognize the existing uses in this isolated area and allow for all of residential uses as well as, Primary Mineral Processing, Concrete/Asphalt Batch Plants, and Wood Processing Remove Primary Mineral Processing, Temporary Sawmill and Kennel from the R-1 Rural zone as permitted uses because these are not primary activities throughout the electoral area. Existing kennels will be recognized through site specific zoning and all new kennel development will be directed to ALR land with specific setbacks outlined in the Bylaw to address off-site impacts. Temporary Sawmills will be regulated using Temporary Use Permits to ensure that the use is confined to clearing and processing wood from the parcel Amend R-1 zone to allow for 1 dwelling unit on parcels 2 ha or less and 2 dwelling units on lots 2 ha and greater as outlined in the Area 'F' OCP
<p>R-2 Rural Residential Zone applies large lot residential areas generally 1 ha in size</p>	<ul style="list-style-type: none"> 1 Dwelling per lot is too restrictive. Based on input and discussions with the Health Unit, there are a large number of parcels with more than two dwellings that are zoned R-2 with valid health permits Community would like to see 1 Dwelling Unit per 1 ha The R-2 zone applied to the Englishman River Estates area is inconsistent with OCP policies and should be zoned R-1 The R-2 zone does not meet the broad range of existing uses for a number of parcels in the Price Road area and the proposed zoning should be amended to recognize these uses. Uses in this area include marshalling yards, light manufacturing, storage and product assembly and have been developed with consideration for the neighbourhood The developer of Qualicum River Estates is requesting that the proposed R-2 zoning for the area be amended to 2 dwellings per 1 ha to reflect the existing building scheme and ground disposal capability 	<ul style="list-style-type: none"> R-2 zone should allow for 2 dwellings per lot and in areas such as Qualicum River Estates with good percolation rates the density could be increased to 2 dwellings per 1 ha – Oceanside Development & Construction Association 	<ul style="list-style-type: none"> Based on input received, the R-2 zone reflects to a large degree the mix of uses and densities in the rural residential areas however some amendments to the zone are required including <ul style="list-style-type: none"> The proposed restriction of 1 dwelling per parcel does not reflect existing development patterns, Health Unit approvals for septic permits and is not mandated by the OCP. As a result, the R-2 zone has been amended to restrict density to one dwelling per 1 ha with no maximum Creating a series of Comprehensive Development (CD) zones to recognize existing commercial and industrial uses located throughout the R-2 lands. The CD zones narrowly define uses and establishes setback and density standards for uses in relation to the size of the parcel and impacts on adjacent residential properties In the Qualicum River Estates area, the R-2 zoning which is consistent with the OCP will be applied as proposed. The potential environmental and traffic impacts with increased densities that the developer proposes would put pressure on transportation linkages and densities at 2 dwellings per 1 ha have the potential for cumulative negative impacts on groundwater Amend zoning map to change the Englishman River area to R-1 zoning consistent with Area 'F' OCP
<p>C-1 Commercial</p>	<ul style="list-style-type: none"> Zone does not allow for a mix of residential, manufacturing and commercial uses in one building. Based on input received from the community, the opportunity for 'Live-Work' arrangements is a significant issue for small business owners and it is important for these areas to continue to provide this mix provided there is proper septic permits in place Existing business has asked to add gasoline service stations as a permitted use to the C-1 zone 		<ul style="list-style-type: none"> During the consultation process, residents indicated that there are a number of existing uses on commercial parcels that serve local needs that should be included in the C-1 zone, the zone will be amended to add dwelling unit to provide for live/work arrangements and gasoline service station to recognize existing fuel sales and repair and servicing of vehicles
<p>C-2 Commercial</p>	<ul style="list-style-type: none"> Gasoline service station as a permitted use should be limited to fuel sales only no repair 		<ul style="list-style-type: none"> Originally the Tourist Commercial zone has been applied to a relatively small number of parcels as outlined in the OCP. Input received suggested that those parcels that are not dependent on vehicle traffic and highway



**Electoral Area 'F' Planning Project
Electoral Area 'F' Zoning and Subdivision Bylaw
Zoning Implications Recommendation Matrix**

