

REGIONAL DISTRICT OF NANAIMO

REGULAR BOARD MEETING

TUESDAY, MAY 27, 2014

7:00 PM

(RDN Board Chambers)

A G E N D A

PAGES

- 1. CALL TO ORDER**
 - 2. DELEGATIONS**
- 12 **Senyo Agbedra, Sunyani Municipal Assembly**, Ghana re Partnership Project Update.
- 13 **Sarah Poole, Oceanside Task Force on Homelessness**, re Needs Assessment for Oceanside Task Force on Homelessness.
- 14 **Lance Nater**, re Town of Qualicum Beach request to amend the Regional Growth Strategy.
- 15 **Charna Macfie**, re Qualicum Beach's Amendment to the Growth Containment Boundary.
- 16 **Kevin Monahan**, re Proposed expansion of the Growth Containment Boundary in Qualicum Beach.
- 17 **Graham Riches**, re Responses from the People of Qualicum Beach regarding Town Council Request for a Growth Containment Boundary Amendment.
- 18 **Bruce Fleming-Smith**, re Qualicum Beach 2014 OCP Review - Request for Growth Containment Amendment.
- 19 **Deb McKinley**, re The Impact of the proposed Amendment on the Community of Qualicum Beach.
- 20 **Fox McKinley**, re Town of Qualicum Beach Application to Amend the Regional Growth Strategy.

3. BOARD MINUTES

- 21-32 Minutes of the Regular Board meeting held Tuesday, April 22, 2014 (All Directors – One Vote).
- 33-34 Minutes of the Special Board meeting held Tuesday, May 13, 2014 (All Directors – One Vote).

4. BUSINESS ARISING FROM THE MINUTES

5. COMMUNICATIONS/CORRESPONDENCE

(All Directors – One Vote)

- 35 **James Sinclair**, Fairwinds Lakes District & Schooner Cove Developments.
- 36 **Guy Fletcher**, re Resignation from the Board of Variance.
- 37-44 **Byron Montgomery, Lamar Transit Advertising Canada Ltd.**, re Bus Advertising.

6. UNFINISHED BUSINESS

7. STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE

- 45-46 Minutes of the Electoral Area Planning Committee meeting held Tuesday, May 13, 2014 (for information) (All Directors – One Vote).

DEVELOPMENT PERMIT WITH VARIANCE APPLICATION

Development Permit with Variance Application No. PL2013-126 – Mohan – Admiral Tryon Boulevard, Electoral Area ‘G’ (Electoral Area Directors, Except EA ‘B’ – One Vote).

Delegations wishing to speak to Development Permit with Variance Application No. PL2013-126.

That Development Permit with Variance Application No. PL2013-126 to allow the construction of a dwelling unit and marine retaining wall on the subject property be approved subject to the conditions outlined in Attachments 2 to 4.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. PL2013-053 – Morpak/Sheremeta – 3068 Hillview Road, Electoral Area ‘E’ (Electoral Area Directors, Except EA ‘B’ – One Vote).

Delegations wishing to speak to Development Variance Permit Application No. PL2013-053.

That Development Variance Permit Application No. PL2013-053, be approved subject to the conditions outlined in Attachment 2.

Development Variance Permit Application No. PL2014-012 – Pasioka – 3097 Landmark Crescent, Electoral Area ‘C’ (Electoral Area Directors, Except EA ‘B’ – One Vote).

Delegations wishing to speak to Development Variance Permit Application No. PL2014-012.

That Development Variance Permit Application No. PL2014-012 to reduce the minimum setback requirement from the interior lot line from 8.0 metres to 2.5 metres, be approved subject to the conditions outlined in Attachment 1.

Development Variance Permit Application No. PL2014-023 – Meadows – 1963 Seahaven Road, Electoral Area ‘E’ (Electoral Area Directors, Except EA ‘B’ – One Vote).

Delegations wishing to speak to Development Variance Permit Application No. PL2014-023.

That Development Variance Permit Application No. PL2014-023 to allow the construction of a dwelling unit on the subject property be approved subject to the conditions outlined in Attachments 1 to 3.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

47-54 Minutes of the Committee of the Whole meeting held Tuesday, May 13, 2014 (for information) (All Directors – One Vote).

COMMUNICATION/CORRESPONDENCE

(All Directors – One Vote)

Ken P. Gurr, Gabriola Island Chamber of Commerce, re Follow-up to March 11 Delegation Request for Action – Descanso Bay Wharf Usage Conditions.

That the correspondence from Ken P. Gurr, Gabriola Island Chamber of Commerce, regarding follow-up to his March 11, 2014 delegation request for action regarding the Descanso Bay Wharf usage conditions, be received.

Darin Guenette, BC Ferry Services Inc., re Descanso Bay.

That the correspondence from Darin Guenette, BC Ferry Services Inc., regarding Descanso Bay, be received.

M. Robertson, re Potential Major Change to the OCP of Qualicum Beach involving the UCB/RGS.

That the correspondence from M. Robertson regarding potential major change to the Official Community Plan of Qualicum Beach involving the Urban Containment Boundary / Regional Growth Strategy, be received.

Eoin Finn, re Follow-up to April 22 Presentation – Support for Ban on LNG Tanker Traffic.

That the correspondence from Eoin Finn regarding follow-up to the April 22, 2014 presentation – Support for Ban on Liquid National Gas Tanker Traffic, be received.

Gabriola Community Bus Committee, re Request for Community Works Funding Submitted to Howard Houle, Area 'B' Director.

That the correspondence from the Gabriola Community Bus Committee regarding the request for Community Works funding submitted to Howard Houle, Area 'B' Director, be received.

Correspondence, April 2014, re Proposed Incinerator at Duke Point.

That the correspondence from April 2014, regarding the proposed incinerator at Duke Point, be received.

Correspondence, April 2014, re Island Corridor Foundation.

That the correspondence from April 2014, regarding the Island Corridor Foundation, be received.

Patrick B. Quealey, Ministry of Justice, re Province-Wide Earthquake Preparedness Consultation.

That the correspondence from Patrick B. Quealey, Ministry of Justice, regarding province-wide earthquake preparedness consultation, be received.

Phil Turin, School District 68, re Proposal to Reduce Board of Education from 9 to 7 Trustees.

That the correspondence from Phil Turin, School District 68, regarding the proposal to reduce the Board of Education from nine (9) to seven (7) Trustees, be received.

FINANCE

2013 Financial Statements and Audit Findings Report (All Directors – One Vote)

- 1. That the Audit Findings Report and the financial statements of the Regional District of Nanaimo for the year ended December 31, 2013, be received.*
- 2. That the consolidated financial statements of the Regional District of Nanaimo for the year ended December 31, 2013, be approved as presented.*

Operating Results for the Period Ending March 31, 2014 (All Directors – One Vote)

That the summary report of financial results from operations to March 31, 2014, be received for information.

Amendments to Policy No. A2.16 Purchasing Card Policy (All Directors – One Vote)

That the Board approve the amendments to "Policy No. A2.16 Purchasing Card Policy" as presented.

55

Bylaw 1623.02 – Authorize the Use of Development Cost Charge Funds (Nanaimo, Lantzville, Electoral Area 'C' – Weighted Vote / 2/3 Weighted Vote).

- 1. That "Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Amendment Bylaw No. 1623.02, 2014", be introduced and read three times.*
- 2. That "Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Amendment Bylaw No. 1623.02, 2014", be adopted.*

CORPORATE SERVICES

ADMINISTRATIVE SERVICES

2014 Local Government Elections – Appointment of Chief Election Officer and Deputy Chief Election Officer (All Directors – One Vote).

That Jacquie Hill, Manager of Administrative Services, be appointed as the Chief Election Officer and Matt O'Halloran, Legislative Coordinator, be appointed as the Deputy Chief Election Officer for the purpose of conducting the November 15, 2014 local government elections and referendums.

HUMAN RESOURCES

Regional District of Nanaimo Employee Benefits Plan (All Directors – One Vote).

That the Board authorize staff to consolidate insurance coverage (excluding Accidental Death & Dismemberment) under Pacific Blue Cross by changing insurance carriers for life insurance and long term disability coverage to Pacific Blue Cross, effective July 1, 2014.

TRANSPORTATION AND SOLID WASTE

SOLID WASTE

Regional Landfill Environmental Monitoring Services Contract (All Directors - Weighted Vote).

That the Board award the contract for environmental monitoring program services at the Regional Landfill for June 2014 to March 2017 to SNC Lavalin at a cost of \$244,981.

Review of Draft Landfill Criteria (All Directors – Weighted Vote)

That the Regional District of Nanaimo Board direct staff to respond to the Ministry of Environment by May 31, 2014 asking that the draft Landfill Criteria provide clarity on application of Contaminated Sites Regulation to closed or partially closed landfills.

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER

Reduction of Sewer Development Cost Charges for the Proposed Nanaimo Affordable Housing Society Development at 1597 Boundary Crescent in Nanaimo (All Directors, except EA 'B' – Weighted Vote).

1. *That the Board approves the 50% rate reduction for the proposed Nanaimo Affordable Housing Society development at 1597 Boundary Crescent in Nanaimo.*

WATER AND UTILITY

Memorandum of Understanding – Regional District of Nanaimo / City of Parksville Water Supply Agreement – Nanoose Water Connection (All Directors – Weighted Vote).

That the Board direct staff to execute the City of Parksville / Regional District of Nanaimo Water Supply Agreement Memorandum of Understanding with the City of Parksville commencing May 1, 2014, and remaining in effect until April 30, 2017 or until the Englishman River Water Service infrastructure is in place and operational.

Community Works Funds – Hawthorne Rise Sanitary Sewer (All Directors – One Vote).

That the Board approve a total of \$4,500 in Community Works Funds from Electoral Area 'G' in support of the Hawthorne Rise Sanitary Sewer installation project.

STANDING COMMITTEE, SELECT COMMITTEE, AND COMMISSION MINUTES AND RECOMMENDATIONS

Liquid Waste Advisory Committee

Minutes of the Liquid Waste Advisory Committee meeting held Friday, January 10, 2014 (All Directors – One Vote).

That the minutes of the Liquid Waste Advisory Committee meeting held Friday, January 10, 2014, be received for information.

Electoral Area 'H' Parks and Open Space Advisory Committee.

Minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee meeting held Wednesday, April 2, 2014 (All Directors – One Vote).

That the minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee meeting held Wednesday, April 2, 2014, be received for information.

Lighthouse Community Centre Society – Funding for Maintenance Project (All Directors – One Vote).

- 1. That staff be directed to review potential funding sources to accommodate capital and maintenance project requests for the Lighthouse Community Centre.*
- 2. That staff review and make recommendations to reallocate funding in the 2014 Electoral Area 'H' Community Parks budget and Five Year Financial Plan to provide funding assistance to Lighthouse Community Centre Society for capital and maintenance projects at the Lighthouse Community Centre.*

Electoral Area 'A' Parks, Recreation, and Culture Commission.

Minutes of the Electoral Area 'A' Parks, Recreation, and Culture Commission meeting held Wednesday, April 16, 2014 (All Directors – One Vote).

That the minutes of the Electoral Area 'A' Parks, Recreation, and Culture Commission meeting held Wednesday, April 16, 2014, be received for information.

Grant Approvals (All Directors – One Vote).

That the Electoral Area 'A' Grant-In-Aid application from the Cedar 4H Club be approved for a total of \$1,500 towards the club's expenses for materials.

Skate Park Official Opening Update (All Directors – One Vote).

That \$500 be allocated from the Electoral Area 'A' Community Parks Budget for the Cedar Skate Park Opening event.

Morden Colliery Tipple Funding (All Directors – One Vote).

That funding from the Electoral Area 'A' Community Parks Budget be approved of up to \$6,500 to the Friends of Morden Mine Society for the engineering study of the Morden Colliery Tipple if the Province of BC declines to participate in providing funding to the project.

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Gabriola Community Bus Committee (All Directors – One Vote).

That \$8,500 from the Electoral Area 'B' Community Works Fund be allocated to Island Futures for capital cost upgrades to the two buses in the Gabriola community bus fleet.

NEW BUSINESS

Board Remuneration Review Committee (All Directors – One Vote)

1. *That this matter be referred to the Board Remuneration Review Committee:*

That Regional District of Nanaimo Directors be fully compensated for reasonable child care costs while attending or travelling to and from all meetings necessary in the conduct of their Regional District of Nanaimo duties.

2. *That the Remuneration Committee be requested to review Director compensation for all reasonable expenses.*

7.5 SCHEDULED STANDING, ADVISORY, AND SELECT COMMITTEES

Grants-In-Aid Committee

56-57 **Minutes of the Grants-In-Aid Committee meeting, held Monday, May 5, 2014 (All Directors – One Vote).**

(EAs A, B, C – Weighted Vote)

1. *That the Gabriola Arts Council be awarded \$2,248.00 to be used towards the upgrade to the electrical system (\$1,748.00) and the upgrade and repairs to the septic system (\$500.00).*
2. *That the Gabriola Athletic Movement Society be awarded \$650.00 to be used for crafts and building materials for mile markers, first aid supplies, and runner kits.*
3. *That the Jonanco Hobby Workshop be awarded \$1,000.00 to be used for lighting fixture upgrades in the quilting workshop.*

(Parksville, Qualicum Beach, EAs E, F, G, H – Weighted Vote)

1. *That Arrowsmith Search & Rescue be awarded \$5,000.00 to be used towards the equipment truck replacement project.*

2. *That Eswyn's Alpine & Rock Garden (Nanoose Bay Activities and Recreation Society) be awarded \$1,097.00 for the purchase of supplies to create numbered metal tags for plant markers, and a weather proof stand at the garden site.*
3. *That the Lighthouse Community Centre be awarded \$4,625.00 to be used towards metal and wood transitions and the lighting upgrades for the hall.*
4. *That the Oceanside Community Arts Council be awarded \$2,439.20 to be used for the purchase of a new glass display cabinet.*
5. *That the Oceanside Hospice Society be awarded \$2,500.00 to be used towards the End-of-Life Tool Kit supplies.*

Sustainability Select Committee

58-63 **Minutes of the Sustainability Select Committee meeting, held Tuesday, May 20, 2014** (All Directors – One Vote).

That the minutes of the Sustainability Select Committee meeting, held Tuesday, May 20, 2014, be received for information.

8. ADMINISTRATOR'S REPORTS

64-197 **Request to Amend the Regional Growth Strategy by the Town of Qualicum Beach** (All Directors – One Vote).

198-205 **Secondary Suites Zoning Amendments – Bylaws No. 500.389, 2014 and 1285.19, 2014 – Adoption Report** (Electoral Area Directors, Except EA 'B' – One Vote).

206-209 **Zoning Amendment Application No. PL2013-064 – Bylaw 1285.21 – Fern Road Consulting on behalf of Daniel Nedokus of Dokey Resources Ltd – Electoral Area 'F'** (Electoral Area Directors, Except EA 'B' – One Vote).

210-448 **Zoning Amendment Applications No. PL2012-096 & PL2012-097 – 3536696 Canada Inc. and bcIMC Realty Corporation – Lakes District & Schooner Cove, Electoral Area 'E' – Phased Development Agreement Authorization Bylaw No. 1692; and Amendment Bylaws No. 500.384, 500.385, and 500.388 – Third Reading** (Electoral Area Directors, Except EA 'B' – One Vote).

9. ADDENDUM

10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

11. NEW BUSINESS

13. IN CAMERA

That pursuant to Sections 90 (1)(c) of the Community Charter the Committee proceed to an In Camera meeting for discussions related to labour relations.

14. ADJOURNMENT

Re: Ghana Partnership Project Update

From: Carey McIver

Sent: Thursday, May 15, 2014 10:02 AM

To: Burgoyne, Linda; Trudeau, Dennis

Subject: Friendship Cities Signing Ceremony

On March 24th Nanaimo City Council approved a request to designate Sunyani Ghana and Nanaimo as "Friendship Cities". The signing ceremony will be held on May 23 at the regular noon meeting of the Rotary Club of Nanaimo. On behalf of the club, I would like to invite the two of you as well as Joe to attend the signing ceremony. Mayor Ruttan, George Anderson and two other councillors from the City of Nanaimo will be in attendance as well as representatives from VIU. There will also be three Rotarians from the Rotary Club of Sunyani Central at the meeting, including Senyo, the presiding member of the SMA. I will call you to discuss whether Senyo could address the Board during his stay. I would also like to discuss a tour of the landfill, if possible. Thanks in advance for your cooperation and I look forward to seeing you at the Coast Bastion.

Carey McIver, Principal

Carey McIver & Associates Ltd.

Office: 250-821-9889

Mobile: 250-644-9889

Re: Needs Assessment for Oceanside Task Force on Homelessness

From: SOS, Homelessness

Sent: Wednesday, May 14, 2014 2:06 PM

Subject: request for May 27

Marc Lefebvre gave me your information to request to be put onto the agenda for May 27. I would like to present information on a needs-assessment on behalf of the Oceanside Task Force on Homelessness to the RDN board. Please let me know if you need any other information from me. Thank you for your help.

Sarah Poole

Homelessness Coordinator

Oceanside Task Force On Homelessness

c/o Society of Organized Services (SOS)

Tel: 250-248-2093 Ext. 234

Fax: 250-248-8433

www.sosd69.com

Re: Town of Qualicum Beach request to amend the Regional Growth Strategy

From: Lance & Esther

Sent: Saturday, May 10, 2014 11:38 AM

Subject: Re: Delegate @ May 20 Sustainability Select Committee and May27 Board Meeting

Thank you for your phone calls and confirmation email. As you have suggested, please note I am now requesting to appear as a delegation at the May 20 Sustainability Select Committee and also at the May 27 Board Meeting.

Regards, Lance Nater

Re: Qualicum Beach's amendment to the Growth Containment Boundary

From: Charna Macfie
Sent: Thursday, April 17, 2014 11:55 AM
Subject: notification to change presentation date

Please cancel my registration to present to the RDN Board on April 22nd.

I would like to postpone my presentation on the Qualicum Beach Growth Containment Boundary amendment until the next Board meeting scheduled for May 27th. Please let me know if you can register me for the presentation on the 27th.

Thank you
Charna Macfie

From: Charna Macfie
Sent: Sunday, April 13, 2014 7:40 PM
Subject: Request to present to the Board April 22

I would like to register for a presentation to the Board of Directors of the RDN at the April 22nd Board Meeting.

I realize this is short notice and hope you will be able to accommodate our delegation on the agenda. The presentation will be less than 10 minutes.

The topic is Qualicum Beach's amendment to the Growth Containment Boundary.

I shall be presenting along with Janet Raines who is a board member of the Qualicum Beach Residents Association.

Regards,
Charna Macfie

Re: Proposed expansion of the Growth Containment Boundary in Qualicum Beach.

From: Kevin Monahan

Sent: Tuesday, May 20, 2014 6:58 AM

Subject: RE: Delegation

Further to my request to make a delegation to the Sustainability Select Committee, I also wish to make a delegation to the Board on May 27 on the subject of the proposed change to the Regional Growth Strategy, and specifically to the proposed expansion of the Growth Containment Boundary in Qualicum Beach.

This time I will be able to attend in person and will not depend on someone else to make a presentation for me.

Please let me know if this proposed delegation is acceptable.

Kevin Monahan

monahan@shipwrite.bc.ca

586 Alder St.

Qualicum Beach, BC

V9K 1J3

Ph 250-594-4774

Re: Responses from the People of Qualicum Beach regarding Town Council Request for a Growth Containment Boundary Amendment

From: Riches, Graham

Sent: 16 May 2014 14:09

Subject: Delegation to RDN Board Meeting, May 27th

i am a resident of Qualicum Beach (171 First Ave West) and with Barry Avis (1071) Eaglecrest. We wish to make a joint delegation to the RDN Board meeting on May 27, 2014. We wish to speak to the topic of 'Responses from the People of Qualicum Beach' regarding the QB Town Council's proposed 'Request for a Growth Containment Boundary amendment' as it relates to the Regional Growth Strategy.

We believe there are critical and as yet unaddressed questions and issues which should be brought to the attention of the RDN.

many thanks,

sincerely,

Graham Riches

Re: Qualicum Beach 2014 OCP Review - Request for Growth Containment Amendment

From: Bruce Fleming-Smith

Sent: Tuesday, May 20, 2014 12:45 PM

Subject: request to appear as a delegation May 27 RDN Board meeting

Bruce Fleming-Smith
B.A./B.Arch. MRAIC LEED AP
564 Berwick Rd. North
Qualicum Beach
B.C. V9K 1L1
250-752-2909

I wish to apply as a delegation at the RDN Committee of the Whole Public Hearing on May 27, 2014.

I will comment on the Qualicum Beach 2014 OCP Review - Request for Growth Containment Amendment application.

Kindly confirm my acceptance in this regard.

Thank you.

Bruce Fleming-Smith

Re: The Impact of the proposed Amendment on the Community of Qualicum Beach

From: Deb McKinley

Sent: Friday, May 16, 2014 2:00 PM

Subject: from Deborah McKinley

Below is my request to address the March 27th RDN Board Meeting, as a 10-minute Delegation:

My name is: Deborah McKinley and my topic concerns "The Impact of the proposed Amendment on the Community of Qualicum Beach"

My address is: 346 Nenzel Road, Qualicum Beach BC V9K 1M5, Tel. 250-752-7186. Email = debmckinley@shaw.ca

Thanking you in advance for your consideration,
Deb McKinley

Re: Town of Qualicum Beach Application to Amend the Regional Growth Strategy

From: fox mckinley [mailto:foxmckinley@gmail.com]

Sent: Friday, May 16, 2014 7:44 AM

Subject: Re: Re; May 27th, RDN Board Meeting

I wish to apply for Delegation status to address the RDN Board on May 27th at 7p.m. regarding the Town of Qualicum Beach Application to the Regional District Of Nanaimo to Amend the Regional Growth Strategy by means of a Minor Amendment process which is not the case, as it is clearly a Major Amendment

I would appreciate confirmation of my acceptance. I understand that my request is well inside the time requirement to qualify for a 10-minute presentation.

In addition, I would further like to request if possible, that my presentation be scheduled as the last address to the Board of the evening.

Thank you;

Fox McKinley

A Concerned Qualicum Beach Citizen

346 Nenzel Road, Qualicum Beach, B.C. V9K1M5: Telephone 250-752-7186; email: foxmckinley@gmail.com

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR BOARD MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, APRIL 22, 2014 AT 7:00 PM IN THE
RDN BOARD CHAMBERS**

In Attendance:

Director J. Stanhope	Chairperson
Director D. Brennan	Deputy Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director J. Fell	Electoral Area F
Director B. Veenhof	Electoral Area H
Alternate	
Director A. Mostad	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director T. Greves	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director M. Lefebvre	City of Parksville

Regrets:

Director J. de Jong	District of Lantzville
Director G. Anderson	City of Nanaimo
Director D. Willie	Town of Qualicum Beach

Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
J. Harrison	Director of Corporate Services
W. Idema	Director of Finance
R. Alexander	Gen. Mgr. Regional & Community Utilities
G. Garbutt	Gen. Mgr. Strategic & Community Development
D. Trudeau	Gen. Mgr. Transportation & Solid Waste Services
D. Banman	A / Gen. Mgr. Recreation & Parks Services
J. Hill	Mgr. Administrative Services
C. Golding	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order and welcomed Director Mostad to the meeting.

DELEGATIONS

Eoin Finn, re Why LNG Supertankers do not belong in Georgia / Haro Straits or Howe Sound.

Eoin Finn provided a visual presentation outlining his concerns of the potential effects of increased Liquid Natural Gas tankers in local waterways, and asked the Board to adopt a resolution calling for the ban of Liquid Natural Gas tanker passage in the waters of Malaspina, Georgia, Juan de Fuca and Haro Straits, and Boundary Pass.

Tamara Burns, Canadian Stewardship Services Alliance and Allen Langdon, Multi-Material BC, re RDN MMBC Motion.

Allen Langdon provided a slide presentation and overview of Multi-Material BC, and outlined the program benefits to the community.

Chris Alemany, re Central Island Passenger Rail Service.

Chris Alemany shared his vision of a passenger rail transit service in the Regional District of Nanaimo using the existing island railway, and highlighted the benefits to commuters and local tourism.

LATE DELEGATIONS

14-286 MOVED Director Holme, SECONDED Director Bestwick, that late delegations be permitted to address the Board.

CARRIED

Byron Montgomery, Lamar Canada Ltd., re Nanaimo Bus Advertising.

Byron Montgomery voiced his concerns regarding loss of revenue, local jobs and breach of contract with Lamar Canada Ltd. if advertising is eliminated on Regional District of Nanaimo Compressed Natural Gas buses.

BOARD MINUTES

Minutes of the Board meeting held Tuesday, March 25, 2014.

14-287 MOVED Director Johnstone, SECONDED Director Holme, that the minutes of the Board meeting held Tuesday, March 25, 2014, be adopted.

CARRIED

COMMUNICATION/CORRESPONDENCE

Arthur Skipsey, re Alignment of Qualicum Beach Urban Containment Boundary.

14-288 MOVED Director Brennan, SECONDED Director McPherson, that the correspondence from Arthur Skipsey regarding the alignment of Qualicum Beach urban containment boundary, be received.

CARRIED

David Mailloux, Chair, BC Ocean Boating Tourism Association, re Letter of Support for BCOBTA.

14-289 MOVED Director Brennan, SECONDED Director McPherson, that the correspondence from David Mailloux, Chair, BC Ocean Boating Tourism Association, regarding a letter of support for BC Ocean Boating Tourism Association, be received.

CARRIED

Mary Ashley, Board Co-Chair, Island Corridor Foundation, re Preparation for Meeting of ICF member Regional Boards.

14-290 MOVED Director Brennan, SECONDED Director McPherson, that the correspondence from Mary Ashley, Board Co-Chair, Island Corridor Foundation, regarding preparation for meeting of Island Corridor Foundation member Regional Boards, be received.

CARRIED

Janet Raines, re Qualicum Beach UCB/GCB Impending Changes.

14-291 MOVED Director Brennan, SECONDED Director McPherson, that the correspondence from Janet Raines regarding the Qualicum Beach Urban Containment Boundary / Growth Containment Boundary impending changes, be received.

CARRIED

Margaret A. Porter, re Qualicum Beach GCB.

14-292 MOVED Director Brennan, SECONDED Director McPherson, that the correspondence from Margaret A. Porter regarding the Qualicum Beach Growth Containment Boundary, be received.

CARRIED

Iris M. Page, re UCB/GCB Changes Qualicum Beach.

14-293 MOVED Director Brennan, SECONDED Director McPherson, that the correspondence from Iris M. Page regarding the Qualicum Beach Urban Containment Boundary / Growth Containment Boundary impending changes, be received.

CARRIED

Rosemary Hathaway, re Qualicum Beach UCB.

14-294 MOVED Director Brennan, SECONDED Director McPherson, that the correspondence from Rosemary Hathaway regarding the Qualicum Beach Urban Containment Boundary, be received.

CARRIED

Doug Miller and Sharlene MacLellan, Nanaimo and District Fish and Game Protective Association, re Nanaimo Recycling Exchange.

14-295 MOVED Director Brennan, SECONDED Director McPherson, that the correspondence from Doug Miller and Sharlene MacLellan, Nanaimo and District Fish and Game Protective Association, regarding the Nanaimo Recycling Exchange, be received.

CARRIED

UNFINISHED BUSINESS

Appointments to the Board Remuneration Review Committee.

- 14-296 MOVED Director Holme, SECONDED Director McPherson, that the Board approve the 2014 appointments to the Board Remuneration Review Committee, as follows:

Jerry Davis
Sandy Herle
Bill Holdom
Henrik Kreiberg

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES & RECOMMENDATIONS COMMITTEE OF THE WHOLE STANDING COMMITTEE

Minutes of the Committee of the Whole meeting held Tuesday, April 8, 2014.

- 14-297 MOVED Director Holme, SECONDED Director Johnstone, that the minutes of the Committee of the Whole meeting held Tuesday, April 8, 2014, be received for information.

CARRIED

COMMUNICATION/CORRESPONDENCE

Graham Bruce, Island Corridor Foundation, re Official Notice of Island Corridor Foundation AGM.

- 14-298 MOVED Director Ruttan, SECONDED Director Johnstone, that the correspondence from Graham Bruce, Island Corridor Foundation, regarding the official notice of the Island Corridor Foundation Annual General Meeting, be received.

CARRIED

Tom Good, re Island Corridor Foundation.

- 14-299 MOVED Director Ruttan, SECONDED Director Johnstone, that the correspondence from Tom Good regarding the Island Corridor Foundation, be received.

CARRIED

Eoin Finn, re Resolution to Ban Liquid Natural Gas Tanker Traffic.

- 14-300 MOVED Director Ruttan, SECONDED Director Johnstone, that the correspondence from Eoin Finn regarding a resolution to ban liquid natural gas tanker traffic, be received.

CARRIED

Lisa Storoshenko, Municipal Insurance Association of BC, re MIABC 2013 Annual Report.

- 14-301 MOVED Director Ruttan, SECONDED Director Johnstone, that the correspondence from Lisa Storoshenko, Municipal Insurance Association of BC, regarding the Municipal Insurance Association of BC 2013 Annual Report, be received.

CARRIED

Allen Langdon, Managing Director, Multi-Material British Columbia, re Collection of Newsprint under MMBC Program.

- 14-302 MOVED Director Ruttan, SECONDED Director Johnstone, that the correspondence from Allen Langdon, Managing Director, Multi-Material British Columbia, regarding the collection of newsprint under the Multi-Material British Columbia program, be received.

CARRIED

Graham Bruce, Island Corridor Foundation, re ICF-RDN Meeting.

- 14-303 MOVED Director Ruttan, SECONDED Director Johnstone, that the correspondence from Graham Bruce, Island Corridor Foundation, regarding the Island Corridor Foundation and Regional District of Nanaimo meeting, be received.

CARRIED

BC Chamber of Commerce, re MMBC: Update to Chamber Members.

- 14-304 MOVED Director Ruttan, SECONDED Director Johnstone, that the correspondence from the BC Chamber of Commerce regarding Multi-Material British Columbia update to chamber members, be received.

CARRIED

Peter McCully, The Parksville-Qualicum Beach News, re MMBC.

- 14-305 MOVED Director Ruttan, SECONDED Director Johnstone, that the correspondence from Peter McCully, The Parksville-Qualicum Beach News, regarding Multi-Material British Columbia, be received.

CARRIED

Christine Wilhelmson, Georgia Straight Alliance, re Opposition to Waste-to-Energy Incinerator in the Nanaimo region.

- 14-306 MOVED Director Ruttan, SECONDED Director Johnstone, that the correspondence from Christine Wilhelmson, Georgia Straight Alliance, regarding opposition to the Waste-to-Energy Incinerator in the Nanaimo region, be received.

CARRIED

Correspondence, March - April 2014, re Waste-to-Energy Incinerator in the Nanaimo region.

- 14-307 MOVED Director Ruttan, SECONDED Director Johnstone, that the correspondence from March - April 2014 regarding the Waste-to-Energy Incinerator in the Nanaimo region, be received.

CARRIED

CORPORATE SERVICES

ADMINISTRATIVE SERVICES

Bylaw No. 1695 – Proposed New Freedom of Information and Protection of Privacy Bylaw.

- 14-308 MOVED Director Brennan, SECONDED Director Ruttan, that "Regional District of Nanaimo Freedom of Information Bylaw No. 949, 1994", be repealed.

CARRIED

14-309 MOVED Director Brennan, SECONDED Director Ruttan, that "Regional District of Nanaimo Freedom of Information and Protection of Privacy Bylaw No. 1695, 2014", be introduced and read three times.

CARRIED

14-310 MOVED Director Brennan, SECONDED Director Ruttan, that "Regional District of Nanaimo Freedom of Information and Protection of Privacy Bylaw No. 1695, 2014", be adopted.

CARRIED

STRATEGIC & COMMUNITY DEVELOPMENT

LONG RANGE PLANNING

Capacity Building to End Homelessness Reserve Fund Funding Request – People for a Healthy Community, Gabriola Guardian Program.

14-311 MOVED Director Brennan, SECONDED Director Ruttan, that the Regional District of Nanaimo Board allocate \$18,000 from the reserve fund to the People for a Healthy Community to continue the Gabriola Guardian Program that directly supports those at risk of or experiencing homelessness on Gabriola Island.

CARRIED

BUILDING, BYLAW & EMERGENCY PLANNING

1583 Juan de Fuca Boulevard, Electoral Area 'G' – Building Bylaw Contraventions.

14-312 MOVED Director Holme, SECONDED Director Johnstone, that staff be directed to register a Notice of Bylaw Contravention on the title of the subject property legally described as Lot 47, District Lot 28, Plan 22290, Nanoose District (1583 Juan de Fuca Boulevard), pursuant to Section 57 of the *Community Charter*.

CARRIED

1541 Winchester Road, Electoral Area 'F' – Building Bylaw Contraventions.

14-313 MOVED Director Ruttan, SECONDED Director Veenhof, that staff be directed to register a Notice of Bylaw Contravention on the title of the North ½ of Lot 84, District Lot 8, Plan 1981, Cameron District (1541 Winchester Road) pursuant to Section 57 of the *Community Charter* and take further enforcement action as may be necessary to ensure the property is in compliance with Regional District of Nanaimo regulations.

CARRIED

TRANSPORTATION AND SOLID WASTE

SOLID WASTE

Landfill Engineering Services Contract Award.

14-314 MOVED Director Holme, SECONDED Director Brennan, that the Board extend the comprehensive engineering services contract with XCG Consultants Ltd. for the Regional Landfill for a two (2) year term expiring May 2016.

CARRIED

TRANSIT

CNG Fueling Station Regionally Significant Gas Tax.

- 14-315 MOVED Director Brennan, SECONDED Director Ruttan, that the Board authorize staff to advise the Union of British Columbia Municipalities that \$750,000 of the approved Regionally Significant Program funding under the Gas Tax Agreement be provided directly to BC Transit for the compressed natural gas fueling station towards the Regional District of Nanaimo's cost share of the project.

CARRIED

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER

Greater Nanaimo Pollution Control Centre – Marine Outfall (Land Section) and Primary Effluent Line Replacement Project Construction Award.

- 14-316 MOVED Director Holme, SECONDED Director Veenhof, that the Board award the construction contract for the Greater Nanaimo Pollution Control Center Marine Outfall (Land Section) and Primary Effluent Line Replacement Project to Knappett Industries for a value of \$2,129,099.

CARRIED

- 14-317 MOVED Director Veenhof, SECONDED Director Lefebvre, that the Board award the engineering services contract for the Greater Nanaimo Pollution Control Center Marine Outfall (Land Section) and Primary Effluent Line Replacement Projects to AECOM for \$240,000.

CARRIED

- 14-318 MOVED Director Ruttan, SECONDED Director Bestwick, that "Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1699, 2014", be introduced and read three times.

CARRIED

- 14-319 MOVED Director Bestwick, SECONDED Director Ruttan, that "Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1699, 2014", be adopted.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE, AND COMMISSION MINUTES & RECOMMENDATIONS

Electoral Area 'B' Parks and Open Space Advisory Committee.

Minutes of the Electoral Area 'B' Parks and Open Space Advisory Committee meeting held Tuesday, March 4, 2014.

- 14-320 MOVED Director Houle, SECONDED Director Veenhof, that the minutes of the Electoral Area 'B' Parks and Open Space Advisory Committee meeting held Tuesday, March 4, 2014, be received for information.

CARRIED

Electoral Area 'G' Parks and Open Space Advisory Committee.

Minutes of the Electoral Area 'G' Parks and Open Space Advisory Committee meeting held Monday, March 10, 2014.

- 14-321 MOVED Director Holme, SECONDED Director Brennan, that the minutes of the Electoral Area 'G' Parks and Open Space Advisory Committee meeting held Monday, March 10, 2014, be received for information.

CARRIED

Dashwood Hall Upgrades Update.

- 14-322 MOVED Director Veenhof, SECONDED Director Fell, that staff be directed to look at financing alternatives and project scheduling, including the possibility of financing the entire Dashwood Hall project at once.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Peter McCully, The Parksville-Qualicum Beach News, regarding MMBC.

- 14-323 MOVED Director Veenhof, SECONDED Director Houle, that Regional District of Nanaimo staff be directed to write a letter for signature by the Chair that asks the Premier to have the Minister of Environment delay the implementation of Multi-Material BC and bring together business, municipal, and environmental leaders to develop a plan that works both economically and environmentally for British Columbia.

DEFEATED

Director Greves left the meeting at 8:25 pm citing a possible conflict of interest with the next agenda item.

NEW BUSINESS

Island Corridor Foundation.

Whereas, due to the serious, ongoing deterioration of the rail line, lack of realistic capital funding dollars, the inability to negotiate an agreement with VIA Rail, and lack of information on how current taxpayers' dollars and Island Corridor Foundation revenues are being spent on necessary repairs to the rail infrastructure, the Regional District of Nanaimo Board has lost confidence in the existing administrative function of the Island Corridor Foundation (ICF);

Therefore be it resolved:

- 14-324 MOVED Director Lefebvre, SECONDED Director Bestwick, that in order to resolve this situation, the Regional District of Nanaimo proposes a meeting of all First Nations and Regional Districts be convened to discuss the future of the Island Corridor Foundation.

MOVED Director Brennan, SECONDED Director Ruttan, that this motion be referred to the first available date after the meeting with the Island Corridor Foundation and Southern Vancouver Island Rail.

DEFEATED

The vote was taken on the main motion.

CARRIED

- 14-325 MOVED Director Lefebvre, SECONDED Director Holme, that the Regional District of Nanaimo affirm its support of a task force of experienced individuals to be convened, subsequent to the discussions with the First Nations and Regional Districts, to assist in reinvigorating the Island Corridor Foundation.

CARRIED

Director Greves returned to the meeting at 8:47 pm.

Appointments to Nanoose Bay Parks and Open Space Advisory Committee.

- 14-326 MOVED Director Holme, SECONDED Director Young, that the Regional District of Nanaimo receive the resignation of George Jarvis from the Nanoose Bay Parks and Open Space Advisory Committee and appoint Frank Van Eynde to serve on the Committee for the remainder of the term expiring on December 31, 2014.

CARRIED

SCHEDULED STANDING, ADVISORY, AND SELECT COMMITTEES

Agricultural Advisory Committee.

Minutes of the Agricultural Advisory Committee meeting held Friday, March 28, 2014.

- 14-327 MOVED Director Johnstone, SECONDED Director Brennan, that the minutes of the Agricultural Advisory Committee meeting held Friday, March 28, 2014, be received for information.

CARRIED

Northern Community Economic Development Select Committee.

Minutes of the Northern Community Economic Development Select Committee meeting held Wednesday, April 9, 2014.

- 14-328 MOVED Director Veenhof, SECONDED Director Holme, that the minutes of the Northern Community Economic Development Select Committee meeting held Wednesday, April 9, 2014, be received for information.

CARRIED

Northern Community Economic Development Program – Spring 2014 Proposals.

- 14-329 MOVED Director Veenhof, SECONDED Director Lefebvre, that the Building Capacity to Attract the Film and Media Industry proposal from the Vancouver Island North Film Commission be awarded funding in the amount of \$10,000.

CARRIED

- 14-330 MOVED Director Veenhof, SECONDED Director Lefebvre, that the Training Seminar proposal from Innovation Island Technology Association be awarded funding in the amount of \$5,000.

CARRIED

- 14-331 MOVED Director Veenhof, SECONDED Director Lefebvre, that the proposal be pulled, and staff investigate the use of Community Works Funds to contribute to the construction of an in-ground septic system for the Arrowsmith Recreation Hall.

CARRIED

- 14-332 MOVED Director Veenhof, SECONDED Director Lefebvre, that the Regional Mobile Trail and Tour proposal from the Parksville Qualicum Beach Tourism Association be awarded funding in the amount of \$10,000 subject to partnership funding.

CARRIED

ADMINISTRATOR'S REPORTS

Building Canada Program.

- 14-333 MOVED Director Veenhof, SECONDED Director Lefebvre, that the report on the Federal Building Canada funding program be received for information.

CARRIED

Zoning Amendment Application No. PL2013-064 – Fern Road Consulting on Behalf of Daniel Nedokus of Dokey Resources Ltd. – 2619 Alberni Highway, Electoral Area 'F' – Amendment Bylaw 1285.21, 2014 – Public Hearing Waiver Request.

- 14-334 MOVED Director Fell, SECONDED Director Veenhof, that the requirement for a public hearing in relation to "Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.21, 2014", be waived, pursuant to Section 890 (4) of the *Local Government Act*.

CARRIED

- 14-335 MOVED Director Fell, SECONDED Director Veenhof, that staff be directed to proceed with notification pursuant to Section 893 of the *Local Government Act* of the Board's intent to consider third reading of "Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.21, 2014" at a Special Board meeting to be held May 13, 2014.

CARRIED

Development Variance Permit Application No. PL2014-030 – 960 Errington Road, Electoral Area 'F'.

- 14-336 MOVED Director Fell, SECONDED Director Holme, that staff be directed to complete the required notification for Development Variance Permit Application No. PL2014-030.

CARRIED

Yellow Point Aquifer Protection DPA Amendment – Bylaw No. 1620.02, 2014.

- 14-337 MOVED Director McPherson, SECONDED Director Young, that the report of the Public Hearing held on March 5, 2014, on Bylaw No. 1620.02, 2014, be received.

CARRIED

- 14-338 MOVED Director McPherson, SECONDED Director Young, that "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Amendment Bylaw No. 1620.02, 2014", be read a 3rd time as amended and forwarded to the Minister of Community, Sport, and Cultural Development for approval.

CARRIED

Secondary Suites Zoning Amendments – Bylaws No. 500.389, 2014 and 1285.19, 2014 – Third Reading Report.

- 14-339 MOVED Director Holme, SECONDED Director Fell, that the report of the Public Hearing held on April 7, 2014, on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.389, 2014" and "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.19, 2014" be received.

CARRIED

14-340 MOVED Director Holme, SECONDED Director McPherson, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.389, 2014" be read a third time and forwarded to the Ministry of Transportation and Infrastructure for approval.

CARRIED

14-341 MOVED Director Holme, SECONDED Director Fell, that "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.19, 2014" be read a third time and forwarded to the Ministry of Transportation and Infrastructure for approval.

CARRIED

Revisions to Amendment Bylaw No. 500.384, 2013; Phased Development Agreement Authorization Bylaw No. 1692; and Memorandum of Understanding Lakes District & Schooner Cove – Electoral Area 'E'.

14-342 MOVED Director Holme, SECONDED Director Fell, that second reading of "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.384, 2013" be rescinded.

CARRIED

14-343 MOVED Director Holme, SECONDED Director Fell, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.384, 2013" be amended by replacing Schedule '2' CD44 Sub-Zoning Areas map with the replacement Schedule '2' CD44 Sub-Zoning Areas map included as Attachment 4 to this report.

CARRIED

14-344 MOVED Director Holme, SECONDED Director Fell, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.384, 2013" be read a second time as amended.

CARRIED

14-345 MOVED Director Holme, SECONDED Director Veenhof, that second reading of "Regional District of Nanaimo Phased Development Agreement (Lakes District and Schooner Cove) Authorization Bylaw No. 1692, 2013" be rescinded.

CARRIED

14-346 MOVED Director Holme, SECONDED Director Young, that "Regional District of Nanaimo Phased Development Agreement (Lakes District and Schooner Cove) Authorization Bylaw No. 1692, 2013" be amended as set out in Attachment 6 of the staff report.

CARRIED

14-347 MOVED Director Holme, SECONDED Director Veenhof, that "Regional District of Nanaimo Phased Development Agreement (Lakes District and Schooner Cove) Authorization Bylaw No. 1692, 2013" be read a second time as amended.

CARRIED

14-348 MOVED Director Holme, SECONDED Director Fell, that the public hearing in relation to "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.384, 2013", "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.385, 2013", "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.388, 2013", and "Regional District of Nanaimo Phased Development Agreement (Lakes District and Schooner Cove) Authorization Bylaw No. 1692, 2013" be scheduled for May 12, 2014.

CARRIED

IN CAMERA

14-349 MOVED Director Holme, SECONDED Director Mostad, that pursuant to Section 90 (1)(i) of the *Community Charter* the Board proceed to an In Camera meeting for discussions related to solicitor-client privilege.

CARRIED

TIME: 9:18 PM

ADJOURNMENT

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

CARRIED

TIME: 9:23 PM

CHAIRPERSON

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE SPECIAL BOARD MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, MAY 13, 2014 AT 7:00 PM IN THE
RDN BOARD CHAMBERS**

In Attendance:

Director J. Stanhope	Chairperson
Director D. Brennan	Deputy Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director J. Fell	Electoral Area F
Director B. Veenhof	Electoral Area H
Director J. de Jong	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director G. Anderson	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director T. Greves	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director D. Willie	Town of Qualicum Beach

Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
J. Harrison	Director of Corporate Services
W. Idema	Director of Finance
R. Alexander	Gen. Mgr. Regional & Community Services
G. Garbutt	Gen. Mgr. Strategic & Community Development
T. Osborne	Gen. Mgr. Recreation & Parks
D. Trudeau	Gen. Mgr. Transportation & Solid Waste
J. Hill	Mgr. Administrative Services
C. Golding	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order.

UNFINISHED BUSINESS

Development Variance Permit Application No. PL2014-030 – 960 Errington Road, Electoral Area ‘F’.

- 14-350 MOVED Director Fell, SECONDED Director Veenhof, that Development Variance Permit Application No. PL2014-030 be approved, subject to the conditions outlined in Attachment 2 of the staff report with the April 22, 2014 Board agenda.

CARRIED

ADMINISTRATOR’S REPORTS

Zoning Amendment Application No. PL2013-064 – Bylaw 1285.21 – Fern Road Consulting on behalf of Daniel Nedokus of Dokey Resources Ltd. – Electoral Area ‘F’.

- 14-351 MOVED Director Fell, SECONDED Director Veenhof, that “Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw 1285.21, 2014”, be read a third time.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:02 PM

CHAIRPERSON

CORPORATE OFFICER

3427 Simmons Place,
Nanoose Bay, BC
V9P 9J8

May 8, 2014

Joe Stanhope,
Board Chair, Director, Electoral Area G,
Regional District of Nanaimo,
6300 Hammond Bay Road,
Nanaimo, BC. V9T 6N2

RDN CAO'S OFFICE			
CAO		GM R&P	
GMS&CD		GM T&SW	
GM R&CU		DF	
MAY 12 2014			
DCS		BOARD	<input checked="" type="checkbox"/>
CHAIR			

Reference: Fairwinds Lakes District & Schooner Cove Developments.

As Fairwinds resident with our home located on Schooner Ridge, we are directly affected by these changes and certainly feel that these developments will be a **significant positive step** for the Nanoose community.

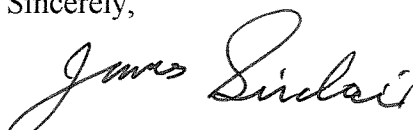
These developments will:

- encourage people to walk or certainly drive less for local goods and services, which is good for the environment.
- enlarge the local tax base, supporting the schools, hospital and other services.
- provide much needed short and long term jobs for the **Vancouver Island** economy. This will encourage young families to remain in this area and attend the Nanoose Elementary School.

The discussion on this project has proceeded for years and the end positive result will be a wonderful area for both young and "older" people. Certainly the new "parkland" with a **freshwater and marshland focus** will be different and add a new environmental learning experience for generations to come.

In summery, we are **certainly glad to see** that we have reached this point in the formal application process and we fully support the proposed **Subdivision Amendments and Phased Development Agreement**. We wish to thank all those involved making **OUR COMMUNITY** a reality and hope to see this process proceed as quickly as possible.

Sincerely,


James Sinclair

From: Guy Fletcher
Sent: Wednesday, May 07, 2014 3:25 PM
To: Holm, Jeremy
Subject: Board of Variance

Hi Jeremy,

As you are aware I am soon to depart BC to move to Ontario. Therefore I am forced, with a heavy heart, to resign from my position on the RDN's Board of Variance.

My actual leaving date is May 28th so I will not be able to attend the June meeting.

Regards

Guy

Guy Fletcher
Sims Associates Land Surveying Ltd. &
Fern Road Consulting Ltd.
Phone 250 752 9121
Fax 250 752 9241



Lamar of Vancouver, BC

Dear RDN Board Members:

Please find enclosed for your review the following documents from Lamar Advertising:

1. A complete historical review that accurately reflects the total Nanaimo bus advertising revenue. The total advertising revenue amount is \$959,937. Lamar Advertising has generated \$ 833,762 (year 1998 to 2013) plus another \$126,175 in forecasted revenue (years 2014, 2015). The forecasted revenue has been damaged from the present CNG bus advertising elimination BUT if the board allows driver's side only advertising on the CNG buses Lamar can still generate the \$126,175.
2. Lamar Advertising's Operational Response to the advertising ban on CNG buses is enclosed also. Lamar refutes any claims that vinyl bus advertising damages buses. Please review the document supported by the research conducted by the 3M Corporation.

Lamar has suggested a compromise to the RDN staff generated issue. Lamar Advertising's compromise ensures the revenue continuing with no changes to the Nanaimo Regional District.

Sincerely,

A handwritten signature in black ink that reads "Byron J. Montgomery".

Byron Montgomery

Regional Manager

Lamar Transit Advertising Canada Ltd.

Nanaimo Bus Advertising Historical Revenue

Present Contract

Year	BC Transit to Nanaimo Revenue	Nanaimo Sales	Lamar Total Revenue to BC Transit Total Revenue
1 (2005 - 2006)	\$54,923.62	\$156,924.63	\$198,933.81
2 (2006 - 2007)	\$58,543.13	\$167,266.10	\$245,199.60
3 (2007 - 2008)	\$70,908.60	\$202,596.00	\$274,071.99
4 (2008 - 2009)	\$45,853.19*	\$131,009.12*	\$244,581.43*
5 (2009 - 2010)	\$45,267.10	\$129,334.59	\$227,880.00
6 (2010 - 2011)	\$31,856.79	\$91,019.40	\$241,500.00
7 (2011 - 2012)	\$28,360.25	\$81,029.30	\$253,200.00
8 (2012 - 2013)	\$43,049.65	\$122,999.00	\$272,374.51
9 Present (2013 - 2014)	\$52,675.00 Forecast	\$150,500.00 Forecast	BC Transit Information
10 (2014 - 2015)	\$73,500.00 Forecast	\$210,000.00 Forecast	BC Transit Information

- Revenue for first 8 years: **\$378,762.33** Nanaimo
- Previous contract from 1998 - 2005: **\$455,000** Nanaimo
- Total Revenue Nanaimo 1998 - 2013: **\$833,762**
- Forecasted Revenue last 2 years: **\$126,175**
- Revenue Stream: **\$833,762** Actual
- Revenue Stream forecast **\$126,175** (Presently damaged by advertising elimination) on CNG Buses

* Recession of 2008. Real Estate plus advertising spend down in North America 40%. Lamar was to recover from that recession this year until CNG Advertising ban.

- **Nanaimo Total Revenue Actual (1998 - 2013) + Forecast (last 2 years) = \$959,937**

Lamar's Operational Response to RDN's Proposed Ad Ban on CNG Buses.

3M Scotchcal vinyl

Lamar exclusively uses 3M Scotchcal vinyl for all transit installations. Specifically we use IJ36-20 for king and seventies installs and IJ-3555 for all Signature product installs. See attached spec sheets for more information.

All Lamar installers are 3M Certified

All Lamar installers are 3M certified. This means that they have all attended installation workshops where they learn the correct installation and removal techniques required to maintain 3M warranties. Our Vancouver Island installer has received the most recent and up to date training put on by 3M.

3M Corporation certifies their vinyl against paint removal

All changeable 3M vehicle films are certified against paint removal where the paint is known to be sound. As the industry leader in transit vehicle films 3M has proven time and time again that their Scotchcal vinyl does not cause damage to sound paint.

The following is copied from 3M Instruction Bulletin 5.36:

Removal

Refer to the film's Product Bulletin for information on its removability, and [Instruction Bulletin 6.5](#) for additional details on film removal.

Removal of short-term graphics with changeable adhesives will leave little or no adhesive residue. These films will not damage a soundly painted surface or a previously applied 3M vinyl graphic unless the surface was corroded, rusted, blistered, scratched or previously damaged, or if it was damaged since the graphic application.

To remove a changeable film, grasp a corner of the graphic and peel it back at approximately a 120 degree angle. In areas where tape primer 94 is used, some adhesive will remain on the vehicle. Any remaining adhesive and tape primer 94 can be removed with an adhesive cleaner such as 3M's citrus base industrial cleaner.

3M has specific “pull” tests that they use to determine whether or not paint on a vehicle is sound. Most modern OEM paint jobs easily meet the requirements.

Taken from 3M Instruction Bulletin 6.5:

C. Tape Snap Test

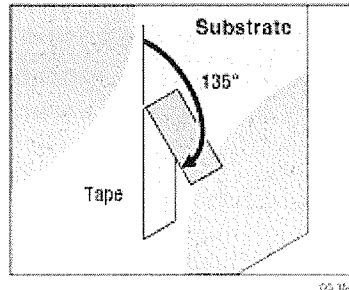
This test can be used to help determine if a substrate appears to have sufficient integrity to remain intact during eventual graphic removal, but passing the test does not mean that non-damaging removal is warranted. If a substrate is damaged during removal of removable or changeable products because of failure of the substrate's integrity, substrate damage is not covered by the 3M warranty.

1. Using 3M™ Plastic Applicator PA-1, firmly apply a 1 inch strip of aggressive, pressure-sensitive tape (Scotch® Tape 610) over the area.

Note: Plastic applicator PA-1 is available from 3M Commercial Graphics. Tape 610 is available through most film or tape distributors.

2. Remove the tape by pulling it back upon itself at a 135° angle using a rapid, firm pull. See FIGURE 1.
3. No separation should occur between the top coating and the layers underneath. No paint or chalking should be present on the tape.
4. If separation occurs, removal without damage is not warranted for removable or changeable products.

FIGURE 1
Pull of masking tape at 135° angle



Vinyl removal

All of Lamar's installations are removed in compliance with 3M recommendations and training. Lamar demonstrated its removal process to BC Transit on Oct 20, 2011 in the presence of Maureen Sheehan and senior body shop staff at the Victoria Transit centre. No issues were noted and it was accepted that Lamar's removal process did not cause damage to the bus's paint.

Lamar's North American wide track record of not causing paint damage during vinyl ad removals is no more clearly demonstrated than our history with Translink. Out of a fleet of approximately 1400 buses there are no reports or instances of paint damage to any Translink buses that have been brought to Lamar's attention. For an example of a bus similar to the new CNG buses see the new 40'LF Xcelsior buses in West Vancouver.

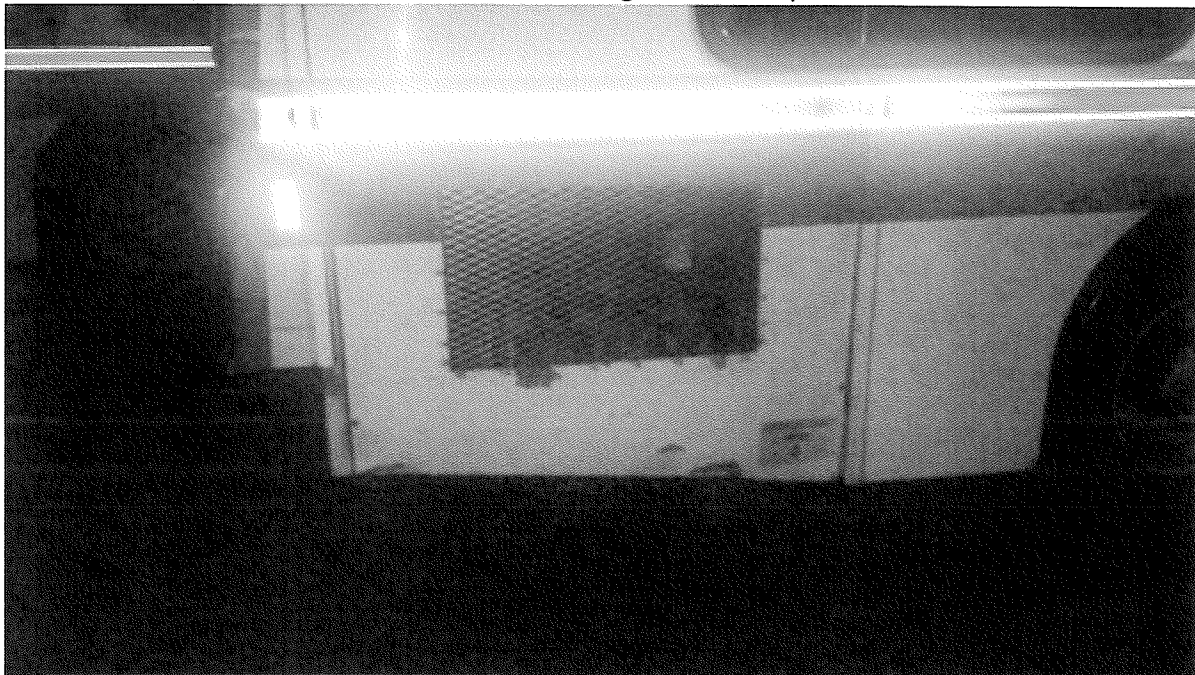
The following two photos are of Signature advertising products on West Vancouver New Flyer Xcelsior buses that were put into service in early 2013.

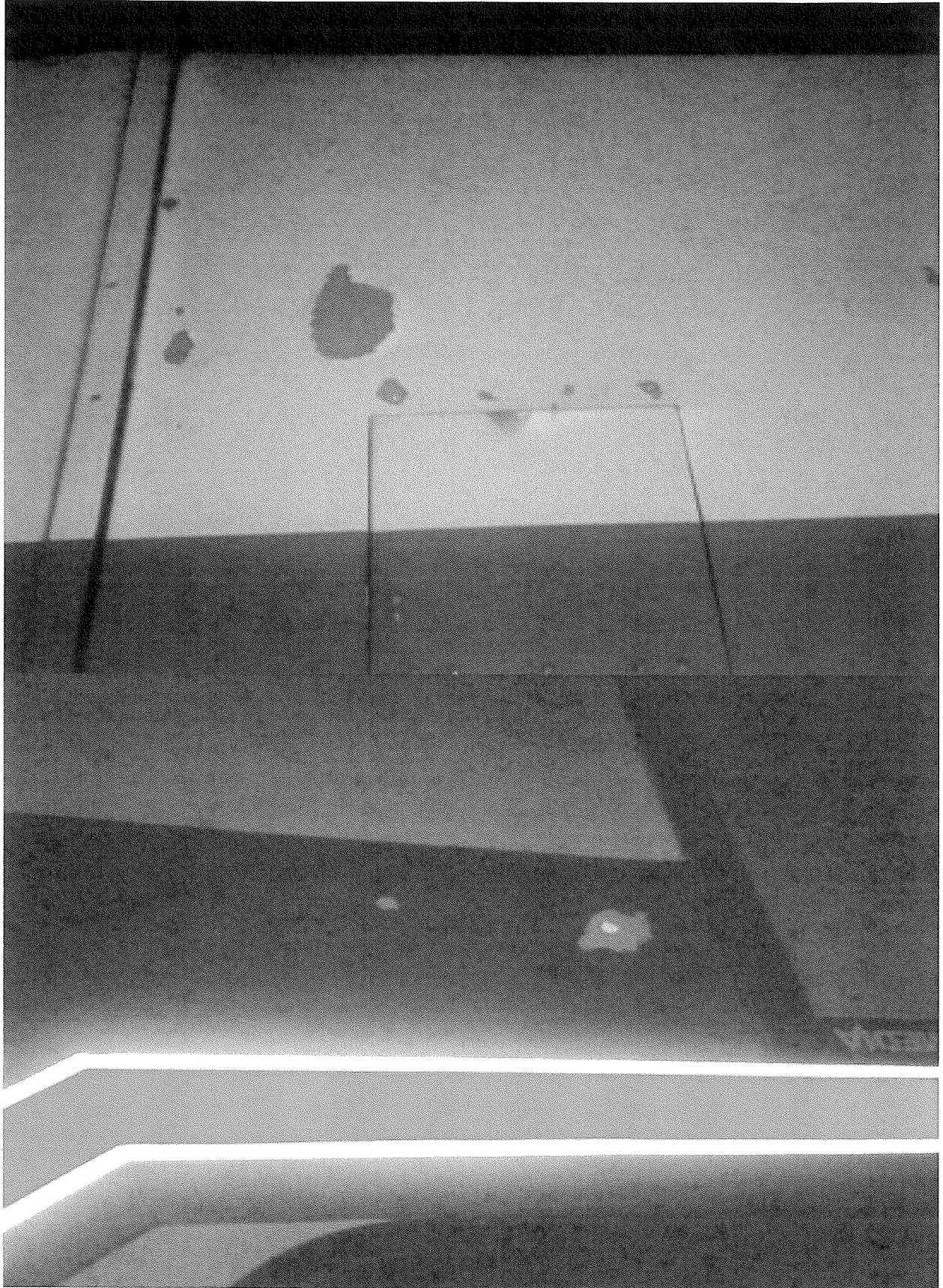


Nanaimo's Fleet of New Flyer buses

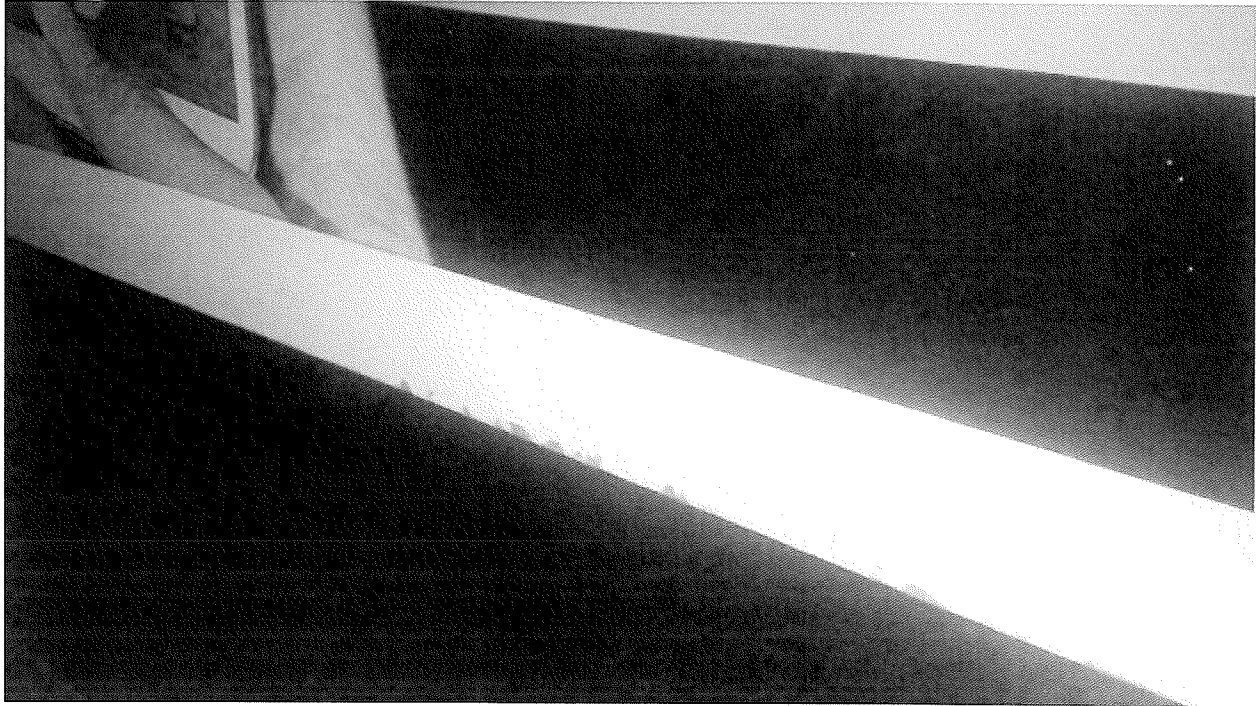
Nanaimo's current fleet of 1992 and 1996 New Flyer 40' LF buses are showing their age. As early as 1998 there was evidence that there were some issues with OEM paint. On a whole the automotive paint industry was still adjusting to the changes in paint formulations brought on by a mandated reduction of VOCs in paint products. These buses were originally scheduled to be repainted in the mid 2000's however BC Transit management of the day informed Lamar that they did not have the budget to complete the project and asked that we work with them to cover up any paint damage areas. This is part of the reason why there is the clause (section 12.15) in our contract with BC Transit that addresses the covering up of paint damage areas with either new ads or vinyl that is the same colour as the livery.

There are areas on many on these 1992 and 1996 buses that show paint damage and they have never had ads placed on them. See the following three examples:





There are also examples of buses repainted by RDN where the new paint is already failing. The following example shows paint coming off of a repainted RDN bus along the bottom edge in a location where no advertising vinyl has been placed.



Lamar's history with this issue.

This is the third time that Lamar has had to defend this issue regarding these 1992 and 1996 New Flyer buses. It was brought to our attention in 2005 and again in 2008. In both of the other cases the same information was presented to Nanaimo Transit and both times our information was accepted.

Summary:

- Lamar uses only industry best practices for the installation and removal of vinyl products.
- Lamar uses only 3M products as they have the best and most comprehensive warranties.
- BC Transit informed Lamar back in 2005 that all older buses would not be getting repainted.
- BC Transit and Lamar agreed in the 2005 contract to cover up any paint damage areas on these older buses.
- Older Low Floor Flyers have had for many years known paint issues. One explanation is that many older paints had their formulas changed because a Government mandated reduction of VOCs that resulted in reduced paint adhesion.
- Lamar has addressed concerns about paint damage on 1992 and 1996 New Flyers on two previous occasions.

- Lamar will continue to vigorously defend itself against unsubstantiated and unproven claims that vinyl bus advertising damages soundly painted vehicles.

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, MAY 13, 2014 AT 6:00 PM IN THE
RDN BOARD CHAMBERS**

In Attendance:

Director G. Holme	Chairperson
Director A. McPherson	Electoral Area A
Director M. Young	Electoral Area C
Director J. Fell	Electoral Area F
Director J. Stanhope	Electoral Area G
Director B. Veenhof	Electoral Area H

Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
J. Harrison	Director of Corporate Services
R. Alexander	Gen. Mgr. Regional & Community Utilities
G. Garbutt	Gen. Mgr. Strategic & Community Development
D. Trudeau	Gen. Mgr. Transportation & Solid Waste
J. Hill	Mgr. Administrative Services
C. Golding	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order.

ELECTORAL AREA PLANNING COMMITTEE MINUTES

Minutes of the Electoral Area Planning Committee meeting held Tuesday, March 11, 2014.

MOVED Director Veenhof, SECONDED Director Fell, that the minutes of the Electoral Area Planning Committee meeting held Tuesday, March 11, 2014, be adopted.

CARRIED

DEVELOPMENT PERMIT WITH VARIANCE APPLICATION

Development Permit with Variance Application No. PL2013-126 – Mohan – Admiral Tryon Boulevard, Electoral Area 'G'.

MOVED Director Stanhope, SECONDED Director Fell, that staff be directed to complete the required notification.

CARRIED

MOVED Director Stanhope, SECONDED Director Fell, that Development Permit with Variance Application No. PL2013-126 to allow the construction of a dwelling unit and marine retaining wall on the subject property be approved subject to the conditions outlined in Attachments 2 to 4.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. PL2013-053 – Morpak/Sheremeta – 3068 Hillview Road, Electoral Area ‘E’.

MOVED Director Stanhope, SECONDED Director Veenhof, that staff be directed to complete the required notification.

CARRIED

MOVED Director Stanhope, SECONDED Director Veenhof, that Development Variance Permit Application No. PL2013-053, be approved subject to the conditions outlined in Attachment 2.

CARRIED

Development Variance Permit Application No. PL2014-012 – Pasioka – 3097 Landmark Crescent, Electoral Area ‘C’.

MOVED Director Young, SECONDED Director Stanhope, that staff be directed to complete the required notification.

CARRIED

MOVED Director Young, SECONDED Director Stanhope, that Development Variance Permit Application No. PL2014-012 to reduce the minimum setback requirement from the interior lot line from 8.0 metres to 2.5 metres, be approved subject to the conditions outlined in Attachment 1.

CARRIED

Development Variance Permit Application No. PL2014-023 – Meadows – 1963 Seahaven Road, Electoral Area ‘E’.

MOVED Director Veenhof, SECONDED Director Stanhope, that staff be directed to complete the required notification.

CARRIED

MOVED Director Veenhof, SECONDED Director Stanhope, that Development Variance Permit Application No. PL2014-023 to allow the construction of a dwelling unit on the subject property be approved subject to the conditions outlined in Attachments 1 to 3.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 6:10 PM

CHAIRPERSON

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE REGULAR COMMITTEE OF THE WHOLE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, MAY 13, 2014 AT 7:03 PM IN THE
RDN BOARD CHAMBERS

In Attendance:

Director J. Stanhope	Chairperson
Director D. Brennan	Deputy Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director J. Fell	Electoral Area F
Director B. Veenhof	Electoral Area H
Director J. de Jong	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director G. Anderson	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director T. Greves	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director D. Willie	Town of Qualicum Beach

Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
J. Harrison	Director of Corporate Services
W. Idema	Director of Finance
R. Alexander	Gen. Mgr. Regional & Community Utilities
G. Garbutt	Gen. Mgr. Strategic & Community Development
D. Trudeau	Gen. Mgr. Transportation & Solid Waste
T. Osborne	Gen. Mgr. Recreation & Parks
J. Hill	Mgr. Administrative Services
C. Golding	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order.

DELEGATIONS

Harold Robinson, re House Location.

Harold Robinson provided an overview regarding the site of his house on his property in relation to the natural boundary of the sea, and requested the Board ensure the location of the site in perpetuity.

Cory Vanderhorst, MNP, re Audited Financial Statements.

Cory Vanderhorst provided a slide show and presented the highlights of the 2013 audited financial statements and Audit Findings Report to the Board.

LATE DELEGATIONS

MOVED Director Johnstone, SECONDED Director Brennan, that a late delegation be permitted to address the Board.

CARRIED

Lance Nater, re Town of Qualicum Beach request to amend the Regional Growth Strategy.

Lance Nater discussed the potential impacts of the proposed amendment to the Regional Growth Strategy, and expressed his concerns regarding the Town's public consultation process.

COMMITTEE OF THE WHOLE MINUTES

MOVED Director Holme, SECONDED Director Johnstone, that the minutes of the Committee of the Whole meeting held Tuesday, April 8, 2014, be adopted.

CARRIED

COMMUNICATION/CORRESPONDENCE

Ken P. Gurr, Gabriola Island Chamber of Commerce, re Follow-up to March 11 Delegation Request for Action – Descanso Bay Wharf Usage Conditions.

MOVED Director Johnstone, SECONDED Director Holme, that the correspondence from Ken P. Gurr, Gabriola Island Chamber of Commerce, regarding follow-up to his March 11, 2014 delegation request for action regarding the Descanso Bay Wharf usage conditions, be received.

CARRIED

Darin Guenette, BC Ferry Services Inc., re Descanso Bay.

MOVED Director Johnstone, SECONDED Director Holme, that the correspondence from Darin Guenette, BC Ferry Services Inc., regarding Descanso Bay, be received.

CARRIED

M. Robertson, re Potential Major Change to the OCP of Qualicum Beach involving the UCB/RGS.

MOVED Director Johnstone, SECONDED Director Holme, that the correspondence from M. Robertson regarding potential major change to the Official Community Plan of Qualicum Beach involving the Urban Containment Boundary / Regional Growth Strategy, be received.

CARRIED

Eoin Finn, re Follow-up to April 22 Presentation – Support for Ban on LNG Tanker Traffic.

MOVED Director Johnstone, SECONDED Director Holme, that the correspondence from Eoin Finn regarding follow-up to the April 22, 2014 presentation – Support for Ban on Liquid National Gas Tanker Traffic, be received.

CARRIED

Gabriola Community Bus Committee, re Request for Community Works Funding Submitted to Howard Houle, Area 'B' Director.

MOVED Director Johnstone, SECONDED Director Holme, that the correspondence from the Gabriola Community Bus Committee regarding the request for Community Works funding submitted to Howard Houle, Area 'B' Director, be received.

CARRIED

Correspondence, April 2014, re Proposed Incinerator at Duke Point.

MOVED Director Johnstone, SECONDED Director Holme, that the correspondence from April 2014, regarding the proposed incinerator at Duke Point, be received.

CARRIED

Correspondence, April 2014, re Island Corridor Foundation.

MOVED Director Johnstone, SECONDED Director Holme, that the correspondence from April 2014, regarding the Island Corridor Foundation, be received.

CARRIED

Patrick B. Quealey, Ministry of Justice, re Province-Wide Earthquake Preparedness Consultation.

MOVED Director Johnstone, SECONDED Director Holme, that the correspondence from Patrick B. Quealey, Ministry of Justice, regarding province-wide earthquake preparedness consultation, be received.

CARRIED

Phil Turin, School District 68, re Proposal to Reduce Board of Education from 9 to 7 Trustees.

MOVED Director Johnstone, SECONDED Director Holme, that the correspondence from Phil Turin, School District 68, regarding the proposal to reduce the Board of Education from nine (9) to seven (7) Trustees, be received.

CARRIED

FINANCE

2013 Financial Statements and Audit Findings Report.

MOVED Director Willie, SECONDED Director Veenhof, that the Audit Findings Report and the financial statements of the Regional District of Nanaimo for the year ended December 31, 2013, be received.

CARRIED

MOVED Director Willie, SECONDED Director Veenhof, that the consolidated financial statements of the Regional District of Nanaimo for the year ended December 31, 2013, be approved as presented.

CARRIED

Operating Results for the Period Ending March 31, 2014.

MOVED Director Holme, SECONDED Director Veenhof, that the summary report of financial results from operations to March 31, 2014, be received for information.

CARRIED

Amendments to Policy No. A2.16 Purchasing Card Policy.

MOVED Director Greves, SECONDED Director Lefebvre, that the Board approve the amendments to "Policy No. A2.16 Purchasing Card Policy" as presented.

CARRIED

Bylaw 1623.02 – Authorize the Use of Development Cost Charge Funds.

MOVED Director Lefebvre, SECONDED Director Houle, that "Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Amendment Bylaw No. 1623.02, 2014", be introduced and read three times.

CARRIED

MOVED Director Lefebvre, SECONDED Director Houle, that "Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Amendment Bylaw No. 1623.02, 2014", be adopted.

CARRIED

CORPORATE SERVICES

ADMINISTRATIVE SERVICES

2014 Local Government Elections – Appointment of Chief Election Officer and Deputy Chief Election Officer.

MOVED Director Veenhof, SECONDED Director Houle, that Jacquie Hill, Manager of Administrative Services, be appointed as the Chief Election Officer and Matt O'Halloran, Legislative Coordinator, be appointed as the Deputy Chief Election Officer for the purpose of conducting the November 15, 2014 local government elections and referendums.

CARRIED

HUMAN RESOURCES

Regional District of Nanaimo Employee Benefits Plan.

MOVED Director Veenhof, SECONDED Director Willie, that the Board authorize staff to consolidate insurance coverage (excluding Accidental Death & Dismemberment) under Pacific Blue Cross by changing insurance carriers for life insurance and long term disability coverage to Pacific Blue Cross, effective July 1, 2014.

CARRIED

TRANSPORTATION AND SOLID WASTE

SOLID WASTE

Regional Landfill Environmental Monitoring Services Contract.

MOVED Director Holme, SECONDED Director Brennan, that the Board award the contract for environmental monitoring program services at the Regional Landfill for June 2014 to March 2017 to SNC Lavalin at a cost of \$244,981.

CARRIED

Review of Draft Landfill Criteria

MOVED Director Veenhof, SECONDED Director Brennan, that the Regional District of Nanaimo Board direct staff to respond to the Ministry of Environment by May 31, 2014 asking that the draft Landfill Criteria provide clarity on application of Contaminated Sites Regulation to closed or partially closed landfills.

CARRIED

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER

Reduction of Sewer Development Cost Charges for the Proposed Nanaimo Affordable Housing Society Development at 1597 Boundary Crescent in Nanaimo.

MOVED Director Veenhof, SECONDED Director Houle, that the Board approves the 50% rate reduction for the proposed Nanaimo Affordable Housing Society development at 1597 Boundary Crescent in Nanaimo.

CARRIED

WATER AND UTILITY

Memorandum of Understanding – Regional District of Nanaimo / City of Parksville Water Supply Agreement – Nanoose Water Connection.

MOVED Director Lefebvre, SECONDED Director Holme, that the Board direct staff to execute the City of Parksville / Regional District of Nanaimo Water Supply Agreement Memorandum of Understanding with the City of Parksville commencing May 1, 2014, and remaining in effect until April 30, 2017 or until the Englishman River Water Service infrastructure is in place and operational.

CARRIED

Community Works Funds – Hawthorne Rise Sanitary Sewer.

MOVED Director Holme, SECONDED Director Brennan, that the Board approve a total of \$4,500 in Community Works Funds from Electoral Area 'G' in support of the Hawthorne Rise Sanitary Sewer installation project.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE, AND COMMISSION MINUTES AND RECOMMENDATIONS

Liquid Waste Advisory Committee.

Minutes of the Liquid Waste Advisory Committee meeting held Friday, January 10, 2014.

MOVED Director Holme, SECONDED Director Young, that the minutes of the Liquid Waste Advisory Committee meeting held Friday, January 10, 2014, be received for information.

CARRIED

Electoral Area 'H' Parks and Open Space Advisory Committee.

Minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee meeting held Wednesday, April 2, 2014.

MOVED Director Veenhof, SECONDED Director Greves, that the minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee meeting held Wednesday, April 2, 2014, be received for information.

CARRIED

Lighthouse Community Centre Society – Funding for Maintenance Project.

MOVED Director Veenhof, SECONDED Director Young, that staff be directed to review potential funding sources to accommodate capital and maintenance project requests for the Lighthouse Community Centre.

CARRIED

MOVED Director Veenhof, SECONDED Director Young, that staff review and make recommendations to reallocate funding in the 2014 Electoral Area 'H' Community Parks budget and Five Year Financial Plan to provide funding assistance to Lighthouse Community Centre Society for capital and maintenance projects at the Lighthouse Community Centre.

CARRIED

Electoral Area 'A' Parks, Recreation, and Culture Commission.

Minutes of the Electoral Area 'A' Parks, Recreation, and Culture Commission meeting held Wednesday, April 16, 2014.

MOVED Director McPherson, SECONDED Director Fell, that the minutes of the Electoral Area 'A' Parks, Recreation, and Culture Commission meeting held Wednesday, April 16, 2014, be received for information.

CARRIED

Grant Approvals.

MOVED Director McPherson, SECONDED Director Young, that the Electoral Area 'A' Grant-In-Aid application from the Cedar 4H Club be approved for a total of \$1,500 towards the club's expenses for materials.

CARRIED

Skate Park Official Opening Update.

MOVED Director McPherson, SECONDED Director Young, that \$500 be allocated from the Electoral Area 'A' Community Parks Budget for the Cedar Skate Park Opening event.

CARRIED

Morden Colliery Tipple Funding.

MOVED Director McPherson, SECONDED Director Young, that funding from the Electoral Area 'A' Community Parks Budget be approved of up to \$6,500 to the Friends of Morden Mine Society for the engineering study of the Morden Colliery Tipple if the Province of BC declines to participate in providing funding to the project.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Gabriola Community Bus Committee.

MOVED Director Houle, SECONDED Director Greves, that \$8,500 from the Electoral Area 'B' Community Works Fund be allocated to Island Futures for capital cost upgrades to the two buses in the Gabriola community bus fleet.

CARRIED

NEW BUSINESS

MOVED Director Brennan, SECONDED Director Anderson, that this matter be referred to the Board Remuneration Review Committee:

That Regional District of Nanaimo Directors be fully compensated for reasonable child care costs while attending or travelling to and from all meetings necessary in the conduct of their Regional District of Nanaimo duties.

CARRIED

MOVED Director Veenhof, SECONDED Director Lefebvre, that the Remuneration Committee be requested to review Director compensation for all reasonable expenses.

CARRIED

Notice Of Motion – RDN Strategic Planning Process.

Director Veenhof noted that the following motion will be brought forward to the June 10, 2014 Committee of the Whole agenda:

That staff be directed to re-evaluate Regional District of Nanaimo strategic planning processes so as to create a plan that is updated annually, is a living document (lives beyond the election), is adaptable to change and responds to the needs of Regional District of Nanaimo constituents.

Notice of Motion – Referendum - District 69 Service Area.

Director Veenhof noted that the following motion will be brought forward to the June 10, 2014 Committee of the Whole agenda:

That staff be directed to prepare a report for the Board that examines holding a referendum during the next election to create a District 69 service area that supports minor funding for serious social issues.

IN CAMERA

MOVED Director Holme, SECONDED Director Kipp, that pursuant to Sections 90 (1)(a) and (e) of the *Community Charter* the Committee proceed to an In Camera meeting for discussions related to personal information of Board appointees, and land acquisitions.

CARRIED

TIME: 8:32 PM

ADJOURNMENT

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

CARRIED

TIME: 8:36 PM

CHAIRPERSON

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1623.02

A BYLAW TO AMEND THE SOUTHERN COMMUNITY SEWER SERVICE AREA
DEVELOPMENT COST CHARGE RESERVE FUND EXPENDITURE BYLAW NO. 1623

WHEREAS The Board of the Regional District of Nanaimo adopted the “Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1623, 2011” to provide for the use of Development Cost Charge Reserve Funds for the construction of a third digester at the Greater Nanaimo Pollution Control Centre;

AND WHEREAS the Board subsequently approved in 2012 a budget estimated to be \$10,377,155 for the design and construction of a third digester at the Greater Nanaimo Pollution Control Centre, and the project is an eligible development cost charge project;

AND WHEREAS the project is now complete and actual costs were \$10,530,000.

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

1. Amendment

By deleting Section 1 and replacing it with the following:

The sum of Ten Million, Five Hundred and Thirty Thousand Dollars (\$10,530,000) is hereby appropriated for the purpose of designing and constructing a third digester at the Greater Nanaimo Pollution Control Centre.

2. Citation

This bylaw may be cited as the “Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Amendment Bylaw No. 1623.02, 2014”.

Introduced and read three times this __ day of _____, 2014.

Adopted this __ day of _____, 2014.

CHAIRPERSON

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE GRANTS-IN-AID ADVISORY COMMITTEE MEETING
HELD ON MONDAY, MAY 5, 2014 AT 1:06 PM IN THE
COMMITTEE ROOM

Present: M. Young Chairperson
D. Willie Director, District 69
B. Erickson Citizen Advisory Member
M. Patterson Citizen Advisory Member
B. Rogers Citizen Advisory Member
G. Wiebe Citizen Advisory Member

Staff: J. Hill Manager, Administrative Services
C. Golding Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order.

MINUTES

MOVED M. Patterson, SECONDED B. Erickson, that the minutes of the Grants-in-Aid meeting held Monday, October 21, 2013, be adopted.

CARRIED

DISTRICT 68

Funds available: \$4,118.40

MOVED B. Rogers, SECONDED M. Patterson, that the Gabriola Arts Council be awarded \$2,248.00 to be used towards the upgrade to the electrical system (\$1,748.00) and the upgrade and repairs to the septic system (\$500.00).

CARRIED

MOVED B. Rogers, SECONDED M. Patterson, that the Gabriola Athletic Movement Society be awarded \$650.00 to be used for crafts and building materials for mile markers, first aid supplies, and runner kits.

CARRIED

MOVED B. Rogers, SECONDED M. Patterson, that the Jonanco Hobby Workshop be awarded \$1,000.00 to be used for lighting fixture upgrades in the quilting workshop.

CARRIED

MOVED B. Rogers, SECONDED M. Patterson, that the grant request from The Hope Centre be denied.

CARRIED

Name of Organization	Amount Requested	Amount Recommended
Gabriola Arts Council	\$5,000.00	\$2,248.00
Gabriola Athletic Movement Society	4,000.00	650.00
Jonanco Hobby Workshop	1,500.00	1,000.00
The Hope Centre	759.00	Denied

MOVED B. Erickson, SECONDED G. Wiebe, that the remaining District 68 funds in the amount of \$220.40 be carried forward to the 2014 Fall Grants-in-Aid budget.

CARRIED

DISTRICT 69

Funds available: \$ 15,661.20

MOVED G. Wiebe, SECONDED B. Erickson, that Arrowsmith Search & Rescue be awarded \$5,000.00 to be used towards the equipment truck replacement project.

CARRIED

MOVED G. Wiebe, SECONDED B. Erickson, that the grant request from Corcan-Meadowood Residents' Association be denied.

CARRIED

MOVED G. Wiebe, SECONDED B. Erickson, that Eswyn's Alpine & Rock Garden (Nanoose Bay Activities and Recreation Society) be awarded \$1,097.00 for the purchase of supplies to create numbered metal tags for plant markers, and a weather proof stand at the garden site.

CARRIED

MOVED G. Wiebe, SECONDED B. Erickson, that the Lighthouse Community Centre be awarded \$4,625.00 to be used towards metal and wood transitions and the lighting upgrades for the hall.

CARRIED

MOVED G. Wiebe, SECONDED B. Erickson, that the Oceanside Community Arts Council be awarded \$2,439.20 to be used for the purchase of a new glass display cabinet.

CARRIED

MOVED G. Wiebe, SECONDED B. Erickson, that the Oceanside Hospice Society be awarded \$2,500.00 to be used towards the End-of-Life Tool Kit supplies.

CARRIED

Name of Organization	Amount Requested	Amount Recommended
Arrowsmith Search & Rescue	\$ 5,000.00	\$5,000.00
Corcan-Meadowood Residents' Association	3,141.52	Denied
Eswyn's Alpine & Rock Garden	3,597.00	1,097.00
Lighthouse Community Centre	5,000.00	4,625.00
Oceanside Community Arts Council	3,000.00	2,439.20
Oceanside Hospice Society	5,000.00	2,500.00

ADJOURNMENT

MOVED B. Rogers, SECONDED M. Patterson, that this meeting adjourn.

CARRIED

TIME: 2:45 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE SUSTAINABILITY SELECT COMMITTEE
MEETING HELD ON TUESDAY, MAY 20, 2014 AT 3:00 PM
IN THE RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director B. Veenhof	Electoral Area H
Director D. Brennan	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director D. Willie	Town of Qualicum Beach

Also in Attendance:

Director J. Fell	Electoral Area F
P. Thorkelsson	Chief Administrative Officer
G. Garbutt	General Manager, Strategic & Community Development
P. Thompson	Manager, Long Range Planning
C. Midgley	Manager, Energy & Sustainability
N. Hewitt	Recording Secretary

Regrets:

Director M. Young	Electoral Area C
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CALL TO ORDER

The meeting was called to order at 3:00 pm by the Chair.

DELEGATIONS

Lance Nater, re Regional Growth Strategy.

Mr. Nater spoke in opposition of the Town of Qualicum Beach request to amend the Regional Growth Strategy through the minor amendment process. Mr. Nater request that the Committee support Alternative No. 3 of the report, to not proceed.

Scott Tanner, re Proposed Minor Amendment to the Growth Containment Boundary in Qualicum Beach.

Mr. Tanner stated that this amendment is not a minor amendment because a full OCP review has not taken place and due to the scale of the change.

Fox McKinley spoke for Kevin Monahan, re Proposed Expansion of the Growth Containment Boundary in Qualicum Beach.

Representative for Mr. Monahan spoke in opposition of the Town of Qualicum Beach request to amend the Regional Growth Strategy through the minor amendment process because it did not meet the criteria for a minor amendment.

Shanna Mastrangelo, re The Future of Our Land.

Ms. Mastrangelo did not attend the meeting.

Deb McKinley, re The Impact of the Proposed Amendment on the Community of Qualicum Beach.

Mrs. McKinley spoke in opposition of the Town of Qualicum Beach request to amend the Regional Growth Strategy through the minor amendment process as a full review of the OCP did not take place.

Graham Riches, re Responses from the People of Qualicum Beach Regarding the Qualicum Beach Growth Containment Boundary Amendment.

Mr. Riches and Barry Avis spoke in opposition of the Town of Qualicum Beach request to amend the Regional Growth Strategy through the minor amendment process. Mr. Avis raised concerns about wetlands, agricultural lands and forestry land.

Faye Smith, Streamkeepers, re Concerns of Qualicum Beach Streamkeepers for Beach Creek about the possible moving of the Growth Containment Boundary in Qualicum Beach.

Ms. Smith of the Streamkeepers, spoke in opposition of the Town of Qualicum Beach request to amend the Regional Growth Strategy through the minor amendment process due to concerns over increased amounts of development.

Bruce Fleming-Smith, re The Qualicum Beach Growth Containment Boundary Amendment application as it Relates to Sustainability Principles.

Mr. Fleming-Smith spoke in opposition of the Town of Qualicum Beach request to amend the Regional Growth Strategy through the minor amendment process because it does not meet the criteria for a minor amendment.

Michael Jessen, Arrowsmith Parks and Land Use Council (APLUC), re RGS Amendment Request.

Mr. Jessen representing the Arrowsmith Parks and Land Use Council spoke in opposition of the Town of Qualicum Beach to amend the Regional Growth Strategy through the minor amendment process because a full OCP review did not take place.

David Golson, re RGS Amendment Request.

Mr. Golson spoke in opposition of the Town of Qualicum Beach to amend the Regional Growth Strategy through the minor amendment process. Mr. Golson requested that the Committee reject the application as the process used for the OCP review was inadequate.

Luc Sales spoke for John Marsh, Town of Qualicum Beach, re RGS Amendment Request.

Luc Sales presented a verbal and visual overview on the application on behalf of the Town of Qualicum Beach.

LATE DELEGATIONS

MOVED Director Willie, SECONDED Director Lefebvre, that the following delegations be permitted to address the Committee.

CARRIED

Jim Drummond, re Growth Boundary – Town of Qualicum Beach.

Mr. Drummond felt enough of the delegations had spoke in opposition of the Town of Qualicum Beach to amend the Regional Growth Strategy through the minor amendment process.

Zweitse de Wit, re Growth Boundary – Town of Qualicum Beach.

Mr. de Wit spoke in favor of the Town of Qualicum Beach to amend the Regional Growth Strategy through the minor amendment process.

COMMUNICATIONS/CORRESPONDENCE

Peggy Bodnar, re Our Urban Boundary Change.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Peggy Bodnar with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

Deb McKinley, re Town of Qualicum Beach GCB Amendment.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Deb McKinley with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

Elaine Watson, re Town of Qualicum Beach GCB Amendment.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Elaine Watson with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

Hans Kratz, re Qualicum Beach Growth Containment Boundary Amendment.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Hans Kratz with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

David Golson, re Qualicum Beach Council - GCB Amendment.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from David Golson with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

Susan Porter, re Qualicum Beach - GCB Amendment.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Susan Porter with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

Charna Macfie, re Qualicum Beach Growth Containment Boundary.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Charna Macfie with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

Cindy Flowers, re Qualicum Beach Boundary Minor Amendment.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Cindy Flowers with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

Brian & Dianne Anderson, re Change of Qualicum Beach Urban Boundaries.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Brian and Dianne Anderson with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

Stuart Gautier, re Qualicum Beach Growth Boundary.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Stuart Gautier with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

John Christie, re Qualicum Beach Growth Boundary.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from John Christie with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

Denyse Widdifield, re Qualicum Beach Growth Boundary.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Denyse Widdifield with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

R. H. (Bob) Widdifield, re Qualicum Beach Growth Boundary.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Bob Widdifield with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

W Craig Dutton, re Qualicum Beach Growth Boundary.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Craig Dutton with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

Dave Bryan, re Qualicum Beach Growth Boundary.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Dave Bryan with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

Dean Dreger, re Qualicum Beach Growth Boundary.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Dean Dreger with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

Ray & Sue Abermann, re Town of Qualicum RGS Amendment.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Ray and Sue Abermann with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

J.F. Boshier, re Town of Qualicum RGS Amendment.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from J.F. Boshier with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

Chris Doyle, re Qualicum Beach Growth Boundary.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Chris Doyle with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

Mychal Rodway, re Growth Containment Boundary – Town of Qualicum Beach.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Mychal Rodway with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

Charna Macfie, re Growth Containment Boundary – Town of Qualicum Beach.

MOVED Director Veenhof, SECONDED Director Willie, that the correspondence from Charna Macfie with respect to the proposed minor amendment to the Growth Containment Boundary for the Town of Qualicum Beach, be received.

CARRIED

REPORTS

Request to Amend the Regional Growth Strategy by the Town of Qualicum Beach.

MOVED Director Willie, SECONDED Director Veenhof, that the request from the Town of Qualicum Beach to amend the RGS proceed through the process for approving minor amendments.

CARRIED

ADJOURNMENT

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

CARRIED

Time: 5:08 pm

CHAIRPERSON



RDN REPORT		#
CAO APPROVAL		
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MAY 21 2014		
RHD		
BOARD		

MEMORANDUM

TO: Geoff Garbutt
General Manager of Strategic and Community Development

DATE: May 21, 2014

FROM: Paul Thompson
Manager of Long Range Planning

FILE: 6780 30

SUBJECT: Request to Amend the Regional Growth Strategy by the Town of Qualicum Beach

PURPOSE

To consider a request from the Town of Qualicum Beach to amend the Regional Growth Strategy (RGS) through the minor amendment process.

BACKGROUND

In accordance with RGS policy and Council direction the Town of Qualicum Beach staff has submitted a request to the Regional District of Nanaimo to amend the “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011”. The Town is requesting that the Growth Containment Boundary (GCB) be moved so that it is contiguous with the Town’s municipal boundary. A change to the GCB also means that all land within the municipal boundary will be designated as Urban Area in the RGS. The Town has requested that the RGS amendment be processed as a Minor Amendment in accordance with RGS Policy 1.5.1(1).

The RGS lists four criteria under which an amendment to the RGS can be considered minor. One of those criteria is: *Amendments resulting from a full Electoral Area or Municipal Official Community Plan review process*. The Town of Qualicum Beach has stated in its request to the RDN that the proposed amendment to its Official Community Plan (OCP) has “resulted from a full Official Community Plan Review Process”. The criteria for what qualifies as a minor amendment are only found in Section 1.5.1(1) of the RGS. The list of amendments not considered to be minor found in Section 1.5.1(2) do not apply if at least one of the criteria in Section 1.5.1(1) is met. As well, qualification for a minor amendment is not based on the scale of the amendment but only if it meets one of the criteria in Section 1.5.1(1).

The process for approving a minor amendment is outlined in Section 1.5.2 of the RGS. A detailed table showing the Minor Amendment process for a municipality is provided as Attachment 1. In general terms the RDN Board must first decide if it wishes to have the RGS amendment proceed as a minor amendment. The process for a minor amendment has fewer steps and requires less consultation than a regular amendment to the RGS.

Background on the Town’s request can be found in the attached staff report that was provided to the Sustainability Select Committee. The Sustainability Select Committee (SSC) considered the request at a Special Meeting on May 20, 2014. The Committee made the following recommendation:

That the request from the Town of Qualicum Beach to amend the RGS proceed through the process for approving minor amendments.

ALTERNATIVES

1. That the requested amendment to the Regional Growth Strategy as submitted by the Town of Qualicum Beach proceed through the minor amendment process as outlined in Section 1.5.2 of the Regional Growth Strategy.
2. That the requested amendment to the Regional Growth Strategy as submitted by the Town of Qualicum Beach proceed through the regular amendment process.
3. That the requested amendment to the Regional Growth Strategy as submitted by the Town of Qualicum Beach not proceed.

FINANCIAL IMPLICATIONS

Should this RGS amendment request proceed through the minor amendment process there are no financial implications for the RDN. Should the request proceed through the regular amendment process then there are some financial implications for the RDN, the Town of Qualicum Beach and the other RDN member municipalities. The implications for the RDN are that a significantly higher amount of staff time is required to process the request. For the Town, in addition to the staff time there are a number of professional reports that are required to accompany the request. For the other member municipalities staff resources are required to participate in the regular RGS amendment review process.

Public Consultation Implications

For the RGS amendment there is no specific requirement to consult with the public. There is a requirement to determine the appropriate form of consultation. Depending on the circumstances the appropriate consultation can consist only of notifying the member municipalities and adjacent regional districts.

In the case of a minor amendment request originating in a municipality, the RDN's role is limited to the process to amend the RGS and amendments to the RGS. Opportunities for the public to comment on the specifics of the change to the OCP are provided during the municipal OCP review process. For this reason, the consultation should consist of:

- Notification of the proposed amendment to the affected local governments as per Section 1.5.2 of Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011.
- RDN staff being available to answer questions from the public and others regarding the proposed RGS minor amendment.

SUMMARY/CONCLUSIONS

The Town of Qualicum Beach has submitted a request to the Regional District of Nanaimo to amend the Regional Growth Strategy so that the Town Boundary is the same as the Growth Containment Boundary. The Town states that the change to the GCB is the result of a full official community plan

review and has requested that the amendment be processed through the process for approving minor amendments. Part of the minor amendment process is for the Sustainability Select Committee to review the request and make a recommendation to the RDN Board. The Sustainability Select Committee recommended that the request proceed through the minor amendment process.

The Town of Qualicum Beach's request to amend the RGS to move the GCB to the municipal boundary will result in lands located within the Agricultural Land Reserve (ALR) being located in the RGS Urban Area land use designation. This situation already exists in the City of Nanaimo which has a GCB located on the municipal boundary along with an Urban Containment Boundary which excludes lands in the ALR, other resource lands and some environmentally sensitive areas. The RGS recognizes this possibility and makes provision for a municipality to have an Urban Containment Boundary that is different from the GCB in its OCP to exclude lands such as those located in the ALR. Moving the GCB to the municipal boundary does not relieve the Town from complying with the requirements of the *Agricultural Land Commission Act* and including measures in its OCP to protect farmland in the ALR.

The minor amendment process only requires that a notice be sent to the member municipalities and adjacent regional districts prior to the Board giving readings to the bylaw amendment. Should the Board determine that this request cannot proceed through the minor amendment process then the request will have to be put on hold until the information required to evaluate an expansion of the Growth Containment Boundary is provided.

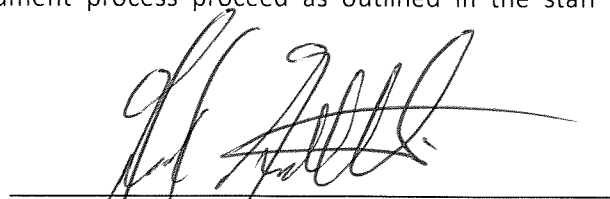
Given the process adopted by the Town of Qualicum Beach and the motion forwarded to the RDN Board for consideration and the recommendation from the Sustainability Select Committee, staff recommend that the request from the Town of Qualicum Beach to amend the RGS proceed through the process for approving minor amendments.

RECOMMENDATIONS

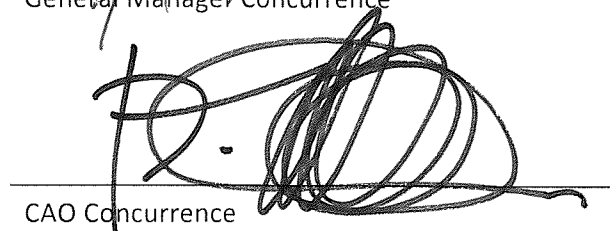
1. That the request from the Town of Qualicum Beach to amend the RGS proceed through the process for approving minor amendments.
2. That consultation for the RGS minor amendment process proceed as outlined in the staff report.



