

REGIONAL DISTRICT OF NANAIMO

ELECTORAL AREA SERVICES COMMITTEE

TUESDAY, SEPTEMBER 13, 2016

2:00 PM

(RDN Board Chambers)

RDN meetings may be recorded

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

MINUTES

5-7 Minutes of the Electoral Area Planning Committee meeting held Tuesday, July 12, 2016.

That the minutes of the Electoral Area Planning Committee meeting held Tuesday, July 12, 2016 be adopted.

8-9 Minutes of the Emergency Management Select Committee meeting held Monday, July 25, 2016.

That the minutes of the Emergency Management Select Committee meeting held Monday, July 25, 2016 be adopted.

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

10-13 **Councillor Barbara Price and Director Noba Anderson, Association of Vancouver Island and Coastal Communities**, re Electoral Area Forum at AVICC Convention – Input Requested.

UNFINISHED BUSINESS

PLANNING

DEVELOPMENT PERMIT

14-19 Development Permit Application No. PL2016-081 – 2821 Parker Road East – Electoral Area 'E'.

20-27 Development Permit Application No. PL2016-120 – Lot 30, Terrien Way – Electoral Area ‘G’.

DEVELOPMENT PERMIT WITH VARIANCE

28-35 Development Permit with Variance Application No. PL2016-107 – Lot 56, Plan 47638 – Electoral Area ‘E’.

36-54 Development Permit with Variance Application No. PL2016-122 – 892 McFeely Drive – Electoral Area ‘G’.

DEVELOPMENT VARIANCE PERMIT

55-64 Development Variance Permit Application No. PL2016-093 and Frontage Relaxation Application No. PL2016-011 – 1150 Ganske Road – Electoral Area ‘G’.

65-73 Development Variance Permit Application No. PL2016-121 – 1959 Seahaven Road – Electoral Area ‘E’.

OTHER

74-79 Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2016-041 – 2800 Benson View Road – Electoral Area ‘C’.

80-99 Electoral Area ‘H’ Official Community Plan Review.

COMMUNITY PARKS

100-104 Amendment to Electoral Area ‘B’ Community Parks Bylaw No. 799.

105-117 Monthly Update of Community Parks and Regional Parks and Trails Projects – June, July and August 2016.

PARKS AND OPEN SPACE COMMITTEE MINUTES AND RECOMMENDATIONS

118-120 **Minutes of the Electoral Area ‘H’ Parks and Open Space Advisory Committee meeting held Thursday, May 26, 2016.**

That the minutes of the Electoral Area ‘H’ Parks and Open Space Advisory Committee meeting held Thursday, May 26, 2016 be received for information.

Phase 2 Water Access Development

That staff be directed to remove the negative RDN signage from all water accesses and community parks and replace it with simple water access/community park identification signage.

121-123 **Minutes of the Electoral Area 'G' Parks and Open Space Advisory Committee meeting held Wednesday, June 1, 2016.**

That the minutes of the Electoral Area 'G' Parks and Open Space Advisory Committee meeting held Wednesday, June 1, 2016 be received for information.

Stanhope Trail

That the Board direct staff to proceed with the proposed works to develop Stanhope trail.

FIRE PROTECTION

FIRE SERVICES ADVISORY COMMITTEE MINUTES AND RECOMMENDATIONS

124-125 **Minutes of the Fire Services Advisory Committee meeting held Wednesday, July 6, 2016.**

That the minutes of the Fire Services Advisory Committee meeting held Wednesday, July 6, 2016 be received for information.

126-129 **Volunteer Fire Rescue Service Level Policy**

That the Volunteer Fire Rescue Service Level Policy be adopted.

130-132 **Fire Rescue Services Coordinator Job Description – Draft**

- 1. That the Fire Rescue Services Coordinator Job Description be adopted as presented.*
- 2. That the Fire Rescue Services Coordinator Job Description be reviewed annually by the Fire Services Advisory Committee.*

Appointment to the Fire Services Advisory Committee

That the Fire Services Advisory Committee Terms of Reference be amended to include the Electoral Area 'A' Director.

BYLAW ENFORCEMENT

133-137 992 Lee Rd, Electoral Area 'G' – Unsightly Premises.

ADDENDUM

DIRECTORS' FORUM

BUSINESS ARISING FROM DELEGATIONS, COMMUNICATIONS OR DIRECTORS' FORUM

NEW BUSINESS

IN CAMERA

ADJOURNMENT

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, JULY 12, 2016 AT 6:30 PM IN THE
RDN BOARD CHAMBERS**

In Attendance:

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

Also in Attendance:

D. Trudeau	Interim Chief Administrative Officer
G. Garbutt	Gen. Mgr. Strategic & Community Development
J. Harrison	Director of Corporate Services
J. Hill	Mgr. Administrative Services
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.

ELECTORAL AREA PLANNING COMMITTEE MINUTES

Minutes of the Regular Electoral Area Planning Committee meeting held Tuesday, June 14, 2016.

MOVED Director Veenhof, SECONDED Director Rogers, that the minutes of the Regular Electoral Area Planning Committee meeting held Tuesday, June 14, 2016, be adopted.

CARRIED

DEVELOPMENT PERMIT

Development Permit Application No. PL2016-052 – 1675 Timberjack Place – Electoral Area 'E'.

Carlie Murphy spoke in opposition to releasing the covenant on the subject property.

Aaron Gionet spoke in favour of releasing the covenant on the subject property.

MOVED Director Rogers, SECONDED Director Veenhof, that the Board approve Development Permit No. PL2016-052 to amend Development Permit with Variance No. 60804 to allow the release of a Section 219 covenant and the removal of a previously defined buildable site area on the subject property, subject to the conditions outlined in Attachments 2 to 3 and subject to clarification from the proponent regarding the information provided by the previous delegation.

CARRIED

Development Permit Application No. PL2016-092 – 796 Mariner Way – Electoral Area ‘G’.

MOVED Director Veenhof, SECONDED Director Rogers, that the Board approve Development Permit No. PL2016-092 to permit a proposed addition to an existing dwelling within the Hazard Lands Development Permit Area subject to the conditions outlined in Attachments 2 to 4.

CARRIED

DEVELOPMENT VARIANCE PERMIT

Development Variance Permit Application No. PL2016-098 – Electoral Area ‘A’.

MOVED Director McPherson, SECONDED Director Veenhof, that the Board approve Development Variance Permit No. PL2016-098 to reduce the minimum required front and other lot line setback requirements to permit the construction of two community kiosk structures, subject to the conditions outlined in Attachments 2 to 4.

CARRIED

MOVED Director McPherson, SECONDED Director Veenhof, that the Board direct staff to complete the required notification.

CARRIED

Development Variance Permit Application No. PL2016-099 – 3189 Northwest Bay Road – Electoral Area 'E'.

MOVED Director Rogers, SECONDED Director Veenhof, that the Board approve Development Variance Permit No. PL2016-099 to increase the accessory building height to permit two accessory buildings subject to the terms and conditions outlined in Attachments 2 and 3 as amended to replace references to “showroom” with “home office” and to include the following additional conditions of approval:

5. Home based business uses shall be conducted in compliance with the applicable Home Based Business regulations.
6. The property owner is to obtain a valid access permit from the Ministry of Transportation and Infrastructure as necessary prior to the issuance of the permit.

CARRIED

MOVED Director Rogers, SECONDED Director Veenhof, that the Board direct staff to complete the required notification.

CARRIED

DEVELOPMENT PERMIT WITH VARIANCE

Development Permit with Variance Application No. PL2016-089 – 1954 Shasta Road – Electoral Area 'A'.

MOVED Director McPherson, SECONDED Director Veenhof, that the Board approve Development Permit with Variance No. PL2016-089 to permit a shoreline revetment subject to the conditions outlined in Attachments 2 to 3 with condition of approval No. 7 amended as follows: The applicant will construct a safe and appropriate public beach access along the portion of the revetment in the unconstructed road right-of-way, consistent with the recommendations in the Shoreline Erosion Protection Assessment prepared by Simpson Geotechnical Ltd., dated April 12, 2016, revised June 22, 2016 and to the satisfaction of Regional District of Nanaimo, Manager of Parks Services.

CARRIED

MOVED Director McPherson, SECONDED Director Veenhof, that the Board direct staff to complete the required notification.

CARRIED

Development Permit with Variance Application No. PL2015-149 – 6383 Island Highway West – Electoral Area ‘H’.

MOVED Director Veenhof, SECONDED Director Fell, that the Board approve Development Permit with Variance No. PL2015-149 to permit the development of four camping spaces subject to the conditions outlined in Attachment 2.

CARRIED

MOVED Director Veenhof, SECONDED Director Fell, that the Board direct staff to complete the required notification.

CARRIED

OTHER

Development Permit Application No. PL2016-102 and Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2016-050, Electoral Area ‘F’.

MOVED Director Fell, SECONDED Director Veenhof, that the Board approve Development Permit No. PL2016-102 to permit the creation of a seven lot subdivision including the request to relax the minimum 10% perimeter frontage requirements for proposed Lots 2, 3, 4, and 5 in relation to Subdivision Application No. PL2016-050.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 6:58 PM

CHAIRPERSON

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

**MINUTES FROM THE EMERGENCY MANAGEMENT SELECT COMMITTEE
HELD ON MONDAY, JULY 25, 2016 AT 2:00 PM
IN THE RDN COMMITTEE ROOM**

Present:

Chairperson B. Rogers	Electoral Area E
Director H. Houle	Electoral Area B
Director J. Fell	Electoral Area F
Director J. Stanhope	Electoral Area G
Director B. Veenhof	Electoral Area H
Director C. Haime	District of Lantzville

Regrets:

Director A. McPherson	Electoral Area A
Director M. Young	Electoral Area C

Also in Attendance:

D. Trudeau	Interim CAO
D. Pearce	A/ Director, Transportation and Emergency Planning Services
D. Marshall	Manager, Fleet, Projects & Emergency Planning Services
J. Drew	Emergency Coordinator
E. Beauchamp	Special Projects Assistant
N. Hewitt	Senior Secretary

CALL TO ORDER

Chairperson called the meeting to order at 2:00 pm.

MINUTES

MOVED Director Stanhope, SECONDED Director Veenhof, that the minutes of the regular Emergency Management Select Committee meeting held on April 22, 2015, be adopted.

REPORTS

Emergency Program Update Power Point (Verbal).

MOVED Director Stanhope, SECONDED Director Veenhof, that the Emergency Program Update be received for information.

CARRIED

Emergency Program Gap Analysis Report.

MOVED Director Stanhope, SECONDED Director Veenhof, that the Board Emergency Program Gap Analysis report be received for information.

CARRIED

ADJOURNMENT

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

CARRIED

Time 3:10 pm

CHAIRPERSON



August 25, 2016

Electoral Area Services Committees - by email

Re: Electoral Area Forum at AVICC Convention – Input Requested

At the 2016 AVICC AGM and Convention, we held a Saturday afternoon break-out session for Electoral Area Directors to discuss issues of common interest. This is the first time we have held a separate session for Electoral Area Directors at the AVICC Convention, and we received very positive feedback. It is something we'd like to continue, and may move to a Friday morning pre-conference session to allow more time for discussion.

AVICC EA Representative, Noba Anderson and Cowichan Valley RD CAO, Brian Carruthers facilitated the session, and notes from the session are attached. The key issues identified were: Rural Roads; Rural Pathways; RD challenges with the Community Charter and Local Government Act; Derelict Vessels; and Impacts from Closure of Federal Facilities.

We are writing to the Electoral Area Services Committee of each of the AVICC member Regional Districts for your input on how we should follow up to the session:

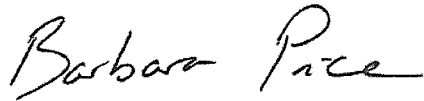
- Do you wish the AVICC to take some action on any of these issues;
- Would you provide an update to AVICC on what you are currently doing on each issue;
- What are your priorities around these key issues.

Some participants expressed a desire to reconvene before the next AVICC Convention set for April 7-9, 2017 in Campbell River, and we are trying to gauge the level of interest.

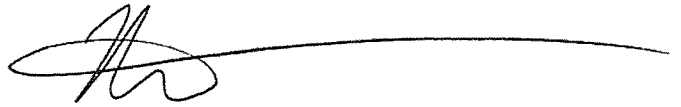
Could you advise if you would send representatives (and estimate of how many) to an in-person session, and your preference for location and time of year. Would representatives be interested in meeting on-line via a webinar instead of an in-person session?

We look forward to your response.

Sincerely,



Councillor Barbara Price
President, AVICC



Director Noba Anderson
EA Representative, AVICC

Attachment:
Summary – April 9, 2016 EA Forum

cc:

Alberni-Clayoquot Regional District – Electoral Area Directors Committee
Capital Regional District – Electoral Area Services Committee
Central Coast Regional District – Electoral Area Services Committee
Comox Valley Regional District – Electoral Area Services Committee
Cowichan Valley Regional District – Electoral Area Services Committee
Mount Waddington Regional District – Electoral Area Services Committee
Nanaimo Regional District – Electoral Area Services Committee
Powell River Regional District – Electoral Area Services Committee
Strathcona Regional District – Electoral Area Services Committee
Sunshine Coast Regional District – Electoral Area Services Committee

AVICC Electoral Area Forum (April 9, 2016) - Summary

1. Rural Road and Pathways

Discussion among participants regarding their experiences with/need for rural road pathways. Varying degrees of success, depending on location but consistently expressed desire to pursue long-term strategy and commitment of funding for rural pathways as well as better upkeep of existing roads and shoulders. The issue is far more challenging for regional districts as there is no local government control/ownership of roadways, unlike municipalities.

Recommendation:

Rural Roads Forum at 2016 UBCM – speak with senior MOTI reps about needs of rural communities and opportunities for planning/funding to develop critical rural pathways and the need to take a strategic approach in cooperation with regional districts/electoral areas.

2. Regional District Challenges with CC and LGA

General discussion about challenges for EA Directors in terms of Board interactions as well as limitations associated with the LGA. Specific issues/concerns included the need for business licencing powers, approvals of subdivisions by MOTI, bylaws requiring Inspector approval, etc.

Recommendation:

Continue to work with UBCM (through AVICC and EA Rep) on specific areas of concern rather than focusing on an overhaul of the LGA.

3. Derelict Vessels

Concern with derelict vessels in many coastal communities. No mandate for Federal Government (Coast Guard) beyond there being an imminent danger or hazard to navigation. Need a coordinated effort between Federal, Provincial and local governments. Support for MP Sheila Malcomson and MP Pamela Goldsmith Jones in their efforts to address the issue with the Federal Government.

Recommendation:

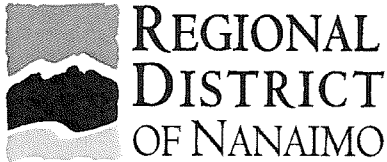
AVICC to encourage UBCM and FCM to advocate on behalf of coastal communities and request Federal Government to provide funding for FCM to coordinate the development of a national strategy for derelict vessels.

4. Impacts from Closure of Federal Facilities

Concerns expressed with the safety and economic impacts resulting from closures of federal facilities (Coast Guard stations, radio facilities, light stations, wharves). Closure of Comox Coast Guard Radio will lose resources on the mid-Island direct radio traffic and maydays to Victoria or Prince Rupert. Closure of Federal wharves often results in local government having to take over the facility/service at increased cost to taxpayers.

Recommendation:

Advocate for continued operation of federal facilities, particularly for continuation of Comox Coast Guard Radio.



RDN REPORT		
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BOARD		DATE: August 30, 2016
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STAFF REPORT

TO: Jeremy Holm
 Manager, Current Planning

FROM: Kristy Marks
 Planner

SUBJECT: **Development Permit Application No. PL2016-081**
Lot D, District Lot 78, Nanoose District, Plan VIP77847
2821 Parker Road East – Electoral Area ‘E’

MEETING: EASC - September 13, 2016

FILE: PL2016-081

RECOMMENDATION

That the Board approve Development Permit No. PL2016-081 to amend Development Permit No. 60425 and allow the release of a Section 219 covenant on the subject property, subject to the conditions outlined in Attachments 2 to 3.

PURPOSE

To consider an amendment to Development Permit No. 60425 to permit the release of a Section 219 covenant on the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Gareth and Alison Slocombe to permit the release of a Section 219 covenant (EW149261) that was required as a condition of Development Permit No. 60425 issued in 2004. The subject property is 4.07 hectares in area and is zoned Residential 1 (RS1), Subdivision District ‘Z’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is located to at the end of Parker Road East and is surrounded by residential parcels to the north and south, Parker Way to the west, and Nanoose Bay to the east (see Attachment 1 – Subject Property Map). The property contains an existing dwelling unit and large garden and orchard area.

The proposed development is subject to the Sensitive Ecosystem Protection Development Permit Area (DPA) per the “Regional District of Nanaimo Electoral Nanoose Bay Official Community Plan Bylaw No. 1400, 2005”. In this case, the DPA was established for the protection of an eagle nest that previously existed in a tree located on the subject property.

As a condition of Development Permit No. 60425 (previously issued at the time of rezoning to allow for subdivision), a Section 219 covenant (EW149261) was registered on the subject property for the protection of the eagle nest tree located on the parcel. The covenant established a 45.0 metre radius buffer around the tree, restricting removal or disturbance of the tree, vegetation removal, landfill, land clearing and other disturbances within the covenant area without having first received written permission and approval of the RDN.

Proposed Development

The current development permit application is seeking to amend the previously issued Development Permit No. 60425 that addressed the protection of an eagle nest tree on the subject property in addition to requiring the retention of a 15.0 metre buffer adjacent to land in the Agricultural Land Reserve and a 15.0 metre buffer adjacent to the coastline. The applicants are seeking to remove the covenant for the protection of the eagle nest tree to allow selective clearing of some of the trees within the covenant area to provide more sunlight to their existing garden and orchard area and allow for future expansion of the garden and orchard. The applicants have provided an Assessment prepared by a biologist which indicates that the eagle nest no longer exists and the tree is unlikely to support a nest in the future.

ALTERNATIVES

1. To approve Development Permit No. PL2016-081 subject to the conditions outlined in Attachments 2 to 3.
2. To deny Development Permit No. PL2016-081.

LAND USE IMPLICATIONS

Development Implications

In support of the application, the applicants have provided an Assessment prepared by Toth and Associates Environmental Services dated February 22, 2016, which includes an assessment of the bald eagle nest tree. This assessment confirms that the biologist conducted a survey of two bald eagle nesting sites on and adjacent to the subject property and confirms that neither tree currently supports an eagle nest and that there is no evidence of bald eagle nesting activity through the remainder of the subject property. The assessment notes that the former nesting tree on the subject property has not supported a nest since the previous nest fell from the tree in January 2002 and that it would appear that some aspect of the former nest tree have changed, such as loss of major limbs, preventing the re-use of the tree as a nesting site. The biologist has provided a site plan indicating the covenant area, former nest tree site, and proposed area of selective tree removal (see Attachment 3 – Site Plan). For clarification, while the applicant has indicated that they currently intend to selectively clear within the existing covenant, should the covenant be removed, they would not be limited to selective clearing only.

As a condition of approval, development of the site must be in accordance with the recommendations contained in Assessment prepared by Toth and Associates Environmental Services dated February 22, 2016 (see Attachment 2 – Conditions of Approval).

FINANCIAL IMPLICATIONS

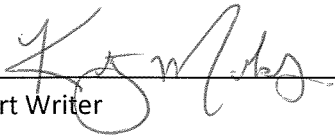
Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

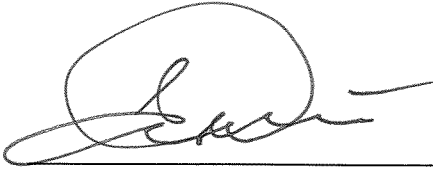
Staff have reviewed the proposed development and note that the proposal has no implications for the 2016 – 2020 Board Strategic Plan.

SUMMARY/CONCLUSIONS

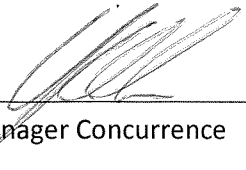
Given that the Development Permit Area guidelines have been met and that no negative impacts are anticipated as a result of the proposed development, staff recommends that the Board approve the proposed development permit subject to the conditions outlined in Attachments 2 to 3.




Report Writer



A/ General Manager Concurrence

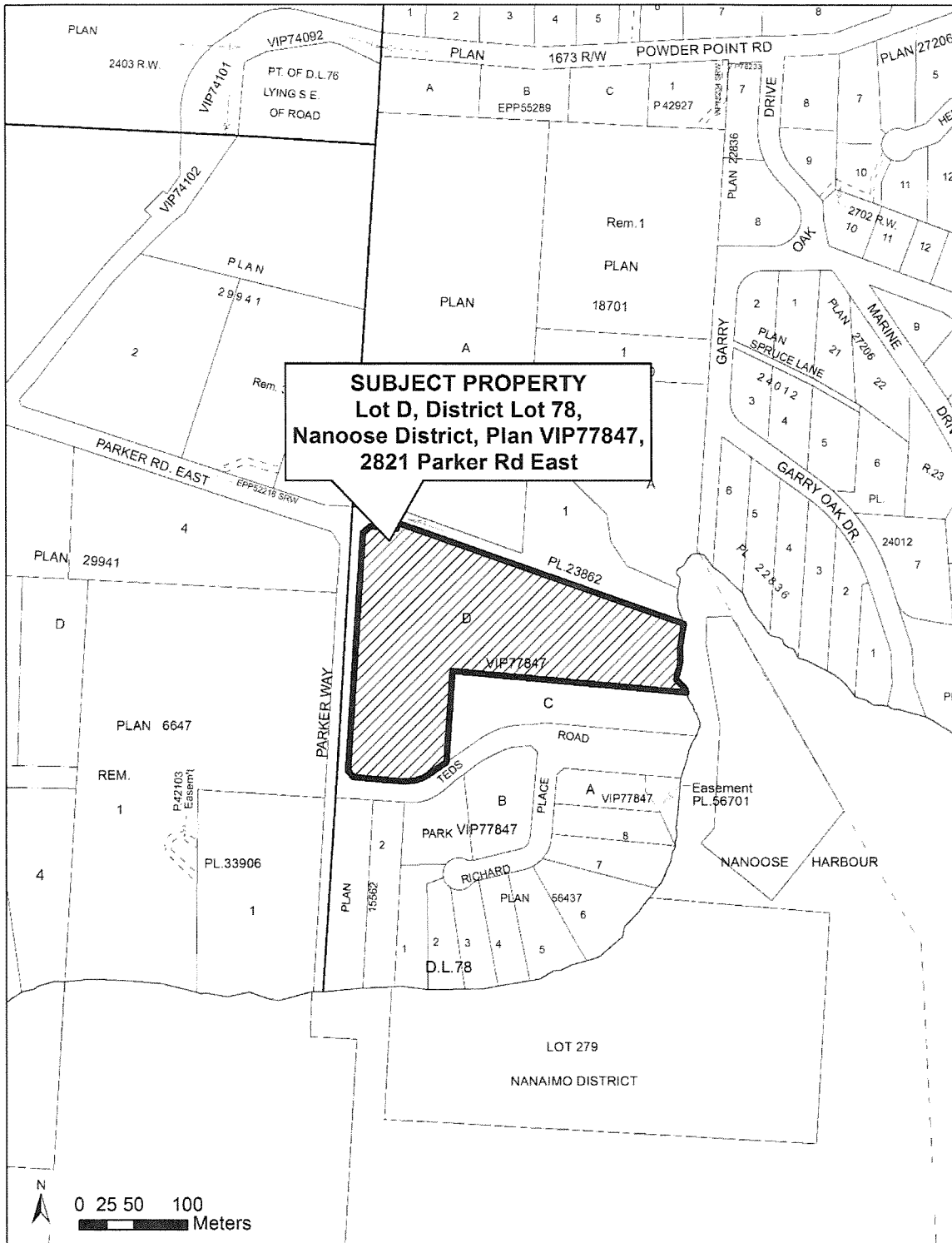


Manager Concurrence



CAO Concurrence

**Attachment 1
Subject Property Map**



**Attachment 2
Conditions of Permit**

The following sets out the conditions of Development Permit No. PL2016-081:

Conditions of Approval

1. Staff shall withhold the issuance of this permit until the applicant, at the applicant's expense, prepares the Section 219 covenant release and submits it to the Land Title and Survey Authority office.
2. The subject property shall be developed in accordance with the recommendations contained in the Assessment prepared by Toth and Associates Environmental Services dated February 22, 2016.
3. Any clearing of vegetation or alteration of land, including removal of invasive species, shall be limited to outside the bird breeding season which is March 1 – August 1 for songbirds, and January 1 – August 1 for bald eagles and herons.

Attachment 3
Site Plan

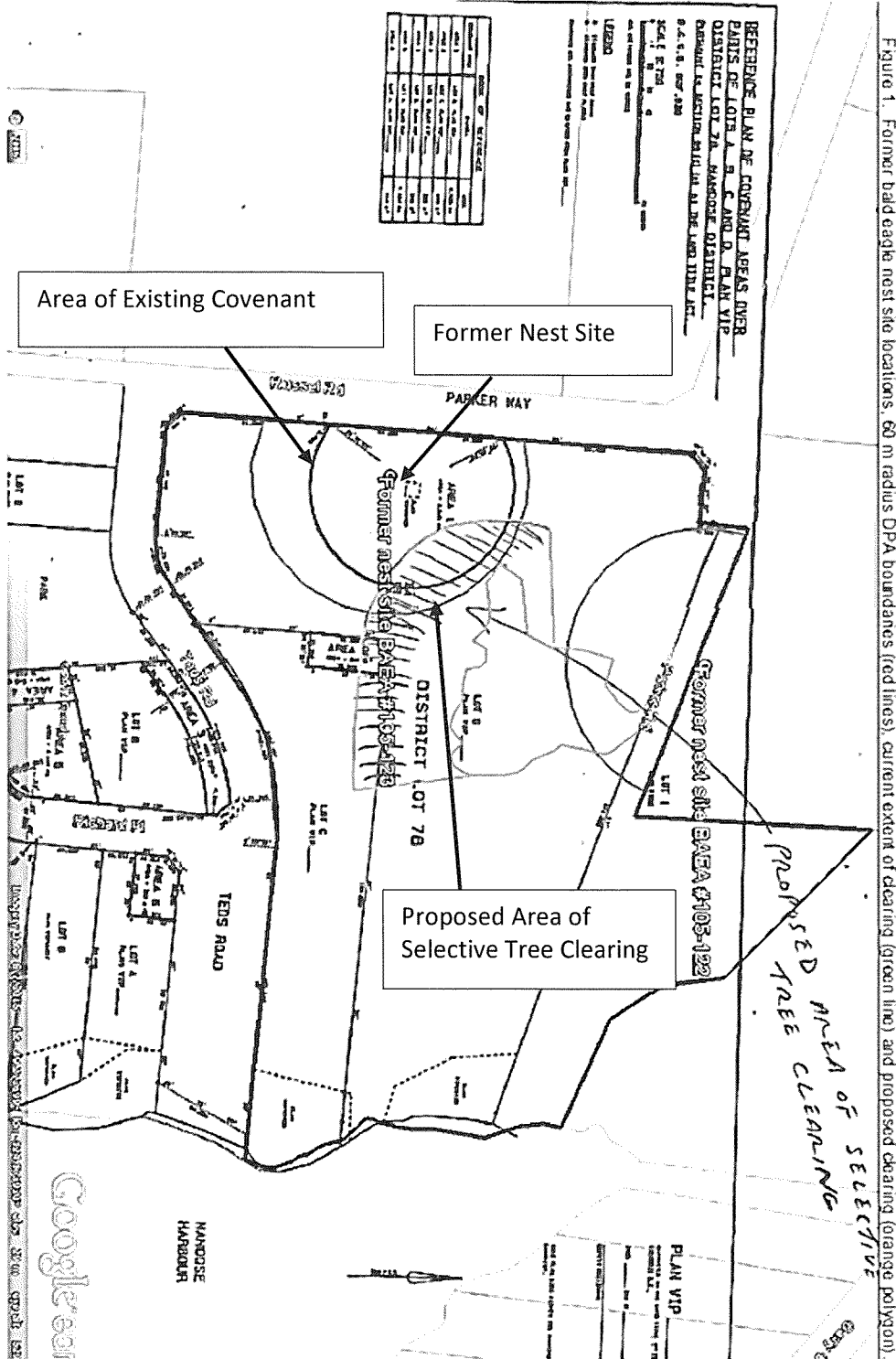


Figure 1. Former bald eagle nest site locations, 60 m radius DPA boundaries (red lines), current extent of clearing (green line) and proposed clearing (orange polygon).

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TO: Jeremy Holm
Manager, Current Planning

DATE: September 8, 2016

FROM: Stephen Boogaards
Planner

MEETING: EASC – September 13, 2016

FILE: PL2016-120

**SUBJECT: Development Permit Application No. PL2016-120
Lot 30, District Lots 1 & 3, Nanoose District, Plan 29928
Terrien Way – Electoral Area ‘G’**

RECOMMENDATION

That the Board approve Development Permit No. PL2016-120 to permit the placement of fill and the construction of a dwelling unit on the property subject to the conditions outlined in Attachments 2 to 4.

PURPOSE

To consider an application for a development permit (DP) to permit the placement of fill and the construction of a dwelling unit on the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Fern Road Consulting Ltd. on behalf of Richard and Wendy Hollinshead to permit a dwelling unit. The subject property is approximately 0.21 ha in area and is zoned Residential 1 Zone (RS1), pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is located in the San Pareil community and is adjacent to another residential property to the east, an RDN water utility to the west, and the Agricultural Land Reserve (ALR) to the south (see Attachment 1 – Subject Property Map).

The property is undeveloped and has been the subject of recent fill placement to elevate the building site. The placement of the fill occurred in the absence of the required development permit approval and is being considered through this development permit application.

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

1. Hazard Lands Development Permit Area; and
2. Farmland Protection Development Permit Area.

Proposed Development

The applicant proposes to construct a dwelling unit on the subject property which is located within the Englishman River floodplain (see Attachment 3 – Site Plan). Due to the presence of the floodplain, the

“Regional District of Nanaimo Floodplain Management Bylaw No. 1469, 2006” requires the underside of the floor system of any habitable areas to be above the 200 year flood construction level. The subject property is within the Hazards Lands DPA, and a development permit is required for the construction of the house and for the fill used to comply with the floodplain elevation requirements.

ALTERNATIVES

1. To approve Development Permit No. PL2016-120 subject to the conditions outlined in Attachments 2 to 4.
2. To deny Development Permit No. PL2016-120.

LAND USE IMPLICATIONS

Development Implications

The Hazard Lands Development Permit Area requires the applicant to provide a report by a professional engineer to confirm that the proposed construction is considered safe for its intended use, adjacent properties and the environment. The applicant has provided a Geotechnical Hazard Assessment, prepared by Lewkowich Engineering Associates Ltd. and dated August 23, 2016, to satisfy this requirement. The report identifies that the Flood Construction Level (FCL) for the Terrien Way location is indeterminate, according to the Floodplain Bylaw Schedule ‘C’ – Floodplain of the Englishman River prepared by the Province of BC. However, the geotechnical engineer recommends an FCL of 6.0 metres GSC (Geodetic Survey of Canada datum) to match the FCL for the nearest flood elevation of the Englishman River.

Consistent with development permit guidelines, the geotechnical engineer identifies that the site is considered safe and suitable for the intended purpose of a dwelling unit. The engineer also states that the proposed development will not result in a detrimental impact on the environment, subject property, or adjoining properties provided the recommendations of the report are followed. As a condition of the development permit, the report will be registered on the property title as a covenant, saving the Regional District of Nanaimo harmless from all loss or damages to life or property as a result of the hazard.

Since fill was placed on the property prior to the approval of the development permit, the applicant was required to provide a report from a geotechnical engineer to confirm that the fill met the guidelines of the Hazards Lands DPA and was consistent with the recommendations in the original report for the dwelling. The applicant has provided a geotechnical report titled Lot Fills, prepared by Lewkowich Engineering Associates Ltd. and dated August 26, 2016, to satisfy this requirement. The geotechnical engineer estimates that the fill will comply with the original recommendation of 6.0 metres GSC once compacted. The geotechnical engineer states that the change in natural flood storage would not be discernable, and may create a large buffer area to potentially reduce the impact of flooding on other properties at a lower elevation. In general, the engineer has confirmed that the fill will not restrict the passage of flood water or redirect flood waters toward other properties, consistent with the DPA guidelines.

The applicant has also provided an Erosion and Sediment Control Plan, prepared by Lewkowich Engineering Associates Ltd. and dated September 8, 2016 to mitigate the potential impact of the fill on adjacent properties and the environment.

FINANCIAL IMPLICATIONS

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

STRATEGIC PLAN IMPLICATIONS

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

INTER-GOVERNMENTAL IMPLICATIONS

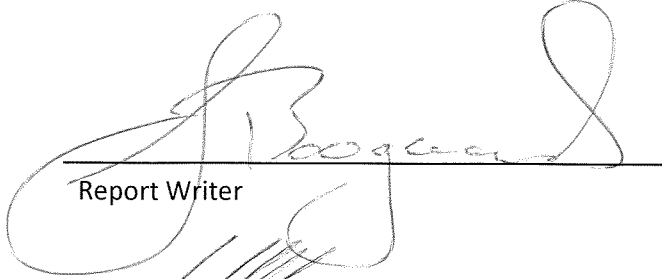
An existing covenant (E71897) held by the Province of BC requires a FCL of 4.2 metres (14 feet) GSC, which is lower than the 6.0 metre FCL established by the geotechnical engineer. The existing covenant allows for the use of fill to elevate the underside of the floor system, under the condition that the property owner enters into an agreement to; (a) include a save harmless clause that releases the RDN and the Province of BC from all losses and damages as a result of the geotechnical hazard and (b) to maintain adequate flood insurance coverage. The proposal is consistent with the existing covenant E71897.

SUMMARY/CONCLUSIONS

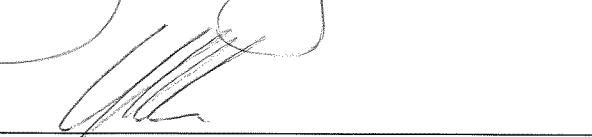
The applicant proposes to construct a dwelling unit within the Englishman River floodplain. Due to the presence of the floodplain, the property is subject to the Hazard Lands DPA. The applicant has submitted a Geotechnical Hazard Assessment Report which recommends an FCL of 6.0 metres GSC based on the nearest available flood level for the Englishman River. As the property is beyond the upstream limit of the Strait of Georgia, the Strait of Georgia flood elevation and sea level rise do not apply to the construction. The report confirms that the property is safe for the intended use, and the development will not impact adjacent properties or the environment. The report will be registered as a Section 219 covenant on the property title as a condition of the development permit, and will include a save harmless clause that releases the Regional District of Nanaimo from all losses and damages as a result of potential flood hazard.

Prior to the consideration of the development permit by the RDN, the applicant had placed fill on the property to elevate the building site. As the fill is subject to the Hazard Lands DPA, the RDN required the applicant to provide a second geotechnical report to reviews the impacts of the fill in relation to the Hazard Lands DPA and the geotechnical engineer's original report for the dwelling. The geotechnical engineer confirms that the fill will not restrict the passage of flood water or redirect to other properties. The geotechnical engineer states that the amount of fill added to the floodplain would be negligible, and there would be no anticipated impacts on neighbouring properties or the RDN utility due to the placement of fill.

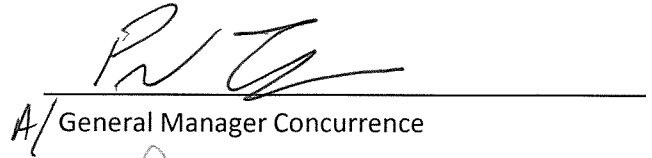
Given that the Development Permit guidelines have been satisfied, and no negative impacts are anticipated as a result of the proposed development, staff recommends that the Board approve the proposed Development Permit subject to the conditions outlined in Attachment 2.