Issue	Public Comments	Agency Comments	Staff Recommendation
	<ul style="list-style-type: none"> Maximum number of camping spaces (50) should be removed Permitted use 'fairground' should be changed to "amusement park" to recognize the commercial nature of the use in the C-2 zone For some parcels zoned C-2 the uses are too broad and may have a negative impact on adjacent residential parcels Request from a landowner to draft a specific zone for a Recreational Vehicle Park similar to Spider Lake RV Resort 		<p>exposure, do not require the broad range of uses outlined in the C-2 zone and some new zones should be created to provide strictly for tourist accommodation uses. The Bylaw has been amended to add the C-4 Commercial and Recreation (RC) zones</p> <ul style="list-style-type: none"> The C-4 zone has been applied to tourist commercial parcels located outside the Village Centres and will not have access to community services and the RC zones are narrowly focused on established accommodation and recreation uses in rural or isolated parcels In the C-2 zone, parcels are presently developed with existing uses including gas stations that provide repair services. These parcels provide essential services to the area and any potential environmental impacts are addressed in Section 2 - General Regulations. Permitted uses will not be amended in the C-2 zone The Bylaw has been amended for the C-2 and C-4 zone to substitute Tourist Accommodation for campground to allow for all forms of accommodation including hotel, motel, cabins and camping/RV sites. The Health Unit regulations limit the maximum number of units without a community water system to 50 and as a result the maximum unit restriction for these zones has been maintained at 25 units per ha to a maximum of 50 units per parcel Change Fairground as a permitted use in C-2 to Amusement Park and include a new definition for fairground to establish it as a community recreational and exhibition type use Staff, in consultation with landowner amended Bylaw to include RC-1, Recreation-1 to accommodate RV Resort on Errington Road that is identified as a tourist commercial area in the OCP, adjacent to Englishman River Provincial Park
C-3 Commercial	<ul style="list-style-type: none"> The size of development, density and permitted uses are broad enough to recognize existing uses Landowners in the C-3 zone commented that the 'cap' on the size of commercial development, especially the undeveloped areas, will provide sufficient restrictions on future development, with no services and lack of exposure to the Vancouver Island Highway Lumber remanufacture currently occurs as part of existing commercial developments in C-3 zoned lands and this use should be recognized in zone or permitted on site specific basis, the use would not involve raw log milling, and processing takes place inside buildings 	<ul style="list-style-type: none"> C-3 zone is too broad and should be separated into several zones to regulate uses and provide limits to scope of activities - Parksville 	<ul style="list-style-type: none"> The C-3 zone was drafted to accommodate the broad range of existing uses developed on properties in the village centres and rural separation boundary area. As such the uses are very broad and are designed to limit non-conformity. The majority of parcels in the C-3 zone are fully developed. The proposed zone represents the terms of reference for this project to avoid non conformity the zone however, the intent of the zone was not to provide unlimited development potential for vacant parcels with no review of traffic and environmental implications Recognizing the development attributes and largely vacant nature of the parcels in the Shearman and Schafers Road area and the need to provide for a future road link that would increase the development potential for the area, a zoning division has been made along the potential alignment of this link with C-3 zoning along the Alberni Highway and R 3 mixed residential zoning to the south. The zoning boundary creates a series of approximately 1 ha parcels that would have full commercial zoning and provide for a mix of residential and commercial uses in this portion of the node in keeping with the Growth Management Plan Based on input and use surveys, value added lumber remanufacturing is not a prevalent use in the C-3 zoned lands and as a result, site specific zoning to accommodate this use has been applied to appropriate parcels
4 10 I-1 General Industrial	<ul style="list-style-type: none"> The potential impact of proposed industrial uses in the Church Road area on groundwater, comments that there should be regulations to protect against contamination from industrial uses in the area 	<ul style="list-style-type: none"> I-1 zone is too broad and should be separated into several zones to regulate uses and provide limits to scope of activities - Parksville Industrial Lands are located above the aquifer recharge area for City's groundwater source and there is the potential for contamination by industrial uses Industrial development should have no negative impact on groundwater - 	<ul style="list-style-type: none"> The Growth Management Plan and the OCP both designate the Church Road area as a regional industrial area and as such, Industrial Zoning is both required by these plans and based on available engineering/hydrogeological studies, industrial uses are appropriate for this area The proposed industrial zone was designed to accommodate existing industrial users in the area and to respond to development plans for industrial landowners During the consultation process adjacent municipalities and residents raised the issue of groundwater protection and the potential impact that industrial uses may have on recharge areas Engineering studies undertaken to assess the aquifer vulnerability indicates that recharge areas and aquifers are not at risk to contamination from industrial development Based on this input and consultation with the owner of the majority of vacant industrial lands the draft has been amended to include three industrial zones in the area each designed to address existing and proposed uses I-1 Industrial Park zone has been applied to the lands west of Church Road (including the Quality Foods Warehouse) in response to specific development requirements/regulations requested by the landowner which also reflects the OCP direction for the area



