

REGIONAL DISTRICT OF NANAIMO

ELECTORAL AREA PLANNING COMMITTEE

TUESDAY, OCTOBER 13, 2015

6:00 PM

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

- 3 **Jack Anderson, Greenplan**, re Development Permit with Variance – 1604 Cedar Road, Electoral Area 'A'.

MINUTES

- 4-7 Minutes of the Regular Electoral Area Planning Committee meeting held Tuesday, September 8, 2015.

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

DEVELOPMENT PERMIT WITH VARIANCE

- 8-24 Development Permit with Variance Application No. PL2015-026 – 1604 Cedar Road, Electoral Area 'A'.

- 25-33 Development Permit with Variance Application No. PL2015-117 – 1713 Admiral Tyron Boulevard, Electoral Area 'G'.

ZONING AMENDMENT

- 34-48 Zoning Amendment Application No. PL2015-025 – Electoral Area 'H' – Amendment Bylaw 500.400 – 1st and 2nd Reading.

PERIMETER FRONTAGE

- 49-54 Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2015-055 – 2855 Ashcraft Road, Electoral Area 'E'.

- 55-60 Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2015-067 – 2045 Fisher Road, Electoral Area 'F'.

- 61-65 Request for Relaxation of the Minimum Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2015-112 – Electoral Area 'F'.

OTHER

- 66-78 Sustainability Review of Regional District of Nanaimo Official Community Plans.

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

ADJOURNMENT

Re: Development Permit with Variance – 1604 Cedar Road, Electoral Area 'A'

From: Jack Anderson

Sent: September 30, 2015 2:23 PM

Subject: Cranberry DP application

Can you please advise as to whom I need to contact to request to be a delegation on October 13th as I would like to provide a short Power Point presentation? Are you able to book me as a delegation? Can you confirm how many minutes I can speak as a delegation?

Thanks

Jack Anderson,
Greenplan
1655 Cedar Road
Nanaimo, BC V9X 1L4
250 722-3456
250 722-3453 fax
www.greenplan.ca

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, SEPTEMBER 8, 2015 AT 6:30 PM IN THE
RDN BOARD CHAMBERS

In Attendance:

Director B. Veenhof Alternate	Chairperson
Director K. Wilson	Electoral Area A
Director M. Young Alternate	Electoral Area C
Director K. Lowe	Electoral Area E
Director J. Fell	Electoral Area F
Director J. Stanhope	Electoral Area G

Regrets:

Director A. McPherson	Electoral Area A
Director B. Rogers	Electoral Area E

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. Holm	Mgr. Current Planning
C. Golding	Recording Secretary

CALL TO ORDER

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

The Chairperson welcomed Alternate Directors Wilson and Lowe to the meeting.

DELEGATIONS

Nigel Lutz, Joe Ringwald, re Property at 1417 Pilot Way, Electoral Area 'E'.

Nigel Lutz expressed his wish to re-locate a cottage to his property and asked the Committee for an exemption to the building code to allow him to do this.

ELECTORAL AREA PLANNING COMMITTEE MINUTES

Minutes of the Regular Electoral Area Planning Committee meeting held Tuesday, July 14, 2015.

MOVED Director Stanhope, SECONDED Director Fell, that the minutes of the Regular Electoral Area Planning Committee meeting held Tuesday, July 14, 2015, be adopted.

CARRIED

Minutes of the Special Electoral Area Planning Committee meeting held Tuesday, July 28, 2015.

MOVED Director Stanhope, SECONDED Director Fell, that the minutes of the Special Electoral Area Planning Committee meeting held Tuesday, July 28, 2015, be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Nigel and Annerose Lutz, re Property at 1417 Pilot Way, Electoral Area 'E'.

MOVED Director Stanhope, SECONDED Director Young, that the correspondence from Nigel and Annerose Lutz regarding the property at 1417 Pilot Way, Electoral Area 'E', be received.

CARRIED

Klaus and Elizabeth Schmitt, re Development Variance Permit Application No. PL2015-098 – 2957 Dolphin Drive, Electoral Area 'E'.

MOVED Director Stanhope, SECONDED Director Young, that the correspondence from Klaus and Elizabeth Schmitt regarding Development Variance Permit Application No. PL2015-098 – 2957 Dolphin Drive, Electoral Area 'E', be received.

CARRIED

DEVELOPMENT PERMIT

Development Permit Application No. PL2015-109 – 1421 and 1429 Greig Road, Electoral Area 'G'.

MOVED Director Stanhope, SECONDED Director Fell, that Development Permit Application No. PL2015-109 to permit the construction of an addition to each of the two existing dwelling units on the subject property be approved subject to the conditions outlined in Attachments 2 and 3.

CARRIED

DEVELOPMENT VARIANCE PERMIT

Development Variance Permit Application No. PL2015-068 – 1542 Madrona Drive, Electoral Area 'E'.

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

CARRIED

MOVED Director Lowe, SECONDED Director Fell, that Development Variance Permit Application No. PL2015-068 to permit the extensive renovation and expansion of a dwelling unit and the construction of a freestanding deck be approved subject to the conditions outlined in Attachments 2 to 4.

CARRIED

Development Variance Permit Application No. PL2015-098 – 2957 Dolphin Drive, Electoral Area 'E'.

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

CARRIED

MOVED Director Lowe, SECONDED Director Stanhope, that Development Variance Permit Application No. PL2015-098 to permit the construction of a deck be approved subject to the conditions outlined in Attachments 2 and 3.

CARRIED

Development Variance Permit Application No. PL2015-101 – 3216 Bay Road, Electoral Area ‘H’.

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

CARRIED

MOVED Director Stanhope, SECONDED Director Young, that Development Variance Permit Application No. PL2015-101 to increase the maximum floor area of an accessory building be approved subject to the conditions outlined in Attachments 2 to 4.

CARRIED

Development Variance Permit Application No. PL2015-103 – 2160 Spurs Road, Electoral Area ‘E’.

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

CARRIED

MOVED Director Lowe, SECONDED Director Fell, that Development Variance Permit Application No. PL2015-103 to reduce the side yard setback from 8.0 metres to 2.0 metres for a covered riding ring be approved subject to the conditions outlined in Attachments 2 to 4.

CARRIED

ZONING AMENDMENT

Zoning Amendment Application No. PL2015-062 – 921 & 925 Fairdowne Road, Electoral Area ‘F’ – Amendment Bylaw No. 1285.25, 2015 – 1st and 2nd Reading.

MOVED Director Fell, SECONDED Director Young, that the Summary of the Public Information Meeting held on June 25, 2015, be received.

CARRIED

MOVED Director Fell, SECONDED Director Young, that the conditions set out in Attachment 2 of the staff report be completed prior to Amendment Bylaw No. 1285.25 being considered for adoption.

CARRIED

MOVED Director Fell, SECONDED Director Young, that "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.25, 2015", be introduced and read two times.

CARRIED

MOVED Director Fell, SECONDED Director Young, that the Public Hearing on "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.25, 2015" be chaired by Director Fell or his alternate.

CARRIED

ADJOURNMENT

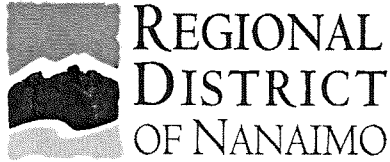
MOVED Director Stanhope, SECONDED Director Young, that this meeting be adjourned.

CARRIED

TIME: 6:45 PM

CHAIRPERSON

CORPORATE OFFICER



RDN REPORT	
CAO APPROVAL	
EAP	✓
COW	
OCT 07 2015	
RHD	
BOARD	

STAFF REPORT

TO: Jeremy Holm
Manager, Current Planning

DATE: October 6, 2015

FROM: Greg Keller
Senior Planner

MEETING: EAPC - October 13, 2015

FILE: PL2015-026

SUBJECT: Development Permit with Variance Application No. PL2015-026
The Northerly 135 Feet of the Westerly 198 Feet of Section 16, Range 8, Cranberry District, Except Part in Plan VIP63251
1604 Cedar Road – Electoral Area ‘A’

RECOMMENDATION

That the Board not approve Development Permit with Variance No. PL2015-026 as proposed.

PURPOSE

To consider an application for a Development Permit with Variance to permit building façade and landscaping improvements, a roof overhang, and to relax the minimum front lot line setback requirement, maximum height requirement, and number and type of permitted signs to allow exterior renovations to an existing building and the installation of a new freestanding sign on the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Jack Anderson on behalf of Cranberry Arms Holdings to permit building façade and landscaping improvements and the installation of a freestanding sign. The subject property is approximately 1,507m² in area and is zoned Commercial 5 Subdivision District M (CM5M), pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is located to the north of Cedar Road just west of the Duke Point Highway overpass in Cedar (see Attachment 1 – Subject Property Map).

The Cranberry Arms Pub (the Pub) is located on the subject property and it is serviced by North Cedar Improvement District Water and onsite wastewater disposal.

The proposed development is subject to the Cedar Main Street Development Permit Area in accordance with the “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Bylaw No. 1620, 2011”.

Proposed Development and Variances

The Pub is a two-storey historic building that has been a fixture in the community for many years. The Pub is in a location with high visibility as all vehicular traffic travelling along Cedar Road passes by the Pub. Visibility at this location is enhanced as a result of the narrow and winding road pattern. The Pub has a Tudor-inspired architectural styling with minimal character and detail.

In response to a lack of interior space, a previous owner added a metal shipping container located on the east side of the building for use as refrigerated storage. Although the exact date that the storage container was located on the property is unknown, it has been there for a number of years. The Pub is internally connected to the shipping container with a hallway to provide quick access.

Recently, in an attempt to improve the aesthetic appeal of the Pub, the applicant installed a western-themed façade enclosing the shipping container. This work was done without the required Development Permit and Building Permit. As a result, a stop work order was issued.

The applicant is also proposing to construct a roof overhang over the entranceway on the east side of the building, construct a freestanding sign, and install landscaping at the base of the sign. A Development Permit is required to recognize the façade improvements and to allow the proposed roof overhang, freestanding sign, and landscaping.

It should be noted that this application is limited to an assessment of the identified development activities and proposed variances. As the Pub has been in existence for many years prior to the adoption of zoning and no significant alterations to the building are being proposed at this time, this application does not address issues such as land use, siting of existing buildings and structures, minimum parking requirements, etc. Should the property be redeveloped or a building addition be proposed, the RDN would review the project for overall bylaw compliance at that time.

The applicant proposes to vary the following regulations from the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”:

1. **Section 3.4.15 – Minimum Setback Requirements** to reduce the minimum other lot line setback requirement from 5.0 m to 4.57 m for a portion of the proposed roof overhang as shown on Attachment 2.
2. **Section 3.4.15 – Minimum Setback Requirements** to reduce the minimum other lot line setback requirement from 5.0 m to 2.5 m for a portion of the proposed freestanding sign as shown on Attachment 2.
3. **Section 3.4.15 – Minimum Setback Requirements** to reduce the minimum front lot line setback requirement from 8.0 m to 1.7 m for a portion of the proposed roof overhang as shown on Attachment 2.

The applicant proposes to vary the following regulations from the “Regional District of Nanaimo Sign Bylaw No. 993, 1995”:

1. **Section 5(a)** – to increase the maximum number of signs from two to four including one free standing sign, one projecting sign, and two fascia signs in the locations shown on Attachment 2.
2. **Section 5(b)** – to allow one projecting and one freestanding sign on the subject property as shown on Attachments 2 and 3.
3. **Section 5(c)** – to increase the maximum sign height from 4.0 m to 6.8 m for the proposed freestanding sign as shown on Attachment 2.

ALTERNATIVES

1. To not approve Development Permit with Variance No. PL2015-026.
2. To approve Development Permit with Variance No. PL2015-026 as proposed and direct staff to proceed with notification.

LAND USE IMPLICATIONS

Development Implications

In support of the application, the applicant has provided a site plan illustrating the proposed improvements as well as an elevation drawing showing the proposed freestanding sign (see Attachment 2 – Site Plan). A landscaping plan prepared by Long Lake Nursery dated October 13, 2014, has also been provided that proposes landscaping at the base of the freestanding sign (see Attachment 2 – Landscaping Plan). Artist renderings and photographs have also been provided showing the proposed roof and façade (see Attachment 3 – Roof and Façade Elevations).

The Cedar Main Street Development Permit Area Guidelines (DPA Guidelines) provide detailed guidance on building façade design, architectural detailing, landscape design, and signage which are applicable to the proposed development. Staffs assessment of this proposal is limited to the applicable DPA Guidelines. The DPA Guidelines are very specific to the Cedar area and were developed through the Cedar Main Street Village Planning Project which included significant stakeholder input in to the crafting of the guidelines which capture the community's vision for the area. The DPA Guidelines reflect the community's desire to preserve rural character, control building scale and massing, and protect against the impacts of light pollution. The Guidelines are a result of extensive and broad community input and are a primary tool used to ensure that proposed development within the Cedar Main Street Land Use Designation is consistent with community objectives and the vision set out in the Official Community Plan.

Building Façade

The proposed façade improvements are intended to increase the aesthetic appeal of the metal shipping container. The proposed façade is a western theme that mimics a western store front. The façade contains a number of design features including paintings meant to look like windows and doors and other 'hard' design features meant to replicate typical signage that may have been used to identify uses of a western building such as 'General Store', 'Bank', 'Sheriff Jail' and 'Blacksmith'. Although these 'hard' design features have the appearance of signs, for the purpose of this Development Permit, they are considered architectural elements rather than signs as they are clearly meant to add visual interest to the façade and do not advertise any real business, profession, service, activity, or entertainment. Any future alteration of these design features would require a development permit.

Materials used in the façade design are of high quality and are primarily cedar cladding. The use of at least three different complimentary colours has been included on the façade. Although the western architectural style of the façade design is not consistent with the Tudor-inspired architectural style of the Pub, the DPA Guidelines do not require a unified design scheme and in staff's assessment the proposal represents an overall improvement in aesthetic quality of the building.

The proposed roof overhang is well integrated into the overall architectural design of the Pub and includes exposed timber posts and beams. This will help to add visual interest to the building by breaking up a large building face and will also provide weather protection.

Staff are of the opinion that the proposed façade improvements and roof overhang have satisfied the DPA Guidelines.

Landscaping

Landscaping is proposed at the base of the sign which generally consists of native plants and shrubs. In staffs' assessment, the proposed landscaping is consistent with the DPA Guidelines.

Free Standing Sign

With respect to the freestanding sign, the applicant proposes to repurpose an existing metal freestanding sign frame, reface it with natural cedar building materials, and fit it with new sign content. The proposed sign would include a post and beam type aesthetic which is in keeping with the Pub design. The proposed sign would include two double-sided panels. While the bottom panel is proposed to be a changeable letter board sign which will not be illuminated or electronic, the top panel is proposed to be back lit. Signs which are back lit are not supported by and are not consistent with the DPA Guidelines. The DPA Guidelines specifically do not support the following sign types: back lit, reader board, neon, flashing, animated, rotating, or other signs which project light beyond the signs surface or towards the sky (see Attachment 4 – DPA Sign Guidelines).

Compliance with the DPA Guidelines could be achieved in many ways such as by installing gooseneck style lighting similar to the sign located in Cedar Village at Village Square or by choosing not to illuminate the sign. The applicant has been advised that staff cannot recommend support for an application that is inconsistent with the DPA Guidelines. The applicant has requested that the application proceed to the Board as proposed.

In an attempt to reduce the sign's intensity, the applicant is proposing to back coat the upper sign panel such that the back lit illumination would be limited to sign lettering. Despite the attempt to reduce the signs intensity, the proposed sign is back lit and is therefore not consistent with the DPA Guidelines. Staff are concerned with the type of illumination especially given the scale and highly visible and somewhat obtrusive location of the sign being proposed. Given these concerns and the sign's inconsistency with the DPA guidelines staff recommend the Board not approve the application as proposed.

Should the Board choose to approve the Development Permit with Variance as proposed, in a manner which does not conform with the DPA Guidelines, staff recommends that the applicant be required to register a Section 219 covenant securing the back coating on the sign and prohibiting reader board, neon, flashing, animated, rotating, and other sign types which project light beyond the signs surface or towards the sky on the subject property.

Assessment of Proposed Sign Variances

The applicant is requesting a number of discretionary approvals (variances) which relate to the proposed freestanding sign including a reduced minimum front lot line setback, an increase to the maximum sign height, and an increase in the total number and type of signs permitted on the subject property. The following is an assessment of the proposed variances.

Regional District of Nanaimo Development Variance Permit, Development Permit with Variance, and Floodplain Exemption Application Evaluation Policy B1.5 (Policy B1.5) provides staff with guidance when reviewing and evaluating requests for variances.

Policy B1.5 states that an application should demonstrate both an acceptable land use justification and also that reasonable effort has been made to avoid the need for, or reduce the extent of a variance. A typical example of an acceptable land use justification includes a topographical constraint such as a steep slope or rock outcrop which makes it difficult to comply with bylaw requirements. Typically applicants are expected to demonstrate efforts to reduce the need for a variance such as amending the design, scale, or siting of a structure or altering its height or location.

In accordance with Policy B.1.5, failure to demonstrate an acceptable land use justification or reasonable efforts to reduce the need for, or extent of the variance may be grounds for staff to recommend that the application be denied by the Board.

The applicant is proposing to locate the freestanding sign on the south east corner of the subject property. The proposed location has historically been used for a ground level moveable non-illuminated community announcement sign. The applicant indicates that the proposed sign location was chosen as it is one of the few spots on the subject property that is visible to passing motorists but does not have any negative impacts on highway visibility or traffic flow or parking within the site. Due to sloping topography and the location of the Pub and associated parking areas, there appear to be limited options for the placement of a freestanding sign. As a result, a variance to the minimum setback requirements is being requested to allow for the placement of the sign. The applicant has provided a reasonable land use justification in support of the proposed variance to the minimum setback requirements for the freestanding sign based on demonstrated constraints to suitable location for the sign on the property.

With respect to sign height, the applicant is proposing to reuse an existing metal sign frame and add a cedar post and beam truss. The existing sign frame without the cedar post and beam truss would be approximately 5.2 metres above natural grade. Adding the cedar post and beam truss, which would significantly improve the aesthetic appeal of the sign and better integrate it with the Pub's design, results in the proposed sign being 6.8 m above natural grade. A variance is required to allow the proposed sign as it exceeds the maximum 4.0 metre height requirement in accordance with Bylaw 993.

Although repurposing an existing metal sign frame is consistent with Official Community Plan policies related to encouraging sustainable development, the applicant has not demonstrated that a reasonable effort has been made to reduce the need for, or reduce the extent of the requested height variance. It may be possible to reduce the sign height in a cost effective manner by making alterations to the sign frame while maintaining its overall visibility and effectiveness.

In addition to the above, the DPA Guidelines encourage signage at a pedestrian scale and in a manner which is unobtrusive and requires a minimal amount of lighting or boldness to be effective. The proposed sign is at a highly visible location and would require a minimal amount of lighting and scale to be effective. The applicant has not demonstrated that the height variance and type of illumination proposed are necessary to attract the travelling public given the highly visible location of the pub and given that the sign is on a narrow winding road with relatively slow traffic speeds and is in a location that does not compete with other signage.

Given the height of the sign, the proposed back lighting and the proposed location of the sign it will likely also be visible from Duke Point Highway. The application of the DPA Guidelines suggest that concerns related to the scale of the sign could be addressed by proposing a ground-oriented freestanding sign which is more pedestrian oriented and provides good visibility and effectiveness.

With respect to the total number and type of signs located on the subject property, the applicant has not provided a land use justification and is not proposing any measures to reduce the overall number of signs. This could be addressed by removing the existing fascia signs and/or proposing to consolidate signage on the subject property.

Although the proposed variances are not anticipated to have a direct impact on adjacent property owners as a result of the subject property being separated from adjacent properties by the Duke Point overpass, it is anticipated that the proposed variances may result in visual distraction and a sign which exceeds a scale which is necessary to effectively attract the travelling public. In addition, the applicant has not demonstrated a satisfactory land use justification nor has reasonable effort been made to avoid the need for, or reduce the extent of the requested variances. Given the lack of justification and inconsistency with applicable DPA Guidelines, it is recommended that the Board deny the requested variances and encourage the applicant to work with staff to propose an overall approach to signage on the subject property which is consistent with the DPA Guidelines and which attempts to avoid the need for, or reduce the extent of any requested variances.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2015 – 2019 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2013 – 2015 Board Strategic Plan.

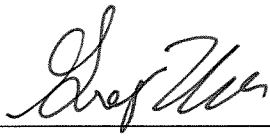
PUBLIC CONSULTATION IMPLICATIONS

Should the Committee choose to recommend that the Board approve the Development Permit with Variance in accordance with Alternative 2 notification will take place pursuant to the *Local Government Act* and the “Regional District of Nanaimo Development Approvals and Notification Procedures Bylaw No. 1432, 2005”. Property owners and tenants of parcels located within a 50 metre radius of the subject property will receive a direct notice of the proposal and will have an opportunity to comment on the proposed variances prior to the Board’s consideration of the application.

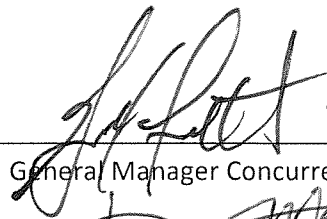
SUMMARY/CONCLUSIONS

This is an application for a Development Permit with Variance to permit building façade improvements, the construction of a roof overhang, a freestanding sign, and landscaping within the Cedar Main Street Development Permit Area. The applicant has requested a significant number of variances. With the exception of the variances to sign height and number of signs, the requested variances are supportable given the site context and the land use justification provided. The backlighting of the proposed free standing sign is contrary to the Development Permit Area guidelines.

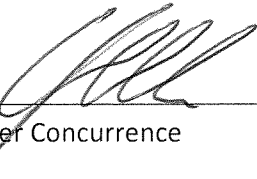
The proposed freestanding sign may result in a visual distraction on the narrow winding section of road and is of a scale that exceeds what is necessary to effectively attract the travelling public given that it is in a location that does not compete with other signage or visual clutter in the area. The applicant has not demonstrated a satisfactory land use justification nor undertaken reasonable effort to avoid the need for, or reduce the extent of the requested height variance for the free standing sign and variance to the number of signs permitted. Given that the proposed freestanding sign does not conform to the DPA Guidelines and that the applicant has not provided sufficient justification for the requested variances to sign height and number of signs, staff recommend that the Board deny the requested Development Permit with Variance application and encourage the applicant to work with staff to propose an overall approach to signage on the subject property which is consistent with the DPA Guidelines and which attempts to avoid the need for, or reduce the extent of any requested variances.



