

**REGIONAL DISTRICT OF NANAIMO  
REGULAR BOARD MEETING  
AGENDA**

**Tuesday, September 18, 2018**

**7:00 P.M.**

**RDN Board Chambers**

*This meeting will be recorded*

**Pages**

- 1. CALL TO ORDER**
- 2. APPROVAL OF THE AGENDA**
- 3. ADOPTION OF MINUTES**  
(All Directors - One Vote)  
That the following minutes be adopted:
  - 3.1 Regular Board Meeting - July 24, 2018** 12
  - 3.2 Special Board Meeting - September 4, 2018** 26
- 4. DELEGATIONS - AGENDA ITEMS**
- 5. CORRESPONDENCE**  
(All Directors - One Vote)  
That the following correspondence be received for information:
  - 5.1 Leigh Ann Milman and Timothy Maika, re Updating and Improving Gabriola's Noise Control Bylaw** 29
- 6. COMMITTEE MINUTES**  
(All Directors - One Vote)  
That the following minutes be received for information:
  - 6.1 Electoral Area Services Committee - September 4, 2018** 33
  - 6.2 Committee of the Whole - September 4, 2018** 40

**7. COMMITTEE RECOMMENDATIONS**

**7.1 Electoral Area Services Committee**

**7.1.1 Signage Strategy - EA 'EW/PV' Pilot Project** 49

(All Directors - One Vote)

That the Signage Strategy be received and Anders and Dorrit's Community Park be identified as the pilot location for an interpretive and entrance sign.

**7.1.2 DPA and TUP Standardization Project** 52

*Please note: Recommendation #19 was varied by the Committee by striking out 'or his alternate' and adding 'or the Electoral Area Services Committee Vice-Chair'*

(Electoral Area Directors, except EA 'B' - One Vote - Must be taken separately)

1. That the Board introduce and give first reading to "Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018".

2. That the Board give second reading to "Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018" having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.

3. That the Board introduce and give first reading to "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.07, 2018".

4. That the Board give second reading to "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.07, 2018" having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.

5. That the Board introduce and give first reading to "Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Amendment Bylaw No. 1055.05, 2018".

6. That the Board give second reading to "Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Amendment Bylaw No. 1055.05, 2018" having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.

7. That the Board introduce and give first reading to "Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.05, 2018".



8. That the Board give second reading to “Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.05, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.
9. That the Board introduce and give first reading to “Regional District of Nanaimo Electoral Area F Official Community Plan Amendment Bylaw No. 1152.05, 2018”.
10. That the Board give second reading to “Regional District of Nanaimo Electoral Area F Official Community Plan Amendment Bylaw No. 1152.05, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.
11. That the Board introduce and give first reading to “Regional District of Nanaimo Electoral Area G Official Community Plan Amendment Bylaw No. 1540.02, 2018”.
12. That the Board give second reading to “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Amendment Bylaw No. 1540.02, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.
13. That the Board introduce and give first reading to “Regional District of Nanaimo Electoral Area H Official Community Plan Amendment Bylaw No. 1335.07, 2018”.
14. That the Board give second reading to “Regional District of Nanaimo Electoral Area H Official Community Plan Amendment Bylaw No. 1335.07, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.
15. That the Board introduce and give first reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.422, 2018”.
16. That the Board give second reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.422, 2018”.
17. That the Board introduce and give first reading to “Regional District of Nanaimo Electoral Area F Zoning and Subdivision Amendment Bylaw No. 1285.33, 2018”.
18. That the Board give second reading to “Regional District of Nanaimo Electoral Area F Zoning and Subdivision Amendment Bylaw No. 1285.33, 2018”.
19. That the Board direct the public hearing on the following bylaws to be Chaired by Director Stanhope or the Electoral Area Services Committee Vice-Chair:

- a. "Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018";
- b. "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.07, 2018";
- c. "Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Amendment Bylaw No. 1055.05, 2018";
- d. "Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.05, 2018";
- e. "Regional District of Nanaimo Electoral Area F Official Community Plan Amendment Bylaw No. 1152.05, 2018";
- f. "Regional District of Nanaimo Electoral Area H Official Community Plan Amendment Bylaw No. 1335.07, 2018";
- g. "Regional District of Nanaimo Electoral Area G Official Community Plan Amendment Bylaw No. 1540.02, 2018";
- h. "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.422, 2018"; and
- i. "Regional District of Nanaimo Electoral Area F Zoning and Subdivision Amendment Bylaw No. 1285.33, 2018".

(All Directors - One Vote)

20. That the Board introduce and give first, second and third reading to "Regional District of Nanaimo Development Application and Notification Procedures Bylaw No. 1776, 2018".

(All Directors - One Vote)

21. That the Board approve revisions to "Policy B1.12 *Riparian Areas Regulation Stream Declaration*" under the revised title of "Policy B1.12 Property Declaration Form".

### 7.1.3 Planning

*Please note: Committee recommendation has no accompanying staff report*

(Electoral Area Directors, except EA 'B' - One Vote)

1. That staff take immediate steps to amend the secondary suites zoning amendment bylaw 500.389, 2014 to permit a secondary suite within the principal residence or a standalone carriage house secondary suite on properties with community water that are greater than 1,000 square metres and less than 8,000 square metres.

2. That the Electoral Area A Official Community Plan be placed in line for a complete review.

## 7.2 Committee of the Whole

### 7.2.1 Rubberized Track

*Please note: Committee recommendation has no accompanying staff report*

(Parksville, Qualicum Beach, Electoral Areas 'E', 'F', 'G', 'H' - Weighted Vote)

That staff move forward with discussions with School District 69 (Qualicum), City of Parksville and Town of Qualicum Beach for a rubberized track, up to 8 lanes, to bring back for further review and consideration by the District 69 Recreation Commission and RDN Board.

### 7.2.2 Pool Discussion

*Please note: Committee recommendation has no accompanying staff report*

(Parksville, Qualicum Beach, Electoral Areas 'E', 'F', 'G', 'H' - Weighted Vote)

That staff proceed to prepare a concept plan to advance the addition of a second 25m tank and expanded change rooms at the Ravensong Aquatic Centre.

### 7.2.3 Confirmation of Multiplex Vision

*Please note: Committee recommendation has no accompanying staff report*

(Parksville, Qualicum Beach, Electoral Areas 'E', 'F', 'G', 'H' - Weighted Vote)

That a centralized land purchase strategy be developed and implemented for a future indoor/outdoor sport recreation facility complex for the Oceanside area.

### 7.2.4 Formation of D69 Recreation Commission Infrastructure Planning Sub-Committee

*Please note: Committee recommendation has no accompanying staff report*

(Parksville, Qualicum Beach, Electoral Areas 'E', 'F', 'G', 'H' - Weighted Vote)

That a District 69 Recreation Commission Infrastructure Planning Sub-Committee be formed after the 2018 election.

- 7.2.5 2019 to 2023 Financial Plan Schedule** 277
- (All Directors - One Vote)
- That the preliminary 2019 budget information provided be received and that the proposed schedule of meetings to review and approve the 2019 to 2023 Financial Plan be approved as presented.
- 7.2.6 Approval of Signing Authorities for General Banking and Investments** 284
- (All Directors - One Vote)
1. That the signing authorities for general banking services and financial instruments reflect the following officer positions:
- Chair - William Veenhof
  - Deputy Chair - Ian Thorpe
  - Chief Administrative Officer - Phyllis Carlyle
  - Director of Finance - Jeannie Beauchamp
  - Manager, Accounting Services - Tiffany Moore
  - Manager, Capital & Financial Reporting - Manvir Manhas
2. That the foregoing authorizations extend to accounts in the name of the Regional District of Nanaimo.
- 7.2.7 Bylaw 1775 – Alberni-Clayoquot Regional District – 2019 Permissive Tax Exemption** 286
- (All Directors - 2/3 Weighted Vote - Must be taken separately)
1. That “Property Tax Exemption (Alberni-Clayoquot Mt. Arrowsmith Regional Park) Bylaw No. 1775, 2018” be introduced and read three times.
2. That “Property Tax Exemption (Alberni-Clayoquot Mt. Arrowsmith Regional Park) Bylaw No. 1775, 2018” be adopted.
- 7.2.8 Election Worker Liability Insurance Coverage** 290
- (All Directors - Weighted Vote)
- That the Board authorize the Director of Finance and the Manager of Administrative Services to enter into Service Provider Agreements with individual election workers for the provision of liability insurance through the Regional District’s liability insurance held with the Municipal Insurance Association of British Columbia.

