

**REGIONAL DISTRICT OF NANAIMO**

**ELECTORAL AREA PLANNING COMMITTEE**

**TUESDAY, APRIL 8, 2008**

**6:00 PM**

***(RDN Board Chambers)***

**A G E N D A**

**PAGES**

**CALL TO ORDER**

**DELEGATIONS**

**MINUTES**

- 3-5 Minutes from the regular meeting of the Electoral Area Planning Committee held March 11, 2008.

**BUSINESS ARISING FROM THE MINUTES**

**COMMUNICATIONS/CORRESPONDENCE**

**PLANNING**

***DEVELOPMENT PERMIT APPLICATIONS***

- 6-20 Development Permit Application No. 60730 and Request for Acceptance of a Combination of Park Land and Cash in-lieu-of Park Land – Fern Road Consulting Ltd., on behalf of Pardiak – Adjacent to Gainsberg and Pearl Roads – Area ‘H’.
- 21-27 Development Permit Application No. 60812 and Request for Relaxation – M. Wilson on behalf of Gilchrist – 1458 Raines Road – Area ‘A’.
- 28-41 Development Permit Application No. 60815 – Henn – 4307 Eva Road – Area ‘H’.

***OTHER***

- 42-99 Electoral Area ‘G’ Official Community Plan – Bylaw No. 1540, 2008.
- 100-134 Electoral Area ‘A’ Official Community Plan Land Inventory Results. (Questionnaire Results included as a separate enclosure)

**ADDENDUM**

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**NEW BUSINESS**

**ADJOURNMENT**

## **REGIONAL DISTRICT OF NANAIMO**

### **MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE MEETING HELD ON TUESDAY, MARCH 11, 2008, AT 6:00 PM IN THE RDN BOARD CHAMBERS**

#### **Present:**

Director D. Bartram	Chairperson
Director J. Burnett	Electoral Area A
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director J. Stanhope	Electoral Area G

#### **Also in Attendance:**

M. Pearce	Senior Manager, Corporate Administration
P. Thorkelsson	General Manager, Development Services
G. Garbutt	Manager, Current Planning
N. Tonn	Recording Secretary

#### **MINUTES**

MOVED Director Biggemann, SECONDED Director Young, that the minutes of the Electoral Area Planning Committee meeting held February 12, 2008 be adopted.

CARRIED

#### **COMMUNICATIONS/CORRESPONDENCE**

**P. & C. Roberts, re Electoral Area 'G' Official Community Plan.**

MOVED Director Stanhope, SECONDED Director Burnett, that the correspondence from P. & C. Roberts regarding their response to a letter dated November 29, 2007 from the Chairperson with respect to the Electoral Area 'G' OCP be received.

CARRIED

#### **PLANNING**

##### ***DEVELOPMENT PERMIT APPLICATIONS***

**Development Permit Application No. 60744 – Adjacent to Lions Way and the Island Highway No. 19A – Area 'H'.**

MOVED Director Stanhope, SECONDED Director Holme, that Development Permit Application No. 60744 submitted by Fern Road Consulting Ltd., on behalf of A Dorfer, in conjunction with the subdivision on the parcel legally described as Lot 3, District Lot 20, Newcastle District, Plan 6994, Except That Part in Plan 31190 and designated within the Environmentally Sensitive Features, Fish Habitat and Natural Hazards Development Permit Areas, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

**Development Permit Application No. 60746 – 2180 South Wellington Road – Area ‘A’.**

MOVED Director Burnett, SECONDED Director Young, that Development Permit Application No. 60746 to permit the construction of three additional mini storage buildings on the property legally described as Lot A, Section 11, Range, Cranberry District, Plan VIP76453 be approved subject to the conditions outlined in Schedules No. 1 to 4 of the corresponding staff report.

CARRIED

**Development Permit Application No. 60803 – 3668 Horne Lake Caves Road – Area ‘H’.**

MOVED Director Stanhope, SECONDED Director Holme, that Development Permit Application No. 60803, to permit construction of a residential accessory building with a minimum real lot line setback of 3 metres (10 feet) from the natural boundary of Horne Lake on the subject property located at 3668 Horne Lake Caves Road, be approved.

CARRIED

***DEVELOPMENT PERMIT APPLICATIONS WITH VARIANCE***

**Development Permit Application No. 60804 and Request for 10% Frontage Relaxation – Adjacent to Northwest Bay Road – Area ‘E’.**

Director Holme left the meeting citing a possible conflict of interest as his son works for the applicant’s agent.

MOVED Director Stanhope, SECONDED Director Burnett, that Development Permit Application No. 60804 submitted by JE Anderson, BCLS, on behalf of Timberstone Developments Ltd., in conjunction with the subdivision on the parcel legally described as Lot 1, District Lot 68, Nanoose District, Plan 3940 Except for Part in Plan VIP80339 and designated within the Sensitive Ecosystem Protection, Water Protection and Farm Land Protection Development Permit Areas, be approved subject to the conditions outlined in Schedules No. 1, 2, 3 and 4 of the corresponding staff report and to the notification procedure pursuant to the *Local Government Act*.

CARRIED

MOVED Director Stanhope, SECONDED Director Burnett, that the request for relaxation of the minimum 10% frontage requirement for proposed Lots 14, 15, 16, 19, 20, 21 and 24 be approved.

CARRIED

MOVED Director Stanhope, SECONDED Director Burnett, that staff be directed to meet with the applicant to ensure that subdivision-related issues as outlined in the staff report with respect to proposed Lots 23 and 24 concerning septic disposal, minimum parcel size and status of the two existing wells can be resolved to the satisfaction of the Regional District in conjunction with the subdivision process.

CARRIED

Director Holme returned to the meeting.

***DEVELOPMENT VARIANCE PERMIT APPLICATIONS***

**Development Variance Permit Application No. 90715 – D’Angelo – 335 Butler Avenue – Area ‘G’.**

MOVED Director Stanhope, SECONDED Director Burnett, that Development Variance Permit Application No. 90715, to legalize the siting of an existing accessory building with a minimum front lot line setback of 2.4 m on the subject property legally described as Lot F, District Lot 12, Nanoose District, Plan 30913 located on Butler Avenue, be approved subject to notification procedure pursuant to the *Local Government Act* and that a building permit be obtained.

CARRIED

**Development Variance Permit Application No. 90803 – 3680, 3676 & 3672 Horne Lake Caves Road – Area ‘H’.**

MOVED Director Stanhope, SECONDED Director Burnett, that Development Variance Permit Application No. 90803, to permit the construction of two separate concrete retaining walls with an interior side yard setback of 0 metres, on the subject property legally described as Lots 51, 52 & 53, District Lot 251, Alberni District, Electoral Area ‘H’ located on Horne Lake Caves Road, be approved subject to the conditions outlined in Schedules No. 1 to 3 and the notification requirements of the *Local Government Act*.

CARRIED

**Development Variance Permit Application No. 90805 – 1021 Koskimo Road – Area ‘F’.**

MOVED Director Biggemann, SECONDED Director Burnett, that Development Permit Application No. 90805 submitted by Fern Road Consulting Ltd., on behalf of Peter and Sandra Carr, in conjunction with the subdivision on the parcel legally described as Lot 35, Block 359, Newcastle District, Plan 41094, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report and to the notification requirements pursuant to the *Local Government Act* with respect to the proposed variance.

CARRIED

**NEW BUSINESS**

**Provincial Government News Release on Bill 10.**

The Chairperson noted the recent Provincial news release pertaining to Bill 10, which will have significant implications for local governments in allowing them to adopt bylaws on green buildings, energy and water. Staff are directed to keep the Board updated on implications and opportunities presented by statutory changes resulting from Bill 10.

**ADJOURNMENT**

MOVED Director Stanhope, SECONDED Director Holme, that this meeting terminate.

CARRIED

**TIME: 6:15 PM**

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CHAIRPERSON



CAO APPROVAL		
EAP	✓	APR 18 2008
COW		
MAR 28 2008		
RHD		
BOARD		

## MEMORANDUM

**TO:** Geoff Garbutt  
Manager, Current Planning

**DATE:** March 27, 2008

**FROM:** Susan Cormie  
Senior Planner

**FILE:** 3060 30 60730  
3320 20 27506

**SUBJECT:** Development Permit Application No. 60730 & Request for Acceptance of a Combination of Park Land and Cash in-Lieu-of Park Land  
Fern Road Consulting Ltd., on behalf of P. Pardiac  
Electoral Area 'H' – Gainsberg Road

### PURPOSE

To consider an application for a development permit in conjunction with the creation of a 4-lot subdivision within the Environmentally Sensitive Features Development Permit Area and to consider a request for acceptance of park land dedication and cash in-lieu-of park land on property in the Deep Bay area of Electoral Area 'H'.

### BACKGROUND

The parent parcel, legally described as Lot 17, District Lot 27, Newcastle District, Plan 38181, is located in the Deep Bay area of Electoral Area 'H' adjacent to Gainsberg and Pearl Roads and an unnamed road (*See Attachment No. 4 for location of parent parcel*).

Surrounding lands uses include Gainsberg Road and residentially zoned parcels to the north; residentially zoned parcels, Pearl Road, and a community park land to the east and south; residentially zoned parcels to the west; and the E&N Railway Corridor to the south. A 6.0 metre wide dedicated lane separates the parent parcel. This lane, which is not built, connects Gainsberg and Pearl Roads and contains a storm water ditch.

The parent parcel, which currently supports an accessory shop building, is situated outside of an RDN Building Services Area.

The property, which total 4.28 ha in size, is currently zoned Residential 2 (RS2) and is within Subdivision District 'M' (*2000 m<sup>2</sup> minimum parcel size with community water service connections*) pursuant to the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". As all the parcels are proposed to be greater than 2000 m<sup>2</sup> in size with community water service, the minimum parcel sizes will be able to be met.

The parent parcel is designated within the following development permit areas pursuant to the Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003:

- Environmentally Sensitive Features Development Permit Area in this case for the protection of the aquifer; and

- Fish Habitat Protection Development Permit Area for the purposes of protecting riparian areas and for the protection of fish habitat. The subdivision application will meet the exemption provisions of the development permit.

### ***Proposed Development***

The applicant is proposing to construct 4 fee simple lots varying in size from 8001 m<sup>2</sup> to 1.7 ha with community water service connections from Deep Bay Waterworks District and individual septic disposal systems (*see Schedule No. 2 for proposed subdivision layout*). As part of the application submission requirements, the applicant provided a Hydrogeological Impact Assessment prepared by a professional engineer.

### ***Park Land Requirements***

Where an official community plan contains policies and designations respecting the location and type of future parks, the local government may determine whether the owner must provide land or cash or a combination of both. In this case, the OCP specifies that park land dedication may be considered at the time of subdivision subject to meeting the preferred park land criteria set out in the Plan. Pursuant to the *Local Government Act*, the maximum amount of park land that the Regional District may request for this property is 2144 m<sup>2</sup> (5% of the total area).

### ***Park Land Proposal***

The applicants are proposing to dedicate 850 m<sup>2</sup> or 1.98% of the total land area, which consists of a 6.0 metre wide strip next to the unnamed dedicated lane which currently contains a storm water ditch, a farm fence, and an informal foot path. The applicant's agent has indicated that the existing fence would be removed. The remaining 3.02 % is proposed to be given as cash in-lieu-of park land dedication.

The park land proposal was referred to the Electoral Area 'H' Parks and Open Space Advisory Committee on February 15, 2008 and presented at a Public Information Meeting held on March 10, 2008.

## **ALTERNATIVES**

1. To approve Development Permit Application No. 60730, as submitted, subject to the conditions outlined in Schedules No. 1 and 2 and to accept the offer of the combination of park land and cash in-lieu-of park land in the amount and location as set out in Schedule No. 3.
2. To deny the development permit as submitted and provide staff with further direction and to not accept the offer of park land in the amount and location as proposed and instead require the applicant to dedicate 5% park land in a different location.
3. To approve the development permit as submitted, subject to the conditions outlined in Schedules No. 1 and 2 and to not accept the park land proposal as submitted and require the applicant to provide 5% cash-in-lieu of park land.

## **DEVELOPMENT IMPLICATIONS**

### ***Building Implications***

There is an existing shop building on the proposed Remainder of Lot 17. As this is considered an accessory building and there is no principle use on the property, this building is not permitted under the

provisions of Bylaw No. 500, 1987. In order to ensure that bylaw provisions can be met, the building will be required to be removed as part of the subdivision review process (*see Schedule No. 1 outlining Conditions of Approval*).

#### ***Site Servicing Implications***

The applicant has applied for an application for septic disposal approval to the Central Vancouver Island Health Authority.

The Ministry of Transportation is responsible for the storm drainage. As part of the subdivision review process, the Regional Approving Officer will examine the storm water management of the parent parcel and impose conditions of development as required.

The applicant's agent has indicated that community water service will be provided by Deep Bay Water Works District.

#### ***Development Permit / Environmental Implications***

With respect to the development permit guidelines for protection of the aquifer, the submitted Hydrogeological Impact Assessment concludes that the proposed subdivision will represent a low risk of potential environmental impairment to the underlying groundwater aquifer. The report includes a number of recommendations including rainwater runoff being reintroduced to ground to maintain natural ground recharge conditions; new septic systems be sited, investigated, designed, constructed and maintained in accordance with the current BC Sewerage System Regulation; future owners should be made aware of the underlying aquifer, no underground storage tanks for heating oil should be permitted, and low impact development practices should be considered to conserve water and support sustainable development. In order to ensure protection of the aquifer, it is recommended that the development permit conditions of approval include these recommendations (*see Schedule No. 1 for Conditions of Approval*). It is noted that at the time of further subdivision of this property, staff would recommend that the required hydrogeological report include an analysis of these recommendations.

#### ***Official Community Plan Implications***

The Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003 contains park land related policies which stipulate that park land is desirable for community recreation, nature preservation, linear connections, greenbelt, and access to the waterfront. In this case, the applicants are offering park land, which includes providing an opportunity to improve a linear connection. Therefore, the proposed park land meets the preferred criteria set out in the OCP.

#### ***Electoral Area 'H' Parks and Open Space Advisory Committee***

The Electoral Area 'H' Parks and Open Space Advisory Committee supports the combined park land / cash in-lieu-of park land proposal as submitted (*see Attachment No. 1 for Advisory Committee comments*).

### **PUBLIC CONSULTATION IMPLICATIONS**

A Public Information Meeting (PIM) was held on March 10, 2008. Approximately 21 persons attended this meeting. (*see Attachment No. 2 for Minutes of Public Information Meeting*). In addition to the comments received at the PIM, additional correspondence following the PIM has also been received (*see Attachment No. 3 for Correspondence Received Following the Public Information Meeting*).



## **PARK LAND IMPLICATIONS**

Park land related issues raised at the Public Information Meeting included the following:

- concern that the entire 5% provision should be required as dedication rather than cash in-lieu-of park land and suggestion that a strip of land adjacent to the E&N Railway Corridor be included as park land dedication to provide future trail corridor;
- concern that there may be a future erosion problem in the park land due to the existing ditch; and
- need for better public notification, including clearer mapping, for park land related proposals.

Following the PIM, correspondence was received which included the following additional park land related issues:

- Need for a flat, usable park land area for community related events such as picnics; and
- Proposed park land should be three times the width in order to have setbacks from the drainage ditch.

With respect to the suggestion for park land dedication next to the E&N Railway Corridor, it is noted that this Corridor is being proposed as a regional trail as set out in the RDN Regional Parks & Trails Plan 2005 -2015 which identifies the E&N Railway Corridor as a priority for developing a trail through the Region as a commuter, recreational, and tourism route. Therefore, park land next to the E&N Railway Corridor to provide a trail is not required as the adjacent E&N Railway Corridor is identified for this purpose.

With respect to the concern for future erosion from the existing storm drainage ditch, staff recommends that the existing drainage system be located entirely within the road right-of-way and outside of the proposed park land at a minimum of 2.0 metre from the boundary of the proposed park land. This will involve a portion of the drainage ditch being relocated and will require approval from the Ministry of Transportation.

With respect to the comments concerning the need for better notification of park land related proposals, it is noted that as part of the park land acquisition policy, surrounding neighbours to the subject property and members of the POSAC receive detailed correspondence about the proposal. As well, a notice is placed in a local newspaper and on the RDN Web page. If other members of the community, outside of the mailing area, wish additional information, staff would forward the requested information.

With respect to the suggestion for a flat usable park land for holding community events, staff notes that the maximum amount of land that could be required in this case is 2144 m<sup>2</sup>. In order to provide a community park for community related events, RDN Recreation and Parks staff has advised that this amount of park land would not be sufficient to provide a usable park-related area along with other accessory uses such as rest rooms and off-street parking areas. It is also noted that staff reviewed the possibility of increasing the area of the existing park land located adjacent to Pearl Road; however, it was felt that this area was not suitable due to issues with slope and drainage.

With respect to the need for the proposed park land strip to be three times the 6.0 metre width in order to comply with setbacks from the drainage ditch, as the ditch is considered to be storm water drainage only, a setback for a trail is not required. Despite this, staff recommends that the existing drainage be relocated entirely within the road right-of-way to avoid any future encroachment issues (*see Schedule No. 3 - Conditions for Park Land Dedication / Cash in-lieu-of Park Land*).

## **FINANCIAL IMPLICATIONS**

The subject property has an assessed value of \$395,000.00 according to the 2008 assessment. The valuation of the property for the proposed balance of 3.02 % cash-in-lieu of park land charges will be based on a certified appraisal of the land at the time of preliminary subdivision approval (PLA). Therefore, it is anticipated that the appraised market value would result in an approximately \$11,929.00 contribution (based on 3.02 %) to Electoral Area 'H' community parks fund.

## **VOTING**

Electoral Area Directors – one vote, except Electoral Area 'B'.

## **SUMMARY**

This is a subdivision application that involves a development permit and a request to accept a combination of park land and cash in-lieu-of park land dedication for the property located adjacent to Gainsberg and Pearl Roads in the Deep Bay area of Electoral Area 'H'.

The subject property is designated within the Environmentally Sensitive Features Development Permit Area pursuant to the Electoral Area 'H' OCP specifically for the purposes of ensuring protection of the aquifer. The development permit, which includes measures for protection of the aquifer, is consistent with the applicable guidelines concerning protection of the aquifer outlined in the Environmentally Sensitive Features Development Permit Area (*see Schedule No. 1 for Conditions of Development*).

The park land / cash in-lieu-of park land proposal, as submitted by the applicant, was referred to the Electoral Area 'H' Parks and Open Space Advisory Committee (POSAC). The POSAC indicated that it supports this combination of dedication of park land and cash in-lieu-of park land as proposed by the applicant.


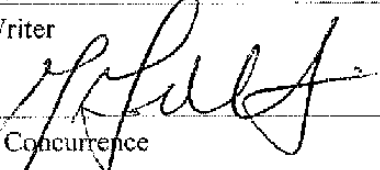
A Public Information Meeting was held on March 10, 2008 with respect to the park land / cash in-lieu-of park land proposal. Park land-related comments included that the entire 5% requirement should be required to be given as park land and suggested that a strip of land be dedicated adjacent to the E&N Railway to allow for a future trail corridor; concern for future erosion in the park land due to the existing ditch; and the need for better notification. Comments received following the PIM included a need for a flat, usable park land area for community-related events and the proposed park land should be three times the width in order to have setbacks from the drainage ditch. Concerning the suggestion for a trail next to the E&N Railway Corridor, staff notes that this corridor is identified as part of the RDN Regional Trail System and therefore this negates the need for additional trail next to the corridor. Concerning the need for a flat, usable park for community events, due to the maximum size of land that may be required (2,144 m<sup>2</sup>) staff feels that this is not a sufficient size to support community-related events and accessory uses such as off-street parking and rest rooms. Staff agrees with the need to ensure the existing drainage is not within the proposed park land and as a result, recommends that the applicant be required to relocate the drainage ditch entirely within the road right-of-way complete with being well setback from the park land boundary (*see Schedule No. 3 for Conditions of Park Land Dedication / Cash in-Lieu-of Park Land*).

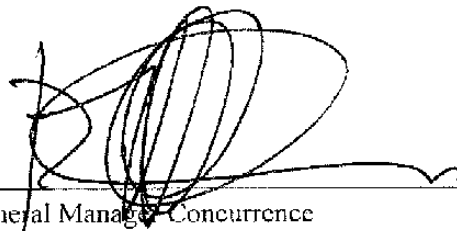
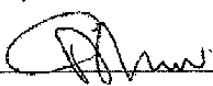
Therefore, given that the Electoral Area 'H' Parks and Open Space Advisory Committee supports the combination of dedication of land / cash in-lieu-of park land as proposed by the applicant and the applicable development permit guidelines will be able to be met, staff recommends Alternative No. 1 to

approve the development permit and to accept the park land proposal as outlined in Schedules No. 1, 2 and 3 of this staff report.

#### RECOMMENDATIONS

1. That Development Permit Application No. 60730 submitted by Fern Road Consulting Ltd., on behalf of P. Pardiac, in conjunction with the subdivision of the parcel legally described as Lot 17, District Lot 27, Newcastle District, Plan 38181 and designated within the Environmentally Sensitive Features, Development Permit Area, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.
2. That the combination of park land and cash in-lieu-of park land proposal, in the amount and location as shown on Schedule No. 2 of the staff report, be accepted subject to the conditions set out in Schedule No. 3 of the staff report.

  
\_\_\_\_\_  
Report Writer  
  
\_\_\_\_\_  
Manager Concurrence  
COMMENTS:

  
\_\_\_\_\_  
General Manager Concurrence  
  
\_\_\_\_\_  
CAO Concurrence

**Schedule No. 1  
Development Permit No. 60730  
Conditions of Development**

The following sets out the conditions of approval in conjunction with Development Permit No. 60730:

**1. Subdivision**

The subdivision of the lands shall be in substantial compliance with Schedule No. 2 (to be attached to and forming part of this Permit).

**2. Hydrological Report / Correspondence**

The recommendations as set out in the Hydrogeological Impact Assessment prepared by EBA Engineering Consultants Ltd. and dated August 8, 2007 shall be followed. Applicants' professional engineer to provide written certification that the recommendations as set out in these reports have been completed.

**4. Protection of Aquifer / Sediment and Erosion Control**

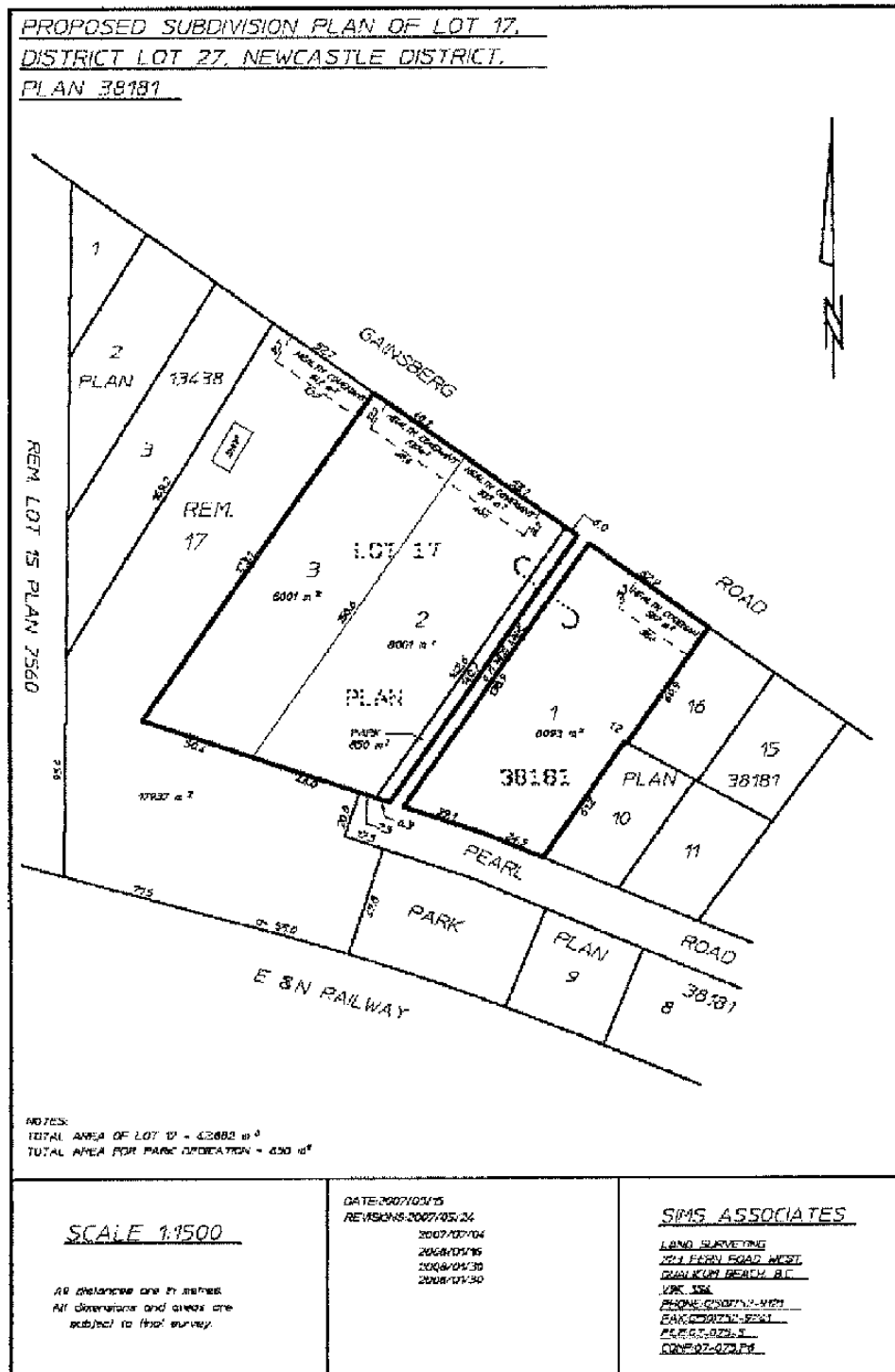
During construction, the following applies:

- a. All machines on site must be in good working order and no fuels, lubricants or construction wastes are permitted to enter the environment.
- b. A spill kit shall be on-site to prevent the introduction of any fuels in the event of a spill. If a spill occurs, the Provincial Emergency Program must be contacted.
- c. As required, sediment and erosion control measures, must be utilized to control sediment during construction and to stabilize the site after construction is complete. These measures must include:
  - i. Tarps, sand bags, poly plastic sheeting and/or filter fabric are required to be onsite during works.
  - ii. Cover temporary fills or soil stock piles with polyethylene or tarps.
  - iii. Exposed soils must be seeded immediately after disturbance. Soil surfaces to be treated should be roughened in advance of seeding.
  - iv. Temporary fences (snow fences) delineating the property boundary adjacent to the RDN park land shall be installed.

**5. Existing Accessory Building**

The existing accessory building, labeled as 'Shop' on Schedule No. 2 is to be removed in order to ensure compliance with the current bylaw provisions.

**Schedule No. 2**  
**Proposed Plan of Subdivision Including Location and Amount of Park Land**



**Schedule No. 3**

**Conditions for Park Land Dedication / Cash in-Lieu-of Park Land**

The following sets out the conditions of approval in conjunction with the provisions of section 941 of the *Local Government Act* for Subdivision File No. 27506:

**1. Area and Location of Park Land**

An area, not less than 850 m<sup>2</sup> as shown in the location labeled Park on Schedule No. 2, shall be dedicated as park land.

**2. Cash in-Lieu-of Park Land**

The applicant shall provide cash in-lieu-of park land equivalent to 3.02% of the land.

**3. Works and Services**

The following works and services are to be completed by the applicant in conjunction with park land as set out below. The applicant is to contact the Recreation and Parks Department for coordinating the park land works prior to commencing.

- a) remove of the existing farm fence and reinstate the land to a safe condition to the satisfaction of the RDN Recreation and Parks Department.
- b) relocate all drainage works to be situated a minimum of 2.0 metre from the west boundary of the existing dedicated road right-of-way (adjacent to the proposed park land); therefore being entirely within the road right-of-way to the satisfaction of the Ministry of Transportation and the RDN Recreation and Parks Department. Approval from the Ministry of Transportation is to be in place prior to commencing these works.

Attachment No. 1  
Excerpt From Minutes of the Electoral Area 'H' Parks & Open Space Advisory  
Committee Meeting

"Motion to accept the proposed as outlined in the Fern Road Consulting in letter dated February 4, 2008." (see correspondence below)

Fern Road Consulting Ltd.

Our File: 07-75-S  
Our File: 01 002 27500

2008-02-04

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

Attention: Geoff Garbutt

Dear Geoff

Rpt Lot 17, District Lot 27, Newcastle District, Plan VTF38181

We have surveyed the locations of the west side of the ditch on the 6 metre Lane as well as the fence and edge of field. The fence is approximately 3 metres west of the lane. The westerly edge of the drainage ditch meanders approximately 0.9 metres into the southerly portion of our clients property and then is contained within the 6 metre wide Lane.

We have discussed the Park requirement with our clients. They are in agreement to dedicate a 6 metre wide Park strip adjacent to the west boundary of the 6 metre wide Lane. They will also move the fence. This dedication would be 1.98% of the required 5%. We would like to propose the remaining 3.02% be cash-in-lieu. The calculations are as follows:

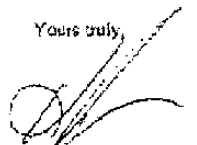
- Area of Site	42,882 sq. m.
- 6 m. wide Park	850 sq. m.
or	1.98%

Could you please take this proposal to the next Parks Committee meeting and then let us know if this is acceptable.