Report Writer



General Manager Concurrence

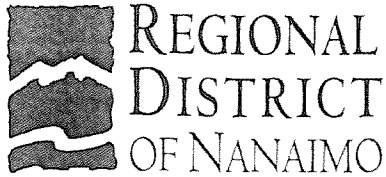


CAO Concurrence

Attachment 1

Process and steps to complete a Minor Amendment to the RGS as a result of changes to a municipal OCP

- | | |
|---|---|
| <p>1. OCP Review is Completed</p> | <p>Municipality completes a full OCP review process which results in a need to amend the RGS</p> |
| <p>2. Municipality submits request for RGS Amendment to the RDN</p> | <p>Council forwards request to RDN Board to amend the RGS through the Minor Amendment Process</p> |
| <p>3. RDN Staff prepare report</p> | <p>A report providing information on the request and amendment process is prepared for the Sustainability Select Committee</p> |
| <p>4. Sustainability Select Committee</p> | <p>Committee reviews the request and makes a recommendation to the RDN Board</p> |
| <p>5. RDN Board Meeting</p> <p style="margin-left: 20px;">a. Receive recommendation from SSC</p> <p style="margin-left: 20px;">b. Decide on whether the proposed RGS Amendment is Minor</p> <p style="margin-left: 20px;">c. Adopt consultation plan</p> | <p>Board receives recommendation from SSC. A minimum of 2/3 of the Board must vote in favour to proceed as a Minor Amendment. If less than 2/3 Board vote in favour then amendment cannot proceed through Minor amendment Process.</p> <p>If proceeding as a Minor Amendment, Board adopts a consultation plan.</p> |
| <p>6. Notify Affected Local Governments</p> | <p>Notice of the proposed RGS Minor Amendment is provided to the RDN's member municipalities and adjacent regional districts. They have up to 45 days to respond.</p> |
| <p>7. RDN Board Meeting</p> <p style="margin-left: 20px;">a. Receive comments from affected local governments</p> <p style="margin-left: 20px;">b. Give 1st reading to bylaw</p> <p style="margin-left: 20px;">c. Give 2nd reading to bylaw and maybe</p> <p style="margin-left: 20px;">d. Give 3rd reading to bylaw</p> | <p>Board receives and considers comments from affected local governments</p> <p>Board gives 1st reading to bylaw</p> <p>If unanimous vote for 2nd reading then no public hearing required and can give Bylaw 3rd reading</p> <p>Board gives 3rd reading to bylaw</p> |
| <p>8. Public Hearing (only if required)</p> | <p>A public hearing is only required if there is <u>not</u> a unanimous Board vote in favour of giving the bylaw 2nd reading</p> |
| <p>9. RDN Board Meeting</p> <p style="margin-left: 20px;">a. Give final reading to bylaw</p> <p style="text-align: center;">Or</p> <p style="margin-left: 20px;">b. Receive report from public hearing</p> <p style="margin-left: 20px;">c. Give 3rd reading to bylaw</p> <p style="margin-left: 20px;">d. Give final reading to bylaw</p> | <p>Final reading if 3rd reading given at last meeting</p> <p style="text-align: center;">or</p> <p>Board receives report from public hearing and proceeds with giving 3rd and final readings to the bylaw</p> |
| <p>10. Notice to Municipality</p> | <p>A letter is sent to the municipality and other LGs informing them of the Board decision on the RGS bylaw</p> |



RDN REPORT	
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MAY 14 2014	
RHD	
BOARD	
DATE:	

MEMORANDUM

TO: Geoff Garbutt
General Manager of Strategic and Community Development

FROM: Paul Thompson
Manger of Long Range Planning

SUBJECT: Request to amend the Regional Growth Strategy by the Town of Qualicum Beach

FILE: 6780 30

PURPOSE

To consider a request from the Town of Qualicum Beach to amend the Regional Growth Strategy through the minor amendment process.

BACKGROUND

This request for consideration of an amendment to the Regional Growth Strategy (RGS) is being presented to the Sustainability Select Committee (SSC) as amendments to the RGS fall within the mandate of the committee. The SSC provides advice and recommendations to the Regional District of Nanaimo (RDN) Board on issues connected to the RGS and the process for a minor amendment specifically mentions review by the SSC.

At their Council meeting on April 22, 2014, the Town of Qualicum Beach passed the following motion:

THAT Council, after hearing comments at the April 22, 2014 Official Public Hearing, adopts the following motion: THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be given third reading; AND FURTHER THAT Council directs staff to send notification to the Regional District of Nanaimo, along with relevant background reports, that the Town has given third reading to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No 700.10, 2014", which resulted from a "full Official Community Plan Review Process" in accordance with the procedural requirements of the Local Government Act and now requires an amendment to the Regional Growth Strategy; AND FURTHER THAT the Town hereby requests that the Growth Containment Boundary, as identified in "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011", be amended to include the entirety of the Town of Qualicum Beach following the process identified on Section 1.5.1 "Process for Approving Minor Amendments".

In accordance with RGS policy and Council direction the Town of Qualicum Beach staff has submitted a request to the Regional District of Nanaimo to amend the Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615 (see Attachment 2). The Town is requesting that the Growth Containment Boundary (GCB) be moved so that it is contiguous with the Town's municipal boundary. A change to the

GCB also means that all land within the municipal boundary will be designated as Urban Area in the RGS. The Town has requested that the RGS amendment be processed as a Minor Amendment in accordance with RGS Policy 1.5.1(1).

The RGS lists four criteria under which an amendment to the RGS can be considered minor. One of those criteria is: *Amendments resulting from a full Electoral Area or Municipal Official Community Plan review process*. The Town of Qualicum Beach has stated in its request to the RDN that the proposed amendment to its Official Community Plan (OCP) has "resulted from a full Official Community Plan Review Process".

The process for approving a minor amendment is outlined in Section 1.5.2 of the RGS. A detailed table showing the Minor Amendment process for a municipality is provided as Attachment 1. In general terms the RDN Board must first decide if it wishes to have the RGS amendment proceed as a minor amendment. The process for a minor amendment has fewer steps and requires less consultation than a regular amendment to the RGS.

To accommodate this request, several changes to the maps in Appendix 'A' are required. Maps 1 - 5 have to be amended so that the RGS Growth Containment Boundary is the same as the municipal Boundary. Map 3 has to be amended so that all land within the municipal boundary is shown as Urban Area. Map 4 has to be amended so that all land within the municipal boundary is designated as Urban Area. As well, Sheets 5 and 6 of Appendix 'B' have to be amended so that the Growth Containment Boundary is the same as the municipal boundary.

The RGS is an agreement between the RDN and the four member municipalities on how growth and development will proceed on a regional basis. This type of agreement is approved by bylaw and like other bylaws there is a legislated process that must be followed in order to amend that bylaw. The bylaw cannot be adopted and changes to the bylaw cannot be made unless all of the parties agree. The Town of Qualicum Beach accepted the RGS in 2011 which meant that it agreed with the policies contained in the RGS.

Municipal Planning Approvals

The Town of Qualicum Beach has regulatory authority over all land use decisions within its boundaries. The RDN does not get involved in development approvals or changes to land use at a municipal level. The process for those approvals is determined by the Town. By accepting the RGS the Town agreed to direct the majority of growth onto lands inside the GCB. Outside of the GCB the Town still permits lesser amounts of development. Land use and development on these lands outside of the GCB is regulated through the Town's zoning bylaw which must be consistent with direction provided in the OCP.

Growth Containment Boundary Process

The process for including the GCB in the RGS requires the municipality to provide this information to the RDN for inclusion in the RGS. The RDN has no part in establishing the location of the GCB within a municipality. Establishing the location of the GCB is the sole responsibility of the municipality, usually through a review of its OCP. Once the municipality establishes the location of the GCB it provides this information to the RDN for inclusion in the RGS. By providing the location of the GCB and accepting the RGS, the Town has agreed to direct the majority of growth to lands inside the GCB and to not increase the amount of development allowed on lands outside of the GCB.

The need to amend the RGS has resulted because the Town has decided it wants to change the levels and types of development on lands located outside of the GCB. As there will be a change to how the Town manages growth that is not consistent with the RGS, an amendment to the RGS is necessary. There is a legislated process that will allow for an amendment to the RGS so that the Town can change its approach to managing growth.

There are provisions in the RGS with respect to what is required for consideration of a change to the GCB. These requirements can be found in Section 4.2 Policy 4.3. Essentially, the requirements are meant to show that expansion of the GCB is needed and that moving the GCB is justified from the perspectives of land supply and demand, servicing, transportation and ecological protection. With this information a regular amendment to the RGS can be considered. However, any kind of amendment, including a change to the GCB, can be a minor amendment if it is the result of a full review of the OCP. The Town has stated that it has completed a full review of the OCP therefore it can be considered as a minor amendment.

ALTERNATIVES

1. That the requested amendment to the Regional Growth Strategy as submitted by the Town of Qualicum Beach proceed through the minor amendment process as outlined in Section 1.5.2 of the Regional Growth Strategy.
2. That the requested amendment to the Regional Growth Strategy as submitted by the Town of Qualicum Beach proceed through the regular amendment process.
3. That the requested amendment to the Regional Growth Strategy as submitted by the Town of Qualicum Beach not proceed.

FINANCIAL IMPLICATIONS

Should this RGS amendment request proceed through the minor amendment process there are no financial implications for the RDN. Should the request proceed through the regular amendment process then there are some financial implications for the RDN, the Town of Qualicum Beach and the other RDN member municipalities. The implications for the RDN are that a significantly higher amount of staff time is required to process the request. For the Town, in addition to the staff time there are a number of professional reports that are required to accompany the request. For the other member municipalities staff resources are required to participate in the regular RGS amendment review process.

LAND USE IMPLICATIONS

Development Implications

The RGS currently recognizes that Urban Centres, which consist of all of the municipalities, will be the primary locations for accommodation of growth and development in the region. During the RGS review that lead to the adoption of the new RGS in 2011, the City of Nanaimo requested that the GCB be made the same as the municipal boundary and Lantzville requested a significant expansion to the GCB. As well, OCP reviews lead to expansions of the GCB in Cedar, Red Gap and French Creek. All of these requests were accommodated in the 2011 RGS.

Based on this understanding the inclusion of all of Qualicum Beach within the GCB would not be inconsistent with the general premise that the majority of new growth will take place within the municipalities. Of all the municipalities, Qualicum Beach has the smallest percentage of its land within the GCB: only 51% as compared to Nanaimo with 100%, Parksville with 77% and Lantzville with 60%.

With the change to the GCB the Town has stated that it still intends to have an Urban Containment Boundary in the OCP. This means that while the GCB will be located at the Town boundary there will still be an Urban Containment Boundary that surrounds the areas where urban type growth will be supported. This is similar to the approach taken by the City of Nanaimo. The change to the GCB in the RGS does not automatically result in changes to the Town's OCP. An amendment to the Town's OCP is still required to establish an Urban Containment Boundary that is different than the GCB. As well, amendments to the OCP are also required to change the land use designations to allow for higher levels of development.

Public Consultation Implications

For public consultation, a distinction has to be made between the Town's OCP review process and the RDN's RGS Minor Amendment process. Each has its own requirements with respect to public consultation. The RDN is not involved in either determining or carrying out the consultation for the OCP amendment. For the RGS amendment there is no specific requirement to consult with the public. There is a requirement to determine the appropriate form of consultation. Depending on the circumstances the appropriate consultation can consist only of notifying the member municipalities and adjacent regional districts.

In the case of a minor amendment request originating in a municipality, the RDN's role is limited to the process to amend the RGS and amendments to the RGS. Opportunities for the public to comment on the specifics of the change to the OCP are provided during the municipal OCP review process. For this reason, the consultation should consist of:

- Notification of the proposed amendment to the affected local governments as per Section 1.5.2 of Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011.
- RDN staff being available to answer questions from the public and others regarding the proposed RGS minor amendment.

A number of items of correspondence from the community have already been received by the Board with respect to the Town's request to amend the RGS. New correspondence not yet received by the Board is attached to this report as Appendix 3. Most of the comments express concern with the process used by the Town for the OCP review with most conveying concern that a full review was not completed. As included as correspondence on the May 20, 2014 Sustainability Select Committee Agenda, the RDN has received a motion from the Town that states that a full review of the OCP was completed.

Environmental Implications

The Town has stated that moving the GCB is an issue related to governance and not land use. Moving the GCB to the Town boundary gives the Town more autonomy and allows the Town to evaluate proposals for higher levels of development on all lands within the Town without having to get the RDN or other municipalities involved. Further, the Town is not planning to initiate changes to land use designations on lands that were previously outside of the GCB. The Town will continue to evaluate

proposals to amend the OCP and subsequent zoning amendments as they arise. For each proposal the Town will conduct a thorough evaluation including protection of environmentally sensitive areas and impacts on the aquifers.

Strategic Plan Implications

The Strategic Plan recognizes that the RDN is a regional federation and that each of the partners needs to work together on issues. The Town of Qualicum Beach has decided to change its approach to managing growth within its boundary which requires a change to the Regional Growth Strategy. In accordance with the RGS, the Town is requesting a change to the RGS before adopting an amendment to its OCP.

Inter-governmental Implications

A member municipality does not submit an application to the RDN to amend the RGS. As the RGS is an agreement, a member municipality makes a request to amend the RGS. This allows the other partners to see how the municipality is changing its approach to growth management. The RDN is responsible for administering the RGS so requests to change the RGS must be sent to the RDN.

Having accepted the RGS the Town of Qualicum Beach has made a commitment to manage growth and development within its boundaries in accordance with the RGS. One of the primary tools for managing growth is to establish a Growth Containment Boundary that defines where growth will be directed. The GCB must be the same in both the RGS and the municipal OCP. When the latest version of the RGS was being drafted the Town provided the location of the GCB to be included in the RGS. Since that time the Town has decided to change the location of the GCB within the Town which means that a change to the GCB in the RGS is required before the Town can finalize the change to the GCB in its OCP.

There are two possible options for amending the RGS: a regular process and a minor amendment process. The two options are quite different in terms of the process itself but also in terms of the requirements for information in support of a request to expand the GCB. If the determination is that this should be considered through the regular RGS amendment process then a significant amount of information in support of the request is needed before the Board can consider the request. If the matter is considered using the minor amendment process, the only criterion is that the Town has conducted a full OCP review. For a regular amendment, the information that accompanies a request to amend the GCB is quite lengthy and includes: a land inventory demand and supply analysis; a land use concept plan; an environmental impact assessment; a hydro-geological study; details on water and sewer services; a hazard analysis; a transportation analysis; and, an inventory of aggregate deposits.

In terms of the process, the major differences between the two processes are the number of steps and that all of the member municipalities and adjacent regional districts must approve a regular amendment. The Minor amendment process only requires a majority of the Board to approve the RGS bylaw amendment.

Should the change to the GCB in the RGS be approved through the minor amendment process further amendments to the Town's OCP will need to be approved to have a GCB that is different than an Urban containment boundary. Following the establishment of an Urban Containment Boundary that is different than the GCB, the Town will have to submit a revised Regional Context Statement to the RDN.

SUMMARY/CONCLUSIONS

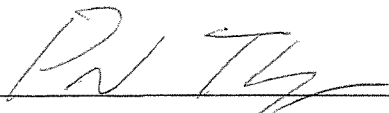
The Town of Qualicum Beach has submitted a request to the Regional District of Nanaimo to amend the Regional Growth Strategy so that the Town Boundary is the same as the Growth Containment Boundary. The Town states that the change to the GCB is the result of a full official community plan review and has requested that the amendment be processed through the process for approving minor amendments. Part of the minor amendment process is for the Sustainability Select Committee to review the request and make a recommendation to the RDN Board.

The minor amendment process only requires that a notice be sent to the member municipalities and adjacent regional districts prior to the Board giving readings to the bylaw amendment. Should the Board determine that this request cannot proceed through the minor amendment process then the request will have to be put on hold until the information required to evaluate an expansion of the Growth Containment Boundary is provided.

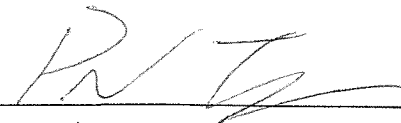
Given the process adopted by the Town of Qualicum Beach and the motion forwarded to the RDN Board for consideration, staff recommend that the request from the Town of Qualicum Beach to amend the RGS proceed through the process for approving minor amendments.

RECOMMENDATION

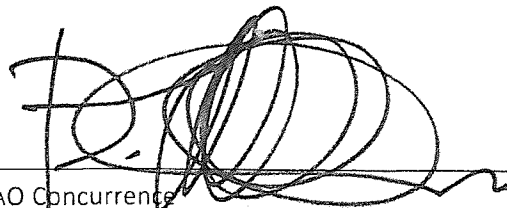
That the request from the Town of Qualicum Beach to amend the RGS proceed through the process for approving minor amendments.



Report Writer



For General Manager Concurrence

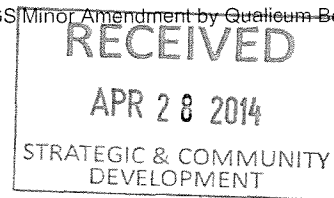


CAO Concurrence

Attachment 1

Process and steps to complete a Minor Amendment to the RGS as a result of changes to a municipal OCP

- | | |
|--|---|
| 1. OCP Review is Completed | Municipality completes a full OCP review process which results in a need to amend the RGS |
| 2. Municipality submits request for RGS Amendment to the RDN | Council forwards request to RDN Board to amend the RGS through the Minor Amendment Process |
| 3. RDN Staff prepare report | A report providing information on the request and amendment process is prepared for the Sustainability Select Committee |
| 4. Sustainability Select Committee | Committee reviews the request and makes a recommendation to the RDN Board |
| 5. RDN Board Meeting | Board receives recommendation from SSC. |
| a. Receive recommendation from SSC | A minimum of 2/3 of the Board must vote in favour to proceed as a Minor Amendment. If less than 2/3 Board vote in favour then amendment cannot proceed through Minor amendment Process. |
| b. Decide on whether the proposed RGS Amendment is Minor | If proceeding as a Minor Amendment, Board adopts a consultation plan. |
| c. Adopt consultation plan | Notice of the proposed RGS Minor Amendment is provided to the RDN's member municipalities and adjacent regional districts. They have up to 45 days to respond. |
| 6. Notify Affected Local Governments | |
| 7. RDN Board Meeting | |
| a. Receive comments from affected local governments | Board receives and considers comments from affected local governments |
| b. Give 1 st reading to bylaw | Board gives 1 st reading to bylaw |
| c. Give 2 nd reading to bylaw and maybe | If unanimous vote for 2 nd reading then no public hearing required and can give Bylaw 3 rd reading |
| d. Give 3 rd reading to bylaw | Board gives 3 rd reading to bylaw |
| 8. Public Hearing (only if required) | A public hearing is only required if there is <u>not</u> a unanimous Board vote in favour of giving the bylaw 2 nd reading |
| 9. RDN Board Meeting | |
| a. Give final reading to bylaw
Or | Final reading if 3 rd reading given at last meeting
or |
| b. Receive report from public hearing | Board receives report from public hearing and proceeds with giving 3 rd and final readings to the bylaw |
| c. Give 3 rd reading to bylaw | |
| d. Give final reading to bylaw | |
| 10. Notice to Municipality | A letter is sent to the municipality and other LGs informing them of the Board decision on the RGS bylaw |



TOWN OF QUALICUM BEACH

INCORPORATED 1942

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

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

April 24, 2014

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

Dear Board Members,

2014 OCP Review – Request for Growth Containment Boundary Amendment

I am writing to notify the Regional District of Nanaimo Board that the Town has given third reading to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014", which resulted from a "full Official Community Plan Review Process" in accordance with the procedural requirements of the *Local Government Act* and now requires an amendment to the Regional Growth Strategy.

Official Community Plan Amendment Bylaw No. 700.10, 2014 has been read three times and an Public Hearing was held on April 22, 2014. A large-format Public Information Meeting was held on March 4, 2014.

The following attachments are included as background material for this request and documentation of the OCP review:

1. January 13, 2014: Planning Report to Council;
2. February 20, 2014: Background report on OCP review topic. Circulated and posted to website (Updated April 15);
3. March 3, 2014: Planning Report to Council;
4. March 17, 2014: Planning Report to Council;
5. Complete Transcription of Written Comments Received during the March 4, 2014 Public Information Meeting;
6. April 7, 2014: Planning Report to Council. OCP amendment bylaw introduced and read a first time;
7. April 14, 2014: Planning Report to Council. OCP amendment bylaw read a second time;
8. April 22, 2014: Planning Report to Council (Public Hearing);
9. April 22, 2014 Draft Minutes;
10. Certified Copy of April 22, 2014 Council motion to request an amendment to the Regional Growth Strategy.

2014 OCP Review - Request for Growth Containment Boundary Amendment
April 24, 2014
Page 2

The Town hereby requests that the Growth Containment Boundary, as identified in "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011", be amended to include the entirety of the Town of Qualicum Beach following the process identified on Section 1.5.1 "Process for Approving Minor Amendments".

If you have further questions, please do not hesitate to contact me at Town Hall, 250.752.6921.

Yours truly,



Luke Sales, MCIP, RPP
Director of Planning

Attachments

cc John Marsh, Acting CAO, Town of Qualicum Beach
Heather Svensen, Corporate Administrator, Town of Qualicum Beach
Paul Thorkellson, CAO, RDN
Paul Thompson, Manager of Long-range Planning, RDN
Geoff Garbut, General Manager, Strategic & Community Development, RDN

file: 3900-20-700.10

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**Town of Qualicum Beach
MEMORANDUM**

TO: John Marsh, CMA, Deputy CAO

FOR: Regular Council Meeting, January 13, 2014

FROM: Luke Sales, Director of Planning

SUBJECT: Pheasant Glen – Official Community Plan (OCP) Review Work Plan Alternatives

RECOMMENDATION

- THAT Council directs staff to proceed with an OCP review in accordance with [insert Work plan 1, 2 and/or 3] of the January 13, 2014 Planning memo to Council;

PURPOSE

To consider alternative work plans for an OCP review in preparation for an application to amend the Regional Growth Strategy (RGS) through the minor amendment process.

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January 13, 2014 Planning Memo to Council
Pheasant Glen - OCP Review Work Plan Alternatives

BACKGROUND

On November 25th, 2013 a Committee of the Whole meeting was held to discuss the urban containment boundary, the Regional Growth Strategy, and the Pheasant Glen Destination Resort development proposal. At that meeting, the Committee of the Whole recommended that staff commence the application process for the Pheasant Glen development proposal, and staff indicated that work plan alternatives would be prepared for Council consideration.

“THAT the Committee of the Whole recommends THAT Council directs staff, at the January 2014 regular Council meeting, to commence the application for 1025 Qualicum Road, also known as Pheasant Glen including due process. ”

DISCUSSION

Based on the motion by the Committee of the Whole on November 25, 2013, staff have prepared three work plan alternatives for an OCP review that will enable the Town to apply to the Regional District of Nanaimo for a “minor amendment” to the Regional Growth Strategy (RGS). At the November 25th meeting, RDN staff clarified the distinction between two ways of amending the RGS: the regular amendment process and the minor amendment process. To qualify for the minor amendment process, the RGS amendment application must follow a full “OCP review process”. RDN staff emphasized that although an “OCP review” is different than a typical application review, the scope and work plan of the OCP review are primarily up to the discretion of the municipal Council.

In addition to the alternative work plans, a brief profile of two focused OCP reviews is provided for reference. One is from the City of Courtenay and the other is the 2012 Village Neighbourhood Planning project here in Qualicum Beach. See Appendix 3 for more information.

Referral process

After second reading of the OCP amendment bylaw, each of the OCP review alternative processes would be followed by an application to the RDN for a minor amendment to the RGS. The timeline of the RGS minor amendment review process is outside of Town control and the process is identical regardless of which work plan Council chooses; the three work plan alternatives for consideration by Council are only defined in detail up to the point of a referral.

The Pheasant Glen development application can be considered while the RGS amendment application is going through the process at the RDN, although the adoption of the Pheasant Glen amendment bylaw would need to wait for adoption of the RGS amendment. The process for considering minor amendments is outlined on pages 4-5 of the Regional Growth Strategy:

January 13, 2014 Planning Memo to Council
Pheasant Glen – OCP Review Work Plan Alternatives

“1.5.1 Criteria for Minor Amendments

1. Criteria under which a proposed amendment to the RGS may be considered a minor amendment include the following:

- Amendments resulting from a full Electoral Area or Municipal Official Community Plan review process;
- Text and map amendments required to correct errors or as a result of more accurate information being received;
- Amendments to incorporate changes to tables, figures, grammar, or numbering that do not alter the intent of the Regional Growth Strategy; and
- Addition or deletion, or amendment to Section 5.4 Key Indicators.

2. Although not considered as an exhaustive list, the following types of amendments are not considered minor:

- Those that lead to adverse changes to the health and ongoing viability of sensitive ecosystems and water sources;
- Those that include land in the Agricultural Land Reserve or will negatively impact agricultural lands;
- Those related to a development that would require significant works to address a natural hazard;
- Those that require the provision of new community water and sewer systems outside the Growth Containment Boundary; and,

1.5.2 Process for Approving Minor Amendments

1. On receipt of a request from a member municipality or an Electoral Area Planning Committee to amend the RGS, RDN staff will prepare a preliminary report for review by the Sustainability Select Committee. Committee comments and recommendations will be forwarded to the Regional Board.
2. A land use or development proposal or text amendment will be assessed in terms of the minor amendment criteria. The Board may resolve, by an affirmative vote of 2/3 of the Board members attending the meeting, to proceed with an amendment application as a minor amendment. Where the Board resolves to proceed with an amendment application as a minor amendment, the Board will:
 - a. Determine the appropriate form of consultation required in conjunction with the proposed minor amendment;
 - b. Give 45 days written notice to each affected local government, including notice that the proposed amendment has been determined to be a minor amendment. The notice shall include a summary of the proposed amendment and any staff reports, other relevant supporting documentation and the date, time and place of the board meeting at which the amending bylaw is to be considered for first reading; and
 - c. Consider the written comments provided by the affected local governments prior to giving first reading to the proposed amendment bylaw.
3. The bylaw may be adopted without a public hearing after second reading in the event that the amending bylaw receives an affirmative vote of all Board members attending the meeting.
4. Consider third reading and determine whether or not to adopt the amending bylaw.
5. Minor amendment bylaws shall be adopted in accordance with the procedures that apply to the adoption of a RGS under Section 791 of the *Local Government Act*. “

Source: 2011 Regional Growth Strategy, Bylaw No. 1615

January 13, 2014 Planning Memo to Council
Pheasant Glen – OCP Review Work Plan Alternatives

Overview of Work Plan Alternatives

The three OCP Review work plan alternatives would take the Town through an OCP review process intended to provide information to Council and assist with the subsequent review of the Pheasant Glen development application.

1. The first OCP review option looks at the Pheasant Glen site from the perspective of resort development in order to find an optimal configuration of tourism accommodation and/or permanent residential use.
2. The second option recognizes development potential in the area around Pheasant Glen and proposes a planning process to develop a Local Area Plan. A Local Area Plan for this area would be an effective tool for the management of the Town's land use pattern, transportation system, environmental features and future land-use decisions. This option includes a longer timeline to allow for extensive public consultation.
3. The third OCP review option addresses the governance aspect of regional growth planning and raises the question of whether the Town should be required to consult with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town. If the Growth Containment Boundary (GCB) in the RGS were the same as the municipal boundary, the Town could permit development in the areas that are currently outside of the GCB without amending the Regional Growth Strategy.

The OCP review options listed above vary in duration between three and eight months. Following the Town's OCP review, an application will be made to the Regional District for a minor amendment to the RGS. A referral to the Agricultural Land Commission and School District No. 69 Board would also be made at the same time.

January 13, 2014 Planning Memo to Council
 Pheasant Glen - OCP Review Work Plan Alternatives

2014 OCP Review Options		
<i>Timeline Comparison</i>		
Option 1: Site-specific	Option 2: Local Area Plan	Option 3: GCB Review
January	Staff initiates work plan chosen by Council	
February	Consultant: Report preparation Public Meeting	Feb 7: Planning RFP closes Feb 17: Council awards contract for Area Planning Public Meeting
March	Staff: Amendment bylaw drafting	Consultant work period Staff: Report with decision points. Amendment bylaws drafted.
	Staff report. Introduce bylaws	Initial Public Meeting Application to RDN
April	Application to RDN	Continued consultation (meetings, survey and/or charrettes)
May		Consultant: Plan preparation
June		Wrap-up public meeting
July		Final consultant report Consultant presentation to Council
August		Preparation of amendment bylaws
September		Application to RDN

January 13, 2014 Planning Memo to Council
Pheasant Glen – OCP Review Work Plan Alternatives

OCP Review Work Plan 1

Site-specific review: "Resort Development at Pheasant Glen"

A site-specific OCP review of the Pheasant Glen site would be based on an analysis of the economics of a destination resort development. With the intention of enabling the development of an economically-viable destination resort, the consultant would advise Council on the matter, including answers to the following questions:

- What's the right mix of tourism accommodation and permanent residential at Pheasant Glen?
- How does the Town ensure that the proposed amount of tourism accommodation is built and maintained?
- How will the proposed integration of permanent residential into the Pheasant Glen destination resort affect financial viability in the short term? Long-term?

The Pheasant Glen site would be the focus of this OCP review, but the outcomes of the study and potential OCP changes will be relevant to other sites that are zoned for tourism use. This OCP review option stems from the applicant's assertion that integrating permanent residential use is vital to the success of a destination resort. This focused OCP review would examine the integration of permanent residential dwellings into a destination resort to inform the Town's policies and bylaws with regard to tourist accommodation.

In 2009 the Town of Qualicum Beach commissioned Coriolis Consulting Corp. to complete an analysis of the retail and tourism market conditions in Qualicum Beach, identify gaps in the current market, evaluate new retail and tourism opportunities and suggest strategies that the Town could consider to take advantage of the opportunities.

If Council favours Work Plan 1, staff recommend that Coriolis Consulting Corp. be engaged to carry out this work as a follow-up to the 2009 "Qualicum Beach Retail and Tourism Gap and Opportunity Analysis". Jay Wollenberg of Coriolis Consulting has prepared a brief proposal that outlines the scope of work and deliverables for a focused review of permanent residential development at Pheasant Glen, attached as Appendix 1.

Timeline: (Tourism Analysis of Pheasant Glen Destination Resort)

- January: Coriolis Consulting Corp. engaged to advise Council on a focused OCP on the integration of permanent residential at the Pheasant Glen destination resort;
- February: Large-format public meeting to review tourism designations in the OCP. Consultant presents report, overview of destination resort economics, why/how permanent residential use could be integrated;
- March: Report to Council, 1st and 2nd reading of amendment bylaw
- April: Application for Minor RGS amendment.

If Council chooses to proceed with both Work Plan 1 and Work Plan 2, the timeline above would be adjusted to coordinate public meetings.

January 13, 2014 Planning Memo to Council
 Pheasant Glen – OCP Review Work Plan Alternatives

OCP Review Work Plan 2
South Qualicum Beach Local Area Plan

The proposed study will establish a planning framework for land use, transportation planning and utility installations. Consultants will be expected to consult with the public through an intensive public consultation process to establish the foundation of a neighbourhood plan. The primary goal is to establish “good bones” for the area to ensure that current land use decisions do not limit land use decisions in the future.

Potential Consultants

Staff recommend a targeted Request for Proposals (RFP) process to streamline the consultant selection process. If Council wishes to pursue Work Plan 2, the attached Terms of Reference in Appendix 2 will be sent in an RFP to the following qualified consulting firms with local planning experience:

- JWT Architecture and Planning (JWT)
- Urban Systems
- Golder & Associates
- Ekistics

If Council selects Work Plan 2, proposals will be evaluated according to the following evaluation criteria, and a recommendation to Council will be prepared for the February 17th Council meeting.

Criteria	Maximum Points
Previous related work	25
Budget	25
References	25
Proposed work plan	25
Total Points Available	100

Timeline: (South Qualicum Beach Local Area Plan)

- January 17: Issue RFP for consultant services
- February 7: RFP closes
- February 17: Council awards contract
- Mid-March: Large-format Public Meeting
- April: Stakeholder meetings and/or charrettes
- June: Second large-format public meeting
- July: Consultant report presented to Council
- August: Staff prepare draft OCP amendments
- September: First and second reading of amendment bylaw, application for minor RGS amendment

If Council wishes to accelerate the process by eliminating the RFP and associated review, staff would recommend that JWT be selected based on recent experience and a strong recommendation from the City of Courtenay. Eliminating the RFP would accelerate the timeline by approximately one month, depending on the amount of time needed for JWT to provide a proposal.

January 13, 2014 Planning Memo to Council
Pheasant Glen - OCP Review Work Plan Alternatives

OCP Review Work Plan 3 ***Growth Containment Boundary Review***

The Town of Qualicum Beach, along with partnering municipalities, adopted the "Regional District of Nanaimo (RDN) Growth Management Plan" in 1997. This plan was the first iteration of what is now known as the Regional Growth Strategy (RGS). The RGS was implemented in response to residents' concerns about the impacts of rapid population growth and unconstrained development in the late 1980s and early 1990s. One of the key policies of the RGS is the establishment of Growth Containment Boundaries (GCBs), which delineate the areas where most development is permitted to occur.

This OCP review process would frame the issue of the growth containment and land use planning as one of governance rather than land use policy.

Expanding the GCB to match the Town boundary would:

1. Remove the requirement that partnering municipalities and the Regional District consent to change the amount or form of development to urban in areas outside of areas currently intended for urban development. The Town would have complete autonomy over land use decisions for land not in the ALR.
2. Decrease the length of time to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP with respect to where urban development is supported.
3. Alter the potential demand for infrastructure and utilities (distribution, collection, supply) for water, sewer, drainage, roads etc.

An OCP review of the GCB could be conducted by Town staff since it does not require specialized services and the scope of work is less intensive than the other options. Work Plan 3 was suggested as an alternative by RDN staff.

Key Question:

- Should the Town's Growth Containment Boundary be the same as the municipal boundary?

Consultant: none

Timeline: (Review of GCB)

- February 6th: Large Format Public Meeting to introduce the issue of regional growth management;
- March 3rd: Staff report summarizing feedback, requesting direction on key decision points;
- March: Staff prepare draft OCP amendments;
- March 17: 1st and 2nd reading of amendment bylaw, application for minor RGS amendment to follow.

January 13, 2014 Planning Memo to Council
Pheasant Glen – OCP Review Work Plan Alternatives

SUMMARY


Each of the three alternative work plans in this memo is a focused OCP review that would enable the Town to apply to the Regional District of Nanaimo for a “minor amendment” to the Regional Growth Strategy. It should be noted, however, that the RDN board will ultimately determine whether the RGS amendment application is “minor”. The Pheasant Glen development proposal could be considered after the application has been made to the RDN, or the proposal could wait for the outcome of the RGS amendment process.

Based on the Committee of the Whole recommendation from the meeting on November 25, 2013, staff have prepared three work plan alternatives that will commence the due process required to consider the development proposal for Pheasant Glen. Each of the work plans has its own merit; alternatives are included that would direct staff to initiate the review process at a later date.

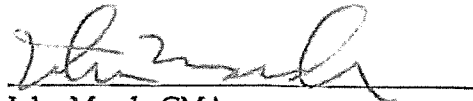
Work Plan 1 and Work Plan 2 would both offer a valuable perspective and help the Town make informed decisions on the review of development applications in South Qualicum Beach; Council may wish to initiate both Work Plans (Alternative 1). Alternative 2 would give direction to start on one of the work plans at a later date.

ALTERNATIVES

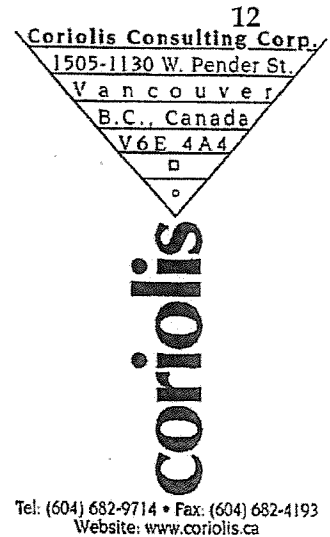
1. **THAT** Council directs staff to initiate an OCP review process including both Work Plan 1 and Work Plan 2 of the January 13, 2014 Planning memo to Council;
2. **THAT** Council directs staff to proceed with an OCP review in accordance with [insert Work plan 1, 2 and/or 3] of the January 13, 2014 Planning memo to Council in [insert date];
3. **THAT** Council directs staff not to proceed with an OCP review related to the Pheasant Glen OCP/zoning amendment application;
4. Provide alternative direction to staff.



Luke Sales, MCIP, RPP
Director of Planning
Report Writer



John Marsh, CMA
Deputy Chief Administrative Officer
Concurrence



VIA EMAIL

7 January 2014

Mr. Luke Sales
Director of Planning
Town of Qualicum Beach

Dear Mr. Sales:

Re: Proposal for Pheasant Glen Analysis

As you requested, I have outlined a proposal for assisting the Town in the evaluation of development alternatives for the Pheasant Glen property.

Background

The Pheasant Glen property is currently designated for destination resort development. A golf course has been completed, but the planned tourist accommodation has not. The developer has recently proposed an amendment to the designation of the property to allow the development of some permanent residential use, on the grounds that developing resort accommodation on its own is not economically viable. The Town wants the destination resort development to occur and wants to know whether such development is not viable on its own or if the inclusion of residential could accelerate the resort development without compromising the project's ability to contribute to the growth of the Town's tourism sector.

The Town has asked Coriolis to submit a proposal for a market and financial analysis that will help the Town decide on the position it should take with regard to changing the designation of the property.

Objectives

The market and financial analysis will address these questions:

1. Is the development of tourism accommodation at Pheasant Glen economically viable on a stand-alone basis?
2. If so, how should the Town respond to the developer's proposal?
3. If not, would the inclusion of a permanent residential component make the whole project (tourism accommodation with permanent residential) viable?
4. What is the appropriate mix of tourist accommodation and permanent residential?
5. How could the Town structure an approval of a mixed development to ensure that the tourism component proceeds?

Approach

We suggest the following approach:

1. We will need detailed information from the Town about the Pheasant Glen property including:
 - The existing approved development plan, zoning, and OCP designation.
 - The golf course and related development that has occurred on the site.
 - The developer's application (and all supporting background information) for the amendment.
 - Site plans.
 - Existing road access and servicing.
2. We will review the site's location in the Town and regional context, with regard to OCP designations and the urban containment boundary.
3. We will review current market conditions for overnight visitor accommodation in the Qualicum/Parksville area. This review will include roofed tourist accommodation but not campgrounds and RV parks. The review will include:
 - Occupancy trends.
 - Room/unit rate trends.
4. We will review market conditions and selling prices for time share and individually-owned rental pool condominiums in the area.
5. We will examine available indicators of total tourism market trends in mid Vancouver Island including BC Ferry passenger volumes, passenger counts at the Nanaimo and Courtenay/Comox airports, and overall hotel occupancy data.
6. We will review recent/proposed changes in the inventory of accommodation including recent additions, recent closures, and any development proposals in order to estimate the likely total supply of accommodation in the region.
7. We will try to arrange a telephone conference call with the Pheasant Glen developer, to obtain available information about the performance of the existing golf course (number of rounds per year, resident vs. visitor rounds, annual net operating income) and to discuss the developer's perspective on the tourism accommodation prospects for the site.
8. We will evaluate the strengths and weaknesses of the Pheasant Glen site and compare with existing or potential competing tourism accommodation properties in the area.
9. We will produce a high level financial analysis of potential hotel-type tourism accommodation at Pheasant Glen, in which we will forecast annual operating income (based on our estimate of achievable occupancy rate and average room rate) after operating expenses and compare with the cost of creating the accommodation, to see if the project would be profitable. We will also estimate the sales price of rental pool or timeshare condo development and compare with construction cost.
10. If tourism accommodation does look profitable, we will re-contact the developer to discuss our preliminary findings and aim to understand the difference in perspectives.
11. If tourism accommodation does not look profitable, we will obtain market data about the land value associated with single family and multifamily unit types that could be considered for inclusion in a residential development at the Pheasant Glen property.
12. We will estimate the financial performance of single family subdivision and multifamily unit development.

13. If permanent residential development is financially attractive, we will estimate the financial performance of a mixed tourist and permanent residential development as an input to determining how much residential is needed to make the whole project (including the tourist accommodation) financially viable.
14. Based on the analysis we will provide conclusions and recommendations to the Town regarding:
 - Whether a residential component should be included.
 - How the approval of a residential component could be justified to the broader community and other land owners outside the urban containment boundary so as to minimize the tendency to view this approval as a precedent for other residential developments in the area.
 - The appropriate mix of residential and tourist accommodation.
 - Facilities and amenities that should be included in the project.
 - How the project should be phased and approaches the Town can use to ensure that the tourist component of the project is delivered.
15. We will document the entire analysis in a concise report.
16. We will present our findings to the Town and to the public at a community meeting that the Town intends to organize.

Schedule

We can start this work in the second half of January 2014 and complete the work by late February.

Budget

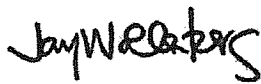
We suggest the following budget:

Fee for analysis and report	\$9,000
Fee for attendance at public meeting	\$2,000
Disbursements (including travel and accommodation)	\$1,000
<u>Total</u>	<u>\$12,000</u>

Taxes are in addition.

Yours truly,

CORIOLIS CONSULTING CORP.



Jay Wollenberg

January 13, 2014 Planning Memo to Council
Pheasant Glen - OCP Review Work Plan Alternatives

Appendix 2: South Qualicum Beach Local Area Plan (Work Plan 2) DRAFT Terms of Reference

Overview

During the 2011 Official Community Plan (OCP) Review the Town of Qualicum Beach received a number of "Big Ideas" that proposed additional development potential within the framework of the OCP. Several of the proposals were in the South Qualicum Beach area. The "big ideas" were not supported by Council and were not incorporated into the OCP update. The Town may wish to reconsider these and/or other development proposals in the area, and therefore proposes to proactively develop a Local Area Plan that will look at transportation, land use and environmental concerns as well as establish guidelines for the overall development and infrastructure.

The preparation of a Local Area Plan will provide an effective tool for the management of the Town's land use pattern, transportation system, environmental features and future land use decisions on growth. It will provide a framework for land use decisions and possible reconsideration of the Town boundaries in the future.

The Local Area Plan should provide specific recommendations regarding:

- Residential mix and densities
- Major parks, open space and environmental areas
- Pedestrian and bicycle linkage systems within and through the area, providing connections to other areas of town
- Protection of environmentally sensitive areas

The 2014 South Qualicum Beach Local Area Plan would be followed up in a subsequent project to bring a tighter focus to the Local Area Plan. For reference, a future OCP review would address topics such as:

- More detailed master planning
- A review of the Town boundary
- Density and Form and Character guidelines

Study Area

The proposed study area is generally defined in the attached Schedule 'A'. Consultants may choose to expand or refine the area as needed to set the framework. The proposed development area is approximately 2 km from the Village Neighbourhood of Qualicum Beach.

January 13, 2014 Planning Memo to Council
Pheasant Glen – OCP Review Work Plan Alternatives

Schedule and Deliverables

The primary objective of the Project is to prepare a draft Local Area Plan that can be integrated into the Town of Qualicum Beach Official Community Plan. The consultant is expected to undertake significant public consultation through the development of the plan to ensure that the plan reflects community interests in South Qualicum Beach, both now and in the future.

The tentative schedule is as follows:

- February 17: Council awards contract;
- Mid-March: Large-format Public Meeting;
- April: Stakeholder meetings, survey and/or charrettes;
- Mid-June: Large-format public meeting;
- July: Final report and presentation to Council (Final Written Report: Four copies, and electronic copy).

Resources

The Town will provide maps, bylaws and other information applicable to the area. Town staff will be available to the Consultant for meetings and information.

January 13, 2014 Planning Memo to Council
Pheasant Glen – OCP Review Work Plan Alternatives

Appendix 3: Sample OCP Reviews

Project Name: Village Neighbourhood Planning Project OCP Review

Municipality, Date: Town of Qualicum Beach, 2012

Timeframe: Five months to initial bylaw consideration (March – July 2012)

Consultant: none

The 2012 Village Neighbourhood Planning Project is the most recent case study in Qualicum Beach of a focused OCP review. Beginning in March of 2012, staff were requested to complete a consultation process and OCP amendment process that would reduce the barriers to development in the Village Neighbourhood.

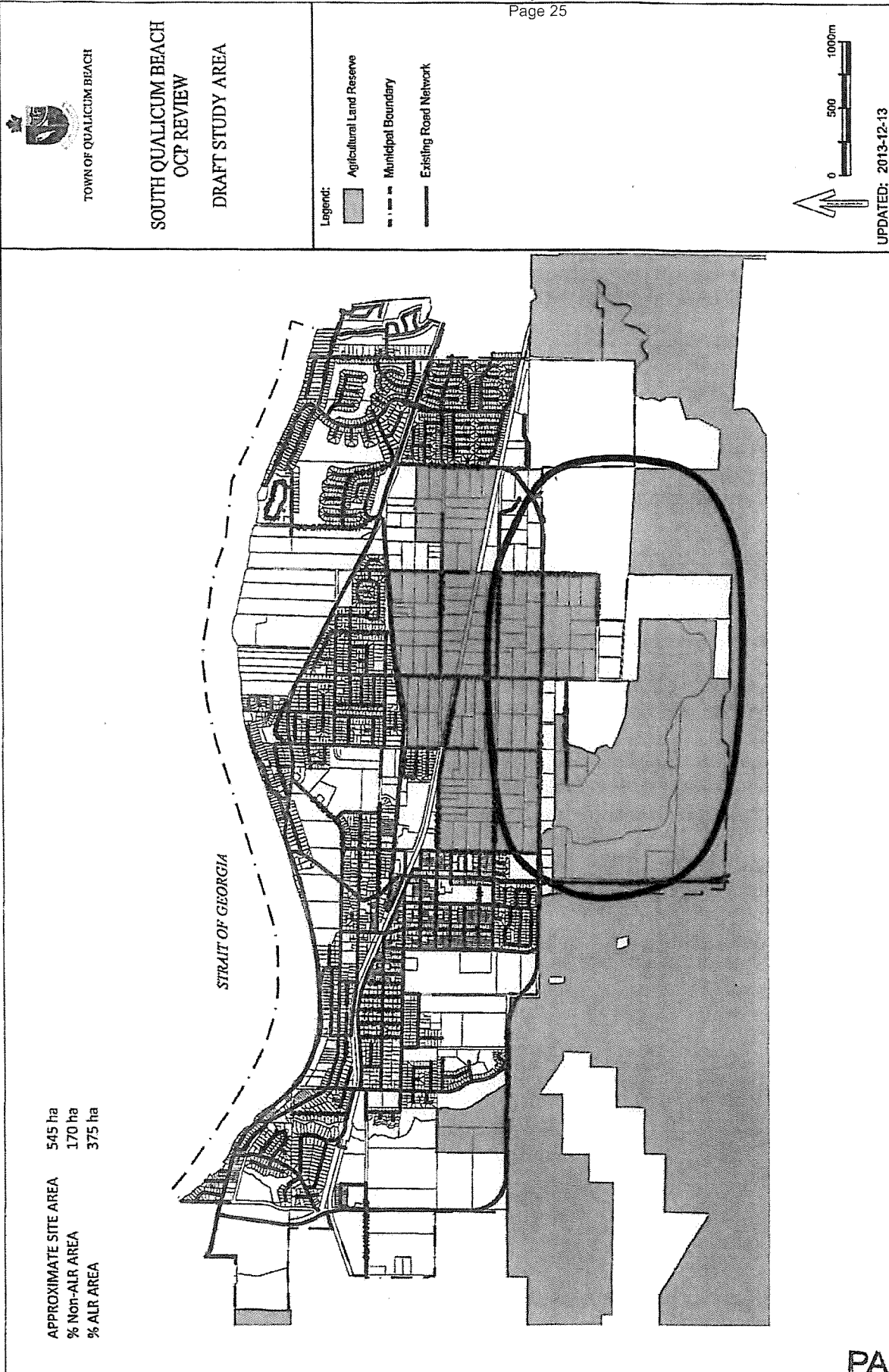
The Village Neighbourhood has been identified for development and densification since the 1998 OCP. Village Neighbourhood development increases the vibrancy of the downtown, improves amenities for residents, supports local schools, provides housing that is within walking distance of businesses and services and supports many of the other OCP goals. Village Neighbourhood development makes efficient uses of existing servicing and resources, and does not diminish the ecological integrity of the Town's surrounding ecosystems in the way that "greenfield" development does.

In the 2012-2014 Corporate Strategic Plan, Council identified four primary strategic goals/directions. Economic recovery was ranked as a top priority with the following direction: "Economic recovery: Infill downtown, analysis of Town policies and bylaws to encourage infill on empty lots."

The project was implemented in five steps:

1. Identify barriers to development
2. Explore alternatives
3. Engage residents and stakeholders
4. Decide on action
5. Implement decision

The process proceeded through the first four steps in approximately five months, including a resident/stakeholder survey and two Committee of the Whole meetings. This was followed by the statutory bylaw amendment process that included additional public input. The bylaws were adopted in September 2012.



January 13, 2014 Planning Memo to Council
Pheasant Glen – OCP Review Work Plan Alternatives

Appendix 3: Sample OCP Reviews – continued

Project Name: Arden Corridor Local Area Plan OCP Review

Municipality, Date: City of Courtenay, 2012

<p>Timeframe: Six months to initial plan (July – December 2012)</p> <p>Consultant: JWT Architecture and Planning</p> <p>Budget: \$30,000</p>

Summary

The Arden Corridor Local Area Plan (LAP) study area is located on the City of Courtenay’s western boundary and encompasses an area approximately 413 hectares or 1022 acres in size. Approximately 40% of these lands are currently within the City of Courtenay; the other 60% is within Electoral Areas A and C and are under the jurisdiction of the Comox Valley Regional District.

The LAP was initiated in order to respond to growing development pressure within the City’s boundaries, as well as anticipate development that will eventually occur in the Electoral Area lands. Within this study area, the lands currently within the Electoral Areas are designated Settlement Expansion Areas which means that settlement was permissible in these areas upon a number of criteria being met, as stated in the Comox Valley Regional Growth Strategy (RGS). The LAP allowed the community to plan for increasing development pressure in the Arden area by establishing a clear vision for the corridor. From its conception, the Plan aimed to actively include the perspectives of the community. A consultation strategy provided a range of opportunities for residents to have their say. A number of community agencies and organizations also participated in the creation of the Plan.

Detailed information about the Arden Planning process can be found on the City of Courtenay website.

Planning Reports Regular Council Meeting

January 13, 2014

4 (A)

**PHEASANT GLEN – WORK PLAN
ALTERNATIVES**

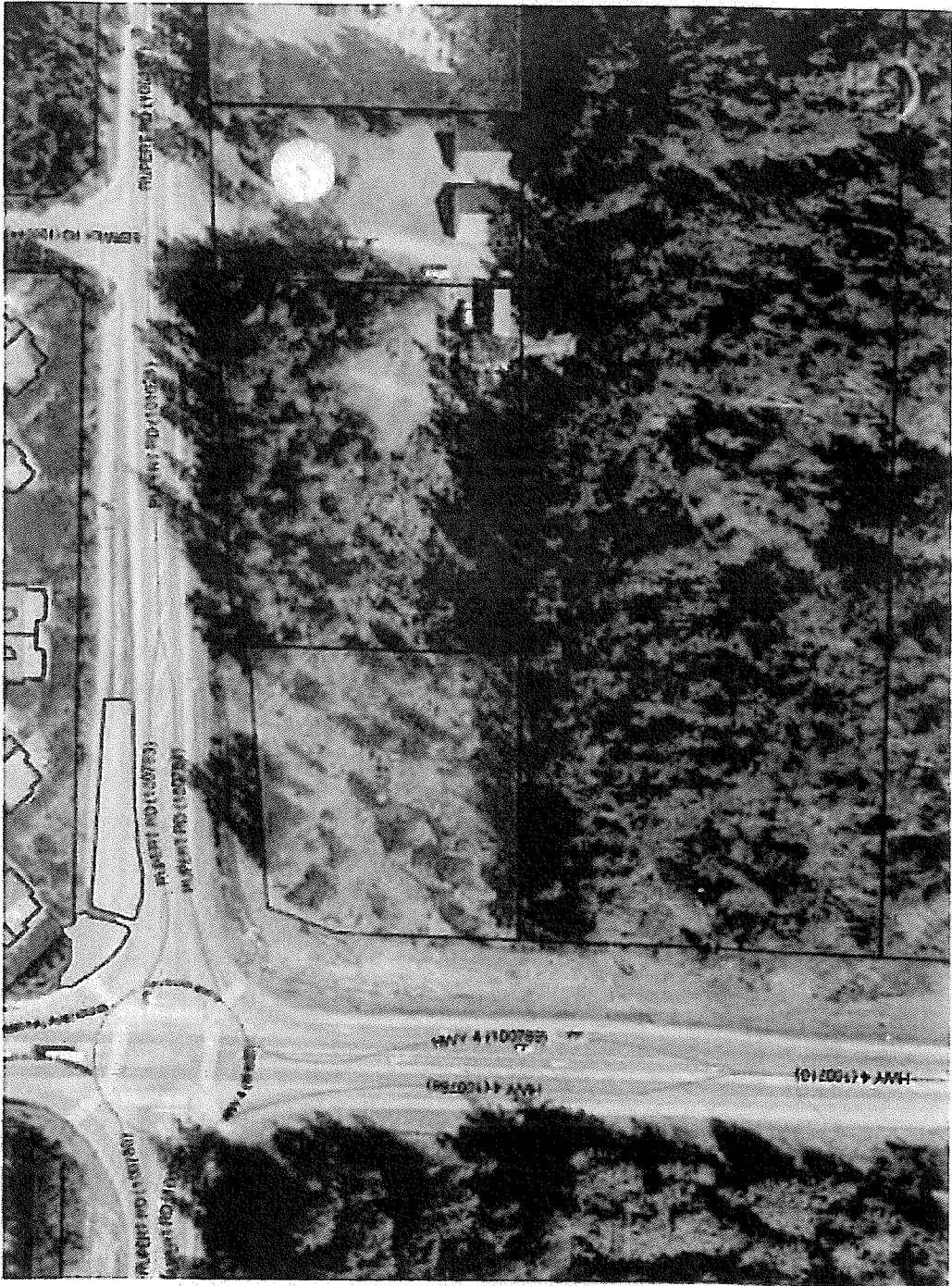
OCP Review Options

1. Site-specific – review of tourism accommodation and/or permanent residential use.
2. South Qualicum Beach - Local Area Plan
3. Growth Containment Boundary Review

2014 OCP Review Options			
<i>Timeline Comparison</i>			
Option 1: Site-specific	Option 2: Local Area Plan	Option 3: GCB Review	
	Staff initiates work plan chosen by Council		
January	Consultant: Report preparation Public Meeting	Feb 7: Planning RFP closes Feb 17: Council awards contract for Area Planning	Public Meeting
February	Staff: Amendment bylaw drafting	Consultant work period	Staff: Report with decision points. Amendment bylaws drafted.
March	Staff report. Introduce bylaws	Initial Public Meeting	Application to RDN
April	Application to RDN	Continued consultation (meetings, survey and/or charrettes)	
May		Consultant: Plan preparation	
June		Wrap-up public meeting	
July		Final consultant report	
		Consultant presentation to Council	
August		Preparation of amendment bylaws	
September		Application to RDN	

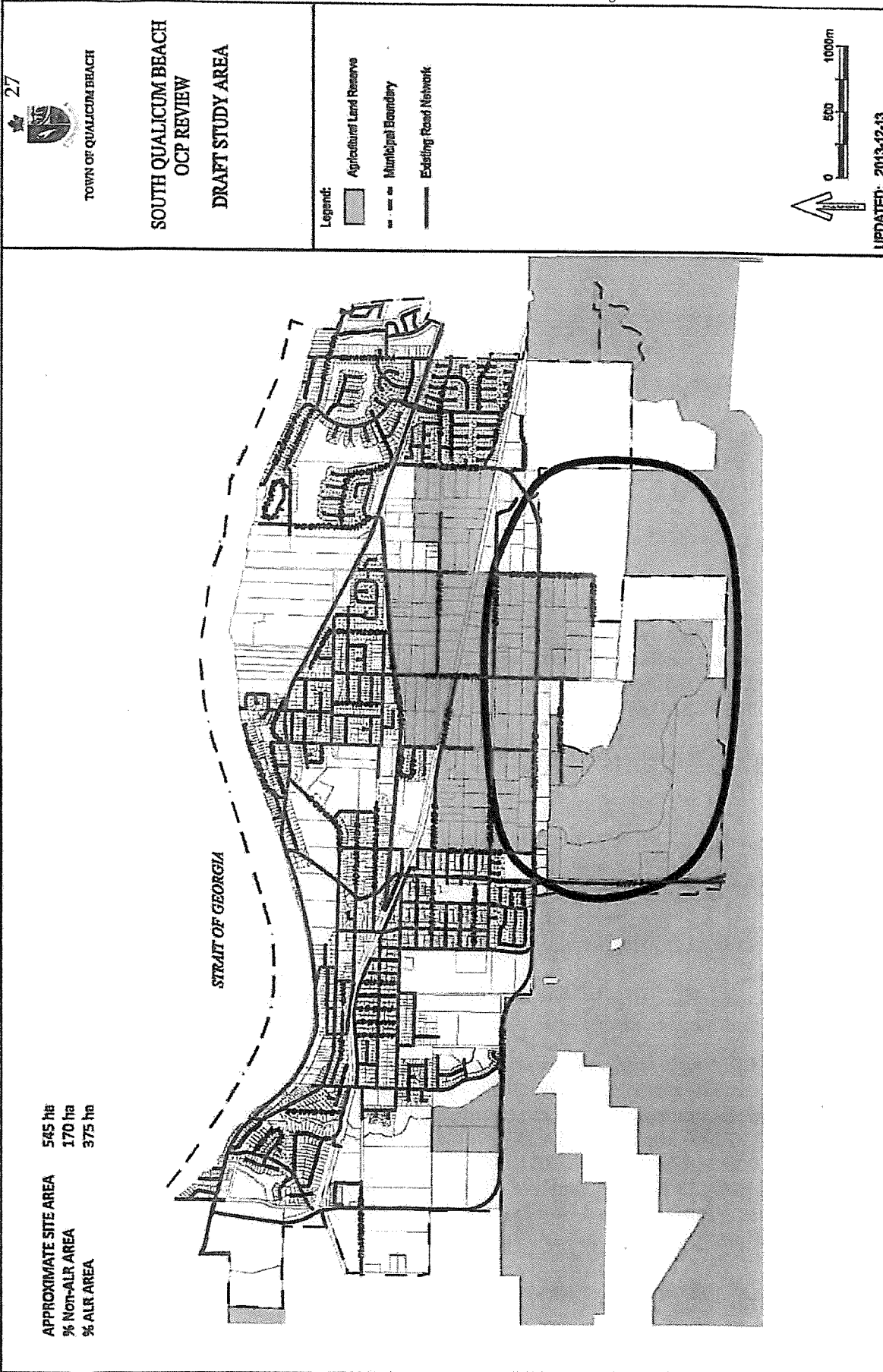
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FIRE HALL – PARK LAND CONFIGURATION



Examples of Park Reconfiguration







TOWN OF QUALICUM BEACH

2014 OCP Review – Growth Containment Boundary BACKGROUND REPORT

Prepared for the March 4, 2014 Public Information Meeting
Updated April 15, 2014

Key Question:

Should the Town's Growth Containment Boundary be the same as the municipal boundary?

Introduction

The Town is currently reviewing its Official Community Plan (OCP) to determine whether the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS) should include the entire Town or only a portion of the Town as is the current designation. This OCP review specifically addresses the governance aspect of regional growth planning and raises the question of whether the Town of Qualicum Beach should be required to consult with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town.

Growth Containment Boundary (GCB) vs. Urban Containment Boundary (UCB)

Currently, the GCB and UCB include the same areas within the Town. However, the Town only controls the UCB.

- Growth Containment Boundaries are in the RGS and are under the jurisdiction of the Regional District of Nanaimo.
- The Urban Containment Boundary (UCB) is defined by the Town of Qualicum Beach Official Community Plan (OCP) and is under the jurisdiction of the Town.

Although the Town's GCB currently follows the same alignment as the Town's UCB, the two do not have to be the same. For example, during the RGS review leading up to the adoption of an updated RGS in 2011, the City of Nanaimo requested that the entire municipality be within the Growth Containment Boundary (GCB), as identified in the Regional Growth Strategy. The City of Nanaimo maintains an Urban Containment Boundary (UCB) within its Official Community Plan that is not at the municipal boundary, and excludes ALR land and other areas not intended for development. Currently, the Town is considering a similar change that would result in a Growth Containment Boundary that is different than from the Urban Containment Boundary.

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

Why would the Town set the GCB at the municipal boundary?
Expanding the GCB to match the Town boundary would:

1. Simplify the governance structure

Currently, the Regional District of Nanaimo and member municipalities have a role in permitting or denying urban growth and servicing within some areas of the Town. Setting the GCB at the Town boundary would remove the need for partner municipalities and the Regional District to consent to changes to the amount or form of development to urban use or density in areas outside of those that are currently intended for urban development. Town of Qualicum Beach Council would have complete autonomy over land use decisions for land that is not located in the Agricultural Land Reserve. Within the bounds of a GCB, a municipality does not have to consult with the Regional District of Nanaimo or other member municipalities. The Town can, however, maintain a separate UCB that designates some areas for growth, while restricting development potential in other areas.

If the GCB is set at the Town boundary, the Regional District of Nanaimo would no longer have a role in permitting or denying urban growth and servicing within the Town.

2. Shorten the process for some land use changes

Currently the process for approving a development application for lands outside of the Growth Containment Boundary is long and cumbersome. Setting the GCB at the Town boundary would decrease the length of time required to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP, with respect to where urban development is supported. The approval process would be unchanged for areas that are currently within the Growth Containment Boundary.

Presently, developers intending to develop land outside of the Growth Containment Boundary can initiate a change to the Regional Growth Strategy by applying to the Town for an OCP amendment. This allows the Town to decide whether it wants to proceed with an RGS amendment. Effectively, the Town would become the sponsor of an application to the RDN for an RGS amendment.

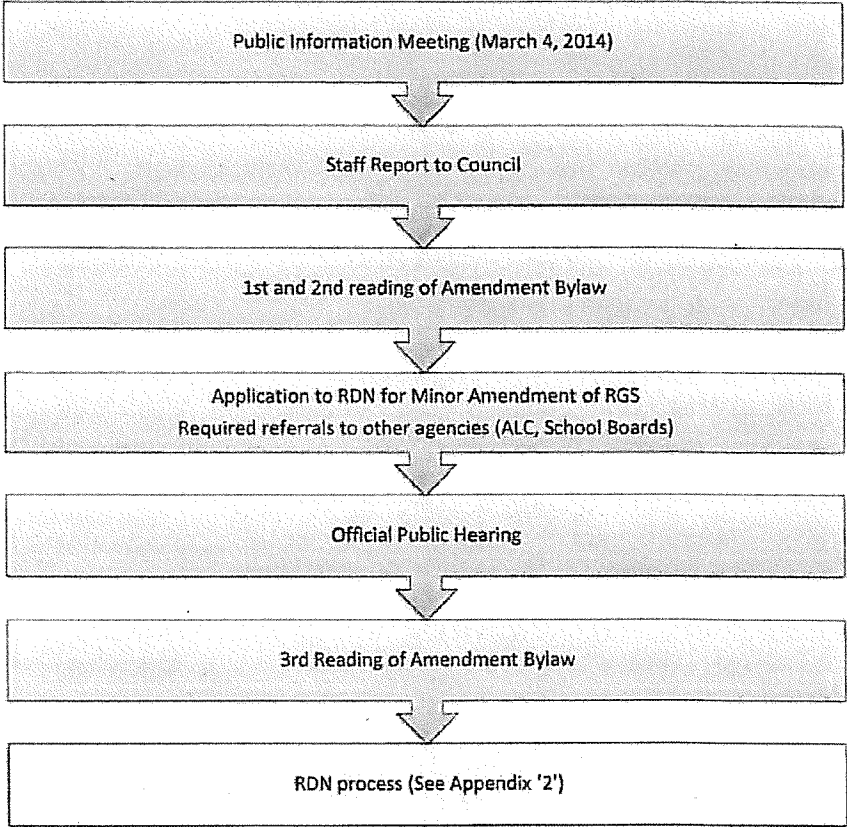
RGS amendment applications are currently analyzed on a project-by-project basis to ensure that they coincide with the goals set forth by the RGS. Based on the timelines for applications to the RDN in other areas, the process for a Regional Growth Strategy amendment application may take one to two years. The rigorous process for amending the RGS limits the speed with which local governments can permit urban development or provide servicing to areas outside of the GCB.

Expanding the GCB to include ALR land would have little effect on the Town's ability to permit development in these areas. Changing the GCB to the Town boundary would primarily affect non-ALR properties outside of the GCB. There are 909 hectares of land inside the GCB and 869 hectares of land outside the GCB. Of the land outside the GCB, 354 hectares is not in the ALR.

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

Updated

What's the process?
Growth Containment Boundary OCP Review Process



2014 OCP Review - Growth Containment Boundary Background Report
February 20, 2014

About the RGS and RDN

The Town of Qualicum Beach, along with partner municipalities, adopted the "Regional District of Nanaimo (RDN) Growth Management Plan" in 1997. This plan was the first iteration of what is now known as the Regional Growth Strategy (RGS). The RGS was implemented in response to residents' concerns about the impacts of rapid population growth and unconstrained development in the late 1980s and early 1990s. One of the policies of the RGS is the establishment of Growth Containment Boundaries (GCBs), which delineate the areas where most development is permitted to occur. Within the RGS, GCBs include urban areas and "Rural Village Centres" and generally exclude the Agricultural Land Reserve (ALR), resource land and rural areas.

The Regional District of Nanaimo provides regional governance and services throughout Vancouver Island's central east coast. Communities within the RDN include the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach, as well as seven unincorporated Electoral Areas. Established in 1967, the RDN is British Columbia's third most populous Regional District.

The RDN is governed by a 17-member Regional Board, comprised of ten directors from locally-elected municipal councils, and seven directors elected by Electoral Area residents. Board members also sit on a variety of regional select and standing committees for key services, as well as the RDN Committee of the Whole.

Growth Containment Boundary

"Growth Containment Boundaries (GCBs) are geographically-based lines shown on RGS maps that define where growth is intended to be directed. The Growth Containment Boundary is intended to control urban sprawl and to encourage the development of compact, complete communities within municipalities or within a Rural Village Area in electoral areas. Land situated outside the GCBs is intended primarily for rural purposes that require limited infrastructure and services."

- 2011 RGS, Glossary

2014 OCP Review - Growth Containment Boundary Background Report
February 20, 2014

What's the Next Step?

Following the Town's OCP review, if Council decides that the GCB should be the same as the municipal boundary, an application will be made to the Regional District for a minor amendment to the RGS. A referral to the Agricultural Land Commission and School District No. 69 Board would also be made at the same time to comply with the *Local Government Act*.

RGS Amendment Process

At the Committee of the Whole meeting on November 25, 2013, RDN staff clarified the distinction between two ways of amending the RGS: the regular amendment process and the minor amendment process. To qualify for the minor amendment process, a municipality must undertake a full "OCP review process". RDN staff emphasized that although an "OCP review" is different than a typical application review, the scope and work plan of the OCP review are primarily up to the discretion of the municipal Council. After third reading of the OCP amendment bylaw, the Town would apply to the RDN for a minor amendment to the RGS. This process is detailed on the attached Appendix "A".

Contact

For questions or comments about this OCP review process, please contact me directly:



Luke Sales, MCIP, RPP
Director of Planning
Town of Qualicum Beach

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

The Town of Qualicum Beach held a public information meeting on March 4, 2014 to discuss whether the Growth Containment Boundary (GCB) should match the municipal boundary. The following are written comments that were received as feedback from attendees through the forms that were distributed to them at the meeting.

Expanding the GCB to match the Town boundary would:

Q1. Remove the requirement that partnering municipalities and the Regional District consent to increase the amount of urban development in areas outside of areas currently intended for urban development. The Town would have autonomy over land use decisions for land within the Town that is not in the Agricultural Land Reserve (ALR).

Q1 – BENEFITS

A GCB change may help speed up a project that can enhance a town
The only beneficiaries would be developers, Councillors, Pheasant Glen
Cannot see any benefit at this time and am opposed to any boundary change
None
Why wouldn't the Town decide for the Town. The Town knows the Town best, and should make the Town decisions; It would allow the Town to stimulate the economy in ways they see fit; React dynamically to world/local changes.
No Benefits
Few!! Don't see the benefits here.
Developers, Councillors
Administratively simple and enhances the Town's autonomy; Practically, we are not speaking of much new land being added as potentially developable
Town should take complete responsibility for land use within its boundaries; Reduce cost/bureaucracy
Potential to connect Eaglecrest community with North Qualicum
Why does Council want to increase urban development in Qualicum Beach. Should this not be a community decision?
More encouragement to Councils' favourite developers to benefit at taxpayers' expense
Other areas don't control TQB decisions on Growth; TQB has control over land use decisions within the Town's boundaries
NONE
Yes – lets simplify the process; Better coordination of services; No need for Regional consultations of land use within municipal boundaries
With the old method we have a beautiful village with no big debt; why change now?
Council could make changes based more on their own bias – therefore it would facilitate their fast decision and benefit a developer – not really a 'benefit' but a negative
Removes other levels of government from land use decisions in QB
Faster permits; more control over areas within boundaries; more say in developments?
Quicker permits; more control over areas within boundary, more say on how these areas are developed
Only the developer and not the tax payers! We have been ignored by 3 members of Council and 1 newspaper person. If they resigned now our community would obviously benefit from a balanced approach! There has to be a structure to impeach people who represent only 1 group i.e. developers
Will benefit developers
None at this time
May reduce coordination burden with neighbouring municipalities; may allow better reaction if market changes; Town should plan long ahead for its containment boundary
None

**Town of Qualicum Beach
MEMORANDUM**

TO: John Marsh, CMA, Acting CAO

FOR: Council Meeting, March 3, 2014

FROM: Luke Sales, MCIP, RPP, Director of Planning;

SUBJECT: 2014 OCP Review - Growth Containment Boundary

RECOMMENDATION

For information purposes only.

PURPOSE

To provide a copy of the report about the 2014 Official Community Plan review of the Growth Containment Boundary (GCB) in advance of the March 4, 2014 Public Information Meeting on this topic.

BACKGROUND

The Town is currently reviewing its OCP to determine whether the Growth Containment Boundary (GCB) in the RGS should include the entire Town or only a portion of the Town as is the current designation. This OCP review specifically addresses the governance aspect of regional growth planning and raises the question of whether the Town of Qualicum Beach should be required to consult with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town.

DISCUSSION

Residents, business owners and stakeholder groups are invited to join Town staff and Council at a Public Information Meeting to discuss the Growth Containment Boundary and the benefits and drawbacks of aligning it with the Town's boundary.

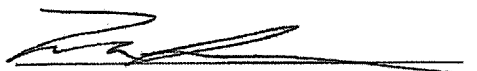
Date: Tuesday, March 4, 2014
Time: 7pm-9pm
Location: Qualicum Beach Civic Centre,
747 Jones Street, Qualicum Beach

A presentation by Town staff will begin at 7pm


The attached report was distributed to an extensive email distribution list and uploaded to the Town's website. Also attached to this report is an excerpt from the Regional Growth Strategy about the minor amendment process.

ALTERNATIVES

For information purposes only



Luke Sales, MCIP, RPP
Director of Planning
Report Writer



John Marsh, CMA
Acting CAO
Concurrence



TOWN OF QUALICUM BEACH

BACKGROUND REPORT: 2014 OCP Review – Growth Containment Boundary

Public Information Meeting

7:00 pm, March 4, 2014
Civic Centre, 747 Jones Street, Qualicum Beach

Guiding Question:

Should the Town's Growth Containment Boundary (GCB) be the same as the municipal boundary?

The GCB is identified in the Regional District of Nanaimo Regional Growth Strategy (RGS) and broadly defines the growth areas within the region. The Town is pursuing a change to the GCB to change the governance requirements within the Town. To affect this change, the Town must review and amend its Official Community Plan (OCP).

The Town is currently reviewing its OCP to determine whether the Growth Containment Boundary (GCB) in the RGS should include the entire Town or only a portion of the Town as is the current designation. This OCP review specifically addresses the governance aspect of regional growth planning and raises the question of whether the Town of Qualicum Beach should be required to consult with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town.

Growth Containment Boundary (GCB) vs. Urban Containment Boundary (UCB)

Currently, the GCB and UCB include the same areas within the Town. However, the Town only controls the UCB.

- Growth Containment Boundaries are in the RGS and are under the jurisdiction of the Regional District of Nanaimo.
- The Urban Containment Boundary (UCB) is defined by the Town of Qualicum Beach Official Community Plan (OCP) and is under the jurisdiction of the Town. It is not currently being reviewed in the present OCP review.

Although the Town's GCB currently follows the same alignment as the Town's UCB, the two do not need to be the same. Currently, the Town is considering a change that would result in a GCB that would no longer mirror the Urban Containment Boundary, and instead align with the municipal boundary.

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

Why would the Town set the GCB at the municipal boundary?
Expanding the GCB to match the Town boundary would:

1. Simplify the governance structure

Currently, the Regional District of Nanaimo and member municipalities have a role in permitting or denying urban growth and servicing within some areas of the Town. Setting the GCB at the Town boundary would remove the need for partner municipalities and the Regional District to consent to changes to the amount or form of development to urban use or density in areas outside of those that are currently intended for urban development. Town of Qualicum Beach Council would have complete autonomy over land use decisions for land that is not located in the Agricultural Land Reserve. Within the bounds of a GCB, a municipality does not have to consult with the Regional District of Nanaimo or other member municipalities. The Town can, however, maintain a separate UCB that designates some areas for growth, while restricting development potential in other areas.

If the GCB is set at the Town boundary, the Regional District of Nanaimo would no longer have a role in permitting or denying urban growth and servicing within the Town.

2. Shorten the process for some land use changes

Currently the process for approving a development application for lands outside of the Growth Containment Boundary is long and cumbersome. Setting the GCB at the Town boundary would decrease the length of time required to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP, with respect to where urban development is supported. The approval process would be unchanged for areas that are currently within the Growth Containment Boundary.

Presently, developers intending to develop land outside of the Growth Containment Boundary can initiate a change to the Regional Growth Strategy by applying to the Town for an OCP amendment. This allows the Town to decide whether it wants to proceed with an RGS amendment. Effectively, the Town would become the sponsor of an application to the RDN for an RGS amendment.

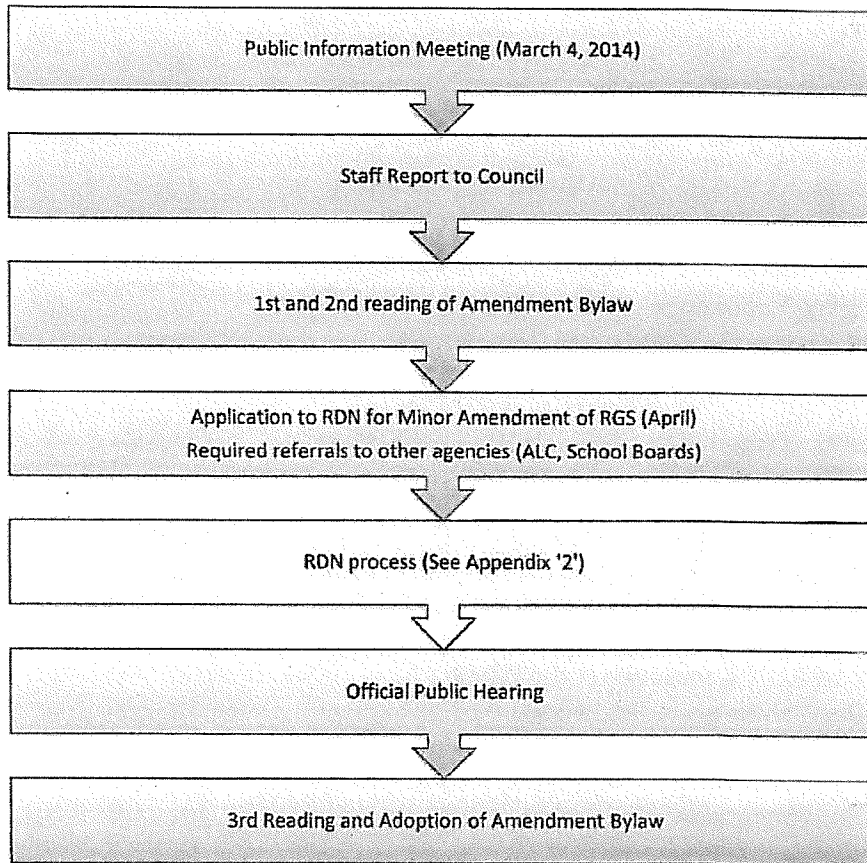
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2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

What's the process?

Growth Containment Boundary OCP Review Process



2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

About the RGS and RDN

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The Regional District of Nanaimo provides regional governance and services throughout Vancouver Island's central east coast. Communities within the RDN include the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach, as well as seven unincorporated Electoral Areas. Established in 1967, the RDN is British Columbia's third most populous Regional District.

The RDN is governed by a 17-member Regional Board, comprised of ten directors from locally-elected municipal councils, and seven directors elected by Electoral Area residents. Board members also sit on a variety of regional select and standing committees for key services, as well as the RDN Committee of the Whole.

**Growth Containment
Boundary**

“Growth Containment Boundaries (GCBs) are geographically-based lines shown on RGS maps that define where growth is intended to be directed. The Growth Containment Boundary is intended to control urban sprawl and to encourage the development of compact, complete communities within municipalities or within a Rural Village Area in electoral areas. Land situated outside the GCBs is intended primarily for rural purposes that require limited infrastructure and services.”

- 2011 RGS, Glossary

2014 OCP Review - Growth Containment Boundary Background Report
February 20, 2014

What's the Next Step?

Following the Town's OCP review, if Council decides that the GCB should be the same as the municipal boundary, an application will be made to the Regional District for a minor amendment to the RGS. A referral to the Agricultural Land Commission and School District No. 69 Board would also be made at the same time to comply with the *Local Government Act*.

Contact

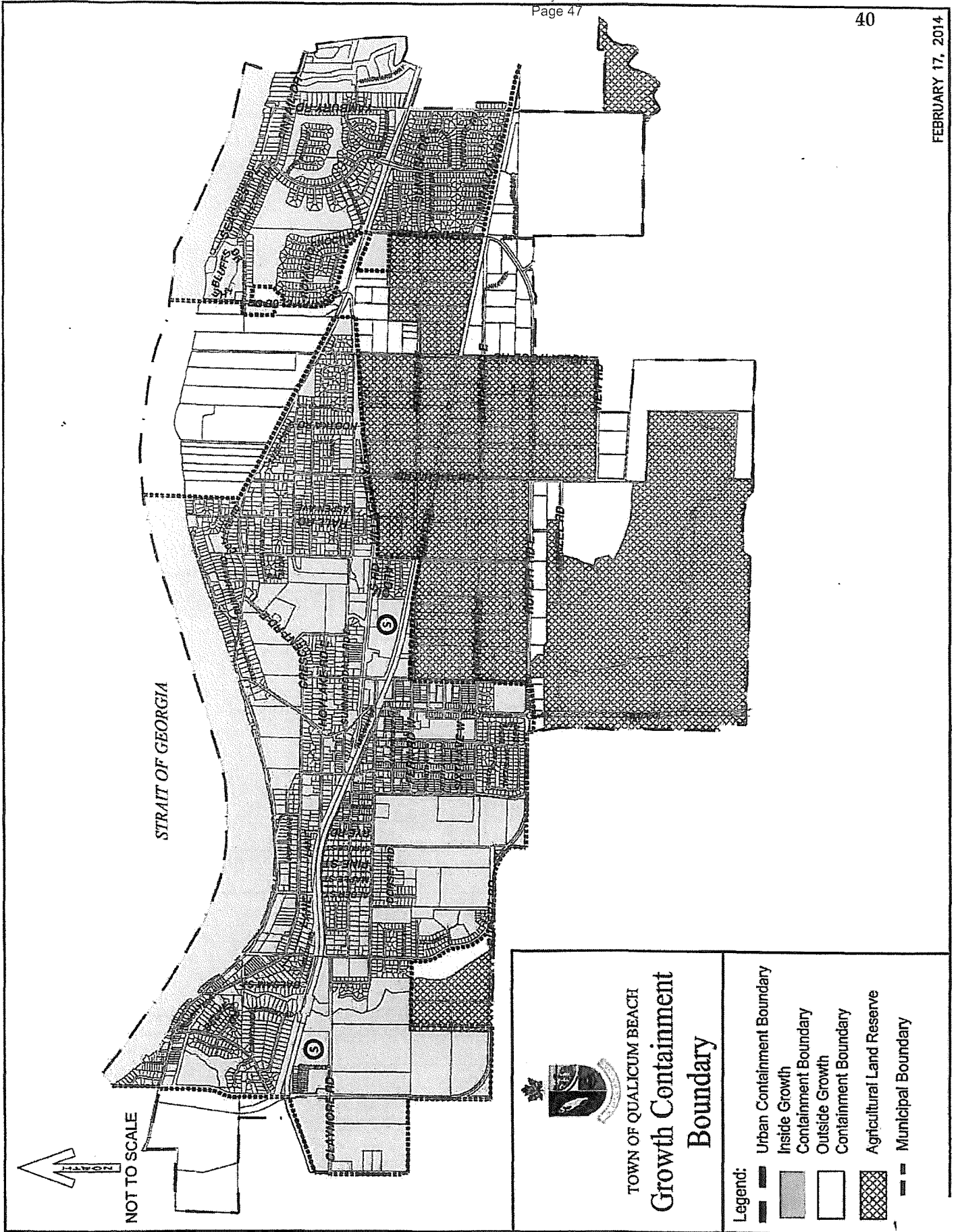
For questions or comments about this OCP review process, please contact me directly:



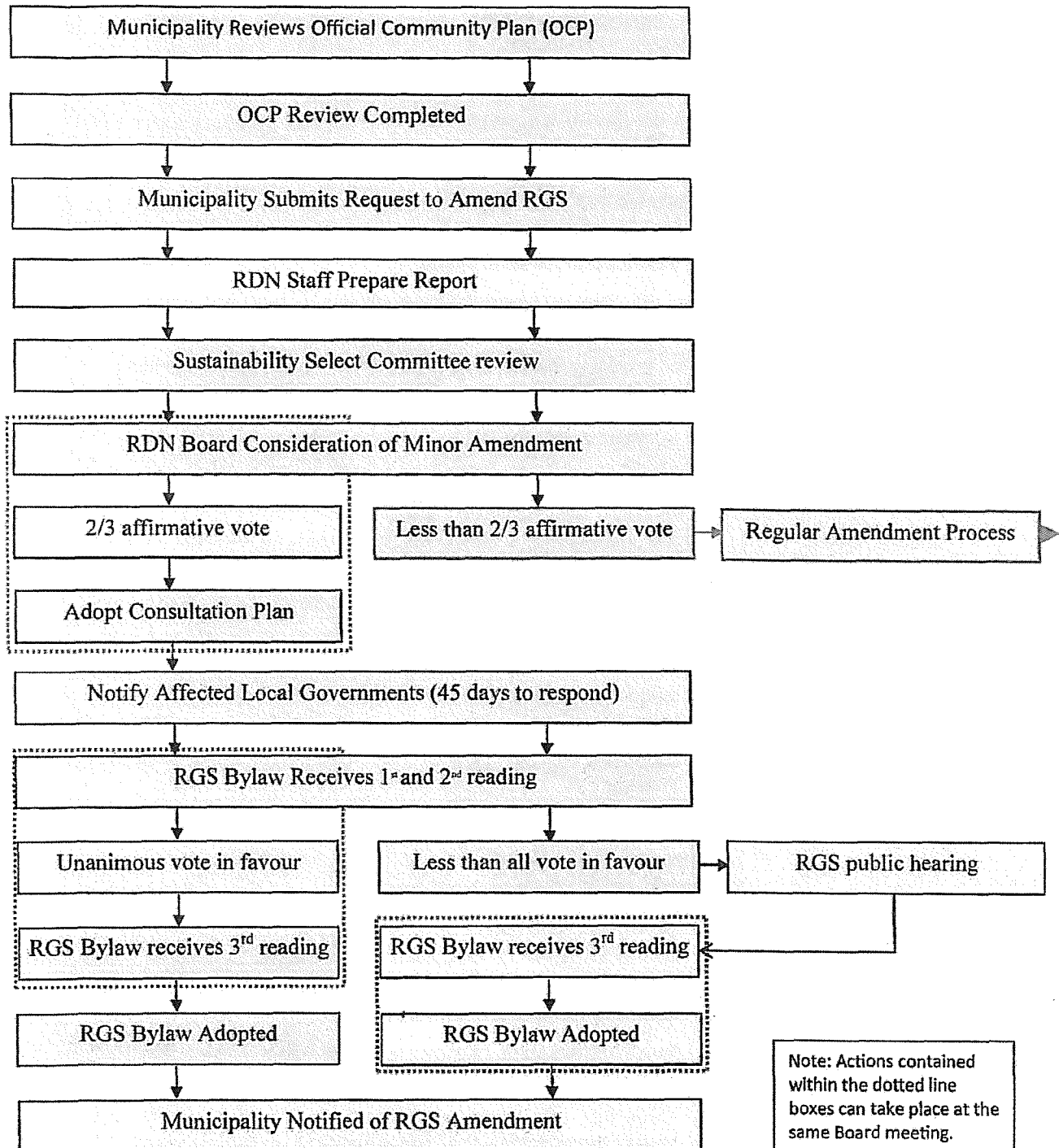
Luke Sales, MCIP, RPP
Director of Planning
Town of Qualicum Beach

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RGS Minor Amendment Process Triggered by OCP Review in Municipality



Source: Regional District of Nanaimo

1.5 Amendment Approval Process

Bill 27 of the *Local Government Act* makes provision for the amendment of a Regional Growth Strategy in one of two ways. Regardless of the amendment process used, amendments may only be made through bylaw. All amendments to the RGS considered to be major must be accepted by all affected local governments in accordance with the provisions of Section 857 of the *Local Government Act* and must follow the same process that is required to adopt the RGS. The *Local Government Act* also allows for minor amendments where a process has been established pursuant to Section 857.1 that includes:

- Criteria for determining whether a proposed amendment is minor for the purposes of allowing the process to apply;
- A means for the views of affected local governments regarding a proposed minor amendment to be obtained and considered; and
- A means for providing notice to affected local governments regarding a proposed minor amendment.

1.5.1 Criteria for Minor Amendments

The following outlines the criteria for considering minor amendments to the RGS.

1. Criteria under which a proposed amendment to the RGS may be considered a minor amendment include the following:
 - Amendments resulting from a full Electoral Area or Municipal Official Community Plan review process;
 - Text and map amendments required to correct errors or as a result of more accurate information being received;
 - Amendments to incorporate changes to tables, figures, grammar, or numbering that do not alter the intent of the Regional Growth Strategy; and
 - Addition or deletion, or amendment to Section 5.4 Key Indicators.
2. Although not considered as an exhaustive list, the following types of amendments are not considered minor:
 - Those that lead to adverse changes to the health and ongoing viability of sensitive ecosystems and water sources;
 - Those that include land in the Agricultural Land Reserve or will negatively impact agricultural lands;
 - Those related to a development that would require significant works to address a natural hazard;
 - Those that require the provision of new community water and sewer systems outside the Growth Containment Boundary; and,

- Those that are not consistent with measures and or policies to reduce greenhouse gas emissions and improve air quality.

1.5.2 Process for Approving Minor Amendments

1. On receipt of a request from a member municipality or an Electoral Area Planning Committee to amend the RGS, RDN staff will prepare a preliminary report for review by the Sustainability Select Committee. Committee comments and recommendations will be forwarded to the Regional Board.
2. A land use or development proposal or text amendment will be assessed in terms of the minor amendment criteria. The Board may resolve, by an affirmative vote of 2/3 of the Board members attending the meeting, to proceed with an amendment application as a minor amendment. Where the Board resolves to proceed with an amendment application as a minor amendment, the Board will:
 - Determine the appropriate form of consultation required in conjunction with the proposed minor amendment;
 - Give 45 days written notice to each affected local government, including notice that the proposed amendment has been determined to be a minor amendment. The notice shall include a summary of the proposed amendment and any staff reports, other relevant supporting documentation and the date, time and place of the board meeting at which the amending bylaw is to be considered for first reading; and
 - Consider the written comments provided by the affected local governments prior to giving first reading to the proposed amendment bylaw.
3. The bylaw may be adopted without a public hearing after second reading in the event that the amending bylaw receives an affirmative vote of all Board members attending the meeting.
4. Consider third reading and determine whether or not to adopt the amending bylaw.
5. Minor amendment bylaws shall be adopted in accordance with the procedures that apply to the adoption of a RGS under Section 791 of the *Local Government Act*.

1.6 Monitoring of the RGS

A monitoring program will be established in collaboration with member municipalities and appropriate provincial government agencies to track progress in achieving RGS goals, including GHG emissions reductions. Reports will be made to the RDN Board and public on an annual basis. The details of the monitoring program are outlined in Section 5.2.

**Town of Qualicum Beach
MEMORANDUM**

TO: John Marsh, CMA, Acting CAO **FOR:** Council Meeting, March 17, 2014

FROM: Luke Sales, MCIP, RPP, Director of Planning;

SUBJECT: 2014 OCP Review – Growth Containment Boundary

RECOMMENDATION

THAT Council directs staff to provide additional opportunities for public engagement, including a Public Information Meeting in April, as a part of the 2014 Official Community Plan (OCP) Review on the Growth Containment Boundary.

PURPOSE

To provide a report with preliminary public feedback from the March 4, 2014 Public Information Meeting on the Growth Containment Boundary (GCB), as well as provide an updated timeline.

BACKGROUND

The Town is currently reviewing its OCP to determine whether the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS) should include the entire Town or only a portion of the Town, as is the current designation. This OCP review addresses the governance aspect of regional growth planning and raises the question of whether the Town of Qualicum Beach should be required to consult with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town. Furthermore, this OCP review is an opportunity to review how the location of the GCB may or may not support the Town's long-term growth management policies.

DISCUSSION

On Tuesday, March 4, 2014 a Public Information Meeting was held at the Qualicum Beach Civic Centre on the topic of the 2014 Official Community Plan review of the Growth Containment Boundary (GCB). A report on the topic of the potential change to the GCB was distributed to an extensive email distribution list and uploaded to the Town's website on February 21, 2014. A presentation by Town staff began at 7pm, followed by group discussion, written feedback and open mic. Feedback forms are available for those people that were unable to attend the meeting or wanted take their form home to complete it. Unless otherwise directed by Council, staff will accept feedback forms until March 28, 2014.

Discussion with RDN staff

Town staff met with Regional District of Nanaimo staff on February 28, 2014 to ensure that there is mutual understanding of the required process, should the Town proceed with the OCP review leading to an RGS amendment application. It was suggested that broadening the scope of the current OCP review to include issues related to long-term planning would strengthen the Town's application for a minor amendment of the RGS. A broadened scope could address topics such as how the proposed change to the GCB improves the Town's capacity to manage, accommodate, and direct future growth. A broadened OCP Review would also identify topics for future reviews. An OCP review on the topic of governance that does not address a wider scope of topics may not

qualify for the conditions required for a “minor amendment”. In any case, it will be up to the RDN Board to determine whether the Town’s OCP review is an acceptable process to qualify for the minor amendment process.

Further to the importance of maintaining a broad scope for the OCP review, it would be counter-productive for the Town to begin a site-specific review (e.g. Pheasant Glen) prior to the completion of the RDN process. As such, staff will not bring any site-specific applications to Council until the RGS amendment process has reached a conclusion.

The Regional District of Nanaimo includes the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach.

- The City of Nanaimo has a GCB at the municipal boundary. Their Urban Containment Boundary (UCB) excludes parts of the City that are not identified for development.
- The District of Lantzville does not have a GCB at the municipal boundary, but it does include some lands outside of their UCB. The UCB does not include parts of the District that are not identified for development.
- The City of Parksville does not have a GCB at the municipal boundary. Its UCB is the same as its GCB and excludes parts of the City that are not identified for development.
- The Town of Qualicum Beach does not currently have a GCB at the municipal boundary. Areas that are not identified for development are outside the UCB and the GCB.

Written Feedback from March 4, 2014 Public Information Meeting

Attached to this memo is a complete transcription of the written feedback from the March 4, 2014 Public Information Meeting (PIM). Additional feedback will be added to the transcription at a later date as more feedback forms are received.

2014 Timeline

- March 17 (Council Meeting): Report to Council.
- April 7 (Council Meeting): OCP amendment bylaw introduced and read a first time.
- April 14 (Council Meeting): OCP amendment bylaw read a second time. Public hearing date set.
- Late April: Public Information Meeting
- May 12 (Council Meeting): Official Public Hearing, OCP amendment bylaw read a third time.
- Mid-May: Application to the RDN (see attached diagram. Timeline estimated at three months)
- If RDN board approves the application, Council may adopt the OCP amendment bylaw in an open Council meeting. (possible timeframe: August 2014).

Originally the RGS amendment application was scheduled to be sent to the RDN in April, but the staff recommendation is that the timeline be delayed one month. Due to the irregular, shortened period of time between the April 7th and April 14th Council meetings, more time is required to meet the statutory notification requirements for an official public hearing. This change in schedule also allows for a second Public Information Meeting in late April, as well as focus groups or other forms of public engagement in the meantime. A good topic for a subsequent consultation is a review of the OCP Implementation items, as well as how the public process for future OCP

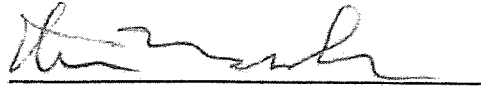
reviews should be conducted. The consultation could address questions such as whether the Town should continue with major OCP reviews every six years or whether it is more meaningful to conduct smaller, focused reviews on specific topics. Examples of smaller, topic-based public planning processes include the 2012 Village Neighbourhood Planning Project, the 2013 Secondary Suites Policy Review, as well as the 2013-2015 Waterfront Master Plan, which is now in the first phase.

ALTERNATIVES

THAT Council provides alternative direction to staff.



Luke Sales, MCIP, RPP
Director of Planning
Report Writer

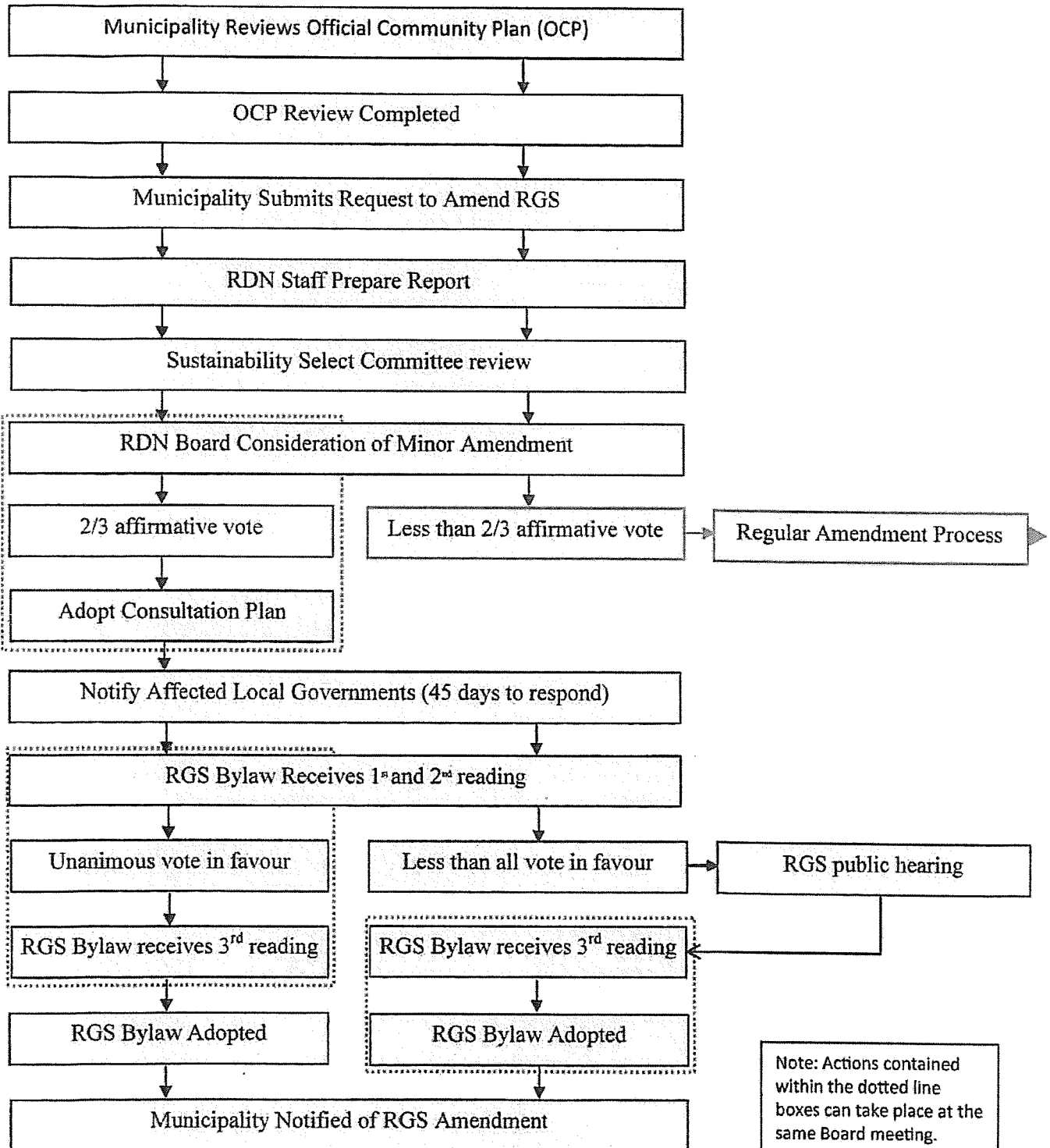


John Marsh, CMA
Acting CAO
Concurrence

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File: 3900-20-700.10

RGS Minor Amendment Process Triggered by OCP Review in Municipality



RGS Minor Amendment Process Triggered by OCP Review in Municipality

Process and steps to complete a Minor Amendment to the RGS as a result of changes to a municipal OCP	
1. OCP Review is Completed	Municipality completes a full OCP review process which results in a need to amend the RGS
2. Municipality submits request for RGS Amendment to the RDN	Council forwards request to RDN Board to amend the RGS through the Minor Amendment Process
3. RDN Staff prepare report	A report providing information on the request and amendment process is prepared for the Sustainability Select Committee
4. Sustainability Select Committee	Committee reviews the request and makes a recommendation to the RDN Board
5. RDN Board Meeting	
a. Receive recommendation from SSC	Board receives recommendation from SSC.
b. Decide on whether the proposed RGS Amendment is Minor	A minimum of 2/3 of the Board must vote in favour to proceed as a Minor Amendment. If less than 2/3 Board vote in favour then amendment cannot proceed through Minor amendment Process.
c. Adopt consultation plan	If proceeding as a Minor Amendment, Board adopts a consultation plan.
6. Notify Affected Local Governments	Notice of the proposed RGS Minor Amendment is provided to the RDN's member municipalities and adjacent regional districts. They have up to 45 days to respond.
7. RDN Board Meeting	
a. Receive comments from affected local governments	Board receives and considers comments from affected local governments
b. Give 1 st reading to bylaw	Board gives 1 st reading to bylaw
c. Give 2 nd reading to bylaw and maybe	If unanimous vote for 2 nd reading then no public hearing required and can give Bylaw 3 rd reading
d. Give 3 rd reading to bylaw	Board gives 3 rd reading to bylaw
8. Public Hearing (only if required)	A public hearing is only required if there is <u>not</u> a unanimous Board vote in favour of giving the bylaw 2 nd reading
9. RDN Board Meeting	
a. Give final reading to bylaw Or	Final reading if 3 rd reading given at last meeting or
b. Receive report from public hearing	Board receives report from public hearing and proceeds with giving 3 rd and final readings to the bylaw
c. Give 3 rd reading to bylaw	
d. Give final reading to bylaw	
10. Notice to Municipality	A letter is sent to the municipality and other LGs informing them of the Board decision on the RGS bylaw

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

The Town of Qualicum Beach held a public information meeting on March 4, 2014 to discuss whether the Growth Containment Boundary (GCB) should match the municipal boundary. The following are written comments that were received as feedback from attendees through the forms that were distributed to them at the meeting.

Expanding the GCB to match the Town boundary would:

Q1. Remove the requirement that partnering municipalities and the Regional District consent to increase the amount urban development in areas outside of areas currently intended for urban development. The Town would have autonomy over land use decisions for land within the Town that is not in the Agricultural Land Reserve (ALR).