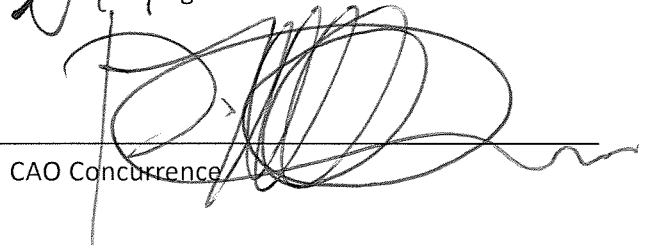
Report Writer



General Manager Concurrence

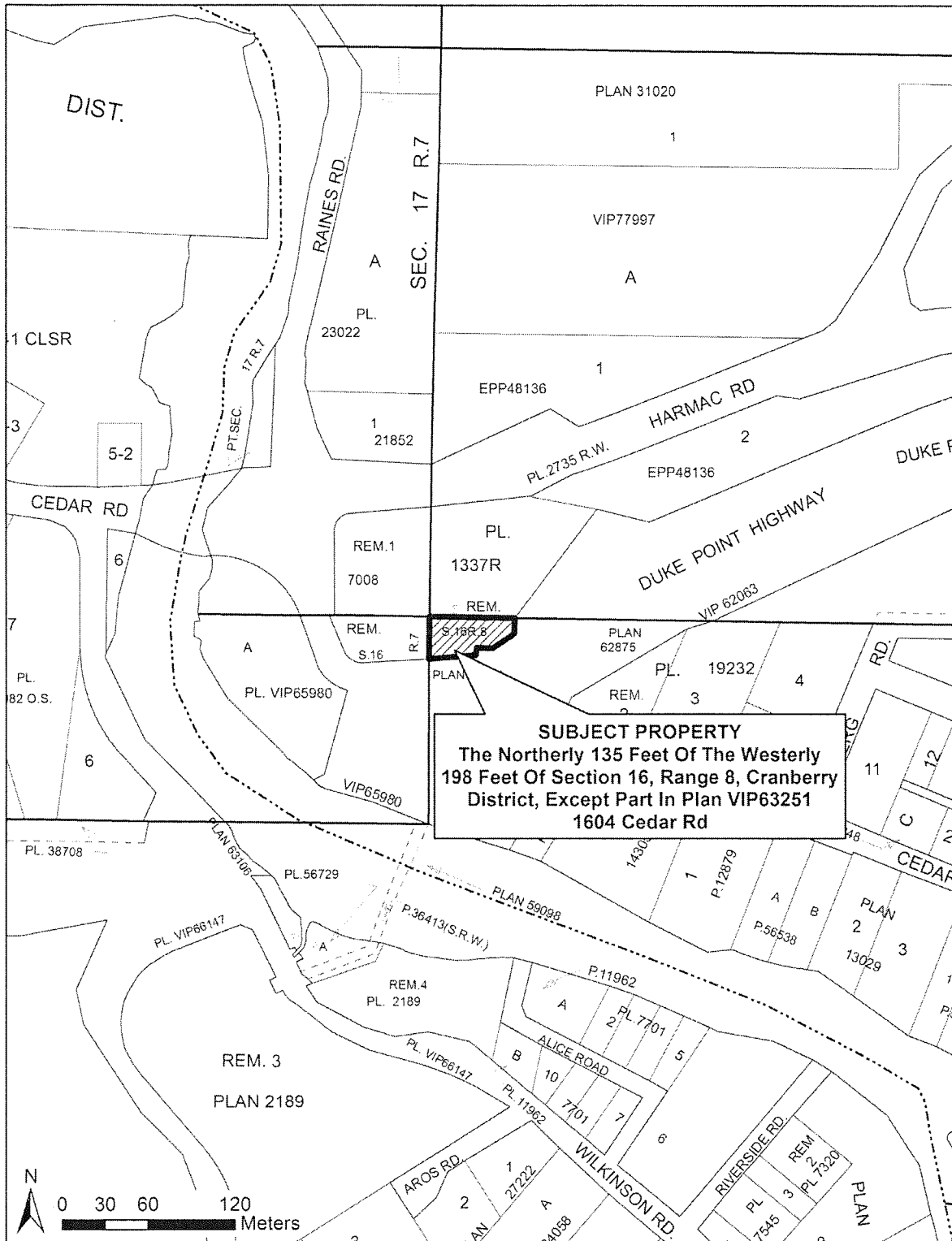


Manager Concurrence

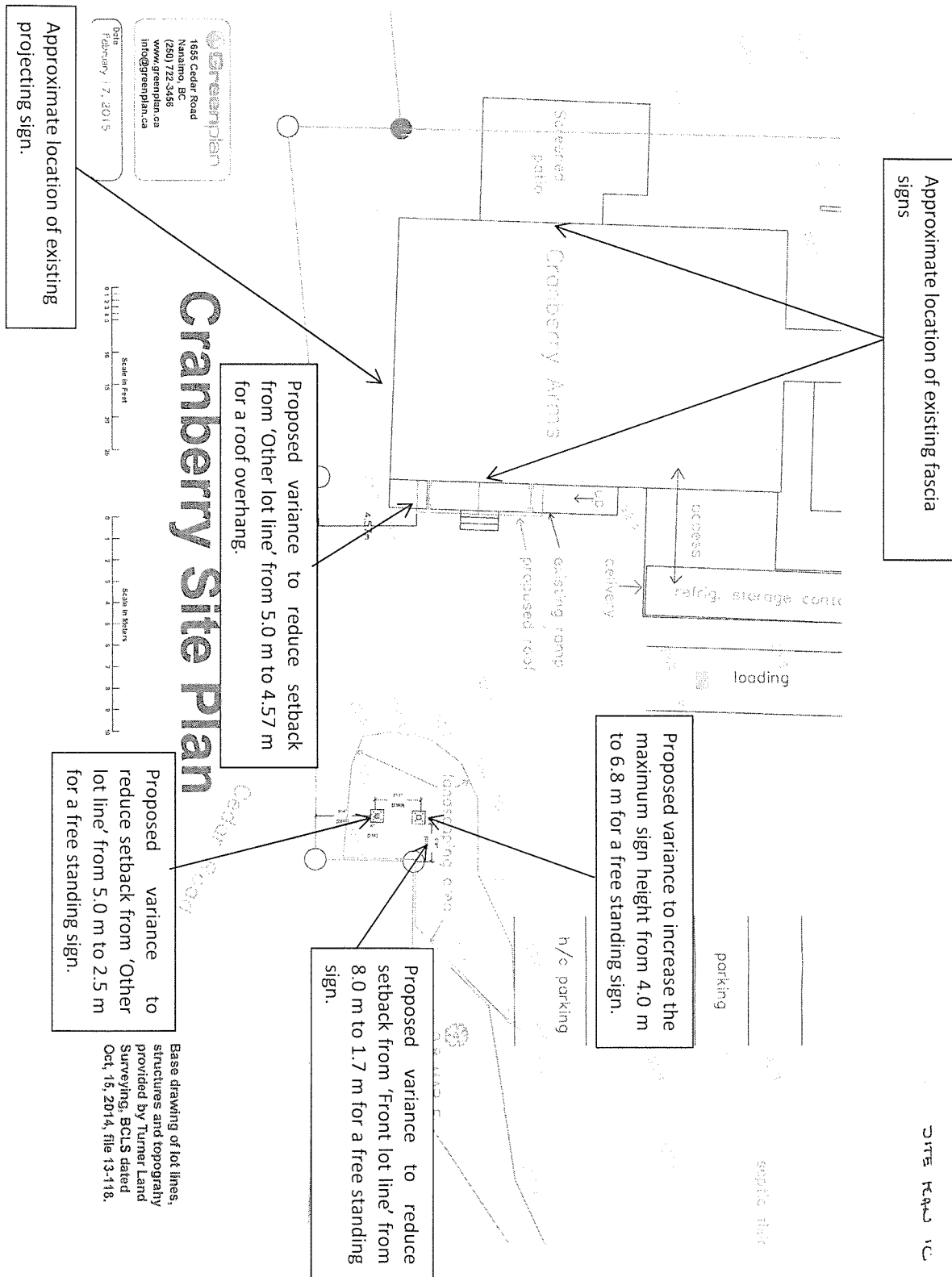


CAO Concurrence

Attachment 1 Subject Property Map



Attachment 2 (Page 1 of 4)
Proposed Site Plan and Variances



Cranberry Site Plan

Approximate location of existing projecting sign.

Approximate location of existing fascia signs

Proposed variance to reduce setback from 'Other lot line' from 5.0 m to 4.57 m for a roof overhang.

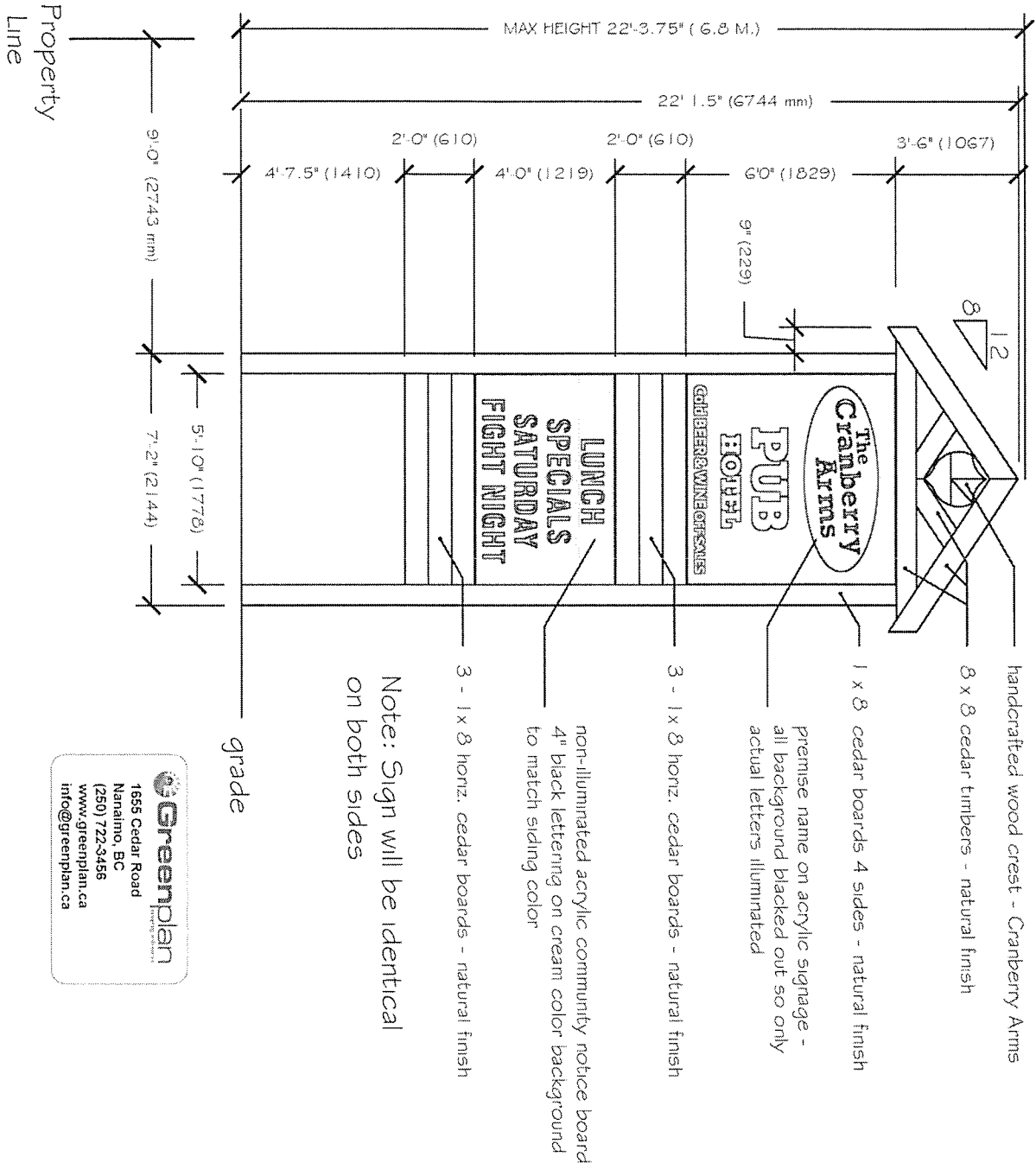
Proposed variance to increase the maximum sign height from 4.0 m to 6.8 m for a free standing sign.

Proposed variance to reduce setback from 'Front lot line' from 8.0 m to 1.7 m for a free standing sign.

Proposed variance to reduce setback from 'Other lot line' from 5.0 m to 2.5 m for a free standing sign.

Base drawing of lot lines, structures and topography provided by Turner Land Surveying, BCLS dated Oct. 15, 2014, file 13-118.

**Attachment 2 (Page 3 of 4)
Freestanding Sign Elevation**

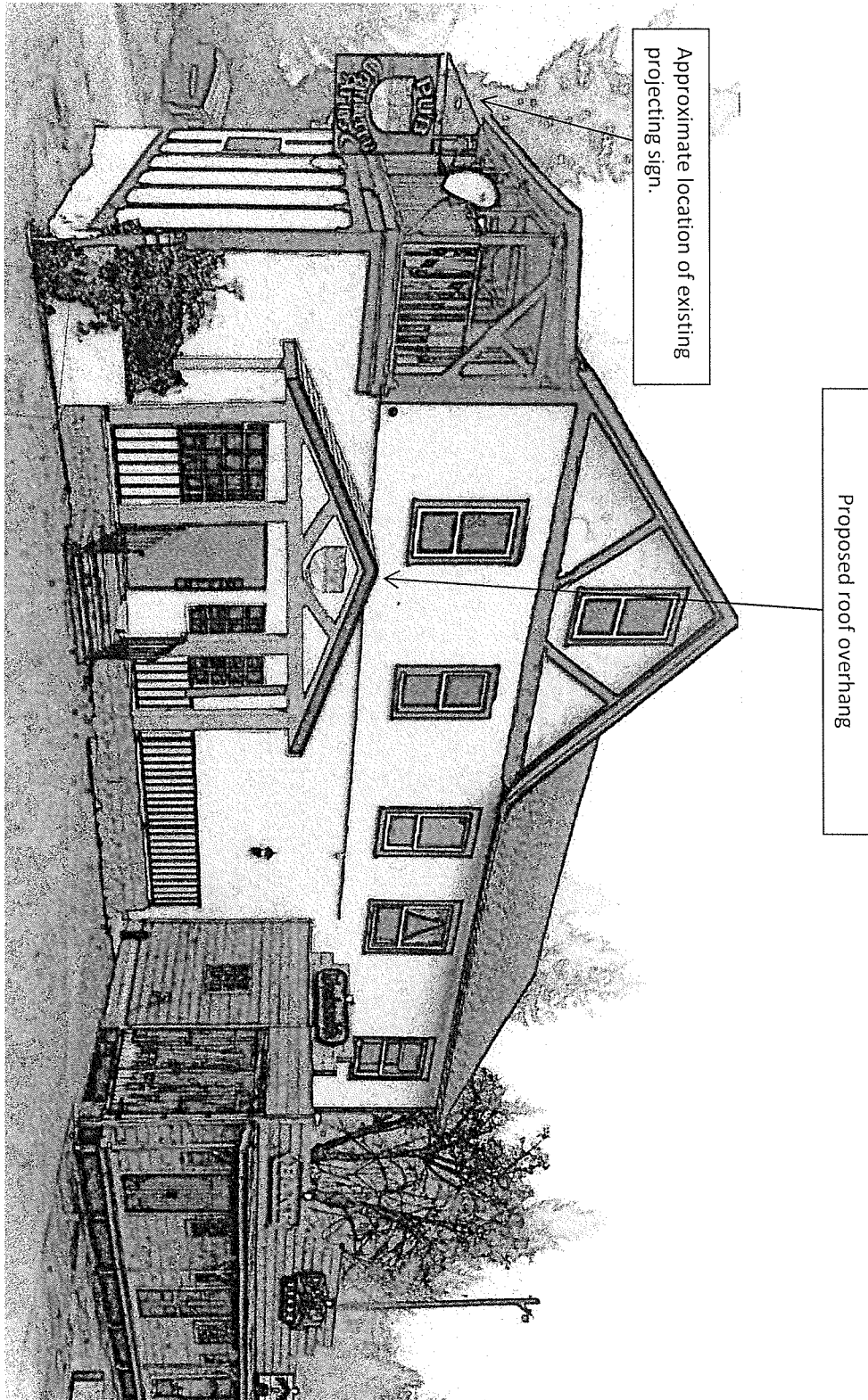


Greenplan
1555 Cedar Road
Nanaimo, BC
(250) 722-5456
www.greenplan.ca
info@greenplan.ca

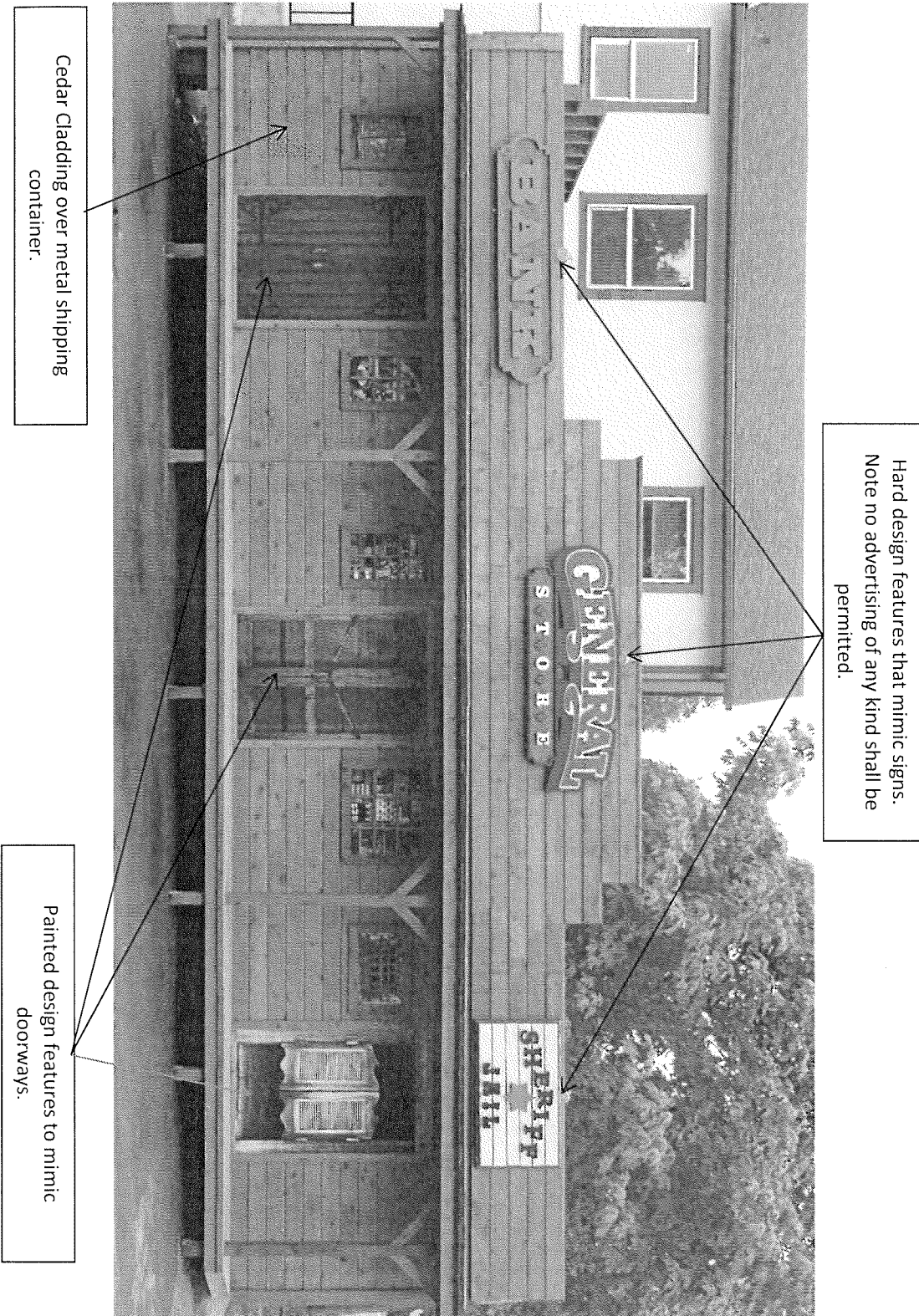
Attachment 2 (Page 4 of 4)
Proposed Site Plan and Variances



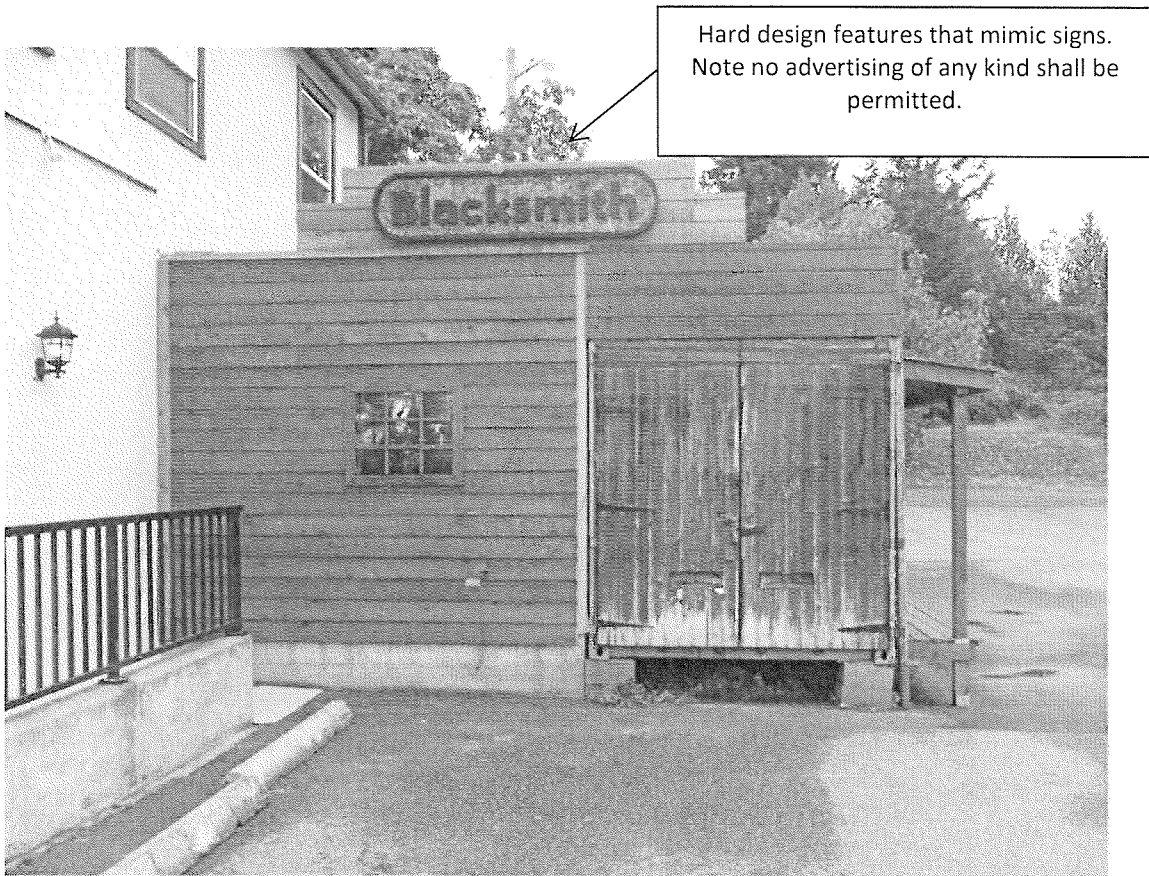
Attachment 3 (Page 1 of 3)
Proposed Roof Elevation



Attachment 3 (Page 2 of 3)
Facade Elevation



Attachment 3 (Page 3 of 3)
Facade Elevation



Attachment 4 (Page 1 of 2)
Cedar Main Street Signage Development Permit Area Guidelines

6.8.9 Signage

1. Signs should be hand crafted and provide individuality to each establishment.
2. Materials chosen for signage should be durable enough to last for several years of continuous use, except for the special cases of temporary signage or banners.
3. The following types of signs are not considered acceptable:

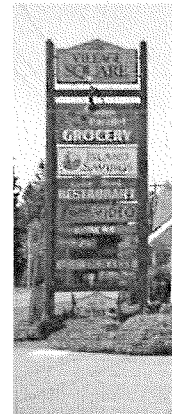
- a. reader board;
- b. neon;
- c. flashing;
- d. animated;
- e. rotating,
- f. backlit; and,
- g. signs which are illuminated in a way which projects light beyond the sign's surface or results in light being directed beyond the sign's surface or towards the sky.