For your reference, we are enclosing revised proposal plan and a detail plan showing locations of fence and ditch.

Thank you for your assistance.

Yours truly,



Helen MacPhail Sims  
HMS:lr  
Enclosures

P.O. Box 405, Qualicum Beach, BC, V9K 1S9  
Tel: (250) 752-9121 Fax: (250) 752-9241  
e-mail: hms@hmsurvey.ca

**Attachment No. 2**

**Minutes of a Public Information Meeting  
Held at the Lighthouse Community Centre  
240 Lion's Way, Qualicum Bay on March 10, 2008 at 7:00 pm  
Subdivision Application No. 27506**

**For the property legally described as Lot 17, District Lot 27, Plan 38181**

*Note: these minutes are not a verbatim recording of the proceedings, but are intended to summarize the comments of those in attendance at the Public Information Meeting.*

**Present:**

Public in attendance: approximately 21 persons

**For the Applicant:**

Helen Sims, agent

**For the RDN:**

Chair: Director David Bartram  
Susan Cormie, Senior Planner

The Chair opened the meeting at 7:00 pm and followed with greetings to the public and an introduction of the staff, the applicants, and their agent.

The Chair stated the purpose of the Public Information Meeting (PIM) and asked the Senior Planner to provide an overview of the statutory provisions as it relates to park land provision.

The Senior Planner provided the statutory provisions and gave an overview of the proposal.

The Chair then asked the applicants' agent to give a summary of the park land proposal.

Helen Sims, the applicant's agent, provided a description of the park land proposal highlighting that the proposal includes a 1.98 % dedication of park next to the existing dedicated lane with the balance being given as cash. Ms. Sims stated that the owners will remove the existing fence.

The Chair then invited comments and questions from the audience with respect to the park land proposal.

Alice Antonelli, 78 Jamieson Road asked how do you arrive at the decision to choose park land if there is no appraisal of the property done first.

The Chairperson provided background information concerning the process and how a decision is arrived at and that the appraisal is completed concurrently with the subdivision process at preliminary approval stage.

Patty Biro, 180 Crome Point Road, explained that she is a member of the Electoral Area H Parks and Open Space Committee and the proposed park land will provide a link to Deep Bay Creek, the railway corridor, and Pearl Road Park. Ms. Biro explained that there is an existing trail being maintained by the neighbour and this proposed park land will allow for the widening of the trail.

Alice Antonelli commented that there decisions are being made for the future generations and asked about disposition of park land.

The Senior Planner explained that the disposition of park land is not common.

Tom Plensky, 5484 Deep Bay Drive, confirmed that there is a process to dispose of park land.



The Senior Planner agreed that there is a formal process for disposing of park land which involves a public consultation process.

George Dussault, 5327 Gainsberg Road, commented that park land is always the left over piece of land and asked about expanding the existing park land. George also commented that there may be an erosion problem next to the creek.

Dianne Eddy, 5058 Longview Drive, commented that more information is needed to be published in order for the public to review the proposal. Ms. Eddy suggested that taking land instead of money is a better investment and suggested extending a strip along the railway line for a future walkway to provide a connection to Deep Bay Creek and other trails. Ms. Eddy also commented that a petition will be submitted requesting this trail corridor.

Wayne Foote 4980 Thompson Clark West asked what is the monies collected from the developers used for – purchase or maintenance of park land.

The Chair explained that the reserve fund is used for acquisition of land for park land purposes only.

Mr. Foote commented that it is good to have money as well as land,

Ann Copas, 5087 Seaview asked how many creeks are on the property.

The applicant's agent explained that there is some storm drainage collection from the F&N Railway, but there are no creeks on the parcel.

Ms. Copas commented that the maps are too small to read,

Greta Taylor, 244 Hembrough Road, asked how many lots and homes can be placed on the property.

The Senior Planner explained that the proposed subdivision includes 4 parcels with zoning that permits a maximum of 2 dwelling units each. The Senior Planner also noted that the 4 proposed parcels could possibly be subdivided further to a minimum 2000 m<sup>2</sup> sized parcels.

Dianne Eddy, 5058 Longview Drive, noted that the POSAC has plans for the community and would this information be available.

The Chairperson explained that we are looking at a plan to consider what parks to develop and how to develop them.

Ms. Eddy asked for clarification that the funds would be for all of Electoral Area II and not just the Deep Bay area.

The Chairperson confirmed that this is correct.

Tom Plensky, 5484 Deep Bay Drive, commented that there is not a lot of information at this point and it is too early for a petition to oppose this park land proposal.

Evelyn Foote, 4980 Thompson Clark West, asked how big the proposed parcel are.

The Senior Planner explained that the proposed 3 lots are 8000 m<sup>2</sup> and the remainder lot is larger.

The Chair asked if there were any further submissions with respect to the park land proposal.

There being none, the Chair thanked those in attendance and closed the Public Information Meeting.

The meeting concluded at 7:36 pm.

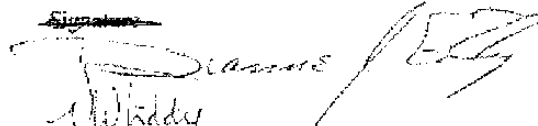
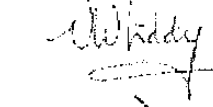
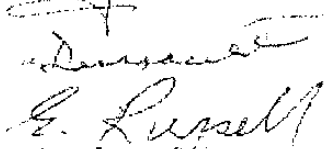

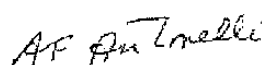
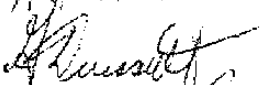
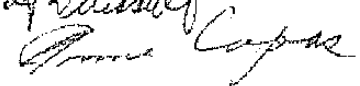
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Susan Cormie  
Recording Secretary

**Correspondence received at the Public Information Meeting  
(attached to the Minutes)**

W The proposed area is 1.98 % of the total land area. The applicant is proposing to pay cash in-lieu-of of parkland dedication for the balance of the 5% park land provision.

We the undersigned request that in addition to this area, that a trail extending from the existing park along the railway at the back of the Remainder of lot 17 be included. This trail should be at least 8 m wide and extend to the lot referred to as Remainder of Lot 15, plan 7560 -- not cash in-lieu-of.

Name	Signature
DIANNE Eddy Nelson Eddy	
100018-DE D. Eddy	
Ann Tairul	
Greta Taylor	
V. Chungman	
A.F. ANTINELLI	
	
	

**Attachment No. 3**

**Correspondence Received Following the Public Information Meeting**

(Via e-mail)

Geoff Garbutt, RDN Planner  
RE: Pardiack Parkland proposal

Geoff,

This land proposal is nothing more than an extension of a ditch setback. And, there was a considerable amount of water flowing in this deep ditch there today. I thought the RDN no longer supported this type of proposal. There was enough contention at the public meeting to draw attention to the limitations of this proposal--not just the petition I forwarded. Does this not provide enough community feedback to the planning department that further review is necessary--that this is not acceptable to the community?

I was told by the parks department that we couldn't put a trail next to Deep Bay Creek. They said setbacks had to be 10m or some such number and away from the top of the bank. Accepting this proposal as "parkland" for "trails" contravenes even the RDN's interpretation/regulations on usable parkland. That is a deep ditch and the top of the bank, no doubt, would have to have some protection. The aerial view (in handout at public meeting) points this out very aptly. It appears that the Pearl Road end of the "parkland" is in the middle of this ditch.

I went out there today and took pictures. 6m is simply not enough to do anything with this ditch "parkland". We have enough ravine and ditch parkland in this area. It should be three times that width with a guarantee by the surveyor that the edge of the parkland is also properly setback from the top of the ditch for the full distance of the park.

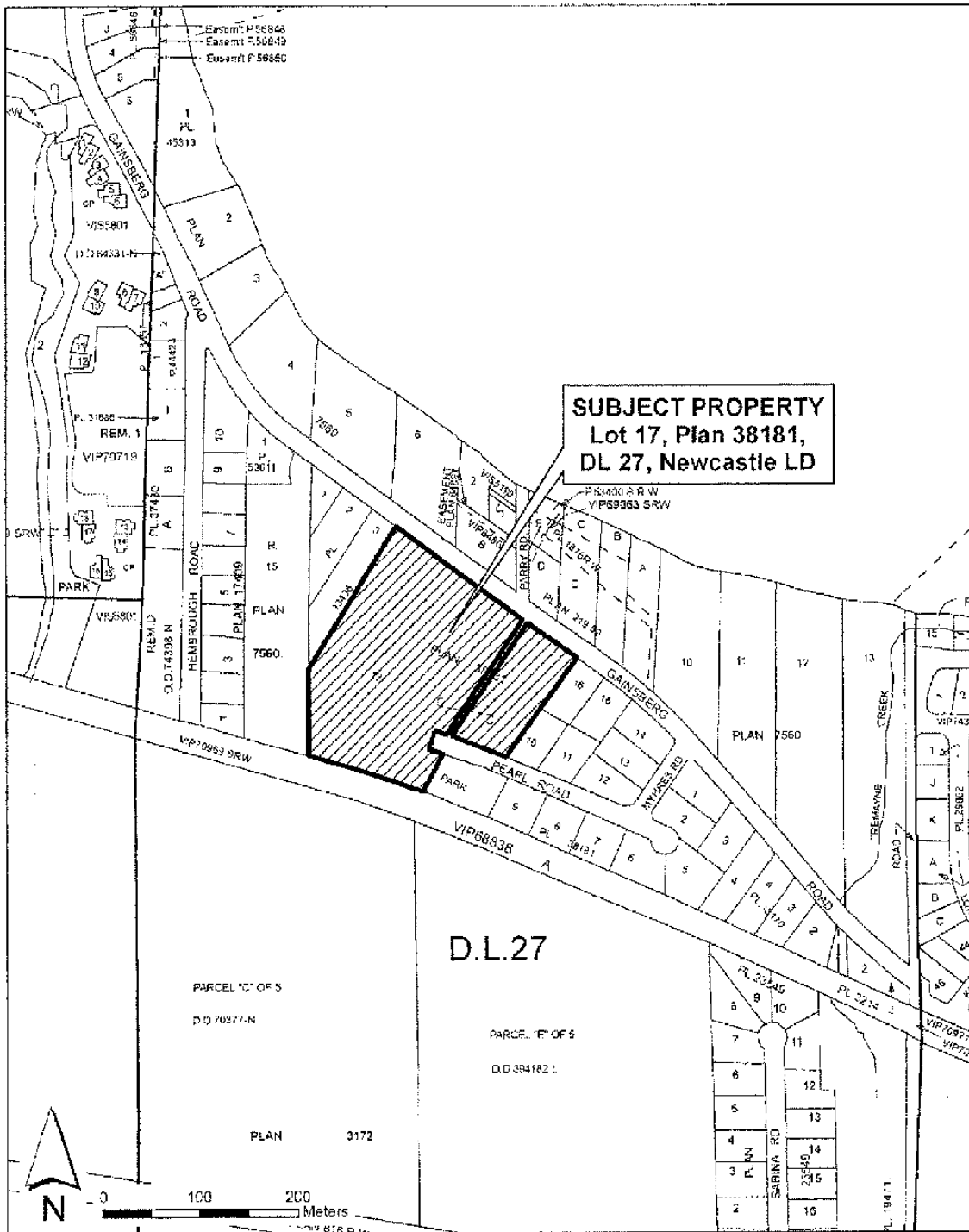
It is unfortunate that the RDN website was not updated with relevant information on this proposal. It is unfortunate that residents didn't have the information given in the handout available well before the meeting to provide more input. Parks are for everyone and they should be useful community assets-- not just ditches and setback areas that the subdivider knows can't be built on.

Did you know that in this densely populated area along Gainsberg that there is not 1 RDN park with enough flat land to have a community picnic. That's not community planning.

I would like to know what it takes to have this proposal modified. We need accessible and usable lands for parks. We don't want money to go into the park fund. How many letters do you need from residents? 5, 10, 20, more? However many you need, I will get them.

Dianne Eddy  
President,  
Mapleguard Ratepayers' Association

Attachment No. 4  
 Location of Subject Property





CAO APPROVAL <i>COW</i>		
EAP	<input checked="" type="checkbox"/>	<i>April 8th</i>
COW	<input type="checkbox"/>	
MAR 28 2008		
RHD	<input type="checkbox"/>	
BOARD	<input type="checkbox"/>	

## MEMORANDUM

**TO:** Geoff Garbutt  
Manager, Current Planning

**DATE:** March 26, 2008

**FROM:** Susan Cormie  
Senior Planner

**FILE:** DP 60812  
c/r 3320 30 27616

**SUBJECT:** Development Permit Application No. 60812 & Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement  
M. Wilson on behalf of T. & M. Gilchrist  
Electoral Area 'A' – 1458 Raines Road

### PURPOSE

To consider a development permit application and a request for relaxation of the minimum 10% perimeter frontage requirement for one of the proposed parcels in conjunction with a section 946 subdivision application on a parcel located in Electoral Area 'A'.

### BACKGROUND

This is a section 946 subdivision application involving a development permit application and a request to relax the minimum perimeter frontage requirement for 1 of the 2 proposed parcels for the parcel legally described as Lot 1, Section 18, Range 7, Cranberry District, Plan 20029, Except Parts in Plans 28748, 28749, and VIP82999 and located adjacent to Raines Road within Electoral Area 'A' (*see Attachment No.1 for location of subject property*).

The parent property, which is 3.41 ha in size, is zoned Rural 4 (RU4) and is within Subdivision District 'D' (*minimum 2.0 ha with or without community water and community sewer*) pursuant to the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". In this case, the minimum parcel size requirements is 2500 m<sup>2</sup> with a community water service connection for the proposed section 946 parcel and 2.0 ha for the remainder parcel. Therefore, the minimum parcel size requirements pursuant to Bylaw No. 500, 1987 will be able to be met

The parent parcel, which is bordered by Indian Reserve No. 3 to the north, a rural zoned parcel to the east, Raines Road and the Nanaimo River to the south, and rural zoned parcels to the west, currently supports one dwelling unit and a barn. A portion of the York Creek Wetland crosses the north portion of the parent parcel.

The parcels are proposed to be served by individual private septic disposal systems and community water service from North Cedar Improvement District and are located within an RDN Building Services area.

Documents registered on title include a covenant for protection of the York Creek Wetland located to the rear of the property and a covenant restricting the placement of buildings until a geotechnical report has been completed which identifies the safe building areas within the proposed parcels.

Pursuant to the Electoral Area 'A' Official Community Plan Bylaw No. 1240, 2001, the parent parcel is designated within the Streams, Nest Trees and Nanaimo River Floodplain Development Permit Area, in

this case for the protection of development from flooding and the Fish Habitat Protection Development Permit Area, for the protection of fish habitat of the York Creek Wetland and the Nanaimo River.

Given the subdivision proposal is not exempt from the provisions of these development permit guidelines, a development permit is required.

The applicant has provided a completed Sustainable Community Builder Checklist as per Board policy.

The applicant has provided an environmental review which is consistent with Provincial Riparian Area Regulation.

#### ***Minimum 10% Perimeter Frontage Requirement***

The proposed Remainder of Lot 1, as shown on the submitted plan of subdivision, does not meet the minimum 10% perimeter frontage requirement pursuant to section 944 of the *Local Government Act*. The requested frontage is as follows:

<b><i>Proposed Lot No.</i></b>	<b><i>Required Frontage</i></b>	<b><i>Proposed Frontage</i></b>	<b><i>% of Perimeter</i></b>
Rem. Lot 1	102.5	8.5 m	0.8 %

Therefore, as this proposed parcel does not meet the minimum 10% parcel frontage requirement pursuant to section 944 of the *Local Government Act*, approval of the Regional District Board of Directors is required.

#### **ALTERNATIVES**

1. To approve Development Permit Application No. 60812, as submitted, subject to the conditions outlined in Schedules No. 1 and 2 of the staff report and approve the request to relax the minimum 10% perimeter frontage requirement for the proposed Remainder of Lot 1.
2. To deny the development permit as submitted and provide staff with further direction and deny the request to relax the minimum 10% perimeter frontage requirement.

#### **DEVELOPMENT IMPLICATIONS**

##### ***Development Related Implications / Ministry of Transportation Implications***

With respect to the minimum 10% frontage requirement, due to the historical subdivision pattern, the parent parcel is an irregular shaped lot, therefore limiting the lot configuration of the proposed parcels and the availability to meet the required frontage requirement. The Remainder of Lot 1 is proposed to be served by a panhandle. The width of the panhandle portion of this proposed lot will meet the minimum bylaw requirements as no further subdivision can occur. The Ministry of Transportation staff has indicated that they have no objection to the request for relaxation of the minimum 10% frontage requirement.

With respect to the protection of development from potential flooding of the Nanaimo River, the applicant provided confirmation that the existing dwelling unit was constructed above the minimum flood elevations. This information was confirmed and accepted by the Building Services Department at the time of construction. As Proposed Lot 1 (section 946 parcel) currently supports a dwelling unit and as no additional dwelling units are permitted under the current zoning, staff is satisfied that the development permit guidelines have been met. It is noted that the Proposed Remainder of Lot 1 has buildable site areas outside of the Nanaimo River Floodplain area.

### ***Development Permit / Environmentally Sensitive Area Implications***

The submitted riparian area assessment has determined a Streamside Protection and Enhancement Area (SPEA) of 30.0 metres for the Nanaimo River and the York Creek Wetland. The report provides no measures are required to be taken to protect the SPEAs as no physical alteration is proposed at this time. If any physical alterations, such as driveway development, do occur during the development of the subdivision, a further report would be required. Staff, as part of the subdivision review process, will forward this information to the Approving Authority. The Ministry of Environment requires that all Riparian Area Regulation (RAR) reports include a schedule for environmental monitoring where considered necessary. In this case, the report recommends that as no physical alteration of the property is planned, monitoring is not required. With respect to the delineation of the SPEAs, staff recommends that the applicant be required to clearly mark the SPEAs with permanent posts to ensure protection of these riparian areas (*see Schedule No. 1 – Conditions of Approval*).

### **VOTING**

Electoral Area Directors – one vote, except Electoral Area 'B'.

### **SUMMARY**

This is a subdivision application involving a Development Permit for the protection of the riparian area of the Nanaimo River and the York Creek Wetland and a request for relaxation of the minimum 10% frontage requirement for one of the proposed parcels in conjunction with a section 946 subdivision for the property located adjacent to Raines Road in Electoral Area 'A'.


The subject property is designated within the Streams, Nest Trees and Nanaimo River Floodplain and Fish Habitat Protection Development Permit Areas (DPA) pursuant to the Electoral Area 'A' OCP, in this case for the purposes of ensuring protection of development from flooding and protection of riparian areas of the Nanaimo River and the York Creek Wetland. The applicant has submitted a Riparian Area Assessment which establishes 30-metre Stream Protection and Enhancement Areas (SPEAs) and concludes that no measures and monitoring is required as there are no works proposed within the SPEAs. Despite this, it is recommended that this development permit specify that no works are to occur within the SPEAs and that the applicant be required to clearly mark the SPEAs with permanent markers. These requirements will be included in the Conditions of Approval (*see Schedule No. 1 for Conditions of Approval*). Concerning the protection of development from potential flooding, Proposed Lot 1 has established residential uses and no additional dwelling units are permitted under the zoning provisions.

With respect to the request for relaxation of the minimum 10% perimeter frontage for the proposed Remainder of Lot 1 which is proposed to be served by way of a panhandle, despite the narrow frontage, there will be sufficient area outside the designated SPEAs to support intended residential uses. In addition, the Ministry of Transportation staff has indicated that they have no objection to the request for relaxation of the minimum 10% frontage requirement.

Given that the applicant has provided an accepted Riparian Area Assessment; as there is a building site area on the Proposed Remainder of Lot 1 for residential uses; the parcel size is consistent with the Official Community Plan policies; and the Ministry of Transportation is satisfied that access to each proposed parcel is achievable, staff recommends Alternative No. 1 to approve relaxation of the minimum 10% perimeter frontage requirement for the proposed Remainder of Lot 1 and to approve the development permit subject to the conditions outlined in *Schedules No. 1 and 2* of the staff report.

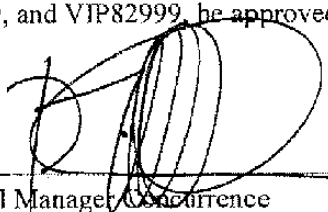
## RECOMMENDATION


1. That Development Permit Application No. 60812, submitted by M. Wilson, on behalf of T. & M. Gilchrist, in conjunction with the subdivision of the parcel legally described as Lot 1, Section 18, Range 7, Cranberry District, Plan 20029, Except Parts in Plans 28748, 28749, and VIP82999 and designated within the Streams, Nest Trees and Nanaimo River Floodplain and Fish Habitat Development Permit Areas, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.
2. That the request for relaxation of the minimum 10% frontage requirement for the Proposed Remainder of Lot 1, as shown on the plan of subdivision of Lot 1, Section 18, Range 7, Cranberry District, Plan 20029, Except Parts in Plans 28748, 28749, and VIP82999, be approved.

  
Report Writer

  
Manager Concurrence

COMMENTS:

  
General Manager Concurrence

  
CAO Concurrence



**Schedule No. 1  
Development Permit No. 60812  
Conditions of Approval**

The following sets out the conditions of approval in conjunction with Development Permit No. 60812:

**1. Subdivision**

The subdivision of the lands shall be in substantial compliance with Schedule No. 2 (to be attached to and forming part of this development permit).

**2. Riparian Assessment**

- a. The subdivision of the parent parcel is to be developed in accordance to the Riparian Areas Assessment No. 767 prepared by Streamside Environmental Consulting Ltd. and dated 2008-02-12 (to be attached to and forming part of this development permit as Schedule No. 3).
- b. No construction, other than the surveying required for subdivision, shall occur within the riparian area of Nanaimo River and York Creek Wetland in association with the subdivision development and the following measures shall be taken as necessary:
  - i. tarps, sand bags, poly plastic sheeting and/or filter fabric are required to be onsite.
  - iii exposed soils must be seeded immediately after disturbance. Soil surfaces to be treated should be roughened.
  - iv temporary fills or soil stockpiles are to be covered with polyethylene or tarps.

**3. Demarcation of SPEAs**

The SPEAs, as established in the Riparian Assessment Report No. 767, shall be clearly marked with permanent postings to the satisfaction of the Regional District of Nanaimo.

**3. Future Development**

- a. This development permit allows the development of the subdivision of the parent parcel as shown on Schedule No. '2' only and not any other development or construction on the proposed parcels.
- b. No storm drainage works or construction of driveways shall be contained within or directed to the riparian areas as established in the Riparian Areas Report No. 767 as set out in Schedule No. 3.



**Location of Subject Property**





RDN REPORT		
CAO APPROVAL		
EAP	✓ April 8th	
COW		
MAR 28 2008		
RHD		
BOARD		

## MEMORANDUM

**TO:** Geoff Garbutt  
Manager of Current Planning

**DATE:** March 28, 2008

**FROM:** Kristy Marks  
Planner

**FILE:** 3060 30 60815

**SUBJECT:** Development Permit Application No. 60815 – Henn  
Lot 1, District Lot 36, Newcastle District, Plan 27764  
Electoral Area 'H' – 4307 Eva Road

### PURPOSE

To consider an application for a Development Permit to allow the construction of a dwelling unit and recognize the siting of an existing two-storey garage on a property located at 4307 Eva Road.

### BACKGROUND

This is an application to permit the construction of a dwelling unit and recognize the siting of an existing garage on a property located in Electoral Area 'H' (*see subject property map - Attachment 1*). The subject property is a sloping lot approximately 0.09 hectares in size, bounded by developed residential lots to the northeast and southeast, Eva Road to the southwest and commercial property to the northwest. A small ditch runs along the north western property boundary that is culverted through the most of the property. This ditch does not meet the definition of a 'watercourse' and therefore watercourse setbacks outlined in Bylaw No. 500 do not apply. It has been determined through consultation with the Ministry of Environment staff that the ditch would also be exempt from the requirements of the Riparian Areas Regulation.

The subject property is zoned Residential 2 (RS2), pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987." Pursuant to "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335", the subject property is within the Natural Hazards, Environmentally Sensitive Features, for Aquifer Protection, Fish Habitat Protection, and Village Centres Development Permit Areas (DPA). This application is exempt from the Environmentally Sensitive Features and Village Centres DPA's as the proposal is for a dwelling unit and accessory buildings. As discussed above, the application is also exempt from the Fish Habitat Protection DPA. The applicant has completed the Sustainable Community Builder checklist as per Board policy.

The subject property is not within a Regional District of Nanaimo Building Inspection Area. Bylaw Enforcement became aware of the existing buildings after receiving a complaint that buildings had been constructed without the necessary development permit. On March 14, 2008, the applicants submitted an application to obtain a development permit. The property currently contains a two-storey garage and a storage shed which is approximately 10m<sup>2</sup>. The storage shed is currently located within the front lot line setback however, the applicants have indicated that the storage shed is not on a foundation and will be moved to meet the required setbacks. The applicants have also indicated that they plan to add a flight of stairs to the garage in order to access the second storey. As a result, the Planning Department is recommending the applicant be required to provide a building location certificate and height survey upon completion of construction.

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**ALTERNATIVES**

1. To approve the Development Permit No. 60815 subject to the conditions outlined on Schedules No. 1-3.
2. To deny Development Permit No. 60815 as submitted.

**LAND USE AND DEVELOPMENT IMPLICATIONS**

As outlined above, the applicants are proposing to construct a dwelling unit and are requesting recognition of an existing garage at 4307 Eva Road. The location of the proposed dwelling unit and existing garage are outlined on Schedule No. 2. The location of the storage shed has not been provided on the survey however the applicant has indicated the shed will be moved and located immediately west of the garage, within the required setbacks.

In keeping with the Natural Hazards DPA guidelines, the applicants have submitted a geotechnical report prepared by Ground Control Geotechnical Engineering Ltd., dated January 22, 2008, which addresses both the proposed dwelling and the existing garage (*Schedule No. 3*). This report states that the proposed development is considered safe and suitable for the use intended. As per board policy, staff recommends that the applicant be required to register a section 219 covenant that registers the Geotechnical Report prepared by Ground Control Geotechnical Engineering Ltd., and includes a save harmless clause that releases the Regional District of Nanaimo from all losses and damages as a result of erosion and/or landslide.

**VOTING**


Electoral Area Directors – on vote, except Electoral Area 'B'.

**SUMMARY/CONCLUSIONS**

This is an application for a Development Permit to permit the construction of a dwelling unit and recognize the siting of an existing garage on a property located at 4307 Eva Road in Electoral Area 'H'. Given that the applicants are willing to relocate the storage shed within the required setbacks and have provided a Geotechnical Hazards Assessment, this application is consistent with the "Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003" guidelines for the Natural Hazards Development Permit Area. Staff recommends approval of this application subject to the conditions outlined in Schedules No.1-3.

**RECOMMENDATION**

That Development Permit Application No. 60815, to construct a dwelling unit and recognize the siting of an existing garage within the Natural Hazards Development Permit Area pursuant to "Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003" for the property legally described as Lot 1, District Lot 36, Newcastle District, Plan 27764 be approved subject to the conditions outlined in Schedules No. 1-3.

  
Report Writer

  
Manager Concurrence

  
General Manager Concurrence

  
CAO Concurrence

**Schedule No. 1**  
**Terms of Development Permit No. 60815**

***Conditions of Approval***

1. The dwelling unit and attached garage shall be sited in accordance with the site survey prepared by Peter T. Mason, BCLS dated February 18, 2008 attached as *Schedule No. 2*.
2. Existing garage structure will be attached to proposed dwelling unit through a physical connection which consists of habitable space which is fully enclosed and heated and constructed in accordance with the BC Building Code.
3. The existing storage shed shall be relocated to meet the required setbacks.
4. The dwelling unit shall be constructed in accordance with the Geotechnical Hazards Assessment prepared by Ground Control Geotechnical Engineering Ltd. dated January 22, 2008, attached as *Schedule No.3*.
5. Staff shall withhold the issuance of this permit until the applicant, at the applicant's expense, registers a section 219 covenant that registers the Geotechnical Hazards Assessment prepared by Ground Control Geotechnical Engineering Ltd. dated January 22, 2008 and includes a save harmless clause that releases the Regional District of Nanaimo from all losses and damages as a result of erosion and/or landslide.
6. The applicant is required to provide a building location certificate and confirmation of height prepared by a British Columbia Land Surveyor upon completion of construction.



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**Schedule No. 3**  
**Geotechnical Hazards Assessment**  
**(Page 1 of 9)**

**GROUND CONTROL INC.**  
**GEOTECHNICAL ENGINEERING LTD.**  
2781 Lana Road, NanOOSE Bay, BC  
Phone/Fax: (250) 468-1759

File: LDH-001  
January 22, 2008

Eric Henn  
3105 Tillicum Road  
Victoria, B.C.  
V9A 2B4

**SUBJECT: GEOTECHNICAL HAZARDS ASSESSMENT**  
**PROJECT: PROPOSED HOUSE AND EXISTING GARAGE**  
**LOCATION: 4307 EVA ROAD, BOWBER, B.C.**

Dear Mr. Henn:

1. **Introduction**
  - a. As requested, Ground Control Geotechnical Engineering Ltd. (Ground Control) has carried out a Geotechnical Hazards Assessment of the above site. This report provides a summary of our findings and recommendations.
2. **Background**
  - a. This site is a single-family residential lot. Currently, a two-storey garage building is under construction on the south portion of the property. The clients indicate that in the future a house will be constructed within the central portion of the lot. It is understood that all buildings constructed at this site will be low-rise single-family residential style buildings of wood frame construction supported on standard concrete foundations.
  - b. The subject lot is located within a 'Hazardous Land Development Permit Area', as designated by the Regional District of Nanaimo, therefore the clients have requested the completion of this Geotechnical Hazards Assessment, which is required as part of the RDN's permit application process.