- 7.2.9 Rogers Cell Tower Right of Way Agreement** 294  
*Please note: the original recommendation was varied by the Committee and the vote taken on the main motion as amended was CARRIED (not DEFEATED)*
- (All Directors - Weighted Vote)
1. That the Board approve the offer from Rogers Communications Inc. of \$13,860 per year for the 2018-2023 term (which includes a renewal option of five years from June 1, 2023 to May 31, 2028).
- (All Directors - Weighted Vote)
2. That staff be directed to seek a contract renewal rate of a minimum of \$25,000 per year from Rogers Communication Inc. for the use of Regional District of Nanaimo land for their cell tower.
- 7.2.10 The National Housing Strategy and Opportunities in Regional Affordable Housing** 296
- (All Directors - One Vote)
- That the Board provide direction to advance a regional approach to affordable housing that considers partnership development and the creation of a regional affordable housing service and reserve fund.
- 7.2.11 OHWN Coordinator Funding – Contract Renewal Request from Island Health** 315
- (All Directors - Weighted Vote)
- That the Regional District of Nanaimo enter into a three year contract with Island Health, from November 1, 2018 to October 31, 2021, to administer funds for subcontracting a Coordinator for the Oceanside Health and Wellness Network.
- 7.2.12 Overview of the Green Building Incentive Program** 322
- (All Directors - One Vote)
- That the Green Building Incentive Program be reviewed.

- 7.2.13 Regional Growth Strategy Amendment to Implement the Town of Qualicum Beach Official Community Plan** 327
- (All Directors - One Vote / 2/3)
1. That the amendments required to “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011” to implement the “Town of Qualicum Beach Official Community Plan Bylaw No. 800, 2018” proceed through the minor amendment process.
  2. That the Regional Context Statement be accepted.
  3. That the Consultation Plan for the “Regional Growth Strategy Amendment to Implement the Town of Qualicum Beach Official Community Plan” be endorsed.
- 7.2.14 Bylaw No. 1777 - District 69 Recreation Commission** 348
- (Parksville, Qualicum Beach, Electoral Areas 'E', 'F', 'G', 'H' - Weighted Vote)
1. That the “District 69 Recreation Commission Bylaw No. 1777, 2018” be introduced and read three times.
- (Parksville, Qualicum Beach, Electoral Areas 'E', 'F', 'G', 'H' - 2/3 Weighted Vote)
2. That the “District 69 Recreation Commission Bylaw No. 1777, 2018” be adopted.
- 7.2.15 Bylaw No.1655.08 – Water Services Fees and Charges Amendments 2018** 355
- (Electoral Areas 'A', 'E', 'F', 'G' – Weighted Vote)
1. That “Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.08, 2018” be introduced and read three times.
- (Electoral Areas 'A', 'E', 'F', 'G' – 2/3 Weighted Vote)
2. That “Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.08, 2018” be adopted.
- 7.2.16 Bylaw No. 1655.09 – Water User Rate Amendments 2019** 361
- (Electoral Areas 'A', 'E', 'F', 'G' – Weighted Vote)
1. That “Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.09” be introduced and read three times.
- (Electoral Areas 'A', 'E', 'F', 'G' – 2/3 Weighted Vote)
2. That “Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.09” be adopted.

- 7.2.17 Madrona Reservoir Statutory Right-of Way Renewal with Island Timberlands** 365
- (All Directors - Weighted Vote)
- That the Board approve the renewal of the Statutory Right-of-Way and Road Use Agreement with Island Timberlands for the Madrona reservoir for five years.
- 7.2.18 D69 Family Resource Association Surplus Request** 373
- (All Directors - Weighted Vote)
- That the Board extend the terms of the Family Resource agreement for two months, to end of May 31, 2020.
- 7.2.19 Bow Horn Fire Protection Service Amendment Bylaw No. 1385.09, 2018** 376
- Please note: Committee recommendation has no accompanying staff report*
- (All Directors - One Vote)
- That the first three readings of "Bow Horn Fire Protection Service Amendment Bylaw No. 1385.09, 2018" be rescinded.
- 7.2.20 Nanaimo & Area Land Trust - 2019 Funding Agreement**
- Please note: Committee recommendation came from Business Arising from Delegations*
- (All Directors - Weighted Vote)
- That the Nanaimo & Area Land Trust funding be increased by \$5,000 per year starting in the 2019 Budget for a total of \$35,000 funding.

**8. REPORTS**

**8.1 Request for Support from Parksville Qualicum Beach Tourism Association regarding the Municipal Regional District Tax 378**

(All Directors - One Vote)

1. That the Board supports Parksville Qualicum Beach Tourism Association's renewal of the 2% Municipal Regional District Tax in Electoral Areas E, F, G & H, City of Parksville, and Town of Qualicum Beach.

2. That the Board supports Municipal Regional District Tax amounts collected by accommodation providers in Electoral Areas E, F, G & H (per Regional District of Nanaimo Bylaws) to be provided directly to Parksville Qualicum Beach Tourism Association by the Province.

3. That the Parksville Qualicum Beach Tourism Association be requested to use the taxes collected from the online accommodation platforms for use on affordable housing initiatives starting in 2020.

4. That the Parksville Qualicum Beach Tourism Association consult with the local governments in the designated accommodation area so that an Affordable Housing Municipal Regional District Tax Plan can be completed for November 2019.

**8.2 Valuing Natural Assets Demonstration Pilot Partnership Project 383**

(All Directors - One Vote)

That the Board endorse Regional District of Nanaimo participation in the proposed joint initiative with the Town of Gibson's, Capital Regional District, District of North Vancouver, with the Partnership for Water Sustainability in BC, seeking grant funding under asset management grant programs from both the Federation of Canadian Municipalities and Union of BC Municipalities to undertake demonstration projects to apply the Ecological Accounting Protocol approach to natural asset valuation.

**8.3 Boundary Expansion – Dashwood Fire Protection Services 405**

(All Directors - One Vote)

That the Board adopt "Dashwood Fire Protection Service Amendment Bylaw No. 964.06, 2018".

**9. BUSINESS ARISING FROM DELEGATIONS/CORRESPONDENCE**

**10. NEW BUSINESS**



**11. IN CAMERA**

(All Directors - One Vote)

That pursuant to Section(s) 90 (1) (c), (e), (i), (j), and (k) of the *Community Charter* the Committee proceed to an In Camera meeting for discussions related to other employee relations, the acquisition of land, solicitor-client privilege, third party business interests and the provision of a proposed service.

**12. ADJOURNMENT**

**REGIONAL DISTRICT OF NANAIMO  
MINUTES OF THE REGULAR BOARD MEETING**

**Tuesday, July 24, 2018  
7:00 P.M.  
RDN Board Chambers**

In Attendance:	Director W. Veenhof	Chair
	Director I. Thorpe	Vice Chair
	Director A. McPherson	Electoral Area A
	Director H. Houle	Electoral Area B
	Director M. Young	Electoral Area C
	Director B. Rogers	Electoral Area E
	Alternate	
	Director J. McLean	Electoral Area F
	Director J. Stanhope	Electoral Area G
	Director B. McKay	City of Nanaimo
	Alternate	
	Director S. Armstrong	City of Nanaimo
	Director D. Brennan	City of Nanaimo
	Director G. Fuller	City of Nanaimo
	Director J. Hong	City of Nanaimo
	Alternate	
	Director M. Beil	City of Parksville
	Director K. Oates	City of Parksville
	Director B. Colclough	District of Lantzville
	Director T. Westbrook	Town of Qualicum Beach
Regrets:	Director J. Fell	Electoral Area F
	Director B. Bestwick	City of Nanaimo
	Director J. Kipp	City of Nanaimo
	Director B. Yoachim	City of Nanaimo
	Director M. Lefebvre	City of Parksville
Also in Attendance:	P. Carlyle	Chief Administrative Officer
	G. Garbutt	Gen. Mgr. Strategic & Community Development
	L. Gardner	A/Gen. Mgr. Regional & Community Utilities
	T. Osborne	Gen. Mgr. Recreation & Parks
	D. Wells	Gen. Mgr. Corporate Services
	D. Pearce	Director of Transportation & Emergency Services
	T. Mayea	A/Mgr. Administrative Services
	S. Commentucci	Recording Secretary

**CALL TO ORDER**

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

The Chair welcomed Alternate Directors McLean, Armstrong and Beil to the meeting.

**APPROVAL OF THE AGENDA**

18-286

It was moved and seconded that the agenda be approved, as amended, to consider Item 9.1 Zoning Amendment Bylaw Application No. PL2018-013 - Pitt Road, Electoral Area 'H' Amendment Bylaw 500.420, 2018 - Third Reading, after the approval of the agenda.