Q1 – BENEFITS

A GCB change may help speed up a project than can enhance a town
The only beneficiaries would be developers, Councillors, Pheasant Glen
Cannot see any benefit at this time and am opposed to any boundary change
None
Why wouldn't the Town decide for the Town. The Town knows the Town best, and should make the Town decisions; It would allow the Town to stimulate the economy in ways they see fit; React dynamically to world/local changes.
No Benefits
Few!! Don't see the benefits here.
Developers, Councillors
Administratively simple and enhances the Town's autonomy; Practically, we are not speaking of much new land being added as potentially developable
Town should take complete responsibility for land use within its boundaries; Reduce cost/bureaucracy
Potential to connect Eaglecrest community with North Qualicum
Why does Council want to increase urban development in Qualicum Beach. Should this not be a community decision?
More encouragement to Councils' favourite developers to benefit at taxpayers' expense
Other areas don't control TQB decisions on Growth; TQB has control over land use decisions within the Town's boundaries
NONE
Yes – lets simplify the process; Better coordination of services; No need for Regional consultations of land use within municipal boundaries
With the old method we have a beautiful village with no big debt; why change now?
Council could make changes based more on their own bias – therefore it would facilitate their fast decision and benefit a developer – not really a 'benefit' but a negative
Removes other levels of government from land use decisions in QB
Faster permits; more control over areas within boundaries; more say in developments?
Quicker permits; more control over areas within boundary, more say on how these areas are developed
Only the developer and not the tax payers! We have been ignored by 3 members of Council and 1 newspaper person. If they resigned now our community would obviously benefit from a balanced approach! There has to be a structure to impeach people who represent only 1 group i.e. developers
Will benefit developers
None at this time
May reduce coordination burden with neighbouring municipalities; may allow better reaction if market changes; Town should plan long ahead for its containment boundary

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

Q1 – DRAWBACKS

Council only accountability is at the next elections
A layer of oversight is lost if the push is on for some major project or development
3 Councillors only make these crucial decisions, restricting input from residents
RDN no longer has a voice in this area; urban sprawl
Over development of beach from property. How would you control density and protect the environment and wildlife
This is a "profound" change in the words of Paul Thorkelson CAO of the RDN at a public meeting here last November. I think the fact that one Council with 5 members can overturn the wishes of the Town expressed in the OCP process is not a good way to proceed
Make sure the commercial heart/core isn't lost
Must consider consequences of growth (e.g. cost of infrastructure such as transportation, public services, etc.); Frightening that a small number of Town Councillors can make decisions outside OCP process
Political agenda; Economic inputs to Town
Decided by 3 or 4 Councillors; Little or no input to residents; Insufficient notification of information meetings
Removes the check on growth that the RDN criteria compels
I don't want the Town to have complete autonomy over all land use decisions. I believe having a 2nd level of government to apply to when/if local gov. (5 people) makes decisions not to the benefit of all of Qualicum Beach citizens; checks & balances are important
None
There is potential for urban development to a high density very adjacent to a rural area. eg. south side of Rupert Road; We do not want high density development adjacent to Milner Gardens; having high density development surrounded by ALR land does not make sense
Rural land becomes vulnerable; removes protection for rural land; potential for urban sprawl; not in agreement with Regional Growth Strategy; Encroachment on ALR land; Likely create leap frog development; undermines compact community; encourage development of rural property
No definition of areas of high density limits/low density area in outside growth containment boundary. Is Council waiting for developer input
Need checks and balances; Cost of growth; RDN is source of sober second opinion; Select, self-serving Council can do irreparable future damage; This is exclusively pro-growth
We must keep an eye on the successes of "village" life – why most of us moved here
Removes a level of "second thought" (RDN; Not fully discussed as part of a general OCP review; piecemeal change; puts too much power in the hands of a very small Council
Removes "sober second thought" from land use decisions
Increase in developed area; increased taxes for those coming into expanded area additional development costs?; obligation of Town to service these areas.
Potential footprint increase of developed area if areas are developed; increased property taxes? for those in new area; potential decreased density of built area – less efficient services, not as environmentally sustainable; does nothing to prevent development by private developers outside the Town boundaries; additional cost of development & servicing of developed area (which will increase all taxes)
The present structure should not be changed. Our community's decision will affect other communities living conditions. The RDN can give us a voice if we happen to have a Council or 3 or more who vote as a block on a consistent basis. There is no evidence that we can trust this Council to represent the taxpayers. They are obviously here to represent the developer
There would only be a small group of people (Town Council) who are making a decision regarding land that would affect other people. The RDN should be involved to give a more balanced opinion
Opens up areas to be developed willy-nilly by a Council that is hell bent to develop, develop, develop
The Council will have too much power to override the wishes of the majority of residents. It will be easier

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

for Council to amend zoning bylaw and approve more controversial developments. There are too many unfinished developments in Town already
More expensive servicing; makes planning for types of development more difficult; takes Town planning out of hands of PLANNERS and puts it in hands of developers

Expanding the GCB to match the Town boundary would:

Q2. Decrease the length of time and procedural requirements to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP with respect to land that is currently outside of the GCB.

Q2 – BENEFITS

No benefits to residents
None. It's a negative to much control by 5 people. No "sober second thought?" No full participation of the community
None
As long as there is sufficient public info & consultation things should proceed as quick as possible
No benefits
Little!!!
Council only. Residents spent 2 years defining the last OCP and are now being put down after so much work
Streamlining the prospects of Council and the community to control development as they see fit
Cost savings; Time savings; Town takes responsibility for what happens inside its boundaries
To potential developers
None
Yes by all means let's decrease the time for development processes. Hopefully that would encourage development (industrial, business) that would contribute to our future sustainability
Wait until a new Council is elected
Development can be fast tracked
Not sure
Faster permitting
Quicker permits
We are not given sufficient time. As usual things are being rammed through. How do the '3' justify ignoring the vast majority of taxpayers???
None
This means the Council, NOT the residents
Helps to provide some certainty to property owners if they have bright ideas

Q2 – DRAWBACKS

Residents of this community are at the mercy of 3 ruthless Councillors who could not care less about the opinions of residents
OCP can be changed to hastily lose compact quality – walkability
OCP changes of this magnitude should be carefully considered with full participation of the community
Reducing timeframes risks the possibility of "knee jerk" changes and neglecting consideration of the big picture
OCP belongs to the people. Changes should be by the people with defined timelines. Why not include votes on this subject in the municipal election
This will empower Council (as current) that is very pro development to fast track OCP revisions in favour of new development in previously undeveloped areas.

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

[Decrease the length of time and procedural requirements to make a change to the OCP] Perfect example of why we don't want this to happen is Pheasant Glen (formerly in the ALR – now may become urban sprawl with major housing development not in urban centre) Cherry picking, changing OCP to satisfy certain individuals is wrong
None
Rush through does not permit the whole community to be involved
Process for major land use changes needs checks and balances. Process needs to allow community time to make well informed decisions about land use changes; Why does Council want to change land uses outside UCB? Major changes and decisions need more time for contemplation and analyzing the consequences.
What is the purpose of a <u>community</u> OCP if Council can change it at its discretion. This is not a minor change to the OCP. It is a major change!
There is a sense of fear by some residents that Council (now and future) would move to fast with the “flavor of the day” or influence by those with “deep pockets”
Too hurried to make a decision of this magnitude. Please wait
Possible too fast a change without full consideration of long range repercussions; Do we want a small number of people who would be the majority of Council to have so much power? NO
Not sure
Could fewer reviews result in something undesirable being developed?
Fewer restrictions to undesirable development
3 members of Council vote as a <u>block</u> again and again; In my judgement and that of many others, the RDN will help us get a balanced and comprehensive study of the issues which is not forth coming of the present Council
What is the rush? This is a major decision that affects others. These decisions should be made with great care. The RDN would give more input
The Town if it wants an OCP change should then go through a <u>full</u> OCP review; Citizens involved in planning long range can help in setting up an OCP that everyone agrees with. Right now Council is off side from the citizens in their Town
The OCP should not be changed at all until decisions are made for the next OCP. If some important change is necessary, a referendum <u>should</u> be held whereby the citizens of the Town can participate in the decision-making. NOTE: A Council of 5 people should not be allowed to overturn the wishes of the majority of the residents who've spent much time and effort involved in the OCP process
Bad decisions are often made when insufficient time; Fundamentally don't approve decreasing the time! Long range planning solves all problem!! This was to be a public information meeting: We find it is to be OCP workshop

Q3. What other benefits do you see to the proposed change?

None
Absolutely none
None
0
Zero
With the current social and economic climate the Town needs to be in control of its future. To adapt and adjust to maintain the quality of life in Qualicum Beach
Town able to be the only level of government as oversight
None
It plays into the interest of the P-Glen development which will reinforce and exacerbate the polarization that currently exists in the community
Only benefits developers
A positive step towards facilitation of development of employment creating sustainable economy of TQB
None

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2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK

None
More negatives than positives
None

Q4. What other drawbacks do you see to the proposed change?

COSTS – Leave it alone
All developers requests seem to be rubber stamped. <u>NO</u> consideration for the residents.
Can only make things worse here; opens up too many areas for subdivision type development eg. waterfront estates. Sustainability? Environment? Mere words.
As it is there seems to be little oversight of building projects in Town, how will less or no involvement by RDN improve things?
It misses the point of the Regional Growth Strategy to protect the environment, save us from urban sprawl, protect the taxpayer. We have seen instances of very bad development in this Town, now we can spread them around. Urban sprawl.
It doesn't sound like it will have any negative impacts. The Town & Council have been doing a great job of looking out for the Town's interest
Proposed changes/revisions to the OCP constitute a minor amendment – do not agree – changes constitute a <u>major</u> amendment
Having to supply sewer etc for any future approved development; slippery slope: would likely pressure to expand UCB
Urban sprawl. Water problems – aquifers down this winter; Parking chaos within the Town – unless the school closure is designated for parking not hi-rises?
The streamlined process plays to the interests of those who want to develop their property expediently – if the proposed developments are perceived by the community as un-wanted or as negatives – then expedited protocols will be felt as negative
Urban sprawl; Ignoring OCPs – changing whenever Council wants to; too much power for Town of QB
There will be pressure to provide sewer and water services to these new land areas once development potential is there
Council is leading this change. 5 persons making the decision for whole community. Process is flawed – too rushed – actually a major amendment to the Regional Growth Strategy
Listed on other side. This is a major amendment not a minor amendment
I'm not fully clear on why we <u>really</u> need this change now
Not enough time for thought as to what long-range impacts could happen in all the areas that could be affected
It is a bad idea unless you stand to benefit financially from this.
With this Council it would involve opening the Town up to developers and not respecting the wishes of the citizens who pay the taxes that run this Town.

Q5. What other information would assist you in furthering your understanding of this topic?

None
The truth
Full OCP review at the proper time this proposal has too many implications to leave up to 1 meeting. Why do we agree to large subdivisions only to have them change their plans -- don't need anymore
No other information required
A map or summary of what could potentially change if this change took place. How many new homes, businesses, condos, etc.
How full/empty is current UCB – do we still have room. If so, why push expansion?
Presentation by UCB experts. Presentation by RDN personnel only – with no QB Town or Council present.

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

We need to understand this major change fully and completely
How is this a "minor amendment" to the Regional Growth Strategy, by definition
Present similar case examples please, including these that resulted in change and those where no changes were made. This might help us understand impacts to other communities
Lawyers' opinion on the legality of a minor amendment versus major amendment
None
More information on possible infrastructure costs when development occurs in other areas
The '3' has a moral responsibility to fully explain their reasons for this process.
This information and the drawings should have been in both local newspapers and not on the back pages
A full OCP review

Q6. Do you have any other comments?

Oh how the Town would benefit from the resignation of the three Councillors who vote as a block on any issue. Why is this being rushed through? Could this issue be voted on at the municipal election in November.
OCPs are made by the people after a lot of hard work – like the RGS and should be respected – not ignored by 5 people on Council. Referendum if need to change?
The OCP has turned into a great comic joke. How about a referendum? One public meeting of less than 50 people is <u>not sufficient!</u>
Is this an end run for Pheasant Glen? What about affordable housing? Lots of people are not present here for this <u>only</u> public hearing on March 4 th . How about a referendum on this topic? This is taking up a lot of staff time, how about all the other business of the Town. This apparently came from the Council Strategic Plan, how was that developed?
Why should we participate in the next OCP? Does this matter, what happens if "Council" doesn't hear what they want to?
There is a lot of emotion, and misunderstanding around this meaning develop doesn't need to go through the process
Planning must follow an open, transparent process that cannot be changed or compromised on an individual whim.
OCP is like a swiss match, discussing UCB & GCB is only 1 piece. Worried about only discussing a narrow part of OCP. Needs to be a broader conversation.
We fully expect this to be pushed through with as much speed as the Clarion Development. Is this really the only info session available to residents. Why was the info. package only put on your website 24 hrs. prior?
This is <u>not</u> a sufficient process to call an OCP review process
A major change to OCP at this time would be redundant and costly
I am not happy with the communication process used to the community. I do not believe this is a minor amendment to the OCP
It appears that Council does not agree with Regional Growth Strategy and its purpose. If Council feels the GCB is a hindrance or unfair or an obstacle to their autonomy then are they not supporting the Regional Growth Strategy
It's time Council protected the interests of the taxpayer. Eg. desecration of land heritage development. Election! Election! Election!
Undo rush to have OCP amended. What's the hurry?!
Why go ahead with now or wait until the OCP in 2016? My general observation throughout comments made is that there was a deep feeling of distrust in the current Council and therefore wonder what the <u>real</u> agenda is
Although it seems presented as a "minor" change, <u>it is not</u> . Stick with the Official Community Plan timeline.
RDN has already allowed undesirable developments in areas just outside of municipal boundaries – how can we be involved in influencing these approvals?

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
PUBLIC INFORMATION MEETING FEEDBACK**

We need to have more discussion with Counsellors when controversial items are dealt with. Will all Council members vote according to their own informed judgement?

An OCP review is an important decision. Where was a lot of publicity in the papers regarding our OCP a few years ago but there was very little publicity in the papers re this meeting and its importance

Town Council should have full fledged OCP reviews. ie. listen to the citizens who pay the taxes.

This Town needs more affordable housing to attract younger families to move here; the seniors require younger people to provide services that seniors are unable or unwilling to do. Besides, younger people bring energy, enthusiasm, new ideas, etc. with them.

**TOWN OF QUALICUM BEACH
 BYLAW NO. 700.10**

**A BYLAW TO AMEND THE TOWN OF QUALICUM BEACH
 Official Community Plan Bylaw 700, 2011**

The Council of the Town of Qualicum Beach, in open meeting lawfully assembled, hereby enacts as follows:

1. "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011" is hereby amended as follows:

- a) Replace Map Schedule 2.1 "Land Use" with the attached Appendix 'A'.
- b) On "Policies" page 2-6, insert policy six (6): "The Town shall manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy. The alignment of the Growth Containment Boundary at the municipal boundary does not imply that rural lands outside of the Town's Urban Containment Boundary will ever be developed for urban use."
- a) On Appendix 'B' Regional Context Statement, amend Goal 4 (1) by checking "No" under "Consistency between OCP and RGS" and inserting the following under "OCP Reference", "To ensure that the Official Community Plan is responsive to future needs, the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the RGS.", as shown below.

	Yes	No	
1) Does the OCP's Urban Containment Boundary match the RGS's Growth Containment Boundary?		√	Section 2.1.1 "Urban Containment Boundary" Schedule 2.1 "Land Use" To ensure that the Official Community Plan is responsive to future needs, the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the RGS.

2. This bylaw may be cited as "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014"

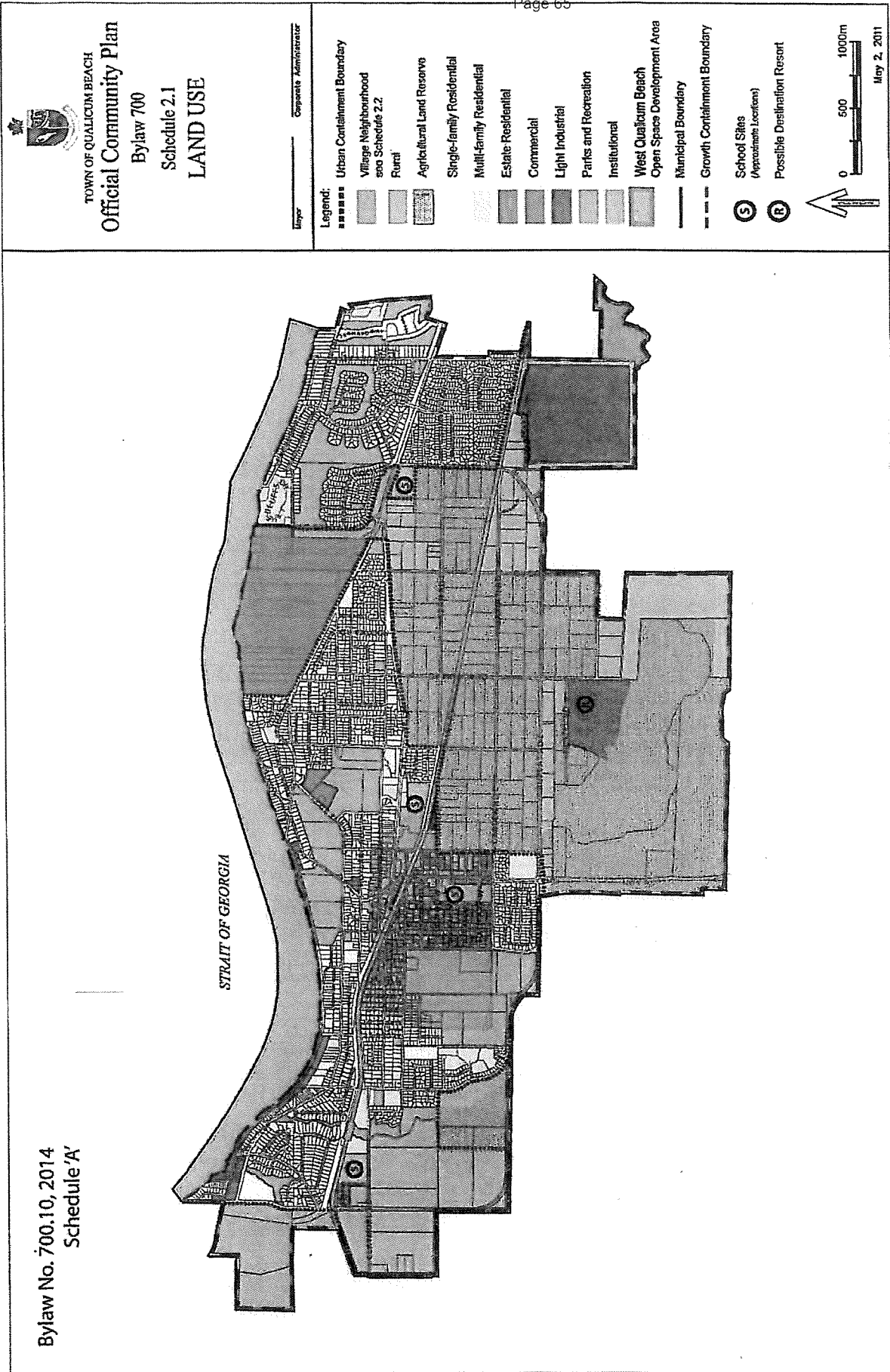
READ A FIRST TIME this day of , 2014.
READ A SECOND TIME this day of , 2014.

Notice published pursuant to Section 892 of the *Local Government Act* on the day of , 2014 and the day of , 2014.

PUBLIC HEARING held on the day of , 2014.
READ A THIRD TIME this day of , 2014.
ADOPTED this day of , 2014.

 Teunis Westbroek, Mayor

 Trudy Coates, Corporate Administrator



**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

Gives Council the opportunity to change UCB and land uses and zoning that are now outside GCB; Benefits Council
None!
None
Simplify Planning
Leave as is. Keep Qualicum small - this is why we moved here!
I believe the GCB should match the municipal boundary. Any development requirement for change require extensive thorough detailed knowledge distributed and/or discussed openly and publicly.
Simplify process for development application. Simplify process for OCP amendments. Moving GCB may potentially provide opportunities for development on previously non-development land. Speed up and support growth.

Q1 – DRAWBACKS

Council only accountability is at the next elections
A layer of oversight is lost if the push is on for some major project or development
3 Councillors only make these crucial decisions, restricting input from residents
RDN no longer has a voice in this area; urban sprawl
Over development of beach from property. How would you control density and protect the environment and wildlife
This is a "profound" change in the words of Paul Thorkelson CAO of the RDN at a public meeting here last November. I think the fact that one Council with 5 members can overturn the wishes of the Town expressed in the OCP process is not a good way to proceed
Make sure the commercial heart/core isn't lost
Must consider consequences of growth (e.g. cost of infrastructure such as transportation, public services, etc.); Frightening that a small number of Town Councillors can make decisions outside OCP process
Political agenda; Economic inputs to Town
Decided by 3 or 4 Councillors; Little or no input to residents; Insufficient notification of information meetings
Removes the check on growth that the RDN criteria compels
I don't want the Town to have complete autonomy over all land use decisions. I believe having a 2nd level of government to apply to when/if local gov. (5 people) makes decisions not to the benefit of all of Qualicum Beach citizens; checks & balances are important
None
There is potential for urban development to a high density very adjacent to a rural area. eg. south side of Rupert Road; We do not want high density development adjacent to Milner Gardens; having high density development surrounded by ALR land does not make sense
Rural land becomes vulnerable; removes protection for rural land; potential for urban sprawl; not in agreement with Regional Growth Strategy; Encroachment on ALR land; Likely create leap frog development; undermines compact community; encourage development of rural property
No definition of areas of high density limits/low density area in outside growth containment boundary. Is Council waiting for developer input
Need checks and balances; Cost of growth; RDN is source of sober second opinion; Select, self-serving Council can do irreparable future damage; This is exclusively pro-growth
We must keep an eye on the successes of "village" life – why most of us moved here
Removes a level of "second thought" (RDN; Not fully discussed as part of a general OCP review; piecemeal change; puts too much power in the hands of a very small Council
Removes "sober second thought" from land use decisions
Increase in developed area; increased taxes for those coming into expanded area additional development costs?; obligation of Town to service these areas.
Potential footprint increase of developed area if areas are developed; increased property taxes? for those in

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

new area; potential decreased density of built area – less efficient services, not as environmentally sustainable; does nothing to prevent development by private developers outside the Town boundaries; additional cost of development & servicing of developed area (which will increase all taxes)
The present structure should not be changed. Our community’s decision will affect other communities living conditions. The RDN can give us a voice if we happen to have a Council of 3 or more who vote as a block on a consistent basis. There is no evidence that we can trust this Council to represent the taxpayers. They are obviously here to represent the developer
There would only be a small group of people (Town Council) who are making a decision regarding land that would affect other people. The RDN should be involved to give a more balanced opinion
Opens up areas to be developed willy-nilly by a Council that is hell bent to develop, develop, develop
The Council will have too much power to override the wishes of the majority of residents. It will be easier for Council to amend zoning bylaw and approve more controversial developments. There are too many unfinished developments in Town already
More expensive servicing; makes planning for types of development more difficult; takes Town planning out of hands of PLANNERS and puts it in hands of developers
Giving the Town autonomy over these areas would give a pro-development Council carte-blanche to advance their agenda with even fewer checks and balances.
Gives Council freedom to change UCB and land uses that are now outside GCB; Removes one level of protection for rural land; large area of ALR land becomes vulnerable to encroachment and conflict of adjacent non-ALR land
I fear things will be pushed through by Council without adequate time and consultation with residents and little or no regard for the OCP; Info gathered for OCP let the Town know what we want; We have been ignored repeatedly in the last 3 years.
Our Town is unique among Towns throughout the world. Why would anyone in their right mind want to change this uniqueness for mediocre, like other non-descript towns. Follow the \$\$\$.
Urban sprawl; water shortage
Lack of oversight by RDN; Urban sprawl potential; Town exceeding the purpose for which it was elected; Not sufficient control over development
Qualicum Beach will cease to be as we know and love
Detracts from spirit of collaboration between partnering municipalities and regional district. Undermines regional growth strategy. Create potential conflicts with neighbouring jurisdictions.

Expanding the GCB to match the Town boundary would:

Q2. Decrease the length of time and procedural requirements to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP with respect to land that is currently outside of the GCB.

Q2 – BENEFITS

No benefits to residents
None. It’s a negative too much control by 5 people. No “sober second thought?” No full participation of the community
None
As long as there is sufficient public info & consultation things should proceed as quick as possible
No benefits
Little!!!
Council only. Residents spent 2 years defining the last OCP and are now being put down after so much work
Streamlining the prospects of Council and the community to control development as they see fit
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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

To potential developers
None
Yes by all means let's decrease the time for development processes. Hopefully that would encourage development (industrial, business) that would contribute to our future sustainability
Wait until a new Council is elected
Development can be fast tracked
Not sure
Faster permitting
Quicker permits
We are not given sufficient time. As usual things are being rammed through. How do the '3' justify ignoring the vast majority of taxpayers???
None
This means the Council, NOT the residents
Helps to provide some certainty to property owners if they have bright ideas
None
Speeds up and simplifies process for Council to change OCP; Benefits Council
None!
None
Allows more rapid development - reduces long process delays
Absolutely not!
Simplifies and speeds up process for OCP amendments and re-zoning applications. Perhaps less staff hours needed for processing amendments

Q2 – DRAWBACKS

Residents of this community are at the mercy of 3 ruthless Councillors who could not care less about the opinions of residents
OCP can be changed to hastily lose compact quality – walkability
OCP changes of this magnitude should be carefully considered with full participation of the community
Reducing timeframes risks the possibility of “knee jerk” changes and neglecting consideration of the big picture
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What is the purpose of a community OCP if Council can change it at its discretion. This is not a minor change to the OCP. It is a major change!
There is a sense of fear by some residents that Council (now and future) would move too fast with the “flavour of the day” or influence by those with “deep pockets”
Too hurried to make a decision of this magnitude. Please wait
Possible too fast a change without full consideration of long range repercussions; Do we want a small number of people who would be the majority of Council to have so much power? NO

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

Not sure
Could fewer reviews result in something undesirable being developed?
Fewer restrictions to undesirable development
3 members of Council vote as a <u>block</u> again and again; In my judgement and that of many others, the RDN will help us get a balanced and comprehensive study of the issues which is not forth coming of the present Council
What is the rush? This is a major decision that affects others. These decisions should be made with great care. The RDN would give more input
The Town if it wants an OCP change should then go through a <u>full</u> OCP review; Citizens involved in planning long range can help in setting up an OCP that everyone agrees with. Right now Council is off side from the citizens in their Town
The OCP should not be changed at all until decisions are made for the next OCP. If some important change is necessary, a referendum <u>should</u> be held whereby the citizens of the Town can participate in the decision-making. NOTE: A Council of 5 people should not be allowed to overturn the wishes of the majority of the residents who've spent much time and effort involved in the OCP process
Bad decisions are often made when insufficient time; Fundamentally don't approve decreasing the time! Long range planning solves all problem!! This was to be a public information meeting; We find it is to be OCP workshop
Would make it easier for Council to act in the interest of developers while ignoring the will of residents
Reduces opportunities for public feedback; Opportunity for Council to limit public consultation; changes to OCP and zoning may not be supported by public, but may be passed by Council if procedural requirements are decreased. This current process is one example.
Time and process is important to get things right - dangerous to community and disrespectful of the fact the OCP is based on community input
Nothing wrong with Qualicum Beach as it is!
The people gave their views and should be respected. No need to change just because some people see a chance for personal gain
Violation of OCP; Ignoring wishes of Town residents; Lack of full public input; Makes a farce of the OCP process
Nothing should be done quickly. Ask the people who live here. Let us have a vote
A single meeting involving such important development is definitely far from adequate and open to much criticism and negative effect on residents - an insult!!
Reduces opportunities for public input and public consultation. Potentially interfere with a process for careful consideration and analysis of significant amendments and rezoning applications.

Q3. What other benefits do you see to the proposed change?

None
Absolutely none
None
0
Zero
With the current social and economic climate the Town needs to be in control of its future. To adapt and adjust to maintain the quality of life in Qualicum Beach
Town able to be the only level of government as oversight
None
It plays into the interest of the P-Glen development which will reinforce and exacerbate the polarization that currently exists in the community
Only benefits developers
A positive step towards facilitation of development of employment creating sustainable economy of TQB
None

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
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None
More negatives than positives
None
None
There are no benefits. There are only benefits in the minds of Council.
None
More opportunity to develop a badly needed light industrial area for stronger tax base, and above all, more employment opportunities for young families
None
If GCB changed there is a potential for financial gains for Town from new tax revenues; financial gains for individual property owners; financial gains for construction workers; financial gains for developers, if land is re-zoned and developed

Q4. What other drawbacks do you see to the proposed change?

COSTS – Leave it alone
All developers requests seem to be rubber stamped. <u>NO</u> consideration for the residents.
Can only make things worse here; opens up too many areas for subdivision type development eg. waterfront estates. Sustainability? Environment? Mere words.
As it is there seems to be little oversight of building projects in Town, how will less or no involvement by RDN improve things?
It misses the point of the Regional Growth Strategy to protect the environment, save us from urban sprawl, protect the taxpayer. We have seen instances of very bad development in this Town, now we can spread them around. Urban sprawl.
It doesn't sound like it will have any negative impacts. The Town & Council have been doing a great job of looking out for the Town's interest
Proposed changes/revisions to the OCP constitute a minor amendment – do not agree – changes constitute a <u>major</u> amendment
Having to supply sewer etc for any future approved development; slippery slope: would likely pressure to expand UCB
Urban sprawl. Water problems – aquifers down this winter; Parking chaos within the Town – unless the school closure is designated for parking not hi-rises?
The streamlined process plays to the interests of those who want to develop their property expediently – if the proposed developments are perceived by the community as un-wanted or as negatives – then expedited protocols will be felt as negative
Urban sprawl; Ignoring OCPs – changing whenever Council wants to; too much power for Town of QB
There will be pressure to provide sewer and water services to these new land areas once development potential is there
Council is leading this change. 5 persons making the decision for whole community. Process is flawed – too rushed – actually a major amendment to the Regional Growth Strategy
Listed on other side. This is a major amendment not a minor amendment
I'm not fully clear on why we <u>really</u> need this change now
Not enough time for thought as to what long-range impacts could happen in all the areas that could be affected
It is a bad idea unless you stand to benefit financially from this.
With this Council it would involve opening the Town up to developers and not respecting the wishes of the citizens who pay the taxes that run this Town.
Assuming that UCB is next to go: Loss of rural land. Urban sprawl. Leap frog development. Infrastructure costs to supply services to new developments and existing properties (if those residents opt for services). Environmental degradation. Reduced quality of life for current residents. A different vision of Qualicum than envisioned by residents in 2011 OCP. Increase of GHG emissions. Undermines plan for compact

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urban/village centre.
With no checks and proposals being rushed through we will lose our "well planned" community with commercial clustered; strip malls and other inappropriate use of fringe areas will not improve Qualicum; this opens the door for development in the area of Milner Gardens, Eaglecrest, etc. which is undesirable.
This proposal is in the hands of a very few people who stand to "profit"! This is <u>not</u> what most Qualicum Beachers want. The residents of Qualicum Beach deserve input as to the decisions made by a very small group of individuals.
Don't want to become another Parksville
Rampant development in the new proposed boundary - Impact on water resources; Population exceeding Town size - becoming a City. Increased property taxes to support services and infrastructure
If GCB changed and land rezoned for development: This could change the quality of life in Qualicum by increased traffic, increased population, increased property tax, increased air pollution, reduction or elimination of Qualicum's greenbelt - is this something the community wants? Higher demand and stress on fresh water resources. Depending on market trends, undeveloped land that is now rural could be used for condos, subdivisions, commercial or residential estates. If GCB removed it could promote and create urban sprawl. Could create growth that is unsustainable.
My opinion and outlook are based on local newspaper reports and editorials. Given we have a dysfunctional Council, I suggest we do nothing until after the next election. My vision is for a working Council that acts with respect, wisdom and knowledge based on what the populace wants.

Q5. What other information would assist you in furthering your understanding of this topic?

None
The truth
Full OCP review at the proper time this proposal has too many implications to leave up to 1 meeting. Why do we agree to large subdivisions only to have them change their plans – don't need anymore
No other information required
A map or summary of what could potentially change if this change took place. How many new homes, businesses, condos, etc.
How full/empty is current UCB – do we still have room. If so, why push expansion?
Presentation by UCB experts. Presentation by RDN personnel only – with no QB Town or Council present. We need to understand this major change fully and completely
How is this a "minor amendment" to the Regional Growth Strategy, by definition
Present similar case examples please, including these that resulted in change and those where no changes were made. This might help us understand impacts to other communities
Lawyers' opinion on the legality of a minor amendment versus major amendment
None
More information on possible infrastructure costs when development occurs in other areas
The '3' has a moral responsibility to fully explain their reasons for this process.
This information and the drawings should have been in both local newspapers and not on the back pages
A full OCP review
What is Council's next step if GCB is changed? What do they want to do with the land that is no longer protected? How does the Town intend to apply for a minor amendment to RGS, knowing that a major amendment is required? It would be helpful to learn from Council their ideas and plans for any new designations for properties that would no longer be outside GCB if the RDN passes the amendment. There is no reason to change the GCB unless there are plans to urbanize and re-zone the affected properties
Public meetings where actual dialogue (not harassment) occurs between residents, Council and Town staff. There is great unhappiness in Town with the hidden agent of Councillors and their pushing approval through, dropping DCCs, changing property height rules etc. etc. contrary to; Staff did a poor job of explaining at public meeting - need better info at next meeting
The writing is on the wall in regards to our once lovely Town turning into humdrum! Qualicum used to be a

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place - a quaint place that folks & tourists talked about! It is not shaping up to be that "place" anymore!
Don't let this town be bullied into changes most residents don't want. Be out in the open and not devious
Much better information published by Town in local papers on the impacts of this change. An explanation of the controls - or lack thereof - on development
Why is the proper process being avoided? Is eliminating the GCB about growth?
Am uncomfortable with eliminating the Regional District's say in adjusting or changing our Official Community Plan. Feel that is the main thrust right now.

Q6. Do you have any other comments?

Oh how the Town would benefit from the resignation of the three Councillors who vote as a block on any issue. Why is this being rushed through? Could this issue be voted on at the municipal election in November.
OCPs are made by the people after a lot of hard work – like the RGS and should be respected – not ignored by 5 people on Council. Referendum if need to change?
The OCP has turned into a great comic joke. How about a referendum? One public meeting of less than 50 people is <u>not sufficient!</u>
Is this an end run for Pheasant Glen? What about affordable housing? Lots of people are not present here for this <u>only</u> public hearing on March 4 th . How about a referendum on this topic? This is taking up a lot of staff time, how about all the other business of the Town. This apparently came from the Council Strategic Plan, how was that developed?
Why should we participate in the next OCP? Does this matter, what happens if "Council" doesn't hear what they want to?
There is a lot of emotion, and misunderstanding around this meaning develop doesn't need to go through the process
Planning must follow an open, transparent process that cannot be changed or compromised on an individual whim.
OCP is like a swiss match, discussing UCB & GCB is only 1 piece. Worried about only discussing a narrow part of OCP. Needs to be a broader conversation.
We fully expect this to be pushed through with as much speed as the Clarion Development. Is this really the only info session available to residents. Why was the info. package only put on your website 24 hrs. prior?
This is <u>not</u> a sufficient process to call an OCP review process
A major change to OCP at this time would be redundant and costly
I am not happy with the communication process used to the community. I do not believe this is a minor amendment to the OCP
It appears that Council does not agree with Regional Growth Strategy and its purpose. If Council feels the GCB is a hindrance or unfair or an obstacle to their autonomy then are they not supporting the Regional Growth Strategy
It's time Council protected the interests of the taxpayer. Eg. desecration of land heritage development. Election! Election! Election!
Undo rush to have OCP amended. What's the hurry?!
Why go ahead with now or wait until the OCP in 2016? My general observation throughout comments made is that there was a deep feeling of distrust in the current Council and therefore wonder what the <u>real</u> agenda is
Although it seems presented as a "minor" change, <u>it is not</u> . Stick with the Official Community Plan timeline.
RDN has already allowed undesirable developments in areas just outside of municipal boundaries – how can we be <u>involved in influencing these approvals?</u>
We need to have more discussion with Counsellors when controversial items are dealt with. Will all Council members <u>vote according to their own informed judgement?</u>
An OCP review is an important decision. Where was a lot of publicity in the papers regarding our OCP a few years ago but there was very little publicity in the papers re this meeting and its importance

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
PUBLIC INFORMATION MEETING FEEDBACK**

Town Council should have full fledged OCP reviews. ie. listen to the citizens who pay the taxes.
This Town needs more affordable housing to attract younger families to move here; the seniors require younger people to provide services that seniors are unable or unwilling to do. Besides, younger people bring energy, enthusiasm, new ideas, etc. with them.
The minor amendment to RDN is incorrect process. The process is too rushed and most residents don't know it is happening nor do residents know how this change will affect Qualicum and our OCP. This amendment should be part of the next full OCP review. Council is not serving the interests of the community by using this process.
What they ran their campaign on and totally ignoring the OCP; Town staff seems to promote these development proposals and push forward. The College Inn situation demonstrates what happens when the Town promotes the wishes of the developer and ignores the implication for residents. This form collated, totalled, etc. means nothing and is not an accurate statistic. Anyone can send one or fifty in, regardless of whether or not they are a resident. Easy to stack the deck. Poorly planned strategy if you really want to know what people think.
Mary Brouillette, Dave Willie, Bill Luchtmeijer need to find a different place to live!
We know there is water shortage on this Island, let's be sensible and not cave in to the greed of others
Is a sensible, logical proposal.
This proposal is not in the interests of the Town and its taxpayers. The proposal is driven by the desire for profit by developers and builders and realtors.
Moving a GCB should be a community decision. More discussion is needed. Should be part of a full OCP review.

**Town of Qualicum Beach
MEMORANDUM**

TO: John Marsh, CMA, Acting CAO

FOR: Council Meeting, April 7, 2014

FROM: Luke Sales, MCIP, RPP, Director of Planning;

SUBJECT: 2014 OCP Review – Growth Containment Boundary

RECOMMENDATION

- THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be introduced and given first reading;
- AND FURTHER THAT Council holds a public hearing on Wednesday, April 23, 2014 at 7:00 pm at the Qualicum Beach Civic Centre, 747 Jones, Qualicum Beach in regard to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014".

PURPOSE

To consider a bylaw that will amend the Town's Official Community Plan.

BACKGROUND

The Town is currently reviewing its Official Community Plan (OCP) to determine whether the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS) should include the entire Town or only a portion of the Town, as is the current designation. This review addresses the governance aspect of regional growth planning and reviews the manner in which the Town of Qualicum Beach works with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town. It is also an opportunity to review how the location of the GCB may or may not support the Town's long-term growth management policies.

Currently, the GCB and UCB include the same areas within the Town. However, the Town controls the UCB.

- Growth Containment Boundaries are established in the RGS and are under the jurisdiction of the Regional District of Nanaimo.
- The Urban Containment Boundary (UCB) is defined by the Town of Qualicum Beach Official Community Plan (OCP) and is under the jurisdiction of the Town. It is not currently being reviewed in the present OCP review.

Although the Town's GCB currently follows the same alignment as the Town's UCB, the two do not need to be the same. The Town could manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy. The alignment of the Growth Containment Boundary at the municipal boundary does not imply that rural lands outside of the Town's Urban Containment Boundary will ever be developed for urban use

The Regional District of Nanaimo includes the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach. The approaches to establishing a GCB vary between the four municipalities:

- The City of Nanaimo has a GCB at the municipal boundary. Their Urban Containment Boundary (UCB) excludes parts of the City that are not identified for development.
- The District of Lantzville does not have a GCB at the municipal boundary, but it does include some lands outside of their UCB. The UCB does not include parts of the District that are not identified for development.
- The City of Parksville does not have a GCB at the municipal boundary. Its UCB is the same as its GCB and excludes parts of the City that are not identified for development.
- The Town of Qualicum Beach does not currently have a GCB at the municipal boundary. Areas that are not identified for development are outside the UCB and the GCB.

DISCUSSION

On Tuesday, March 4, 2014 a Public Information Meeting was held at the Qualicum Beach Civic Centre on the topic of the 2014 Official Community Plan review of the Growth Containment Boundary (GCB). A report on the topic of the potential change to the GCB was distributed to an extensive email distribution list and uploaded to the Town's website on February 21, 2014. (Attached) A presentation by Town staff began at 7pm, followed by group discussion, written feedback and open mic. Feedback forms are available for those people that were unable to attend the meeting or wanted take their form home to complete it. Staff have transcribed feedback forms received before March 28, 2014.

Discussion with RDN staff

Town staff met with Regional District of Nanaimo staff on February 28, 2014 to ensure that there is mutual understanding of the required process, should the Town proceed with the OCP review leading to an RGS amendment application. It was suggested that broadening the scope of the current OCP review to include issues related to long-term planning would strengthen the Town's application for a minor amendment of the RGS. A broadened scope could address topics such as how the proposed change to the GCB improves the Town's capacity to manage, accommodate, and direct future growth. A broadened OCP Review could also identify topics for future reviews. An OCP review on the topic of governance that does not address a wider scope of topics may not qualify for the conditions required for a "minor amendment". In any case, it will be up to the RDN Board to determine whether the Town's OCP review is an acceptable process to qualify for the minor amendment process.

One advantage of moving the GCB to the Town boundary is that it would provide more flexibility in the manner that the Town conducts future OCP reviews. Rather than continuing with major reviews every six years it may be more appropriate to conduct smaller, focused reviews on specific topics more frequently. Examples of smaller, topic-based public planning processes include the 2012 Village Neighbourhood Planning Project, the 2013 Secondary Suites Policy Review and the 2013-2015 Waterfront Master Plan, which is now in the first phase. In cases where the OCP review involves land outside of the current Urban Containment Boundary, the proposed change to the GCB would shorten the required process.

Written Feedback from March 4, 2014 Public Information Meeting

Attached to this memo is a complete transcription of the written feedback from the March 4, 2014 Public Information Meeting (PIM). Additional feedback forms received that were received after the March 4 PIM have been transcribed and added to the record (attached).

A number of the feedback forms express concerns over the potential development of areas that would be brought into the Growth Containment Boundary, should this application proceed. However, the OCP amendment bylaw currently under consideration does not permit or deny development. It changes the process for some types of development reviews. In the last month a significant BC Supreme Court decision involving Langley Township and Metro Vancouver ruled strongly in favour of municipal autonomy over land use decisions for long-range planning. The proposed change to the Growth Containment Boundary would reinforce that principle.

Recent Meetings & Council Consideration

- January 13, 2014: Council direction to proceed with an Official Community Plan review of the Growth Containment Boundary;
- February 20: Background report on OCP review topic. Circulated and posted to website;
- March 4, 2014: Public Information Meeting (round-table discussion format). Feedback form distributed;
- March 17 (Council Meeting): Report to Council with preliminary feedback from March 4. Consideration of OCP amendment bylaw referred to April 7;
- March 28: Additional feedback forms compiled and transcribed.

Next Steps


- April 7 (Council Meeting): OCP amendment bylaw introduced and read a first time;
- April 14 (Council Meeting): OCP amendment bylaw read a second time;
- April 23: Public Hearing;
- May 12 (Council Meeting): Consideration of third reading and adoption;
- May: Application to the RDN (see attached diagram. Timeline estimated at three months) Referrals will also be sent to the Agricultural Land Commission, School District 69, and local First Nations, although no formal approval is required for these organizations.
- If RDN board approves the application, Council may adopt the OCP amendment bylaw in an open Council meeting (possible timeframe: August 2014).

ALTERNATIVES

1. THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be introduced and given first reading;
AND FURTHER THAT Council holds a public hearing on Wednesday, April 23, 2014 at 7:00 pm at the Qualicum Beach Town Hall, 660 Primrose Street, Qualicum Beach in regard to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014".
2. THAT Council directs staff to proceed with an Official Community Plan review on the topic of the Growth Containment Boundary in *[insert year or date]*;
3. THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be introduced and given first reading;
4. THAT Council provides alternative direction to staff.



Luke Sales, MCIP, RPP
Director of Planning
Report Writer



John Marsh, CMA
Acting CAO
Concurrence

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**TOWN OF QUALICUM BEACH
 BYLAW NO. 700.10**

**A BYLAW TO AMEND THE TOWN OF QUALICUM BEACH
 Official Community Plan Bylaw 700, 2011**

The Council of the Town of Qualicum Beach, in open meeting lawfully assembled, hereby enacts as follows:

1. "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011" is hereby amended as follows:

- a) Replace Map Schedule 2.1 "Land Use" with the attached Appendix 'A'.
- b) On "Policies" page 2-6, insert policy six (6): "The Town shall manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy. The alignment of the Growth Containment Boundary at the municipal boundary does not imply that rural lands outside of the Town's Urban Containment Boundary will ever be developed for urban use."
- a) On Appendix 'B' Regional Context Statement, amend Goal 4 (1) by checking "No" under "Consistency between OCP and RGS" and inserting the following under "OCP Reference", "To ensure that the Official Community Plan is responsive to future needs, the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the RGS.", as shown below.

	Yes	No	
1) Does the OCP's Urban Containment Boundary match the RGS's Growth Containment Boundary?		√	Section 2.1.1 "Urban Containment Boundary" Schedule 2.1 "Land Use" To ensure that the Official Community Plan is responsive to future needs, the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the RGS.

2. This bylaw may be cited as "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014".

READ A FIRST TIME this day of _____, 2014.

READ A SECOND TIME this day of _____, 2014.

Notice published pursuant to Section 892 of the *Local Government Act* on the _____ day of _____, 2014 and the day of _____, 2014.

PUBLIC HEARING held on the _____ day of _____, 2014.

READ A THIRD TIME this day of _____, 2014.

ADOPTED this day of _____, 2014.

 Teunis Westbroek, Mayor

 Heather Svensen, Corporate Administrator



TOWN OF QUALICUM BEACH

BACKGROUND REPORT: 2014 OCP Review – Growth Containment Boundary

Public Information Meeting

7:00 pm, March 4, 2014
Civic Centre, 747 Jones Street, Qualicum Beach

Guiding Question:

Should the Town's Growth Containment Boundary (GCB) be the same as the municipal boundary?

The GCB is identified in the Regional District of Nanaimo Regional Growth Strategy (RGS) and broadly defines the growth areas within the region. The Town is pursuing a change to the GCB to change the governance requirements within the Town. To affect this change, the Town must review and amend its Official Community Plan (OCP).

The Town is currently reviewing its OCP to determine whether the Growth Containment Boundary (GCB) in the RGS should include the entire Town or only a portion of the Town as is the current designation. This OCP review specifically addresses the governance aspect of regional growth planning and raises the question of whether the Town of Qualicum Beach should be required to consult with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town.

Growth Containment Boundary (GCB) vs. Urban Containment Boundary (UCB)

Currently, the GCB and UCB include the same areas within the Town. However, the Town only controls the UCB.

- Growth Containment Boundaries are in the RGS and are under the jurisdiction of the Regional District of Nanaimo.
- The Urban Containment Boundary (UCB) is defined by the Town of Qualicum Beach Official Community Plan (OCP) and is under the jurisdiction of the Town. It is not currently being reviewed in the present OCP review.

Although the Town's GCB currently follows the same alignment as the Town's UCB, the two do not need to be the same. Currently, the Town is considering a change that would result in a GCB that would no longer mirror the Urban Containment Boundary, and instead align with the municipal boundary.

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

Why would the Town set the GCB at the municipal boundary?
Expanding the GCB to match the Town boundary would:

1. Simplify the governance structure

Currently, the Regional District of Nanaimo and member municipalities have a role in permitting or denying urban growth and servicing within some areas of the Town. Setting the GCB at the Town boundary would remove the need for partner municipalities and the Regional District to consent to changes to the amount or form of development to urban use or density in areas outside of those that are currently intended for urban development. Town of Qualicum Beach Council would have complete autonomy over land use decisions for land that is not located in the Agricultural Land Reserve. Within the bounds of a GCB, a municipality does not have to consult with the Regional District of Nanaimo or other member municipalities. The Town can, however, maintain a separate UCB that designates some areas for growth, while restricting development potential in other areas.

If the GCB is set at the Town boundary, the Regional District of Nanaimo would no longer have a role in permitting or denying urban growth and servicing within the Town.

2. Shorten the process for some land use changes

Currently the process for approving a development application for lands outside of the Growth Containment Boundary is long and cumbersome. Setting the GCB at the Town boundary would decrease the length of time required to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP, with respect to where urban development is supported. The approval process would be unchanged for areas that are currently within the Growth Containment Boundary.

Presently, developers intending to develop land outside of the Growth Containment Boundary can initiate a change to the Regional Growth Strategy by applying to the Town for an OCP amendment. This allows the Town to decide whether it wants to proceed with an RGS amendment. Effectively, the Town would become the sponsor of an application to the RDN for an RGS amendment.

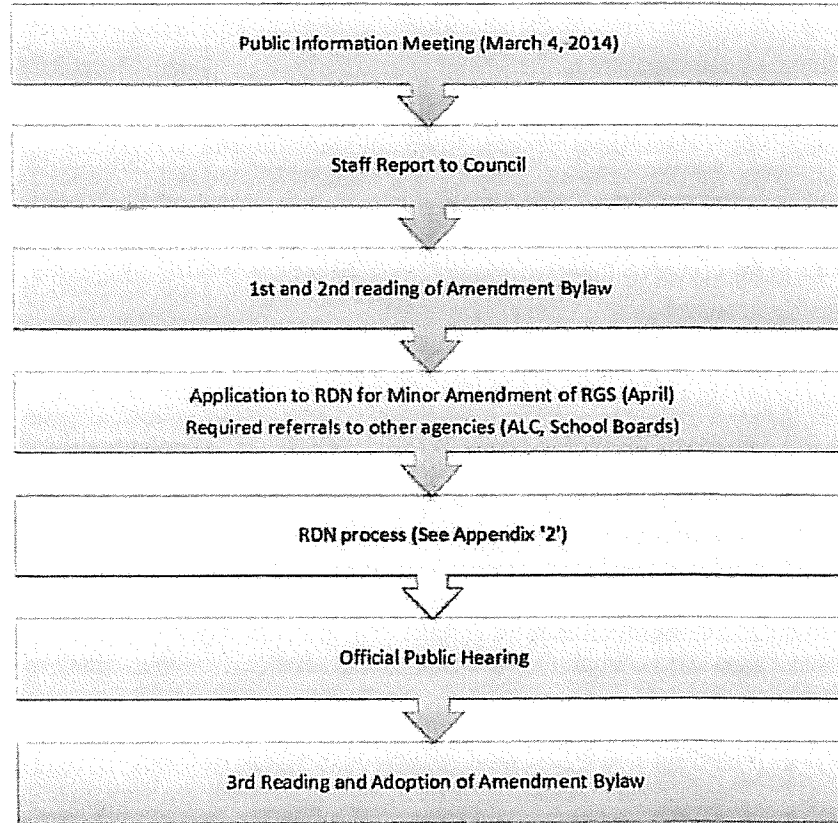
RGS amendment applications are currently analyzed on a project-by-project basis to ensure that they coincide with the goals set forth by the RGS. Based on the timelines for applications to the RDN in other areas, the process for a Regional Growth Strategy amendment application may take one to two years. The rigorous process for amending the RGS limits the speed with which local governments can permit urban development or provide servicing to areas outside of the GCB.

Expanding the GCB to include ALR land would have little effect on the Town's ability to permit development in these areas. Changing the GCB to the Town boundary would primarily affect non-ALR properties outside of the GCB. There are 909 hectares of land inside the GCB and 869 hectares of land outside the GCB. Of the land outside the GCB, 354 hectares is not in the ALR.

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

What's the process?

Growth Containment Boundary OCP Review Process



2014 OCP Review - Growth Containment Boundary Background Report
February 20, 2014

About the RGS and RDN

The Town of Qualicum Beach, along with partner municipalities, adopted the "Regional District of Nanaimo (RDN) Growth Management Plan" in 1997. This plan was the first iteration of what is now known as the Regional Growth Strategy (RGS). The RGS was implemented in response to residents' concerns about the impacts of rapid population growth and unconstrained development in the late 1980s and early 1990s. One of the policies of the RGS is the establishment of Growth Containment Boundaries (GCBs), which delineate the areas where most development is permitted to occur. Within the RGS, GCBs include urban areas and "Rural Village Centres" and generally exclude the Agricultural Land Reserve (ALR), resource land and rural areas.

The Regional District of Nanaimo provides regional governance and services throughout Vancouver Island's central east coast. Communities within the RDN include the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach, as well as seven unincorporated Electoral Areas. Established in 1967, the RDN is British Columbia's third most populous Regional District.

The RDN is governed by a 17-member Regional Board, comprised of ten directors from locally-elected municipal councils, and seven directors elected by Electoral Area residents. Board members also sit on a variety of regional select and standing committees for key services, as well as the RDN Committee of the Whole.

Growth Containment Boundary

"Growth Containment Boundaries (GCBs) are geographically-based lines shown on RGS maps that define where growth is intended to be directed. The Growth Containment Boundary is intended to control urban sprawl and to encourage the development of compact, complete communities within municipalities or within a Rural Village Area in electoral areas. Land situated outside the GCBs is intended primarily for rural purposes that require limited infrastructure and services."

- 2011 RGS, Glossary

2014 OCP Review - Growth Containment Boundary Background Report
February 20, 2014

What's the Next Step?

Following the Town's OCP review, if Council decides that the GCB should be the same as the municipal boundary, an application will be made to the Regional District for a minor amendment to the RGS. A referral to the Agricultural Land Commission and School District No. 69 Board would also be made at the same time to comply with the *Local Government Act*.

Contact

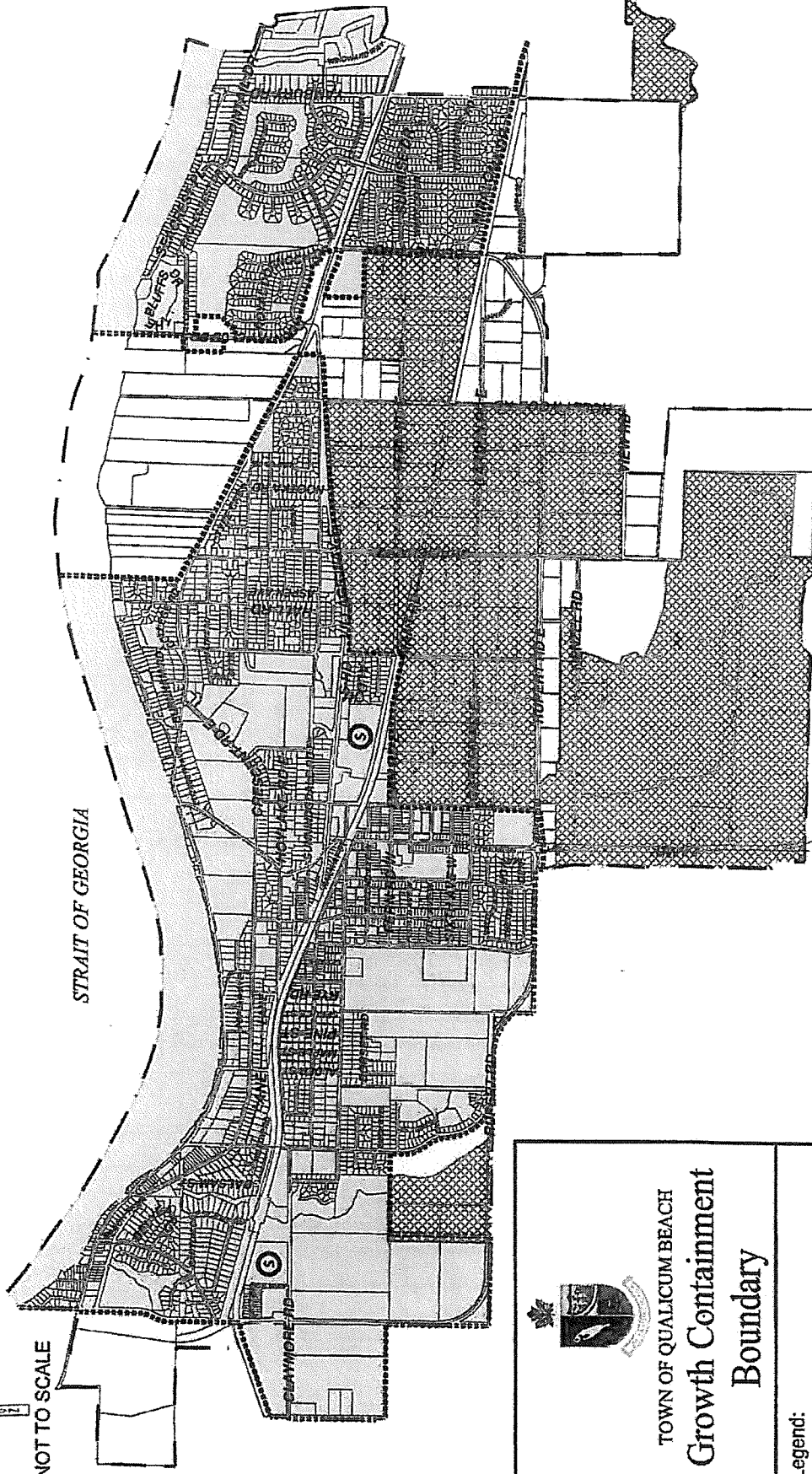
For questions or comments about this OCP review process, please contact me directly:



Luke Sales, MCIP, RPP
Director of Planning
Town of Qualicum Beach

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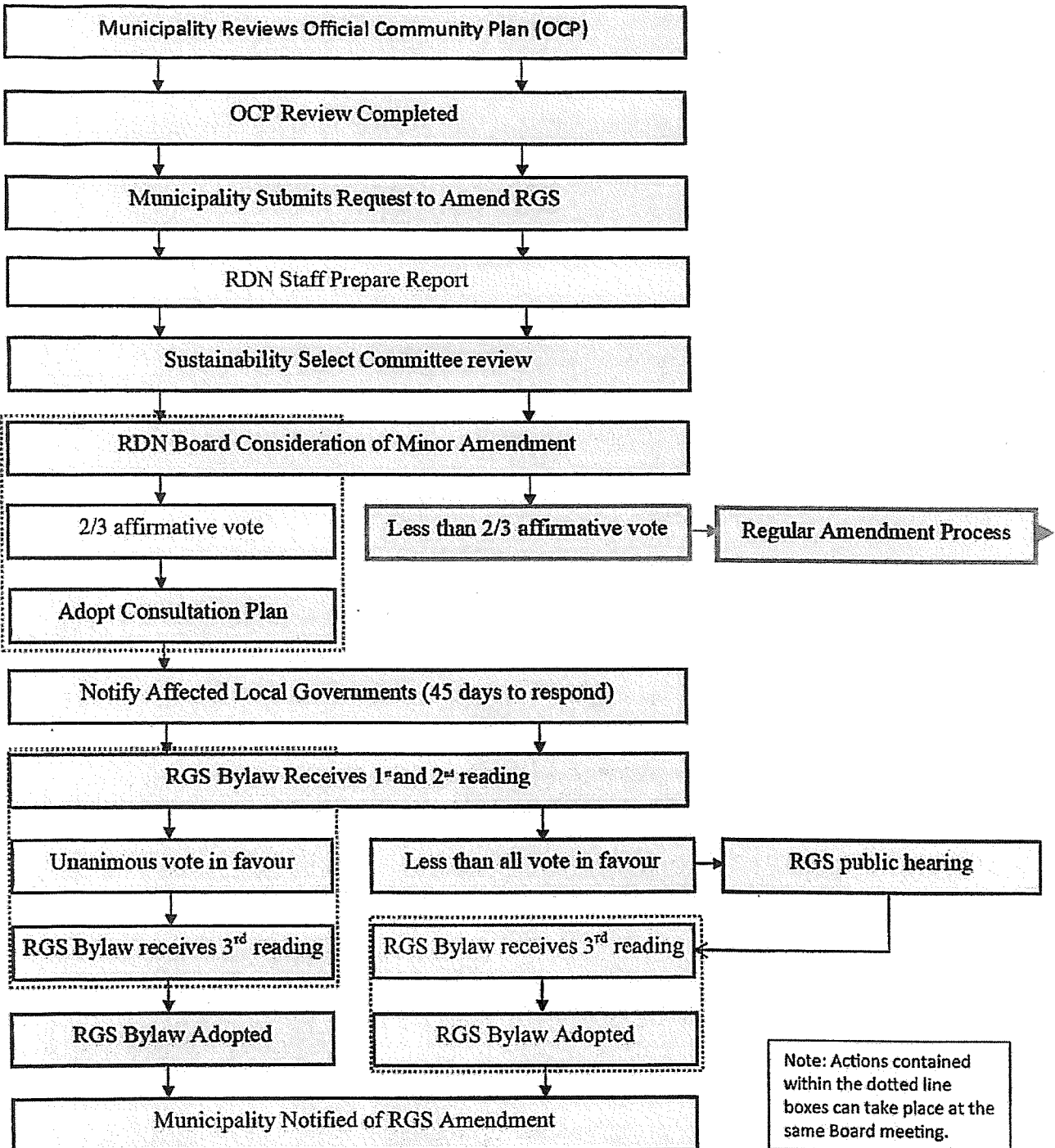
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TOWN OF QUALICUM BEACH
**Growth Containment
 Boundary**

- Legend:
- Urban Containment Boundary
 - Inside Growth Containment Boundary
 - Outside Growth Containment Boundary
 - Agricultural Land Reserve
 - Municipal Boundary

RGS Minor Amendment Process Triggered by OCP Review in Municipality



Source: Regional District of Nanaimo

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

The Town of Qualicum Beach held a public information meeting on March 4, 2014 to discuss whether the Growth Containment Boundary (GCB) should match the municipal boundary. The following are written comments that were received as feedback from attendees through the forms that were distributed to them at the meeting.

Expanding the GCB to match the Town boundary would:

Q1. Remove the requirement that partnering municipalities and the Regional District consent to increase the amount urban development in areas outside of areas currently intended for urban development. The Town would have autonomy over land use decisions for land within the Town that is not in the Agricultural Land Reserve (ALR).

Q1 – BENEFITS

A GCB change may help speed up a project than can enhance a town
The only beneficiaries would be developers, Councillors, Pheasant Glen
Cannot see any benefit at this time and am opposed to any boundary change
None
Why wouldn't the Town decide for the Town. The Town knows the Town best, and should make the Town decisions; It would allow the Town to stimulate the economy in ways they see fit; React dynamically to world/local changes.
No Benefits
Few!! Don't see the benefits here.
Developers, Councillors
Administratively simple and enhances the Town's autonomy; Practically, we are not speaking of much new land being added as potentially developable
Town should take complete responsibility for land use within its boundaries; Reduce cost/bureaucracy
Potential to connect Eaglecrest community with North Qualicum
Why does Council want to increase urban development in Qualicum Beach. Should this not be a community decision?
More encouragement to Councils' favourite developers to benefit at taxpayers' expense
Other areas don't control TQB decisions on Growth; TQB has control over land use decisions within the Town's boundaries
NONE
Yes – lets simplify the process; Better coordination of services; No need for Regional consultations of land use within municipal boundaries
With the old method we have a beautiful village with no big debt; why change now?
Council could make changes based more on their own bias – therefore it would facilitate their fast decision and benefit a developer – not really a 'benefit' but a negative
Removes other levels of government from land use decisions in QB
Faster permits; more control over areas within boundaries; more say in developments?
Quicker permits; more control over areas within boundary, more say on how these areas are developed
Only the developer and not the tax payers! We have been ignored by 3 members of Council and 1 newspaper person. If they resigned now our community would obviously benefit from a balanced approach! There has to be a structure to impeach people who represent only 1 group i.e. developers
Will benefit developers
None at this time
May reduce coordination burden with neighbouring municipalities; may allow better reaction if market changes; Town should plan long ahead for its containment boundary
None

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

Gives Council the opportunity to change UCB and land uses and zoning that are now outside GCB; Benefits Council
None!
None
Simplify Planning
Leave as is. Keep Qualicum small - this is why we moved here!
I believe the GCB should match the municipal boundary. Any development requirement for change require extensive thorough detailed knowledge distributed and/or discussed openly and publicly.
Simplify process for development application. Simplify process for OCP amendments. Moving GCB may potentially provide opportunities for development on previously non-development land. Speed up and support growth.

Q1 – DRAWBACKS

Council only accountability is at the next elections
A layer of oversight is lost if the push is on for some major project or development
3 Councillors only make these crucial decisions, restricting input from residents
RDN no longer has a voice in this area; urban sprawl
Over development of beach front property. How would you control density and protect the environment and wildlife
This is a "profound" change in the words of Paul Thorkelson CAO of the RDN at a public meeting here last November. I think the fact that one Council with 5 members can overturn the wishes of the Town expressed in the OCP process is not a good way to proceed
Make sure the commercial heart/core isn't lost
Must consider consequences of growth (e.g. cost of infrastructure such as transportation, public services, etc.); Frightening that a small number of Town Councillors can make decisions outside OCP process
Political agenda; Economic inputs to Town
Decided by 3 or 4 Councillors; Little or no input to residents; Insufficient notification of information meetings
Removes the check on growth that the RDN criteria compels
I don't want the Town to have complete autonomy over all land use decisions. I believe having a 2nd level of government to apply to when/if local gov. (5 people) makes decisions not to the benefit of all of Qualicum Beach citizens; checks & balances are important
None
There is potential for urban development to a high density very adjacent to a rural area. eg. south side of Rupert Road; We do not want high density development adjacent to Milner Gardens; having high density development surrounded by ALR land does not make sense
Rural land becomes vulnerable; removes protection for rural land; potential for urban sprawl; not in agreement with Regional Growth Strategy; Encroachment on ALR land; Likely create leap frog development; undermines compact community; encourage development of rural property
No definition of areas of high density limits/low density area in outside growth containment boundary. Is Council waiting for developer input
Need checks and balances; Cost of growth; RDN is source of sober second opinion; Select, self-serving Council can do irreparable future damage; This is exclusively pro-growth
We must keep an eye on the successes of "village" life – why most of us moved here
Removes a level of "second thought" (RDN; Not fully discussed as part of a general OCP review; piecemeal change; puts too much power in the hands of a very small Council
Removes "sober second thought" from land use decisions
Increase in developed area; increased taxes for those coming into expanded area additional development costs?; obligation of Town to service these areas.
Potential footprint increase of developed area if areas are developed; increased property taxes? for those in

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

new area; potential decreased density of built area – less efficient services, not as environmentally sustainable; does nothing to prevent development by private developers outside the Town boundaries; additional cost of development & servicing of developed area (which will increase all taxes)
The present structure should not be changed. Our community's decision will affect other communities living conditions. The RDN can give us a voice if we happen to have a Council or 3 or more who vote as a block on a consistent basis. There is no evidence that we can trust this Council to represent the taxpayers. They are obviously here to represent the developer
There would only be a small group of people (Town Council) who are making a decision regarding land that would affect other people. The RDN should be involved to give a more balanced opinion
Opens up areas to be developed willy-nilly by a Council that is hell bent to develop, develop, develop
The Council will have too much power to override the wishes of the majority of residents. It will be easier for Council to amend zoning bylaw and approve more controversial developments. There are too many unfinished developments in Town already
More expensive servicing; makes planning for types of development more difficult; takes Town planning out of hands of PLANNERS and puts it in hands of developers
Giving the Town autonomy over these areas would give a pro-development Council carte-blanche to advance their agenda with even fewer checks and balances.
Gives Council freedom to change UCB and land uses that are now outside GCB; Removes one level of protection for rural land; large area of ALR land becomes vulnerable to encroachment and conflict of adjacent non-ALR land
I fear things will be pushed through by Council without adequate time and consultation with residents and little or no regard for the OCP; Info gathered for OCP let the Town know what we want; We have been ignored repeatedly in the last 3 years.
Our Town is unique among Towns throughout the world. Why would anyone in their right mind want to change this uniqueness for mediocre, like other non-descript towns. Follow the \$\$\$.
Urban sprawl; water shortage
Lack of oversight by RDN; Urban sprawl potential; Town exceeding the purpose for which it was elected; Not sufficient control over development
Qualicum Beach will cease to be as we know and love
Detracts from spirit of collaboration between partnering municipalities and regional district. Undermines regional growth strategy. Create potential conflicts with neighbouring jurisdictions.

Expanding the GCB to match the Town boundary would:

Q2. Decrease the length of time and procedural requirements to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP with respect to land that is currently outside of the GCB.

Q2 – BENEFITS

No benefits to residents
None. It's a negative to much control by 5 people. No "sober second thought?" No full participation of the community
None
As long as there is sufficient public info & consultation things should proceed as quick as possible
No benefits
Little!!!
Council only. Residents spent 2 years defining the last OCP and are now being put down after so much work
Streamlining the prospects of Council and the community to control development as they see fit
Cost savings; Time savings; Town takes responsibility for what happens inside its boundaries

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To potential developers
None
Yes by all means let's decrease the time for development processes. Hopefully that would encourage development (industrial, business) that would contribute to our future sustainability
Wait until a new Council is elected
Development can be fast tracked
Not sure
Faster permitting
Quicker permits
We are not given sufficient time. As usual things are being rammed through. How do the '3' justify ignoring the vast majority of taxpayers???
None
This means the Council, NOT the residents
Helps to provide some certainty to property owners if they have bright ideas
None
Speeds up and simplifies process for Council to change OCP; Benefits Council
None!
None
Allows more rapid development - reduces long process delays
Absolutely not!
Simplifies and speeds up process for OCP amendments and re-zoning applications. Perhaps less staff hours needed for processing amendments

Q2 – DRAWBACKS

Residents of this community are at the mercy of 3 ruthless Councillors who could not care less about the opinions of residents
OCP can be changed to hastily lose compact quality – walkability
OCP changes of this magnitude should be carefully considered with full participation of the community
Reducing timeframes risks the possibility of “knee jerk” changes and neglecting consideration of the big picture
OCP belongs to the people. Changes should be by the people with defined timelines. Why not include votes on this subject in the municipal election
This will empower Council (as current) that is very pro development to fast track OCP revisions in favour of new development in previously undeveloped areas.
[Decrease the length of time and procedural requirements to make a change to the OCP] Perfect example of why we don't want this to happen is Pheasant Glen (formerly in the ALR – now may become urban sprawl with major housing development not in urban centre) Cherry picking, changing OCP to satisfy certain individuals is wrong
None
Rush through does not permit the whole community to be involved
Process for major land use changes needs checks and balances. Process needs to allow community time to make well informed decisions about land use changes; Why does Council want to change land uses outside UCB? Major changes and decisions need more time for contemplation and analyzing the consequences.
What is the purpose of a community OCP if Council can change it at its discretion. This is not a minor change to the OCP. It is a major change!
There is a sense of fear by some residents that Council (now and future) would move to fast with the “flavor of the day” or influence by those with “deep pockets”
Too hurried to make a decision of this magnitude. Please wait
Possible too fast a change without full consideration of long range repercussions; Do we want a small number of people who would be the majority of Council to have so much power? NO

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
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Not sure
Could fewer reviews result in something undesirable being developed?
Fewer restrictions to undesirable development
3 members of Council vote as a <u>block</u> again and again; In my judgement and that of many others, the RDN will help us get a balanced and comprehensive study of the issues which is not forth coming of the present Council
What is the rush? This is a major decision that affects others. These decisions should be made with great care. The RDN would give more input
The Town if it wants an OCP change should then go through a <u>full</u> OCP review; Citizens involved in planning long range can help in setting up an OCP that everyone agrees with. Right now Council is off side from the citizens in their Town
The OCP should not be changed at all until decisions are made for the next OCP. If some important change is necessary, a referendum <u>should</u> be held whereby the citizens of the Town can participate in the decision-making. NOTE: A Council of 5 people should not be allowed to overturn the wishes of the majority of the residents who've spent much time and effort involved in the OCP process
Bad decisions are often made when insufficient time; Fundamentally don't approve decreasing the time! Long range planning solves all problem!! This was to be a public information meeting; We find it is to be OCP workshop
Would make it easier for Council to act in the interest of developers while ignoring the will of residents
Reduces opportunities for public feedback; Opportunity for Council to limit public consultation; changes to OCP and zoning may not be supported by public, but may be passed by Council if procedural requirements are decreased. This current process is one example.
Time and process is important to get things right - dangerous to community and disrespectful of the fact the OCP is based on community input
Nothing wrong with Qualicum Beach as it is!
The people gave their views and should be respected. No need to change just because some people see a chance for personal gain
Violation of OCP; Ignoring wishes of Town residents; Lack of full public input; Makes a farce of the OCP process
Nothing should be done quickly. Ask the people who live here. Let us have a vote
A single meeting involving such important development is definitely far from adequate and open to much criticism and negative effect on residents - an insult!!
Reduces opportunities for public input and public consultation. Potentially interfere with a process for careful consideration and analysis of significant amendments and rezoning applications.

Q3. What other benefits do you see to the proposed change?

None
Absolutely none
None
0
Zero
With the current social and economic climate the Town needs to be in control of its future. To adapt and adjust to maintain the quality of life in Qualicum Beach
Town able to be the only level of government as oversight
None
It plays into the interest of the P-Glen development which will reinforce and exacerbate the polarization that currently exists in the community
Only benefits developers
A positive step towards facilitation of development of employment creating sustainable economy of TQB
None

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None
More negatives than positives
None
None
There are no benefits. There are only benefits in the minds of Council.
None
More opportunity to develop a badly needed light industrial area for stronger tax base, and above all, more employment opportunities for young families
None
If GCB changed there is a potential for financial gains for Town from new tax revenues; financial gains for individual property owners; financial gains for construction workers; financial gains for developers, if land is re-zoned and developed

Q4. What other drawbacks do you see to the proposed change?

COSTS – Leave it alone
All developers requests seem to be rubber stamped. NO consideration for the residents.
Can only make things worse here; opens up too many areas for subdivision type development eg. waterfront estates. Sustainability? Environment? Mere words.
As it is there seems to be little oversight of building projects in Town, how will less or no involvement by RDN improve things?
It misses the point of the Regional Growth Strategy to protect the environment, save us from urban sprawl, protect the taxpayer. We have seen instances of very bad development in this Town, now we can spread them around. Urban sprawl.
It doesn't sound like it will have any negative impacts. The Town & Council have been doing a great job of looking out for the Town's interest
Proposed changes/revisions to the OCP constitute a minor amendment – do not agree – changes constitute a major amendment
Having to supply sewer etc for any future approved development; slippery slope: would likely pressure to expand UCB
Urban sprawl. Water problems – aquifers down this winter; Parking chaos within the Town – unless the school closure is designated for parking not hi-rises?
The streamlined process plays to the interests of those who want to develop their property expediently – if the proposed developments are perceived by the community as un-wanted or as negatives – then expedited protocols will be felt as negative
Urban sprawl; Ignoring OCPs – changing whenever Council wants to; too much power for Town of QB
There will be pressure to provide sewer and water services to these new land areas once development potential is there
Council is leading this change. 5 persons making the decision for whole community. Process is flawed – too rushed – actually a major amendment to the Regional Growth Strategy
Listed on other side. This is a major amendment not a minor amendment
I'm not fully clear on why we <u>really</u> need this change now
Not enough time for thought as to what long-range impacts could happen in all the areas that could be affected
It is a bad idea unless you stand to benefit financially from this.
With this Council it would involve opening the Town up to developers and not respecting the wishes of the citizens who pay the taxes that run this Town.
Assuming that UCB is next to go: Loss of rural land. Urban sprawl. Leap frog development. Infrastructure costs to supply services to new developments and existing properties (if those residents opt for services). Environmental degradation. Reduced quality of life for current residents. A different vision of Qualicum than envisioned by residents in 2011 OCP. Increase of GHG emissions. Undermines plan for compact

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urban/village centre.
With no checks and proposals being rushed through we will lose our "well planned" community with commercial clustered; strip malls and other inappropriate use of fringe areas will not improve Qualicum; this opens the door for development in the area of Milner Gardens, Eaglecrest, etc. which is undesirable.
This proposal is in the hands of a very few people who stand to "profit"! This is <u>not</u> what most Qualicum Beachers want. The residents of Qualicum Beach deserve input as to the decisions made by a very small group of individuals.
Don't want to become another Parksville
Rampant development in the new proposed boundary - Impact on water resources; Population exceeding Town size - becoming a City. Increased property taxes to support services and infrastructure
If GCB changed and land rezoned for development: This could change the quality of life in Qualicum by increased traffic, increased population, increased property tax, increased air pollution, reduction or elimination of Qualicum's greenbelt - is this something the community wants? Higher demand and stress on fresh water resources. Depending on market trends, undeveloped land that is now rural could be used for condos, subdivisions, commercial or residential estates. If GCB removed it could promote and create urban sprawl. Could create growth that is unsustainable.
My opinion and outlook are based on local newspaper reports and editorials. Given we have a dysfunctional Council, I suggest we do nothing until after the next election. My vision is for a working Council that acts with respect, wisdom and knowledge based on what the populace wants.

Q5. What other information would assist you in furthering your understanding of this topic?

None
The truth
Full OCP review at the proper time this proposal has too many implications to leave up to 1 meeting. Why do we agree to large subdivisions only to have them change their plans – don't need anymore
No other information required
A map or summary of what could potentially change if this change took place. How many new homes, businesses, condos, etc.
How full/empty is current UCB – do we still have room. If so, why push expansion?
Presentation by UCB experts. Presentation by RDN personnel only – with no QB Town or Council present. We need to understand this major change fully and completely
How is this a "minor amendment" to the Regional Growth Strategy, by definition
Present similar case examples please, including these that resulted in change and those where no changes were made. This might help us understand impacts to other communities
Lawyers' opinion on the legality of a minor amendment versus major amendment
None
More information on possible infrastructure costs when development occurs in other areas
The '3' has a moral responsibility to fully explain their reasons for this process.
This information and the drawings should have been in both local newspapers and not on the back pages
A full OCP review
What is Council's next step if GCB is changed? What do they want to do with the land that is no longer protected? How does the Town intend to apply for a minor amendment to RGS, knowing that a major amendment is required? It would be helpful to learn from Council their ideas and plans for any new designations for properties that would no longer be outside GCB if the RDN passes the amendment. There is no reason to change the GCB unless there are plans to urbanize and re-zone the affected properties
Public meetings where actual dialogue (not harassment) occurs between residents, Council and Town staff. There is great unhappiness in Town with the hidden agent of Councillors and their pushing approval through, dropping DCCs, changing property height rules etc. etc. contrary to; Staff did a poor job of explaining at public meeting - need better info at next meeting
The writing is on the wall in regards to our once lovely Town turning into humdrum! Qualicum used to be a

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

place - a quaint place that folks & tourists talked about! It is not shaping up to be that "place" anymore!
Don't let this town be bullied into changes most residents don't want. Be out in the open and not devious
Much better information published by Town in local papers on the impacts of this change. An explanation of the controls - or lack thereof - on development
Why is the proper process being avoided? Is eliminating the GCB about growth?
Am uncomfortable with eliminating the Regional District's say in adjusting or changing our Official Community Plan. Feel that is the main thrust right now.

Q6. Do you have any other comments?

Oh how the Town would benefit from the resignation of the three Councillors who vote as a block on any issue. Why is this being rushed through? Could this issue be voted on at the municipal election in November.
OCPs are made by the people after a lot of hard work – like the RGS and should be respected – not ignored by 5 people on Council. Referendum if need to change?
The OCP has turned into a great comic joke. How about a referendum? One public meeting of less than 50 people is <u>not sufficient!</u>
Is this an end run for Pheasant Glen? What about affordable housing? Lots of people are not present here for this <u>only</u> public hearing on March 4 th . How about a referendum on this topic? This is taking up a lot of staff time, how about all the other business of the Town. This apparently came from the Council Strategic Plan, how was that developed?
Why should we participate in the next OCP? Does this matter, what happens if "Council" doesn't hear what they want to?
There is a lot of emotion, and misunderstanding around this meaning develop doesn't need to go through the process
Planning must follow an open, transparent process that cannot be changed or compromised on an individual whim.
OCP is like a swiss match, discussing UCB & GCB is only 1 piece. Worried about only discussing a narrow part of OCP. Needs to be a broader conversation.
We fully expect this to be pushed through with as much speed as the Clarion Development. Is this really the only info session available to residents. Why was the info. package only put on your website 24 hrs. prior?
This is <u>not</u> a sufficient process to call an OCP review process
A major change to OCP at this time would be redundant and costly
I am not happy with the communication process used to the community. I do not believe this is a minor amendment to the OCP
It appears that Council does not agree with Regional Growth Strategy and its purpose. If Council feels the GCB is a hindrance or unfair or an obstacle to their autonomy then are they not supporting the Regional Growth Strategy
It's time Council protected the interests of the taxpayer. Eg. desecration of land heritage development. Election! Election! Election!
Undo rush to have OCP amended. What's the hurry?!
Why go ahead with now or wait until the OCP in 2016? My general observation throughout comments made is that there was a deep feeling of distrust in the current Council and therefore wonder what the <u>real agenda</u> is
Although it seems presented as a "minor" change, it is <u>not</u> . Stick with the Official Community Plan timeline.
RDN has already allowed undesirable developments in areas just outside of municipal boundaries – how can we be involved in influencing these approvals?
We need to have more discussion with Counsellors when controversial items are dealt with. Will all Council members vote according to their own informed judgement?
An OCP review is an important decision. Where was a lot of publicity in the papers regarding our OCP a few years ago but there was very little publicity in the papers re this meeting and its importance

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
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Town Council should have full fledged OCP reviews. ie. listen to the citizens who pay the taxes.
This Town needs more affordable housing to attract younger families to move here; the seniors require younger people to provide services that seniors are unable or unwilling to do. Besides, younger people bring energy, enthusiasm, new ideas, etc. with them.
The minor amendment to RDN is incorrect process. The process is too rushed and most residents don't know it is happening nor do residents know how this change will affect Qualicum and our OCP. This amendment should be part of the next full OCP review. Council is not serving the interests of the community by using this process.
What they ran their campaign on and totally ignoring the OCP; Town staff seems to promote these development proposals and push forward. The College Inn situation demonstrates what happens when the Town promotes the wishes of the developer and ignores the implication for residents. This form collated, totalled, etc. means nothing and is not an accurate statistic. Anyone can send one or fifty in, regardless of whether or not they are a resident. Easy to stack the deck. Poorly planned strategy if you really want to know what people think.
Mary Brouillette, Dave Willie, Bill Luchtmeijer need to find a different place to live!
We know there is water shortage on this Island, let's be sensible and not cave in to the greed of others
Is a sensible, logical proposal.
This proposal is not in the interests of the Town and its taxpayers. The proposal is driven by the desire for profit by developers and builders and realtors.
Moving a GCB should be a community decision. More discussion is needed. Should be part of a full OCP review.

**Town of Qualicum Beach
MEMORANDUM**

TO: John Marsh, CMA, Acting CAO

FOR: Council Meeting, April 14, 2014

FROM: Luke Sales, MCIP, RPP, Director of Planning;

SUBJECT: 2014 OCP Review - Growth Containment Boundary

RECOMMENDATION

- THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be given second reading as amended;

PURPOSE

To consider a bylaw that will amend the Town's Official Community Plan as a step in the process of amending the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS).

BACKGROUND

The Town is currently reviewing its Official Community Plan (OCP) to determine whether the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS) should include the entire Town or only a portion of the Town, as is the current designation. This review addresses the governance aspect of regional growth planning and reviews the manner in which the Town of Qualicum Beach works with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town. It is also an opportunity to review how the location of the GCB may or may not support the Town's long-term growth management policies.

Currently, the GCB and UCB include the same areas within the Town. However, the Town controls the UCB.

- Growth Containment Boundaries are established in the RGS and are under the jurisdiction of the Regional District of Nanaimo.
- The Urban Containment Boundary (UCB) is defined by the Town of Qualicum Beach Official Community Plan (OCP) and is under the jurisdiction of the Town. It is not currently being reviewed in the present OCP review.

Although the Town's GCB currently follows the same alignment as the Town's UCB, the two do not need to be the same. The Town could manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy. The alignment of the Growth Containment Boundary at the municipal boundary would not imply that rural lands outside of the Town's Urban Containment Boundary can be developed for urban use

The Regional District of Nanaimo includes the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach. The approaches to establishing a GCB vary between the four municipalities:

- The City of Nanaimo has a GCB at the municipal boundary. Their Urban Containment Boundary (UCB) excludes parts of the City that are not identified for development.

- The District of Lantzville does not have a GCB at the municipal boundary, but it does include some lands outside of their UCB. The UCB does not include parts of the District that are not identified for development.
- The City of Parksville does not have a GCB at the municipal boundary. Its UCB is the same as its GCB and excludes parts of the City that are not identified for development.
- The Town of Qualicum Beach does not currently have a GCB at the municipal boundary. Areas that are not identified for development are outside the UCB and the GCB.

DISCUSSION

On Tuesday, March 4, 2014 a Public Information Meeting was held at the Qualicum Beach Civic Centre on the topic of the 2014 Official Community Plan review of the Growth Containment Boundary (GCB). A report on the topic of the potential change to the GCB was distributed to an extensive email distribution list and uploaded to the Town's website on February 21, 2014. (Attached). A presentation by Town staff began at 7pm, followed by group discussion, written feedback and open mic. Feedback forms were available for those people that were unable to attend the meeting. Staff transcribed all feedback forms received before March 28, 2014; these were included in the April 7 Council agenda and posted on the Town's website.

On April 7, 2014 Council adopted the following motions:

- THAT the bylaw entitled "Town of Qualicum Beach Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be introduced and given first reading.
- THAT Council holds a public hearing on April 22, 2014 at 7:00 pm at the Qualicum Beach Civic Centre, 747 Jones, Qualicum Beach in regard to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014".

A minor formatting error was corrected after first reading, which is why the bylaw must be read "as amended".

Discussion with RDN staff

Town staff met with Regional District of Nanaimo staff on February 28, 2014 to ensure that there is mutual understanding of the required process, should the Town proceed with the OCP review leading to an RGS amendment application. It was suggested that broadening the scope of the current OCP review to include issues related to long-term planning would strengthen the Town's application for a minor amendment of the RGS. A broadened scope could address topics such as how the proposed change to the GCB improves the Town's capacity to manage, accommodate, and direct future growth. A broadened OCP Review could also identify topics for future reviews. An OCP review on the topic of governance that does not address a wider scope of topics may not qualify for the conditions required for a "minor amendment". In any case, it will be up to the RDN Board to determine whether the Town's OCP review is an acceptable process to qualify for the minor amendment process.

One advantage of moving the GCB to the Town boundary is that it would provide more flexibility in the manner that the Town conducts future OCP reviews. Rather than continuing with major reviews every six years it may be more appropriate to conduct smaller, focused reviews on specific

topics more frequently. Examples of smaller, topic-based public planning processes include the 2012 Village Neighbourhood Planning Project, the 2013 Secondary Suites Policy Review and the 2013-2015 Waterfront Master Plan, which is now in the first phase. In cases where the OCP review involves land outside of the current Urban Containment Boundary, the proposed change to the GCB would shorten the required process.

Recent Meetings & Council Consideration

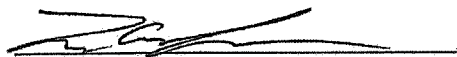
- January 13, 2014: Council direction to proceed with an Official Community Plan review of the Growth Containment Boundary;
- February 20, 2014: Background report on OCP review topic. Circulated and posted to website;
- March 4, 2014: Public Information Meeting (round-table discussion format). Feedback form distributed;
- March 17, 2014: (Council Meeting): Report to Council with preliminary feedback from March 4, 2014: Consideration of OCP amendment bylaw referred to April 7;
- March 28, 2014: Additional feedback forms transcribed and posted to website.

Next Steps

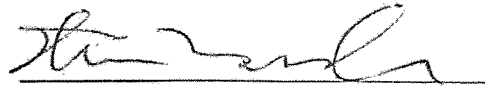
- April 7, 2014 (Council Meeting): OCP amendment bylaw introduced and read a first time;
- April 14, 2014 (Council Meeting): OCP amendment bylaw read a second time;
- April 22, 2014: Public Hearing;
- May 2014: (Council Meeting): Consideration of third reading and adoption;
- May 2014: Application to the RDN (see attached diagram. Timeline estimated at three months) Referrals will also be sent to the Agricultural Land Commission, School District 69, and local First Nations, although no formal approval is required for these organizations.
- If RDN board approves the application, Council may adopt the OCP amendment bylaw in an open Council meeting (possible timeframe: August 2014).

ALTERNATIVES

1. THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" not be given second reading;
2. THAT Council directs staff to proceed with an Official Community Plan review on the topic of the Growth Containment Boundary in *[insert year or date]*;
3. THAT Council provides alternative direction to staff.



Luke Sales, MCIP, RPP
Director of Planning
Report Writer



John Marsh, CMA
Acting CAO
Concurrence

**TOWN OF QUALICUM BEACH
 BYLAW NO. 700.10**

**A BYLAW TO AMEND THE TOWN OF QUALICUM BEACH
 Official Community Plan Bylaw 700, 2011**

The Council of the Town of Qualicum Beach, in open meeting lawfully assembled, hereby enacts as follows:

1. "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011" is hereby amended as follows:

- a) Replace Map Schedule 2.1 "Land Use" with the attached Appendix 'A'.
- b) On "Policies" page 2-6, insert policy six (6): "The Town shall manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy. The alignment of the Growth Containment Boundary at the municipal boundary does not imply that rural lands outside of the Town's Urban Containment Boundary will ever be developed for urban use."
- c) On Appendix 'B' Regional Context Statement, amend Goal 4 (1) by checking "No" under "Consistency between OCP and RGS" and inserting the following under "OCP Reference", "To ensure that the Official Community Plan is responsive to future needs, the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the RGS.", as shown below.

	Yes	No	
1) Does the OCP's Urban Containment Boundary match the RGS's Growth Containment Boundary?		√	Section 2.1.1 "Urban Containment Boundary" Schedule 2.1 "Land Use" To ensure that the Official Community Plan is responsive to future needs, the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the RGS.

2. This bylaw may be cited as "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014".

READ A FIRST TIME this 7th day of April, 2014.

READ A SECOND TIME as amended this day of , 2014.

Notice published pursuant to Section 892 of the *Local Government Act* on the day of , 2014 and the day of , 2014.

PUBLIC HEARING held on the day of , 2014.

READ A THIRD TIME this day of , 2014.

ADOPTED this day of , 2014.

 Teunis Westbroek, Mayor

 Heather Svensen, Corporate Administrator



TOWN OF QUALICUM BEACH

2014 OCP Review – Growth Containment Boundary BACKGROUND REPORT

Prepared for the February 4, 2014 Public Information Meeting
Updated April 14, 2014

Key Question:

Should the Town's Growth Containment Boundary be the same as the municipal boundary?

Introduction

The Town is currently reviewing its Official Community Plan (OCP) to determine whether the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS) should include the entire Town or only a portion of the Town as is the current designation. This OCP review specifically addresses the governance aspect of regional growth planning and raises the question of whether the Town of Qualicum Beach should be required to consult with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town.

Growth Containment Boundary (GCB) vs. Urban Containment Boundary (UCB)

Currently, the GCB and UCB include the same areas within the Town. However, the Town only controls the UCB.

- Growth Containment Boundaries are in the RGS and are under the jurisdiction of the Regional District of Nanaimo.
- The Urban Containment Boundary (UCB) is defined by the Town of Qualicum Beach Official Community Plan (OCP) and is under the jurisdiction of the Town.

Although the Town's GCB currently follows the same alignment as the Town's UCB, the two do not have to be the same. For example, during the RGS review leading up to the adoption of an updated RGS in 2011, the City of Nanaimo requested that the entire municipality be within the Growth Containment Boundary (GCB), as identified in the Regional Growth Strategy. The City of Nanaimo maintains an Urban Containment Boundary (UCB) within its Official Community Plan that is not at the municipal boundary, and excludes ALR land and other areas not intended for development. Currently, the Town is considering a similar change that would result in a Growth Containment Boundary that is different than the Urban Containment Boundary.

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

Why would the Town set the GCB at the municipal boundary?
Expanding the GCB to match the Town boundary would:

1. Simplify the governance structure

Currently, the Regional District of Nanaimo and member municipalities have a role in permitting or denying urban growth and servicing within some areas of the Town. Setting the GCB at the Town boundary would remove the need for partner municipalities and the Regional District to consent to changes to the amount or form of development to urban use or density in areas outside of those that are currently intended for urban development. Town of Qualicum Beach Council would have complete autonomy over land use decisions for land that is not located in the Agricultural Land Reserve. Within the bounds of a GCB, a municipality does not have to consult with the Regional District of Nanaimo or other member municipalities. The Town can, however, maintain a separate UCB that designates some areas for growth, while restricting development potential in other areas.

If the GCB is set at the Town boundary, the Regional District of Nanaimo would no longer have a role in permitting or denying urban growth and servicing within the Town.

2. Shorten the process for some land use changes

Currently the process for approving a development application for lands outside of the Growth Containment Boundary is long and cumbersome. Setting the GCB at the Town boundary would decrease the length of time required to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP, with respect to where urban development is supported. The approval process would be unchanged for areas that are currently within the Growth Containment Boundary.

Presently, developers intending to develop land outside of the Growth Containment Boundary can initiate a change to the Regional Growth Strategy by applying to the Town for an OCP amendment. This allows the Town to decide whether it wants to proceed with an RGS amendment. Effectively, the Town would become the sponsor of an application to the RDN for an RGS amendment.

RGS amendment applications are currently analyzed on a project-by-project basis to ensure that they coincide with the goals set forth by the RGS. Based on the timelines for applications to the RDN in other areas, the process for a Regional Growth Strategy amendment application may take one to two years. The rigorous process for amending the RGS limits the speed with which local governments can permit urban development or provide servicing to areas outside of the GCB.

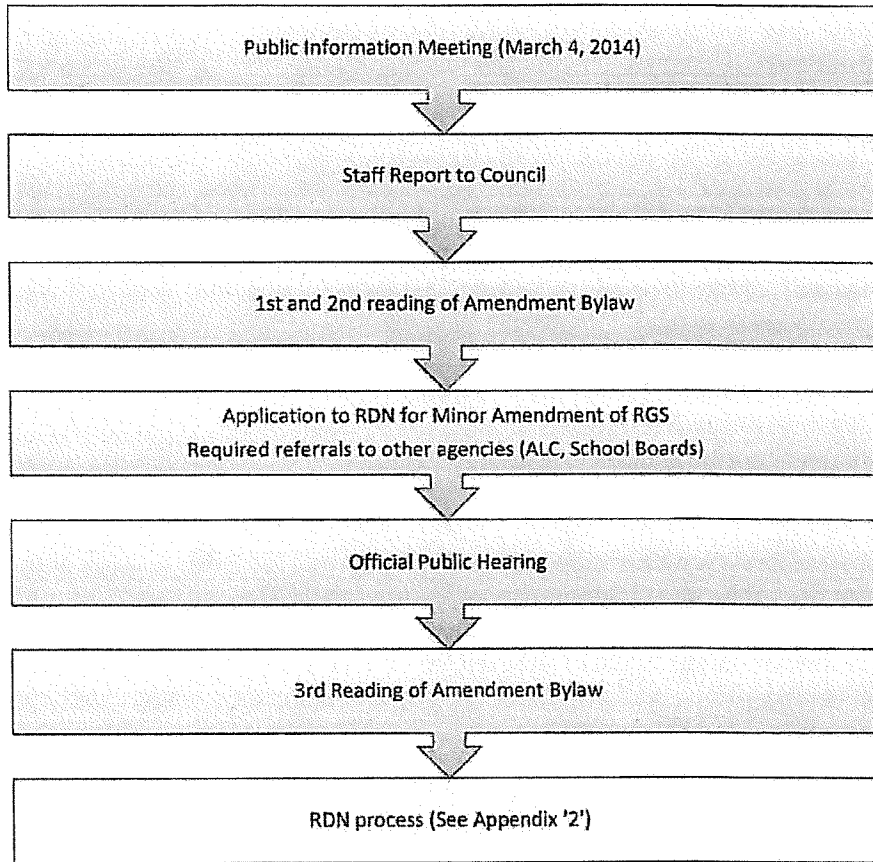
Expanding the GCB to include ALR land would have little effect on the Town's ability to permit development in these areas. Changing the GCB to the Town boundary would primarily affect non-ALR properties outside of the GCB. There are 909 hectares of land inside the GCB and 869 hectares of land outside the GCB. Of the land outside the GCB, 354 hectares is not in the ALR.

2014 OCP Review - Growth Containment Boundary Background Report
February 20, 2014

Updated

What's the process?

Growth Containment Boundary OCP Review Process



2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

About the RGS and RDN

The Town of Qualicum Beach, along with partner municipalities, adopted the “Regional District of Nanaimo (RDN) Growth Management Plan” in 1997. This plan was the first iteration of what is now known as the Regional Growth Strategy (RGS). The RGS was implemented in response to residents’ concerns about the impacts of rapid population growth and unconstrained development in the late 1980s and early 1990s. One of the policies of the RGS is the establishment of Growth Containment Boundaries (GCBs), which delineate the areas where most development is permitted to occur. Within the RGS, GCBs include urban areas and “Rural Village Centres” and generally exclude the Agricultural Land Reserve (ALR), resource land and rural areas.

The Regional District of Nanaimo provides regional governance and services throughout Vancouver Island’s central east coast. Communities within the RDN include the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach, as well as seven unincorporated Electoral Areas. Established in 1967, the RDN is British Columbia’s third most populous Regional District.

The RDN is governed by a 17-member Regional Board, comprised of ten directors from locally-elected municipal councils, and seven directors elected by Electoral Area residents. Board members also sit on a variety of regional select and standing committees for key services, as well as the RDN Committee of the Whole.

Growth Containment Boundary

“Growth Containment Boundaries (GCBs) are geographically-based lines shown on RGS maps that define where growth is intended to be directed. The Growth Containment Boundary is intended to control urban sprawl and to encourage the development of compact, complete communities within municipalities or within a Rural Village Area in electoral areas. Land situated outside the GCBs is intended primarily for rural purposes that require limited infrastructure and services.”

– 2011 RGS, Glossary

2014 OCP Review - Growth Containment Boundary Background Report
February 20, 2014

What's the Next Step?

Following the Town's OCP review, if Council decides that the GCB should be the same as the municipal boundary, an application will be made to the Regional District for a minor amendment to the RGS. A referral to the Agricultural Land Commission and School District No. 69 Board would also be made at the same time to comply with the *Local Government Act*.

RGS Amendment Process

At the Committee of the Whole meeting on November 25, 2013, RDN staff clarified the distinction between two ways of amending the RGS: the regular amendment process and the minor amendment process. To qualify for the minor amendment process, a municipality must undertake a full "OCP review process". RDN staff emphasized that although an "OCP review" is different than a typical application review, the scope and work plan of the OCP review are primarily up to the discretion of the municipal Council. After third reading of the OCP amendment bylaw, the Town would apply to the RDN for a minor amendment to the RGS. This process is detailed on the attached Appendix "A".