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**Schedule No. 3**  
**Geotechnical Hazards Assessment**  
**(Page 2 of 9)**

Geotechnical Hazards Assessment  
File: LDH-001  
January 22, 2008  
Page 2 of 9

**3. Assessment Objectives**

- a. Our assessment, as summarized within this report, is intended to meet the following objectives:
  - i. Determine whether the land is geotechnically safe and suitable for the intended purpose (single-family residence and garage), where 'safe' is defined as a probability of a geotechnical failure or another substantial geotechnical hazard resulting in property damage of less than 10 percent in 50 years;
  - ii. Identify any geotechnical deficiency that might impact the design and construction of the development, and prescribe the geotechnical works and any changes in the standards of the design and construction of the development that are required to ensure the land, buildings, and Works and Services are developed and maintained safely for the use intended; and
  - iii. Acknowledge that Approving Officers may rely on this Report when making a decision on applications for the subdivision or development of the land.

**4. Assessment Methodology**

- a. A site reconnaissance was carried out on January 8, 2008 by Richard McKinley, P.Eng.
- b. The site and surrounding lands were observed, and site conditions and apparent geotechnical hazards were noted.


**Schedule No. 3**  
**Geotechnical Hazards Assessment**  
**(Page 3 of 9)**

Geotechnical Hazards Assessment  
File: LDH-001  
January 22, 2008  
Page 3 of 9

**5. Site Conditions**

- a. The subject lot is located north of Eva Road within an existing residential neighborhood. Properties to the immediately to the north, northwest, and west are developed with residential houses. The property to the west is developed with semi-permanent residences (travel trailers, cabins etc.) The property to the immediate south is not developed, but properties further to the south have homes on them.
- b. The photographs below provide an overview of site conditions. The upper photo is a panorama looking east to south from the NW corner of the property. The lower photo is a panorama looking north to east from adjacent land beyond the west end of Eva Road.



**GROUND CONTROL**   
**GEOTECHNICAL ENGINEERING LTD.**

**Schedule No. 3**  
**Geotechnical Hazards Assessment**  
**(Page 4 of 9)**

Geotechnical Hazards Assessment  
File: LDH-001  
January 22, 2008  
Page 4 of 9

- c. A small seasonal creek runs through the property from south to north, along the west edge of the property. The creek runs in open channels on adjacent land south of the site, but is collected at the property line and crosses the property in an underground pipe, with the exception of a short section of open channel in the NW corner of the property (shown in the upper photo on the previous page). The clients report that this creek only runs in the wet season, and dries up in the summer. They report that flooding has not been an issue within their near 30-year association with the local area.
- d. The site topography is gently sloping downwards to the north at a gradient of about 10 degrees. A small embankment is present along the north end of the property (see upper photo, previous page).
- e. Shallow excavations made on the site indicate that surficial soils consist generally of compact to dense silty sand with gravel. Based on our experience with the local geology, there is no expectation that weak or unstable soils are present at depth.

**6. Conclusions & Recommendations**

**6.1. General**

- a. From a geotechnical perspective and under the conditions outlined within this report the proposed development is considered safe and suitable for the intended use.
- b. Detailed recommendations regarding potential geotechnical hazard issues are provided below.

**GROUND CONTROL**   
**GEOTECHNICAL ENGINEERING LTD.**

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**Schedule No. 3**  
**Geotechnical Hazards Assessment**  
**(Page 5 of 9)**

Geotechnical Hazards Assessment  
File: LDH-001  
January 22, 2008  
Page 5 of 9

**6.2. Flooding Hazards**

- a. The only potential significant source of overland flooding associated with this site is the small seasonal creek crossing the west side of the property. The creek is fully contained within a pipe where it passes site buildings, so there is little risk that the creek will overflow or change course within the property. However, should creek flows ever exceed the intake capacity of the pipe (e.g. during an extreme extended downpour), or should the entrance to the pipe ever become obstructed, then some or all of the creek flow could fail to enter the drain pipe and would instead find an alternate over-land route across the property. The risk of such an event occurring appears to be low, but cannot be completely discounted, therefore, recommendations are provided below to keep buildings safe from overland flows.
- b. Establishment of a minimum safe elevation for flood protection would normally be based on an assessment of the statistical 1 in 200 year flood event; however, to our knowledge, there is no flood mapping or study information available for the small creek at this location. In lieu of this, our recommendations are based on field observations of the existing site conditions.
- c. Since the site and surrounding land is a plain sloping gently down towards the north, any creek overflow floodwaters are expected to drain readily off-site to the north, (similar to the way water runs off a sloping roof). Consequently, deep buildup of water on the surface of the site will not be a concern. As such, flooding would be limited to shallow sheet flows running across the surface of the ground.
- d. Appropriate site grading should be used to direct surface flows away from buildings, thereby keeping buildings safe from surface-water flooding risks. In particular, the area along the existing drain pipe alignment should be swaled to create a wide overflow path to contain any overland overflows originating at the pipe inlet, and contain and channel such flows back into the creek channel at the northwest corner (rear left corner) of the property.

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- e. Around buildings, we recommend that the ground surface be sloped to provide a minimum 10% surface gradient away from foundations for a minimum distance of 3 metres in all directions. Note that it is not intended that the above requirement should limit how close the house and garage can be built to one another, and it is acceptable that the above requirement be implemented considering the house, the garage, and the narrow area of ground between them be considered as a unit for surface grading purposes. The area between the buildings should be gently swaled and/or sloped to direct water away from the buildings and out to the side yards or to a suitable drain.
  - f. Site grading should be completed so as to direct any potential surface flows around and well away from buildings.
  - g. We note that the property's driveway slopes towards the building rather than away as recommended above, as Eva Road is at a higher elevation than the garage entrance. For the driveway, it will be acceptable to cross-slope the driveway at a minimum 5% gradient to shed surface water to either side (i.e. to the east and west), and then slope the ground surface on either side of the driveway to move surface water out and around the building. The goal is to prevent surface waters flowing down the driveway and into the garage.
  - h. We recommend that the top of all concrete foundation walls is at least 150 mm (6") above the adjacent ground surface. This is good general construction practice, and is not a special requirement related only to this site.
- 6.3. Slopes**
- a. No geotechnically significant slopes were observed on or near the site. As such, no special requirements are necessary in this regard.

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(Page 7 of 9)**

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**6.4. Building Support**

- a. The site is expected to be suitable for the support of residential structures on standard spread/strip footings meeting the requirements of the BC Building Code. The expected presence of sand and gravel soils across the site should provide a relatively high bearing capacity, in excess of that normally required for support of residential foundation loads. No indications of unsuitable soils, other than surface topsoil, were observed within expected development areas.
- b. Bearing conditions can be more readily observed at the time of foundation excavation, when the soils will be fully exposed. Bearing soils must be dense and unyielding. If unexpected conditions or questionable soils are encountered (e.g. soils that are soft, loose, organic, or compressible) a geotechnical engineer should be retained to assess conditions and advise on remedial measures.

**6.5. Building Drainage**

- a. No unusual groundwater conditions have been identified that might require unusual permanent drainage provisions. Provided site surface drainage requirements provided earlier in this report are followed, conventional requirements of the B.C. Building Code pertaining to building drainage are considered suitable at this site.
- b. Building drainage requirements as outlined by the B.C. Building Code typically include damp-proofing of foundation walls, installation of a standard footing-level perimeter drainage pipe system, drain rock burial of the perforated piping, roof drainage connected to a separate drainage system constructed from solid piping, and a provision for gravity drainage of all collected waters to a suitable discharge point down-slope and away from the building. We understand that the likely discharge point for use on this site will be the creek channel in the northwest corner of the property, and this is considered acceptable.

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Geotechnical Hazards Assessment  
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**7. Acknowledgements**

- a. Ground Control Geotechnical Engineering Ltd. acknowledges that this report may be requested by Approving Officers and Building Inspectors as a precondition to the issuance of a development and/or building permit and that this report, or any conditions contained in this report, may be included in a restrictive covenant filed against the title to the subject property. It is acknowledged that the Approving Officers and Building Officials may rely on this report when making a decision on application for the subdivision or development of the land.
- b. We acknowledge that this report has been prepared solely for, and at the expense of, the owner of the subject land.

**8. Limitations**

- a. The conclusions and recommendations submitted in this report are based upon the data obtained from surface observations of the site. Although not expected, should undiscovered conditions become apparent later (e.g. during excavation for construction) our office should be contacted immediately to allow reassessment of the recommendations provided.
- b. The current scope of investigation was selected to provide an assessment of obvious geotechnical hazards. If stakeholders in these matters desire a greater degree of certainty, additional detailed investigations can be carried out.
- c. Our recommendations apply to the specific proposed structure and building location described in Section 2. Other structures or locations may have unique requirements and so our recommendations should not be considered applicable to other locations or other developments, even within the same property.

**GROUND CONTROL**   
GEOTECHNICAL ENGINEERING LTD.

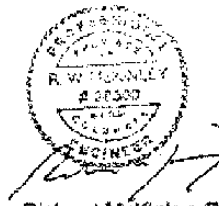
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**9. Closure**

- a. Ground Control Geotechnical Engineering Ltd. appreciates the opportunity to be of service on this project. If you have any comments, or additional requirements at this time, please contact us at your convenience.

Respectfully Submitted,  
Ground Control Geotechnical Engineering Ltd.



Richard McKinley, P. Eng.  
Geotechnical Engineer

**GROUND CONTROL**  
**GEOTECHNICAL ENGINEERING LTD.**







# REGIONAL DISTRICT OF NANAIMO

CAO APPROVAL	
EAP	✓ APR 18 2008
COW	
MAR 28 2008	
RHD	
BOARD	

## MEMORANDUM

**TO:** Paul Thompson  
Manager of Long Range Planning

**DATE:** March 25, 2008

**FROM:** Greg Keller  
Senior Planner

**FILE:** 6480 01 EAG

**SUBJECT:** Electoral Area 'G' Official Community Plan - Bylaw No. 1540, 2008

### PURPOSE

To receive the Report of the Public Hearing containing the Summary of the Minutes and Submissions of the Public Hearing held March 18, 2008 on "Regional District of Nanaimo Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008", and further, to consider Bylaw No. 1540 for 3<sup>rd</sup> reading.

### BACKGROUND

The Electoral Area 'G' Official Community Plan (OCP) review process has been underway since April 2006. Recent actions on this planning project include the following:

#### *1<sup>st</sup> and 2<sup>nd</sup> Reading*

The Regional Board granted 1<sup>st</sup> and 2<sup>nd</sup> reading to "Regional District of Nanaimo Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008" at its regular meeting held on January 22, 2008.

#### *Open House*

As directed by the Board an additional opportunity for public input was provided. An open house was held from 2:00 – 7:00 pm on March 3, 2008 at the St. Columba Presbyterian Church Hall located at 921 Wembley Road. Approximately 60 people attended the open house. Overall discussions were of a positive nature. Comments received at the Open House were available at the Public Hearing.

#### *Bylaw Referrals*

The Bylaw was referred to the Town of Qualicum Beach, City of Parksville, Ministry of Transportation, Ministry of Environment, Integrated Land Management Bureau, Agriculture Land Commission, Fisheries and Oceans Canada, Vancouver Island Health Authority, School District No. 69, Ministry of Community Services, Qualicum First Nation, Nanoose First Nation, Ministry of Forests & Range, Ministry of Energy, Mines, and Petroleum Resources, Canadian Wildlife Service, Ministry of Agriculture, EPCOR, and the Little Qualicum Waterworks District. A summary of the agency referral comments was available at the Public Hearing and is included as part of the written submissions and comments included in Appendix A.

### *Public Hearing*

A public hearing was held pursuant to the *Local Government Act* on March 18, 2008 with approximately 40 persons in attendance (*see Attachment No. 1 for the Report of the Public Hearing and public comments received on the Bylaw*).

### **ALTERNATIVES**

1. To receive the Report of the Public Hearing, grant 3<sup>rd</sup> reading to Bylaw No. 1540, 2008 and to refer the Bylaw to the Ministry of Community Services for consideration of approval.
2. To receive the Report of the Public Hearing on Bylaw No. 1540, 2008 and to grant 3<sup>rd</sup> reading of Bylaw No. 1540, 2008 with amendments outlined in Schedule No. 1 and to refer the Bylaw to the Ministry of Community Services for consideration of approval.
3. To receive the Report of the Public Hearing on Bylaw No. 1540, 2008 and not grant 3<sup>rd</sup> reading and provide staff with further direction.

### **PUBLIC CONSULTATION IMPLICATIONS**

The Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008 is the result of a two-year-long planning process involving public consultation with residents, property owners, stakeholders, municipal, provincial, and federal agencies. Throughout this process, community preferences and values were identified, clarified, and verified to ensure the Plan is not only reflective of community values; it also addresses the objectives and goals of the Regional Growth Strategy and the applicable government agencies.

A Report of the Public Hearing is included as *Attachment No. 1*. Staff are proposing a number of minor amendments to the OCP in response to comments received at the open house, the public hearing and from agency and community feedback. The proposed changes are outlined in *Schedule No. 1*. These amendments are considered to be technical or minor in nature, do not affect the use or density, and are consistent with the overall direction of the OCP.

### **INTERGOVERNMENTAL IMPLICATIONS**

Should the Regional Board grant 3<sup>rd</sup> reading to the "Regional District of Nanaimo Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008", the Bylaw will be referred to the Ministry of Community Services for consideration of approval. In consideration of its approval, the Ministry will take into account the comments of the agencies to which the Bylaw has been referred. Comments were received from the Agricultural Land Commission, City of Parksville, Town of Qualicum Beach, the Little Qualicum Waterworks District, Ministry of Community Services, Ministry of Transportation, and Fisheries and Oceans Canada. These referral response letters were available at the Public Hearing and are included in *Appendix 'A'*.

Following 3<sup>rd</sup> reading and the Minister's approval, the Board may consider the Bylaw for adoption.

## FINANCIAL / LIQUID WASTE MANAGEMENT IMPLICATIONS

Pursuant to the *Local Government Act*, the Official Community Plan has been considered in conjunction with the Regional District's capital expenditure program as well as its Liquid Waste Management Plan.

## VOTING

Electoral Area Directors – one vote, except Electoral Area 'B'.

## SUMMARY

The Regional Board gave 1<sup>st</sup> and 2<sup>nd</sup> reading to "Regional District of Nanaimo Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008" during its regular Board meeting held on January 22, 2008. In accordance with the *Local Government Act*, the Agricultural Land Commission has been provided a formal opportunity to consider the Bylaw prior to the Public Hearing. In addition, formal referrals were sent to applicable provincial and federal agencies with interests in the Plan Area. In response to comments received from the agency referrals and other community and staff input, some minor changes (*outlined in Schedule No. 1*) to the Bylaw are recommended.

A Public Hearing was held on March 18, 2008 with approximately 40 residents in attendance. The Summary of Minutes and written submissions to this public hearing are attached for the Board's consideration.

"Regional District of Nanaimo Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008" has fulfilled all requirements of the *Local Government Act* and may now be considered for 3<sup>rd</sup> reading.

## RECOMMENDATIONS

1. That the Report of the Public Hearing containing the Summary of Minutes and Submissions of the Public Hearing held Tuesday, March 18, 2008, together with all written submissions to the Public Hearing on "Regional District of Nanaimo Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008" be received.
2. That "Regional District of Nanaimo Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008" be granted 3<sup>rd</sup> reading with amendments as recommended in *Schedule No. 1* of the staff report.
3. That the "Regional District of Nanaimo Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008" be forwarded to the Ministry of Community Services for consideration of approval.

  
Report Writer

  
Manager Concurrence

  
General Manager Concurrence

  
CAO Concurrence

COMMENTS:

**Schedule No. 1**

## Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008

Summary of the proposed changes to be considered by the Board at 3<sup>rd</sup> reading

Section	Location/Objective/Policy	Existing Wording	Proposed Wording
2.1	Title of section	Environmentally Sensitive Features	Environmentally Sensitive Ecosystems
2.1	Bottom of Paragraph 1	or habitats that have been identified as being vulnerable and worthy of a higher level of protection.	<i>are worthy of a higher level of protection as a result of vulnerability, or particular value in maintaining essential ecosystem function as well as a high abundance and/or wide range of local biodiversity, including red and blue listed and migratory species.</i>
2.1	Objective 2	Ensure that site specific evaluations of properties with environmentally sensitive features through the development application process and encourage evaluations to occur prior to land alteration.	Ensure that site specific evaluations of properties with environmentally sensitive features <i>are reviewed</i> through the development application process and encourage evaluations to occur prior to land alteration.
2.1	Objective 5	Strongly encourage innovative approaches for environmental protection	Strongly encourage innovative approaches for environmental protection <i>and mitigation.</i>
2.1	Policy 2	Designate Development Permit Areas in Section 10 (Development Permit Areas) of this Plan to protect the following sensitive ecosystem types: Riparian Vegetation, Wetland, Sparsely Vegetated, and Older Forest as defined in the ESA Atlas	Designate Development Permit Areas in Section 10 (Development Permit Areas) of this Plan to protect the following sensitive ecosystem types: Riparian Vegetation, Wetland, Sparsely Vegetated, and Older Forest as defined in the ESA Atlas <i>(Linkages between these ESAs are also important and are addressed in Section 2.4 – Greenways).</i>
2.2	Bottom of paragraph 4	This Plan shall provide a level of protection that meets the requirements of the RAR.	Delete sentence and add the following as Objective 5:  To support a level of protection that meets the requirements of the RAR while also protecting the features, functions, and conditions that support the life processes of amphibious and terrestrial riparian-dependant species.
2.3	Objective 2	Discourage development which	<b>Ensure</b> development <b>will not</b>

Section	Location/Objective/Policy	Existing Wording	Proposed Wording
		would alienate the foreshore from public access or impact on the natural environment.	alienate the foreshore from public access or impact on the natural environment.
2.3	Policy 8	All proposals on lands adjacent to the Parksville Qualicum Beach that involve encroachment or trespass in to the Crown foreshore including the use of machinery below the natural boundary must be referred to the Ministry of Environment for comments and/or approval.	All proposals on lands adjacent to the <b>PQBWMA</b> that involve encroachment or trespass in to the Crown foreshore including the use of machinery below the natural boundary, must be referred to <b>Fisheries and Oceans Canada (DFO)</b> and the Ministry of Environment for comments and/or approval.
2.4	1 <sup>st</sup> Paragraph 2 <sup>nd</sup> Sentence	These green space networks are critical to maintain functioning ecological processes and may also provide an opportunity for passive recreational uses.	These green space networks are critical to maintain functioning ecological processes, <b>including the movement of organisms between ecosystems</b> , and may also provide an opportunity for passive recreational uses.
2.4	Policy 2		The following is proposed to be added as 2(d).  Parcels that, if fully or partially protected, provide linkages between identified ESAs.
2.5	Objective 2	Enforce mitigation measures which are compatible with the needs of local residents and are sensitive to the environment.	Enforce mitigation measures which are compatible with the needs of local residents, are sensitive to the environment, <b>and are consistent with current standards established by a qualified professional.</b>
2.6	Policy 8	This Plan supports a feasibility study looking at the possibility of the formation of a joint drinking water management and purveyor function between the Regional District of Nanaimo, The City of Parksville, the Town of Qualicum Beach, the Little Qualicum Waterworks District, and private water service providers to manage and purvey drinking water within the Plan Area, the Town of Qualicum Beach, and City of	This Plan supports a feasibility study looking at the possibility of the formation of a joint drinking water management and purveyor function between the Regional District of Nanaimo, The City of Parksville, the Town of Qualicum Beach, the Little Qualicum Waterworks District, the <b>Arrowsmith Water Service</b> , and private water service providers to manage and purvey drinking water within the Plan Area, the Town of Qualicum Beach, and City of

Section	Location/Objective/Policy	Existing Wording	Proposed Wording
		Parksville in order to standardize the level of service and manage drinking water at a watershed/subregional scale.	Parksville in order to standardize the level of service and manage drinking water at a watershed/subregional scale.
2.6	Policy 9	Encourage the use of xeriscaping, low flow plumbing fixtures, micro-irrigation and other innovative water conservation technologies in all proposed development applications.	Encourage the use of xeriscaping, low flow plumbing fixtures, micro-irrigation and other innovative water conservation technologies in all <b>existing</b> and proposed development.
2.6	10 Policy	All development applications must minimize impervious surfaces in order to maximize groundwater recharge while ensuring that ground water resources are protected from potential deleterious substances.	All development applications must minimize impervious surfaces and should consider both natural and man-made systems to maximize groundwater recharge while ensuring that ground water resources are protected from potential deleterious substances.
2.8	Policy 1	The Regional District of Nanaimo shall consider amendments to its building bylaws to require the installation of low flow toilets and other fixtures in new construction.	Delete as the building code requires the installation of low flow toilets in new construction.
2.8	Policy 7	Higher density development shall be concentrated in nodal centres within the Urban Containment Boundary in accordance with Section 3.1 of this Plan.	Higher density development shall be concentrated in the <b>Wembley Neighbourhood Centre, the French Creek Mixed Use Area, and within the Urban Containment Boundary</b> in accordance with Section 3.1 of this Plan.
3.2	Secondary Suites Policy		Insert the following as a new policy:  Policy No. 5 above shall not be considered for implementation until the Board has conducted an Electoral Area wide review of secondary suites.
3.2	Insert the following in Policy 5.		The Regional District of Nanaimo does not support the subdivision of secondary suites pursuant to the <i>Strata Property Act</i>
4.1	Objective 1	Recognize the Wembley Neighbourhood Centre as a <i>future</i>	Recognize the Wembley Neighbourhood Centre as a nodal

Section	Location/Objective/Policy	Existing Wording	Proposed Wording
		nodal development area and provide for the changing housing and local commercial needs of the population.	development area and provide for the changing housing and local commercial needs of the population.
4.1	Policy 4	All land within the Wembley Neighbourhood Centre shown on Map No. 3 (Land Use Designations) is designated 'Wembley Neighbourhood Centre' as described in the policies below.	Delete -- repetition.
4.1	Policy 18	In reviewing applications for rezoning to permit commercial uses as described above, the Regional District of Nanaimo shall consider the provision of community amenities as outlined in Section 11 of this Plan.	Delete this policy as it is repeated in policy 10.
4.2	Objective 1	Recognize the French Creek Mixed Use area as a future nodal development area and provide opportunities for a mixed commercial - residential use development.	Recognize the French Creek Mixed Use area as a <i>future commercial/residential</i> development area and provide opportunities for a mixed commercial - residential use development.
4.2	Policy 1(a)	This Plan would not support a rezoning unless the Applicant and the Ministry agree to install a traffic light or other viable alternative at Lee Road. The road improvement may be considered as a community amenity as it would provide a benefit to the community.	Delete this policy as the traffic signal is currently under construction.
4.2	Policy 1(d)	Permanent protection to both French and Morningstar Creeks shall be required the width and characteristics of which must be in accordance with the recommendations of a Qualified Environmental Professional.	Permanent protection <i>of land adjacent</i> to both French and Morningstar Creeks shall be required, the width and characteristics of which must be in accordance with the recommendations of a Qualified Environmental Professional <i>to the satisfaction of the Regional District of Nanaimo.</i>
4.2	New Policy		The following is proposed as policy 1(f)



Section	Location/Objective/Policy	Existing Wording	Proposed Wording
			The proposal must satisfy the requirements of Section 2- Protecting the Natural Environment of this plan to the satisfaction of the Regional District of Nanaimo.
4.2	Policy 7	The Regional District of Nanaimo may consider transferring residential density from the West side of French Creek to the East side of French Creek in order to obtain additional permanent protection of French Creek and the French Creek estuary on the property at the corner of Highway 19A and Columbia Drive.	The community supports the transfer of residential density from the West side of French Creek to the East side of French Creek in order to obtain additional permanent protection of the French Creek Estuary and associated estuarine lands located on the west side of French Creek. The additional permanent protection may be achieved in a variety of ways, but should generally include a reduction of the footprint of the development. The remaining development on the west side of French Creek should generally be located towards the west side of the subject property.
5.1	New Policy		The following is proposed as policy 27:  For any of the uses listed in policy 26 above, the preferred option is to consider them for a Temporary Use Permit prior to considering them for a rezoning in accordance with Sections 8.3 and 8.7.
5.2	New policy		The following is proposed as policy 4:  Permitted uses shall be compatible resource uses, rural uses, and uses accessory to rural resource uses.
5.2	New policy		The following is proposed as policy 6:  For any of the uses listed in policy 5 above, the preferred option is to consider them for a Temporary Use Permit prior to considering them for a rezoning in accordance with Sections 8.3 and 8.7.

Section	Location/Objective/Policy	Existing Wording	Proposed Wording
6.1	Insert the following as a new policy.		All trails proposed on lands located within the Agricultural Land Reserve shall require approval from the Agricultural Land Commission and should be developed and used in accordance with the Ministry of Agriculture's publication titled <i>"A Guide to Using and Developing Trails in Farm and Ranch Areas"</i> .
6.4	Policy 2(a)	the land improves access to waterfront lands, including the ocean and any other watercourse	the land improves access to <i>water</i> including the ocean and any other watercourse
8.1	Insert the following as a new policy		The design and layout of subdivision on lands adjacent to the Agricultural Land Reserve should consider the current edition of the Ministry of Agriculture's publication titled <i>"Guide to Edge Planning – Promoting Compatibility Along Urban-Agricultural Edges"</i> .
8.1	Insert the following as a new policy		The Regional District of Nanaimo may consider the formation of an Agricultural Advisory Committee.
8.3	6 Policy	The Regional District of Nanaimo may consider applications to rezone existing gravel pits to allow primary processing and related activities associated with gravel extraction within the 'Rural' or 'Rural Resource' land use designation as shown of Map No. 3 – Land Use Designations of this Plan provided that:	The Regional District of Nanaimo may consider applications to rezone existing gravel pits <i>without an amendment to this Plan</i> to allow primary processing and related activities associated with gravel extraction within the 'Rural' or 'Rural Resource' land use designation as shown of Map No. 3 – Land Use Designations of this Plan provided that:
8.7	4 Policy - last sentence	Notwithstanding any other policy in this Plan, should a temporary use permitted in accordance with policy No. 1 above prove satisfactory upon completion of the terms of the permit, the Regional District of Nanaimo, at the applicant's request, may consider rezoning to permit the continued use of the subject property for that use. Please note	Notwithstanding any other policy in this Plan, should a temporary use permitted in accordance with policy No. 1 above prove satisfactory upon completion of the terms of the permit, the Regional District of Nanaimo, at the applicant's request, may consider rezoning to permit the continued use of the subject property for that use <i>without an amendment to this Plan</i> .

Section	Location/Objective/Policy	Existing Wording	Proposed Wording
		that an amendment to this Plan and the Regional Growth Strategy may be required.	
9.1	Policy 11	This Plan supports the proposed Church Road to Stanhope Road connector as a potential truck route.	This Plan supports the proposed Church Road to Stanhope Road connector as a potential truck route. <i>It should be noted that approval from the Agricultural Land Commission shall be required prior to construction.</i>
10.1			Insert the following as policy 8:  Permanent fencing and/or other approved means of clearly delineating the SPEA boundary must be installed to the satisfaction of the Regional District of Nanaimo prior to land alteration and in the case of subdivision prior to the Regional District of Nanaimo notifying the provincial Subdivision Approving Officer that the conditions of the Development Permit have been met. Fencing must be designed to allow for the free and uninterrupted movement of organisms between riparian and upland ecosystems and must be maintained in good order.
10.1			Insert the following as policy 9:  A sign identifying the Streamside Protection and Enhancement Area approved by the Regional District of Nanaimo must be permanently installed in a clearly visible location on the fence a minimum of every 10 metres and at least one sign must be installed on each proposed lot adjacent to the SPEA.
10.6	Policy 23(f)	to reduce the amount of pervious surfaces on the site;	to reduce the amount of <b>impervious</b> surfaces on the site;
10.6	Policy 33	The Regional District of Nanaimo shall require the applicant to submit a landscaping and security deposit equal to the total	The Regional District of Nanaimo shall require the applicant to submit a landscaping and security deposit equal to the total estimated costs of

Section	Location/Objective/Policy	Existing Wording	Proposed Wording
		estimated costs of all materials and labour as determined by a landscape Architect or other similarly qualified person to the satisfaction of the Regional District of Nanaimo.	all materials and labour as determined by a <b><i>Landscape</i></b> Architect or other similarly qualified person to the satisfaction of the Regional District of Nanaimo <b><i>to be released upon final inspection by a Landscape Architect or other similarly qualified person to the satisfaction of the Regional District of Nanaimo.</i></b>
11			The tables are proposed to be labeled and rearranged for convenience.
11	Add the following action in the Creating a Vibrant and Sustainable Economy Table		Consider the formation of an Agricultural Advisory Committee (long-term).
Maps 2 and 10			These maps are proposed to be updated to include the most current eagle nesting tree information.
Map 8			This map is proposed to be updated to include the newly installed traffic signal located at Lee Road and the old Island Highway.