Electoral Area 'F' Planning Project
Electoral Area 'F' Zoning and Subdivision Bylaw
Zoning Implications Recommendation Matrix

Issue	Public Comments	Agency Comments	Staff Recommendation
		CVIHU	<ul style="list-style-type: none"> • I-2 General Industrial zone has been applied to existing industrial developments on land east of Church Road (and Long Ho Sawmill) that is largely developed with moderate industrial uses with large outdoor storage requirements in keeping with the OCP direction for the area • I-3 Resource Industrial has been applied to Crown Gravel Resource parcels and existing aggregate processing parcels This zone permits extraction, processing and asphalt/concrete batch plants which is in keeping with the OCP resource policies • Given Groundwater concerns the Bylaw has been amended to prohibit a range of chemical uses and food/seafood processing in all industrial zones, included stormwater and runoff control provisions in the zoning regulations and prohibited the underground storage of potential groundwater contaminants
4.11 S-1 Salvage and Wrecking	<ul style="list-style-type: none"> • A separate zone for salvage and auto wrecking uses is appropriate • Accessory retail sales is an essential part of the salvage and wrecking business and should be added as a permitted use to the zone 	<ul style="list-style-type: none"> • S-1 zone should include outdoor storage setbacks, buffering and landscaping provisions - Parksville 	<ul style="list-style-type: none"> • The nature of the Auto Salvage industry requires accessory retail sales and based on consultation with industry reps, Staff have added this permitted use to the S-1 zone • During the OCP process the community had strong opinions about landscaping and buffering requirements and as a result no amendments have been included for these provisions
4.12 T-1 Institutional Community Facility	<ul style="list-style-type: none"> • Residents and various community fair associations indicated that a number of uses should be added to the zone to address existing uses including temporary outdoor flea market, farmers market, recreation facility and fairground • Accessory dwelling units for site caretakers is important for security 		<ul style="list-style-type: none"> • Based on the feedback received from the public regarding existing uses on public and institutional parcels, public market, recreation facility and fairground have been added as permitted uses in the T-1 zone
4.13 P-1 Parks and Open Space	<ul style="list-style-type: none"> • Some uses should be added to the zone to recognize public uses including farmers market and recreation facility 		<ul style="list-style-type: none"> • Active recreation facilities are an important issue for area residents and based on ongoing community initiatives recreation facility has been added as a permitted use to the P-1 zone
Comprehensive Development Zones	<ul style="list-style-type: none"> • Issue of parcels that do not fit into the proposed zones due to a mix of types of uses and their location in the electoral area Key parcels that were addressed during the public consultation process are outlined in the cells below 		<ul style="list-style-type: none"> • Using the OCP criteria, the CD zones for these parcels have been drafted to only recognize the existing uses and limits the development of additional uses that may have a negative impact on adjacent properties
CD-1 1805 Church Road	<ul style="list-style-type: none"> • Heavy equipment salvage business with outdoor storage and sales of heavy equipment and parts 	<ul style="list-style-type: none"> • Heavy equipment salvage operation in this area may have a negative impact on groundwater - Parksville 	<ul style="list-style-type: none"> • The subject parcel is located outside the rural separation boundary and as a result, it has not been zoned industrial in keeping with the OCP and RGMP criteria but the use is in the process of being developed and the heavy equipment salvage business has started to relocate to the site It is expected that this parcel will be developed and the use in place prior to the adoption of the Zoning
CD-2 1480 & 1490 Grafton Road	<ul style="list-style-type: none"> • Sawmill, including wood processing, outdoor storage, office and accessory dwelling unit • Received a number of comments that this use was extremely noisy and has negative traffic impacts on adjacent parcels 		<ul style="list-style-type: none"> • The Errington Sawmill is a long standing use and is located on former ALR land that was specifically excluded to allow for a sawmill The subject parcel is located inside the Errington Village Centre established by the OCP but this parcel has been the subject of much debate in the community Area residents have raised issues such as noise traffic and proximity to the Errington School Since the adoption of the OCP the Errington School has relocated which has removed a direct land use conflict for the subject parcel This CD zone represents a compromise that recognizes the existing use and limits the development of additional uses that may have a negative impact on adjacent properties
CD-3 817 Allsbrook Road	<ul style="list-style-type: none"> • C-3 zoning is not appropriate for residential parcels located at the eastern end of Allsbrook Road Residents feel that a landscaping business that has relocated to a parcel in the area is inappropriate due to off-site noise and dust impacts and that this parcel should be zoned non-conforming 		<ul style="list-style-type: none"> • RDN staff met with both area residents and the landowner to discuss proposed zoning for this area and the First Choice Landscaping site in particular Residents indicated that this use is not appropriate for the area and it should not have conforming zoning The landowner outlined the nature of the operation, location of storage areas and provided the RDN with a soil analysis of the current site indicating that there is no leaching of contaminants into the soil The landowner feels that his parcels should have no less than full commercial zoning • Based on meetings with area residents, landowners and information from appropriate agencies, the proposed zoning has been amended in the Allsbrook Road area to R-3 from C-3 to recognize existing residential parcels Using the OCP criteria a CD zone for the First Choice Landscaping parcel has been drafted to only recognize the existing uses and limits the development of additional uses that may have a negative impact on adjacent properties
CD-4 1271 Kopernick Road	<ul style="list-style-type: none"> • Saw sharpening use including service and repair, office and accessory dwelling 		<ul style="list-style-type: none"> • Wheaton Industrial Saws is an established light industrial service and repair business located on Kopernick Road