Report Writer



Manager Concurrence



A/ General Manager Concurrence



CAO Concurrence

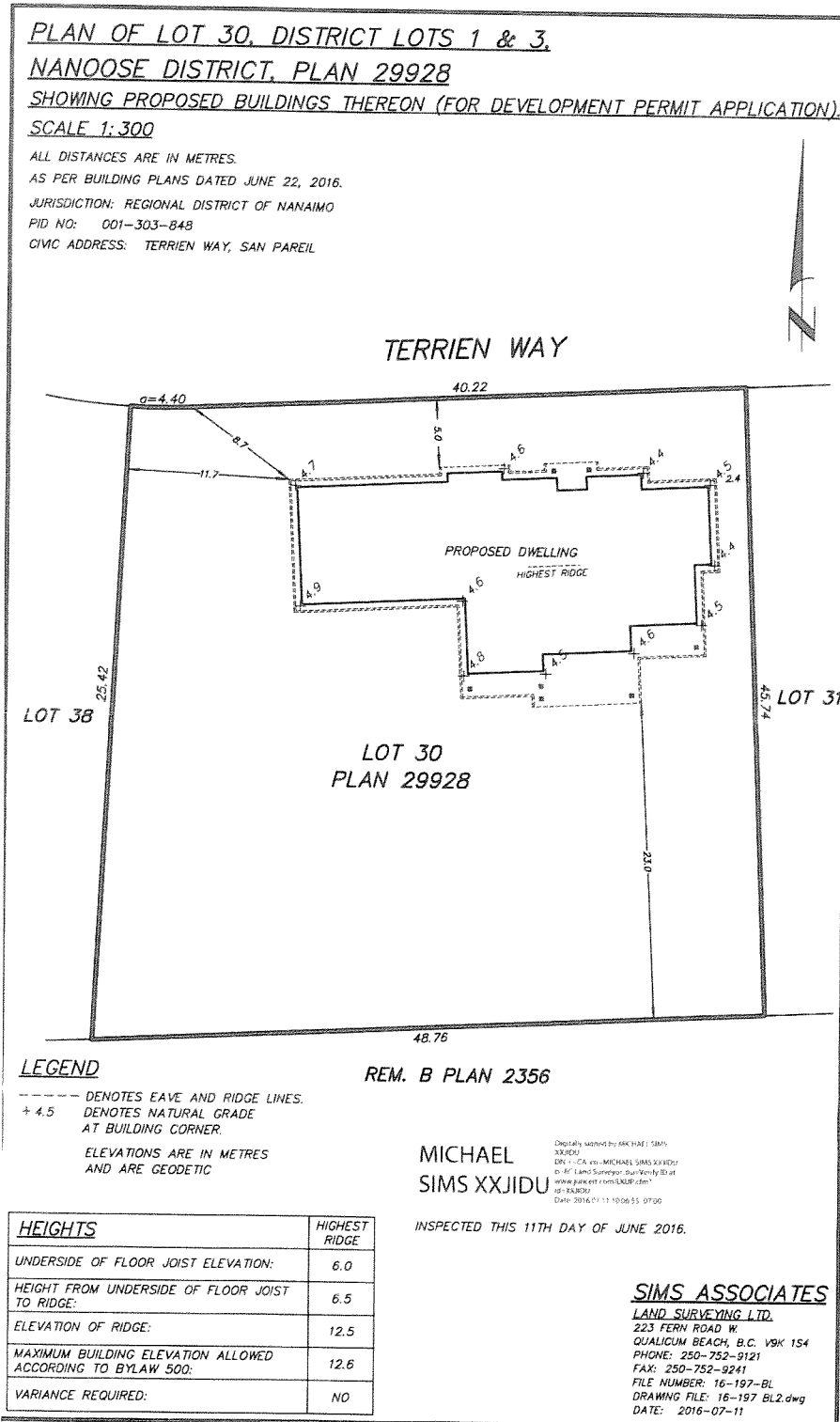
**Attachment 2
Conditions of Permit**

The following sets out the conditions of Development Permit No. PL2016-120:

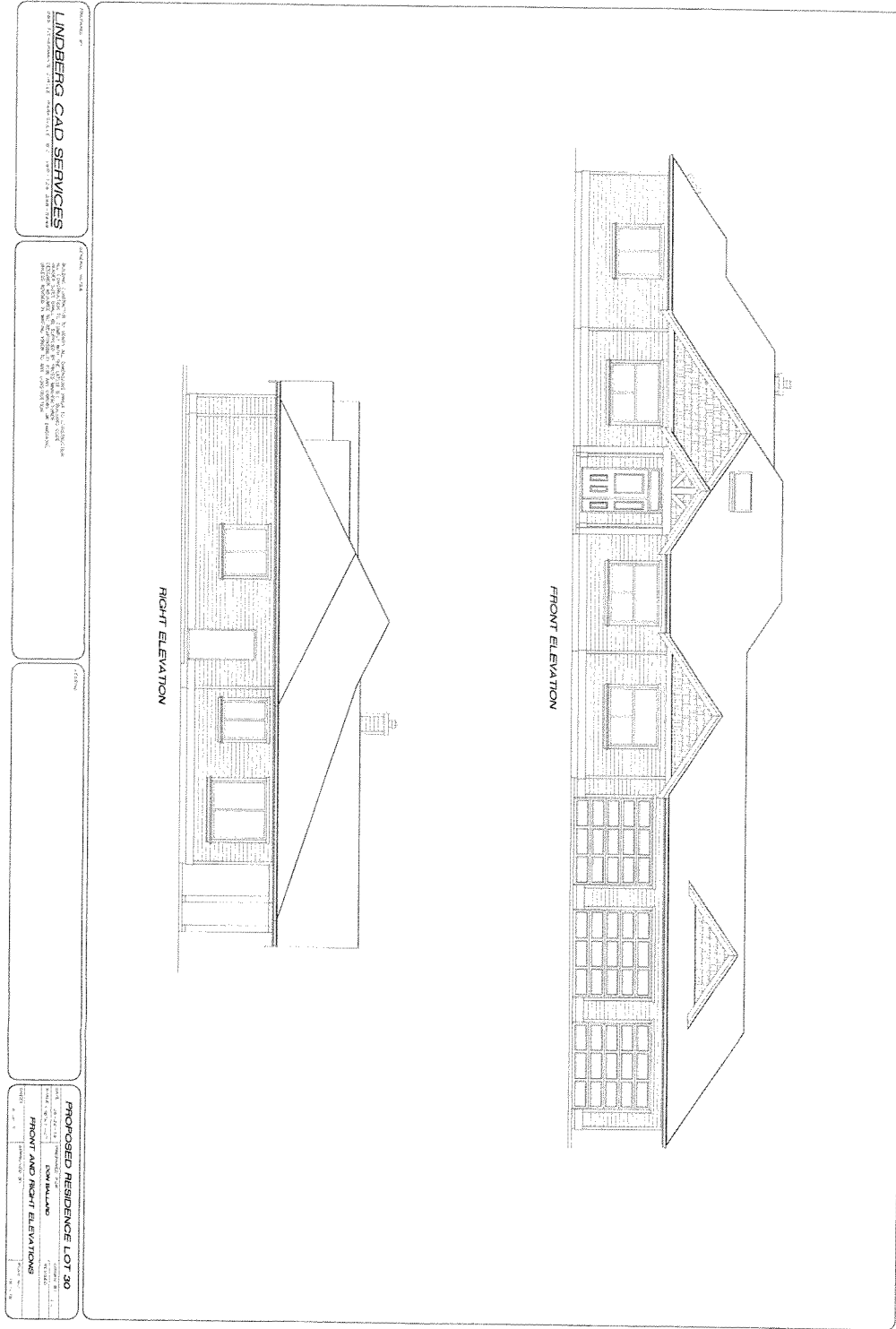
Conditions of Approval

1. The site is developed in accordance with the Site Plan prepared by Sims Associates Land Surveying Ltd., dated July 11, 2016 and attached as Attachment 3.
2. The proposed development is in general compliance with the plans and building elevations prepared by Lindberg CAD Services, dated June 22, 2016 and attached as Attachment 4.
3. The subject property shall be developed in accordance with the recommendations contained in the Geotechnical Hazard Assessment prepared by Lewkowich Engineering Associates Ltd., dated August 23, 2016.
4. The subject property shall be developed in accordance with the recommendation contained in the report titled Lot Fills prepared by Lewkowich Engineering Associates Ltd., dated August 26, 2016.
5. The subject property shall be developed in accordance with the recommendations contained in the report titled Erosion and Sediment Control Plan prepared by Lewkowich Engineering Associates Ltd., dated September 8, 2016.
6. Staff shall withhold the issuance of this Permit until the applicant, at the applicant's expense, registers a Section 219 Covenant on the property title containing the Geotechnical Hazard Assessment prepared by Lewkowich Engineering Associates Ltd., dated August 23, 2016, Lot Fills prepared by Lewkowich Engineering Associates Ltd., dated August 26, 2016, and Erosion and Sediment Control Plan prepared by Lewkowich Engineering Associates Ltd., dated September 8, 2016, including a save harmless clause that releases the Regional District of Nanaimo (RDN) and the Province from all losses and damages as a result of the potential hazard.
7. The property owner shall obtain the necessary permits for construction in accordance with RDN Building Regulations.

**Attachment 3
Proposed Site Plan**



Attachment 4 Building Elevations





RDN REPORT	
CAO APPROVAL	<input checked="" type="checkbox"/>
EAP	
COW	
SEP 01 2016	
RHD	
BOARD	
EASC	DATE:

TO: Jeremy Holm
Manager, Current Planning

DATE: August 31, 2016

FROM: Kristy Marks
Planner

MEETING: EASC – September 12, 2016

FILE: PL2016-107

**SUBJECT: Development Permit with Variance Application No. PL2016-107
Lot 56, District Lot 78, Nanoose District, Plan 47638
Electoral Area 'E'**

RECOMMENDATIONS

1. That the Board approve Development Permit with Variance No. PL2016-107 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.
2. That the Board direct staff to complete the required notification for Development Permit with Variance No. PL2016-107.

PURPOSE

To consider an application for a development permit with variance to reduce the front lot line setback and the setback from the top of the bank adjacent to a watercourse to permit the construction of a dwelling unit on the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Ken Tanguay on behalf of Ted and Anne Kuzminski to permit the construction of a dwelling unit on the subject property. The subject property is approximately 0.14 ha in area and is zoned Residential 1 (RS1), Subdivision District 'P', pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The property is located in Fairwinds and is surrounded by developed residential parcels to the east and west, Andover Road to the north and a pond associated with the Fairwinds Golf Club to the south (see Attachment 1 – Subject Property Map). The parcel, which is currently vacant, will be serviced by community water and sewer.

The proposed development is subject to the Watercourse Protection Development Permit Area per the "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005".

Proposed Development and Variance

The proposed development includes the construction of a 372 m² dwelling unit on the subject property. The applicant proposes to vary the following regulations from the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987":

- **3.4.31 – Maximum Number and Size of Buildings and Structures** to reduce the setback from the front property line from 8.0 metres to 5.0 metres to permit the construction of a dwelling unit.
- **3.3.8 – Setbacks – Watercourses, excluding the Sea** to reduce the setback from the top of the slope adjacent to the pond from 9.0 metres to 5.83 metres to permit the construction of a dwelling unit for a cantilevered deck associated with the proposed dwelling unit.

The proposed dwelling unit has been designed to complement the steep and challenging topography of the parcel and is proposed to be sited closer to the road, within the setback to the front lot line, to limit the extent of encroachment into the watercourse setback. In addition, there will be limited level yard space on the parcel given its steep topography. As such, the applicant has requested a variance to the setback from the watercourse to accommodate a cantilevered deck, which will be the primary outdoor space for the parcel (see Attachment 2 - Site Plan and Variances and Attachment 3 - Building Elevations).

ALTERNATIVES

1. To approve Development Permit with Variance No. PL2016-107 subject to the conditions outlined in Attachments 2 to 4.
2. To deny Development Permit with Variance No. PL2016-107.

LAND USE IMPLICATIONS

Development Implications

The applicant is requesting variances to the setback from the front lot line and the setback from the top of the bank adjacent to a pond to permit the construction of a dwelling unit. In accordance with the Watercourse Protection Development Permit Area guidelines the applicant has submitted an Assessment prepared by Toth and Associates Environmental, dated June 30, 2016 which, confirms that the pond is not subject to the Riparian Areas Regulation and there are no unique ecosystems associated with the pond. The Assessment notes that the area of intrusion into the watercourse setback is for an upper level cantilevered deck and recommends a greater setback or compensation area be maintained adjacent to the pond in the southwest corner of the property. The biologist concludes that this compensation area represents higher quality riparian habitat than the terrestrial habitat that will be lost due to the deck intrusion and recommends that this area be fenced to support the establishment of riparian vegetation. The applicant is required to develop the subject property in accordance with the recommendations in the Assessment prepared by Toth and Associates Environmental Services (see Attachment 2 – Terms and Conditions).

Board Policy B1.5 for evaluation of development variance permit applications requires that there is an adequate demonstration of an acceptable land use justification prior to the Board's consideration. The applicant has indicated in their letter of submission that in consideration of the steep topography of the site and the pond to the rear of the parcel they have designed the dwelling unit to be located closer to the road, within the setback from the front lot line, and further away from the pond. In addition, the requested variance to the top of the bank adjacent to the pond is to accommodate a cantilevered deck that will be the principle outdoor space for the dwelling. The applicant has also provided a letter of support for the requested variances from the property owners to the west and from Fairwinds confirming they have no concerns with the setback reduction. In addition, the Assessment prepared by Toth and

Associates Environmental Services confirms that the proposed compensation area will provide higher quality riparian habitat than the habitat that will be lost due to the deck encroachment. The proposed dwelling unit has been designed to complement the site topography and will not obstruct views for adjacent properties.

Given that the applicant has provided sufficient rationale and the variances will not result in negative view implications for adjacent properties, the applicants have made reasonable efforts to address Policy B1.5 guidelines.

FINANCIAL IMPLICATIONS

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

STRATEGIC PLAN IMPLICATIONS

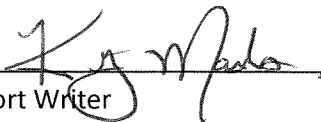
Staff have reviewed the proposed development and note that the proposal has no implications for the 2016 – 2020 Board Strategic Plan.

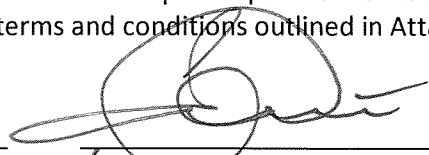
PUBLIC CONSULTATION IMPLICATIONS

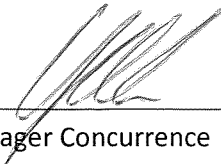
Pending the Electoral Area Services Committee’s recommendation and pursuant to the *Local Government Act* and the “Regional District of Nanaimo Development Approvals and Notification Procedures Bylaw No. 1432, 2005”, property owners and tenants of parcels located within a 50.0 metre radius of the subject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


SUMMARY/CONCLUSIONS

The applicant is proposing to construct a dwelling unit on the subject property with variances to the front lot line and the setback from the top of the bank adjacent to a watercourse. Given that the development permit guidelines have been met and no negative impacts are anticipated as a result of the proposed variances, staff recommends that the Board approve the development permit with variances pending the outcome of public notification and subject to the terms and conditions outlined in Attachment 2.

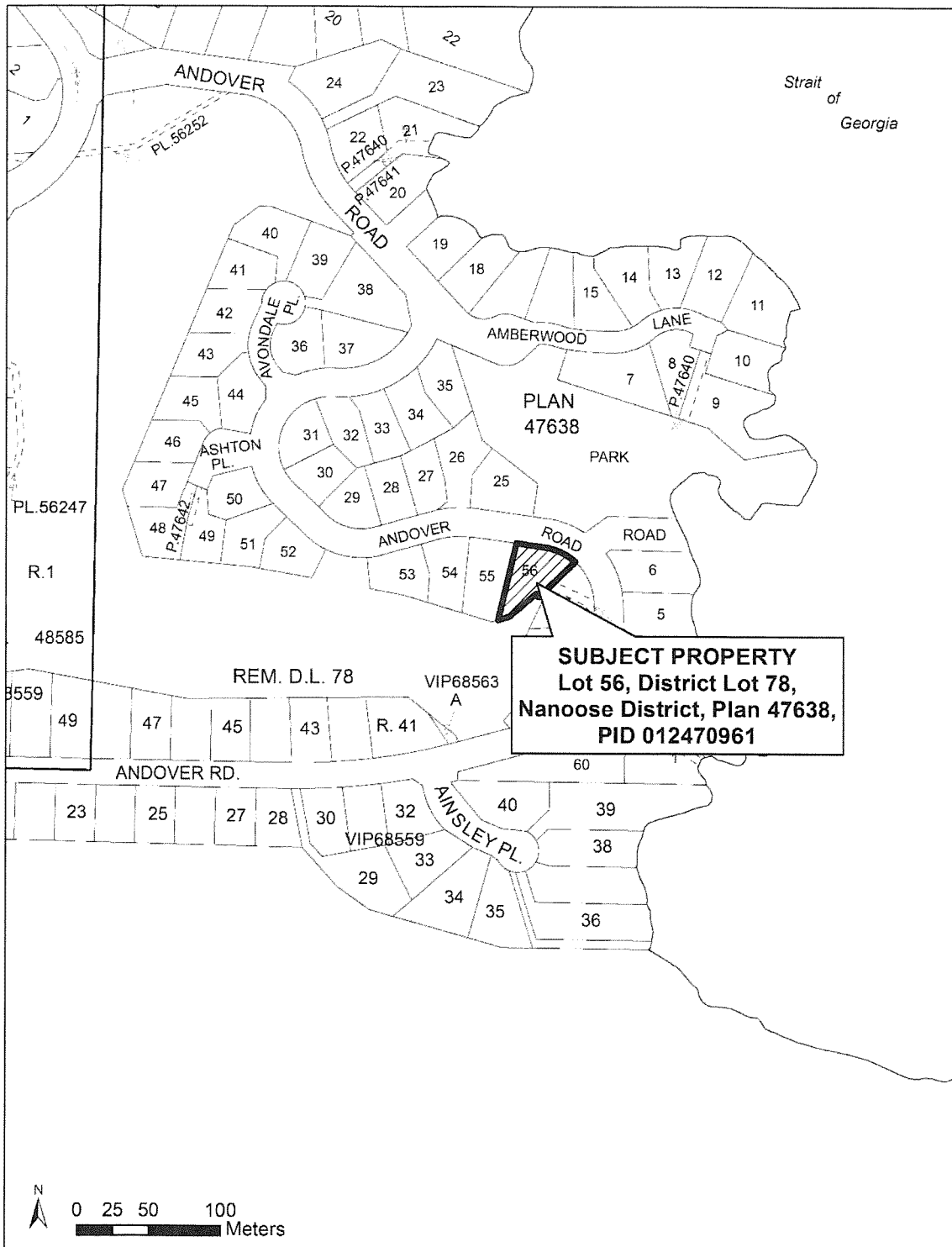

Report Writer


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. PL2016-107:

Bylaw No. 500, 1987 Variances:

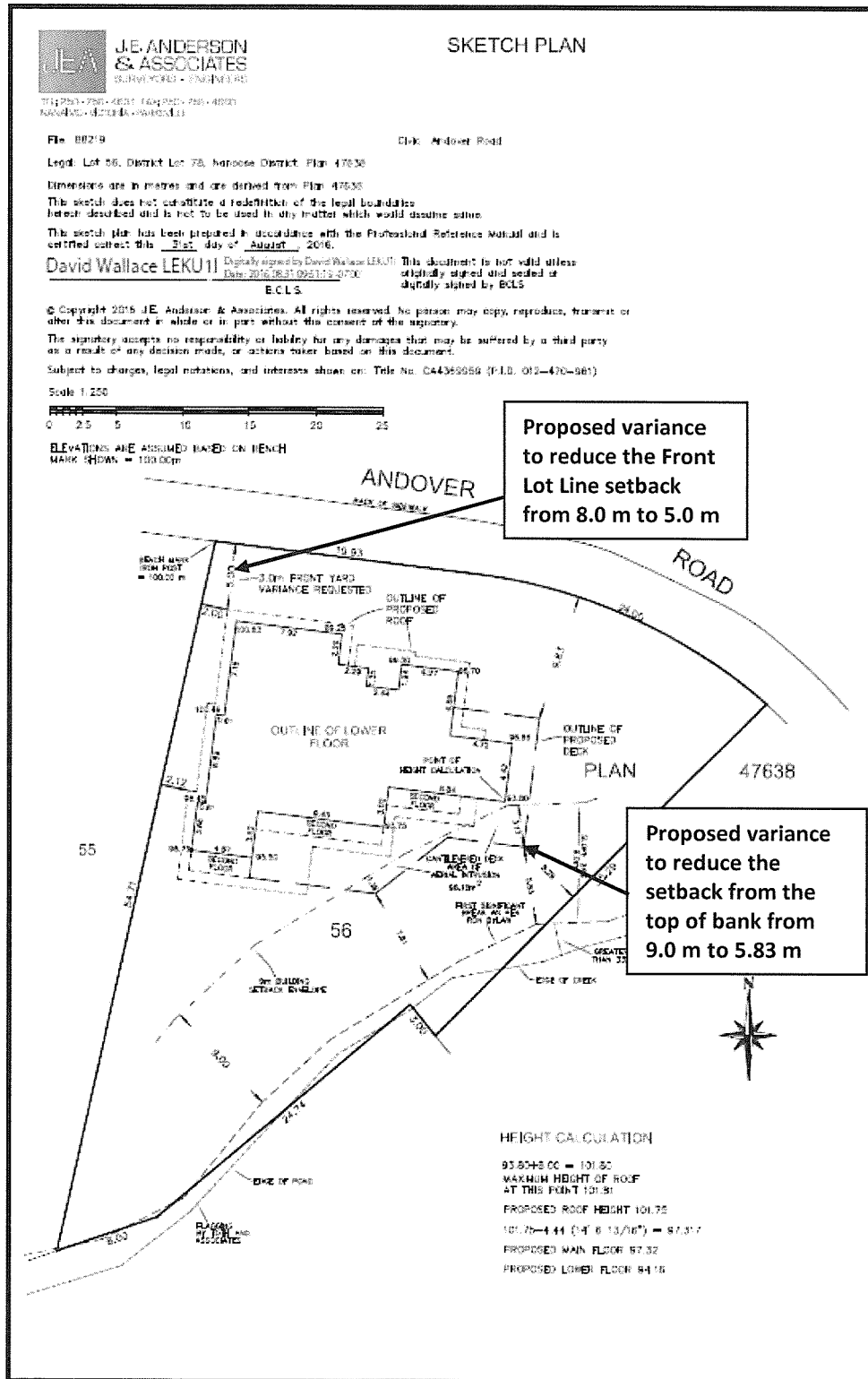
With respect to the lands, "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" is varied as follows:

1. **3.4.31 – Maximum Number and Size of Buildings and Structures** to reduce the setback from the front property line from 8.0 metres to 5.0 metres for a portion of the dwelling unit.
2. **3.3.8 – Setbacks – Watercourses, excluding the Sea** to reduce the setback from the top of the slope adjacent to the pond from 9.0 metres to 5.83 metres for a cantilevered deck associated with the proposed dwelling unit.

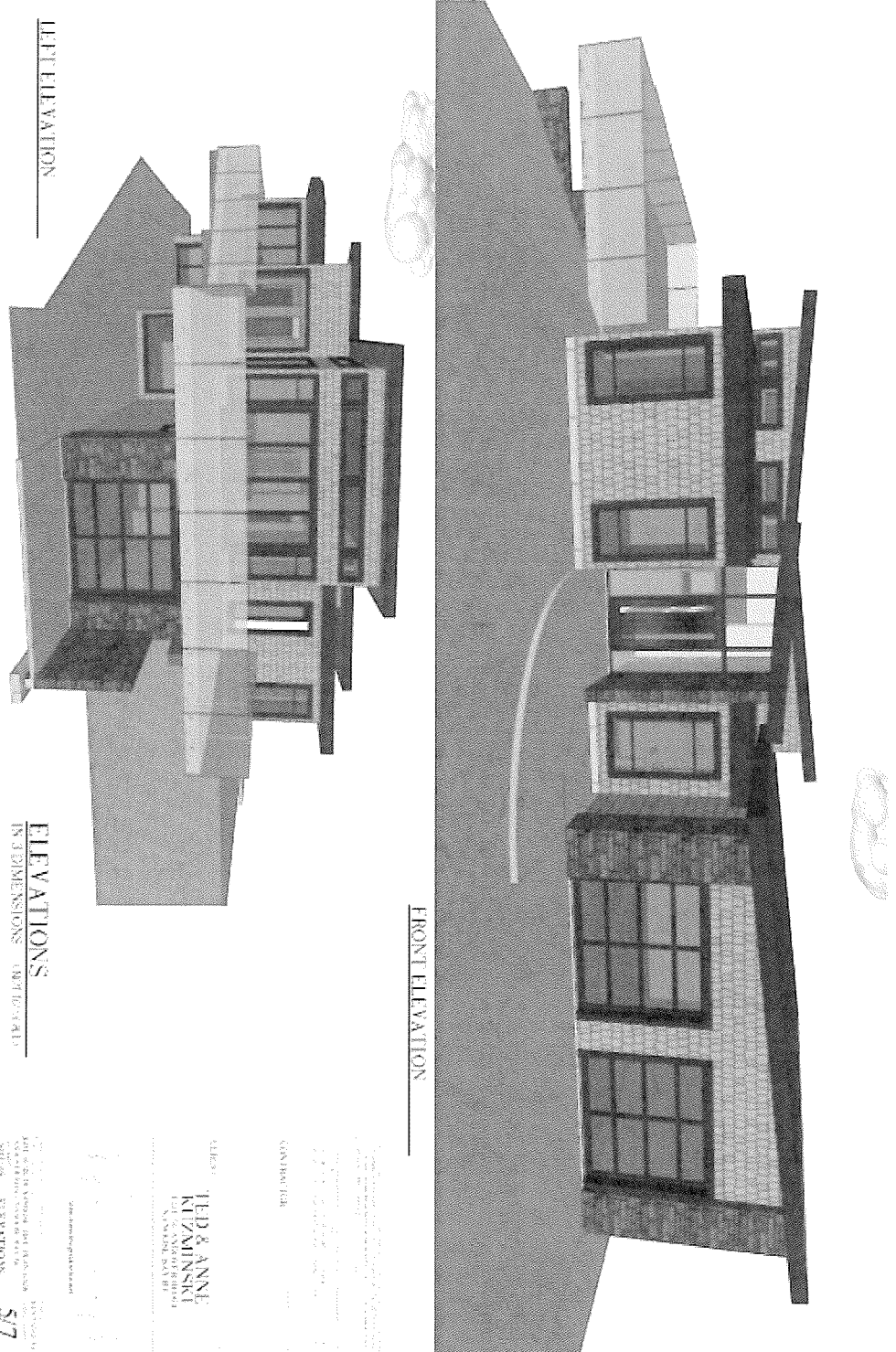
Conditions of Approval:

1. The site is developed in accordance with the Sketch Plan prepared by J.E. Anderson and Associates, dated August 31, 2016 and attached as Attachment 3.
2. The proposed development is in general compliance with the plans and elevations prepared by Structure Design and Management, dated June 20, 2016 and attached as Attachment 4.
3. The subject property shall be developed in accordance with the recommendations contained in the Assessment prepared by Toth and Associates Environmental Services Ltd., dated June 30, 2016.
4. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

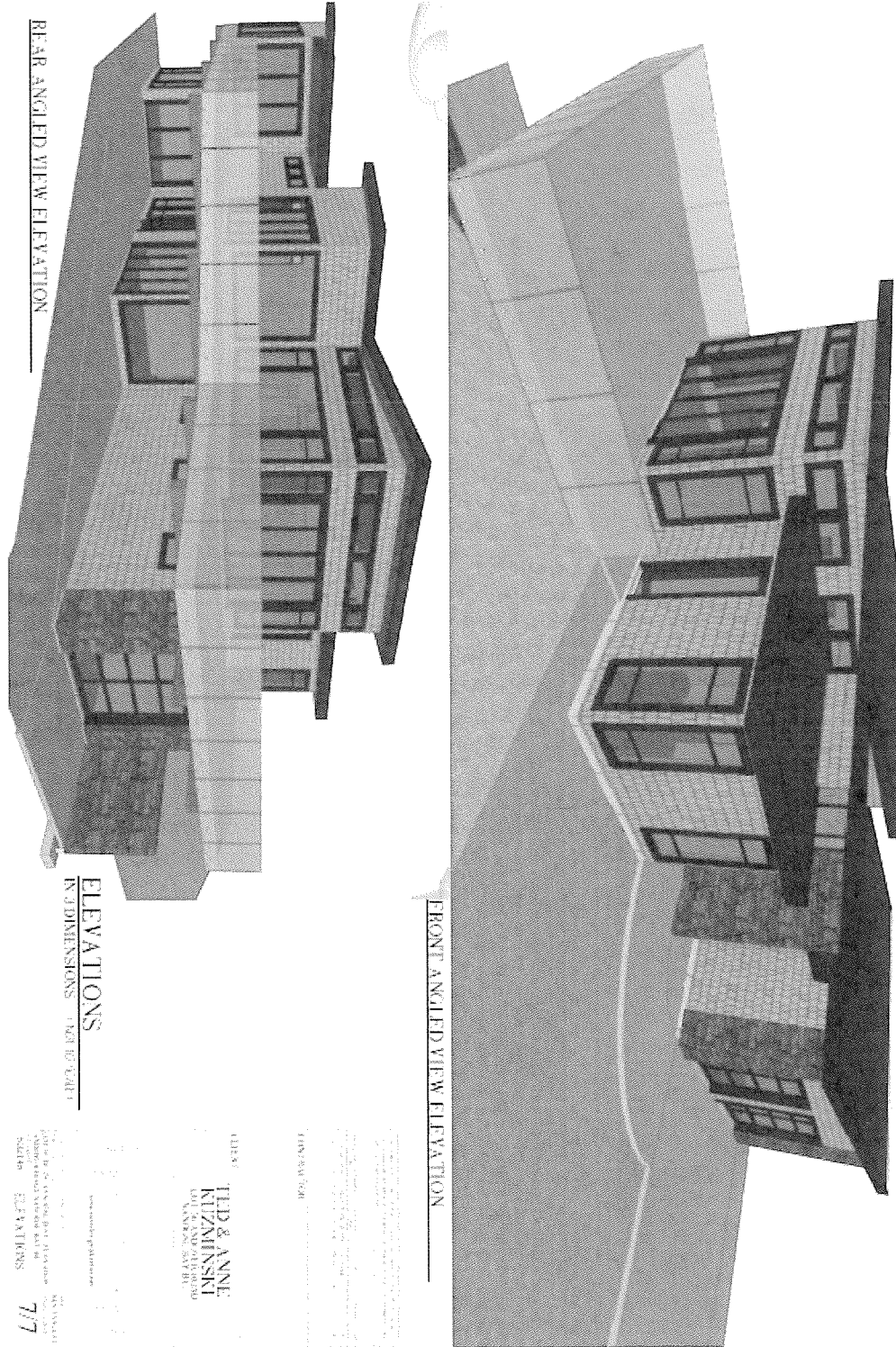
**Attachment 3
Proposed Site Plan and Variances**

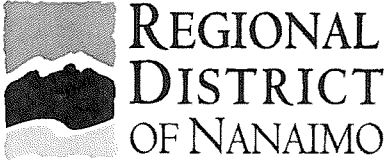


**Attachment 4
Building Elevations
(Page 1 of 2)**



**Attachment 4
Building Elevations
(Page 2 of 2)**





RDN REPORT		
CAO APPROVAL		<i>me</i>
EAP		
COW		
SEP 01 2016		
RHD		
BOARD		
EASC		DATE: August 31, 2016

STAFF REPORT

TO: Jeremy Holm
Manager, Current Planning

MEETING: EASC – September 13, 2016

FROM: Greg Keller
Senior Planner

FILE: PL2016-122

SUBJECT: Development Permit with Variance Application No. PL2016-122
Lot 7, District Lot 9, Newcastle District, Plan 11816
892 McFeely Drive – Electoral Area ‘G’

RECOMMENDATIONS

1. That the Board approve Development Permit with Variance No. PL2016-122 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.
2. That the Board direct staff to complete the required notification for Development Permit with Variance No. PL2016-122.

PURPOSE

To consider an application for a development permit with variance to increase the maximum dwelling unit height and reduce the minimum setbacks to permit the construction of a dwelling unit and retaining walls on the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Village Design and Drafting on behalf of Teranautical Engineering to permit the placement of fill in association with the construction of a dwelling unit and retaining walls on the subject property. The subject property is vacant and is approximately 635.4 m² in area and is zoned Residential 2 Zone (RS2), Subdivision District ‘M’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is located on the southwest corner of Kinkade Road and McFeely Drive and is adjacent to other RS2 zoned parcels (see Attachment 1 – Subject Property Map). The subject property is primarily flat and is serviced by on-site water and community sewer.

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

Proposed Development and Variance

The proposed development includes the placement of fill and the construction of a dwelling unit and retaining walls. The applicant proposes to vary the following regulations from the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”:

1. **Section 3.4.62 – Maximum Number and Size of Buildings and Structures** to increase the dwelling unit height from 8.0 metres to 8.9 metres for the proposed dwelling unit.

2. **Section 3.4.62 – Minimum Setback Requirements** to reduce the front lot line setback from 8.0 metres to 0.0 metres for a retaining wall.
3. **Section 3.4.62 – Minimum Setback Requirements** to reduce the other lot line setback from 5.0 metres to 0.0 metres for that portion of a retaining wall shown on Attachment 3.
4. **Section 3.4.62 – Minimum Setback Requirements** to reduce the Interior Side lot line setback from 2.0 metres to 0.0 metres for that portion of a retaining wall shown on Attachment 3.

ALTERNATIVES

1. To approve Development Permit with Variance No. PL2016-122 subject to the conditions outlined in Attachments 2 to 4.
2. To deny Development Permit with Variance No. PL2016-122.

LAND USE IMPLICATIONS

Development Implications

The subject property is located in a low-lying area at least 45 metres from the natural boundary of the ocean and 100 metres east of the Little Qualicum River Estuary. Despite not being a coastal waterfront parcel or being adjacent to a watercourse, the subject property is located within the Little Qualicum River floodplain. As such, the subject property is designated within the Hazard Lands DPA.

In support of this application, the applicant has submitted a geotechnical hazard assessment (the report) dated July 28, 2015, prepared by Lewkowich Engineering Associates Ltd. The report was prepared for Lots 7-13 of Plan 11816 and designates a 2015 Flood Construction Level (FCL) of 4.2 metres Geodetic (GSC). The report includes provisions for sea level rise and recommends that an additional 0.8 centimetres be added to the recommended 2015 FCL in each year following the publication of the report until the year 2025. This recommendation provides flexibility with regard to the timing of construction in relation to the impact of sea level rise on FCL. Since it is now more than one year since the report was published, the recommended FCL has increased by 0.8 centimetres and is rounded to 4.21 metres GSC.

The report indicates that from a geotechnical perspective, the subject property is safe and suitable for the intended use and the proposed development will not result in detrimental impact on the environment, subject properties, or adjoining properties provided the recommendations of the report are followed. To ensure that the subject property is developed in accordance with the recommendations contained in the report, staff recommends that prior to the issuance of this permit, the applicant be required to register a Section 219 covenant which registers the report on title and includes a save harmless clause which protects the RDN from all losses or damages to life or property as a result of the potential hazard (see Attachment 2 – Terms and Conditions of Approval).

In order to satisfy the minimum required FCL of 4.21 metres GSC, the applicant is proposing to construct the dwelling unit using structural support. The inside of the foundation walls are proposed to be backfilled to ensure that the crawl space which is below the FCL is less than 1.5 metres in height as per RDN Floodplain Management Bylaw 1469, 2006 requirements. The proposal also includes backfilling and grading of the property as shown on Attachment 4. Backfilling of the foundation will require a substantial amount of fill. Fill depths will vary up to approximately 2.4 metres in depth near the foundation. The fill will be graded towards the Kinkade Road and McFeely Drive right-of-ways.