4. Signs should be designed to cater to the pedestrian (limit height, size, and placement) and be in scale with the building and be related to a use or a business within.

SAMPLE ONLY



Example of a hand crafted sign



Example of a consolidated free standing sign

SAMPLE ONLY



Example of a fascia sign that is complementary to the design of the building and graphically communicates a message.

5. Free standing signage should be consolidated where possible with other businesses or uses as illustrated.

6. Creativity in how signs are designed (i.e. different shapes, colours, materials, and fonts) is supported.

7. The size, location, and design of freestanding signage shall be architecturally integrated with the overall design of the buildings and

Attachment 4 (Page 2 of 2) Cedar Main Street Signage Development Permit Area Guidelines

Cedar Main Street Village Plan

Page | 70

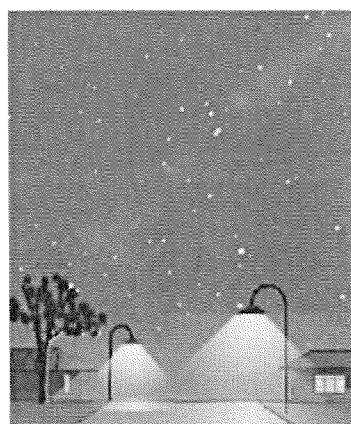
landscaping. The design of fascia signs containing individual business signage shall be complementary to the design of the building.

8. Signage should be visually unobtrusive and particular emphasis should be given to signage which is aesthetically pleasing and requires a minimal amount of lighting or boldness to be effective.
9. Signs should graphically communicate a message.
10. If there is a conflict between these DPA guidelines and the RDN Sign Bylaw No. 993, 1995 as amended or replaced from time to time, these guidelines shall prevail. However, a variance to the sign bylaw may be required.

6.8.10 Lighting

1. The use of solar lighting is encouraged.
2. Lighting should be designed for security and safety in accordance with Crime Prevention Through Environmental Design (CPTED) principles.
3. Site illumination must not result in glare directed towards neighbouring properties, adjacent roads, or light directed towards the sky.
4. Building façades may be discreetly illuminated through the use of strategically placed lighting which shines down from the buildings surface.
5. All new, replacement, and upgraded exterior lighting in existing and proposed developments shall be Full Cut-off Flat Lens (FCO/FL) luminaries to light roads, parking, loading, and pedestrian areas. Exterior building lighting will also be required to have FCO lighting fixtures.
6. Decorative street lights which are compatible with existing decorative street lighting and are in scale with their surroundings are encouraged.

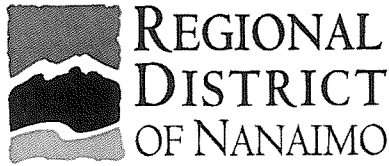
SAMPLE ONLY



Full cut off light fixtures direct light below the horizontal plane reducing light pollution and protecting the night sky.

6.8.11 Parking and Loading

1. If on street parking is proposed, it must be designed by a Professional Engineer and approved by the Ministry of Transportation and Infrastructure.
2. On site parking and loading areas should generally be located to the rear or side of buildings, should be screened from view from the adjacent road, and be located outside of the minimum required building setback. The screening should consist of landscaping, fencing, or a combination of landscaping and fencing.



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STAFF REPORT

TO: Jeremy Holm
 Manager, Current Planning

DATE: October 1, 2015

MEETING: EAPC – October 13, 2015

FROM: Tyler Brown
 Planner

FILE: PL2015-117

SUBJECT: Development Permit with Variance Application No. PL2015-117
 Lot 8, District Lot 28, Nanoose District, Plan 33977
 1713 Admiral Tyron Boulevard – Electoral Area ‘G’

RECOMMENDATIONS

1. That staff be directed to complete the required notification.
2. That Development Permit with Variance No. PL2015-117 to permit the construction of a rip rap seawall on the subject property be approved subject to the conditions outlined in Attachments 2 to 4.

PURPOSE

To consider an application for a Development Permit with Variance to reduce the setback to the sea to permit the construction of a rip rap seawall on the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Parksville Heavy Equipment on behalf of Brian and Doreen Hagedorn to permit the construction of a rip rap seawall on the subject property. The subject property is approximately 790m² in area and is zoned Residential 1 (RS1), pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is bordered by and accessed from Admiral Tyron Boulevard to the southwest, bordered by the Strait of Georgia to the northeast and flanked by RS1 zoned parcels (see Attachment 1 – Subject Property Map). The property contains an existing dwelling unit and is serviced by community sewer and water. The proposed development is subject to the Environmentally Sensitive Features – Coast Development Permit Area per the “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Bylaw No. 1540, 2008”.

Proposed Development and Variance

The applicant’s proposal is to install a rip rap marine wall parallel to the present natural boundary of the Strait of Georgia as the foreshore bordering the subject property is not currently protected from tidal erosion. The marine wall is proposed to be constructed of rip rap material which is consistent with the marine walls on the two neighbouring properties (see Attachment 3 – Site Plan and Variance). As the proposed marine wall is greater than one metre in height and thus constitutes a structure, the

applicant's proposal is to vary the required setback for buildings and structures in relation to the sea from the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" as follows:

Section 3.3 9 a) ii) – Setbacks – Sea to reduce the minimum setback requirement from the natural boundary of the Strait of Georgia from 8.0 metres to 0.0 metres for the construction of a rip rap marine wall.

ALTERNATIVES

1. To approve Development Permit with Variance No. PL2015-117 subject to the conditions outlined in Attachments 2 to 4.
2. To deny Development Permit with Variance No. PL2015-117.

LAND USE IMPLICATIONS

Development Implications

In accordance with Board Policy 1.9, *Retaining Walls – Marine*, the applicant has submitted a Geotechnical Site Observations – Foreshore Hazard Assessment, prepared by Lewkowich Engineering Associates Ltd. and dated July 29, 2015, in support of the development permit application. The report mentions that the property foreshore is not currently protected from and is vulnerable to tidal erosion. Furthermore, the assessment identifies that foreshore erosion has the potential to undermine the surficial soils on the property and damage the integrity of the foreshore slope. The assessment recommends the continuation of the existing rip rap seawall on the two neighbouring properties to protect the foreshore bordering the subject property from tidal erosion (see Attachment 3 – Site Plan and Variance).

The geotechnical assessment includes a schematic, sealed by a professional geotechnical engineer, illustrating the proposed rip rap marine retaining wall having a height of approximately 1.5 metres above natural grade (see Attachment 4 – Seawall Design). As the proposed marine wall is greater than 1.0 metre in height and thus considered a structure, a variance to the setback to the sea is required. Board Policy 1.9 states that marine retaining walls should be less than 1.0 metre in height unless otherwise recommended by a professional engineer. In addition, Board Policy B1.5 for evaluation of variance applications requires that there is an adequate demonstration of an acceptable land use justification prior to the Board's consideration of a variance proposal. The engineer's assessment highlights the risk of foreshore erosion and recommends a sea wall up to 1.5 metres in height to mitigate the impact of future erosion. Therefore, staff considers the recommendations of the engineer sufficient rationale to satisfy both Board Policy 1.5 and 1.9.

The subject property is identified as being in an area of significant archeological potential. As such, the applicant has submitted an Archeological Overview Assessment, prepared by Baseline Archeological Services Ltd. and dated July 23, 2015. The assessment concludes that due to the absence of observed archeological materials on the subject property and the location of the proposed development, no further archeological considerations are required beyond notifying developers of the potential for undiscovered archeological material (see Attachment 2 – Terms and Conditions of Permit).

Staff have reviewed the applicant's variance request to permit the construction of a rip rap marine retaining wall 1.5 metres in height on the subject property and do not anticipate any negative land-use impacts. If the Development Permit with Variance application is approved, the property owner will be required to obtain the necessary permits in accordance with Regional District of Nanaimo Building Regulations.

Environmental Implications

To address the Environmentally Sensitive Features – Coast Development Permit Area Guidelines, the applicant has submitted a Construction Environmental Management Plan, prepared by D.R. Clough Consulting, and dated September 10, 2015. The report makes numerous recommendations for the development of the site. Staff recommend that the applicant be required to follow the recommendations of the plan, with specific emphasis that the works shall only be completed during Fisheries and Oceans Canada's periods of least risk from June 1 to September 1 or December 1 to February 1 (see Attachment 2 – Terms and Conditions of Permit).

The Environmentally Sensitive Features – Coast Development Permit Area Guidelines support soft approaches, such as vegetation enhancement, anchor trees and biotechnical measures over hard approaches, such as rip rap seawalls, for shoreline stabilization. However, as the neighbouring properties have constructed rip rap seawalls, the existing dwelling is sited in close proximity to the present natural boundary of the sea and the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) is generally not supportive or works on crown land, the potential for soft shoreline stabilization techniques on the subject property is limited.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2015 – 2019 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2013 – 2015 Board Strategic Plan.

INTER-GOVERNMENTAL IMPLICATIONS

The application was referred to Fisheries and Oceans Canada and the Ministry of Forests, Lands and Natural Resource Operations. Fisheries and Oceans Canada suggests that the applicant completes a standard self-assessment process for projects near water (see Attachment 2 – Terms and Conditions of Permit). The Ministry of Forests, Lands and Natural Resource Operations (FLNRO) has confirmed that the coastline is within the Parksville-Qualicum Beach Wildlife Management Area and that the rip rap retaining wall must be installed upland of the present natural boundary. Moreover, if any development activities are to occur on Crown Land, including the operation of machinery, the applicant is required to obtain a General Wildlife Permit from FLNRO (see Attachment 2 – Terms and Conditions of Permit). FLNRO has also advised that the neighbouring seawalls have been constructed on Crown land without permit or authorization and that the property owners will be required to move their seawalls upland of the present natural boundary. The applicant is aware that the neighbouring seawalls will be adjusted in

the future and, if necessary, will modify the proposed seawall in the future to account for the adjustments.

The application has also been referred to the provincial Archeological Branch. The Archeological Branch has advised that they do not have any concerns with the proposal and that a Heritage Alteration Permit is not required. In addition, Qualicum First Nation has been made aware of the development proposal.

PUBLIC CONSULTATION IMPLICATIONS

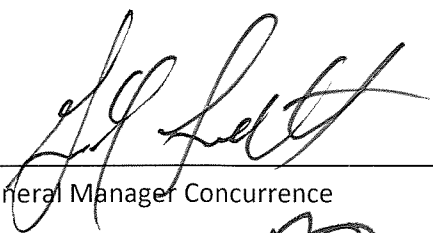
Pending the Committee’s recommendation and pursuant to the *Local Government Act* and the “Regional District of Nanaimo Development Approvals and Notification Procedures Bylaw No. 1432, 2005”, property owners and tenants of parcels located within a 50 metre radius of the subject property will receive a direct notice of the proposal and will have an opportunity to comment on the proposed variance prior to the Board’s consideration of the application.

SUMMARY/CONCLUSIONS

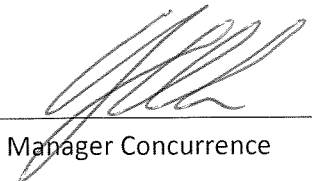
This is an application for a Development Permit with Variance to permit the construction of a rip rap marine wall on the subject property. The applicant has submitted a site plan, a geotechnical assessment, an archaeological assessment, and an environmental management plan in support of the application. In staff’s opinion, this proposal is consistent with the guidelines of the Environmentally Sensitive Features – Coast Development Permit Area per the “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Bylaw No. 1540, 2008 and Board Policy 1.9, *Retaining Walls – Marine*. Staff have reviewed the variance request and do not anticipate any view implications or other negative impacts for neighbouring properties. As stated in the geotechnical assessment, if approved, the proposed seawall would protect the subject property and both neighbouring properties from further tidal erosion. As such, staff recommend approval of the Development Permit with Variance pending the outcome of public consultation.



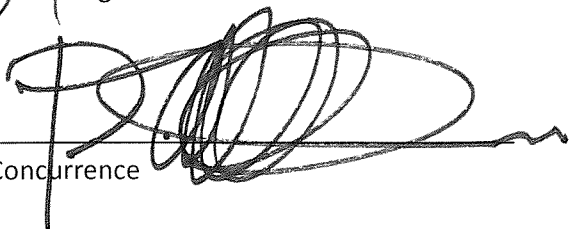
Report Writer



General Manager Concurrence

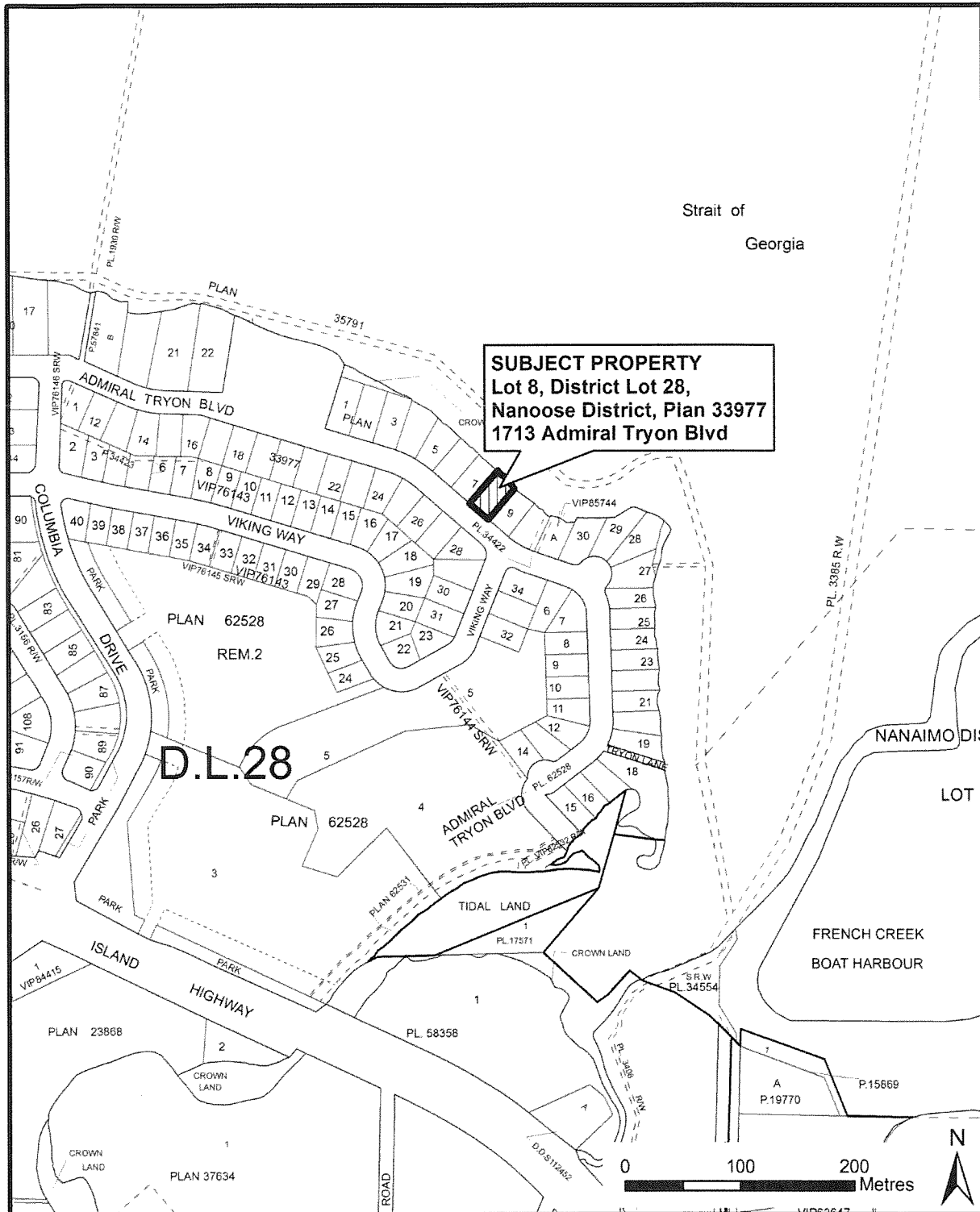


Manager Concurrence



CAO Concurrence

Attachment 1
Subject Property Map



Attachment 2 Terms and Conditions of Permit

The following sets out the terms and conditions of Development Permit with Variance No. PL2015-117:

Bylaw No. 500, 1987 Variances:

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

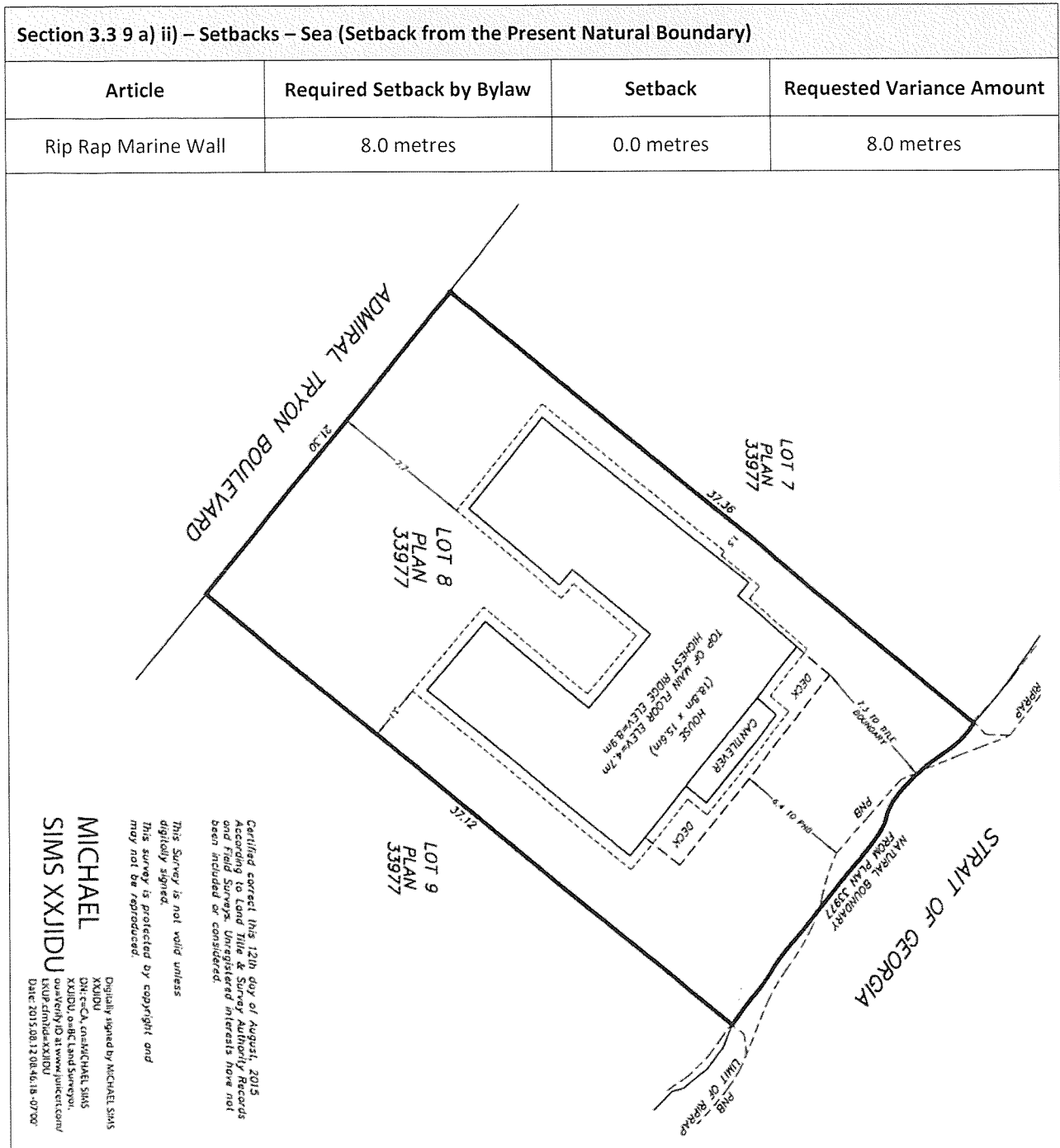
Section 3.3 9 a) ii) – Setbacks – Sea to reduce the minimum setback requirement from the natural boundary of the Strait of Georgia from 8.0 metres to 0.0 metres for the construction of a rip rap marine wall.