**Attachment No. 1**

**REPORT OF THE PUBLIC HEARING HELD MONDAY, MARCH 18, 2008 AT 7:00 PM AT ST. COLUMBIA PRESBYTERIAN CHURCH HALL, 921 WEMBLEY ROAD, PARKSVILLE, BC  
TO CONSIDER REGIONAL DISTRICT OF NANAIMO FRENCH CREEK  
OFFICIAL COMMUNITY PLAN BYLAW NO. 1540, 2008**

*Note that these minutes are not a verbatim recording of the proceedings, but are intended to summarize the comments of those in attendance at the Public Hearing.*

**Present for the Regional District of Nanaimo:**

Joe Stanhope	Chair, Director, Electoral Area 'G'
Maureen Young	Director, Electoral Area 'C'
Lou Biggemann	Director, Electoral Area 'F'
Joe Burnett	Director, Electoral Area 'A'
Paul Thorkelsson	General Manager of Development Services
Geoff Garbutt	Manager of Current Planning
Greg Keller	Senior Planner
Stephen Boogaards	Planner

There were approximately 40 people in attendance at the Public Hearing.

Written submissions from were received prior to and/or during the Public Hearing from:

French Creek House Ltd., 1-1025 Lee Road

Jacque Cronin, 1405 Mallard Road

Robin Robinson, 484 Columbia Drive

Michael Jessen, 1266 Jukes Place

Michele Deakin, 1097 Fabrick Drive

**The Chair**, Director Stanhope opened the meeting at 7:02 pm, introduced those attending the meeting from the RDN.

**The Chair** stated the purpose of the Public Hearing and requested that staff explain the Official Community Plan Bylaw that was the subject of the Public Hearing.

**Greg Keller**, Senior Planner provided a description of the Bylaw.

**The Chair** outlined the public hearing procedures. The Chair then stated that all comments and submissions must be received prior to the close of the public hearing as the Regional Board can not consider any comments or submissions received after the close of the public hearing on its decision on Bylaw No. 150, 2008. The Chair then invited the audience to make comments and submissions with respect to the proposed bylaw.

**Jacque Cronin, 1405 Mallard Road**, read her written submission.

**Robin Robinson, 484 Columbia Drive**, read her written submission.

**Michael Jessen, 1266 Jukes Place**, read his written submission.

**Richard Dean, 530 Meadow Drive**, expressed his concern that the draft OCP does not contain the same strong language as preceding OCPs for the environment. Mr. Dean stated that development may take place within the 60 m development permit buffer around an eagle nesting tree. The boundary does not consider the habitat for trees surrounding the eagles nest. Mr. Dean also stated that the OCP did not mention the 'Green Bylaw Toolkit', and should have whenever 'Development with Care' was mentioned.

**Bruce Cownden, 801 Mariner Way**, a resident of San Pereil stated that a development permit for environmental protection is being imposed on his property. Mr. Cownden indicated that the conditions of the development permit would impose undue hardship to carry out normal activities on the property and suggested that the RDN should consider not placing a development permit on properties that are not slated for development.

**Michele Deakin, 1097 Fabrick Drive**, read her written submissions.

**Michael Jessen, 1266 Jukes Place**, read his written submissions.

**Roseanne McQueen, 808 Mariner Place**, thanked the RDN staff for the hard work. She stated that the development permit for San Pareil is a necessity and wants it to stay.

**Annette Tanner, 563 West Crescent Road**, stated the ecological importance of the 3 estuaries within the OCP area. Ms. Tanner expressed concern for the loss of coastal douglas fir ecosystem in the area. Ms. Tanner indicated that in order to maintain the ecosystem, at least 70% of the remaining ecosystem must be protected. Ms. Tanner suggested that the remaining ecosystem should be protected as regional park land.

**Peter Hann, 1029 Maple Lane Drive**, requested that no decisions on the draft OCP be made prior to the general meeting of Shorewood and San Pareil Owners and Residents Association on May 5, 2008.

**Judy Kemp, McFeely Drive**, expressed the difficulty of attending evening meetings. Ms. Kemp indicated that she had called the RDN to have her property connected to sewer service, but received no answers. She stated her concern for the environmental impacts of septic systems on coastal and riparian areas. She also stated that private water provided to waterfront homes showed favoritism.

**Janet Moore, 733 Mariner Way**, expressed her support for the new regulations in the OCP. Ms. Moore stated her concern for estuaries and requested no more development take place.

**Judy Kemp, McFeely Drive**, stated her concern that parkland was sold by the RDN to a developer. Ms. Kemp indicated that taxes have increased in the area, without appropriate services. Ms. Kemp stated that some residents have hooked into the sewer system. She also identified a trailer on Kinkade Road that does not conform.

**The Chair** requested any written submissions.

**Jo Dunn, 887 Shorewood Drive**, stated the need to consider the environmental consequences of our actions. Mr. Dunn stated that the proposed OCP and development permits provide process for meaningful debate and study of environmental issues.

**The Chair** asked if there were any other comments or submissions.

**The Chair** asked for a second time if there were any other comments or submissions.

**The Chair** asked for a third time if there were any other comments or submissions.

Hearing none, the Chair thanked those in attendance and announced that the Public Hearing was closed. The Chair indicated that the Board of the Regional District would consider Bylaw No. 1540, 2008 at their Regular Board meeting to be held Tuesday, April 22, 2008 in the Board Chambers located at 6300 Hammond Bay Road in Nanaimo.

The meeting concluded at 8:03 pm.

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Greg Keller  
Recording Secretary

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Director Joe Stanhope  
Electoral Area 'G'

Appendix A

Written Submissions and Comments Received at the Public Hearing

Chairperson and Director J. Stanhope,  
Regional District of Nanaimo,  
6300 Hammond Bay Road,  
Nanaimo, B.C. V9T 6N2

March 18, 2008

**Re: Public Hearing — "Regional District of Nanaimo Electoral Area 'G'  
Official Community Plan Bylaw No. 1540, 2008.**

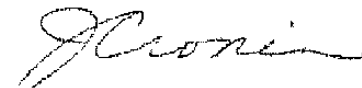
Dear Director Stanhope,

The process of achieving the Electoral Area 'G' OCP afforded many opportunities for the public to be involved.

I participated in some of these opportunities and I would like to register my full support for the Regional District of Nanaimo Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008.

In my opinion, this is a very good OCP that will serve Area G well in the future.

Respectfully submitted,



Jacquie Cronin  
1405 Mallard Road,  
Parksville, B.C. V9P 2A3

250-752-3609

Presentation to: Area 'G' OCP Review Public Hearing March 18, 2008  
Presented by Robin Robinson, 484 Columbia Drive Parksville, BC V9P 1Y2  
on behalf of the Friends of French Creek Conservation Society

In the new Area 'G' OCP we have several estuaries, the Little Qualicum River, the French and Morningstar Creeks and the Englishman River. What I am addressing this evening is an environmental protection gap for the Area 'G' estuaries.

The new OCP is incorporating Riparian Area Regulations referred to as the RAR. In the RAR there is provision for streamside protection and enhancement areas. Currently, there is no equivalent riparian area protection and enhancement for estuaries. This type of protection must be incorporated into the OCP along with a land buffer adjacent to the estuaries.

I draw to your attention that the Fish protection Act (from which the RAR stems) states that a local government must provide a level of protection that meets or even exceeds the RAR.

I further draw to your attention that a conservation wetland partnership which includes Ducks Unlimited, Environment Canada, MOE, Union of BC municipalities and the PSF have produced the Green Bylaws Tool Kit which is aimed at conserving sensitive ecosystems and green infrastructure. It is an important resource for understanding how local governments and developers can safeguard the environment.

Here in Area G we have three important fish habitat river estuaries already compromised by development. Their sensitivity is in need of very strong protection policy. According to the Tool Kit, strong OCP policies provide direction to approving officers when reviewing development applications. The Land Title Act suggests that an Approving Officer can even refuse to approve a development plan if the officer considers it against the public interest.

In our opinion the proposed 30metre Development Permit Area for the Area 'G' estuarine lands in section 10.2 titled Environmentally Sensitive Features, does not offer adequate protection since, as the Tool Kit states, "flexibility in applying guidelines may result in inadequate environmental protection".

In order to provide estuarine protection and enhancement areas and an adequate land buffer within the estuarine habitat area we are therefore requesting that the 30metre Development Permit Area for the Little Qualicum River, Englishman River and French <sup>& Morningstar</sup> Creeks be replaced in the OCP with a 30 metre non negotiable protective leave strip.

Thankyou



**FCRA Directors' Submission to Public Hearing March 18, 2008**

**Electoral Area 'G' Official Community Plan Review  
Proposed Changes to the 3<sup>rd</sup> Draft to be considered by 3<sup>rd</sup> Reading**

Table of Changes received from Greg Keller, RDN Senior Planner, attached to email dated Feb. 7, 2008.

Comments by French Creek Res. Assn. Board of Directors. Feb. 27, 2008  
Total of 3 pages.

2.1 Title of Section Proposed change of wording to "ecosystems" is reasonable.

2.1 Bottom of Para. 1. Suggested change - ..... or habitats that are worthy of a higher level of protection as a result of vulnerability, or particular value in maintaining essential ecosystem function or contain a high abundance and/or wide range of local biodiversity, including red and blue listed and migratory species.

2.1 Objective 2. Should the word "features" be changed to "ecosystems" as per first item above? We believe the RDN has powers to "prohibit and impose requirements in relation to the protection of the natural environment". Therefore, could the OCP not use language stronger than "encourage"?

2.1 Objective 5. Proposed wording is reasonable.

2.1 Policy 2. Proposed addition of the bracketed sentence seems reasonable.

2.2 Bottom of Para. 4. Deletion and addition seem reasonable.

2.3 Objective 2. Proposed wording is reasonable.

2.3 Policy 8. Suggest the following change "All proposals pertaining to lands adjacent.....". Is the entire shoreline of Area G within the PQBWMA? If not, possibly another metric should be used because work on any marine shore should be submitted or referred to DFO in some manner. Perhaps use can be made of the RDN's "one window" memorandum of understanding with DFO and MoE. We could be wrong, but we do not believe the draft OCP makes mention of the Memorandum of Understanding or the use that could be made of it to efficiently handle coastal planning issues or to deal with complaints.

2.4 Para 1, 2<sup>nd</sup> sentence. Proposed wording is reasonable.

2.4 Policy 2. Proposed addition of 2(d) is reasonable.

1

2.5 Obj. 2. The following change of wording is recommended ".....current standards prescribed by a qualified professional". We do not believe that even qualified professionals have the authority to establish or set standards.

2.6 Policy 8. Proposed wording is reasonable.

2.6 Policy 9. Including "existing" applications raises interesting questions about applications submitted with the intent of enjoying the potentially less onerous requirements of the current OCP. Proposed wording is basically reasonable.

2.6 Policy 10. Proposed wording is reasonable.

2.8 Policy 1. Low flow toilets aren't the only plumbing fixtures that can support the efficient use of water. Shouldn't we maintain some suggestion of promoting the adoption of other fixtures and systems, for example irrigation, that facilitate the more efficient use of water?

2.8 Policy 7 (s/b 8). Proposed wording is reasonable.

3.2 Secondary Suites. Policies 5, 6, and 7. Proposed wording is reasonable, however would prefer firmer language to require information meetings and public hearings. We remain concerned that other ways of addressing the supply of affordable housing do not seem to attract the appropriate level of attention in this OCP. It is our understanding that the participants in the OCP workshops wanted the broad spectrum of affordable housing alternatives to be addressed.

4.1 Objective 1. Proposed wording is reasonable.

4.1 Policy 4. Deletion is reasonable.

4.1 Policy 18. Deletion is reasonable.

4.2 Objective 1. Proposed wording is reasonable.

4.2 Policy 1(a). Proposed wording is reasonable. If the control lights were installed under some other arrangement, would the RDN strive to obtain another amenity as a condition to approving any rezoning application on lands neighboring the intersection? The Green Bylaws Toolkit reminds us that "rezoning is a gift from the public and *(in most instances)* increases the value of the land." All applications for rezoning, subdivision and development permits provide opportunities to obtain benefits for the general public in return for the "gift".

4.2 Policy 1(d). Spelling of Morningstar Creek. We presume the intent of the added wording is to achieve a marine riparian protection roughly equivalent to the Riparian Areas Regulation for watercourses. We believe local government has the power to "prohibit and impose requirements in relation to the protection of the natural environment". With the provincial government taking back responsibility for watercourse protection from local government (in the form of the RAR), local government still has the authority to protect marine riparian i.e. leave strips, probably as long as it isn't the whole coast line. We also believe local government can set a higher riparian protection standard than the RAR. In fact, in all likelihood the streamside setback for French Creek in the current OCP was more rigorous than the RAR that seems to have been accepted as the standard. We would ask that the more protective of the riparian standards in the current French Creek OCP or the RAR be applied to the French Creek, Englishman River and Little 2

Qualicum River. And further, that the chosen riparian protection standard be applied to the estuarine lands of each watercourse. This position is supported by a local, well known naturalist.

4.2 New Policy 1(f). This probably addresses our concerns over Policy 1(d).

4.2 Policy 7. Proposed wording is reasonable.

5.1 New Policy 27. Although unfamiliar with all the circumstances surrounding this issue, this would seem to be a reasonable policy.

5.2 New Policy 4. It is unclear whether the text proposed replaces or is in addition to the existing. If it replaces, it would seem to be insufficient to describe what is intended and at the extreme could be too open-ended as compared with what is stated now.

5.2 New Policy 6. The nature of this suggested policy does not seem to be in sync with what is contained in the existing Policy 6. There are no uses listed in the referenced Policy 5, other than possibly alluding to agriculture.

6.4 Policy 2(a). Proposed wording is reasonable.

8.3 Policy 6. Acceptable only if the process of rezoning gravel pits includes full public disclosure and feedback through information meetings and public hearings.

8.7 Policy 4. Same comment as for 8.3 Policy 6 above

10.6 Policy 33. Suggest the following changes to the proposed phrase "... Regional District of Nanaimo, such deposit to be released upon final inspection by a Landscape Architect or other similarly qualified person, and to the satisfaction of the Regional District of Nanaimo."

11 Implementation. Very glad to hear that the tables will be reworked. We remain concerned about the title of Section 4 and the table (and preamble) for Section 4 in Section 11 with respect to the use of the word "nodal". (We suggest a find and replace of "node" and "nodal" in the context of our concern for the FC Harbour Centre.) We remain opposed to the rezoning of RS5 properties to single family – unless the reasons for doing so are thoroughly explained in the body of the plan. Further, we feel that some "Action Items" in the tables of Section 11 are not fully explained in the body of the plan. We do confess that we have not crosschecked every Action Item to see where and if they are contained within the body.

*M. J. J. J.*  
*Secretary*  
*FCRA*

TO: RDN

Re: Area G OCP Bylaw

→ lots of great content & good thinking  
- Thank you for  
all thoughts & effort  
in a review of 3rd version. Have found  
a few gaps or additions.

① we need a non-negotiable RAR &  
30m setback in all estuaries

② glad to see RAR, SEI, shore zone ecosystems &  
estimates & all the protection values -  
we'd like to see enforcement of these  
standards, not just guidelines  
we'd also like to see <sup>proactive</sup> program  
to get info out to landowners so they  
can't claim ignorance after the damage  
is done

③ would like to see no new development  
in estuaries = ↑ water use, runoff  
septic issues, flooding + taxpayers  
having to <sup>pay</sup> compensation as winter  
flooding expected to increase

④ coastal bluffs feed our shorelines & beaches & we need to allow that natural process to happen & so we need large setbacks & encourage natural vegetation - not landscaping after damage is done, or roads & other developments.

⑤ fish habitat to include forage fish species like sand lance & smelt. Typically people think of salmon, but these fish species feed on salmon & many other fish & marine species. They spawn & live high on the shoreline & are easily impacted by development or other human activity.

⑥ The DPAs may not be large enough to protect the shore zone ecosystems as you refer to them. Our beaches are so big & have ecosystem traits important to areas outside our community. For example eulachin beds which provide nursery areas for many fish species, all crab species provide us with oxygen, clean our water & stabilize our shores where the WMA exists.

The current 15m seaward from the natural boundary could leave out all or part of seagrass beds & other key elements of our nearshore. We ask that the RDN work with DFO, stewards, property owners & others as appropriate to consider the needs of the whole nearshore area.

Michelle Deakin  
1097 Fabrick Dr  
MVIHE  
Co-chair Seagrass  
Conservation  
Working Group

## **Area G OCP Review**

**Public Hearing, March 18, 2008**

**Michael Jessen**

*1260 JONES PLACE*

### **Chapter 3**

Section 3.1

Policy 4

Community amenities are not “increased parkland or protection of greenways”. These are community aspirations. Could the wording be changed?

Section 3.2

Policies 5,6,7

The criteria for establishing satisfactory water capacity in the approval process for secondary suites must be defined before the OCP is approved. Further, the RDN as a water purveyor could be in a conflict of interest in establishing and proving water capacity for secondary suites applications.

Section 3.3

Restricting multi residential to Neighborhood Centres could be inconsistent with supporting a viable public transit that works best with higher density around well planned bus stops or terminals.

Policies

2. Spelling of MULTI in middle of paragraph
3. Multi residential not supported outside Neighborhood Centres shall not be supported. Again, this may be inconsistent with good public transit planning.
4. a to f from Draft 2 seem to have been deleted. These requirements or relaxations might have provided for clustering to the benefit of transit.

Please ensure that the phrase “FORM and CHARACTER” is defined in the OCP.

### **Chapter 4**

Section 4.1

Policy 11

We received no response to our question as to whether this requirement applies to private water purveyor EPCOR.

#### Section 4.2

We humbly suggest that the definition of the word MAY, used in this section and elsewhere, should be revisited. There might be some confusion as to whether the "permissive" interpretation of the word MAY is (1) provided by the OCP to the RDN board as allowing say an amendment process or (2) just the act of approving day to day applications.

#### Chapter 8

##### Section 8.1

##### Policy 5

The ALC should be encouraged to preserve all designated agricultural land -- not just LARGER land holdings. Should this be in the ADVOCACY section?

#### Chapters 11 and 12

These two chapters should be interchanged because Implementation Strategy (currently Chapter 11) should be a summary of ACTION ITEMS that arise in all the chapters before it.

*M. Jensen*



## Area G OCP Review

Public Hearing, March 18, 2008

**Michael Jessen**  
1266 Jukes Place

### Concerns about QB Airport and lands around Airport.


I would like to remind you of the note I sent to you back in the fall with regard to issues pertaining to the airport.

Some recent news with respect to the airport increases our concern.

1. It was announced that a second airline will be starting daily service in March from QB airport to Vancouver and Victoria.
2. It was reported in a recent newspaper article that the federal department of transport has admitted that its maps of QB airport and surrounding communities were out of date. It apparently never knew that Chartwell existed. It will be changing flight paths because of this "new" information.
3. The Town of Qualicum Beach is struggling to deal with the need for sound abatement (in this case, tree buffers) to provide (token) protection to residents of Chartwell and Sandpiper. Previous versions of our OCP in 1987 and 1998 appear to have been almost silent with respect to any serious land use planning around the airport.

Therefore, I again ask that some mention be made in the OCP with regard to detailed planning requirements with respect to lands (say 1 km) around the airport. Medicine Hat apparently has a cemetery on one side of its airport and Calgary has a golf course under one of its flight paths. All development permits, applications for rezoning, subdivision applications and building permits should be submitted to the federal department of transport for their information and review.

The OCP also provides information to prospective real estate buyers and agents to help make wise decisions.



**French Creek Residents' Association**

c/o 1266 Jukes Place  
Parksville, B.C. V9P 1W5

March 18, 2008

**Re. Commercial Property Between Sumar Lane and Karl's Way**  
**Current OCP Development Permit Area 4**

The directors of French Creek Residents' Association met on March 6, 2008. The directors have a suggestion to be considered by the community and government leaders.

It is recommended that these lands, currently believed to be zoned retail commercial, should be rezoned for a land use more in keeping with the nature of the surrounding community – and such rezoning to be provided for in the OCP currently under review. The land should be converted to residential, multi-family (higher density), affordable housing and possibly some light retail. Based on nearby existing and planned projects, as many as 90 dwellings could be provided – with an assessed property value exceeding \$23 million at 2008 rates.

It is felt that such land use could allow the completion of Sharon's Place to Sumar Lane and make it possible for an efficient and logical second connection to the highway for the Columbia Beach community. It may also create better conditions for the provision of transit service to that community.

Association directors would be pleased to meet and discuss this idea in more detail.

Michael Jessen, P.Eng.  
Secretary, French Creek Residents' Association



**FRENCH CREEK**

**HOUSE LTD.**

#1-1025 Lee Road, Parksville, B.C. V9P 2K1

Telephone: (604) 248-3713 Fax: (604) 248-6263

March 18, 2008

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

Attention: The Board of Directors  
Mr. Joe Stanhope, Chairman and Area 'G' Director  
Mr. Greg Keller, Area 'G' OCP Planner

**Re. Public Hearing: Draft #3 Electoral Area 'G' OCP, Bylaw No. 1540, 2008**

Thank you for the opportunity to voice our opinions concerning this OCP bylaw. The Public Hearing is the final opportunity for the public to present their opinions, thoughts and critique of this bylaw to the RDN Board, the Area G Director and the planners. As such, it is the final event in the public process of information, advocacy and adjudication of our new OCP.

The RDN planners must be complimented for their extensive efforts to implement the controls they deem necessary to foster sustainability of development and construction within Area G. This bylaw sets a new standard for the remainder of the RDN Electoral Areas and perhaps, the municipalities.

We have continuing concerns that we believe have not been adequately addressed by the public planning process that concludes with tonight's Public Hearing. Some of these are, as follow:

- One of our greatest issues with the draft OCP is the use of the words "dedication" and "dedicate" regarding private property that the OCP aims to protect for environmental and public use purposes in Section 2, *Protecting the Natural Environment*, and Section 6, *Enhancing and Maintaining Parkland, Green Space and Natural Areas*, and Section 10, *Development Permit Areas*.

During our meeting with the RDN February 1, 2008, we were informed that the words "dedication and dedicate" did not mean transfer to the RDN of private property as defined in the Land Act (Land Title Act), but rather meant allocation and designation of these lands for variously: protection, preservation and public use. We requested the RDN planners to review, define and clarify the use of these words such that there would be no confusion in use and/or interpretation of the OCP in the future. Subsequently, at the Open House we learned the RDN had discussed this issue and decided to leave the wording of the Bylaw as it is because of their concerns about security of such designated lands at the time of rezoning, zoning amendment and/or development permit approvals. We now request formal definition in Section 13.0.

In that the bylaw describes variously permanent protection and acquisition of lands in terms such as: land dedication through sub-division, restrictive covenants, private donation, eco-gifting, etc., it is not unreasonable for the development community to believe there could be future misinterpretation. It is of utmost importance to the development and construction industry that land area and land value is not lost at the time of rezoning, zoning amendment and development permits because this is the "front end" of the development process where

expenses are high, financing is critical and risk is highest. We note that any proposed project is not viable until all approvals, including building permits, and financing have been attained. We trust these lands can be protected by restrictive covenants at the time of subdivision and project development as well as by interim conditions of a Development Permit.

- The OCP needs greater vision of the future. The Improving Mobility section does not address a future second arterial roadway that will be needed to connect Qualicum Beach and Parksville and to assist access to the Inland Highway. We must plan for increased mobility in addition to Hwy 19A, our major arterial roadway, that will continue to be a cause of concern as our area grows and additional controlled intersections are required.
- The Community Water Servicing section needs to address in greater detail provision of public water supply from an inter-connected network of all local area water purveyors. In order to provide unused water from the Englishman and Little Qualicum Rivers, such a network to share water supply is necessary. While a large part of the solution to a sustainable water supply appears to depend upon the politics of the AWS tri-partite agreement and the parochial interests of its three partners, it is imperative the RDN and this OCP reinforce resolution of this critical issue.
- The RDN should more actively seek the participation of a statistically relevant cross-section of population for input into future OCPs and other relevant bylaws. Newspaper advertisements are insufficient to inform and encourage participation of the labour force that, in Area G in 2006, was greater than 50% of the population 15 years and over.

We note that when we encouraged approximately 60 Area G working persons to identify themselves and voice their concerns about Draft #3 via a form email with personal comments to the RDN Board members prior to First and Second Readings of this OCP Bylaw, the RDN's reply appeared to discourage their interest. As well, they have not been included in the email Notices subsequently sent forth by the RDN regarding changes to the OCP Draft, the Public Information Open House and this Public Hearing. We request that in future we all try harder to encourage businesses, employed persons and a broad cross-section of our community to participate in the planning process.

In addition to the above major concerns, we re-submit our revised and updated "RDN Draft #3 Area G OCP Evaluation Form" that provides our detailed critique of the OCP. Further, we respectfully request again that the RDN remove from OCP Bylaw No. 1540, 2008, the designation of our man-made pond (15 m. from Natural Boundary) from the Environmentally Sensitive Features DPA, Map No. 9, as it is a work in progress and the designation of Desired Park/Conservation Lands Acquisition Areas, Map No.4, both of which are located on property being developed according to conditions of DP No. 77.

Thank you for your consideration.