In order to retain the fill on the subject property a combination of riprap and temporary lock block retaining walls are proposed. The following is a brief overview of the proposed soil retaining features on the subject property.

- **North and East sides** - a riprap wall approximately 1.37 metres high is proposed. The proposed riprap structure consists of two vertical rows of rock placed on top of the other and slightly offset to create a stable slope as shown in Attachment 4.
- **South Side** – A lock block wall 0.91 metres in height is proposed on a portion of the south east corner of the property. The balance of the land on the south side will be maintained at natural grade until the adjacent Lot 8 is developed at which time the subject property will be regraded to meet the finished elevation of the adjacent parcel.
- **West Side** – A lock block wall up to 1.22 metres in height is proposed on the north half of the west property line. The balance of the land on the west side will be maintained at natural grade until the adjacent Lot 9 is developed at which time the subject property will be regraded to meet the finished elevation of the adjacent parcel.

It is anticipated that the south side and west side retaining walls may be temporary in nature as they may not be necessary in the long term depending on the grading of adjacent properties at the time they are developed. An additional development permit may be required to remove or modify these walls as adjacent properties are developed and regraded. It is likely that these works would be contemplated as part of the development permit application that would be required prior to the development of the adjacent lands.

The applicant has also submitted a sediment and erosion plan prepared by Lewkowich Engineering Associates Ltd. and dated August 22, 2016. The plan includes recommendations including vegetation retention and the construction of a gravel access pad to reduce off-site sedimentation. Staff are recommending that the applicant be required to develop the site in accordance with the Sediment and Erosion Control Plan included in Attachment 4.

The subject property contains a private easement on the west and a portion of the east side that is for the purpose of providing servicing to adjacent Lot 8. A portion of the proposed retaining wall, driveway, and fill would be located within the easement. The applicant has submitted a letter from the easement holder, indicating that the holder does not object to the proposed works being located within the easement.

Board Policy B1.5 “Development Variance Permit, Development Permit with Variance & Floodplain Application Evaluation” for the 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. Staff have reviewed the applicant’s requested variances and do not anticipate any negative impacts to adjacent properties. In addition, the subject property is significantly constrained by the required FCL, a small parcel area, a registered easement, and minimum setback requirements in relation to two road frontages. The applicant has minimized the requested height variance by proposing a modest-sized two bedroom dwelling unit that would comply with the maximum dwelling unit height requirement if it did not need to be elevated to meet the minimum FCL.

Given that the applicant has provided sufficient rationale and the variance will not result in negative view implications for adjacent properties, the applicants have made reasonable efforts to address Policy B1.5 guidelines.

FINANCIAL IMPLICATIONS

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

STRATEGIC PLAN IMPLICATIONS

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

PUBLIC CONSULTATION IMPLICATIONS

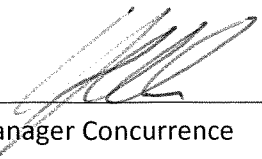
Pending the Electoral Area Service Committee’s recommendation and pursuant to the *Local Government Act* and the “Regional District of Nanaimo Development Approvals and Notification Procedures Bylaw No. 1432, 2005”, property owners and tenants of parcels located within a 50.0 metre radius of the subject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

SUMMARY/CONCLUSIONS

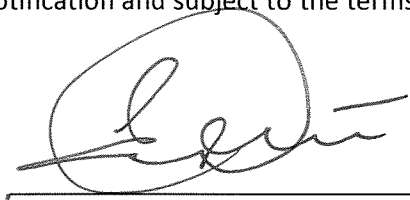
Given that the Development Permit guidelines have been met and no negative impacts are anticipated as a result of the proposed variances, staff recommends that the Board approve the development permit with variance pending the outcome of public notification and subject to the terms and conditions outlined in Attachment 2.




Report Writer



Manager Concurrence



A/ General Manager Concurrence



CAO Concurrence

Attachment 2 Terms and Conditions of Permit

The following sets out the terms and conditions of Development Permit with Variance No. PL2016-122:

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:

1. **Section 3.4.62 – Maximum Number and Size of Buildings and Structures** to increase the dwelling unit height from 8.0 metres to 8.9 metres for the proposed dwelling unit.
2. **Section 3.4.62 – Minimum Setback Requirements** to reduce the Front lot line setback from 8.0 metres to 0.0 metres for a retaining wall.
3. **Section 3.4.62 – Minimum Setback Requirements** to reduce the Other lot line setback from 5.0 metres to 0.0 metres for that portion of a retaining wall as shown on Attachment 3.
4. **Section 3.4.62 – Minimum Setback Requirements** to reduce the interior side lot line setback from 2.0 metres to 0.0 metres for that portion of a retaining wall as shown on Attachment 3.

Conditions of Approval:

1. Staff shall withhold the issuance of this Permit until the applicant, at the applicant's expense, registers a Section 219 Covenant on the property title containing the Geotechnical Engineering Assessment prepared by Lewkowich Engineering Associates Ltd. dated May 5, 2015 and the addendum dated August 25, 2016 and includes a save harmless clause that releases the Regional District of Nanaimo from all losses and damages as a result of the potential hazard.
2. The site is developed in accordance with the Survey Plan prepared by Sims Associates, dated August 12, 2016 and attached as Attachment 3.
3. The proposed development is in general compliance with the plans and elevations prepared by Village Design and Drafting, dated May 2016 and attached as Attachment 4.
4. The subject property shall be developed in accordance with the Geotechnical Engineering Assessment prepared by Lewkowich Engineering Associates Ltd. dated May 5, 2015 and the addendum dated August 25, 2016.
5. The subject property shall be developed in accordance with the Sediment and Erosion Control Plan prepared by Lewkowich Engineering Associates Ltd. dated August 22, 2016.
6. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

**Attachment 3
Proposed Site Plan and Variances**

PLAN OF LOT 7, DISTRICT LOT 9,
NEWCASTLE DISTRICT, PLAN 11816.
SHOWING PROPOSED HOUSE LOCATION THEREON (FOR D.P. WITH VARIANCE).
SCALE 1:250

ALL DISTANCES ARE IN METRES.
AS PER BUILDING PLANS DATED MAY, 2016.
JURISDICTION: REGIONAL DISTRICT OF NANAIMO
PID NO: 004-881-745

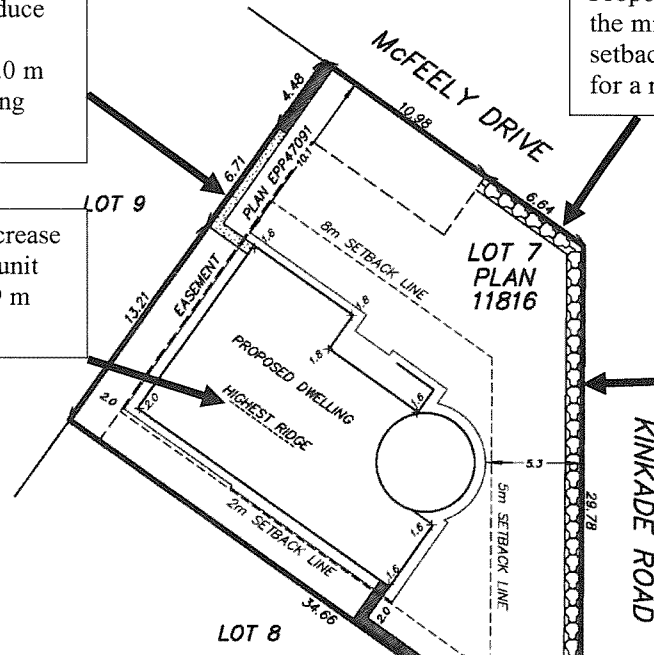


Proposed variance to reduce the interior side lot line setback from 2.0 m to 0.0 m for a portion of a retaining wall.

Proposed variance to reduce the minimum front lot line setback from 8.0 m to 0.0 m for a retaining wall.

Proposed variance to increase the maximum dwelling unit height from 8.0 m to 8.9 m for a dwelling unit.

Proposed variance to reduce the other front lot line setback from 5.0 m to 0.0 m for a retaining wall.



LEGEND

- DENOTES OVERHANGS.
- +1.6 DENOTES NATURAL GRADE AT BUILDING CORNER.
- DENOTES 0.61m WIDE, 1.22m HIGH RETAINING WALL - VARIANCE REQUIRED
- DENOTES 0.61m WIDE, 0.91m HIGH RETAINING WALL - NO VARIANCE REQUIRED
- DENOTES APPROX. 0.91m WIDE, 1.37m HIGH RIP-RAP WALL - VARIANCE REQUIRED

ELEVATIONS ARE IN METRES AND ARE GEODETIC

HEIGHTS	HIGHEST RIDGE
UNDERSIDE OF FLOOR JOIST ELEVATION:	4.21
HEIGHT FROM UNDERSIDE OF FLOOR JOIST TO RIDGE:	6.49
ELEVATION OF RIDGE:	10.7
MAXIMUM BUILDING ELEVATION ALLOWED ACCORDING TO BYLAW 500:	9.8
VARIANCE REQUIRED:	0.9

MICHAEL SIMS XXJIDU

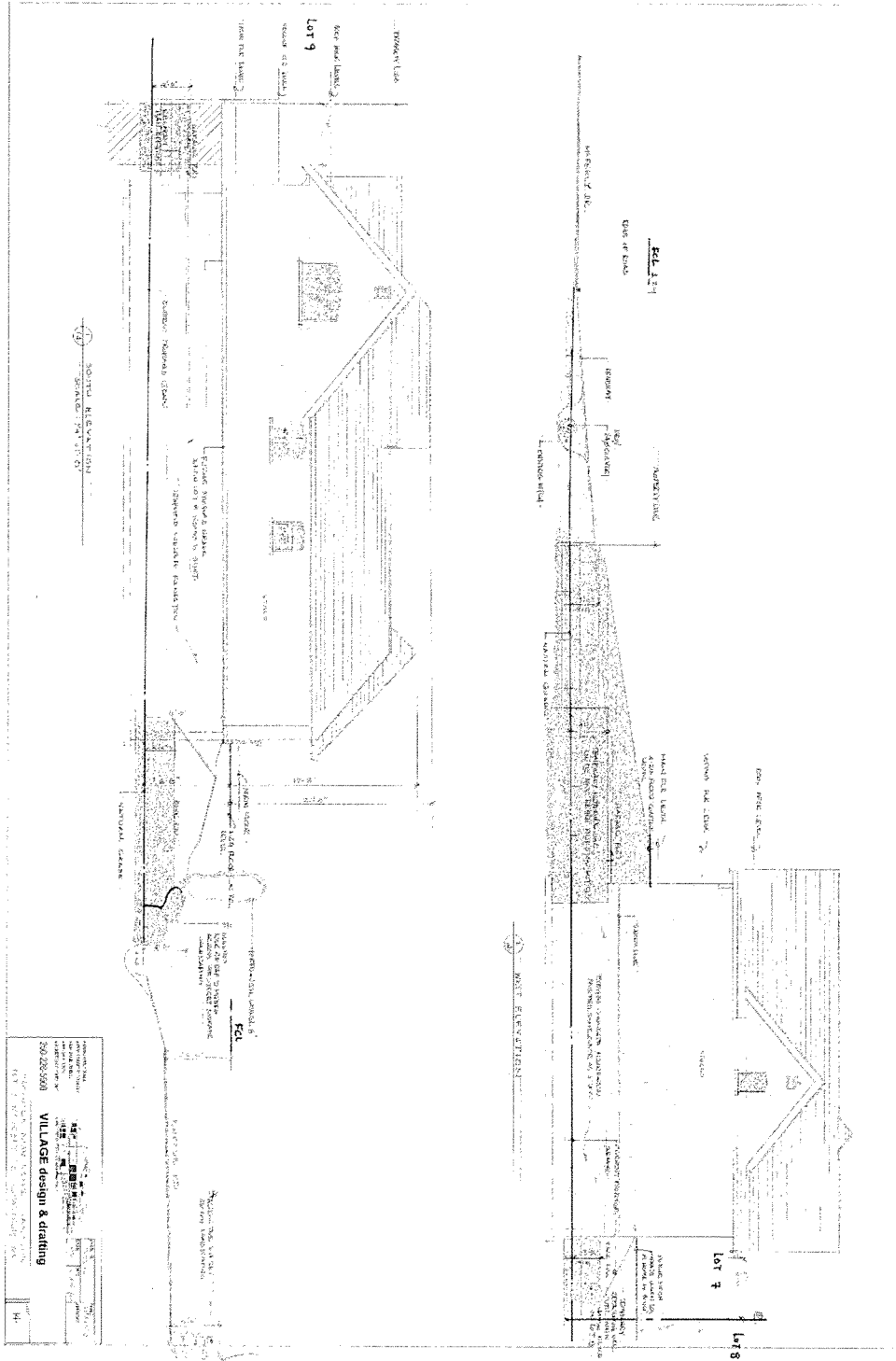
Digitally signed by MICHAEL SIMS XXJIDU
DN: cn=Michael Sims, o=Sims Associates Ltd, email=msims@simsoa.com, c=BC
Date: 2016.08.12 13:42:52 -0700

INSPECTED THIS 12TH DAY OF AUGUST, 2016.

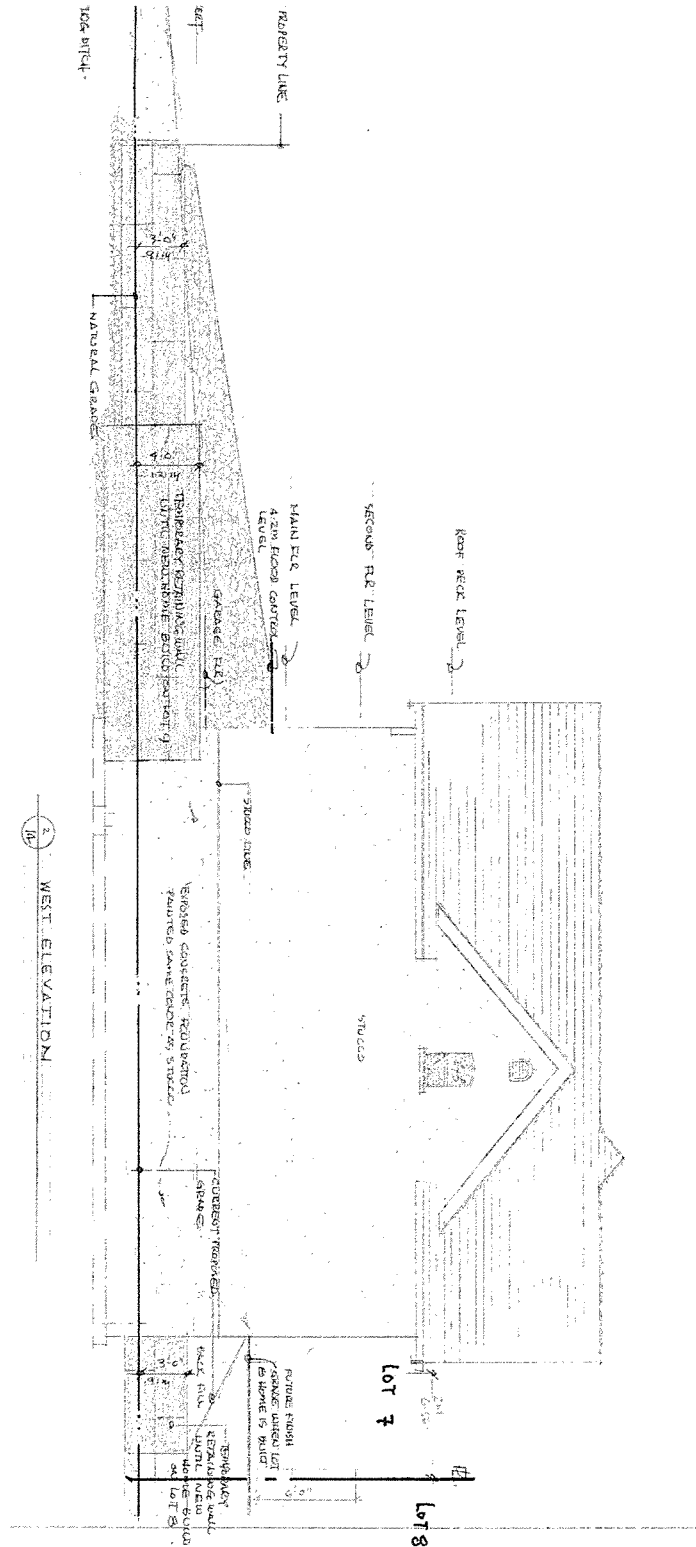
SIMS ASSOCIATES

LAND SURVEYING LTD.
223 FERN ROAD W.
QUALICUM BEACH, B.C. V9K 1S4
PHONE: 250-752-9121
FAX: 250-752-9241
FILE NUMBER: 16-155-BL
DRAWING FILE: 16-155 DP2.dwg
DATE: 2016-08-12

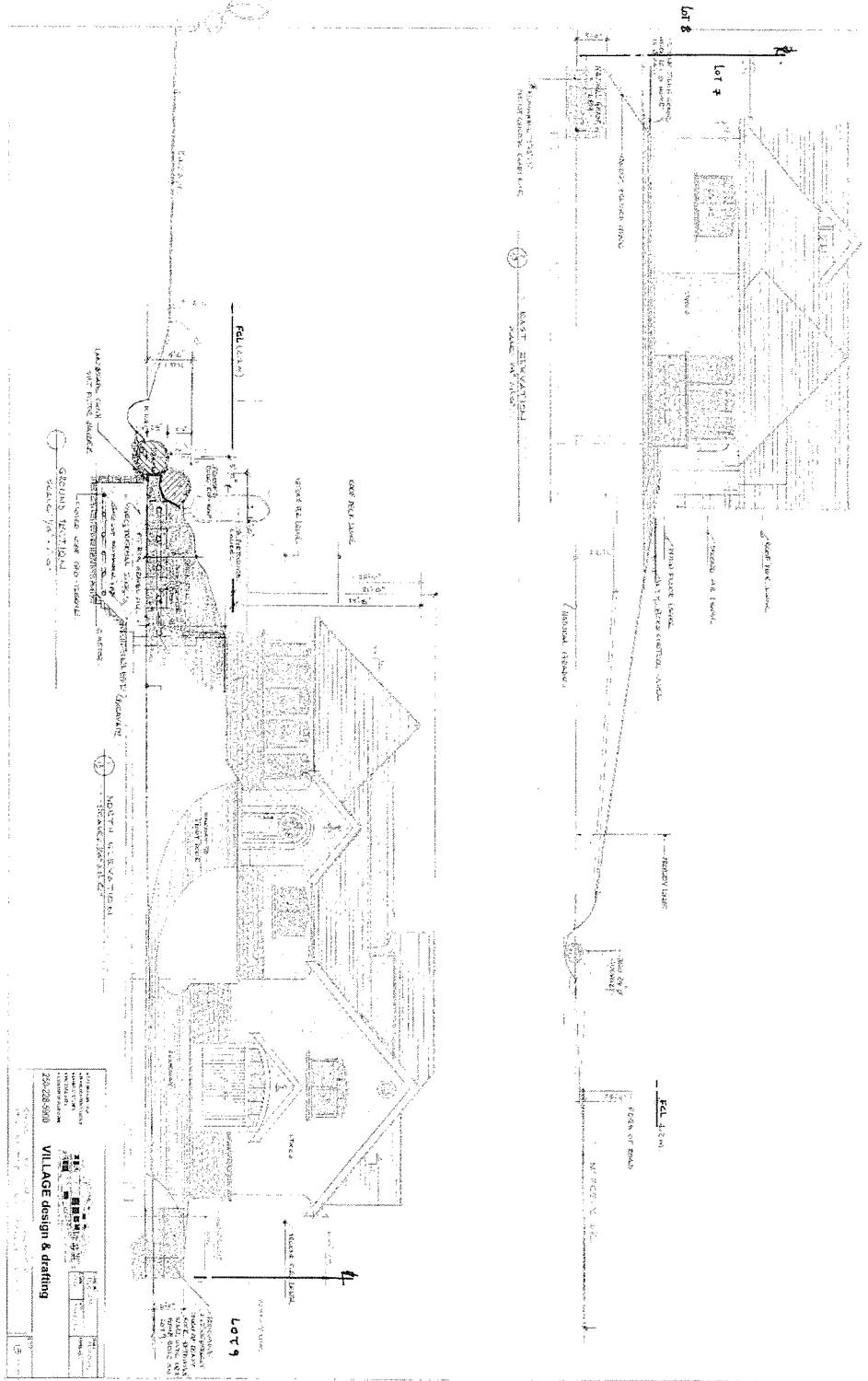
Attachment 4 (page 1 of 12)
Building Elevations – West and South



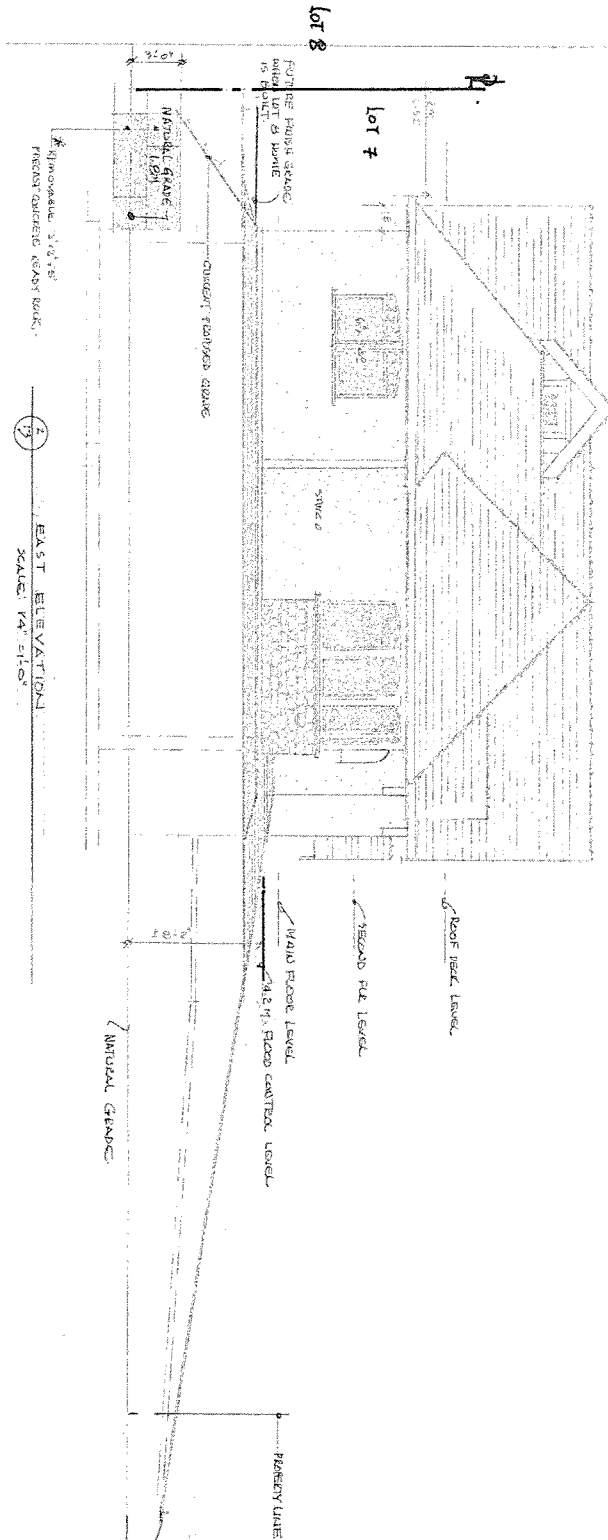
Attachment 4 (page 2 of 12)
Building Elevations – West



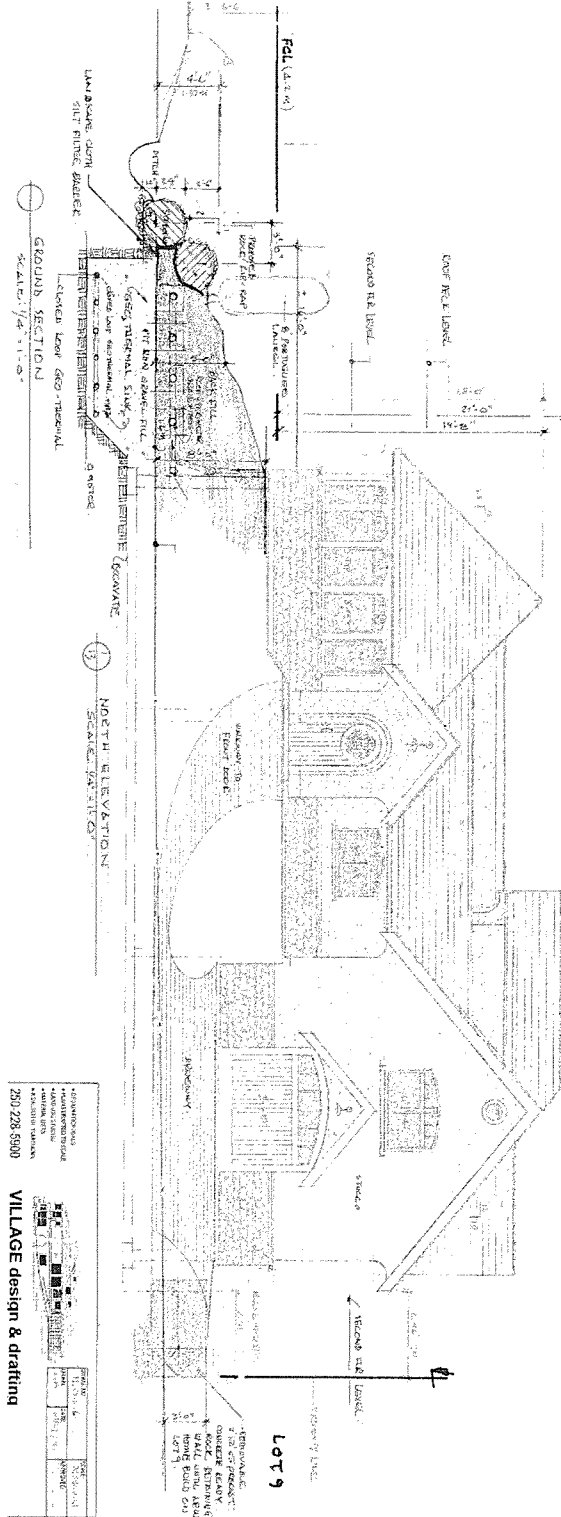
Attachment 4 (page 4 of 12)
Building Elevations – North and East



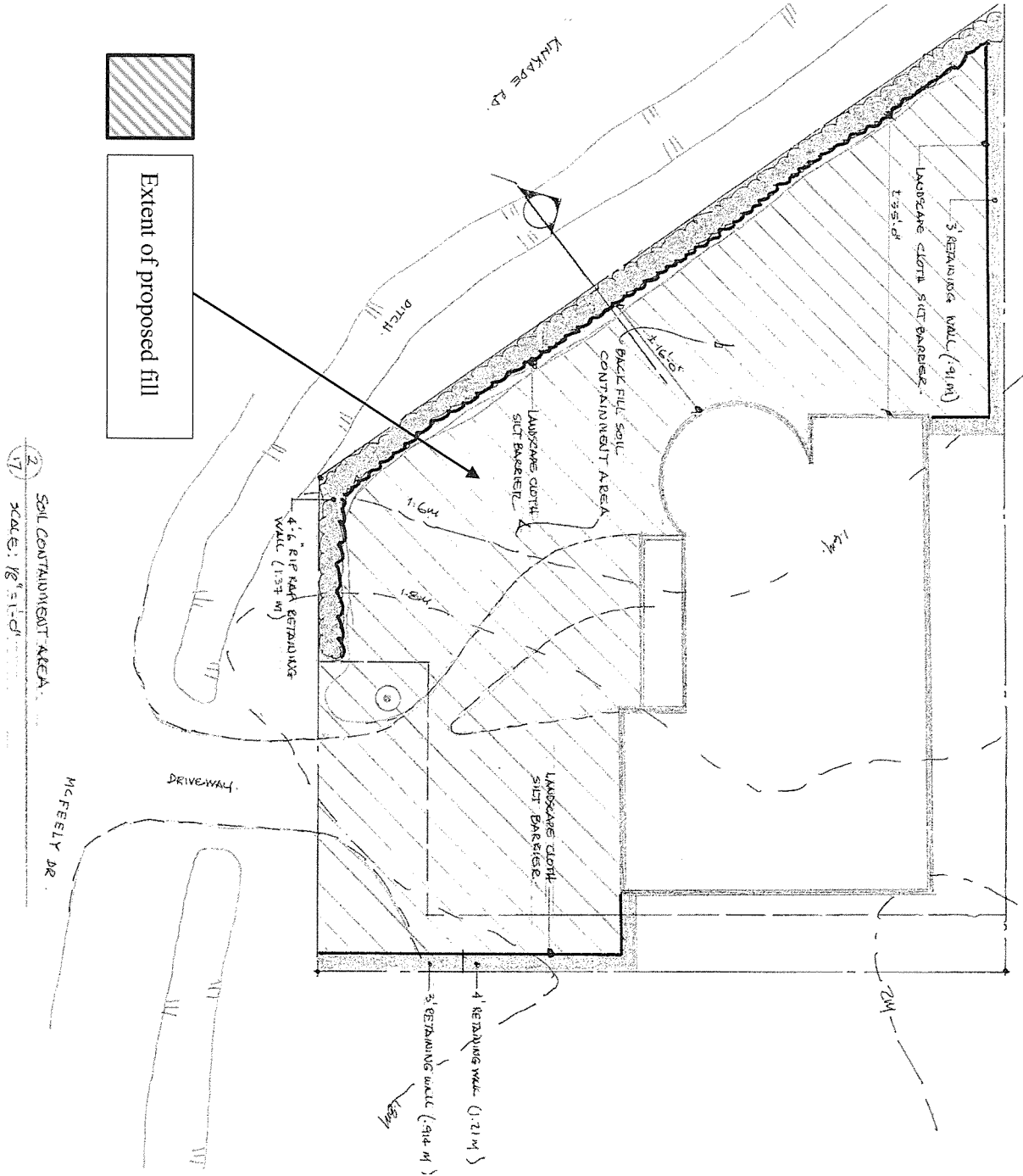
Attachment 4 (page 5 of 12)
Building Elevations – East



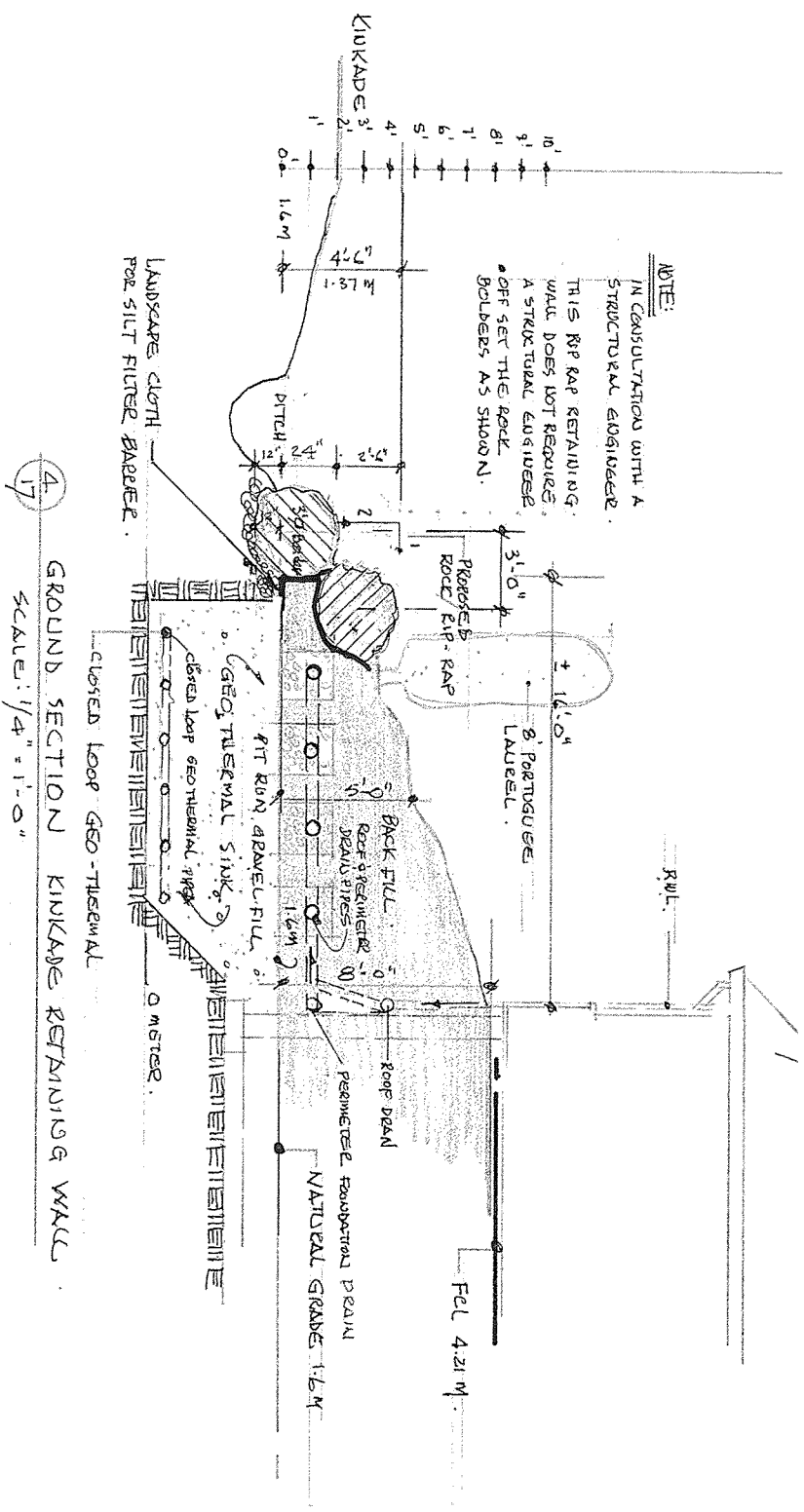
Attachment 4 (page 6 of 12)
Building Elevations – North



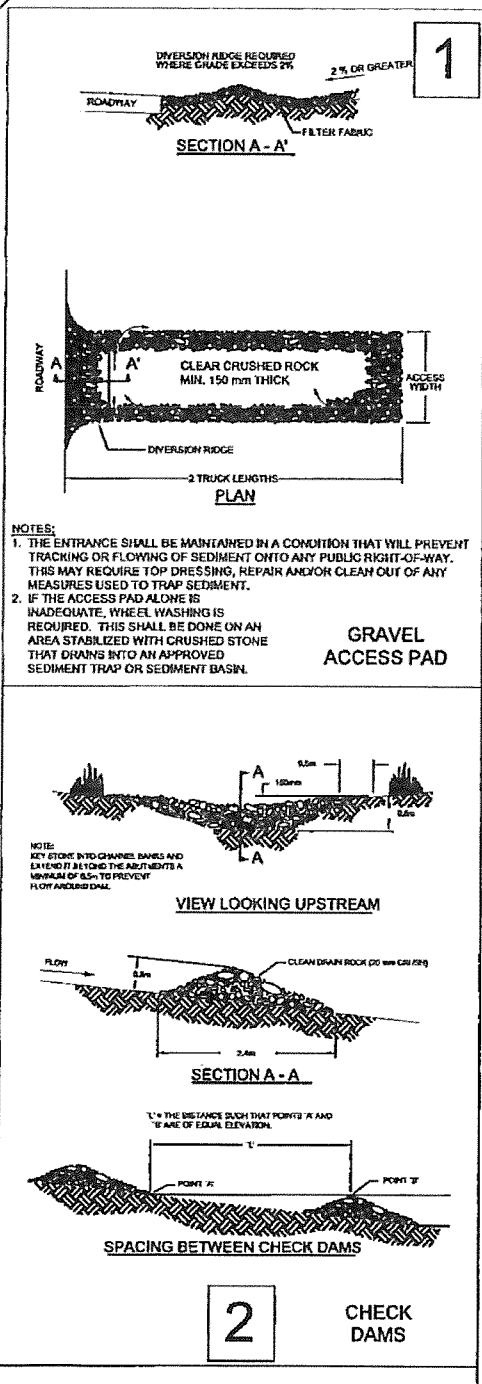
Attachment 4 (page 9 of 12)
Fill and Grading Plan



Attachment 4 (page 10 of 12)
 Cross-section Riprap Retaining Wall



Attachment 4 (page 12 of 12)
Sediment and Erosion Control Plan

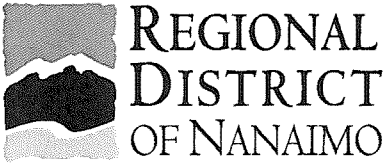


- GENERAL NOTES:**
1. EROSION AND SEDIMENT CONTROL FOR THIS PROJECT WILL BE AS OUTLINED IN THE FISHERIES AND OCEANS CANADA AND MINISTRY OF WATER, LANDS AND AIR PROTECTION HANDBOOK ENTITLED "LAND DEVELOPMENT GUIDELINES FOR THE PROTECTION OF AQUATIC HABITAT, MAY 1992" AND "BEST MANAGEMENT PRACTICES FOR URBAN AND RURAL LAND DEVELOPMENT IN BRITISH COLUMBIA, JUNE 2004". IT IS INCUMBENT UPON THE CONTRACTOR TO ACQUIRE THESE GUIDELINES AND FAMILIARIZE THEM SELF WITH THE REQUIREMENTS THEREIN.
 2. THE CONSULTANT ASSUMES NO RESPONSIBILITY FOR DAMAGES RESULTING FROM IMPROPER EROSION AND SEDIMENT CONTROL MEASURES UNDERTAKEN BY THE CONTRACTOR.
 3. ANY DIRECTION GIVEN BY THE ENGINEER TO THE CONTRACTOR FOR EROSION AND SEDIMENT CONTROL AND NOT FOLLOWED BY THE CONTRACTOR WILL BE REPORTED TO THE TOWN OF QUALICUM BEACH.
 4. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ENSURE THAT NO MUD, DIRT, SOIL, SILT OR ANY OTHER SUBSTANCES ARE SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY, OR AREAS THAT LEAD TO CATCH BASINS CONNECTED TO PUBLIC SYSTEMS. THE CONTRACTOR IS TO CLEAN UP ANY SUCH MATERIAL IMMEDIATELY.
 5. THE CONTRACTOR IS TO CARRY OUT ROUTINE INSPECTIONS AND MAINTENANCE OF ALL EROSION AND SEDIMENT CONTROL SYSTEM COMPONENTS ON-SITE. AT A MINIMUM, THE CONTRACTOR SHALL RECORD INSPECTION DATES C/W ANY SIGNIFICANT OBSERVATIONS AND ACTIONS TAKEN, AND THEN INFORM THE CONSULTANT AND TOWN OF QUALICUM BEACH.
 6. DURING AND/OR FOLLOWING EACH SIGNIFICANT STORM EVENT, THE CONTRACTOR SHOULD ENSURE THAT TURBID WATERS FROM SOURCES ASSOCIATED WITH CONSTRUCTION ARE NOT ENTERING THE STORM DRAINAGE SYSTEM. THE CONTRACTOR SHALL RECORD INSPECTION DATES C/W ANY SIGNIFICANT OBSERVATIONS AND ACTIONS TAKEN, AND THEN INFORM THE CONSULTANT AND TOWN OF QUALICUM BEACH.
 7. LEWKOWICH ENGINEERING ASSOCIATES (LEA) PERSONNEL WILL VISIT THE SITE TO ASSIST THE CONTRACTOR WITH THE IMPLEMENTATION OF THE ESCP DURING STORM EVENTS, AND TO PROVIDE INDEPENDENT ESCP INSPECTION, MONITORING, AND DOCUMENTATION. MODIFICATIONS TO THE ESCP, IF NECESSARY, WILL BE PROVIDED IN A WRITTEN MEMO FORMAT.