CARRIED UNANIMOUSLY

Vice Chair Thorpe assumed the Chair.

**Zoning Amendment Bylaw Application No. PL2018-013 – Pitt Road, Electoral Area 'H' Amendment Bylaw 500.420, 2018 – Third Read**

18-287

It was moved and seconded that the Board receive the report of the Public Hearing held on July 9, 2018 for the "Regional District of Nanaimo Land use and subdivision Amendment Bylaw No. 500.420, 2018".

Opposed (2): Director McLean, and Director Stanhope

CARRIED

18-288

It was moved and seconded that the Board give third reading to "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.420, 2018".

Opposed (2): Director McLean, and Director Stanhope

CARRIED

Chair Veenhof assumed the Chair.

**ADOPTION OF MINUTES**

**Regular Board Meeting - June 26, 2018**

18-289

It was moved and seconded that the minutes of the Regular Board meeting held June 26, 2018, be adopted.

CARRIED UNANIMOUSLY

**INVITED PRESENTATIONS**

**Mike Hooper, President, CEO, Nanaimo Airport Commission, re Update of Projects at YCD**

Mike Hooper, President, CEO, Nanaimo Airport Commission provided the Board with an update on future projects at the Nanaimo Airport (YCD).

**CORRESPONDENCE**

18-290

It was moved and seconded that the following correspondence be received for information:

Joyce Babula, President, Gabriola Island Community Hall Association, re Funding Request for Gutters and Upgrade to Mechanical Room

Joyce Babula, President, Gabriola Island Community Hall Association, re Funding Request for Roof Replacement

CARRIED UNANIMOUSLY

**COMMITTEE MINUTES**

18-291

It was moved and seconded that the following minutes be received for information:

Electoral Area Services Committee - July 10, 2018

Committee of the Whole - July 10, 2018

Executive Committee - July 12, 2018

Transit Select Committee - July 12, 2018

Solid Waste Management Select Committee - July 5, 2018

CARRIED UNANIMOUSLY

**COMMITTEE RECOMMENDATIONS**

**Electoral Area Services Committee**

**Lease and Site License Agreement with Cedar School and Community Enhancement Society for the Management of Cedar Heritage Centre (2019-2020)**

18-292

It was moved and seconded that the Lease and Site License Agreement with Cedar School and Community Enhancement Society (CSCES) commencing the 1st of January 2019 ending the 31st of March 2020 be approved.

CARRIED UNANIMOUSLY

**Signage Strategy - Electoral Area 'B'**

18-293

It was moved and seconded that the trails and parks associated with the Whalebone Area of Gabriola be designated as the pilot project for the new signage strategy.

CARRIED UNANIMOUSLY

**Signage Strategy - Electoral Area 'E'**

18-294

It was moved and seconded that Electoral Area 'E' Parks and Open Space Advisory Committee endorse the signage project, and Es-hw Sme~nts Community Park be the pilot location.

CARRIED UNANIMOUSLY

**Little Qualicum Hall – Building Considerations and Public Consultation Report**

18-295

It was moved and seconded that \$170,000 in Community Works Funds is provided to undertake safety and accessibility upgrades to the Little Qualicum Hall and that \$50,000 is budgeted over 2 years to complete the repairs.

CARRIED UNANIMOUSLY

**Development Variance Permit Application No. PL2018-008 - 2798 Sunset Terrace, Electoral Area 'H'**

18-296

It was moved and seconded that the Board approve Development Variance Permit No. PL2018-008 to increase the maximum permitted floor area for a recreational residence subject to the terms and conditions outlined in Attachments 2 to 4.

CARRIED UNANIMOUSLY

**Development Variance Permit Application No. PL2018-060 - 3471 Blueback Drive, Electoral Area 'E'**

18-297

It was moved and seconded that the Board approve Development Variance Permit No. PL2018-060 to reduce the setback from the top of slope 30 percent or greater from 8.0 metres to 3.0 metres, subject to the terms and conditions outlined in Attachments 2 to 4.

CARRIED UNANIMOUSLY

**Official Community Plan and Zoning Amendment Application No. PL2018-043 - 1723 Cedar Road, Electoral Area 'A' - OCP Amendment Bylaw No. 1620.04, 2018 – Introduction; Amendment Bylaw No. 500.419, 2018 – Introduction**

18-298

It was moved and seconded that the Board approve the proposed Public Consultation Plan as outlined in Attachment 10.

CARRIED UNANIMOUSLY

18-299

It was moved and seconded that the Board introduce and give first reading to “Regional District of Nanaimo Electoral Area 'A' Official Community Plan Amendment Bylaw No. 1620.04, 2018”.

CARRIED UNANIMOUSLY

18-300

It was moved and seconded that the Board give second reading to “Regional District of Nanaimo Electoral Area 'A' Official Community Plan Amendment Bylaw No. 1620.04, 2018”, having considered the impact on the current Financial Plan and Solid Waste Management Plan.

CARRIED UNANIMOUSLY

18-301

It was moved and seconded that the Board receive the Summary of the Public Information Meeting held on June 7, 2018.

CARRIED UNANIMOUSLY

18-302

It was moved and seconded that the Board introduce and give two readings to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.419, 2018”.

CARRIED UNANIMOUSLY

18-303

It was moved and seconded that the Board direct the Public Hearing on “Regional District of Nanaimo Electoral Area 'A' Official Community Plan Amendment Bylaw No. 1620.04, 2018” and “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.419, 2018”, be delegated to Director McPherson.

CARRIED UNANIMOUSLY

18-304

It was moved and seconded that the conditions set out in Attachment 2 of the staff report be amended by replacing item No. 5 with the following:

“5. The applicant shall, at the applicant's expense, register a Section 219 Covenant on the property title that requires the owner to:

a. design a sidewalk or other roadside improvements along the entire Cedar Road frontage to the satisfaction of the RDN and to obtain MOTI approval prior to the issuance of a building permit for a water treatment facility on the subject property.

b. construct a sidewalk or other roadside improvements along the entire Cedar Road frontage within 24 months from the date that the water treatment plant is approved as operational or January 1, 2023, whichever occurs first.”

CARRIED UNANIMOUSLY

18-305

It was moved and seconded that the Board direct that the conditions set out in Attachment 2 of the staff report, as amended, be completed prior to “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.04, 2018” and “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.419, 2018” being considered for adoption.

CARRIED UNANIMOUSLY

**Zoning Amendment Application No. PL2018-062 - 860, 870, 890 Spider Lake Road, Electoral Area ‘H’ - Amendment Bylaw 500.421, 2018 – Introduction**

18-306

It was moved and seconded that the Board receive the Summary of the Public Information Meeting held on June 11, 2018.

CARRIED UNANIMOUSLY

18-307

It was moved and seconded that the conditions set out in Attachment 2 of the staff report be completed prior to Amendment Bylaw No. 500.421, 2018, being considered for adoption.

CARRIED UNANIMOUSLY

18-308

It was moved and seconded that “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.421, 2018”, be introduced and read two times.

CARRIED UNANIMOUSLY

18-309

It was moved and seconded that the public hearing for “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.421, 2018” be waived and notice of the Board’s intent to consider third reading be given in accordance with Section 467 of the *Local Government Act*.

CARRIED UNANIMOUSLY

### **Village Way Path Project**

18-310

It was moved and seconded that pending final approval by the Regional District of Nanaimo and the Union of BC Municipalities, up to \$25,000 of Electoral Area ‘B’ Community Works Funds be allocated to update the engineering drawings and specifications for the Village Way Path Project to meet Ministry of Transportation and Infrastructure requirements.

CARRIED UNANIMOUSLY

### **Keeping of Household Poultry**

18-311

It was moved and seconded that staff be directed to provide a report on what would be required to increase the property size required for keeping of household poultry.

CARRIED UNANIMOUSLY

### **Electoral Area 'A' Noise Bylaw**

18-312

It was moved and seconded that staff provide a report considering changes to the EA ‘A’ Noise Bylaw to apply to rock breaking and similar or associated activities/processes so as to reduce noise levels to the Permissible Sound Levels (PSLs) expressed in terms of one-hour average sound levels values for outdoor noise and attenuation of noise through the walls of a dwelling provided in the provincial guidelines for pit and quarrying facilities.

CARRIED UNANIMOUSLY

18-313

It was moved and seconded that the report consider applying the Permissible Sound Levels (PSLs) to activities that are anticipated to extend beyond four days and to restricting such activities to the period of Monday through Friday, excluding holidays, and to the hours of 8 am to 5 pm on those days.