Sincerely,

  
John Moore, President

## French Creek House Ltd.

RDN - DRAFT 3 AREA G OCP		EVALUATION FORM			PAGE 1
		Yes	No	Amend	Reason
1	Introduction				
1.1	The Plan Area			x	Add: Note 1
1.2	Purpose of the Electoral Area "G" Official Community Plan			x	LGA: S875-S876; S849(1)
1.3	Community Involvement				Add "And business throughout"; Para 2 "Not true"
1.4	Community Values				
	i				
	ii				
	iii				
	iv				
	v				
	vi				
	vii				
	add viii				
1.5	Electoral Area "G" Regional Context Statement				Add: Note 2
	Goals				
	1		x		
	2		x		
	3		x		
	4		x	x	Add: "including mitigation"
	5		x		
	6		x		
	7		x		
	8		x		
	Regional Context Statements				
	Goal 1: Strong Urban Containment				
	Goal 2: Nodal Structure				
	Goal 3: Rural Integrity				
	Goal 4: Environment Protection				
	Goal 5: Improved Mobility				
	Goal 6: Vibrant and Sustainable Economy			x	Add: statement of economic sustainability
	Goal 7: Efficient Services				
	Goal 8: Cooperation Among Jurisdictions:				
1.6	Plan Organization				
2.0	Protecting the Natural Environment	x		x	Amend to Add "general statement re. mitigation"
2.1	Environmentally Sensitive Features	x			
	Objectives				
	1		x		
	2		x	x	add "are reviewed"
	3		x	x	delete "and individual"
	4		x		
	5		x	x	add "development mitigation and ..."
	Policies				
	1		x		
	2		x		
	3		x	x	establish criteria; add "mitigation"
	4		x	x	remove "all" potential impacts
	5		x	x	remove watercourses, wetlands; adjacent
	6		x		
	7		x	x	remove "permanently" protected
	8		x		
	9		x		
	10		x	x	Process in place
	11		x		
	12		x	x	work with RDN to mitigate
	13		x	x	where MELP Agreement, then...
	Advocacy Policies				
	1		x		Identify SA; no forest land dedication/covenants as suit & required
	2		x		
	3		x		
	4		x		already exists
	5		x		
2.2	Freshwater Management				delete & Add last sentence to Objectives
	Objectives			x	Add: "RAR" to Objectives
	1		x	x	delete: "All"
	2		x		

## French Creek House Ltd.

RDN - DRAFT 3 AREA G OUP		EVALUATION FORM		PAGE 2
3		x	x	delete "and on-going"; "ecosystems"; add "supply"
4		x	x	delete "all"
Policies				
1		x	x	Allow enhancement to MELP
2		x	x	delete "water feature"; add "course"
3		x	x	add "balance or" improvement
4		x		
5			x	Process in place
6		x		
7			x	Amend to protect property rights & ref.MOT requirements
8a		x	x	no limit to 50%
8b		x		
8c		x	x	define "local" & "regional" significances
8d			x	delete "permanent"
8e			x	delete
9		x		
10		x		
11		x	x	delete "features"; add "course"; remove dedication to park and >5%
12 in Area G?				
13				
14				
16				
Advocacy Policies				
1			x	
2		x	x	delete "feature"; add "course"
3		x		
2.3 Coastal Zone Management text			x	remove para 3; property rights
Objectives				
1		x		
2		x	x	delete "Discourage" & "would"; Add "ensure" & "will not"
3		x		
4		x	x	Add "private and"....
5		x		
Policies				
1		x	x	designate, above/below natural boundary
2			x	see notes
3		x	x	designate above/below instead boundary
4			?	explain
5		x		
6		x		
7		x		
8		x	x	use natural boundary vs HWM
9		x	x	Amend DOF vs MOE
10		x		allow for land behind soft treatment
11		x		
12		?	x	what does this mean??
13		x	x	delete: see notes
Advocacy Policies				
14		x		
15		x	x	Delete: "feature"; add "course"
16		x		
2.4 Greenways				
Objectives				
1		x	x	delete "create" add "Encourage"
2		x	x	add "Encourage"
3		x		
4		x		
Policies				
1		x	x	see notes
2a		x		
2b		x	?	Whiskey - deleted
2c		x		
3		x	x	Add: "so long as property rights are not violated"
4		x	x	add to 3 above
5			x	delete: "zoning amendment"
6		x	x	delete: "covenants, park land designation and other"
7			x	delete: "zoning amendment/subdivision"
Advocacy Policies				

## French Creek House Ltd.

RDN - DRAFT 3 AREA 6 OCP		EVALUATION FORM		PAGE 3
8		x		
9		x		
2.5	Natural Hazard Areas Management			
	Objectives			
1		x		
2		x	x	delete: "add current standards established by a qualified professional"
3		x	x	delete: "development, subdivision or alteration of land"
	Policies			
1		x		
2		x		
3		x		
4		x	x	delete: "or alteration of"
5		x	x	explain "protect adjacent properties"?
6		x	x	define "flood control elevation requirements"?
	Advocacy Policies			
7		x		
2.6	Ground Water Resources			
	Objectives			
1		x		
2		x	x	add "existing development & new..."
3		x		
	Policies			
1		x		check map 2
2		x	x	conditional upon geohydrology/geotechnical report
3		x	x	delete: potable water reference; add: Approved supply
4		x	x	delete: "or quantify" or "ground or"
5		x	x	delete: "and plan area residents"
6		x	x	delete: "and plan area residents"
7		x	x	delete: "and plan area residents"
8		x	x	as noted add: AWS
9		x	x	add: "existing and" as noted
10		x	x	add: "where possible and practical"
	Advocacy Policies			
11			x	Process in place
12		x		
13			x	Process in place
14			x	Process in place
15			x	Process in place
16a			x	explain how?
16b			x	explain how?
2.7	Rain Water Management			
	Objectives			
1		x		
2		x	x	add: "as much as practical and"...
3		x		
4		x		
5				
	Policies			
1a		x		add: "attempt to"....
1b		x		add: ... where practically possible
1c		x		
1d		x		
2		x		
3			x	MOH conflict
4		x		
5			x	define peak vs normal
6		x	x	define, delineate, qualify
7			x	infeasible; State design storm duration & period
8		x	x	quantify, define, delineate
9		x		
	Advocacy Policies			
10		x	x	amend to make practical
2.8	Sustainable Development Practices & Climate Change			
	Objectives			
1		x		
2		x		

## French Creek House Ltd.

RDN - DRAFT 3 AREA G OCP		EVALUATION FORM		PAGE 4
3		x		
4		x		
5		x		
<b>Policies</b>				
1		x	x	BC Building Code and bonus provisions
2		x		
3		x	x	delete: "Technologically
4		x	x	state eg. & concepts
5		x		
6			x	explain how this works?
7			x	repetitive re. #5
8		x	x	Note: include: Wembley & French Creek Harbour
9		x	x	define, delineate, qualify
10		x	x	Add: "or other qualified person"
<b>Advocacy Policies</b>				
11		x		
1.0	Containing Urban Sprawl			
1.1	Urban Containment Boundary	x	x	Add: F.C. Harbour Centre
<b>Objectives</b>				
1		x		
2			x	not so rigid
3			x	rewrite - see notes
4			x	same as 0.1; if not, explain
5		x		
<b>Policies</b>				
1		x	x	Show changes re. Current OCPs, where applicable
2		x		
3		x		?? State why?
4		x	x	?? What does this mean
5		x	x	except: water supply by surveyors as required
6		x	x	add: Support decisions of ALC
7			x	ref. Specific section that defines
8			x	rewrite to include F.C. Node
9		x		
10		x	x	where geotechnically feasible
11		x	x	study?? Show in this OCP
12		x		
1.2	Neighbourhood Residential		x	rewrite para 2 - see notes
<b>Objectives</b>				
1		x		
2		x	x	Add: "except at transition to higher density area"
3			x	NIMBY
<b>Policies</b>				
1			x	not amendable to transition housing: limit 5u/ac
2			x	6 U/AC= sub-urban sprawl
3			x	why? What purpose? State problems
4		x	x	Add: This policy does not apply to existing multi-residential zoning on properties with Development Permits
4a		x		
4b			x	delete: 20% of the land area
4c		x		
4d			x	delete: 20% reference
4e		x		
4f		x		
5		x		
5a		x		
5b		x		
5c		x		
5d		x	x	less if applicable: conditional upon total parking
5e		x		
5f			x	up to 50% of principal dwelling
6		x		
7		x	x	N/A - waterdu @ 900 lcpd; Add: within Hydro capacity.
3	Multi Residential		x	6 du/ac = urban sprawl; define "recognized"
<b>Objectives</b>				
1		x	x	create concept plan for growth
2		x	x	delete: "maintain"; add "Encourage"



## French Creek House Ltd.

RDN - DRAFT 3 AREA G OCP			EVALUATION FORM		PAGE 5
3		x	x	delete "Ensure" Add "Encourage"	
Policies					
1		x	x	ref to 15u/ha; Add: French Creek Estates. DE#17	
2		x			
3			x	15 u/ha = 3u/ac = SFDU	
4		x	x	why? What purpose?	
6		?	?	Explain	
4.0 Creating Complete Nodal Communities		x	x	Add: FC Harbour centre	
4.1 Wemby Neighbourhood Centre					
Objectives					
1		x			
2		x			
3		x	x	Amend to encourage density +/or height	
4		x			
5		x			
6		x			
Policies					
1		x			
2		x			
3			x		
4			x	redundant	
5			x	redundant	
6		x			
7		x			
8			x	20 du/ha = 8 du/ac - not enough; delete: 20% open/green space; increase base density	
9a		x	x	delete: "may be considered"; Add "will be supported"	
9b		x	x	delete: "may be considered"; Add: "will be supported"	
9c		x	x	delete: "may be considered"; Add: "will be supported"	
10		x	x	clarify	
11		x	x	delete ref: to Q.B	
12		x		ensure height & density included	
13		x			
14		x			
15		x			
16		x			
17 Text		x	x	Separate professional & neighbourhood commercial	
17a		x			
17b		x	x	Add: if possible and practical	
17c		x			
17d		x			
17e		x	x	delete: 200 sq. m.; Add: 50% floor area	
17f		x			
17g		x	x	Add: or as required to enhance Form and Character	
18		x	x	amend to clarify	
19		x			
Advocacy Policies					
20		x			
21		x			
4.2 French Creek Harbour Centre		x	x	F.C. Harbour Centre. Include: tourist commercial	
Objectives					
1		x		delete: "future"	
2		x			
3			x	required by zoning	
4			x	purpose is higher density; define "compatible"	
5		x	x	delete "Require"; Add: "Encourage"	
Policies					
1 Text		x	x	delete: "May"; add "will"	
1a			x	delete	
1b		x	x	define "off street" & cost sharing	
1c		x	x	noted in D.P. Section 10; add "or mitigated"	
1d		x	x	noted in D.P. Section 10	
1e		x	x	noted in D.P. Section 10; Add: specific scope of work	
2		x	x	Does not respect existing zoning	
3		x	x	density bonus re. Wemby vs. transer; height from Flood Elev.	
4		x	x	delete "must" x 2; Add: "Encourage", "to";	
5		x	x	delete "must"; add "Encourage"; "to"; Rezoning req'd by RDN	
6			x	std requirement	

**French Creek House Ltd.**

RDN - DRAFT 3 AREA G OCP		EVALUATION FORM		PAGE 8
7		x	same as 3	
8		x	already addressed: Section 5.2, 0-2.8 to be amended	
9		x	delete	
1.0	Protecting Rural Integrity			
1.1	Rural and Rural Residential Land Use			
	Designations			
	Objectives			
1		x		
2		x		
3		x		
4		x	x	rewrite: "further rural sprawl"??
	Policies			
1		x		
2		x	x	to allow full utilization of community water
3		x		
4		x		
5		x		
6		x		
	Advocacy Policies			
7		x	x	delete: "temporary use permit"
	Rural Residential 1			
	Policies			
8		x		Rezoning RU 1 - to - 9
9		x		Rezoning RU 1 - to - 9
10		x		Rezoning RU 1 - to - 9
11				
	Rural Residential 2			
12		x		Rezoning RU 1 - 9
13		x		Rezoning RU 1 - 9
14		x		Rezoning RU 1 - 9
	Rural Residential 3			
19				Rezoning RU 1 - 9
20				Rezoning RU 1 - 9
21				Rezoning RU 1 - 9
	Rural			
22				Rezoning RU 1-9
23				Rezoning RU 1-9
24				Rezoning RU 1-9
25				Rezoning RU 1-9
26				
5.2	Rural Resource Lands			
	Objectives			
1		x		
2		x		
3		x		
4		x		
	Policies			
1				
2				
3				
4				
5				
6				
7				
8a				
8b				
8c				
8d				
8e				
8f				
8g				
8h				
8i				
9a				
9b				
9c				
9d				
9e				

French Creek House Ltd.

RDN - DRAFT 3 AREA G OCP		EVALUATION FORM		PAGE 7
9f	Advocacy Policies			
10				
1.0	Enhancing and Maintaining Parkland, Green Space, and Natural Areas	x		Add: "(886 ha)"
1.1	Parks, Trails & Outdoor Recreational Opportunities	x		
	Objectives			
1		x		
2		x		
3		x	x	Amend re liability insurance
4		x	x	See RDN Parks & Trails Plan 2005 - 2015
5		x		
	Policies			
1		x		define "designate": Delete FGE & FCH land (Map 4)
2		x	x	why "no further subdivision of existing or future park is supportive"
3a		x		
3b			x	Move
3c			x	to
3d			x	Objectives
3e			x	Move
3f			x	to
3g			x	Objectives
4			x	Place within LGA Parkland dedication
5			x	who's option & determination
6			x	different uses at different times
7		x	x	state reward for density bonus, etc; loss of title
8		x	x	Objectives: what does this mean
9		x	x	Objectives:
10			x	more DEC's - unspecified amount
11			x	move to section 6.4
12		x	x	move to text section 6.0
13			x	delete: "retention" Add: "Acquisition"
14		x	x	delete: "planning & development"
15		x	?	? What are the implications?
	Advocacy Policies			
16		x		
6.2	Preserving Green Space	x		
	Objectives			
1		x		
2		x		
3		x		
	Policies			
1			x	same as 6.1.13 Delete 20% land.
2		x	x	delete: "dedication" Add: "Acquisition" & "protection"
3		x		delete: "Retention"; Add "acquisition"
4		x		
5		x	x	explain "participation"; delete "and planning"
	Advocacy Policies			
6		x		
7		x		
6.3	Protected Areas			
	Objectives			
1		x		
2		x		
3		x	x	Add: "equally" sensitive.....
4		x		
5		x		
	Policies			
1		x		
2		x		
3		x		Add: "equally sensitive" conservation....
4		x		
6.4	Acquisition of Park Land, Green Space and Natural Areas Text		x	delete: "requirement of rezoning; land dedication through subdivision"
	Objectives			
1		x	x	define "limited" dedication policy
2		x		

## French Creek House Ltd.

RDN - DRAFT 3 AREA G OCP		EVALUATION FORM		PAGE 8
3		x	x	delete: "Electoral Area 'G' residents"; add: "Objectives"
4		x	x	delete: "Ensure"; Add: "Encourage"
Policies				
1a		x		
1b		x		
1c			x	What LGA requirement allows this split?
2 Text			x	State LGA Authorization or rezoning?
2a		x	x	Re: "watercourses" ref. RAR?
2b			x	too vague - see Map 4 "Acquisition" Remove FCE, FCH lands
2c		x	x	
2d			x	Why "generally in addition to"? Why not "included within"
2e			x	impossible in private development at rezoning stage
2f			x	define by case study
2g			x	too vague - define & delineate
2h			x	in addition to "environmental land"?
2i			x	too vague: state total criteria
3		x	x	where not pressured by D.P./covenants
4			x	site specific - NIMBYs, DP exists. No:
5			x	ref. "Acquisition" - FCH lands; No:
6		x	x	6.4(2) is Objective not criteria redundant
7			x	not at rezoning or zoning amendment stage
8		x		
Advocacy Policies				
9		x	x	clarify condition precedent
10		x		delete " of Plan Area residents and "
7.0 Institutional Uses, And Improving Serficing Efficiency				
7.1 Schools				
Objectives				
1		x	x	clarify and quantify "parks and open space acquisition"; Adv. Policy
2		x		Advocacy Policy
Policies				
1		x	x	schools adjacent to nodal centres
2		x		
3a		x		
3b		x		
3c		x		
3d		x		
4			x	dedication? Amendment Application?
5a		x		
5b		x	x	only when demand in place; does LGA Authorize?
5c			x	
Advocacy Policies				
6		x		
7.2 Institutional Uses and Community, Social, and Cultural Services				
Objectives				
1		x		
2		x		
Policies				
1		x		
2		x		
3			x	define before putting in OCP; direct to Nodal Locations
4		x		
5a		x		
5b		x		
6		x		
7		x		
8		x		
7.3 Community Water Serficing			x	Para. 4: Why? PCCs paid, promised by 2005 Para 5 - No Approval without water
Objectives				
1		x	x	Why? Land area? Case study needed
2		x		Not Required - Already in place
3		x		Not Required - Already in place
4		x		
5		x		

**French Creek House Ltd.**

RDN - DRAFT 3 AREA G OCP			EVALUATION FORM	PAGE 9
6		x		
Policies				
1	x			
2		x	x	"on-site measures"? Explain
3	x	x	x	describe impact - what purpose? RDN & Provincial Approval?
4		x	x	Refine & delineate Assessment criteria?
5		x	x	"rating system" - describe, delineate
6			x	Water connection approval prior to zoning amendment?
7	x		x	See Notes:
8		x	x	describe & quantify?
8		x	x	describe & quantify?
10	x		x	same criteria for "public" vs "private"
11		x	x	AWS in place: what else? Sell water to EPCOR for resale
12		x	x	Again?? Stop this nonsense
13		x	x	Explain: Down zoning rural areas
14		x		Impossible! Who reports & who adjudicates? What IF situation
15	x			
16	x		x	Do this first, then the OCP
17	x		x	delete "lawm and topsoil"; Add "irrigation control"
Advocacy Policies				
18	x			1 Policy; same for all purveyors
19	x			1 Policy; same for all purveyors
20	x			1 Policy; same for all purveyors
7.4 Community Sewer & Drainage Servicing Objectives				
1	x		x	Define terms
2	x			
3	x			
4	x			
5	x		x	not impact neutral; Add: EPCOR
6	x			
7	x			
Policies				
1	x			
2	x			
3	x			
4	x			
5		x	x	Map 3 - Shows nothing for FC Comprehension Zone
6	x			
7	x			
8		x	x	Same standard "public" vs "private"
9	x			
10	x			
11	x			
12		x	x	Amend to rationalize re. fair policy
13		x	x	clarity & describe & delineate
14a	x			
14b	x		x	existing vs. proposed ref. 5
15	x		x	delete "but shall not ... parcel size"
16	x		x	add: "conditional upon geotechnical & capacity"
17	x		x	MOT vs RDN
18	x		x	define & delineate
19			x	make feasible, not impossible
20				
8.0 Creating A Vibrant and Sustainable Economy			x	State home building and construction - largest economic generator
			x	define, quantify areas: tourism, clean commerce?
8.1 Agriculture Objectives				
1	x			
2	x			
3	x			
4	x			
5	x			
6	x			
Policies				
1	x			
2	x			
3	x			

French Creek House Ltd.

RDN - DRAFT 3 AREA G OCP		EVALUATION FORM		PAGE 10
4		x	x	Amend: Map 10 Farmland Protection DP within UCB
5		x		
6		x		15m buffer
7		x		
8		x		
Advocacy Policies				
9		x	x	Does RDN really want to do this in Area G & other Electoral Areas?
3.2	Forestry			
Objectives				
1		x		
2		x		
3		x	x	Add: "Encourage.... public & private...."
4		x		
Policies				
1		x		
2		x		
3		x		
4		x		
5		x		
6		x		
Advocacy Policies				
7		x		
8.3	Aggregates and Other Extractable Resources			
Objectives				
1		x		
2		x		
3		x		
4		x		
Policies				
1		x		
2		x		
3		x		
4		x		
5		x		
6a		x		
6b		x	x	delineate
6c		x		
6d		x		
6e		x		
6f		x	x	How does this work? Delineate
6g		x		
6h		x		
6i		x	x	define basis; delineate process & procedure
7		x		
Advocacy Policies				
8a		x		
8b			?	one agency or the other
8c		x		
8.4	Industrial Land Use Designation			
Objectives				
1		x		
2		x	x	delete " follows community preference"
3		x		
4		x	x	delineate where
Policies				
1		x		
2			x	define demand for industrial land; why not, if rational
3		x		
4			?	
5		x		
6		x		
7		x		
8		x		
9			x	redundant
8.5	Commercial Land Use Designation			
Objectives				
1		x		

## French Creek House Ltd.

RDN - DRAFT 2 AREA G OCP			EVALUATION FORM		PAGE 11
2			x		
3			x		
Policies					
1			x		
2				x	residential @ 15u/ha is to low.
3				x	why ?? Farmers selling produce?
4			x		define how many sites less than 2.0 ha
5				x	Not Required - See Zoning
6				x	redundant #3, above
7			x		define "buffering & screening of sites" - DP Section 10
8			x		
9			x		
10			x		
11				x	
12				x	define - Keno, poker, pull-tab - everywhere
13				x	define & delineate: why?
14			x		
15				x	site-specific reference
B.6 Home Based Business					
Objectives					
1			x		
Policies					
1			x		
2			x		
3				x	
4			x		
B.7 Temporary Use Permits					
Objectives					
1			x		
2			x		
3			x		
Policies					
1 Text				x	How many sites < 4.0 ha?
1a			x		
1b			x		
1c			x		
1d			x		
1e			x		
1f			x		
1g			x		
1h			x		
1i			x		
1j			x		
1k			x		
1l			x		
1m			x		
2			x		explain; define & delineate
3			x		
4			x	x	Why not have it comply initially
5			x		
9.0 Improving Mobility				x	Revise to meaningful statements: Add: 1 road & 1 Node in OCP
9.1 Road Network Strategy				x	To include future QB/PV Arterial Route
Objectives					
1			x		
2			x		Add: "primary"
3			x		define: "standards"
4			x		define what visual integrity
Policies					
1			x		resolve conflict of "standards" vs "permissible paving" in OCP
2				x	define & delineate
3			x		show PQ/QB 2nd Arterial
4				x	meaning??
5			x		
6			x		
7			x		
8			x		
9			x		
10				x	

**French Creek House Ltd.**

RDN - DRAFT 3 AREA G OCP		EVALUATION FORM		PAGE 12
11		x		State rationale
Advocacy Policies				
12		x		
13		x		
14		x		
15		x		
9.2	Public Transit and Other Mobility Services			
Objectives				
1		x		
2		x		
3		x		
4		x		
Policies				
1		x		
2		x		
3		x		
4		x		
5		x		
6		x		
7		x		
8		x		
9		x	x	RDN to do
10		x	x	define & delineate
11			x	No dedications
8.4	Walkways, Bikeways, and Trails			
Objectives				
1		x		
2		x		
3		x		
4		x	x	RDN to facilitate with MELP
Policies				
1		x		
2		x		
3		x	x	Allow roadway to qualify
4		x	x	must be public sector project
5		x		
6		x		
7		x		
8		x		
9			x	Not a DP condition - public sector
8.5	Island Highway Agreement			
Objectives				
1		x		
Policies				
1		x		
2		x		
3a		x		
3b		x		
3c		x		
4		x	x	delete: "covenant"
5		x		
6		x		
Advocacy Policies				
7		x		
10.0	Development Permit Areas			
10.1	Fish Habitat Protection		x	Delete: "French Creek". Exemption #1
Guidelines				
1		x		
2		x		
3		x, x	x	Define type of RDN comments to DFO
4		x, x	x	What type of information
5		x		
6		x		
7a			x	
7b			x	
7c		x	x	Define "conservation covenants"
8		x	x	Combine #8 & #9
9		x	x	Combine #8 & #9



French Creek House Ltd.

RDN - DRAFT 3: AREA G OCP		EVALUATION FORM		PAGE 13
10	x			
11	x	x	delete: "RDN"; Add: DFO	
12a	x			
12b	x	x	Define: "pre-development flow rates."	
12c	x			
12d	x	x	define degree of "natural water courses & wetlands"	
10.2 Environmentally Sensitive Features				
General Guidelines				
1	x			
2	x	x	Define/delineate "satisfaction" of RDN	
3	x			
4	x			
5a	x			
5b	x			
5c	x			
5d	x			
6	x		Define "work with RDN"	
7	x			
8	x			
9	x			
10	x	x	delete: "permanent or "	
11	x			
12	x			
13	x			
14	x			
15	x			
16	x			
17	x			
18a	x	x	delete: "and sound"	
18b		x	too broad and vague	
18c		x	too broad and vague	
18d		x	too broad and vague	
18e		x	too broad and vague	
18f		x	too broad and vague	
18g		x	too broad and vague	
18h		x	too broad and vague; delete: "...perch" trees	
18i		x	infeasible, conflict RDN vs MOT	
18j		x	same as 18 f	
19	x			
Guidelines specific to Coastal Areas and All Riparian Ecosystems				
20	x			
21	x			
22	x			
23	x			
24	x	x	too general	
Guidelines specific to Aquifer Protection				
25				
26i	x			
26ii	x			
26iii	x			
27	x			
28	x			
29	x			
10.3 Hazard Lands				
Guidelines				
1	x	x	Add Exemption: "All development above MOE flood elevation"	
2	x	x	delete: exemptions 6a & 6b - not feasible	
3	x	x	Add: "and mitigation"	
4	x	x	define and delineate	
5	x	x	delineate frequency and period of storm	
6	x	x	already in place for MOE	
7	x		define: construction, post-construction phases	
8	x			
9	x			
10	x	x	state "Above flood elevation by MOE	
11	x	x	Allow sensitive alterations to reach objective	
12a	x			

## French Creek House Ltd.

RDN - DRAFT 3 AREA G OCP		EVALUATION FORM		PAGE 14
12b	x			
12c	x			
12d	x			
13a	x			
13b	x	x		Add "or optimize"
13c	x			
13d	x	x		define & delineate
13e	x	x		too vague; define & delineate.
<b>10.4 Farmland Protection</b>				
<b>Guidelines</b>				
1	x			
2	x			
3	x			
4	x			
5	x			
6	x			
7	x			
<b>10.5 Inland Island Highway Corridor</b>				
<b>Guidelines</b>				
1a	x			
1b	x			
1c	x			
2	x			
3	x			
4	x	x		Why no 3rd party?
5	x			
6	x			
7	x			
<b>10.6 Multi Residential, Intensive Residential, Industrial, and Commercial Form and Character</b>				
<b>Guidelines</b>				
<b>Servicing:</b>				
1a	x			Standard current procedure
1b	x			standard current procedure - RDN, PV, EPCOR standards compatible
1c	x			standard current procedure - RDN, PV, EPCOR standards compatible
<b>General Design</b>				
2	x	x		delete: Para 2
3	x	x		delete: Application
4	x			
5	x			
6a	x			see Architect's Act
6b	x			Adm: 2nd Fl. Office Use
6c	x			
6d	x			RDN vs MOT conflict
7	x	x		
8	x	x		scale to proposal
9	x			delete: "shall"; combine with #7
10	x			
11	x			
12	x			
<b>Residential Development Guidelines</b>				
13		x		20 Ha. Site ok; smaller sites - less diversity
14	x	x		Add: where practical
15	x	x		delete: "should"; Add: "are encouraged to"
16	x			
17	x			
18		x		
<b>Parking and Loading</b>				
19		x		not practical; parking - 1/2 of setback
20	x			
21	x			
22	x			
<b>Landscaping and Screening</b>				
23a	x			
23b	x			
23c	x	x		delete: "surrounding" Add: "adjacent"
23d	x			

## French Creek House Ltd.

RDN - DRAFT 3 AREA G OCP			EVALUATION FORM		PAGE 15
23e	x	x	define: "safe"		
23f	x	x	delete: "pervious"; Add: "impervious"		
23g	x				
23h		x			
23i	x	x	delete: "appropriate"; Add: "possible"		
24	x				
25		x	too rigid		
26		x			
27	x		Amend: to less rigid specifications		
28		x	site design/planning principle		
29		x	site design/planning principle		
30		x	site design/planning principle		
31a		x	too specific: as specified by L. Arch.		
31b		x	too specific: as specified by L. Arch.		
31c		x	too specific: as specified by L. Arch.		
32	x				
33	x		to be released upon final inspection by L. Arch.		
34	x	x	Conflict: BC Hydro, Telus, etc.		
35	x		Allow chain link security fencing		
36	x	x	Sidewalks & storm drains. Resolve conflict with MOT		
37	x	x	delete: "such as..." "monuments"		
Site Illumination and Signage					
38	x				
39	x		Add: "or current standards at the time"		
40	x		delete last sentence		
41		x	rewrite to be positive		
42		x	rewrite to be positive		
Pedestrian and Cyclist Considerations					
43	x				
44		x	rewrite to emphasize sustainable materials		
45	x				
11.0 Official Community Plan Implementation Strategy					
text					
Objectives					
1					
2					
3					
11.1 Development Amenities					
text					
Objective					
Policies					
1	x	x	Acquisition = public ownership. Allow Private ownership & maintenance		
2	x				
3a		x	MOT subdivision		
3b	x				
3c		x			
3d	x	x	Amend to allow private ownership		
3e	x				
3f	x				
3g	x	x	Amend to allow private ownership		
3h	x	x	define & delineate		
3i	x	x	Amend to allow private ownership		
3j	x				
3k	x				
3l	x				
3m	x				
3n	x				
3o	x				
3pi	x				
3pij	x				
3piij	x				
3piiv	x				
3pv	x				
3pvi	x				
3pvii	x				
4a	x				
4b	x	x	define & delineate		

**French Creek House Ltd.**

RDN - DRAFT 3 AREA G OCP		EVALUATION FORM		PAGE 16
4c		X	X	define & delineate
4d		X	X	define & delineate
5		X		
12	Cooperation Among Jurisdictions			
	Text			
	Objectives			
	1			
	2			
	3			
	Policies			
	1			
	2			
	3			
	4			
	5			
	6			
	7			
	8			
	9			
	10			
13.0	Definitions			Add: "Community" - all citizens living and working within the plan area and as as represented by a statistically relevant sample Add: "Dedication, to dedicate" - designation or allocation; does not mean transfer of private ownership to the crown or public sector

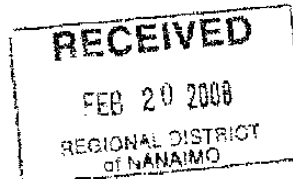


Agricultural Land Commission  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

14<sup>th</sup> February 2008

Please reply to the attention of Roger Cheetham  
ALC File: # S - 37953

Greg Keller, MCIP  
Senior Planner  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2



Dear Sir:

Re: Electoral Area G Official Community Plan Review

With reference to your referral under cover of your letter dated 23<sup>rd</sup> January 2008, in the light of the time constraints the following comments are provided by the staff of the Commission. It is anticipated that the Island Panel of the Commission will be able to review the plan at its next meeting which is scheduled for March 17-19<sup>th</sup> 2008. Any additional comments will be forwarded to you as soon as possible thereafter.

General We are pleased to note that the plan fully supports the mandate and policies of the Provincial Agricultural Land Commission and that it advocates strong urban containment with the protection of the resource lands including the ALR.

Goal 5: Improved Mobility and 9.1 Road Network Strategy With regard to the proposed new connector route linking Church Road to Stanhope Road we recognise that this route is desirable from a traffic circulation perspective. It is necessary that the route be inspected by the Commission to help its assessment of the strength of the arguments in support of this route from a traffic circulation point of view as compared with the strength of the agricultural arguments. Prima facie, in the light of the good agricultural potential of the farm land in DL 20 it is likely that the Commission will have difficulty in supporting a goal that encourages the construction of a new connector route over this land. In the event that it considers that it can support the designation of a connector route in principle it is likely to require that alternative alignments be examined and an impact assessment be carried out in the event that an application is made to the Commission. As a minimum, the draft OCP should state in Point 11 on Page 73 that the proposed Church Road to Stanhope Road connector is subject to the approval of the Provincial Agricultural Land Commission.

6.1 Parks Trails and Outdoor Recreational Opportunities We note that several of the areas envisaged for trails touch on land within the ALR. Bearing in mind the potential for significant impact on agriculture we suggest that the policies be strengthened as follows:

- By the inclusion of a reference to the need for Commission approval for trails within the ALR.
- By a reference to the need for measures to be taken to ensure that adjacent agricultural activity is protected. We refer you to the Ministry of Agriculture and Lands publication Trails in Farm and Ranch Areas

Page 2

(see <http://www.al.gov.bc.ca/resmgmt/sf/trails/index.htm>) and suggest that you might like to add a reference to this guide in the policies.

8.1 Agriculture We are pleased to note and support the policies in this section of the plan. In view of the existing importance of agriculture in the plan area (we note that over 60% of the plan area is located within the ALR) and its future importance to the economy of the region and to achieving the plan's sustainability objectives we consider that there would be value in the Board establishing an Agricultural Advisory Committee. We accordingly suggest that a policy be added providing for this eventuality. We also suggest that the Regional District give consideration to undertaking an agricultural area plan for this and other areas within the RD. We would be pleased to provide further information if the Board would like to pursue this suggestion further.

9.4 Walkways, Bikeways and Trails We suggest that the policies in this section be strengthened in a similar way to those suggested for 6.1.

10.0 Development Permit Areas We are pleased to note that the majority of DPA's affecting land within the ALR exempt most agricultural activities from the need to apply for a permit provided that the activities are conducted in accordance with recognized standards.