Conditions of Approval:

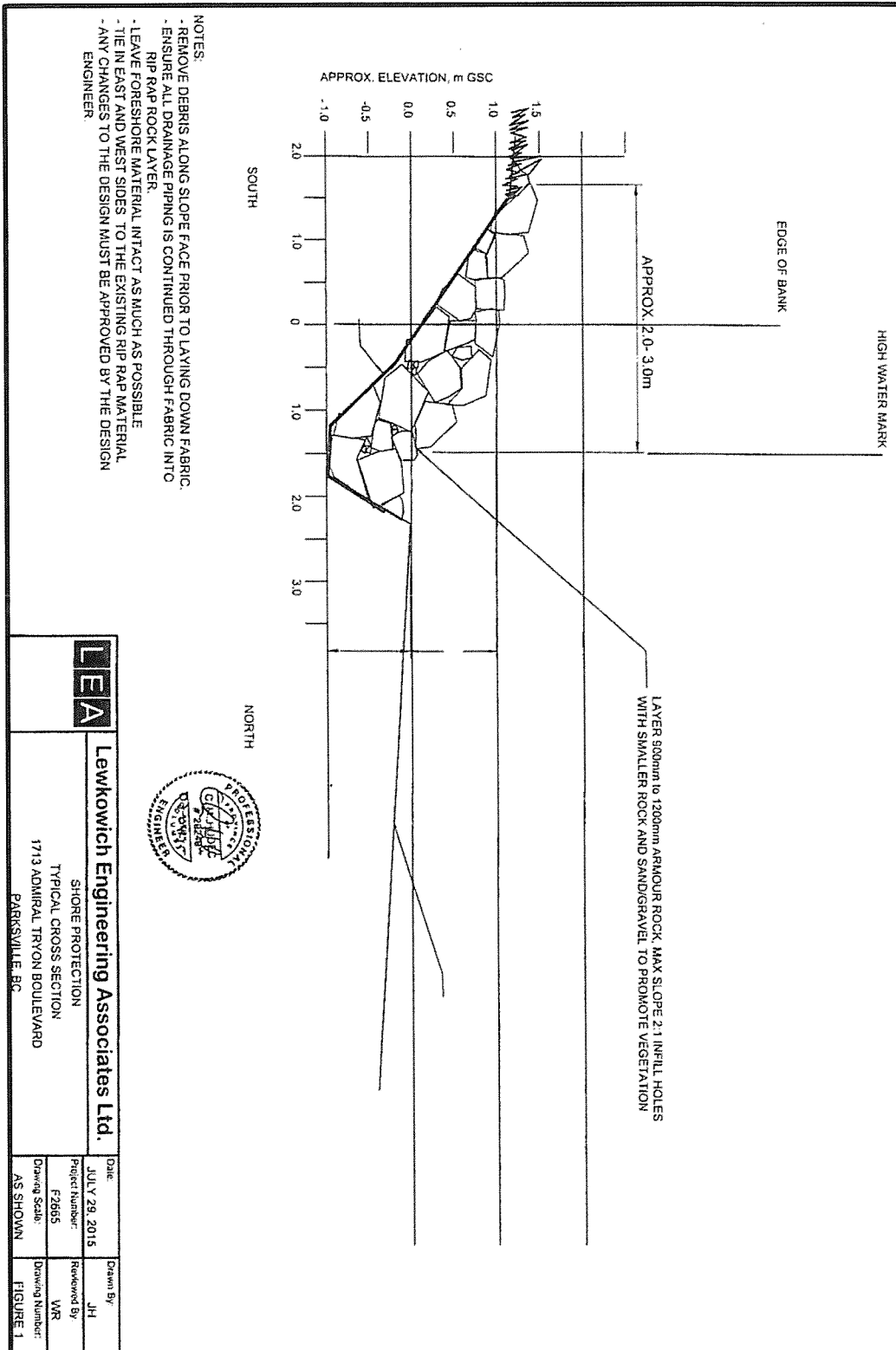
1. The site shall be developed in accordance with the Survey Plan prepared by Sims Associates Land Survey Ltd., dated August 12, 2015, and adhere to the following requirements:
 - a. All works are to be upland of the natural boundary identified on Plan 33977; and
 - b. The rip rap sea wall is to tie into but not extend beyond existing neighbouring seawalls.
2. The sea wall shall be constructed in compliance with the plan and elevation prepared by Lewkowich Engineering Associates Ltd., dated July 29, 2015, and attached as Attachment 4.
3. The sea wall and all associated works shall be completed in accordance with the recommendations contained in the Construction Environmental Management Plan prepared by D.R. Clough consulting, dated September 10, 2015.
4. The applicant shall obtain a General Wildlife Permit if any development activities are to occur on Crown Land, including the operation of machinery, from the Ministry of Forests, Lands and Natural Resource Operations.
5. The sea wall shall be constructed in accordance with the recommendations contained in the Geotechnical Site Observations – Foreshore Hazard Assessment prepared by Lewkowich Engineering Associates Ltd., dated July 29, 2015.
6. The proposed rip rap marine wall and any associated development shall be only be undertaken during Fisheries and Oceans Canada's periods of least risk from June 1 to September 1 or December 1 to February 1.
7. The applicant shall complete the Fisheries and Oceans Canada self-assessment process for projects near water and obtain any necessary approvals if required.
8. All machine operators and developers are to be notified of the potential for undiscovered archaeological remains and that:

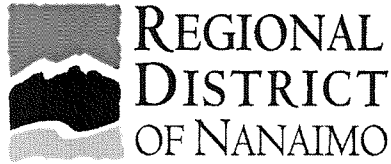
- a. Archaeological resources are protected under the *Heritage Conservation Act*; and
 - b. Any development activities in the vicinity of archeological remains are to be halted so as not to threaten those remains and the BC Archaeology Branch is to be notified immediately of any potential remains.
9. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.
10. Upon completion of the sea wall, a British Columbia Land Surveyor is to confirm, at the applicant's expense, that the sea wall is located upland of the natural boundary identified on Plan 33977.

**Attachment 3
Site Plan and Variance**



Attachment 4 Seawall Design





RDN REPORT		###
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STAFF REPORT

TO: Jeremy Holm
Manager, Current Planning

DATE: September 25, 2015

FROM: Tyler Brown
Planner

MEETING: EAPC – October 13, 2015

FILE: PL2015-025

SUBJECT: Zoning Amendment Application No. PL2015-025
Lot A, District Lot 90 and of Block 359, Newcastle District, Plan VIP67156 and Block 1372
Newcastle District
Electoral Area 'H'
Amendment Bylaw 500.400, 2015 – 1st and 2nd Reading

RECOMMENDATIONS

1. That the Summary of the Public Information Meeting held on August 10, 2015, be received.
2. That the conditions set out in Attachment 2 of the staff report be completed prior to Amendment Bylaw No. 500.400 being considered for adoption.
3. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.400, 2015", be introduced and read two times.
4. That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.400, 2015" be chaired by Director Veenhof or his alternate.

PURPOSE

To consider a Zoning Amendment Application to rezone portions of the subject properties from Rural 1 (RU1), Subdivision District 'V', to Rural 1, Subdivision District 'B'; from Resource Management 1 (RM1), Subdivision District 'A', to Rural 1, Subdivision District 'B'; and from Rural 1, Subdivision 'B' to Resource Management 1, Subdivision District 'A' to permit a future 21-lot subdivision.

BACKGROUND

The Regional District of Nanaimo has received an application from Brian Gaudet on behalf of 0848214 BC Ltd. to rezone the subject property in order to facilitate a future 21-lot subdivision. The subject properties are approximately 408 ha in area, entirely within the Agricultural Land Reserve (ALR) and do not contain any buildings or structures. The properties are bisected by the Inland Island Highway and access to the parcels is from dedicated but undeveloped road off of Corcan Road to the southeast, dedicated but undeveloped MacPherson Road to the southwest and dedicated but undeveloped

Blacktail Road to the northwest (see Attachment 1 – Subject Property Map). The subject properties are currently zoned a mixture of RU1, Subdivision District ‘B’; RU1, Subdivision District ‘V’; and RM1, Subdivision District ‘A’ (see Attachment 3 – Current Zoning Map). Similar zoned parcels within the ALR surround the subject properties and no community sewer or water systems service the subject properties.

Proposed Development

The applicant proposes to rezone portions of the subject property from Rural 1 (RU1), Subdivision District ‘V’, to Rural 1, Subdivision District ‘B’; from Resource Management 1 (RM1), Subdivision District ‘A’, to Rural 1, Subdivision District ‘B’; and from Rural 1, Subdivision ‘B’ to Resource Management 1, Subdivision District ‘A’ to facilitate a future 21-lot subdivision (see Attachment 4 – Proposed Zoning Map). The future subdivision development is proposed to be serviced by well water and individual onsite septic systems (see Attachment 5 – Concept Plan of Subdivision).

ALTERNATIVES

1. To proceed with Zoning Amendment Application No. PL2015-025, consider first and second reading of the Amendment Bylaw and proceed to public hearing.
2. To not proceed with the Amendment Bylaw readings and public hearing.

LAND USE IMPLICATIONS

Official Community Plan Implications

The subject properties are designated Resource Lands pursuant to the “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Bylaw No. 1335, 2003” (OCP). The Resource Lands designation applies to lands that are used and valued for agriculture, forestry, and natural resource extraction. Moreover, all lands within the Agricultural Land Reserve are within this designation. For lands within the ALR, the designation supports an 8.0 ha minimum parcel size. Therefore, the proposed amendment is consistent with OCP policies.

Zoning Implications

The existing RU1 zoning permits Agriculture, Aquaculture, Home Based Business, Produce Stand, Residential Use, Silviculture and Secondary Suite as permitted uses. Additionally, two dwelling units are permitted per parcel where the parcel area exceeds 2.0 ha. Notwithstanding the second dwelling unit permission of the RU1 zone, ALR regulations would limit the second dwelling unit to a mobile home. The existing RM1 zoning permits Agriculture, Aquaculture, Extraction Use, Home Based Business, Log Storage & Sorting Yard, Primary Processing, Residential Use and Silviculture as permitted uses. Regardless of parcel size, the RM1 zone permits only one dwelling unit per parcel. The proposed zoning amendment would not result in a change of land-use permissions (see Attachment 7 – Proposed Amendment Bylaw 500.400, 2015).

Development Implications

As per Board Policy B1.21 (Groundwater – Application requirements for rezoning of un-serviced lands), the applicant is required to submit a report by a registered professional indicating that year round potable water can be provided for the proposed use and that the extraction of water from the well will have no adverse impact on surrounding wells and groundwater resources. In addition, Board Policy

B1.21 requires the applicant, prior to final adoption of the amendment bylaw, to register a covenant on title requiring that all wells required to service new parcels proposed to be created through subdivision are to be constructed and tested for each new parcel, and a report submitted to the RDN prior to final approval of subdivision (see Attachment 2 – Conditions of Zoning Amendment). To address this policy, the applicant has submitted an Assessment of Groundwater Supply Potential, prepared by Elanco Enterprises Ltd. and dated August 20, 2014. The report acknowledges the proposed development of the site and concludes that the development of the site is unlikely to stress the aquifer or have negative impact on neighbouring wells or groundwater resources.

As part of the rezoning application, the applicant also proposes to provide a cash contribution of \$21,000, in recognition of the increased development potential that would be achieved through rezoning, towards either equipment upgrades for the local fire departments or the Electoral Area 'H' Parks Reserve Fund. As the subject properties are not currently within a fire service area, the applicant has expressed interest in petitioning the RDN Board through the subdivision process to expand the service area of the local fire departments to include the subject properties. If successful, the applicant proposes that that the community amenity contribution is put towards fire equipment, with a preference on water storage tanks for fire suppression. If the subject properties are not accepted into a fire service area prior to final subdivision approval, the applicant would like the community amenity contribution to be put towards park improvements in Electoral Area 'H.' The provision of this voluntary amenity contribution is noted as a condition of approval in Attachment 2.

Environmental Implications

The applicant has submitted a preliminary hydrogeological assessment which indicated that the construction of the new wells on the subject properties should have no adverse impact on the surrounding wells or underlying aquifer.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2015 – 2019 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development in relation to the 2013 – 2015 Board Strategic Plan and note that the proposed zoning amendment, in accordance with the Strategic and Community Development Goal number six, would strengthen local food production.

INTER-GOVERNMENTAL IMPLICATIONS

The application was referred to the local RCMP detachment, Island Health and the Ministry of Transportation and Infrastructure (MOTI) for review and comment. These agencies have advised that they do not have any concerns with the proposed zoning amendment. MOTI has advised that access improvements and road upgrades will be required prior to subdivision approval.

The applicant has recently obtained Agricultural Land Commission (ALC) approval for the 21-lot subdivision proposal (ALC Resolution #344/2013). As the lands are fully within the ALR, the ALC must approve the deposit of any subdivision plan. In addition, the applicant was also referred to the Ministry of Agriculture. The Ministry of Agriculture expressed concern that smaller lots are less likely to be

utilized for agriculture. To address the Ministry's concerns and to ensure the retention of larger parcels, staff recommend a Section 219 Covenant be registered on both property titles stating that not more than 21 lots, including the remainders, shall be created through subdivision (see Attachment 2 – Conditions of Approval).

The proposal has also been referred to the Dashwood Volunteer Fire Department and the Bow Horn Bay Fire Department. It should be noted that the subject properties are not currently within the service area of either fire department. However, both departments expressed interest in expanding their service areas to include the subject properties if the property owner petitions the RDN Board.

PUBLIC CONSULTATION IMPLICATIONS

A Public Information Meeting (PIM) was held August 10, 2015. Twenty two members of the public attended Public Information Meeting (see Attachment 6 – Summary of Minutes of the Public Information Meeting). Comments received were generally supportive of agriculture and local food production; however, concerns were raised about access to the parcels and the potential for an increase of automobile traffic on the road network resulting from the proposed development.

SUMMARY/CONCLUSIONS

This is an application to rezone portions of the subject properties from Rural 1, Subdivision District 'V', to Rural 1, Subdivision District 'B'; from Resource Management 1, Subdivision District 'A', to Rural 1, Subdivision District 'B'; and from Rural 1, Subdivision 'B' to Resource Management 1, Subdivision District 'A' to permit a future 21-lot subdivision. The proposed zoning amendment is consistent with the policies of the Resource Lands OCP land-use designation. The applicant has submitted a preliminary hydrogeological assessment which indicates that the construction of the new wells on the subject properties should have no adverse impact on the surrounding wells or underlying aquifer.

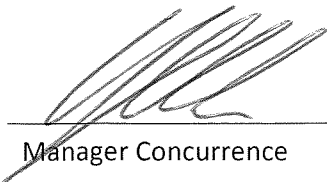
The applicant is offering a voluntary community amenity contribution of \$21,000 towards either equipment upgrades for the local fire departments or the Electoral Area 'H' Parks Reserve Fund. As the applicant has demonstrated the lands can support the proposed uses, the public did not express significant opposition to the proposal at the Public Information Meeting and the proposal is consistent with OCP policies, staff recommend that Amendment Bylaw No. 500.400 be granted first and second reading and proceed to Public Hearing.



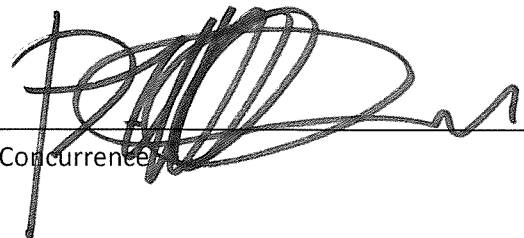
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A/ General Manager Concurrence