- EROSION CONTROLS (EC):**
1. **RETAIN VEGETATION** - PRIOR TO CONSTRUCTION, AREAS OF NO DISTURBANCE AND/OR VEGETATION TO BE RETAINED AND SHALL BE FENCED OFF AND/OR FLAGGED FOR PROTECTION. THESE MEASURES ARE TO REMAIN IN PLACE THROUGHOUT THE CONSTRUCTION PERIOD.
 2. **STOCKPILE PROTECTION** - ALWAYS COVER STOCKPILES OF SILTY SOILS WITH A TARP OR PLASTIC SHEETING WHEN STOCKPILES WILL NOT BE USED WITHIN 2-3 DAYS, OR WHEN RAIN IS EXPECTED.

- RUNOFF CONTROLS (RC):**
1. **ROCK RUBBLE** - SUBJECT SITE IS PRIMARILY ROCK AND ROCK RUBBLE UTILIZE ROCK RUBBLE MATERIALS AND MULCH TO PREVENT THE CREATION OF SEDIMENT.
 2. **TRENCHING** - LIMIT DISTURBANCE TO 4.0 m ON EITHER SIDE OF TRENCHING. STRIP AND STOCKPILE TOPSOIL AND ROOT MATTER SEPARATELY FROM MINERAL SOIL. STOCKPILE THE ROOT MATTER AND TOPSOIL ON THE DOWN-SLOPE SIDE OF THE TRENCH AND MINERAL SOIL ON THE UP-SLOPE SIDE OF THE TRENCH TO DEFLECT ANY UP-SLOPE FLOW THAT MAY OCCUR. IF EXCAVATED SOIL WILL NOT BE RE-USED, REMOVE IMMEDIATELY. SILT FENCE SHOULD BE ERECTED BETWEEN THE TRENCHING OPERATION AND AREAS OFF-SITE. BACKFILL ALL EXCAVATIONS UP TO THE 'WORKING END' OF THE PIPE BY THE COMPLETION OF EACH WORK DAY. FOLLOWING BACKFILL, MATCH THE EXISTING GROUND SURFACE (I.E. THE FINISHED TRENCH SHOULD NOT FORM A BERM OR SWALE THAT WOULD CONCENTRATE OVERLAND FLOWS OF SURFACE WATER).

- SEDIMENT CONTROLS (SC):**
1. **ACCESS PAD** - CONSTRUCT AN ACCESS PAD TO REDUCE OFFSITE SEDIMENTATION. INSTALL PAD PRIOR TO USE OF HEAVY EQUIPMENT OR SITE GRADING OPERATIONS, AND MAINTAIN THE PAD THROUGHOUT CONSTRUCTION OPERATIONS. THE ACCESS PAD MAY BE REMOVED DURING PREPARATION FOR PAVING.
 2. **STREET SWEEPING** - DURING CONSTRUCTION, USE STREET SWEEPING TO CLEAN STREET FROM SEDIMENT CAUSED BY CONSTRUCTION ON AN AS-NEEDED BASIS. DO NOT USE STREET WASHING AS IT CARRIES SEDIMENT INTO THE STORM DRAINAGE SYSTEM. SUMMER STREET SWEEPING ALSO REDUCES PROBLEMS OF WINDBLOWN DUST.



RDN REPORT	
CAO APPROVAL	PLJ
EAP	
COW	
SEP 01 2016	
RHD	
BOARD	
EASC	

STAFF REPORT

TO: Jeremy Holm
Manager, Current Planning

DATE: August 30, 2016

FROM: Jamai Schile
Planner

MEETING: EASC – September 13, 2016

FILE: PL2016-093
PL2016-011

SUBJECT: Development Variance Permit Application No. PL2016-093
Frontage Relaxation Application No. PL2016-011
Lot 4, District Lot 76, Newcastle District, Plan 2619 Except Parts in Plan 26594
1150 Ganske Road, Electoral Area 'G'

RECOMMENDATIONS

1. That the Board approve Development Variance Permit No. PL2016-093 to increase the permitted parcel depth for proposed Lot A from 40% to 44% and Lot B from 40% to 43% of the length of the perimeter of the parcel subject to the conditions outlined in Attachment 2.
2. That the Board direct to complete the required notification for Development Variance Permit No. PL2016-093.
3. That the Board approve the request to relax the minimum 10% perimeter frontage requirement for proposed Lot B in relation to Subdivision Application No. PL2016-011.

PURPOSE

To consider an application for a development variance permit to reduce the depth of proposed Lot A and proposed Lot B and to consider a request to relax the minimum 10% perimeter frontage requirement to facilitate a proposed three lot subdivision of the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Fern Road Consulting Ltd. on behalf of Gordon Henderson to permit a three lot subdivision. The subject property is approximately 6.8 hectares in area and is zoned Rural 1 (RU1) Zone, Subdivision District 'D' pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The property is bound by Ganske Road to the north and Sheer Road and the E & N Railway Corridor to the south-west. The property is surrounded by Rural 1(RU1) Zoned land to the west, east and south, where the lands to the west and east are within the Agricultural Land Reserve (ALR), (see Attachment 1 – Subject Property Map).

The property contains an existing dwelling unit and a detached garage, which is intended to be demolished. The proposed lots are to be serviced by community water and on-site wastewater.

This application for subdivision originally proposed the creation of four lots, which would have required the provision of park dedication or cash-in-lieu, pursuant to Section 510 of the *Local Government Act*.

The original four lot subdivision proposal was considered by members of the Parks and Open Space Advisory Committee (POSAC) at a POSAC meeting held on June 1, 2016; and the local community at a Public Information Meeting held on June 2, 2016.

The applicant has since revised the subdivision to propose three lots instead of four. As such, the applicant is not required to provide park dedication or cash-in-lieu, pursuant to Section 510 of the *Local Government Act*.

Proposed Development and Variance

The proposed subdivision of the subject property would result in three parcels, Lot A, Lot B and Lot C being 2.0 hectares; 2.0 hectares and 2.8 hectares in area respectively. Due to the configuration of the proposed lots, the applicant requires a variance for parcel depth. The applicant proposes to vary the following regulations from the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987":

- **Section 4.5.1 - Parcel Shape and Dimensions** - to increase the parcel depth as a percentage of the length of the parcel perimeter from 40% to 44% for Lot A and from 40% to 43% for Lot B.

A summary of the proposed variance is as follows:

<i>Proposed Lot</i>	<i>Perimeter</i>	<i>Permitted Maximum Parcel Depth (40%)</i>	<i>Proposed Parcel Depth</i>	<i>Proposed Parcel Depth as a % of Parcel Perimeter</i>
A	736.9 m	294.8 m	321.6 m	44%
B	729.3 m	291.7 m	314.6 m	43%

Minimum 10% Perimeter Frontage Requirement

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

Lot	Proposed Lot Perimeter	Required Frontage (10%)	Total Proposed Frontage	Approximate % of Perimeter
Lot B	729.3 m	72.9 m	71.0 m	9.7%

ALTERNATIVES

1. To approve Development Variance Permit No. PL2016-093 and the request for relaxation of the minimum 10% perimeter frontage requirements subject to the conditions outlined in Attachment 2.
2. To deny Development Variance Permit No. PL2016-093 and the request for relaxation of the minimum 10% perimeter frontage requirements.

LAND USE IMPLICATIONS

Development Implications

The applicant has requested a variance to increase the permitted parcel depth for proposed Lot A from 40% to 44% and Lot B from 40% to 43% of the length of the perimeter of the parcel. The applicant is also requesting a relaxation to the minimum 10% parcel frontage requirement for proposed Lot B. The variance request and the request for relaxation to the minimum 10% frontage requirement are necessary to permit subdivision of the existing parcel into three lots.

The subject property is designated within the Farm Land Development Permit Area, pursuant to the "Regional District of Nanaimo Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008". The proposed plan of subdivision, as shown in Attachment 3, is considered exempt from requiring a development permit as proposed Lots A and C have a minimum parcel depth of 50.0 meters, providing satisfactory building area, and provide a minimum 15.0 meters vegetated buffer area adjacent to the Agricultural Land Reserve (ALR) boundary.

Board Policy B1.5 "Development Variance Permit, Development Permit with Variance & Floodplain Exemption Application Evaluation", provides guidance as to acceptable land use justification for evaluating development permit with variance applications. In this case the subdivision of the parent parcel will create three irregular shaped parcels with parallel interior side lot lines and angular rear lot lines. The proposed parcel shape and dimension are influenced by the shape of the parent parcel and the minimum parcel size requirement. The proposed parcel shape is not uncharacteristic of the area and will still provide suitable site area for the uses permitted in the Rural 1 zone. Further, the parcel is only accessible from Ganske Road, and in accordance with Part 4 – Subdivision Regulations, Section 4.5 Design and Servicing Standards in Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987, any parcel configuration has to be perpendicular to the highway.

Given this information there are no negative land use implications anticipated as a result of the proposed variance and the applicant has satisfied Board Policy B1.5.

Environmental Implications

An active heron nesting site has been identified on the subject property within proposed Lot C. In terms of protection for bird nesting sites in BC, the primary legislation is the *BC Wildlife Act*. Under Section 34 of the *BC Wildlife Act* it is an offence to possess, take, injure, molest, or destroy a bird or its eggs, or the nests of birds when occupied by a bird or egg. The nest and the nest tree of herons are protected year-round, whether or not the nest is currently active. 'Molestation of wildlife' is an offence under the *BC Wildlife Act*, and loud noises from equipment, such as may occur from land clearing or development activity, may be considered molestation if this causes the birds to abandon their nests.

According to the “Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia”, naturally vegetated buffers should be maintained to shield the nests from human disturbance. The provincial guidelines, recommend a buffer of at least 60 meters in urbanized areas.

Under Section 488 of the *Local Government Act*, buffer areas can be implemented by a local government when designated within a development permit area. In this instance, the Electoral Area ‘G’ Official Community Plan bylaw No. 1540, 2008, Environmental Sensitive Features Development Permit Area and currently does not include the lands associated with a heron nesting tree. Although the nesting site is not within a development permit area, the applicant has provided a heron nest assessment report prepared by Steve Toth R.Bio, and dated August 17, 2016, which contains recommendations for the protection of the nesting site in relation to the proposed subdivision and variance request.

According to the heron assessment report, the heron colony consists of five nest sites, with 4 of the nest sites active during the 2016 breeding season. The location of the five nest sites are identified as NT#1-#5 in Attachment 5 – Sketch Plan and Proposed 60 meter Protection Area. The recommendations within the report align with the provincial guidelines in terms of establishing a 60 meter radius protection area around nesting trees in urbanized areas, (see Attachment 5 – Sketch Plan and Proposed 60 meter Protection Area). The consultant also recommends flagging the protection area prior to land clearing; and limiting land clearance activities and loud noises associated with power tools and equipment to only occur outside of the breeding season, which is approximately from February to August. The provincial biologist concurs with these recommendations and recommends continued protection for the nesting site through clear delineation of the protection area with the use of coloured stakes or fencing as well as installing signage, such as MFLNRO Wildlife Tree signage. In addition, staff recommendation that a further heron nest assessment be required to support any alteration of the protection area boundary in the future. These recommendations are included in the conditions of the approval of the permit, (see Attachment 2 – Terms and Conditions).

FINANCIAL IMPLICATIONS

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

STRATEGIC PLAN IMPLICATIONS

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

INTER-GOVERNMENTAL IMPLICATIONS

The application was referred to the Ministry of Transportation and Infrastructure, who expressed no comment or concern with the proposed request for variance and frontage relaxation.

With respect to the subdivision application no. PL2016-011, the original PLA was issued April 19, 2016. Staff have amended the RDN’s Subdivision Compliance Report to reflect the request to reduce the number of parcels from four to three and to include measures to protect the heron nesting site. The report has been submitted to the Ministry of Transportation and Infrastructure, for the purpose of amending the PLA. Staff anticipate no issues arising from this request.

PUBLIC CONSULTATION IMPLICATIONS

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

SUMMARY/CONCLUSIONS

The applicant has requested a variance to increase the permitted parcel depth for proposed Lot A from 40% to 44% and Lot B from 40% to 43% of the length of the perimeter of the parcel. The applicant is also requesting a relaxation to the minimum 10% parcel frontage requirement for proposed Lot B. The variance request and the request for relaxation to the minimum 10% frontage requirement are to permit subdivision of the existing parcel into three lots.


Given the Board Policy B1.5 have been satisfied, the proposed parcels meet the minimum site area requirement and provide adequate site area to support the permitted uses, and the appropriate consideration has been given to the protection of the heron nesting sites, staff recommend that the proposed development permit with variance be approved pending the outcome of public notification and subject to the conditions outlined in Attachment 2.



Report Writer



General Manager Concurrence

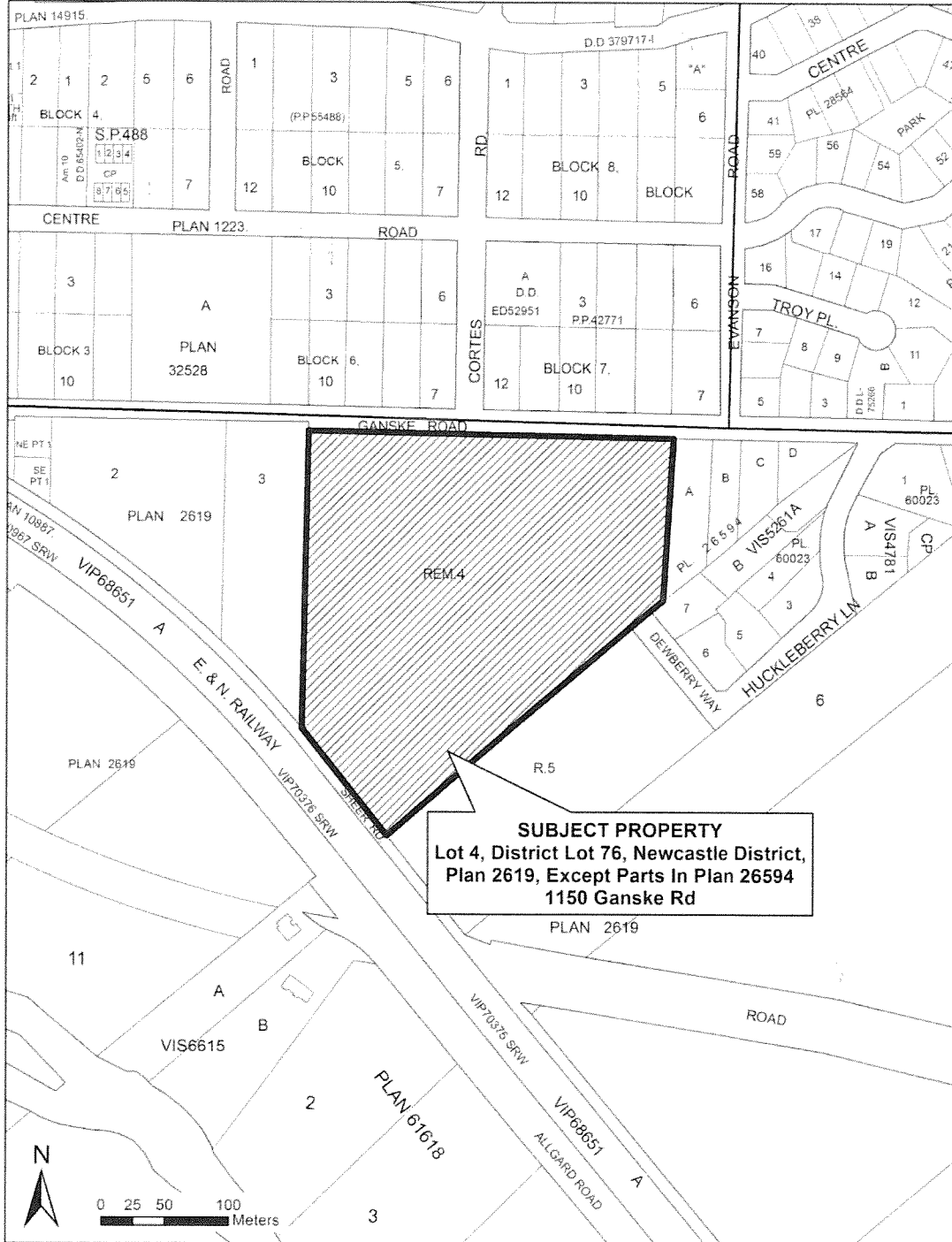


Manager Concurrence



CAO Concurrence

**Attachment 1
Subject Property Map**



Attachment 2 Terms and Conditions of Permit

The following sets out the terms and conditions of Development Variance Permit No. PL2016-093:

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*:

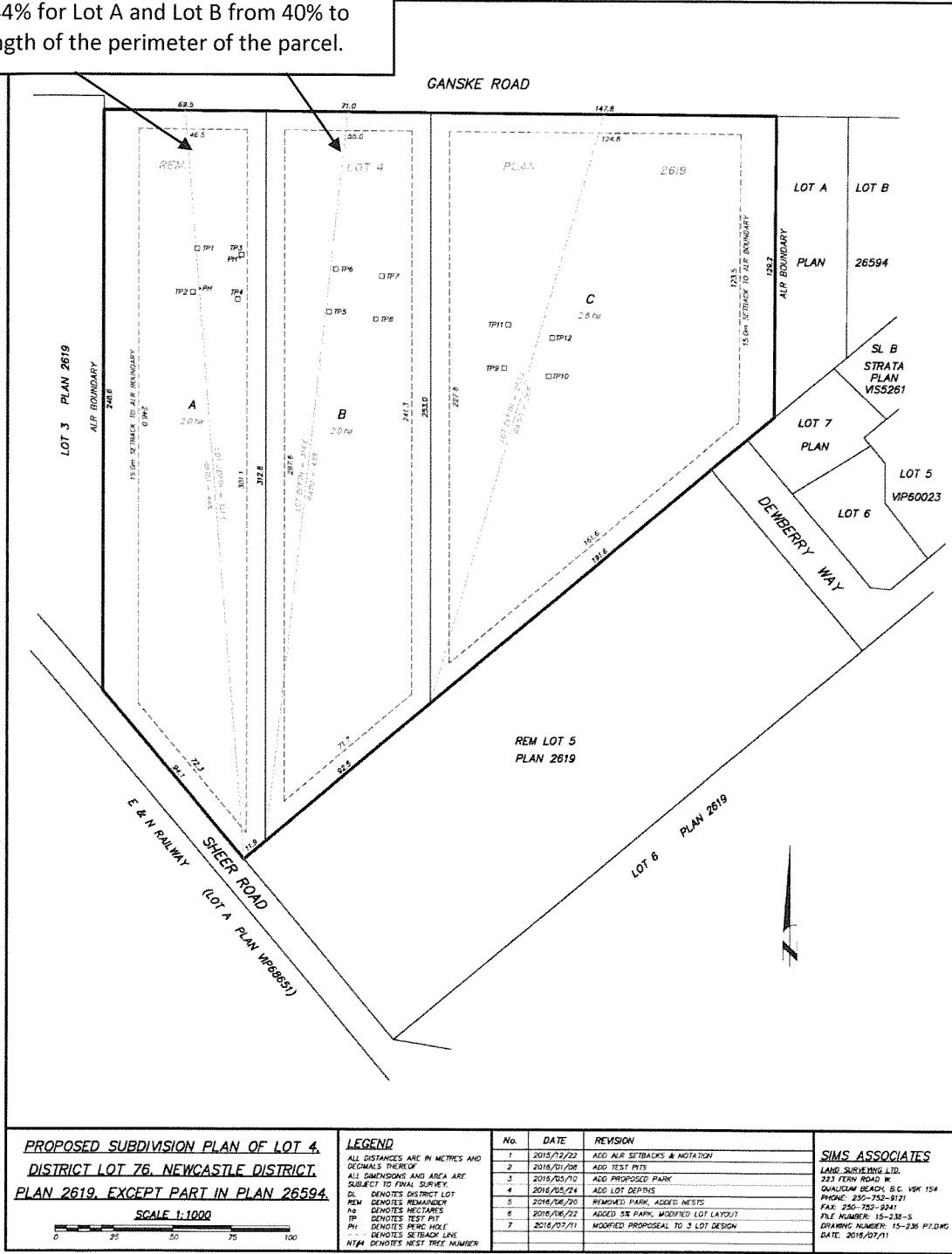
- **Section 4.5.1 – Parcel Shape and Dimensions** to increase the parcel depth as a percentage of the length of the perimeter of the parcel from 40% to 44% for Lot A and from 40% to 43% for Lot B.

Conditions of Approval

1. The site is developed in accordance with the Proposed Plan of Subdivision prepared by Sims Associates, dated July 11, 2016 and attached as Attachment 3.
2. The property shall be development in accordance with the following conditions:
 - a) Establish and maintain a 60 meter naturally vegetated buffer, measured as a radius from the base of a nest tree, including trees that have an active or inactive nest and trees with a nest remnant, which are identified as N#1 – N#5 in the Proposed Plan of Subdivision prepared by Sims Associates, dated July 11, 2016 and attached as Attachment 5.
 - b) The boundary of the 60 meter protection area shall be delineated by establishing coloured stakes or fencing with signage providing notification of the protected area, such as the BC Wild Tree signs.
 - c) Lot C is to be developed in accordance with the recommendations outlined in the report prepared by Steve Toth R.Bio, and dated August 17, 2016.
 - d) Land clearance and physical development activities on Lot C that result in loud or concussive noises associated with heavy equipment operation and power tools, such as chainsaws and nail guns shall be limited to only occur outside of the heron breeding season, being February to August, or under the guidance and per the recommendations of a Qualified Environmental Professional.
 - e) Any revision to the 60 meter heron nesting site protection area or any disturbance of the lands or vegetation within the 60 meter heron nesting site protection area is only to occur in accordance with the recommendations of a Qualified Environmental Professional provided in an heron nest assessment report submitted to the satisfaction of the RDN.
3. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

**Attachment 3
Proposed Subdivision Plan and Variances**

Proposed variance to increase the parcel depth from 40% to 44% for Lot A and Lot B from 40% to 43% of the length of the perimeter of the parcel.



**PROPOSED SUBDIVISION PLAN OF LOT 4,
DISTRICT LOT 76, NEWCASTLE DISTRICT,
PLAN 2619, EXCEPT PART IN PLAN 26594.**



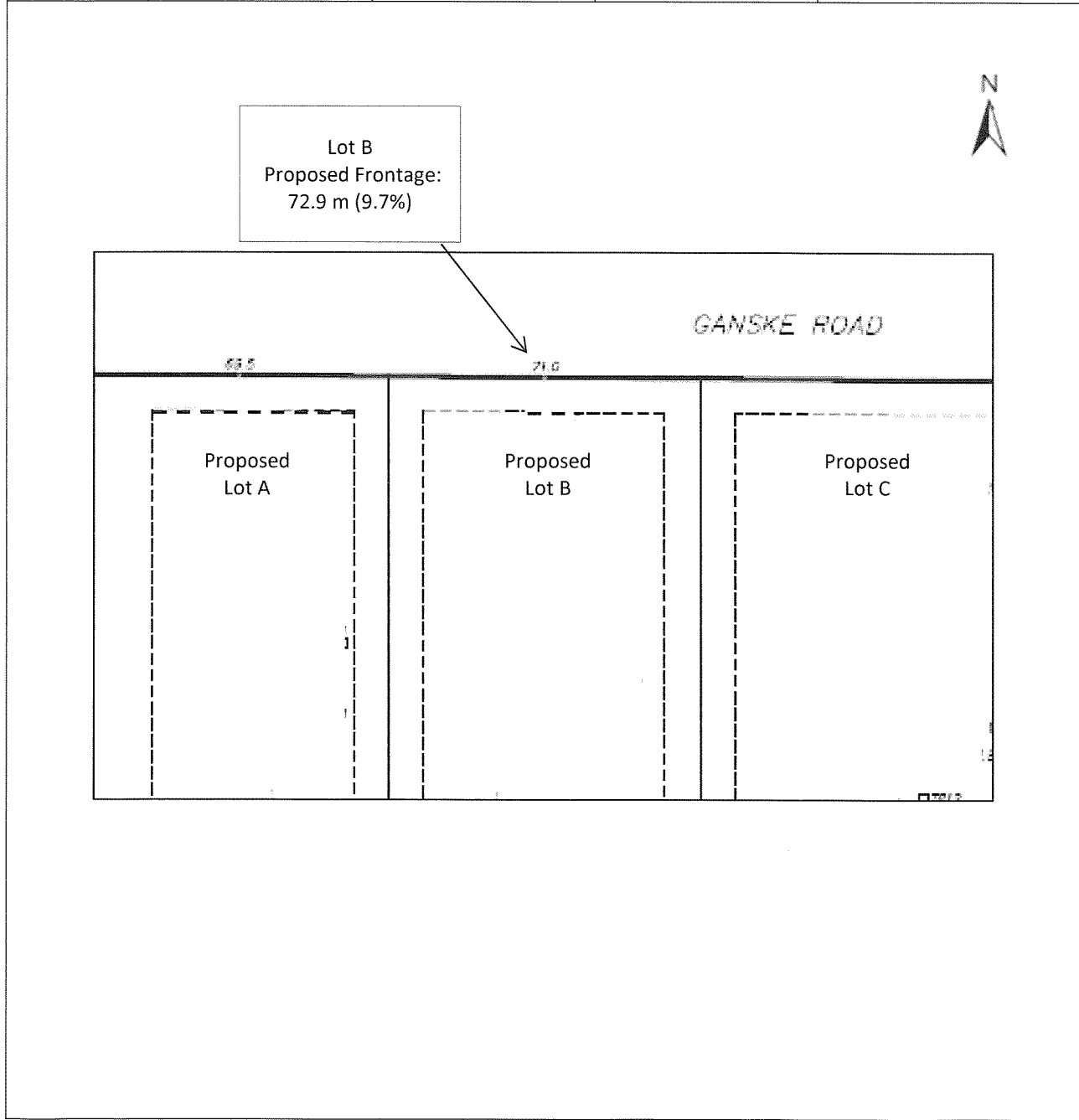
LEGEND
ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF
ALL DIMENSIONS AND AREA ARE SUBJECT TO FINAL SURVEY.
DL DENOTES DISTRICT LOT
REM DENOTES REMAINDER
NS DENOTES RESTIARPS
TP DENOTES TEST PIT
PH DENOTES PERC HOLE
--- DENOTES SETBACK LINE
NTM DENOTES WEST TREE NUMBER

No.	DATE	REVISION
1	2015/12/22	ADD ALR SETBACKS & NOTATION
2	2016/01/20	ADD TEST PITS
3	2016/02/10	ADD PROPOSED PARK
4	2016/05/24	ADD LOT DEPTHS
5	2016/06/20	REMOVED PARK, ADDED NESTS
6	2016/06/22	ADDED 3% PARK, MODIFIED LOT LAYOUT
7	2016/07/11	MODIFIED PROPOSAL TO 3 LOT DESIGN

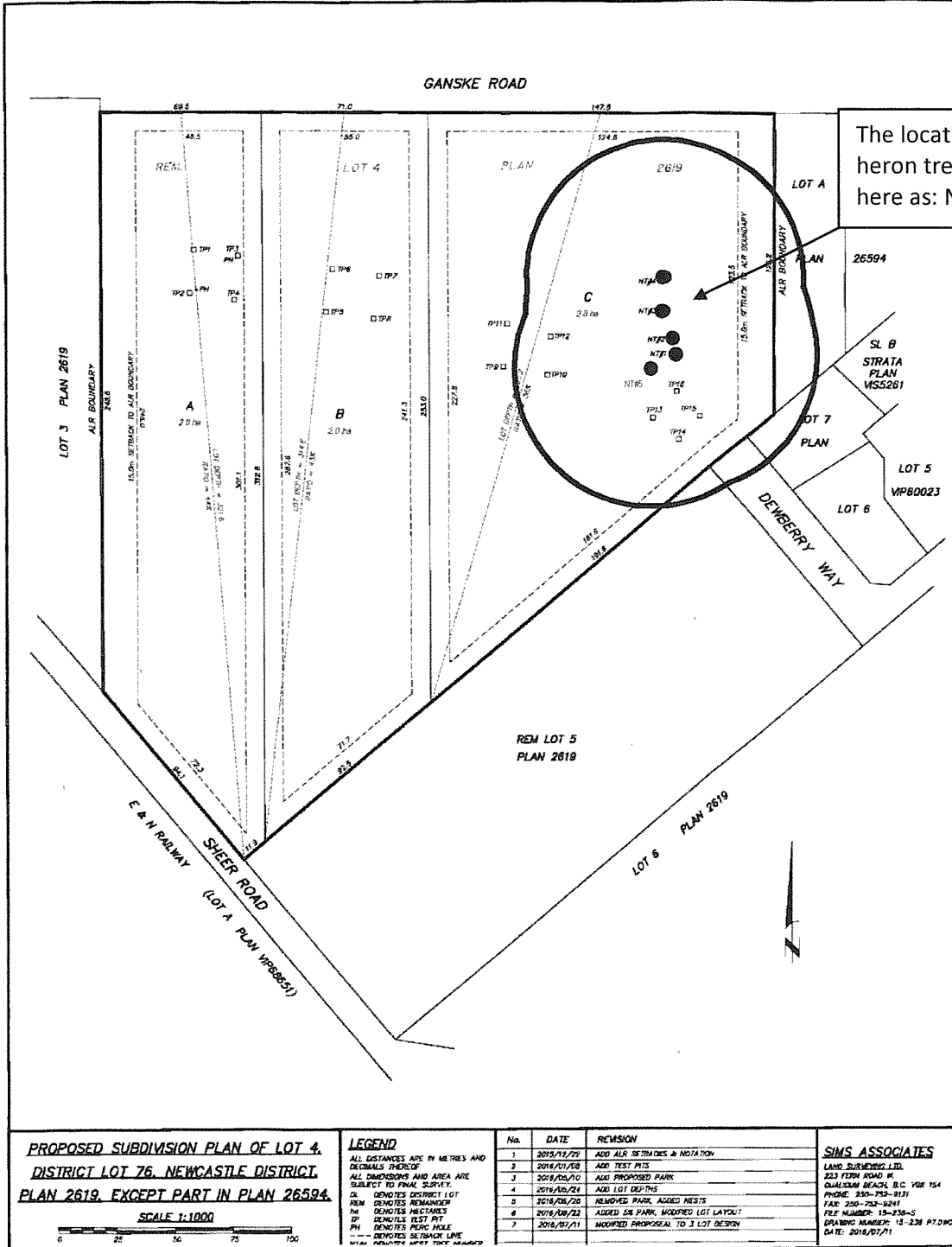
SIMS ASSOCIATES
LAND SURVEYING LTD.
223 FERRY ROAD W.
SQUAMISH BEACH, B.C. V8K 1S4
PHONE: 250-752-9121
FAX: 250-752-9041
FILE NUMBER: 15-236-S
DRAWING NUMBER: 15-236 P7.DWG
DATE: 2016/07/11

**Attachment 4
Proposed Frontage**

Proposed Lot B, District Lot 76, Newcastle District, Plan 2619 Except Parts in Plan 26594				
Lot	Proposed Lot Perimeter	Required Frontage (10%)	Proposed Frontage	Approximate % of Perimeter
Lot B	729.3 m	72.9 m	71.0 m	9.7%



Attachment 5
Sketch Plan and Proposed 60 meter Protection Area



The location of the five heron tree nests identified here as: NT#1 - #5.

**PROPOSED SUBDIVISION PLAN OF LOT 4,
DISTRICT LOT 76, NEWCASTLE DISTRICT,
PLAN 2619, EXCEPT PART IN PLAN 26594.**



LEGEND
ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF
ALL DIMENSIONS AND AREA ARE SUBJECT TO FINAL SURVEY
DL DENOTES DISTRICT LOT
REM DENOTES REMAINDER
PL DENOTES PLOTS
PH DENOTES PLOT AREA
--- DENOTES SETBACK LINE
--- DENOTES SETBACK MARGINS

No.	DATE	REVISION
1	2015/12/22	ADD ALR SETBACKS & NOTATION
2	2016/01/18	ADD TEST PITS
3	2016/05/10	ADD PROPOSED PARK
4	2016/05/24	ADD LOT DEP THE
5	2016/06/20	REMOVED PARK, ADDED NESTS
6	2016/06/22	ADDED SETBACKS, MODIFIED LOT LAYOUT
7	2016/07/11	MODIFIED PROPOSAL TO 3 LOT DESIGN

SIMS ASSOCIATES
LANG SIMS ASSOCIATES LTD.
223 FERDINAND RD #1
GALICIAN BEACH, B.C. V8E 1S4
PHONE: 250-753-8131
FAX: 250-753-8241
P.E. NUMBER: 15-750-S
DRAWING NUMBER: 15-238 P7.DWG
DATE: 2016/07/11

Resource: Heron Nest Assessment Report prepared by Steve Toth R.Bio, and dated August 17, 2016.