10.4 Farmland Protection The use of this DPA is supported. Bearing in mind that it is intended to control development in close proximity to but outside the ALR we suggest that the DPA area shown on Map No. 10 be changed to reflect only the area surrounding the ALR rather than areas within and outside the ALR. We note also that in some areas the boundary of the DPA coincides with the ALR boundary and thus does not include areas outside the ALR to which it is intended that the DPA apply. In other situations, in particular in the Little Qualicum River area at the western extremity of the plan, significant areas have been included beyond the 15 metres mentioned in the plan. The Ministry of Agriculture and Lands has recently produced a draft guide to edge planning that is at present undergoing further review prior to finalization. A copy is attached hereto. We draw your attention in particular to Appendix F which provides a sample DPA for the protection of farmland. You will note that it is suggested that the DPA comprise a 300 metre wide area back from the ALR boundary. We suggest you give consideration to the points raised in the guide and also on the Ministry of Agriculture's web site <http://www.al.gov.bc.ca/resmgmt/sf/edge/index.htm> which provides more information on edge planning.

We suggest that consideration be given to revising the provisions relating to this DPA in the light of this information. At a minimum we suggest that the last sentence of page 94 be rewritten to make it clear that the DPA relates to the area surrounding the ALR and the map adjusted to include a minimum area of 30 metres around the ALR boundary.

11.0 Official Community Plan Implementation Strategy We congratulate the Regional District with regard to the inclusion of this section in the plan. We have

Page 3

found that many OCP's do not include effective strategies to ensure the implementation of plan policies without which even the most comprehensive policies can remain unfulfilled. Actions relating to agriculture would appear to fall under the heading "Creating a Vibrant and Sustainable Economy". We note that, of the several important issues that are highlighted in the objectives and policies under 8.1, only one action is identified in the implementation section. As indicated in our comments relating to Section 8.1 we consider that there would be significant benefit from establishing an Agricultural Advisory Committee, one of the responsibilities of which could be to explore ways and means of implementing the objectives and policies identified in Section 8.1. In particular it is critical that water, the life blood of agriculture, is available at an affordable price to meet future agricultural needs. If the Regional District does not wish to establish an Agricultural Advisory Committee at this time we suggest that, at the least, an implementation committee be formed to pursue these and possibly other objectives and policies identified in the plan.

Map Nos. 4 and 8. In view of the potential of the proposed trails and roads to impact agricultural land it is suggested that a further note be added to the map to indicate that the approval of the trails and roads by the ALC is required for land within the ALR.

Map No. 10. As indicated under 10.4 we suggest that the map showing the Farmland Protection DPA be amended in accordance with the comments in the plan relating to this DPA.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:



Erik Karlsen, Chair

Enclosure/MAL Guide

cc: Wayne Haddow, Regional Agrologist, Duncan

RC

/37953m1



February 20, 2008

Greg Keller,  
Senior Planner  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2

Dear Mr. Keller:

We have received your referral regarding the proposed Regional District of Nanaimo (RDN) Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008 (Bylaw).

In light of the recently signed Climate Action Charter, MCS has an interest in furthering planning which has the potential to reduce greenhouse gas emissions.

Broader strategies being advanced to help fulfill the Charter's goals include fostering:

- Compact, complete communities;
- Lighter infrastructure and buildings that are more energy-efficient and cost-effective; and
- Socially and economically-durable communities

The strategies also recognize that communities function as integral systems, and are also part of a larger ecosystem.

The RDN has signed the Climate Action Charter, sending a signal to the province that it shares a desire to further these strategies. Under these circumstances, we would encourage the RDN to consider any additional steps it might take in line with these strategies as it considers this Bylaw.

When considering final adoption of a bylaw, the Minister of Community Services will be required to consider provincial interests. I understand that several provincial agencies have provided, or are in the process of providing comments to you regarding their specific interests. The minister will require assurances that these interests have been addressed prior to giving her assent to the Bylaw in question. The minister must also consider whether adequate consultation with First Nations has taken place. The log of your referrals and follow-up phone calls, along

Ministry of Community  
Services

Intergovernmental Relations and  
Planning

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PO Box 8841 STN PROV GOVT  
Victoria BC V8W 9T2

Phone: (250) 387-3084  
Fax: (250) 387-6212

Location:  
5<sup>th</sup> Floor, 800 Johnson Street,  
Victoria

[www.gov.bc.ca/cmrv](http://www.gov.bc.ca/cmrv)



with supporting and documentation that your agency has provided to this effect will help streamline her consideration in this regard.

I hope that these comments are of assistance to you. If you wish to discuss them, or need further clarification, please feel free to call me at 250.356.5137 or on my cell at 250.818.5137.

Regards,



Laura E. Tate, MA(PIng)  
Manager, Growth Strategies

Branch:file copy    Branch:diary copy

Date Typed: February 19, 2008    Prepared by:

Document Location: \\n\gov\_relations\_plan\_div\regional districts\munaimo\referral\_area g ocp.doc

ARCS/ORCS#:



Fisheries and Oceans Canada Pêches et Océans Canada

3225 Stephenson Point Road  
Nanaimo, British Columbia  
V9T 1K3

756 720

RECEIVED

January 30, 2008

FEB 08 2008

REGIONAL DISTRICT  
of NANAIMO

Your file Votre référence

Our file Notre référence  
08-HPAC-PA3-00031

Greg Keller  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, British Columbia  
V9T6N2

Dear Greg:

**Subject:** Review of Regional District of Nanaimo "Area G" OCP.

Thank you for the opportunity to review the OCP for "Area G". As you no doubt are well aware, residential development is a growing concern as far as potential impacts on fish habitat on the east coast of Vancouver Island is concerned. Small streams and watercourses of the size that is small enough to be easily overlooked play an important role in the habitat needs of some salmonids, particularly coho salmon and sea-run cutthroat trout. I appreciate the recognition of these habitats in your OCP and the Riparian Areas Regulations as they apply to your Development Permitting procedure.

I would like to seek clarification on item #2 on page 80 of the document:

The following activities are exempt from the Fish Habitat Protection Development Permit Area requirements:

1. Development activities more than 30 metres as measured from the top of the bank or present natural boundary, which ever is greater for the Little Qualicum River, the Englishman River, French Creek, and their associated estuaries.
2. Development activities more than 15 metres as measured from the top of the bank or present natural boundary, which ever is greater for all other watercourses, streams, lakes, wetlands, and ponds.

I may have misunderstood the intent of this section, but the wording seems to me that the 30-metre Riparian Assessment Area under the Riparian Areas Regulations only applies on Little Qualicum River, Englishman River and French Creek and tributaries to these systems and that on other watercourses only activities within 15 meters require assessment. The Riparian Areas Regulations stipulate a 30-metre Riparian Assessment Area for all watercourses that connect with fish-bearing water, either permanently or seasonally. The following is the definition for a

Canada

.../2

- 2 -

**watercourse taken directly from the Riparian Areas Regulations Assessment  
Methods Guidebook:**

- (a) a watercourse, whether it usually contains water or not;
- (b) a pond, lake, river, creek, brook;
- (c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b);

The Riparian Areas Regulation defines a stream as any watercourse -- natural or human-made -- that provides fish habitat that contains water on a perennial or seasonal basis, is scoured by water or contains observable deposits of mineral alluvium, or has a continuous channel bed including a watercourse that is obscured by overhanging or bridging vegetation or soil mats. A watercourse may not itself be inhabited by fish, but may provide water, food and nutrients to streams that do support fish.

Side channels, intermittent streams, seasonally wetted contiguous areas are included by the definition of a stream which includes active floodplains and wetlands connected to streams.

Fish are defined under the Riparian Areas Regulation. Game fish are defined federally and include: trout, char, whitefish, bass, kokanee, arctic grayling, burbot, white sturgeon, black crappie, northern pike, yellow perch, walleye, goldeye, inconnu and crayfish. Regionally significant fish will be determined by MOE. Aquatic species that are endangered or threatened either provincially or nationally may have requirements in excess of the level of protection identified under the Riparian Areas Regulations. QEPs should review Species Recovery Plans or contact agency staff in MOE or DFO regarding the specific needs of these species.

**Under the Riparian Areas regulations, watercourses, particularly wetlands, can have a 30-metre Streamside Protection and Enhancement Area that extends beyond the 15-metre assessment area required in Item 2 of that section of the OCP.**

**In my experience as a fisheries consultant prior to working with Fisheries and Oceans Canada's Habitat Section, it was my observation that impacts to habitat rarely occurred as a result of deliberate disregard of the Fisheries Act and other legislation enacted to protect fish habitat, but rather as the result of an inability on the behalf of people to recognize fish habitat for what it is. The majority of people are also unaware as to the more broad definition of a watercourse that is protected under the Riparian Areas Regulations. To this end, perhaps any application for Development Permits could include a reference to the Riparian Areas Regulation requirements and the definition of a watercourse covered by Riparian Areas Regulations that I have included above. To take it one step further, to cover people who remove riparian vegetation as part of their landscaping efforts that are not covered in a permit application, perhaps a brief outline of the above could be included for all land-owners as a matter of course. Such a reminder could accompany the delivery of the annual tax assessment, for example. It is the goal of the Habitat Section of Fisheries & Oceans Canada to avoid impacts through public education rather than to enforce the Fisheries Act and impose mitigative measures after habitat impacts have occurred. If you already have such a program in place, please disregard my suggestion.**

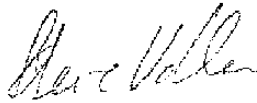
**I welcome any comments you may have to my response and look forward to working with you towards the common goal of fish habitat protection shared by Fisheries & Oceans Canada and your Official Community Plan.**

.../3

- 3 -

Should you have any questions or comments, please contact me directly by telephone at (250) 756-7269, or by e-mail at [vollers@pac.dfo-mpo.gc.ca](mailto:vollers@pac.dfo-mpo.gc.ca).

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Steve Voller".

Steve Voller  
Habitat Biologist

c.c.: Magnan, Alain

## Little Qualicum Waterworks District

We should notify the  
RD ~~that~~ that our water system  
is nearing its max. potential  
To consider a new neighbour-  
hood center would require  
a complete upgrade of the  
water system which means: -  
- another license to  
withdraw more water  
from the LQ River  
- a new water treatment  
plant  
- larger storage capacity  
- replacement of water  
main from pump house  
to storage tanks.

**Little Qualicum Waterworks District**

We presently have adequate capacity to service the designate lots as <sup>they</sup> now exist.

We do not plan to provide more than one service to each designated lot.

We are installing water meters as funding permits in order to conserve water.

We also suspect that with global warming, the capacity for the river to supply our need may be challenged.

AL BRETT  
752-7039

Area G OCP Draft

Page 1 of 1

**Keller, Greg**

---

**From:** Edgar, David D TRAN:EX (David.Edgar@gov.bc.ca)  
**Sent:** February 20, 2008 2:04 PM  
**To:** Keller, Greg  
**Cc:** Wylie, Bob TRAN:EX  
**Subject:** Area G OCP Draft

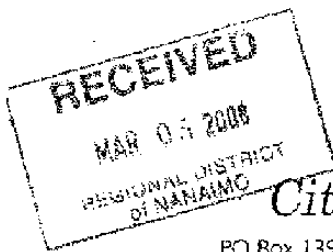
Greg,

Bob Wylie passed the draft OCP for electoral area G to me for review. After review, MoT has no comments or objections. Thank you for the opportunity for input.

Dave

**Dave Edgar**  
Transportation Planning Engineer  
Ministry of Transportation  
3rd Floor - 2100 Labieux Road  
Nanaimo, B.C. V9T 6E9  
☎: (250) 751-3276  
Fax: (250) 751-3288  
✉: [David.Edgar@gov.bc.ca](mailto:David.Edgar@gov.bc.ca)

20/02/2008



City of PARKSVILLE

PO Box 1390, 100 E. Jensen Avenue, Parksville, BC V9P 2H3  
Telephone: (250) 248-6144 Fax: (250) 248-6650  
www.parksville.ca

February 28, 2008

VIA FAX: 1-250-390-7511

PAGE 1 OF 2

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



ATTENTION: REG KELLER, MCIP SENIOR PLANNER

Dear Sirs:

SUBJECT: ELECTORAL AREA 'G' OFFICIAL COMMUNITY PLAN REVIEW

Thank you for your referral letter dated January 23, 2008.

Please note that the following comments are from the perspective of the Planning Department and do not represent the views of the City of Parksville or its elected officials.

Overall, the proposed Official Community Plan (OCP) appears to consist mainly of fine tuning as a result of the consolidation of the three existing Electoral Area 'G' OCP's. It appears that the significant changes are with respect to the following land use policies:

- Increase in density permitted in the Wembley Neighbourhood Centre in exchange for the provisioning of green space amenities;
- Expansion of Wembley Neighbourhood Centre by the addition of one property which has been granted a conditional exclusion from the Agricultural Land Reserve (ALR);
- Expansion of the Urban Containment Boundary as a result of the proposed increase to the Wembley Neighborhood Centre;
- Addition of new Rural Residential designation;
- The inclusion of an additional property under the industrial land use designation in the vicinity of Church Road;
- Reconfiguration of French Creek to include more mixed-use type development.

.../2



Mr. G. Keller  
February 28, 2008  
Page 2

We do not take issue with the proposed density changes within the Wembley Neighbourhood Centre land use designation as the proposed policies appear to promote clustered development and the inclusion of additional public amenity space.

With respect to the expansion of the Wembley Neighbourhood Centre, given that most of the existing designated area is undeveloped and without community services, there does not appear to be an overly compelling reason for expansion of this land use at this time. Generally we would not be supportive of this expansion unless it provides an opportunity to improve the overall traffic situation in the surrounding neighbourhood. Our position with respect to the change is the Urban Containment Boundary is the same.

The inclusion of new rural residential land use designations appears to recognize already existing land use patterns and in most cases carries forward existing land use policies. We have no issue with these changes.

With respect to the inclusion of one additional industrial property in proximity to Church Road we do not take issue as we understand that it is intended to resolve a geographic anomaly that was created by the Inland Island Highway. We would however ask that any land use decision be guided by strong aquifer protection principles.

Proposed changes to what was the French Creek Comprehensive Development Area appear to consist mostly of the addition of mixed commercial-residential use to what was formerly designated as commercial only. We do not take issue with this proposed change. In our opinion it is a positive change that has the potential to work towards a more integrated and sustainable community node.

In general we do not take issue with the proposed OCP provided that the land use policies with respect to traffic and servicing is strongly adhered to.

Please feel free to contact me for any clarification or questions you may have.

Sincerely,



B. RUSSELL  
Manager of Current Planning

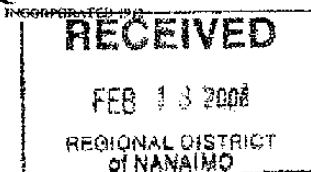
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I:\Users\Planning\0400-50\RDN\Area G\2008\Keller-1.



## TOWN OF QUALICUM BEACH

201 - 660 Primrose St.  
P.O. Box 130  
Qualicum Beach, B.C.  
V9K 1S7



Telephone: (250) 752-6921  
Fax: (250) 752-1243  
E-mail: gbowen@qualicumbeach.com  
Website: www.qualicumbeach.com

February 15, 2008

Greg Keller, Senior Planner  
Regional District of Nanaimo Planning Department  
6300 Hammond Bay Rd  
Nanaimo, BC V9T 6N2

Dear Mr. Keller,

### Re: Electoral Area 'G' Official Community Plan Review

Thank you for the opportunity to review the Area 'G' OCP. It is a good document and we commend you for your work. Following are comments from our Planning Department:

In Section 2.8 (Green Development), it should be noted that the objectives of this section (especially 4) do not take priority over those in Section 3.0, "Containing Urban Sprawl." Green developments outside of the designated growth areas would not be an asset if they are developed at the sacrifice of urban containment. The wording in this particular section is vague, and may encourage developers to greenwash their projects to help push them through.

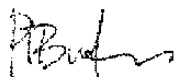
- ♦ In your discussion of Secondary Suites:
  - o We feel that 2 parking spaces for each unit is more than necessary. This requirement will discourage the development of new suites or force owners doing renovation to tear out front yard landscaping. We suggest 1 space is adequate for a secondary suite.
  - o Secondary suites should be permitted in rural areas as well, unless there is already a second dwelling (mobile or modular home) on the property. Secondary suites are supported by the ALR regulations.
  - o It should be noted that secondary suites should not be a separate strata unit.
- ♦ P. 37: Policy 3 - Caution about going more than four stories, as this may be out of scale/character for the general area.
- ♦ Strengthen the wording in your development permit areas. Use 'must' instead of should, etc.
- ♦ "No net loss of environmentally sensitive areas." What does this mean? We are hoping that this does not mean that it is possible to develop existing ESAs.
- ♦ Typo: p 29 bullet 12 "insider"
- ♦ There is an error in your base map. The curve at Rupert/Bennett Rd is off, and also at Laburnum/Island Highway. Tell Tom Sohler or someone else from your mapping department that he can contact us and we would be happy to help.

N:\Planning\Letters\Area G OCP Review - comments.doc

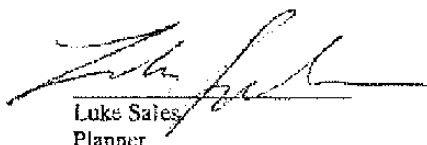
National 'Communities in Bloom' & 'Floral' Award Winner

- ♦ We are concerned over the densification of the Wembley Mall area. 50 units/hectare + bonuses? These urban densities are more appropriate under a municipal governance structure. Perhaps this area should be assimilated into Parksville.
- ♦ Expansion of UCB west of Wembley Mall should not result in additional commercial in this area. Only residential densification. Parksville and QB would not benefit from additional commercial just outside our boundaries. OCP should recognize that Wembley Mall is a small commercial centre serving local needs.
- ♦ Parkland acquisition and parkland evaluation section has been removed from this draft. This may be a mistake. This puts the decision regarding parkland dedication or cash in-lieu at the time of subdivision in the hands of the developer. The subdivision approving officer can only demand park land, as opposed to cash in lieu, if the land is identified as a possible future park in the OCP.

Regards,



Paul Butler  
Director of Planning

  
Luke Sales  
Planner



RDN REPORT		
CAO APPROVAL <i>[Signature]</i>		
EAP	<input checked="" type="checkbox"/>	<i>April 10th</i>
COW	<input type="checkbox"/>	
MAR 28 2008		
RHD	<input type="checkbox"/>	
BOARD	<input type="checkbox"/>	

## MEMORANDUM

**TO:** Paul Thompson  
Manager, Long Range Planning

**DATE:** March 27, 2008

**FROM:** Greg Keller  
Senior Planner

**FILE:** 6480 40 EA A Land Inv

**SUBJECT:** Electoral Area 'A' Official Community Plan Land Inventory Results

### PURPOSE

To present the results of the Land Inventory for the Cedar Village Centre and the Suburban Residential land use designations.

### BACKGROUND

In preparation for the next Official Community Plan review which is anticipated to begin later this year, a land inventory has been completed to determine whether there is an adequate supply of land available for commercial and institutional uses in the Cedar Village Centre and whether there is a need for more land to accommodate both the increase in population in the immediate vicinity and the future needs of the Plan Area.

### ALTERNATIVES

1. To receive the Cedar Land Inventory results attached as Schedule No. 1 for information.
2. To receive the Cedar Land Inventory results attached as Schedule No. 1 and provide staff with further direction.

### DISCUSSION

The inventory results show that the vast majority of lands within the Study Area are currently zoned for residential use. This is followed by public use and commercial. Lands zoned for commercial use represent only a small fraction of the Study Area.

In addition, the majority of the land within the Study Area is currently being used for residential purposes. Commercial and industrial uses represent a very small proportion of the Study Area. Although only a small portion of the lands within the Study Area are currently vacant, nearly half of this vacant land is in the as yet undeveloped Cedar Estates property located in the Cedar Village Centre.

The inventory found that there is approximately 8,199.6 m<sup>2</sup> of existing commercial floor area within the Study Area. There is also potential for an additional 6,691 m<sup>2</sup> of commercial floor area under the existing zoning.

An online questionnaire was utilized as a way of obtaining community feedback. A total of 81 responses were received. For a summary of the questionnaire results please refer to Schedule No. 1 or to the document titled "Cedar Village Centre and Suburban Residential Lands Questionnaire Results" The

questionnaire results along with the other findings of this study, will be made available to the community and will be given consideration during the Electoral Area 'A' Official Community Plan review.

To obtain community feedback and input to the inventory process, an open house was held at the Cedar Community Secondary School on February 25, 2008. The Open house was advertised by sending notices to all Plan Area residents and by placing a notice in the Take 5 and Nanaimo News Bulletin newspapers. Approximately 70 people attended the Open House. Overall response to the information at the Open House was positive. Some of the issues raised at the Open House were outside of the scope of the Cedar Land Inventory and therefore are not addressed in this report. These concerns were primarily related to the proposed closure of Woodbank School and the proposed development at Cable Bay.

Other feedback from the Open House indicated that future planning processes should be focused on community sustainability. In addition, there appears to be a desire for crosswalks and speed control on Cedar Road.

## VOTING

Electoral Area Directors - one vote, except Electoral Area 'B'

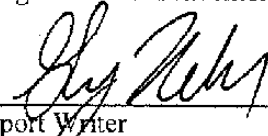
## CONCLUSION

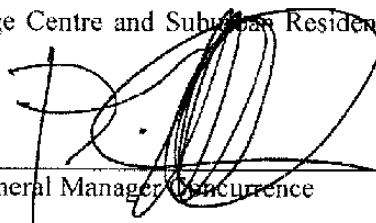
The inventory of the Cedar Village Centre and Suburban Residential land use designations is now complete. The findings of the inventory indicate that there is approximately 8,199 m<sup>2</sup> of existing commercial floor area within the Study Area and potential for an additional 6,691 m<sup>2</sup> of commercial floor area based on the existing zoning. Since the amount of vacant commercial land within the Study Area is low (approximately 4%), most of the estimated additional commercial floor area would be in the form of additions to existing buildings and by making more efficient use of existing commercial zoned properties (i.e., constructing more buildings and/or adding more uses). There appears to be adequate commercial floor area potential to meet the immediate needs of Study Area residents without expanding the commercial zoning designation.

In addition, other nearby future commercial developments will likely have some impacts on the Cedar Village Centre and its role in the community.

## RECOMMENDATION

That the Board receive the Electoral Area 'A' Cedar Village Centre and Suburban Residential land use designations land inventory attached as Schedule No. 1.

  
Report Writer

  
General Manager Concurrence

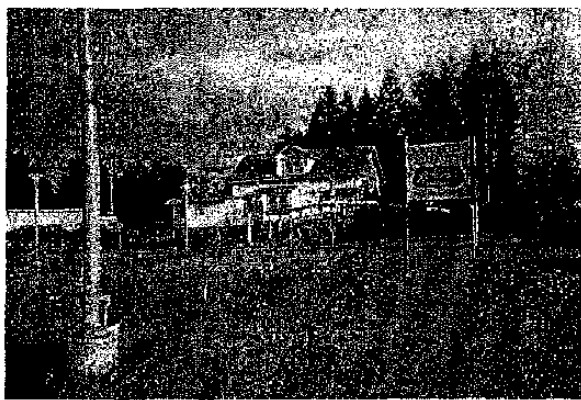
  
Manager Concurrence

  
CAO Concurrence

## COMMENTS

Schedule No. 1  
Land Inventory Results

**ELECTORAL AREA 'A' OFFICIAL COMMUNITY PLAN  
LAND INVENTORY  
CEDAR VILLAGE CENTRE AND SUBURBAN  
RESIDENTIAL LANDS**



**RESULTS**



**REGIONAL DISTRICT OF NANAIMO  
MARCH 2008**

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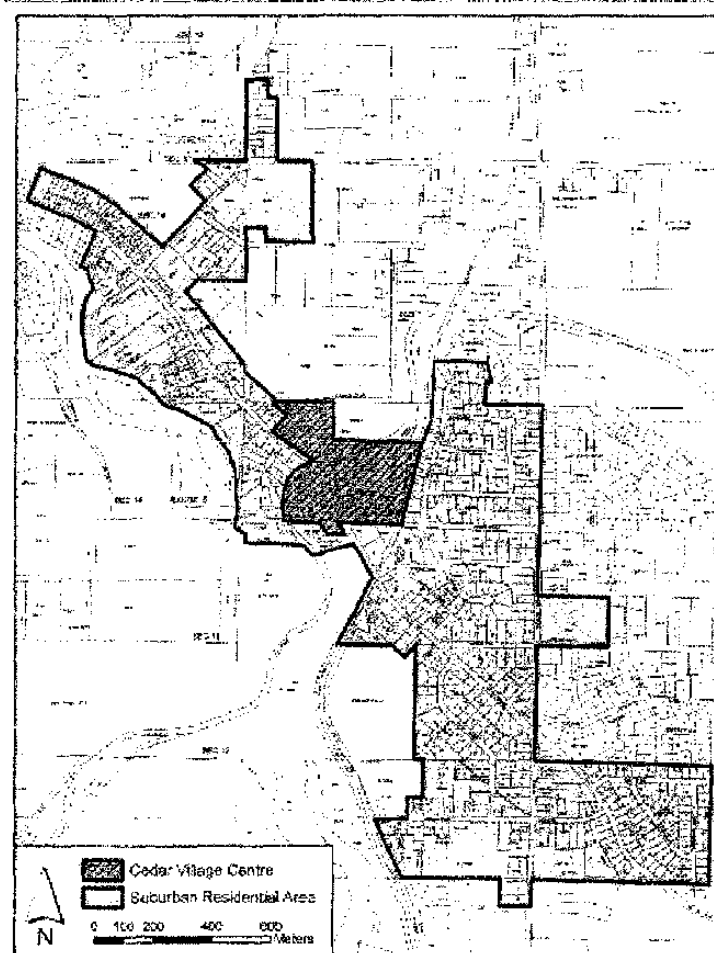
## 1.0 Introduction

The Electoral Area 'A' Official Community Plan specifies two village centres: the Cassidy Village Centre and the Cedar Village Centre. The latter is intended to be the primary service centre for the Plan Area. Recent amendments to the Official Community Plan and Zoning Bylaw to permit the construction of residential uses and 75 personal care units within the Cedar Village Centre has raised the question of whether there is an adequate supply of land available for commercial use and whether there is a need for more commercial land to accommodate both the increase in population in the immediate vicinity and the future needs of the Plan Area.

This land use inventory is focused on the lands within the Cedar Village Centre and the Suburban Residential land use designation as shown on Map No. 1 below. These are lands that are currently inside the Urban Containment Boundary as designated in the Regional Growth Strategy. In addition, the land inventory will also document the current use and zoning of land within the Study Area.

The findings of this study will then be used to inform the Area 'A' Official Community Plan Review process scheduled to start later this year.

**Map No. 1 – Cedar Village Centre and Suburban Residential land Use Designations  
(The Study Area)**





## 1.1 Purpose of This Study

The primary purpose of the study is to document the amount of land that is currently available for commercial use in the Cedar Village Centre.

## 1.2 Land Inventory Process

The Cedar Village Centre and Suburban Lands land inventory involves a four stage approach that includes a land use inventory, an open house, a questionnaire, and a final analysis by staff. Each stage in the project is outlined below:

### *Step 1: Conduct a Land Use Inventory*

The first step in the land inventory consists of a review of the current zoning and official community plan land use designations to determine the permitted uses and densities in the Study Area.

Next, a spreadsheet with information on the properties in both the Cedar Village Centre and the Suburban Residential land use designation was created. The Regional District of Nanaimo's GIS department provided the following data in an excel spreadsheet for each parcel within the Study Area:

- Property Identifier Number (PID);
- Address and Street Name;
- Land Use Zoning;
- Subdivision Potential  
(number of potential additional lots taking into account roads, park, and environmentally sensitive features)
- Lot Area (square metres);
- Developed or Vacant;
- Subdivision District;

As well, existing floor area was calculated for each commercial and industrial parcel located within the study area based on orthophoto interpretation and the floor area calculations in previously issued building permits. Additional development potential has also been estimated for all Commercial and Industrial properties within the Study Area using the maximum parcel coverage and height requirements specified in Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 and orthophoto interpretation.

This information has been compiled to determine the availability of lands for future commercial and industrial development in the Cedar Village Centre and future residential development within the Suburban Residential Lands Designation.

With respect to residential lands within the Suburban Residential land use designation, the number of parcels, number of dwelling units, and additional subdivision potential has been estimated in order to determine the long term residential lot supply within the Study Area.

The results of the land use inventory assessment are summarized in Section 2.0 below:

### *Step 2: Prepare and Implement a Questionnaire*

A questionnaire was developed by Regional District of Nanaimo staff to obtain feedback from the community on a variety of factors related to commercial development in the Cedar Village Centre. These include:

1. The catchment area for the Cedar Village Centre (who shops there?).
2. The commercial needs of the community.

3. Support for additional commercial development within or adjacent to the Cedar Village Centre.
4. To find out where the community shops and accesses other services.
5. The effectiveness of the Cedar Village Centre.
6. The strengths, weaknesses, and opportunities for the Village Centre.
7. To identify what the communities concerns are over development in the Cedar Village Centre.
8. To identify what community amenities may be desirable in association with additional commercial development.

The questions contained in the questionnaire are attached to this report as Appendix A. The questionnaire will be administered using an on-line survey service called "Survey Monkey" ([www.surveymonkey.com](http://www.surveymonkey.com)) and will incorporate a few different question formats including multiple choice, rating scale, and open ended. The Regional District of Nanaimo website will be used to provide a link to the survey and printed copies will also be available for those who do not have access to the internet.