Contact

For questions or comments about this OCP review process, please contact me directly:



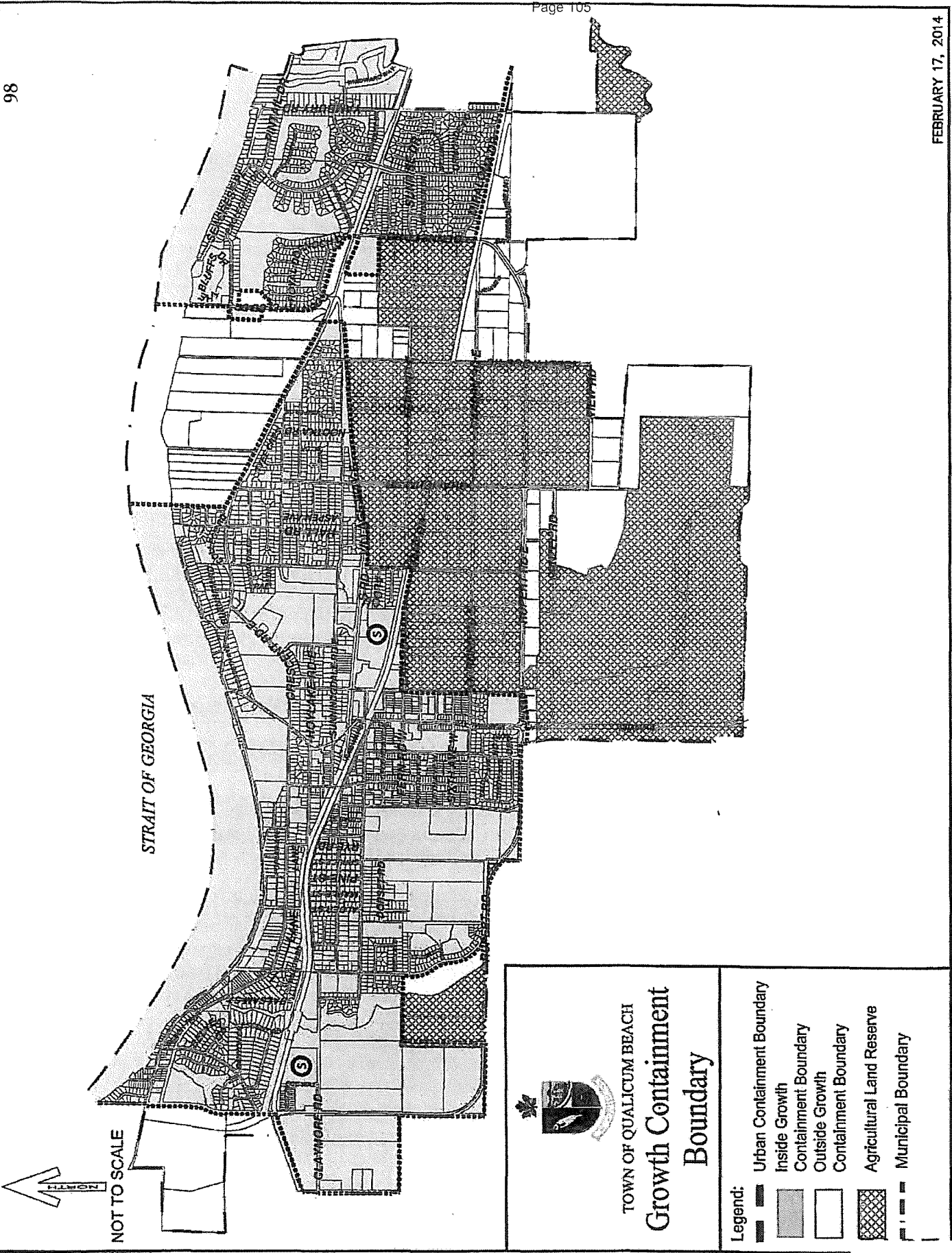
Luke Sales, MCIP, RPP
Director of Planning
Town of Qualicum Beach


N:\6400-6999 PLANNING AND DEVELOPMENT\6480 COMMUNITY PLANNING - OFFICIAL COMMUNITY PLAN\2014 OCP Review\March 4 PIM\2014 OCP Review-GCB BG Report-updated April 14.docx

File: 3900-20-700.10

RGS Minor Amendment Process Triggered by OCP Review in Municipality

Process and steps to complete a Minor Amendment to the RGS as a result of changes to a municipal OCP	
1. OCP Review is Completed	Municipality completes a full review of its OCP which results in a need to amend the RGS
2. Municipality submits request for RGS Amendment to the RDN	Council forwards request to RDN Board to amend the RGS through the Minor Amendment Process
3. RDN Staff prepare report	A report providing information on the request and amendment process is prepared for the Sustainability Select Committee
4. Sustainability Select Committee	Committee reviews the request and makes a recommendation to the RDN Board
5. RDN Board Meeting	
a. Receive recommendation from SSC	Board receives recommendation from SSC.
b. Decide on whether the proposed RGS Amendment is Minor	A minimum of 2/3 of the Board must vote in favour to proceed as a Minor Amendment. If less than 2/3 Board vote in favour then amendment cannot proceed through Minor amendment Process.
c. Adopt consultation plan	If proceeding as a Minor Amendment, Board adopts a consultation plan.
6. Notify Affected Local Governments	Notice of the proposed RGS Minor Amendment is provided to the RDN's member municipalities and adjacent regional districts. They have up to 45 days to respond.
7. RDN Board Meeting	
a. Receive comments from affected local governments	Board receives and considers comments from affected local governments
b. Give 1 st reading to bylaw	Board gives 1 st reading to bylaw
c. Give 2 nd reading to bylaw and maybe	If unanimous vote for 2 nd reading then no public hearing required and can give Bylaw 3 rd reading
d. Give 3 rd reading to bylaw	Board gives 3 rd reading to bylaw
8. Public Hearing (only if required)	A public hearing is only required if there is <u>not</u> a unanimous Board vote in favour of giving the bylaw 2 nd reading
9. RDN Board Meeting	
a. Give final reading to bylaw Or	Final reading if 3 rd reading given at last meeting or
b. Receive report from public hearing	Board receives report from public hearing and proceeds with giving 3 rd and final readings to the bylaw
c. Give 3 rd reading to bylaw	
d. Give final reading to bylaw	
10. Notice to Municipality	A letter is sent to the municipality and other LGs informing them of the Board decision on the RGS bylaw





TOWN OF QUALICUM BEACH
Growth Containment Boundary

	Urban Containment Boundary
	Inside Growth
	Containment Boundary
	Outside Growth
	Agricultural Land Reserve
	Municipal Boundary

**Town of Qualicum Beach
MEMORANDUM**

TO: John Marsh, CMA, Acting CAO

FOR: Council Meeting, April 22, 2014

FROM: Luke Sales, MCIP, RPP, Director of Planning;

SUBJECT: 2014 OCP Review – Growth Containment Boundary

RECOMMENDATION

- THAT Council, after hearing comments at the April 22, 2014 Official Public Hearing, adopts the following motion: *[insert Alternative 1, 2 or 3]*

PURPOSE

To consider a bylaw that will amend the Town's Official Community Plan as a step in the process of amending the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS).

BACKGROUND

The Town is currently reviewing its Official Community Plan (OCP) to determine whether the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS) should include the entire Town or only a portion of the Town, as is the current designation. This review addresses the governance aspect of regional growth planning and reviews the manner in which the Town of Qualicum Beach works with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town. It is also an opportunity to review how the location of the GCB may or may not support the Town's long-term growth management policies.

Currently, the GCB and UCB include the same areas within the Town. However, the Town controls the UCB.

- Growth Containment Boundaries are established in the RGS and are under the jurisdiction of the Regional District of Nanaimo.
- The Urban Containment Boundary (UCB) is defined by the Town of Qualicum Beach Official Community Plan (OCP) and is under the jurisdiction of the Town. It is not currently being reviewed in the present OCP review.

Although the Town's GCB currently follows the same alignment as the Town's UCB, the two do not need to be the same. The Town could manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy. The alignment of the Growth Containment Boundary at the municipal boundary would not imply that rural lands outside of the Town's Urban Containment Boundary can be developed for urban use.

The Regional District of Nanaimo includes the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach. The approaches to establishing a GCB vary between the four municipalities:

- The City of Nanaimo has a GCB at the municipal boundary. Their Urban Containment Boundary (UCB) excludes parts of the City that are not identified for development.

- The District of Lantzville does not have a GCB at the municipal boundary, but it does include some lands outside of their UCB. The UCB does not include parts of the District that are not identified for development.
- The City of Parksville does not have a GCB at the municipal boundary. Its UCB is the same as its GCB and excludes parts of the City that are not identified for development.
- The Town of Qualicum Beach does not currently have a GCB at the municipal boundary. Areas that are not identified for development are outside the UCB and the GCB.

DISCUSSION

On Tuesday, March 4, 2014, a Public Information Meeting was held at the Qualicum Beach Civic Centre on the topic of the 2014 Official Community Plan review of the Growth Containment Boundary (GCB). A report on the topic of the potential change to the GCB was distributed to an extensive email distribution list and uploaded to the Town's website on February 21, 2014. A presentation by Town staff began at 7pm, followed by group discussion, written feedback and open mic. Feedback forms were available for those people that were unable to attend the meeting. Staff transcribed all feedback forms received before March 28, 2014; these were included in the April 7 Council agenda and posted on the Town's website.

On April 7, 2014 Council adopted the following motions:

- THAT the bylaw entitled "Town of Qualicum Beach Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be introduced and given first reading.
- THAT Council holds a public hearing on April 22, 2014 at 7:00 pm at the Qualicum Beach Civic Centre, 747 Jones, Qualicum Beach in regard to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014".

On April 7, 2014 Council adopted the following motion:

- THAT the bylaw entitled "Town of Qualicum Beach Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be given second reading.

One advantage of moving the GCB to the Town boundary is that it would provide more flexibility in the manner that the Town conducts future OCP reviews. Rather than continuing with major reviews every six years it may be more appropriate to conduct smaller, focused reviews on specific topics more frequently. Examples of smaller, topic-based public planning processes include the 2012 Village Neighbourhood Planning Project, the 2013 Secondary Suites Policy Review and the 2013-2015 Waterfront Master Plan, which is now in the first phase. In cases where the OCP review involves land outside of the current Urban Containment Boundary, the proposed change to the GCB would shorten the required process.

Recent Meetings & Council Consideration

- January 13, 2014: Council direction to proceed with an Official Community Plan review of the Growth Containment Boundary;
- February 20, 2014: Background report on OCP review topic. Circulated and posted to website;

- March 4, 2014: Public Information Meeting (round-table discussion format). Feedback form distributed;
- March 17, 2014: (Council Meeting): Report to Council with preliminary feedback from March 4, 2014: Consideration of OCP amendment bylaw referred to April 7;
- March 28, 2014: Additional feedback forms transcribed and posted to website.
- April 7, 2014 (Council Meeting): OCP amendment bylaw introduced and read a first time;
- April 14, 2014 (Council Meeting): OCP amendment bylaw read a second time;

Next Steps

- April 22, 2014: Public Hearing,
- Consideration of third reading (April 22, May 5 or May 12);
- Application to the RDN (See attached diagram. Timeline estimated at three months) Referrals will also be sent to the Agricultural Land Commission, School District 69, and local First Nations, although no formal approval is required for these organizations.
- If RDN board approves the application, Council may adopt the OCP amendment bylaw in an open Council meeting (possible timeframe: August 2014).

ALTERNATIVES

1. THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" not be given third reading;
2. THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be given third reading;
AND FURTHER THAT Council directs staff to send notification to the Regional District of Nanaimo, along with relevant background reports, that the Town has given third reading to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014", which resulted from a "full Official Community Plan Review Process" in accordance with the procedural requirements of the *Local Government Act* and now requires an amendment to the Regional Growth Strategy;
AND FURTHER THAT the Town hereby requests that the Growth Containment Boundary, as identified in "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011", be amended to include the entirety of the Town of Qualicum Beach following the process identified on Section 1.5.1 "Process for Approving Minor Amendments";
3. THAT Council provides alternative direction to staff.



Luke Sales, MCIP, RPP
Director of Planning
Report Writer



John Marsh, CMA
Acting CAO
Concurrence

**TOWN OF QUALICUM BEACH
 BYLAW NO. 700.10**

**A BYLAW TO AMEND THE TOWN OF QUALICUM BEACH
 Official Community Plan Bylaw 700, 2011**

The Council of the Town of Qualicum Beach, in open meeting lawfully assembled, hereby enacts as follows:

1. "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011" is hereby amended as follows:

- a) Replace Map Schedule 2.1 "Land Use" with the attached Appendix 'A'.
- b) On "Policies" page 2-6, insert policy six (6): "The Town shall manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy. The alignment of the Growth Containment Boundary at the municipal boundary does not imply that rural lands outside of the Town's Urban Containment Boundary will ever be developed for urban use."
- c) On Appendix 'B' Regional Context Statement, amend Goal 4 (1) by checking "No" under "Consistency between OCP and RGS" and inserting the following under "OCP Reference", "To ensure that the Official Community Plan is responsive to future needs, the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the RGS.", as shown below.

	Yes	No	
1) Does the OCP's Urban Containment Boundary match the RGS's Growth Containment Boundary?		√	Section 2.1.1 "Urban Containment Boundary" Schedule 2.1 "Land Use" To ensure that the Official Community Plan is responsive to future needs, the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the RGS.

2. This bylaw may be cited as "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014".

READ A FIRST TIME this 7th day of April, 2014.

READ A SECOND TIME as amended this 14th day of April, 2014.

Notice published pursuant to Section 892 of the *Local Government Act* on the 10th day of April, 2014 and the 15th day of April, 2014.

PUBLIC HEARING held on the day of , 2014.

READ A THIRD TIME this day of , 2014.

ADOPTED this day of , 2014.

 Teunis Westbroek, Mayor

 Heather Svensen, Corporate Administrator

Bylaw No. 700.10, 2014
Schedule 'A'

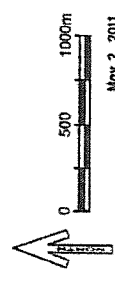
TOWN OF QUALICUM BEACH
Official Community Plan
 Bylaw 700
 Schedule 2.1
LAND USE

Mayor _____ Corporate Administrator _____

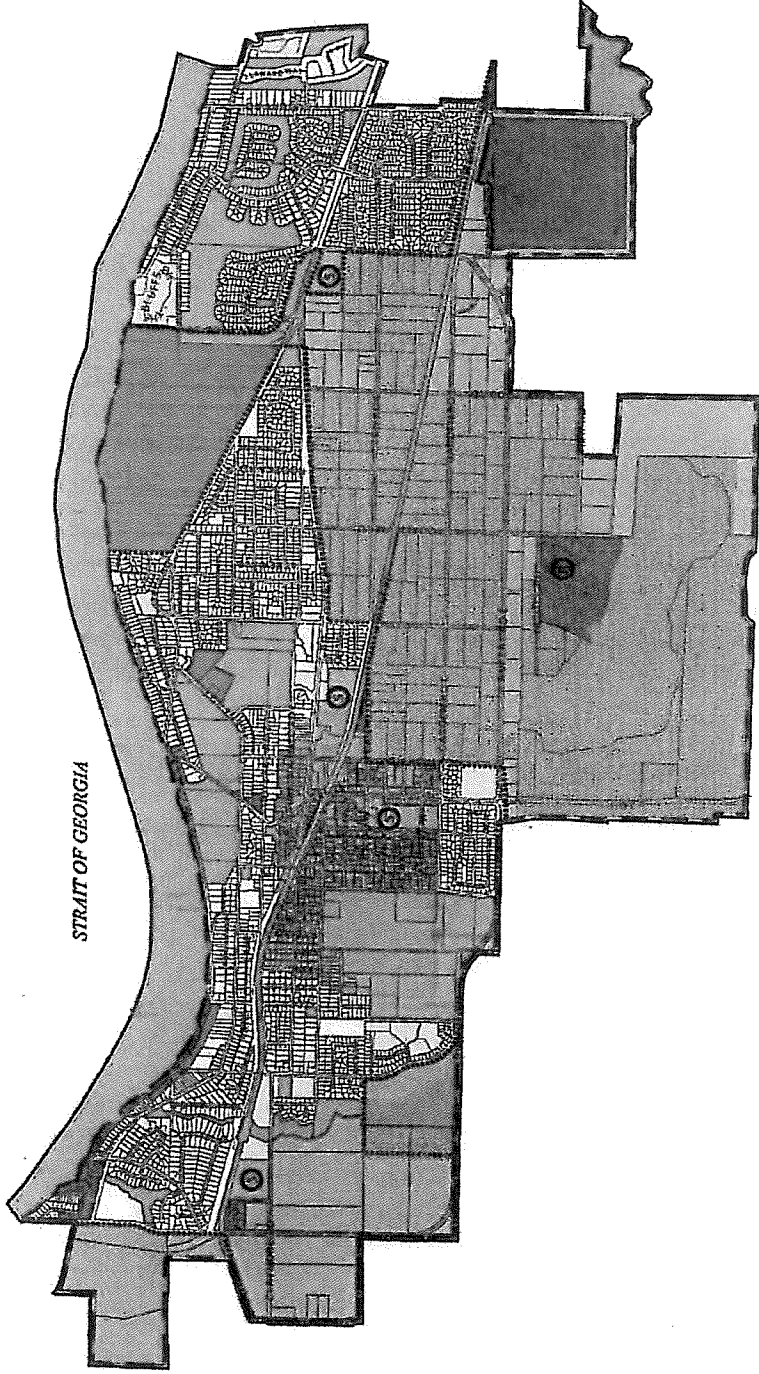
Legend:

- Urban Containment Boundary
- Village Neighbourhood see Schedule 2.2
- Rural
- Agricultural Land Reserve
- Single-family Residential
- Multi-family Residential
- Estate Residential
- Commercial
- Light Industrial
- Parks and Recreation
- Institutional
- West Qualicum Beach Open Space Development Area
- Municipal Boundary
- Growth Containment Boundary

- S School Sites (Approximate Locations)
- R Possible Destination Resort



May 2, 2011





TOWN OF QUALICUM BEACH

2014 OCP Review – Growth Containment Boundary BACKGROUND REPORT

Prepared for the February 4, 2014 Public Information Meeting
Updated April 15, 2014

Key Question:

Should the Town's Growth Containment Boundary be the same as the municipal boundary?

Introduction

The Town is currently reviewing its Official Community Plan (OCP) to determine whether the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS) should include the entire Town or only a portion of the Town as is the current designation. This OCP review specifically addresses the governance aspect of regional growth planning and raises the question of whether the Town of Qualicum Beach should be required to consult with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town.

Growth Containment Boundary (GCB) vs. Urban Containment Boundary (UCB)

Currently, the GCB and UCB include the same areas within the Town. However, the Town only controls the UCB.

- Growth Containment Boundaries are in the RGS and are under the jurisdiction of the Regional District of Nanaimo.
- The Urban Containment Boundary (UCB) is defined by the Town of Qualicum Beach Official Community Plan (OCP) and is under the jurisdiction of the Town.

Although the Town's GCB currently follows the same alignment as the Town's UCB, the two do not have to be the same. For example, during the RGS review leading up to the adoption of an updated RGS in 2011, the City of Nanaimo requested that the entire municipality be within the Growth Containment Boundary (GCB), as identified in the Regional Growth Strategy. The City of Nanaimo maintains an Urban Containment Boundary (UCB) within its Official Community Plan that is not at the municipal boundary, and excludes ALR land and other areas not intended for development. Currently, the Town is considering a similar change that would result in a Growth Containment Boundary that is different than from the Urban Containment Boundary.

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

Why would the Town set the GCB at the municipal boundary?
Expanding the GCB to match the Town boundary would:

1. Simplify the governance structure

Currently, the Regional District of Nanaimo and member municipalities have a role in permitting or denying urban growth and servicing within some areas of the Town. Setting the GCB at the Town boundary would remove the need for partner municipalities and the Regional District to consent to changes to the amount or form of development to urban use or density in areas outside of those that are currently intended for urban development. Town of Qualicum Beach Council would have complete autonomy over land use decisions for land that is not located in the Agricultural Land Reserve. Within the bounds of a GCB, a municipality does not have to consult with the Regional District of Nanaimo or other member municipalities. The Town can, however, maintain a separate UCB that designates some areas for growth, while restricting development potential in other areas.

If the GCB is set at the Town boundary, the Regional District of Nanaimo would no longer have a role in permitting or denying urban growth and servicing within the Town.

2. Shorten the process for some land use changes

Currently the process for approving a development application for lands outside of the Growth Containment Boundary is long and cumbersome. Setting the GCB at the Town boundary would decrease the length of time required to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP, with respect to where urban development is supported. The approval process would be unchanged for areas that are currently within the Growth Containment Boundary.

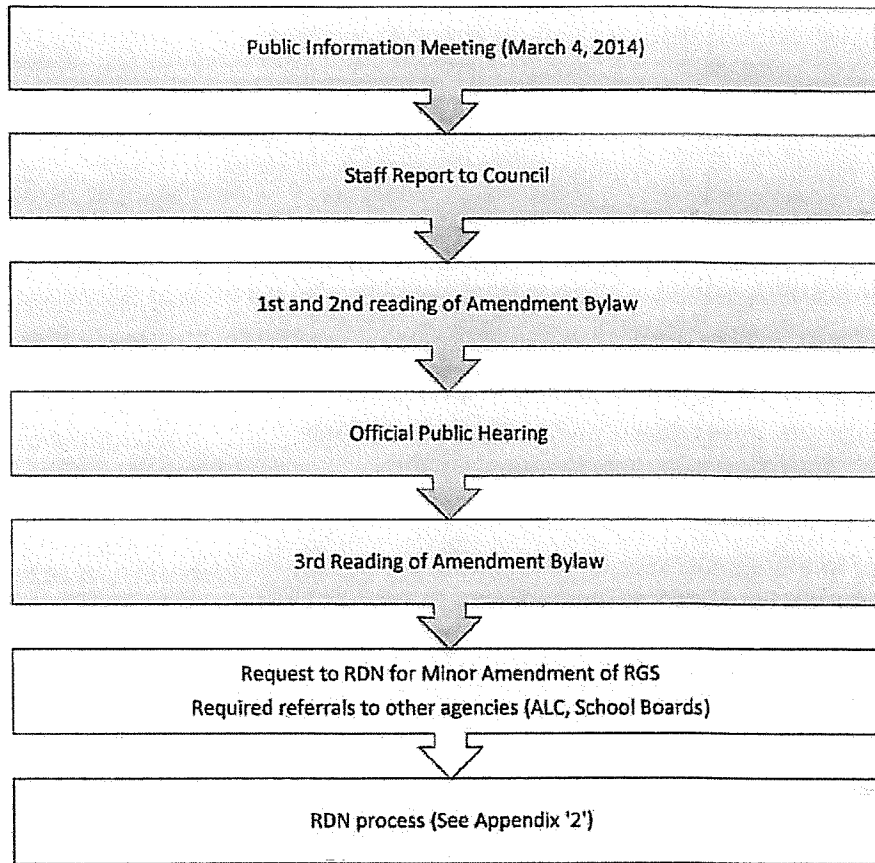
Presently, developers intending to develop land outside of the Growth Containment Boundary can initiate a change to the Regional Growth Strategy by applying to the Town for an OCP amendment. This allows the Town to decide whether it wants to proceed with an RGS amendment. Effectively, the Town would become the sponsor of an application to the RDN for an RGS amendment.

RGS amendment applications are currently analyzed on a project-by-project basis to ensure that they coincide with the goals set forth by the RGS. Based on the timelines for applications to the RDN in other areas, the process for a Regional Growth Strategy amendment application may take one to two years. The rigorous process for amending the RGS limits the speed with which local governments can permit urban development or provide servicing to areas outside of the GCB.

Expanding the GCB to include ALR land would have little effect on the Town's ability to permit development in these areas. Changing the GCB to the Town boundary would primarily affect non-ALR properties outside of the GCB. There are 909 hectares of land inside the GCB and 869 hectares of land outside the GCB. Of the land outside the GCB, 354 hectares are not in the ALR.

What's the process?

Growth Containment Boundary OCP Review Process



2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

About the RGS and RDN

The Town of Qualicum Beach, along with partner municipalities, adopted the “Regional District of Nanaimo (RDN) Growth Management Plan” in 1997. This plan was the first iteration of what is now known as the Regional Growth Strategy (RGS). The RGS was implemented in response to residents’ concerns about the impacts of rapid population growth and unconstrained development in the late 1980s and early 1990s. One of the policies of the RGS is the establishment of Growth Containment Boundaries (GCBs), which delineate the areas where most development is permitted to occur. Within the RGS, GCBs include urban areas and “Rural Village Centres” and generally exclude the Agricultural Land Reserve (ALR), resource land and rural areas.

The Regional District of Nanaimo provides regional governance and services throughout Vancouver Island’s central east coast. Communities within the RDN include the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach, as well as seven unincorporated Electoral Areas. Established in 1967, the RDN is British Columbia’s third most populous Regional District.

The RDN is governed by a 17-member Regional Board, comprised of ten directors from locally-elected municipal councils, and seven directors elected by Electoral Area residents. Board members also sit on a variety of regional select and standing committees for key services, as well as the RDN Committee of the Whole.

Growth Containment Boundary

“Growth Containment Boundaries (GCBs) are geographically-based lines shown on RGS maps that define where growth is intended to be directed. The Growth Containment Boundary is intended to control urban sprawl and to encourage the development of compact, complete communities within municipalities or within a Rural Village Area in electoral areas. Land situated outside the GCBs is intended primarily for rural purposes that require limited infrastructure and services.”

– 2011 RGS, Glossary

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

What's the Next Step?

Following the Town's OCP review, if Council decides that the GCB should be the same as the municipal boundary, an application will be made to the Regional District for a minor amendment to the RGS. A referral to the Agricultural Land Commission and School District No. 69 Board would also be made at the same time to comply with the *Local Government Act*.

RGS Amendment Process

At the Committee of the Whole meeting on November 25, 2013, RDN staff clarified the distinction between two ways of amending the RGS: the regular amendment process and the minor amendment process. To qualify for the minor amendment process, a municipality must undertake a full "OCP review process". RDN staff emphasized that although an "OCP review" is different from a typical application review, the scope and work plan of the OCP review are primarily up to the discretion of the municipal Council. After third reading of the OCP amendment bylaw, the Town would apply to the RDN for a minor amendment to the RGS. This process is detailed on the attached Appendix "A".

Contact

For questions or comments about this OCP review process, please contact me directly:



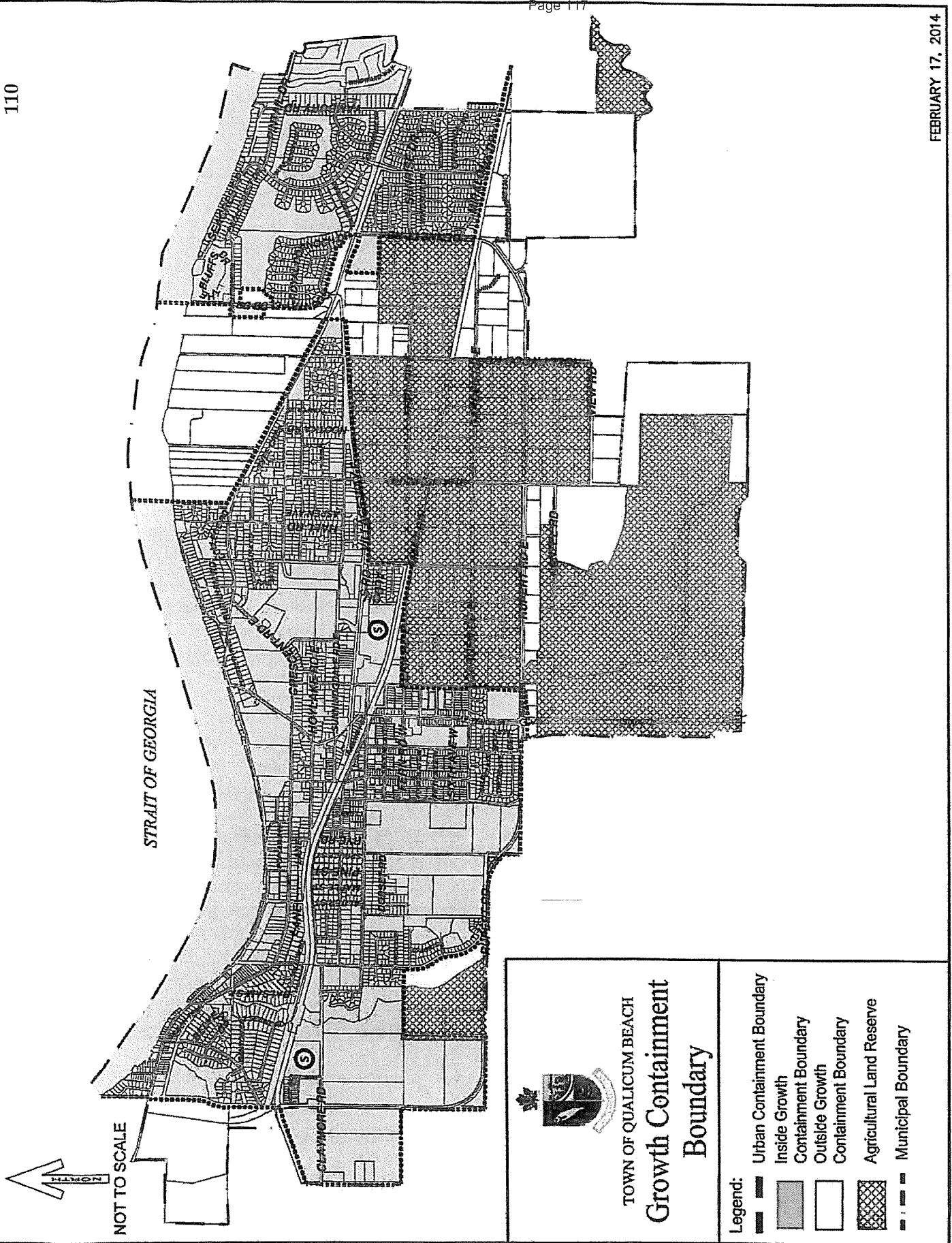
Luke Sales, MCIP, RPP
Director of Planning
Town of Qualicum Beach

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File: 3900-20-700.10

RGS Minor Amendment Process Triggered by OCP Review in Municipality

Process and steps to complete a Minor Amendment to the RGS as a result of changes to a municipal OCP	
1. OCP Review is Completed	Municipality completes a full review of its OCP which results in a need to amend the RGS
2. Municipality submits request for RGS Amendment to the RDN	Council forwards request to RDN Board to amend the RGS through the Minor Amendment Process
3. RDN Staff prepare report	A report providing information on the request and amendment process is prepared for the Sustainability Select Committee
4. Sustainability Select Committee	Committee reviews the request and makes a recommendation to the RDN Board
5. RDN Board Meeting	
a. Receive recommendation from SSC	Board receives recommendation from SSC.
b. Decide on whether the proposed RGS Amendment is Minor	A minimum of 2/3 of the Board must vote in favour to proceed as a Minor Amendment. If less than 2/3 Board vote in favour then amendment cannot proceed through Minor amendment Process.
c. Adopt consultation plan	If proceeding as a Minor Amendment, Board adopts a consultation plan.
6. Notify Affected Local Governments	Notice of the proposed RGS Minor Amendment is provided to the RDN's member municipalities and adjacent regional districts. They have up to 45 days to respond.
7. RDN Board Meeting	
a. Receive comments from affected local governments	Board receives and considers comments from affected local governments
b. Give 1st reading to bylaw	Board gives 1 st reading to bylaw
c. Give 2nd reading to bylaw and maybe	If unanimous vote for 2 nd reading then no public hearing required and can give Bylaw 3 rd reading
d. Give 3rd reading to bylaw	Board gives 3 rd reading to bylaw
8. Public Hearing (only if required)	A public hearing is only required if there is <u>not</u> a unanimous Board vote in favour of giving the bylaw 2 nd reading
9. RDN Board Meeting	
a. Give final reading to bylaw	Final reading if 3 rd reading given at last meeting
Or	or
b. Receive report from public hearing	Board receives report from public hearing and proceeds with giving 3 rd and final readings to the bylaw
c. Give 3rd reading to bylaw	
d. Give final reading to bylaw	
10. Notice to Municipality	A letter is sent to the municipality and other LGs informing them of the Board decision on the RGS bylaw





REPLY TO: VANCOUVER OFFICE

VIA EMAIL: lsales@qualicumbeach.com

April 22, 2014

Luke Sales
Director of Planning
Town of Qualicum Beach
Box 130
201 - 660 Primrose Street
Qualicum Beach, BC V9K 1S7

Dear Mr. Sales:

Re: **Pheasant Glen OCP Amendment**
Our File No. 00071-0249

You have requested a follow-up to our November 22, 2013 opinion on the Pheasant Glen development proposal, taking into account the B.C. Supreme Court's March 12, 2014 decisions in the two Metro Vancouver cases to which we referred on the third page of our opinion letter, in which Metro's challenges to certain Langley Township OCP amendments were dismissed. In addition a Council member has requested our comments on several aspects of Metro Vancouver's subsequent appeal of those decisions. We expect the appeal to be heard in the fall of this year.

The GVRD Decisions

The two cases decided on March 12 were *Greater Vancouver (Regional District) v. The Corporation of the Township of Langley and Peter Wall* and *Greater Vancouver (Regional District) v. The Corporation of the Township of Langley and Alan Hendricks*. For simplicity we'll refer to these as the *Wall* and *Hendricks* cases, respectively. The B.C. Supreme Court set out most of its conclusions regarding the proper interpretation of Part 25 of the *Local Government Act* in the *Wall* decision, which then applies those conclusions to the OCP amendment bylaw that the Township adopted in response to Wall's application. The *Hendricks* decision deals briefly with the application of those conclusions to the OCP amendment bylaw that was adopted in response to Hendricks' application. The *Wall* amendment dealt with land in the "Green Zone" established in the GVRD's 1996 Livable Regional Strategic Plan, creating a "University District" and authorizing the development of a residential subdivision comprising some 67 lots as well as university-related commercial facilities, all of which had been approved

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201 - 1456 St. Paul Street, Kelowna, BC V1Y 2E6 | tel: 250.712.1130 | fax: 250.712.1180

by the Agricultural Land Commission as a non-farm use of ALR land. The Hendricks amendment dealt with a 21-lot residential subdivision within the "Green Zone", also approved by the ALC.

We note at the outset that the Supreme Court did not directly determine, in the *Wall* and *Hendricks* cases, "the degree to which [a municipality] has autonomy over land use and development decisions". It made rulings with respect to specific OCP amendment bylaws that Langley Township had adopted. However, in the *Wall* decision, it made some general observations on the land use planning system in B.C., including that a regional district's jurisdiction under Part 25 of the *Local Government Act* with respect to regional matters "does not justify micro-management of member municipalities' decisions on individual developments", and that regional matters "can only be those that require coordination or that affect more than one municipality". Elsewhere in the *Wall* decision the Court notes in relation to the scale of the development that Metro Vancouver was attempting to prevent within the Township that "while I cannot rule out the possibility that a large scale development could be seen to radically alter the character of the Green Zone, notwithstanding its location wholly within one municipality, these are not the facts before me".

This is a relatively narrow view of the purpose and effect of Part 25 and of regional growth strategies generally, which was a response to Metro Vancouver's argument that, if Langley Township's OCP amendments did not contravene the consistency rule in s. 866(3), then they amounted to amendments of the RCS that required approval by the Metro Vancouver board – an argument that the Court treated as a regional board veto on local development, and rejected. The Court's decision to adopt a "reasonableness" standard of judicial review with respect to whether particular OCP amendments are consistent with an adopted Regional Context Statement has the effect of strengthening the hands of municipalities with respect to the content of their own OCPs and weakening the hand of regional districts that might wish to challenge OCP amendments as being inconsistent with a duly accepted and adopted RCS.

Standard of Judicial Review of Municipal Council OCP Amendment Decisions

In our November 22, 2013 letter we expressed the opinion that the standard of judicial review of municipal decisions to amend an OCP without a companion amendment of the municipality's Regional Context Statement, implying a municipal council determination that the amendment is consistent with the RCS (as required by s. 866(3) of the *Local Government Act*) and that an RCS amendment is therefore unnecessary, is a "correctness" standard: the municipal council must be legally correct in its determination that the amended OCP is consistent with the RCS. We based that opinion, in part, on the proposition that two local government bodies, the municipal council and the regional district board, have a stake in these matters, that the lower standard of "reasonableness" is applied in situations where the reviewing court wishes to defer to the judgment of a decision-making body with particular expertise and legitimacy in regard to the matter at hand, and that there is no particular reason for a reviewing court to defer to the judgment of one such body over another in a case involving s. 866(3). However the Supreme

Court decided, in *Wall*, that the applicable standard of review in these matters is reasonableness: the municipal council's determination need not be correct in the sense that the Supreme Court, on judicial review of the decision, agrees with the council's conclusion. It must merely be within a range of possible, acceptable outcomes of a consistency analysis that are defensible in respect of the facts and the law. (In reaching that conclusion, the Court noted that the OCP is created and adopted by the municipal council, giving the council greater expertise than the regional district board in interpreting the OCP. The Court also noted that the regional district board members are not chosen directly by the electors, and are therefore not entitled to the same degree of judicial deference as the municipal council in a matter involving the interpretation of the municipality's OCP.)

Consistency of Qualicum Beach OCP with Regional Context Statement

We assume for the purposes of this opinion that the Council would accommodate the Pheasant Glen development proposal by amending Policy 2.2.6.11 in the OCP in order to permit the Council to amend the CD5 zoning of the Pheasant Glen site (which is outside the Urban Containment Boundary identified in the OCP) to permit residential uses. Policy 2.2.6.11, in the "Rural" portion of the OCP, currently indicates that a destination resort at the Pheasant Glen site should not include permanent residential uses. The question is whether such an amendment of the OCP would result in an inconsistency between the Town's Regional Context Statement and the rest of the OCP, contrary to s. 866(3) of the *Local Government Act*.

In our November 22, 2013 opinion letter we focused on two aspects of the RCS: the Town's affirmative answers to the questions of whether the OCP "only support[s] the approval of ... new residential development of a density greater than 1 unit per hectare ... on land designated by the Regional Growth Strategy as Urban Areas inside Urban Containment Boundaries" under Goal 1: Strong Urban Containment, and under Goal 3: Rural Integrity, whether the OCP promotes and encourages the retention of large rural holdings on land designated as Resource Lands and Open Space, which includes the Pheasant Glen lands, by allowing minimum parcel sizes for lands in these designations that are the same as, or larger than, those established in the applicable OCP by June 10, 2003. Policy 2.2.6.11 is specifically referenced in relation to the affirmative answer to the latter.

Goal 1: Strong Urban Containment

If Policy 2.2.6.11(i) referring to permanent residential use is deleted from the OCP, the Policy will indicate that the Town supports the development of a "destination resort" at Pheasant Glen provided that it "does not threaten the urban containment policies of this Plan" and comprises a maximum density of 11.4 resort accommodation units per hectare (presumably over the entire 21.4 ha site). In our previous opinion letter we expressed the view that the Council would likely not have given an unqualified "yes" answer to the "strong urban containment" question in the RCS if it was planning to accommodate residential development at about 16 units per net hectare outside the Urban Containment Boundary. In our view, given

the Supreme Court's decision in the *Wall* and *Hendricks* cases, an OCP that lacks Policy 2.2.6.11(i) would not be found to be contrary to s. 866(3) of the *Local Government Act* because a reviewing Court would defer to the judgment of the municipal council as to whether policies supporting a "destination resort" that "does not threaten the urban containment policies" of the OCP are inconsistent with the RCS. Implicit in that would be the Court's acceptance of the core notion that a destination resort at such a location might conceivably not threaten urban containment policies. In the absence of subsection (i), this Policy could be read as distinguishing "destination resort" development from the "residential development" that's addressed in the "strong urban containment" goal, whether or not resort units are occupied as residences, and as complementing economic development policies stated in the RCS and the rest of the OCP.

That interpretation of the OCP is, in our view, "within a range of possible, acceptable outcomes of a consistency analysis that are defensible in respect of the facts and the law", such that a Supreme Court judge would not find it unreasonable if it were to be challenged by the Regional District of Nanaimo or another interested party as contravening s. 866(3) of the *Local Government Act*. While a 160-unit development outside the Town's Urban Containment Boundary is proportionately larger in scale (by a factor of more than 30) than a 67-lot development in Langley Township (population over 110,000), we don't think that the Justice of the Supreme Court who decided the *Wall* and *Hendricks* cases would find the proposed Pheasant Glen development to be a "large scale development" that would "radically alter" the Rural Residential lands designated in the RGS, such that the development is a "regional matter".

Goal 3: Rural Integrity

To reiterate, this part of the RCS states that Policy 2.2.6.11 evidences support for the RGS "by allowing minimum parcel sizes for lands in [the Rural Residential designation in the RGS] that are the same as, or larger than the minimum parcel size established for these lands in the applicable OCP by June 10, 2003". This is stated in Policy 2.2.6.9 to be 2.0 ha. Currently the CD-5 zoning does not permit subdivision of the Pheasant Glen lands. In our previous opinion we discussed a 2-ha subdivision scenario that would, technically, comply with this policy, such that the Council could amend its bylaws to permit subdivision down to a 2-ha parcel area without having to amend the OCP. Because this minimum parcel area for the Pheasant Glen lands is specifically mentioned in the RCS, it seems to us unlikely that the Council could provide for smaller minimum parcel areas for these lands elsewhere in the OCP without creating an internal OCP consistency problem under s. 866(3), even under a "reasonableness" standard. However, as we noted in our previous opinion, the owner could further subdivide resort buildings constructed on 2.0 ha lots under the *Strata Property Act*, without municipal approval.

Summary of Opinion re: Pheasant Glen

In summary, it's our opinion that the Council could remove Policy 2.2.6.11(i) from the OCP without amending the Town's Regional Context Statement or otherwise obtaining approval of the board of the Regional District of Nanaimo, under the B.C. Supreme Court's decision in *Wall*.

This seems to us the only OCP amendment that would be necessary to authorize the Pheasant Glen resort proposal and that would potentially raise a question of consistency with the RCS. (We understand that other amendments to the development permit provisions might also be undertaken.)

Procedurally, we suggest that the most straightforward course of action is to amend the OCP to remove s. 2.2.6.11(i) without changing the Regional Context Statement, in effect providing for the establishment outside the Urban Containment Boundary of a destination resort with no restriction on residential uses of resort units, and placing the onus on the Regional District to seek to have the OCP amendment set aside for inconsistency with the RCS if it considers that such an attempt would succeed. The Regional District board may decide that such an OCP amendment raises no issues from its perspective, or it may consider that the OCP amendment is invalid but choose to hold off on any legal action against the Town pending a positive result for Metro Vancouver in the appeals of the *Wall* and *Hendricks* decisions. If the appeals are successful, the Regional District may still decide not to take legal action against the Town even though it considers that the Town's OCP amendment was invalid, if by that time zoning amendments have been enacted and pre-sales of residential units are underway at Pheasant Glen or units are actually under construction. Alternatively, in such circumstances the Regional District could seek to set aside the OCP amendment, associated zoning amendments would also be invalidated if the Regional District succeeds, and the Town could face enforcement issues as regards residential use of units in the development if such uses have by then been established. In such circumstances, the residential uses would not be lawfully non-conforming because the zoning regulations under which they had been approved would have been invalid, as being inconsistent with the Town's OCP as it stood prior to the amendment.

General Questions Relating to the GVRD Appeal

Metro Vancouver has filed notices of appeal in the *Wall* and *Hendricks* matters. Our review of the Supreme Court's decisions leads us to expect that the appeals will be based on, among other grounds, alleged failures on the part of the Supreme Court to apply the proper standard of judicial review, to properly interpret the bylaws in question, and to properly interpret the role of the regional district in land use planning matters under Part 25 of the *Local Government Act*, including the preparation and acceptance of regional context statements. The results of the appeal will, inevitably, turn on the details of the OCP amendments, regional context statement and regional growth strategy actually in issue, though in addressing these matters the Court of Appeal, like the Supreme Court, may indicate how it sees the legislation balancing the interests of regional districts and municipalities as regards local land use management decisions. The appeal will likely be heard during the fall of 2014. We are not aware of any intention on the part of Metro Vancouver to apply for an injunction preventing Langley Township from continuing to issue authorizations for the developments in question, pending the Court of Appeal's decisions on the appeals, and think that any such application would have little chance of success.

We are aware of one other local government that has in the recent past been prevented by regional district opposition from amending its OCP to permit a development that allegedly contravenes a regional growth strategy, and that has decided not to proceed with its amendment notwithstanding that under the *Wall* decision such an amendment might not require regional district approval or involvement. We note that should such steps be taken and the *Wall* decision then reversed on appeal, the municipal bylaw will be vulnerable to challenge by the relevant regional district notwithstanding that it was lawful under the Supreme Court's *Wall* decision at the time it was adopted. We're not aware of any plans by the Province to change the enabling legislation for regional growth strategies in response to the *Wall* decision, and doubt that any such changes would be discussed until the Court of Appeal has given its decision in these appeals.

In our view, the Supreme Court's decision in *Wall* fails to give effect to the legislative Intent behind Part 25 of the *Local Government Act*, and there's a good chance it will be reversed on appeal. It seems to us that Part 25 was meant to attach consequences to the adoption of regional growth strategies and regional context statements, even in relation to relatively "small scale" developments entirely within a particular municipality; there is no other plausible explanation for the laborious "acceptance" and dispute resolution processes associated with the adoption of regional growth strategies and regional context statements, or for the internal consistency rule in s. 866(2). However, the party presently forming the provincial government was in Opposition when the regional growth strategies legislation was put in place, and one should not assume that the present government sees any problem with the Supreme Court's decisions in the *Wall* and *Hendricks* matters, or would be inclined to strengthen the regional growth strategies legislation should these decisions be upheld on appeal.

Sincerely,

YOUNG ANDERSON



Bill Buholzer

buholzer@younganderson.ca

BB/mw

Minutes of the 7:00 pm Tuesday, April 22, 2014, Town of Qualicum Beach Special Council Meeting held at the Civic Centre, 747 Jones Street, Qualicum Beach, BC

PRESENT: Council Mayor Teunis Westbroek
Councillor Mary Brouillette
Councillor Bill Luchtmeijer
Councillor Scott Tanner
Councillor Dave Willie

ALSO PRESENT: Staff: John Marsh, CMA, Deputy CAO
Heather Svensen, Corporate Administrator
Luke Sales, Director of Planning
Patricia Huntsman, Town's Consultant, Cultural Development and Communications
Karla Duarte, Office Assistant

The Mayor called the meeting to order at 7:00 pm

ADOPTION OF THE AGENDA

Council adopted, by unanimous consent, the April 22, 2014 special Council meeting agenda.

PUBLIC AND STATUTORY HEARINGS

(1) **Bylaw No. 580.74**

Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (274 Mill Road) Bylaw No. 580.74, 2014.

Mayor Westbroek declared the public hearing open at 7:00 pm, convened pursuant to section 890 of the *Local Government Act*, to allow the public to make representations to Council respecting matters contained in the proposed Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (274 Mill Road) Bylaw No. 580.74, 2014.

The Mayor reviewed the purpose of public hearings and procedures to follow during the hearing, and announced that an information binder with background information was available on the table at the entrance to the meeting room.

The Director of Planning introduced Bylaw No. 580.74, noting that the zoning amendment would make the following changes:

A. Zoning Classification

- Change the zoning classification from 'Residential 14' (R14) to 'Residential Small Lot 1' (RSL1). This will adjust the setbacks so they are more conducive to a small-lot configuration with a narrower frontage.

B. Subdivision District

- Change the subdivision district from 'D' (minimum lot size of 700 m²) to 'J' (minimum lot size 500 m²).

The Mayor called for any persons who deemed themselves affected by Bylaw No. 580.74, who wished to be heard or present written submissions to come forward, and noted Council members are not permitted to hear or receive information after the hearing closes.

The Mayor called a second time for any persons who deemed themselves affected by Bylaw No. 580.74, who wished to be heard or present written submissions to come forward. The Mayor called for a third and final time, and seeing no further speakers, the Mayor declared the public hearing closed.

(2) **Bylaw No. 700.10**

Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014.

Mayor Westbroek convened pursuant to section 890 of the *Local Government Act*, to allow the public to make representations to Council respecting matters contained in the proposed Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014.

The Mayor reviewed the purpose of public hearings and procedures to follow during the hearing, and announced that an information binder with background information was available on the table at the entrance to the meeting room.

The Director of Planning introduced Bylaw No. 700.10, describing that the proposed amendment would change the Growth Containment Boundary to match the Town Boundary. He noted that the Growth Containment Boundary and the Urban Containment Boundary are the same within the Town of Qualicum Beach and that currently the Town Boundary excludes the Agricultural Land Reserve (ALR), the DL 10 (Town owned property), and the estate properties.

The Mayor called for any persons who deemed themselves affected by Bylaw No. 700.10, who wished to be heard or present written submissions to come forward, and noted Council members are not permitted to hear or receive information after the hearing closes.

Art Skipsey, 383 Crescent Road West, commented that full consultation has not been properly carried out and that any input may be ignored regarding the proposed boundary realignment.

Joanne Mosher, 563 St. Andrews Road, spoke against bylaw 700.10 and the changes to the Growth Containment Boundary and is requesting that Council slows down their decision regarding this matter. She noted that this matter should withstand a full OCP review and should be a front and centre issue for each candidate at the November election.

Christina Brown, 318 Fern Road East, commented that she stands in opposition to the proposed amendment, as it is a paradigm shift and not just a minor amendment. The change would expose ALR and rural land to potential development noting that we have a social responsibility to protect ALR land for future generations.

Michael Jessen, representing Arrowsmith Parks and Land-Use Council, 1266 Jukes

Place, noted that the issue has been made into a battle between jurisdictions and suggested that the boundary expansion is a major planning issue that requires good land use planning. He questioned whether projections for population were considered and what the potential for businesses were as a change in the Town boundary would affect all residents, especially where property taxes are concerned.

Rusty Joerin, 482 Trio Lane, spoke in favour of the amendment noting that it is unnecessary to consult with another jurisdiction as it may increase costs due to duplication of services. He noted that the Town can manage decisions and any changes to the Urban Containment Boundary must be a decision solely made by Qualicum Beach Council and that it is not acceptable to use jurisdictional overlap when considering development proposals. He cautioned that if we continue to tell investors to go away, we would suffer the results of the misguided.

Kevin Monahan, 586 Alder Street, suggested that the proposal should be subject to community dialogue if the issue is indeed about governance. He noted that there has been little public input and that neither the public nor Council fully understands the issue. He further noted that the media continues to incorrectly report the information. He further added that there has been no two way dialogue with Council. He noted that there can be no justification that the process is indeed, a full OCP review. It is unclear to him how the Town intends to respond to the recent Supreme Court decision with regards to Langley.

Bill Adkins, 827 Primrose Street, proposed that the Bylaw is a major change to the OCP and that there has been insufficient public information given. He added that enough information be given before a decision is made.

Iris Page, 226 Crescent Road East, noted that since arriving in Qualicum Beach in 1980, she has been consulted by the Town with regards to major decisions and has noticed a strong sense of civic duty by citizens who take ownership with regards to the OCP. She expressed her opposition to the amendment noting the lack of consultation and emphasizing that the decision should not be rushed.

Suzanne Adkins, 827 Primrose Street, maintained that the amendment is a proposal to a major change to the OCP and should warrant more public discussion. She suggested that Pheasant Glen should stand the test of public input through the OCP.

Lance Nater, 996 Royal Dornoch Drive, requested that Council slow down the decision making process in light of the Langley court case decision and the legal opinion received by the Town.

Charna Macfie, 578 Maple Street, stated that the current process regarding the amendment is not a full OCP review and that the process is off track. She further noted that Council should consider what impact their decision will have and should not ignore the concerns raised by residents. She noted that the process is being fast tracked and that Council is not following the general objectives in the OCP.

Cameron Eaton, 591 Tamarack Drive, suggested to slow down the process as the project will have long term impacts and may face legal dilemma. The amendment comes with a proposed development that may interfere with the Town's water supply.

Fox McKinley, 346 Nenzel Road, opposed the amendment suggesting to slow down the decision as it may be open to a lawsuit and to allow the people to vote at the next election. He urged a democratic process and expressed that he moved to Qualicum originally because of its nature and that we should all have the interest of the community at heart.

Gord Davidson, 14-639 Arbutus Street, mentioned that the people who spoke before him most eloquently expressed his own views.

Gary Bentham - 799 Sanderson Road, Parksville, supported the alignment of the boundaries as Council would then be in a position to proceed with decisions without having to consult the Regional District of Nanaimo (RDN). He urged Council to become united in the decision and that these matters take knowledge, courage, and vision for creating an attractive community. He mentioned that he had expertise and extensive participation in past Council meetings of different communities on the island.

Brian de Biasco, 292 Crescent Road East, credited Council for taking on the process for the benefit of the entire community and urged Council to make the decision and move forward as there will always be people who applaud or disapprove of the decision but that we will all get past whatever decision is made.

Heather Walterson, 847 Woodridge Place, declared that he is in favour and that the Bylaw be given a third reading.

Tim Pritchard, 663 Windward Way, questioned whether the members of Council who serve as RDN representative on a rotating basis assess whether to accept or reject proposals that occur in other communities represented by the RDN.

Lois Eaton, 591 Tamarack Drive, insisted that there has not been a full OCP review and that the amendment contains ramifications that no one understands. She urged Council to consider the larger context and to allow for a more democratic process.

Neil Horner, 2300 Fowler Road, strongly suggested that the public lobby the Regional District of Nanaimo as this is a major decision and requires a full OCP review. He noted that the legal opinion submitted by the Town's solicitor states that the Langley court decision could be reversed on appeal.

Helen Sims, 223 Fern Road West, noted that any applications that involve ALR land will have to go through the same process as they can only be made by the ALR. The Town will get to decide on land inside the boundary and the designations in the OCP will stay the same.

Peter Quily, 566 Willow Road, strongly recommended that Council slow down the decision noting there is nothing to lose by going slowly and carefully if the plan is properly constituted and well thought out.

Zweite Dewitt, 760 Berwick Road South, encouraged Council to move forward and to think of those that are not at the hearing.

Howard Halpenny, 630 Garden Road East, stated that he is in favour of having his interests taken care of without the need of involving a third party.

Graham Riches, 171 First Avenue West, reminded Council that they are elected to make decisions, to consider due process, and consult with the public to ensure the population has been fully consulted prior to deliberating.

The Mayor called a second time for any persons who deemed themselves affected by Bylaw No. 700.10, 2014 who wished to be heard or present written submissions to come forward.

Michael Jessen, representing Arrowsmith Parks and Land-Use Council, 1266 Jukes Place, returned to suggest there was an error to the letter to the editor and that to suggest that a mistake was made in 2011 for the OCP would be an insult as changing the boundary is not a minor amendment.

Kevin Monahan, 586 Alder Street, added that an amendment to the OCP requires a full review and that no public discussion was engaged with Council for this current amendment process. He suggested that there is a great deal of misconception of the purpose of the RDN and the Growth Containment Boundary.

Wendy Maurer, 215 Elizabeth Avenue, spoke in favour of the boundary change and commented that there is no reason to delay the decision as increased public consultation has been shown. She encouraged Council to continue to improve the level of communication and proceed with this critical issue as it is affecting the community.

Charna Macfie, 578 Maple Street, commented that what happens in one jurisdiction could affect others. She noted she is content with leaving the boundary where it is during the OCP review. She added that it is disturbing to tell the public that nothing will change when the boundary changes.

Nancy Andrew, 211 Fifth Avenue West, commented that the rule of law is critical to democracy, that citizens need to understand the rule of law, and that the proposed amendment does not meet the definition for a minor change.

The Mayor called for a third and final time, and seeing no further speakers, the Mayor declared the public hearing closed at 8:26 pm.

MOTION TO RECESS:

Councillor Brouillette MOVED and Councillor Luchtmeijer SECONDED, THAT Council take a ten minute recess.

CARRIED

MEETING RECESSED: 8:27pm

MEETING RESUMED: 8:37 pm

Councillor Brouillette MOVED and Councillor Luchtmeijer SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (274 Mill Rd) Bylaw No. 580.74, 2014" be read a third time.

CARRIED

Councillor Luchtmeijer MOVED and Councillor Brouillette SECONDED, THAT Council, after hearing comments at the April 22, 2014 Official Public Hearing, adopts the following motion: THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be given third reading; AND FURTHER THAT Council directs staff to send notification to the Regional District of Nanaimo, along with relevant background reports, that the Town has given third reading to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014", which resulted from a "full Official Community Plan Review Process" in accordance with the procedural requirements of the *Local Government Act* and now requires an amendment to the Regional Growth Strategy; AND FURTHER THAT the Town hereby requests that the Growth Containment Boundary, as identified in "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011", be amended to include the entirety of the Town of Qualicum Beach following the process identified on Section 1.5.1 "Process for Approving Minor Amendments".

RECORDED VOTE REQUESTED:

IN FAVOUR: Councillors Brouillette, Luchtmeijer and Willie

OPPOSED: Mayor Westbroek and Councillor Tanner

CARRIED

ADJOURNMENT

Councillor Luchtmeijer MOVED and Councillor Brouillette SECONDED, THAT Council adjourns the meeting.

MEETING ADJOURNED: 9:01 pm

Certified Correct:

Heather Svensen
Corporate Administrator

Teunis Westbroek
Mayor



TOWN OF QUALICUM BEACH

INCORPORATED 1942

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P.O. Box 130
Qualicum Beach, B.C.
V9K 1S7

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

RESOLUTION

Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014

THAT Council, after hearing comments at the April 22, 2014 Official Public Hearing, adopts the following motion: THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be given third reading; AND FURTHER THAT Council directs staff to send notification to the Regional District of Nanaimo, along with relevant background reports, that the Town has given third reading to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014", which resulted from a "full Official Community Plan Review Process" in accordance with the procedural requirements of the *Local Government Act* and now requires an amendment to the Regional Growth Strategy; AND FURTHER THAT the Town hereby requests that the Growth Containment Boundary, as identified in "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011", be amended to include the entirety of the Town of Qualicum Beach following the process identified on Section 1.5.1 "Process for Approving Minor Amendments".

Certified to be a true and correct copy of the resolution passed by the Council of the Town of Qualicum Beach, in open meeting assembled, at the special Council meeting, held at the Civic Centre, 747 Jones Street, Qualicum Beach, BC, on Tuesday, April 22, 2014.

Heather Svensen, Corporate Administrator

Dated this 24th day of
April, 2014 at
Qualicum Beach,
British Columbia.



RDN REPORT	
CAO APPROVAL	###
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BOARD	

MEMORANDUM

TO: Paul Thompson
 Manager of Long Range Planning

DATE: May 8, 2014

FROM: Greg Keller
 Senior Planner

FILE: 6970 20 SESU

SUBJECT: Secondary Suites Zoning Amendments – Bylaws No. 500.389, 2014 and 1285.19, 2014 Adoption Report

PURPOSE

To consider Amendment Bylaws No. 500.389, 2014 and 1285.19, 2014 for adoption.

BACKGROUND

Following an extensive public consultation process including a Public Hearing held on April 7, 2014, the Board granted 3rd reading to the Amendment Bylaws on April 22, 2014, and referred them to the Ministry of Transportation and Infrastructure (MOTI) for consideration of approval. MOTI provided the required approval on April 30, 2014.

ALTERNATIVES


1. To adopt "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.389, 2014" and "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.19, 2014".
2. To not adopt "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.389, 2014" and "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.19, 2014" and provide staff with further direction.

SUMMARY/CONCLUSION

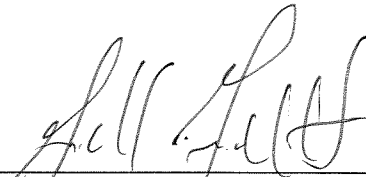
Amendment Bylaws No. 500.389 and 1285.19 were considered by the Board and given 1st and 2nd reading on January 28, 2014. Further discussions with the Electoral Area Directors identified some further changes to Bylaw No. 500.389. In response, Bylaw No. 500.389 was given amended 2nd reading on March 25, 2014. A Public Hearing was held on April 7, 2014, and the Board granted 3rd reading on April 22, 2014. Approval was received from the MOTI on April 30, 2014. Therefore, the Bylaws may now be considered by the Board for adoption.

RECOMMENDATIONS


1. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.389, 2014" be adopted.
2. That "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.19, 2014" be adopted.



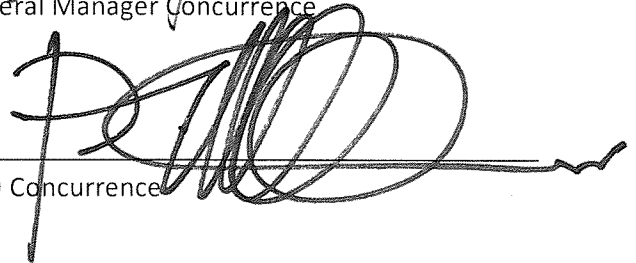
Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500.389**

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

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

- A. This Bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.389, 2014”.
- B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:

1. In **Part 2 Interpretation Section 2.1 Definitions** by adding the following definition after ‘seafood processing’.

secondary suite means one or more habitable rooms and a cooking facility for residential accommodation, consisting of a self-contained unit with a separate entrance but which is clearly accessory to a principal dwelling unit located on the same parcel as the secondary suite and may not be subdivided under the *Strata Property Act*.

2. In **Part 3 – Land Use Regulations Section 3.3 General Regulation** is amended by adding the following after Section 3.3.12(h):
- i. Home Based Business shall not be permitted within a secondary suite nor by the occupants of a secondary suite elsewhere on the subject property.
 - j. Bed and Breakfast shall not be permitted on a parcel that contains a suite.
 - k. Where a secondary suite is located on a parcel less than 4,000 m² in area, the Home Based Business must:
 - i) be limited to one (1) business; and,
 - ii) not include any non-resident home based business employees.

3. In **Part 3 – Land Use Regulations Section 3.3 General Regulation** is amended by adding the following after Section 3.3.15:

- 16) Secondary Suites
- a) Secondary suites shall be permitted in the following zone classifications: RS1, RS1.1, RS2, and RU1 – RU10 (Inclusive).
 - b) A maximum of one (1) secondary suite is permitted per single dwelling unit to a maximum of two (2) per parcel of which only one (1) may be detached.
 - c) Notwithstanding Section 2.1, a secondary suite shall be permitted within an accessory building.

- d) Secondary Suites shall be subject to the following requirements:
- i) secondary suites within a principal dwelling unit must not exceed 40% of the habitable floor space of the building that it is located in nor 90 m² of total floor space, whichever is lesser;
 - ii) must not be located within a duplex, manufactured home, or multiple dwelling unit development;
 - iii) must provide at least two (2) additional designated off-street parking spaces (at least one (1) must have direct access to the street);
 - iv) shall be maintained in the same real estate entity as the principal dwelling unit to which it is accessory;
 - v) must meet minimum setback requirements for a dwelling unit located in the applicable Zone Classification.
 - vi) must be limited to a maximum of two bedrooms and one cooking facility;
 - vii) must, on parcels without community sewer services, have the approval of the local Health Authority with respect to the provision of sewage disposal;
 - viii) must have its own entrance separate from that of the principal dwelling unit; and,
 - ix) must not be used for short term (less than one month) rentals.
- e) A Secondary Suite may be located within an accessory building subject to the following:
- i) The minimum site area requirement shall be 800 m² for parcels serviced with community water and community sewer or 8,000 m² in all other cases.
 - ii) Notwithstanding any other provision in this Bylaw, the maximum height of a building containing a suite shall be 8.0 metres;
 - iii) The maximum floor area of an accessory building containing a secondary suite shall not exceed 40% of the habitable floor space of the principal dwelling unit which it is associated with nor 90 m² of total floor space, whichever is lesser.
 - iv) the secondary suite shall contain no interior access to any part of the accessory building and the means of access and egress must be external to the structure.
- f) Home Based Business shall be in accordance with Section 3.3.12.

g) Despite any regulation in this Bylaw, land established as “Agricultural Land Reserve” pursuant to the ***Agricultural Land Reserve Act***” is subject to the ***Agricultural Land Reserve Act*** and ***Regulations***, and applicable orders of the Land Reserve Commission.

4. In **Part 3 – Land Use Regulations Section 3.4 Regulations for Each Zone** is amended by adding ‘Secondary Suite’ as a Permitted Use as follows:
- I. Section 3.4.61 – 3.4.61.1 Residential 1 and Residential 1.1 Zone after b) Residential Use.
 - II. Section 3.4.62 0 – Residential 2 Zone after b) Residential Use- per dwelling unit.
 - III. Section 3.4.81- Rural 1 Zone – after f) Silviculture.
 - IV. Section 3.4.82 – Rural 2 Zone – after i) Silviculture.
 - V. Section 3.4.83 – Rural 3 Zone – after g) Wood Processing.
 - VI. Section 3.4.84 – 3.4.89 Rural 4 – Rural 9 Zones – after f) Silviculture.
 - VII. Section 3.4.810 – Rural 10 Zone – after b) Home Based Business.

Introduced and read two times this 28th day of January, 2014.

Read a second time as amended this 25th day of March, 2014.

Public Hearing held this 7th day of April, 2014.

Read a third time this 22nd day of April, 2014.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this 30th day of April, 2014.

Adopted this ___ day of _____ 20XX.

Chairperson

Corporate Officer

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1285.19**

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

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

A. This Bylaw may be cited as "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.19, 2014".

B. The "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002", is hereby amended as follows:

1. By adding the following after Section 2 – General Regulations 2.15 Home Based Business – Regulations (5)(p):

6. Home Based Business shall not be permitted within a secondary suite.

7. Bed and Breakfast shall not be permitted on a lot that contains a suite.

8. Where a secondary suite is located on a lot less than 8,000 m² in area, the Home Based Business must be contained in a building.

2. By adding the following after Section 2 – General Regulations 2.17 Parking:

2.18 Secondary Suites

1. Secondary suites shall be permitted as a Permitted Accessory Use in the following zones: A-1, R-1, R-2, R-3.

2. A maximum of one (1) secondary suite is permitted per single dwelling unit to a maximum of two (2) per parcel of which only one (1) may be detached.

3. Secondary suites shall be subject to the following requirements:

a) secondary suites within a principal dwelling unit must not exceed 40% of the habitable floor space of the building that it is located in nor 90 m² of total floor space, whichever is lesser;

b) must not be located within a duplex, manufactured home, or multiple dwelling unit development;

c) must provide at least two (2) additional designated off-street parking spaces (at least one (1) must have direct access to the street);

d) shall be maintained under the same legal title as the principal dwelling unit to which it is accessory;

- e) must meet minimum setback requirements for a dwelling unit located in the applicable Zone Classification.
 - f) must be limited to a maximum of two bedrooms and one cooking facility;
 - g) must, on parcels without community sewer services, have the approval of the local Health Authority with respect to the provision of sewage disposal;
 - h) must have its own entrance separate from that of the principal dwelling unit; and,
 - i) must not be used for short term (less than one month) rentals.
4. A Secondary suite may be located within an accessory building subject to the following:
- a) The minimum site area requirement shall be 800 m² for parcels serviced with community water and community sewer or 8,000 m² in all other cases.
 - b) The maximum floor area of an accessory building containing a secondary suite shall not exceed 40% of the habitable floor space of the principal dwelling unit which it is associated with nor 90 m² of total floor space, whichever is lesser.
 - c) The secondary suite shall contain no interior access to any part of the accessory building and the means of access and egress must be external to the structure.
5. Home Based Business shall be in accordance with Section 2.15.
6. Despite any regulation in this Bylaw, land established as “Agricultural Land Reserve” pursuant to the ***Agricultural Land Reserve Act***” is subject to the ***Agricultural Land Reserve Act*** and ***Regulations***, and applicable orders of the Land Reserve Commission.
3. By adding ‘Secondary Suite’ as a Permitted Accessory Use as follows:
- a) Section 4.1 – Agriculture 1 Zone after c) Home Based Business
 - b) Sections 4.13 – 4.15 Rural 1 – Village Residential 3 zones after b) Home Based Business
4. By adding the following definition in Section 5 after the definition of School:
- Secondary Suite*** means one or more habitable rooms and a cooking facility for residential accommodation, consisting of a self-contained unit with a separate entrance but which is clearly accessory to a principal dwelling unit located on the same lot as the secondary suite and may not be subdivided under the *Strata Property Act*.

Introduced and read two times this 28th day of January, 2014.

Public Hearing held this 7th day of April, 2014.

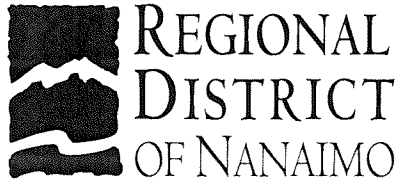
Read a third time this 22nd day of April, 2014.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this 30th day of April, 2014.

Adopted this ___ day of _____ 20__.

Chairperson

Corporate Officer



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BOARD	✓	

MEMORANDUM

TO: Jeremy Holm
Manager, Current Planning

DATE: May 20, 2014

FROM: Angela Buick
Planner

FILE: PL2013-064

SUBJECT: Zoning Amendment Application No. PL2013-064 – Fern Road Consulting on behalf of Daniel Nedokus of Dokey Resources Ltd.
Block G, District Lot 143, Nanoose District, Plan 4782 Except Part In Plan 735 RW
2619 Alberni Highway – Electoral Area ‘F’
Amendment Bylaw 1285.21, 2014 – Adoption

PURPOSE

To consider “Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.21, 2014” for adoption.

BACKGROUND

Amendment Bylaw No. 1285.21 was introduced and given first and second reading on March 25, 2014 (see Attachment 1). A Public Hearing was waived on April 22, 2014 pursuant to Section 890 (4) of the *Local Government Act*, and the Bylaw received third reading on May 13, 2014. The Ministry of Transportation and Infrastructure (MOTI) approved the Bylaw on May 20, 2014.

Following the waiving of the Public Hearing, no further submissions or comments from the public or interested persons can be accepted by members of the Board, as established by the courts. Having received third reading, eligible Board members may vote on the Bylaw.

As there were no conditions of approval to be met, the Bylaw is presented to the Board for consideration for adoption.

ALTERNATIVES

1. To adopt “Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.21, 2014”.
2. To not approve the Amendment Bylaw and provide alternate direction.

SUMMARY/CONCLUSIONS


The applicant proposes to rezone the subject property by amending the existing A-1.11 zoning from permitting 48 camping spaces and 15 RV sites to permitting 100 camping spaces. This request is consistent with ALC approval given in 2002. As a result, the application is consistent with the permitted uses supported on Resource lands within the Agricultural Land Reserve as outlined in the Electoral Area 'F' Official Community Plan. The Amendment Bylaw was introduced and given first and second readings on March 25, 2014.

The Board waived the holding of a public hearing pursuant to Section 890 (4) of the *Local Government Act* on April 22, 2014. The Bylaw received third reading at the Special Board Meeting on May 13, 2014.

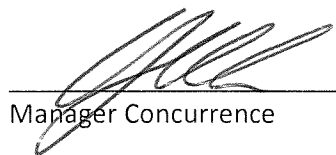
The Amendment Bylaw was approved by the Ministry of Transportation and Infrastructure on May 20, 2014. Given that the application has no conditions of approval, staff recommend that the Board adopt Amendment Bylaw No. 1285.21, 2014.

RECOMMENDATION

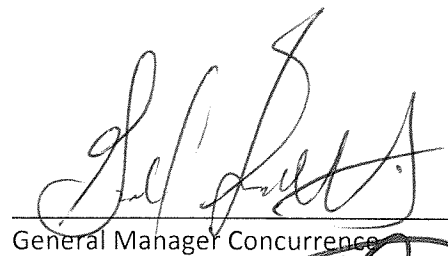
That the "Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.21, 2014" be adopted.



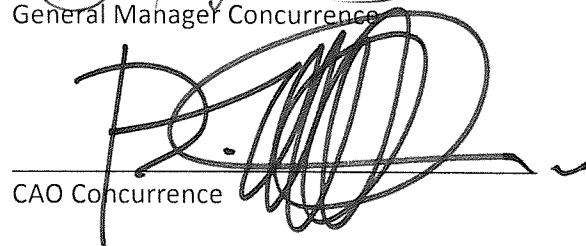
Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1285.21

A BYLAW TO AMEND "ELECTORAL AREA 'F' ZONING AND SUBDIVISION BYLAW NO. 1285, 2002"

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

A. This Bylaw may be cited as "Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.21, 2014".

B. The "Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002", is hereby amended as follows:

By amending the A-1.11 Site Specific Zoning Regulations on the lands as shown on the attached Schedule '1' and legally described as:

Block G, District Lot 143, Nanoose District, Plan 4782

from "Campground to a maximum of 48 camping spaces and 15 RV sites" to "Campground to a maximum of 100 camping spaces".

Introduced and read two times this 25th day of March, 2014.

Public Hearing waived pursuant to Section 890 (4) of the *Local Government Act*.

Read a third time this 13th day of May, 2014.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this 20th day of May, 2014.

Adopted this ____ day of _____ 201__.

Chairperson

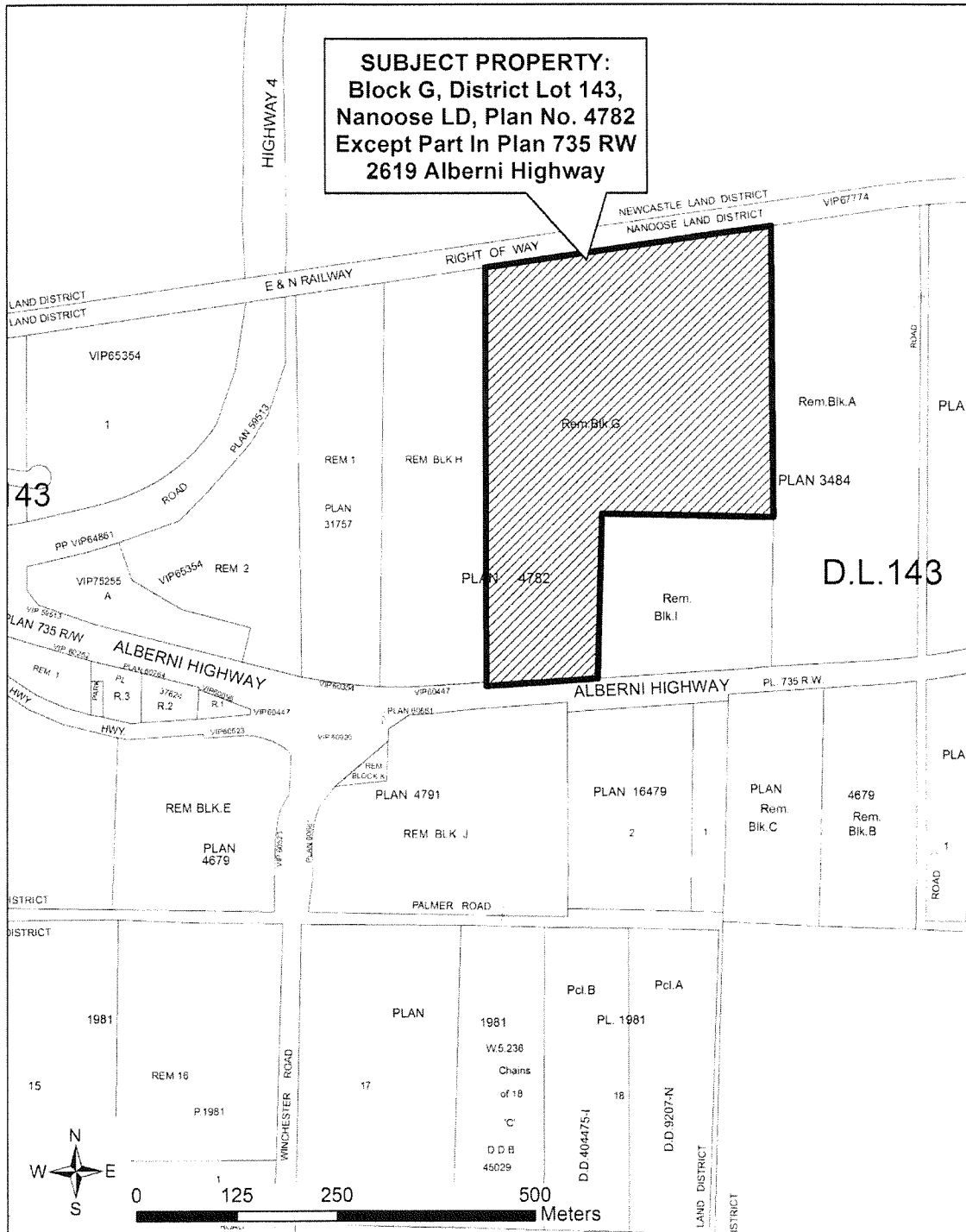
Corporate Officer

Schedule '1' to accompany "Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285.21, 2014".

Chairperson

Corporate Officer

Schedule 1





RDN REPORT	
CAO APPROVAL ###	
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MEMORANDUM

TO: Jeremy Holm
 Manager, Current Planning **DATE:** May 20, 2014

FROM: Lainya Rowett
 Senior Planner **FILES:** PL2012-096 & PL2012-097

SUBJECT: Zoning Amendment Applications No. PL2012-096 & PL2012-097 – 3536696 Canada Inc. and bcIMC Realty Corporation
 Lakes District & Schooner Cove
 Electoral Area 'E'
 Phased Development Agreement Authorization Bylaw No. 1692; and
 Amendment Bylaws 500.384, 500.385, and 500.388 - Third Reading

PURPOSE

To receive the report summarizing the minutes and submissions received at the Public Hearing held on May 12, 2014 and to consider “Regional District of Nanaimo Phased Development Agreement (Lakes District and Schooner Cove) Authorization Bylaw No. 1692, 2013”; “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.384, 2013”; “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.385, 2013”; and “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.388, 2013” for third reading.

BACKGROUND

The intent of the proposed Bylaws is to allow and guide the long term development of the lands within the Lakes District and Schooner Cove Neighbourhood Plan Areas. The Neighbourhood Plans were adopted by the Regional District of Nanaimo Board in October 2011 and established the community vision for Lakes District and Schooner Cove for the development of residential units (maximum 1,675 units in Lakes District and 360 units in Schooner Cove), mixed-use, commercial and marina uses, as well as parks, trails and a waterfront boardwalk. In July 2012, the RDN received two zoning amendment applications which proposed four bylaws in accordance with the Neighbourhood Plans policies. A Public Hearing was held concurrently for all four Bylaws on May 12, 2014. The summary of the minutes and submissions is attached for the Board’s consideration (see Attachments 1 and 2).

The Phased Development Agreement (PDA) Authorization Bylaw No. 1692 was introduced and given first and second reading at a Special Board meeting held on December 3, 2013. Following this, the Bylaw was revised at the applicants’ request primarily to address concerns raised by Snaw-Naw-As (Nanoose First Nation) regarding the protection of the Notch Summit and adjoining lands from future development. Bylaw No. 1692 was given second reading, as amended, at the Regular Board meeting held on April 22, 2014 (see Attachment 3).

Bylaw No. 1692, if adopted, would authorize the RDN to enter into a phased development agreement with the property owner which will determine the phasing of residential, mixed-use and commercial development, parks dedication, acquisition of public land and the provision of servicing and infrastructure and community amenities within the Lakes District and Schooner Cove Neighbourhood Plan Areas in Electoral Area 'E'. Pursuant to section 905.2 (2) of the *Local Government Act*, the proposed twenty-year term for the PDA requires approval from the Inspector of Municipalities prior to the Board's consideration of adoption of Bylaw No. 1692.

Amendment Bylaw No. 500.384 was introduced and given first and second reading at a Special Board meeting held on November 12, 2013. The Bylaw was subsequently revised at the applicants' request, and concurrent with the amendments to PDA Bylaw No. 1692, to address Nanoose First Nation's concerns about the protection of the Notch Summit and adjoining lands from future development. Bylaw No. 500.384 was given second reading, as amended, at the Regular Board meeting held on April 22, 2014.

Bylaw No. 500.384, if adopted, would rezone the lands within the Lakes District Neighbourhood Plan Area from Residential 1 Zone, Subdivision District 'P', to Lakes District Comprehensive Development Zone (CD44) to allow the development of a maximum of 1,675 units of residential development, including single family residential, duplex and multiple dwelling unit residential, as well as mixed-use/commercial development, civic infrastructure, and parks and trails (see Schedules '1' and '2' in Attachment 4 - Amendment Bylaw No. 500.384).

Amendment Bylaw No. 500.385 was introduced and given first and second reading at a Special Board meeting held on November 12, 2013. The Bylaw was subsequently revised at the applicants' request, to address concerns raised by the community about the proposed uses, building and structure height and parcel coverage affecting the marina portion of Schooner Cove. Bylaw No. 500.385 was given second reading, as amended, at the Regular Board meeting held on November 26, 2013.

Bylaw No. 500.385, if adopted, would rezone the lands within the Schooner Cove Neighbourhood Plan Area from Commercial 5 Zone (Subdivision District 'J'), Residential 5 Zone (Subdivision District 'J'), and Water 2 Zone (Subdivision District 'Z'), to Schooner Cove Comprehensive Development Zone (CD45) to allow the development of a mixed-use waterfront village with commercial shops and services, a marina, seniors congregate housing and multiple dwelling unit residential development of up to 360 units, and a waterfront boardwalk and pathways (see Schedules '1' and '2' in Attachment 5 - Amendment Bylaw No. 500.385).

Amendment Bylaw No. 500.388 was introduced and given first and second reading at a Special Board meeting held on November 12, 2013. Bylaw No. 500.388, if adopted, would amend the subdivision servicing standards for community water and community sewer for new development within the Lakes District and Schooner Cove neighbourhoods to reflect current engineering design standards as well as site specific constraints which will dictate the most efficient designs for community water and sewer systems in these neighbourhoods (see Attachment 6).

Following the close of a Public Hearing no new information pertaining to the Bylaws, or comments from the public or interested persons, can be accepted by members of the Board, as established by the courts. Having received the minutes of the Public Hearing eligible Board members may vote on the proposed Bylaws.

ALTERNATIVES

1. To receive the report of the Public Hearing and give third reading to “Regional District of Nanaimo Phased Development Agreement (Lakes District and Schooner Cove) Authorization Bylaw No. 1692, 2013”; “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.384, 2013”; “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.385, 2013”; and “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.388, 2013”.
2. To receive the report of the Public Hearing and deny “Regional District of Nanaimo Phased Development Agreement (Lakes District and Schooner Cove) Authorization Bylaw No. 1692, 2013”; “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.384, 2013”; “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.385, 2013”; and “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.388, 2013”.

SUMMARY/CONCLUSIONS

The applicant proposes to rezone the lands within the Lakes District and Schooner Cove neighbourhoods in accordance with the Lakes District and Schooner Cove Neighbourhood Plans to allow the development of residential, mixed-use, commercial and marina uses, as well as parks, trails and a waterfront boardwalk. The development phasing and provision of community amenities will be guided by the terms of a proposed twenty year Phased Development Agreement. The Lakes District and Schooner Cove Phased Development Agreement (PDA) Authorization Bylaw No. 1692 was introduced on December 3, 2013. The proposed twenty-year term for the PDA requires approval from the Inspector of Municipalities prior to the Board’s consideration of adoption of Bylaw No. 1692.

The related land use and subdivision servicing Amendment Bylaws No. 500.384, 500.385 and 500.388 were introduced on November 12, 2013. Bylaw No. 500.385 was revised and given second reading, as amended, on November 26, 2013. Bylaw No. 500.384 and was also revised and given second reading, as amended, on April 22, 2014 concurrently with an amended PDA Authorization Bylaw No. 1692. All four of these Bylaws proceeded to Public Hearing on May 12, 2014. Staff recommend that PDA Authorization Bylaw No. 1692 and Amendment Bylaws No. 500.384, 500.385, and 500.388 receive third reading.

RECOMMENDATIONS

1. That the report of the Public Hearing held on May 12, 2014 for “Regional District of Nanaimo Phased Development Agreement (Lakes District and Schooner Cove) Authorization Bylaw No. 1692, 2013”; “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.384, 2013”; “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.385, 2013”; and, “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.388, 2013” be received.
2. That “Regional District of Nanaimo Phased Development Agreement (Lakes District and Schooner Cove) Authorization Bylaw No. 1692, 2013” be read a third time and forwarded to the Inspector of Municipalities for approval of the term of the agreement.
3. That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.384, 2013” be read a third time.


4. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.385, 2013" be read a third time.
5. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.388, 2013" be read a third time.



Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

**Attachment 1
Summary of the Public Hearing
Held at Nanoose Place Community Centre
2925 Northwest Bay Road, Nanoose Bay
May 12, 2014 at 6:30 PM**

To Consider Regional District of Nanaimo Phased Development Agreement (Lakes District and Schooner Cove) Authorization Bylaw No. 1692, and Regional District of Nanaimo Land Use and Subdivision Amendment Bylaws No. 500.384, 500.385, 500.388

Note: that this report is not a verbatim recording of the proceedings, but a summary of the comments of those in attendance at the Public Hearing.

Present:

Public in attendance: approximately 328 persons

For the Applicant:

Paul Fenske, Agent, Ekistics Town Planning
Jeanette Elmore, Ekistics Town Planning
Russell Tibbles, Bentall Kennedy (Canada) LP, representing the property owner
Rob Warren, Kerr Wood Leidel Consulting Engineers

For Snaw-Naw-As (Nanoose) First Nation Government:

Chief David Bob, Th ey luxw tun

For the Regional District of Nanaimo:

George Holme, Chair, Director, Electoral Area 'E'
Joe Stanhope, Chairperson for the Regional District of Nanaimo Board
Frank Van Eynde, Alternate Director, Electoral Area 'E'
Alec McPherson, Director, Electoral Area 'A'
Julian Fell, Director, Electoral Area 'F'
Paul Thorkelsson, Chief Administrative Officer
Geoff Garbutt, General Manager of Strategic & Community Development
Tom Osborne, General Manager of Recreation and Parks Services
Jeremy Holm, Manager of Current Planning
Lainya Rowett, Senior Planner
Robert Stover, Planning Technician
Nicole Hewitt, Recording Secretary
Karen Hamilton, Recording Secretary

The Chair called the hearing to order at 6:32 pm, introduced those present representing the Regional District, Snaw-Naw-As (Nanoose First Nation) and the applicant. The Chair then outlined the procedures to be followed during the hearing.

Lainya Rowett, provided an explanation of the proposed Phased Development Agreement Authorization Bylaw and Amendment Bylaws in relation to the Lakes District and Schooner Cove development.

The Chair called for formal submissions with respect to Bylaws No. 1692, 500.384, 500.385, and 500.388.

Russell Tibbles, Bentall Kennedy (Canada) LP, applicant, provided a brief overview of the proposal and expressed support to see the project more forward with approvals.

Chief David Bob, Th ey luxw tun, Snaw-Naw-As (Nanoose First Nation), thanked Nanoose residents for their patience while Snaw-Naw-As' concerns were addressed. Chief Bob explained the cultural significance of the Notch lands and expressed satisfaction with the resolution to protect these lands from development. He supports the Bylaws as proposed.

Robert Popple – 3510 Carmichael Road, spoke in support of the proposed development.

Clifford Hinton – 2524 Andover Road, said he fully supports the development.

Ross Griffiths – 3501 Carmichael Road, supports the development and would like to see the approval process expedited.

Doug Paterson – 3455 Simmons Place, supports the development and indicated that extensive public consultation throughout the OCP and zoning amendment process has resulted in many improvements.

Sharon Seibt – 2230 Foxrun Place, supports the proposed development and indicated that it will provide an alternative to urban sprawl and will assist in aging in place.

Rick Hollinshead – 3540 Shelby Lane, supports the development and looks forward to seeing the start of construction.

Karen Kenyon – 2453 Evanshire Crescent, spoke on behalf of herself and her husband Michael Kenyon in support of the proposed development and feel that it will provide a new vision, leadership in sustainability and economic vitality in the community.

Jim Crist – 3465 Cambridge Road, supports the development and appreciates the extensive consultation completed to date. He requested that the bylaws be expeditiously approved.

Karen Herage – 1352 Reef Road, Commodore, Schooner Cove Yacht Club, supports the development and urged the RDN Board and the Province to proceed expeditiously with bylaw approvals.

Randy Dunville – 3361 Rockhampton Road, supports the development and the opportunities it will provide for craftsmen home builders to work in the community.

Tony Eastham – 3484 Carlisle Place, supports the proposed development.

Judy Love-Eastham – 3484 Carlisle Place, supports the proposed development.

Dave Patterson – 2640 Andover Road, President of Fairwinds Community Association, supports the development and expressed that support for the development from the FCA has been unwavering.

Mel Spotswood – 3240 Huntington Place, said he was speaking on behalf of himself and his neighbours residing at 3230 Huntington Place in support of the proposed development.

Ted Hornick – 2612 Andover Road, supports the development and proceeding with bylaw approvals.

William Hamilton – 2430 Andover Road, supports the development and expeditious approvals.

Lesley Maddison – 2374 Andover Road, supports the development and encouraged the Board to move forward expeditiously.

Bob Clark – 3605 Sheffield Place, supports the proposed development.

Ralph Hutton – 2435 Ainsley Place, supports the proposed development.

Ken Carey – 2394 Green Isle Place, supports the proposed development.

Cathy Carey – 2394 Green Isle Place, supports the proposed development.

Ryan Laudien – 3515 Goodrich Road, supports the proposed development.

Diane Lauzon – 1983 Highland Road, supports the proposed development.

Francois Panetta- 1983 Highland Road, supports the proposed development.

Wayne Newhouse – 2252 Chelsea Place, supports the development and is pleased to see that the protection of the natural environment was a priority in the proposal.

Dave Russell – 3472 Simmons Place, supports the proposed development.

Parker Hedges – 3483 Tyee Crescent, supports the proposed development and expressed gratitude to the politicians and developers for creating a great community to live in.

Gloria Gray - 3555 Outrigger Road, Strata Council Member, expressed concerns about unresolved issues relating to Amendment Bylaw 500.385, specifically relating to the proposed waterfront boardwalk. She hopes these issues will be resolved through further dialogue with the developer.

Joe Straka – 2064 Radford Place, Mr. Straka has been deeply involved and thank Chief Bob and his people for their involvement with the development and for protecting the environment. Also thank Bentall Kennedy and RDN in the process.

The Chair called for formal written submissions with respect to Bylaw 1692, 500.384, 500.385, and 500.388. Written submissions were received from the following:

Shaughan & Connie Holden , 1985 Harlequin Crescent

Catherine Orban, Harlequin Crescent

Bjarne Eriksen Noer, Birte, Brigitta & Brooke Noer, 2493 Andover Road

Joan Ethier, 3505 Carmichael Road

Caryl & Bruce Wylie, 2415 Evanshire Road

Peter Law, 3417 Carmichael Rod

Joe Giegerich, 2240 Chelsea Place

Doug Paterson, Parksville

James Sinclair, 3427 Simmons Place

Heinz & Loretta Dahn, 2248 Bonnington Place

Anne & Erling Larson, 2355 Eaglesfield Place

Sean & Vera Moore, 3535 Shelby Lane
Ian & Pauline Maxwell, 3442 Sinclair Place
Steve Davison
Linda & Bill Hamilton, 2430 Andover Road
Robin Russell, 2435 Ainsley Place
Karen Wright & Greg Ast, 3615 Collingwood Drive
Gary & Danielle Couling, 2145 Scottvale Place
Dave Shillabeer, 194 Memorial Avenue
David Collyer, 2447 Andover Road
John & Sharon Vincent, 3627 Elginwood Place
Phil & Maggie McGregor
Mary Ellen & Dwight Campbell, 3568 Goodrich Place
Mel & Carolynne Spotswood, 3240 Huntington Place
Marlene Vancoughnett, 208 – 3555 Outrigger Drive
Pamela & Richard Melko, 2425 Evanshire Crescent
Don & Sandra MacDonald, 3506 Carmichael Road
Karen Harage, 1352 Reef Road
Beverly & James Watson, 2421 Andover Road
Rick & Wendy Hollinshead, 3540 Shelby Lane
Robert & Heather Popple, 3510 Carmichael Road
Garnet & Barb Hunt, 2399 Andover Road
Megan, Brendan & Regis Carrigy, 2418 Andover Road
Karen Zaborniak, Nanoose Bay
Doug Patterson, 3455 Simmons Place
Gail French & Mike Smith, 3495 Cambridge Road
Joyce & Florian Eilers
Pat & Maureen Ogawa, 3631 Dolphin Drive
Gerald & Anne Thompson, 3265 Huntington Place
Ken & Cathy Carey, 2394 Green Isle Place
Ross Griffiths, 3501 Carmichael Road
Randy Dunville, 3361 Rock Hampton Road

The Chair called for further submissions for the first time.

The Chair called for further submissions for the second time.

The Chair called for further submissions a third and final time.

There being no further submissions, the Chair adjourned the Public Hearing at 7:30 p.m.

Certified true and accurate this 13th day of May, 2014.



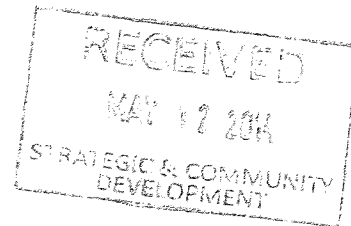
Nicole Hewitt
Recording Secretary

Attachment 2
Written Submissions

1985 Harlequin Crescent
NanOOSE Bay, BC. V9P 9J2

May 12, 2014

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



Re: Notice of Public Hearing
Application No PL2012-096 & PL2012-097
Lake District & Schooner Cove
Electoral Area "E"

Gentlemen,

I have attached correspondence that myself and Catherine Orban (neighbor) have previously submitted regarding the Fairwinds development plans. Neither of us have received any satisfactory feed back over our concerns

Our principle concern is the use of 'setbacks' which directly affect our properties adjacent to Fairwinds. These values have been stated by Cascadia without any RAR Assessment been conducted (see correspondence), and used to draw up the Fairwinds plans.

When Fairwinds showed plans that replaced a park area adjacent to our properties with several building lots we were shocked.

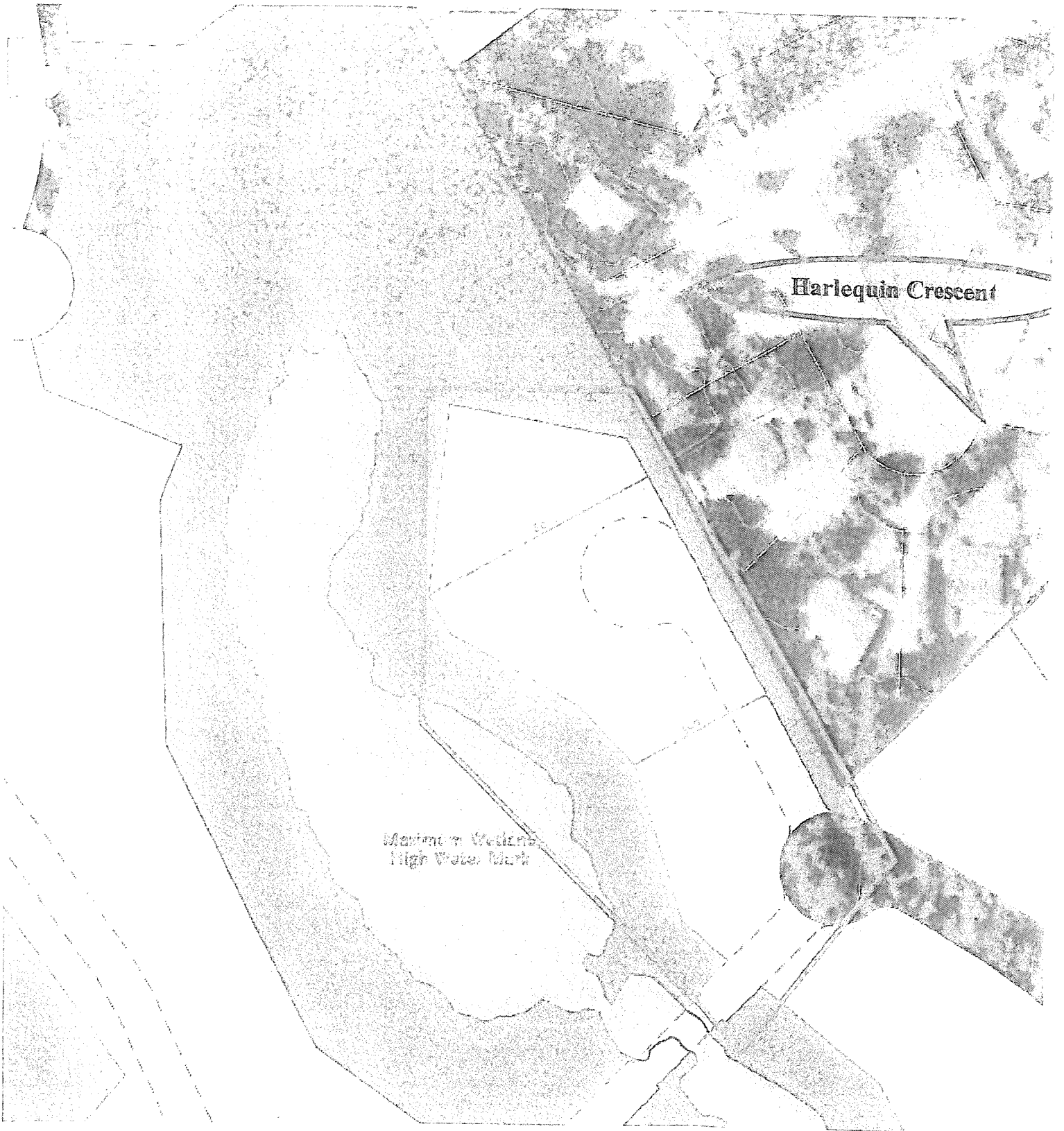
Previous correspondence with George Holme of the RDN shows that he insists on 30m setbacks, conversations with Paul Fenske of Ekistics confirmed the 30m setbacks from water coarse s and 10m from fence-lines. When the plans came out showing 15m water coarse and 6m fence-line setbacks I spoke with Paul Fenske, who said that the RDN had insisted on these numbers, I then spoke with Susan Cormick(sp) at the RDN who said that Ekistics had insisted on the numbers? Something is amiss here.

When we first moved here in 2004 we specifically asked Fairwinds regarding future developments on the immediate area adjacent to our property (see attachments). They assured us that no development would be taking place as the setbacks would not allow sufficient room for buildings.

We appeal to you to remove the building lots and to restore the park area on the plans. Surely open park land for nature trails would be more preferable to building lots, it is not a huge request.

Yours sincerely




Shaughan & Connie Holden
Neighbor: Catherine Orban.

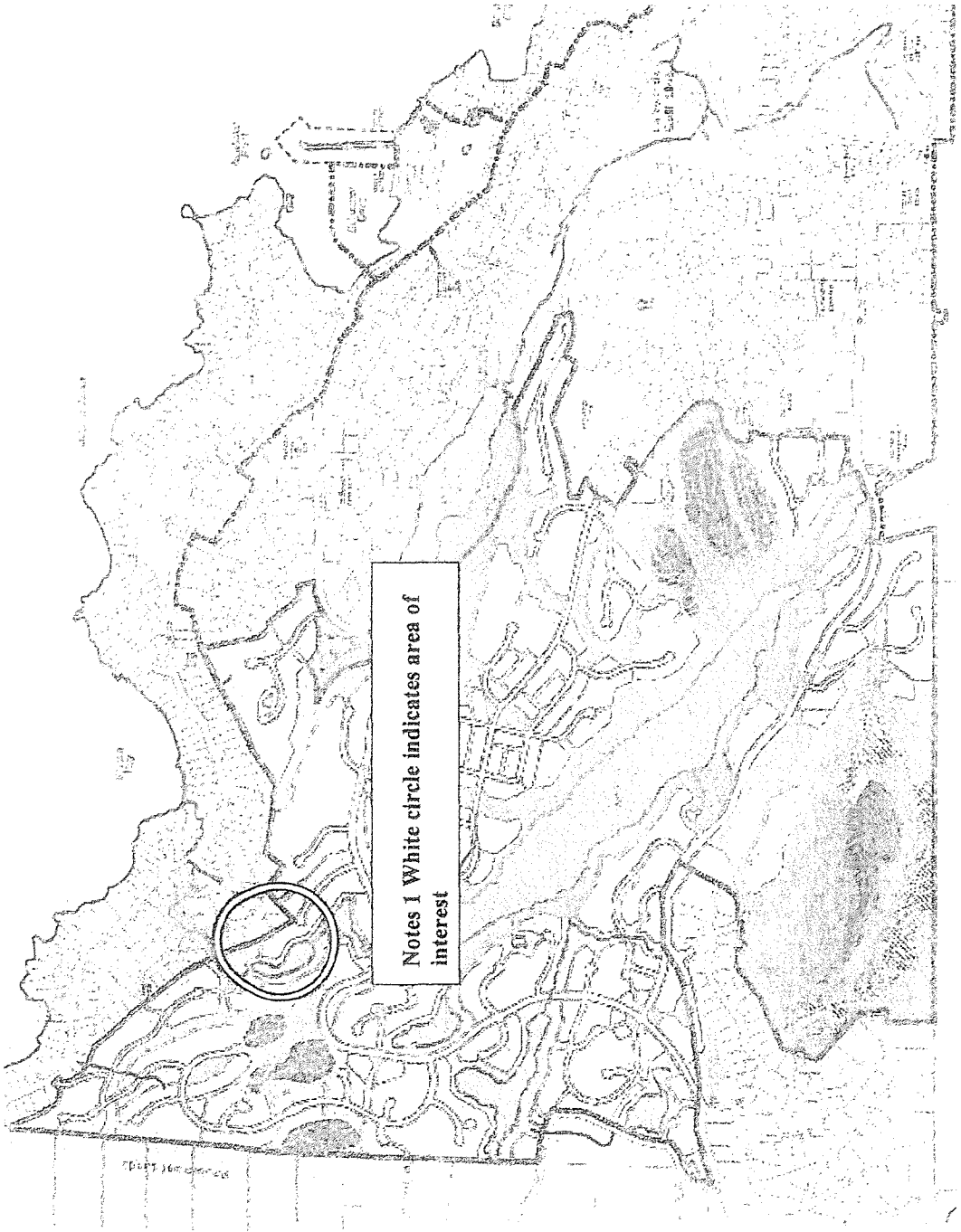


Request area enclosed by RED border to be changed back to original park (green).