CARRIED UNANIMOUSLY



**Committee of the Whole**

**Legal Services Standing Offers Award 2018**

18-314

It was moved and seconded that the Regional District of Nanaimo enter into standing offer agreements with Lidstone & Company and Young Anderson for the provision of routine legal services, including construction law advice.

CARRIED UNANIMOUSLY

18-315

It was moved and seconded that the Regional District of Nanaimo enter into standing offer agreements with Harris & Company and Lidstone & Company for the provision of routine legal services for Employment and Labour Law.

CARRIED UNANIMOUSLY

18-316

It was moved and seconded that the Board authorize the Chief Administrative Officer to engage alternate legal services providers when required.

CARRIED UNANIMOUSLY

**Consultation Plan – Focused Regional Growth Strategy Review**

18-317

It was moved and seconded that the Board adopt the Consultation Plan for the Focused Regional Growth Strategy Review.

CARRIED UNANIMOUSLY

**2017 Regional Growth Strategy Annual Report - Implementation and Progress**

18-318

It was moved and seconded that the 2017 Regional Growth Strategy Annual Report – Implementation and Progress, be endorsed.

CARRIED UNANIMOUSLY

18-319

It was moved and seconded that a letter be sent to the Minister of Municipal Affairs and Housing to request that the Community Energy and Emissions Inventory data be updated.

CARRIED UNANIMOUSLY

18-320

It was moved and seconded that the Regional Growth Strategy policies relating to affordable housing be included in the approved Focused Regional Growth Strategy Review.

CARRIED UNANIMOUSLY

### **Bylaw Dispute Adjudication System**

18-321

It was moved and seconded that the Board endorse a Bylaw Dispute Adjudication System.

CARRIED UNANIMOUSLY

18-322

It was moved and seconded that the Board direct the preparation of bylaws, policies and agreements for the implementation of the Bylaw Dispute Adjudication System provided for in the *Local Government Bylaw Notice Enforcement Act*, for the Board's approval.

CARRIED UNANIMOUSLY

18-323

It was moved and seconded that the Board direct staff to work with Court Services Branch, Ministry of Attorney General to request the Lieutenant Governor in Council of the Province of British Columbia enact a Regulation under Section 29 of the *Local Government Bylaw Notice Enforcement Act*, applying the Act to the Regional District of Nanaimo.

CARRIED UNANIMOUSLY

### **Water System Risk Management Plan**

18-324

It was moved and seconded that staff be directed to report back upon the completion of the Water System Risk Management Plan.

CARRIED UNANIMOUSLY

### **Nanoose Bay Peninsula Pumpstation – Construction Contract Award**

18-325

It was moved and seconded that the Board award the construction contract for the Nanoose Bay Peninsula Pump Station to Windley Construction Ltd. for \$1,713,119.00 (excluding GST).

CARRIED UNANIMOUSLY

18-326

It was moved and seconded that the Board approve the addition of \$375,000 to the project budget.

CARRIED UNANIMOUSLY

**Detailed Design Services for French Creek Pollution Control Centre Stage 4 Expansion Project and Odour Control Upgrades**

18-327

It was moved and seconded that the Board award the Engineering Services contract for the detailed design, tendering and construction services for the French Creek Pollution Control Centre Stage 4 Expansion Project and Odour Control Upgrades to AECOM for \$2,506,980 (excluding GST).

CARRIED UNANIMOUSLY

**Bowser Village Sanitary Sewer Service Rates and Regulations Bylaw No. 1773, 2018**

18-328

It was moved and seconded that “Bowser Village Sanitary Sewer Service Rates and Regulations Bylaw No. 1773, 2018” be read three times.

CARRIED UNANIMOUSLY

18-329

It was moved and seconded that “Bowser Village Sanitary Sewer Service Rates and Regulations Bylaw No. 1773, 2018” be adopted.

CARRIED UNANIMOUSLY

**Boundary Expansion – Bow Horn Bay Fire Protection Area**

18-330

It was moved and seconded that “Bow Horn Bay Fire Protection Service Amendment Bylaw No. 1385.09, 2018” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.”

CARRIED UNANIMOUSLY

**Boundary Expansion – Dashwood Fire Protection Service**

18-331

It was moved and seconded that “Dashwood Fire Protection Service Amendment Bylaw No. 964.06, 2018” be introduced and read three times.

CARRIED UNANIMOUSLY

**Transit Select Committee**

**DayPASS Fare Product Update**

18-332

It was moved and seconded that the Board receive the DayPASS Fare Product Update for information.

CARRIED UNANIMOUSLY

**Fleet Update – Future Innovations**

18-333

It was moved and seconded that the Board receive the Fleet Update – Future Innovations report for information.

CARRIED UNANIMOUSLY

**Town of Qualicum Beach - Free Fare Program**

18-334

It was moved and seconded that the Town of Qualicum provide free transit within the Town of Qualicum on routes 97 and 98 for a trial period of August 1, 2018 to September 30, 2018 with no cost to the Regional District of Nanaimo.

CARRIED UNANIMOUSLY

**Solid Waste Management Select Committee**

**Preliminary Evaluation of Solid Waste Curbside Collection Options**

18-335

It was moved and seconded that staff be directed to report back on a recommended service option and implementation plan for the following solid waste curbside collection options:

1. That glass collection at curbside be excluded from further consideration.
2. That semi-automated collection service be excluded from further consideration.
3. That staff be directed to conduct a public consultation and evaluation of the service options.

CARRIED UNANIMOUSLY

**Regional Landfill Security Contract 2018-2020**

18-336

It was moved and seconded that the Board award a two (2) year contract for Regional Landfill Security services to Neptune Security Service in the amount of \$170,000.00 from September 1, 2018 to August 31, 2020.

CARRIED UNANIMOUSLY

18-337

It was moved and seconded that the General Manager of Regional and Community Utilities and the Director of Finance be authorized to extend the contract for an additional two (2) years if appropriate.

CARRIED UNANIMOUSLY

**Gabriola Island Recycling Organization Request for Funding**

18-338

It was moved and seconded that the Board approve a fee for service to Gabriola Island Recycling Organization of an amount not to exceed \$15,000 for a Zero Waste School Education Pilot Program under the Solid Waste Management Plan for the 2018/2019 school year.

Opposed (7): Director Armstrong, Director Young, Director McLean, Director McKay, Director Thorpe, Director Brennan, Director Beil

CARRIED

**Curbside Collection Service**

18-339

It was moved and seconded that staff provide a report that investigates internal delivery of curbside collection service.

Opposed (1): Director Rogers

CARRIED

**REPORTS**

**Zoning Amendment Application No. PL2017-202 - Pitt Road, Electoral Area 'H' Amendment Bylaw 500.418, 2018 - Third Reading**

18-340

It was moved and seconded that the Board give third reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.418, 2018”.

Opposed (1): Director McLean

CARRIED

**NEW BUSINESS**

**Electoral Area 'B' Community Works Funds**

18-341

It was moved and seconded that pending approval from the Union of BC Municipalities, the Board enter in to an agreement with the Gabriola Community Hall Association for up to \$5,000 from the Electoral Area 'B' Community Works Fund allocation as a contribution towards the installation of gutters and mechanical room upgrades at the Gabriola Community Hall.

CARRIED UNANIMOUSLY

18-342

It was moved and seconded that pending notification of successful BC Community Gaming Grant application and project approval from the Union of BC Municipalities, the Board enter into an agreement with the Gabriola Community Hall Association for up to \$25,000 from the Electoral Area 'B' Community Works Fund allocation as a matching contribution towards roof upgrades and the Gabriola Community Hall.

CARRIED UNANIMOUSLY

18-343

It was moved and seconded that staff be directed to provide correspondence to the Gabriola Community Hall Association in support of its BC Community Gaming Grant application confirming the availability of up to \$25,000 in matching funds for roof upgrades for the Gabriola Community Hall.

CARRIED UNANIMOUSLY

**Electoral Area 'F' Ballot**

18-344

It was moved and seconded that the following question be placed on the October 20, 2018 ballot in Electoral Area 'F':

"Are you in favour of ending the requirement for Building Inspection for owner-builders in Electoral Area 'F' who have achieved provincial certification as owner-builders?"

Opposed (6): Director Houle, Director McPherson, Director Rogers, Director Stanhope, Director Veenhof, Director Young

DEFEATED

**IN CAMERA**

18-345

It was moved and seconded that pursuant to Section(s) 90 (1) (a), (c), (k) and (m) of the *Community Charter* the Board proceed to an In Camera meeting for discussions related to personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality, labour relations and other employee relations, a proposed service, and a matter that, under another enactment, is such that the public may be excluded from the meeting.