In order to advertise the questionnaire, notices will be published in the Take 5 and the Nanaimo News Bulletin. Unaddressed mail will also be used to send an informational brochure to all properties within the Study Area.

The results of the survey will be included in the final report to be presented to the Board at a later date.

#### *Step 3: Hold an Open House/Information Session*

An open house/information session will be held to present and discuss the preliminary findings of the land inventory, the questionnaire, and to obtain additional community input.

#### *Step 4: Prepare the final analysis*

Based on the findings of the land use inventory and commercial needs assessment, questionnaire, and open house, staff will complete the assessment with the intent that it be used as a source of information for the next Electoral Area 'A' Official Community Plan review.

## **2.0 Results of the Land Use Inventory**

The following section presents the preliminary findings of the land use inventory.

### **2.1 Population Demographics**

Population statistics on Electoral Area 'A', the Regional District of Nanaimo, The City of Nanaimo, and the Town of Ladysmith have been compiled from Statistics Canada's 1981-2006 census data.

Population demographics are not available for the Study Area so the figures for all of Electoral Area 'A' have been used.

#### **2.1.1 Population Growth**

Table 2.0 below illustrates the change in population from 1981 to 2006 based on data obtained from Statistics Canada.

Table 1 of 2 - Population from 1981 to 1991

Area	1981		1986		1991	
	%	Population	%	Population	%	Population
Elec. Area 'A'		4,661	1.2	4,718	13.2	5,341
RDN		77,624	6.6	82,714	23.8	102,411
Nanaimo		47,069	4.2	49,029	22.6	60,129
Ladysmith		4,558	-3.6	4,393	11.0	4,875

Table 2 of 2 - Population from 1996 to 2006

Area	1996		2001		2006	
	%	Population	%	Population	%	Population
Elec. Area 'A'	17.1	6,252	2.7	6,423	5.1	6,751
RDN	18.9	121,783	4.3	127,016	9.1	138,631
Nanaimo	16.6	70,130	4.1	73,000	7.8	78,692
Ladysmith	32.47	6,456	5.5	6,811	10.7	7,538

Source: Statistics Canada, 1981-2006 Censuses

As the above table illustrates, Electoral Area 'A' has generally experienced a slower rate of growth than the Regional District of Nanaimo, the City of Nanaimo, and the Town of Ladysmith. There are many factors that could have contributed to this slower rate of growth including lack of community sewer, the availability of land for development, market conditions, and other unknown variables.

The average rate of population growth in Electoral Area 'A' between 1981 and 2006 is 7.9%.

### 2.1.2 Population Age Characteristics

The population age characteristics of a community have planning implications, particularly to ensure appropriate community services such as schools and parks are provided and to ensure that an adequate range of housing options are available.

Table 2.1 illustrates the age distribution for Electoral Area 'A', the Regional District of Nanaimo, the City of Nanaimo, the Town of Ladysmith, and British Columbia for the 2006 census year, which is the most current information available. The population age characteristics of Electoral Area 'A' are relatively consistent with the surrounding communities and the provincial median age. The dominant age group within Electoral Area 'A' and all of the other communities compared is 45-64 years of age. Seniors over the age of 65 represent only 13.9 percent of the population; however, within the next ten years the number of seniors is expected to increase as the dominant age group (45-64) moves towards the 65+ age group category.

Approximately 62.9 percent of the population of Electoral Area 'A' is of working age between the ages of 20 and 64, which is the highest of all the adjacent communities compared in Table 2.1 below:

Table 2.1 – Population Distribution

Area	Age Distribution (%)					Median Age	Dominant Age Group	Percent of the Population Within Working Age (19-64)
	0-14	15-24	25-44	45-64	65+			
Electoral Area 'A'	16.6	10.7	24.7	34.0	13.9	43.9	45-64 yrs	62.9
Regional District of Nanaimo	14.3	11.9	21.2	31.7	20.9	46.6	45-64 yrs	58.5
City of Nanaimo	15.3	13.8	23.7	29.2	18.0	43.2	45-64 yrs	60.0
Town of Ladysmith	16.6	10.5	21.7	30.7	20.6	45.9	45-64 yrs	56.3
BC	16.5	13.1	27.4	28.4	14.6	40.8	45-64 yrs	62.2

Source: Statistics Canada 2006 Community Profiles

## 2.2 Regional Growth Strategy Designations and Implications

All of the Study Area is located within the Urban Containment Boundary as defined by the Regional Growth Strategy. The Urban Containment Boundary coincides with the boundary of the Suburban Residential land use designation as defined in the Official Community Plan (OCP). The Cedar Village Centre is recognized as a village centre by the Regional Growth Strategy.

Although not all lands located within the Urban Containment Boundary are intended to be developed, in general, higher densities are supported on lands within the Urban Containment Boundary. In addition, commercial, recreation, and institutional uses are encouraged within the Urban Containment Boundary with a focus on the village centre. Although it is recognized that there are existing commercial uses located outside of the village centre, the Official Community Plan supports all new commercial uses being located within the village centre.

The provision of community water and community sewer to land located within the Urban Containment Boundary is supported for the purpose of facilitating additional development.

## 2.3 Cedar Village Centre

### 2.3.1 Official Community Plan Land Use Designation

"Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1240, 2001" designates the 'Cedar Village Centre' and the 'Suburban Residential' land use designations within the Study Area. Overall, the Study Area is approximately 177 hectares in area and of that approximately 14.2 ha is designated within the Cedar Village Centre. For more detailed information, please refer to Map No. 2, which is attached as Appendix C.

The Electoral Area 'A' Official Community Plan recognizes the Cedar Village Centre as the main commercial and service area within Electoral Area 'A'. The maximum density supported within this designation is 100 multi-family dwelling units and up to 75 supportive housing units.

### 2.3.2 Current Zoning

"Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" applies to all of Electoral Area 'A'. There are currently 5 zoning designations within the Cedar Village Centre which includes a mix of commercial, industrial, and residential zoning classifications with a heavy emphasis on residential and commercial. Please refer to Map 3 – Current Zoning attached as Appendix D. Table 2.3 below summarizes the current zoning designations and their total area within the Cedar Village Centre.

Table 2.3 – Current Zoning within the Cedar Village Centre

Zoning	Permitted Uses	Area (m2)	% of Cedar Village Centre
Commercial 2	Funeral Parlour Gas Bar Nursery Office Personal Service Use Recreation Facility Restaurant Retail Store	37,065.2	31.5
Commercial 5	Hotel Resort Condominium Unit Marina Neighbourhood Pub Public Assembly Use Recreation Facility Residential Use Restaurant Resort Vehicle Park Tourist Information Booth Tourist Store	9,008.0	7.6
Industrial 1	Light Industry Heavy Equipment Display Residential Use	1,747.1	1.5
Recreational 1	Campground Outdoor Recreation Residential Use	24,124.3	20.4
CD 29 (Residential)	Residential use Home Based Business Personal Care Unit Accessory Convenience Store	46,580.1	39.3
<b>Total</b>		<b>118,524.7</b>	<b>100.0</b>

### 2.3.3 Existing Land Use

Currently the dominant use in the Cedar Village Centre is commercial followed by recreational and residential as shown in Table 2.4 below. For the purpose of this report, existing land use means the actual use of a parcel regardless and independent from the current zoning designation.

Table 2.4 – Existing land use within the Cedar Village Centre

Use	Area (m <sup>2</sup> )	Percentage of Cedar Village Centre
Commercial Use	42,092.2	35.5
Industrial Use	1,741.0	1.5
Recreational Use	24,124.3	20.4
Residential Use	3,987.1	3.4
Vacant	46,580.1	39.3
<b>Total</b>	<b>118,524.7</b>	<b>100.0</b>

Not all land within the Cedar Village Centre is developed or is being used for the use specified by the current zoning. Slightly less than half (39%) of the land within the Cedar Village Centre is currently vacant. However, all of the vacant land is a direct result of an undeveloped residential parcel currently zoned CD29 (Cedar Estates). Since there are no other vacant or undeveloped commercial or industrial zoned properties within the Cedar Village Centre, all future commercial and industrial developments must occur on previously developed sites. This may include infill and intensification of existing developments or redevelopment of existing sites.

#### **2.3.4 Existing and Potential Commercial Floor Area**

Previously issued building permits and orthophotos have been reviewed to estimate the existing commercial floor space within the Cedar Village Centre. The results of this review are shown in Table 2.5 below.

The potential additional commercial floor space has been estimated based on a number of factors including the current zoning (height, parcel coverage, setbacks, etc.), topographical and physical site constraints, and known environmentally sensitive features. When considering the zoning requirements for each property, the potential for a second storey was considered where the maximum height specified by the zoning is conducive to two storey construction. In addition, where a property was zoned commercial and was not developed with commercial uses, it was assumed that redevelopment of the property with commercial uses to the maximum feasible extent could occur.

Table 2.5 – Existing Commercial Floor Space and Commercial Floor Space Potential within the Cedar Village Centre

Existing Commercial Floor Area	5,543.56 m <sup>2</sup>
Potential Additional Commercial Floor Area	10,019.1 m <sup>2</sup> (5,009 m <sup>2</sup> Conservative Estimate)

As illustrated in Table 2.5 above, there is approximately 5,543 m<sup>2</sup> of existing commercial floor space within the Cedar Village Centre. Based on the existing zoning, it is estimated that there is potential for an additional 10,019 m<sup>2</sup> of commercial floor space. However, this estimate of additional commercial floor space assumes that all commercial properties are developed to their maximum potential, which may include significant alterations to existing buildings, the addition of a second storey, or depending on the layout of the development, may require a redevelopment of the site to maximize the potential floor area. Therefore, it is unlikely that the Cedar Village Centre would be developed to its estimated maximum potential due to the existing situation. A conservative estimate of 5,009 m<sup>2</sup> of additional floor area is likely a more realistic estimate.

### **2.4 Suburban Residential Land Use Designation**

#### **2.4.1 Official Community Plan Land Use Designation**

The "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1240, 2001" designates the 'Cedar Village Centre' 'Suburban Residential' land use designations within the Study Area. As mentioned above, the Study Area is approximately 177 ha in area and of that approximately 163 ha is designated within the Suburban Residential land use designation.

The Suburban Residential land use designation supports a maximum density of five dwelling units per hectare.

For more detailed information, please refer to Map No. 2, which is attached as Appendix C.

## 2.4.2 Current Zoning

There are currently five zoning designations within the Suburban Residential land use designation. Please refer to Map 3 – Current Zoning attached as Appendix D.

As Table 2.6 below illustrates, the dominant zoning designation is Residential 2 followed by Public 1 and Rural 4. What is important to note is that although Commercial 2 zoned lands represent a very small fraction (less than 1%) of the land within the Suburban Residential lands designation, that they represent a significant proportion (18%) of the commercial zoned land within the Study Area.

In addition, nearly all (96%) of the land zoned for residential use within the Study Area is located in the Suburban Residential designation.

Table 2.6 – Existing zoning within the Suburban Residential land use designation

<b>Zoning</b>	<b>Area (m<sup>2</sup>)</b>	<b>Percent of Suburban Residential</b>
Commercial 2	9,125.4	0.7
Industrial 1	9,242.5	0.7
Public 1	162,832.8	12.4
Residential 2	1,101,670.6	83.6
Rural 4	349,60.5	2.7
<b>Total</b>	<b>1,317,831.8</b>	<b>100.0</b>

Please refer to Appendix B for a complete description of each of the above zoning designations.

With respect to residential zoned properties within the Study Area, the minimum parcel size specified by the zoning Bylaw is 2000 m<sup>2</sup> provided that community water is provided to each parcel. Without community water, the minimum parcel size supported by the current zoning is 1.0 ha.

The residential density supported by the current zoning is generally consistent with that supported in the Official Community Plan as the maximum density is five dwelling units per hectare (2,000 m<sup>2</sup> minimum parcel size) with community water and community sewer. However, the current zoning also supports the same minimum parcel size on properties with community water but no community sewer.

Although all of the Suburban Residential lands are located within the Urban Containment Boundary, future commercial uses should be focused within the Cedar Village Centre. The dominant land use within the Suburban Residential land use designation is residential followed by Public/Institutional.

## 2.4.3 Existing Land Use

Not all land within the Suburban Residential designation is developed or is being used for the use specified by the current zoning. Approximately 5% of the land within the Suburban Residential designation is currently undeveloped.

Commercial and industrial use make up only a small percentage of the Suburban Residential land use designation. The existing commercial and industrial uses are, for the most part, uses which have occurred on properties that historically have been zoned for that use. However, as stated above, the commercial uses in the Suburban Residential designation make up almost one fifth of the commercial uses in the Study Area. Therefore, the commercial and industrial uses located in this land use designation play an

important role in the community even though they represent a small percentage of the Suburban Residential land use designation.

Table 2.7 – Existing land use in the Suburban Residential land use designation

Use	Area (m <sup>2</sup> )	Percentage of Suburban Residential
Commercial Use	5,834.8	0.4
Industrial Use	9,242.5	0.7
Public/Institutional	16,2832.8	12.4
Residential Use	1,041,209.3	79.0
Vacant	67,635.0	5.1
Rural	31,077.4	2.4
<b>Total</b>	<b>1,317,831.8</b>	<b>100.0</b>

#### 2.4.4 Existing and potential Commercial Floor Area

Previously issued building permits and orthophotos have been reviewed to estimate the existing commercial floor space within the Suburban Residential land use designation. The results of this review are shown in Table 2.8 below.

The additional commercial floor space potential has been estimated based on a number of factors including the current zoning (height, parcel coverage, setbacks, etc.), topographical and physical site constraints, and any known environmentally sensitive features. When considering the zoning requirements for each property, the potential for a second storey was considered where the maximum height specified by the zoning is conducive to two storey construction. In addition, where a property is zoned commercial and is not developed with commercial uses, it was assumed that the property could be redeveloped with commercial uses to the maximum permitted amount.

Table 2.8 – Existing and potential commercial floor area within the Suburban Residential land use designation

Existing Commercial Floor Area	2,656 m <sup>2</sup>
Potential Additional Commercial Floor Area	3,373 m <sup>2</sup> (1,685 m <sup>2</sup> Conservative Estimate)

As illustrated in Table 2.8 above, there is approximately 2,656 m<sup>2</sup> of existing commercial floor area within the Suburban Residential land use designation. Based on the existing zoning, it is estimated that there is potential for an additional 3,373 m<sup>2</sup>. However, this estimate assumes that all commercial properties are developed to their maximum potential, which may include significant alterations to existing buildings, the addition of a second storey, or depending on the layout of the development, may require a redevelopment of the site to maximize the potential floor area. Therefore it is unlikely that the Suburban Residential land use designation would be developed to its estimated maximum potential due to its existing situation. A conservative estimate of 1,685 m<sup>2</sup> of additional commercial floor area is likely a more realistic estimate.

#### 2.5 Dwelling Unit Count Within Walking Distance to the Cedar Village Centre

One of the goals of the Cedar Village Centre is to provide commercial goods and services within a reasonable distance of those who reside in Electoral Area 'A' to reduce the dependence on the automobile and to encourage alternate forms of transportation. Ideally, goods and services should be within walking



distance of all residences within the Urban Containment Boundary. For the purpose of this study, an ideal walking distance is considered 400 m or less from any residence to the Cedar Village Centre.

Table 2.9 illustrates the number of dwelling units and estimated population within a given distance of the Cedar Village Centre. The distance was measured as a radius from the centre of the Village Centre. The Statistics Canada 2006 Census specifies that in Electoral Area 'A' the average household size is 2.4 persons. For the purpose of this study, it is assumed that the household size is consistent with the remainder of Electoral Area 'A'. The estimated population within a given distance of the Cedar Village Centre was calculated by multiplying the number of dwelling units (addresses identified on the map) within each specified distance by the average number of persons per household.

Table 2.9 – Estimated Population within a given distance from the Cedar Village Centre

Distance from the Cedar Village Centre	Number of Dwelling Units	Estimated Population
400 m	258	619
1000 m	702	1,685
3000 m	1,707	4,097
5000 m	2,320	5,568

It is estimated that 619 people are within walking distance of the Cedar Village Centre. This number may increase should the residential development 'Cedar Estates' be developed. However, at this time, it is likely that only a small number of those who live within walking distance actually walk to the Cedar Village Centre to obtain commercial goods and services.

One of the significant barriers to non-vehicular access to the Cedar Village Centre is the lack of paved shoulders on the roads. These pose a challenge for pedestrians, especially those with small children and those with less mobility.

## 2.6 Residential Lot Supply

Table 2.10 provides the residential lot supply figures for the Suburban Residential land use designation and the Cedar Village Centre.

Table 2.10 – Residential lot supply for the Suburban Residential land use designation and the Cedar Village Centre

OCP Land Use Designation	Lot Counts					
	Total number of existing residential lots	Total number of developed residential lots	Total number of vacant residential lots	Potential new residential lots	Potential for additional dwelling units (vacant lots plus new lots)	Long term lot supply (existing lots plus new lots)
Suburban Residential	550	517	33	75	108	624
Cedar Village Centre	2	1	1	55	60 (plus 75 personal care units)	57
Totals	552	518	34	130	168	681

There are currently 550 residential lots within the Suburban Residential land use designation. Of the 550 existing lots, only 33 lots are vacant and the remaining 517 lots are developed. Based on the current zoning there is potential for an additional 75 lots in the Suburban Residential land use designation. If a dwelling was constructed on each vacant lot and on each potential new lot, there could be up to an additional 108 dwelling units within the Suburban Residential land use designation. This represents an increase of approximately 21% over the current number of dwelling units.

The long term lot supply is estimated at 624 lots and has been calculated by adding the total number of existing lots (550) to the potential new lots (75). Based on the 2006 census, the average household size for Electoral Area 'A' is 2.4 persons. Assuming that 2.4 persons per household is representative of the Study Area, the population of the Suburban Residential land use designation in 2006 was approximately  $(549 \times 2.4)$  1,318 persons. Should the Suburban Residential land use designation be developed to its full potential of 624 lots the estimated population would be about  $(624 \times 2.4)$  1,498 persons given current estimated household size.

Currently, there are two residential lots in the Cedar Village Centre. Both lots are within the Cedar Estates Comprehensive Development Zone 29 (CD29), which is yet to be developed. The CD29 zone supports a maximum of 55 new residential lots that would support an additional 60 dwelling units and a 75 unit personal care facility and accessory retail use. Based on current average household size this would result in an estimated  $(55 \times 2.4 + 75)$  207 additional residents in the Cedar Village Centre.

## **2.7 Other considerations and factors affecting development**

Official Community Plan policies and current zoning regulations provide a framework for controlling development and provide a basis for estimating the additional development potential. However, there are other factors that affect development potential that must be addressed. The following sections provide a general overview of these considerations.

### **2.7.1 Other Significant Developments**

The proposed development of the South Nanaimo Lands (Sandstone) located within the City of Nanaimo between the Duke Point Interchange and Cedar Road is a significant consideration. The subject property has an area of approximately 293 hectares and consists of a new town centre which includes a variety of residential housing types and densities, a mixed use industrial business park, commercial area, institutional and office space, and other industrial activities. At this time, the proposed development includes the following:

- 800 to 900 low to medium density residential units;
- 900 to 1,000 medium to high density residential units;
- 600,000 to 700,000 square feet for mixed use industrial/business park;
- 400,000 to 500,000 square feet for Industrial use; and,
- a new Town Centre with approximately 500,000 to 950,000 square feet of commercial, institutional, office, indoor recreation, and other commercial uses.

If developed, the Sandstone development would provide a significant amount of commercial goods and services including big box retailers within a few minutes drive of the Cedar Village Centre. This new development is likely to have some impacts on the Cedar Village Centre and its role in the community.

### **2.7.2 Community Water and Community Sewer Servicing**

Currently, there is no community sewer within the Cedar Village Centre. However, the Cedar Senior Secondary School which is located within the Suburban Residential land use designation is currently serviced with community sewer. The balance of the Suburban Residential land use designation is not serviced with community sewer. Therefore, with the exception of the Cedar Senior Secondary School, all lands within the Study Area are serviced with private septic disposal systems.

### **2.7.3 Road Network and Alternate Forms of Transportation**

The road network and road drainage falls under the jurisdiction of the Ministry of Transportation. The Ministry is also responsible for uses in the highway right-of-way including sidewalks. The Regional District of Nanaimo does not have the legislative authority to regulate the installation and future use of sidewalks or other improvements in public road right-of-ways.

As a result, one of the challenges faced by the Regional District of Nanaimo and other Regional Districts throughout the province is securing desirable road improvements which also improve pedestrian safety and encourage non-vehicular forms of transportation. Therefore, it is necessary for the Regional District of Nanaimo to work cooperatively with the Ministry of Transportation and the development community through the development process to obtain desirable roadway and/or pedestrian/cyclist improvements.

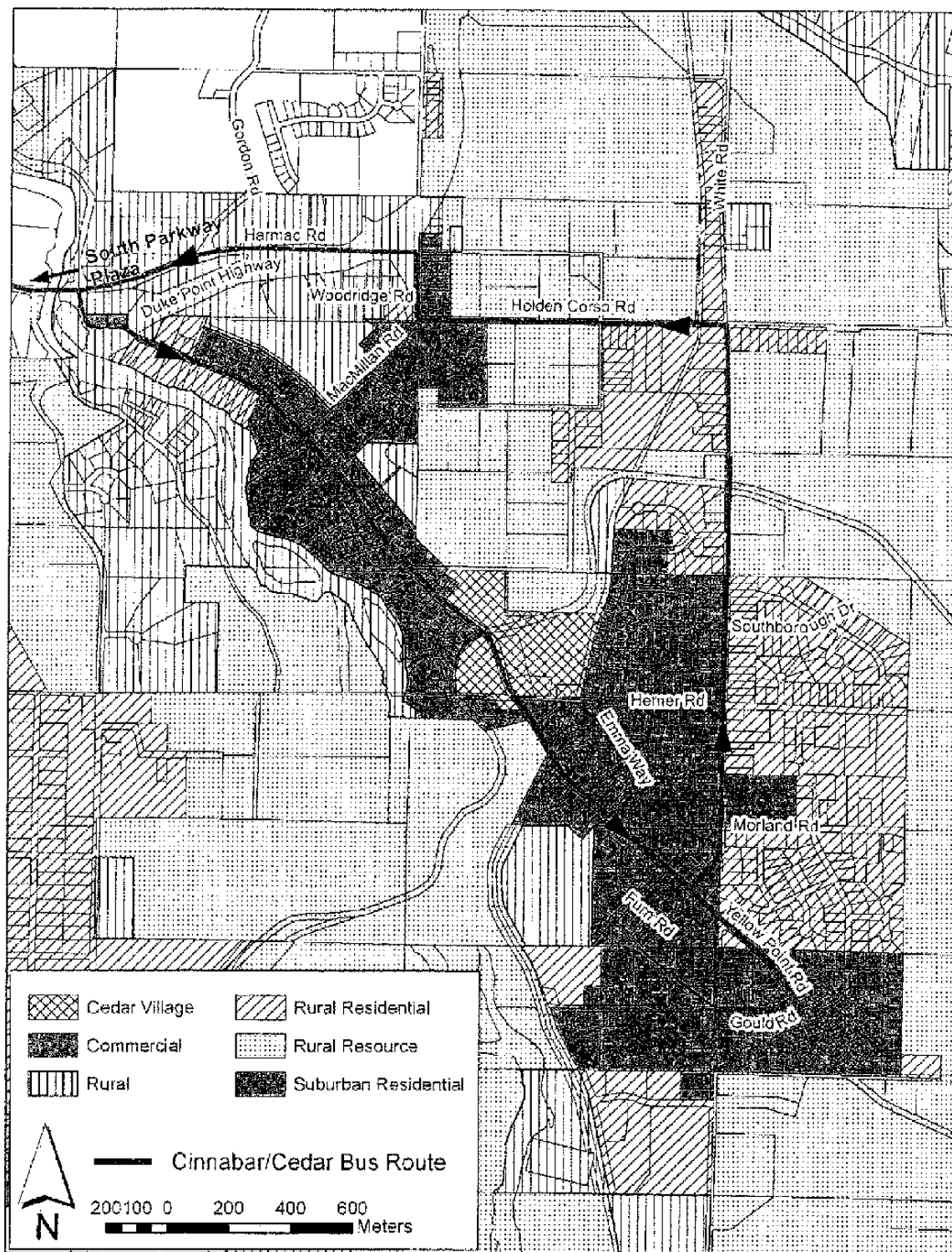
It should be noted that pedestrian improvements are more likely to include improvements to the road shoulder than the creation of paved sidewalks due to the challenges associated with construction, maintenance, and liability within the public road right of way.

### **2.7.3 Public Transit**

Public transit plays an important role in developing sustainable communities as it provides an alternate and potentially more efficient form of transportation than the automobile. Perhaps more importantly, public transit also provides an affordable form of transportation for those who do not drive or who can not afford an automobile.

The Plan Area is serviced by Route 7 (Cinnabar Valley/Cedar) of the Nanaimo Regional Transit Loop. Figure 1 (following) shows Route 7 through the Study Area.

Figure No. 1 – Bus Route No. 7



Currently there is limited service within the Study Area and transfers are required in order to reach significant locations within the City of Nanaimo such as Woodgrove Mall, Malaspina University College, the Aquatic Centre, and Beban Park.

Generally, higher density residential development is required to support improved transit services including more frequent bus service.

#### **2.7.4 Environmental Protection**

Environmental protection is an important consideration in community development. The current Official Community Plan contains environmental protection policies and Development Permit Areas that are intended to ensure that the potential impacts from proposed developments are identified and mitigated.

It should be noted that there is a large wetland located to the north west of the Cedar Village Centre which is a significant environmental feature that will limit the future extent the of Cedar Village Centre.

### **3.0 Questionnaire Results and Public Input**

A total of 81 responses were collected in response to the online questionnaire. Please refer to the document titled "*Questionnaire Results*" for a complete listing of the questionnaire results including the written responses. The following provides a summary of the questionnaire results.

#### *Question 1 and 2- Frequency of use and distance from the Cedar Village Centre*

Approximately 46% of respondents indicated that they access the commercial services in the Cedar Village Centre more than once per week while about 28% indicated that they access the services in the Cedar Village Centre every day. Of the 37 respondents who indicated that they access the Cedar Village Centre more than once per week, only 12 indicated that their primary residence is within 1,000 metres of the Cedar Village Centre and only 4 indicated that their primary residence is within 400 metres of the Cedar Village Centre.

#### *Question 3 and 4 – Amount spent at the Cedar Village Centre and primary source of commercial goods and services*

The majority of respondents indicated that they spend more than \$101 per month on average in the Cedar Village Centre. There does not appear to be any correlation between the distance of a residence from the Village Centre; and

- the average monthly amount spent on obtaining goods and services within the Cedar Village Centre; and,
- the number of visits to the Cedar Village Centre in an average week.

Nearly 88% of respondents indicated that they obtain the majority of their commercial goods and services in Nanaimo. Less than 20% indicated that Cedar was where they obtained the majority of their commercial goods and services.

#### *Question 5: Other desirable commercial uses*

The responses to Question 5 have been grouped into 8 categories. The most sought after use was a pharmacy followed by various other medical services. The following provides an overview of the responses to Question 5 in order from most desirable to least desirable.

Category	Uses
Health Care Services	Pharmacy, doctors office, medical clinic, dentist
Retail Use	Clothing stores, house wares, liquor store
Recreation and Culture	Theatre, recreational facilities, ice rink, tennis court, soccer field, library
Restaurant	Coffee shop, bakery, eateries
Grocer/food sales related	More grocery stores, health food store, butcher shop
Hardware Supply	Paint store, hardware store, Home Depot
Professional Services	Barber/hair dresser, legal services,
Trades services	Automotive repair, heavy duty mechanic,

*Question 6 and 7: Additional Commercial and sources of employment*

Approximately 66% of respondents indicated that they support additional commercial and service related development in the Cedar Village Centre and surrounding area. Those who did not support additional commercial in this area were generally concerned with the impact of additional traffic, protecting the rural atmosphere and character of Cedar, and environmental protection.

Approximately 80% of respondents indicated that their primary source of employment was somewhere other than Cedar. Of those respondents who indicated that their primary source of employment was in Cedar, more than half (60%) indicated that they support additional commercial and service related development in the Cedar Village Centre.

*Question 8: Factors in building complete communities*

In general, the responses to Question 8 indicated that the Cedar Village Centre is insufficient at providing the community with adequate employment, recreation, commercial goods, and access the health services. Table 3.1 indicates the most common response to Question 8.

Table 3.1 responses to Question 8

Factors	Most Popular Response
Affordable/Attainable Housing	Adequate
Schools and other training	Adequate
Employment	Insufficient
Recreation	Insufficient
Commercial goods	Insufficient/Adequate (equal number of responses)
Access to services (health care, social assistance)	Insufficient

*Question 9 – Desirable Community Amenities*

Question 9 asked respondents to rate a number of different community amenities which may or may not be desirable in association with additional development. Table 3.2 shows the most popular responses to Question 9.

Table 3.2 responses to Question 9

Amenity	Most Popular Response
Park Land	Very Desirable
Recreational Facilities	Very Desirable
Public Art	Somewhat Desirable
Community Hall	Desirable
Affordable Housing	Desirable

*Question 10 – Primary concerns with respect to development*

Based on the responses to Question 10, the most significant concerns with respect to new development are generally impacts on rural lifestyle, increases in traffic and the ability of the existing infrastructure to accommodate growth, changes to the character of Cedar, and increases in crime rates and vandalism.