Electoral Area 'F' Planning Project
Electoral Area 'F' Zoning and Subdivision Bylaw
Zoning Implications Recommendation Matrix

Issue	Public Comments	Agency Comments	Staff Recommendation
	<ul style="list-style-type: none"> Received a number of comments that this use was extremely noisy, waste products of the servicing process are dangerous and the use has negative traffic impacts on adjacent parcels 		<ul style="list-style-type: none"> in Errington that is fully developed This use is larger than a HBB, there is no single residential dwelling on the parcel and the business employs a number of non resident employees The parcel is located in a large lot rural residential area and the land is designated Rural in the OCP This parcel has been the subject of much debate in the community and the Regional Board along with RDN staff have received presentations and written submissions regarding the negative impacts of this use on the surrounding properties
CD-5 1420 Romain Road	<ul style="list-style-type: none"> Electrical contracting yard including marshallng, service and repair, and outdoor storage 		<ul style="list-style-type: none"> Addy Power is an established commercial/light industrial property that includes marshallng, repair and outdoor storage of utility and power equipment This use is larger than a HBB and employs a number of non-resident employees and as such would not fit within HBB regulations in Section 2 of the Bylaw The parcel is located in a large lot rural residential area and is designated Rural Residential in the OCP
CD-6 1096 Errington Road	<ul style="list-style-type: none"> Highway transport marshallng yard including outdoor storage 		<ul style="list-style-type: none"> An established marshallng yard is located at 1096 Errington Road that includes marshallng, repair and outdoor storage of trucks and wood products This use is larger than a HBB and employs a number of non-resident employees and as such would not fit within HBB regulations in Section 2 of the Bylaw The parcel is located in a rural residential area and is designated Rural Residential in the OCP
CD-7 1260 Fair Road	<ul style="list-style-type: none"> Light industrial strip mall with accessory office, service and repair and warehousing 		<ul style="list-style-type: none"> An established light industrial strip mall is located at 1260 Fair Road that includes fabrication shops, offices, service and repair facilities and warehousing/wholesaling The parcel is located in a rural residential area and is designated Rural Residential in the OCP
CD-8 1480 Romain Road	<ul style="list-style-type: none"> RDN staff visited the site and spoke with the landowner at the Area 'F' Site Office regarding uses on the property and landowner indicated that the cedar remanufacturing plant would be consolidated onto this property from Nanoose 		<ul style="list-style-type: none"> A cedar lumber remanufacturing plant is currently located at 1480 Romain Road that includes a dwelling unit, sawmill, accessory offices and outdoor storage The landowner is consolidating his two facilities to this parcel located in Area 'F' The parcel is located in a rural residential area and is designated Rural Residential in the OCP
CD-9 1096 & 1102 Smithers Road	<ul style="list-style-type: none"> Marshallng and equipment rental, service and repair, dwelling unit, accessory offices and outdoor storage 		<ul style="list-style-type: none"> A range of light industrial uses are developed on 1096 & 1102 Smithers Road that includes a dwelling unit, marshallng and equipment rental, service and repair, accessory offices and outdoor storage The parcel is located in a rural residential area and is designated Rural Residential in the OCP