RDN REPORT		
CAO APPROVAL		<i>[Signature]</i>
EAP		
COW		
SEP 01 2016		
RHD		
BOARD		
EASC	DATE:	September 1, 2016

STAFF REPORT

TO: Jeremy Holm
Manager, Current Planning

MEETING: EASC – September 13, 2016

FROM: Kristy Marks
Planner

FILE: PL2016-121

**SUBJECT: Development Variance Permit Application No. PL2016-121
Lot B, District Lot 72, Nanoose District, Plan 27286
1959 Seahaven Road – Electoral Area ‘E’**

RECOMMENDATIONS

1. That the Board approve Development Variance Permit No. PL2016-121 to vary the maximum permitted height and the setback from the sea to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.
2. That the Board direct staff to complete the required notification.

PURPOSE

To consider an application for a development variance permit to increase the maximum permitted height from 8.0 metres to 8.9 metres and to reduce the setback from the natural boundary of the sea from 15.0 metres to 11.7 metres to permit the construction of a dwelling unit on the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Fern Road Consulting Ltd. on behalf of Shirley and Thomas Brown to permit the construction of a dwelling unit. The subject property is approximately 0.14 ha in area and is zoned Residential 1, Subdivision District ‘N’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” (Bylaw No. 500). The property is located on the north side of Seahaven Road and is surrounded by North West Bay to the north, developed residential parcels to the east and west and Seahaven Road and an undeveloped residential parcel to south (see Attachment 1 – Subject Property Map).

The property contains an existing dwelling unit, a garage, and an accessory studio/storage building and is serviced with community water and an on-site septic disposal system.

Proposed Development and Variance

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

- **Section 3.4.61 – Maximum Number and Size of Buildings and Structures** to increase the maximum dwelling unit height from 8.0 metres to 8.9 metres for the proposed dwelling unit.
- **Section 3.3.9 Setbacks – Sea** in Electoral Area ‘E’ to reduce the minimum setback from the natural boundary of the sea from 15.0 metres to 11.7 metres for the proposed dwelling unit.

ALTERNATIVES

1. To approve Development Variance Permit No. PL2016-121 subject to the conditions outlined in Attachments 2 to 4.
2. To deny Development Variance Permit No. PL2016-121.

LAND USE IMPLICATIONS

Development Implications

The applicant is proposing to construct a dwelling unit on the subject property with variances to height and the setback from the sea. The location of the proposed dwelling is shown on Attachment 3 and building elevations are shown on Attachment 4.

The applicant has provided a Geotechnical Hazards Assessment prepared by Lewkowich Engineering Associates Ltd. dated August 23, 2016. The report concludes that the property is safe and suitable for the intended use and that the proposed development will not result in a detrimental impact on the subject property or adjoining properties. To address climate change and sea level rise the engineer recommends a minimum flood construction level (FCL) of 4.58 metres Geodetic Survey of Canada. To meet the recommended FCL approximately 1.0 metre of fill must be brought in, resulting in the proposed dwelling unit being over height.

Bylaw No. 500 requires a minimum 15.0 metre setback from the natural boundary of the sea; the applicant is requesting a variance to reduce this setback to 11.7 metres. The engineer notes that the proposed encroachment into the 15.0 metre setback does not pose a geotechnical risk to the proposed residence. In addition, “Regional District of Nanaimo Floodplain Management Bylaw No. 1469, 2006” typically requires a 15.0 metre setback from the natural boundary of the sea but permits structures to be located up to 8.0 metres from the natural boundary of the sea where the sea frontage is protected from erosion by a natural bedrock formation or by works designed by a professional engineer. The engineer confirms that the existing cast-in-place concrete retaining wall is in good condition, appears to be constructed in accordance with good construction practices and provides protection to the shoreline, particularly in light of sea level rise. Staff recommend that the applicant be required to register the Geotechnical Hazards Assessment as a Section 219 covenant on title including a save harmless clause that releases the Regional District of Nanaimo from all losses and damages as a result of the potential hazard.

Board Policy B1.5 for evaluation of development variance permit applications requires that there is an adequate demonstration of an acceptable land use justification prior to the Board’s consideration. In this case the applicant has provided the following justification for the requested variance:

- The height variance is required for the proposed dwelling unit to meet the minimum FCL recommended in the Geotechnical Hazards Assessment;
- The proposed dwelling unit would meet the maximum permitted height if they were not required to meet the FCL;
- The proposed dwelling unit has been designed to complement the adjacent properties and will not obstruct views for adjacent properties;
- The dwelling unit has been sited to retain as many existing trees on the property as possible;
- The Geotechnical Hazards Assessment confirms that the proposed encroachment into the 15.0 metre setback does not pose a geotechnical risk to the proposed dwelling unit;
- The applicant has provided eight (8) letters of support for the proposed development and requested variances from adjacent property owners;

Given that the applicant has provided sufficient rationale and the variances will not result in negative view implications for adjacent properties, the applicant has made reasonable efforts to address Policy B1.5 guidelines.

FINANCIAL IMPLICATIONS

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

STRATEGIC PLAN IMPLICATIONS

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

INTER-GOVERNMENTAL IMPLICATIONS

Provincial records indicated the presence of an archaeological site protected under the *Heritage Conservation Act* within the subject property. The property owners have obtained an Alteration Permit issued by the Ministry of Forests, Lands, and Natural Resource Operations (FLNRO) and dated July 12, 2016. First Nations that may have an interest in the archaeological site have been made aware of the proposed development through the Ministry's permit approval process and staff have forwarded this application to the Snaw-Naw-As (Nanoose) First Nation for their information.

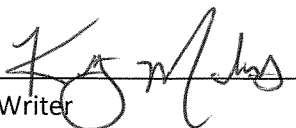
PUBLIC CONSULTATION IMPLICATIONS

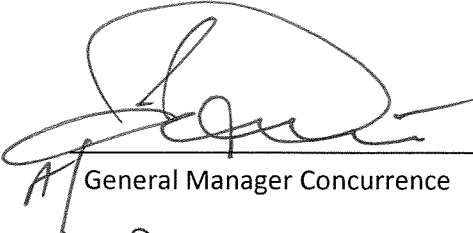
Pending the Electoral Area Services Committee's recommendation and pursuant to the *Local Government Act* and the "Regional District of Nanaimo Development Approvals and Notification Procedures Bylaw No. 1432, 2005", property owners and tenants of parcels located within a 50.0 metre radius of the subject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

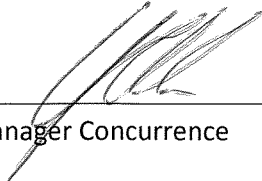
SUMMARY/CONCLUSIONS

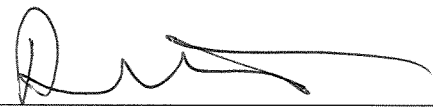
This is an application to allow the construction of a dwelling unit on the subject property with variances to height and setbacks requirements of "Regional District of Nanaimo Land Use and Subdivision Bylaw No.

500, 1987". Given that the applicant has provided a geotechnical hazards assessment that confirms that the site is considered safe and suitable for the proposed development and no negative impacts are anticipated as a result of the proposed variances, staff recommends that the Board approve the development variance permit pending the outcome of public notification and subject to the terms and conditions outlined in Attachment 2.

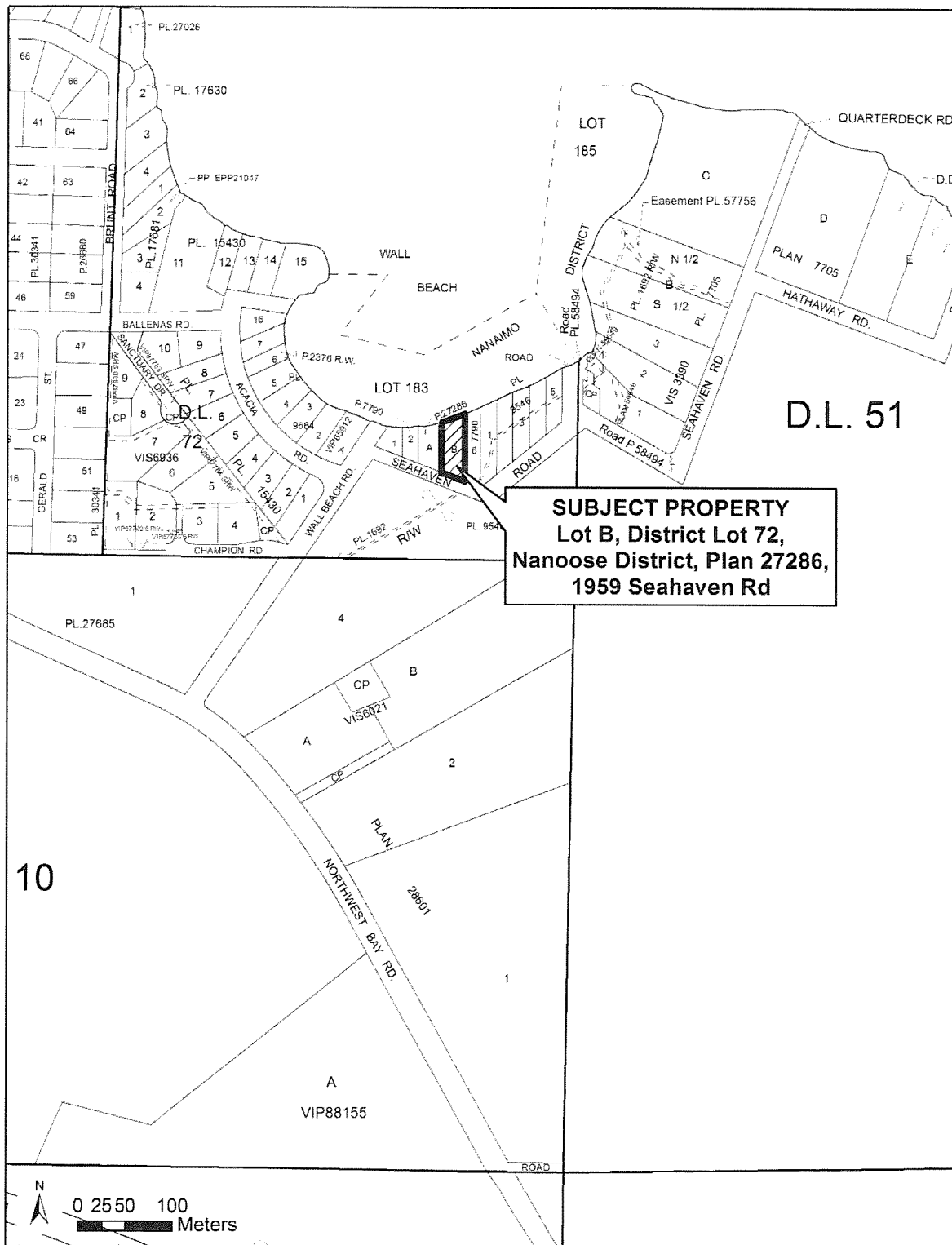

Report Writer


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 Variance Permit No. PL2016-121:

Bylaw No. 500, 1987 Variances:

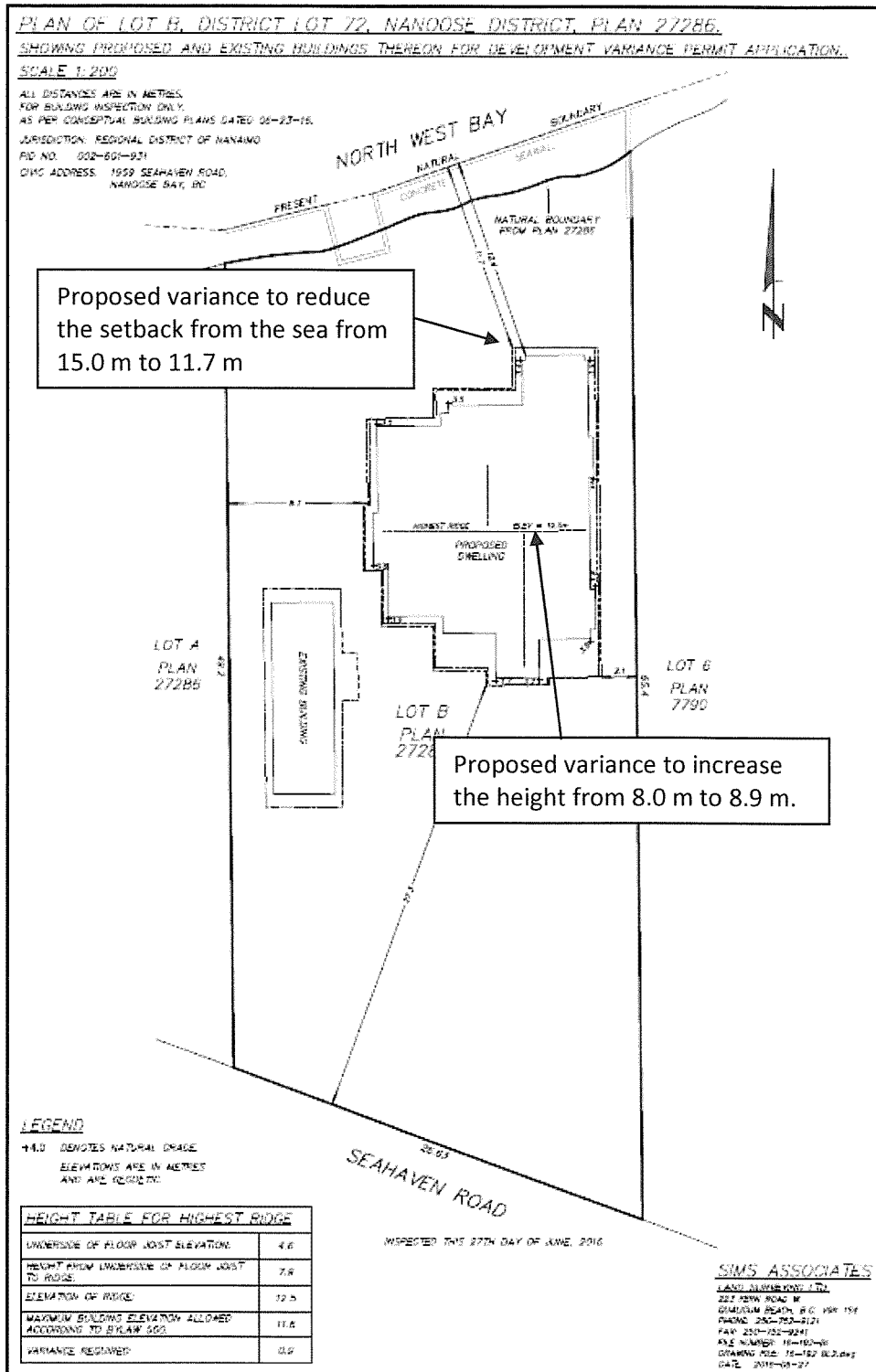
With respect to the lands, "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" is varied as follows:

1. **Section 3.4.61 – Maximum Number and Size of Buildings and Structures** to increase the maximum dwelling unit height from 8.0 metres to 8.9 metres for the proposed dwelling unit.
2. **Section 3.3.9 Setbacks – Sea** in Electoral Area 'E' to reduce the minimum setback from the natural boundary of the sea from 15.0 metres to 11.7 metres for the proposed dwelling unit.

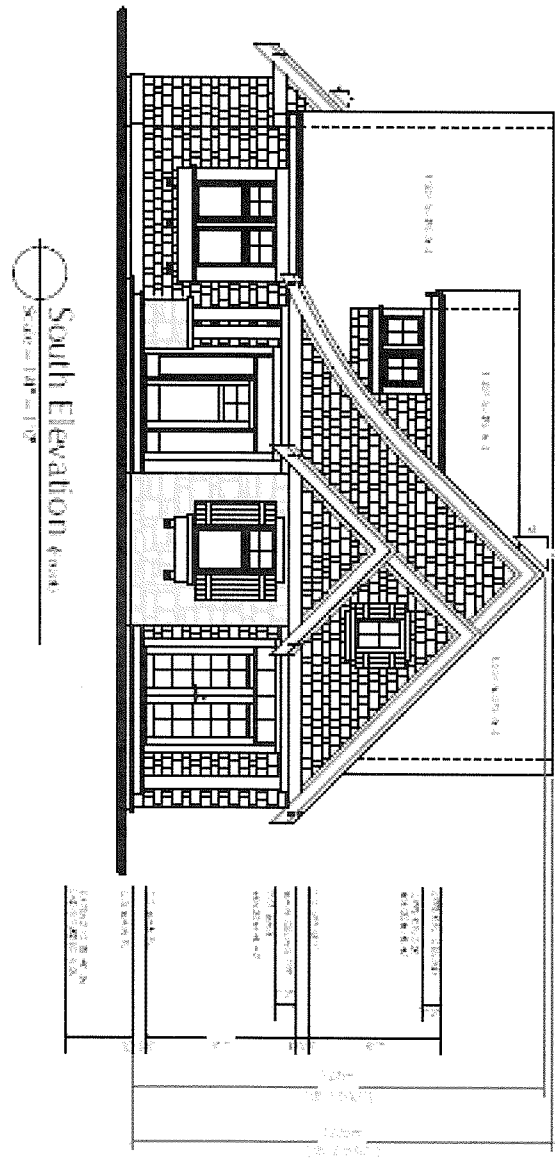
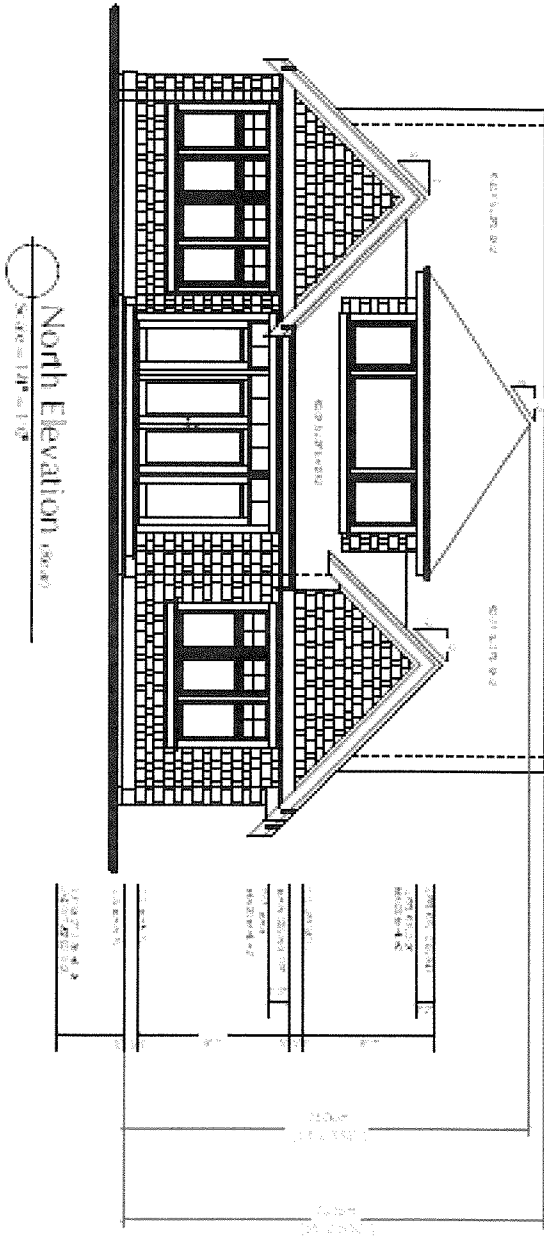
Conditions of Approval:

1. The site is developed in accordance with the Site Survey Plan prepared by Sims Associates Land Surveying Ltd., dated June 27, 2016 and attached as Attachment 3.
2. The proposed development is in general compliance with the plans and elevations prepared by C.A. Design, dated June 23, 2016 and attached as Attachment 4.
3. The subject property shall be developed in accordance with the recommendations contained in the Geotechnical Hazards Assessment prepared by Lewkowich Engineering Associates Ltd., dated August 23, 2016.
4. Staff shall withhold the issuance of this Permit until the applicant, at the applicant's expense, registers a Section 219 covenant on the property title containing the Geotechnical Hazards Assessment prepared by Lewkowich Engineering Associates Ltd. dated August 23, 2016, and includes a save harmless clause that releases the Regional District of Nanaimo from all losses and damages as a result of the potential hazard.
5. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo building regulations.

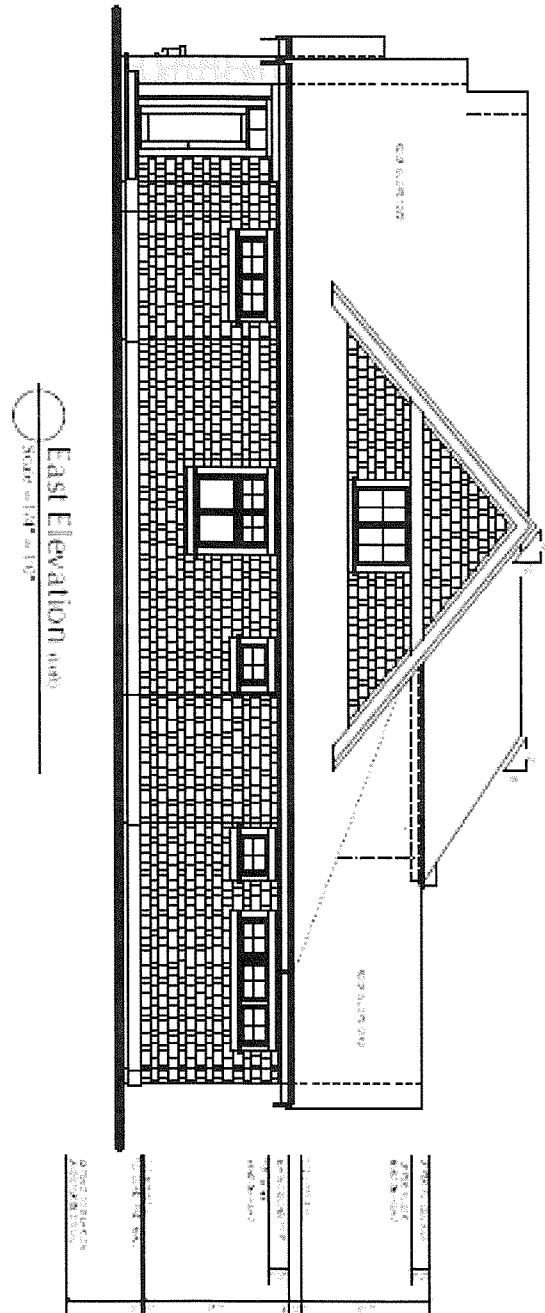
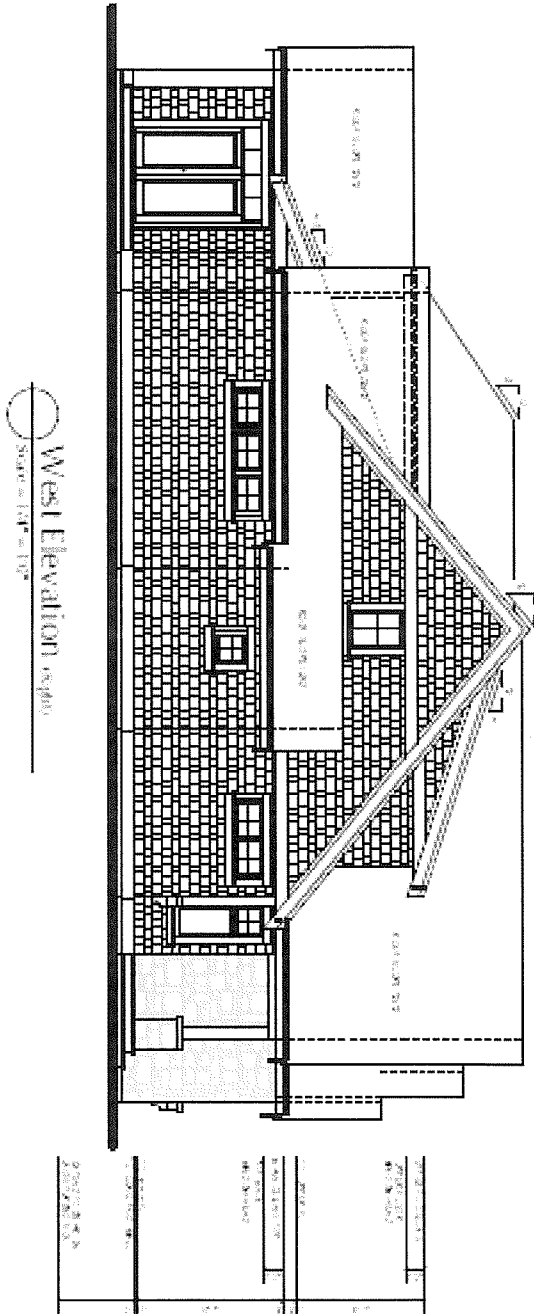
**Attachment 3
 Proposed Site Plan and Variances**

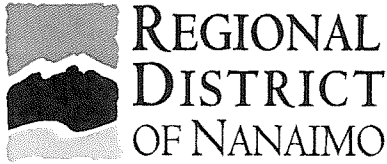


**Attachment 4
Building Elevations
(Page 1 of 2)**



Attachment 4
Building Elevations
(Page 2 of 2)





RDN REPORT		
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STAFF REPORT

TO: Jeremy Holm
Manager, Current Planning

DATE: August 30, 2016

FROM: Jamai Schile
Planner

MEETING: EASC – September 13, 2016

FILE: PL2016-041

SUBJECT: Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2016-041
Lot 7, Sections 9 and 10, Range 4, Mountain District, Plan 36191
2800 Benson View Road – Electoral Area ‘C’

RECOMMENDATION

That the Board approve the requested relaxation of the minimum 10% perimeter frontage requirement for the proposed Lot B, in relation to Subdivision Application No. PL2016-041.

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 (RDN) has received an application from Doug Holme of J. E. Anderson & Associates, on behalf of the the property owner, Allan Pennington, to relax the minimum 10% perimeter frontage requirement in relation to a proposed two lot subdivision. The subject property is approximately 2.0 hectares in area and is zoned Rural 1 (RU1), Subdivision District ‘F’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, (see Attachment 1 – Subject Property Map).

The parcel is bound by Benson View Road to the south and is surrounded by residential parcels zoned Rural 1 (RU1), (see Attachment 1 – Subject Property Map). The property contains two existing dwelling units and an accessory building, which are serviced by both on-site water and wastewater.

Proposed Development

The applicant proposes to create two lots with an area of 1.0 hectare each. Due to the configuration of the proposed lots, the applicant requires a frontage relaxation to accommodate the subdivision of the land as proposed, (see Attachments 2 and 3 - Proposed Plan of Subdivision and Proposed Frontage).

Minimum 10% Perimeter Frontage Requirement

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

Lot	Proposed Lot Perimeter	Required Frontage (10%)	Total Proposed Frontage	Approximate % of Perimeter
Lot B	587.17 m	58.71 m	53.15 m	9.05%

ALTERNATIVES

1. To approve the request for relaxation of the minimum 10% perimeter frontage requirement for proposed Lot B 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 requested relaxation for proposed Lot B, the lot configuration as proposed will meet minimum parcel size requirements and provide adequate site area to support the permitted uses on both proposed parcels. There is currently adequate driveway access to the separate dwellings, which would be retained as part of any future subdivision approval, (see Attachment 2-Proposed Plan of Subdivision). Given this information, no negative development implications are anticipated.

FINANCIAL IMPLICATIONS

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

STRATEGIC PLAN IMPLICATIONS

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

INTER-GOVERNMENTAL IMPLICATIONS

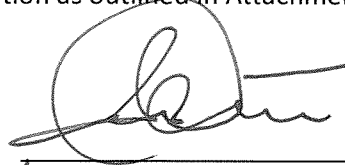
Ministry of Transportation and Infrastructure staff have indicated that they have no concerns with the proposed frontage relaxation, and the subdivision proposal has been given Preliminary Layout Approval by the Ministry.

SUMMARY/CONCLUSIONS

The applicant has requested the relaxation of the minimum 10% perimeter frontage requirement for proposed Lot B within the subject property. Both parcels will meet the minimal parcel size requirements and provide adequate site area to support the permitted land uses. As presented, the proposed frontage relaxation is not anticipated to have any negative land use or public safety implications. Thus, staff recommend approval of the proposed frontage relaxation as outlined in Attachments 2 to 3.



Report Writer



A/ General Manager Concurrence

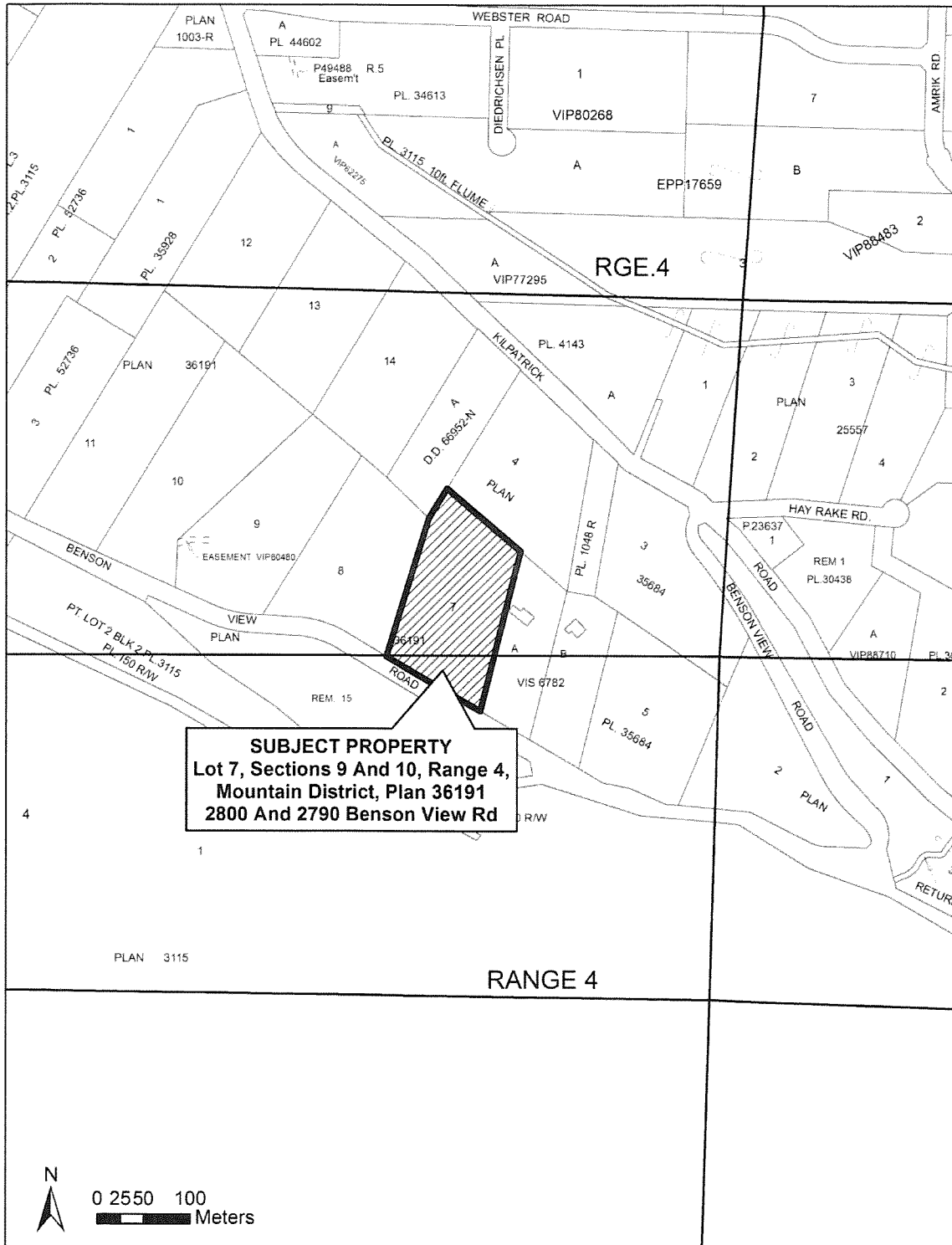


Manager Concurrence



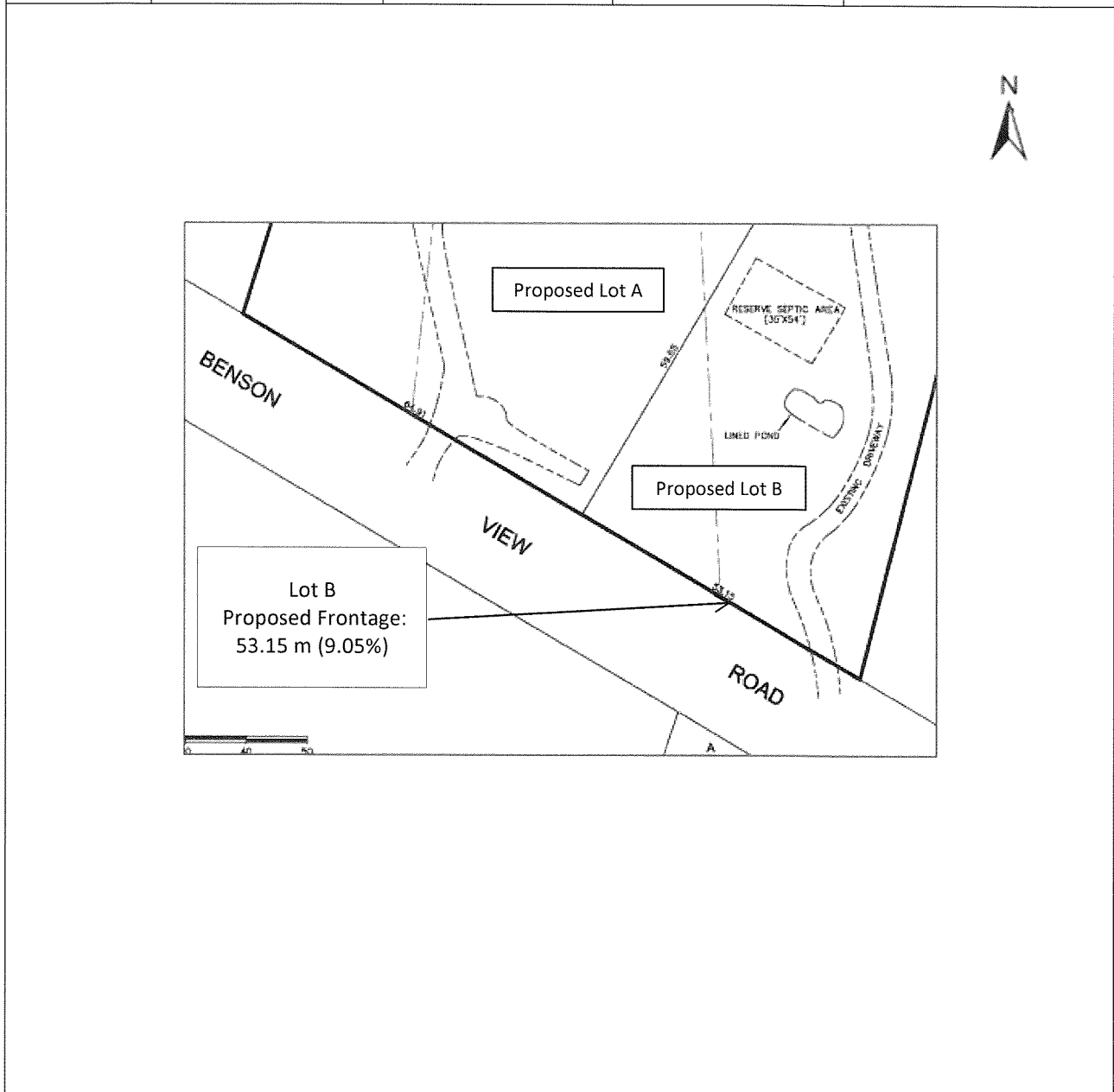
CAO Concurrence

Attachment 1
Subject Property Map



**Attachment 3
 Proposed Frontage**

Proposed Remainder of Lot 178, Nanoose District				
Lot	Proposed Lot Perimeter	Required Frontage (10%)	Proposed Frontage	Approximate % of Perimeter
Lot B	587.17 m	58.71 m	53.15 m	9.05%





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STAFF REPORT

TO: Paul Thompson
 Manager, Long Range Planning

DATE: September 2, 2016

FROM: Courtney Simpson
 Senior Planner

MEETING: EASC - September 13, 2016

FILE: 6480 00 EAH

SUBJECT: Electoral Area 'H' Official Community Plan Review

RECOMMENDATION

That the Board receive the report on the Electoral Area 'H' Official Community Plan Review for information.