*Question 11 – In what ways is the Cedar Village Centre succeeding?*

In general respondents indicated that they enjoy the convenience of the existing services that the Cedar Village Centre has to offer. Respondents generally supported the services provided by the Cedar Village Centre. In addition, some respondents indicated that the Cedar Village centre was succeeding because of its limited size.

*Question 12 – In what ways is the Cedar Village Centre failing?*

Responses to Question 12 indicated that respondents were split between wanting more selection and more amenities within the Cedar Village Centre and wanting to maintain the status quo. A number of respondents indicated that mobility improvements such as sidewalks and improved roads were desirable. Others thought that there was a lack of affordable housing.

*Open House*

An Open House was held on February 25, 2008 at the Cedar Community Secondary School. Approximately 70 people attended the Open House and the overall response to the information at the Open House was positive. Some of the issues raised at the Open House were outside of the scope of the Cedar Land Inventory and therefore are not addressed in this report. These concerns were primarily related to the proposed closure of Woodbank School and the proposed development at Cable Bay.

Other feedback from the Open House indicated that future planning processes should be focused on community sustainability. In addition, there appears to be a desire for crosswalks and speed control on Cedar Road.

#### 4.0 Summary of the Results

The following tables provide a summary of the results based upon the entire Study Area.

As shown in Table 4.1 below, the vast majority of lands within the Study Area are currently zoned for residential use. This is followed by Public use and commercial. Lands zoned for Commercial use represent only a small fraction (3.8%) of the Study Area.

**Table 4.1 - Existing Zoning**

Zoning	Area (m <sup>2</sup> )	Percentage of Study Area
Commercial	55,198.0	3.8
Industrial 1	10,989.6	0.8
Public/Recreational	186,957.1	13.0
Residential	1,148,250.7	79.9
Rural	34,960.52	2.4
<b>Total</b>	<b>1,436,365.5</b>	<b>100.0</b>

As shown in Table 4.2 below, the majority (72.8%) of the land within the Study Area is currently being used for residential purposes. Commercial and industrial uses represent a very small (4.1%) proportion of the Study Area. Although approximately 8% of the lands within the Study Area are currently vacant, nearly half (40%) of this vacant land is in the as yet undeveloped Cedar Estates property located in the Cedar Village Centre.

**Table 4.2 - Existing Land Use**

Use	Area (m <sup>2</sup> )	Percentage of Study Area
Commercial Use	47,927.0	3.3
Industrial Use	10,983.5	0.8
Recreational Use	24,124.3	1.7
Residential Use	1,045,196.3	72.8
Vacant/Undeveloped	114,215.1	8.0
Public/Institutional	162,832.87	11.3
Rural	31,077.4	2.2
<b>Total</b>	<b>1,436,356.5</b>	<b>100.0</b>

As shown in Table 4.3 below, there is approximately 8,200 m<sup>2</sup> of existing commercial floor area and potential for an additional 6,691 m<sup>2</sup> based on a conservative estimate.

**Table 4.3 - Existing and Potential Commercial Floor Area**

Existing Commercial Floor Area	8,199.6 m <sup>2</sup>
Potential Additional Commercial Floor Area	13,392.1 m <sup>2</sup> (6,691 m <sup>2</sup> Conservative Estimate)

## 5.0 Conclusion

The inventory of the Cedar Village Centre and Suburban Residential land use designations is now complete. The findings of the inventory indicate that there is approximately 8,199 m<sup>2</sup> of existing commercial floor area within the Study Area and potential for an additional 6,691 m<sup>2</sup> of commercial floor area based on the existing zoning. Since the amount of vacant commercial land within the Study Area is low (approximately 4%), most of the estimated additional commercial floor area would be in the form of additions to existing buildings and by making more efficient use of existing commercial zoned properties (i.e., constructing more buildings and/or adding more uses). There appears to be adequate commercial floor area potential to meet the immediate needs of Study Area residents without expanding the commercial zoning designation.



## Appendix A – Questionnaire

### Cedar Village Centre Survey

1.

As a precursor to the upcoming Official Community Plan Review, the Regional District of Nahalmo is undertaking a land inventory of the Cedar Village Centre and the Suburban Residential Lands land use designation to determine if there is an adequate supply of land available for commercial use and whether there is a need for more commercial land to accommodate both the increased population in the immediate vicinity and the future needs of the Plan Area.

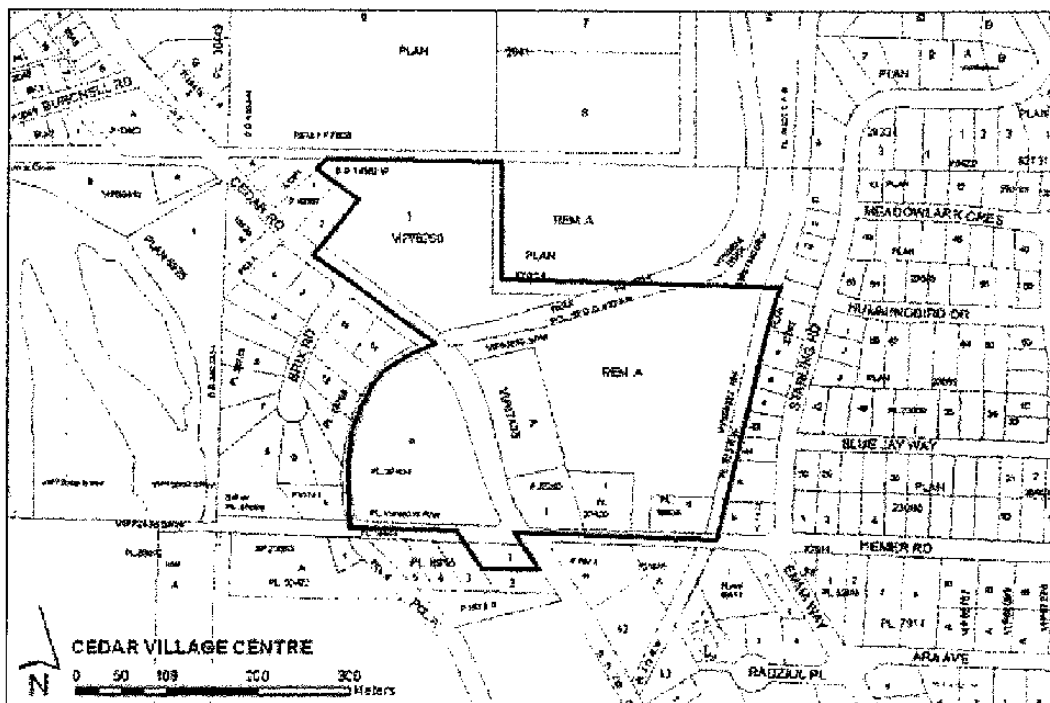
This survey is intended to assist the Regional District in determining the characteristics of the study area and the commercial needs of the community.

The results of this survey will be tabulated and made available at a later date.

**\* 1. The following map shows the location of the Cedar Village Centre which is intended to be the primary service centre for Electoral Area 'A'. Please indicate how often you use the commercial services located in the Cedar Village Centre.**

- ☐ every day
- ☐ once a week
- ☐ more than once a week
- ☐ once a month
- ☐ less than once a month

I/We never use it because



## Cedar Village Centre Survey

**\* 2. Please estimate the distance from your primary residence to the Cedar Village Centre.**

- ☐ within 400m (about ¼ mile)
- ☐ within 1000m (just over ½ mile)
- ☐ within 3000m (almost 2 miles)
- ☐ within 5000m (just over 3 miles)
- ☐ more than 5000m

**\* 3. Please estimate the average amount your household spends on goods and services obtained at the Cedar Village Centre in an average month.**

- ☐ \$0, we never go there
- ☐ less than \$50
- ☐ 50 to \$100
- ☐ \$101 to \$200
- ☐ \$201 to \$300
- ☐ more than \$300

**\* 4. Where does your household obtain the majority of its commercial goods and services?**

- ☐ Cedar
- ☐ Nanaimo
- ☐ Ladysmith
- ☐ Other

**5. What other uses, commercial goods, and services are required to make the Cedar Village Centre the place where you would obtain the majority of goods and services?**

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**6. Do you support additional commercial and service related development in the Cedar Village Centre and surrounding area?**

- ☐ Yes
- ☐ No

If no, what are your concerns?

--

## Cedar Village Centre Survey

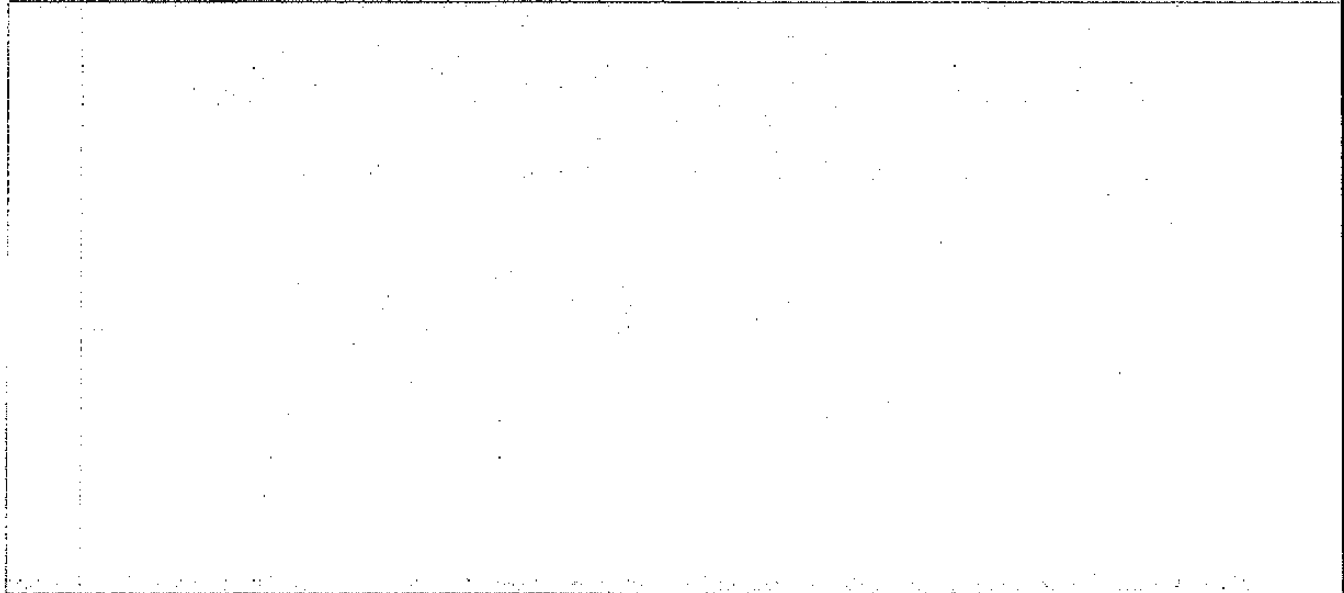
**10. Changes in land use and new development in the Cedar Village Centre have the potential to bring benefits to the community, but may also result in other changes not desired by the community. Please indicate your primary concerns with respect to development in the Cedar Village Centre and surrounding lands.**

1. The first group of people who are affected by the disease are those who are in the first stage of the disease. This group is the largest and is made up of people who are in the first stage of the disease. They are the people who are in the first stage of the disease.

### 11. In what ways is the Cedar Village Centre succeeding?

## Cedar Village Centre Survey

### 12. In what ways is the Cedar Village Centre failing?



**13. If you would like to be included on the Electoral Area 'A' email list please provide your email address in the space below. By doing so you will be notified by email of upcoming events related to the Cedar Village Center and Suburban Residential Lands Land Use inventory and any activities related to the upcoming Official Community Plan Review.**



## Appendix B – Zoning Descriptions

This is an excerpt only from "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" and should not be used for interpretive or legal purposes without reference to the entire Bylaw.

### Section 3.4.12

#### COMMERCIAL 2

CM2

#### Permitted uses and Minimum Site Area

Permitted Uses	Required Site Area with:		
	Community Water & Sewer System	Community Water System	No Community Services
a) Funeral Parlour	2000 m <sup>2</sup>	4000 m <sup>2</sup>	6000 m <sup>2</sup>
b) Gas Bar	1000 m <sup>2</sup>	1600 m <sup>2</sup>	2000 m <sup>2</sup>
c) Nursery	4000 m <sup>2</sup>	5000 m <sup>2</sup>	8000 m <sup>2</sup>
d) Office	500 m <sup>2</sup>	1000 m <sup>2</sup>	1500 m <sup>2</sup>
e) Personal Service Use	800 m <sup>2</sup>	1600 m <sup>2</sup>	2400 m <sup>2</sup>
f) Recreation Facility	4000 m <sup>2</sup>	5000 m <sup>2</sup>	8000 m <sup>2</sup>
g) Restaurant	2000 m <sup>2</sup>	4000 m <sup>2</sup>	6000 m <sup>2</sup>
h) Retail Store	1000 m <sup>2</sup>	1600 m <sup>2</sup>	2000 m <sup>2</sup>

#### Accessory Uses

a) Residential Use <sup>1</sup>	n/a	n/a	n/a
---------------------------------	-----	-----	-----

#### Maximum Number and Size of Buildings and Structures

Dwelling units/parcel <sup>2</sup>	- 1
Floor area ratio	- 0.75
Height	- 8.0 m
Parcel coverage	- 50%

#### Minimum Setback Requirements

Front lot line	- 8.0 m
Other lot lines	- 5.0 m

except where:

- the adjoining parcel is zoned industrial or commercial then the setback from the common interior side lot line may be reduced to zero;
- any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 shall apply.

<sup>1</sup> Bylaw No. 500.262, adopted June 11, 2002

<sup>2</sup> Bylaw No. 500.13, adopted October 13, 1987

This is an excerpt only from "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1997" and should not be used for interpretive or legal purposes without reference to the entire Bylaw

Section 3.4.15

**COMMERCIAL 5<sup>1</sup>**

**CM5**

**Permitted uses and Minimum Site Area**

Permitted Uses	Required Site Area with:		
	Community Water & Sewer System	Community Water System	No Community Services
a) Hotel			
First Unit	2000 m <sup>2</sup>	2000 m <sup>2</sup>	4000 m <sup>2</sup>
Each Additional Unit	200 m <sup>2</sup>	400 m <sup>2</sup>	400 m <sup>2</sup>
b) Resort Condominium Unit	400 m <sup>2</sup>	1000 m <sup>2</sup>	4000 m <sup>2</sup>
c) Marina	5000 m <sup>2</sup>	5000 m <sup>2</sup>	1.0 ha
d) Neighbourhood Pub	2000 m <sup>2</sup>	4000 m <sup>2</sup>	6000 m <sup>2</sup>
e) Public Assembly Use	4000 m <sup>2</sup>	5000 m <sup>2</sup>	8000 m <sup>2</sup>
f) Recreation Facility	4000 m <sup>2</sup>	5000 m <sup>2</sup>	8000 m <sup>2</sup>
g) Residential Use <sup>2</sup>	n/a	n/a	n/a
h) Restaurant	2000 m <sup>2</sup>	4000 m <sup>2</sup>	6000 m <sup>2</sup>
i) Resort Vehicle Park <sup>3</sup>	400 m <sup>2</sup>	400 m <sup>2</sup>	400 m <sup>2</sup>
j) Tourist Information Booth	500 m <sup>2</sup>	500 m <sup>2</sup>	500 m <sup>2</sup>
k) Tourist Store	800 m <sup>2</sup>	1600 m <sup>2</sup>	2000 m <sup>2</sup>

**Maximum Number and Size of Buildings and Structures**

Resort Vehicle Park <sup>4</sup>	25 camping spaces/ha to a maximum of 150 camping spaces per parcel developed in accordance with Schedule '3C', 'Campground Regulations and Standards'
Dwelling units/parcel <sup>5</sup>	- 1
Floor area ratio	- 0.60
Height	- 8.0 m
Parcel coverage	- 40%

<sup>1</sup> Bylaw No. 500.74, adopted October 8, 1991

<sup>2</sup> Bylaw No. 500.13, adopted October 13, 1997

<sup>3</sup> Bylaw No. 500.162, adopted April 8, 1997

<sup>4</sup> Bylaw No. 500.162, adopted April 8, 1997

<sup>5</sup> Bylaw No. 500.13, adopted October 13, 1997

This is an excerpt only from "Regional District of Manalima Land Use and Subdivision Bylaw No. 500, 1987" and should not be used for interpretive or legal purposes without reference to the entire Bylaw.

Section 3.4.31

**INDUSTRIAL 1**

**IN1**

**Permitted uses and Minimum Site Area**

Permitted Uses	Required Site Area with:		
	Community Water & Sewer System	Community Water System	No Community Services
a) Light Industry	4000 m <sup>2</sup>	5000 m <sup>2</sup>	8000 m <sup>2</sup>
b) Heavy Equipment Display	4000 m <sup>2</sup>	5000 m <sup>2</sup>	8000 m <sup>2</sup>
c) Residential Use <sup>1</sup>	n/a	n/a	n/a

**Maximum Number and Size of Buildings and Structures**

Dwelling units/parcel <sup>2</sup>	- 1
Height	- 8.0 m
Parcel coverage	- 60%

**Minimum Setback Requirements**

Front lot line	- 8.0 m
Other lot lines	- 5.0 m

except where:

- the adjoining parcel is zoned industrial or commercial then the setback from the common interior side lot line may be reduced to zero;
- any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 shall apply.

<sup>1</sup> Bylaw No. 500.13, adopted October 13, 1987

<sup>2</sup> Bylaw No. 500.13, adopted October 13, 1987

This is an excerpt only from "Regional District of Manalano Land Use and Subdivision Bylaw No. 500, 1987" and should not be used for interpretive or legal purposes without reference to the entire Bylaw

Section 3.4.51

**RECREATION 1**

**RC1**

**Permitted uses and Minimum Site Area**

Permitted Uses	Required Site Area with:		
	Community Water & Sewer System	Community Water System	No Community Services
a) Campground	1.0 ha	1.0 ha	2.0 ha
b) Outdoor Recreation	1.0 ha	1.0 ha	1.0 ha
c) Residential Use <sup>1</sup>	n/a	n/a	n/a

**Maximum Number and Size of Buildings and Structures**

Campground	Maximum of 60 camping spaces per parcel developed in accordance with Schedule '3C', Campground Regulations and Standards <sup>2</sup>
Dwelling units/parcel <sup>3</sup>	- 1
Height	- 8.0 m
Parcel coverage <sup>4</sup>	- 10%

**Minimum Setback Requirements**

Front lot line	- 8.0 m
Other lot lines	- 5.0 m

except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 shall apply.

<sup>1</sup> Bylaw No. 500.13, adopted October 13, 1987

<sup>2</sup> Bylaw No. 500.162, adopted April 8, 1997

<sup>3</sup> Bylaw No. 500.13, adopted October 13, 1987

<sup>4</sup> Bylaw No. 500.77, adopted March 27, 1990



This is an excerpt only from "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" and should not be used for interpretive or legal purposes without reference to the entire Bylaw.

Section 3.4.129

**CEDAR ESTATES COMPREHENSIVE  
DEVELOPMENT ZONE 29**

CD29<sup>1</sup>

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**3.4.129a.1 Permitted Uses in Area A as shown in Section 3.4.129d.1**

- a) Residential Use
  - b) Home Based Business
- 

**3.4.129a.2 Maximum Number and Size of Buildings and Structures in Area A**

Accessory Buildings	Combined floor area of 100 m <sup>2</sup>
Accessory Building Height	5.0 metres
Dwelling Units/parcel	1
Dwelling Unit Height	9.0 metres
Parcel Coverage	40%

---

**3.4.129a.3 Minimum Setback Requirements in Area A**

Front Lot Line	6.0 metres
Interior Side Lot Lines	1.5 metres
Rear Lot Lines	3.0 metres
Exterior Lot Lines	4.0 metres

---

**3.4.129a.4 Other Regulations in Area A**

For the purpose of this zone:

Minimum Parcel Size:

440 m<sup>2</sup> with community water and sewer system. No subdivision permitted without full community services.

Parking Requirements:

minimum 2 parking spaces per unit to be developed in accordance with Schedule '3B' of the Bylaw.

Home Based Business uses are restricted to those uses permitted in the RS1 zone for parcels less than 2,000 m<sup>2</sup> in area.

---

**3.4.129b.1 Permitted Uses in Area B as shown in Section 3.4.129d.1**

- a) Residential Use
- b) Home Based Business

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<sup>1</sup> Bylaw No. 500.323, adopted July 25, 2006

This is an excerpt only from "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" and should not be used for interpretive or legal purposes without reference to the entire Bylaw.

Section 3.4.41

**PUBLIC 1**

**PU1**

**Permitted Uses and Minimum Site Area**

Permitted Uses	Required Site Area with:		
	Community Water & Sewer System	Community Water System	No Community Services
a) Personal Care	4000 m <sup>2</sup>	5000 m <sup>2</sup>	8000 m <sup>2</sup>
b) Personal Care Unit	400 m <sup>2</sup>	1600 m <sup>2</sup>	1.0 ha
c) Public Assembly Use	4000 m <sup>2</sup>	5000 m <sup>2</sup>	8000 m <sup>2</sup>
d) Public Utility Use	500 m <sup>2</sup>	1000 m <sup>2</sup>	1500 m <sup>2</sup>
e) Residential Use <sup>1</sup>	n/a	n/a	n/a
f) School	4000 m <sup>2</sup>	5000 m <sup>2</sup>	8000 m <sup>2</sup>

**Maximum Number and Size of Buildings and Structures**

Dwelling units/parcel <sup>2</sup>	- 1
Height	- 8.0 m
Parcel coverage	- 50% <sup>3</sup>

**Minimum Setback Requirements**

Front lot line	- 8.0 m
Other lot lines	- 5.0 m

except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 shall apply.

<sup>1</sup> Bylaw No. 500.13, adopted October 13, 1987

<sup>2</sup> Bylaw No. 500.13, adopted October 13, 1987

<sup>3</sup> Bylaw No. 500.196, adopted May 14, 1986

This is an excerpt only from "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" and should not be used for interpretive or legal purposes without reference to the entire Bylaw.

Section 3.4.62

**RESIDENTIAL 2**

**RS2**

**Permitted uses and Minimum Site Area**

Permitted Uses	Required Site Area with:		
	Community Water & Sewer System	Community Water System	No Community Services
a) Home Based Business <sup>1</sup>	n/a	n/a	n/a
b) Residential Use - per dwelling unit <sup>2</sup>	2000 m <sup>2</sup>	2000 m <sup>2</sup>	1.0 ha

**Maximum Number and Size of Buildings and Structures**

Accessory buildings <sup>3</sup>	- combined floor area of 100 m <sup>2</sup> or 10% of area of parcel whichever is greater, but shall not exceed 250 m <sup>2</sup> . <sup>4</sup>
Accessory building height	- 6.0 m
Dwelling units/parcel	- 2
Dwelling unit height	- 8.0 m
Parcel coverage <sup>5</sup>	- 35%

**Minimum Setback Requirements**

Front lot line	- 8.0 m
Interior side lot line	- 2.0 m
Rear lot line <sup>6</sup>	- 2.0 m
Other lot lines	- 5.0 m

except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 shall apply.

No setback from an interior or rear lot line shall be required for one accessory building not exceeding a floor area of 10 m<sup>2</sup> and with a maximum height of 3.0m.<sup>7</sup>

<sup>1</sup> Bylaw No. 500.270, adopted November 13, 2001

<sup>2</sup> Bylaw No. 500.13, adopted October 13, 1987

<sup>3</sup> Bylaw No. 500.193, adopted January 9, 1998

<sup>4</sup> Bylaw No. 500.272, adopted November 13, 2001

<sup>5</sup> Bylaw No. 500.13, adopted October 13, 1987

<sup>6</sup> Bylaw No. 500.17, adopted February 14, 1989

<sup>7</sup> Bylaw No. 500.17, adopted February 14, 1989

This is an excerpt only from "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" and should not be used for interpretive or legal purposes without reference to the entire Bylaw

Section 3.4.04<sup>1</sup>

**RURAL 4**

**RU4**

**Permitted uses and Minimum Site Area**

Required Site Area with:

Permitted Uses	Community Water & Sewer System	Community Water System	No Community Services
a) Agriculture	n/a	n/a	n/a
b) Aquaculture	5000 m <sup>2</sup>	5000 m <sup>2</sup>	5000 m <sup>2</sup>
c) Home Based Business <sup>2</sup>	n/a	n/a	n/a
d) Produce Stand	n/a	n/a	n/a
e) Residential Use	n/a	n/a	n/a
f) Silviculture	n/a	n/a	n/a

**Maximum Number and Size of Buildings and Structures**

Accessory buildings - combined floor area of 400 m<sup>2,3</sup>

Dwelling units/parcel:

- a) on a parcel having an area of 2.0 ha or less - 1
- b) on a parcel having an area greater than 2.0 ha - 2

Height 9.0 m<sup>4</sup>

Parcel coverage 25%

**Minimum Parcel Area**

Subject to Section 4.4.4, no parcel having an area less than 2.0 ha may be created by subdivision, and for the purposes of this subsection, "parcel" includes a lot created by deposit of a strata plan under the Strata Property Act (British Columbia).

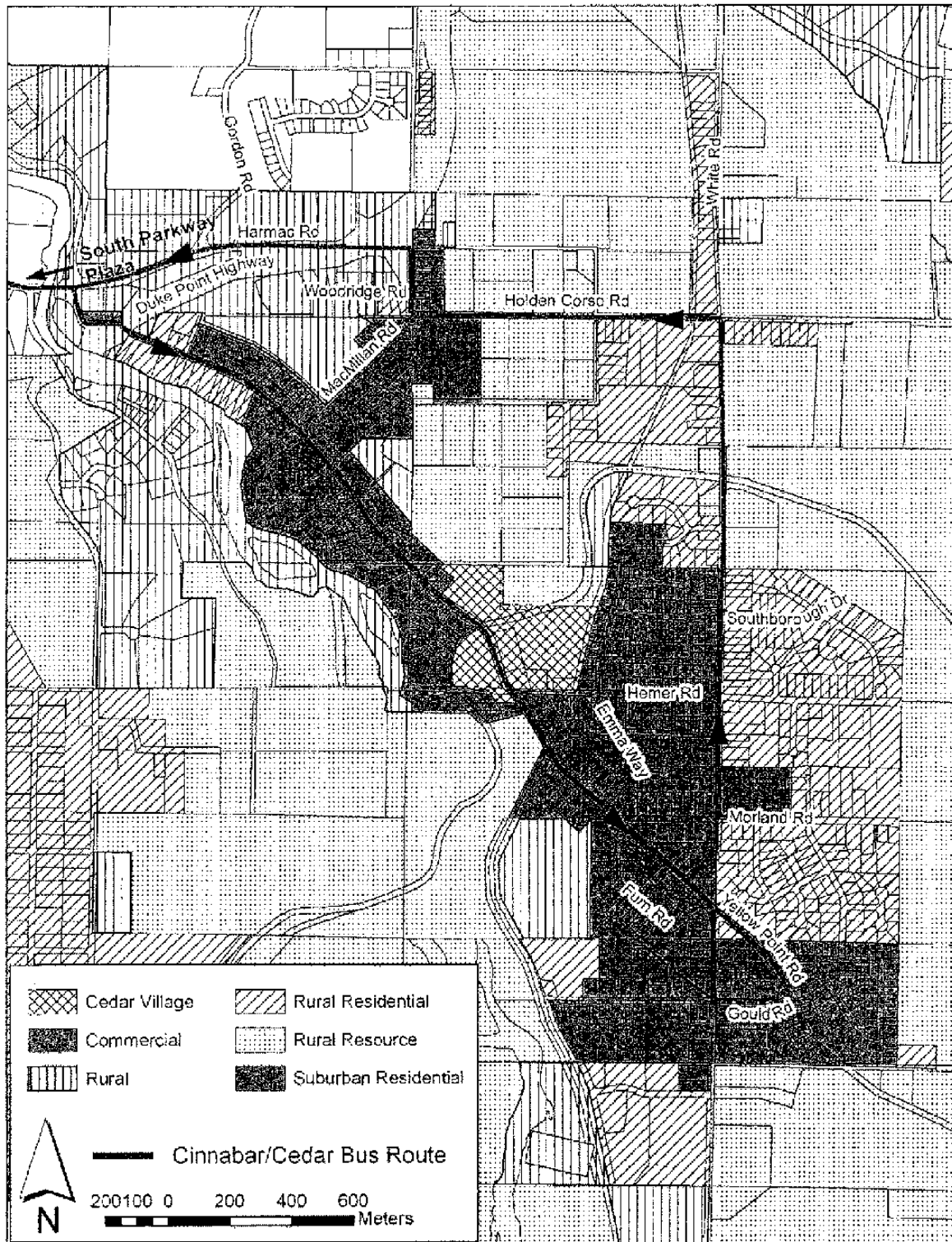
<sup>1</sup> Bylaw No. 500.206, adopted November 12, 1996

<sup>2</sup> Bylaw No. 500.270, adopted November 13, 2001

<sup>3</sup> Bylaw No. 500.272, adopted November 13, 2001

<sup>4</sup> Bylaw No. 500.246, adopted December 8, 1998

Appendix C – Official Community Plan Land Use Map



Appendix D – Zoning Map