CD-10 1160 Smithers Road	<ul style="list-style-type: none"> Service and repair, dwelling unit and outdoor storage 		<ul style="list-style-type: none"> A range of light industrial uses are developed on 1160 Smithers Road that includes a dwelling unit, service and repair and outdoor storage The parcel is located in a rural residential area and is designated Rural Residential in the OCP
CD-11 1225 Fair Road	<ul style="list-style-type: none"> Dwelling unit, service and repair, wood processing and product assembly 		<ul style="list-style-type: none"> A range of light industrial uses are developed on 1225 Fair Road that includes a dwelling unit, service and repair, wood processing and product assembly The parcel is located in a rural residential area and is designated Rural Residential in the OCP
Section 6 – Subdivision Regulations			
Community Water/Sewer Utility Definition	<ul style="list-style-type: none"> The draft Bylaw requires that all new sewer and water systems created in Area 'F' must be RDN or local government owned, operated and maintained During the consultation there have been some comments that this regulation is not appropriate and too restrictive 	<ul style="list-style-type: none"> In lieu of Community Water and Sewer services, could package treatment provisions be used in Village Centres to achieve increased densities - Oceanside Development & Construction Association 	<ul style="list-style-type: none"> Based on directives from the Province regarding water/sewer utility development and the costs associated with the RDN assuming responsibility for upgrading, maintaining and operating these private utilities when they fail, the Bylaw regulations have been written to address these concerns The Regional Growth Strategy has spoken specifically to package treatment systems and it is RDN policy to not approve this method of servicing due to longterm maintenance/operational costs as well as density impacts In keeping with the Growth Strategy policies, package treatment will not be considered as appropriate for increased densities for parcels in Village Centres
6.12 Density Averaging		<ul style="list-style-type: none"> Density Averaging provisions in the Bylaw should be amended to allow for more flexibility and to allow for more creative 	<ul style="list-style-type: none"> During the OCP process conventional large lot rural subdivision has been identified as the preferred pattern of development by this community and the grid layout of parcels in the electoral area, combined with relatively flat topography does not require that extensive parcel averaging take place Given the community's preferences regarding subdivision, a moratorium was placed on frontage relaxation and the frontage requirements have been drafted to recognize average frontages for 1 and 2 ha parcels, amendments have not been made to parcel



Electoral Area 'F' Planning Project
Electoral Area 'F' Zoning and Subdivision Bylaw
Zoning Implications Recommendation Matrix

Issue	Public Comments	Agency Comments	Staff Recommendation
		subdivision design, environmental protection and rural integrity identified in OCP - Oceanside Development & Construction Association	averaging regulations

ATTACHMENT NO. 9

Attachment No. 9 can be viewed at the RDN Homepage