PURPOSE

To present a summary of the public input received on the Electoral Area 'H' Official Community Plan (OCP) Review project in the "Initiate" and "Explore Issues" phases, prior to drafting a revised OCP.

BACKGROUND

An OCP describes a long-term vision for the future of a community and a course of action to achieve it. The course of action is described in objectives and policies to guide land use, servicing, and physical, social and economic changes in the community over the long term. An OCP has legal status which requires that all development and use of land be consistent with the policies of the Plan. Implementation of the OCP occurs through land use zoning and other development-related tools.

The first two phases of community engagement on the OCP Update for Electoral Area 'H' are complete with the exception of a workshop on planning for the Deep Bay area scheduled for September 17, 2016 and a developer's forum in October. Engagement and outreach events both live and online occurred between January and July, 2016. The "Community Engagement Summary" provided as Attachment 1 to this report summarizes the events and input received and outlines possible changes to the OCP based on the community and stakeholder input. The next phase of community engagement will occur when draft changes to the OCP are available in October.

ALTERNATIVES

1. Receive this report for information.
2. Provide alternate direction.

FINANCIAL IMPLICATIONS

The budget for this project is \$127,000 with the majority of expenditures occurring in the 2016 calendar year. The Long Range Planning budget is contributing \$67,000, and an additional \$60,000 has been allocated from the Community Works Fund for background studies. One full-time staff equivalent and mapping resources will be assigned to the project through to completion.

STRATEGIC PLAN IMPLICATIONS

Since the Terms of Reference for this project were endorsed, the RDN Board has adopted the 2016-2020 Strategic Plan. Development of OCP's is one of the ways in which the RDN achieves its vision as stated in the 2016-2020 Strategic Plan. The objectives and policies in an OCP address all five of the Strategic Plan's strategic priorities: focus on governance, focus on service and organizational excellence, focus on relationships, focus on economic health, and focus on the environment.

PUBLIC CONSULTATION IMPLICATIONS

Public consultation for this project follows the Engagement Plan endorsed by the Board on November 24, 2015, with the exception of three live events that were added: an Open House in conjunction with the Bowser Parents Advisory Council in May, a Deep Bay Workshop in September, and a Developers Forum in October. As a result, consultation on the draft will begin in October or November instead of September.

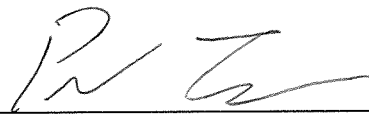
Two additional public consultation processes are occurring alongside the OCP Review as part of additional studies described in the Terms of Reference: the Active Transportation Plan and the Agricultural Land Reserve (ALR) Boundary Analysis. Initial consultation on the Active Transportation Plan is complete and the next step is an Open House on the draft plan in October. The ALR Boundary Analysis project is beginning targeted consultation with property owners.

SUMMARY/CONCLUSIONS

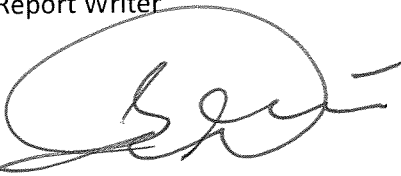
The first phase of community engagement on the OCP Update for Electoral Area 'H' is complete with the exception of a workshop on planning for the Deep Bay area scheduled for September 17, 2016. A summary of the community input and possible changes to the OCP is provided as Attachment 1. The next phase of community engagement will begin in October or November after draft changes to the OCP are available.



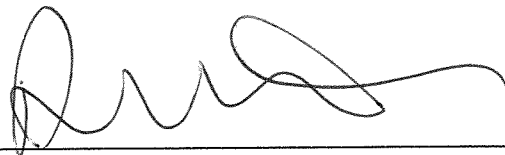
Report Writer



Manager Concurrence



General Manager Concurrence

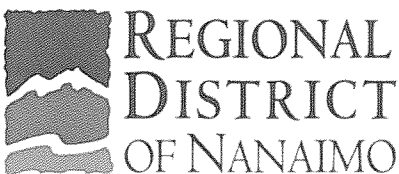


CAO Concurrence

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Electoral Area H Official Community Plan Review Community Engagement Summary

September 2, 2016



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Executive Summary

The Regional District of Nanaimo is updating the Electoral Area 'H' Official Community Plan. In Phase 1 the project was initiated with an online survey asking community members to describe what has changed and what has stayed the same in their community since the last OCP Review, and what is the most important issue for the community right now. First Nations and stakeholders were contacted to inform them of the review and ask how they would like to be involved. A community meeting was held with discussion groups on 5 key topic areas identified through the survey.

In Phase 2 a Community Working Group of approximately 30 volunteers met 6 times to further explore six key topic areas to narrow down the nature of changes needed to the OCP. As well, a project website, email subscriber list, and outreach activities at local events aimed to spread the word about the project and invite input via email, letter, and meeting with the lead planner at the Bowser site office on Tuesday mornings. There were two open houses, with the second open house in June presenting a summary of input received so far, and proposing direction for drafting changes to the OCP for community review.

Input in Phase 1 and 2 has been summarized into ten broad statements on direction for the OCP. These statements were presented to the community for review at the June 22 Open House and on the project website. Some specific requests for changes were also received and these are listed later in the report.

Topic	What the community said
The Development Strategy	1. Encourage growth in village centres and keep rural lands rural but consider some development outside Village Centres in key locations and that meet specific conditions
Natural and Cultural Assets	2. Maintain a healthy environment and protect cultural history 3. Support recreation and tourism that has a low impact on the environment and takes advantage of the area's natural assets
Economy and Services	4. Grow the local economy and create local jobs 5. Attract more services to the area, particularly health services like a doctor and pharmacy
Affordable and Diverse Housing	6. Create affordable and diverse housing but maintain the rural, single family neighbourhoods we moved here for
Climate Change and Hazards	7. Provide education about climate change 8. Improve wildfire preparedness and adapt to future sea level rise 9. Reduce greenhouse gas emissions
Transportation	10. Improve local and regional transportation

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Introduction

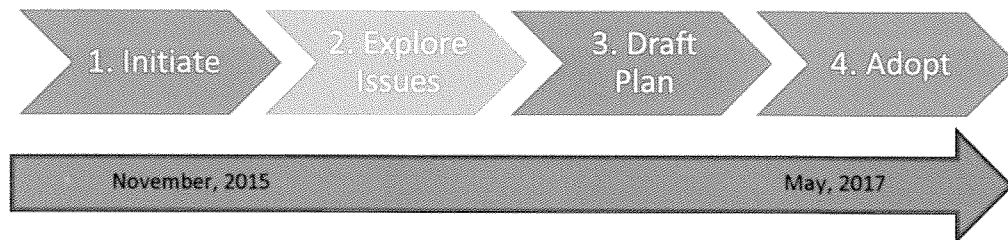
Overview

The Regional District of Nanaimo (RDN) is updating the Electoral Area 'H' Official Community Plan. An OCP describes a long-term vision for the future of a community and a course of actions to achieve it. The course of actions is described in objectives and policies to guide land use, servicing, and physical, social and economic changes in the community over the long term. An OCP has legal status which requires that all development and use of land be consistent with the policies of the Plan. Implementing the vision of the OCP occurs through zoning and other detailed development-related tools.

Process

The project terms of reference was endorsed by the RDN Board in November 2015 and public consultation began in January 2016 with a community survey. The first community meeting was held on February 3, 2016 where participants were asked how they would like their community to grow and develop into the future. The input received in the survey and the first community meeting shaped the topic areas to be covered in the next phase.

The project is now nearing the completion of Phase 2 "Explore Issues" which so far included 6 Community Working Group meetings on specific topics and two general open houses, one of which was co-promoted with the Bowser Parent Advisory Council and was aimed at attracting the younger adults and families with young children.



Engagement Events and Outreach

The approach to community engagement for this project involves information sharing, online consultation, live events, outreach, and establishment of a Working Group.

Outreach and Promotion:

- Newspaper ads - in Eyes on BC (January) and Parksville Qualicum News (June)
- Project website launched (January)
- Postcard mailed to all addresses who haven't opted out of junk mail (January)
- News Release resulting in article in Parksville Qualicum News and The Beach 88.5 (January)
- Mention in Director Veenhof's monthly report in Eyes on BC (January – June)
- Social media - approximately 20 posts on Facebook and Twitter
- Community Planning office in Bowser opened with weekly half-day office hours (February – present)
- Presence at community events – tables at Lighthouse Country Business Association (March) Second Sunday Market (April) and Magnolia Court Summer Market (June)
- Email subscriber list created with 60 subscribers as of the time of writing of this report

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- First Nations invited to participate in the project
- Relevant local, provincial and federal agencies invited to participate in the project

Engagement Events and Online Consultation

From January to July, 2016 community members were invited to complete an online survey, attend the kick-off community meeting and two open houses, and register for the Working Group. Throughout this period the project website was kept up to date with meeting posters, agendas, minutes, Working Group pre-reading materials, reports on input received, and survey results. Presentations and posters at meetings are on the website so that anyone who could not attend can view them. There is an online comment form on the website, so comments can be sent at any time.

Table 1 List of Engagement Events and Online Consultation

Phase 1 <i>Initiate</i>	<ul style="list-style-type: none">• Survey (January 14 – February 10)• Community Meeting (February 3)
Phase 2 <i>Explore Issues</i>	<ul style="list-style-type: none">• Working Group Meeting #1 – Natural Environment (March 1)• Working Group Meeting #2 – A Community of All Ages (March 15)• Working Group Meeting #3 – Growth & Development (April 19)• Open House with Bowser PAC (May 3)• Working Group Meeting #4 – Growth & Development (May 26)• Working Group Meeting #5 – Deep Bay (June 7)• Open House – Confirmation of Direction (June 22)• Active Transportation Plan Open House (June 22)• Working Group Meeting #6 – Review of Open House (July 5)• Website updated and email comments invited throughout

Community Survey

Between January 14 and February 10, 2016 an online survey was live and advertised to community members in Electoral Area 'H'. The purpose of the survey was to gain an understanding of how the community has changed and how it has stayed the same over the past 12 years since the current OCP was adopted, to gain a preliminary understanding of what the community values about the area, and to learn how people would like to be engaged and informed about the project as it moves forward. There were 205 survey responses.

Next Steps:

Input from the survey was used to design the topic areas for the Community Meeting that followed, and to inform the methods of outreach and advertising as well as format of future engagement events.

Community Meeting

A Community Meeting was held on February 3, 2016 from 6:30 – 9:00 pm at the Lighthouse Community Hall. Approximately 160 people attended. After introductions and a presentation on the project, participants divided into five separate groups for facilitated discussions on the following topics:

- Growth and development
- A community of all ages

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- Streets and movement
- Natural environment
- Anything else

On each of these topics, discussion was around the following questions:

- How do you want your community to grow into the future?
- What do you want to see?
- What is needed?
- What are the challenges to getting where we want to go?

Next Steps:

Input received was used to design the topics and pre-reading materials for the Community Working Group meetings. Responses to an evaluation form were used to inform the design of future engagement events.

Open House with Bowser Parents Advisory Council

An Open House was held on Tuesday, May 3 at the Lighthouse Community Hall from 5:00 pm – 7:30 pm with a hot dog BBQ and children’s activities. The target audience was parents of children at Bowser Elementary School, anyone else with young children who would have an easier time attending an event with childcare and dinner. It was advertised as a Facebook Event, on posters around the area, and a flier went home with every student at Bowser Elementary School. Approximately 40 adults and 12 children attended.

There were a series of posters with information about the project, and the following topics: Streets and Movement, Environment and Climate Change, and Growth and Development. For each topic there was a blank poster beside for comments to be added via sticky note, and with prompting questions. Three Working Group members volunteered to engage in conversation with participants to encourage and prompt them to provide input via sticky notes.

Next Steps:

Comments were compared with comments already received on these topics as well as Working Group discussion so far to identify where the views of this demographic may differ from those already heard, or where new issues were raised. This analysis informed discussion at the Working Group, and the information at the June 22 Open House.

Community Working Group Meetings

A request for volunteers for the Community Working Group was advertised in January and February, 2016. The purpose of the Working Group is to confirm and prioritize local issues, and act as an information source for both the community as a whole and for RDN planning staff.

There is no selection process, so all who volunteer are welcomed with a request that they commit to attending most if not all meetings. The door is open to the public who wish to drop in to just one meeting on a topic of interest, but they may be asked to observe rather than participate. As of the first meeting 30 people had registered for the Working Group. As the project progressed 10 additional people asked to join and were welcomed to the group, and were offered an orientation session from the planner to get them up to speed.

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Five meetings were held on the following topic areas, with a sixth meeting after the June 22 Open House to review feedback from that event and plan for the format of Working Group meetings in the next phase of the project.

- Natural environment (March 1)
- A community of all ages (March 15)
- Growth and Development (April 19 and May 26)
- Deep Bay (June 7)

The format of Working Group meetings was varied with some using the break-out group and report back format, and others as more of a “townhall” format with a facilitated discussion. A record of each meeting was drafted and approved as final by the members at the following meeting, and are posted to the project website.

Next Steps:

Input from each of the Working Group meetings informed subsequent meetings, and informed the content of the June 22 Open House.

Open House – Confirmation of Direction

An Open House was held on Wednesday, June 22 at the Bowser Legion from 3:30 pm – 7:30 pm and was attended by approximately 80-100 people. The Open House was also the “kick off” consultation event for the Active Transportation Plan being developed concurrent with the OCP.

There were six presentation boards on the following topic areas that summarized what the community had said so far on each topic, and how OCP updates could address the issues raised:

- Economy & Services
- Climate Change & Hazards
- Development Strategy
- Natural & Cultural Assets
- Affordable & Diverse Housing

For each topic there was a blank poster for comments on sticky notes in the following categories:

Thumbs Up:

- I agree with... because...
- I support... because...
- ...is especially important because

Thumbs Down:

- I disagree with _____ because...
- _____ is missing and should be here too.

I want to know more about”...

Next Steps:

The direction proposed for updating the OCP that was presented at this meeting and the comments received will lead directly into a first draft of the OCP.

Participants

Each live event included a sign in sheet and / or a count of the number of people present, and the February 3 Community Meeting and June 22 Open House had a map for people to put a sticker on where they live. The survey asked for respondents’ neighbourhood, age and length of time living in the area.

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Neighbourhood

From the survey, approximately 30% of respondents are property owners at Horne Lake and the rest are from the other neighbourhoods in Electoral Area 'H', with the second highest response rate from Bowser at 22%. Figure 1 shows the neighbourhood distribution of respondents. The Working Group has representation from Deep Bay, Bowser, Qualicum Bay and Horne Lake, but a relatively high representation from Deep Bay, and no members from Dunsmuir, Spider Lake, or Corcan-Fowler areas.

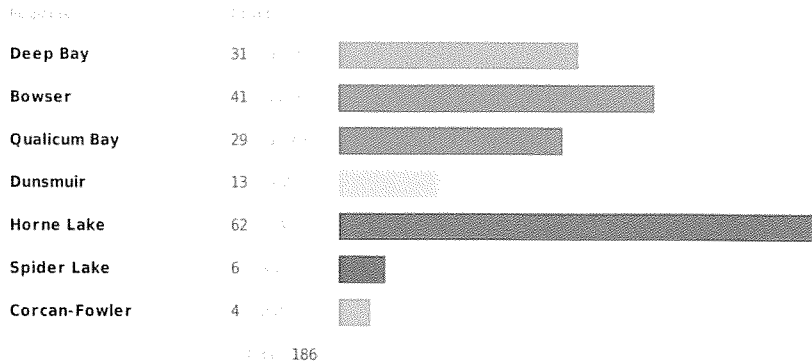
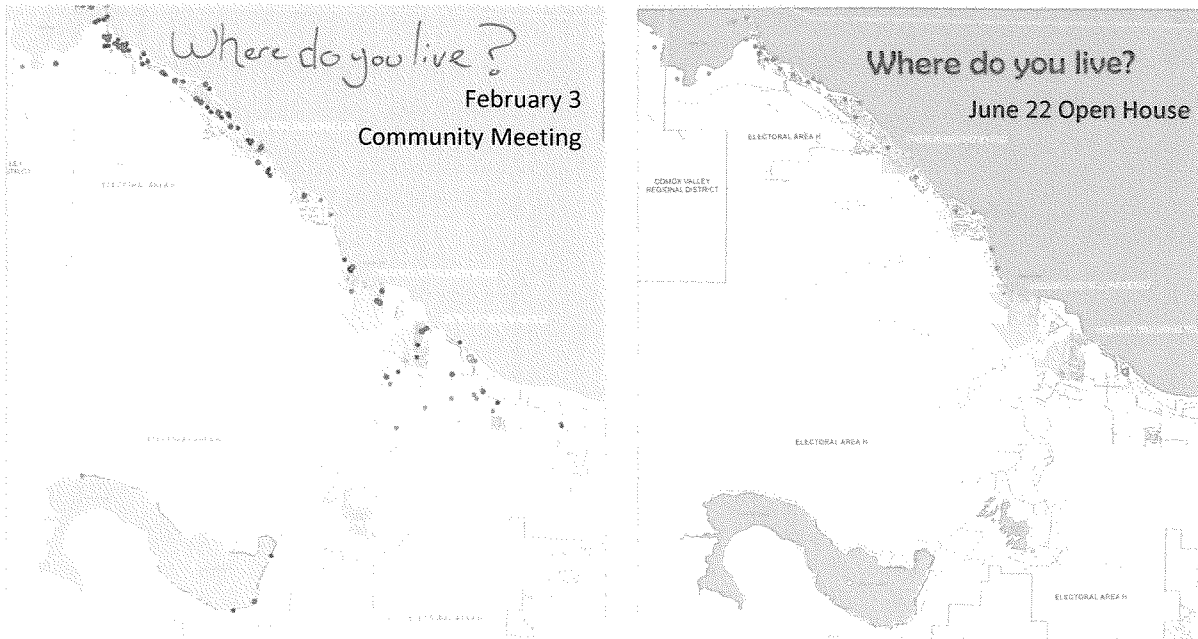


Figure 1 Survey Respondents' Neighbourhood

The open house maps where attendees were asked to put a sticker shows a relatively wide geographic distribution on February 3, but on June 22 there were no stickers from anyone living south of the Qualicum Bay. Not everyone who attended added a sticker, but this response is consistent with observations that there appears to be much greater interest from those living in Bowser and Deep Bay than those further south and east. There is high interest from Horne Lake, but on a narrow set of topics related to their area.

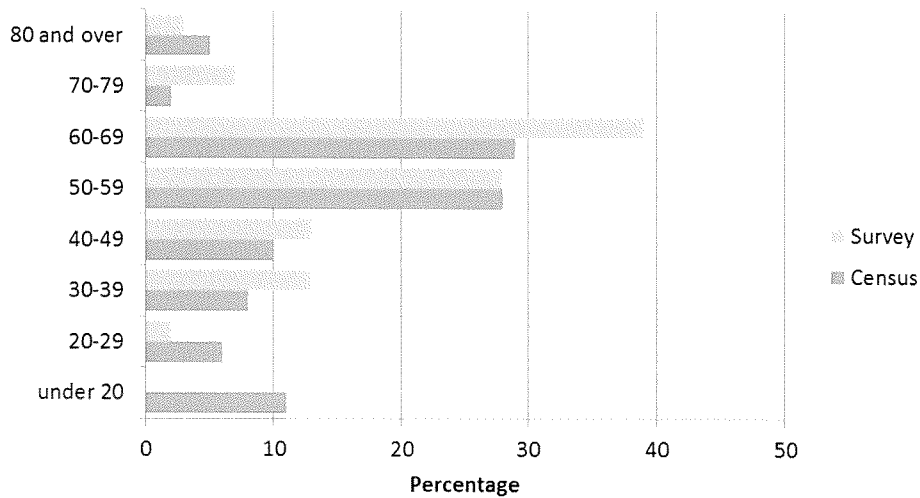


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Age

Figure 2 shows the percentage of survey respondents in each age category compared to the percentage of the population in that age category based on the 2011 census. The 60-69 age category represents the highest percentage of the population by decade, and the highest response rate of the survey. Although the survey had a relatively low response rate from those between the ages of 30 and 50, it was slightly higher than the percentage of the population. The lowest response rate compared to population is from people under 30. In summary, the age profile of survey respondents is similar to the age profile of the population, with notably few responses from those under the age of 30, and higher representations of survey responses from those between 60 and 80 years old. Participants were not asked for their age at any live events.

Figure 2 Age by % of survey respondents and 2011 census¹



Number

The online and live events had good participation numbers from the community. The table below shows these numbers. Reports on live events are available on the project website as are copies of email and letter correspondence received.

Preliminary Input Survey	205 responses
Community Meeting (February 3)	160 attendees (approximate)
Open House (June 22)	90 attendees (approximate)
Active Transportation Plan Survey	116 responses
Email and letter submissions (January – August)	50 email/letters (approximate)
Total number of visits to Bowser Office Hours	64 visits
Number of individuals to Bowser Office Hours	38 people

¹ The age categories for the survey and census are slightly different so this is an approximation

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What the Community Said

The following core ideas are summarized from the feedback received from January to June, 2016. These ideas were presented to the community on posters with additional information at the June 22 Open House.

Topic	What the community said
The Development Strategy	1. Encourage growth in village centres and keep rural lands rural but consider some development outside Village Centres in key locations and that meet specific conditions
Natural and Cultural Assets	2. Maintain a healthy environment and protect cultural history 3. Support recreation and tourism that has a low impact on the environment and takes advantage of the area's natural assets
Economy and Services	4. Grow the local economy and create local jobs 5. Attract more services to the area, particularly health services like a doctor and pharmacy
Affordable and Diverse Housing	6. Create affordable and diverse housing but maintain the rural, single family neighbourhoods we moved here for
Climate Change and Hazards	7. Provide education about climate change 8. Improve wildfire preparedness and adapt to future sea level rise 9. Reduce greenhouse gas emissions
Transportation	10. Improve local and regional transportation

Overall the feedback at the June 22 Open House confirmed that the list captured the essence of community comments well, and covered all the main topics that were raised.

Each topic and the feedback received is described in further detail in the sections following.

The Development Strategy

Input at all stages of the project so far is that the community would like to see Bowser Village Centre grow and provide more services. Some disappointment or frustration is expressed at the

slow growth of Bowser, particularly from those who were involved with the Bowser Village Plan completed 5 years ago. Directing growth to Village Centres is a guiding principle of the current OCP. It is a way for development to be more sustainable through more efficient servicing, supporting viable economic centres, and encouraging different forms of housing type than are found in surrounding rural areas.

THE COMMUNITY SAID...

Encourage growth in Village Centres and keep rural lands rural
BUT
Consider some development outside of Village Centres in key locations and that meet specific conditions

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Input mentions a number of areas outside designated Village Centres where there may be an opportunity for growth that could be of benefit to the community and should be explored. The challenge will be weighing the benefit of allowing growth in other areas with the potential cost of taking away from future development in the current Village Centres, particularly Bowser.

Area	Reason for potential growth or change of use
Deep Bay:	<p>During the creation of the Bowser Village Centre Plan the need for a vision and plan for Deep Bay was identified. Opportunities to develop a service and tourism node related to the harbour and aquaculture industry need to be further explored, as does interest in allowing additional residential development on the large, undeveloped properties owned by Baynes Sound Investments and the Cooke Family.</p> <p><i>A workshop is scheduled for September 17, 2016 to further engage the community on changes to the OCP for Deep Bay.</i></p>
Horne Lake Cabins:	<p>The community of lakefront properties around Horne Lake is designated as “Recreation Lands” in the current OCP and only seasonal use is allowed. Some owners would like the OCP to allow full time occupancy. With 400 lots this would be a significant new node in Area ‘H’ if full-time use was permitted.</p>
Horne Lake / Spider Lake Services:	<p>The OCP currently supports residential, recreation, and resource uses in this area. Some residents would like to see retail or other services, and believe that being close to the Inland Island Highway an opportunity to locate service-related development, thus growing the economy and providing jobs.</p>
Agricultural Land Reserve:	<p>Some owners of land in the Agricultural Land Reserve (ALR) would like their properties removed in order to subdivide. The RDN is doing a preliminary analysis of ALR lands as part of this OCP Review, which will be completed in the Fall of 2016.</p>

Although it is clear there is interest in these changes from a number of people, there is not clear direction on exactly what would be supported, and a number of comments have been made opposing some or all of these ideas. The most commonly expressed comment against additional development outside Village Centres is that the focus should be on growing Bowser as the commercial centre before

trying to create more development elsewhere.

Where do we go from here?

- ⇒ **Draft policy options** to support limited development in identified locations outside Village Centres
- ⇒ **Seek further input** on the type of development and conditions under which it would be supported—*Nothing is decided yet*

More detailed options and conditions under which changes could be implemented are needed on which to engage further with community members.

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Natural and Cultural Assets

Aquifers, forests, shorelines, streams, oceans, forests, eagles and herons are all mentioned as natural assets to be protected. Proliferation of sea walls, dumping on the beach, derelict vessels, and seaweed harvest are mentioned as issues that need to be addressed. Some of these topics and issues are already addressed in the OCP, but can be strengthened.

THE COMMUNITY SAID...

Maintain a healthy environment and protect cultural history

Support recreation and tourism that has a low impact on the environment and takes advantage of the area's natural assets

are already addressed in the OCP, but can be strengthened.

There are a number of comments about better acknowledgement for First Nations archaeological sites in the OCP, and improving their protection wherever possible. Staff is working with the Qualicum First Nation on drafting updates related to First Nations archaeology in the area. Archaeological sites are protected under the *Heritage Conservation Act* which is administered by the BC Archaeology Branch and not by local governments, but strong content in an OCP can assist in their protection.

- Where do we go from here?
- ⇒ Draft policy to **improve protection** of shoreline ecosystems, forests, eagle and heron nests
 - ⇒ Draft policy to better acknowledge the **significant First Nations archaeological sites** in the area, and support their protection
 - ⇒ Draft policy to support **alternative rural subdivision**, with conditions and criteria for community review

The concept of alternative rural subdivision has raised a significant volume of discussion at the Community Working Group with mixed views. Some support the idea and see a benefit to the region when subdivisions can be

designed with protection of green space or sensitive ecosystems. Others have concerns related to the long-term protection of the remainder lot from development, strata subdivision, and that smaller lot sizes will be inappropriate for a rural area. The draft OCP could include policies to support alternative rural subdivision with conditions and criteria aimed at addressing community concerns.

Topic	OCP updates
Aquifers	Update information – the RDN Drinking Water and Watershed Protection Program actively seeks to improve our understanding of significant recharge areas and capacity of the aquifers
Shorelines	Protection of natural coastline ecosystems and processes can be strengthened Future sea level rise and increasing frequency and intensity of storms due to climate change needs to be taken into consideration
Forests	Look at ways to strengthen policies on protection of forest lands Consider how the OCP can encourage a working forest landscape Improved attention to wildfire prevention and preparedness
Eagle and heron nests	OCP should include current mapped nests Can improve policies for protecting these sites

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<p>Alternative subdivision design</p>	<p>The Regional Growth Strategy (RGS) supports alternative subdivision design on lands designated Rural Residential in the (RGS). The premise is that there would be no increase in the total number of lots, but that there would be flexibility for lots to vary in lot size, and requiring that the remainder area provide greenspace or protect an environmentally sensitive feature in perpetuity. Providing this flexibility in subdivision design is considered a more sustainable form of development and is a best practice around the world.</p> <p>The OCP could include policies that apply at the time of rezoning similar to the policies contained in the Bowser Village Plan. Policies could apply to lands located in Rural Village Centres and to lands located outside of Rural Village Centres where alternative subdivision design is supported by the RGS.</p>
<p>First Nations Archaeological Sites</p>	<p>There are significant sites throughout this area such as a village site at Deep Bay including a system of constructed fish trap lagoons. The OCP can better recognize that Area H is within the traditional territory of Coast Salish First Nations, and that there are significant archaeological sites that need to be protected.</p>
<p>Relationships with First Nations</p>	<p>The Qualicum First Nation reserve is between the Village Centres of Qualicum Bay and Dunsmuir, and the OCP could better acknowledge opportunities for the Qualicum First Nation and the surrounding community of Area ‘H’ to work together on the growth and development of the area.</p>

Economy and Services

Input about the economy includes a desire for more local jobs particularly to keep young families in the area, growing the tourism sector, and supporting local businesses. Input from a small number of people was that this is a community of retirees so more jobs are not needed.

THE COMMUNITY SAID...

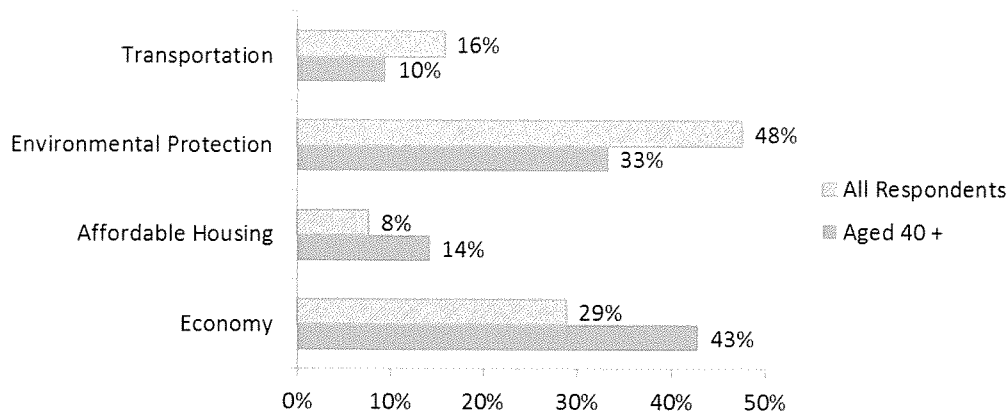
Grow the local economy and create local jobs

Attract more services to the area, particularly health services like a doctor and pharmacy

Survey responses revealed an interesting difference in the view of the importance of the economy between age classes. Respondents were asked to choose which of “economy”, “affordable housing”, “environmental protection” and “transportation” is the most important issue for the community right now. The graph below compares responses to this question from those aged 40 and over and all responses combined. It shows that 43% of respondents aged 40 and over chose “economy” as the most important issues, compared to 29% of respondents overall. In contrast 48% of respondents overall chose “environmental protection” compared to only 33% of respondents aged 40 and over. This shows that on average, the under 40 demographic places the highest importance on the economy for this community, and the over 40 demographic places a higher importance on environmental protection.

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Figure 3 Survey Responses of respondents aged over 40 compared to all respondents to the question asking which is the most important issue for the community right now



A number of comments mention that onerous requirements for development are limiting economic growth and establishment of new services. One specific issue mentioned is that the requirements of development permit areas may be confusing, or too onerous for small projects.

Where do we go from here?

- ⇒ Draft **changes to development permit areas** to reduce requirements where possible, particularly in Village Centres
- ⇒ While continuing community discussion about supporting some areas outside Village Centres for more development, provide good information to help **weigh the costs and benefits to the local economy**

Creation of jobs is not something an OCP can often directly impact, but can have a significant indirect effect. The forestry and aquaculture industries are mentioned as providing well-paying jobs

that keep younger people in the community, and the OCP can include supportive policies. Aquaculture-related industry near the VIU Marine Research Station in Deep Bay has been mentioned as a new land use the OCP could support that would contribute to creating local jobs.

Some younger adults say they telecommute and are looking for supports such as co-working spaces, a business centre, and improved cellular coverage.

Affordable and Diverse Housing

The issue of road access to the leased Crown lots behind Magnolia Court for the future home of the Lighthouse Villa for Seniors is the primary change brought forward by

THE COMMUNITY SAID...

Create affordable and diverse housing

BUT

Maintain the rural, single family neighbourhoods we moved here for

community members on this topic. The neighbouring property owner proposes to build a new road to access the Crown lots and realign the intersection of Crosley Road with Highway 19A in exchange for their property being added to the Bowser Village Centre, Commercial Mixed Use designation. This has the co-benefit of improving the safety at the Crosley Road – Highway 19A intersection. The property is within an area for future expansion of Bowser Village Centre, is 2.7 hectares in size, currently has 2 houses and cannot be subdivided. Adding it to the Bowser Village Centre would allow a range of residential and commercial uses and potential subdivision, and a specific proposal would be presented

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Where do we go from here?

- ⇒ Look at ways to further encourage construction of a **variety of housing types** in Village Centres
- ⇒ Draft changes to OCP for road access to the future **Lighthouse Villa for Seniors**
- ⇒ Maintain **rural neighbourhoods** outside village centres—carefully weigh exceptions

to the community with a rezoning application. This has the support of the Community Working Group, and no comments in opposition have yet been received.

Comments indicated some people would like to see a variety of housing options close to services such as smaller lots with more green space, and low income family housing. Many comments were made in support of the large lot rural pattern of development, and that more compact development should be kept in Village Centres.

Climate Change and Hazards

Adaptation to the effects of climate change such as sea level rise, increasing frequency and severity of storms, and increased risk of wildfire were mentioned in the consultation by a few people. Also mentioned was the need to educate the community on these issues.

THE COMMUNITY SAID...

- Provide education about climate change
- Improve wildfire preparedness and adapt to future sea level rise
- Reduce our greenhouse gas emissions

Wildfire preparedness has been raised consistently as a concern for the area, both within and outside of the context of climate change, and specifically some residents would like to see the Community Wildfire Protection Plans updated.

Where do we go from here?

- ⇒ Strengthen policies on **climate change** mitigation and adaptation
- ⇒ **Map** low lying areas that will be impacted by sea level rise
- ⇒ **Engage** with community on **active transportation** and draft the plan
- ⇒ Draft policy to advocate for **updated Community Wildfire Protection Plans**

Wildfire preparedness has been raised consistently as a concern for the area, both within and outside of the context of climate change, and specifically some residents would like to see the Community Wildfire Protection Plans updated.

Streets and Movement

Many comments have been made about the need to improve road safety for walking and cycling, which are being addressed through an Active Transportation Plan developed concurrently to this OCP. Aside from active transportation, the following issues have been raised by numerous people and the draft OCP will include policies to address them.

- Daily transit service is desired, and there is a desire for a bus to Courtenay
- Parking improvements needed for Deep Bay
- Second access to Deep Bay is needed
- Improved highway signage approaching the Horne Lake exit from the south is needed.

More Information

Detailed summaries of input as well as raw comments are included in separate reports for the survey, community meeting, and two open houses. Detailed summaries of each of the Working Group meetings are included in meeting record documents of each meeting. These documents were created shortly after each event and added to the project website for transparency of the process and free exchange of information.

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OCP Updates to Address Input

To address the input received, the following table lists OCP updates that will be drafted. In addition to updates based on community input, the table includes updates identified by RDN staff aimed at clarifying, improving, or changing content to address interpretation issues with the OCP since it was adopted. The table also includes and notes requests received from First Nations and agencies. Early referrals were sent to First Nations and agencies in early 2016 and a few responses were received with specific requests for the OCP.

A number of comments were received about improving walking and cycling in the area, through both trail connections and shoulder improvements on Highway 19A. These comments are being considered as part of the Active Transportation Plan process being conducted as part of this OCP Review.