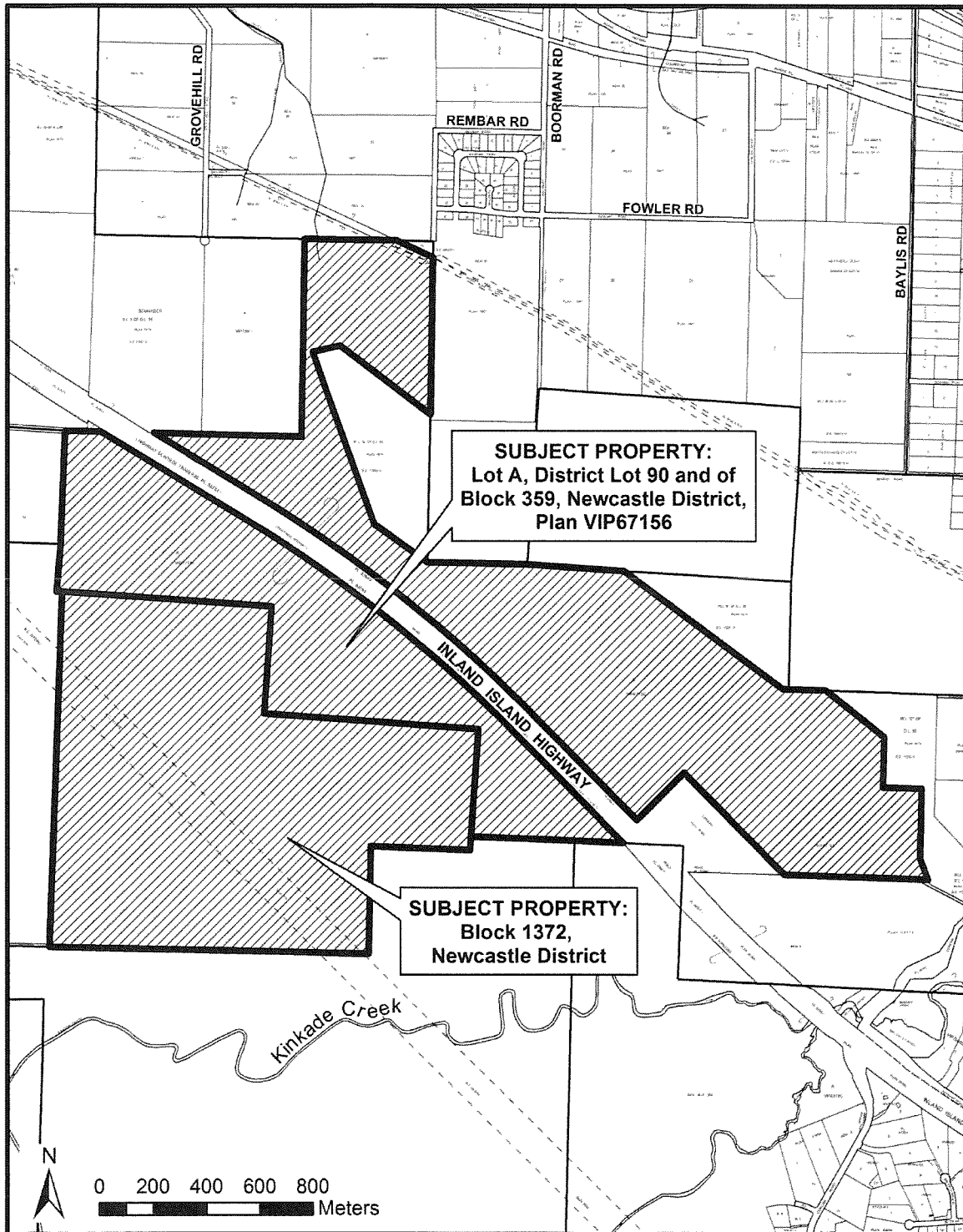


Manager Concurrence



CAO Concurrence

Attachment 1
Subject Property Map

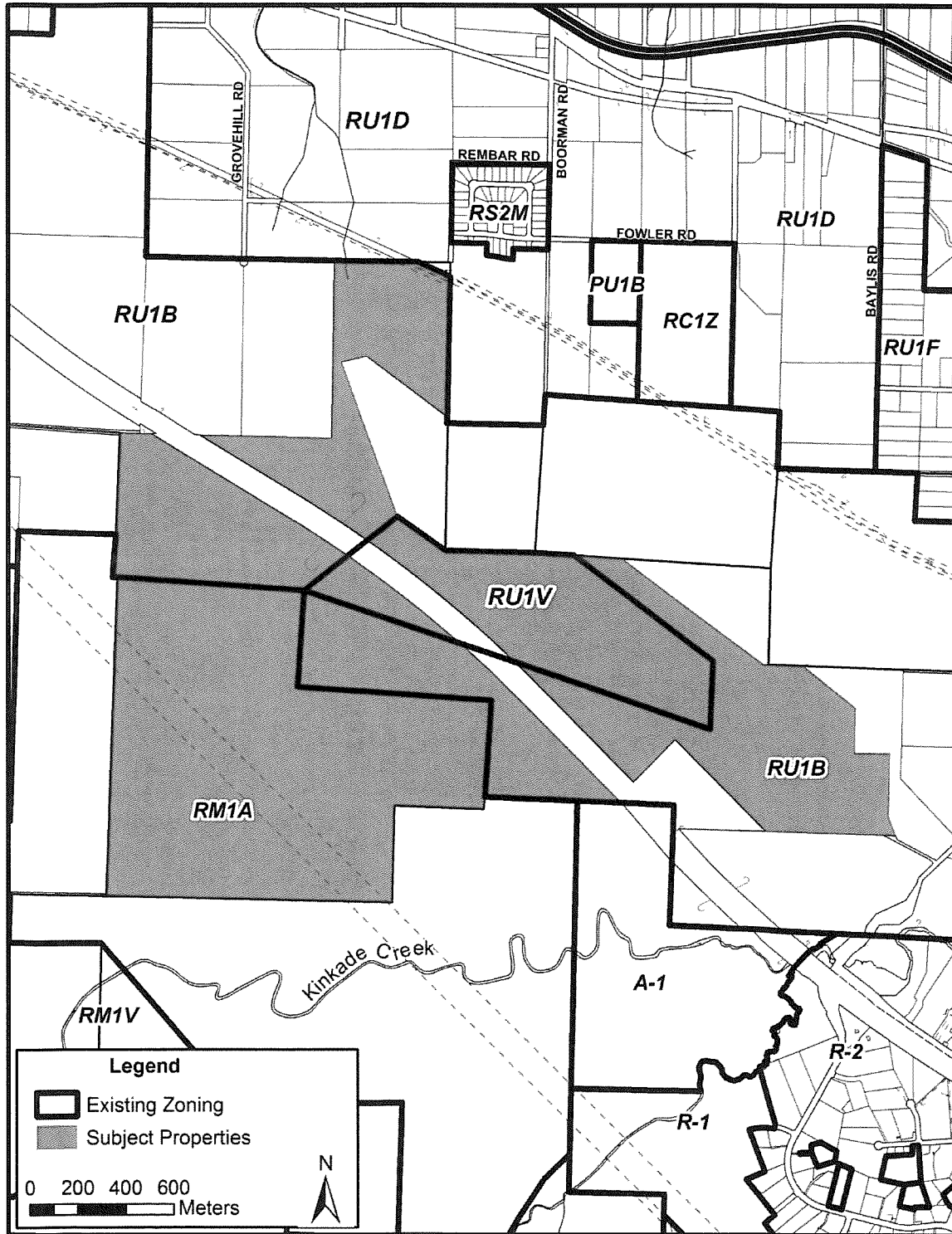


Attachment 2
Conditions of Approval

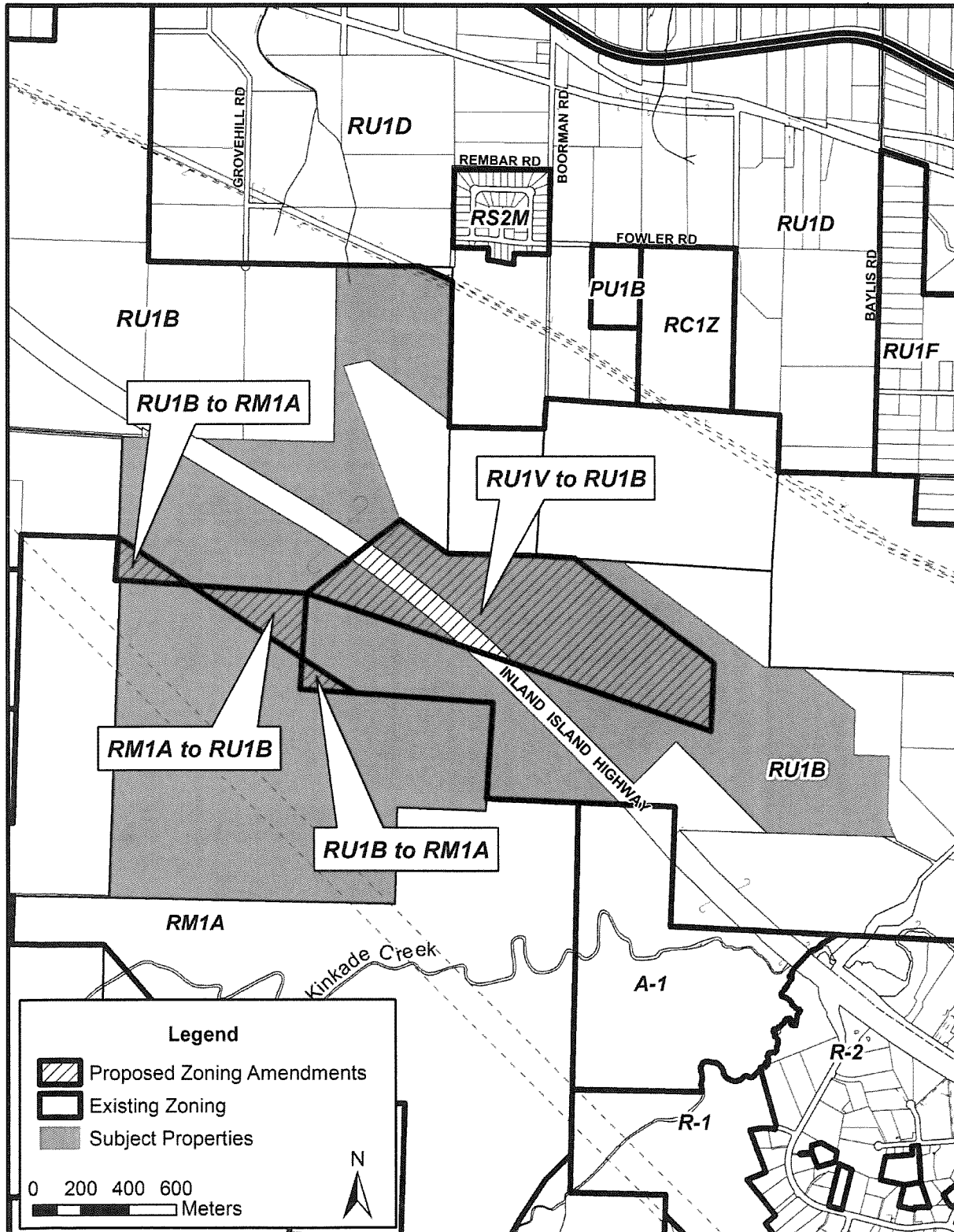
The following is required prior to the “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.400, 2015” being considered for adoption:

1. The applicant shall provide a voluntary community amenity contribution in the amount of \$21,000.00 to be earmarked for:
 - i. Fire equipment, with a preference for water storage tanks, for the local fire departments if the subject properties, or a portion of the subject properties, are within a fire service area or fire service areas prior to final approval of a subdivision of the subject properties; or
 - ii. the Electoral Area 'H' Parks Reserve Fund if the subject properties are not within a fire service area prior to subdivision of the subject properties.
2. The applicant is required to register, subject to approval by the Agricultural Land Commission and at the applicant’s expense, a Section 219 Covenant on both property titles requiring that not more than 21 lots, including the remainders, shall be created through subdivision.
3. The applicant is required to register, at the applicant’s expense, a Section 219 Covenant on both property titles requiring that prior to final approval for the subdivision of the lands, wells for each new parcel shall be constructed and a report from a Professional Engineer (registered in BC) shall be completed to the satisfaction of the Regional District of Nanaimo confirming the following:
 - i. The date when the well was drilled along with a copy of the driller’s log (if available);
 - ii. The well identity number as indicated on the plate secured to the well;
 - iii. Photographs of the well identity tag, ‘stick up’, and general location of the well;
 - iv. That the water meets the Canadian Drinking Water Standards; and
 - v. That a pump testing has been completed and witnessed by a qualified professional.
 - a. The pump testing is required to have been run for the greater of 12 hours or until the water level stabilizes at the pumping rate of at least 2.5 litres/minute with a well recovery period monitored for the greater of 6 hours or until the water level recovers to a minimum of 90% of its pre-pumping water level.
 - b. The pump test should be conducted only during the months of July through November (lowest water table).

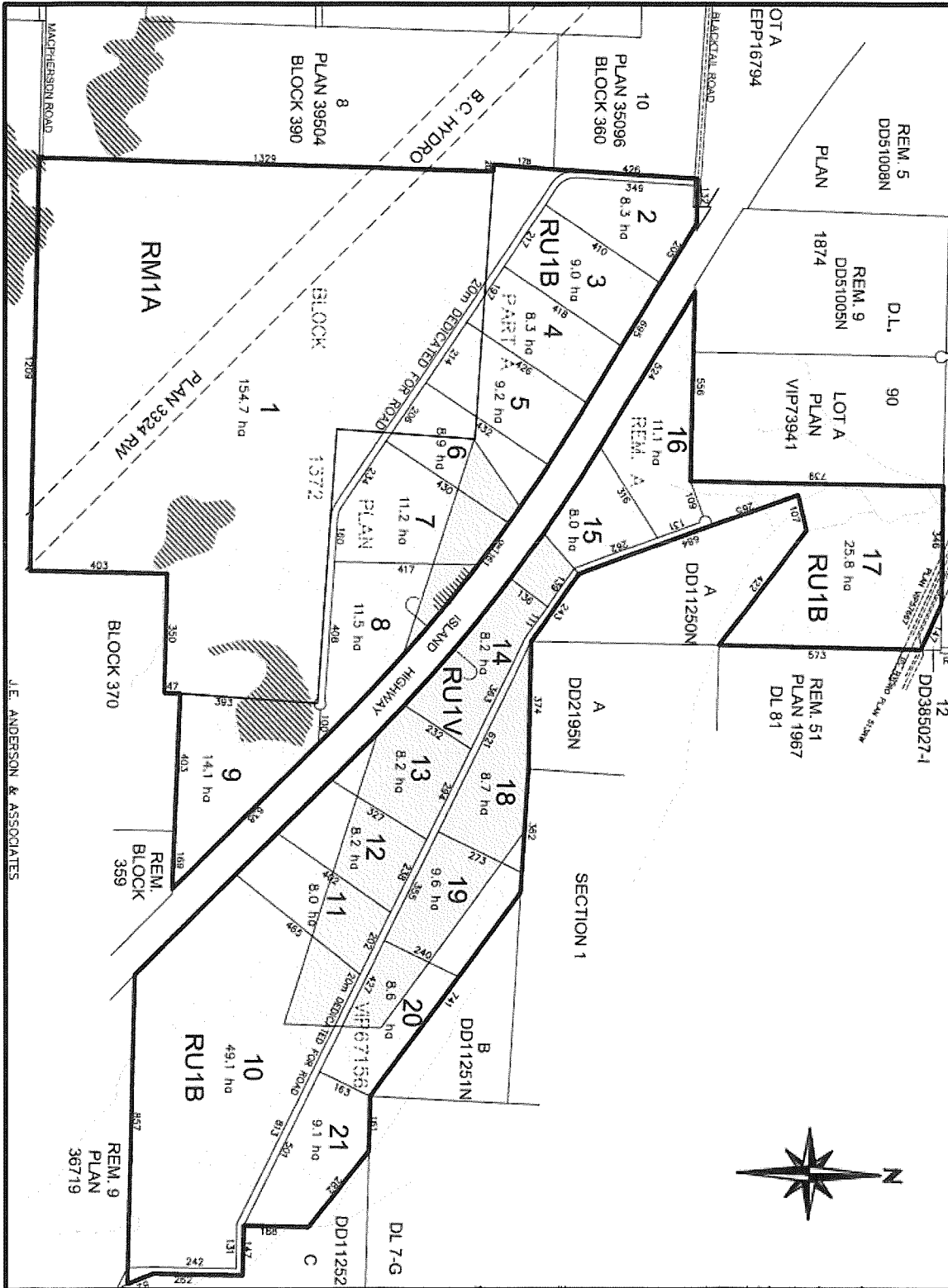
Attachment 3
Current Zoning Map



Attachment 4
Proposed Zoning Map



Attachment 5
Concept Plan of Subdivision



**Attachment 6
Summary of Minutes of a Public Information Meeting**

**Held at Lighthouse Community Centre
240 Lions Way, Electoral Area 'H'
Monday, August 10, 2015 at 7:00 pm**

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

There were 22 members of the public in attendance at this meeting.

Present for the Regional District of Nanaimo:

Director Bill Veenhof, Electoral Area 'H' (the Chair)
Tyler Brown, Planner
Kelsey Chandler, Planning Technician

Present for the Applicant:

Brian Gaudet and David Wallace (Representatives for applicants)
Allen Bergen and Chris Bergen (Applicants)

The Chair opened the meeting at 7:00 pm, outlined the evening's agenda, and introduced the Regional District of Nanaimo (RDN) staff and the applicants in attendance. The Chair then stated the purpose of the Public Information Meeting (PIM) and asked RDN staff to provide background information concerning the development application.

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

The Chair invited the representatives for the applicants to give a presentation of the development proposal.

Brian Gaudet presented an overview of the proposal.

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

Mike Schmeisser, 1877 Pierce Way, questioned the number of additional people that the development would bring to the area and the impact that increased traffic would have on Corcan Road. He stated that Corcan Road is already overused.

Tyler Brown responded that there are no current improvements planned by the Ministry of Transportation and Infrastructure (MOTI) for Corcan Road.

Brian Gaudet responded by stating that the east side of the proposed development would have 12 lots with the potential for 12 houses, and that increased farm traffic would vary on a seasonal basis.

Chris Bergen added that there is a three-month season for berry production, and that traffic during the other nine months of the year would be limited to the 12 homes. He also stated that the berries would be transported by truck to a processing plant on Hilliers Road.

Allen Bergen added that there would be two cube van sized vehicles operating three months out of the year to support the farming operation.

Mike Schmeisser expressed concern about the location of the access road into the property. He stated that the access road exits onto Corcan Road on a sharp corner with potential for issues.

Don Gallop, 1843 White Blossom Way, stated that he and his uncle own a landlocked property adjacent to the subject property and would like to know whether they will be able to obtain access through the proposed development.

The Chair responded that the question was outside of the scope of the Public Information Meeting.

Tyler Brown stated that the access to lands beyond the property would be an issue addressed by the Ministry of Transportation and Infrastructure (MOTI) through the subdivision process.

Richard Yates, 2425 Fowler Road, questioned whether any studies had assessed whether the water source could support berry farming.

Brian Gaudet responded that as part of the zoning amendment application, an expert was hired to assess whether the quantity and quality of water on site would be sufficient to support the proposed uses and subdivision.

Amanda Girard, 1726 Settler Road, expressed concern that animals will be displaced as a result of the proposed development and that this will cause issues for young families who are dependent on deer as a source of food.

Brian Gaudet responded that no wildlife studies have been conducted as they were not part of MOTI's or RDN's requirements.

Tyler Brown added that there are no Development Permit Areas for animal protection.

Richard Yates questioned whether Lot 17 would become a large blueberry farm and what else it might become.

Brian Gaudet responded that the applicants would like to see the lots become berry farms; however, once the lots are sold, there wouldn't be any covenants in place to require farms on the properties.

John Walsh, owner of properties in the area, questioned whether a drainage plan had been developed. He expressed concern that his property would be the recipient of runoff from the proposed development, and questioned how the protection of environmentally sensitive areas would be addressed.

Chris Bergen responded that no plan has been developed yet.

John Walsh asked for clarification on where roads would be providing access to the property.

Brian Gaudet responded that there would be roads providing access from both sides of the highway. Mr. Gaudet also provided a verbal list of the various lots and their proposed sizes.

John Walsh asked whether the proposed lot sizes are supported by the Official Community Plan (OCP).

Tyler Brown responded that the Electoral Area 'H' OCP designates the property as 'Resource', which permits a minimum parcel size of eight hectares. He also stated that anything less than 8.0 hectares in size would not be supported by staff.

John Walsh stated that he thought that under the 'Resource' designation there wouldn't be support to subdivide large parcels over 100 acres in size.

Tyler Brown clarified that there are land use designations that support subdivision of larger lots.

John Walsh questioned why the applicants included the land in the Agricultural Land Reserve (ALR) and whether there would be any green space dedicated for public use.

Brian Gaudet responded that the Agricultural Land Commission (ALC) has a mandate to protect farmland and support farm uses, and that the ALC required the ALR inclusion as a condition of approval for subdivision. He also added that studies completed by an agrologist concluded that 140 acres of the property would have sufficient value for farming. In response to Mr. Walsh's second question, Mr. Gaudet stated that the RDN would provide guidance on requirements for community amenity contributions for parkland and green space.

Tyler Brown responded that there is no legislative requirement to provide parklands.

John Walsh asked whether there would be setbacks or buffers between properties.

Tyler Brown responded that while the zoning requires an 8.0 metre setback from property lot lines, there may be a 15 metre Agricultural Land Reserve buffer requirement.

John Walsh expressed concern that in the past, ALC rules regarding buffering had been ignored. He stated that a neighbouring property had been permitted to develop a golf course, but that the owners did not abide by the drainage plan or buffer requirements, which resulted in his property being affected by runoff. He stated that his family has been farming in the area for 67 years, and reiterated that water and drainage are concerns.

Amanda Girard questioned whether there would be sufficient water to sustain berry farms as the area has been in a drought all summer. She also wondered what effect the development would have on the neighbours' wells.

Brain Gaudet reiterated that MOTI would not grant subdivision approval without proof that the water source was sufficient.

Ed Hughes, 475 Mackenzie Road, asked how many dwelling units would be permitted per parcel.

Tyler Brown responded that the Rural 1 zoning designation permits two dwelling units per parcel; however, the ALC's regulations only permit one dwelling unit and one mobile home per parcel.

John Walsh stated that many farming communities are concerned that a 20 acre parcel with two dwelling units, a barn, and setback requirements would have very little area remaining for farm purposes, particularly when there is no requirement for where the houses can be sited.

Tyler Brown responded that while there are home plating policies elsewhere, the RDN does not have a similar policy.

John Walsh responded that there needs to be useful policies in place that support the production of food or the ALR serves no purpose. He expressed concern that if the issues don't start getting addressed, some day there won't be any land remaining for food production.

Richard Yates asked for a description of the two small waterbodies located on the subject property.

Brian Gaudet responded that the waterbodies were classified as wetlands.

Allen Bergan added that an area on Lot 9 was a wetland created by beaver dams.

Brian Gaudet announced that Dave Wallace from JE Anderson was present and available to answer any questions.

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

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

The meeting was concluded at 7:47 pm.



Kelsey Chandler
Recording Secretary

Attachment 7

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500.400**

**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. 500.400, 2015”.
- B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:
 - 1. By rezoning portions of the lands shown on the attached Schedule ‘1’ and legally described as

Lot A, District Lot 90 and of Block 359, Newcastle District, Plan VIP67156; and

Block 1372, Newcastle District

from Rural 1, Subdivision District ‘V’, to Rural 1, Subdivision District ‘B’; from Resource Management 1, Subdivision District ‘A’, to Rural 1, Subdivision District ‘B’; and from Rural 1, Subdivision ‘B’ to Resource Management 1, Subdivision District ‘A’

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

Public Hearing held this ___ day of _____ 20XX.

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

Adopted this ___ day of _____ 20XX.

Chairperson

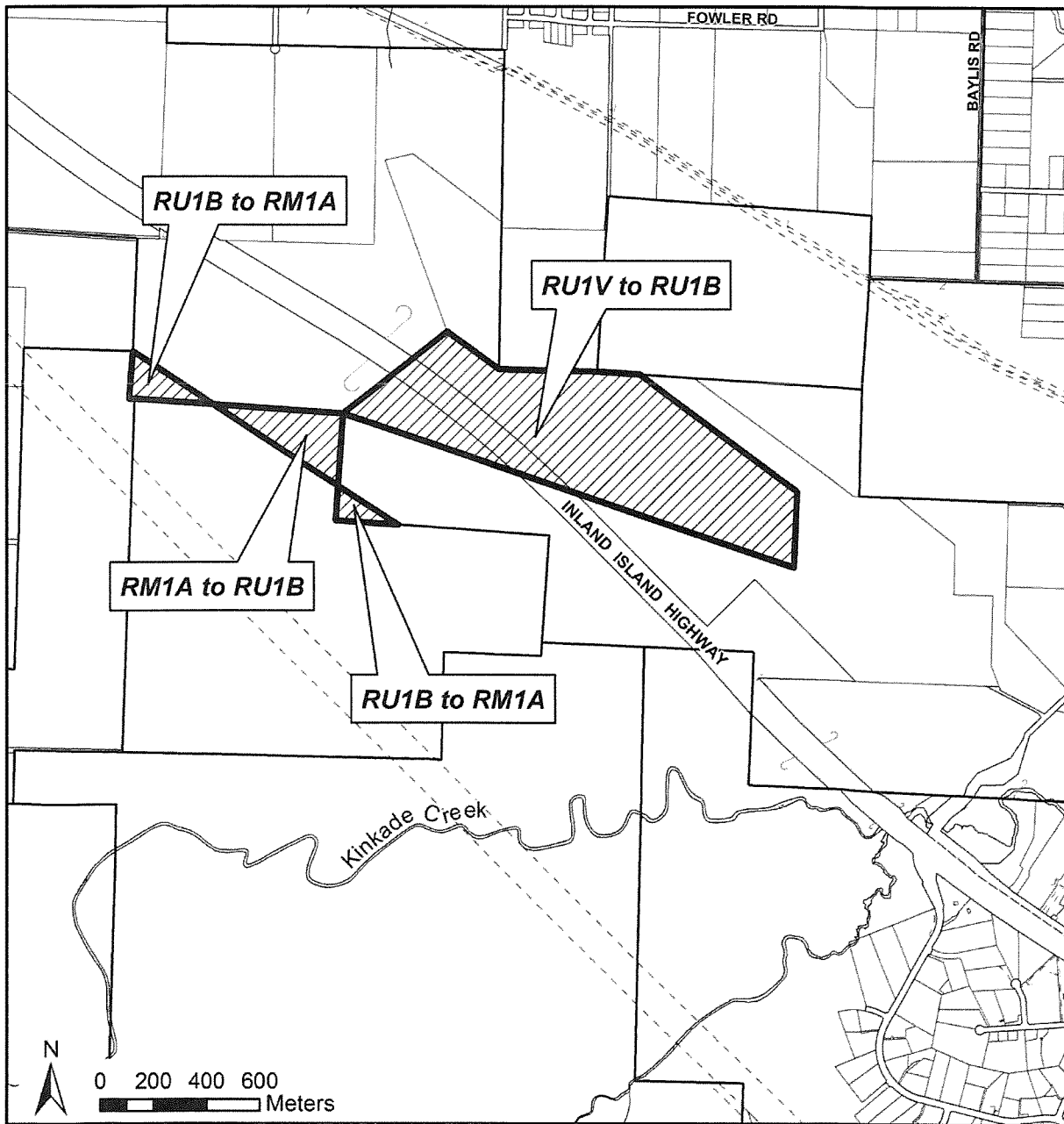
Corporate Officer

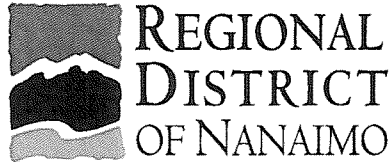
Schedule '1' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.400, 2015".

Chairperson

Corporate Officer

Schedule '1'





RDN REPORT		[Signature]
CAO APPROVAL		
EAP	<input checked="" type="checkbox"/>	
COW	<input type="checkbox"/>	
SEP 25 2015		
RHD	<input type="checkbox"/>	
BOARD	<input type="checkbox"/>	
DATE:		September 22, 2015

STAFF REPORT

TO: Jeremy Holm
Manager, Current Planning

MEETING: EAPC – October 13, 2015

FROM: Tyler Brown
Planner

FILE: PL2015-055

SUBJECT: Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2015-055
 Lot 1, District Lot 133, Nanoose District, Plan 15832, Except Plan 30182 and VIP81849
 Lot 5, District Lot 78, Nanoose District, Plan 30262
 2855 Ashcraft Road – Electoral Area ‘E’

RECOMMENDATION

That the request to relax the minimum 10% perimeter frontage requirements for the proposed remainder of Lot 5 in relation to Subdivision Application No. PL2015-055 be approved.

PURPOSE

To consider an application for a request to relax the minimum 10% perimeter frontage requirement to facilitate a proposed two-lot subdivision of the subject property.

BACKGROUND

The Regional District of Nanaimo has received an application from J.E. Anderson & Associates on behalf of James and Elizabeth Lettic to relax the minimum 10% perimeter frontage requirement in relation to a proposed two-lot subdivision. The subject property is approximately 2.03 ha in area and is zoned Residential 1 (RS1), Subdivision District ‘N’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”.

The property is surrounded by RS1 zoned parcels and is accessed from Ashcraft Road to the south (see Attachment 1 – Subject Property Map). The property contains an existing dwelling unit and is serviced by community water and a septic disposal system.