CARRIED UNANIMOUSLY

TIME: 8:45 PM

**ADJOURNMENT**

It was moved and seconded that the meeting be adjourned.

CARRIED UNANIMOUSLY

TIME: 9:03 PM

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CHAIR

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CORPORATE OFFICER

**REGIONAL DISTRICT OF NANAIMO  
MINUTES OF THE SPECIAL BOARD MEETING**

**Tuesday, September 4, 2018  
3:00 P.M.  
RDN Board Chambers**

In Attendance:	Director W. Veenhof	Chair
	Director I. Thorpe	Vice Chair
	Director A. McPherson	Electoral Area A
	Director H. Houle	Electoral Area B
	Director M. Young	Electoral Area C
	Director B. Rogers	Electoral Area E
	Director J. Fell	Electoral Area F
	Director J. Stanhope	Electoral Area G
	Director B. McKay	City of Nanaimo
	Alternate	
	Director S. Armstrong	City of Nanaimo
	Director D. Brennan	City of Nanaimo
	Director M. Lefebvre	City of Parksville
	Director B. Colclough	District of Lantzville
	Director T. Westbrook	Town of Qualicum Beach
Regrets:	Director B. Bestwick	City of Nanaimo
	Director G. Fuller	City of Nanaimo
	Director J. Hong	City of Nanaimo
	Director J. Kipp	City of Nanaimo
	Director B. Yoachim	City of Nanaimo
	Director K. Oates	City of Parksville
Also in Attendance:	P. Carlyle	Chief Administrative Officer
	R. Alexander	Gen. Mgr. Regional & Community Utilities
	G. Garbutt	Gen. Mgr. Strategic & Community Development
	T. Osborne	Gen. Mgr. Recreation & Parks
	D. Wells	Gen. Mgr. Corporate Services
	J. Beauchamp	Director of Finance
	D. Pearce	Director of Transportation & Emergency Services
	T. Mayea	A/Mgr. Administrative Services
	C. Golding	Recording Secretary



**CALL TO ORDER**

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

The Chair welcomed Jeannie Beauchamp, the newly hired Director of Finance, to the meeting.

**APPROVAL OF THE AGENDA**

18-346

It was moved and seconded that the agenda be approved as presented.

CARRIED UNANIMOUSLY

**REPORTS**

**Zoning Amendment Application No. PL2018-013 – Pitt Road, Electoral Area H – Amendment Bylaw No. 500.420, 2018 – Adoption**

18-347

It was moved and seconded that the Board receive the Delegate's Report of the Public Hearing held on July 9, 2018 for "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.420, 2018".

CARRIED UNANIMOUSLY

18-348

It was moved and seconded that the Board adopt "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.420, 2018".

Opposed (1): Director Stanhope

CARRIED

**Official Community Plan and Zoning Amendment Application No. PL2018-043 – 1723 Cedar Road, Electoral Area A – Official Community Plan Amendment Bylaw 1620.04, 2018 – Third Reading; and Zoning Amendment Bylaw 500.419, 2018 – Third Reading**

18-349

It was moved and seconded that the Board receive the Delegate's Report of the Public Hearing held on August 16, 2018, for "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Amendment Bylaw No. 1620.04, 2018" and "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.419, 2018".

CARRIED UNANIMOUSLY

18-350

It was moved and seconded that “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.04, 2018” be read a third time.

CARRIED UNANIMOUSLY

18-351

It was moved and seconded that “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.419, 2018” be read a third time.

CARRIED UNANIMOUSLY

**Zoning Amendment Application No. PL2018-062 – 860, 870 and 890 Spider Lake Road, Electoral Area H – Amendment Bylaw 500.421, 2018 – Third Reading**

18-352

It was moved and seconded that “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.421, 2018” be read a third time.

CARRIED UNANIMOUSLY

**ADJOURNMENT**

TIME: 3:03 PM

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CHAIR

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CORPORATE OFFICER

**From:** "Leigh Ann Milman"

**Date:** August 30, 2018 at 12:05:00 PM PDT

**To:** <[howard.houle@rdn.bc.ca](mailto:howard.houle@rdn.bc.ca)>

**Cc:** <[bill.veenhof@shaw.ca](mailto:bill.veenhof@shaw.ca)>, <[hosullivan@islandstrust.bc.ca](mailto:hosullivan@islandstrust.bc.ca)>, <[mmamoser@islandstrust.bc.ca](mailto:mmamoser@islandstrust.bc.ca)>

**Subject:** Updating and Improving Gabriola's Noise Control Bylaw.

Howard  
Houle

RDN Director  
Electoral Area B  
Gabriola Island  
August 30, 2018

Director Howard Houle,

We are asking the Regional District to upgrade Gabriola's noise bylaw to better meet current needs. We have been unable to resolve the issue of construction related noise with our neighbors directly. We are now addressing the issue more globally.

For the last two and a half years, we have experienced intense, regular noise while our neighbors build their own home and site. For all intents and purposes, we expect this disruption to our peace, quiet, and well-being to continue indefinitely. We had hoped at the very least that they would limit their noise to conventional working hours, giving us some peace and quiet during the evenings and on weekends and holidays. Unfortunately we have no redress under our current noise bylaw.

We have been profoundly affected by loud percussive and high pitched sounds at any time between 8am and 8pm, seven days a week. These intense and acute noises include loading and unloading heavy equipment and materials, the use of jack hammers, planers, nail guns, impact drivers, power saws, chainsaws, bob-cat, and excavators. And although there may be periods of quiet, we have no way of knowing, or anticipating when the noise will end or resume. A better noise bylaw will give us and all Islanders the assurance of peace and quiet, and a way to work around the noise.

As a licensed builder, I understand the impact of noise on surrounding neighbors. I have always been very strict about starting no earlier than 8am and stopping work by 4:30pm Monday through Friday, and only rarely working on Saturdays. I try to build efficiently, completing projects as quickly as possible, which minimizes the noise and other impacts on neighbors.

Times have changed since our noise bylaw was amended over 20 years ago. The Island has grown considerably. Increased population has brought with it an increase in noise. Wide spread use and increased availability of power equipment and heavy machinery has also made our residential neighborhoods noisier.

Many Islanders have expressed their distress with the increase in noise levels. The current minimal restrictions around the use of power tools, heavy machinery, and construction noise, are no longer

appropriate. Introducing reasonable restrictions which we outline below, would ensure we can enjoy quiet, peace and rest in and around our homes.

West Vancouver has done an excellent, comprehensive job with their noise bylaw. We suggest you use their bylaw as a model for an improved Gabriola noise control bylaw.

Please find attached a summary of West Vancouver's noise bylaw.

Here is a link to the regulations of West Vancouver's noise bylaws relating to construction noise:

<https://westvancouver.ca/home-building-property/construction-renovating/noise-regulations>

The following highlights West Vancouver's noise bylaw as it relates to construction noise and noise from power equipment in general:

Construction creates noise, and to ensure that residents are able to enjoy some peace and rest,

there are regulations in place outlining when construction activities are permitted.

**Construction noise is permitted:**

Monday–Friday, 7:30 a.m.–5:30 p.m.

Saturday, 8 a.m.–5 p.m.

**Construction noise is prohibited:**

Sundays and holidays

Monday–Friday, before 7:30 a.m. or after 5:30 p.m.

Saturday, before 8 a.m. or after 5 p.m.

**Power Equipment is prohibited:**

Sundays and holidays

During the Night (6:00pm to 7:00am Monday to Saturday)

We have lived on this Island almost thirty years, and we care deeply about this community. An improved noise bylaw would give all Islanders more peace where we live, rest and work.