	Issue/concern	Possible change for updated OCP	Requesting Agency or First Nation
Development Strategy	<i>Encourage growth in Village Centres and keep rural lands rural but consider some development outside of Village Centres in key locations and that meet specific conditions</i>	<p>Draft policy options to support limited development in the following locations outside Village Centres:</p> <ul style="list-style-type: none"> • Deep Bay • Horne Lake Strata • Horne Lake / Spider Lake area for service • Areas of the Agricultural Land Reserve <p>With the exception of possible changes made in the areas listed above, maintain the current policies that encourage growth in Village Centres and limit growth on rural lands</p> <p>Add content describing unique characteristics of different neighbourhoods in Area H</p> <p>Enable the use of temporary use permits</p> <p>Improve mapping of hazard lands DPA with new contour data</p> <p>Policy to support alternative forms of subdivision, with conditions and criteria for community review</p>	
Natural and Cultural Assets	<i>Maintain a healthy environment and protect cultural history</i>	<p>Policies to improve protection of shoreline ecosystems, forests, eagle and heron nests</p> <p>Policy to better acknowledge significant First Nations archaeological sites in the area and support their protection, and support identification of Bowser Lagoons as an archaeological site</p> <p>Conduct Archaeological Overview Assessment for inclusion in OCP – funding dependent</p> <p>Policy to support alternative forms of subdivision, with conditions and criteria for community review</p> <p>Update OCP with current aquifer data and Coastal Douglas Fir Land Use Order area</p> <p>Update Forestry section to support a working landscape ie Woodlots</p>	Qualicum First Nation

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		Review the mapped 1000 m from the foreshore area identified as “environmentally sensitive” for its purpose and implications
	<i>Support recreation and tourism that has a low impact on the environment and takes advantage of the area’s natural assets</i>	Review RDN Parks and Trails Plan (2005-2015) and Community Parks and Trails Strategy (2013) to make any relevant updates to OCP Add policy to support conversion of railway to a trail should the railway cease to exist Add policy to support maintaining natural state and low impact use of Spider Lake
Economy and Services	<i>Grow the economy and create local jobs</i>	Draft changes to development permit areas to reduce requirements where possible, particularly in Village Centres Strengthen policies to support the aquaculture industry Add policies to support limited light industrial uses outside of village centres
Affordable and Diverse Housing	<i>Create affordable and diverse housing but maintain the rural, single family neighbourhoods we moved here for</i>	Draft changes to OCP for road access to the future Lighthouse Villa for Seniors Maintain rural neighbourhoods outside Village Centres – carefully weigh exceptions
Climate Change and Hazards	<i>Provide education about climate change</i>	Add advocacy policies to support education about climate change
	<i>Improve wildfire preparedness and adapt to future sea level rise</i>	Add policies on climate change mitigation and adaptation Map low lying areas that will be impacted by sea level rise Policy to advocate for updated Community Wildfire Protection Plans
	<i>Reduce our greenhouse gas emissions</i>	Engage with the community on active transportation and create an Active Transportation Plan Add support for renewable energy generation
Administrative	<i>Bowser Village Plan</i>	Review Bowser Village Plan for policies that are specific to Bowser but could apply to all of Area H, and draft additions to the OCP
	<i>Required content of OCP’s</i>	Review <i>Local Government Act</i> for required content to OCPs and update as necessary

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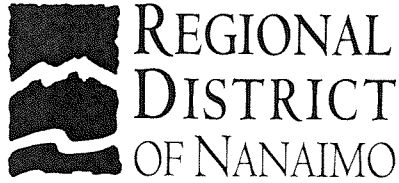
Specific requests	<i>850, 860, 870 Spider Lake Road</i>	Designation should be changed from Resource to Rural as it was excluded from the ALR since the current OCP was adopted.	
	<i>DPA 4 – Environmentally Sensitive Features</i>	Change exemption 11 to add exemption for Rural lands	
	<i>Development Permit Areas</i>	Revise throughout for clarity and functionality. Consultation with RDN staff currently underway	
	<i>Broadband Internet</i>	Policy to support broadband Internet in the Spider Lake area	
	<i>Cemetery</i>	Policy to enable establishment of a cemetery	
	<i>First Nations lands</i>	Add section to support First Nations future treaty settlement lands or future reserve areas	
	<i>VIU Marine Station</i>	Re-designate in OCP to reflect current use	
	<i>Siting of cell towers</i>	Policy regarding siting and community consultation	
	<i>Second road accesses</i>	Policy to support second road accesses as alternates to Gainsburg and Jamieson Roads	
	<i>Bowser Ecological Reserve</i>	Acknowledge this area in OCP and that public access should not be increased due to issues with invasive species and illegal dumping	BC Parks
	<i>Horne Lake Caves Provincial Park</i>	Policy to support having the road through the park become a public road instead of part of the park	BC Parks
	<i>Thames Creek Viewpoint</i>	The Crown lot that is PID 006 882 854 beside Highway 19A just south of Thames Creek was donated by the Elizabeth Thames as a view point and beach access. Add policy to support signage and naming after Elizabeth Thames, and addition to the RDN Parks system	
	<i>Vegetation on BC Hydro Right of way</i>	Advocacy policy to encourage BC Hydro to control invasive species and fire hazard on their right-of-way	

Next Steps

The feedback received so far and summarized in this report will be used to create a first draft of a revised OCP. Other updates will be made to the OCP to include new maps and other background information, as well as technical updates to improve clarity or “housekeeping” changes that have been noted over the years to correct small errors or omissions.

The Community Working Group will meet several times in the fall of 2016 to review the draft in detail, and re-drafts will be made. Drafts will be available on the project website for anyone to review, and comments can be made via email and mail, and in person at Bowser Office Hours on Tuesdays.

Staff will reach out to stakeholders asking for their review of the draft, such as but not limited to fire departments and improvements districts, First Nations, and the community of builders and developers.



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STAFF REPORT

TO: Dennis Trudeau
Interim Chief Administrative Officer

DATE: August 31, 2016

FROM: Tom Osborne
General Manager Recreation and Parks Services

MEETING: EASC – Sept. 13, 2016

SUBJECT: Amendment to Electoral Area ‘B’ Community Parks Bylaw No. 799

RECOMMENDATIONS:

1. That the Board rescind third reading of “Electoral Area ‘B’ Community Parks Local Service Amendment Bylaw No. 799.09, 2016”.
2. That “Electoral Area ‘B’ Community Parks Local Service Amendment Bylaw No. 799.09, 2016” be amended as follows:
 - by adding the words “and public water access sites” after the word “trails” throughout the bylaw;
 - by deleting the words “and sidewalks secured by permit, licence or lease from the Province of British Columbia” from the preamble of the bylaw; and
 - by deleting the words “and sidewalks” and “that are secured by way of permit, licence or lease from the Province of British Columbia Ministry responsible for public roads in Electoral Areas” from Section 1 of the bylaw.
3. That the Board give third reading as amended to “Electoral Area ‘B’ Community Parks Local Service Amendment Bylaw No. 799.09, 2016” and forward the bylaw to the Inspector of Municipalities for approval.

PURPOSE:

To amend the Electoral Area ‘B’ Community Parks Bylaw to include the construction and maintenance of paths, trails and public water access within Electoral Area ‘B’. The amended bylaw does not include the provision of undertaking services related to sidewalks as regional districts currently do not have the authority to regulate sidewalks.

BACKGROUND:

Regional District staff and the Director of Electoral Area ‘B’ have been working with the Ministry of Transportation and Infrastructure (MoTI) on the design and development of the Village Way Trail on Gabriola Island since 2013. Through this process it was determined that the Regional District should

amend the Electoral Area 'B' Community Parks Bylaw to include the construction and maintenance of paths, trails and sidewalks secured by permit, licence or lease from the Province of British Columbia.

The intent was once the bylaw was approved and final design of the Village Trail was agreed to by both parties, the Regional District would then apply for a permit from MoTI.

On March 22, 2016 Bylaw No. 700.09 attached as *Appendix I* was introduced and read three times. The Bylaw was then sent to Ministry of Community, Sport and Cultural Development for review and approval.

On August 22, 2016 received a response from the Ministry on the request to amend the bylaw and provided the following statement:

"The Ministry is not prepared to approve the bylaw because regional districts currently do not have the authority to regulate sidewalks. The authority to regulate sidewalks remains with MOTI, and will remain with them until MOTI is willing to grant authority to regulate sidewalks to regional districts (through regulation and agreement or otherwise).

The example of the CRD/Salt Spring Island sidewalks is not a similar comparison to the Nanaimo Regional District's situation. That bylaw was for a transit service and in practice the 'sidewalks' are limited to bus stops.

Also, the CRD bylaw is an older example, having been approved in 2007. Our current legal counsel reaffirms that regional districts do not have the authority to regulate sidewalks, and RDN's bylaw cannot be approved."

Given that the Province is not in a position to approve Regional District infrastructure works that are in the form of a sidewalk, it is proposed that the word "sidewalk" be removed from the bylaw. RDN staff now propose to have the bylaw focus on services the RDN does undertake, the construction and maintenance of paths, trails and public water access sites within Electoral 'B'. This change would not only reflect agreements in place or contemplated with MoTI, but also with other land owners including private residents, land trusts, crown lands, and private forest companies.

With these changes in place, RDN staff will continue discussions with MoTI in relation to completion of the Village Way Trail. Any elements that look to be in the form to be a raised sidewalk will need to be reconsidered and alternative path and trail plans developed.

At the UBCM in September, meetings have been arranged with the Minister of Transportation and Infrastructure and the Minister of Community, Sport and Cultural Development to discuss this matter. It is anticipated that attending Board Directors will continue discussions with the Province the importance for regional districts to have the necessary abilities and agreements to ensure active transportation infrastructure can be developed and maintained in rural communities.

ALTERNATIVES:

1. That the Board rescind third reading of "Electoral Area 'B' Community Parks Local Service Amendment Bylaw No. 799.09, 2016", the bylaw be amended to include public water access sites, remove sidewalks secured by permit, licence or Lease from the Province of British Columbia, third reading be given and send the bylaw to the Inspector of Municipalities for approval.
2. That alternative direction be provided in regard to amendments to "Electoral Area 'B' Community Parks Local Service Amendment Bylaw No. 799.09, 2016

FINANCIAL IMPLICATIONS:

If approved, this bylaw amendment would formally allow the Regional District to secure funds through the Electoral Area 'B' Community Parks to construct and maintain paths, trails and public water access sites within the Electoral Area. The bylaw then could be used as template to amend the Regional District's seven other Electoral Area Community Park bylaws.

Though this bylaw amendment has been developed in order to advance the Village Way Trail project on Gabriola Island, financial costs will be brought forward for individual projects when the Regional Board is considering non-motorized transportation infrastructure projects that require obtaining a land use agreements

The financial implications for Village Way Trail will be brought forward to the Regional Board in a separate staff report once the final design is agreed to by MoTI.

STRATEGIC PLAN IMPLICATIONS:

Once approved, the Regional District can continue to work with MoTI in the development of provincial road ways to develop infrastructure for non-motorized use. Completed projects will benefit the region by reducing green-house gas emissions, encouraging active recreation including walking and cycling.

SUMMARY/CONCLUSIONS:

Regional District staff and the Director of Electoral Area 'B' have been working with MoTI on the design and development of the Village Way Trail on Gabriola Island since 2013. Through this process it was determined that the Regional District should amend the Electoral Area 'B' Community Parks Bylaw to include the construction and maintenance of paths, trails and sidewalks secured by permit, licence or lease from the Province of British Columbia.

On March 22, 2016 Bylaw No. 700.09 attached as *Appendix I* was introduced and read three times. The Bylaw was then sent to Ministry of Community, Sport and Cultural Development for review and approval.

On August 22, 2016 received a response from the Ministry that the bylaw was not approved given that regional districts do not have the authority to regulate sidewalks.

Staff now propose to have the bylaw focus on services the RDN does undertake, the construction and maintenance of paths, trails and public water access sites within Electoral 'B'. This change would not only reflect agreements in place or contemplated with MoTI, but also with other land owners including private residents, land trusts, crown lands, and private forest companies.

With these changes in place, the RDN staff will continue discussion with MoTI in relation to completion of the Village Way Trail. Any elements that look to be in the form to be a raised sidewalk will need to be reconsidered and alternative path and trail plans developed.



Report Writer



C.A.O. Concurrence

Appendix I

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 799.09

A BYLAW TO AMEND ELECTORAL AREA 'B' COMMUNITY PARKS LOCAL SERVICE

ESTABLISHMENT BYLAW NO. 799, 1990

WHEREAS the Regional District deems it necessary to amend the purpose for which the Community Parks service was established to include the construction and maintenance of paths, trails and sidewalks secured by permit, licence or lease from the Province of British Columbia;

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

1. Amendment

Electoral Area 'B' Community Parks Local Service Establishment Bylaw No. 799, 1990 is amended by deleting Section 1 in its entirety and replacing it with the following:

"1. Community Parks is established as a service for the purpose of acquiring, developing, operating and maintaining land and facilities on land acquired by the Regional District of Nanaimo and designated as community park land; to construct and maintain paths, trails and sidewalks within Electoral Area 'B' that are secured by way of permit, licence or lease from the Province of British Columbia Ministry responsible for public roads in Electoral Areas; and to provide assistance for the operations and improvement of buildings owned and operated by incorporated non-profit organizations for the purpose of providing recreation and cultural opportunities to residents within Electoral Area 'B'."

2. Citation

This bylaw may be cited as "Electoral Area 'B' Community Parks Local Service Amendment Bylaw No. 799.09, 2016".

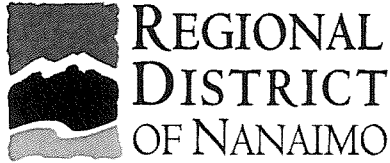
Introduced and read three times this 22nd day of March, 2016.

Received the approval of the Inspector of Municipalities this day of

Adopted this day of .

CHAIRPERSON

CORPORATE OFFICER



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STAFF REPORT

TO: Tom Osborne
General Manager of Recreation & Parks

DATE: September 8, 2016

MEETING: Recreation Commissions, RPTSC, EASC, POSACs

FROM: Wendy Marshall
Manager of Park Services

FILE:

SUBJECT: Monthly Update of Community Parks and Regional Parks and Trails Projects- June, July and August 2016

RECOMMENDATION

That the Parks Update Report for June, July and August 2016 be received as information.

Regional and Community Parks and Trails

During the summer staff have been involved with the following projects and issues.

Electoral Area Community Parks

Area A

Staff prepared revised construction cost estimates and design options for the Cedar Plaza Kiosks which were presented and discussed at the June 15 PRCC Meeting. A Development Variance permit application was submitted to RDN Planning and to the Province with approval received on July 28. Final engineer drawings were submitted for a building permit application on August 17 (with approval anticipated in September), and three construction bids from contractors were received on August 31. A contract will be awarded in early September and construction will be completed by December 31, 2016.

Staff provided parks comments regarding a Development Permit with variance application which involves a foreshore revetment in the unconstructed road right of way beside 1954 Shasta Road. Under condition of the approved permit there is a specific condition that “the applicant will construct a safe and appropriate public beach access along the portion of the revetment in the unconstructed road right-of-way...” The intention is that the new steps will be an enhancement to the existing steep steps.

Survey work was completed and staff retained a structural engineer to prepare drawings and costing information for the proposed public access stairs at the Driftwood Rd water access.

Staff provided parks comments to Planning regarding a subdivision application on Shasta Rd in terms of potential trail / pedestrian circulation between Shasta Rd, Headland Rd and Pace Rd. Staff coordinated invasive plant removal and watering with contractors for a replanted section of the Morden Colliery Regional Trail at the Cedar Plaza.

A picnic table was installed at the Cedar Skatepark with funds donated by the Cedar Skatepark Committee.

At Nelson Road boat launch, improvements were done over the summer months, including a new toilet surround, safety line painting and brushing.

At Ivor Way Community Park, over a dozen large hazard trees were taken down, and an arborists report has been completed for the site. The report includes recommendations for both a monitoring program, and for some additional trees to be taken down in the fall or winter.

Area B

Staff reviewed the Gabriola Island Local Trust Committee referral request regarding the draft rezoning Bylaw Nos. 289 and 290 and prepared a Staff report to the Electoral Area 'B' Parks and Open Space committee identifying how the RDN's parks interests are affected by the proposed 136-hectare (336 acre) park land addition to the 707 Community Park as well as the potential additional 19.3 ha (47.7 acre) park land dedication which would result from future subdivision of the rezoned lands.

Staff submitted a grant application to Canada 150 Infrastructure Program for improvements to the Huxley Park tennis and sport courts. Grants will be awarded in October 2016.

A \$7,000 grant from the Nanaimo Foundation Community Fund for Canada's 150th for the Huxley Park playground installation project was awarded.

Parks received a request to install baby change tables in both the male and female washrooms at Rollo McClay Community Park. This has been added to the 2017 parks budget.

Staff provided follow-up correspondence to G. McCollum in regards to the 1520 McCollum Rd. subdivision application requirement to pay the 5% cash-in-lieu of parkland.

Staff received a request to realign the existing trail that connects Fawn Rd to the 707CP's North Rd trail. The existing trail alignment crosses private property.

At Rollo McClay Park, numerous instances of vandalism (graffiti) have required costly painting. Staff are working with the RCMP and the community towards a solution.

A contractor repaired a damaged and failed seal around the overflow pipe of the irrigation pond at Rollo McClay Park.

Following recent survey work staff directed a contractor to begin trail improvements to provide increased access and use of the Whalebone Area trails. Staff met with a trail neighbour regarding trespass issues, and attended to the removal of a large, downed hazard tree, and a large branch at another location. Trail improvements have commenced and are scheduled to be completed in September.

At Huxley Community Park a site visit for assessing a suitable toilet location was carried out, and numerous new park signs were installed at the tennis courts.

Following May's site development work, a toilet was added to the enclosure at Joyce Lockwood Community Park,

Park staff attended a Gabriola Fire meeting, and assisted with Oceans Day preparations.

Staff looked at existing beach access stairs towards replacements options, and provided budget input.

Staff reviewed the Field House facilities at Rollo McClay Park, and identified maintenance requirements and future improvements.

Area C – Extension

Staff met with a park contractor to discuss amendments to park maintenance at Extension Miners Park; a plan was prepared for a bench installation.

A new culvert and drainage pipes were installed at Extension Miner's Community Park.

Area C – East Wellington / Pleasant Valley

Staff contracted a landscape company to carry out biannual weeding and pruning at Anders and Dorrit's Community Park; a loop trail was mowed in the hay field by the mowing contractor in July.

Staff prepared and submitted a building permit application to RDN Building Inspections for a picnic shelter at Meadow Drive Community Park. The permit was received on July 14. Project construction began in late August and completion is anticipated in fall 2016.

At Meadow Drive Community Park, staff attended to vandalism of the new toilet on several occasions, with physical damage incurred to the roof, door, toilet fixture and dispensers. In addition the cleaning contractor was required for emergency cleanings on 5 occasions within a two week period. Staff repaired the damage and closely monitored the site for several weeks. Signs were temporarily posted notifying the community and stating the area would be under surveillance. Modifications to the building were made to prevent vandals from exiting through a gap in the roof structure, and deadbolts were installed to make the building more secure when and if required.

At Benson Meadows Community Path, reflectors were attached to the boulders for public safety at night, and Park staff conducted trail maintenance.

At Anders and Dorrit's Community Park, brushing was carried out adjacent the parking lot entrance way to improve sight lines for vehicles when entering or leaving the park. The park field was hayed over the summer months.

Staff met with a contractor carrying out restorative work to the river bank on the neighbouring property, and inspected the continuation of the back on the park property. The bank within the park is more secure due to existing tree and vegetation rooting structure.

Area E

Staff worked with GIS Mapping Services on registering two new community parks Oak Leaf Drive and Davenham Road.

Staff coordinated and attended a site meeting at Oakleaf Community Park on June 20th with POSAC members to discuss park development. A subsequent meeting with the Land Governance Manager from Nanoose First Nation occurred in the park to review the proposed plans and seek input. The Phase 1 plans for the park improvements will be occurring over the fall. Phase 2 improvements (fencing and interpretive signage mostly), will be revisited again with the POSAC.

Parks staff received a request for a playground in the Beachcomber area and suggested the request be brought forward to the Area E POSAC, either by letter or as a delegation.

At Stone Lake Drive Community Park staff removed fallen trees from the retention ponds and cleared brush from the fence.

At Brickyard Community Park a new garbage can was installed.

At Park Place Community Park staff graded the trail.

Area F

Planning staff provided input on an amenity contribution and potential park connection to the Coombs to Parksville Rail Trail from the Springhill Road industrial development.

Staff provided ongoing feedback regarding the rezoning application on Springhill Rd. Staff attended the June 27th Public Information Meeting.

Staff walked the proposed Palmer Rd trail alignment with members of the POSAC trail sub-committee to determine project feasibility. Staff has received quotes for survey work and spoken with the Ministry of Transportation and Infrastructure as well as owner of the adjacent wood lot to determine future development plans for this portion of undeveloped road.

Vehicle barriers were installed at the Cranswick Rd trailhead (Matterson Rd end). Advice from a local medi-scooter user was used to ensure that there is universal access to the trail.

A donation of \$1,730 was given to Electoral Area 'F' Community Parks to install a bear-proof garbage can the northern trailhead of the Errington School Community Trail.

Park inspections and routine park maintenance was conducted throughout the area.

At Meadowood Community Park staff removed a vandalized picnic table from the park and dealt with a variety of vandalism issues over the summer. A concrete picnic table purchased by the community was assembled on a new concrete Base installed by contractor and park staff.

Staff also worked with event organizers and the Dashwood Fire Department to help ensure the successful provision of the 6th Annual Lighthouse Bluegrass Festival which was located at Meadowood Community Park this year. Road grading work was conducted.

At Arrowsmith Community Trail, staff completed work on the newly installed trailhead sign.

Area G

In June, Park staff advised Planning staff with regard to a proposed parklands dedication in conjunction with a subdivision application in Area G on Ganske Rd.

In August, Park staff advised Planning staff with regard to a proposed rezoning application of a property near Wembley Mall on the edge of the City of Parksville. No parkland dedication is required. Through an amenity contribution, there is the possibility of trail connections in the area around the development.

At Barclay Bridge, staff trimmed and cleared trail. Staff also met on site with a resident to follow up on a concern about the safety of numerous hazard trees adjacent to their property. The trees are on crown land and are not the responsibility of the RDN to remove. Staff corresponded several times with the Province to clarify the location and jurisdiction of the trees.

At Johnstone Road, staff removed, sanded and refinished a memorial bench.

At Top Bridge two cars were locked in due to them not reading the sign and not leaving the area by 9pm. In the morning when the security company came to open the gate they found that the lock was compromised. A new lock had to be made and installed.

Staff attended to complaints of illegal dumping presumed to be within the park boundary adjacent French Creek.

As per POSAC direction, plans to move forward with design and construction of Phase 1 of the Stanhope Trail are underway. Due to utilities in the corridor, staff prepared a request for proposals and an engineering firm has been retained to do the design work this fall. It is expected that construction of the first phase from Stanhope Road to the Wally's Way cul-de-sac will occur early in 2017. Phase 2 through the trees will happen at a later date.

Parks received suggestions for improvements to the Dashwood Community Park from an area resident and have contacted a playground inspector about the feasibility of using a play structure that was removed from a school ground. Any proposed changes to the park would be presented at a POSAC meeting.

Area H

A Picnic & Play event put on by RDN Recreation was held at Henry Morgan Community Park on July 8th. Approximately 15 adults and children attended.

RDN Parks worked with the BC Wildfire Service to complete a prescribed burn at Oakdown Community Park and the surrounding Crown lands on August 29th. This was a FireSmart Initiative and is a fuel management project.

Staff continued to assist GIS Mapping with the development of maps for non-RDN Crown land trails.

At Henry Morgan Community Park, the trail from Henry Morgan CP to Cordon Road was brushed and cleared of debris.

At Islewood Road Community Park, staff brushed and scrubbed out trail.

At Rose Community Park staff removed bike jumps from the park.

All Beach accesses were maintained. Some benches were refurbished over the summer months. Department of Fisheries and Oceans was contacted with regards getting new shelf awareness signs at the beach accesses.

A temporary portable toilet was delivered to Crane Road for the fishing season.

Park staff installed 2 garbage cans at the Lions Club ball fields and set up payment for collection. They were removed at the end of the ball season. They are currently stored at the Lions Club.

Community Works Projects

Area B

Staff prepared background report on past RDN Parks involvement on MoTI road allowance (development permits and licences for water accesses and undeveloped road allowance), in relation to dealings with the Ministry and the Village Way project.

Area E

Blueback

Further development occurred at Blueback including; a larger parking lot, a cedar toilet surround, change house, and a new trail.

Park Staff met with Arborist regarding hazard tree removal, delivered and spread gravel around toilet enclosure, removed silt fence, installed a bear proof refuse container and installed concrete wheel stops.

Oak Leaf

Park staff expanded the parking lot and installed wheel stops. A trail was roughed in starting at the parking lot leading to an existing trail. Trees and trails were pruned and brushed.

Regional Significant Gas Tax Project

Coombs to Parksville Rail Trail

Construction of the Rail Trail advanced at a good pace over the summer and is nearing the half-way complete mark. Weekly field inspection reports and photos provided by consulting engineer; monthly meetings held with engineer, contractor and sub-consultants. Work on construction and consulting engineer contracts concluded. Obtained revised Station Road crossing permit from MoTI. Continued to work with the City of Parksville concerning their handling of trail development within the City's Springwood Community Park. City staff unable carry out work as expected and main project contractor expected to take on the Springwood section. Met with Coldwater Strata owners to introduce the contractor and review development plans as concerns the SRW at the back of the Strata lots. Met with contractor, engineer and roadmasters from the Southern Vancouver Island Railway and the Alberni Pacific Railway to review safety procedures around the rail. Estimate for two pedestrian rail crossings to be installed by SVI received and materials ordered. Worked with residents, engineers and contractor to resolve a local drainage issue at the junction of rail trail and the private crossing serving the Coombs' property. Worked with the Manna Homeless Society and contractor on seeing some of the non-merchantable project wood delivered to the Society as donated firewood; contracted with firewood processor with work space kindly donated by B. Carpenter of Allsbrook Road. Environmental monitoring

reports received from consulting biologist; all findings good. Media interview and photographs for web site provided to Island Radio. Test surface gravel strips assessed. Liaised with equestrians and cyclists regarding trail use, access points and fixtures such as baffles. Liaised with Coombs business owners concerning the coming need for bike parking. Station crossing location returned to west side of junction further to consultation with Alberni Pacific Railway and adjusted trail path. Safety items examined including lighting at Station and Church crossings and some fencing (cedar split-rail) beside DBL pit and by large culvert installations. Allowances identified to accommodate potential crossing and link to a Springhill Rd community park.

Regional Parks and Trails

Arboretum

Staff Cleared blackberry on the bank and along the fence as well as brushed the trail open. Garbage was removed from site on numerous occasions.

Arrowsmith CPR Regional Trail

Staff liaised with the Conservation Officer and posted a notice on the RDN web site that the trail would be closed for a week to allow time for a stalking cougar to clear the area.

Benson Creek Falls Regional Park

Park staff installed numbered trail markers for emergency locating purposes for Search and Rescue and the Coastal Wildfire Centre.

Park staff also conducted annual bridge maintenance.

Staff reviewed community correspondence, the management plan and various options for improving parking access to Benson Creek Falls Regional Park, based on community input that the Creekside Place parking lot is problematic to the community and should be closed. Staff was directed to prepare a Board Report on the matter by the Regional Parks and Trails Select Committee, which will be reviewed by the Board in September.

Coats Marsh Regional Park

Staff reviewed the *Recovery Strategy for the Little Brown Myotis, Northern Myotis, and Tri-colored Bat in Canada* and provided a staff report regarding how Federal and Provincial Species at Risk legislation impacts bat conservation efforts in regards to RDN park management and development – specifically in terms of the planned demolition of the cabin at CMRP.

Descanso Bay Regional Park

Staff provided Public notice of a campfire ban on June 7th. This ban will remain in effect until advised to lift it by the local fire chief.

The annual Oceans Day event was held on June 5th. Staff provided posters and buttons as well as provided event advertising assistance.

Englishman River Regional Park

Long-time volunteer park warden Marlene Harm retired following the death of her dog and partner Kodiak.

Staff Liaised with Arrowsmith Search and Rescue on their GPS and mapping plans for the park; put them in touch with the GIS Mapping Coordinator.

Staff responded to maintenance issues identified by the Volunteer Park Warden including; garbage issues, ATV trespass, vandalism, graffiti and suspect hazardous trees.

Horne Lake Regional Park

Staff Liaised with the Horne Lake Strata on member efforts to get MoTI to improve Caves Road conditions. RDN Park's long-standing interest in seeing road improvements was restated.

Staff updated the park map and started on updating the kiosk signs at the park.

Horne Lake Regional Trail

Staff prepared briefing notes on the historic regional trail initiative which dates from 2001 and the rezoning of lands around Horne Lake.

Staff provided Public notice of a campfire ban on August 17th as well as a Notice advising of the lifting of the ban on August 30th.

Lighthouse Country Regional Trail

New wheel stops were installed at the Lioness parking lot.

Little Qualicum River Estuary Regional Conservation Area

A representative from the BC Conservation Foundation and the Qualicum Beach Streamkeepers met with Parks staff on site to review the current research and vegetation re-establishment project underway. Additional plantings are planned for this fall and will be monitored for survival with those that went in previously.

Little Qualicum River Regional Park

Staff received an updated proposal for structural engineering services for the replacement of the bridge, and are awaiting a report from a Geotechnical Engineer assessing the conditions of the existing bridge footings.

Park staff cleaned two culverts of beaver debris on a weekly basis over the summer months, to allow for proper water flow and avoid access road damage.

Garbage was constantly being cleaned up and removed during the weekly visits.

Ongoing vandalism and willful disregard of the bridge closure is a common occurrence. Staff spoke with welder to look to solve repeated vandalism to gate and locking pins.

Moorecroft Regional Park

Park staff installed three new picnic tables in the Meadow.

Park staff followed up with Bylaws Services and Animal Control following complaints of unleashed dogs within the park.

Staff met with members of the Nanoose Fire Department and walked the property. The Fire Department gained additional familiarity with the park, and provided parks with suggestions for areas of improvement for firefighting access. Parks supplied the fire department with updated property maps and gate keys.

Staff met with the park caretakers as part of the transition and elimination of the position.

Staff attended the site with an Environmental Consultant to review and update the hazmat reports for the Caretakers house and Kennedy Hall buildings scheduled for demolition.

An Archaeologist was contacted to review the demolition sites for Kennedy Hall, and confirmed that part of the building is located within a mapped archeological area. Evidence of a midden was found under part of Kennedy Hall and an application has been made for a Site Alteration Permit.

Building Permits for the upcoming demolitions have been applied for from the RDN Building Department.

Staff began considering options for toilets and a picnic shelter in the park. Plans to meet with the Area Director and the Nanoose First Nation in September are in motion regarding the concept of a Longhouse and to discuss how all proposed facilities planned for the park will work well together into the future.

Staff have begun to explore the option of formalizing the trail access into Moorecroft from the west side. This will involve a formal agreement with the Strata who own the land adjacent to the park.

Morden Colliery Regional Trail

Staff continued to work with project consultants, the Province and the Agricultural Land Commission on planning and design initiatives related to the bridge and trail development over the Nanaimo River.

Staff removed the bike jumps that were built in the park near the Thatcher Bridges.

Mount Benson Regional Park

Staff cleared woody debris from the logging road trail to allow access for Search and Rescue and maintenance vehicles and a turnaround was created as requested by search and rescue.

Staff investigated a report of unauthorized trail construction within the park; however a site visit confirmed the constructions was not within the park boundary.

Staff reviewed community correspondence and various options for improving parking access to Mount Benson Regional Park. The current parking lot at the Witchcraft Lake trailhead does not meet demand and a long-term solution is needed. A Board Report was prepared and will be reviewed by the Board in September.

Nanaimo River Regional Park

Park staff added river rock at the outlet of a perched culvert to prevent further erosion and potential sediment.

Staff met with Ron Stone (Volunteer Warden) regarding Culturally Modified Tree issue and checked barriers due to complaint from an area user. Staff spoke to Emcon regarding moving barrier to block access and confirmed Emcon would complete ASAP.

Staff provided updated GPS information to mapping for the locations of the Fire Department well located within the Park

Staff are monitoring a complaint of uncontrolled dogs within the park. Temporary signage has been posted at the Kiosks as part of an awareness campaign.

Interpretive signage planning is underway for the research forest at Nanaimo River Regional Park. Staff will collaborate with representatives/managers of the research forest and will work with a graphic designer to produce attractive and educational signage to display in the park.

Parksville Qualicum Beach Links

Top Bridge Regional Trail

Trans Canada Trail

Temporary closure of the Extension Ridge section of the TCT extended and then terminated, further to industrial activity in the area by landowner Island Timberlands.

Obtained updated licence offer from Island Timberlands for use of their private forest lands for the TCT. Prepared report to the RPTSC and Board (September meetings).

Staff installed new posts and signs along the Extension Ridge Trail.

Witchcraft Lake Regional Trail

In June and July, permission was obtained from the City of Nanaimo and the Ministry of Transportation and Infrastructure for a proposed parking expansion at Witchcraft Lake, the trailhead for Mt Benson Regional Park. Staff mailed letters and site plans to all Benson View Rd residents for information and feedback.

In August, staff reviewed community responses to the proposed parking expansion on Benson View Rd; due to substantial opposition, the parking issue was deferred to the Regional Parks and Trails Committee and residents were informed by letter that the RDN would not proceed with the proposed works. A Board Report was prepared on the subject (see Mount Benson Regional Park above).

Miscellaneous

Staff continued work on the following:

- Park inventory spreadsheet and effective registry of the park portfolio.
- Worked with GIS Mapping on the identification and civic numbering of community parks to be included in new ARC-GIS park finder.
- Attended SMS legal seminar on contracting.
- Participated in MIA webinar on insurance requirements for construction contracts.
- Provided interview to Business in Vancouver regarding non-BC Park campgrounds as a relatively unknown but great alternative to BC Parks.

- Met with the Mount Arrowsmith Biosphere Region and Oceanside Tourism on MABR's Amazing Places project. Reviewed process and approaches. Public input will be solicited through to the end of September, RDN Parks consulted as applicable, and first results expected to be viewable on the web by end of November.
- Liaised and met with the BC Marine Trail Network Association on their current project to create a Salish Sea Marine Trail as part of the Trans Canada Trail and in time for the TCT's 25th anniversary in 2017. Further to the Association's July presentation to the Regional Board, worked with the Association on a draft partnership agreement. Prepared a board report on the project for the September RPTSC and Board.
- Received and reviewed Tourism Vancouver Island's Phase II Hiking Experience report prepared by consultant Stantec.
- Received update from UBCM on Off-Road Vehicle legislation; conference call scheduled for mid-September to discuss interest in the Province's offer to local government to include their lands under the new legislation.
- Worked with Recreation staff to provide content and imagery for the Fall/Winter Active Living Guide.
- The new staff position of Superintendent of Parks Operations and Capital Projects was filled, and Mark Dobbs started in the early July.
- The new staff position of Parks Secretary has been posted and filled; Jenny Bannatyne has accepted the position and will start September 19th.
- Staff followed the improvements underway at Nanoose Place, including the preparation and construction of an expanded paved parking lot and new signage.
- Playground inspections were conducted throughout the region.
- Staff followed up on a request about "No Motors" signage at Spider Lake, conducted a site visit, and provided information obtained to RDN Planning Department.
- Parks Staff and Contractor provided regular watering's of unestablished trees and plantings throughout the district during the hot dry weather.

Park Use Permits and Events

Area A

Continued to work with the Nanaimo Skateboard Association on a permit for the September fundraiser in support of refurbishing Nanaimo's Hammond Bay skatepark. Site visit held with organizer to review issues arising from last year's event. Volunteer assistance with traffic management kindly being provided by JSK Traffic Services of Cedar.