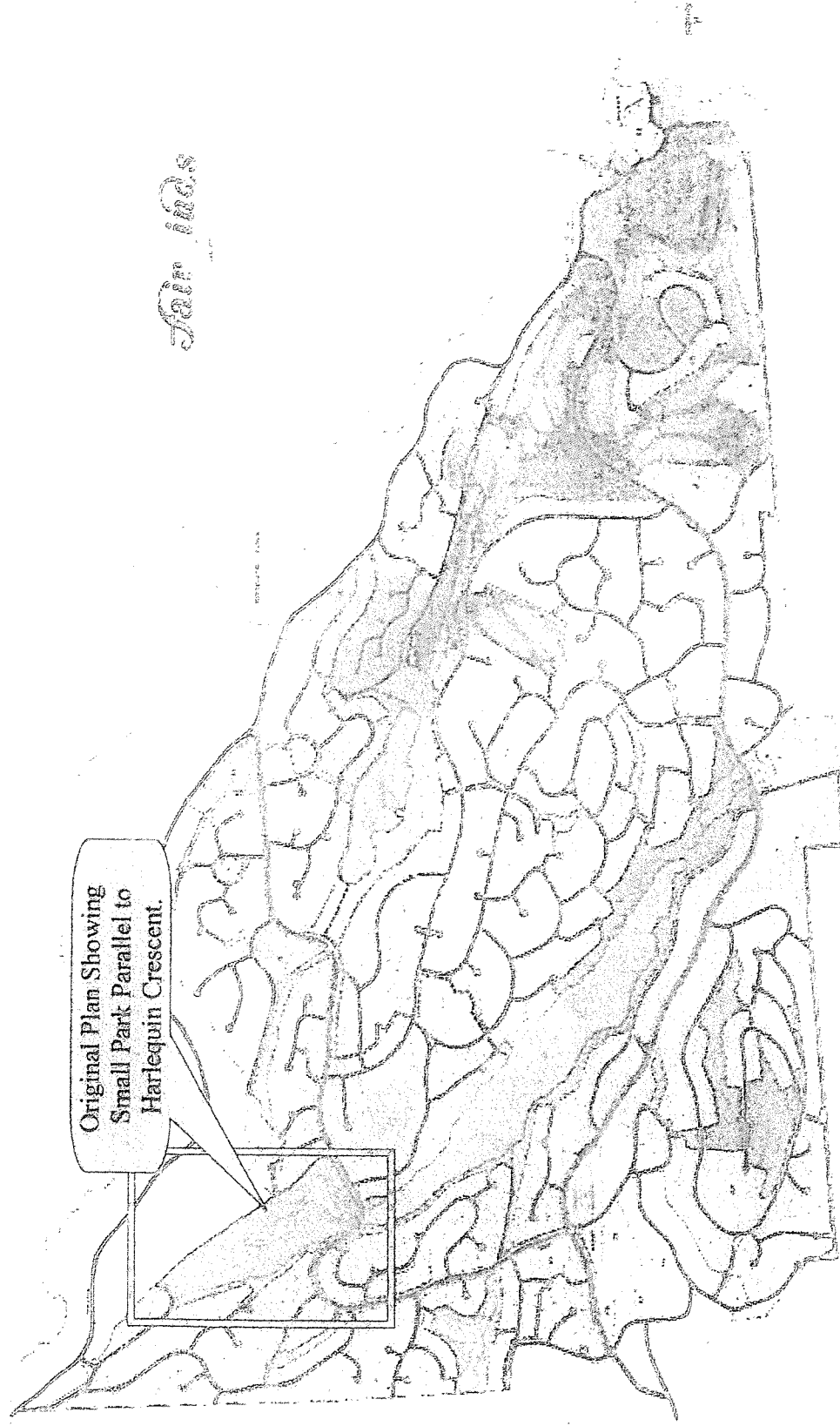
LAKES DISTRICT
NEIGHBORHOOD PLAN

FIGURE 12
PLANT SPECIES AT RISK
AND RETENTION
SURVEY AREAS

-  Habitat loss
-  EOLIC
-  2004-2025 DEF. Area Under Retention
- 2004-2025 DEF. Area Under Retention
- Low risk retention
- High risk retention
- High risk retention
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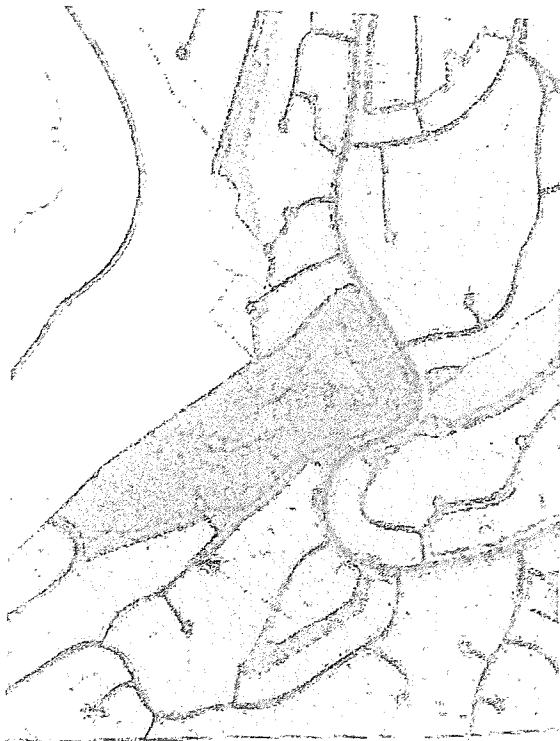


Notes 1 White circle indicates area of interest

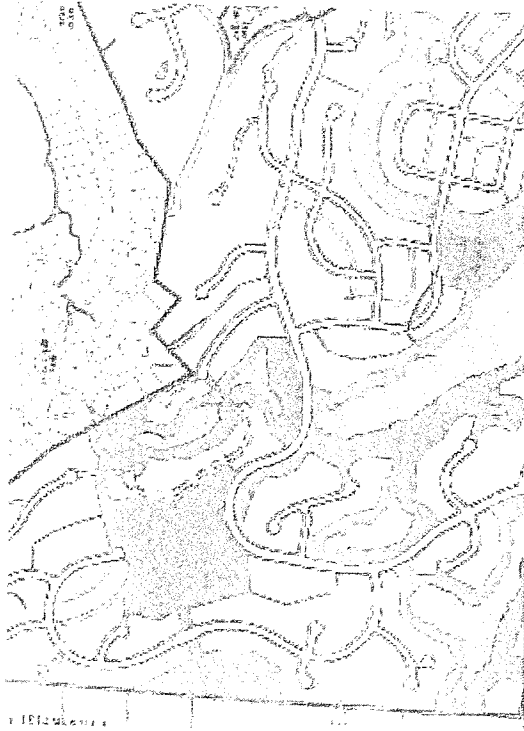


Original Plan Showing
Small Park Parallel to
Harlequin Crescent.

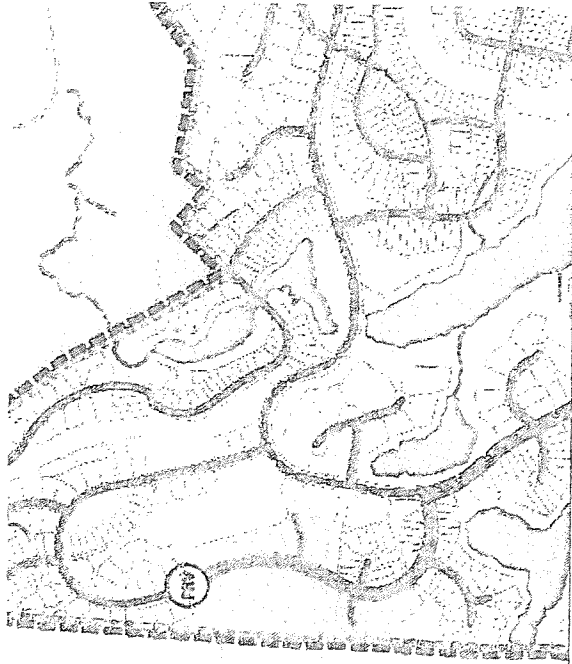
Figure 2 - 1983 Fairwinds Master Plan



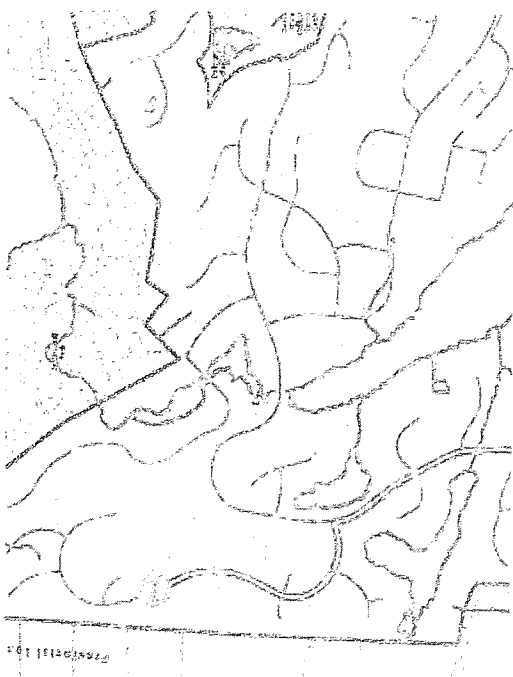
Notes ; Original Master Plan Showing park



Notes ; Changed park , includes road. Path, residences



Notes ; Residential Lots



Notes ; Check steep contours in South park area!

Notes ; White Circle indicates park area

FYI

From: Catherine Orban [mailto:catherineo@telus.net]
Sent: May 6, 2011 4:24 PM
To: 'ribbles@bentall.com'
Cc: 'planning@rdn.bc.ca'; 'jstanhope@shaw.ca'; 'gholme@shaw.ca'
Subject: RE: still looking for the RAR Assessment
Importance: High

Good Afternoon

Thanks for your letter of April 21, 2011 responding to my request for a copy of the RAR Assessment for the Lakes District – including the Enos Creek and beaver pond area. I apologize for my delay in responding – I've been out of the country without access to my email.

Please confirm/clarify the following points:

1. Although the EIA states that "*Cascadia conducted a RAR assessment on the water bodies in the study area to define the SPEA for each water body (Appendix 10)...*" this was simply the preliminary stage of the formal RAR Assessment process, and the DETAILED RAR ASSESSMENT is not required until the time of legal subdivision. So, in fact, the RAR assessment for the proposed parcels has not yet been undertaken.
2. Why is the EIA reader directed to Appendix 10 when there is no RAR Assessment documentation contained in the appendices of either the EIA, the Detailed Biophysical Assessment for the Lakes District, or the Lakes District Neighbourhood Plan?
3. Which RAR Assessment methodology did Cascadia use (as described in the *Riparian Areas Regulation Assessment Methodology* handbook MOE 2006 and DFO, 2006) to determine that a 15m setback would be appropriate for the north/east side of the beaver pond that is immediately upstream of Enos Creek? As you know, there are substantial differences in the methodologies for completing "Simple" vs. "Detailed" RAR Assessments.
4. If the detailed RAR Assessments are not required until the time of subdivision, then is the Developer responsible for the cost of the RAR Assessment at that time?
5. Obviously there is no opportunity to review the RAR Assessment at this time (ie. it has not been completed), so please confirm that those of us adjacent to the proposed development area will have a chance to comment on the actual subdivision plans when they are drafted. At what point will the residents with lots adjacent to the area proposed for subdivision be notified in the formal subdivision process?

I understand that there is no requirement for a formal RAR Assessment to be completed at this stage of the development process. However, since Cascadia has specified a 15m setback for the beaver pond above Enos Creek, it is only appropriate that the process is transparent and those who are interested in the development process have access to the rationale and methods used to determine this critical measurement. Those of us who have homes adjacent to this area are concerned about the impacts on our privacy and the aesthetic value of this beautiful area. However, we are most concerned that the appropriate legal setbacks are maintained to protect the flora and fauna of this environmentally sensitive wetland and riparian area.

I will be attending the Public Meeting on Monday May 9, 2011 and would appreciate having your response in time for the meeting. Thank you for your attention to this matter.

Best Regards

Catherine Orban

Catherine Orban, MSc, PAg

phone: 250-468-7959

cell: 250-612-2166

email: catherineo@telus.net

From: Tibbles, Russell [mailto:RTibbles@Bentallkenedy.com]

Sent: Thursday, April 21, 2011 1:19 PM

To: Catherine Orban

Cc: planning@rdn.bc.ca; jstanhope@shaw.ca; gholme@shaw.ca

Subject: RE: still looking for the RAR Assessment

Ms. Orban,

Please find attached a response to your email of April 19, 2011.

Russell Tibbles

Vice President, Development & Operations - Fairwinds

Bentall Kennedy (Canada) LP

3455 Fairwinds Drive | Nanoose Bay, BC V9P 9K6
Office: [250.339.1772](tel:250.339.1772) | Mobile: [250.898.4301](tel:250.898.4301) | Email: rtibbles@BentallKennedy.com

From: Catherine Orban [mailto:catherineo@telus.net]
Sent: April 19, 2011 9:01 AM
To: 'rtibbles@bentall.com'; 'planning@rdn.bc.ca'; 'jstanhope@shaw.ca'; 'gholme@shaw.ca'
Subject: still looking for the RAR Assessment
Hi Russell

Just following up on an email I sent to you several weeks ago requesting a copy of the RAR assessment for the Enos Lake/Creek and Beaver Pond area behind Harlequin Cres. I haven't heard back from you and I haven't been able to find a copy of the RAR Assessment in spite of spending the better part of 2 hours searching for it online. My attempts to find an online copy of the RAR Assessment went something like this:
After I finally drilled my way down to the Env Impact Assessment – on pg 38 it says that Cascadia did the RAR Assessment – see Appendix 10 –

So I went to Appendix 10...

So I went back to Appendix I of the LD Neighbourhood Plan...

Then I found a page with a link that looked promising:

And I clicked on the Cascadia Terrestrial Biology link and this is what I found on pg 58:

Once again, there is a reference to the RAR Assessment – but it's not here. I found the detailed fisheries/biophysical table (**note – it's actually Table 14, not 13 as indicated). This suggests that there need to be further RAR Assessments - DOES THIS MEAN THAT THERE WILL HAVE TO BE ADDITIONAL RAR ASSESSMENTS CONDUCTED BY EACH PARTY THAT PURCHASES ONE OF THE LOTS ADJACENT TO THE WATERCOURSES? Or is this the responsibility of the "Developer"?

Seems like I'm getting closer...but still no sign of the Cascadia Assessment - so then I checked out pg 67:

And on to Table 16 for a COMPLETE list of impacts and mitigation measures: (** note: I have been writing Environmental Protection Plans including mitigation measures for oil & gas sites and pipeline construction projects for the better part of 25 years. This looks more like a summary than a complete list – perhaps it's just a typo and the complete list is located elsewhere in the files).

Which begs the question: "Where's the beef" (or "RAR ASSESSMENT" in this case)?!

I am totally flummoxed – way back on pg 38 of the EIA we are told that Cascadia did a detailed RAR Assessment and came up with SPEAs (go back to the top of my message for the complete paragraph)

PLEASE PROVIDE ME WITH AN ELECTRONIC COPY OF THE RAR ASSESSMENT – OR A CLEAR LINK FOR FINDING IT ONLINE AS SOON AS POSSIBLE. SEVERAL OF US ON HARLEQUIN CRES HAVE GONE TO THE TROUBLE OF FINDING A RAR SPECIALIST TO REVIEW THE CASCADIA ASSESSMENT. WE WOULD APPRECIATE HAVING ACCESS TO THIS KEY DOCUMENT PROMPTLY TO ENSURE THERE IS SUFFICIENT TIME FOR OUR CONSULTANT TO THOROUGHLY REVIEW THE DOCUMENT (INCLUDING GROUND-TRUTHING AS REQUIRED) AND PROVIDE US WITH WRITTEN COMMENTS SO THAT WE CAN BE FULLY INFORMED AND PREPARED FOR THE UPCOMING PUBLIC MEETINGS.

Please call or email if you have any questions.

Thank You

Catherine

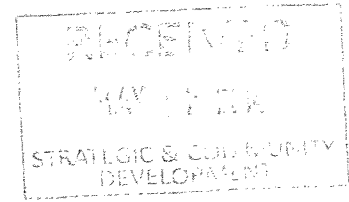
Catherine Orban, MSc, PAg

phone: 250-468-7959

cell: 250-612-2166

email: catherineo@telus.net

12 May 2014



TO: Joe Stanhope, Chair, Regional Board
George Holme, Director, Electoral Area E

FROM: Joan Ethier
3505 Carmichael Road
Nanoose Bay, BC V9P 9G5

I had planned to attend the Public Hearing for Schooner Cove and the Lakes District this evening but, unexpectedly, am unable to attend.

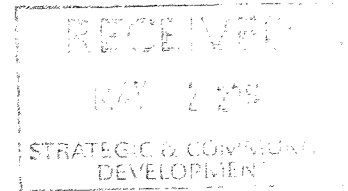
I am writing to express my support for the amended Zoning Bylaw and PDA. This development will benefit not only the residents of Fairwinds and Nanoose Bay as a whole, but the RDN as well. Some obvious benefits are:

- Employment will rise with the significant number of jobs created during construction.
- Housing and amenities developed at Schooner Cove will attract both visitors and new residents to Nanoose Bay.
- Residents of Nanoose Bay will be able to utilize services and facilities for which they now have to drive out of Nanoose.
- Property values will increase with improved facilities and services which will benefit Fairwinds residents.
- The RDN will increase its tax base as new residents are attracted to the area and additional homes are built.

Please record my support for the amended Zoning Bylaw and PDA. Let's move forward with the development as quickly as possible.

Hewitt, Nicole

From: Holm, Jeremy
Sent: Monday, May 12, 2014 10:42 AM
To: Rowett, Lainya
Cc: Hamilton, Karen; Hewitt, Nicole
Subject: FW: Schooner Cover & Lakes District



PH submission.

From: Joe Stanhope [<mailto:jstanhope@shaw.ca>]
Sent: Monday, May 12, 2014 9:51 AM
To: Holm, Jeremy
Subject: FW: Schooner Cover & Lakes District

From: Caryl [<mailto:carylwyllie@shaw.ca>]
Sent: Saturday, May 10, 2014 4:57 PM
To: gholme@shaw.ca; jstanhope@shaw.ca
Subject: Schooner Cover & Lakes District

RDN Director George Holmes:

Please accept this as notice of our strong support for this development.

As residents of Fairwinds for the past 17 years, we have watched the area grow albeit a little slower than we would have liked. We have been involved in the current process of public forums and meetings which allowed everyone interested, to make suggestions and recommendations they wished Fairwinds would consider in their plans for the next stage in the development. There are the nay-sayers who will be opposed to the development, no matter what form it takes, but in this case, in our opinion, they are in the minority. The process leading up to where we are today has been going on for 6+ years and we feel the time allotted to the process has been more than fair to everyone or anyone who wished to participate. It is now time to move on.

We encourage you and you fellow directors to do the right thing - bring this stage of the process to a close and give Fairwinds the mandate to continue their journey towards making their plan a reality.

Thank you,

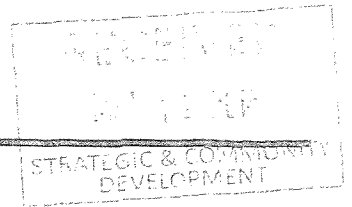
Caryl and Bruce Wylie
2415 Evanshire Crescent



Caryl Wylie

carylwylie@shaw.ca

*"Life isn't about waiting for the storm to pass ...
It's about learning to dance in the rain."*



Hewitt, Nicole

From: Peter Law <pd.law@shaw.ca>
Sent: Sunday, May 11, 2014 11:48 PM
To: Planning Email
Subject: Fairwinds Public Hearing May 12 - Written Submission for Record
Attachments: Peter Law -Submission to Public Hearing Concerning Bylaw 1692, 2013.pdf

Please register this letter as a written submission to the Public Hearing set for Monday May 12th in Nanoose concerning Fairwinds. I will be unable to attend this meeting in person as I am away on business.
Thanks

Peter Law
3417 Carmichael Road
Nanoose Bay BC
V9P 9G3

To: Regional District of Nanaimo - Planning Department

Planning@RDN.bc.ca

Re: Comments from Peter Law on the Regional District of Nanaimo Phased Development Agreement (Lakes District and Schooner Cove) Authorization Bylaw No. 1692, 2013 and Associated MOU

The objective of my submission is to ensure that the future development of the Lakes District properties will not compromise the environmental features and functions of the Enos Lake watershed, in any phase or post development and remain properly functioning over the next 50 years. In particular, I will focus my comments on the Integrated Stormwater Management Plan (and associated documents). I believe the application of this ISMP will be critical to maintaining a healthy aquatic network of wetlands, lakes and streams that comprise this watershed.

First, I must congratulate the developer, Bentall Kennedy Canada LP on behalf of BCIMC Realty Corporation and 3536696 Canada Inc. for their determination in completing the 1st Integrated Stormwater Management Plan (ISMP) in the Regional District of Nanaimo. I also congratulate the Regional District Planning Department for recommending to the developer that the plan must provide more than guidance on master drainage issues, but offer strategies to protect the watershed's health. The "peer reviews" of the draft ISMP's were excellent, and highlight a number of weaknesses in the ISMP (Nov 21st version) that I believe remain unresolved, such as:

- I. Who set the ISMP Vision, Goals and Objectives?
- II. References used for setting Water Quality Criteria for Enos. Are these accurate?
- III. Stormwater Model effectiveness and the Water Balance of the Enos Lake Watershed
- IV. A Commitment to Future Monitoring and Adaptive Management.

I will attempt to expand on these major weaknesses of the ISMP report and will provide a recommendation to address these issues.

I. Setting the ISMP Vision, Goals and Objectives

The Lakes District and Schooner Cove ISMP by Kerr Wood Leidal report identifies a **Vision for the ISMP** as follows:

"Balancing Land Development & Environmental Values"

This statement is very important as it provides direction for the ISMP and the many elements of this plan. I would like to ask how this "vision statement" was developed? I ask these question, as it is my understanding there was **no local public input or engagement of "stakeholders" into the development of the Lakes District and Schooner Cove ISMP Vision, Goals or Objectives.** I assume that KWL developed the vision, goals and objectives from the October 2011 OCP amendment bylaw (based upon the Fairwinds Lakes Neighbourhood Plan). The KWL report - Item 1.3 (Community Consultation Program), a reference is made to a Community Advisory Group, First Nations (?) and Technical Advisory Team, with extensive workshops, community engagement and technical stakeholder input. I would like

to point out, none of this “process” was directed towards developing an ISMP. The “public process” described was for the OCP amendment bylaw and did not focus on rainwater management.

I think this ISMP missed an important opportunity to engage local stakeholders with watershed knowledge to answer the following questions:

- What do we have?
- What do we want?
- How do we get there?

Integrating rainwater management with land use planning involves a timeline of at least 50 years. The local community needs to be involved at all stages. Ongoing monitoring and assessment of progress towards the long term vision will help us improve the understanding of how to blend local government policy with science and site design to achieve a “shared vision” for the Lakes District.

Recommendation: The PDA Agreement ‘Schedule BB’ should be amended to be more inclusive of the community and local stakeholder input and involvement in monitoring, rather than a limited scope involving only “professionals”. What better way to let residents understand how their actions can change how this watershed functions.

II. References used for Setting Water Quality Criteria for Enos Lake.

The KWL- ISMP makes reference to “regulatory” best management practices to provide performance targets for rainwater volume and rate control, as well as water quality (Table 1).

Table 1: Stormwater Management Criteria for Fairwinds ISMP.

	Applicable	Regulatory
Flood & Erosion Protection	Minor Drainage System	10-year return period design event. ¹
	Major Drainage System	100-year return period design event. ¹
Environmental & Erosion Protection	Volume Reduction	On-site rainfall capture (runoff volume reduction) for 50% mean annual rainfall (50% of the 2-year 24-hour storm). ²
	Water Quality Treatment	Remove 80% of Total Suspended Solid based on 50 µm particle size from 6-month 24-hour storm (72% of the 2-year 24-hour storm). ²
	Rate Control	Limit construction discharge water quality to the lesser of turbidity of 25 NTU or total suspended solids of 25 mg/L at all times expected in the 24 hour period following significant rainfall events (≥25 mm/day) at which time the turbidity can be up to 100 NTU. ³
	Riparian	Detain post-development flows to pre-development levels for 50% MAR ³ , and 2-year 24-hour event ³ and 5-year 24-hour event. ¹
		Establish riparian setbacks to comply with RAR requirements. ⁴

¹ MOTI 2007 ² Stormwater Planning, A Guidebook for B.C., MOE, May 2002
³ Land Development Guidelines for the Protection of Aquatic Habitat, Fisheries and Oceans Canada, September 1993.
⁴ Riparian Areas Regulation (RAR), 2006
 Apply to all water bodies – streams, wetlands, lakes, ocean ⁵ Apply to streams susceptible to erosion

Source: Draft Report: The Lakes District and Schooner Cover ISMP, KWL (October 2013)

In the Urban Systems “peer review” comments of Oct. 31st, they note the importance of the criteria, stating:

“By focusing on the criteria that are to be met and targets that are to be achieved, stormwater management shifts from a focus on inputs (for example, number and variety of BMPs being implemented) to **outputs** – that being, what volume and quality of water is being discharged to the receiving environment, and does the receiving environment have the capacity to receive these flows? It is important that these criteria and targets are incorporated into any future stormwater designs, and as such should be part of the Phased Development Agreement, ...”.

I agree with this statement. Setting of Performance Targets is important. So I looked closely at Table 1, to confirm these “criteria” are accurate. Much to my surprise, I found that statements from these referenced (Federal or Provincial) BMP’s do not always support the statements listed in the table.

For example in the Application/ Water Quality Treatment Column – Criteria (see above table):

1. Remove 80% of the Total Suspended Solid based on the 50µm particle size from 6 month 24 hour storm (72% of the 2 year-24 hour storm). **Reference: Stormwater Planning: A Guidebook for British Columbia. , May 2002.**

I cannot find this statement in the referenced document. I have read the reference and see nothing referring to TSS load rates. I should know! I was the Chair of the Inter-agency ‘Guidebook Steering Committee’ who contracted an Engineering firm to develop this “reference” document in 2001/2002. There are no recommendations with respect to total suspended sediment particle size, detention rate or removal rates in the Stormwater Planning Guidebook.

2. Limit construction discharge water quality to the lesser of turbidity of 25 NTU or total suspended solids of 25 mg/l at all times expected in the 24 hour period following significant rainfall events (≥ 25 mm/day) at which time the turbidity can be up to 100 NTU. **Reference: Land Development Guidelines for the Protection of Aquatic Habitat, Fisheries and Ocean Canada (1993).**

I cannot find this statement in the referenced document. The referenced document states the following with respect to water quality:

“Runoff water quality from the development site should contain less than 25 mg/L of suspended solids (or non-filterable residue, NFR) above the back-ground suspended solids levels in the receiving waters during normal dry weather operation and less than 75 mg/L of suspended solids above background levels during design storm events”.

There is a major difference in what the reference document states and what the KWL – water quality criteria infer. If the Table 1 water quality criteria remain, I would recommend the RDN seek the opinion of a limnologist familiar with Vancouver Island lakes to confirm whether these criteria are appropriate for this lake ecosystem. I have worked on many small coastal lakes, and in my opinion, a stormwater discharge into Enos lake of 100 NTU over a 24 hour time period,

would result in a rapid deterioration of the “oligotrophic-mesotrophic” water quality conditions that exist in this lake today. This is a small lake with a low flushing rate. Cumulative sediment runoff events, from construction activities during winter storm events, will settle into the bottom of the lake and negatively impact the lake’s ecology.

Recommendations:

- All of the stormwater criteria listed (Table 1) in the KWL report must be checked for accuracy. Seek the advice of a Limnologist.
- Urban Systems, peer review (Nov 21st) recommended the following changes to the PDA:

“The stormwater management criteria in the current ISMP should be confirmed following the baseline results of the Enos Lake Protection and Monitoring Program. Once the environmental threshold of the lake is understood, BMPs should be selected that are appropriate to this receiving environment. This may require revising the ISMP and/or drainage plan. **A commitment to the Enos Lake Protection and Monitoring Program should be in the PDA.**”

I absolutely agree with this recommendation. Perhaps the a commitment to “testing” BMP’s performance in Phase 1 of the development, where runoff is directed into Dolphin Lake watershed, where impacts from developments have occurred in the past.

- The Urban Systems peer review (Oct.31st) recommended the following changes to the MoU: “Section B.3(C)(5) –Page 7/8 - in addition to storm drainage works, and funding for O&M, there should be a bit more commitment to "preserving and enhancing ecological health". There should also be reference to Enos Lake water quality, incorporating the recommendation in this memo (e.g. “Utilize the existing Enos Lake water quality data to establish preliminary performance targets for stormwater infrastructure prior to Phase I of the development. Ongoing monitoring can then be used to track the response of the lake to development and targets can be adjusted if required.”)

I absolutely agree with this recommendation. Monitoring should be on an annual basis, and not limited to every 2 to 5 years. Changes to the lake can occur quickly.

III. Stormwater Model effectiveness and the Water Balance of the Enos Lake Watershed

An important aspect of maintaining the health of this watershed, is the need to understand the “sub-systems” that play, between the time rainfall is received at the top of the tree canopy to when it arrives in the lake – **a systems approach**. In reading the KWL ISMP, I am concerned that some basic physiography of the Enos lake watershed is not well understood, yet engineering runoff models are applied and BMP design standards are recommended. Urban Systems noted (Nov. 21st) the lack of local watershed knowledge as a problem:

“The Draft ISMP does not include a detailed discussion of the bedrock conditions, or comment by a geologist on the suitability of the BMPs (e.g., disconnecting roof leaders) given the geological conditions in the area. Based on correspondence with KWL, a geotechnical professional is in agreement with the proposed BMPs; however, further analyses and review by a geotechnical professional are required prior to selecting and

implementing specific measures, including roadside rain gardens and disconnecting roof leaders to drain to ground.

Surficial soils were not well documented in the report, which leads me to conclude they are not well understood. For example the "Soil Survey of Southeast Vancouver Island And Gulf Islands, BC" and "Soils of Southern Vancouver Island " were not referenced or used.. The Soils reports are readily available from the BC Gov't web site.

Watersheds are not all created equal. The pathways rainwater travel (through vegetation, soils and interflow and groundwater) to discharge into the lake must be well understood prior to construction.

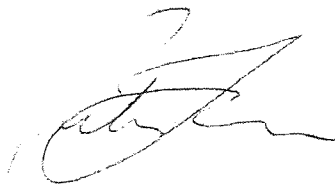
Recommendation: A commitment to understand how natural systems influence the water balance of the Enos Lake watershed prior to any subdivision approval should be in the PDA.

V. A Commitment to Monitoring and Adaptive Management.

Urban Systems (Nov. 21st) identified a number of gaps with respect to how the developer will provide assurance that the preferred BMP's and the overall drainage plan will achieve targets for flood, erosion and water quality. For example, the memo raises alarms about the use of existing wetlands to accommodate post development flows. In other jurisdictions the use of existing wetlands for stormwater management in post development has proven to be extremely detrimental to the environmental qualities of the wetlands. Almost always the wetland values degrade significantly due to alteration of hydrology and pollutant loadings. There are no calculations demonstrating the effectiveness of the mitigation works or any firm conclusions taking responsibility for future degradation.

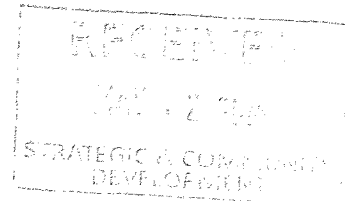
Recommendation: At an absolute minimum there should be an adaptive management plan set up to allow for significantly altering the mitigation plan (BMP's) should the wetlands and lakes suffer damage as a result of development.

Respectfully Submitted on May 11, 2014



Peter Law

3417 Carmichael Road, Nanoose Bay B.C. V9P 9G3



Fax To: 1-250-390-7511

Attention: Director George Holme

Re: Schooner Cove and Lakes District Development

2240 Chelsea Place
Nanoose Bay, BC V9P 9G5
March 31, 2011

Mr. George Holme,
Director Area "E", Regional District of Nanaimo,
6300 Hammond Bay Rd.,
Nanaimo, BC V9T 6N2

Dear George,

Re: Schooner Cove and Lakes District Development
Plans in Fairwinds Community

As long time residents of Fairwinds, my wife and I wish to express our unconditional support for the Amended Plans to develop Schooner Cove and the Lakes District in the Fairwinds Community. We sincerely believe that the proposed development will not only greatly enhance the Fairwinds Community but will be a great benefit to all of Nanoose Bay.

Since building our home on Chelsea Place 18 years ago I have been keenly interested in developing our local parks and trails, and I also have become very familiar with the terrain and the environment of the lands now included in the Lakes District proposal. The fact that over 40% of the lands in the Lake District will be reserved for parks and trails is without a doubt a very exciting and attractive feature.

With all of the many planning sessions and open houses, along with much public input, we do hope that there will be no problem in getting these plans approved.

Yours truly,

Joe Giegerich

Mr. Chairman, Ladies & Gentlemen,

My name is Joe Giegerich and I live at 2240 Chelsea Place in Nanoose Bay. My wife and I have been proud Nanoose Bay residents for more than 18 years. We both enthusiastically endorse the Lakes District Neighbourhood Plan as well as the Schooner Cove Development Plan.

Since moving to Nanoose Bay, 18 years ago I have always been an outdoor enthusiast and a supporter of community activities. When we first moved here, I often hiked through the bush country on the east side of Enos Lake and up on the Lookout Hill to enjoy the wilderness, and even now with more roads and trails I still enjoy the natural beauty.

Within the community, I joined the Fairwinds Community Association when it was first formed in 1994 and headed a group of volunteers to upgrade our community parks and build some trails. In 1997, I had the privilege of serving on the Nanoose Bay Official Community Plan Advisory Committee. In 1999, I served a two year term on the Nanoose Bay Parks & Open Space Planning Committee, and our committee published the first report on identifying and preserving all Parks and Sensitive Ecosystems in the Nanoose Bay area.

With my familiarity with the Lakes District ecosystem, I am delighted that 42 % of the area in the Lakes District will be set aside as a Regional Park, and that 100% of the Gary Oak meadows will be protected. With the high standards of environmental protection that Fairwinds has always maintained, I am totally convinced that the ecosystems in the Lakes District will be well preserved and protected.

With all of the many planning sessions and open houses along with much public input on the Lakes District Plan, I am convinced that all the bases have been covered, and there is every good reason for this project to proceed. Also important is the fact that this project will provide many new permanent and part time jobs in our community, and thus create a more vibrant local economy.

Development of the Lakes District is not a new concept. Since our first Official Community Plan was approved in 1998, the Urban Containment Boundary and the development concept for the Lakes District has changed very little.

In closing I would like to read a quote from the book "The History of Nanoose Bay" .

" In 1980, Fairwinds was a dream – the vision of four local men, Bill Benner, Al Slaughter, Neil Scott and Frank Herman. Together they offered Nanoose Bay a future – not of vast commercial sprawl, neon or noise, but of a carefully planned retirement and recreational community.

The four formed Ranch Point Estates Ltd. in December, 1980 and bought 1,300 acres in Nanoose Bay peninsula from Ranch Point Ranch Ltd. Their dream was to construct a multi-phase retirement, residential and recreational development, the largest complete development ever staged on Vancouver Island."

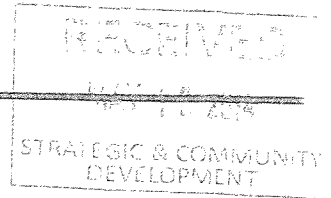
Mr. Chairman, we have every good reason to keep this dream alive.

LET'S GET ON WITH THE JOB!

Thank you

May 9, 2011

Hewitt, Nicole



From: Sdcorixa <sdcorixa@gmail.com>
Sent: Friday, May 09, 2014 8:49 PM
To: Planning Email
Subject: Written Submission for May 12 Public Hearing

Sent from Samsung Galaxy Note

----- Original message -----

Subject: Public Hearing on Schooner Cove- Letter for Public Record
From: Douglas Paterson <Douglas.Paterson@inspection.gc.ca>
To: sdcorixa@gmail.com
CC: Public Hearing on Schooner Cove- Letter for Public Record

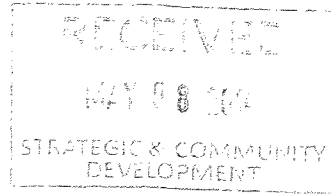
Dear Director Holme and RDN Planning Department. Please accept this as my written submission for inclusion on the public record for the public hearing for Lakes District & Schooner Cove. As a local fisherman from a family who have enjoyed Schooner Cove for 30 years, I wish to register my objection to the slated removal of the boat ramp as part of the Fairwinds Development. A jib crane hoist is a token effort to provide access for trailerable watercraft. This is a ridiculous proposal that the RDN should never have accepted in the neighbourhood plan. A jib crane may be fine for lifting boats from the water for repair, but it is hardly feasible for launching small boats who wish to go out for a day on the water. Although Schooner Cove is a private marina, it owes its existence to a rock mound breakwater that is solely owned by the Federal Government; paid for with public funds. This breakwater currently falls under Sch. I of the Fishing & Recreational Harbour Regulations. If DFO Small Craft Harbours enters into a lease or licence agreement with a third party, section 6. of the Regulations stipulates that, *No lease or licence of a harbour or any part of a harbour shall be granted except on terms and conditions that ensure access by the public to the harbour.*

I do not object to the overall plan for the development, but certainly, in return for a FREE breakwater, it is a reasonable expectation that Fairwinds should come up with a design that would provide a boat ramp to ensure public access to the harbour.

Sincerely,
Doug Paterson
PARKSVILLE B.C.

3427 Simmons Place,
Nanoose Bay, BC
V9P 9J8

May 8, 2014



Joe Stanhope,
Board Chair, Director, Electoral Area G,
Regional District of Nanaimo,
6300 Hammond Bay Road,
Nanaimo, BC. V9T 6N2

Reference: Fairwinds Lakes District & Schooner Cove Developments.

As Fairwinds resident with our home located on Schooner Ridge, we are directly affected by these changes and certainly feel that these developments will be a **significant positive step** for the Nanoose community.

These developments will:

- encourage people to walk or certainly drive less for local goods and services, which is good for the environment.
- enlarge the local tax base, supporting the schools, hospital and other services.
- provide much needed short and long term jobs for the **Vancouver Island** economy. This will encourage young families to remain in this area and attend the Nanoose Elementary School.

The discussion on this project has proceeded for years and the end positive result will be a wonderful area for both young and "older" people. Certainly the new "parkland" with a freshwater and marshland focus will be different and add a new environmental learning experience for generations to come.

In summery, we are certainly glad to see that we have reached this point in the formal application process and we fully support the proposed **Subdivision Amendments** and **Phased Development Agreement**. We wish to thank all those involved making **OUR COMMUNITY** a reality and hope to see this process proceed as quickly as possible.

Sincerely,

James Sinclair

James Sinclair

Heinz & Loretta Dahn
2248 Bonnington Drive Nanoose Bay, BC V9P 9L9
Telephone: (250) 821-0394 Email: helo.dahn@show.ca

7 May 2014

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



Attention: Mr. George Holme, Director, Electoral Area E

Re: Public Hearing - Electoral Area E
May 12th Public Hearing
Applications No. PL2012-096 & PL2012-097

We would like to be on the record that we support the proposed land use and subdivision amendment bylaws to the Schooner Cove and Lakes District Neighbourhood Plans. This plan provides Nanoose Bay with the opportunity to become a flagship model for how a community could benefit from a well thought out, structured and executed plan such as this.

This plan does an exceptional job of balancing the environmental, social and economic benefits and needs of a Community. It will bring significant economic benefits and quality of life to Nanoose Bay and surrounding communities.

We would like to thank the Regional District of Nanaimo for all they have done in support of this amendment.

Yours truly,

Heinz E. Dahn

Heinz Dahn

Loretta A Dahn

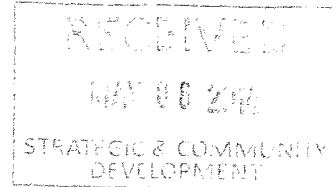
Loretta Dahn

Rowett, Lainya

om: Holm, Jeremy
Sent: Tuesday, May 06, 2014 8:55 AM
To: Rowett, Lainya
Cc: Hamilton, Karen; Hewitt, Nicole
Subject: FW: Support for the amended zoning bylaw and PDA- Fairwind's Development

Public hearing submission.

From: Joe Stanhope [<mailto:jstanhope@shaw.ca>]
Sent: Tuesday, May 06, 2014 8:53 AM
To: Holm, Jeremy
Subject: FW: Support for the amended zoning bylaw and PDA- Fairwind's Development



From: Anne & Erling Larson [<mailto:a.e.larson@shaw.ca>]
Sent: Monday, May 05, 2014 9:04 PM
To: gholme@shaw.ca; jstanhope@shaw.ca
Cc: president@fairwindscommunityassociation.org
Subject: Support for the amended zoning bylaw and PDA- Fairwind's Development

Dear Mr. Holmes and Mr. Stanhope,

We are unable to attend the May 12th public meeting. However, we would like it to go on record that we strongly support the amended Zoning Bylaw and PDA. We are anxious to see this project move forward as soon as possible.

Thank you for your efforts on our behalf.

Sincerely,

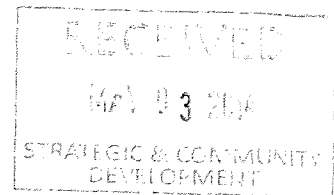
Anne and Erling Larson
2355 Eaglesfield Place
Nanoose Bay, BC V9P 9G7

Rowett, Lainya

From: Holm, Jeremy
Sent: Saturday, May 03, 2014 11:11 AM
To: Rowett, Lainya
Cc: Hewitt, Nicole
Subject: Fwd: Schooner Cove and Lakes District Public Hearing - May 12

Public hearing submission.

Begin forwarded message:



From: Joe Stanhope <jstanhope@shaw.ca>
Date: May 3, 2014 at 11:00:29 AM PDT
To: <JHolm@rdn.bc.ca>
Subject: FW: Schooner Cove and Lakes District Public Hearing - May 12

From: Vera Moore [mailto:vera.moore@shaw.ca]
Sent: Friday, May 02, 2014 7:36 PM
To: jstanhope@shaw.ca; gholme@shaw.ca
Cc: president@fairwindscommunityassociation.org; 'Sean Moore'
Subject: Schooner Cove and Lakes District Public Hearing - May 12

Dear Mr. Stanhope and Mr. Holme,

We have been living in Fairwinds, near Schooner Cove, since July 2011 but have been property owners here since 2005. When we first bought our property in 2005, the Schooner Cove area was a vibrant area with hotel, restaurant, liquor store and groceries. Since then, much has changed and the area is no longer the lively hub it once was.

We have been following the development proposals by Fairwinds with great interest and have attended many meetings in the past to support what is being proposed. This proposal would see our community grow and thrive and become a vibrant area once again. Unfortunately, we are unable to attend the May 12 public hearing because we will be out of the country at that time. We would, however, like to voice our full support for the amended Zoning Bylaw and PDA and look forward to seeing the approval process completed in a timely manner.

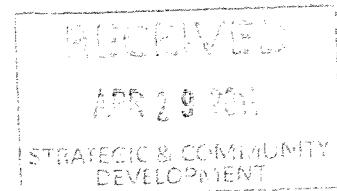
Sean and Vera Moore
3535 Shelby Lane
NanOOSE Bay, BC
V9P 9J8

Rowett, Lainya

From: Holm, Jeremy
Sent: Wednesday, April 30, 2014 12:24 PM
To: Rowett, Lainya
Cc: Hamilton, Karen; Hewitt, Nicole
Subject: FW: Public meeting May 12 2014 re Fairwinds development

Please include in PH submissions.

From: Joe Stanhope [mailto:jstanhope@shaw.ca]
Sent: Tuesday, April 29, 2014 11:16 AM
To: Holm, Jeremy
Subject: FW: Public meeting May 12 2014 re Fairwinds development



FYI and action if required,

Joe

From: Ian Maxwell [mailto:i.maxwell@shaw.ca]
Sent: Monday, April 28, 2014 5:00 PM
To: gholme@shaw.ca; jstanhope@shaw.ca
Subject: Fw: Public meeting May 12 2014 re Fairwinds development

Dear Mr. Holme

My wife and I are unable to attend the public meeting on May 12, 2014 due to previously planned travel arrangement but want to express our 100% support for the proposed development plan being discussed.

Our names are Ian & Pauline Maxwell and we have lived at 3442 Sinclair Place in Fairwinds for 13 years and for the past 6 or 7 years have participated in the development of the current plans under review and can only see great things coming from the final approval of the plan.

We would like to thank you the other directors and staff at the RDN. for the diligent hard work required to get the plan to this stage and look forward to your continuing support to bring it to an expeditious conclusion and final approval ASAP so we will still be around to enjoy this wonderful vision for the Fairwinds and Nanoose Bay community.

Thank you again.

Sincerely Ian and Pauline Maxwell
250 468 9912.

✓
george holme

From: steve davison <stevedavison@shaw.ca>
Sent: May-12-14 3:09 PM
To: gholme@shaw.ca
Cc: Fairwinds Comm. Assoc.
Subject: Letter of Support

I am sorry I will not be at the Nanoose Community Hall meeting tonight, but I wish to add my support to the vast majority of the Fairwinds community for the area development plan. Also thanks to you and your colleagues who have worked so hard to move the project forward. Yours truly, Steve Davison (and my spouse Andree Fortin.)=

george holme

From: Bill Hamilton <whamilton@whal.ca>
Sent: May-12-14 10:45 AM
To: gholme@shaw.ca; Fairwinds Comm. Assoc.
Subject: Proposed FAIRWINDS Development
Attachments: Fairwinds dev 12 May.pdf

Gentlemen

Please find attached our letter of support for the proposed development.

Thank you

Linda and Bill Hamilton

2430 Andover Rd.
Nanoose Bay BC
V9P 9G9
12 May 2014

Mr. George Holmes
RDN Electoral District E Representative
gholme@shaw.ca

Mr. David Patterson
President, FCA
president@fairwindscommunityassociation.org

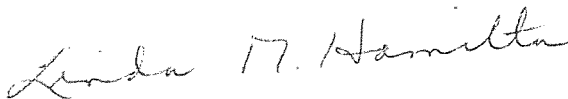
Dear Sirs

As Resident/Owners of the above noted property, we fully endorse the proposed development of The Lakes District and Schooner Cove as currently submitted by the consultant team.

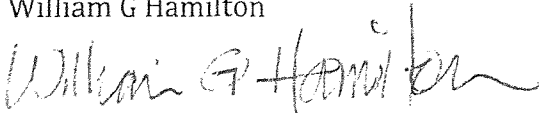
The design submitted for approval exhibits virtually every planning criteria established both by the RDN and by the Nanoose Bay community for this development.

We trust that approvals will be expedited forthwith, with the many detailed negotiations upcoming, and the initiation of construction, will be moved forward without further delay. The RDN and the Nanoose Bay community will benefit substantially from the implementation of this development.

Respectfully submitted,
Linda M Hamilton



and
William G Hamilton



eholme@shaw.ca

From: "george holme" <gholme@shaw.ca>
To: "Elizabeth Holme" <eholme@shaw.ca>
Sent: May-12-14 2:00 PM
Attach: image001.jpg
Subject: FW: Public Hearing on Schooner Cove and Lakes District Bylaws

From: Dave Shillabeer [mailto:dshillabeer@koers-eng.com]
Sent: May-11-14 6:39 PM
To: gholme@shaw.ca
Subject: Public Hearing on Schooner Cove and Lakes District Bylaws

Hi George,

I hope all is well with you. I am very pleased to hear that the bylaws for the Schooner Cove and Lakes District neighbourhoods were given Second Reading by the Regional District of Nanaimo (RDN) Board on April 22. Congratulations on reaching this point after many years of public input and negotiation with Fairwinds.

Unfortunately I am unable to attend the formal, RDN-sponsored Public Hearing on May 12, 2014, which will later be followed by Board consideration for Third Reading on May 27. This email is my confirmation for full support of the proposed bylaws as they are currently presented, for both the Schooner Cove District and The Lakes District.

Good luck and regards, Dave Shillabeer

Dave Shillabeer P.Eng.
Director



PO Box 790, 194 Memorial Avenue
Parksville, BC, V9P 2G8
T:250-248-3151 F:250-248-5362
C:250-716-6970
dshillabeer@koers-eng.com

eholme@shaw.ca

From: "George Holme" <gholme@shaw.ca>
To: "Elizabeth Holme" <eholme@shaw.ca>
Sent: May-12-14 1:59 PM
Subject: FW: Bylaws for Lakes District and Schooner Cove

From: david.collyer [mailto:david.collyer@shaw.ca]
Sent: May-12-14 9:32 AM
To: gholme@shaw.ca
Cc: rtibbles@bentall.com
Subject: Bylaws for Lakes District and Schooner Cove

George,

You most likely recall that I was an architect [U of T 61] with a keen interest in town planning; I almost took a master's course in the latter. In 2006-07 I was a member of the Nanoose Naturalists' sub committee which met with the Fairwinds' planning team on several occasions in order to ensure that the planning was in sympathy with the creatures and creations of the natural world, as we viewed them, and although the planning was in sync in general with such considerations, the planning team, chaired by Russell Tibbles, made several minor and major modifications at our requests to the plans, including the cancellation of the then proposed town housing at the highest elevation/ best views from the Lakes District's area because of the need to preserve significant parts of the natural world, such as the Gerry Oak ecological system in this area. I think that with these modifications, and with the high quality of the initial and final planning, that we, including all the concerned citizens of RDN, are very fortunate on being able to have this development in our area.

David Collyer [david.collyer@shaw.ca; 250-468-7116]

eholme@shaw.ca

From: "George Holme" <gholme@shaw.ca>
To: "Elizabeth Holme" <eholme@shaw.ca>
Sent: May-12-14 1:58 PM
Subject: FW: Public Hearing for Schooner Cove & the Lakes District

From: Rebekah Sax [mailto:rsax@fairwinds.ca]
Sent: May-12-14 11:02 AM
To: gholme@shaw.ca; jstanhope@shaw.ca
Cc: Tibbles, Russell (RTibbles@Bentallkennedy.com)
Subject: FW: Public Hearing for Schooner Cove & the Lakes District

Hello George and Joe,

Please find below an email from Nanoose residents John and Sharon Vincent, that they asked be forwarded "for the record" as they are not able to attend the meeting tonight.

Thank you,

Rebekah Sax
Manager, Marketing & Communications
Fairwinds Community & Resort

3455 Fairwinds Drive, Nanoose Bay, BC, V9P 9K6
Tel: 250.468.7054 ext 248
Fax: 250.468.9840

From: Sharon Vincent [mailto:samvincent@shaw.ca]
Sent: Monday, May 12, 2014 8:53 AM
To: Rebekah Sax
Subject: Re: Public Hearing for Schooner Cove & the Lakes District

Unfortunately we will be out of town on Monday night but wish to convey our approval for this project to go ahead asap.

This is an important development that will bring some life and new families to Nanoose Bay. Please put our names in by proxy to approve this projectthank you John & Sharon Vincent, 3627 Elginwood Place, Nanoose Bay

eholme@shaw.ca

From: "george holme" <gholme@shaw.ca>
To: "Elizabeth Holme" <eholme@shaw.ca>
Sent: May-10-14 4:54 PM
Subject: FW: Schooner Cove & Lakes Dist. Public Hearing

From: Maggie McGregor [mailto:maggiemcgregor@shaw.ca]
Sent: May-04-14 12:34 PM
To: president@fairwindscommunityassociation.org; gholme@shaw.ca; jstanhope@shaw.ca
Subject: FW: Schooner Cove & Lakes Dist. Public Hearing

On behalf of myself and my wife we extend our full support to the development plan as now approved in second reading by the RDN. It has taken way to long for this process but hopefully the last three steps can be expedited to provide the development company with all the approvals needed to proceed with construction. We will be at the meeting but in order to save time we decided to provide our support in electronic media verses verbally at the meeting. Thanks Phil & Maggie McGregor

From: FCA [mailto:fca2014@shaw.ca]
Sent: April-28-14 10:51 AM
To: FCA
Subject: Schooner Cove & Lakes Dist. Public Hearing

Schooner Cove and the Lakes District Public Hearing

The RDN Board has set the mandatory Public Hearing for the Zoning Bylaw amendments and PDA for Schooner Cove and the Lakes District for:

Date: Monday, May 12, 2014
 Time: 6:30
 Place: Nanoose Place Community Centre

This is an important step in the approval process for the development of Schooner Cove and the Lakes District. Remaining steps following the Public Hearing will include 3rd reading by the RDN, Provincial review and 4th and final reading by the Board of the RDN.

It is important that Fairwinds residents attend the Public Hearing to show, and voice their support for the amended Zoning Bylaw and PDA. As President of the Fairwinds Community Association, I will be making a presentation in support of the amendments. If you are unable to attend in person, please send a letter to George Holme and Joe Stanhope with a copy to the FCA Presidents e-mail and I will ensure that the letters are presented for the record at the hearing.

eholme@shaw.ca

From: "george holme" <gholme@shaw.ca>
To: "Elizabeth Holme" <eholme@shaw.ca>
Sent: May-10-14 4:54 PM
Subject: FW: Support for Fairwinds development from 3568 Goodrich Road

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

From: Mary Ellen Campbell [mailto:maircampbell@icloud.com]
Sent: May-05-14 8:52 PM
To: gholme@shaw.ca
Subject: Support for Fairwinds development from 3568 Goodrich Road

We are away for the winter and will not return for this all important opportunity to continue to show our support

Mary Ellen & Dwight Campbell

eholme@shaw.ca

From: "george holme" <gholme@shaw.ca>
To: "Elizabeth Holme" <eholme@shaw.ca>
Sent: May-10-14 4:53 PM
Subject: FW: Notice of Public Hearing - Schooner Cove and The Lakes District

From: Carolynne Spotswood [mailto:cspotswood@gmail.com]
Sent: May-08-14 11:21 PM
To: jstanhope@shaw.ca; gholme@shaw.ca
Cc: Shirley Vaux; Fairwinds Comm. Assoc.
Subject: Notice of Public Hearing - Schooner Cove and The Lakes District

Dear Mr. Stanhope and Mr. Holme,

We wish to inform you of how pleased we are that the Fairwinds Development Project is finally headed to formal public hearing. Although we will be in attendance on Monday, May 12 for the public hearing, our immediate neighbours, Doug & Shirley Vaux (3230 Huntington Place, Nanoose Bay) can not be. They are currently travelling where email access is limited. Consequently, they have asked that we include their support of the Fairwinds Development Project in this email as they are very much in favour of the approval of the bylaw amendments for the development of Schooner Cove and the Lakes District.

We are hopeful that the Lakes District and Schooner Cove residential and commercial development will progress as quickly as possible. As residents, commercial development is important to the vitality of the community and shops and services catering to daily needs are currently lacking. The overall project has been exceptionally well planned and if it moves forward will become a world class community with large parcels of dedicated parkland, including trails and green spaces mixed with residential and commercial amenities.

It was extremely disappointing that the project did not go to public hearing last year but we are pleased that the Nanoose Bay First Nation (Snaw-naw-as) concerns were addressed and that chief David Bob will be in attendance at the public hearing and intends to give his support to the project. We would also like to extend our appreciation to the Fairwinds Community Association as well as the RDN for their part in moving this project to the upcoming Public Hearing.

We look forward to the approval of the bylaw amendments for the development of Schooner Cove and the Lakes District so that the Fairwinds Development Project can move forward without further delays.

Yours truly,

Mel & Carolynne Spotswood
3240 Huntington Place
Nanoose Bay

eholme@shaw.ca

From: "george holme" <gholme@shaw.ca>
To: "Elizabeth Holme" <eholme@shaw.ca>
Sent: May-10-14 4:52 PM
Subject: FW: Approval of Schooner Cove and Lakes District Development and Bylaws

From: Marlene Vancoughnett [mailto:granny@websitegranny.com]
Sent: May-09-14 11:30 AM
To: gholme@shaw.ca
Subject: Approval of Schooner Cove and Lakes District Development and Bylaws

Public Hearing on Schooner Cove and Lakes District Development and Bylaws

Dear Mr. Holme

This email is in support of the Schooner Cove and Lakes District Development and Bylaws.

I am a home owner in the Nanoose Bay area and am in complete agreement with having the development proceed ASAP.

Best Regards

**Marlene Vancoughnett
208 – 3555 Outrigger Drive
Nanoose, BC
V9P 9K1**

250 244 3888

eholme@shaw.ca

From: "george holme" <gholme@shaw.ca>
To: "Elizabeth Holme" <eholme@shaw.ca>
Sent: May-10-14 4:52 PM
Subject: FW: Fairwinds Development

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

From: Pamela Melko [mailto:prmelko@shaw.ca]
Sent: May-09-14 2:11 PM
To: gholme@shaw.ca
Subject: Fairwinds Development

Dear Mr.Holmes,

My Husband Richard & I wish to add our support to the Fabulous Fairwinds Development plan.

We have enjoyed life in Fairwinds since 2001 & are looking forward to a bright future here with the Village,Marina & all the other plans.

Please Expedite the government process so the project can finally begin after such a long arduous wait.

Sincerely,

Pamela & Richard Melko

2425 Evanshire Cr.

Nanoose Bay BC

V9P9G7.

eholme@shaw.ca

From: "George Holme" <gholme@shaw.ca>
To: "Elizabeth Holme" <eholme@shaw.ca>
Sent: May-10-14 4:52 PM
Subject: FW: Public Hearing re Schooner Cove and Lakes District

From: don-sandra-mac@shaw.ca [mailto:don-sandra-mac@shaw.ca]
Sent: May-09-14 3:36 PM
To: George Holme; Joe Stanhope
Cc: FCA President
Subject: Public Hearing re Schooner Cove and Lakes District

Gentlemen:

At two previous public meetings, I spoke and voiced my support for and approval of the proposed developments at Schooner Cove and the Lakes District. My wife and I wish to express our support again at the May 12 public hearing. We live at 3506 Carmichael Road, Nanoose Bay, V9P 9G5.

It feels to me as if this process has been underway for almost a decade. Certainly, discussions and investigation by Fairwinds management have been going on for nearly that long. And I think the approval process has been in the works for at least six years. I am thankful that the owners of Fairwinds have both deep pockets and amazing patience. I cannot imagine another ownership group "hanging in" for as long as the current owners have. Surely it's time to give this project final approval.

Don and Sandra Macdonald

Another letter of support submitted to George, that was cc'd to me.
Cheers,

Rebekah Sax
Manager, Marketing & Communications
Fairwinds Community & Resort

3455 Fairwinds Drive, Nanoose Bay, BC, V9P 9K6
Tel: 250.468.7054 ext 248
Fax: 250.468.9840

From: B. ERIKSEN NOER [mailto:ben.noer@shaw.ca]
Sent: Sunday, May 11, 2014 1:09 PM
To: gholme@shaw.ca
Cc: jstanhope@shaw.ca; president@fairwindscommunityassociation.org; Rebekah Sax
Subject: Zoning Bylaw amendments and PDA for Schooner Cove and the Lakes District
Importance: High

Mr. George Holme,
Director Area "E",
Regional District of Nanaimo,
6300 Hammond Bay Road,
Nanaimo, B.C.,
V9T 6N2

Dear Mr. Holme,

We are unfortunately unable to attend the formal, RDN-sponsored Public Hearing on May 12th, 2014 and we are therefore, by means of this communication, providing our strong and unconditional support for the Schooner Cove and Lakes District Neighbourhood Plans as well as approval of the bylaws required to implement the subject Neighbourhood Plans on the basis presented.

As mentioned repeatedly in the past, we have followed the various positive and negative developments relative to the process involved in the above captioned zoning saga, over what has seemed to be an unduly long drawn-out process. As you will be aware from my previous communications, we have from day one wholeheartedly supported the Schooner Cove and Lakes District Neighbourhood Plans and we hope that this last step in the land use approval process will be finalized at an early date. Rather than repeating the rationale for our support I attach a copy of my letter dated April 11th, 2011, which I trust you will find self-explanatory.

Sincerely Yours,

Brooke Eriksen Noer,
Brigitta Eriksen Noer,
Birte Eriksen Noer and
Bjarne Eriksen Noer

From:
BJARNE ERIKSEN NOER
2493 ANDOVER ROAD
NANOOSE BAY, BC
V9P 9K5
CANADA

(250) 468-1870
ben.noer@shaw.ca

Cc: Mr. J. Stanhope,
Chairperson, RDN
jstanhope@shaw.ca

Mr. Gerry Thompson
President, FCA
president@fairwindscommunityassociation.org

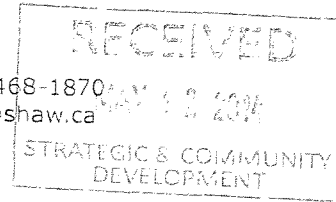
Mr. Russell Tibbles
VP - Development & Operations
Bentall Kennedy (Canada) LP
rsax@fairwinds.ca

BJARNE ERIKSEN NOER

2493 Andover Road
Nanoose Bay, BC,
V9P 9K5

Telephone : (250) 468-1870
E-mail: ben.noer@shaw.ca

April 11th, 2011



Mr. George Holme,
Director Area "E",
Regional District of Nanaimo,
6300 Hammond Bay Road,
Nanaimo, B.C.,
V9T 6N2

Dear Mr. Holme,

Re: The Schooner Cove and Lakes District Neighbourhood Plan Amendments

I am writing to you to express my and my family's unconditional support for the approval of the two Schooner Cove and Lakes District Neighbourhood Plan Amendments currently under your consideration.

The rationale for our support is quite simply put that in our nearly 50 years of marriage and having lived in some 25 different communities during the last half century (ranging from various communities in BC, Ontario and Quebec, as well as a number of communities in Denmark, Germany, the Netherlands and United Kingdom), we can categorically say that Nanoose Bay and especially the Fairwinds' community is by far the best planned, beautiful and pleasant community we have ever had the pleasure to reside in. When we returned to BC after many years of absence and had our home constructed back in 2003, we had to abide by some of the strictest architectural and construction guidelines we have ever come across, which incidentally included how many trees you were allowed to cut down/remove, the color of your house, height of house, construction materials used etc., etc., with the end result being that we live in one of the most beautiful and well planned communities found anywhere in Canada or overseas.

Our family which consists of three generations (me, my wife, our daughter and our granddaughter) all enjoy our life here immensely as well as the many facilities including but necessarily restricted to parkland, beaches, nature and abundant animal life in this community. We firmly believe that the planned Neighbourhood Plan Proposal and Amendments will further enrich our life here as well as the community in general.

I am fully aware that a so called "Group of Concerned Citizens of Nanoose Bay and Arrowsmith Parks and Land Use Council", have voiced some concerns relative to the above captioned Neighbourhood Plan Proposal and Amendments; however, I cannot help getting the impression that very few, if any, of the members of subject groups, actually resides in Nanoose Bay or even close to Nanoose Bay and that their objections are not based entirely on proper and correct information. I would not be surprised, if most of these people only visit our beautiful community on a very occasional basis, such as on week-ends' drive through and visits to the parks, beaches and many walking trails, which are open to the general public.

I am sorry to be so "long winded", but I feel that our community will be greatly enhanced by the proposals put forward by a very responsible and community conscientious Development Company and that it would be disastrous if a small group, no matter how well meaning they may be, would be allowed to derail or delay the two Schooner Cove and Lakes District Neighbourhood Plan Amendments currently under consideration.

I realize that full implementation will take some time but want you to know that I consider these two Amendments to be vastly superior to the existing and approved Schooner Cove and Lakes District OCPs and would welcome implementation on an expedient basis.

Yours truly,

Bjarne Eriksen Noer & Birte Noer

Brigitta Eriksen Noer & Brooke Eriksen Noer

Cc: Mr. J. Stanhope,
Chairperson, RDN
jstanhope@shaw.ca

Mr. Bob Popple
President, FCA
president@fairwindscommunityassociation.org

Mr. George Holme,
2965 Dolphin
Nanoose Bay, BC V0R 2R0
gholme@shaw.ca

george holme

From: Karen Wright <kwright@nucleus.com>
Sent: May-09-14 4:36 PM
To: gholme@shaw.ca
Subject: Public Hearing for the Zoning Bylaw amendments and PDA for Schooner Cove and the Lakes District

Dear George,

We wish to express our continuing and full support for the Fairwinds development and wish to see the zoning bylaw amendments and PDAs passed as soon as possible.

With respect,

Karen Wright & Greg Ast

3615 Collingwood Drive
Nanoose Bay, B.C. V9P 9G3
250-468-5834

george holme

From: rrussell@telus.net
Sent: May-11-14 10:54 AM
To: jstanhope@shaw.ca; gholme@shaw.ca
Cc: president@fairwindscommunityassociatioin.org
Subject: Fairwinds Lakes District and Schooner Cove Development
Attachments: Fairwinds Letter Public Hearing 140512.doc

Dear Mr. Stanhope and Mr. Holme:

Re: Fairwinds Lakes District and Schooner Cove Development

Although I am unable to attend the May 12, 2014 Public Hearing for the Fairwinds Lakes District and Schooner Cove Development project, I am anxious to add my voice to the strong supporters of this initiative.

This project gives careful consideration to many concepts that are important to me and when combined with existing Fairwinds facilities I believe they will yield a spectacular product.

I fully support this project and am convinced that the timely advancement of this development will result in the creation of additional jobs within the RDN, and an admirable legacy that is ecologically sound.

Sincerely,

Robin Russell

Robin E. Russell
2435 Ainsley Place,
Nanoose Bay, B.C.
V9P 9G9

george holme

From: Danielle <gcouling@aol.com>
Sent: May-09-14 3:58 PM
To: gholme@shaw.ca
Cc: jstanhope@shaw.ca; president@fairwindscommunityassociation.org
Subject: Schooner Cove & the Lakes District Public Hearing,

Dear Sirs,

As we are unable to attend the meeting on May 12th, we are sending you a message to let you know that we support the proposed development of Schooner Cove and the Lakes District in it's entirety!! We have attended previous meetings and were very impressed with the presentations, charts etc..

We reside at 2145 Scottvale Place on Schooner Ridge overlooking the marina and feel that the development will not only enhance the area greatly but is vital for the Fairwinds community!!

Sincerely,

Gary and Danielle Couling!!=

RDN Public Hearing on Fairwinds Developments: May 12, 2014

Good evening. My name is Ross Griffiths and I reside at 3501 Carmichael Road.

I'm here this evening to support the proposed bylaws required to implement the Neighbourhood Plans.

I found the Vision Statement for this development very inspiring:

Create a vibrant new oceanfront village as the centerpiece to sustainable residential neighbourhoods that respect and protect environmentally sensitive areas.

I'm sure the majority of folks in this room share this same Vision.

I urge the RDN Board and our Provincial Government to help expedite the remaining approvals, necessary to realize this Vision.

Thank you.

My Name is Randy Dunville, I live @ 3361 Rockhampton Road in Fairwinds. I'll begin by stating my whole-hearted support for the Developments Plans for Fairwinds, and believe that we can have a premier result, a design that showcases this unique location on Vancouver Island.

*with my wife
Blanca
Dunville*

W. Dunville
purchased property here in 1998 and built our first home in 2006
and
I have been here since 2006 and in that time, have built three homes. Today, I would like to discuss yet another need for the Development Plans to move forward, one that I do not believe has been tabled before, and one that I and others have already been impacted by.

First, the combination of the general market and the delay in the Development Plans has had the undesirable effect of reducing the number of new home construction starts in Fairwinds, particularly over the last three years. It is a difficult business decision as a homebuilder, to commit your resources to Fairwinds while the Development Plans swings in the wind, and there is a chance that your resale value for a home may fall well short of your costs to build.

For the new homes that are on the market, the concern from potential buyers as to whether or not the Developments Plans are proceeding makes them wary, and lost sales and lack of movement in the market is the direct result. That the Developments Plans are impacting the decision making for buyers is confirmed by the feedback we receive from these buyers when they are looking at our product. They are buying still, just not in Fairwinds. My point here is that the "big construction" – the Fairwinds Development Plans, affect the home building construction – they are linked.

The "Development Opportunities & Impacts at Schooner Cove Village and the Lakes District" report created by G.P. Rollo & Associates estimates there will be up to 10,900 man-years of Direct and Spin-off Construction employment in the 25 year period once the shovels hit the ground. This works out to 436 full time jobs per year.

This bring us to our new problem. Few of the homes of Fairwinds are "average grade". Most have high-end finishes, beautiful designs, West-coast look and feel.

They incorporate timber frame to Cape Cod designs to Contemporary. These homes require craftsman to design, to create, to build and to finish.

These craftsman have been unable to support themselves with the lack of work in the area. Many have left the area, some may never return. In my case alone, I have seen several of the tradespeople that I have used multiple times leave the area – some to Alberta, some to northern BC. These are tradesmen with strong ties to this area – families, history and homes, and they have had to leave due to the lack of activity. Each of them would prefer to stay in the area, but they need to follow the money to provide for themselves and their families.

As an example, the single most prolific builder in Fairwinds, Walter Allen, is now in Fort St. John, working on a development there. This is a direct result of the risk involved in building homes in Fairwinds. In speaking with Walter, he would rather be here, but the economics dictate otherwise.

The Developments Plans are “big construction” and with the certainty of big construction, will come “small construction” – the building of homes. This should rejuvenate the trades, and hopefully bring them and their skills back to such a fantastic location, where we can continue to build beautiful, unique homes.

Good Evening. My name is Karen Herage and I live at 1352 Reef Road and I am the Commodore of the Schooner Cove Yacht Club.

The Schooner Cove Yacht Club (our membership is currently around 300) has been actively involved in the consultation process respecting Fairwinds' proposals for Schooner Cove and adjacent areas since the inception of the public involvement program in 2007. We have informed ourselves with respect to the details of these plans, particularly the implications for the local boating community. We are convinced that the proposals for a seaside village and improved marina will materially enhance the experience for yacht club members and other boaters and enrich the quality of life for the broader community.

The planning process has been long and arduous. It is time to move forward.

To this end, we support the zoning bylaw and implementing phased development agreement before us this evening. We urge our RDN representatives to bring the proposed zoning bylaw and phased development agreement before the Board of the RDN for 3rd reading as soon as possible. We understand that this could occur on May, 27, 2014. We strongly recommend that this potential be realized. We also urge the Board of the RDN to do everything in their power to ensure that these matters are submitted for provincial review as early as possible, that the Province be made aware that this is a high priority file and that following Provincial review, the proposed zoning and implementing agreement receive 4th and final reading by the Board of the RDN at the earliest possible date.

The Schooner Cove Yacht Club looks forward with other community partners, to the substantial benefits, to be realized through building the proposed development at Schooner Cove.

A handwritten signature in cursive script, appearing to read 'K Herage', is centered on the page.

George Holme and Joe Stanhope
6300 Hammond Bay Rd.
Nanaimo BC V9T6N2

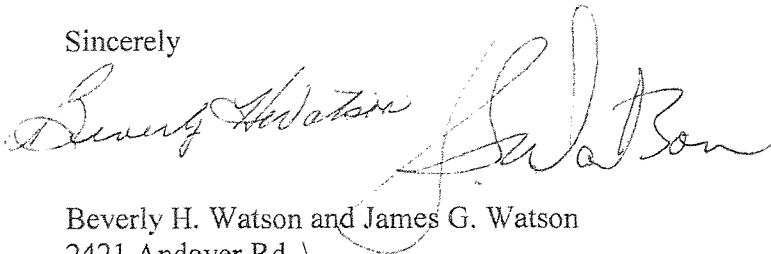
Dear Mr. Holme and Mr. Stanhope

We, the undersigned, firmly support the new development plan for Fairwinds lands. We are 14 year residents of Nanoose Bay and have been present through all the preparation, consultation, work parties and public hearings that have taken place during the past 5 years.

We commend Fairwinds on the extent of its efforts to include all residents and all points of view. We feel strongly that Fairwinds has done all it can to inform the public of its intentions re further development by BCIMC and have made considerable concessions in order to meet the multiplicity of requests and demands from both supporters and nay sayers.

We wholeheartedly support the current plan and look forward to seeing the final reading for the new development.

Sincerely

The image shows two handwritten signatures in cursive. The first signature on the left is 'Beverly H. Watson' and the second signature on the right is 'James G. Watson'. Both signatures are written in dark ink and are positioned above the typed names of the signatories.

Beverly H. Watson and James G. Watson
2421 Andover Rd. \\
Nanoose Bay, BC
V9P 9G9

Dear Mr. Holmes and Stanhope,

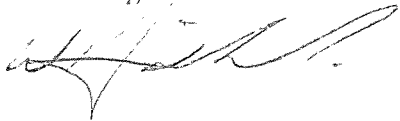
My name is Wendy Hollinshead. My husband and I have been residents of Fairwinds' for 6 years and have taken an active part in the various meetings and consultations that have occurred with respect to the community development plan. During this process we were amazed at the quality of the proposal put forward and the commitment the developer had in meeting the needs of its stakeholders. During all of the hurdles that the developer has faced, we were awed at their patience and continual consideration of the diverse needs of our community. This was accomplished through well-advertised meetings and debates over the 6 year time frame.

Many in our community have voiced concerns that BCIMC will eventually decide that their money would be better spent in a less hostile environment. Who could blame them after this length of time? You have to ask yourself, why any developer would ever consider investing in Nanoose for fear of encountering the kinds of delays and obstacles BCIMC has incurred.

The real estate values in the Nanoose area have shown a significant decline in the past 2 years. It is no wonder. The marina is in a terrible state of decay and the overall feeling in our community is frustration. Allowing this development to proceed will demonstrate that our community is finally moving forward. A new marina will help people see what a beautiful community Schooner Cove will be when the development is complete.

My husband and I and many of our neighbours in Nanoose fully support the development of the Schooner Cove Marina and the Lakes District. Please allow this development to proceed expeditiously so that we in Nanoose can start enjoying our community once again.

Sincerely,



Rick and Wendy Hollinshead

3540 Shelby Lane,

Nanoose Bay, BC

V9P9J8

Ph 250 468 9987

3510 Carmichael Road,
Nanoose Bay, B.C.
V9P 9G5
May 12, 2014

The Chair,
RDN Public Hearing
Applications No. PL2012-096 & PL2012-097

Mr. Chairman,

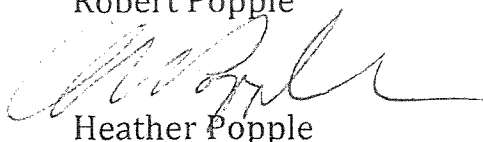
My name is Robert Popple and I have lived at 3510 Carmichael Road in Fairwinds with my wife Heather for the past 11 years.

I have followed the proposal for development of the community for the past five years in a variety of ways, including three years as chair of the Fairwinds Community Association. During that time, I had several meetings and interactions with the RDN, mostly centred around improvements to the proposals, of which many have been incorporated into the plan. Our interactions also included submission of a petition signed by several hundred Fairwinds residents at the last Public Meeting, urging you to proceed expediently with approval of the proposed bylaw amendments .

My wife and I continue to fully support the bylaw amendments under review at this Public Hearing. We believe that, once approved, they will be implemented responsibly by the developer, with full attention to the environmental and other concerns expressed during the lengthy review process and bring substantial economic benefits to the area.

Yours truly,

Robert Popple



Heather Popple



Shaw Webmail 2.0

dapatterson@shaw.ca

RDN Public Hearing

From : Garnet Hunt <garnethunt@hotmail.com>

Sat, May 10, 2014 10:53 PM

Subject : RDN Public Hearing**To: :** Dave Patterson <dapatterson@shaw.ca>

David

Barb and I would like to formally register our support for the Fairwinds Development project. We have been following the progress from the beginning and feel that this will be a valuable addition to the community. We also are impressed with the process that has taken place to insure environmental and safety concerns have been addressed.

Please consider this our vote to approve the Lakes and Schooner Cove Projects.

Garnet & Barb Hunt
2399 Andover Road
Nanoose Bay, BC
V9P 9G9

Shaw Webmail 2.0

dapatterson@shaw.ca

FW: Support for development of Fairwinds

From : Caryl <carylwyllie@shaw.ca>

Sat, May 10, 2014 05:57 PM

Subject : FW: Support for development of Fairwinds**To :** dapatterson@shaw.ca, Heather Popple
<heatherpopple@shaw.ca>**Reply To :** carylwyllie@shaw.ca

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

From: Megan Carrigy [mailto:mcarrigy@shaw.ca]

Sent: May 10, 2014 12:49 PM

To: president@fairwindscommunityassociation.org

Subject: Support for development of Fairwinds

Hi Dave,

I received your email from Rick Hollinshead after I expressed my disappointment for being unable to attend the meeting on Monday. Would you please forward my email to George Holm.

To Mr. George Holm,

My husband and I have been residents of Nanoose Bay since 2004 and we feel this has given us perspective on how Fairwinds can best be developed. Presently, we live in Fairwinds and have been following the process of the proposed development. We are happy that interested parties have been consulted and it is our personal opinion based on our understanding from public information that adequate due diligence has been achieved. We are in full support of the development and are eager to see the project completed.

Megan, Brendan & Regis Carrigy
2418 Andover Road
Nanoose Bay, V9P-9G9

Tel: 250-821-1955

?? Study nature, love nature, stay close to nature. It will never fail you.

-Frank Lloyd Wright=

May 10, 2014

George Holme,
Electoral Area E Director
gholme@shaw.ca

Re: Fairwinds Schooner Cove Development

Dear Mr. Holme,

Regarding the development in the Fairwinds area , my concern is water.

Where is the water coming from for the Fairwinds expansion? Will it be coming from our existing aquifers?

When the development was first proposed , the community was told the "Notch" would definitely be a public park and water for their development would be found on the peninsula where the subdivision was located.

Those promises proved baseless when a few years ago , the owners of Fairwinds wanted to trade the "Notch" for 174 acres of Crown Land.

And where is water for the Fairwinds subdivision coming from-- is it coming from a well on their peninsula property?

Yours truly,
Karen Zaborniak


kaza2@shaw.ca

Nanoose Bay BC

My name is Doug Paterson and I reside at 3455 Simmons Place.

We first "discovered" Fairwinds about 20 years ago. In 2001 we purchased a lot on Schooner Ridge and 10 years later commenced construction of our home where we have resided for the past two years.

In our early trips to Fairwinds, we stayed at the Schooner Cove Hotel, we ate at the restaurant, we had a cocktail at the pub and we shopped at the convenience and liquor store. It was in large part these amenities at the marina that sold us on Fairwinds. It was a huge disappointment when, one by one, they were closed.

The promise of a new Village at the marina has been a long time coming. On the project timeline webpage, I count 94 meetings involving stakeholder consultation over the past 6 years. Many thanks to all that provided input and brought the process to this stage.

But. . it's now time to **stop consulting** and **start building!**

Together with my wife Valerie, we strongly support the "RDN Land use and Subdivision Amendment By-laws and Phased Development Agreement" as presented this evening.

Thank-you

May 12, 2014

Mr. George Holme
Director, Area E
Regional District of Nanaimo

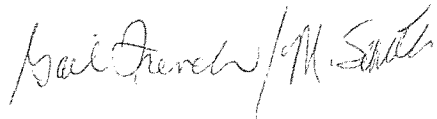
Dear Mr. Holme;

Re: Development Approval for Fairwinds Community Plan (Lakes District and Schooner Cove)

We are writing to show our full support for approval of the amendments necessary to implement this Community Plan. We have been residents in Nanoose Bay for nearly 10 years and moved here with the expectation of a harmonious development rather than a hodgepodge of various developments.

We thank you and the RDN team for their efforts and support in advancing this development.

Yours truly,

A handwritten signature in black ink, appearing to read "Gail French / M. Smith". The signature is written in a cursive style and is positioned above the typed names of the signatories.

Gail French
Mike Smith
3495 Cambridge Road
Nanoose Bay, BC
V9P 9G3

Shaw Webmail 2.0

dapatterson@shaw.ca

FW: Schooner Cove and Lakes District Public Hearing

From : Caryl <carylwyllie@shaw.ca>

Thu, May 08, 2014 09:22 PM

Subject : FW: Schooner Cove and Lakes District Public Hearing**To :** dapatterson@shaw.ca, Heather Popple <heatherpopple@shaw.ca>**Reply To :** carylwyllie@shaw.ca

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

From: Florian & Joyce Eilers [mailto:fjeil52@shaw.ca]

Sent: May 8, 2014 8:08 PM

To: gholme@shaw.ca

Subject: Schooner Cove and Lakes District Public Hearing

Dear Mr. Holme,

Re: Lake District and Schooner Cove Zoning Bylaw Amendments 500 384 2013,
500 385 2013, 500 388 2013.

We are in favor of the above mentioned subdivision amendments to make possible the

expansion of the area for the purposes listed in the amendments. We wish our support to

be noted by you, and the RDN, through your representation of us.

Yours truly,

A. Joyce Eilers & Florian G. Eilers

Shaw Webmail 2.0

dapatterson@shaw.ca

FW: Public Hearing re. Fairwinds Development Plans May 12, 2014

From : Caryl <carylwyllie@shaw.ca>

Thu, May 08, 2014 09:22 PM

Subject : FW: Public Hearing re. Fairwinds Development
Plans May 12, 2014**To :** : dapatterson@shaw.ca, Heather Popple
<heatherpopple@shaw.ca>**Reply To :** carylwyllie@shaw.ca**From:** Pat Ogawa [mailto:pamjo@shaw.ca]**Sent:** May 8, 2014 7:36 PM**To:** jstanhope@shaw.ca; george holme**Cc:** Fairwinds Comm. Assoc.**Subject:** Public Hearing re. Fairwinds Development Plans May 12, 2014

Dear Mr. Stanhope and Mr. Holme:

We wish to go on record that we support the development as proposed by Fairwinds. We are residents of Nanoose Bay and are of the opinion that an orderly development of this property will be beneficial for this area.

Respectfully submitted by:

Pat and Maureen Ogawa
3631 Dolphin Drive
Nanoose Bay, BC

3265 Huntington Place
Nanoose Bay, BC
V9P 9H6

May 12, 2014

Chair,
RDN Public Hearing

Proposed Zoning and Phased
Development Agreement for
Schooner Cove and the Lakes
District

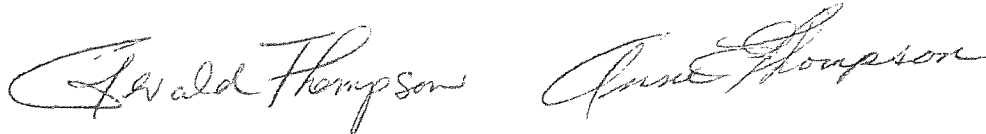
Mr. Chair:

We are unfortunately unable to attend this evening, hence our comments in writing.

My wife and I have been actively involved in the Fairwinds and broader Nanoose community since moving here in 2006. We have directly participated in the consultation process for the amendments to the Official Community Plan and the present proposed Zoning Bylaw and implementing Phased Development Agreement relating to Schooner Cove and the Lakes District. We are fully in support of the proposals before this Public Hearing.

We urge the Board of the RDN to achieve 3rd reading of these plans and agreement at the earliest possible date. We also ask that the Board impress upon the Province, the need for expeditious review by the Inspector of Municipalities. Finally, we look forward to 4th and final reading by the Board of the RDN as soon as possible so that collectively we can get on with realizing the benefits of implementing these plans.

Yours truly,

The image shows two handwritten signatures in black ink. The signature on the left is 'Gerald Thompson' and the signature on the right is 'Anne Thompson'. Both are written in a cursive, flowing style.

Gerald and Anne Thompson

May 5, 2014

RE: Schooner Cove and Lakes District Development

Mr. George Holme
Director Electoral Area "E"
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, B.C. V9T 6N2

Dear Mr. Holme,

My wife and I have resided in Nanoose Bay for the past four years. We have attended many of the public meetings and had ample opportunity to review the development plans for the proposed Zoning Bylaw for Schooner Cove and the Lakes District. We continue to enthusiastically support the rezoning application for these areas and urge the Board of the Regional District of Nanaimo to approve Zoning Bylaw so that the development can move forward.

Thank you.

Sincerely,

Ken & Cathy Carey
2394 Green Isle Place
Nanoose Bay, BC V9P 9K8

Phone: 250-821-5449

2394 GREEN ISLE PLACE
NANOOSE BAY, B.C. V9P 9K8

Attachment 3

REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1692

A Bylaw to Authorize a Phased Development Agreement

WHEREAS under the provisions of Section 905.1 and 905.2 of the *Local Government Act*, the Board of the Regional District of Nanaimo (the "Regional District") may enter into a phased development agreement with a developer;

AND WHEREAS the Regional District voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Local Government Act*;

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional District considers it advisable to enter into the Agreement;

NOW THEREFORE the Board of the Regional District of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. CITATION

This bylaw shall be cited for all purposes as "Regional District of Nanaimo Phased Development Agreement (Lakes District and Schooner Cove) Authorization Bylaw No. 1692, 2013".

2. AUTHORIZATION

The Board of the Regional District of Nanaimo may enter into and the Chairperson and Corporate Officer may execute and deliver an agreement with BCIMC Realty Corporation and 3536696 Canada Inc. in the form attached as Schedule "1" to this bylaw, including its own respective lettered Schedules and its component parts which form part of this bylaw.

3. FORCE AND EFFECT

This bylaw shall take effect upon its adoption by the Regional District.

Introduced and read two times this 3rd day of December, 2013.

Second reading rescinded this 22nd day of April 2014.

Read a second time, as amended, this 22nd day of April 2014.

Public Hearing held this 12th day of May 2014.

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

Approved by the Inspector of Municipalities this ___ day of _____ 20__.

Adopted this ___ day of _____ 20__.

Chairperson

Corporate Officer

Schedule '1' to accompany "Regional District of Nanaimo Phased Development Agreement (Lakes District and Schooner Cove) Authorization Bylaw No. 1692, 2013".

Chairperson

Corporate Officer

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1692**

Schedule '1' – Phased Development Agreement

**Attachment 3
Proposed Phased Development Agreement Authorization Bylaw No. 1692, 2013**

Phased Development Agreement (PDA)

Click on the hyperlink below to view the PDA document and corresponding schedules:

<http://www.rdn.bc.ca/cms.asp?wpID=3155>

Attachment 4

REGIONAL DISTRICT OF NANAIMO BYLAW NO. 500.384

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

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

- A. This Bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.384, 2013”.
- B. “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:
 1. Under **PART 3 LAND USE REGULATIONS, Section 3.1 Zones** by adding the following Zone Classification and corresponding short title after Section 3.4.143 Schooner Bay Manor Seniors Mobile Home Park Comprehensive Development Zone (CD43):

Lakes District Comprehensive Development Zone (CD44)
 2. By adding Section 3.4.144 (CD44) as shown on Schedule ‘3’ which is attached to and forms part of this Bylaw.
 3. By rezoning the lands shown on the attached Schedule ‘1’ and legally described as
 - a. Lot 1, District Lots 30 and 78, Nanoose District, Plan 26219, except those parts in Plans 28246, 29574, 30072, 30262, 34675, 36514, 48548 and VIP53001;
 - b. Lot 8, District Lot 78, Nanoose District, Plan 30262;
 - c. District Lot 11, Nanoose District, Except that part outlined in red on Plan 1567 OS, 48548 and VIP59496;
 - d. A portion of the lands legally described as District Lot 7, Nanoose District, Except that part outlined in red on Plan 1567 OS, 48548, VIP59496 and VIP80856;
 - e. A portion of the lands legally described as District Lot 30, Nanoose District, Except those parts in Plans 15193, 26219, 48585, VIP51706, VIP51707, VIP52451, VIP53134, VIP57407, VIP60049, VIP60602 and VIP88308; and,
 - f. A portion of the lands legally described as District Lot 78, Nanoose District, Except that part shown outlined in red on Plan deposited under DD 19579I; Except Parcels A and B (DD 7528N); and Except those parts in Plans 813R, 1567 OS, 14212, 14250, 14275, 15075, 15193, 22836, 24012, 25366, 26219, 27129, 27206, 29869, 34675, 47638, 48548, 48585, 49669, 50872, 51142, VIP51603, VIP51706, VIP51707, VIP53134, VIP57407, VIP59180, VIP59494, VIP60049, VIP60602, VIP71781, VIP73214, VIP78139, VIP80854, VIP80855, VIP80856, VIP85588 and VIP88308

from Residential 1 (RS1) Zone, Subdivision District 'P' to Lakes District Comprehensive Development Zone (CD44) as shown on Schedule '1', and with the following CD44 Sub-Zoning Areas as shown on Schedule '2', which is attached to and forms part of this Bylaw:

Regional Park	CD44 – PR1
Community Park	CD44 – PR2
Residential Single Dwelling	CD44 – RS
Residential Single Dwelling & Duplex	CD44 – RSD
Residential Multiple Dwelling	CD44 – RMD
Neighbourhood Mixed Use	CD44 – MU
Lakehouse Centre	CD44 – LC
Civic Infrastructure	CD44 – CI

Introduced and read two times this 12th day of November, 2013.

Second reading rescinded this 22nd day of April 2014.

Read a second time, as amended, this 22nd day of April 2014.

Public Hearing held this 12th day of May 2014.

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

Adopted this ___ day of _____ 20__.

Chairperson

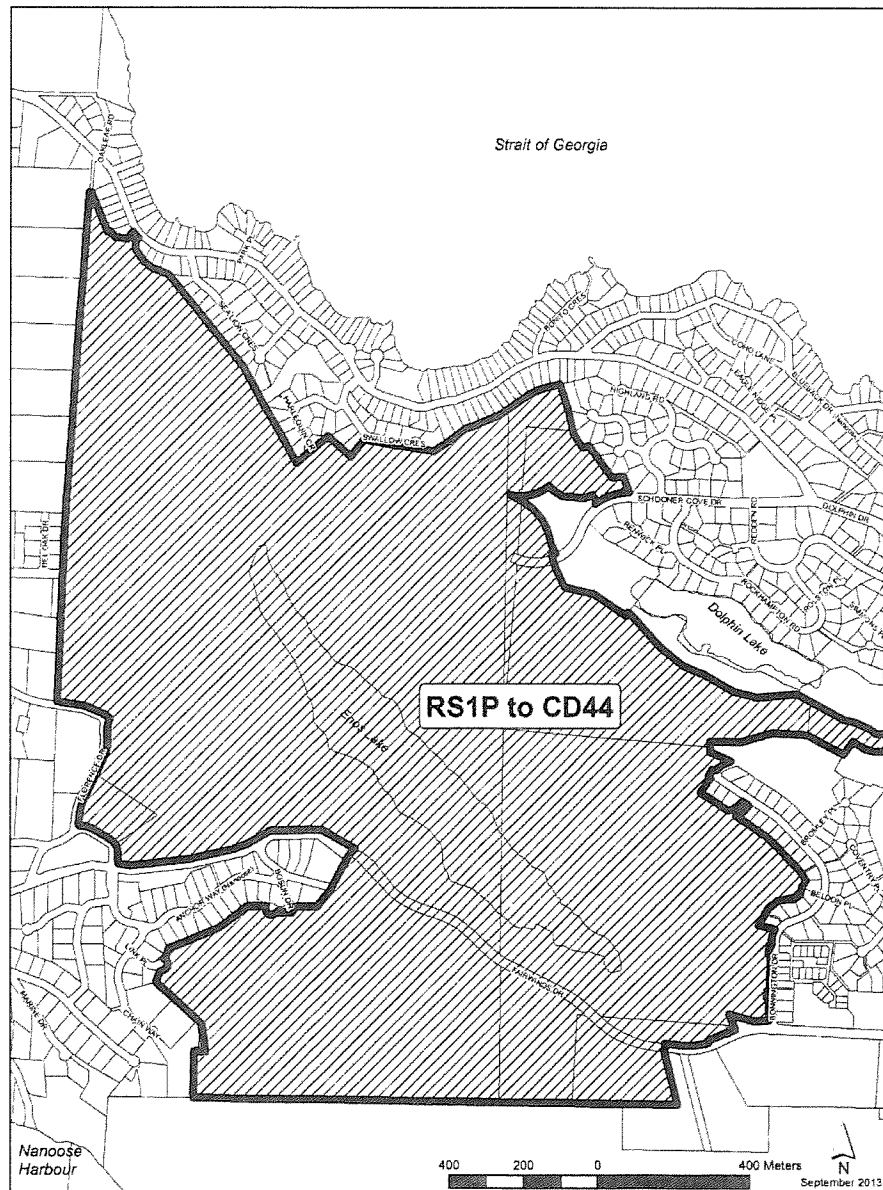
Corporate Officer

Schedule '1' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.384, 2013"

Chairperson

Corporate Officer

Schedule '1'
CD44 Zone Area



Schedule '3' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.384, 2013".

Chairperson

Corporate Officer

Schedule '3'
Lakes District Comprehensive Development Zone Regulations

Section 3.4.144

LAKES DISTRICT COMPREHENSIVE DEVELOPMENT ZONE

CD44

3.4.144.1 APPLICABILITY OF THE BYLAW

The regulations of Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 shall apply to the lands zoned CD44. In addition to these regulations, and where there is a conflict with these regulations, the regulations of the CD44 Zone shall apply.

3.4.144.2 PURPOSE

The purpose of the CD44 Zone is to allow a range of land uses and residential densities with diverse housing types, recreational opportunities, and locally serving commercial services in accordance with Schedule 'B' - Lakes District Neighbourhood Plan in the Nanoose Bay Official Community Plan Bylaw No. 1400, 2005.

The lands encompassed within the CD44 Zone are divided into eight sub-zoning areas including: Regional Park (CD44 - PR1), Community Park (CD44 - PR2), Residential Single Dwelling (CD44 – RS), Residential Single Dwelling & Duplex (CD44 – RSD), Residential Multiple Dwelling (CD44 – RMD), Neighbourhood Mixed Use (CD44 – MU), Lakehouse Centre (CD44 – LC), and Civic Infrastructure (CD44 – CI). Specific regulations apply to each zoning area, in addition to the Definitions and General Regulations as set out in the CD44 Zone.

The extent of each zoning area in the Lakes District Comprehensive Development Zone is shown on Schedule '3A' Zoning Maps of Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987.

3.4.144.3 DEFINITIONS

artisan workshop means production, service, repair or maintenance of an article, substance, material, fabric or compound, provided uses are not noxious or offensive to the immediate neighbourhood or the general public by reason of emitting odours, dust, gas, noise, effluent, or hazard; and having a gross floor area not exceeding 200 m² including retail sales accessory to the principal use;

bulk grade means the elevation of the surface of the ground at any point within a parcel as established on a parcel contour plan and which may not increase above natural grade by more than 2.0 m at any point;

commercial use means the occupancy or use of a building or land for the purpose of carrying out business, professional activities, artisan workshop, retail or personal service use;

community garden means a non-commercial facility for the cultivation of fruits, flowers, vegetables or ornamental plants;

community park means use of land, buildings or structures primarily for recreation, including playgrounds, band shells, skateboard parks, canoe and kayak docks, boathouses, playfields, field houses, multi-purpose courts and the like;

duplex means two self-contained dwelling units with separate ground level entrances, and which are adjoined by a common wall;

height means the elevation of a point directly below:

- a) That part of the building or structure being measured above the land (or surface of water at high water), and;
- b) On a line connecting the two intersections of the natural grade and the outermost exterior walls or supports as indicated on a plan showing any complete vertical section of that part of a building or structure where permitted in the applicable zone; or,
- c) On a line connecting the two intersections of the bulk grade, as defined on a parcel contour plan, and the outermost exterior walls or supports as indicated on a plan showing any complete vertical section of that part of a building within a Residential Single Dwelling & Duplex, Residential Multiple Dwelling, Neighbourhood Mixed Use or Lakehouse Centre zoning area;

garden centre means the use of land, buildings, or structures for the purpose of retail sales of fruits, flowers, vegetables or ornamental plants, trees, and associated gardening and landscaping supplies and outdoor garden equipment;

impermeable surface area means the sum total horizontal area as measured from the outermost perimeter of all buildings or part thereof together with any ground covering that does not naturally exist on the site and cannot be readily penetrated by water, such as roads, paved parking areas, driveways, patios, games courts and the like, on the parcel expressed as a percentage of the total parcel area;

mobile food cart means a mobile cart from which food and/or drink is dispensed, and where the entire stock of goods offered for sale is carried and contained in the cart and which may change locations from time to time, and which is not located in a permanent building or structure, and is removed from public access when not in use;

multiple dwelling unit development means the establishment of three or more dwelling units within a building on a parcel;

natural grade means the elevation of the surface of the ground in its natural state prior to any human-made alterations as determined by a BC Land Surveyor;

nature park means the use of land, buildings or structures primarily for conservation and enjoyment of natural areas and may include boardwalks, trails, environmentally sensitive areas, nature sanctuaries and the like;

parcel contour plan means a survey plan prepared by a BC Land Surveyor or Professional Engineer at minimum 0.5 m contours and showing natural grade and bulk grade of the surface of the ground;

restaurant means an eating establishment providing for the sale of prepared foods and beverages to be consumed on or off the premises, and may include café, delicatessen, and take-out restaurant, but specifically excludes neighbourhood pub, drive-in and drive-thru establishment;

retail store means a sales outlet contained under one roof, having a gross floor area not exceeding 250 m², and providing for the retail sale and display of goods, but specifically excludes industrial uses and gasoline service station;

secondary suite means one or more habitable rooms, but not more than two bedrooms and one cooking facility, constituting a self-contained dwelling unit with a separate entrance, but which is clearly subordinate to the principal dwelling, and is limited to residential use;

seniors' congregate housing means a residential or institutional facility which provides for seniors' congregate housing units with common living facilities, one or more meals per day and housekeeping services, contains a common dining area with a capacity sufficient to accommodate all residents of the facility, and may contain accessory personal service use and accessory convenience store use;

seniors' congregate housing unit means a sleeping unit or a dwelling unit containing one or more sleeping units within a seniors' congregate housing facility;

sleeping unit means a bedroom or other area which is used or intended to be used for sleeping, or sleeping and living purposes, and which does not contain provisions for cooking;

storage means the use of the land, buildings or structures for the temporary storing of property or goods;

storey means that portion of a building situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of the floor and the ceiling above it;

temporary building means a building which is not supported on permanent foundations and which may or may not be connected to community water or sewer;

tourist accommodation means the rental of a lodging unit in a hotel, motel, or cabin for the temporary accommodation of the traveling public with continuous occupancy not exceeding ninety (90) calendar days and specifically excludes a manufactured home and residential use;

unit density means a measurement of development intensity on a parcel, represented by the total number of dwelling units on a parcel divided by the parcel area in hectares (units per hectare) but excludes dedicated road and dedicated park; and,

utility use means a system of works or services or a facility operated by or on behalf of a government or a utility company to provide or in connection with the provision of water, sewer, drainage, gas, electricity, surface transportation or communication services.

3.4.144.4: GENERAL REGULATIONS

1) Total Number of Dwelling Units

The total number of dwelling units within the lands zoned CD44 shall not exceed 1,675 dwelling units.