Thank you for your attention,  
Sincerely,

Leigh Ann Milman and Timothy Maika  
2550 Coho Dr.  
Gabriola Island, BC



**The Corporation of the District of West Vancouver**  
750 – 17<sup>th</sup> Street, West Vancouver BC V7V 3T3  
(604) 925-7000 FAX (604) 925-5999 [www.westvancouver.ca](http://www.westvancouver.ca)

## **Noise Control Bylaw 4404, 2005 Summary**

Updated: May 9, 2005

### **Burglar alarm or security system**

(Continuous or non-continuous for 15 minutes or more)

Prohibited

### **Construction Noise**

Prohibited:

- Sunday and holidays
- Before 8:00am or after 5:00pm Saturday
- Before 7:30am or after 5:30pm Monday to Friday

### **Dog, bird or any other animal**

(Continuous or non-continuous for 15 minutes or more)

Prohibited

### **Lawnmowers**

Prohibited:

- Before 11:00am or after 4:00pm Sunday and holidays
- Before 8:00am or after 8:00pm Monday to Saturday

**Motor Vehicles**

Prohibited

- Loud, roaring or explosive engine or exhaust
- Horn or warning device not authorized by law
- Tire squeal
- Banging, clanking or squealing of a load or tow due to improperly secured load/equipment or inadequate maintenance
- Easily heard sound playback device, amplification equipment or musical instrument

**Power Equipment**

Prohibited:

- Sunday and holidays
- During the Night (6:00pm to 7:00am Monday to Saturday)

**Public Address System**  
(outside)

Prohibited

**Radio, record, tape or disc player, television set, or other**

Prohibited

(Continuous or non-continuous for 15 minutes or more)

**Exemptions:**

- Police, Fire or other emergency personnel vehicles and equipment in relation to an emergency.
- Vehicles and equipment used to make emergency repairs to public utilities and services.
- Transit buses operated by a public authority
- Work carried out by officers, employees or agents of the District.

**REGIONAL DISTRICT OF NANAIMO**  
**MINUTES OF THE ELECTORAL AREA SERVICES COMMITTEE MEETING**

**Tuesday, September 4, 2018**  
**1:30 P.M.**  
**RDN Board Chambers**

In Attendance:	Director J. Stanhope	Chair
	Director A. McPherson	Electoral Area A
	Director H. Houle	Electoral Area B
	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:	P. Carlyle	Chief Administrative Officer
	R. Alexander	Gen. Mgr. Regional & Community Utilities
	G. Garbutt	Gen. Mgr. Strategic & Community Development
	T. Osborne	Gen. Mgr. Recreation & Parks
	D. Wells	Gen. Mgr. Corporate Services
	D. Pearce	Director of Transportation & Emergency Services
	T. Armet	Mgr. Building & Bylaw Services
	T. Mayea	A/Mgr. Administrative Services
	P. Thompson	Mgr. Long Range Planning
	C. Simpson	Senior Planner, Long Range Planning
	S. Commentucci	Recording Secretary

### **CALL TO ORDER**

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

### **APPROVAL OF THE AGENDA**

It was moved and seconded that the agenda be approved as presented.

CARRIED UNANIMOUSLY

### **ADOPTION OF MINUTES**

#### **Electoral Area Services Committee Meeting - July 10, 2018**

It was moved and seconded that the minutes of the Electoral Area Services Committee meeting held July 10, 2018 be adopted.

CARRIED UNANIMOUSLY

## **DELEGATIONS**

### **John Peirce, Village Vision Planning Committee, re Gabriola Village Transportation Corridor and Road Side Pedestrian Trail**

John Peirce, representing Village Vision Planning Committee on Gabriola Island, provided an update regarding Gabriola Village Transportation Corridor and Road Side Pedestrian Trails.

## **COMMITTEE MINUTES**

It was moved and seconded that the following minutes be received for information:

East Wellington / Pleasant Valley Parks and Open Space Advisory Committee - June 25, 2018

CARRIED UNANIMOUSLY

## **COMMITTEE RECOMMENDATIONS**

### **East Wellington / Pleasant Valley Parks and Open Space Advisory Committee**

#### **Signage Strategy - EA 'EW/PV' Pilot Project**

It was moved and seconded that the Signage Strategy be received and Anders and Dorrit's Community Park be identified as the pilot location for an interpretive and entrance sign.

CARRIED UNANIMOUSLY

## **PLANNING**

### **Other**

#### **DPA and TUP Standardization Project**

It was moved and seconded that the Board introduce and give first reading to "Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018".

CARRIED UNANIMOUSLY

It was moved and seconded that the Board give second reading to "Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018" having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board introduce and give first reading to "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.07, 2018".

CARRIED UNANIMOUSLY



It was moved and seconded that the Board give second reading to “Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.07, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board introduce and give first reading to “Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Amendment Bylaw No. 1055.05, 2018”.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board give second reading to “Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Amendment Bylaw No. 1055.05, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board introduce and give first reading to “Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.05, 2018”.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board give second reading to “Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.05, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board introduce and give first reading to “Regional District of Nanaimo Electoral Area F Official Community Plan Amendment Bylaw No. 1152.05, 2018”.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board give second reading to “Regional District of Nanaimo Electoral Area F Official Community Plan Amendment Bylaw No. 1152.05, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board introduce and give first reading to “Regional District of Nanaimo Electoral Area G Official Community Plan Amendment Bylaw No. 1540.02, 2018”.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board give second reading to “Regional District of Nanaimo Electoral Area G Official Community Plan Amendment Bylaw No. 1540.02, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board introduce and give first reading to “Regional District of Nanaimo Electoral Area H Official Community Plan Amendment Bylaw No. 1335.07, 2018”.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board give second reading to “Regional District of Nanaimo Electoral Area H Official Community Plan Amendment Bylaw No. 1335.07, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board introduce and give first reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.422, 2018” as amended, to include the following:

- a. delete the words “Rural or” in the row titled Arrowsmith Benson Cranberry Bright in the table in section 2 of schedule A.
- b. capitalize the first “t”, and add the word “be” after “should” and before “sufficient” in the second sentence of section 2 iv) of Schedule A.
- c. add “where the lot is greater than 5000m<sup>2</sup>” before the colon in Section 5.1.7 Farmland Protection Development Permit Area, Applicability, subsection 2, of Schedule B.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board give second reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.422, 2018”.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board introduce and give first reading to “Regional District of Nanaimo Electoral Area F Zoning and Subdivision Amendment Bylaw No. 1285.33, 2018”.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board give second reading to “Regional District of Nanaimo Electoral Area F Zoning and Subdivision Amendment Bylaw No. 1285.33, 2018”.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board direct the public hearing on the following bylaws to be Chaired by Director Stanhope or the Electoral Area Services Committee Vice-Chair:

- a. “Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018”;
- b. “Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.07, 2018”;
- c. “Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Amendment Bylaw No. 1055.05, 2018”;
- d. “Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.05, 2018”;
- e. “Regional District of Nanaimo Electoral Area F Official Community Plan Amendment Bylaw No. 1152.05, 2018”;
- f. “Regional District of Nanaimo Electoral Area H Official Community Plan Amendment Bylaw No. 1335.07, 2018”;
- g. “Regional District of Nanaimo Electoral Area G Official Community Plan Amendment Bylaw No. 1540.02, 2018”;
- h. “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.422, 2018”; and
- i. “Regional District of Nanaimo Electoral Area F Zoning and Subdivision Amendment Bylaw No. 1285.33, 2018”.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board introduce and give first, second and third reading to “Regional District of Nanaimo Development Application and Notification Procedures Bylaw No. 1776, 2018”.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board approve revisions to “Policy B1.12 *Riparian Areas Regulation Stream Declaration*” under the revised title of “Policy B1.12 Property Declaration Form”.

CARRIED UNANIMOUSLY

## **EMERGENCY PREPAREDNESS**

### **Emergency Plan Update**

It was moved and seconded that the Emergency Plan Update report be received for information.

CARRIED UNANIMOUSLY

## **FIRE PROTECTION**

### **Fire Services Project Update**

It was moved and seconded that the Fire Services Projects Updates be received for information.

CARRIED UNANIMOUSLY

## **BUILDING INSPECTION**

### **Building Permit Activity – Second Quarter 2018**

It was moved and seconded that the report Building Permit Activity – Second Quarter 2018 be received for information.

CARRIED UNANIMOUSLY

**NEW BUSINESS**

**Directors' Forum**

The Directors' Forum included discussions related to Electoral Area matters.

**Planning**

It was moved and seconded that staff take immediate steps to amend the secondary suites zoning amendment bylaw 500.389, 2014 to permit a secondary suite within the principal residence or a standalone carriage house secondary suite on properties with community water that are greater than 1,000 square metres and less than 8,000 square metres.

CARRIED UNANIMOUSLY

It was moved and seconded that the Electoral Area A Official Community Plan be placed in line for a complete review.

CARRIED UNANIMOUSLY

**ADJOURNMENT**

It was moved and seconded that the meeting be adjourned.