Responded to a request to close the Nelson Road Boat Launch for several days in order to provide for construction access to a waterfront retaining wall site. Liaised with MFLNRO, MoTI, and Planning Services; provided brief for Area Director. Further to August 23rd Board resolution to deny closure of the Boat Launch for any significant time period, a set of conditions for Boat Launch use under a park use permit was issued to applicant.

Area B

Worked with non-profit Pacific Sport and the Gabriola Recreation Society on a park use permit for a three-day sports camp at Rollo McClay Community Park. In the end, the event was cancelled because of lack of enrollment.

Area C

Obtained confirmation that VIU/Mount Arrowsmith Biosphere Reserve will take ownership of the GLORIA high-alpine vegetation monitoring plots (part of an international global warming monitoring project) installed at four locations at Mount Arrowsmith Massif Regional Park prior to the Region's acquisition of the park. Park use permit issued to VIU to address the summer 2016 revisiting of the plots.

Worked with the Nanaimo & Area Land Trust on a park use permit to work with VIU on an update of vegetative plots identified in the 2006 Ursus review of then new Mount Benson Regional Park; permit approved.

Area E

Worked with Quality Foods on concluding the park use permit for their annual Teddy Bear Picnic at Jack Bagley Community Park; liaised with Corporate Services; permit issued.

Concluded work on a park use permit for use of Moorecroft Regional Park for an early August weekend wedding.

Continued to work with Chesapeake Shores film company and MoTI on use of Moorecroft Regional Park for parking of film vehicles. In the end, the firm identified a more appropriate arrangement for their vehicle parking and only one of four weeks' proposed use was made of the Regional Park.

Began work with Nanoose Elementary School Principal on start-up of 2016-17 outdoor classroom use of Moorecroft.

Area F

Continued to work with Bluegrass Festival organizers, Dashwood Volunteer Fire Department and Corporate Services on a park use permit for the July long weekend festival at Meadowood Community Park. Provided responses to concerns raised by residents in the neighbourhood. Engaged security firm for drive-by inspections of roads leading to the Festival over the holiday weekend; liaised with RCMP. Given plan approvals by all involved authorities and required insurance proof, park use permit for Festival approved. Event went off without issue, though at a financial loss for the organizers.

Received a park use permit application from the Corcan-Meadowood Residents' Association for a Canada Day Picnic at Meadowood Community Park; approved.

Worked with applicant on a park use permit for a wedding at Errington Community Park in October. Liaised with Errington Hall Board Association overseers of the Park regarding use of the Market's stage and power supply. Permit approved.

Worked with the BC Conservation Foundation regarding a permit to cover summer maintenance of their large woody debris (LWD) structures originally installed along Little Qualicum River Regional Park riverfront in 2003. BCCF obtained DFO and Provincial backing for structures over the long-term.

Area G

Concluded permit work and provided final assistance including gift bags to the Mid-Vancouver Island Habitat Enhancement Society (MVIHES) for their 7th annual June River Run event at Englishman River Regional Park (ERRP). Worked with MVIHES and RDN WaterSmart on a second park use permit, this for

installation of water flow data loggers along the ERRP waterfront at BC Conservation Foundation large woody debris sites; permit approved. Work with MVIHES in process on another permit for the staging of a Streamkeepers workshop along the side channel at ERRP in September.

Issued a park use permit to the Nanoose Walking Club for vehicular access and a walk and hatchery visit at Englishman River Regional Park.

Area H

Concluded a park use permit with the Silver Spur Riding Club regarding use of Wildwood Community Park and the Lighthouse Country Regional Trail (North Loop) as part of a weekend-long 17th Annual Vancouver Island Memorial Trail Ride in support of Oceanside Hospice. The event was staged out of the MFLNRO compound next door to Wildwood.



Per/ Manager of Parks Services



General Manager Concurrence

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA 'H' PARKS AND OPEN SPACE ADVISORY

REGULAR COMMITTEE MEETING

THURSDAY, MAY 26, 2016

10:00 AM

(Lighthouse Community Centre, Qualicum Bay)

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

STAFF: Elaine McCulloch, Parks Planner

REGRETS: Barry Ellis
Dagmar Sedel

CALL TO ORDER

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

ELECTION OF SECRETARY

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

DELEGATIONS

L. Bonner, Bowser Elementary School RE: Bowser Elementary Outdoor Cultural Learning Centre

Laura Bonner, a teacher at Bowser Elementary School is working with School District Staff, teachers, students, local first nations, and community members to develop an Outdoor Cultural Learning Centre on the elementary school grounds. One of the main features of the space is a covered "longhouse-style" shelter. Volunteers are available to provide building materials and complete the construction however the group needs \$4,000 in funding to have it professionally designed and approved by a structural engineer before they can apply for a building permit.

MINUTES

MOVED N. Robertson, SECONDED V. Weismiller that the minutes of the regular Electoral Area 'H' Parks and Open Space Advisory Committee meeting held February 25th, 2016 be adopted.

CARRIED

UNFINISHED BUSINESS

Phase 2 Water Access Development - discussion

Staff to add the Crab Rd water access to the development priorities. B. Veenhof to be copied on any correspondence between staff and MoTI regarding the removal of trespass over Water Access.

MOVED V. Weismiller, SECONDED N. Robertson that staff be directed to remove the negative RDN signage from all water accesses and community parks and replace it with simple water access/community park identification signage.

CARRIED

CORRESPONDANCE / COMMUNICATIONS

The Committee discussed the Lion's Park ball fields and their need for upgrading. Staff was directed to consult with the Recreation Department to discuss their involvement in this matter.

REPORTS

Monthly Update Regional and Community Parks and Trail Projects –February 2016 – April 2016

Ms. McCulloch provided a summary of the Regional and Community Parks and Trail Projects reports and answered questions.

Dunsmuir CP – Concept Plan

Ms. McCulloch presented two alternative Concept Plans for Dunsmuir CP. An open house will be held on Friday, September 16th from 5pm-7pm to present the concept plans to the community. A preferred concept plan will be developed from the feedback that is collected through this community consultation. Advertising to be similar to last year's open house.

E. McCulloch to contact V. Weismiller and N. Robertson in July to arrange a walk through the forested portion of Dunsmuir CP with community trail builders.

MOVED D. Wiwchar, SECONDED B. Ellis that the reports be received.

CARRIED

BUSINESS ARISING FROM DELEGATION

L. Bonner, Bowser Elementary School RE: Bowser Elementary Outdoor Cultural Learning Centre

E. McCulloch reported that unfortunately the Bowser Elementary Cultural Learning Space project does not conform to the Community Works Fund's eligibility requirements. Director Veenhof suggested that this be looked into further as it may be eligible due to its connection to First Nations Truth and Reconciliation objectives. Committee members also suggested the delegate investigate RDN Grant-in-Aid funding.

NEW BUSINESS

None

DIRECTOR'S UPDATE

B. Veenhof provided an update on the trail mapping project. He is looking into the possibility of the RDN taking on the map development project.

COMMITTEE ROUND TABLE

B. Ellis – Question: What is happening with the possibility of widening the roads to improve pedestrian and cyclist safety?

B. Veenhof – Answer: The interest to improve pedestrian and cyclist safety along the highway is also coming out of the discussions with the OCP working group. Gabriola Island is currently is working with MoTI to see if the RDN can create a separate function to be responsible for the development and maintenance of roadside trails. He would like to wait and see if Gabriola is successful in their roadside trail project before starting one in Electoral Area H.

D. Wiwchar – Perhaps we could at least improve what we already have by working with MoTI to have the road shoulders swept more frequently in order to improve what we already have?

ADJOURNMENT

MOVED D. Wiwchar that the meeting be adjourned at 12:20 pm.

CARRIED

Chair

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA 'G' PARKS AND OPEN SPACE ADVISORY
REGULAR COMMITTEE MEETING HELD
Wednesday, June 1, 2016
4:30 PM
(Oceanside Place, Meeting Room)**

Attendance: Joe Stanhope, Director
Brian Coath
Ted Malyk
Rick Horte
Catherine Watson
Michael Foster

Staff: Lesya Fesiak, Parks Planner
Wendy Marshall, Parks Planner

CALL TO ORDER

Chair Stanhope called the meeting to order at 4:00 p.m.

ADOPTION OF AGENDA

MOVED R. Horte, SECONDED B. Coath that the title of the second item under REPORTS be corrected – with the removal of the words “rezoning and” – and changed to “Proposed Park Land Dedication in Conjunction with Proposed Subdivision of Lot 4, District Lot 76, Newcastle District, Plan 2619.”

CARRIED

MOVED R. Horte, SECONDED B. Coath, to adopt the amended agenda for the June 1, 2016 Regular Electoral Area 'G' Parks and Open Space Advisory Committee meeting .

CARRIED

ELECTION OF SECRETARY

C. Watson volunteered to fill the role of Secretary.

DELEGATIONS

Helen Simms, Simms Associates
Rachel Hamling, Fern Road Consulting

MINUTES

MOVED T. Malyk, SECONDED B. Coath to adopt the Minutes of the Regular Electoral Area 'G' Parks and Open Space Advisory Committee meeting held March 7, 2016.

CARRIED

BUSINESS ARISING FROM MINUTES

None

CORRESPONDENCE / COMMUNICATIONS

None

UNFINISHED BUSINESS

REPORTS

Monthly update Regional and Community Parks and Trail Projects – February – April, 2016

W. Marshall highlighted Area G projects and tasks from the monthly report.

Proposed Park Land Designation in Conjunction with Proposed Subdivision of Lot 4, District Lot 76, Newcastle District, Plan 2619 Except Parts in Plan 26594 (1150 Ganske Road), Electoral Area "G"

R. Hamling gave an overview of the Subdivision Application on behalf of the developer and noted that the appraisal for the subject property has yet to be completed.

H. Simms indicated that the property owners wanted the benefit of the parkland dedication to go to the neighbours.

POSAC members discussed the proposed parkland and cash dedication and alternatives, including full 5% parkland dedication and a trail on the west side of the property (as opposed to the east) from Ganske Rd to an undeveloped road allowance adjacent to the E&N rail corridor. M. Marshall and L. Fesiak outlined benefits of the proposal from a parks perspective, including the establishment of a community connector trail for existing residents; they also explained that a connection to the undeveloped road allowance along the E&N corridor already exists at Texada Rd.

MOVED M. Foster, SECONDED Director Stanhope that the Subdivision Application with a 1.75% parkland dedication for the purpose of a public connector trail between Ganske Road and Dewberry Way, and 3.25% cash-in-lieu of parkland, be accepted. TIED VOTE

DEFEATED

Stanhope Trail

L. Fesiak presented an overview of a proposed trail (from Ackerman Rd to Walley's Way) and an alternate trail (from Ackerman Rd to Wembley Rd) with cost estimates and rationale. POSAC members discussed both options and agreed that the proposed trail would be an appropriate approach to trail development, in consideration of site conditions and concerns from neighbouring residents.

MOVED R. Horte, SECONDED B. Coath that the Board direct staff to proceed with the proposed works to develop Stanhope trail.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

None

NEW BUSINESS

None

COMMITTEE ROUND TABLE

Director Stanhope invited committee members to a round table forum:

B. Coath mentioned the erosion at Admiral Tryon Road. RDN staff will contact MOTI.

M .Foster asked for an update on the progress on the restoration project for the Dashwood Hall. W. Marshall responded that there had been no further work done at this time.

T. Malyk indicated that St. Andrews Strata would like a meeting with MOTI regarding the traffic speed limits and potential sidewalks in their area. Director Stanhope has contacted the MLA for the area over this issue. T. Malyk indicated that Hollywood Trail near Texada Road is not accessible to the beach. Director Stanhope indicated that this is a MOTI issue.

R. Horte indicated that a survey of Parks near Centre Crescent should be done to prevent intrusion on parks property. RDN staff will direct bylaw enforcement to observe the Centre Crescent area.

C. Watson indicated a neighbour had concerns over fallen trees across Morningstar Creek. Director Stanhope said the matter had been referred to the MLA.

ADJOURNEMENT

MOVED B. Coath, SECONDED M. Foster that the meeting be adjourned at 5:30 pm.

CARRIED

Chairperson

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE FIRE SERVICES ADVISORY COMMITTEE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
WEDNESDAY, JULY 6, 2016 AT 7:00 PM IN THE
RDN BOARD CHAMBERS

In Attendance:

Director W. Veenhof	Chairperson
Director A. McPherson	Electoral Area A
Director M. Young	Electoral Area C
Director B. Rogers	Electoral Area E
Director J. Fell	Electoral Area F
Director J. Stanhope	Electoral Area G
L. Brown	Bow Horn Bay VFD Director
B. Lovegrove	Bow Horn Bay VFD Training Officer
G. MacIntosh	Bow Horn Bay VFD Deputy Chief
S. Mynen	Bow Horn Bay VFD Treasurer
A. Poirier	Coombs-Hilliers VFD Chief
S. Stahley	Coombs-Hilliers VFD Director
D. Neden	Coombs-Hilliers VFD Chair
G. Bing	Errington VFD Director
J. Hamel	Errington VFD Chair
G. Klemm	Errington VFD A/Deputy Chief
P. McBride	Errington VFD Secretary
W. Geselbracht	Nanoose Bay Fire Protection Society Chair
J. Jacobsen	Nanoose Bay Fire Protection Society Director
D. Penny	Nanoose Bay VFD Chief
N. Watson	Nanoose Bay Fire Protection Society Director

Also in Attendance:

D. Trudeau	Chief Administrative Officer
G. Garbutt	Gen Mgr. Strategic & Community Development
W. Idema	Director of Finance
T. Armet	Mgr. Building & Bylaw Services
C. Golding	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order and attendees and roundtable introductions were made.

MINUTES

Minutes of the Fire Services Advisory Committee meeting held Wednesday, April 27, 2016.

MOVED Director Stanhope, SECONDED Director Rogers, that the minutes of the Fire Services Advisory Committee meeting held Wednesday, April 27, 2016, be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

MOVED Director Rogers, SECONDED Director Stanhope, that the correspondence from Will Geselbracht, Chairperson, Nanoose Fire Protection Society, regarding Increased Involvement of Regional District Supervision of Nanoose Volunteer Fire Department Society be received.

CARRIED

MOVED Director Rogers, SECONDED Director Stanhope, that the correspondence from Julian Fell, Electoral Area 'F' Director, regarding Fire Services Coordinator Draft Job Description be received.

CARRIED

Volunteer Fire Rescue Service Level Policy.

MOVED Director Rogers, SECONDED Director Fell, that the Volunteer Fire Rescue Service Level Policy be adopted.

CARRIED

Fire Rescue Services Coordinator Job Description – Draft.

MOVED Director Rogers, SECONDED Director Fell, that the Fire Rescue Services Coordinator Job Description be adopted as presented.

CARRIED

MOVED Director Young, SECONDED L. Brown, that the Fire Rescue Services Coordinator Job Description be reviewed annually by the Fire Services Advisory Committee.

CARRIED

NEW BUSINESS

Appointment to the Fire Services Advisory Committee.

MOVED Director Rogers, SECONDED Director Stanhope, that the Fire Services Advisory Committee Terms of Reference be amended to include the Electoral Area 'A' Director.

CARRIED

Next Fire Services Advisory Committee Meeting.

MOVED Director N. Watson, SECONDED Director Stanhope, that the next meeting of the Fire Services Advisory Committee be held in 3 months.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 8:02 PM

CHAIRPERSON

CORPORATE OFFICER

TO: Dennis Trudeau
Interim Chief Administrative Officer

DATE: June 25, 2016

FROM: Geoff Garbutt
General Manager of Strategic and
Community Development

MEETING: Fire Services Advisory Committee
July 6, 2016

FILE:

SUBJECT: Volunteer Fire Rescue Service Level Policy

RECOMMENDATION

That the Volunteer Fire Rescue Service Level Policy be adopted.

PURPOSE

The purpose of this report is to introduce a Volunteer Fire Rescue Service Level Policy that will declare the firefighting service level for the RDN fire departments.

BACKGROUND

The Office of the Fire Commissioner of British Columbia (OFC) has established a minimum standard of training for fire service personnel in British Columbia and has also developed a competency based ladder that provides for a minimum level of training and operational requirements. The competency ladder document is known as the "Playbook".

The Playbook document standards are drawn from the National Fire Protection Association standards and are organized into three service levels:

1. Exterior Operations;
2. Interior Operations; and
3. Full Service

It is the responsibility of each Authority Having Jurisdiction (the RDN) to select and declare its firefighting service level. The service level must be declared by formal policy, whether by bylaw or policy statement, which in turn will be reflected in the fire departments operating guidelines.

Through the RDN fire services review process, the consultants worked with the six RDN Volunteer Fire Rescue Departments to consider the current level of training of their departments and the goals/priorities of the departments as it relates to their desired fire service levels. Through this process, the fire departments have indicated that they support these proposed fire service levels.

As a result of this consultation, the Volunteer Fire Rescue Service Level Policy was drafted (see Attachment 1) and the following fire service levels have been considered and are being proposed to be declared.

- Bow Horn Bay: Interior Operations
- Dashwood: Interior Operations
- Coombs-Hilliers: Interior Operations
- Errington: Interior Operations
- Extension: Exterior Operations
- Nanoose: Interior Operations

Even though a service level must be declared by June 2016, the fire services do not have to meet all the competency standards at that date but they do have to be training and progressing to achieve the appropriate competencies. It is important to note that the fire service levels that will be declared will be reviewed on a periodic basis with the RDN fire departments to reflect any changes in focus or training levels. It is anticipated that one of the tasks that the Fire Service Coordinator will do is reconfirm these declarations with the Chiefs and Fire Training Officers.

ALTERNATIVES

1. Adopt the Volunteer Fire Rescue Service Policy as proposed
2. Provide Alternative Direction to staff

FINANCIAL IMPLICATIONS

To meet the training requirements set out in the service level, training budgets may need prioritizing to allocate funds towards compliancy training programs. As contemplated in the RDN Fire Services Review Report, in coordination with the Volunteer Fire Departments, the Fire Services Coordinator will assist the Chiefs and training officers to find efficient and cost saving training opportunities towards maintaining firefighting service levels.

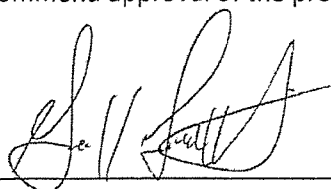
STRATEGIC PLAN IMPLICATIONS

Adopting the Volunteer Fire Service Level Policy will bring the RDN into compliance with the applicable Provincial regulations and is consistent with RDN Strategic Plan. In particular, adopting this policy will support the RDN Board Key Focus area of Service and Organizational Excellence and the Strategic Priority to view Emergency Services as core elements of community safety.

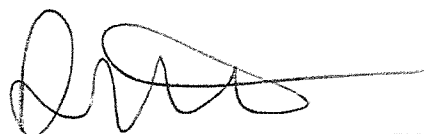
SUMMARY/CONCLUSIONS

As required by the OFC, the RDN must select and declare its firefighting service level by the end of June 2016. The service level must be declared by formal policy, whether by bylaw or policy statement, which in turn will be reflected in the fire departments operating guidelines. Through the RDN fire services review process, the consultants worked with the six RDN Volunteer Fire Rescue Departments to consider the current level of training of their departments and the goals/priorities of the departments as it relates to their desired fire service levels. Through this process, the fire departments have indicated that they support these proposed fire service levels outlined in the Volunteer Fire Rescue Service Level Policy.

Given the consultation with RDN Fire Departments and the requirements of the OFC Playbook. Staff recommend approval of the proposed Volunteer Fire Rescue Service Level Policy.



Report Writer



C.A.O. Concurrence

REGIONAL DISTRICT OF NANAIMO

POLICY

SUBJECT:	VOLUNTEER FIRE RESCUE SERVICE LEVEL POLICY	POLICY NO: B5.1 CROSS REF.:
EFFECTIVE DATE:	xxxx	APPROVED BY: Board
REVISION DATE:	xxxx	PAGE: 1 of 3

PURPOSE

To establish a policy for declaring fire rescue service and training levels for each of the RDN Volunteer Fire Rescue Departments.

POLICY

Declaration

The following service levels are declared for each of the Volunteer Fire Rescue Departments as follows:

- Bow Horn Bay: Interior Operations
- Dashwood: Interior Operations
- Coombs-Hilliars: Interior Operations
- Errington: Interior Operations
- Extension: Exterior Operations
- Nanoose: Interior Operations

Definitions

1. Exterior Operations
Fire service firefighters shall not enter any building, vehicle, dumpster or other object if an Immediately Dangerous to Life and Health (IDLH) atmosphere is present. If an IDLH atmosphere is present, Exterior Operations firefighters shall only engage in external fire suppression activities.
2. Full Service Operations
Fire Rescue Departments are equipped and have completed the appropriate training identified in the Playbook to provide a full spectrum of fire services. These services are based on the competencies included within the NFPA 1001 Firefighter 2 Standards and relevant NFPA 1021 Fire Officer Standards.
3. IDLH (Immediately Dangerous to Life and Health)

Refers to incident conditions that present an immediate threat to a person's safety through inhalation or exposure and includes any oxygen-deficient atmosphere or any untested confined space.

4. Interior Operations

Fire Rescue Departments may engage in internal fire suppression activities within simple structures or objects such as a vehicle, single family dwelling or other small structures. Interior Operations may also include larger or more complex structures that have been assessed and pre-planned for, such that it determines the structure to be safe for Internal Operations qualified firefighters. Firefighters must be trained specifically to the risks associated with these structures.

Operational Standard and Limitations

5. Fire Rescue Departments who have declared Interior Level Operations will strive to provide Interior Level Operations. Services provided by the Fire Rescue Departments are dependent on the availability of staff that has completed appropriate levels of training.
6. The number of personnel, qualifications and equipment available for delivery of emergency services will determine the level of service the Fire Rescue Department can provide at the time of an emergency incident. Services may be limited to a lesser level, specifically, Exterior Operations Level. Also an increased level of service may be conducted on larger more complex structures if the structure has been pre-planned, members have been appropriately trained, and sufficient qualified staff and equipment are available.
7. To ensure Interior Operations Level is achieved, the number of personnel should be operating at less than Interior Operations qualifications should be limited.

Training Standard

8. The Fire Rescue Departments shall train its members to the minimum competencies required by the Playbook for the Interior Operations Level.
9. The required training competencies, as described in the Playbook, will be achieved by members within 2 - years of start date.
10. During the 24 month training period, new firefighters will progress through Exterior, then Interior Operations Service Level training as described in the Playbook. During this qualification period firefighters will only be authorized to operate under the qualification they have achieved.

Responsibilities

11. The Fire Chief Fire and the RDN Fire Services Department are responsible for ensuring this policy is compliant through use of appropriate operational guidelines as well as service/ mutual aid agreements.
12. The Fire Chief shall, on a regular basis or as directed, report to the RDN Fire Services Department on the departments' readiness, effectiveness and efficiency.

REGIONAL DISTRICT OF NANAIMO

JOB DESCRIPTION

POSITION TITLE: FIRE RESCUE SERVICES COORDINATOR

REPORTS TO: General Manager, Strategic and Community Development

SUBORDINATE POSITIONS: n/a

POSITION SUMMARY:

Responsible for ensuring the effective and efficient delivery, administration and feasibility of fire protection services and programs in the Electoral Areas of the Regional District of Nanaimo (RDN). As the administrative leader of the RDN's Fire Rescue Services, the Coordinator will work collaboratively to optimize fire rescue services, fire prevention, education, training, project management and the procurement and distribution of goods and services necessary to support fire and rescue operations. The position will be the key contact for multiple fire rescue service providers.

The Coordinator is expected to work a flexible work schedule to ensure participation in evening and weekend training, meetings and other events held by multiple fire rescue service providers, stakeholders and interest groups.

MAJOR DUTIES & RESPONSIBILITIES

1. Builds and manages effective relationships with RDN staff and stakeholders including fire rescue service providers, local governments, senior governments, non-government agencies, community groups and the general public in order to ensure effective fire protection in the electoral areas of the RDN.
2. Provides collaborative leadership and shares information on common issues regarding fire prevention and suppression, arson, new technologies, emergency management, recruitment, retention, benefits and communications. Provides expertise and advice to fire rescue services in ensuring certification standards are adhered to on an ongoing basis.
3. Coordinates and facilitates the RDN's Fire Services Advisory Committee meetings and serves as the RDN representative with multiple stakeholders, in multiple environments.
4. Serves as a liaison and facilitates communication between fire rescue service providers and the RDN's Emergency Program.
5. Researches legislation and best practices to assist volunteer fire departments in ensuring that regional fire rescue services meet and/or exceed all regional, provincial and federal legislation and guidelines, such as the Office of the Fire Commissioner, National Fire Protection Association, Work-Safe BC, Occupational Health and Safety Regulation, National Safety Code Standards etc. Provides advice to the RDN's senior management and Board regarding rural fire protection issues that impact the RDN.
6. Reviews, manages and updates RDN agreements held with Volunteer Fire Department Societies, Improvement Districts and Municipalities for the delivery of fire rescue services within the electoral areas. Identifies areas of risk and makes recommendations to the RDN Board and senior management for improvements to Fire Rescue Services within the RDN.

7. Coordinates with Fire Departments and other RDN departments to maintain Fire Rescue Services Bylaws, Mutual and Automatic Aid Agreements and recommends changes as appropriate.
8. Assists with the preparation of standardized operating guidelines, procedures and plans for fire departments with the RDN. Assists with and ensures completion of required tracking of training, occupational health and safety and other related records of fire departments in order to ensure compliance with WorkSafe BC and other legislation.
9. Cooperatively develops long-term budgets and capital plans for each of the fire protection areas through collaboration with fire departments and the RDN Finance department, including development of business cases for capital purchases.
10. Administers the procurement of capital acquisitions and manages capital projects on behalf of volunteer fire departments within the RDN's policies and procedures. Participates in the tendering, negotiation and awarding of contracts where required. Ensures contracts are adhered to and resolves issues with vendors as necessary.
11. Provides input for the annual operating budget of the RDN and fire service areas; controls spending within the approved RDN administrative portion of budget and reports to the General Manager and Director of Finance regarding any anticipated variances. Identifies resource requirements in order to undertake work plans and recommends appropriate actions.
12. Assists with the development of fire service area boundary amendments and with determining the feasibility of delivering fire protection and rescue services outside of existing boundaries. Facilitates conflict resolution in jurisdictional fire rescue matters.
13. Supports regional training and provides guidance and opportunities for firefighter and officer development.
14. Participates in the development, review and maintenance of policies, guidelines, standards, plans and programs that govern the fire suppression model, training and services of fire rescue departments. Executes and administers approved policies and procedures within established budgets.
15. In an emergency situation that requires the activation of the RDN's Emergency Operations Centre (EOC), may be called upon with other RDN employees and assigned a role and/or tasks to support the EOC. Courses and/or workshops may be offered by the RDN to support this role.
16. Performs other related duties as requested.

REQUIRED EDUCATION AND EXPERIENCE:

Firefighter I & II and Fire Officer Certifications, as well as volunteer/resource management training will be considered assets. Diploma or degree in emergency management, business administration or related field, supplemented by courses in fire services, and occupational health and safety, or an equivalent combination of training and experience. A current Class 5 BC driver's license is required, and preference will be given to those who maintain a professional level of competency through educational courses, seminars and literature review.

Five years of directly related experience including volunteer management. Considerable knowledge of and demonstrated ability to interpret relevant legislation. Excellent interpersonal, negotiation, written and verbal communication skills are essential as well as the ability to develop and maintain effective and productive relationships with stakeholders in the delivery of Fire Rescue Services. Demonstrated administrative and organizational skills and knowledge of current computer software including fire department management systems.

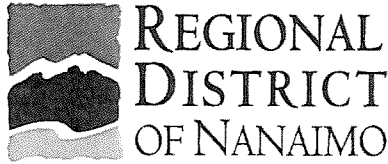
Ability to work a variety of shifts to meet operational requirements, including weekends, evenings and long days. Must be able to work long hours under stressful conditions during emergency situations.

Date

General Manager Concurrence

C.A.O. Concurrence

DRAFT



RDN REPORT	
CAO APPROVAL	AW
EAP	
COW	
SEP 06 2016	
RHD	
BOARD	
EASC	

STAFF REPORT

TO: Tom Armet, Manager
Building & Bylaw Services

DATE: September 1, 2016

FROM: Jack Eubank
Bylaw Enforcement Officer

MEETING: EASC – September 13, 2016

FILE: CE20160000195

SUBJECT: 992 Lee Road, Electoral Area 'G' – Unsightly Premises

RECOMMENDATION

That the Board, pursuant to *Unsightly Premises Regulatory Bylaw No. 1073, 1996*, directs the owner of Lot 2 District Lot 29 Nanoose District and Part Of The Bed Of The Strait of Georgia VIP63647 (992 Lee Road), to remove the accumulation of derelict boats, derelict trailers, various containers, rope, scrap wood, metal and pipes, assorted household garbage, discarded or disused building materials and components such as lumber, windows, wooden shutters, building wrap, and plumbing materials from the property within thirty (30) days, or the work will be undertaken by the Regional District of Nanaimo (RDN) or its agents at the owner's cost.

PURPOSE

To obtain Board direction regarding an ongoing property maintenance contravention on the subject property.

BACKGROUND

Property: 992 Lee Road, Electoral Area 'G'

Legal Description: Lot 2 District Lot 29 Nanoose District and Part Of The Bed Of The Strait of Georgia VIP63647

Property Owner: Mary Short, 1419 Larkhaven Cres, Ottawa, ON K1C 5A2

The subject property is a 0.85 acre waterfront parcel located in the French Creek area a short distance from the French Creek Marina (see Attachment No. 1 – Subject Map). Since the spring of 2016, the Regional District of Nanaimo has received numerous complaints from an area resident concerning the unsightly condition of the property. Staff inspected the property and confirmed it is being used for the storage of derelict vehicles, discarded materials from the demolition of a neighbouring property and other assorted debris, in contravention of the Unsightly Premises bylaw (see Attachment No. 2 - Photos).

Regional District staff directed the owner in writing, in person and by telephone to clean up the property. The owner, who currently lives in Ottawa, understands the condition of the property, but has been met with resistance from the tenant on the property, to the efforts to have the property

cleaned-up. The neighbour has become increasingly frustrated by the owner's/occupant's lack of cooperation in cleaning up the property.

ALTERNATIVES

1. That the owner be directed to bring the property into compliance with Regional District of Nanaimo regulations.
2. That no further action be taken with respect to the condition of the subject property.

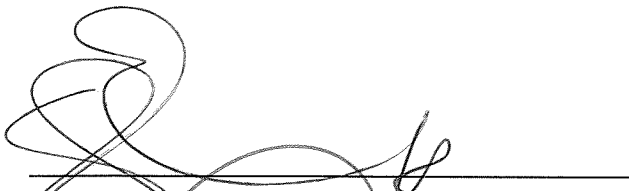
FINANCIAL IMPLICATIONS


If the Board adopts a resolution to have the identified discarded and disused material removed from the property, any costs incurred by the Regional District of Nanaimo or its agents with respect to the removal may be recovered from the property owners. If unpaid on December 31st in the year in which the work is done, the expense may be added to taxes in arrears or be collected as a debt. If the taxes and debts remain unpaid, the Province could undertake a forfeiture process after a period of time, in which case, it may become necessary for the RDN to recover the clean-up costs through adjustments to the Unightly Premises Service tax requisition.

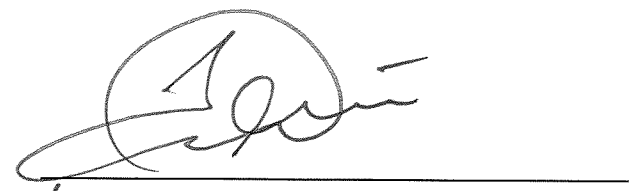
SUMMARY/CONCLUSIONS


In early 2016 the Regional District of Nanaimo received a complaint concerning the condition of the subject property in relation to the significant accumulation of derelict boats, derelict trailers, various containers, rope, scrap wood, metal and pipes, assorted household garbage, discarded or disused building materials and components such as lumber, windows, wooden shutters, building wrap, and plumbing materials. On three occasions staff directed the owner, in writing, in person and by telephone to clean up the property. Throughout the spring and summer of 2016 several further complaints were received that the property remains in an unsightly condition with much of the same material present that had previously been observed by staff on the property.

As the owner has failed to take permanent steps to clean up the property, Board direction appears to be the only remaining option available to bring the property into with Regional District of Nanaimo regulations.

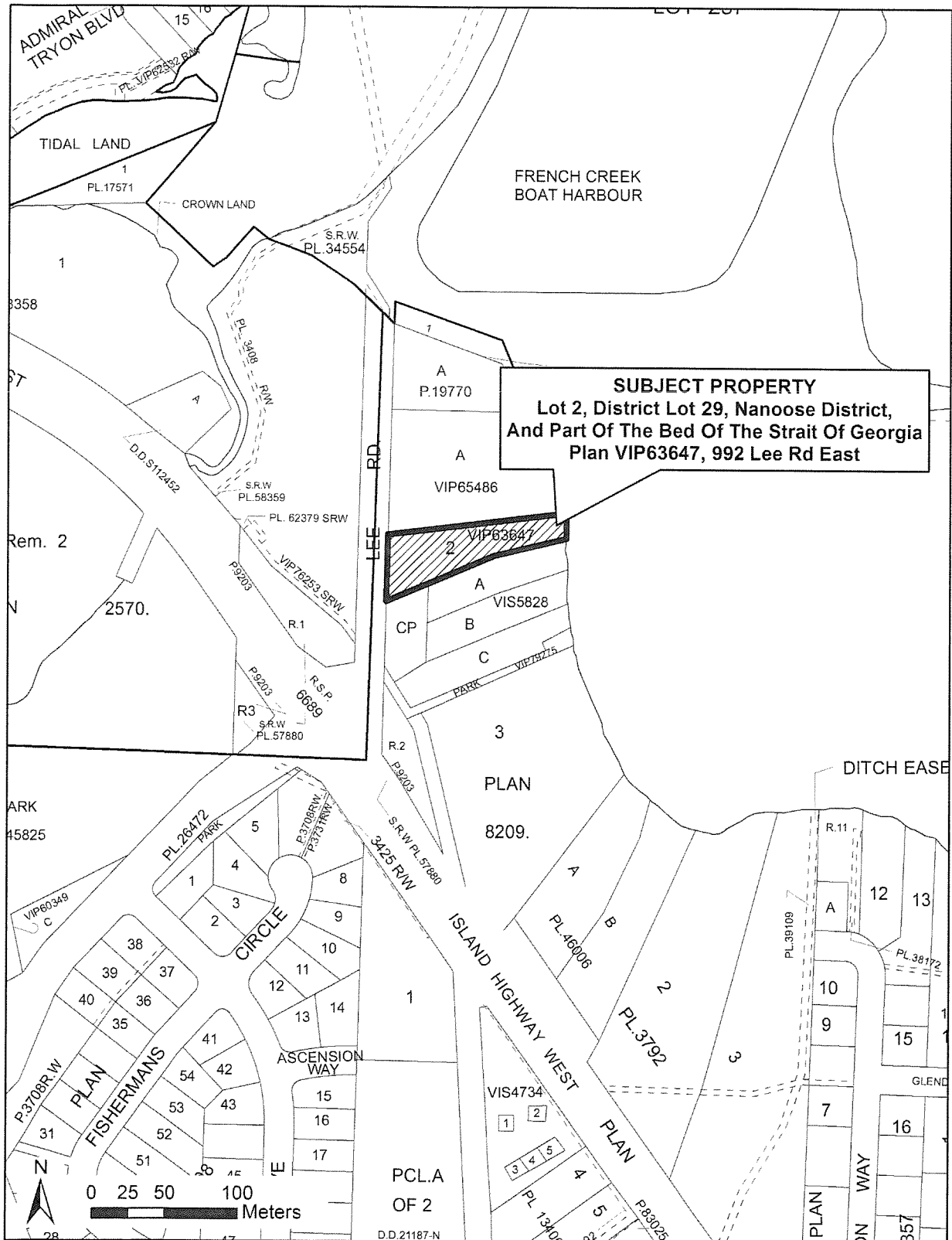

Report Writer


Manager Concurrence


A/General Manager Concurrence


CAO Concurrence

Attachment No. 1
Subject Map



Attachment No. 2
Photos