2) Uses Permitted in all Zones

The following uses are permitted in all zoning areas of the CD44 Zone:

- a) *Community garden*
- b) *Utility use*

3) Secondary Suites

Secondary suites are permitted in the *Residential Single Dwelling* and *Residential Single Dwelling & Duplex* zoning areas, provided that:

- a) A *secondary suite* is permitted only within a principal single dwelling unit on a parcel and is not permitted within a *duplex*;
- b) Not more than one *secondary suite* shall be permitted per single dwelling unit on a parcel;
- c) The size of a *secondary suite* within the principal building shall not exceed 40% of the habitable floor space of the principal building to a maximum of 90 m²;
- d) Secondary suites are not counted as dwelling units for the purpose of calculating the Total Number of Dwelling Units in accordance with the General Regulations Section 3.4.144.4 1) in this Zone;
- e) A principal dwelling unit may contain either a *secondary suite* or a bed and breakfast, but not both; and,
- f) A minimum of one off-street parking space is required for a *secondary suite*, in addition to parking requirements for the principal dwelling unit set out in Schedule '3B' Off-Street Parking and Loading Spaces.

4) Rainwater Harvesting

Where a Building Permit is not required for rainwater harvesting structures, equipment and apparatus, including rain barrels and cisterns, they are excluded from the building setback requirements.

5) Seniors' Congregate Housing

Seniors' congregate housing, where permitted in the zone, is subject to the following regulations:

- a) For the purposes of calculating unit density, each *sleeping unit*, and each *sleeping unit* within a dwelling unit within a seniors' congregate housing facility is equal to 0.2 units;
- b) The gross floor area of a *seniors' congregate housing unit* shall not be less than 26 m² and not more than 50 m²; and

- c) Accessory personal service and convenience store uses, where provided, shall be contained within the seniors' congregate housing facility and shall be accessible only from an internal hallway or corridor. The combined total floor area of all accessory personal service and convenience store uses shall not exceed 150 m² per seniors' congregate housing facility.

6) Temporary Buildings, Structures and Uses for Seasonal Vending

Temporary buildings, structures, or mobile food carts for the purpose of seasonal vending on properties are permitted within any regional park, community park, and commercially zoned properties provided that:

- a) The parking requirements of Schedule '3B' Off-Street Parking and Loading Spaces are met; and,
- b) Potable water and washroom facilities are available on-site if food is served.

7) Tourist Accommodation

Temporary stays within *tourist accommodation* is limited to a maximum consecutive or non-consecutive stay of ninety (90) calendar days per visitor in any twelve (12) month period within any tourist accommodation unit on a parcel. The relocation of a visitor to another unit within the parcel does not constitute the start of a new stay.

8) Building Height

The following regulations apply to building height within all zoning areas of the CD44 Zone:

- a) A *parcel contour plan* defining areas where natural grade has been disturbed shall be submitted to the Regional District upon the earlier of the submission of a development permit application or prior to registration of a subdivision plan.
- b) Structures such as antennae, chimney stacks, steeples, elevator housings, roof stairway entrances, ventilating equipment or enclosures for such equipment, skylights, flagpoles and the like are exempt from the height requirement.
- c) Structures for sustainable building technologies, such as wind turbines, solar panels and rain barrels, cisterns and the like are permitted to exceed the height requirement provided that:
 - i) No such structure covers more than 20% of the parcel area; or
 - ii) If located on a building, no such structure covers more than 10% of the roof area; and,
 - iii) No such structure shall exceed twice the maximum building height permitted by the zone.

9) Storage

Storage use, where permitted in the zone, is subject to the following regulations:

- a) Boats, vehicles and recreational vehicles must be operational and capable of being licensed by the applicable licensing authority. Storage use excludes on-site fuel dispensing.
- b) Storage is accessory to the principal use and is limited to 33% of a parcel area.

- c) A continuous landscaping buffer with a minimum vegetation height of 2.0 m and width of 2.0 m shall be provided and maintained along all property lines adjacent to a storage use.

Purpose

The intent of the Regional Park zoning area is to provide recreational opportunities associated with passive outdoor activities, and to protect the natural features and wildlife habitat that form an integral part of the landscape in the Lakes District neighbourhood.

Permitted Principal Uses

- a) nature park

Maximum Size of Buildings and Structures

Height	6.0 m within the setback area 9.5 m outside the setback area
Parcel coverage	10%

Minimum Setback Requirements

- a) Buildings

Front lot line	4.5 m
Exterior side lot line	4.5 m
All other lot lines	3.0 m
- b) Structures

Front lot line	0.0 m
All other lot lines	3.0 m

Off-Street Parking Requirements

Major staging area	10 spaces
Minor staging area	4 spaces
Bicycle parking	4 spaces per major or minor staging area

Purpose

The intent of the Community Park zoning area is to provide programmed park spaces and recreational opportunities and amenities for social gathering and outdoor activities in close proximity to residential neighbourhoods.

Permitted Principal Uses

- a) community park

Maximum Size of Buildings and Structures

Height	6.0 m within the setback area 9.5 m outside the setback area
Parcel coverage	20%

Minimum Setback Requirements

a) Buildings	
Front lot line	4.5 m
Exterior side lot line	4.5 m
All other lot lines	3.0 m
b) Structures	
Front lot line	0.0 m
All other lot lines	3.0 m

Off-Street Parking Requirements

Bicycle parking	6 spaces per parcel
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Purpose

The Residential Single Dwelling zoning area allows residential development on larger urban lots and provides flexibility in building siting for the retention of natural site features and a range of architectural forms.

Permitted Principal Uses

- a) residential use

Accessory Uses

- a) home based business
- b) secondary suite

Maximum Density

Residential use	1 dwelling unit per parcel
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Minimum Parcel Size

800 m² or 850 m² (corner parcel)

Maximum Size of Buildings and Structures

Height

Principal building	9.5 m
Accessory buildings & structures	6.0 m

Parcel Coverage 40%

Impermeable Surface Area 50% (excluding a driveway not exceeding 6.0 m in width and located within a panhandle)

Minimum Setback Requirements

Front lot line	4.5 m 6.0 m to any garage door or carport entrance way facing a highway.
Interior side lot line	2.0 m
Exterior side lot line	4.5 m
Rear lot line	4.0 m

except one accessory building is permitted to be 1.0 m from an interior or rear lot line provided the building does not exceed 10 m² in floor area and 3.0 m in height.

Purpose

The intent of the Residential Single Dwelling & Duplex zoning area is to increase the range of housing types offered and provide transition between larger lot single dwelling residential land uses and low to medium density housing. The provision of smaller single dwelling units and duplex homes serves to facilitate cluster development to maintain high conservation and recreation value in the adjacent areas.

Permitted Principal Uses

- a) residential use
- b) duplex use

Accessory Uses

- a) home based business
- b) secondary suite

Maximum Density

Residential use	1 dwelling unit per parcel
Duplex use	2 dwelling units per parcel

Minimum Parcel Size

Residential use	400 m ² or 450 m ² (corner parcel)
Duplex use	750 m ² or 800 m ² (corner parcel)

Maximum Size of Buildings and Structures

Height	
Principal building	9.5 m
Accessory buildings & structures	6.0 m
Parcel Coverage	
Residential use	60%
Duplex use	65%
Impermeable Surface Area	
Residential use	70% (excluding a driveway not exceeding 6.0 m in width and located within a panhandle)
Duplex use	75% (excluding a driveway not exceeding 6.0 m in width and located within a panhandle)

Minimum Setback Requirements

a) Residential use	
Front lot line	4.5 m 6.0 m to any garage door or carport entrance way facing a highway.
Interior side lot line	1.5 m
Exterior side lot line	4.5 m
Rear lot line	3.0 m
b) Duplex use	
Front lot line	4.5 m 6.0 m to any garage door or carport entrance way facing a highway.
Interior side lot line	2.0 m
Exterior side lot line	4.5 m
Rear lot line	4.0 m for a duplex
Strata road	3.0 m

except one accessory building per principal dwelling unit is permitted to be 1.0 m from an interior or rear lot line provided the building does not exceed 10 m² in floor area and 3.0 m in height.

Purpose

The Residential Multiple Dwelling zoning area allows for the development of a range of multiple dwelling housing types including duplexes, ground-oriented rowhomes and townhomes, and low-rise condominium buildings. These smaller unit types are intended to provide opportunities for ageing-in-place.

Permitted Principal Uses

-
- a) duplex use
 - b) multiple dwelling unit development use

Maximum Density

Density	75 units per hectare (uph)
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Minimum Parcel Size

Duplex use	600 m ² or 650 m ² (corner parcel)
Multiple dwelling unit Development use	700 m ² or 750 m ² (corner parcel)

Maximum Size of Buildings and Structures

Height	
Duplex	9.5 m
Multiple dwelling unit development	21.0 m or 5 storeys, whichever is less
Accessory buildings & structures	6.0 m 8.5 m for one accessory building in a multiple dwelling unit development
Parcel Coverage	60%
	70% where the required parking spaces are located directly beneath the principal building.
Impermeable Surface Area	70%
	75% where the required parking spaces are located directly beneath the principal building (excluding a driveway not exceeding 6.0 m in width and located within a panhandle).

Minimum Setback Requirements

Front lot line	4.5 m 6.0 m to any garage door or carport entrance way facing a highway.
Interior side lot line	2.0 m
Exterior side lot line	4.5 m
Rear lot line	4.0 m
Strata road	3.0 m

except one accessory building per principal dwelling unit is permitted to be 1.0 m from an interior or rear lot line provided the building does not exceed 10 m² in floor area and 3.0 m in height.

Off-Street Parking Requirements

In addition to the requirements of Schedule '3B' Off-Street Parking & Loading Spaces, the following bicycle parking is required:

Use	Required Bicycle Parking Spaces
Multiple dwelling unit development use	1 secure interior space per 2 dwelling units, and 4 spaces adjacent to the primary building entrance.

Purpose

As a complement to the existing commercial centres at Red Gap and Schooner Cove, the Neighbourhood Mixed Use zoning area is intended to accommodate locally serving civic, commercial and residential uses at the entrance of the Lakes District neighbourhood. A mix of small scale retail, professional office use, live/work, compact housing and other compatible uses will provide community gathering spaces with flexibility to accommodate the future needs of the community.

Permitted Principal Uses

- a) artisan workshop
- b) garden centre
- c) multiple dwelling unit development
- d) office
- e) personal care
- f) personal service use
- g) retail store
- h) restaurant
- i) school
- j) seniors' congregate housing
- k) tourist accommodation

Accessory Uses

- a) storage

Maximum Density

Density	75 units per hectare (uph) for residential uses
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Minimum Parcel Size

Commercial / Mixed use	2,500 m ²
Multiple dwelling unit development use	700 m ² or 750 m ² (corner parcel)

Maximum Size of Buildings and Structures

Height	
Commercial use	10.0 m or 3 storeys, whichever is less
Mixed use or Multiple dwelling unit development	21.0 m or 5 storeys, whichever is less

Accessory buildings & structures	6.0 m 8.5 m for one accessory building in a multiple dwelling unit development
Parcel Coverage	70% 80% where the required parking spaces are located directly beneath the principal building.
Impermeable Surface Area	80% 85% where the required parking spaces are located directly beneath the principal building (excluding a driveway not exceeding 6.0 m in width and located within a panhandle). 75% for storage use only

Minimum Setback Requirements

a) Commercial	
Lot lines fronting a highway	4.5 m
All other lot lines	0.0 m
b) Residential or Mixed use:	
Front lot line	4.5 m 6.0 m to any garage door or carport entrance way facing a highway.
Interior side lot line	2.0 m
Exterior side lot line	4.5 m
Rear lot line	4.0 m
Strata road	3.0 m

except one accessory building is permitted to be 1.0 m from an interior or rear lot line provided the building does not exceed 10 m² in floor area and 3.0 m in height.

Off-Street Parking Requirements

Seniors' congregate housing 1 space per 2 employees and 1 per 5 beds

For other uses permitted in this zone, parking shall be provided as set out under Schedule '3B' Off-Street Parking & Loading Spaces.

In addition to the requirements of Schedule '3B' Off-Street Parking & Loading Spaces, the following bicycle parking is required:

Use	Required Bicycle Parking Spaces
Commercial use	1 space per 475 m ² commercial floor area adjacent to primary building entrances.

Multiple dwelling unit development use	1 secure interior space per 2 dwelling units, and 4 spaces adjacent to the primary building entrance.
Seniors' congregate housing	1 secure interior space per 10 employees.

Other Regulations

- a) No single use may occupy more than 80% of the total building floor area within a parcel.
- b) Commercial use on the ground floor of a building is only permitted where an additional storey is provided above.

Purpose

The intent of the Lakehouse Centre zoning area is to allow a commercial recreational centre in the Lakes District community adjacent to Enos Lake park and trails. This privately operated facility may also be used to accommodate Lakes District regional park administration and limited programs for regional park staging as well as some tourist accommodation and other compatible accessory uses.

Permitted Principal Uses

- a) assembly use
- b) recreational facility

Accessory Uses

- a) convenience store
- b) inn
- c) office
- d) personal care
- e) personal service use
- f) restaurant
- g) retail store
- h) school
- i) theatre
- j) tourist accommodation
- k) tourist information booth
- l) tourist store

Maximum Density

Density	12 units per hectare (uph) for tourist accommodation
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Minimum Parcel Size

9,000 m ²

Maximum Size of Buildings and Structures

Height	
Principal building	10.0 m
Accessory buildings & structures	6.0 m

Parcel Coverage	40%
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Impermeable Surface Area	50%
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Minimum Setback Requirements

All lot lines	6.0m
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Off-Street Parking Requirements

In addition to the requirements of Schedule '3B' Off-Street Parking & Loading Spaces, the following parking is required:

Bicycle parking	1 space 95 m ² floor area
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Purpose

The Civic Infrastructure zoning area allows for community servicing infrastructure and utilities, specifically related the provision of potable water and sanitary sewer servicing and rainwater management.

Permitted Principal Uses

- a) utility use

Maximum Size of Buildings and Structures

Height	10.0m
Parcel coverage	25%

Minimum Setback Requirements

All lot lines	6.0m
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Other Regulations

Notwithstanding Schedule '3F' Landscaping Regulations and Standards, Section 3.2.1, a minimum 3.0m wide landscape buffer shall be provided within the setback area of a parcel adjacent to a highway or residential use where buildings or structures are proposed for utility use.

Attachment 5

REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500.385

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

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

- A. This Bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.385, 2013”.
- B. “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:

1. Under **PART 3 LAND USE REGULATIONS, Section 3.1 Zones** by adding the following Zone Classification and corresponding short title after Section 3.4.143 Schooner Bay Manor Seniors Mobile Home Park Comprehensive Development Zone (CD43):

Schooner Cove Comprehensive Development Zone (CD45)

2. By adding Section 3.4.145 (CD45) as shown on Schedule ‘3’ which is attached to and forms part of this Bylaw.
3. By rezoning the lands shown on the attached Schedule ‘1’ and legally described as
- a. Lot 1, District Lot 78, Nanoose District, Plan 28544;
 - b. Lot 1, District Lot 78, Nanoose District, and District Lots 2085, 2086, 2087, 2088 and 2089 Nanaimo District Plan VIP87121;
 - c. Lot 1, District Lot 2090 Nanaimo District and District Lot 78 Nanoose District Plan VIP87122 and,
 - d. District Lot 2084, Nanaimo District, (Commercial Marina) Licence 109021.

from Commercial 5 (CM5) Zone, Subdivision District ‘J’, Residential 5 (RS5) Zone, Subdivision District ‘J’, and Water 2 (WA2) Zone, Subdivision District ‘Z’ to Schooner Cove Comprehensive Development Zone (CD45), as shown on Schedule ‘1’, and with the following CD45 Sub-Zoning Areas as shown on Schedule ‘2’, which is attached to and forms part of this Bylaw:

Village Mixed Use	CD45 – MU
Marina	CD45 – MA
Residential Multiple Dwelling	CD45 – RMD

Introduced and read two times this 12th day of November 2013.

Second reading rescinded this 26th day of November 2013.

Read a second time, as amended, this 26th day of November 2013.

Public Hearing held this 12th day of May 2014.

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

Adopted this ___ day of _____ 20__.

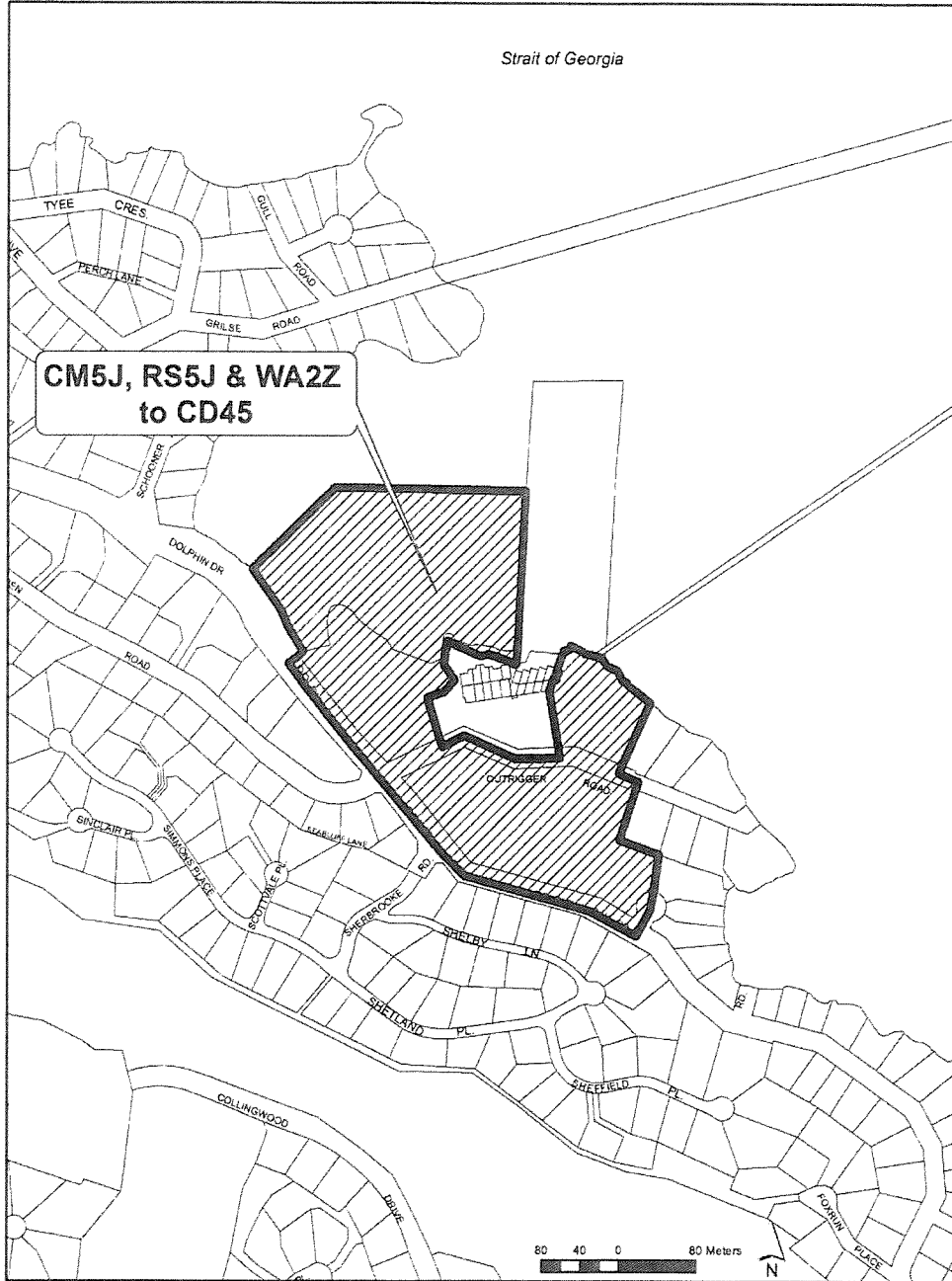
Chairperson

Corporate Officer

Chairperson

Corporate Officer

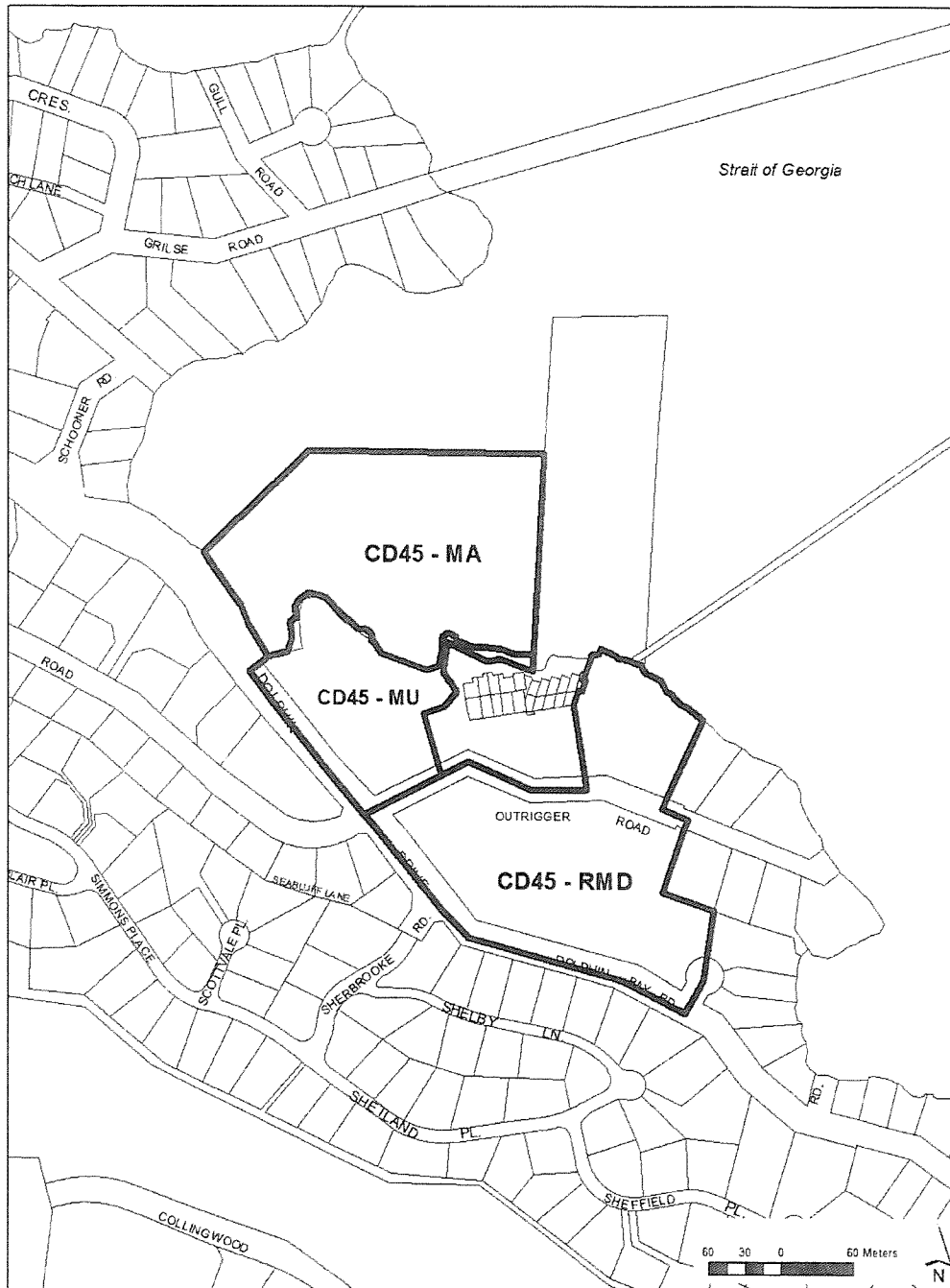
Schedule '1'
CD45 Zone Area



Chairperson

Corporate Officer

Schedule '2'
CD45 Sub-Zoning Areas



Chairperson

Corporate Officer

Schedule '3'
Schooner Cove Comprehensive Development Zone Regulations

Section 3.4.145

SCHOONER COVE COMPREHENSIVE DEVELOPMENT ZONE

CD45

3.4.145.1 APPLICABILITY OF THE BYLAW

The regulations of Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 shall apply to the lands zoned CD45. In addition to these regulations, and where there is a conflict with these regulations, the regulations of the CD45 Zone shall apply.

3.4.145.2 PURPOSE

The purpose of the CD45 Zone is to allow a mixed-use waterfront village with neighbourhood-oriented commercial shops and services, a marina, a range of multiple dwelling housing types, and a publicly accessible network of waterfront boardwalks, plazas, and pathways in accordance with Schedule 'C' – Schooner Cove Neighbourhood Plan in the Nanoose Bay Official Community Plan Bylaw No. 1400, 2005.

The lands encompassed within the CD45 Zone are divided into three sub-zoning areas including: Village Mixed Use (CD45 – MU), Marina (CD45 – MA), and Residential Multiple Dwelling (CD45 – RMD). Specific regulations apply to each zoning area, in addition to the Definitions and General Regulations as set out in the CD45 Zone.

The extent of each zoning area in the Lakes District Comprehensive Development Zone is shown on Schedule '3A' Zoning Maps of Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987.

3.4.145.3 DEFINITIONS

assembly use means the use of land, buildings or structures to accommodate exhibits, special events or meetings and includes auditorium, church, museum, community hall, fraternal lodge, youth centre, theatre;

artisan workshop means production, service, repair or maintenance of an article, substance, material, fabric or compound, provided uses are not noxious or offensive to the immediate neighbourhood or the general public by reason of emitting odours, dust, gas, noise, effluent, or hazard; and having a gross floor area not exceeding 200 m² including retail sales accessory to the principal use;

boat launching facility means jib crane hoist, boat ramp or other means to launch and/or retrieve watercraft;

commercial parking means use of land, buildings and structures for the purpose of providing short-term commercial parking spaces;

commercial use means the occupancy or use of a building or land for the purpose of carrying out business, professional activities, artisan workshop, retail or personal service use;

community garden means a non-commercial facility for the cultivation of fruits, flowers, vegetables or ornamental plants;

geodetic elevation means the vertical elevation or height of a given point on land or above the surface of the water measured from the geodetic datum as determined by a BC Land Surveyor;

grocery store means a sales outlet contained under one roof, having a gross floor area not exceeding 750 m², and providing for the retail sale and display of food and related goods;

height means that part of a building or structure measured above the geodetic datum as determined by a BC Land Surveyor to the outermost exterior walls or supports as indicated on a plan showing any complete vertical section of that part of a building or structure where permitted in the applicable zone;

impermeable surface area means the sum total horizontal area as measured from the outermost perimeter of all buildings or part thereof together with any ground covering that does not naturally exist on the site and cannot be readily penetrated by water, such as roads, paved parking areas, driveways, patios, games courts and the like, on the parcel expressed as a percentage of the total parcel area;

liquor store means a retail store licensed under the Liquor Control and Licensing Act, and amendments thereto, for the sale of beer, wine and other alcoholic beverages;

live/work unit means the use of a building or portion thereof for an economic activity including artisan workshop, personal service use or office in combination with a dwelling unit;

marina means moorage, boat launching facilities, and outdoor recreation use, including the rental and maintenance of boats and seaplanes, and which may be equipped with administration facilities, washrooms, showers and refuse disposal facilities;

mobile food cart means a mobile cart from which food and/or drink is dispensed, and where the entire stock of goods offered for sale is carried and contained in the cart and which may change locations from time to time, and which is not located in a permanent building or structure, and is removed from public access when not in use;

multiple dwelling unit development means the establishment of three or more dwelling units within a building on a parcel;

neighbourhood pub means an establishment with a liquor primary licence issued pursuant to the Liquor Control and Licensing Act and amendments thereto;

resort condominium development means a hotel and includes hotel units subdivided pursuant to the Strata Property Act and amendments thereto, with continuous occupancy not exceeding ninety (90) calendar days and does not include residential use;

restaurant means an eating establishment providing for the sale of prepared foods and beverages to be consumed on or off the premises, and may include café, delicatessen, and take-out restaurant but specifically excludes neighbourhood pub, drive-in and drive-thru establishment;

retail store means a sales outlet contained under one roof, having a gross floor area not exceeding 250 m², and providing for the retail sale and display of goods, but specifically excludes industrial uses and gasoline service station;

seniors' congregate housing means a residential or institutional facility which provides for seniors' congregate housing units with common living facilities, one or more meals per day and housekeeping services, contains a common dining area with a capacity sufficient to accommodate all residents of the facility, and may contain accessory personal service use and accessory convenience store use;

seniors' congregate housing unit means a sleeping unit or a dwelling unit containing one or more sleeping units within a seniors' congregate housing facility;

sleeping unit means a bedroom or other area which is used or intended to be used for sleeping, or sleeping and living purposes, and which does not contain provisions for cooking;

storey means that portion of a building situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of the floor and the ceiling above it;

temporary building means a building which is not supported on permanent foundations and which may or may not be connected to community water or sewer;

tourist accommodation means the rental of a lodging unit in a hotel, motel, and cabin for the temporary accommodation of the traveling public with continuous occupancy not exceeding ninety (90) calendar days and specifically excludes a manufactured home and residential use; and,

unit density means a measurement of development intensity on a parcel, represented by the total number of dwelling units on a parcel divided by the parcel area in hectares (units per hectare) but excludes dedicated road and dedicated park.

3.4.145.4: GENERAL REGULATIONS

1) Total Number of Dwelling Units

The total number of dwelling units within the lands zoned CD45 shall not exceed 360 dwelling units.

2) Uses Permitted in all Zones

The following uses are permitted in all zoning areas of the CD45 Zone:

- a) *Community garden*

3) Rainwater Harvesting

Where a Building Permit is not required for rainwater harvesting structures, equipment and apparatus, including rain barrels and cisterns, they are excluded from the building setback requirements.

4) Seniors' Congregate Housing

Seniors' congregate housing, where permitted in the zone, is subject to the following regulations:

- a) For the purposes of calculating unit density, each *sleeping unit*, and each *sleeping unit* within a dwelling unit within a seniors' congregate housing facility is equal to 0.2 units;
- b) The gross floor area of a *seniors' congregate housing unit* shall not be less than 26 m² and not more than 50 m²; and
- c) Accessory personal service and convenience store uses, where provided, shall be contained within the seniors' congregate housing facility and shall be accessible only from an internal hallway or corridor. The combined total floor area of all accessory personal service and convenience store uses shall not exceed 150 m² per seniors' congregate housing facility.

5) Temporary Buildings, Structures and Uses for Seasonal Vending

Temporary buildings, structures, or mobile food carts for the purpose of seasonal vending on properties are permitted within any commercially zoned properties provided that potable water and washroom facilities are available on-site if food is served.

6) Resort Condominium and Tourist Accommodation

Temporary stays within *resort condominium development* or *tourist accommodation* is limited to a maximum consecutive or non-consecutive stay of ninety (90) calendar days per visitor in any twelve (12) month period within any resort condominium or tourist accommodation unit on a parcel. The relocation of a visitor to another unit within the parcel does not constitute the start of a new stay.

7) Building Height

The following regulations apply to building height within all zoning areas of the CD45 Zone:

- a) Structures such as antennae, chimney stacks, steeples, elevator housings, roof stairway entrances, ventilating equipment or enclosures for such equipment, skylights, flagpoles and the like are exempt from the height requirement.
- b) Structures for sustainable building technologies, such as solar panels and rain barrels, cisterns and the like are permitted to exceed the height requirement provided that:
 - i) No such structure covers more than 20% of the parcel area; or
 - ii) If located on a building, no such structure covers more than 10% of the roof area; and,
 - iii) No such structure shall exceed twice the maximum building height permitted by the zone.
- c) Notwithstanding 7 b) above, wind turbines in Area 'A' shall not exceed the maximum permitted building height in as shown on Schedule 1 of the CD45 Zone.

Purpose

The intent of the Schooner Cove Village Mixed Use zoning area is to establish a vibrant commercial and civic core with a pedestrian-oriented village on the waterfront and ground-oriented commercial uses such as restaurants, shops and services with residential uses above.

Permitted Principal Uses

- a) artisan workshop
- b) assembly use
- c) grocery store
- d) office
- e) liquor store
- f) live/work
- g) multiple dwelling unit development use
- h) neighbourhood pub
- i) outdoor recreation
- j) personal service use
- k) recreation facility
- l) resort condominium development use
- m) restaurant
- n) retail store
- o) seniors' congregate care
- p) tourist accommodation

Accessory Uses

- a) commercial parking
- b) marina sales
- c) tourist information booth

Maximum Density

Maximum 50 dwelling units permitted in the CD45 – MU Zone.

Minimum Parcel Size

Commercial / mixed use	900 m ²
Multiple dwelling unit development	2,000 m ²

Maximum Size of Buildings and Structures

The maximum permitted building height shall be as shown on **Schedule 1 Maximum Building Height Plan** in the CD45 Zone and as summarized below:

Height

Principal buildings

Area B	18.0 m geodetic elevation or 3 storeys, whichever is less
Area C	22.0 m geodetic elevation or 3 storeys, whichever is less
Area D	26.1 m geodetic elevation or 5 storeys, whichever is less
Area E	31.0 m geodetic elevation or 5 storeys, whichever is less

Accessory buildings

Area D	One accessory building is permitted to a height of 2 storeys, provided that a storey does not exceed 5.0 m.
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Maximum Floor Area	Total combined floor area for non-residential uses shall not exceed 2,325 m ² .
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Parcel Coverage	70%
	80% where the required parking spaces are located directly beneath the principal building.

Impermeable Surface Area	80%
	85% where the required parking spaces are located directly beneath the principal building.

Minimum Setback Requirements

- | | |
|---|-------|
| a) Lot lines fronting a highway | 4.5 m |
| b) Lot lines that are common with Lot B, District Lot 78, Nanoose District Strata Plan 745 | 4.5 m |
| c) All other lot lines | 0.0 m |
| d) Notwithstanding Section 3.3.9 b) Setbacks - Sea for Electoral Area 'E', a 0.0 m setback for buildings is permitted for up to a maximum of 35 percent of the length of the parcel boundary that is common to the sea. | |

- e) Notwithstanding Section 3.3.9 b) Setbacks - Sea for Electoral Area 'E', a 0.0 m setback is permitted for structures.

Off-Street Parking Requirements

Seniors' congregate housing	1 space per 2 employees and 1 per 5 beds
Commercial use, restaurant use, neighbourhood pub use	74 spaces in total, plus 1 space per 3 seats where a restaurant or neighbourhood pub exceeds 100 seats.

For other uses permitted in this zone, parking shall be provided as set out under Schedule '3B' Off-Street Parking & Loading Spaces.

In addition to the requirements of Schedule '3B' Off-Street Parking & Loading Spaces, the following bicycle parking is required:

Use	Required Bicycle Parking Spaces
Commercial use, restaurant use, neighbourhood pub use	1 space per 475 m ² commercial floor area adjacent to primary building entrances.
Multiple dwelling unit development use	1 secure interior space per 2 dwelling units, and 4 spaces adjacent to the primary building entrance.
Seniors' congregate housing	1 secure interior space per 10 employees.

Other Regulations

- a) Non-residential uses shall comprise at least 20% of the total building floor area within a parcel.
- b) A maximum of one grocery store is permitted within the Village Mixed Use Zone.
- c) Notwithstanding Schedule '3F' Landscaping Regulations and Standards, Section 2.1.1 a landscape buffer is not required for a designated highway adjacent to a commercial use and multiple dwelling unit development.

Purpose

The intent of the Marina zoning area is to allow the operation of a marina business including a moorage, marina office, marine fuel supply station, and other ancillary marina services and facilities.

Permitted Principal Uses

- a) boat launching facility
- b) marina use

Accessory Uses

- a) convenience store
- b) marina fuel supply station
- c) marina sales

Maximum Size of Buildings and Structures

The maximum permitted building height shall be as shown on **Schedule 1 Maximum Building Height Plan** in the CD45 Zone and as summarized below:

Height	
Area A	7.0 m geodetic elevation or 1 storey, whichever is less, notwithstanding floating buildings and structures shall be measured from the surface of the water.
Parcel Coverage	5% provided that no individual building covers more than 1% of a parcel.

Minimum Setback Requirements

Notwithstanding Section 3.3.9 b) Setbacks - Sea for Electoral Area 'E', a 0.0 m setback is permitted for buildings and structures.

Off-Street Parking Requirements

Marina use	1 parking space per 4 marina slips
Boat launching facility	20 boat trailer parking spaces

For other uses permitted in this zone, parking shall be provided as set out under Schedule '3B' Off-Street Parking & Loading Spaces.

A minimum of 25% of the parking required for marina use in the CD45 – MA Zone shall be provided within the lands zoned CD45 – MU and a maximum of 75% of the marina parking

may be provided within the lands zoned CD45 – RMD, provided that none of the required off-street parking is located within a highway.

The off-street parking required for a *boat launching facility* shall be provided within the lands zoned CD45 – RMD.

In addition to the requirements of Schedule '3B' Off-Street Parking & Loading Spaces, the following bicycle parking is required:

Use	Required Bicycle Parking Spaces
Marina use	8 spaces

Purpose

The Residential Multiple Dwelling zoning area allows for the development of multiple dwelling housing types including ground-oriented and low-rise condominium buildings. These smaller unit types are intended to provide opportunities for downsizing and ageing-in-place in close proximity to publically-accessible open space and village commercial uses.

Permitted Principal Uses

- a) commercial parking
- b) multiple dwelling unit development use
- c) seniors' congregate housing

Maximum Density

Maximum 310 dwelling units permitted in the CD45 – RMD Zone

Minimum Parcel Size

Multiple dwelling unit development	2,000 m ²
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Maximum Size of Buildings and Structures

The maximum permitted building height shall be as shown on **Schedule 1 Maximum Building Height Plan** in the CD45 Zone and as summarized below:

Height

Principal buildings

Area D	26.1 m geodetic elevation or 5 storeys, whichever is less
Area F	37.0 m geodetic elevation or 5 storeys, whichever is less
Area G	42.0 m geodetic elevation or 5 storeys, whichever is less

Accessory buildings

Area D	One accessory building is permitted to a height of 2 storeys, and all other accessory buildings shall not exceed 1 storey, provided that a storey does not exceed 5.0 m.
Area F	One accessory building is permitted to a height of 2 storeys, and all other accessory buildings shall not exceed 1 storey, provided that a storey does not exceed 5.0 m.
Area G	One accessory building is permitted to a height of 2 storeys, and all other accessory buildings shall not exceed 1 storey, provided that a storey does not exceed 5.0 m.

Parcel Coverage	60%
	70% where the required parking spaces are located directly beneath the principal building.
Impermeable Surface Area	80%
	85% where the required parking spaces are located directly beneath the principal building.

Minimum Setback Requirements

All lot lines	5.0 m
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Off-Street Parking Requirements

Seniors' congregate housing	1 space per 2 employees and 1 per 5 beds
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For other uses permitted in this zone, parking shall be provided as set out under Schedule '3B' Off-Street Parking & Loading Spaces.

In addition to the requirements of Schedule '3B' Off-Street Parking & Loading Spaces, the following bicycle parking is required:

Use	Required Bicycle Parking Spaces
Multiple dwelling unit development use	1 secure interior space per 2 dwelling units, and 4 spaces adjacent to the primary building entrance.
Seniors' congregate housing	1 secure interior space per 10 employees.

Other Regulations

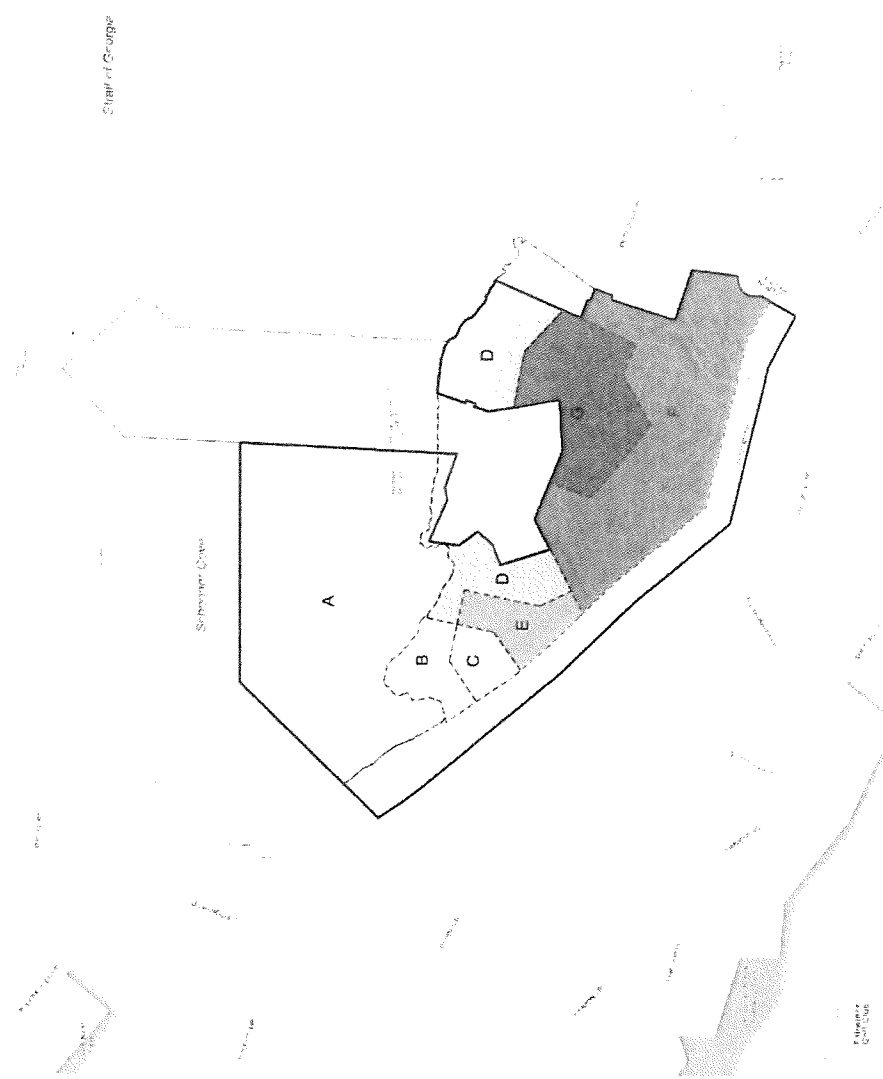
Notwithstanding Schedule '3F' Landscaping Regulations and Standards, Section 3.2.1, a minimum 3.0m wide landscape buffer shall be provided within the setback area of a parcel adjacent to a highway for a multiple dwelling unit development.

Schooner Cove Comprehensive Development Zone CD45 Schedule 1 Maximum Building Height Plan

SCHOONER COVE
CD45

MAXIMUM BUILDING HEIGHT PLAN

- CD45 Boundaries
- Proposed Business & Public Policy CDZ
- A Maximum Gradient Elevation: 7m
 - B Maximum Gradient Elevation: 10m
 - C Maximum Gradient Elevation: 2m
 - D Maximum Gradient Elevation: 25.1m
 - E Maximum Gradient Elevation: 33m
 - F Maximum Gradient Elevation: 37m



Attachment 6

REGIONAL DISTRICT OF NANAIMO BYLAW NO. 500.388

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

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

- A. This Bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.388, 2013”.
- B. “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:
 1. By adding Schedule 4C1 – Lakes District and Schooner Cove Community Water System Standards as shown on Schedule ‘1’ which is attached to and forms part of this Bylaw.
 2. By adding Schedule 4D1 – Lakes District and Schooner Cove Community Sewer System Standards as shown on Schedule ‘2’ which is attached to and forms part of this Bylaw.
 3. Under **PART 4 SUBDIVISION REGULATIONS, Section 4.7 Sewage Disposal** the following is added after Section 4.7 (2):
 - 3) Notwithstanding Section 4.7 (1), for lands within the Lakes District and Schooner Cove Community Water and Sewer Standards Area, all parcels shall be serviced by a community sewer system.
 - 4) Notwithstanding Section 4.7 (2), for lands within the Lakes District and Schooner Cove Community Water and Sewer Standards Area, any community sewer system, or part thereof, provided within the subdivision, to service the subdivision or to connect the sewage collection system within the subdivision to a Regional District trunk sewage main shall, be constructed and installed at the expense of the owner of the land being subdivided and shall be carried out in accordance with the standards and specifications set out in Schedule '4D1'.
 4. Under **PART 4 SUBDIVISION REGULATIONS, Section 4.8 Water Supply** by inserting the following after Section 4.8 (2) and renumbering subsequent sections accordingly:
 - 3) Notwithstanding Section 4.8 (1), for lands within the Lakes District and Schooner Cove Community Water and Sewer Standards Area, all parcels shall be serviced by a community water system.
 - 4) Notwithstanding Section 4.8 (2), for lands within the Lakes District and Schooner Cove Community Water and Sewer Standards Area any community water system, or part thereof, provided within the subdivision, to service the subdivision or to connect the water distribution system within the subdivision to a Regional District trunk water main shall, be constructed and installed at the expense of the owner of the land being subdivided and shall be carried out in accordance with the standards and specifications set out in Schedule '4C1'.

5. The Lakes District and Schooner Cove Community Water System Standards and the Lakes District and Schooner Cove Community Sewer System Standards will apply to lands within the Lakes District and Schooner Cove Community Water and Sewer Standards Area as shown on the attached Schedule '3' and legally described as:
- a. Lot 1, District Lots 30 and 78, Nanoose District, Plan 26219, except those parts in Plans 28246, 29574, 30072, 30262, 34675, 36514, 48548 and VIP53001;
 - b. Lot 8, District Lot 78, Nanoose District, Plan 30262;
 - c. District Lot 11, Nanoose District, Except that part outlined in red on Plan 1567 OS, 48548 and VIP59496;
 - d. A portion of the lands legally described as District Lot 7, Nanoose District, Except that part outlined in red on Plan 1567 OS, 48548, VIP59496 and VIP80856;
 - e. A portion of the lands legally described as District Lot 30, Nanoose District, Except those parts in Plans 15193, 26219, 48585, VIP51706, VIP51707, VIP52451, VIP53134, VIP57407, VIP60049, VIP60602 and VIP88308;
 - f. A portion of the lands legally described as District Lot 78, Nanoose District, Except that part shown outlined in red on Plan deposited under DD 19579I; Except Parcels A and B (DD 7528N); and Except those parts in Plans 813R, 1567 OS, 14212, 14250, 14275, 15075, 15193, 22836, 24012, 25366, 26219, 27129, 27206, 29869, 34675, 47638, 48548, 48585, 49669, 50872, 51142, VIP51603, VIP51706, VIP51707, VIP53134, VIP57407, VIP59180, VIP59494, VIP60049, VIP60602, VIP71781, VIP73214, VIP78139, VIP80854, VIP80855, VIP80856, VIP85588 and VIP88308;
 - g. Lot 1, District Lot 78, Nanoose District, Plan 28544;
 - h. Lot 1, District Lot 78, Nanoose District and District Lots 2085, 2086, 2087, 2088 and 2089 Nanaimo District Plan VIP87121;
 - i. Lot 1, District Lot 2090 Nanaimo District and District Lot 78 Nanoose District Plan VIP87122 and,
 - j. District Lot 2084, Nanaimo District, (Commercial Marina) Licence 109021.

Introduced and read two times this 12th day of November 2013.

Public Hearing held this 12th day of May 2014.

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

Adopted this ___ day of _____ 20__.

Chairperson

Corporate Officer

Schedule '1' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.388,2013"

Chairperson

Corporate Officer

Schedule '1'

Schedule 4C1

Lakes District and Schooner Cove Community Water System Standards

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 500

SCHEDULE 4 C 1

2013 LAKES DISTRICT AND SCHOONER COVE

COMMUNITY WATER SYSTEM STANDARDS

REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500
SCHEDULE 4 C 1
LAKES DISTRICT AND SCHOONER COVE
COMMUNITY WATER SYSTEM STANDARDS
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1. GENERAL

1.1 Requirement

The water standards for design and construction of the water system within the Lakes District and the Schooner Cove Community Water Standards Area are to be governed by Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987, and particular by this Schedule 4C1.

It is the intention of the RDN to enter into a phased development agreement under section 905.1 of the *Local Government Act* with the property owner of the lands within the Lakes District Comprehensive Development Zone CD44 and the Schooner Cove Comprehensive Development CD45 that will specify changes to specified subdivision servicing bylaw provisions that would not apply to the development contemplated under that agreement, unless agreed to in writing by the developer.

The RDN will require a Subdivision Service Agreement to be completed for any new water system or existing system extension, unless otherwise agreed to in writing by the RDN.

Water supply and distribution systems shall be designed, installed, extended, tested and maintained in accordance with the following standards and specifications.

1.2 Design

The engineering design of the water system shall be carried out by, and the preparation of drawings and specifications shall be sealed by a Professional Civil Engineer registered in the Province of British Columbia (the Design Professional), and shall conform to these Standards.

1.3 Definitions

Engineer means the Manager of Engineering Services for the Regional District of Nanaimo, or the person designated by the General Manager of Regional and Community Utilities.

Engineer of Record means a Professional Engineer registered with the Association of Professional Engineers and Geoscientists of BC who is responsible for the construction drawings and documents. The Engineer of Record will be the engineer that signs and seals the record drawings and Certification of Installed Works.

Facilities means water lines, water treatment plants, pumping stations and other works necessary thereto, and for carrying potable water and includes any and all works, structures, lands, conveniences, incidental to and necessary for a water system.

Member Municipality or Member means a municipality or improvement district within the Regional District of Nanaimo.

Regional District means in the document the Regional District shall refer to the Regional District of Nanaimo.

1.4 Application

All applications shall be made in two steps as follows:

1. Feasibility Review

All proposed construction of water supply and distribution facilities shall be submitted to the Regional District for a feasibility review prior to commencement of any detailed design or

construction. Such requests shall include a plan of the proposed construction and the area it will serve. The applicable feasibility review fee, in accordance with RDN Bylaw No. 1259.03 or most recent amendment, and the Letter of Assurance shall also be submitted at this time.

The Regional District will review the proposal, and reply in writing indicating approval or listing the necessary amendments required.

To be addressed but not limited to, are the following items:

- a) source of water
- b) initial plan of the works showing equipment/pipe sizes, materials etc.
- c) number of properties and population served
- d) alignments/offsets of pipes etc.
- e) any flow and/or pressure concerns

2. Detailed Design

The detailed design and specifications shall be submitted in duplicate to the Regional District for Design Stage Approval (DSA) prior to construction and is valid for up to 180 days from the date of issue. Attached to the submission shall be a Certificate of Design. The applicable engineering review fee, in accordance with RDN Bylaw No. 1259.03 or most recent amendment, shall also be submitted at this time, along with the Design Professional's certified cost estimate for the works upon which the fee amount is based.

The detailed plans will be returned either approved or with a request for re-submission. Re-submission will be carried out until the Regional District approves the detailed plans and specifications, and issues Design Stage Approval (DSA).

The Design Professional shall submit the RDN approved plans to the Provincial Ministry of Transportation & Infrastructure and Vancouver Island Health Authority for any approval permits that may be required. Receipt and submission of these permits to the RDN shall also be a prerequisite to the start of construction. Approval permits from other applicable agencies as required shall also be obtained.

1.5 Drawings and Specifications

All design drawings shall be ISO A1 size, 594 mm in depth and 841 mm in width. The following information shall be supplied:

1. **Location Plan** - showing the location of the proposed work. This may appear on the same sheet as the Key Plan.
2. **Key Plan** - showing a plan of the proposed work at a suitable scale such that the whole works are shown on one drawing, usually 1:5000, 1:2000 or 1:1000. The Key Plan shall show a general outline of the works, area covered and sheet numbers of the plan/profile drawings, and a legend showing existing and proposed works.
3. **Plans/Profiles** - showing detailed design of the proposed works. Profiles of mains 200 mm in size and under are not required unless otherwise specified by the Regional District.

Plans shall be drawn at a scale of 1:500 (1:250 is also acceptable), showing the location of the pipe centreline, pipe size and type and off-set from property line, hydrants, valves, fittings and all related appurtenances in relation to road, easement and adjacent property and lot lines. Existing or proposed underground utilities are to be indicated on

the plan in addition to the extent of work required in making connection to existing water main. Location of service connections are to be shown. Connections not conforming to the standard offset require a distance from an iron pin or lot line. In general, water services shall be installed two in a trench at property corners, 1200 mm from the lot line, and alternate with hydro and telephone poles.

Profiles shall be drawn at a horizontal scale of 1:500 and a vertical scale of 1:50 if more suited to specific conditions. The profile shall show the line of the existing and finished road grade on centreline, the invert of the pipe, location of fittings and hydrants, and location of sanitary and storm utilities. Where the pipe is not to be laid at a constant depth below the finished grade, the invert elevation shall be shown at pipe deflections and vertical bends.

Drawings detailing plans and elevations shall be prepared for wells and wellheads, supply intake works, pump stations, major valve chambers, and storage reservoirs. Suitable standard scales shall be chosen, being either 1:50, 1:20, 1:10, or 1:5.

4. **Specifications** - shall be prepared to further define materials of construction and shall specify methods of construction and workmanship.
5. **Record Drawings** - shall be prepared by correcting drawings on completion of construction in order to reflect "as-built" conditions for permanent records. The location of all individual lot water service connections shall be clearly shown. The drawings shall be signed and sealed by the Professional Civil Engineer, and shall be accompanied by a Certification of Installed Works. Final record drawings shall consist of:
 - a) 2 full-size paper sets;
 - b) one full size 3 mil Mylar set;
 - c) 2 – 11" X 17" paper sets or 2 A3 half-size paper sets, as agreed by the RDN; and
 - d) digital copies, one as AutoCAD or Civil 3D file as applicable to the current software, and one as TIFF files.

1.6 Variations from Standards

Where the applicant wishes to vary from these standards he shall submit a written request with adequate supporting data to the Regional District for review.

The Regional District shall make the final decision in writing as to the standard requirements which shall apply.

1.7 Permits

The applicant shall be responsible for obtaining all necessary approvals and permits required prior to commencing construction of the water system.

1.8 New Service Areas

Where a water system is to be constructed by an applicant within an area previously unserved by a community water system, the design and construction for the system shall comply with the requirements of these Standards, unless otherwise agreed to in writing by the Regional District.

1.9 Existing Service Areas

Where a water system is to be constructed by an applicant within the existing or extended boundaries of an area already being served by a community water system, the design and construction of the system shall comply with the requirements of these Standards, with the

understanding that Sections 2.5 and 2.6 may not apply and will be determined by the RDN according to the project and available existing source capacity and water quality.

1.10 Inspection

The Manager of Engineering Services of the Regional District or his appointed deputies shall be allowed access and provided adequate facilities for access to any part of the works at all times for the purpose of inspection.

Any connections to or interruption of any existing system will be under the direct supervision of the Regional District. Adequate notice to the Regional District of any such interruption to service shall be provided in order that attendance by Regional District personnel can be arranged.

The design engineer appointed by the Developer/Owner shall be employed during construction of the works to confirm the project is/has been constructed according to the design drawings and specifications. At the end of the project the engineer shall provide a Certification of Installed Works indicating the works were constructed according to the plans and specifications and meet all applicable codes / regulations / bylaws.

2. DESIGN

2.1 Water Demand

Water sources and primary supply mains shall be designed to supply the maximum day's demand, while distribution mains and booster pump stations must be sized to handle the peak hourly or fire flows. The volume of water in storage acts as a cushion between these differing flows.

The water distribution system shall be designed according to the following minimum demands:

1. Residential

Replacement Section 2.1.1 Water Demand - Residential

Housing Unit	Max Litres per Day per Person	Max Imperial Gallons per Day per Person	Persons Per Household	IGPM per Housing Unit
		(A)	(B)	(A/24/60XB)
Single-Family/detached house	1,168	250	2.2	0.38
Townhouse (attached, semi-detached) unit	914	200	1.9	0.26
Apartment / condominium unit	424	90	1.4	0.09
Secondary suite (carriage house)	424	90	1.1	0.07
Seniors Living unit	424	90	1.1	0.07

2. Commercial and Industrial

Water demands for developments involving commercial or industrial zoned lands shall be in accordance with good engineering practice as determined by the Design Professional and approved in writing by the Regional District.

Replacement Section 2.1.2 Water Demand - Commercial

Non-residential uses			
Commercial – Retail	480	105	Per 1000 sf leasable
Commercial – Office	640	140	Per 1000 sf leasable
Commercial – Restaurant	3500	770	Per 1000 sf leasable
Commercial – Pub	3500	770	Per 1000 sf leasable
Fitness Centre	490	105	Per 1000 sf leasable

3. Fire

Required fire flows shall be in accordance with the "Water Supply for Public Fire Protection - A Guide to Recommended Practice" as published by Public Fire Protection Survey Services, but in no case shall be less than 4.55 m³/min (1000 igpm) for 90 minutes unless approved in writing by the Regional District.

2.2 Water Pressure

Minimum design distribution pressure in all areas at peak demand shall be 276 kPa (40 psi) at the property line. The design engineer shall indicate any building sites where the pressure at the main floor of the building is expected to be less than 207 kPa (30 psi). The developer is expected to file covenants of low pressure on properties where the pressure at the main floor of the building is expected to be less than 207 kPa. With the combination of maximum daily demand and the specified fire flow, the minimum residual water pressure at the fire hydrant shall be 138 kPa (20 psi), and at the highest point in the system shall not fall below 69 kPa (10 psi). Where these minimum design pressures cannot be maintained due to an increase in elevation or distance from the point of connection, a booster pump station and emergency storage shall be provided as part of the distribution system.

The maximum allowable distribution line pressure is 900 kPa (130.5 psi) except where individual connections are permitted directly from trunk mains and where special precautions are taken. Otherwise, where distribution pressures will exceed 900 kPa due to a drop in elevation, a pressure reducing station shall be installed as part of the distribution system. Where distribution pressures exceed 550 kPa (80 psi), occupants in the area shall be required to install individual pressure reducing valves. This valve shall be of an approved design and manufacture.

2.3 Design Population

Design populations used in calculating water demand for residential properties shall be computed in accordance with the population predictions based on the total number of residential units and persons per unit (ppu) as determined by the Regional District from census data or with the persons/hectare (in 2011 an average single family detached home has 2.2 ppu*):

Multiple dwelling unit development	125 persons/hectare
Dwelling unit	30 persons/hectare (12.5 homes/hectare)

Exceptions to these design population densities may be varied by the Regional District of Nanaimo with Board Approval.

2.4 **Hydraulic Network**

Depending on the complexity and extent of the proposed distribution system, the Regional District may require a hydraulic network analysis showing maximum design flows and minimum design pressures. If this information is required, it will be stated by the RDN in writing at the time of the **Feasibility Review** and shall be submitted by the applicant with the detailed design application. The hydraulic network shall be designed to provide the maximum design flows at or above the minimum required pressures specified in this Standard.

2.5 **Water Quality**

1. Water supplied to domestic consumers shall be of a quality meeting the guidelines for microbiological, chemical, and physical parameters listed in the “latest edition” of the Guidelines for Canadian Drinking Water Quality prepared by the Federal-Provincial-Territorial Subcommittee on Drinking Water. All new water source quality shall have parameters equal to or less than the aesthetic objectives (AO) listed in these guidelines. If necessary, treatment of the source water to reduce iron and manganese below AO shall be provided. Exceptions to these parameters may be approved in writing by the Regional District of Nanaimo with Board Approval.
2. All surface water supplies shall be suitably treated and disinfected as per provincial requirements/regulations. Disinfection will normally be solely by chlorination using proportional solution feed, but other approved methods will be considered, including ultraviolet (UV) units, provided residual chlorination is included.
3. Groundwater sources may require chlorination, either at the discretion of the Vancouver Island Health Authority (VIHA), or by the RDN to suit operational requirements such as integrating a new source into an existing chlorinated system. Space shall, as a minimum, be provided for all chlorine storage and associated equipment.

2.6 **Supply Sources**

1. **Groundwater Source**

Where groundwater is to be the source of supply, a copy of the well driller's log shall be submitted, together with a copy of a well completion report by a Design Professional or a professional geoscientist registered in the Province of British Columbia (The Design Professional). All new wells shall be constructed in accordance with the Groundwater Protection Regulations, November 1, 2005, or their most recent amendment or replacement legislation.

Wells shall be cased with a minimum 200 mm (8 inch) diameter steel casing having a minimum stickup of 300 mm (12 inches) above the proposed final ground surface. The well shall be completed with stainless steel screen(s) selected following sieve analysis of aquifer material, and shall have a surface casing of a minimum 250 mm (10 inch) diameter surrounding the 200 mm well casing (unless otherwise approved in writing by

the RDN). The length of the surface casing shall be designed by The Design Professional and shall not be less than 3 meters (10 feet). A surface seal of at least 4.5 meters (15 feet) shall be installed as per the standard contained in the BC Ground Water Protection Regulation. The ground surface around the well head shall be graded to slope away from the well head at 2% grade or greater.

Any wells which encounter bedrock and source water from within rock, shall have well casing driven into the rock to establish a seal and have a surface annular seal placed to the depth at which bedrock is encountered or to a minimum depth of 4.5 meters (15 feet), whichever is less. All wells completed in bedrock must be equipped with PVC liner with threaded joints to allow for removal of the PVC for periodic well maintenance.

Modifications to well casing to allow for shallow subsurface connection, i.e., pitless adapter units, will require that the surface annular seal be re-established. All new wells shall be equipped with a 25 mm (1 inch) diameter PVC monitoring tube for the installation of a standard water level measuring device without danger of being stuck in the well.

The new well shall have a Well Identification Plate as issued by the BC Ministry of Environment attached to the well casing exposed at surface and clearly visible. Copies of all information for the well including the drillers log, pumping test data, analysis and written reports shall be submitted to the BC Ministry of Environment, VIHA and RDN.

The well completion report shall record results of well pumping tests which shall only occur during the late summer or early fall (August, September, October as this time is generally the lowest ground water levels of the year), and contain conclusions as to the capability of the source with the standard MOE 30%percent drawdown safety factor under conditions of zero surface recharge for 120 days (this figure may be reduced 100 days if authorized in writing by the RDN). All interference effects from adjacent constructed wells, on the assumption that they are all fully operational on a continuous basis over the same 120 day period, shall be allowed for in addition to the 30% drawdown safety factor.

No safety factor is required to be added to the interference drawdown allowance although a 15% reduction will be applied as per RDN Board resolution (December 2009) regarding well capacity redundancy and this will be reviewed by the RDN. The Design Professional shall recommend a rated pumping capacity for the well and all wells which will be reviewed by the RDN. The hydrogeologist may require specific pump rates for proper testing.

The Design Professional shall also assess if and what interference effects the new well will have on any adjacent operating RDN system wells. He shall provide an assessment of the effect in total litres per second of capacity reduction which those operating wells are anticipated to have over the 120 day zero surface recharge condition with the new well operating. The new well pump will be required to be sized to the full long term design capacity, but the allowable new supply applicable to support new development will be lowered by any such capacity reduction which it may have on operating RDN wells.

The well pumping test shall be run for 48 hours continuous pumping (72 hours in bedrock wells) at a pumping rate at or above the projected long-term pumping capacity of the well or until the water level stabilizes, whichever is the longest time. Adjacent constructed wells shall be monitored during the test pumping period, to allow The Design Professional to assess interference effects. Well recovery measurements shall

also be carried out immediately on completion of the test pumping period and shall continue until the well has recovered to at least 95% of its initial level (the RDN may reduce this recovery to 80% but this must be authorized in writing by the RDN). A minimum long-term well design capacity rating of 3.8 l/s (50 igpm) is required for any individual well. The minimum standards for pumping test and well capacity can only be altered in writing by the RDN, where under special circumstances wells meeting all quality guidelines and a capacity rating between 2.3 l/s and 3.8 l/s may be considered by the RDN for acceptance. Well testing procedures shall be in accordance with information provided by the BC Government. In no case shall the pumping test be of less time than it takes to produce a relatively stable water level in the well for an adequate period of time, as approved by The Design Professional.

The well completion report shall include a water balance for the aquifer, which accounts for seasonal recharge and withdrawals by users both directly up-gradient and down-gradient of the existing and proposed subdivision lots. All assumptions incorporated into the water balance calculations shall be stated in the report. The well completion report shall also include an assessment of any risk of flooding around the well and indicate what measures have been taken or will be taken to protect the well or wellhead from entry of flood debris or flood waters or physical damage due to flood debris, ice or erosion. Flood proofing shall be in accordance with the Drinking Water Protection regulation, Section 14 and the Ground Water Protection Regulation, Section 11.

The Regional District may require a more extensive quantitative and qualitative report by the Design Professional where unusual conditions or results occur. Further, the RDN may require the information provided by The Design Professional to be reviewed/scrutinized by a third party Design Professional appointed/retained by the RDN and paid for by the developer/well provider.

All new sources of water shall be approved by the Vancouver Island Health Authority (VIHA) and a "source approval" must be issued by VIHA prior to the source being connected to the Regional District of Nanaimo's public water system. VIHA must also approve the well for service in writing. The connection of new properties requiring a new approved source of water shall not be permitted/approved by the RDN until the source is approved by VIHA. A wellhead protection (WHPR) report suitable to the RDN and in the format shown as "Minimum Requirements" shall also be submitted along with the information provided for source approval. Any requirements imposed by VIHA in the source approval shall be completed by the Developer, unless agreed to otherwise in writing by the RDN.

The RDN shall have legal control over a sanitary control area extending from the well head to a radius of 30 to 60 metres based on a wellhead protection report and to the satisfaction of both VIHA and RDN. RDN shall own the property as fee simple around the well head. The sanitary setback areas preferred form of legal control is fee simple ownership, particularly for the first 30 metres, however, if and to the extent that such is not feasible, this may also take the form of a sanitary control easement satisfactory to both VIHA and the RDN.

New sources shall also include provision of a suitable monitoring well that shall be designed and placed near the production well as recommended and designed by the Design Professional. The monitoring well shall be suitably completed and secured at the surface with a Model Solonist Gold (or other model if approved in writing by the RDN) electronic data logger placed at a suitable depth in the monitoring well.

2. Surface Water Source

The proposed use of surface water as a potable water supply source shall be approved by the Board before being considered. Any surface water source shall meet all provincial government regulations and guidelines for siting, for licensing and for treatment etc.

3. Source Pump Stations and Controls

Due to the individual requirements for source pump stations, a standard detail drawing is not provided in these Community Water System Standards. Prior to completing the preliminary design, the design engineer shall request samples of typical recent acceptable source pump stations, and confirm conceptual design requirements. This will be further reviewed, and requirements confirmed by the RDN at the feasibility design review stage.

Wellhead piping shall consist (as a minimum) of a wye strainer, turbine flow meter, air release valves, check valve, gate valve to throttle flows to recommended output with pressure gauges upstream and downstream and mating flanges with adapter coupling to allow installation of an orifice plate to fine-tune pump output, and a 50 mm (2 inch) diameter valved outlet with 62 mm (2.5 inch) diameter fire hose adapter for flushing purposes. A hose bib shall be provided to permit periodic water sampling. The wellhead building or enclosure shall be designed such that future access to the well is available for pump removal or well redevelopment. This shall normally be achieved by installing a pitless adapter on top of the well, protected from vandalism by installation in a non-confined space concrete chamber with spring-assisted aluminum cover and locking lid. A Model Solonist Gold (or other model if approved in writing by the RDN) electronic data logger shall be installed in the well, with data recording equipment and software. Access to install a well-line into the well for periodic manual monitoring of static and pumping levels in the well shall also be provided. Flow recording instrumentation is required. Surface source piping shall be similar in general concept to wellhead piping, modified as agreed with the RDN and to suit the special site circumstances.

The source pump station building shall be designed to provide adequate heating and insulation, lighting and ventilation. The size of the building shall be discussed and determined at the time of the feasibility review. The building shall be of concrete and block work construction, with two isolated rooms, each having separate access doors. One room shall house mechanical piping and electrical controls, and the second room chlorine injection equipment and liquid chemical storage with built-in spill containment. In special circumstances only, the RDN may approve the use of enclosures in lieu of a building, due to site space or access agreement limitations.

Each pump shall have a variable frequency drive combination motor starter with a motor circuit protector, a "hand-off-auto" selector switch, a green "pump run" pilot light, a red "pump failed" pilot light and an elapsed time meter.

Motor starters for submersible well pumps shall be equipped with quick-trip overload relays. Low level draw-down protection shall be provided utilizing electrodes suspended in the well. Restart of the pump shall be automatic when the water level in the well has recovered sufficiently; however, a red alarm light on the control panel shall require manual reset.

If the system consists of more than one pump, supplied from the same service, the control circuits shall be subdivided into branch circuits in such a manner as not to shut down the entire system if one pump circuit develops a fault. Also, time delays shall be provided to permit staggered re-start of the pumps after a power failure.

The pump control panel shall have protection against single-phasing and a red pilot light which will stay on until manually reset after a power failure.

If the system consists of more than one pump, an automatic alternator or manual lead pump selector switch shall be provided.

A single-pole, double-throw (SPDT) contact shall be provided for remote alarm purposes, which will be activated in the event of pump failure, motor overload, and power failure or low well level. Connection of alarm signal outputs to the RDN answering service or alarm centre shall be provided. An external alarm light may also be required for some installations.

Signal cables for pump control shall be directly buried, either alongside connecting pipelines or in a separate trench, wherever feasible. Cable warning tape shall be installed in the trench over signal cables.

For well sources on new systems where very little water-use occurs during the initial operation period until sufficient new users are connected, the RDN may require installation of an approved automatic flushing device, to help in maintaining water quality.

Supervisory control and data acquisition (SCADA) shall be provided from all data outputs to a central location within the new system, normally at the source pump station. The RDN will be responsible for connection of local data to a centralized system, and for any offsite programming requirements which may be required to integrate the new system into the overall water systems SCADA system.

The RDN may require emergency power back-up on all new water sources. This will be determined at time of feasibility review by analyzing system vulnerability.

2.7 Storage

1. Sizing

Reservoirs shall be sized to provide usable water storage volume to meet the fire flow requirements (Section 2.2.1.3) plus 20 percent of a maximum day's demand for the tributary area, and shall be of at least 365 cu. m (80,000 imperial gallons) capacity. The RDN may agree in writing to reduce the reservoir minimum size requirement.

2. Design

The materials and designs used for finished water storage structures shall provide stability and durability as well as protect the quality of the stored water. Unless one or more reservoirs in the same or higher pressure zone within the system are already operational, the reservoir is to be constructed with two independent cells. This is to allow maintenance of one cell to occur, while the second cell remains in service. During the feasibility review, the reservoir design, security features, dimensions, layout and material of construction shall be discussed and agreed with the RDN. Where practical, concrete reservoirs are preferred (although other materials of construction will be considered for acceptance) provided they are designed in accordance with the Building Regulations of British Columbia and amendments thereto. When topography and pressure zone conditions allow, an in-ground reservoir with a minimum 500 mm gravel and soil covering is preferred, for improved seasonal water quality. Steel structures shall

also follow the current AWWA Standards concerning steel tanks, standpipes, reservoirs, and elevated tanks wherever they are applicable.

The foundation may be designed either with the bottom at ground level, bearing on a slab or ring beam or on legs with the bottom in an elevated position.

Foundation design shall be in accordance with Building Regulations of British Columbia and amendments thereto. A foundation or soils investigations report shall be submitted, prepared by a Geotechnical Engineer registered in the Province of British Columbia.

In addition to the seismic requirements of the Building Regulations of British Columbia due account shall be taken of the effects of both convective and impulsive forces generated by ground motion. Sufficient clearance shall also be provided between high water level and roof soffit to allow for wave generation.

The reservoir structure shall be designed to safely withstand all construction and operating loads.

Reservoirs shall be totally enclosed with adequate ventilation, screened and weather protected. Vents shall project above the highest anticipated depth of snow on the roof.

Concrete reservoirs shall be provided with a roof access hatch served by internal and external ladders. Steel reservoirs shall be provided with a roof access hatch served by internal and external ladders and low level access manhole. Roof access hatches shall be of aluminum with spring-assisted opening, and shall be lockable. A roof mounted plate shall be installed alongside the roof access hatch, to suit mounting of the RDN mobile safety winch mechanism, used during internal access operations.

Access ladders, safety cages, and platforms shall comply with the requirements of the Worker's Compensation Board. Chain link and barbed wire fencing of the reservoir site will be required by the RDN, unless otherwise approved in writing by the RDN for specific site location and security conditions.

An altitude gauge shall be provided at an elevation of 1.2 m above the reservoir foundation.

Inlet piping is to discharge into the reservoir above TWL elevation. An approved outlet set 100 mm above the reservoir floor, a valved drain set at floor level, and an overflow pipe with bell-mouth entry set at 200 mm above normal reservoir top water level with 300 mm clearance from underside of roof shall be provided.

Alarms requiring manual reset shall be provided to indicate reservoir high or low level. In a water system consisting of well or booster pumps, these alarms shall be transmitted along buried signal cables to a central location. Controls may utilize probes or transmitters. Where the reservoir is supplied via pumped water, pump start-stop controls will be required. The RDN may require individual start-stop levels for each pump, or staggered pump start-stop on a timer basis.

The Regional District will require the installation of flow meters with flow data transmission and recording from the reservoir outlet. Level monitoring and recording from a level transducer at the reservoir base, or in a chamber immediately on the outlet pipe, shall also be provided.

2.8 Water Distribution Piping

1. Materials

Unless otherwise permitted, the following pipe materials shall be used for water distribution:

Material	Specifications
Steel Pipe	AWWA C200
Ductile Iron Pipe	AWWA C151
PVC Pipe	AWWA C900 - Class 150, DR 18 maximum

All pipe shall be delivered to site with end caps for shipping and storage. Steel pipe shall be coated and lined in accordance with AWWA C203. Ductile iron pipe shall be cement mortar lined in accordance with AWWA C104. Joints shall be rubber gasket in accordance with AWWA C111. Where corrosive soil conditions exist and metal pipe materials are proposed for use, a soil corrosion survey shall be undertaken by an approved professional. The Regional District may require special protection for the pipe. All pipes shall be designed for the maximum pressures and earth loading to which the pipe will be exposed, but in no case shall the design working plus safety factor pressure or class be less than that providing an AWWA standard rating of 1030 kPa (150 psi). Lesser pressure class pipe may only be used when specifically approved otherwise by the RDN for large installations, where no possibility of pressure surges or pressure zone changes occurring, in which cases Class 100 or better rating pipe would be considered.

2. General Layout

Numerous trunk lines and secondary feeders shall be installed throughout the system. These mains must be large enough to deliver consumption and fire flow demands for the district served, and shall be spaced not more than 900 m apart and looped.

Minor distributors and pipes of the gridiron system shall be a minimum of 150 mm in diameter in residential districts with 150 mm diameter cross mains at intervals not exceeding 180 m. Where no longer lengths of pipe are necessary, 200 mm diameter or larger intersecting main shall be used unless initial pressures are unusually high. 200 mm diameter pipe shall be used where dead ends or poor gridironing are likely to exist for a considerable period, or where the layout of the streets and the topography are not adapted to the above arrangement. Lines furnishing domestic supply only, and not serving hydrants, may be 100 mm diameter. Mains in cul-de-sacs shall be looped wherever feasible by connecting through specifically created rights-of-way or parkland, or by twinning pipe installation and looping pipe ends, for improved water quality. Where a water main ends in a dead end, or a valve is normally closed, a fire hydrant or below ground flushout shall be provided for flushing purposes. Temporary above ground flushouts may only be used on those mains intended to be extended in the near future.

In the high value districts, the minimum size shall be 200 mm diameter. Pipe of minimum 250 mm or 300 mm diameter is to be used on major and network highways and roads as identified in the Official Community Plans of the Regional District and for long lines not cross-connected.

2.9 Service Connections

Unless otherwise permitted, only the following materials may be used for service connections:

Material	Specifications
Polyethylene, PE 3406 - N	Potable Series 160 B.137.1
Plastic	ASTM D2666
Soft Copper, Type K	ASTM B88

In general, polyethylene shall be used for new services, except in special approved circumstances, and copper for replacement of existing old service piping by trenchless “pipe splitting” methods.

The minimum size of service connection is 19 mm diameter. Where the length of service between the main and anticipated building frontage exceeds 30 m, the service connection shall be minimum 25 mm diameter. Corporation and curb stops shall be of the same diameter as the service piping. In the larger sizes of service connection piping, the materials specified in Section 2.8 for water distribution may also be used.

Drawing W-7 of this Schedule shows the general arrangement for water service connections. The minimum size of service connection is 20 mm diameter.

Water service connection locations shall be co-ordinated with B.C. Hydro, TELUS (Telephone Company), and Shaw Cablesystems to avoid any conflict with poles (or proposed underground facilities and service conduits for underground utility installations) at the property lines of parcels. Similarly, conflict with Terasen (gas) services shall also be reviewed and avoided.

1. Corporation Stops

Corporation stops shall be in accordance the following supplementary data:

- a) Full port ball valve.
- b) Minimum 150 psi rating.
- c) AWWA x compression.
- d) Compression nut machined to bottom out on valve body shoulder.
- e) Saddle clamps shall be used as specified by the manufacturer.

2. Curb Stops

Curb stops shall be in accordance with the following supplementary data:

- a) Full port ball valve.
- b) Minimum 150 psi rating.
- c) Compression x meter swivel nut.
- d) Compression nut machined to bottom out on valve body shoulder.
- e) Integral locking.
- f) Drain holes not permitted.
- g) Set on main side of meter box to facilitate meter installation when required.
- h) Curb stops shall initially be set in a 100 mm diameter PVC riser pipe, with the meter box to be installed by the RDN on final connection when the building is under construction, unless agreed otherwise. Concrete meter boxes with full support lip

and steel lid drilled for touch-read meter pad shall be provided to the RDN for this purpose.

2.10 Fire Hydrants

Hydrants shall be in accordance with AWWA C502, compression type, factory-painted yellow. The minimum hydrant size shall be 150 mm diameter. The minimum depth of bury shall be 1.2 m. There shall be a minimum of two 65 mm house outlets and one pumper outlet 117.5 mm P4.23, outside diameter male outlet complete with caps per hydrant. One of the outlets shall have an independent shut-off. Opening for both the main hydrant valve and independent shut-off shall be to the left (counter-clockwise). Outlet threads shall conform to the British Columbia Fire Hose Thread Specification. Main valve spindle and outlet nuts shall be standard pentagon shape. Main valve spindle: pentagon in 45 mm circle. Independent spindle: square 16 mm x 16 mm. Drain outlets are to be provided.

Drawings W-12 and W-13 of this Schedule show the general arrangement for the installation of hydrants. Connections shall not be less than 150 mm diameter. A gate valve will be provided on all connections between the hydrant and the main. Installations shall be in general accordance with AWWA M17. The hydrant shall be installed vertical, with the pumper nozzle perpendicular to the priority access road centreline. Mechanical joint thrust restrainers shall be used on all leads up to 6 m length. For longer hydrant leads, approved joint restrainers shall be used at each pipe joint, or alternatively a thrust block shall be installed behind the hydrant 'boot' in accordance with Drawing W-9.

Hydrant distribution shall be in general conformance with the aforementioned Standard of Municipal Fire Protection, but in all cases spacing shall be such that the maximum distance from a hydrant to the centre of any property measured along the centreline of the street and at right-angles to the property is 75 m. Hydrants will be set in 6 m from the corner at any intersection to facilitate future widening or other street works.

2.11 Valves

Unless otherwise permitted, only the following valves shall be installed in the distribution system:

1. Gate Valves

Gate valves shall be in accordance with Drawing W-8, AWWA C500 and the following supplementary data:

- a) Gate valves shall have an iron body, brass mounted.
- b) Valves shall be the same size as the pipe in which they are installed, up to and including 300 mm diameter. In mains over 300 mm diameter, valves may be butterfly type.
- c) Valve ends shall be provided to fit the pipe.
- d) The position of the in line valve shall be vertical.
- e) Stem seals shall be O-ring.
- f) Valves shall open to the left (counter-clockwise).
- g) Gears will be required on valves 400 mm and larger. Gear cases shall be totally enclosed.
- h) Bypasses will be provided on valves 500 mm in diameter and larger.
- i) Valves shall have a 50 mm square operating nut.

2. Rubber Seated Butterfly Valves

Rubber seated butterfly valves shall be in accordance with AWWA C504 and the following specifications:

- a) Valves shall be the same size as the pipe in which they are installed. Valves shall be of wafer style or short body flanged.
- b) Valve ends shall suit the pipe.
- c) Maximum nonshock shutoff pressure shall be suitable for 1030 kPa, bubble tight.
- d) Valves shall be designed for the extreme maximum flows for both opening and closing.
- e) Shaft seals shall be O-ring type.
- f) Valve disks shall be ductile iron.
- g) Valve operators shall be suitable for buried installation and equipped with a standard operating unit.
- h) Valves shall open to the left (counter-clockwise).
- i) Operators are to be located on the side of the valve with the operating spindle in the vertical position.

In general, valves shall be located at intersections and shall be so positioned that no more than 150 m for high value district and 250 m for other areas are isolated in the case of line repairs. In larger trunk and feeder mains where no interconnections are made, the spacing of valves should not exceed 500 m.

Approved joint restraint fittings shall be provided on all valves.

Where valves are located in the roadway, valve boxes shall be Nelson Type of cast iron and telescoping so the surface loads are not transmitted to the valve body of pipeline. A minimum of 200 mm of future adjustment shall be available on all valve boxes for future raising of grade, by locating the top of PVC riser a maximum of 100 mm below the completed asphalt apron grade at the time of initial installation. Cast iron hoods shall be provided on all gate valves 250 mm diameter or larger. In areas where there is no traffic, valve boxes may be as approved by the Regional District.

Valve markers shall be installed to indicate the location of all valves. These markers shall be constructed of 50 mm metal pipe painted sky blue and set in a concrete base. They shall extend 1 m above the ground surface. The markers shall be located 2 m from the property line opposite the valve and the distance to the valve is to be marked in black figures on a flattened upper portion of the marker.

2.12 Fittings

Fittings shall be designed for a minimum of 1030 kPa working pressure and shall be in accordance with AWWA C110. Ends shall be flanged or belled to suit pipe ends. Flanges shall conform in dimension and drilling to ASA B16.1, Class 125. Flange gaskets shall be of natural rubber and shall be 3mm thick with a layer of cotton on both sides. Approved joint restraints shall be used at all fittings, including restraining of a suitable length of pipe each side of the fitting, except at fire hydrant leads over 6 m with unrestrained pipe joints and at main dead-ends, where thrust blocks shall be provided as shown on Drawing W-9 of this Schedule. Thrust calculations for joint restraints shall be carried out in accordance with the manufacturer's specifications, and shown on the design drawings. Length of pipe to be restrained at each fitting shall be clearly shown on each applicable plan drawing, for the varying pipe sizes and fitting configuration.

2.13 Trenching and Backfill

The standard trench section is shown in Drawings W-1, W-2, and W-3 of this Schedule for various conditions. The nominal minimum depth of cover shall be 1.2 m but in no case shall it be less than 1.0 m unless otherwise permitted by the Regional District. Water mains shall be located not less than 3 m centre-to-centre from all sanitary and storm sewer lines, unless otherwise permitted by the Regional District and the Vancouver Island Health Authority.

1. Bedding material shall conform to the following gradation limits:

Gradation Limits
(Percent by Weight Passing)

<u>Sieve Designation</u>	<u>Type 1</u>	<u>Type 2</u>
19.0 mm	100	90-100
12.5 mm		65-85
9.5 mm	85-100	50-75
4.750 mm	70-100	25-50
2.36 mm		10-35
1.18 mm	20-65	
0.850 mm		5-20
0.6 mm	0-45	
0.425 mm		0-15
0.18 mm		0-8
0.15 mm	0-10	
0.075 mm	0-5	0-5

2. Type 1 is the standard acceptable bedding material. Type 2 shall be used where specified by the design engineer to meet special design loading. Dry sieve analysis shall be carried out in checking material gradation.
3. Other acceptable bedding materials, for use only where shown on the construction drawings or as approved by the Engineer, are drain rock, pea gravel or native material. In rock, pipe zone shall have filter fabric between rock and bedding material. Filter fabric shall be non-woven, minimum grade Armtec 200 or equivalent.
4. The bedding material shall cover the full width of the trench bottom and have a minimum depth of 100 mm on completion of compaction. In rock excavation the minimum depth of bedding below the pipe shall be 150 mm after completion of compaction.

5. Bedding material shall be compacted in maximum 150 mm lifts to 95% of Modified Proctor Density (ASTM D1557). Side tamping shall be carried out with bedding material placed to the pipe springline, to provide haunch support.
6. Bedding material shall be placed in such a manner that the pipe is evenly supported throughout its length by the pipe bedding material.
7. Placement and compaction of the bedding material shall not damage or displace the pipe.
8. Bedding material shall be leveled across the full width of the trench to an elevation of 300 mm above the crown of the pipe.

2.14 Pressure Reducing Stations

General requirements for pressure reducing stations shall be as follows:

1. A valved bypass shall be provided.
2. A surge relief valve shall be provided to release pressure in the event of a failure of the pressure reducing valve(s). The surge relief valve may be incorporated into the pressure reducing station or may be located at some other suitable location within the distribution system.
3. Pressure reducing valves shall be sized to provide adequate pressure control through all ranges of design flows. If necessary, two or more pressure reducing valves of varying sizes will be provided in the one station.
4. Each pressure reducing and surge relief valve will be provided with isolating valves and be installed so that individual components may be easily removed for repair or replacement.
5. The whole of the pressure reducing stations shall be enclosed in a reinforced concrete vault with a standard manhole cover and other opening large enough to remove the largest single piece of equipment in the station. Floor drains sloped at 2 percent shall be provided to keep the station dry at all times and shall not be directly connected to any sanitary sewer, or to a storm sewer without a backwater valve in the storm service connection. Drains to the surface are permissible if there is no risk of flooding. Otherwise, underground absorption pits or sump pumps will be required depending on site condition. A permanent access ladder shall be installed.
6. Pressure gauges complete with snubbers shall be installed to register both upstream and downstream pressure.
7. Adequate strainers with dual cartridge filters shall be supplied on the water used for controlling and regulating valves.

2.15 Booster Pump Stations

General requirements for booster pump stations shall be as follows:

1. A valved bypass shall be provided.

2. There shall be sufficient capacity so that, with the most important pump out of service, the station will be capable of supplying the maximum design flow.
3. It may be requested that provision be made to provide the maximum design flow during a power failure. Normally this will be accomplished by means of an elevated storage tank. Where this is not possible, emergency standby internal combustion engines shall be installed either for direct drive or electric generation.
4. Where design flows are such that starting and stopping surges will cause water hammer in the inlet or discharge lines, pump control valves or other pressure control devices shall be provided. Relief valves will also be required to protect against surges caused by power failure.
5. Pumps shall be controlled by automatic devices satisfactory to the Regional District. Flow and pressure measurement shall be provided where required. Flow recording may be required for some installations. Signal cable for pump control shall be directly buried, either alongside connecting pipelines or in a separate trench, wherever feasible. Cable warning tape shall be installed in the trench over signal cables.
6. Pumps shall normally be housed in above ground buildings, designed to provide adequate insulation, heating, lighting and ventilation.
7. Each pump shall have a combination motor starter with a motor circuit protector, a "hand-off-auto" selector switch, a green "pump run" pilot light, a red "pump failed" pilot light and an elapsed time meter.

If the system consists of more than one pump, supplied from the same service, the control circuits shall be subdivided into branch circuits in such a manner as not to shut down the entire system if one pump circuit develops a fault. Time delays shall be provided to permit staggered re-start of the pumps after a power failure.

The pump control panel shall have protection against single-phasing and a red pilot light which will stay on until manually reset after a power failure.

If the system consists of more than one pump, an automatic alternator or a manual lead pump selector switch shall be provided. Time delays or other means suitable to prevent hunting on momentary pressure surges shall be provided.

The pumps shall be shut down and stay locked in the event of motor high temperature or motor overload. The pumps shall also shut down on low suction pressure, however, re-start shall be automatic when the section pressure recovers, except that a red pilot light shall stay on until manually reset.

A single-pole, double-throw (SPDT) contact shall be provided for remote alarm purposes, which will be activated in the event of pump failure, motor high temperature, motor overload, low suction pressure, power failure or standby engine failure (if applicable). Connection of alarm signal outputs to the RDN answering service or alarm centre shall be provided. An external alarm light may also be required for some installations.

2.16 Water Meter Chambers

General requirements for meter chambers on services of 37 mm diameter and larger shall be as follows:

1. An approved meter and double check backflow preventer shall be provided. The meter shall be touch-read style, conforming to the standard meter manufacturer and reading system used by the RDN.
2. Meters shall be sized to meet the anticipated maximum demand required, while providing accurate metering throughout the flow range. Compound meters, or large and small meters installed in parallel, may be required to meet these requirements, particularly where fire flows are to be metered. Pressure loss and maximum velocities shall also be examined. For systems supporting in-building wet fire sprinkler systems, available pressures during flow conditions shall be examined, to ensure adequate operating pressure is maintained at the sprinkler heads.
3. The meter shall be installed in a chamber or chambers, which are of non-confined space access design. Large lids shall be spring-assisted opening, suitable to carry traffic loading unless the location is totally isolated from existing or future traffic, of aluminum construction when feasible.
4. If a sidewalk location is unavoidable for the meter chamber, the box shall be situated to maximize the unobstructed walking corridor.
5. The meter shall be installed in a horizontal plane.
6. A valved by-pass shall be provided for meters 50 mm diameter and larger, to avoid service shutdown during meter maintenance. For combination domestic and fire flow meters, the by-pass shall be sized for the largest flow rate. By-pass and isolation valves may be installed external to the meter chamber.
7. Meter box lid shall be suitable for mounting a touch pit read pad.

3. CONSTRUCTION

3.1 General

1. Access Roads

Temporary roads shall be constructed as required for access to the working areas. Adequate drainage facilities in the form of ditches, culverts, or other conduits shall be installed as found necessary to maintain these roads. In the construction of access roads, existing drainage facilities, natural or otherwise, shall not be disturbed to the detriment of properties outside the working area and such facilities shall, unless otherwise provided elsewhere in the specifications, be restored to their original condition on completion of the work.

2. Sanitary Facilities

Clean, sanitary latrine accommodations shall be provided and shall be located and maintained in accordance with the regulations of VIHA.

3. Special Tools, Operating Manuals, Shop Drawings

With each piece of mechanical and electrical equipment or machinery having wearing parts and requiring periodical repair and adjustment, all special tools, wrenches, and accessories required for removing worn part, making adjustments, and carrying out

maintenance shall be supplied. All gauges, indicators, and lubricating devices necessary for the proper operation of the equipment shall be furnished.

With each piece of equipment, four sets of operating manuals and as-constructed shop drawings shall be supplied. The manuals shall provide the manufacturer's recommended maintenance schedules with the grades of lubricants required, and instructions as to how the equipment may be taken apart for periodical inspection and replacement.

4. Blasting

Blasting will be permitted only after securing the approval of the applicable authorities. Blasting will not be carried out without first verifying that insurance covers any loss of life or damage that may result from this work. The Regional District, in granting approval for blasting, does not in any way assume responsibility for injury, loss of life, or damage that results there from, and such approval shall not be construed as approval of the methods employed in blasting, the sole responsibility therefore being that of the applicant.

5. Site Maintenance and Clean Up

The working area shall be maintained in an orderly manner and shall not be encumbered with equipment, materials, or debris.

Clean up shall be a continuing process from the start of the work to final acceptance of the project. Property on which work is in progress shall at all times be kept free from accumulations of waste materials or rubbish. Accumulations of waste materials, which might constitute a fire hazard, shall not be permitted. Spillage from hauling vehicles on traveled public or private roads shall be promptly cleaned up. On completion of construction, all temporary structures, rubbish, and waste materials resulting from the operations, shall be removed.

6. Erosion and Sediment Control

An Erosion and Sediment Control Plan shall be submitted for review and approval seven days prior to the pre-construction meeting. The Erosion and Sediment Control Plan shall describe the proposed methodology to minimize potential impact on the surrounding environment. The Erosion and Sediment Control Plan shall indicate how the Contractor plans to control sediment discharges from the project and what measures will be put in place to prevent damage to aquatic habitat located downstream.

The work shall be carried out in compliance with the submitted and approved Erosion and Sediment Control Plan and all other environmental laws affecting the work and with the recommendations contained in the most recent edition of the "Land and Development Guidelines for the Protection of Aquatic Habitat" published jointly by the Ministry of Environment and Fisheries and Oceans Canada.

For the erosion and sediment control plan, 'environmental laws' means all statutes, regulations, orders, and bylaws relating in any way to the natural environment or its ecosystems, public or occupational health, transportation, storage or handling of contaminants or hazardous materials.

3.2 Existing Structures and Utility Works

1. Scope

Existing structures shall be interpreted as being all existing pipes, ducts, ditches, or other works forming a part of sewerage, drainage, water, telephone, electrical, gas, or

other utility system, as well as sidewalks, curbs, poles, fences, buildings, and other man-made things that may be encountered during construction.

2. Material Supply

Unless specified otherwise, materials supplied for replacement of existing structures shall be at least equal to those being replaced.

3. Location of Structures

Drawings or descriptions, verbal or otherwise, of existing structures or their location that are supplied by the Regional District are intended only as an aid to locating these structures. Measurements and location of the existing underground structures shown on the drawings are not guaranteed to be accurate, and must be verified prior to proceeding with construction.

4. Protection of Structures

Unless authorization from the Regional District is received for their removal, underground and surface structures encountered during construction shall be protected from damage. In the event of damage resulting from the construction operation, structures shall be repaired or replaced to a condition, which is at least the equivalent of that which existed prior to construction.

5. Emergency Situations

In emergency situations resulting from the construction operation, where life or property are endangered, the applicant shall immediately take whatever action is possible to eliminate the danger, and shall also notify the Regional District of the situation.

6. Access Maintained

Existing hydrants, valve or control pit covers, valve boxes, curb stop boxes, fire or police call boxes, and all other utility controls, warning systems, and appurtenances thereof shall not be constructed or made inaccessible at any time by the construction work. Bridges, walks, or other temporary facilities shall be provided as may be necessary to ensure that these controls or warning systems are free for use in their normal manner at all times during construction.

7. Curtailment of Utility Service

Where existing utilities such as water, sewer, electricity, telephone, and gas are serving the public, work shall be planned and executed such that there is no curtailment of service provided by these utilities without prior receipt of approval of the authorities responsible for provision and maintenance of these utilities. The applicant shall obtain the above approvals from the recognized authorities controlling these utilities. If approval for such disruption of utility service is not granted, it may be possible to establish temporary facilities to provide continuous utility service during the course of construction. Such temporary facilities shall only be implemented after receiving the approval of the utility authority.

If approval is received to temporarily shut off an existing utility, individual users of the utility shall be notified at least one hour prior to the time of shut-off.

If there is going to be a shut-off, the Fire Department shall be notified at least one hour prior to shut-off time.

8. Support of Structures

Existing structures shall be protected against damage from settlement by means of timber support or compaction of backfill as required. Where necessary, timber support shall remain in place following backfill of excavations.

Backfill which is placed under or adjacent to the existing structures, which have been undermined during excavation, shall be compacted in a manner which will prevent damage of the structure from settlement. Such backfill shall be of approved granular material suitable for compaction.

On existing piping, this material shall extend horizontally a minimum distance of 600 mm on both sides of the pipe at a level 300 mm above the pipe, and shall slope down from this point at 1-1/2 horizontal to 1 vertical to meet the bottom of the excavation.

9. Drainage Facilities

Existing culverts, enclosed drains, flumes and ditches, and other drainage structures affected by the work but left in place shall be kept clear of excavated material at all times during construction. When it is necessary to temporarily remove an existing drainage structure, suitable temporary ditches or other approved means of handling the drainage shall be provided during construction.

3.3 Clearing

Prior to clearing, the exact limits of the areas on which clearing may take place and whether or not there are restrictions placed on clearing which would result in leaving certain trees, structures, or other existing items in place shall be ascertained.

Prior to trenching, the right-of-way shall be cleared of all standing or fallen brush, timber, stumps, or other debris, which may obstruct the construction operation, damage the completed installation, or detract from the appearance of the site on completion of construction. This material shall be burned or otherwise disposed of to the satisfaction of the Regional District.

The restrictions of all authorities established to control burning in the area shall be complied with. If burning cannot be done on the clearing site, the material shall be hauled to an approved location for burning or disposal. Burning permits, as required, shall be obtained by the applicant.

3.4 Trench Alignment and Depth

Following clearing and prior to excavation of the trench, the location at which the pipe shall be installed shall be established by setting stakes at 20.0 m intervals along a line offset from the centre of the proposed pipeline.

Where pipe is to be installed to a predetermined grade, a cut sheet will be provided showing the depth of the pipe invert relative to the grade stake elevation at the respective locations along the pipeline.

The trench shall be excavated so that pipe can be laid to the established alignment and depth, with allowance made for specified trench wall clearances and bedding as shown in Drawings W-1, W-2, and W-3 of this Schedule for various conditions, or otherwise required.

All trenching and excavations shall be carried out in the manner recommended by the Workers' Compensation Board of British Columbia, or as may be necessary to protect life, property, and structures adjacent to the work and the work itself.

3.5 Pipe Installation

In general, and without limiting the clauses set out in this Standard, pipe shall be installed in accordance with the following specifications:

Ductile Iron Main	AWWA C600
Steel Mains	AWWA C603
PVC Mains	AWWA C900

3.6 Trench Backfill

Trench backfill shall be carried out as shown in Drawings W-1, W-2, and W-3 of this Schedule for various conditions.

3.7 Repairs

Any system approved and built to these standards which requires maintenance work, shall be repaired with materials and construction methods conforming to the specifications contained herein.

4. TESTING AND DISINFECTION

4.1 Written Reports

The applicant shall submit reports to the Regional District certified by a Design Professional of the tests and chlorination requirements specified herein.

4.2 Leakage Tests

Following final trench backfilling, leakage tests shall be performed on all installed piping.

Leakage tests shall be carried out between valved sections of the installation such that every valve in the system is tested for leakage in the shut-off position.

Leakage tests shall be performed in the following manner. The section to be tested shall be filled with water and all air expelled from the piping. It is recommended that the test section be filled with water for at least 24 hours prior to testing. By pumping water into the test section, the pressure within the piping shall be increased to 0.7 MPa, or 1-1/2 times the system operating pressure at the point of test, whichever is the greater. This pressure shall be maintained constantly in the pipe throughout the duration of the test by the addition of make-up water. The duration of the test section to maintain the specified pressure over the period of test shall be considered to be the leakage.

Piping will not be accepted until the leakage is less than the maximum allowable leakage determined from the following formula:

$$L = ND \times \text{the square root of } P$$

in which L = the allowable leakage in litres per hour,
N = the number of joints in the test section,
D = the nominal diameter of the pipe in millimetre, and
P = the average test pressure during the leakage test in megapascals.

Should any test disclose leakage greater than that specified above, the defect shall be located and repaired, and the section shall be retested to ensure that the leakage is within the allowable limits.

4.3 Flushing

The pipe shall be cleaned of dirt and other foreign materials. The pipe shall be flushed at water velocities of 1.0 m/s, or as high a velocity as can be obtained from the available water sources. Flushing water shall be discharged to watercourses or ditches that have sufficient capacity to carry the flow. Measures shall be taken to avoid any damage to fish habitat or to fish and other aquatic life.

4.4 Chlorination

On completion of the flushing operation, main pipes and services shall be chlorinated. Chlorination procedures shall conform to AWWA C651.

On completion of chlorination, the entire piping system shall be thoroughly flushed of all highly chlorinated water and filled with normal system water at a slow rate to avoid stirring deposits from existing mains, sampled in accordance with VIHA, and following satisfactory test results left in a condition ready for use.

Water reservoirs and storage tanks shall be disinfected in accordance with AWWA C652, and wells in accordance with AWWA C654.

Chlorinated water shall be disposed of in such a way as to not cause harm or damage to fish, vegetation or aquatic life in bodies of water or water courses; all federal and provincial regulations and/or guidelines on disposing of chlorinated water to the environment shall be followed.

4.5 Inspection

The Regional District shall be given 48 hour notice of all tests and chlorination.