TIME: 2:20 PM

CARRIED UNANIMOUSLY

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CHAIR

**REGIONAL DISTRICT OF NANAIMO  
MINUTES OF THE REGULAR COMMITTEE OF THE WHOLE MEETING**

**Tuesday, September 4, 2018  
3:05 P.M.  
RDN Board Chambers**

In Attendance:	Director W. Veenhof	Chair
	Director I. Thorpe	Deputy Chair
	Director A. McPherson	Electoral Area A
	Director H. Houle	Electoral Area B
	Director M. Young	Electoral Area C
	Director B. Rogers	Electoral Area E
	Director J. Fell	Electoral Area F
	Director J. Stanhope	Electoral Area G
	Director B. McKay	City of Nanaimo
	Alternate	
	Director S. Armstrong	City of Nanaimo
	Director D. Brennan	City of Nanaimo
	Director M. Lefebvre	City of Parksville
	Director B. Colclough	District of Lantzville
	Director T. Westbrook	Town of Qualicum Beach
Regrets:	Director B. Bestwick	City of Nanaimo
	Director G. Fuller	City of Nanaimo
	Director J. Hong	City of Nanaimo
	Director J. Kipp	City of Nanaimo
	Director B. Yoachim	City of Nanaimo
	Director K. Oates	City of Parksville
Also in Attendance:	P. Carlyle	Chief Administrative Officer
	R. Alexander	Gen. Mgr. Regional & Community Utilities
	G. Garbutt	Gen. Mgr. Strategic & Community Development
	T. Osborne	Gen. Mgr. Recreation & Parks
	D. Wells	Gen. Mgr. Corporate Services
	J. Beauchamp	Director of Finance
	S. De Pol	Director of Water & Wastewater Services
	D. Pearce	Director of Transportation & Emergency Services
	T. Mayea	A/Mgr. Administrative Services
	P. Thompson	Mgr. Long Range Planning
	C. Golding	Recording Secretary

**CALL TO ORDER**

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

## **APPROVAL OF THE AGENDA**

It was moved and seconded that the agenda be approved, as amended, to consider Item 5.3 Dr. Paul Hasselback, Medical Health Officer, and Analisa Blake, Project Manager; Food Security, Health Living and Community Health Networks, Island Health, re the Value of Community Health Networks before Item 5.2.

CARRIED UNANIMOUSLY

## **ADOPTION OF MINUTES**

### **Regular Committee of the Whole Meeting - July 10, 2018**

It was moved and seconded that the minutes of the Regular Committee of the Whole meeting held July 10, 2018, be adopted.

CARRIED UNANIMOUSLY

## **INVITED PRESENTATIONS**

### **Gloria Hatfield, President Gabriola Island Chamber of Commerce, re Update on the Gabriola Island Chamber of Commerce**

Gloria Hatfield provided an overview of the Annual Report on Economic Development for Electoral Area B which highlighted the accomplishments achieved on Governance, Marketing and Promoting the Gabriola Brand, Economic Development Initiatives, and thanked the Board for their continued support and annual funding.

## **DELEGATIONS**

### **Dean Gaudry and Paul Chapman, re Nanaimo & Area Land Trust - 2019 Funding Agreement**

Dean Gaudry and Paul Chapman provided an overview of the services that the Nanaimo & Area Land Trust has provided to the Regional District in 2017 including land acquisitions and conservation agreements, and asked the Board to increase their funding by \$5,000 to a total annual amount of \$35,000.

### **Dr. Paul Hasselback, Medical Health Officer, and Analisa Blake, Project Manager; Food Security, Healthy Living and Community Health Networks, Island Health, re the Value of Community Health Networks**

Dr. Paul Hasselback and Analisa Blake provided an overview of the Community Health Networks at Island Health including the activities and accomplishments of the networks, the benefits of regional districts as network hosts, and determinants of health across the region including government supports to assist in lowering the costs of health care.

**Lisa Marie Barron, Coordinator, and Sharon Welch, Chair, Oceanside Health and Wellness Network (OHWN), re OHWN Update**

Sharon Welch and Lisa Marie Barron provided an overview of the Oceanside Health & Wellness Network highlighting the structure of the network, child wellness, child and youth mental health, network development, forums held in the Oceanside Region, and thanked the Board for their funding and requested that the Board approve the contract renewal for the Coordinator position.

**CORRESPONDENCE**

It was moved and seconded that the following correspondence be received for information:

Leonard Krog, MLA, re Nanaimo Search and Rescue

CARRIED UNANIMOUSLY

**COMMITTEE MINUTES**

That the following minutes be received for information:

District 69 Recreation Commission - July 19, 2018

CARRIED UNANIMOUSLY

**COMMITTEE RECOMMENDATIONS**

**District 69 Recreation Commission**

**Rubberized Track**

It was moved and seconded that staff move forward with discussions with School District 69 (Qualicum), City of Parksville and Town of Qualicum Beach for a rubberized track, up to 8 lanes, to bring back for further review and consideration by the District 69 Recreation Commission and RDN Board.

CARRIED UNANIMOUSLY

**Pool Discussion**

It was moved and seconded that staff proceed to prepare a concept plan to advance the addition of a second 25m tank and expanded change rooms at the Ravensong Aquatic Centre.

CARRIED UNANIMOUSLY

**Confirmation of Multiplex Vision**

It was moved and seconded that a centralized land purchase strategy be developed and implemented for a future indoor/outdoor sport recreation facility complex for the Oceanside area.

CARRIED UNANIMOUSLY

**Formation of D69 Recreation Commission Infrastructure Planning Sub-Committee**



It was moved and seconded that a District 69 Recreation Commission Infrastructure Planning Sub-Committee be formed after the 2018 election.

CARRIED UNANIMOUSLY

## **CORPORATE SERVICES**

### **2019 to 2023 Financial Plan Schedule**

It was moved and seconded that the preliminary 2019 budget information provided be received and that the proposed schedule of meetings to review and approve the 2019 to 2023 Financial Plan be approved as presented.

CARRIED UNANIMOUSLY

### **Approval of Signing Authorities for General Banking and Investments**

It was moved and seconded that the signing authorities for general banking services and financial instruments reflect the following officer positions:

Chair - William Veenhof

Deputy Chair - Ian Thorpe

Chief Administrative Officer - Phyllis Carlyle

Director of Finance - Jeannie Beauchamp

Manager, Accounting Services - Tiffany Moore

Manager, Capital & Financial Reporting - Manvir Manhas

CARRIED UNANIMOUSLY

It was moved and seconded that the foregoing authorizations extend to accounts in the name of the Regional District of Nanaimo.

CARRIED UNANIMOUSLY

### **Quarterly Financial Report – Second Quarter – 2018**

It was moved and seconded that the Financial Report for the period January 1, 2018 to June 30, 2018 be received for information.

CARRIED UNANIMOUSLY

### **Bylaw 1775 – Alberni-Clayoquot Regional District – 2019 Permissive Tax Exemption**

It was moved and seconded that “Property Tax Exemption (Alberni-Clayoquot Mt. Arrowsmith Regional Park) Bylaw No. 1775, 2018” be introduced and read three times.

CARRIED UNANIMOUSLY

It was moved and seconded that “Property Tax Exemption (Alberni-Clayoquot Mt. Arrowsmith Regional Park) Bylaw No. 1775, 2018” be adopted.

CARRIED UNANIMOUSLY

**Election Worker Liability Insurance Coverage**

It was moved and seconded that the Board authorize the Director of Finance and the Manager of Administrative Services to enter into Service Provider Agreements with individual election workers for the provision of liability insurance through the Regional District's liability insurance held with the Municipal Insurance Association of British Columbia.

CARRIED UNANIMOUSLY

**Communications for Election 2018**

It was moved and seconded that the Board receive the Communications for Election 2018 report for information.

CARRIED UNANIMOUSLY

Director Armstrong left the meeting at 4:07 PM.

**Rogers Cell Tower Right of Way Agreement**

It was moved and seconded that the Board approve the offer from Rogers Communications Inc. of \$13,860 per year for the 2018 – 2023 term (which includes a renewal option of five years from June 1, 2023 to May 31, 2028) and to allow two additional renewal options of five years, commencing June 1, 2028 – May 31, 2033 and June 1, 2033 – May 31, 2038).

It was moved and seconded that the motion be amended by deleting all text following: (which includes a renewal option of five years from June 1, 2013 to May 31, 2028).

Opposed (6): Director Thorpe, Director Stanhope, Director McKay, Director Brennan, Director Lefebvre, and Director Westbroek

CARRIED

The vote was taken on the main motion as amended:

It was moved and seconded that the Board approve the offer from Rogers Communications Inc. of \$13,860 per year for the 2018-2023 term (which includes a renewal option of five years from June 1, 2023 to May 31, 2028).