Proposed Development

The applicant proposes to create a 0.25 ha parcel and a 1.78 ha remainder parcel through subdivision (see Attachment 2 – Plan of subdivision) . The proposed lot lines are perpendicular to Ashcraft Road and each lot will have adequate road frontage. However, due to the configuration of the proposed lots, the applicant requires a frontage relaxation to accommodate subdivision.

Minimum 10% Perimeter Frontage Requirement

The proposed remainder of Lot 5 does not meet the minimum 10% perimeter frontage requirement pursuant to Section 944 of the *Local Government Act*. Therefore, approval of the Regional District Board of Directors is required to allow exemption from the requirements of Section 944. The applicant has requested approval of the RDN Board to reduce the frontage requirement as follows:

Proposed Lot Perimeter	Required Frontage (10%)	Proposed Frontage	Approximate % of Perimeter
612.2 m	61.2 m	40.2 m	6.57%

ALTERNATIVES

1. To approve the request for relaxation of the minimum 10% perimeter frontage requirement for proposed remainder of Lot 5 as shown on Attachments 2 and 3.
2. To deny the request for relaxation of the minimum 10% perimeter frontage requirement.

LAND USE IMPLICATIONS***Development Implications***

With regards to the relaxation for the proposed remainder lot, adequate road frontage (40.2 m) is provided to accommodate an existing driveway and no negative development implications are anticipated (see Attachment 3 – Proposed Frontage). Both proposed parcels will be serviced by a separate community water connection and individual septic disposal systems. The lot configuration as proposed will meet minimum parcel size requirements and provide adequate site area to support the permitted uses on both parcels.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2015 – 2019 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2013 – 2015 Board Strategic Plan.

INTER-GOVERNMENTAL IMPLICATIONS

The Ministry of Transportation and Infrastructure staff have indicated that they have no concerns with the proposed frontage relaxation, and the subdivision proposal has been given Preliminary Layout Approval by the Ministry.

SUMMARY/CONCLUSIONS

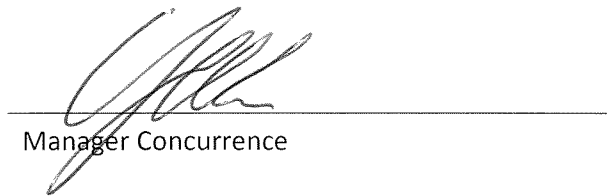
The applicant has requested the relaxation of the minimum 10% perimeter frontage requirement for the remainder lot within the proposed subdivision of the subject property. Both parcels will meet the minimal parcel size requirements and provide adequate site area to support the permitted land uses. Despite the reduced frontage, no negative land use implications are anticipated.



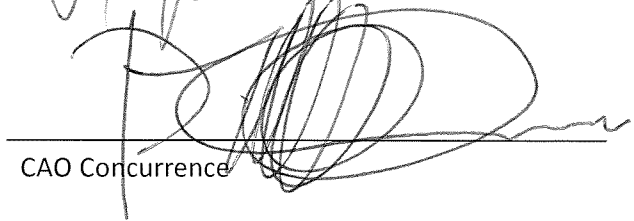
Report Writer



General Manager Concurrence

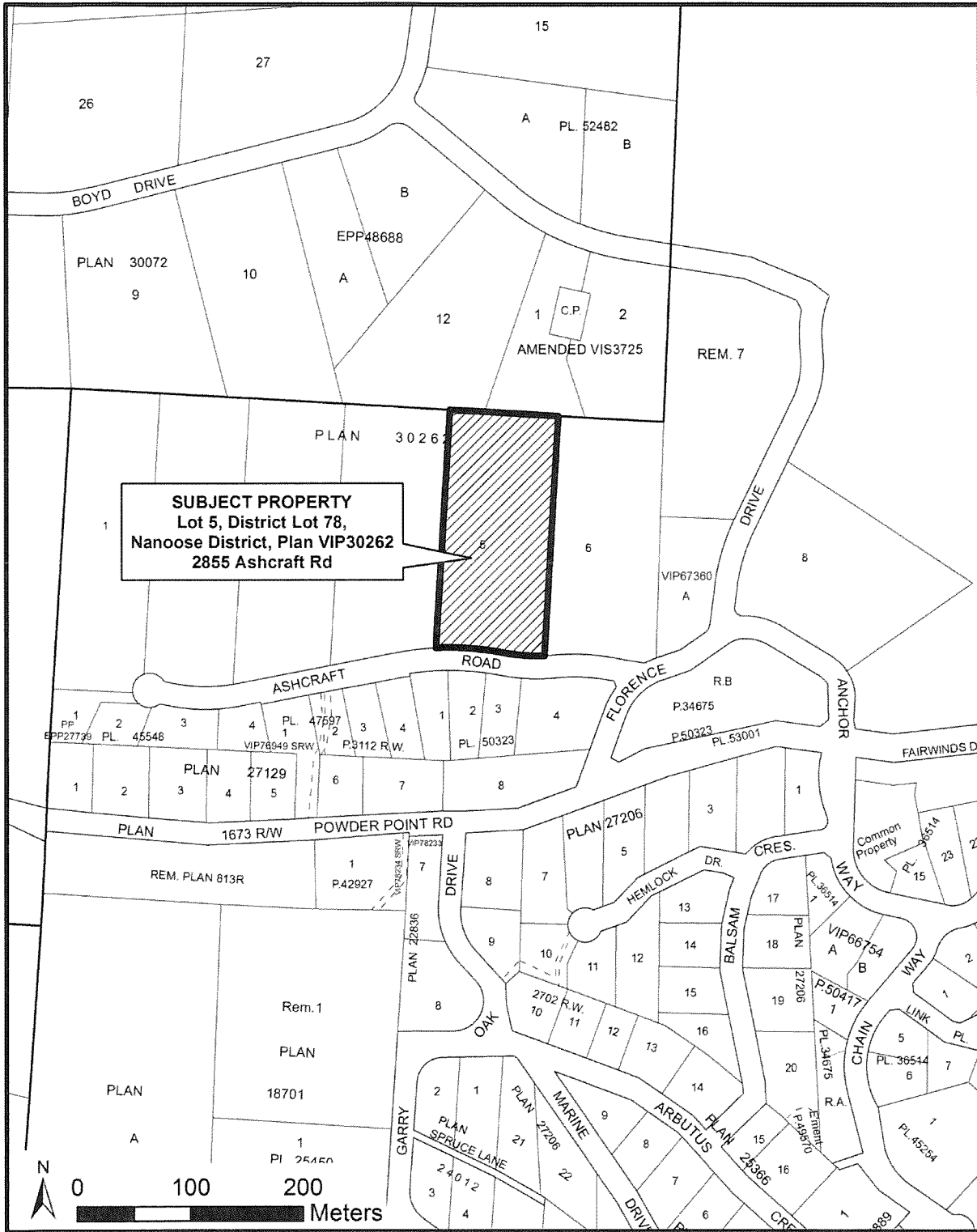


Manager Concurrence

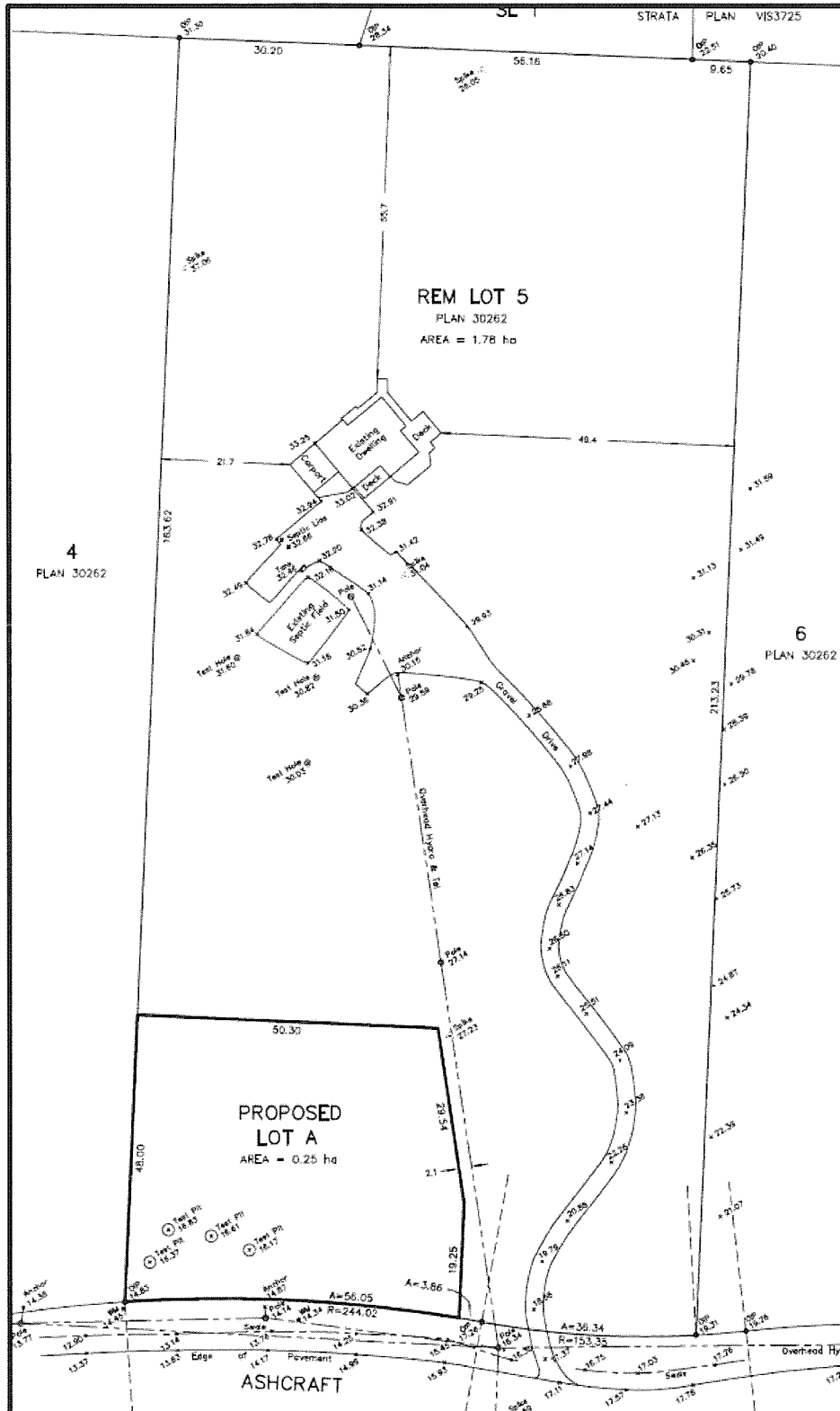


CAO Concurrence

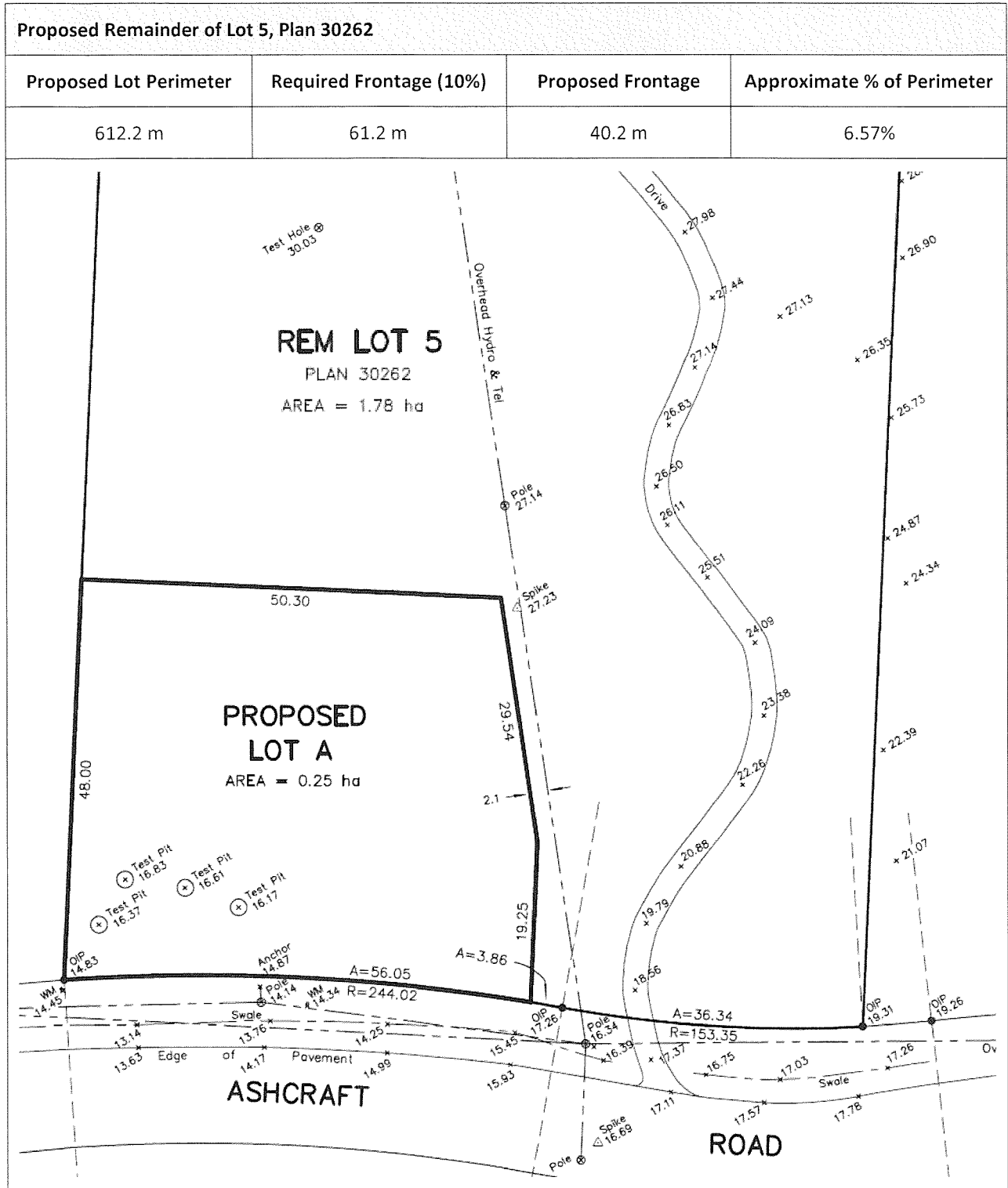
Attachment 1
Subject Property Map

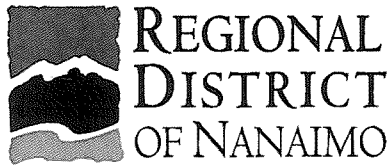


Attachment 2
Plan of Subdivision



Attachment 3
 Proposed Frontage





RDN REPORT		
CAO APPROVAL		
EAP	✓	
COW		
OCT 02 2015		
RHD		
BOARD		

STAFF REPORT

TO: Jeremy Holm
Manager, Current Planning

DATE: September 24, 2015

FROM: Stephen Boogaards
Planner

MEETING: EAPC – October 13, 2015

FILE: PL2015-067

SUBJECT: Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in relation to Subdivision Application No. PL2015-067
District Lots 75 and 155, Nanoose District
2045 Fisher Road – Electoral Area ‘F’

RECOMMENDATION

That the request to relax the minimum 10% perimeter frontage requirements for Lot 1 District Lot 75 and the Remainder of the District Lot 155 in relation to Subdivision Application No. PL2015-067 be approved.

PURPOSE

To consider an application for a request to relax the minimum 10% perimeter frontage requirement to facilitate a proposed boundary adjustment between the lots, in relation to an application to the Ministry and Transportation and Infrastructure to close a portion of Fisher Road.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Fern Road Consulting Ltd. on behalf of Stryder King Holdings Ltd. (BC0344397), and Wanda and Michael Dudek to relax the minimum 10% perimeter frontage requirement in relation to a proposed boundary adjustment (Application No. PL2015-067). District Lot 75 is approximately 69 hectares in area and District Lot 155 is approximately 56 hectares. District Lot 75 is zoned A-1 (Agricultural 1) and District Lot 155 is split zoned A1 and Forestry 1 (FR-1), pursuant to “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285, 2002”. District Lot 75 is completely within the Agricultural Land Reserve (ALR) and District Lot 155 is partly within the ALR.

The properties are currently being used for agriculture and resource uses, and are adjacent to similar land uses. The properties north, east and west of the property are also within the ALR. (see Attachment 1 – Subject Property Map).

The proposed development is subject to the following Development Permit Areas per the “Regional District of Nanaimo Electoral Area ‘F’ Official Community Plan Bylaw No. 1152, 1999”:

1. Fish Habitat Protection Development Permit Area;

2. Watercourse Protection Development Permit Area.

Given that no new lot lines will be within 30 metres of a watercourse, a development permit is not required.

Minimum 10% Perimeter Frontage Requirement

The applicants propose to adjust the boundary between District Lot 75 and 155 to provide frontage on Fisher Road for District Lot 75 (Attachment 2). Currently access to District Lot 75 is provided by an extension of Fisher Road that was declared a Section 42 road under the *Transportation Act*. Along with the subdivision application, the applicant has made a request to close the Section 42 extension of Fisher Road and construct a cul-de-sac on east boundary of District Lot 155. Both lots will still meet minimum parcel sizes in the applicable zone following the boundary adjustment.

The boundary adjustment between District Lots 75 and 155 as shown on the submitted plan of subdivision do not meet the minimum 10% parcel frontage requirements pursuant to Section 944 of the *Local Government Act*. The applicant has requested approval of the RDN Board to reduce the frontage requirement as follows:

Proposed Lot No.	Required Frontage (m)	Proposed Frontage (m)	% of Perimeter
Lot 1 District Lot 75	403.8 m	52 m	1.3%
Rem. District Lot 155	473.8 m	31 m	0.7%

The road frontage for the proposed lot boundary adjustment also does not meet minimum frontage requirements in Bylaw 1285, which establishes a 100 m frontage requirement in the A-1 zone. However, the frontage requirements in the *Local Government Act* state that the minimum frontage on a highway must be the greater of 10% of the perimeter of the lot or the minimum frontage established in the local government bylaw. Since the 10% of the perimeter frontage requirement is the greater frontage, a relaxation to the bylaw standard is not required.

ALTERNATIVES

1. To approve the request for relaxation of the minimum 10% perimeter frontage requirement for Lot 1 District Lot 75 and the Remainder of District Lot 155.
2. To deny the request for relaxation of the minimum 10% perimeter frontage requirement.

LAND USE IMPLICATIONS

Development Implications

The applicants propose to adjust the boundary between District Lot 75 and 155 to provide direct road frontage for District Lot 75. Currently District Lot 75 has road frontage through an extension of Fisher Road designated as a highway under Section 42 of the *Transportation Act*, which establishes 'if public money is spent on a travelled road that is not a highway, the travelled road is deemed and declared to be a highway.' A previous owner of the property had a Court declare the portion of Fisher Road in District Lot 155 a highway as District Lot 75 did not have road frontage. Since the declaration of the extension

as a highway, the owners of District Lot 75 have experience vandalism and theft, and the owners of District Lot 155 have experienced the dumping of garbage and animal carcasses.

The owners of both properties requested the Ministry of Transportation and Infrastructure close the Section 42 extension of Fisher Road to address the trespass and vandalism. The owners also propose to adjust the boundary between the lots and construct a cul-de-sac at the east boundary of District Lot 155 to provide frontage for District Lot 75. The proposed boundary adjustment and road closure would allow the applicants to install a gate adjacent to the cul-de-sac to prevent dumping, vandalism and theft on the properties.

The applicant's justification to adjust property boundaries, to prevent trespass and vandalism, is consistent with RDN Board Policy B1.5 For *Development Variance Permit Evaluation* and Policy B1.4 *Frontage Requirements for Rural Lots*. Currently District Lot 75 only has the 6 metre wide Section 42 gravel road for frontage, while the boundary adjustment will increase the frontage to 52 metres on the cul-de-sac. Further, the proposed frontage relaxation will improve access to District Lot 75 and both lots will front on a cul-de-sac, consistent with frontage relaxation criteria in Bylaw 1285. Since the proposed frontage will improve access to District Lot 75, staff recommends the approval of the frontage relaxation.

Environmental Implications

District Lot 75 and 155 have watercourses that are subject to RDN development permit areas for the protection of fish habitat; however, the proposed lot lines will not be within 30 metres of any mapped or unmapped watercourse.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2015 – 2019 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2013-2015 Board Strategic Plan.

INTER-GOVERNMENTAL IMPLICATIONS


The Ministry of Transportation and Infrastructure reviewed the subdivision application and issued a Preliminary Layout Approval. The applicants have also applied to the Ministry close the Section 42 extension of Fisher Road to prevent further trespass on the properties. The applicants propose to adjust the boundaries between the properties and dedicate a cul-de-sac on the eastern boundary of District Lot 155 to provide access for both lots.

Since the property is within the ALR, the subdivision is subject the *Agricultural Land Commission Act*. However, under the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* the proposed lot boundary adjustment does not require the approval of the ALC. Under Section 10 (c) of the regulation, an approving officer may approve a boundary adjustment that will enhance the overall farm and will not increase the overall number of parcels. The Provincial Approving Officer, as a condition of Preliminary Layout Approval, has required a final plan of subdivision be provided to the ALC.

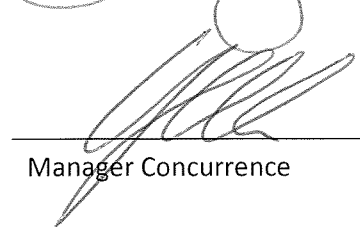
SUMMARY/CONCLUSIONS

The applicants propose a lot boundary adjustment between District Lot 75 and 155, and the closure of a portion of Fisher Road that passes through District Lot 155. The portion of road that extends through District Lot 155 was declared a Section 42 road under the *Transportation Act* to provide frontage to District Lot 75. However, both property owners have experienced vandalism, theft, and garbage dumping on their properties due to the road passing through District Lot 155. Since the extension of Fisher Road is deemed to be a public road, the owners cannot gate the road to prevent access to their properties.


The applicants have applied to the Ministry of Transportation and Infrastructure to close the Section 42 extension of Fisher Road to reduce trespassing, and propose to adjust the boundaries between the lots and to construct a cul-de-sac to ensure that District Lot 75 has sufficient road frontage. The proposal is consistent with RDN Board policies and Bylaw 1285, as the proposal will increase the road frontage for District Lot 75 and both lots will front onto a cul-de-sac. Given that access is improved, staff recommends that the Board approve the proposed Frontage Relaxation.