5. TRANSFERRING THE WATER SYSTEM TO THE RDN

5.1 *Final Inspection by RDN*

Prior to requesting a Final Inspection, the Design Professional shall submit to the Regional District complete Record Documents, a completed Certification of Installed Works, all applicable test results (chlorination, pressure, leakage, health, commissioning, etc.), and Certificate of Approval for electrical works (pump stations, wells, lighting, controls, etc.) The Final Inspection shall be arranged by the Design Professional on completion of the work. This shall be directed by the Design Professional in the presence of approved representatives of the Regional District and the installation Contractor. A complete list of deficiencies identified during the final inspection shall be prepared by the Design Professional. Once the deficiencies have been satisfactorily rectified, the Design Professional shall so notify the Regional District. The date of the Final Inspection will generally be regarded as the commencement of the guarantee period, unless significant deficiencies critical to the effective operation of the system are found at the inspection, at the discretion of the Regional District.

5.2 *Preparation/Execution of Transfer Agreement by Developer*

The Developer shall prepare and execute a Draft Transfer Agreement for the works and submit the document to the Regional District for review/comment. Once approved by the Regional District the Developer shall complete the document and execute it accordingly and submit to the Regional District for them to execute. The date of the Transfer Agreement shall be the date on which the Regional District executes the document.

5.3 *Preparation/Execution of Maintenance Agreement*

The Developer shall prepare and execute a Draft Maintenance Agreement for the works and submit the document to the Regional District for review/comment. Once approved by the Regional District the Developer shall complete the document and execute it accordingly and submit to the Regional District for them to execute.

The Developer shall guarantee the workmanship and the performance of the work as per the Maintenance Agreement, from the date of acceptance (generally the date on which the Regional District executes the Transfer Agreement) for a period of two years. This shall be additionally secured by way of cash or an irrevocable letter of credit suitable to the Regional District in the amount of 10% of the cost of construction as certified by the Design Professional or \$10,000.00 (whichever is greater). There will be no interest paid on this security.

The RDN may reduce the length of the guarantee period and/or the amount of the security. The RDN may also require additional payment, or payout a credit as appropriate, related to an adjustment of the initial engineering fee to final construction cost values, in accordance with RDN Bylaw 1259.03 or most recent amendment. Any change to the guarantee period, security amount or the engineering fee is required to be in writing.

5.4 *Preparation/Execution of Latecomer Agreement*

Where a latecomer agreement may be applicable to a portion of the costs of the works, as agreed by the Regional District and any other applicable jurisdictions, the Developer shall pay all costs of both the Regional District and the Developer associated with the preparation, execution, and registration of the necessary Latecomer Agreement. The Regional District will assume any internal staff costs involved in planning, reviewing, approving, and administering the Latecomer Agreement preparation, and any administrative and financial costs involved

during the effective time-period of the agreement. Based on current legislation, a Latecomer Agreement expires 10 years after its initial registration.

5.5 Letter of Acceptance of the Works by RDN

Following completion of all the foregoing requirements, the Regional District will issue the formal Letter of Acceptance of the Works.

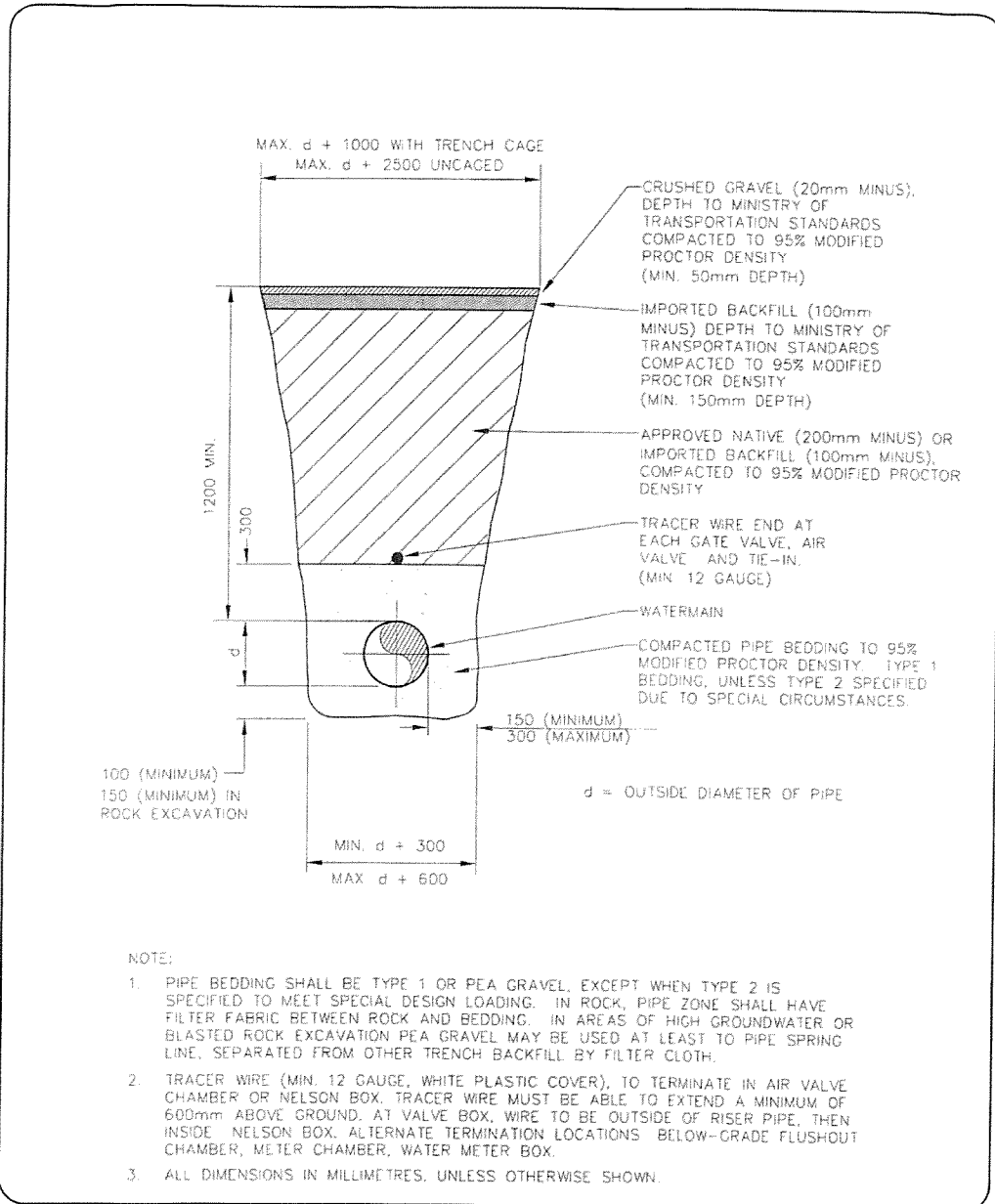
The Regional District will also issue a written statement that the new works can be connected to the District's existing system. Such connection shall be undertaken by the applicant under the direct supervision of the District or by the District at a cost to the applicant.


**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500**

**LAKES DISTRICT AND SCHOONER COVE
COMMUNITY WATER SYSTEM STANDARDS**

APPENDIX 1

STANDARD DRAWINGS



 **BYLAW No. 1562**
COMMUNITY WATER SYSTEM STANDARDS

TRENCH DETAIL
SHOULDER AREAS

REVISIONS		
No.	DATE	DETAILS
0	JUN/06	BYLAW UPDATE

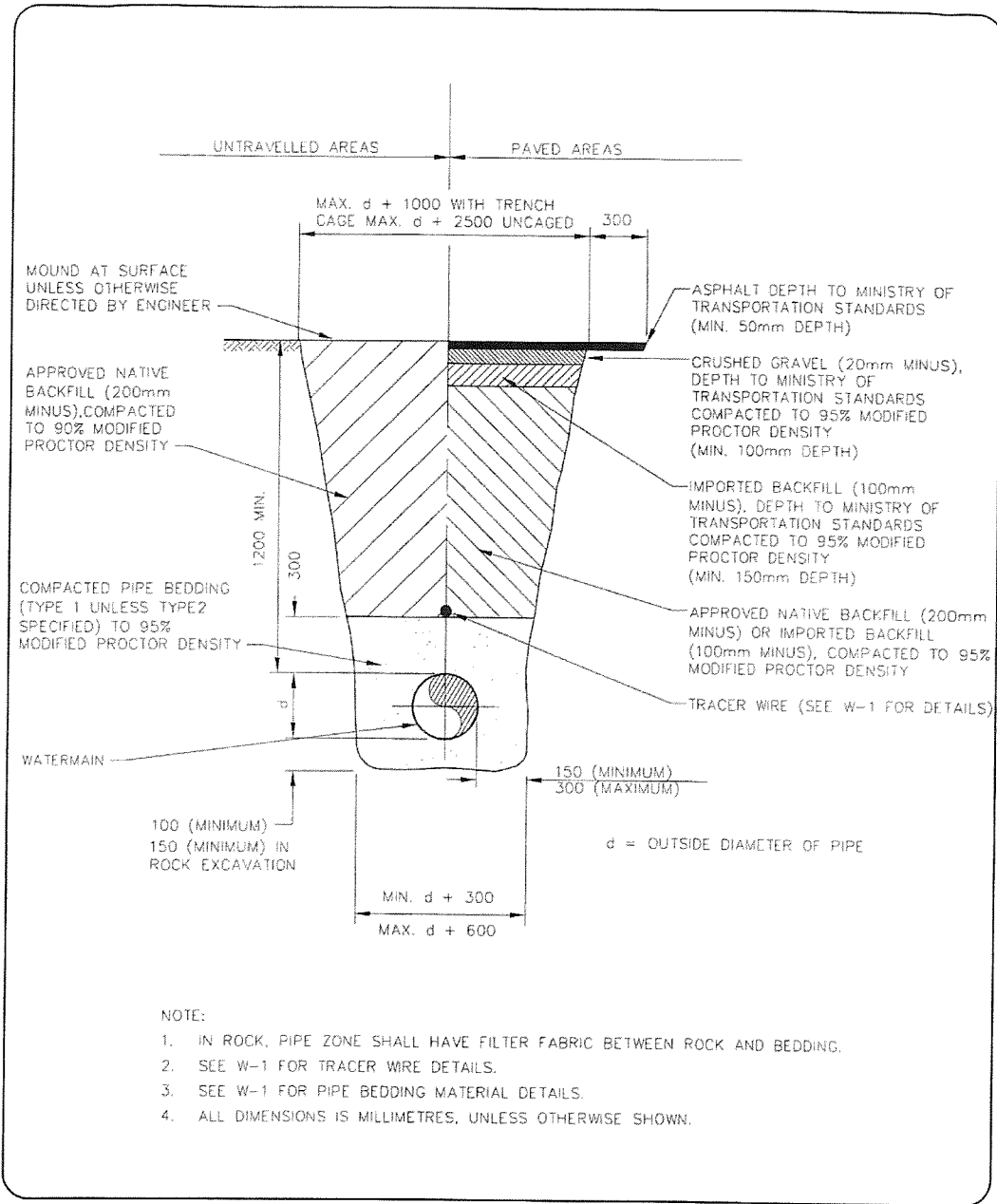
APP. W.F.M.


REVISION

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DRAWING No

W-1



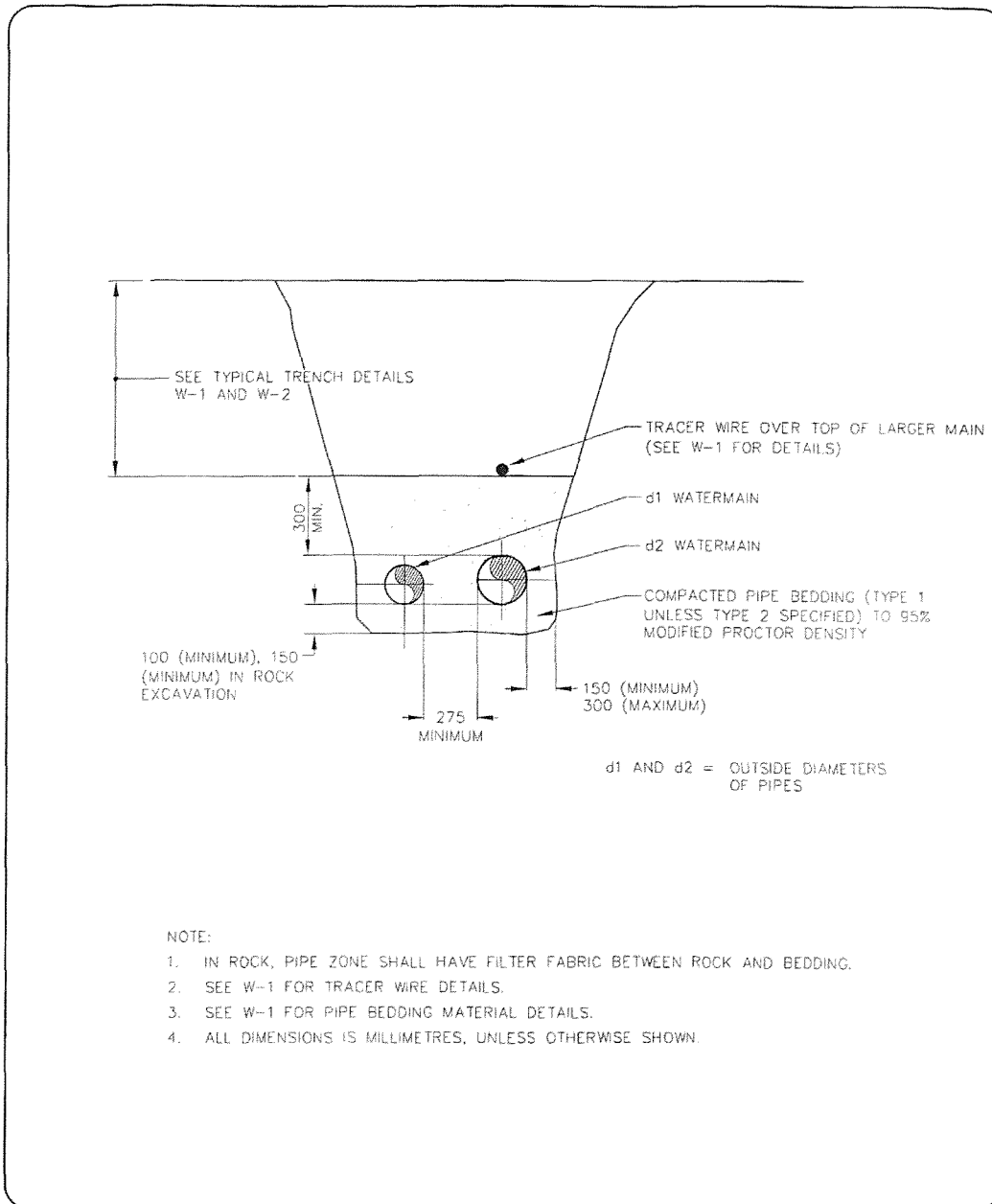
 **BYLAW No. 1562**
COMMUNITY WATER SYSTEM STANDARDS


TRENCH DETAIL
PAVED & UNTRAVELLED AREAS

REVISIONS			APP.
No.	DATE	DETAILS	
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REVISION
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DRAWING No.
W-2



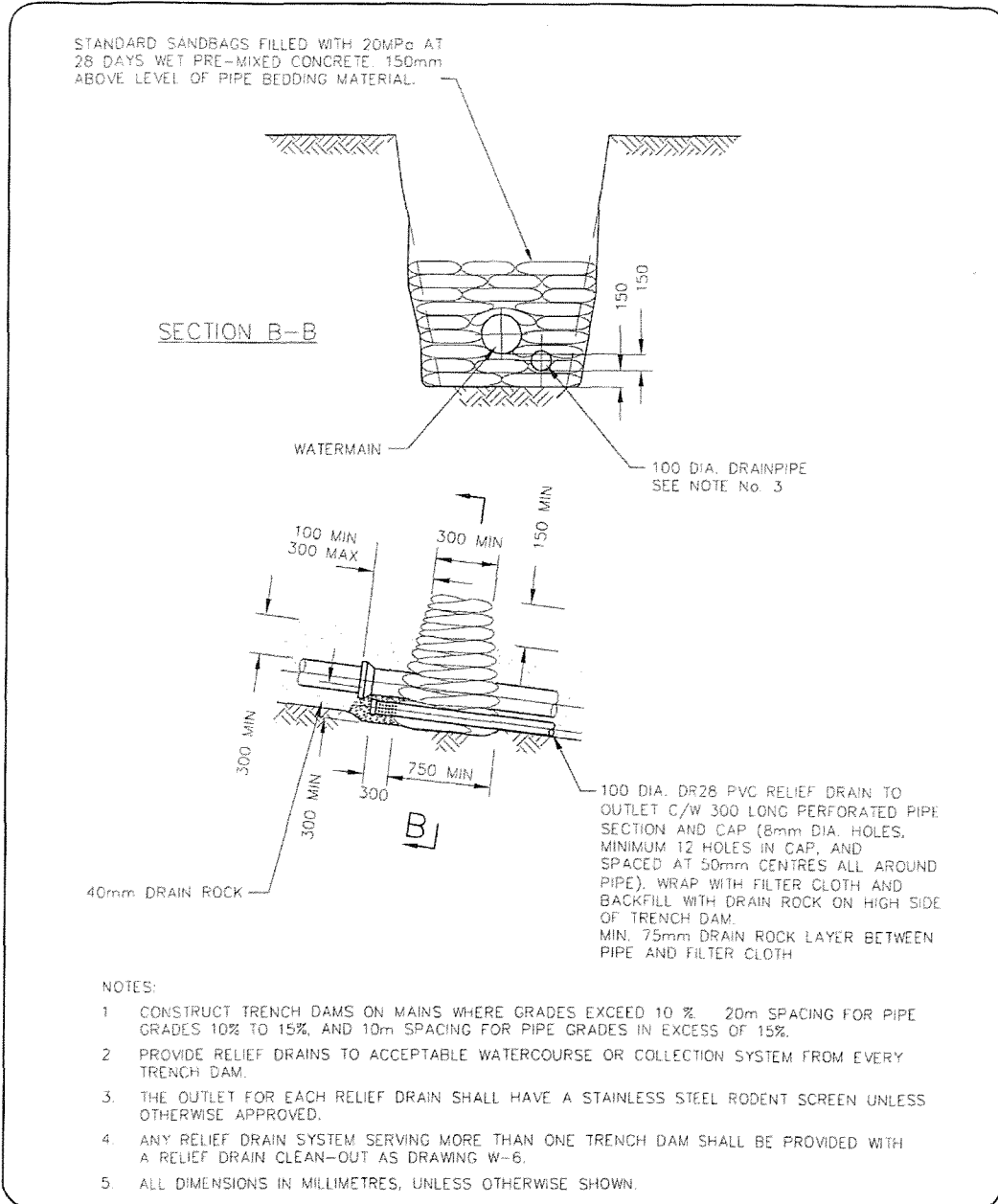
 BYLAW No. 1562
COMMUNITY WATER SYSTEM STANDARDS


**TRENCH DETAIL
TWO PIPES**

REVISIONS			APP.
No.	DATE	DETAILS	
0	JUN/06	BYLAW UPDATE	W.F.M

REVISION: 0

DRAWING No. W-3



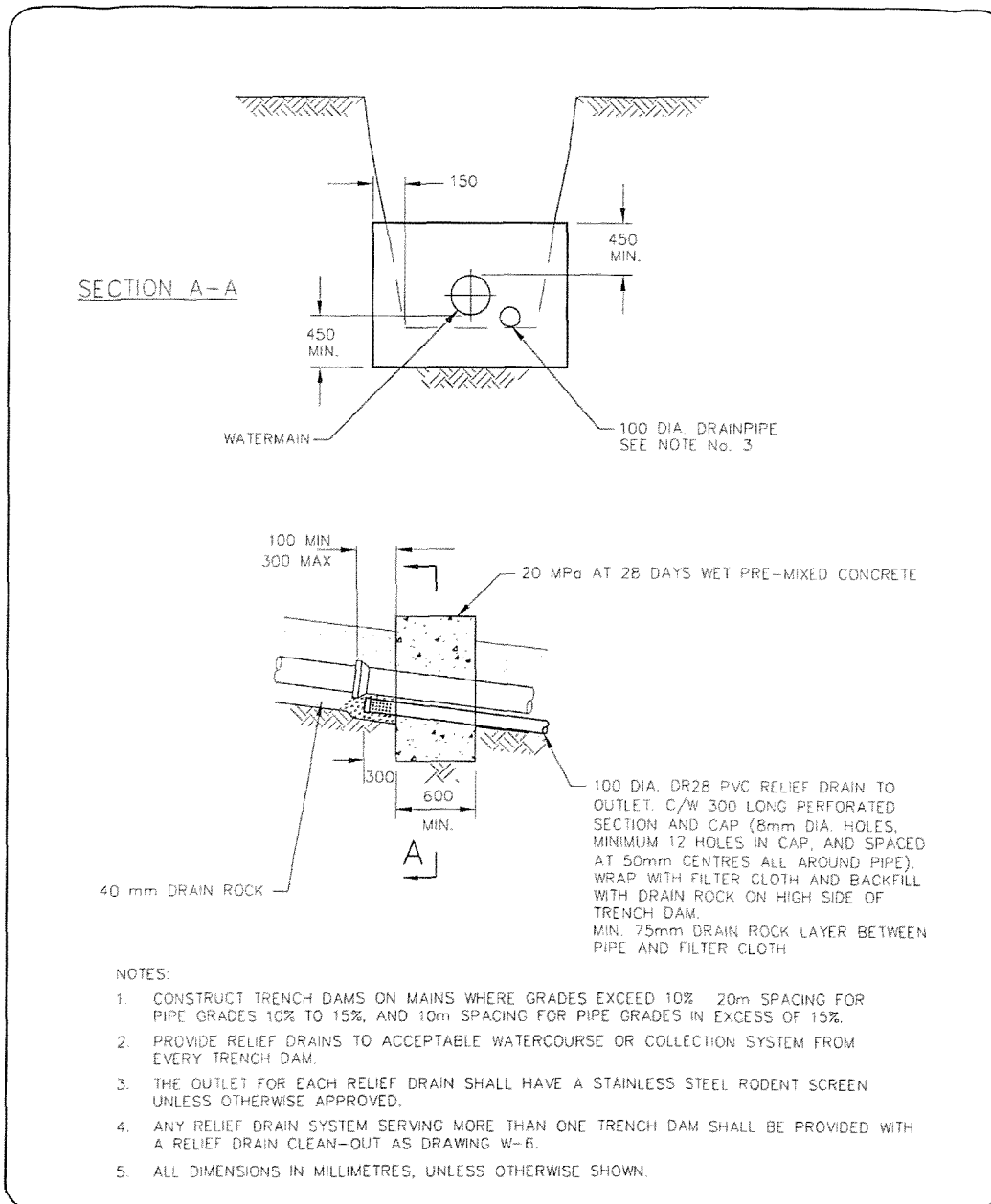

 **BYLAW No. 1562**
COMMUNITY WATER SYSTEM STANDARDS

TRENCH DAM
SANDBAG CONCRETE TRENCH DAM

REVISIONS		
No.	DATE	DETAILS
0	JUN/06	BYLAW UPDATE
		APP. W.F.M.

REVISION
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DRAWING No
W-4

BYLAW No. 1562
COMMUNITY WATER SYSTEM STANDARDS

**TRENCH DAM
FORMED CONCRETE TRENCH DAM**

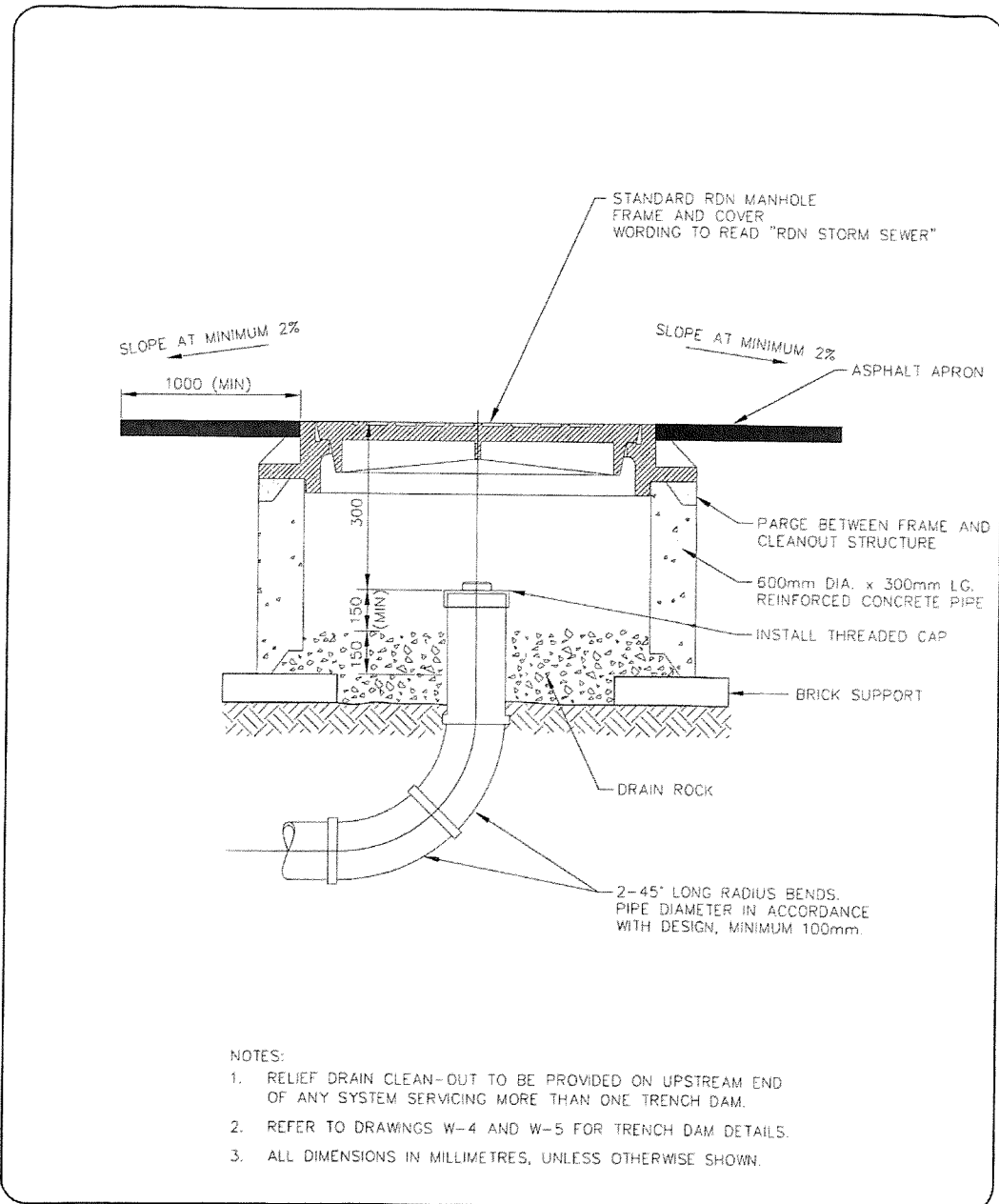
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No.	DATE	DETAILS
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		APP. W.F.M.


REVISION

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DRAWING No

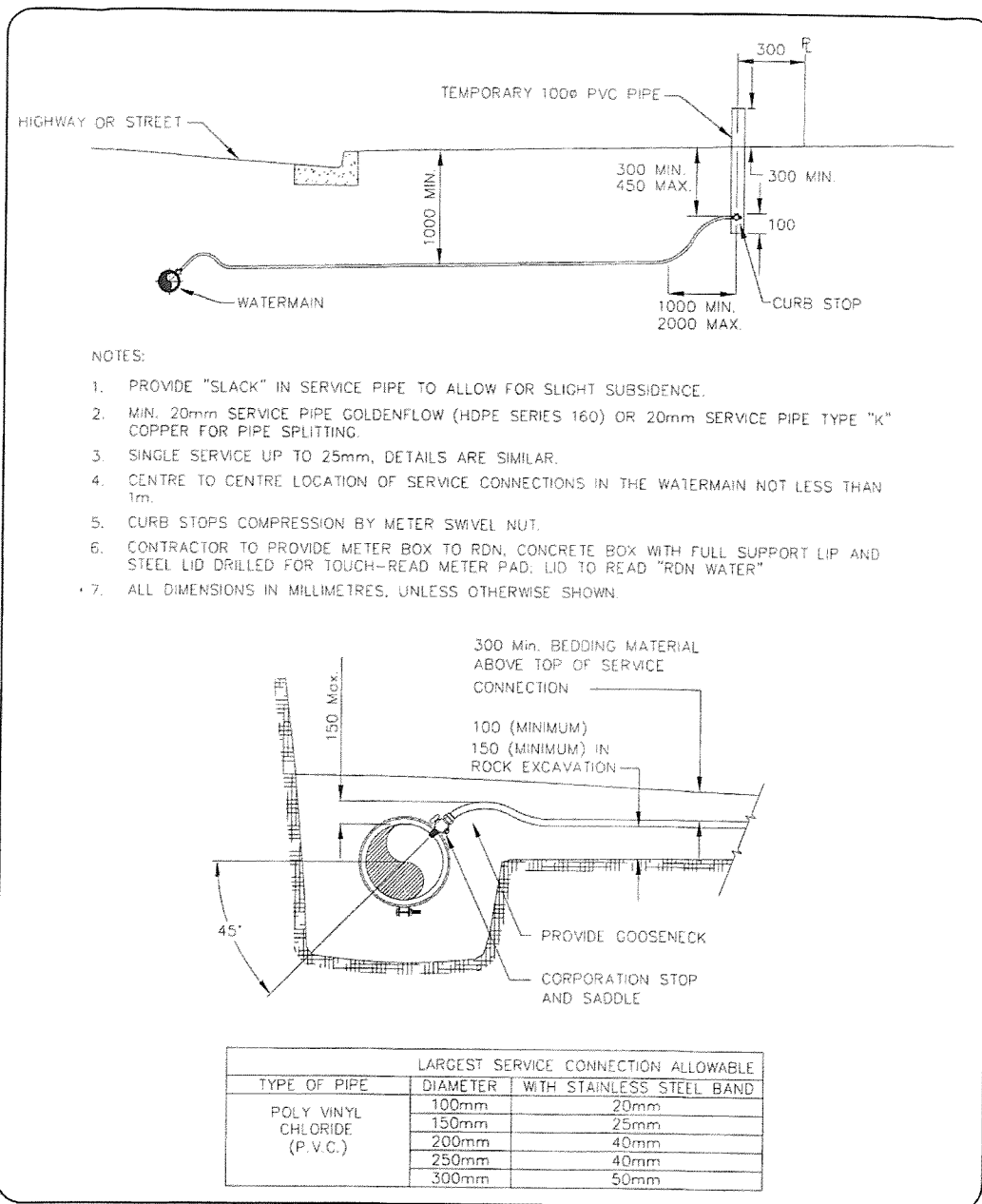
W-5



 **BYLAW No. 1562**
COMMUNITY WATER SYSTEM STANDARDS
RELIEF DRAIN CLEANOUT

REVISIONS		
No.	DATE	DETAILS
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		APP. W.F.M.

REVISION
0
 DRAWING No
W-6



NOTES:

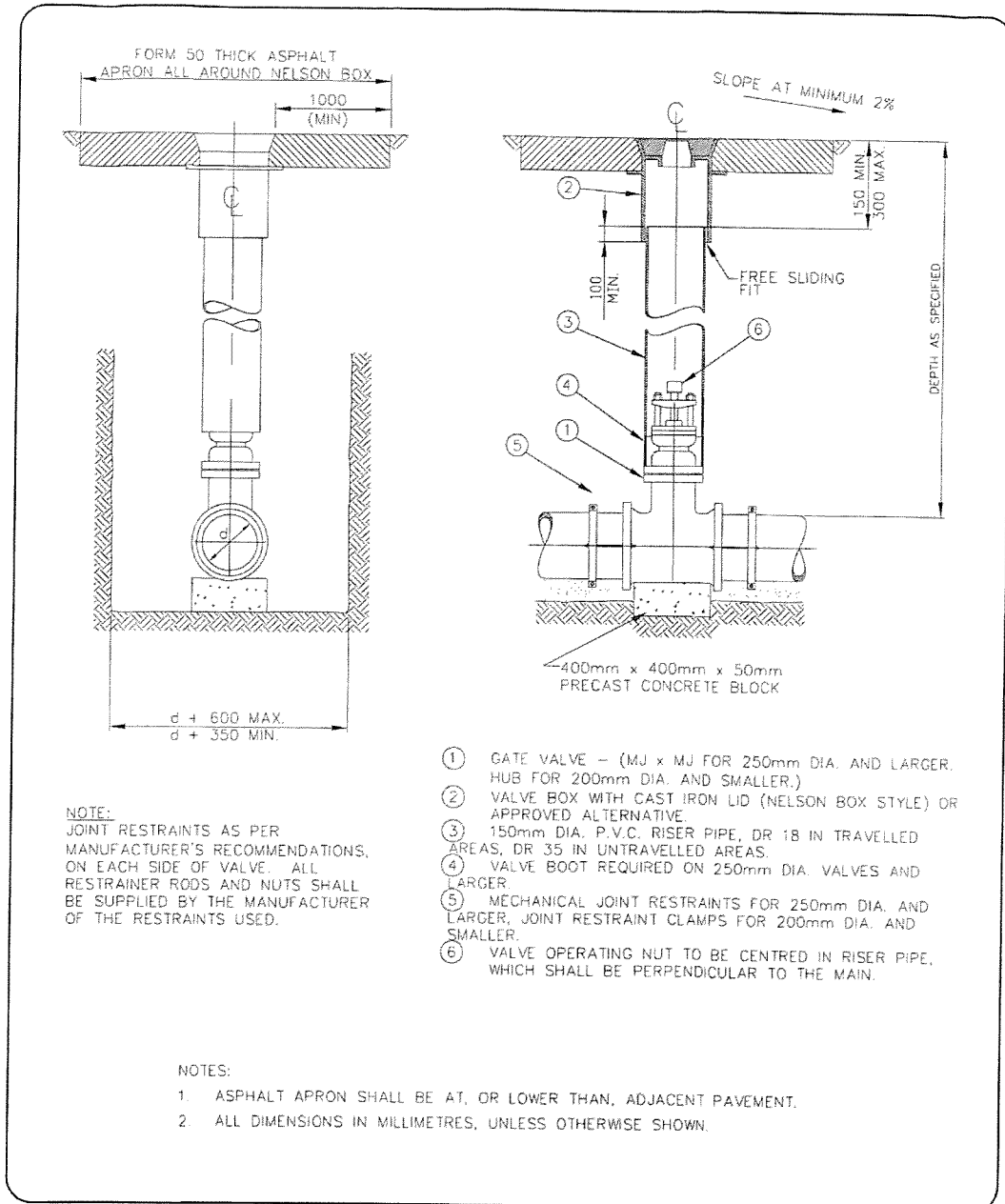
1. PROVIDE "SLACK" IN SERVICE PIPE TO ALLOW FOR SLIGHT SUBSIDENCE.
2. MIN. 20mm SERVICE PIPE GOLDENFLOW (HDPE SERIES 160) OR 20mm SERVICE PIPE TYPE "K" COPPER FOR PIPE SPLITTING.
3. SINGLE SERVICE UP TO 25mm, DETAILS ARE SIMILAR.
4. CENTRE TO CENTRE LOCATION OF SERVICE CONNECTIONS IN THE WATERMAIN NOT LESS THAN 1m.
5. CURB STOPS COMPRESSION BY METER SWIVEL NUT.
6. CONTRACTOR TO PROVIDE METER BOX TO RDN, CONCRETE BOX WITH FULL SUPPORT LIP AND STEEL LID DRILLED FOR TOUCH-READ METER PAD; LID TO READ "RDN WATER"
7. ALL DIMENSIONS IN MILLIMETRES, UNLESS OTHERWISE SHOWN.

BYLAW No. 1562
COMMUNITY WATER SYSTEM STANDARDS
WATER SERVICE CONNECTION

REVISIONS		
No.	DATE	DETAILS
0	JUN/06	BYLAW UPDATE

APP. W.F.M.

REVISION
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DRAWING No.
W-7

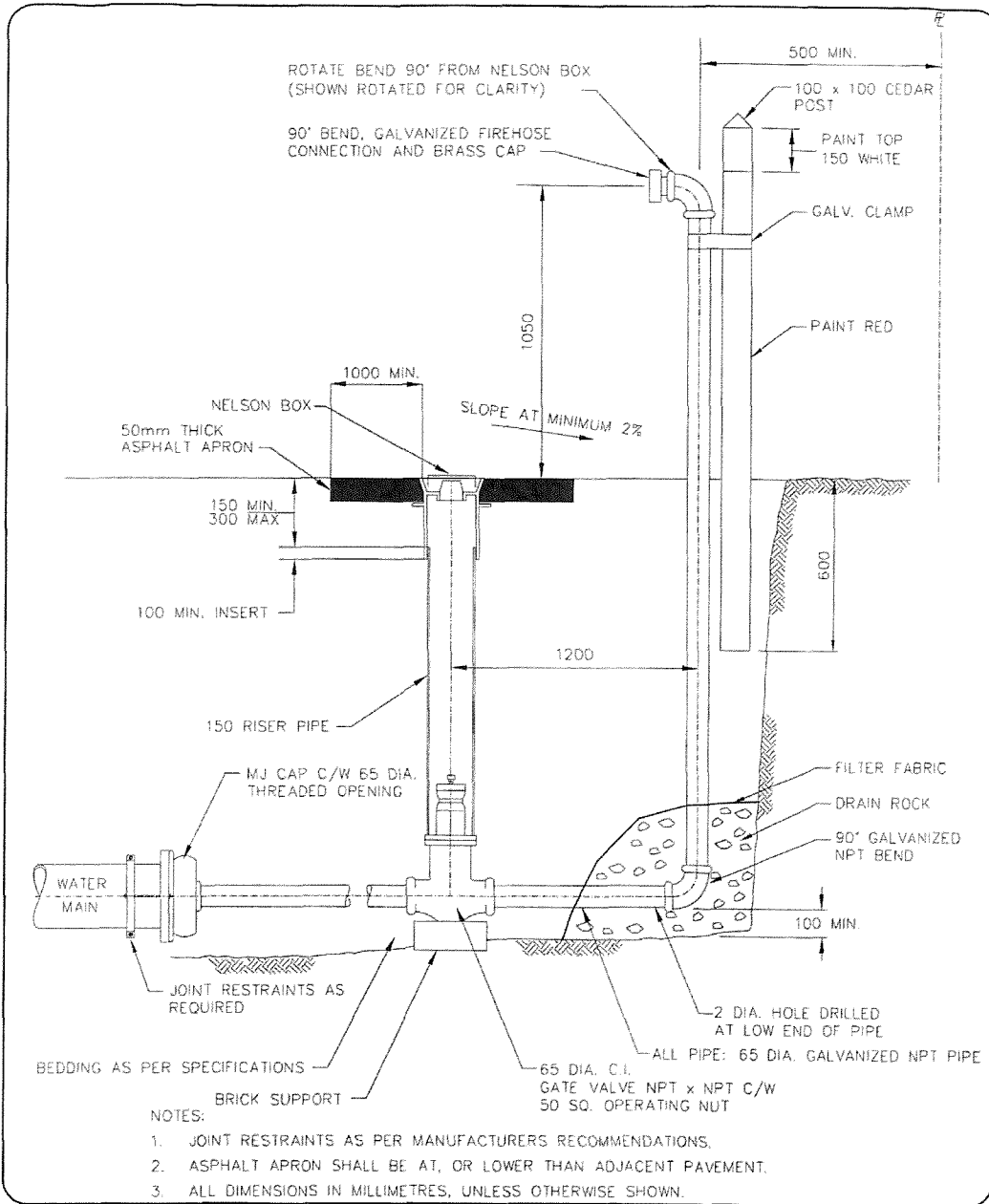


BYLAW No. 1562
COMMUNITY WATER SYSTEM STANDARDS

VALVE

REVISIONS			
No.	DATE	DETAILS	APP.
0	JUN/06	BYLAW UPDATE	W.F.M.

REVISION
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DRAWING No.
W-8



BYLAW No. 1562
COMMUNITY WATER SYSTEM STANDARDS

REGIONAL DISTRICT OF NEVADA

TEMPORARY ABOVE GROUND FLUSHOUT

REVISIONS		
No.	DATE	DETAILS

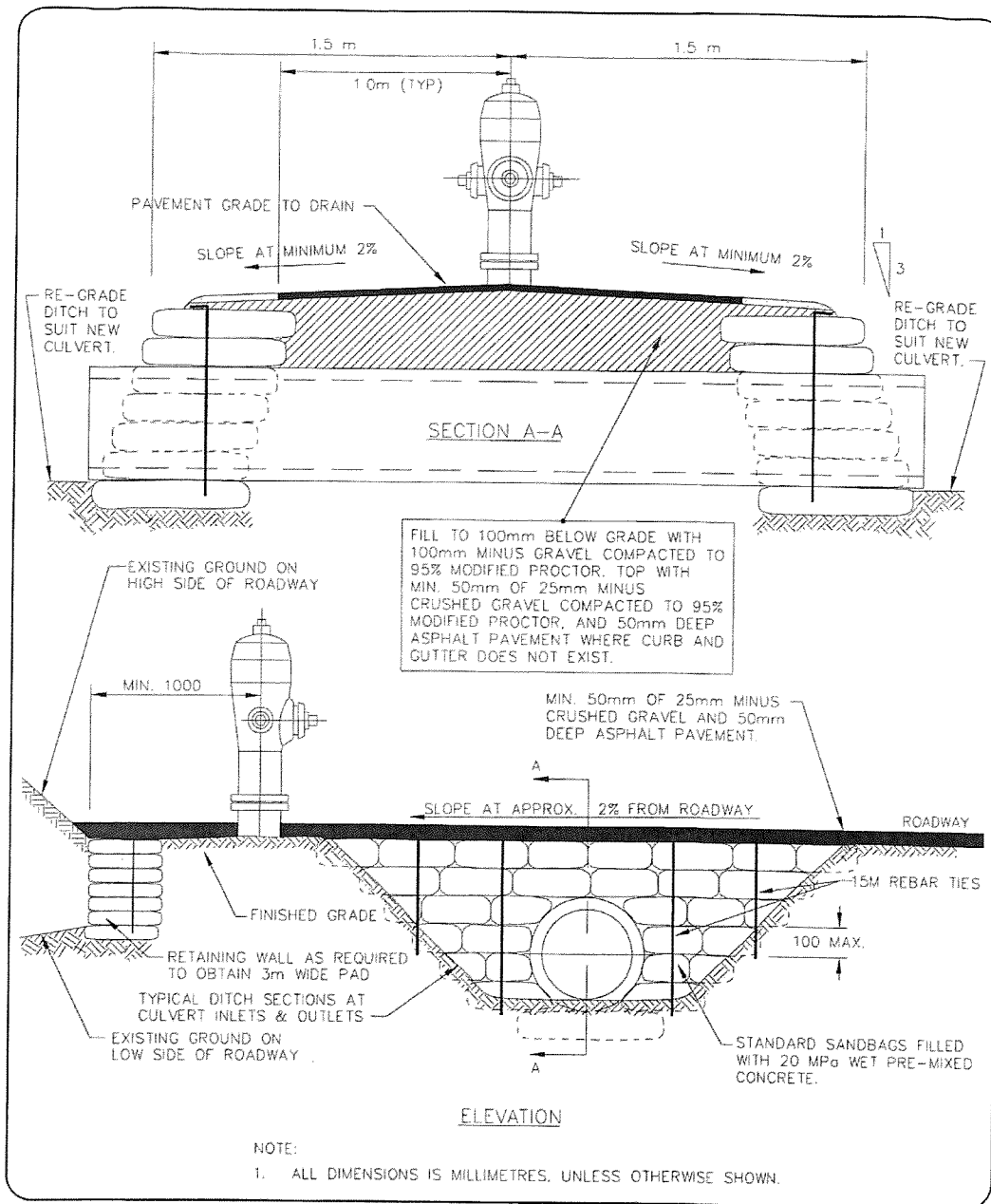
APP. W.F.M.


REVISION

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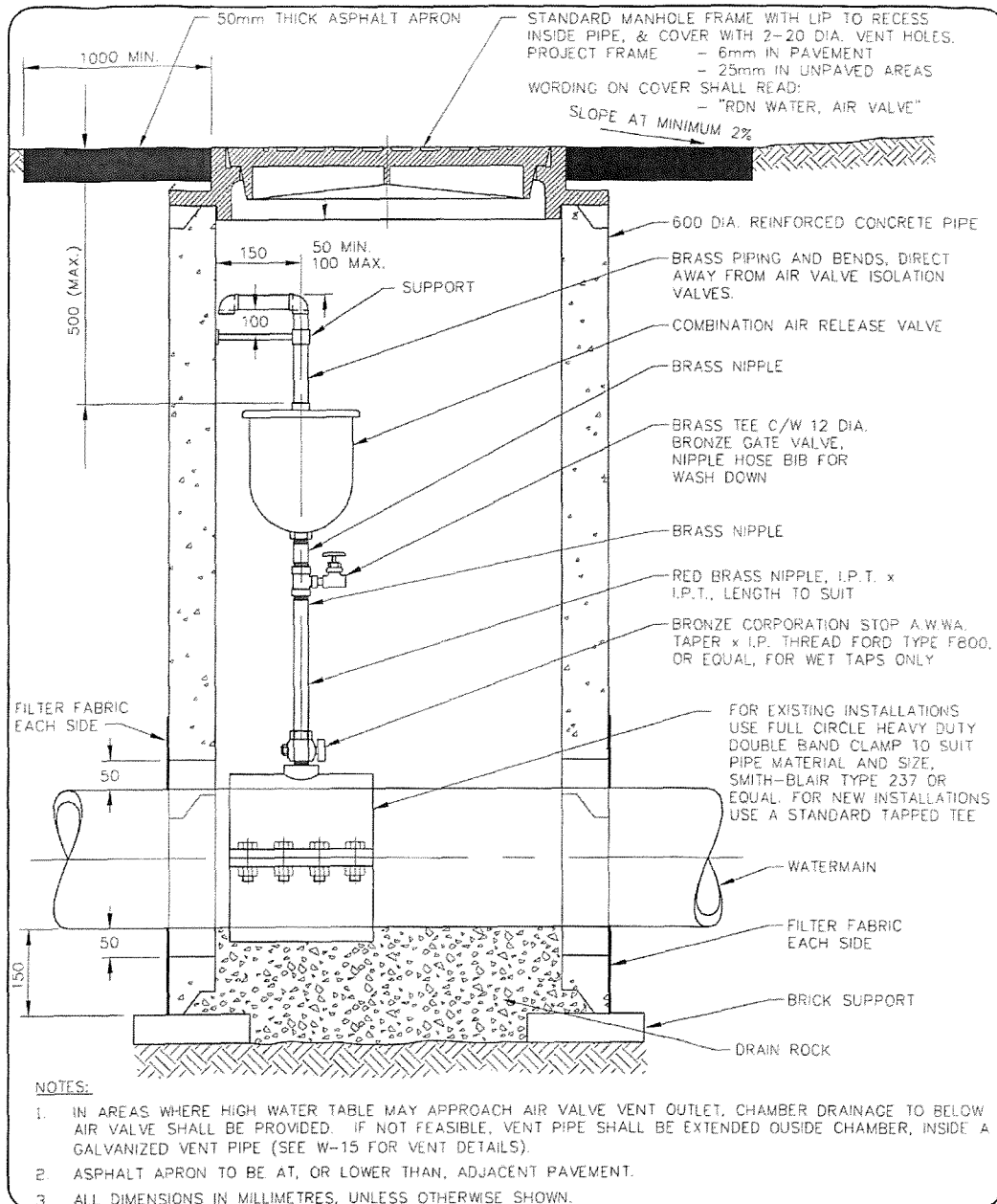
W-11




 **BYLAW No. 1562**
COMMUNITY WATER SYSTEM STANDARDS
HYDRANT ACCESS CULVERT

REVISIONS		
No.	DATE	DETAILS
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		APP. W.F.M.

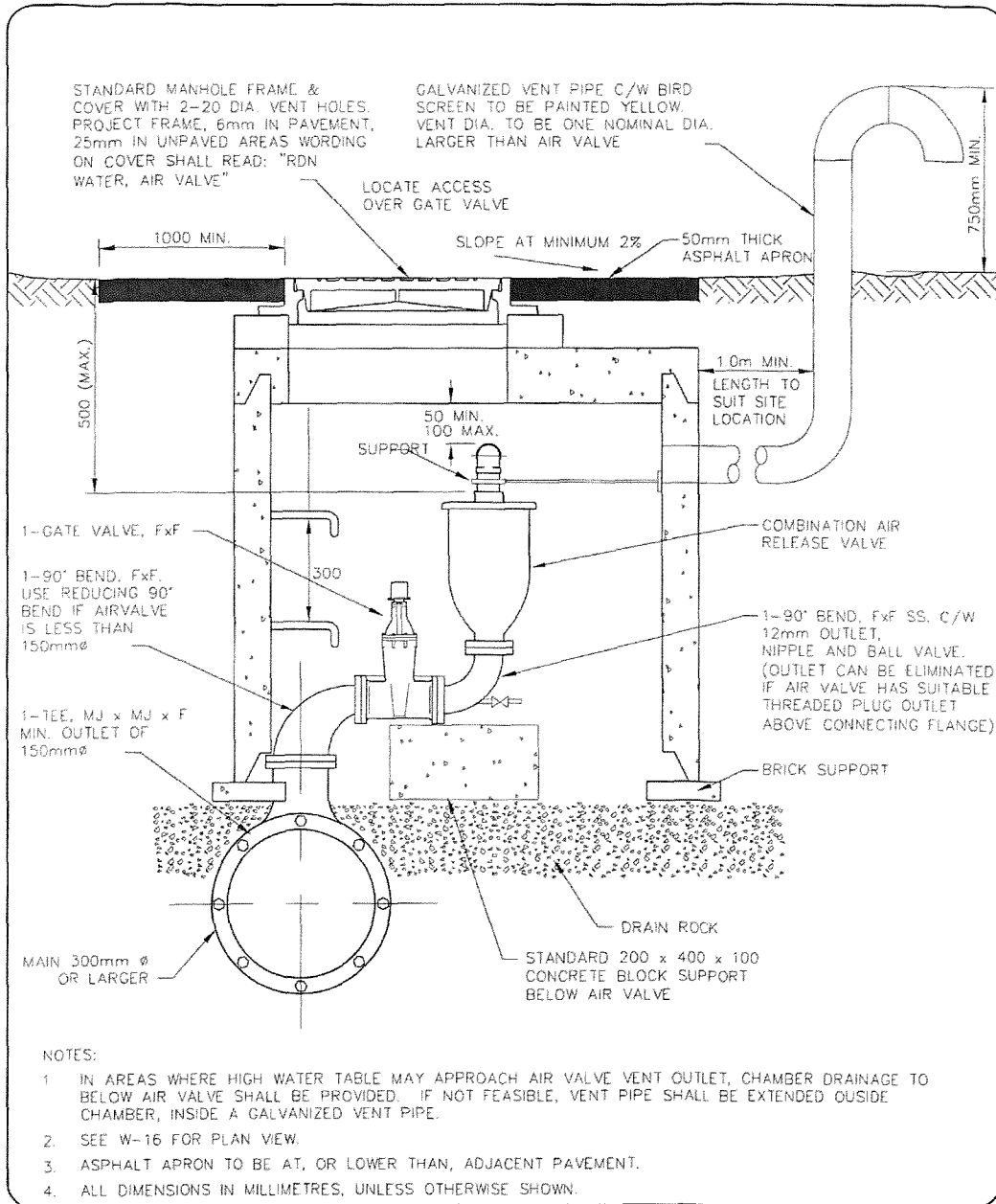
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DRAWING No
W-13




 **BYLAW No. 1562**
COMMUNITY WATER SYSTEM STANDARDS
AIR VALVES UP TO 50mm DIAMETER

REVISIONS			APP.
No.	DATE	DETAILS	W.F.M.
0	JUN/06	BYLAW UPDATE	

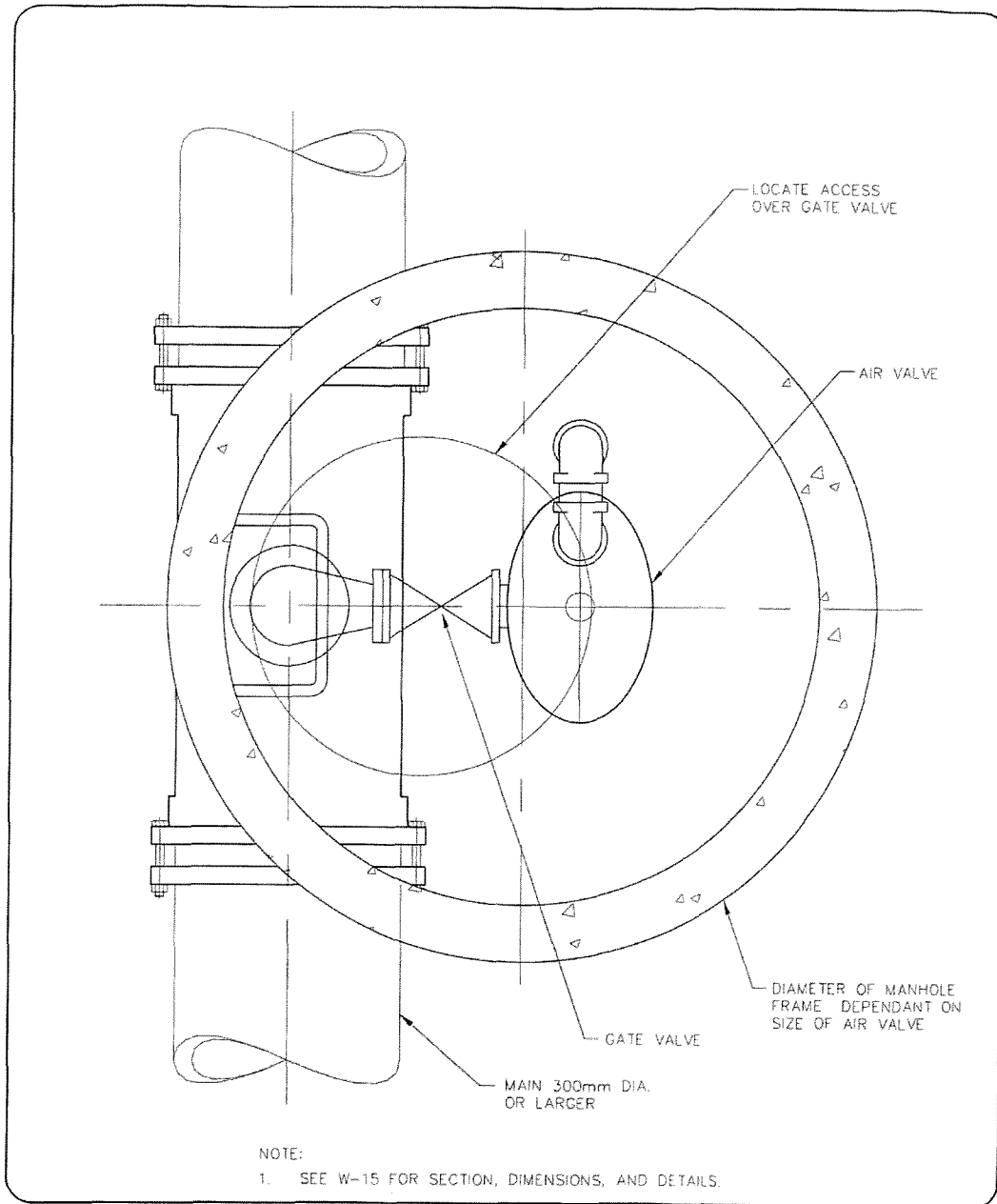

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DRAWING No
W-14



 **BYLAW No. 1562**
COMMUNITY WATER SYSTEM STANDARDS
AIR VALVE 75mm DIA. AND LARGER
SECTION

No.	DATE	REVISIONS		APP.
		DETAILS	BYLAW UPDATE	
0	JUN/06			

REVISION
0
 DRAWING No
W-15

REGIONAL DISTRICT OF NANAIMO

BYLAW No. 1562
COMMUNITY WATER SYSTEM STANDARDS

**AIR VALVE 75mm DIA. AND LARGER
PLAN**

REVISIONS		
No.	DATE	DETAILS
0	JUN/06	BYLAW UPDATE

APP. W.F.M.

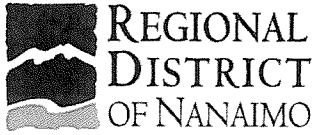
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W-16

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500**

**LAKES DISTRICT AND SCHOONER COVE
COMMUNITY WATER SYSTEM STANDARDS**

APPENDIX 2

LETTER OF ASSURANCE



LETTER OF ASSURANCE

NOTE:

To be submitted at time of Feasibility Review

To: Manager of Engineering Services
 Regional District of Nanaimo
 6300 Hammond Bay Road
 Nanaimo BC V9T 6N2

RE: _____

 (Project)

Date: _____, 20__.

This will confirm that (Developer _____) has retained (Consultant _____) to provide, design, contract administration, inspection and as-constructed drawings for this project all in accordance with the current bylaws and standards of the Regional District and in accordance with good engineering practice.

(Developer)

This confirms we have accepted this assignment on the above terms.

(Consultant)

Appendix 2 - Letter of Assurance

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500**

**LAKES DISTRICT AND SCHOONER COVE
COMMUNITY WATER SYSTEM STANDARDS**

APPENDIX 3

CERTIFICATE OF DESIGN



CERTIFICATE OF DESIGN

I, _____, a Professional Engineer registered in the Province of British Columbia, hereby certify that the works as herein set out on the attached drawings entitled _____

_____ have been designed in accordance with the Regional District of Nanaimo Bylaw 500 and/or in accordance with good engineering practice where such design is not covered by the Regional District Bylaw 500.

I have been retained to provide design, supervision, full-time inspection, as-built drawings, and final certification for this project by:

(Name of Client)

I am satisfied that in the contractual mandate which exists between myself and my client, the terms of reference will permit me to render a level of supervision of the construction work which will allow me to put my name and seal to the "Certification of Installed Works" required by the Regional District of Nanaimo, a sample of which is attached to this document and initialed by me.

In the event that my client releases me from this project, or in the event that I find the terms of reference do not permit me to render a level of supervision of the construction work which will allow me to put my name and seal to the form of certification required by the Regional District of Nanaimo, I will notify the Regional District within twenty-four (24) hours verbally and follow it up with written confirmation and clarification.

Signed this _____ day of _____, 20____.

_____, P.Eng.

(signature)

(name printed)

I understand that the "Certification of Installed Works" is to be completed in this format and submitted with the "as-constructed" drawings.

(Engineer)

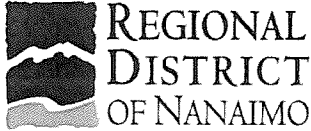
Initial	Initial
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**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500**

**LAKES DISTRICT AND SCHOONER COVE
COMMUNITY WATER SYSTEM STANDARDS**

APPENDIX 4

CERTIFICATION OF INSTALLED WORKS



CERTIFICATION OF INSTALLED WORKS

NOTE: To be completed in this format and submitted with the 'As-Built' drawings

Location of the Construction Site and Works: (Legal Description / Location)

all within the Regional District of Nanaimo, British Columbia.

I, _____, a Registered Professional Engineer (Reg. No. _____) in the Province of British Columbia, hereby certify:

1. THAT the following construction tests were carried out to confirm that construction met the specifications required:

- a) _____
- b) _____
- c) _____
- d) _____
- e) _____
- f) _____

2. THAT I was able to monitor the construction and provide a level of supervision of the construction work sufficient to be able to confirm that the specifications in force and effect by the Regional District of Nanaimo and in the applicable design drawings for the said Works were generally met during the Construction Period; and

3. THAT the accompanying plans labeled:

- (i) _____
- (ii) _____
- (iii) _____

accurately record the materials, grades, inverts, offsets and dimensions of the constructed work.

DATED this _____ day of _____, 20 _____.

Engineer (signature & seal)

Engineering Firm

Initial	Initial
---------	---------

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500**

**LAKES DISTRICT AND SCHOONER COVE
COMMUNITY WATER SYSTEM STANDARDS**

APPENDIX 5

**OUTLINE FOR WELLHEAD PROTECTION REPORT
(MINIMUM REQUIREMENTS)**

OUTLINE FOR WELLHEAD PROTECTION REPORT

(Version: November 19, 2009)

Acceptable Preliminary Well Head Protection Plan (WHPP) for New Wells supplied to the RDN by/for private land development (to be prepared by a qualified professional in ground water and well head protection and approved by the RDN prior to appointment).

Below are the minimum requirements for this Document:

Name of the Plan (WHPP), describe the well #'s, legal location of well(s), client, development for which the well is being provided and client file number.

1.0 INTRODUCTION

2.0 BACKGROUND

- 2.1 SITE DESCRIPTION (including a sketch of the current and proposed lot boundaries, locations of wells on current and proposed lots plus on adjacent properties, locations of sewage disposal fields, drainage ditches, dry wells or infiltrations areas, all surface bodies [either permanent and/or intermittent] and other relevant information)
- 2.2 OVERVIEW OF WELL PROTECTION PLANNING
- 2.3 SCOPE OF WORK

3.0 NOTES of MEETINGS with RDN, DEVELOPER, CONSULTANT, etc.

4.0 NOTES of DISCUSSIONS WITH VIHA STAFF

5.0 HYDROGEOLOGIC CONDITIONS

- 5.1 CLIMATE
- 5.2 TOPOGRAPHY AND SURFACE WATER DRAINAGE
- 5.3 GEOLOGY
- 5.4 LOCAL AQUIFERS (include sketch showing aquifer extent and boundaries if present, well head and static water level elevation, areas of recharge and discharge and direction of groundwater flow under natural conditions)
- 5.5 LOCAL GROUNDWATER USE (number and location of wells and estimates of seasonal water use)
- 5.6 WATER QUALITY (identify where the water quality exceeds guidelines and specifically iron and manganese)
- 5.7 NEW AND EXISTING WELLS ON PROPOSED LOTS (to include information on total well depth and depth of fractures producing groundwater or well screens. Also include testing and yield evaluation results. All pumping test data and well logs to be included with report)
- 5.8 COMPLIANCE OF WELLS WITH BC GROUNDWATER PROTECTION REGULATIONS
- 5.9 ASSESSMENT OF POTENTIAL FOR MUTUAL WELL INTERFERENCE

- 6.0 CURRENT ZONING OF WELL HEAD AND PROPOSED AND ADJACENT CURRENT LAND USE (within minimum 1 kilometre of well(s))**

- 7.0 PRELIMINARY WELL HEAD PROTECTION PLAN**
 - 7.1 WELL HEAD PROTECTION AREA
 - 7.2 AREAS OF POTENTIAL ENVIRONMENTAL CONCERN
 - 7.2.1 WELLS AS A POTENTIAL CONDUIT TO THE SUB-SURFACE
 - 7.2.2 SEWAGE DISPOSAL SEPTIC FIELDS
 - 7.2.3 STORMWATER DISPOSAL
 - 7.2.4 HEATING OIL ABOVE GROUND AND UNDERGROUND STORAGE TANKS
 - 7.2.5 HISTORICAL OPERATIONS (ON SITE AS WELL AS ADJACENT TO SITE)
 - 7.2.6 POTENTIAL FOR SALTWATER INTRUSION
 - 7.3 DETERMINATION OF WELL HEAD CAPTURE ZONE (include background on methodologies to determine zones, why specific method was used and assumptions incorporated into analysis)
 - 7.4 RECOMMENDATIONS FOR WELL PROTECTION AREA MANAGEMENT
 - 7.4.1 WELL CONSTRUCTION AND CLOSURE ISSUES
 - 7.4.2 SEWAGE DISPOSAL SEPTIC FIELD SYSTEMS
 - 7.4.3 STORMWATER DISPOSAL MANAGEMENT
 - 7.4.4 HEATING OIL UNDERGROUND STORAGE TANKS
 - 7.4.5 MONITORING SPECIFIC TO SALTWATER INTRUSION
 - 7.4.6 WATER QUALITY MONITORING

- 8.0 CONCLUSION AND RECOMMENDATIONS (ALSO INCLUDE ANY COST ASSOCIATED WITH RECOMMENDATIONS)**

- 9.0 COMMITMENT FOR ANNUAL MONITORING AND REPORTING ON WHPP TO RDN**

Initial	Initial
---------	---------

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500**

**LAKES DISTRICT AND SCHOONER COVE
COMMUNITY WATER SYSTEM STANDARDS**

APPENDIX 6

STANDBY IRREVOCABLE LETTER OF CREDIT

[BANK LETTERHEAD]

Letter of Credit No.	_____	Amount:	_____
Applicant	_____	Initial Expiry Date:	_____
	_____	Beneficiary:	_____

For the account of _____
(Name of Customer)

up to an aggregate amount of _____ available on demand.

Pursuant to the request of our customer, we hereby establish and give you a Standby Irrevocable Letter of Credit in your favour in the above amount which may be drawn on by you at any time and from time to time, upon written demand for payment made upon us by you, which demand we shall honour without enquiring whether you have the right as between yourself and the said customer to make such demand, and without recognizing any claim of our said customer, or objection by it to payment by us.

This Letter of Credit relates to those Regional District of Nanaimo services and financial obligations set out in an Agreement between the customer and the Regional District of Nanaimo and briefly described as:

The amount of this Letter of Credit may be reduced from time to time as advised by notice in writing to us by the Regional District of Nanaimo.

Partial or full drawings may be made.

This Letter of Credit shall expire at 3:00 p.m. on _____. This Letter of Credit will continue in force for a period of 1 year, but shall be subject to the condition hereinafter set forth.

It is a condition of the Letter of credit that it shall be deemed to be automatically extended without amendment from year to year from the present or any future expiration date hereof, unless at least 30 days prior to the present or any future expiration date, we notify you in writing by registered mail, that we elect not to consider this Letter of Credit to be renewable for any additional period. This Letter of Credit is subject to the Uniform Custom and Practice for Documentary Credits (1993 Revision) International Chamber of Commerce Publication No. 500.

Appendix 6 - Standby Irrevocable Letter of Credit

DATED at _____, British Columbia, this _____ day of _____, 20____.

(Name of Bank)

(Address of Bank)

PER:

(Authorized Signature)

Schedule '1' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.388, 2013".

Chairperson

Corporate Officer

Schedule '2'

Schedule 4D1

Lakes District and Schooner Cove Community Sewer System Standards

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 500

SCHEDULE 4 D 1

2013 LAKES DISTRICT AND SCHOONER COVE

COMMUNITY SEWER SYSTEM STANDARDS

REGIONAL DISTRICT OF NANAIMO
LAKES DISTRICT AND SCHOONER COVE
2013 COMMUNITY SEWER SYSTEM STANDARDS
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Appendix 2.....	Letter of Assurance
Appendix 3	Certificate of Design
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Appendix 5	Stand by Irrevocable Letter of Credit

1. GENERAL

1.1. Requirement

The RDN will require a “Subdivision Servicing Agreement” to be completed for any new sewer system or existing system extension, unless otherwise agreed to in writing by the RDN.

Sewage collection and conveyance systems shall be designed, installed, extended, tested and maintained in accordance with the following regulations and standards.

The sewer standards for design and construction of the sewer within the Lakes District and the Schooner Cove Community Sewer Standards Area are to be governed by Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987, and particularly by this Schedule 4D1.

It is the intention of the RDN to enter into a phased development agreement under section 905.1 of the *Local Government Act* with the property owner of the lands within the Lakes District Comprehensive Development Zone CD44 and the Schooner Cove Comprehensive Development CD45 that will specify changes to specified subdivision servicing bylaw provisions that would not apply to the development contemplated under that agreement, unless agreed to in writing by the developer.

1.2. Design

The engineering design of the sewage collection and conveyance systems shall be carried out by, and the preparation of drawings and specifications shall be sealed by a Professional Civil Engineer registered in the Province of British Columbia, and shall conform to these Standards.

1.3. Definitions

ADWF means average Dry Weather Flow

AWWF means average Wet Weather Flow

B.O.D means quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20°C expressed in mg/l.

Collection facility means A facility used for the collection and conveyance of sanitary sewage.

Comminuted Garbage means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 6mm in any dimension

Design Flow means peak sewage flow plus peak storm water infiltration.

Direct Service Area means land and improvements directly served by the proposed facility.

Engineer means the Manager of Engineering Services for the Regional District of Nanaimo, or the person designated by the General Manager of Regional and Community Utilities.

Engineer of Record means a Professional Engineer registered with the Association of Professional Engineers and Geoscientists of BC who is responsible for the construction drawings and documents. The Engineer of Record will be the engineer that signs and seals the record drawings and the certification of installed works.

Facilities means sewers, sewage treatment and disposal plants, pumping stations and other works necessary thereto, and outlets for carrying off, treating and disposing of sewage, and includes any and all works, structures, lands, conveniences, incidental to and necessary for a sewerage system.

Garbage means solid wastes from domestic and commercial preparation cooking and dispensing of food, and from the handling, storage and sale of produce.

Industrial Waste means liquid waste from industrial manufacturing processes trade or business, as distinct from sanitary sewage.

Lateral Sewer means sewer serving more than a single subdivided parcel

LPCPD means litres per capita per day

l/s means litres per second

mg/l means milligrams per litre

MPa means megapascals (1000 kPa)

Member Municipality or Member means a municipality or improvement district within the Regional District of Nanaimo.

M³/ha means cubic metres per hectare

M³pd means cubic metres per day

PDWF means Peak Dry Weather Flow

pH means the logarithm of the reciprocal of the weight of hydrogen ions in grams per litre of solution

ppm means parts per million

Peaking Factor (PF) means the Ratio of peak dry weather flow to the average dry weather flow.

Regional District means in this document the Regional District shall refer to the Regional District of Nanaimo.

Sanitary Sewage means sewage having a quality substantially equal to that of normal domestic sewage

Sanitary Sewer means a sewer which carries sewage and to which storm, surface and ground water are not intentionally admitted

Service Connection means a sewer connection a subdivided lot to the lateral sewer

Sewage Treatment Plant means an arrangement of structures and devices used for treating sewage

Stormwater Infiltration means the infiltration of groundwater or inflow of stormwater through leaks and connections into the system

Suspended Solids means solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering

Tributary Area means all land in the service area tributary to the proposed facility

1.4. Application

All applications shall be made in the following steps:

1. Feasibility Review

All proposed construction of sewage collection and conveyance facilities shall be submitted to the Regional District for a feasibility review prior to commencement of any detailed design or construction. Such requests shall include a plan of the proposed construction and the area it will serve. The applicable feasibility review fee, in accordance with RDN Bylaw No. 1259.03 or most recent amendment, and the Letter of Assurance shall also be submitted at this time.

The Regional District will review the proposal, and reply in writing indicating the District's decision regarding acceptance or rejection, and/or the necessary amendments required.

2. Detailed Design

The detailed design and specifications shall be submitted in duplicate to the Regional District for Design Stage Approval (DSA) prior to construction. Attached to the submission shall be a Certification of Design. The applicable engineering review fee, in accordance with RDN Bylaw No. 1259.03 or most recent amendment, shall also be submitted at this time, along with the Design Professional Engineer's certified cost estimate for the works upon which the fee amount is based. *The final determination of the DSA fee shall be determined upon completion of the project and final certification of the construction costs by the Design Professional.*

The detailed plans will be returned either approved or with a request for re-submission. Re-submission will be carried out until the Regional District

approves the detailed plans and specifications, and issues Design Stage Approval (DSA).

The designer shall submit the RDN approved plans to the Provincial Ministry of Transportation & Infrastructure and Vancouver Island Health Authority for approval permits. Receipt and submission of these permits to the RDN shall also be a prerequisite to the start of construction. Approval permits from other applicable agencies as required shall also be obtained.

2.1. Drawings and Specifications

All design drawings shall be ISO A1 size, 594 mm in depth and 841 mm in width the following information shall be supplied

- 1. Location Plan** - showing the location of the proposed work. This may appear on the same sheet as the Key Plan.
- 2. Key Plan** - showing a plan of the proposed work at a suitable scale such that the whole works are shown on one drawing, usually 1:5000, 1:2000 or 1:1000. The Key Plan shall show a general outline of the works, area covered and sheet numbers of the plan/profile drawings, and a legend showing existing and proposed works.

- 3. Plans/Profiles** - showing detailed design of the proposed works.

Plans shall be drawn at a scale of 1:500 or 1:250, showing the location of the pipe centre line, pipe size and type and off-set from property line, manholes, services, trench details, trench dam details and all related appurtenances in relation to road, easement and adjacent property and lot lines. Existing or proposed underground utilities are to be indicated on the plan in addition to the extent of work required in making connection to existing sewer main. Location of service connections are to be shown. Connections not conforming to the standard offset require a distance from an iron pin or lot line.

Profiles shall be drawn at a horizontal scale of 1:500 and a vertical scale of 1:50 if more suited to specific conditions. The profile shall show the line of the existing and finished road grade on centreline, the invert of the pipe, location of manholes, and location of storm and water utilities. Where vertical curves are used, the invert elevation shall be shown at the beginning and end of the curves.

- 4. Specifications** - shall be prepared to further define materials of construction and shall specify methods of construction and workmanship.
- 5. Record Drawings** - shall be prepared by correcting drawings on completion of construction in order to reflect "record drawing" conditions for permanent records. The location of all individual lot sewer service connections shall be clearly shown with distance from the nearest manhole to the service wye. The drawings shall be signed and sealed by the Professional Civil Engineer, and shall be

accompanied by a Certification of Installed Works. Final record drawings shall consist of:

- (a) Two (2) full-size paper sets;
- (b) One (1) full size 3 mil Mylar set;
- (c) 2 – 11" X 17" paper sets or 2 A3 half-size paper sets, as agreed by the RDN; and
- (d) Digital copies: one (1) as AutoCAD or Civil 3D file as applicable to the current software, and one (1) as TIFF files.

1.6. Variations from Standards

Where the applicant wishes to vary from these standards he shall submit a written request with adequate supporting data to the Regional District for review.

The Regional District shall make the final decision in writing as to the standard requirements which shall apply.

1.7. Permits

The applicant shall be responsible for obtaining all necessary approvals and permits required prior to commencing construction of the sewer system.

1.8. New Service Areas

Where a sewer system is to be constructed by an applicant within an area previously unserved by a community sewer system, the design and construction for the system shall comply with the requirements of these standards, unless otherwise agreed to in writing by the Regional District.

1.9. Existing Service Areas

Where a sewer system is to be constructed by an applicant within the existing or extended boundaries of an area already being served by a community sewer system, the design and construction of the system shall comply with the requirements of these standards.

1.10. Inspection

The Manager of Engineering Services of the Regional District or his appointed deputies shall be allowed access and provided adequate facilities for access to any part of the works at all times for the purpose of inspection.

Any connections to or interruption of any existing system will only be permitted be under the direct supervision of the Regional District. Adequate notice to the Regional District of any such interruption to service shall be provided in order that attendance by Regional District personnel can be arranged.

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2. DESIGN

2.1. Sewage Flows

Sanitary sewer systems shall be designed using the following formula to accommodate peak sewage flows and peak inflow & infiltration.

$$AWWF = PDWF + I\&I$$

Storm water connections shall not be made to the sanitary sewer system.

2.2. Design Population

Design contributory populations shall be calculated in accordance with the Regional District of Nanaimo’s population predictions or with the ultimate planned development in the tributary area, whichever is greater.

The following densities shall be used for housing types listed below:

Housing Unit	Persons per unit	Notes
Single Family / detached house	2.2	Based on 2011 census for Nanoose: 5674 persons / 2,587 housing units. Nanoose is predominately single family (>90% of dwellings)
Townhouse (attached, semi-detached) unit	1.9	Based on 2011 census for City of Nanaimo, City of Victoria
Apartment / condominium unit	1.4	Based on 2011 census for City of Nanaimo, City of Victoria
Secondary suite (carriage house)	1.1	50% of single family, consistent with draft zoning bylaw
Seniors living unit	1.1	Per CWPC Senior`s Housing Group

Where units are not known the following should be used:

- .1 Dwelling unit 30 pph
- .2 Multi dwelling unit development 125 pph
- .3 Commercial Equivalent of 50 pph
- .4 Industrial Equivalent of 50 pph
- .5 Institutional 50 pph

pph = persons per hectare

2.3. Sewage Flow Calculation

Average dry weather flow (ADWF) shall be established by multiplying the design population by an average daily sewage flow of 300 Litres per capita per day.

Peak dry weather flow (PDWF) shall be established by multiplying the ADWF by the peaking factor (PF) which obtained from the following formula.

$$PF=6.75*Population^{-0.11}$$

Peak dry weather flow can also be obtained using the graph contained in the standard drawing S-21.

For new developments, where water conservation measures are mandatory (such as low flow toilets), the sewage flow may be reduced by 10% from that obtained from this table.

Design sewage flows may be varied by the Regional District, where suitable metered flow record is available, or for developments utilizing wastewater (grey water) re-use onsite.

Peak inflow and infiltration (I&I) shall be calculated using:

- .1 12 m³/ha for Existing development areas
- .2 10 m³/ha for New development areas
- .3 The peak inflow and infiltration may be varied by the Regional District where suitable metered records for design storm events of maximum infiltration period of the year are available.

Design sewage rates of flow shall be computed by adding peak sewage flow to peak inflow and infiltration design allowances.

Sanitary sewage design calculations shall be prepared and submitted on a drawing showing the sanitary sewer tributary area as part of the detailed design drawings. If the sanitary sewer calculations are completed using modeling software the results of the software shall be displayed on the detailed design drawings. Use of modeling software shall be approved by the Regional District.

5. Force mains shall be designed with a minimum velocity of 0.6m/s.
6. Manning's Roughness Coefficient of 0.013 shall be used for design sewers and service connections. Manning's Roughness Coefficient of 0.015 shall be used for force mains and outfalls.
7. Manholes shall be designed to incorporate a minimum elevation differential of 30mm wherever a horizontal deflection exceeding 45 degrees occurs and 5mm where it is straight run. These elevation differentials are in addition to the normal grade of the lateral sewer.
8. Pumping stations and treatment disposal works shall be designed to process peak sewage flow plus peak I&I calculated as set out in section sewage flows section of these standards. Bypassing of works to disposal shall not be allowed except under emergency conditions.

2.6. Piping

1. Lateral Sewers

No lateral sewer shall be less than 200mm in diameter, unless the sewer is the final section of a lateral that cannot be extended, in that case, under the approval of the RDN a pipe 150mm in diameter may be used providing that it meets the hydraulic needs of the sanitary sewer.

2. Service connections

Service connections shall be minimum 100mm in diameter. Service connections serving more than one dwelling unit shall be minimum 150mm in diameter or sized in accordance with design flows and available grades.

No service connection shall exceed 15m in length measured horizontally between the lateral sewer and the property line without the approval of the Regional District. If a service greater than 15m is approved by the Regional District, a cleanout facility must be provided as shown on the standard detail drawing for service connection.

Water service and sewer services in a common trench shall be in accordance with the requirements of the Vancouver Island Health Authority.

3. Depths

Depths of all sewers shall be such that all basements in the area the sewer is intended to serve can be drained by gravity. Lift stations from individual homes will be acceptable as depicted generally in the Lakes District Infrastructure Phasing Drawing appended to this addendum. There may be other areas that will be serviced by individual lift stations subject to the Approval of the RDN.

Minimum cover on services shall be 0.75m.

Where minimum cover cannot be provided, an explanation of the reasons shall be submitted to the RDN with the proposed method of protecting the pipe.

Excessively deep service inspection assemblies should be avoided. Where standpipes are more than 1.8m in depth, the standpipes shall be constructed in two or more sections, each having a length not exceeding 1.8m.

4. Curved Sewers

Wherever possible, curved alignment shall be avoided.

Horizontal curves may be permitted where the configuration of the right of way permits curvature at a constant offset, where the velocity in the pipe exceeds 1m/s and where grades of 1% or greater are available. Tracer wire is required on all sewers with horizontal curves.

Vertical curves may be permitted where excessive depths or rock cuts are to be avoided or energy dissipation is needed.

Radius of curvature for PVC sewers to 250mm diameter shall be uniform throughout the curves by bending pipe barrel plus joint deflection to 2 degrees maximum and shall not be less than 60m or the manufacturer's minimum pipe radius, whichever provides a greater radius of curvature. PVC pipes 300mm diameter shall be deflected only at pipe joints to 2.5 degrees maximum, and 350mm diameter and larger pipes at pipe joints to 1.5 degree maximum. Miter bends are not to be used unless approved by the RDN.

Horizontal curves will be permitted for the gravity sewer along the eastern side of Enos Lake and in the park areas where sewers are approved. Curves radii are to be at or larger than manufacturers specifications. Vertical grades are to be chosen such that velocities must be equal to or exceed 1m/s (for max day flows at full build out).

Compound horizontal curves are not permitted between manholes.

Horizontal and vertical may be permitted in the same run.

Concrete pipe shall not be curved horizontally or vertically.

5. Manholes

In general the distance between manholes shall not exceed 150m, unless approved by the RDN. If approved by the RDN the maximum distance between manholes may be increased to 250m.

Manholes shall be located at grade and alignment changes, at lateral size changes, at the upstream end of all lateral sewers, at the junctions of all lateral, at regular spacing not exceeding the maximum allowable, sewers and at service connections larger than 150mm in size.

Cleanouts may be substituted for manholes at the upstream end of lateral sewers where no further extension of the sewer main is anticipated.

Where the difference between the incoming and outgoing invert exceeds 600mm, a drop manhole shall be used. See the standard detail drawings for drop manhole details. Differences between 150mm and 600mm should be avoided. Inside drop manholes with a minimum barrel size of 1200mm as shown in drawing the standard detail drawings, may be permitted for new construction of drops between 900mm and 2000mm and upon the approval of the RDN.

Manholes shall be constructed in a manner that prevents water from infiltrating into the manhole.

Where cast in place manholes are proposed, an explanation of the reasons shall be submitted to the RDN with the proposed design and construction method. Only ready mix concrete, 20 Mpa at 28 days shall be used.

Manholes shall be located so that the manhole covers are not located in the wheel paths of vehicles, in gutter lines, curbs or sidewalks.

Manholes located in untraveled areas shall have a 1m asphalt apron which slopes away from the manhole rims at 2%.

A watertight manhole frame and cover shall be required for all sewer manholes located in areas which flooding can occur.

Precast manhole bases shall be sized according to the following table

Pipe Size (mm) (Nominal)	Depth of Manhole (m) (Top of Cover to Inv.)	Barrel Size (mm) (Inside Diameter)
150-375	0 - 5.9	1050
150-375	6-9	1200
150-600	9 or deeper	1500
400-600	0-8.9	1200
675 – 1050	All depths	1500

6. Manhole Platforms

Manhole platforms are generally not required. Design of manholes shall consider use of appropriate safety equipment.

A cage, well or ladder safety device shall be provided where the length of climb is greater than 6 metres.

If platforms are necessary, ladders shall meet the following requirements:

- (a) The ladder shall consist of multiple sections.
- (b) Each section shall be horizontally offset from adjacent sections.
- (c) A landing platform shall be provided within the length of climb.
- (d) Refer to the Standard Drawings for manhole platform details.

7. Location of Sewers

Wherever possible, sewers shall be located on the high side of the street where only the high side is served by the lateral and on the low side of the street where both sides are served by the lateral. Wherever possible the sewer shall be located on the opposite side from the watermain and at a constant offset from the property line or paved roadway.

Sanitary lateral sewers shall be located at least 3.0m horizontally and 0.45m vertically from water pipes unless approved by the Vancouver Island Health Authority and all joints are suitably coated and wrapped.

Sanitary sewer mains may be installed in a common trench with storm sewers provided the minimum outside pipe separation is 300mm.

8. Utilities in Private Lands

The design of utilities shall avoid crossing private lands as much as possible.

Utilities crossing private lands shall generally be offset a minimum 1.5 metres from the property boundary unless otherwise approved by the Regional District.

Appurtenances such as manholes, valves ect. shall not be located on property boundaries.

Utilities shall not cross private lands in such a manner that they render the property unusable and generally be located beyond the normal building envelope allowed by zoning. Special considerations must be given to ensure the location of the utility crossing minimizes the limitation on the future use of the property.

The minimum width of the right of way shall be 3m for single pipes and 4.5m for two pipes installed in a common trench.

9. Siphons

Where a siphon (i.e. inverted sewer, depressed sewer) is required to carry flow under an obstruction such as a stream, the following criteria shall be applied to the design:

- (a) All siphons shall be multiple pipe structures.
- (b) A cleansing velocity of 0.6 to 0.9 m/s shall be reached at least once a day in the primary pipe even during the first years of operation.
- (c) The total system shall be sized to accommodate the ultimate design peak flow.
- (d) A 1200mm diameter manhole shall be provided on both ends of the siphon.
- (e) Each manhole on the siphon shall be provided on both ends of the siphon.
- (f) There shall be no high points in the siphon between manholes.
- (g) There shall be no acute bends in the siphon.
- (h) There shall be no change of pipe diameter between manholes.
- (i) The primary pipe shall be minimum 200mm in diameter wherever possible.
- (j) All siphons shall have a separate debris sump manhole upstream of the siphon. The debris sump shall be designed to allow easy access for maintenance and cleaning and shall be suitably vented.

2.7. Pumping Stations

This section applies to all municipal owned and operated sanitary sewer pumping stations. Properties serviced by individual sewer pumps shall be connected to the municipal sewer system by a gravity service connection from the property line to the municipal sewer system.

This section is intended as a guide for general requirements for a pumping station. All pumping station designs shall be developed using good engineering practice with the input of the Regional District of Nanaimo.

Sanitary sewer pump stations shall only be permitted at locations where gravity connections from an existing or proposed trunk sewer cannot be provided.

1. General Design Criteria

Pump station size and configuration shall accommodate ultimate sewage flows.

Pumping stations shall be designed and constructed using materials recognized for quality in the sanitary sewer industry.

Pumping stations shall be fully automatic in normal operation, and fully compatible with the Regional District of Nanaimo's telemetry system. Specifics of SCADA systems shall be coordinated with the Regional District of Nanaimo during the pre-design stage.

All stations shall have a wet well capacity providing not more than 12 hours of storage at minimum design flows and a frequency of pump start –up of not less than 5 minutes at peak flows.

No overflow of sewage shall be permitted. Pumping stations shall have emergency backup systems to prevent sewage overflows during a mechanical or electrical failure.

4 complete (3 paper and 1 digital) sets of operational instructions, maintenance manuals, emergency procedures, parts lists, as-built engineering drawings, shall be submitted to the Regional District of Nanaimo upon completion of the pump station.

Current and future service requirements shall be evaluated with the electrical and phone utility companies.

Buildings shall have gutters on all four sides of the roof.

Pump station buildings shall be BC Hydro green in colour.

2. Pumps and Equipment

As a minimum, pumping stations shall be equipped with alternating duplex pumping units. One pump shall be equipped with a flush valve.

Duplex pump arrangements shall be designed for each pump providing 100 percent standby at peak flow.

Individual pump motors shall be equipped with hour meters and pump run indicator lights.

All pumping units to be grinder or vortex pumps capable of handling a 75mm solid, without clogging.

All piping and valves shall have a minimum of 100mm diameter.

Minimum pump run time shall not be less than 2.5 minutes or as recommended by pump manufacturer; whichever is greater.

Each sewer pump shall be provided with its own individual pipe connection to the wet well.

A concentric increaser shall be provided on the pump discharge followed by a check and gate valve.

Check valves on discharge lines shall be ball type.

The desirable velocity at the discharge point at maximum pump discharge is from 1.8 to 2.5 metres per second.

3. Controls

Stations shall be equipped with high and low level alarm, security alarm, power fail alarm and general alarm (for motor overload, temperature, and moisture alarms if so equipped.) Also, a level transducer probe and data logger, suitable to the Regional District, shall be installed in the wet well.

Manual operation of all pumps by push-button control shall be possible for checking the operation and for drawing down the wet well. Manual operation shall bypass the low water cutout but not the low water alarm.

Wiring for the control panel shall be underground from the hydro pole to the control panel kiosk.

Alarms shall have audio & visual alerts at the pumpstation.

Stations with submersible pumps shall have the motor starters and controls located in a factory assembled free-standing unit control centre located at ground level on a concrete pad.

Stations with non-submersible pumps, shall have the pump motors and controls located in a ventilated, heated, lighted and dehumidified area.

Name plates, approved by the Regional District, shall be supplied on the pump's control enclosure components and other operating components to indicate to the operator the purpose of the component or the operating routine applying to the component.

An isolation switch for each pump shall be located within sight of a service man working inside. Switches shall function by breaking the pump control circuit, thereby isolating the main power at the control panel.

Relays are to be used in conjunction with level controls.

An electrical panel heater and thermostat shall be installed inside all control panels.

The control panel kiosk shall be aluminum.

The control panel shall include an extra 110 volt, 10 amp, duplex receptacle, complete with cover, for operation of small electric tools. It shall be separately fused within the control panel.

4. Standby Power

The onsite provision of a standby power generator will be decided on a site specific basis by the Regional District . If the Regional District decides that permanent standby power facilities are not needed for the specific pump station, the pump station shall be equipped with a generator receptacle matching the Regional District style.

5. Pumping Station Chamber

The control panel and non-submersible pump motors shall be located in one above-ground enclosure unless otherwise approved by the Regional District.

The below grade chamber shall be reinforced concrete construction or as approved by the Regional District.

Concrete pump chambers shall have a 1 to 1 slope benching around the base perimeter.

Exterior concrete walls shall be tar-coated to prevent leakage.

The chamber above grade shall be designed to harmonize with the surroundings, shall be of fireproof construction and have no windows.

Chamber access shall be in accordance with the latest WorkSafe BC Regulations.

Equipment guards and rails for floor openings shall be provided.

Independent mechanical ventilation shall be provided by explosion proof exhaust fans for the dry and wet chambers where applicable. If the ventilation system is intermittent rather than continuous, the electrical switches shall be interconnected with the station lighting system. Ventilation interconnected with the station lighting system shall have sufficient capacity to exchange the total volume of air inside the station with fresh air within 3 minutes. All vents lines shall have screened openings to prevent the entrance of rock or other foreign matter. Air flow in fans shall be fresh air to wet well with second vent out for discharge.

Dry well stations shall include a sump and sump pump for the interior of the dry well with discharge above the top water line in the wet well.

The entrance to the station shall be waterproof and supplied with a lockable door complete with security alarm.

Where the entire station is underground, the entrance shall not be more than one metre above the surrounding finished grade.

6. Sitework and Lighting

A 25mm water service connection, complete with an approved backflow prevention device, shall be provided in the station designed in accordance with the AWWA Cross-Connection Control Manual.

The pumping station and appurtenances shall be within a porous paved surface or approved gravel which provides for the turning movements. A minimum turning grade of 12.8 metres, shall be used to determine turning movements. A minimum of 3.65 metres in width is required for access to all equipment. Approved landscape screening shall be provided.

Storm drainage from the site shall be self-contained.

Adequate protection shall be provided to prevent vandalism and vehicular damage and to protect public safety. Requirements may include fencing, non-mountable curbs and/or traffic bollards.

High pressure sodium, dark sky compliant, lighting shall be provided unless otherwise approved by the Regional District. Backup lighting connected to the standby power supply shall be provided in case of a power failure.

7. Force mains

All force mains shall be designed so that the minimum velocity is 0.6m/s and a detention time not exceeding 12 hours during ADWF.

Force mains shall be designed without high points unless otherwise approved by the RDN. If approved, an air-relief valve shall be provided at high points in the line, meeting RDN requirements.

Thrust blocks shall be provided at all bends as required.

Cleanouts (blowdowns) shall be supplied at all low points of forcemain.

Flushouts shall be located at the terminus end of all pressure sewer mains leading to manholes or pump stations.

3. CONSTRUCTION

3.1. General

1. Access Roads

Temporary roads shall be constructed as required for access to the working areas. Adequate drainage facilities in the form of ditches, culverts, or other conduits shall be installed as found necessary to maintain these roads. In the construction of access roads, existing drainage facilities, natural or otherwise, shall not be disturbed to the detriment of properties outside the working area and such facilities shall, unless otherwise provided elsewhere in the specifications, be restored to their original condition on completion of the work.

2. Sanitary Facilities

Clean, sanitary latrine accommodations shall be provided and shall be located and maintained in accordance with the regulations of VIHA.

3. Special Tools, Operating Manuals, Shop Drawings

With each piece of mechanical and electrical equipment or machinery having wearing parts and requiring periodical repair and adjustment, all special tools, wrenches, and accessories required for removing worn part, making adjustments, and carrying out maintenance shall be supplied. All gauges, indicators, and lubricating devices necessary for the proper operation of the equipment shall be furnished.

With each piece of equipment, 4 sets of operating manuals and as-constructed shop drawings shall be supplied. The manuals shall provide the manufacturer's recommended maintenance schedules with the grades of lubricants required, and instructions as to how the equipment may be taken apart for periodical inspection and replacement.

4. Blasting

Blasting will be permitted only after securing the approval of the applicable authorities. Blasting will not be carried out without first verifying that insurance covers any loss of life or damage that may result from this work. The Regional District, in granting approval for blasting, does not in any way assume responsibility for injury, loss of life, or damage that result there from, and such approval shall not be construed as approval of the methods employed in blasting, the sole responsibility therefore being that of the applicant.

5. Site Maintenance and Clean Up

The working area shall be maintained in an orderly manner and shall not be encumbered with equipment, materials, or debris.

Clean up shall be a continuing process from the start of the work to final acceptance of the project. Property on which work is in progress shall at all times be kept free from accumulations of waste materials or rubbish. Accumulations of waste materials, which might constitute a fire hazard, shall not be permitted. Spillage from hauling vehicles on traveled public or private roads shall be promptly cleaned up. On completion of construction, all temporary structures, rubbish, and waste materials resulting from the operations, shall be removed.

6. Erosion and Sediment Control

An Erosion and Sediment Control Plan shall be submitted for review and approval seven days prior to the pre-construction meeting. The Erosion and Sediment Control Plan shall describe the proposed methodology to minimize potential impact on the surrounding environment. The Erosion and Sediment Control Plan shall indicate how the Contractor plans to control sediment discharges from the project and what measures will be put in place to prevent damage to aquatic habitat located downstream.

The work shall be carried in compliance with the submitted and approved Erosion and Sediment Control Plan and all other environmental laws affecting the work and with the recommendations contained in the most recent edition of the “Land and Development guidelines for the Protection of Aquatic Habitat” published jointly by the Ministry of Land, Water, and Air Protection and Fisheries and Oceans Canada.

For the erosion and sediment control plan, ‘environmental laws’ means all statutes, regulations, orders, and bylaws relating in any way to the natural environment or its ecosystems, public or occupational health, transportation, storage or handling of contaminants or hazardous materials.

3.2. Existing Structures and Utility Works

1. Scope

Existing structures shall be interpreted as being all existing pipes, ducts, ditches, or other works forming a part of sewerage, drainage, water, telephone, electrical, gas, or other utility system, as well as sidewalks, curbs, poles, fences, buildings, and other man-made things that may be encountered during construction.

2. Material Supply

Unless otherwise specified, materials supplied for replacement of existing structures shall be at least equal to those being replaced.

3. Location of Structures

Drawings or descriptions, verbal or otherwise, of existing structures or their location that are supplied by the Regional District are intended only as an aid to locating these structures. Measurements and location of the existing underground structures shown on the drawings are not guaranteed to be accurate, and must be verified prior to proceeding with construction.

4. Protection of Structures

Unless authorization from the Regional District is received for their removal, underground and surface structures encountered during construction shall be protected from damage. In the event of damage resulting from the construction operation, structures shall be repaired or replaced to a condition, which is at least the equivalent of that which existed prior to construction.

5. Emergency Situations

In emergency situations resulting from the construction operation, where life or property are endangered, the applicant shall immediately take whatever action is possible to eliminate the danger, and shall also notify the Regional District of the situation.

6. Access Maintained

Existing hydrants, valves or control pit covers, valve boxes, curb stop boxes, fire or police call boxes, and all other utility controls, warning systems, and appurtenances thereof shall not be made inaccessible at any time by the construction work. Bridges, walks, or other temporary facilities shall be provided as may be necessary to ensure that these controls or warning systems are free for use in their normal manner at all times during construction.

7. Curtailment of Utility Service

Where existing utilities such as water, sewer, electricity, telephone, and gas are serving the public, work shall be planned and executed such that there is no curtailment of service provided by these utilities without prior receipt of approval of the authorities responsible for provision and maintenance of these utilities. The applicant shall obtain the above approvals from the recognized authorities controlling these utilities. If approval for such disruption of utility service is not granted, it may be possible to establish temporary facilities to provide continuous utility service during the course of construction. Such temporary facilities shall only be implemented after receiving the approval of the utility authority.

If approval is received to temporarily shut off an existing utility, individual users of the utility shall be notified at least one hour prior to the time of shut-off.

8. Support of Structures

Existing structures shall be protected against damage from settlement by means of timber support or compaction of backfill as required. Where necessary, timber support shall remain in place following backfill of excavations.

Backfill which is placed under or adjacent to the existing structures, which have been undermined during excavation, shall be compacted in a manner which will prevent damage of the structure from settlement. Such backfill shall be of approved granular material suitable for compaction.

On existing piping, this material shall extend horizontally a minimum distance of 600 mm on both sides of the pipe at a level 300 mm above the pipe, and shall slope down from this point at 1-1/2 horizontal to 1 vertical to meet the bottom of the excavation.

9. Drainage Facilities

Existing culverts, enclosed drains, flumes and ditches, and other drainage structures affected by the work but left in place shall be kept clear of excavated material at all times during construction. When it is necessary to temporarily remove an existing drainage structure, suitable temporary ditches or other approved means of handling the drainage shall be provided during construction.

3.3. Clearing

Prior to clearing, the exact limits of the areas on which clearing may take place and whether or not there are restrictions placed on clearing which would result in leaving certain trees, structures, or other existing items in place shall be ascertained.

Prior to trenching, the right-of-way shall be cleared of all standing or fallen brush, timber, stumps, or other debris, which may obstruct the construction operation, damage the completed installation, or detract from the appearance of the site on completion of construction. This material shall be burned or otherwise disposed of to the satisfaction of the Regional District.

The restrictions of all authorities established to control burning in the area shall be complied with. If burning cannot be done on the clearing site, the material shall be hauled to an approved location for burning or disposal. Burning permits, as required, shall be obtained by the applicant.

3.4. Trench Alignment and Depth

Following clearing and prior to excavation of the trench, the location at which the pipe shall be installed shall be established by setting appropriate survey control. As a minimum this shall include marking of the manholes and any horizontal or vertical curves in the pipe, with suitable elevation data provided. A laser should typically be used to maintain grade during pipelaying, and for all grades of 2% or less.

Where pipe is to be installed to a predetermined grade, a cut sheet will be provided showing the depth of the pipe invert relative to the grade stake elevation at the respective locations along the pipeline.

The trench shall be excavated so that pipe can be laid to the established alignment and depth, with allowance made for specified trench wall clearances and bedding as shown in the standard drawings of this Schedule for various conditions, or otherwise required.

All trenching and excavations shall be carried out in the manner recommended by the Workers' Compensation Board of British Columbia, or as may be necessary to protect life, property, and structures adjacent to the work and the work itself.

3.5. Trench Backfill

Trench backfill shall be carried out as shown in the standard drawings of this Schedule for various conditions.

3.6. Pipe Bedding

1. Granular material for pipe bedding within the pipe zone shall be sand or clean gravel or crushed rock, evenly graded from coarse to fine, and conforming the following specifications and gradations limits:
2. The standard trench section is shown in the standard drawings of this Schedule for various conditions. The nominal minimum depth of cover shall be 1.5 m in traveled areas and 1.0 m in untraveled areas unless otherwise permitted by the Regional District. Water mains shall be located not less than 3 m centre-to-centre from all sanitary lines, unless otherwise permitted by the Regional District and the Vancouver Island Health Authority.

3. Bedding material shall conform to the following gradation limits:

Gradation Limits
(Percent by Weight Passing)

<u>Sieve Designation</u>	<u>Type 1</u>	<u>Type 2</u>
19.0 mm	100	90-100
12.5 mm		65-85
9.5 mm	85-100	50-75
4.750 mm	70-100	25-50
2.36 mm		10-35
1.18 mm	20-65	
0.850 mm		5-20
0.6 mm	0-45	
0.425 mm		0-15
0.18 mm		0-8
0.15 mm	0-10	
0.075 mm	0-5	0-5

4. Type 1 is the standard acceptable bedding material. Type 2 shall be used where specified by the design engineer to meet special design loading. Dry sieve analysis shall be carried out in checking material gradation.
5. Other acceptable bedding materials, for use only where shown on the construction drawings or as approved by the Engineer, are drain rock, pea gravel or native material. In rock, pipe zone shall have filter fabric between rock and bedding material. Filter fabric shall be non-woven, minimum grade Armtex 200 or equivalent.
6. The bedding material shall cover the full width of the trench bottom and have a minimum depth of 100 mm on completion of compaction. In rock excavation the minimum depth of bedding below the pipe shall be 150 mm after completion of compaction.
7. Bedding material shall be compacted in maximum 150 mm lifts to 95% of Modified Proctor Density (ASTM D1557). Side tamping shall be carried out with bedding material placed to the pipe springline, to provide haunch support.
8. Bedding material shall be placed in such a manner that the pipe is evenly supported throughout its length by the pipe bedding material.
9. Placement and compaction of the bedding material shall not damage or displace the pipe.
10. Bedding material shall be leveled across the full width of the trench to an elevation of 300 mm above the crown of the pipe.

3.7. Repairs

Any system approved and built to these standards which requires maintenance work, shall be repaired with materials and construction methods conforming to the specifications contained herein.

3.8. Pipes and Fittings

The size and type of the pipe to be used are to be shown on the design drawings.

Only the pipe types listed in this section shall be used for lateral sanitary sewers or services.

Pipe shall be installed in strict accordance with all of the manufacturer's recommended practice.

All products used shall conform to the Regional District of Nanaimo's Approved Product List.

1. Polyvinyl Chloride (PVC) Pipe, Lateral Sewers

- (a) PVC pipe shall be DR 35.
- (b) Pipe and fittings shall be manufactured to the following standards:
 - 100mm to 375mm ASTM D3034 and CSA B182.2
 - 450mm to 675mm ASTM F679 and CSA B182.2
- (c) All PVC sanitary gravity main pipes should be green in colour.
- (d) Sanitary sewer main pipe, fittings and service connections shall be joined with a rubber gasket or other preformed, factory manufactured gasket or approved material designed for use with the specified pipe. Solvent connected joints and fittings will not be permitted.

2. Polyvinyl Chloride (PVC) Pipe, Service Pipes & Fittings

- (a) PVC pipe of 100 mm pipe diameter shall be DR 28.
- (b) Services larger than 100mm shall be as specified the same as lateral sewers.
- (c) All sanitary services 100mm in diameter shall be white.
- (d) Service connections to be PVC mainline pipe shall be made with PVC fittings manufactured to ASTM D3034, CSA 182.1 and CSA 182.2.
- (e) The use of saddles instead of manufactured wye fittings shall require approval of the RDN.

3. Polyvinyl Chloride (PVC) Pipe, Pressure Pipe

- (a) Pipe shall be white in colour.
- (b) Pipe and fittings shall be manufactured to the following standards:
 - 100mm to 300mm AWWA C900 and CSA B137.3
 - 350mm to 900mm AWWA C905 and CSA B137.3
- (c) Pipe shall be compatible with mechanical and push-on joint fittings and valves without the use of special adapters.

- (d) Pipe shall include push-on integrally thickened bell and spigot type joints conforming to ASTM D313.9 with single elastomeric gasket conforming to ASTM F477.

4. High Density Polyethylene (HDPE) Pipe (Smooth Profile)

- (a) Pipe shall conform to CGSB 41-GP-25M. Pipe material shall conform to ASTM D1248 Type III, Class C, Category 5, Grade PE 35-10
- (b) Minimum Acceptable pipe class shall be DR 26 with a hydrostatic design stress of 10MPa.
- (c) HDPE pipe used for pressurised applications shall be a minimum pipe class of DR21.
- (d) All pipe shall bear the pipe series designation and manufacturers name.
- (e) Fittings for HDPE, if required, shall be detailed and manufactured by the pipe manufacturer. Mitre bends shall be fibreglass reinforced. Fittings shall have a pressure rating at least equal to that of the pipe it is being joined.
- (f) Pipe may be deflected up to the manufacturer's recommended minimum radius. Deflected pipe may be used instead of manufactured or mitred bends.
- (g) Joints shall be by thermal butt-fusion and constructed in accordance with the manufacturers specifications.
- (h) Flange joints shall be used to join long sections of butt joined pipe or as shown on the design drawings.
- (i) Flanges for HDPE pipe shall be slip-on type installed in conjunction with stub ends supplied by the pipe manufacturer. The flanges shall be class 150 meeting ANSI B16.5 drilling dimensions. Flanges shall be carbon steel.
- (j) All flanged joints shall be separated by a neoprene gasket bonded to one of the flange faces. Neoprene for flange gaskets shall be 3mm thick with holes drilled for flange bolts and size equal to flange diameter.
- (k) Bolts and nuts for flanges shall be hot dipped galvanized.
- (l) HDPE pipe shall only be used where approved by the RDN.

5. Concrete Pipes

- (a) Concrete pipe should only be used for sewer mains larger than 450mm in diameter.
- (b) Concrete pipe should be reinforced, ASTM C 76 Specification.
- (c) Lifting holes in concrete pipe shall be plugged with prefabricated plugs in non-shrink grout or other plugs recommended by the pipe manufacturer.
- (d) Concrete pipes shall have every joint grouted.
- (e) Testing for concrete pipes shall be carried out hydraulically. Air testing will not be permitted.

6. Ductile Iron Pipes (DI)

- (a) Ductile iron pipe may be used with the specific approval of the Regional District.
- (b) Soil corrosion survey will be required, and suitable corrosion protection measures installed.
- (c) Testing for ductile iron pipes shall be carried out hydraulically. Air testing will not be permitted.

3.9. Manholes

1. Manhole Sections

- (a) Unless otherwise approved, all manhole sections shall be precast reinforced concrete in accordance with ASTM C478.
- (b) All precast sections shall be complete with ladder rungs as the manhole steps section listed below.
- (c) O-ring rubber gaskets shall be placed between Manhole sections. The O-ring rubber gaskets shall conform to ASTM C443.
- (d) The inside surface of the precast barrel at the O-ring joints shall be filled with cement grout to a smooth finish.
- (e) Precast manhole barrel sections shall be placed plumb.

2. Manhole Bases

- (a) All manhole bases are to be precast unless otherwise approved.
- (b) Manholes bases shall be constructed so that the first section of a precast base can be set plumb with a uniform bearing pressure throughout its circumference.
- (c) Precast manhole bases shall be placed on 150mm thick base of 40mm drain rock.
- (d) Precast manholes and Cast-in-place manhole bases shall conform to the applicable standard drawings.
- (e) Cast in place manholes or connections to existing manholes shall utilize a rubber adaptor ring to seal the connection.
- (f) If the material at the bottom of the trench is unsuitable for support, the bottom shall be over excavated to a firm base, and backfilled with base gravel and thoroughly compacted.

3. Manhole Tops

Manhole tops shall be flat slab, precast concrete. Tops shall be reinforced to meet H20 loading conditions. Precast tops shall conform to ASTM C478 with approved offset opening for frame and cover.

4. Manhole Covers and Frames

- (a) Covers and frames shall be cast iron and certified to meet H20 loading requirements.
- (b) Covers and frames shall conform to the standard drawings.

- (c) Covers shall have “RDN SANITARY SEWER” permanently embossed on the cover.
- (d) Utility chamber manhole frame and cover shall conform to the standard drawings.
- (e) A watertight manhole frame and cover, if required shall conform to the standard drawings.
- (f) Covers located in statutory rights-of-way shall be permanently embossed with the additional wording “DO NOT COVER”.
- (g) Frames shall be set on precast concrete grade rings to bring the cast iron manhole frame to grade as shown on the drawings.
- (h) In unpaved areas, covers shall have a 1m circular 50mm thick asphalt apron sloping away from the manhole cover at a minimum grade of 2%.
- (i) In paved areas covers shall not protrude above the finished pavement.
- (j) In streets manhole covers shall not be placed in the wheel paths of vehicles.

5. Manhole Steps

- (a) Steps shall conform to ASTM C478 for manhole steps, they shall be 19mm either hot dipped galvanized cold rolled steel or aluminum alloy.
- (b) All steps shall be complete with approved polyethylene anchor insulating sleeves and installed in 25mm to 26 mm precast drilled holes in a manhole section.
- (c) Distance between manholes steps shall be maximum 400 mm, with the first manhole step being a maximum 500mm from top of the manhole. Manhole steps shall conform with the most up to date Worksafe BC’s standard *G13.2(1)(b) Ladders in manholes*.
- (d) Manhole steps shall be installed 75mm into the manhole section wall.

6. Manhole Platforms

- (a) Manhole platforms are generally not required. Design of manholes shall consider use of appropriate safety equipment.
- (b) A cage, well or ladder safety device shall be provided where the length of climb is greater than 6 metres.
- (c) If platforms are necessary, ladders shall meet the following requirements:
 - The ladder shall consist of multiple sections.
 - Each section shall be horizontally offset from adjacent sections.
 - A landing platform shall be provided within the length of climb.
 - Refer to the standard drawings for additional details.

7. Concrete for Manholes

- (a) The compressive strength of concrete used shall not be less than 20 MPa at 28 days.

- (b) All concrete shall contain an air entrainment agent to provide 4% to 6% air content.

3.10. Service Boxes

Service boxes for sanitary services shall be 305 mm x 508 mm Concrete boxes complete with cast iron lid. The lettering shall read "SEWER".

Service boxes shall not be installed, they shall be supplied to the Regional District of Nanaimo's works yard.

3.11. Service Connections

Service connection piping shall be as detailed elsewhere in this standard.

Each service shall have its own independent connection into the main sewer.

Service connections shall have a minimum grade of 2% unless otherwise directed by the Engineer.

Services shall be constructed in accordance with the standard drawings.

Minimum cover for services shall be 0.75m at property line.

In rock, the trench is to be excavated minimum 1m into the property.

Approved watertight caps suitably supported by sandbags to prevent leakage shall be installed on sewer services at the terminus of each service.

A 50 mm x 100 mm wood marker stake shall be placed at the end of the service connection. The stake shall be painted red with the depth to invert of service to the nearest 0.01m marked. The wood marker stake shall be a minimum 3m from the service box

4. TESTING AND INSPECTION

4.1. Written Reports

The applicant shall submit reports to the Regional District certified by a Professional Engineer of the tests and requirements specified herein.

4.2. Materials Testing

If, in the opinion of the Engineer, testing is required, the Engineer will arrange for a testing firm to carry out tests to determine whether the applicable standards and specifications have been met. Where initial testing indicates inadequacies additional testing may be required by the engineer.

The Contractor as directed by the engineer shall supply specimens or samples for testing.

The types of tests listed below may be required by the engineer unless in the opinion of the Engineer other testing is required.

Joints for sanitary sewer main pipe and fittings and service connection pipe fittings shall be capable of meeting the following exfiltration tests. The Engineer may require that

these tests be carried out by the contractor or his supplier prior to the acceptance of pipe on the project.

(a) Pipes in Proper Alignment:

Not fewer than 3, or more than 5, pipes selected from stock by the Engineer shall be assembled according to standard installation instructions issued by the manufacturer. With ends bulkheaded and restrained against internal pressure, the section shall be subjected to 70 kPa hydrostatic pressure. Pressure shall be maintained for a period of 24 hours. There shall be no leakage at the joints.

(b) Pipes in Maximum Deflected Position:

At least 2 of the joints of the assembly shall be deflected to the maximum amount recommended by the manufacturer. 35 kPa internal hydrostatic pressure shall then be applied to the test section and maintained for a period of 24 hours. Joints shall show no leakage.

(c) Pipes in Maximum Lateral Misalignment:

The test section shall be supported on blocks or otherwise so that one of the pipes is suspended freely between adjacent pipes and bears only on the jointing material. The suspended pipe shall then be loaded on the bell or coupling by a load equal to one-third of the ultimate 3-edge bearing strength required by the applicable ASTM specification, except that pipe having a laying length of more than 1.2 m shall be loaded no more than the amount computed for a 1.2 m length. While under this load, stressed joints shall show no leakage under 35 kPa internal hydrostatic pressure.

4.3. Leakage Testing of Gravity Sewers & Manholes

Leakage test shall be performed by the contractor on all sanitary sewers and service connections, manholes and appurtenances

1. Type of Test:

- (a) Leakage testing on gravity sewers shall be tested with low pressure compressed air.
- (b) Leakage tests on concrete, ductile iron and HDPE gravity sewers shall be ex-filtration water tests.
- (c) Leakage tests on manholes shall be ex-filtration water tests
- (d) Testing shall only be carried out after the pipe has been backfilled, and only on completed sections between manholes.
- (e) All test results to be witnessed by the Engineer or the Engineer's Representative.

2. Testing Equipment:

The Contractor shall furnish all the necessary testing equipment, including suitable removable watertight plugs and test balls and shall perform the tests in

a manner satisfactory to the Engineer. Testing equipment must provide readily observable and reasonable accurate measurements of leakage under the specified conditions. The Contractor must comply with all Worksafe BC regulations covering the use of air testing, and ensure that safe working practices are used in the application of the test.

3. Leakage Testing with Water:

Ex-filtration Testing:

On an exfiltration test, the test section shall be sealed at the lower extremity by means of a watertight plug. The test section shall be filled with water such that a minimum hydrostatic head of 600 mm minimum head shall be maintained for a period of not less than one hour, and unless excess exfiltration requires further testing, not greater than 8 hours. Pressures in excess of 3 metres water are not recommended. Damage resulting to pipe as a result of testing shall be repaired by the Contractor at his own expense.

Manholes shall be tested for leakage by filling the chamber to the underside of the roof slab with water. Water level shall be rechecked following a minimum time period of four hours. No leakage shall be permitted in manholes.

In areas where the groundwater table is above the sewer invert level, the test shall be increased by a height equal to the distance from the sewer invert level to the water table elevations.

Ex-filtration test sections shall normally have a manhole at both extremities. If, however, sewer grades are such that a test section cannot be terminated at a manhole without placing excess pressure on the pipe or joints, apparatus shall be provided to enable testing without having manholes at the upper and lower ends of a test section.

Gravity sewers, service connections appurtenant structures thereon shall be constructed such that leakage, as evidenced by exfiltration tests, is less than that calculated using the following formula:

$$\text{Allowable leakage in litres} = \frac{\text{HDL}}{5200}$$

Where: H = duration of test in hours,
D = inside diameter of the pipe in millimetres, and
L = length of pipe in the test section in metres

The above leakage limit will constitute the total maximum allowable leakage of any test section of gravity sewer. Where service connections exist along the test section, the allowable leakage from service pipe calculated by the use of the above formula will be added to that of the main sewer to arrive at the total allowable leakage unless the elevation of the service connection pipe is greater than the maximum water elevation. No additional leakage allowance will be made for manholes existing along the test section.

The maximum allowable leakage for an ex-filtration test will be that calculated by the above formula regardless of the test head of water employed. Where a section of sewer is found to have leakage exceeding the allowable limit, replacement or repairs shall be made to reduce the amount of leakage to or below the allowable limit. Repaired sections shall be retested until they meet the allowable limit.

All point sources of leakage discovered during the leakage testing shall be made watertight by the Contractor to the satisfaction of the Engineer.

The Contractor shall dispose of the water used for testing in a manner approved by the Engineer.

4. Leakage Testing With Air:

On an air test, the section to be tested shall be plugged at each end and all service laterals, stubs and fittings properly capped or plugged.

Air shall be supplied to the test section slowly, filling the line to a constant pressure of 24.0 kilopascals (kPa). The air pressure inside the pipe shall not exceed 27.5 kPa except in the case where the groundwater level is above the sewer line being tested. In the event of the groundwater level being above the invert, the air test pressure must be increased by 1.0 kPa for each 100 mm of groundwater above the invert.

The air supply is throttled to maintain the internal pressure above 20.75 kPa for a minimum of 5 minutes to stabilize the temperature in the pipe. After stabilization, the air pressure is adjusted to 24.0 kPa, timing commences and the time required for the line pressure to drop to 17.25 kPa is noted.

If the time required to drop from 20.75 to 17.25 kPa is greater than allowable, the test section shall have passed.

For the air test the minimum time allowable is calculated from the following tables:

Time Requirements for Air Testing

PIPE SIZE (Millimetres)	TIME	
	Min.	Sec.
100	02	32
150	03	50
200	05	06
250	06	22
300	07	39

PIPE SIZE	TIME
-----------	------

(Millimetres)	Min.	Sec.
375	09	35
450	11	34
525	13	30
600	15	24

Where various pipe sizes are to undergo the air test, the average size shall be used.

5. Testing of Force mains

Following final trench backfilling, leakage tests shall be performed on all installed piping.

Leakage tests shall be carried out between valved sections of the installation such that every valve in the system is tested for leakage in the shut-off position.

Leakage tests shall be performed in the following manner. The section to be tested shall be filled with water and all air expelled from the piping. It is recommended that the test section be filled with water for at least 24 hours prior to testing. By pumping water into the test section, the pressure within the piping shall be increased to 0.7 MPa, or 1-1/2 times the system operating pressure at the point of test, whichever is the greater. This pressure shall be maintained constantly in the pipe throughout the duration of the test by the addition of make-up water. The duration of the test section to maintain the specified pressure over the period of test shall be considered to be the leakage.

Piping will not be accepted until the leakage is less than the maximum allowable leakage determined from the following formula:

$L = ND \times \text{the square root of } P$ in which:

L = the allowable leakage in litres per hour,

N = the number of joints in the test section,

D = the nominal diameter of the pipe in millimetre,

P = the average test pressure during the leakage test in megapascals.

Should any test disclose leakage greater than that specified above, the defect shall be located and repaired, and the section shall be retested to ensure that the leakage is within the allowable limits.

4.4. Cleaning and Flushing

On completion of sewer pipe installation, the pipes shall be cleaned to the satisfaction of the Engineer and the Regional District of Nanaimo.

Sewer lines shall be cleaned and flushed prior to video inspection.

Material displaced from flushing sewer lines shall be collected with a vacuum truck at a downstream manhole. Under no circumstances shall the material be flushed into the downstream system.

4.5. Video Inspection of Sewer Mains

All gravity sewers except services shall be video inspected to check alignment, grade, and condition of the sewer pipe.

1. Video inspections shall be of the following quality:

- (a) Camera lens shall be free of grease or other deleterious matter to ensure optimal clarity.
- (b) Videos shall be free of steaming and fogging encountered during the inspection.
- (c) The camera shall pan to the service connections and pause for at least five seconds.
- (d) Illumination depth of field shall be no less than 3 joints for standard joint and spigot pipe types to allow for pipe deflection assessments (9m). No dark circle shall be visible in the middle of this depth of field viewing area.

2. The inspections submission shall include:

- (a) A pipe condition report including code descriptions used for describing the condition of the pipe.
- (b) Video shall be submitted on a 4.7GB DVD.

The Engineer shall review all videos and certify that the pipe is installed in accordance with these standards and in accordance with the manufactures recommendations.

If directed by the Engineer, the contractor shall arrange for a re-inspection of the pipe at the contractors cost, for the warranty inspection one month prior to the end of the maintenance period.

Video inspection and pipe condition coding shall be undertaken only by personnel with current certification by a Regional District approved agency.

If video inspection does not meet the standards set out here, the contractor shall re-video and re-submit the video at their own cost.

4.6. Inspection

1. The Regional District of Nanaimo shall be given 48 hours notice of all tests.

5. TRANSFERRING THE SEWER SYSTEM TO THE RDN

5.1 *Final Inspection by RDN*

Prior to requesting a Final Inspection, the registered B.C. Professional Civil Engineer shall submit to the Regional District complete Record Documents, a completed letter Certification of Installed Works, all applicable inspection and test results (video inspection DVD's, leakage testing, etc.), and Certificate of Approval for electrical works (pump stations, wells, lighting, controls, etc.) The Final Inspection shall be arranged by the Professional Engineer on completion of the work. This shall be directed by the Professional Engineer in the presence of approved representatives of the Regional District and the installation Contractor. A complete list of deficiencies identified during the final inspection shall be prepared by the Professional Engineer. Once the deficiencies have been satisfactorily rectified, the Professional Engineer shall so notify the Regional District. The date of the Final Inspection will generally be regarded as the commencement of the guarantee period, unless significant deficiencies critical to the effective operation of the system are found at the inspection, at the discretion of the Regional District.

5.2 *Preparation/Execution of Transfer Agreement by Developer*

The Developer shall prepare and execute the Transfer Agreement for the works to the Regional District.

5.3 *Preparation/Execution of Maintenance Agreement*

The Developer shall guarantee the workmanship and the performance of the work as per the Maintenance Agreement, from the date of acceptance (generally the RDN final inspection date) for a period of two years. This shall be additionally secured by way of cash or an irrevocable letter of credit in the amount of 5% of the cost of construction as certified by a B.C. Professional Civil Engineer, or \$10,000.00 (whichever is greater).

The RDN may reduce the length of the guarantee period and/or the amount of the security. The RDN may also require additional payment, or payout a credit as appropriate, related to an adjustment of the initial engineering fee to final construction cost values, in accordance with RDN Bylaw No. 1259.03 or most recent amendment. Any change to the guarantee period, security amount or the engineering fee is required to be in writing.

5.4 *Preparation/Execution of Latecomer Agreement*

Where a latecomer agreement may be applicable to a portion of the costs of the works, as agreed by the Regional District and any other applicable jurisdictions, the Developer shall pay all costs of both the Regional District and the Developer associated with the preparation, execution, and registration of the necessary Latecomer Agreement. The Regional District will assume any internal staff costs involved in planning, reviewing, approving, and administering the Latecomer Agreement preparation, and any administrative and financial costs involved during the effective time-period of the agreement. Based on current legislation, a Latecomer Agreement expires 10-years after its initial registration.

5.5 Letter of Acceptance of the Works by RDN

Following completion of all the foregoing requirements, the Regional District will issue the formal Letter of Acceptance of the Works.

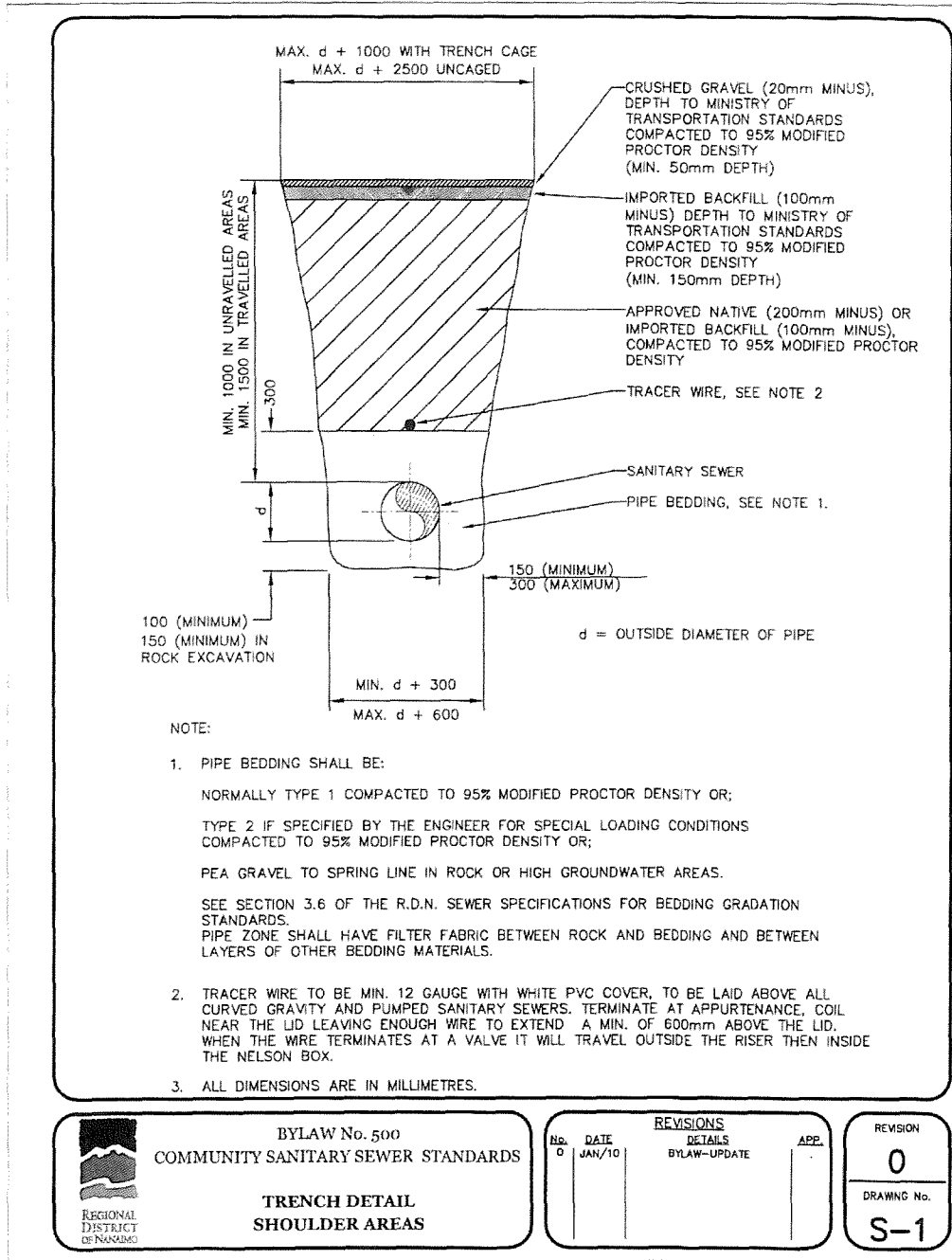
The Regional District will also issue a written statement that the new works can be connected to the District's existing system. Such connection shall be undertaken by the applicant under the direct supervision of the District or by the District at a cost to the applicant.


**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500**

**LAKES DISTRICT AND SCHOONER COVE
COMMUNITY SEWER SYSTEM STANDARDS**

APPENDIX 1

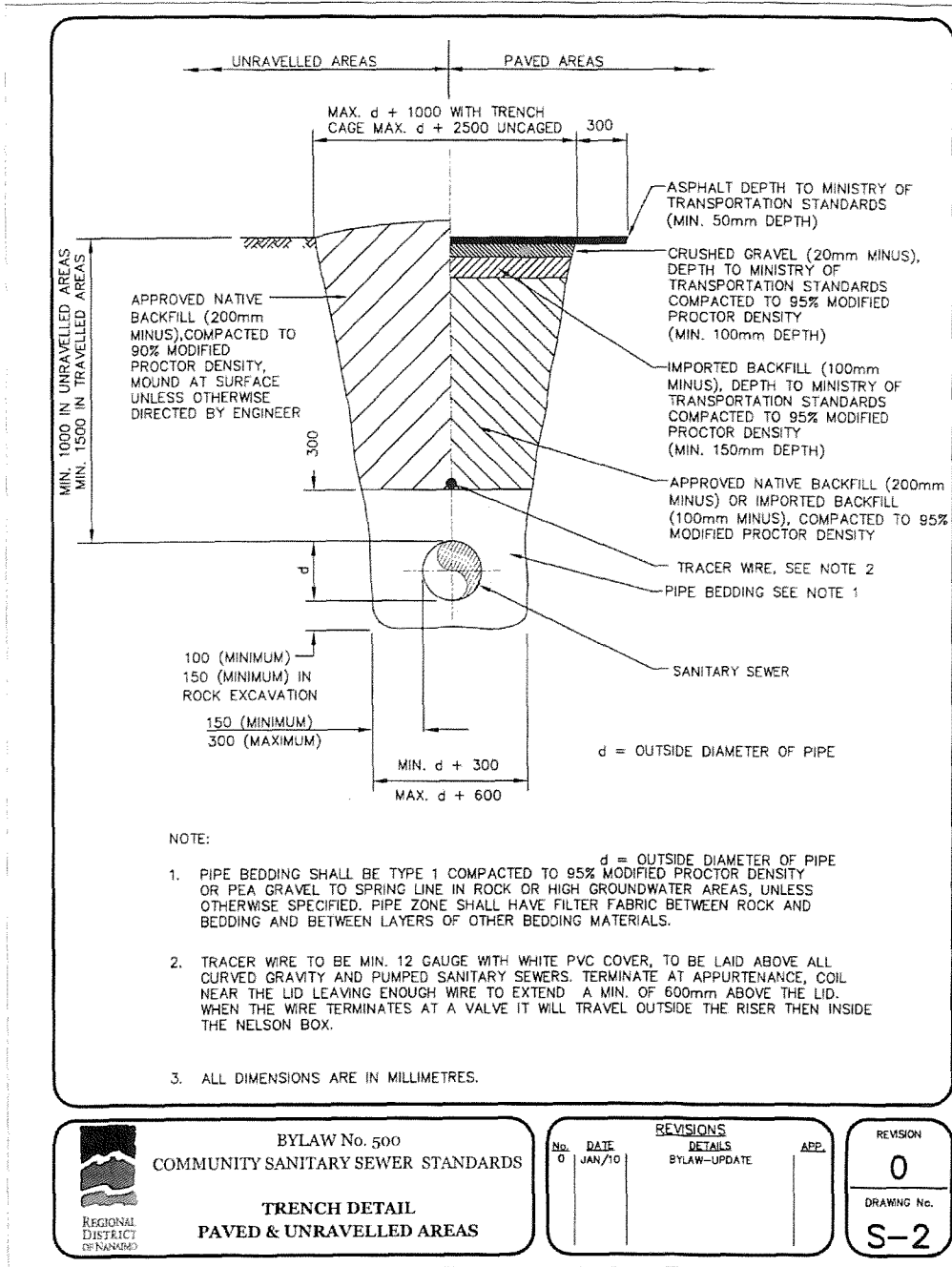
STANDARD DRAWINGS

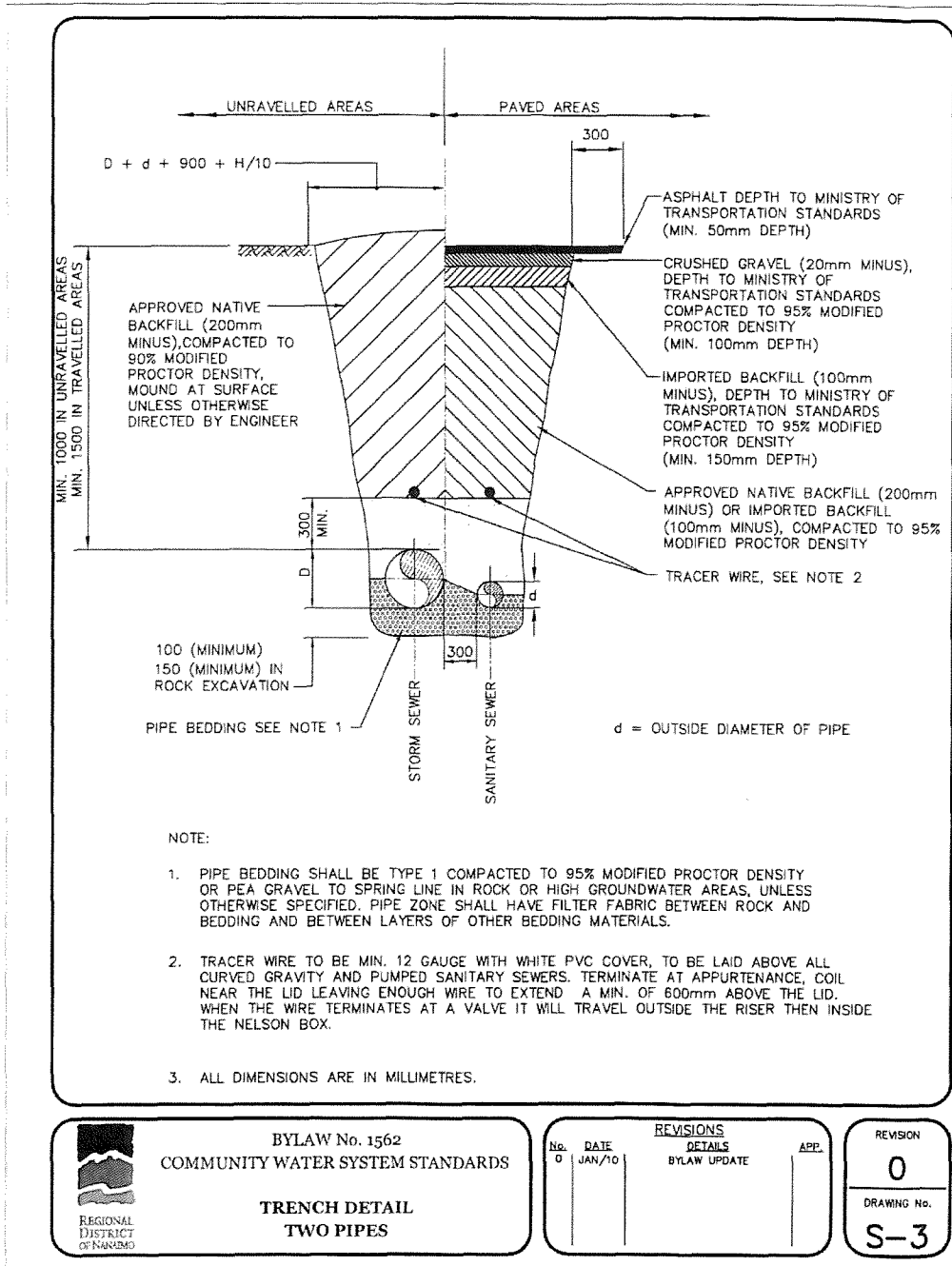




 BYLAW No. 500
 COMMUNITY SANITARY SEWER STANDARDS
**TRENCH DETAIL
 SHOULDER AREAS**

REVISIONS		
No.	DATE	DETAILS
0	JAN/10	BYLAW-UPDATE
		APP.

REVISION
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 DRAWING No.
S-1





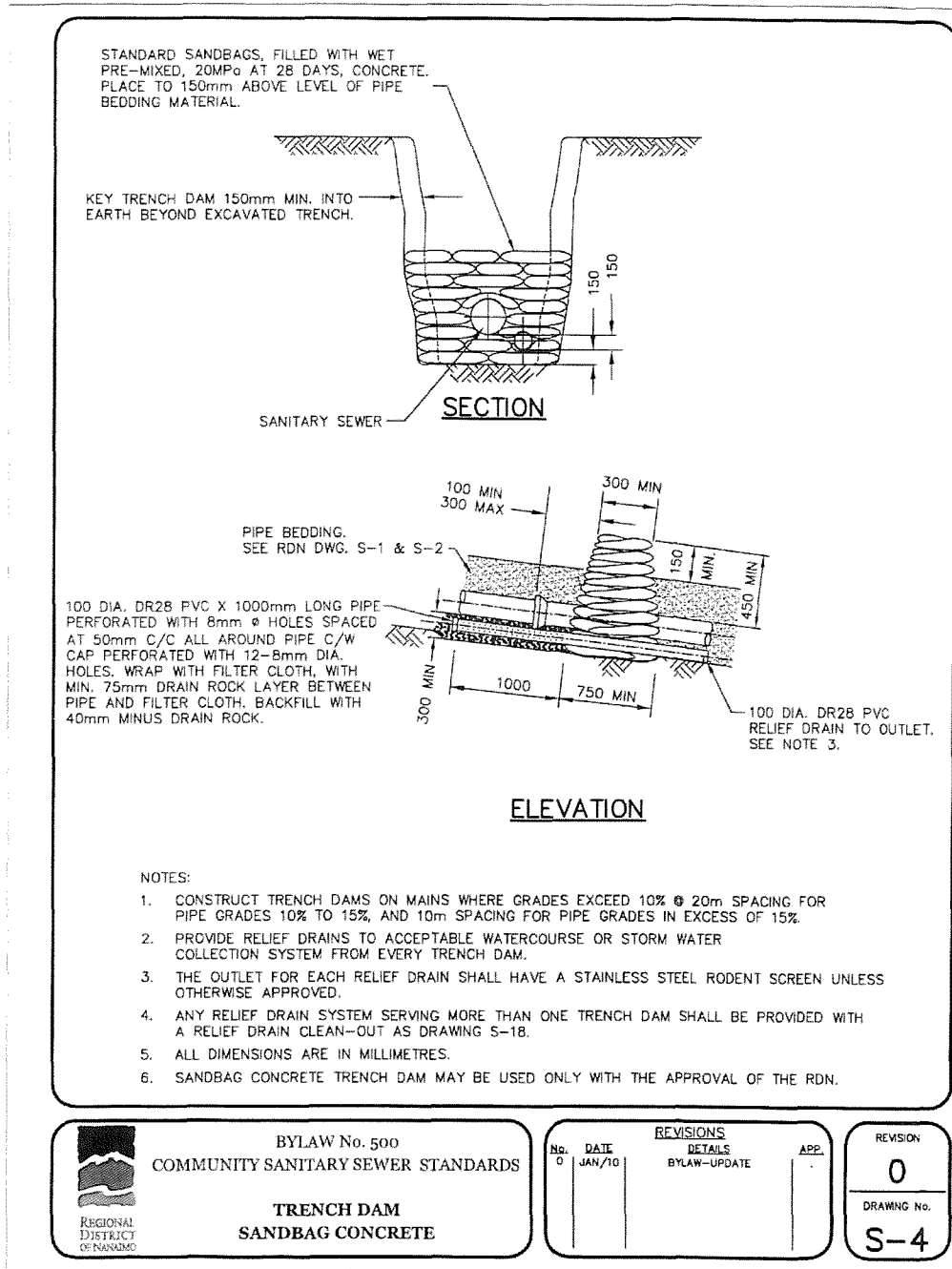
 BYLAW No. 1562
COMMUNITY WATER SYSTEM STANDARDS

**TRENCH DETAIL
TWO PIPES**

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		APP.

REVISION
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DRAWING No.
S-3

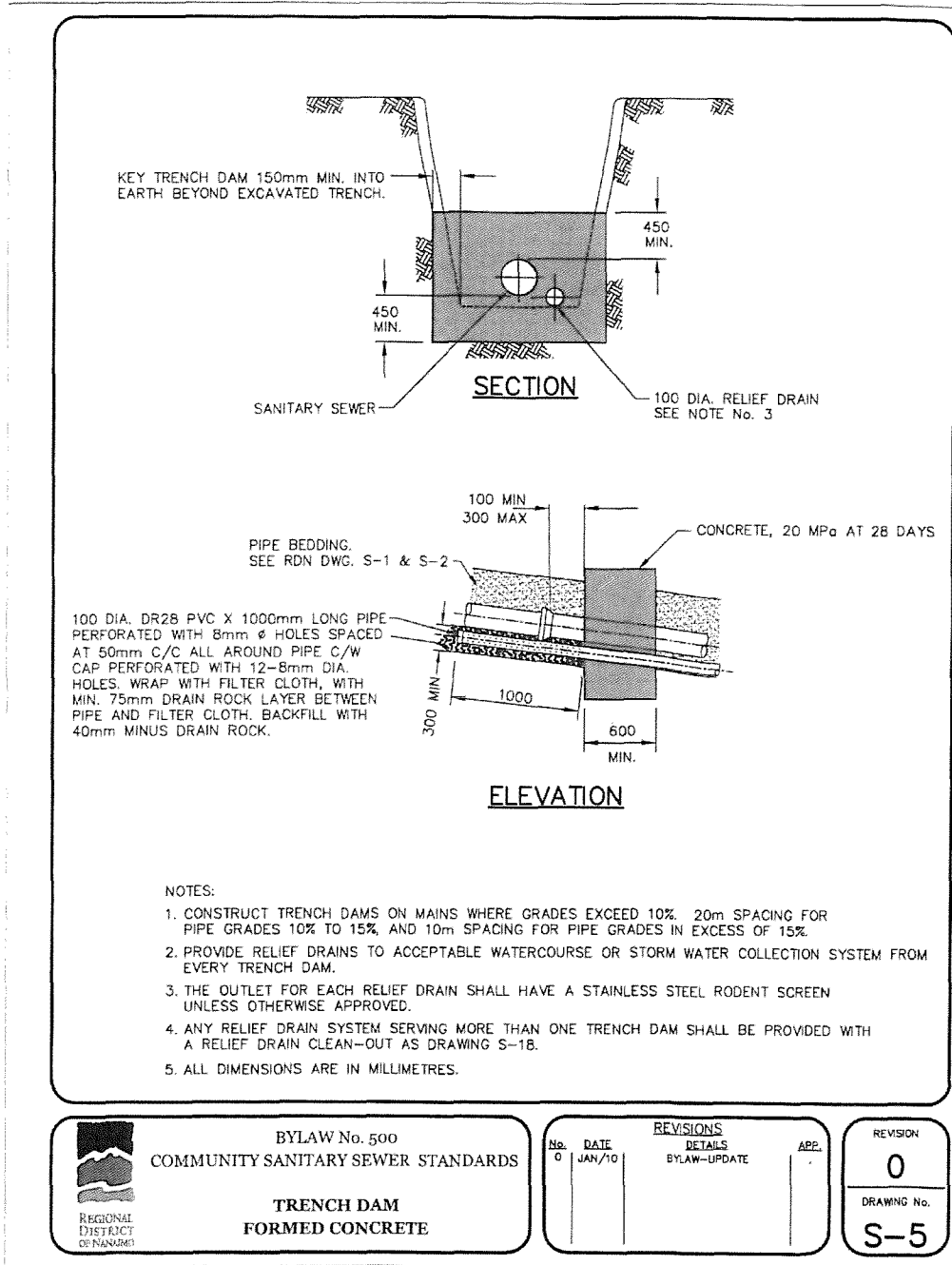



BYLAW No. 500
COMMUNITY SANITARY SEWER STANDARDS

TRENCH DAM
SANDBAG CONCRETE

REVISIONS			
No.	DATE	DETAILS	APP.
0	JAN/10	BYLAW-UPDATE	

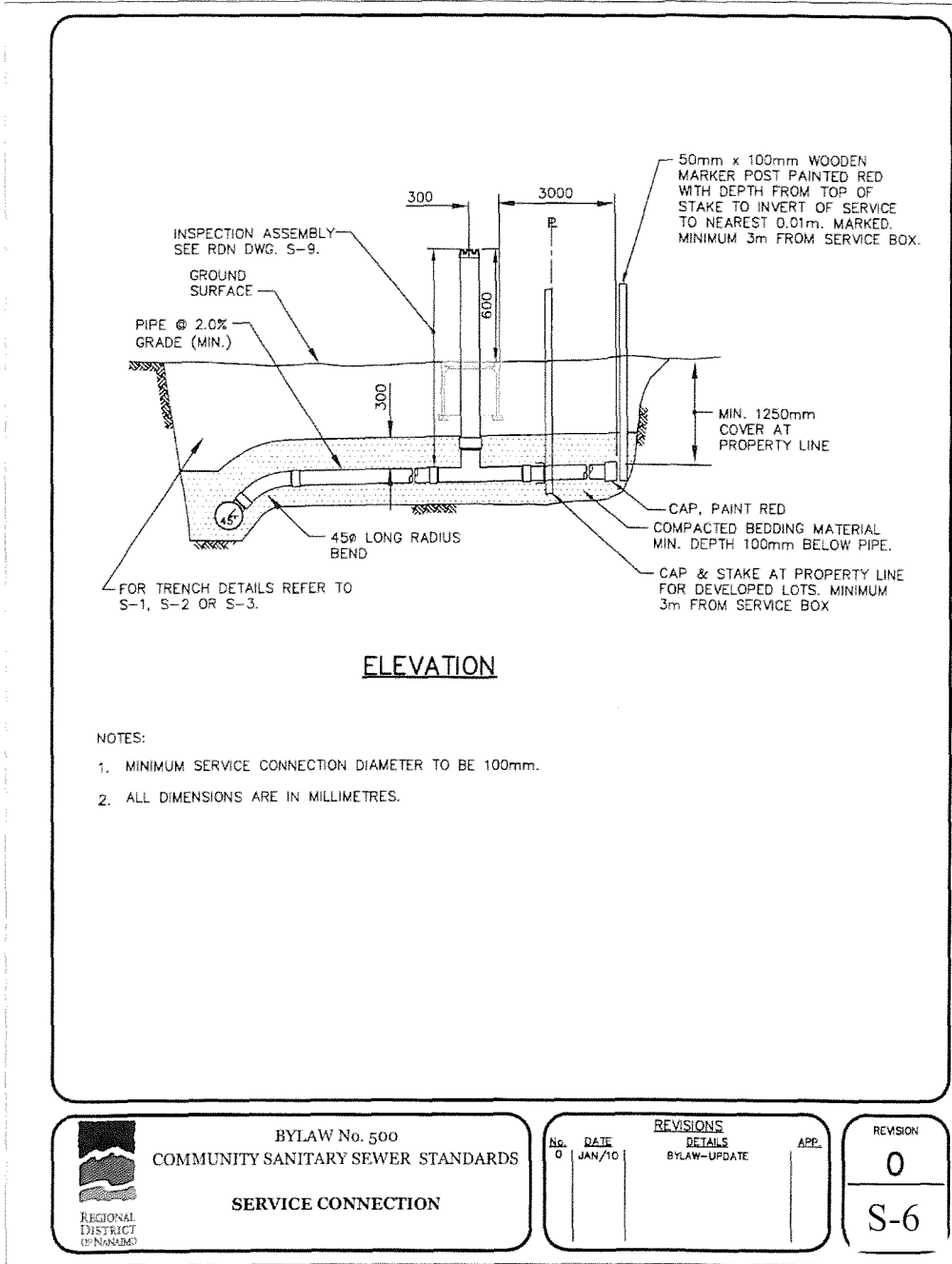
REVISION
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DRAWING No.
S-4




 BYLAW No. 500
 COMMUNITY SANITARY SEWER STANDARDS
TRENCH DAM
FORMED CONCRETE

REVISIONS		
No.	DATE	DETAILS
0	JAN/10	BYLAW-UPDATE
		APP.

REVISION
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 DRAWING No.
S-5

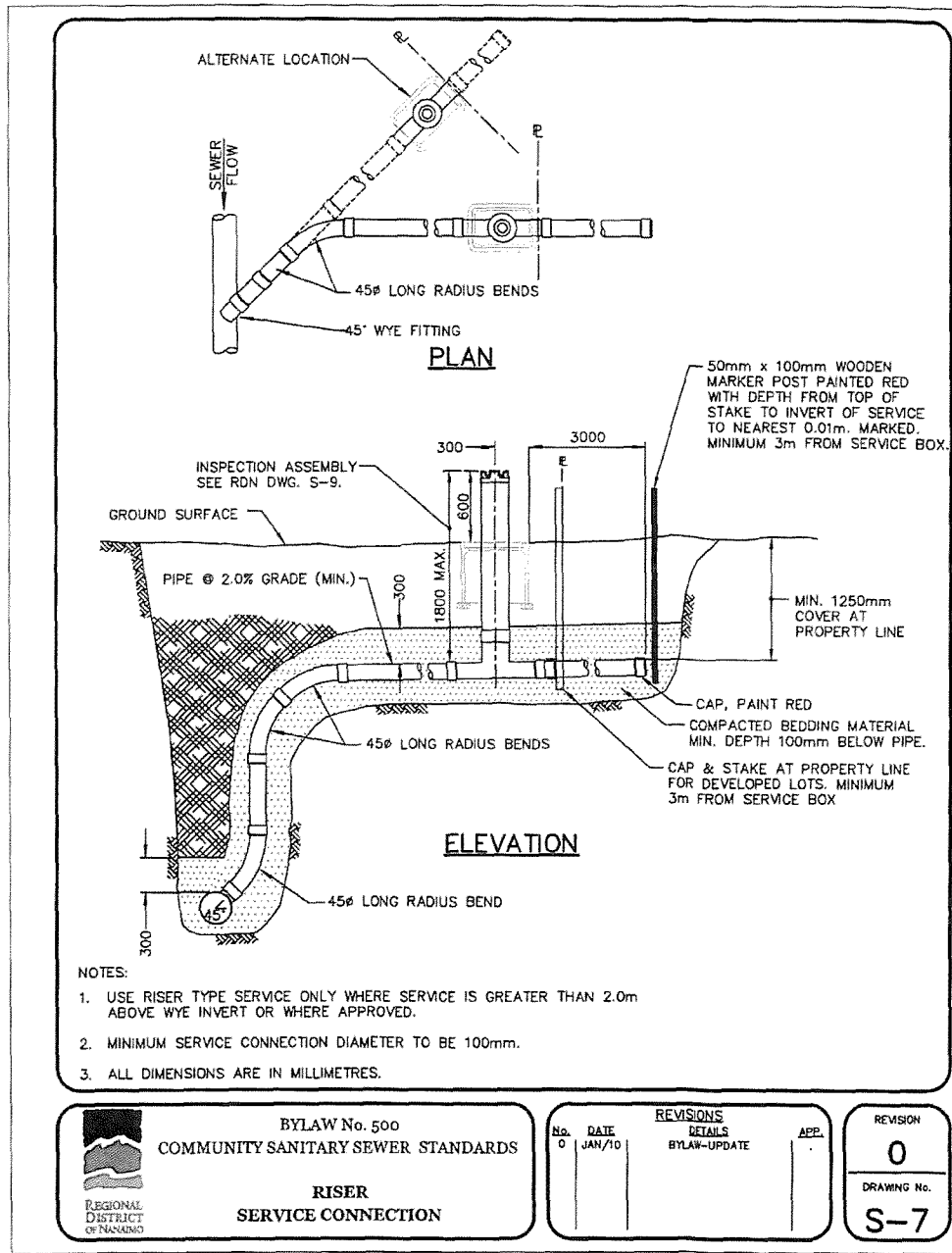


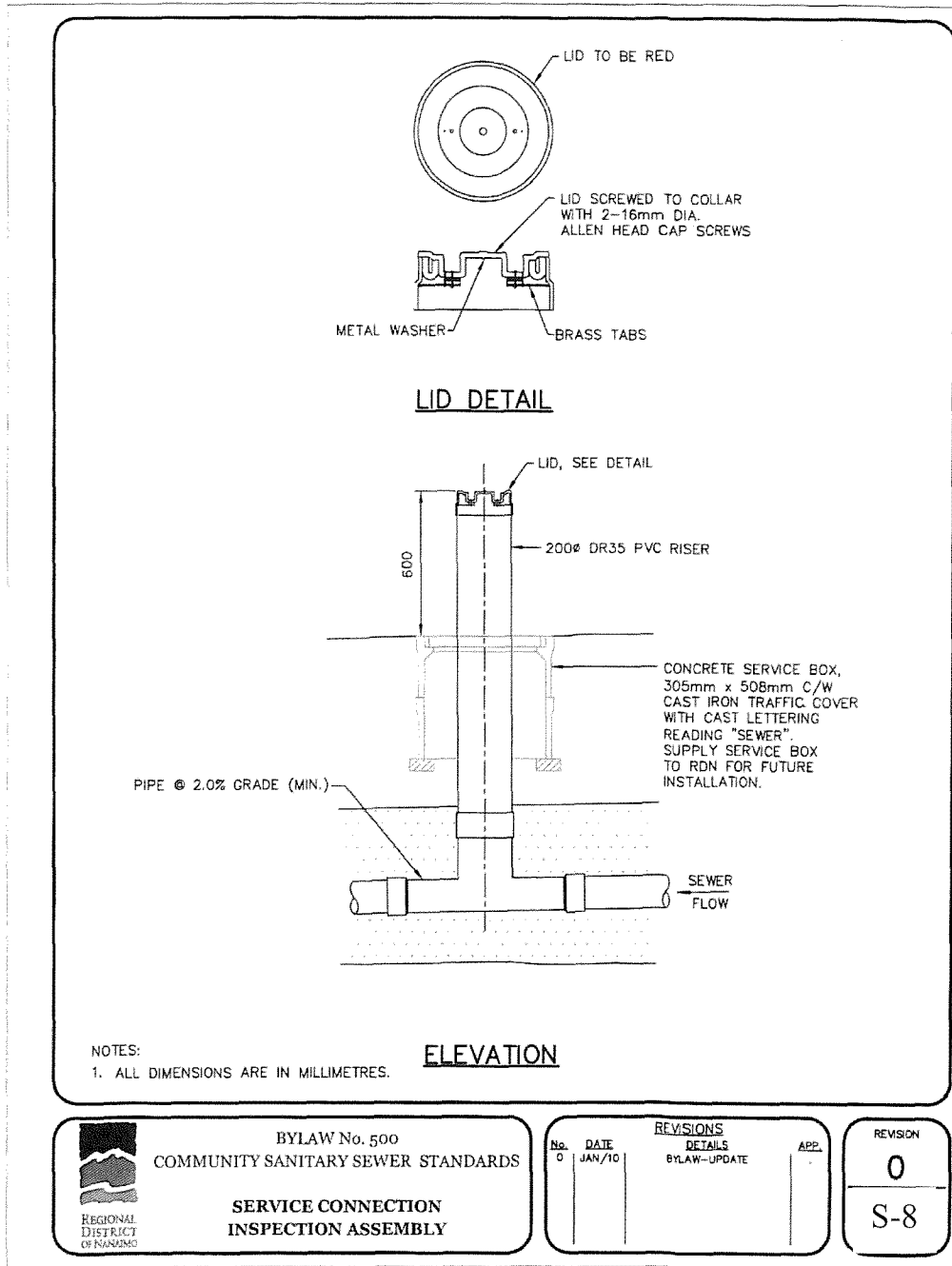
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COMMUNITY SANITARY SEWER STANDARDS

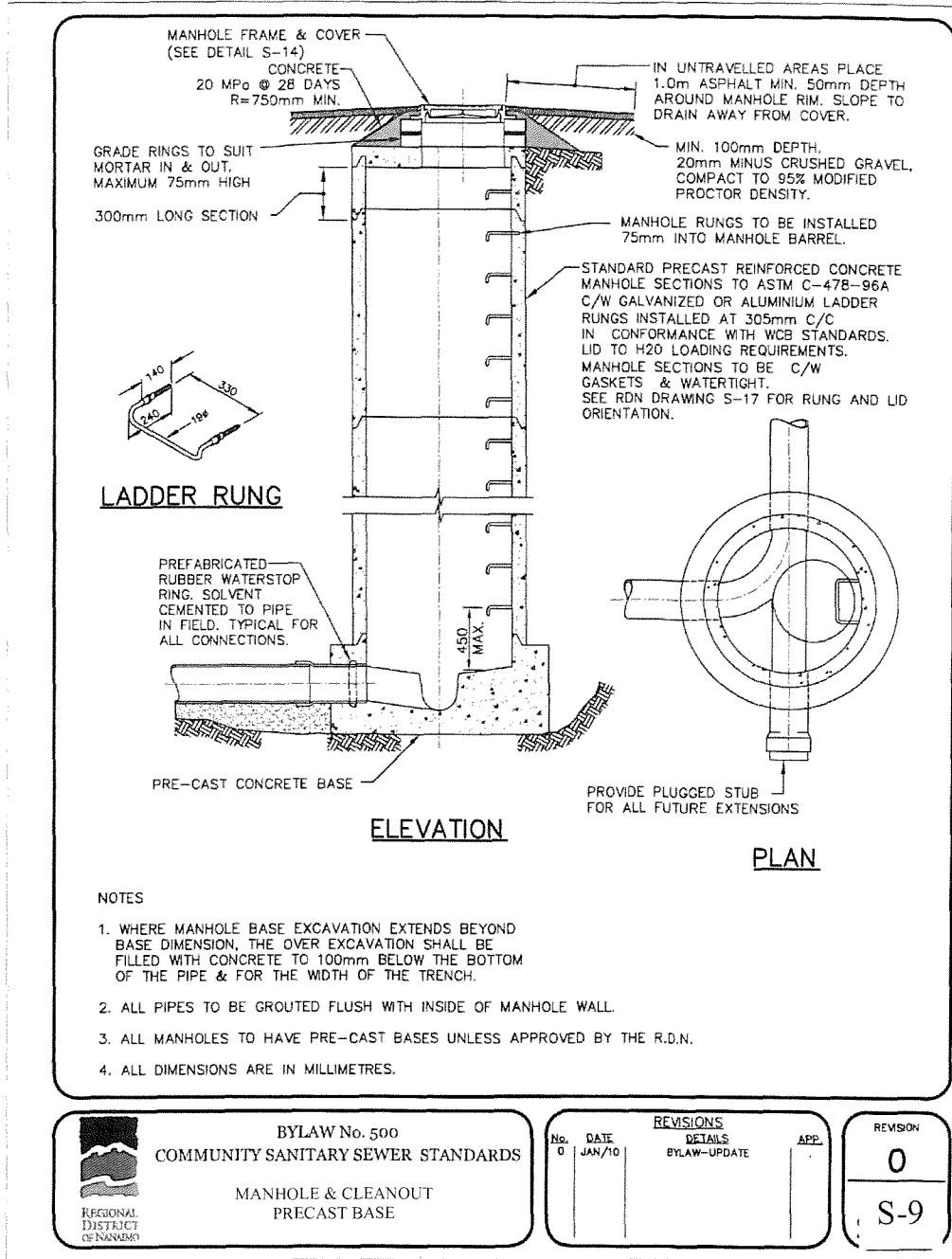
SERVICE CONNECTION

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REVISION
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S-6





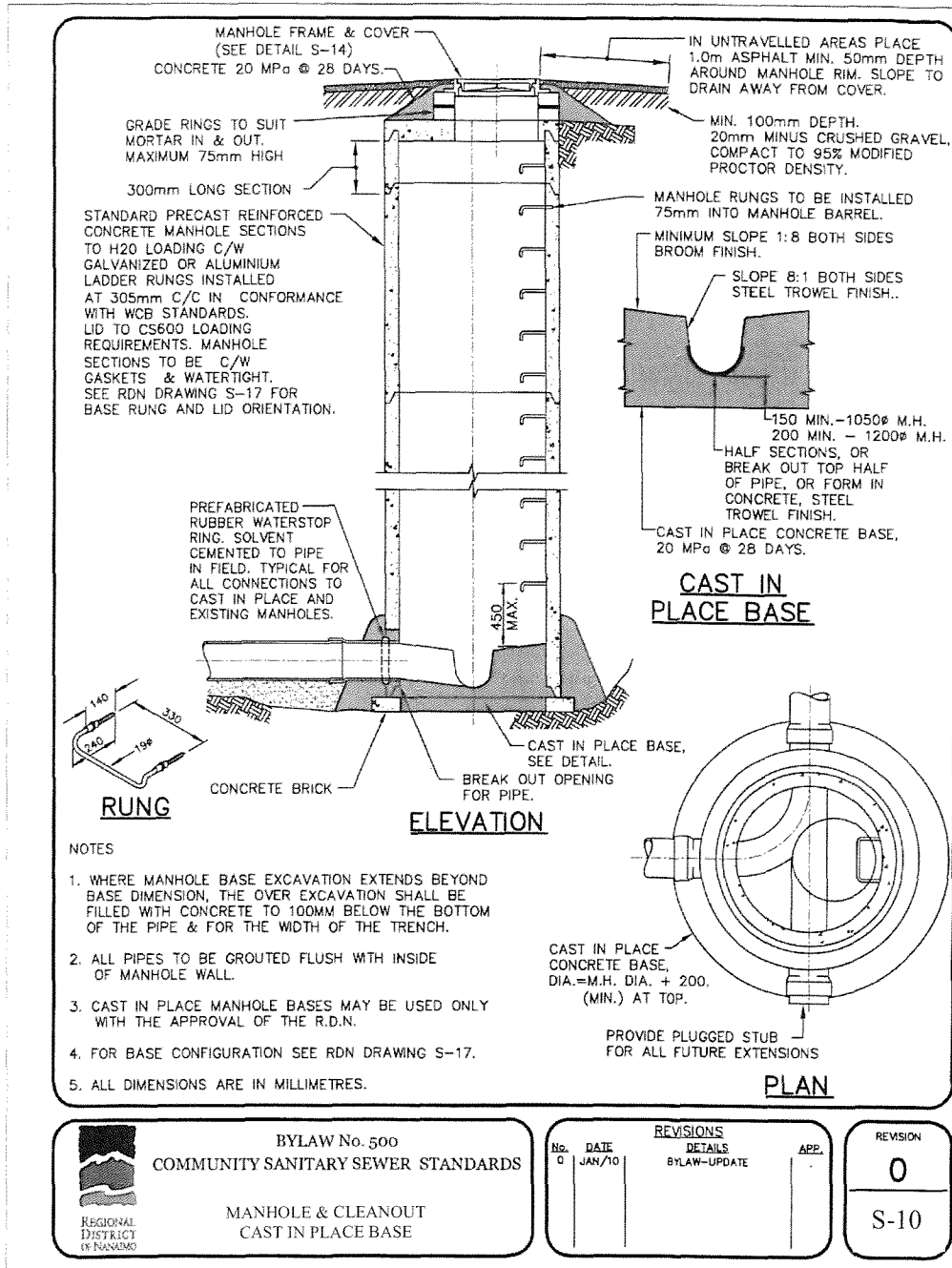


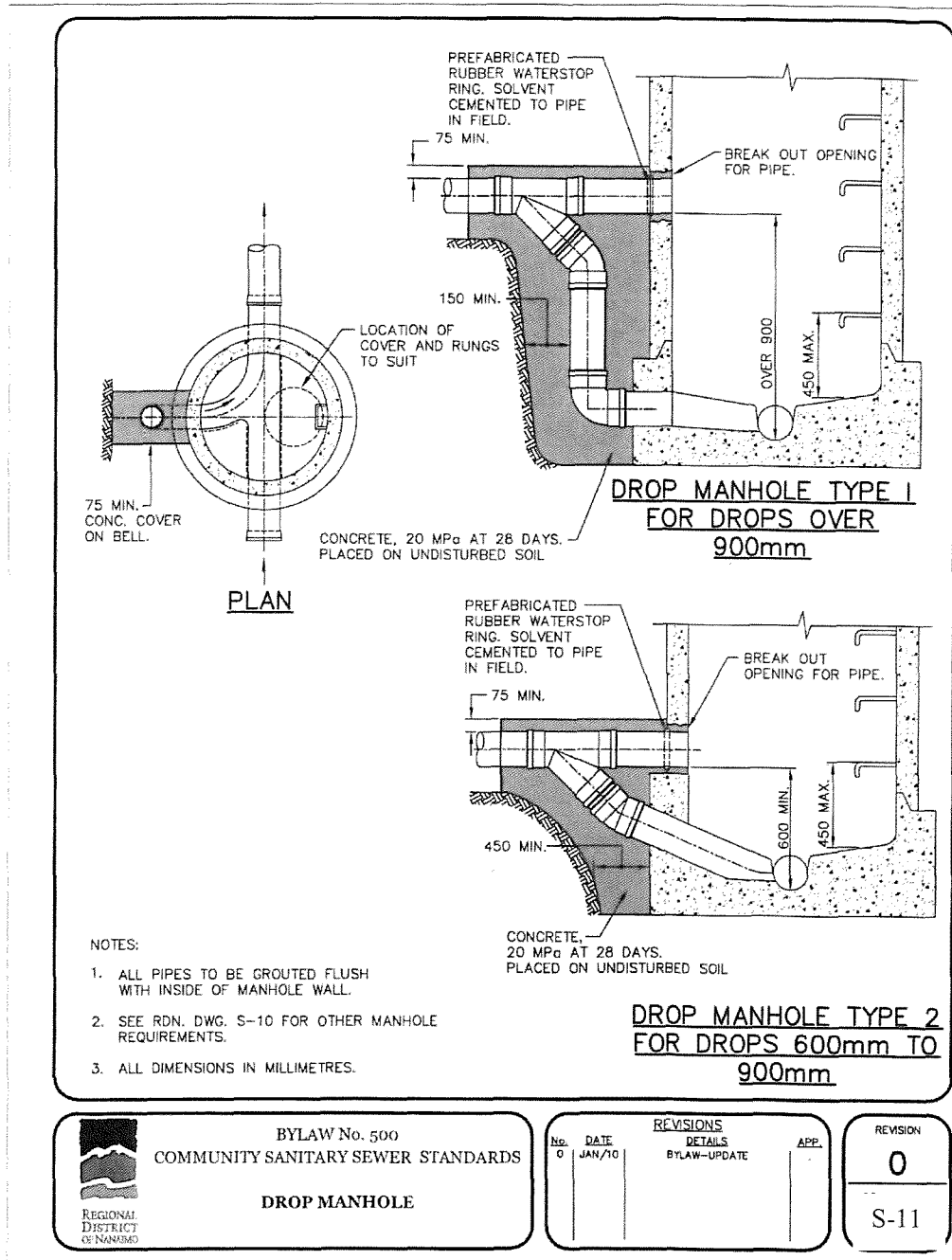
BYLAW No. 500
COMMUNITY SANITARY SEWER STANDARDS


MANHOLE & CLEANOUT
PRECAST BASE

REVISIONS		
No.	DATE	DETAILS
0	JAN/10	BYLAW-UPDATE

REVISION
0
S-9

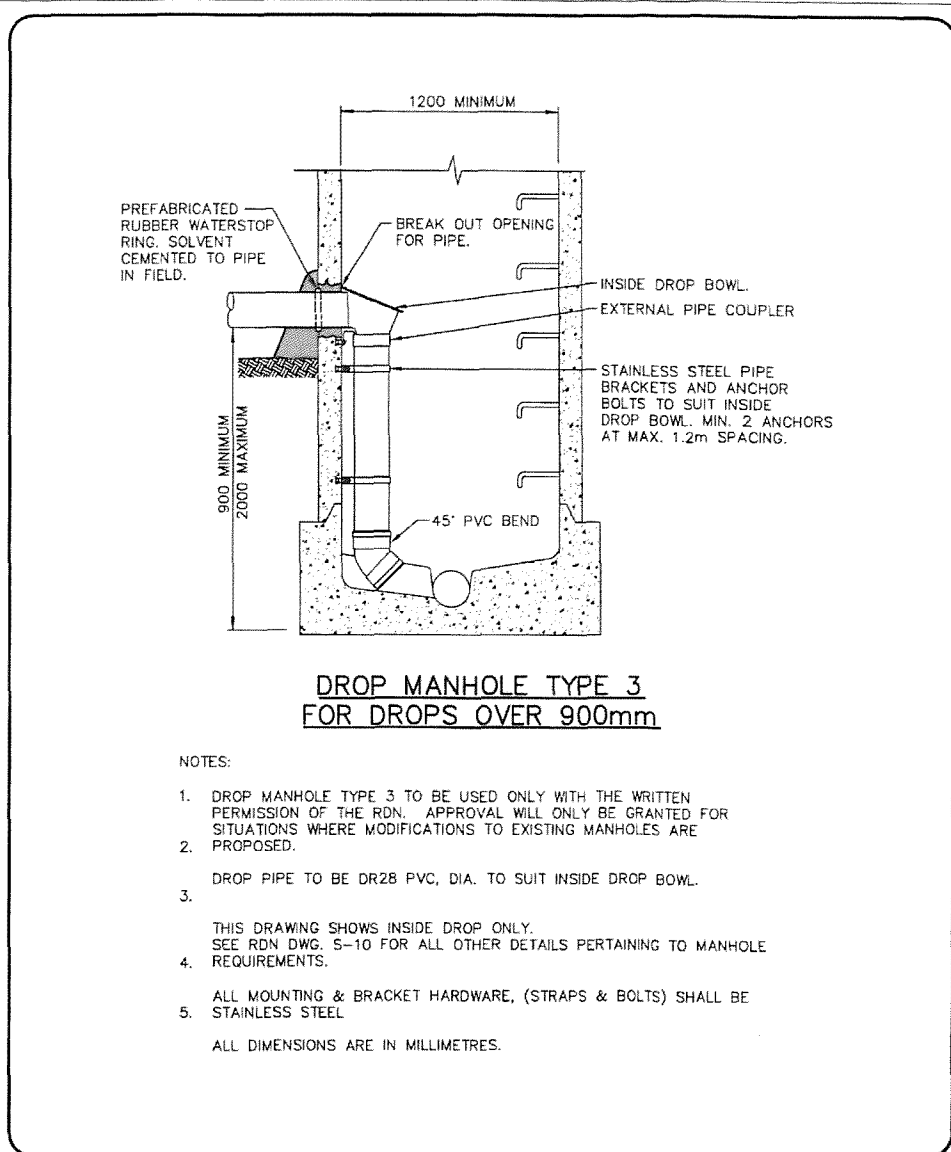





BYLAW No. 500
COMMUNITY SANITARY SEWER STANDARDS
DROP MANHOLE

REVISIONS		
No.	DATE	DETAILS
0	JAN/10	BYLAW-UPDATE


REVISION
0
S-11

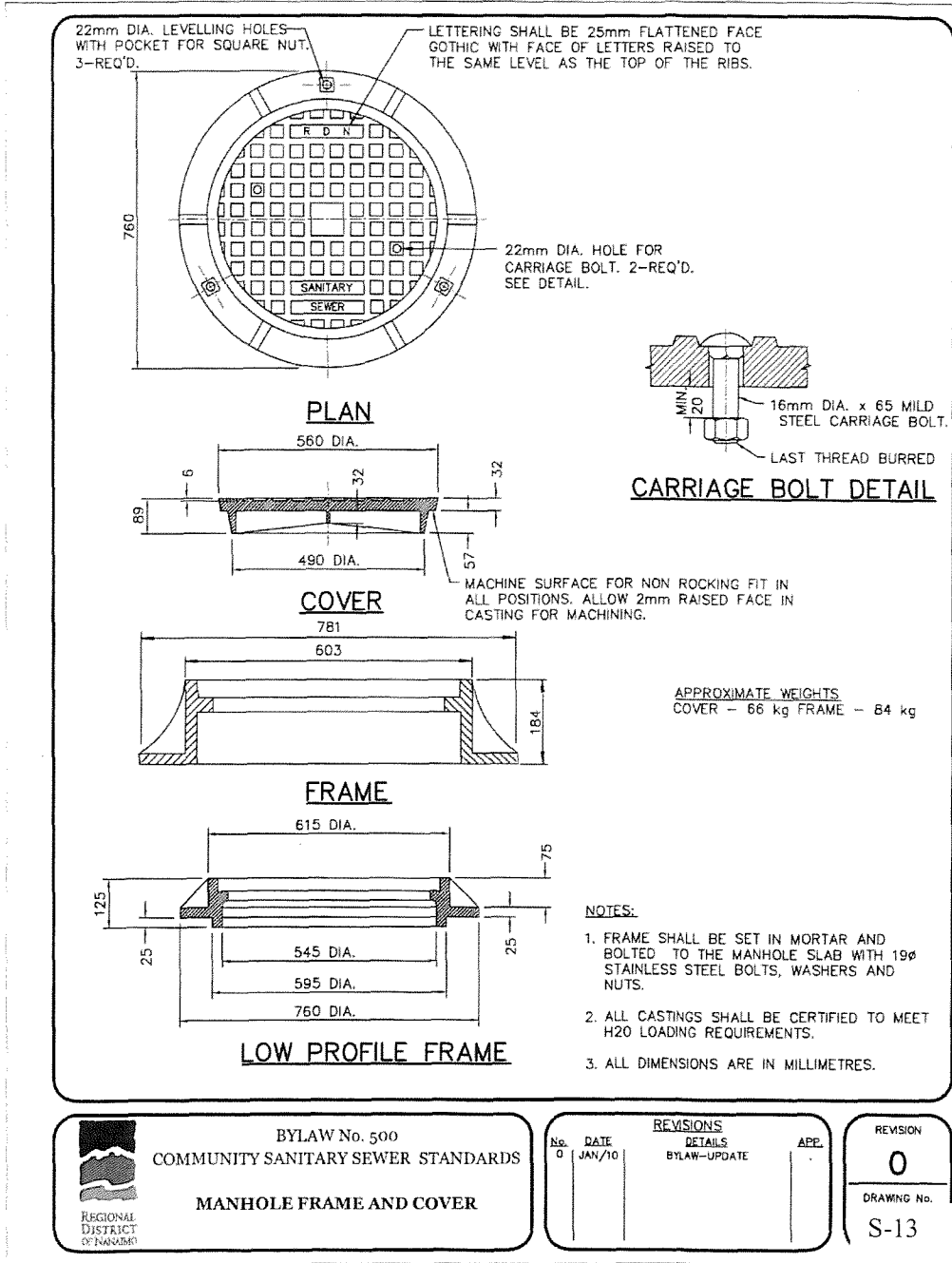


DROP MANHOLE TYPE 3
FOR DROPS OVER 900mm

NOTES:

1. DROP MANHOLE TYPE 3 TO BE USED ONLY WITH THE WRITTEN PERMISSION OF THE RDN. APPROVAL WILL ONLY BE GRANTED FOR SITUATIONS WHERE MODIFICATIONS TO EXISTING MANHOLES ARE PROPOSED.
2. DROP PIPE TO BE DR28 PVC, DIA. TO SUIT INSIDE DROP BOWL.
3. THIS DRAWING SHOWS INSIDE DROP ONLY. SEE RDN DWG. S-10 FOR ALL OTHER DETAILS PERTAINING TO MANHOLE REQUIREMENTS.
4. ALL MOUNTING & BRACKET HARDWARE, (STRAPS & BOLTS) SHALL BE STAINLESS STEEL
5. ALL DIMENSIONS ARE IN MILLIMETRES.

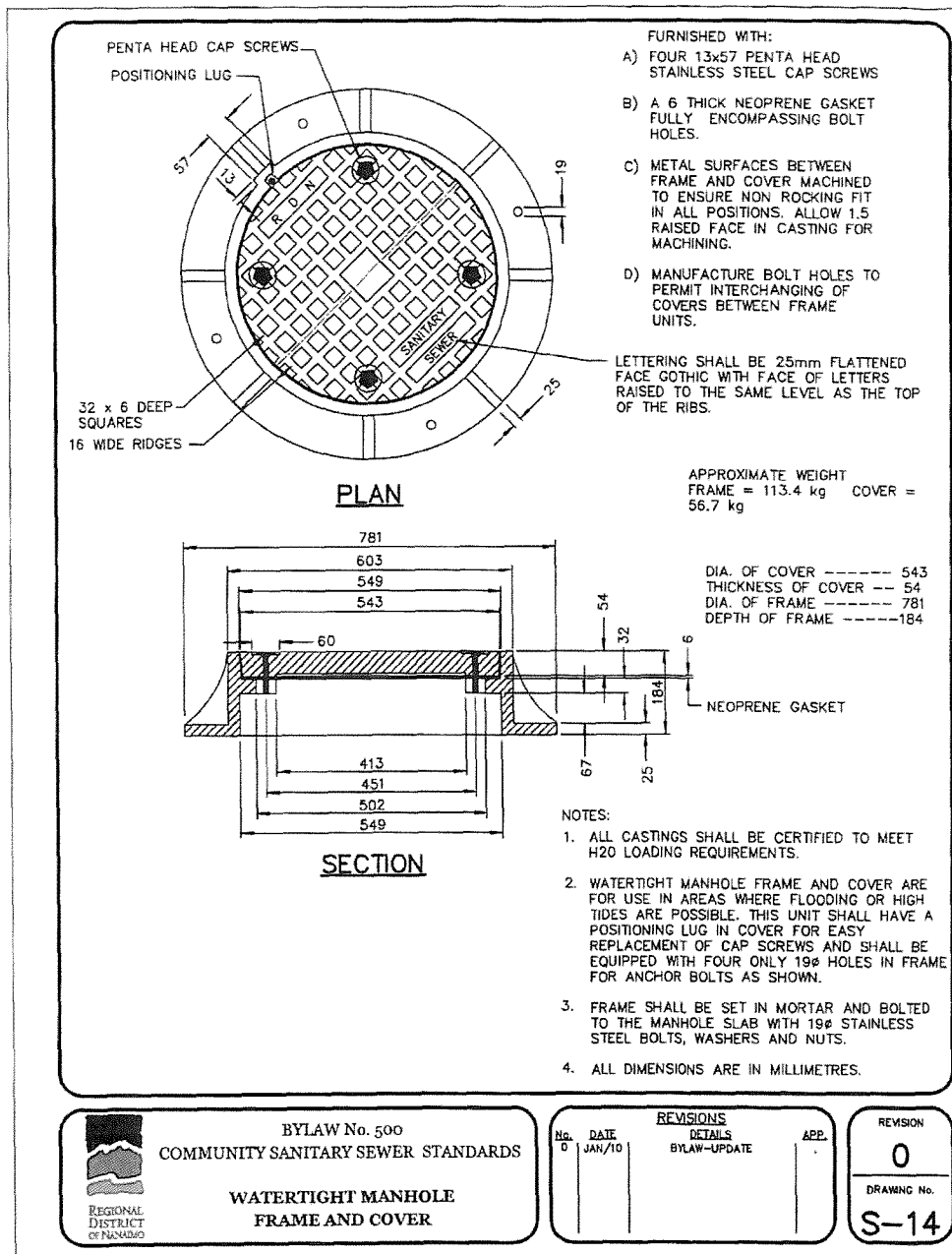
 <p>REGIONAL DISTRICT OF NANAIMO</p>	<p>BYLAW No. 500 COMMUNITY SANITARY SEWER STANDARDS</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3">REVISIONS</th> </tr> <tr> <th>No.</th> <th>DATE</th> <th>DETAILS</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">0</td> <td style="text-align: center;">JAN/10</td> <td style="text-align: center;">BYLAW-UPDATE</td> </tr> <tr> <td style="text-align: center;"> </td> <td style="text-align: center;"> </td> <td style="text-align: center;"> </td> </tr> </tbody> </table>	REVISIONS			No.	DATE	DETAILS	0	JAN/10	BYLAW-UPDATE				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">REVISION</td> </tr> <tr> <td style="text-align: center; font-size: 24pt;">0</td> </tr> <tr> <td style="text-align: center;">S-12</td> </tr> </table>	REVISION	0	S-12
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<p>INSIDE DROP MANHOLE DETAILS</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30px;">APP.</td> <td style="width: 30px;"> </td> </tr> </table>	APP.															
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BYLAW No. 500
COMMUNITY SANITARY SEWER STANDARDS
MANHOLE FRAME AND COVER

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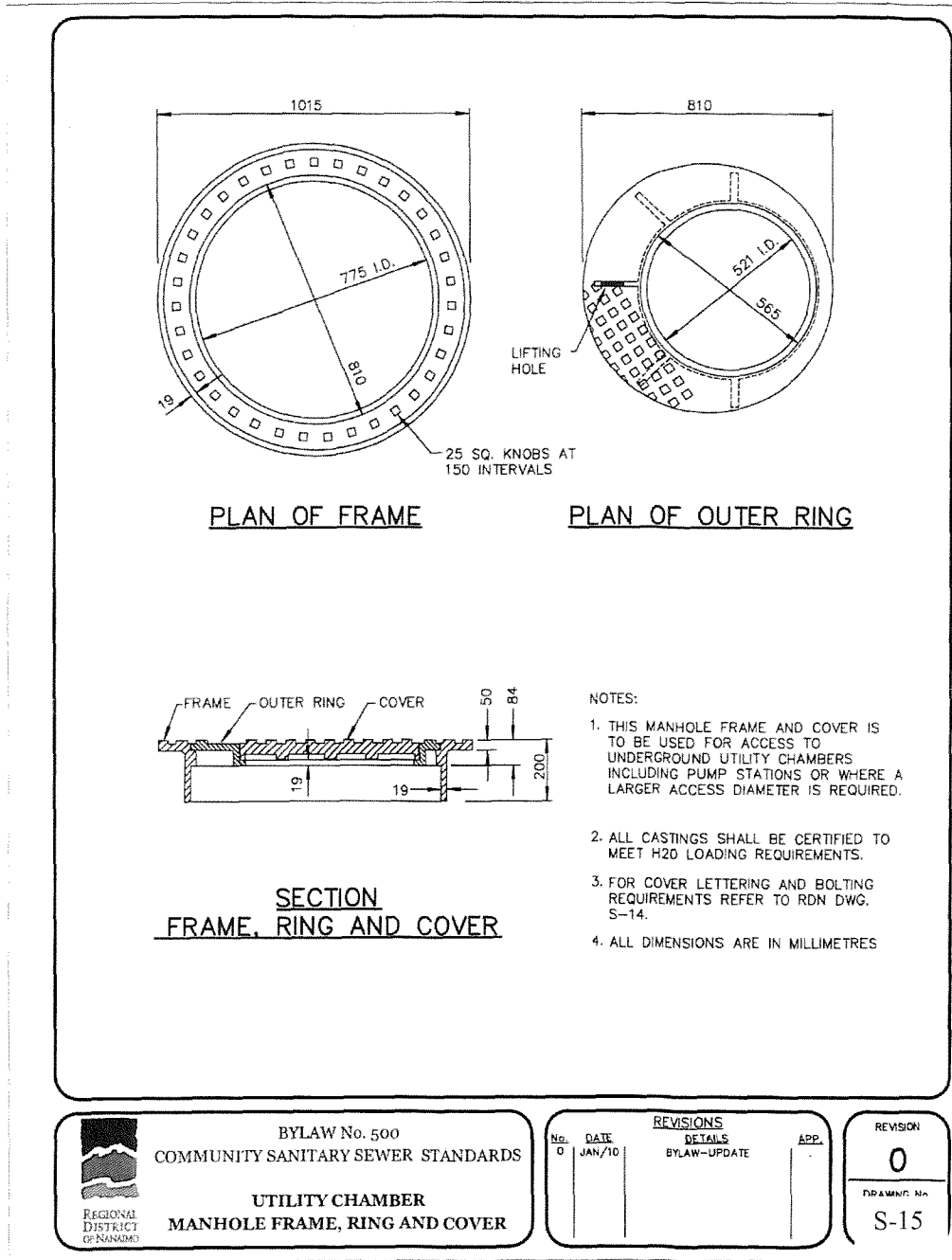
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S-13





BYLAW No. 500
COMMUNITY SANITARY SEWER STANDARDS
WATERTIGHT MANHOLE
FRAME AND COVER

REVISIONS		APP.
No.	DATE	DETAILS
0	JAN/10	BYLAW-UPDATE

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DRAWING No.
S-14




 BYLAW No. 500
 COMMUNITY SANITARY SEWER STANDARDS
**UTILITY CHAMBER
 MANHOLE FRAME, RING AND COVER**

REVISIONS		
No.	DATE	DETAILS
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 DRAWING No.
S-15


1. RIGHT ANGLE BEND 2. TEE CONNECTION 3. THREE WAY JUNCTION

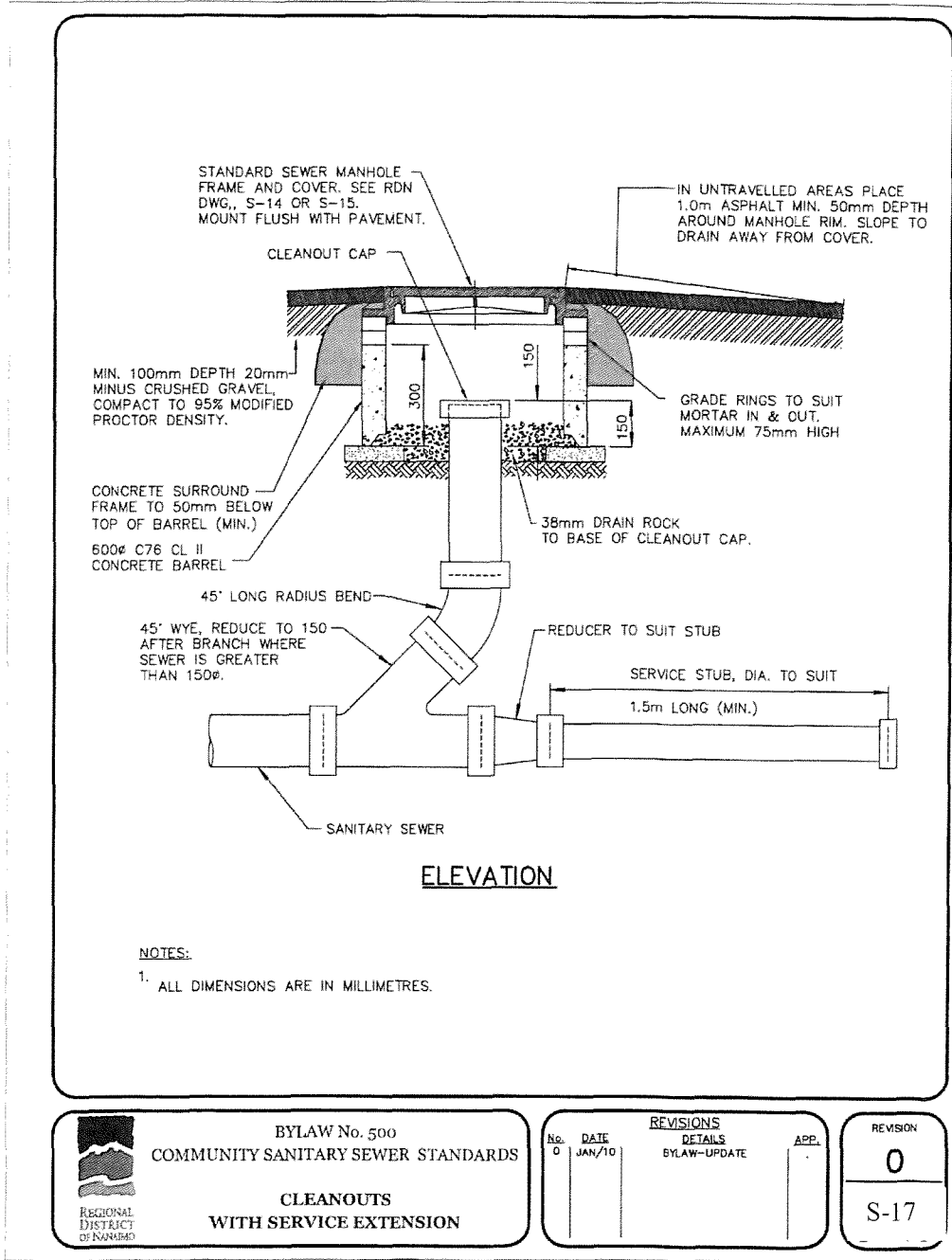
4. FOUR WAY JUNCTION 5. STRAIGHT THROUGH 6. DEAD END


7. WYE CONNECTION 8. 45° BEND

NOTES

1. ALL CHANNELS SHALL BE FINISHED WITH A STEEL TROWEL. BENCHING (SHADED AREAS) SHALL BE BROOM FINISHED.
2. MANHOLE COVER OPENINGS AND RUNG LOCATIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED ON THE CONSTRUCTION DRAWINGS.

	BYLAW No. 500 COMMUNITY SANITARY SEWER STANDARDS		REVISIONS No. DATE DETAILS APP.		REVISION 0
	CAST IN PLACE MANHOLE BENCHING		0 JAN/10	BYLAW-UPDATE	S-16

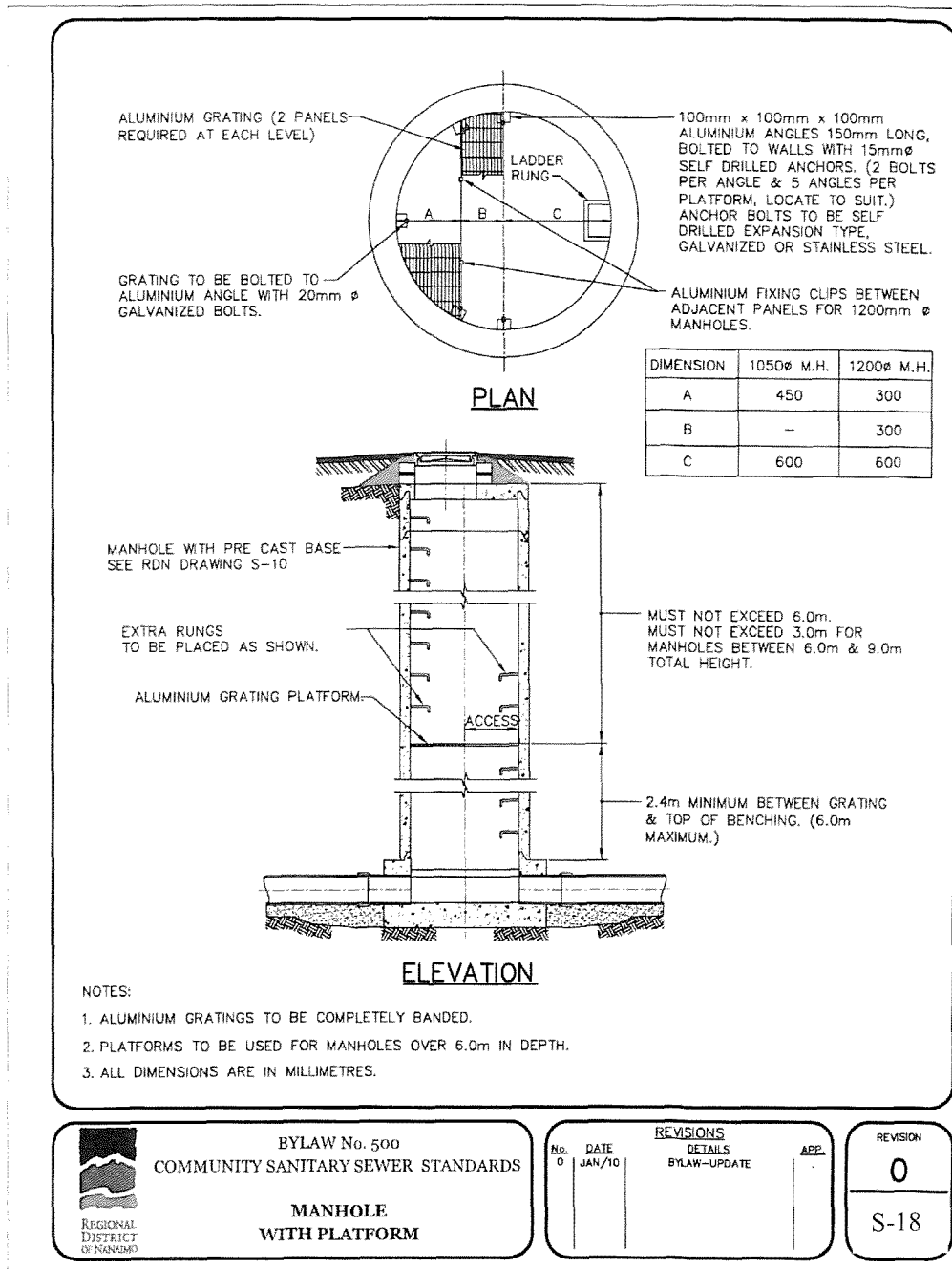


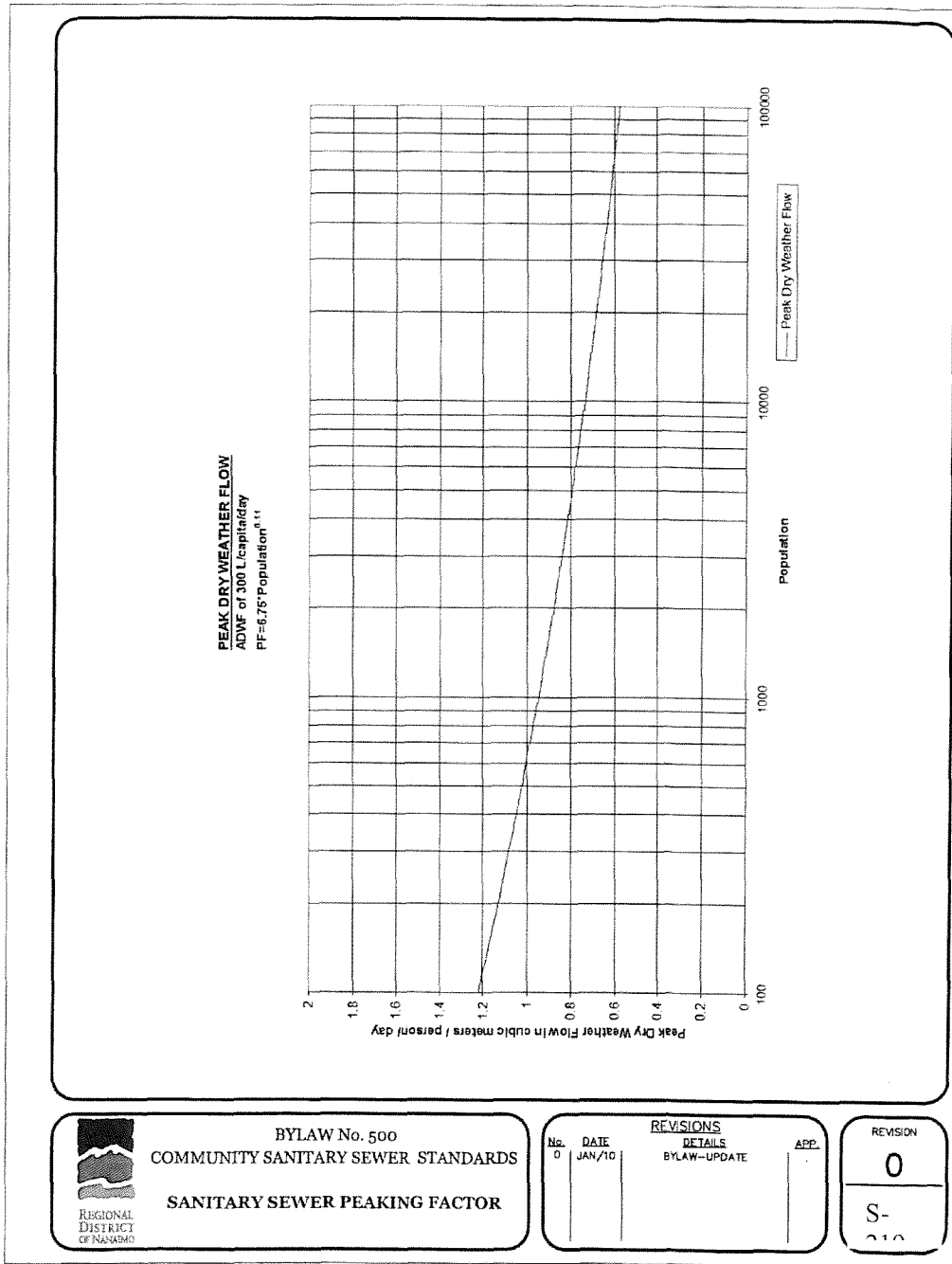
 BYLAW No. 500
COMMUNITY SANITARY SEWER STANDARDS


**CLEANOUTS
WITH SERVICE EXTENSION**

REVISIONS			APP.
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S-17





 **BYLAW No. 500**
COMMUNITY SANITARY SEWER STANDARDS
SANITARY SEWER PEAKING FACTOR

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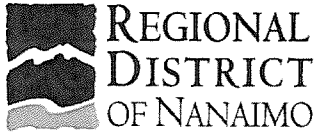
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210

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500**

**LAKES DISTRICT AND SCHOONER COVE
COMMUNITY SEWER SYSTEM STANDARDS**

APPENDIX 2

LETTER OF ASSURANCE



LETTER OF ASSURANCE

NOTE:

To be submitted at time of Feasibility Review

To: Manager of Engineering Services
 Regional District of Nanaimo
 6300 Hammond Bay Road
 Nanaimo BC V9T 6N2

RE: _____

 (Project)

Date: _____, 20__.

This will confirm that (Developer _____) has retained (Consultant _____) to provide, design, contract administration, inspection and as-constructed drawings for this project all in accordance with the current bylaws and standards of the Regional District and in accordance with good engineering practice.

(Developer)

This confirms we have accepted this assignment on the above terms.

(Consultant)

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500**

**LAKES DISTRICT AND SCHOONER COVE
COMMUNITY SEWER SYSTEM STANDARDS**

APPENDIX 3

CERTIFICATE OF DESIGN



CERTIFICATE OF DESIGN

I, _____, a Professional Engineer registered in the Province of British Columbia, hereby certify that the works as herein set out on the attached drawings entitled _____

_____ have been designed in accordance with the Regional District of Nanaimo Bylaw 500 and/or in accordance with good engineering practice where such design is not covered by the Regional District Bylaw 500.

I have been retained to provide design, supervision, full-time inspection, as-built drawings, and final certification for this project by:

(Name of Client)

I am satisfied that in the contractual mandate which exists between myself and my client, the terms of reference will permit me to render a level of supervision of the construction work which will allow me to put my name and seal to the "Certification of Installed Works" required by the Regional District of Nanaimo, a sample of which is attached to this document and initialed by me.

In the event that my client releases me from this project, or in the event that I find the terms of reference do not permit me to render a level of supervision of the construction work which will allow me to put my name and seal to the form of certification required by the Regional District of Nanaimo, I will notify the Regional District within twenty-four (24) hours verbally and follow it up with written confirmation and clarification.

Signed this _____ day of _____, 20____.

_____, P.Eng.

(signature)

(name printed)

I understand that the "Certification of Installed Works" is to be completed in this format and submitted with the "as-constructed" drawings.

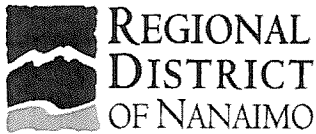
(Engineer)

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500**

**LAKES DISTRICT AND SCHOONER COVE
COMMUNITY SEWER SYSTEM STANDARDS**

APPENDIX 4

CERTIFICATION OF INSTALLED WORKS



CERTIFICATION OF INSTALLED WORKS

NOTE: To be completed in this format and submitted with the 'As-Built' drawings

Location of the Construction Site and Works: (Legal Description / Location)

_____ all within the Regional District of Nanaimo, British Columbia.

I, _____, a Registered Professional Engineer (Reg. No. _____) in the Province of British Columbia, hereby certify:

4. THAT the following construction tests were carried out to confirm that construction met the specifications required:

- a) _____
- b) _____
- c) _____
- d) _____
- e) _____
- f) _____

5. THAT I was able to monitor the construction and provide a level of supervision of the construction work sufficient to be able to confirm that the specifications in force and effect by the Regional District of Nanaimo and in the applicable design drawings for the said Works were generally met during the Construction Period; and

6. THAT the accompanying plans labeled:

- (i) _____
- (ii) _____
- (iii) _____

accurately record the materials, grades, inverts, offsets and dimensions of the constructed work.

DATED this _____ day of _____, 20 _____.

Engineer (signature & seal)

Engineering Firm

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500**

**LAKES DISTRICT AND SCHOONER COVE
COMMUNITY SEWER SYSTEM STANDARDS**

APPENDIX 5

STANDBY IRREVOCABLE LETTER OF CREDIT

[BANK LETTERHEAD]

Letter of Credit No. _____ Amount: _____
Applicant _____ Initial Expiry Date: _____
_____ Beneficiary: _____

For the account of _____
(Name of Customer)

up to an aggregate amount of _____ available on demand.

Pursuant to the request of our customer, we hereby establish and give you a Standby Irrevocable Letter of Credit in your favour in the above amount which may be drawn on by you at any time and from time to time, upon written demand for payment made upon us by you, which demand we shall honour without enquiring whether you have the right as between yourself and the said customer to make such demand, and without recognizing any claim of our said customer, or objection by it to payment by us.

This Letter of Credit relates to those Regional District of Nanaimo services and financial obligations set out in an Agreement between the customer and the Regional District of Nanaimo and briefly described as:

The amount of this Letter of Credit may be reduced from time to time as advised by notice in writing to us by the Regional District of Nanaimo.

Partial or full drawings may be made.

This Letter of Credit shall expire at 3:00 p.m. on _____. This Letter of Credit will continue in force for a period of 1 year, but shall be subject to the condition hereinafter set forth.

It is a condition of the Letter of credit that it shall be deemed to be automatically extended without amendment from year to year from the present or any future expiration date hereof, unless at least 30 days prior to the present or any future expiration date, we notify you in writing by registered mail, that we elect not to consider this Letter of Credit to be renewable for any additional period. This Letter of Credit is subject to the Uniform Custom and Practice for Documentary Credits (1993 Revision) International Chamber of Commerce Publication No. 500.

DATED at _____, British Columbia, this ____ day of _____, 20__.

(Name of Bank)

(Address of Bank)

PER: _____
(Authorized Signature)

Chairperson

Corporate Officer

Schedule '3'
Lakes District and Schooner Cove Community Water and Sewer Standards Area