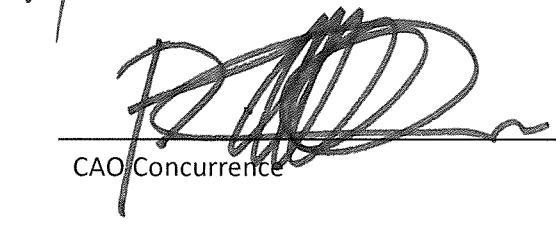
Report Writer



Manager Concurrence

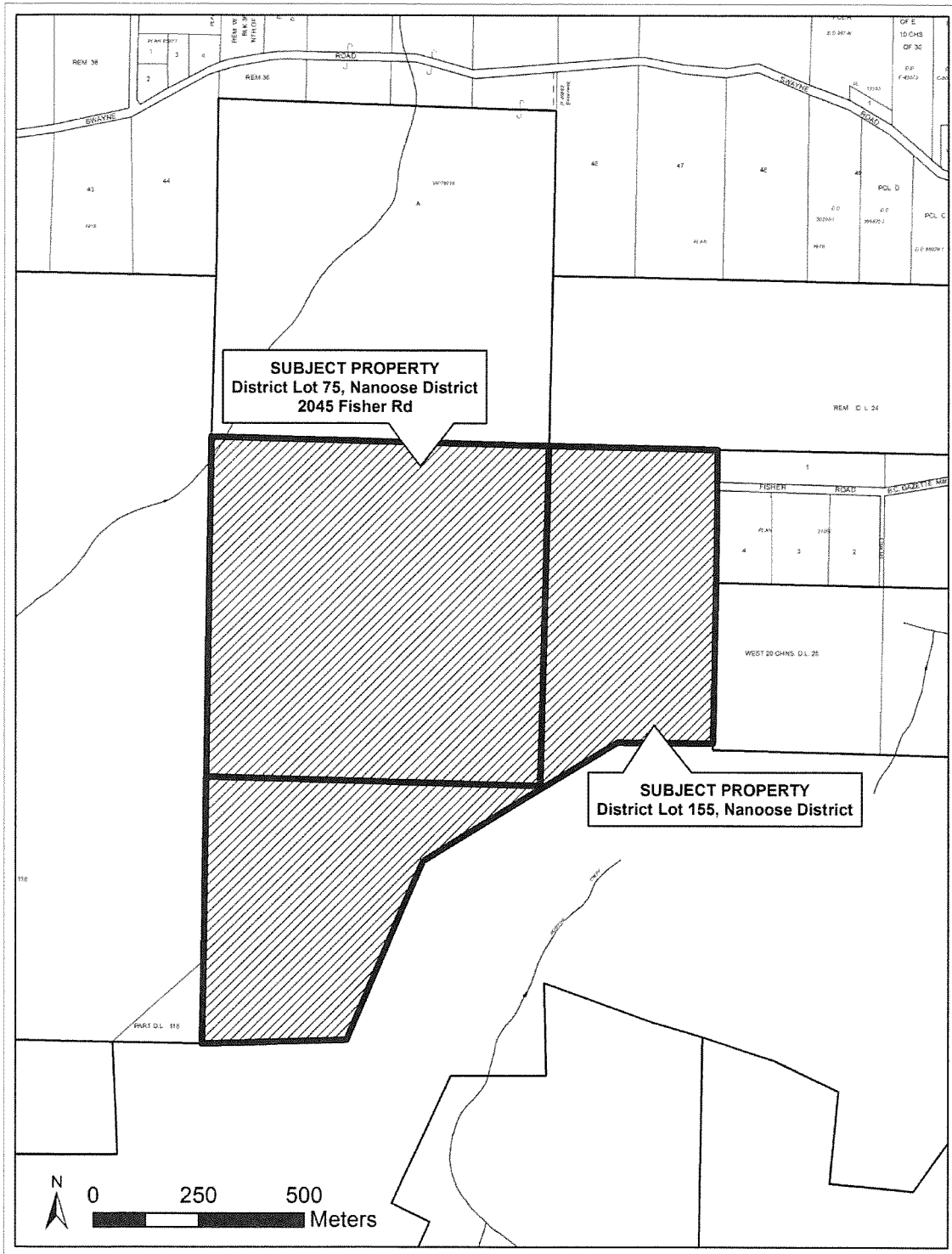


General Manager Concurrence

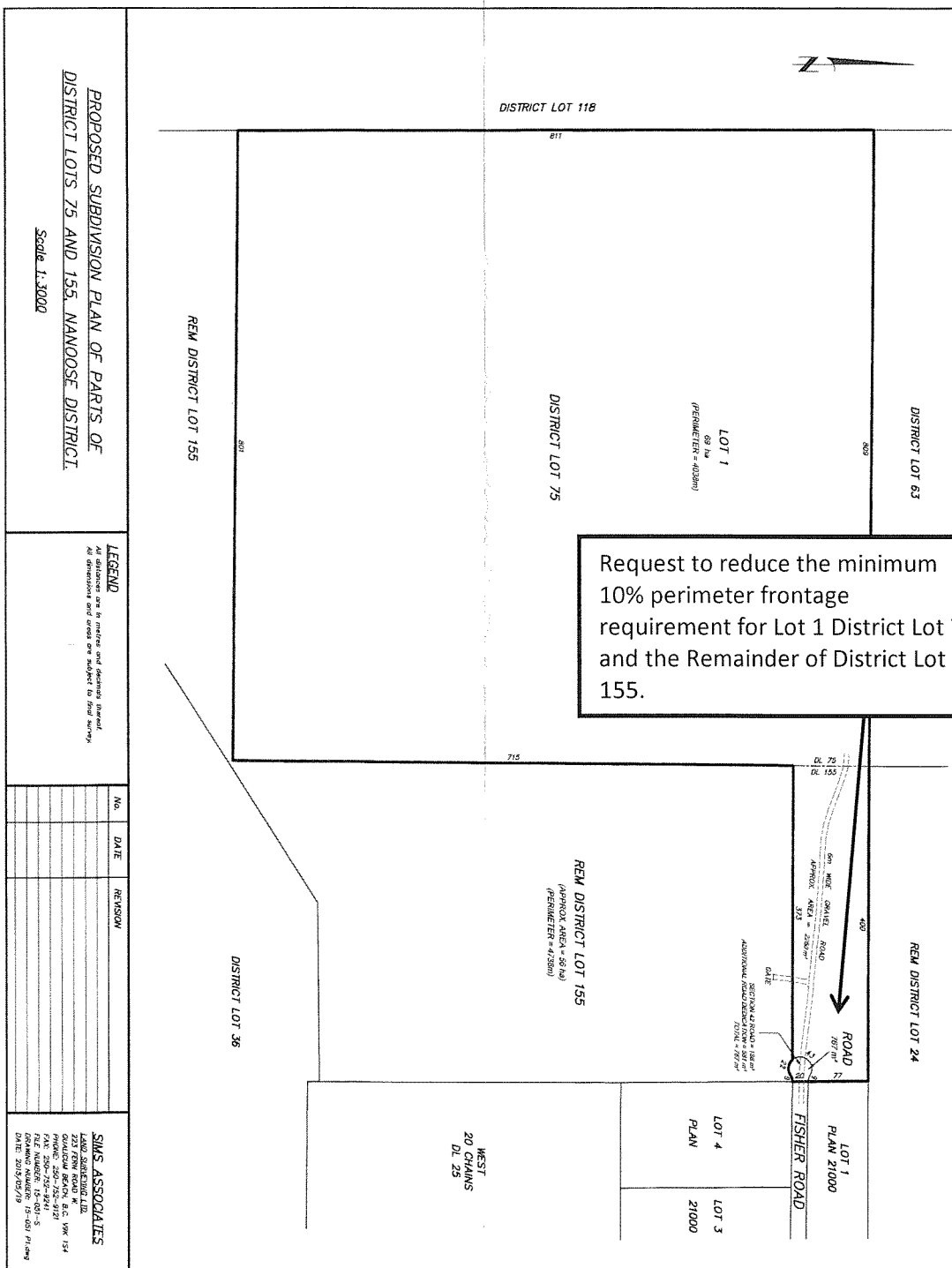


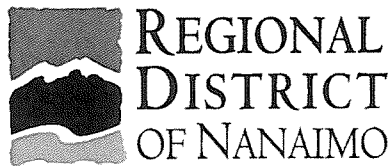
CAO Concurrence

Attachment 1
Subject Property Map



Attachment 2
 Proposed Plan of Subdivision





RDN REPORT		PLA
CAO APPROVAL		
EAP	✓	
COW		
OCT 05 2015		
RHD		
BOARD		
		DATE: October 1, 2015

STAFF REPORT

TO: Jeremy Holm
Manager, Current Planning

FROM: Tyler Brown
Planner

SUBJECT: Request for Relaxation of the Minimum Perimeter Frontage Requirement in relation to Subdivision Application No. PL2015-112
Lot A, District Lot 115, Nanoose District, Plan EPP46196
Electoral Area 'F'

MEETING: EAPC – October 13, 2015

FILE: PL2015-112

RECOMMENDATION

That the request to relax the minimum perimeter frontage requirement from 80.0 metres to 63.0 metres for proposed Lot 2 in relation to Subdivision Application No. PL2015-112 be approved.

PURPOSE

To consider an application for a request to relax the minimum perimeter frontage requirement from 80.0 metres to 63.0 metres for a proposed lot within a three-lot subdivision of the subject property.

BACKGROUND

The Regional District of Nanaimo has received an application from Fern Road Consulting Ltd. on behalf of Allsbrook Estates Ltd. to subdivide the subject property into three lots. The subject property is approximately 6.09 ha in area and is zoned R-4 (Rural 4) pursuant to the "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" (Bylaw No. 1285). The property is bordered by Agriculture 1 (A-1) zoned properties to the north and west, a Forest/Resource 1 (FR-1) property to the east, and a Rural 1 (R-1) parcel to the south. Evergreen Way runs the length of the eastern lot line and separates the parcel from lands within the Agricultural Land Reserve (ALR). Moreover, ALR land borders the northern lot line and a portion of the western lot line (see Attachment 1 – Subject Property Map).

The R-4 zone prescribes a minimum lot frontage of 80.0 metres. The applicant has applied to relax the required minimum lot frontage from 80.0 metres to 63.0 metres for proposed Lot 2 of the three-lot subdivision (see Attachment 2 – Subdivision Plan and Frontage Relaxation Request). The property does not contain any buildings or structures and any development of the property will be serviced by wells and septic disposal systems.

Proposed Development

The applicant proposes to create three parcels, each approximately 2.0 ha in area, through subdivision. The proposed lots are to be accessed from Evergreen Way and each lot will have adequate road frontage and area for the uses permitted in the R-4 Zone. However, due to the irregular shape of the parent parcel and the lot frontage provisions of the R-4 zone, the applicant is requesting a frontage relaxation to accommodate the subdivision.

Minimum 10% Perimeter Frontage Requirement

Pursuant to Section 944 of the *Local Government Act*, if a parcel being created by a subdivision fronts on a highway, the minimum frontage on the highway must be the greater of 10% of the perimeter of the parcel or the minimum frontage a local government may specify by bylaw. Bylaw No. 1285 specifies the minimum lot frontage within each zone. Proposed Lot 2 does not meet the 80.0 metre perimeter frontage requirement pursuant to the R-4 zone. The applicant has requested approval of the RDN Board to reduce the frontage requirement as follows:

Proposed Lot No.	Required Frontage (m)	Proposed Frontage (m)	% of Perimeter
2	80.0	63.0	10.1

ALTERNATIVES

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

LAND USE IMPLICATIONS**Development Implications**

In consideration of the frontage relaxation request for proposed Lot 2, adequate road frontage (63.0 m) is provided to accommodate a driveway or building envelope and no negative development implications are anticipated. Furthermore, the proposed frontage for proposed Lot 2 exceeds 10% of the perimeter of the parcel. The lot configuration as proposed will meet minimum lot size requirements and provide adequate site area on all three parcels to support the permitted uses of the R-4 zone.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2015 – 2019 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2013 – 2015 Board Strategic Plan.

INTER-GOVERNMENTAL IMPLICATIONS

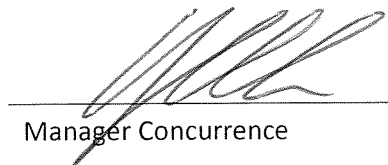
The Ministry of Transportation and Infrastructure staff have indicated that they have no concerns with the proposed frontage relaxation, and the subdivision proposal will be subject to a Preliminary Layout Approval by the Ministry.

SUMMARY/CONCLUSIONS


The applicant has requested to relax required minimum lot frontage from 80.0 metres to 63.0 metres for proposed Lot 2 for a proposed three-lot subdivision of the subject property. All three parcels will meet the minimal parcel size requirements and provide adequate site area to support the permitted land uses. Despite the reduced frontage, the parcel frontage will exceed 10% of the perimeter of the parcel and no negative land use implications are anticipated. Ministry of Transportation and Infrastructure have indicated that they have no objection to the request for a frontage relaxation. Staff recommend the Board approve the requested frontage relaxation.



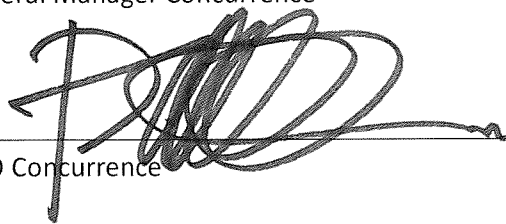
Report Writer



Manager Concurrence

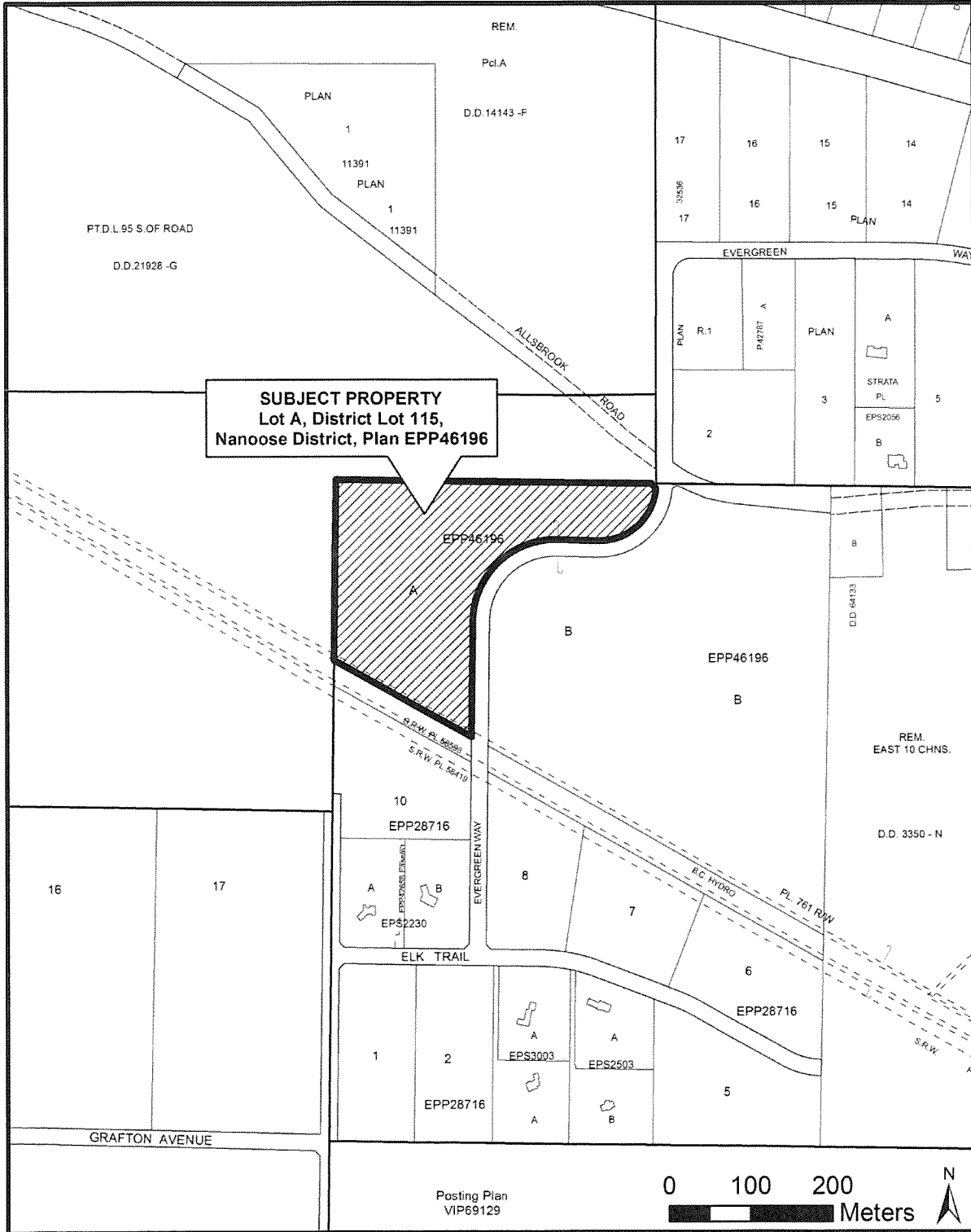


A / General Manager Concurrence

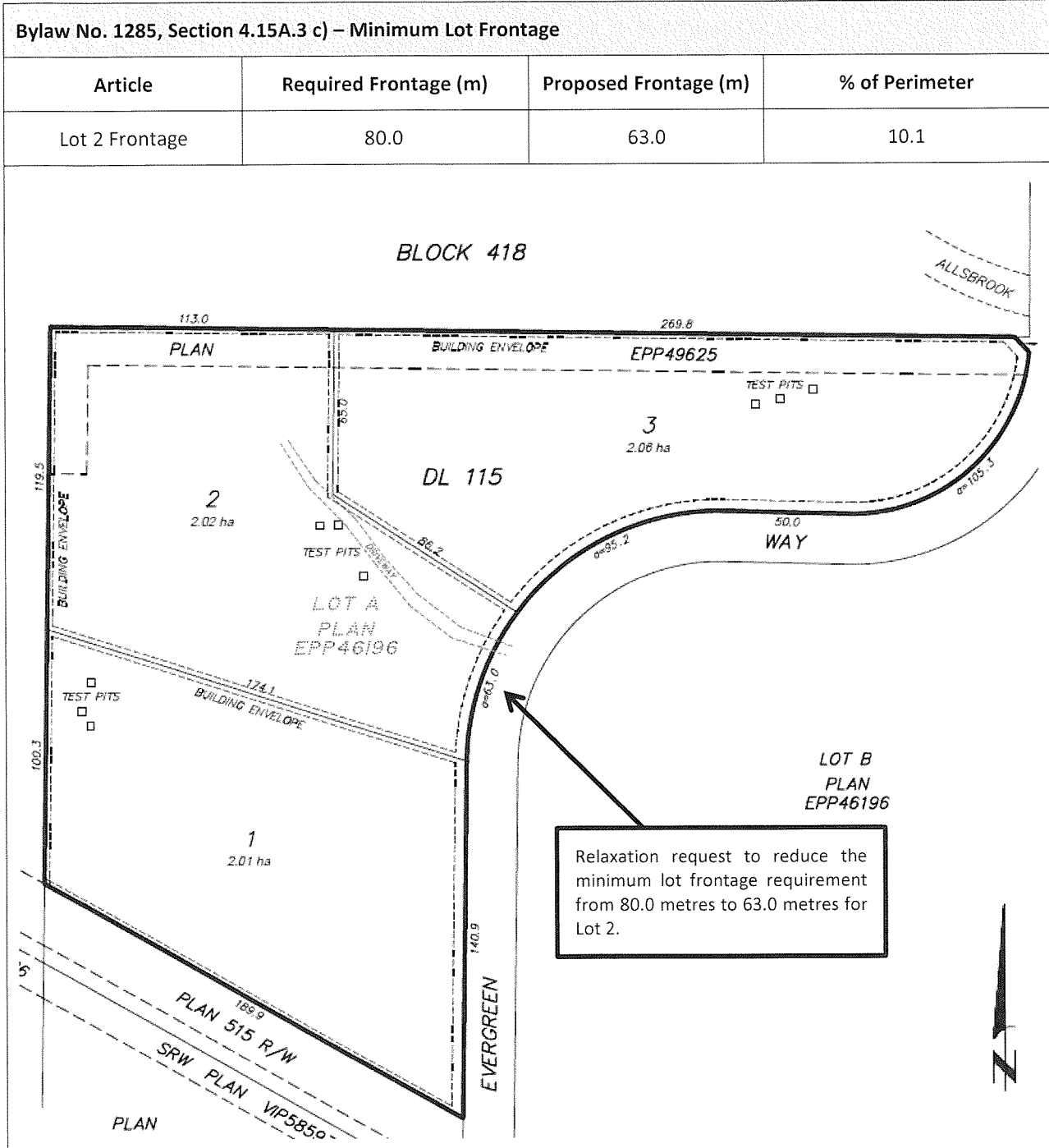


CAO Concurrence

Attachment 1 Subject Property Map



**Attachment 2
Subdivision Plan and Frontage Relaxation Request**





RDN REPORT		
CAO APPROVAL		
EAP	✓	
CCW		
OCT 07 2015		
RHD		
BOARD		

STAFF REPORT

TO: Chris Midgley
 Manager, Energy and Sustainability

DATE: October 6, 2015

FROM: Ting Pan
 Sustainability Coordinator

MEETING: EAPC – October 13, 2015

FILE: 6480-01

SUBJECT: Sustainability Review of Regional District of Nanaimo Official Community Plans

RECOMMENDATIONS

1. That the Regional District of Nanaimo Board of Directors direct staff to explore policies that enable on-site renewable energy generation as an economic opportunity for residents and businesses in the Regional District of Nanaimo.
2. That the Regional District of Nanaimo Board of Directors direct staff to explore criteria for evaluating community impacts of renewable energy systems and develop various policy alternatives for future consideration.
3. That the Regional District of Nanaimo Board of Directors direct staff to complete a renewable energy capacity analysis for the region.
4. That the Regional District of Nanaimo Board of Directors direct staff to consider area-specific climate change mitigation and adaptation measures for inclusion in Official Community Plans through the public consultation process used during future Official Community Plans reviews.

PURPOSE

To develop information resources that support public consultation efforts in future Electoral Area Official Community Plan (OCP) reviews based on opportunities relating to green building, sustainable land use planning practices and renewable energy generation in Regional District of Nanaimo (RDN).

BACKGROUND

An information report on an in-house sustainability review of Electoral Area OCPs was brought to the Sustainability Select Committee (SSC) held on September 15th, 2015. The initial report was presented to the SSC as the project originated out of the Green Building Action Plan. Considering the outcome of this review is only relevant to Electoral Areas, this report is now brought to the Electoral Area Planning Committee (EAPC) with recommendations for each opportunity identified. The original SSC report is attached as Appendix A.

Upon review of the OCPs for Electoral Areas A, C, E, F, G and H, impediments to green building, sustainable land use practices and renewable energy generation were found to be minimal. However, in anticipation of future opportunities relating to renewable energy generation, and potential future impacts relating to climate change, four opportunities for consideration were identified. The four opportunities and their rationales are summarized below:

OPPORTUNITY 1: Clarify options and conditions under which commercial or community renewable energy generation can be supported.

Barrier: Currently, OCPs lack direction on whether commercial or community renewable energy production is supported. This prevents residents and businesses in any zones from considering on-site renewable energy generation as a potential source of revenue

Proposed Action: Explore policies that enable on-site renewable energy generation as an economic opportunity for residents and businesses in the Regional District of Nanaimo. Depending on community interest, this exploration could provide the basis for future discussions as OCPs are reviewed.

Rationale: It is anticipated that community interest in generating renewable energy to supplement income will grow, particularly as buildings become more efficient and renewable energy systems become more financially viable. To support potential economic opportunities associated with on-site renewable energy generation in the region, the RDN Board of Directors may choose to clarify the conditions under which renewable energy generation would be considered.

OPPORTUNITY 2: Explore criteria for evaluating community impacts of renewable energy systems and develop a various policy alternatives for future consideration.

Barrier: In 2014, Board Policy B1.5 *Development Variance Permit, Development Permit with Variance & Floodplain Exemption Application Evaluation* was revised to indicate that a variance “*may be recommended where the impacts of the variance are considered acceptable*”. However, the criteria to evaluate impacts have not been developed.

Proposed Action: Explore criteria for evaluating community impacts of renewable energy systems and develop policy alternatives for future consideration.

Rationale: Participating in the development of criteria to evaluate community impacts of renewable energy systems will provide residents with the opportunity to influence how the Board of Directors makes decisions concerning renewable energy systems. This will also provide guidance to applicants so that community impacts could be considered at the outset of the development process.

OPPORTUNITY 3: Complete a renewable energy capacity analysis for the region.

Barrier: Currently there is a lack of information on the potential for production of wind, solar or other forms of renewable energy in the region.

Proposed Action: Complete a renewable energy capacity analysis for the region.

Rationale: This knowledge, along with evaluation criteria for community impacts proposed in Opportunity 2 will help identify high-potential, low-impact priority areas where the community could support larger-scale renewable energy projects. Identification of these areas will provide a framework

for discussions with community members and interested parties, and a tool for the Board and staff to make quick initial assessments of future proposals.

OPPORTUNITY 4: Consider area-specific climate mitigation and adaptation measures into OCPs.

Barrier: The Climate Change and Energy sections of existing OCPs do not include considerations relating to climate adaptation. Since the sections are the same for all OCPs (except for Electoral Area 'A'), unique opportunities that exist in particular communities are not addressed.

Proposed Action: Consider area-specific climate change mitigation and adaptation measures for inclusion in Official Community Plans during future OCP reviews.

Rationale: While no immediate actions are required, having mitigation and adaptation measures tailored to each area is important to capture unique and appropriate local opportunities. Specific suggestions are attached to the report provided as Appendix A.

The proposed recommendations do not result in any immediate actions or decisions regarding the Official Community Plans. If approved, they will result in the development of background information intended to serve as a resource in public consultations during future OCP reviews.

ALTERNATIVES

1. That the Regional District of Nanaimo Board of Directors approve the recommendations.
2. That alternate direction be given to staff.

FINANCIAL IMPLICATIONS

Recommendations 1 and 2 would be completed in-house with dedicated staff time, and incorporated into 2016/2017 work plans as a collaborative project involving Energy and Sustainability, Long Range Planning and Current Planning Departments.

Recommendation 3 - a renewable energy capacity analysis for the region - would require the skills of a qualified consultant, and has a budget estimated at approximately \$20,000. Potential funding sources for this project include the shared Electoral Areas Community Works Fund allocation and 'Professional fees' in the Energy and Sustainability Division's operational budget in 2016 or 2017. The project would be managed by the Energy and Sustainability department.

Incorporating area-specific climate change mitigation and adaptation measures into OCPs as outlined under Recommendation 4 would be incorporated into the general OCP review cycle and would be included as staff time, primarily for the Long Range Planning department, as those reviews proceed.

STRATEGIC PLAN IMPLICATIONS

The recommended actions advance the strategic priorities of *Self-Sufficiency* and *Economic Viability* in the 2013-2015 Board Strategic Plan, and fulfill the objective '*to promote initiatives and policies that contribute to regional sustainability and community resilience*'. Providing clear guidance on renewable energy production in the region provides certainty for residents and businesses seeking to invest in this sector. If supported, the recommendations could provide valuable information that encourages the

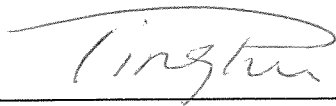
development of clean energy sources that meet local needs, and opens economic opportunities associated with the design and installation of these systems, as well as potential revenues for local businesses and homeowners. Incorporating mitigation and adaptation considerations in each community will inform residents about unique opportunities and vulnerabilities as well as appropriate strategies to enhance each community's adaptability to change.

SUMMARY/CONCLUSIONS

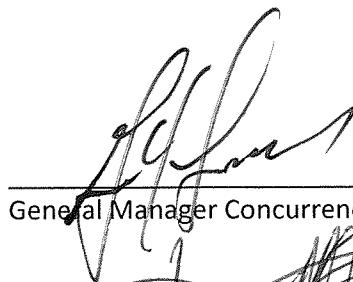
Staff have conducted an area-by-area review of RDN Official Community Plans to identify potential opportunities to better support regional sustainability in terms of green building, sustainable land use practices and renewable energy generation. Upon review of the OCPs for Electoral Areas A, C, E, F, G and H four opportunities were identified:

1. Clarify options and conditions under which commercial or community-scale renewable energy generation can be supported;
2. Explore criteria to evaluate community impacts of renewable energy systems and develop various policy alternatives for future consideration;
3. Complete a study to identify high-potential areas for renewable energy production in the Region; and
4. Consider area-specific climate change mitigation and adaptation measures for inclusion in Official Community Plans during future OCP reviews.

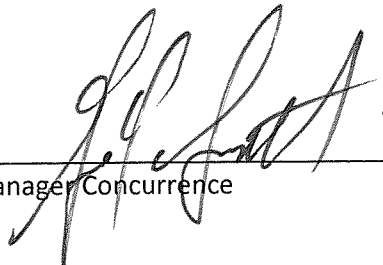
These opportunities are identified in anticipation of issues likely to arise in the future. If approved, the recommendations will result in the development of background information intended to serve as a resource in public consultations during future OCP reviews. This is intended to lay the groundwork for an informed discussion that adds value to future public consultation efforts as Electoral Area OCPs undergo periodic reviews.



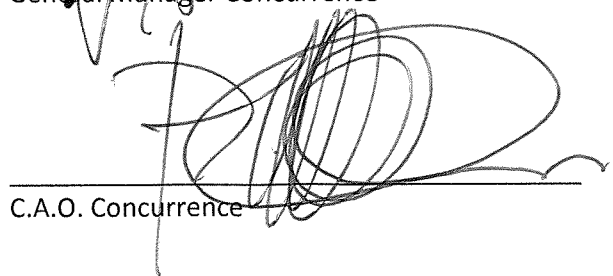
Report Writer



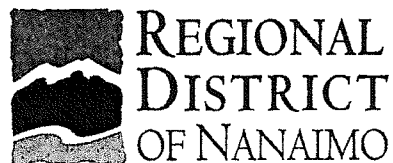
General Manager Concurrence



Manager Concurrence



C.A.O. Concurrence



STAFF REPORT

TO: Chris Midgley
Manager, Energy and Sustainability

DATE: September 2, 2015

FROM: Ting Pan
Sustainability Coordinator

MEETING: SSC – September 15, 2015

FILE: 6480-01

SUBJECT: Sustainability Review of Regional District of Nanaimo Official Community Plans

RECOMMENDATION

That the report on the sustainability review of Regional District of Nanaimo (RDN) Official Community Plans (OCPs) be received for information.

PURPOSE

To identify opportunities to better support green building, sustainable land use planning practices and renewable energy generation in current RDN Official Community Plans.

BACKGROUND

In April 2015, staff initiated a collaborative project involving Long Range Planning, Current Planning, and Energy and Sustainability to review Official Community Plans in six Electoral Areas (A, C, E, F, G and H). The area-by-area review focused on green building and sustainable land use planning practices as well as renewable energy generation, with the objective to identify opportunities to strengthen support for these specific practices. The review deliberately excluded the following considerations:

1. Density - this will require extensive public consultation.
2. Alternative forms of rural development - Long Range Planning completed a study on this in 2012.
3. Sea level rise - Long Range Planning has planned a mapping project in the 2015 work plan to lay the foundation for future work related to sea level rise.

The OCP review was identified in the 2015 work plan for Energy and Sustainability division as a logical step following the implementation of the Green Building Bylaw Amendment project completed in early 2015.

It is worth noting that a 'Climate Change and Energy' section was introduced to all RDN OCPs in 2010 (except for Electoral Area A OCP which was under review at the time) in response to the provincial requirements to include Greenhouse Gas emissions targets, policies and actions in OCPs. Staff also considered the relevance and applicability of those actions in the context of each OCP.

This report is brought forward to the Sustainability Select Committee (SSC) for information purposes as the project originated out of the Green Building Action Plan. In recognition that the outcome of this review impacts Electoral Areas only, recommendations to advance identified opportunities, as well as more detailed financial implications will be brought forward to the EAPC at the meeting to be held in October 2015.

Through this review process, the greatest barrier identified is a lack of clarity and guidance on future renewable energy development in the region. Secondly, measures to mitigate and adapt to climate change are not always tailored to the unique characteristics of each community. Other relevant gaps or inconsistencies within OCPs are also noted. A summary of review notes is attached as Appendix A. Opportunities to consider are summarized below:

Opportunity 1: Clarify position on commercial and community-scale renewable energy generation.

Barrier	There is no clear indication in the OCPs if commercial or community-scale renewable energy generation is a supported use.
Proposed Action	Explore options and conditions under which commercial or community renewable energy generation can be supported as a permitted use or a home-based business.
Rationale	It is anticipated that there will be an increasing interest in investing in renewable energy production beyond meeting on-site energy demand in the future. Allowing commercial or community-scale renewable energy production presents an opportunity to create clean energy locally and generate revenue for property owners.

Opportunity 2: Establish clear criteria for evaluating community impacts of renewable energy systems.

Barrier	There are no clear criteria to evaluate community impacts of renewable energy systems.
Proposed Action	Establish a Board policy that outlines criteria to evaluate community impacts of renewable energy systems, including but not limited to issues related to safety, aesthetics, acoustics, public health and neighbourhood character.
Rationale	Developing criteria to evaluate the community impacts of renewable energy systems will provide guidance to interested residents and organizations when the Board makes decisions related to renewable energy generation projects. It will also reduce concerns about potential negative impacts associated with renewable energy technologies.

Opportunity 3: Complete a renewable energy capacity analysis for the region.

Barrier	There is a lack of information on renewable energy production potential within the region.
Proposed Action	Consider a study to identify areas of high renewable energy generation potential, including wind, solar and biomass energy systems.
Rationale	Identification of high-potential areas will facilitate discussions on how to respond to, or prioritize large-scale renewable energy projects in a proactive manner, test reception within RDN communities of such projects on specific sites and help the Board make informed decisions.

Opportunity 4: Incorporate area-specific climate change mitigation and adaptation measures into OCPs.

Barrier	The existing Climate Change and Energy sections do not include considerations relating to climate adaptation. Since the sections are the same for all OCPs except for the Electoral Area A OCP, unique opportunities that exist in particular communities are not addressed.
Proposed Action	Incorporate climate mitigation and adaptation measures in consideration of each area’s characteristics and priorities.
Rationale	Having mitigation and adaptation measures tailored to each area is important to capture unique and appropriate opportunities. Specific suggestions can be found in Appendix A, which are intended to be considered when individual OCPs are reviewed.

ALTERNATIVES

There are no alternatives. This report is provided for information purposes.

FINANCIAL IMPLICATIONS

Acting on each of the opportunities listed above will require resources. Clarifying the RDN position on commercial and community-scale renewable energy systems, as well as establishing evaluation criteria for the community impacts of renewable energy systems could be completed by dedicating staff time to the projects. As such, this work would be accounted for as staff time within the operational budgets for Current Planning, Long Range Planning and Energy and Sustainability.

Undertaking a renewable energy capacity analysis would require the services of a qualified consultant. An estimated budget for this work and funding alternatives will be presented to the EAPC. The opportunity to incorporate area-specific climate change mitigation and adaptation measures into OCPs should be incorporated into the general OCP review cycle. This would minimize additional demands on staff resources.

STRATEGIC PLAN IMPLICATIONS

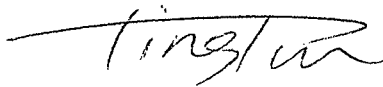
The opportunities for actions advance the strategic priorities of *Self-Sufficiency* and *Economic Viability* in the 2013-2015 Board Strategic Plan, and fulfill the objective ‘promote initiatives and policies that contribute to regional sustainability and community resilience’. Providing clear guidance on renewable energy production in the region encourages the development of clean energy sources to meet our own needs for energy, and unlocks potential economic opportunities associated with the design and installation of these systems as well as the potential long-term revenues for local businesses and homeowners. Incorporating mitigation and adaptation considerations in each community will help identify unique opportunities and vulnerabilities as well as appropriate strategies to enhance the community’s adaptability to change.

SUMMARY/CONCLUSIONS

Staff have conducted an area-by-area review of RDN Official Community Plans to identify potential opportunities to better support regional sustainability in terms of green building, sustainable land use practices and renewable energy generation. Opportunities identified include:

1. Explore options and conditions under which commercial or community-scale renewable energy generation can be supported as a permitted use;
2. Establish a Board policy that outlines criteria to evaluate community impacts of renewable energy systems;
3. Consider a study to identify high-potential areas for renewable energy production;
4. Incorporate climate change mitigation and adaptation measures in consideration of each area's unique characteristics and priorities in future OCP review processes.

This report has been brought forward to the SSC for information as the project originated out of the Green Building Action Plan. Recommendations to advance identified opportunities, and more detailed financial implications will be brought forward to the EAPC at the meeting to be held in October 2015.



Report Writer


General Manager Concurrance
Manager Concurrance
C.A.O. Concurrance

Appendix A
Sustainability Review of RDN Official Community Plans (OCPs)
Summary of Notes

Overall Observations and Recommendations

The following items directly relate to OCP content for all Electoral Areas:

- Currently commercial or community renewable energy production is not explicitly supported in the OCPs. Explore options to support such renewable energy production either as a permitted use or a home-based business. Clarification of commercial and community renewable energy systems is needed.
- Climate adaptation issues such as those related to sea level rise, prolonged drought, and severe and frequent weather events are largely not considered in the current OCPs. Consider incorporating climate adaptation measures into OCPs as building community resilience becomes an important priority across the region.
- Many actions in the Climate Change and Energy section have been implemented. This section should be updated and incorporated into relevant sections throughout the OCPs when they are ready for a full review.

Below are items complementary to OCPs:

- There are no clear criteria to assess renewable energy systems' impacts. Zoning bylaws regulate renewable systems in terms of size, height and setback. OCPs provide high-level directions on whether and how such use can be supported. When the Board has to make decisions on development variances or project proposals related to renewable energy systems, a Board Policy that outlines clear criteria to assess renewable energy systems' impacts will be a useful complement to the other policy tools.
- There is a lack of information on renewable energy production potential within the region. Consider a study to identify high-potential areas for renewable energy production such as wind, solar and biomass energy systems. This will enable the communities to discuss how to respond to or prioritize energy project proposals and help the Board make informed decisions.

Area Specific Comments and Recommendations

Potential barriers and opportunities, and gaps or inconsistencies relating to sustainability are noted below for each area.

1. Electoral Area H - OCP Review

Date of Staff Review Meeting: April 30, 2015

- Community Values Statement (Section 1.2, pg. 3) - Since this OCP predates policy consideration on energy and emissions, there is no language here to encourage low-energy, high-performance buildings, District Energy System for Village Centres, renewable energy systems, etc.

- Development Guideline Criteria (Section 5.1, pg. 1) – Consider adaptability to climate change as one of the criteria.
- Village Centres DPA (A2 Page 4) – Consider adding buildings that meet third party performance standards such as Built Green, LEED, Passive House, Energy Star; infrastructure that supports alternative transportation and clean vehicles, secure bike storage, EV charging stations, bus shelters and priority parking to Guidelines. Bowser Village Centre Plan provides a very useful precedent.

2. Electoral Area G - OCP Review

Date of Staff Review Meeting: May 21, 2015

- Section 2.8 and 2.9 (pg. 27) both address Sustainable Development and Climate Change, they can be consolidated.
- Address climate impacts on waterfront properties in either Coastal Zone Management section (pg. 17) or Natural Hazard Areas Management section (pg. 21).
- Climate Change and Energy (Section 2.9, pg. 31) - Consider supporting infrastructure for alternative clean transportation, e.g. EV charging station, bike racks/storage; support car-share program; relax parking requirement in exchange for energy and emissions reduction efforts. This is more relevant in Area G, as it is in close proximity to urban centres and has higher density compared to other EAs.
- Protecting Rural Integrity (Section 5.1, pg. 44) – Consider supporting on-site renewable energy generation and food production.
- Multi Residential, Intensive Residential, Industrial, and Commercial Form and Character (Section 10.6, pg. 106) - Ideas to consider:
 - 1) Shared amenities
 - 2) Permeable site surfaces to allow for stormwater infiltration
 - 3) Reflective building surfaces to reduce heat absorption
 - 4) Building performance certifications
 - 5) District Energy System

3. Electoral Area E - OCP Review

Date of Staff Review Meeting: June 4, 2015

- Coastal Zone (Section 2.2, pg. 3) - Consider impacts such as sea level rise and storm surge on coastal areas
- Water Management (Section 2.3, pg. 4)- Encourage rainwater collection
- Coast Residential (Section 3.1, pg. 1)- Address climate impacts on residential waterfront properties
- Community Centres (Section 4.2, pg. 2) - Treatment of shoreline and seawall in consideration of climate impacts should be considered in neighborhood centres; Neighborhood layout and design that optimizes future buildings' solar access should be encouraged.

4. Electoral Area F - OCP Review

Date of Staff Review Meeting: June 18, 2015

- No coastal zone, therefore no direct concerns related to sea level rise, storm surges, etc.
- Area F is composed of many large rural lots on which there are minimum barriers to solar access and renewable energy generation.
- Currently, the two Development Permit Areas are somewhat redundant. The Watercourse Protection and the Fish Habitat Protection DPAs could be consolidated.
- There is a unique opportunity to allow commercial or community renewable energy production in Area F because
 - 1) There are large lots that make it possible to produce more energy than on-site energy demand.
 - 2) Area F has its own zoning bylaw which makes it easier to establish new definitions and supporting policies.
 - 3) There is a strong emphasis on self-sufficiency within the community already.
- There is also an opportunity to practice forest/trees retention for carbon sequestration. Currently there is general language in the Climate Change section to support such a program. No need to be any more specific in the OCP. No particular barrier to the implementation is identified. The program will offer multiple co-benefits such as habitat protection, stormwater management, and additional financial incentive to alternative forms of rural development. The Energy and Sustainability Section has a Rural Residential Carbon Reserve project to explore implementation options in its work plan.
- Infrastructure, Transportation & Utilities (Section 7, pg. 1) – Consider supporting infrastructure to accommodate clean vehicles and alternative transportation modes.

5. Electoral Area C - OCP Review

Date of Staff Review Meeting: July 29, 2015

- No coastal zone, therefore no direct concerns related to sea level rise, storm surges, etc.
- Large areas of Private Managed Forest Land and Agricultural Land Reserve which the RDN has limited jurisdiction over.
- There are very few commercial or multi-unit residential development opportunities, mostly single-family homes. This leads to limited opportunities for encouraging District Energy Systems or shared amenities in the OCPs.
- Potential climate related risk - wildfire close to residential areas. Consider including hazard land policy or a DPA to apply to properties in the interface fire zone. E.g., North Cowichan has such a DPA for new subdivision.
- Language and maps are not updated to reflect current municipal boundaries.

Arrowsmith Benson- Cranberry Bright OCP

- Large amount of resource land presents potential opportunities for wind and solar power generation.
 - 1) The main barrier in the OCP to developing renewable energy systems in resource land is that renewable energy production is not explicitly supported.
 - 2) Note that if the energy generation capacity meets the threshold of an Independent Power Producer (between 100 kW and 15 MW), an energy system will fall under provincial jurisdiction and local governments have limited influence.
 - 3) With spatial information identifying high-potential areas in the region, the RDN will be better able to consult community members and consider renewable energy production as a permitted use in those areas.
 - 4) Consider renewable energy generation projects on rural residential land as home-based businesses.
 - 5) This highlights another barrier: commercial renewable energy production is not defined in Bylaw No. 500.

East Wellington – Pleasant Valley OCP

- There are opportunities for alternative forms of rural development on rural residential land in this area. There is currently some supportive language in the OCP (Section 4 Development Strategy, pg.28) for these forms of development to be implemented.
- Note that alternative forms of rural development only apply to rural residential, not resource land.
- Currently there are two routes to achieve alternative forms of rural development
 1. Density averaging and development variances on greater than 20% reductions in lot sizes. The main benefit to developers is savings on access and servicing. This is the easier option of the two.
 2. Rezoning to change minimum parcel size. This will require going through RGS and OCP amendments. This is a more involved and lengthy process.
- Establish a covenant for protecting green space or including comparable community amenities as a condition of issuing a development variance permit. This should be included in the Board's development variance policy.
- The RDN could encourage brownfields such as former gravel pits to be considered as potential sites for large scale renewable energy production.

6. Electoral Area A - OCP Review

Date of Staff Review Meeting: Aug 20, 2015

- EA A OCP is the latest OCP that has been updated and has fairly comprehensive coverage on energy and emissions reduction measures throughout the document.
- Climate related hazards include interface fires and flooding

- Encouraging Sustainable Development (Section 4.6, pg.40) – Consider incorporating climate adaptation measures.
- The use of forest land to generate carbon offsets is currently not considered.
- The Cedar Main Street Village Plan includes specific language in *Green Buildings and Site Planning Practices* (Section 4.5, pg.47) and *Green Building* sections (Section 6.8.4, pg.63) that can be used as examples for other OCPs.