Opposed (6): Director Thorpe, Director McPherson, Director Fell, Director Stanhope, Director McKay, and Director Lefebvre

CARRIED

It was moved and seconded that staff be directed to seek a contract renewal rate of a minimum of \$25,000 per year from Rogers Communications Inc. for the use of Regional District of Nanaimo land for their cell tower.

Opposed (1): Director Rogers

CARRIED

## **STRATEGIC AND COMMUNITY DEVELOPMENT**

### **The National Housing Strategy and Opportunities in Regional Affordable Housing**

It was moved and seconded that the Board provide direction to advance a regional approach to affordable housing that considers partnership development and the creation of a regional affordable housing service and reserve fund.

CARRIED UNANIMOUSLY

### **Oceanside Health and Wellness Network Coordinator Funding – Contract Renewal Request from Island Health**

It was moved and seconded that the Regional District of Nanaimo enter into a three-year contract with Island Health, from November 1, 2018 to October 31, 2021, to administer funds for subcontracting a Coordinator for the Oceanside Health and Wellness Network.

CARRIED UNANIMOUSLY

### **Overview of the Green Building Incentive Program**

It was moved and seconded that the Green Building Incentive Program be reviewed.

CARRIED UNANIMOUSLY

### **Regional Growth Strategy Amendment to Implement the Town of Qualicum Beach Official Community Plan**

It was moved and seconded that the amendments required to “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011” to implement the “Town of Qualicum Beach Official Community Plan Bylaw No. 800, 2018” proceed through the minor amendment process.

Opposed (1): Director McPherson

CARRIED

It was moved and seconded that the Regional Context Statement be accepted.

Opposed (1): Director McPherson

CARRIED

It was moved and seconded that the Consultation Plan for the “Regional Growth Strategy Amendment to Implement the Town of Qualicum Beach Official Community Plan” be endorsed.

Opposed (1): Director McPherson

CARRIED

## **RECREATION AND PARKS**

### **Bylaw No. 1777 - District 69 Recreation Commission**

It was moved and seconded that the "District 69 Recreation Commission Bylaw No. 1777, 2018" be introduced and read three times.

CARRIED UNANIMOUSLY

It was moved and seconded that the "District 69 Recreation Commission Bylaw No. 1777, 2018" be adopted.

CARRIED UNANIMOUSLY

## **REGIONAL AND COMMUNITY UTILITIES**

### **Bylaw No.1655.08 – Water Services Fees and Charges Amendments 2018**

It was moved and seconded that "Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.08, 2018" be introduced and read three times.

CARRIED UNANIMOUSLY

It was moved and seconded that "Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.08, 2018" be adopted.

CARRIED UNANIMOUSLY

### **Bylaw No. 1655.09 – Water User Rate Amendments 2019**

It was moved and seconded that "Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.09" be introduced and read three times.

CARRIED UNANIMOUSLY

It was moved and seconded that "Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.09" be adopted.

CARRIED UNANIMOUSLY

Director Armstrong returned to the meeting at 4:47 PM

## **Overview of Water Stewardship Rebates**

It was moved and seconded that the Overview of Water Stewardship Rebates be received for information.

CARRIED UNANIMOUSLY

**Project Update – 10 Year Action Plan Review for Drinking Water and Watershed Protection**

It was moved and seconded that the Board receive this report on the 10 Year Action Plan Review for the Drinking Water and Watershed Protection program for information.

CARRIED UNANIMOUSLY

**Madrona Reservoir Statutory Right-of Way Renewal with Island Timberlands**

It was moved and seconded that the Board approve the renewal of the Statutory Right-of-Way and Road Use Agreement with Island Timberlands for the Madrona reservoir for five years.

CARRIED UNANIMOUSLY

**TRANSPORTATION AND EMERGENCY PLANNING SERVICES**

**D69 Family Resource Association Surplus Request**

It was moved and seconded that the Board extend the terms of the Family Resource agreement for two months, to end of May 31, 2020.

CARRIED UNANIMOUSLY

**Bow Horn Fire Protection Service Amendment Bylaw No. 1385.09, 2018**

It was moved and seconded that the first three readings of "Bow Horn Fire Protection Service Amendment Bylaw No. 1385.09, 2018" be rescinded.

CARRIED UNANIMOUSLY

**BUSINESS ARISING FROM CORRESPONDENCE / DELEGATIONS**

**Nanaimo & Area Land Trust - 2019 Funding Agreement**

It was moved and seconded that the Nanaimo & Area Land Trust funding be increased by \$5,000 per year starting in the 2019 Budget for a total of \$35,000 funding.

Opposed (1): Director Rogers

CARRIED

**NEW BUSINESS**

**Directors' Roundtable**

Directors provided updates to the Board.

**IN CAMERA**

It was moved and seconded that pursuant to Sections 90 (1) (e), (g), (i), (j), and (k) of the *Community Charter* the Committee proceed to an In Camera meeting for discussions related to the acquisition of land, litigation or potential litigation, solicitor-client privilege, third party business interests and the provision of a proposed service.

CARRIED UNANIMOUSLY

TIME: 5:11 PM

**ADJOURNMENT**

It was moved and seconded that this meeting be adjourned.

CARRIED UNANIMOUSLY

TIME: 5:31 PM

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CHAIR

The Signage Strategy was presented to the EASC on February 13, 2018.

Through the development of the Community Parks and Trails Strategy, signage was identified as the most requested park improvement feature by the public for existing community parks.

We received direction from the Board to replace current Community Park signs with new welcoming signs. Research into signage for parks and trails in other jurisdictions was completed to better understand the graphic direction the Signage Strategy could take. The variety in design options currently provided for many communities is vast – there were many precedent ideas that could work for RDN Parks. Staff focused efforts on the cost effective qualities of signage while maintaining clear wayfinding options and branding opportunities. Staff met with RDN team members in Building & Bylaw Services, Corporate Services, and within Parks Services to better understand their signage needs. All were presented with an overview of the Signage Strategy and their feedback was considered and integrated into the sign design.

Staff examined the current Sign Manual for Community and Regional Parks & Trails, 2001 as reference for the proposed Signage Strategy for Community Parks and Trails. The new signs will reflect an updated graphic style and the RDN Graphic Design Standards. The corporate branding for the RDN uses a specific font type and colour palette; the new sign design integrates these branding components. An updated RDN logo will be provided on the new signs as well.

The signage classifications are as follows:

#### Identification Signage

Identification Signage is intended to mark the location of the park or trail at the earliest approach point to the park or trail itself. It is intended primarily to be visible from a distance by visitors traveling by vehicle at higher speeds but also useful to visitors arriving by bicycle or on foot. A wood sign would be placed adjacent the main road into the park or adjacent the parking area, where possible. It would be used at parks with larger entrances.

#### Kiosk Signage

A kiosk would be placed where it could be accessed safely by a pedestrian or cyclist. It would provide information such as mapping, background information, safety information, as well as park etiquette. Larger kiosk could provide broader information about RDN Parks.

#### Entrance Signage

Entrance Signage is intended to mark the main entrance to a park or trail. It should be to pedestrian scale, visible from a distance, and legible upon approach. A combination of Entrance and Welcome Signage would highlight the main entrance.

#### Welcome Signage

The welcome sign would provide historic and current information about the park or trail, provide a park map or trail system (or both), identify park or trail amenities, identify park or trail regulations, and provide contact information for RDN Parks.

### Trail Head Signage

Trail Head Signage is intended to mark the beginning of a trail. It would provide the trail name, the trail condition (easy, moderate, difficult), the length of the trail, identify trail use (hiking vs walking), and provide a trail system map with “You are here” identified.

### Directional Signage

Directional Signage is intended to be placed where required in a park or along a trail. The purpose is to direct park and trail users to areas of interest. Directional Signage would be a wayfinding tool for park and trail users not referencing maps. Where necessary, park or trail system diagrams with a location identified will be provided to enhance the wayfinding experience.

### Regulatory Signage

Regulatory Signage is intended to reinforce Bylaw 1399 and to clearly identify uses permitted/not permitted in RDN Parks and along RDN Trails. It would provide universally understood icons to highlight uses permitted/not permitted and provide contact information for RDN Parks. Regulatory Signage would be customizable to reflect the individual park or trail in which the sign would be placed.

### Interpretive Signage

Interpretive Signage is intended to provide historical, environmental, and/or educational information for park and trail users. Interpretive Signage would be used in parks in areas of significance or along trails to highlight points of interest.

### Safety Signage

Safety Signage is intended to alert park and trail users of possible dangerous conditions or unusual activities. Their placement is key to ensure the safety of the public. The established use of yellow for ‘Caution’ and red for ‘Danger’ would be maintained.

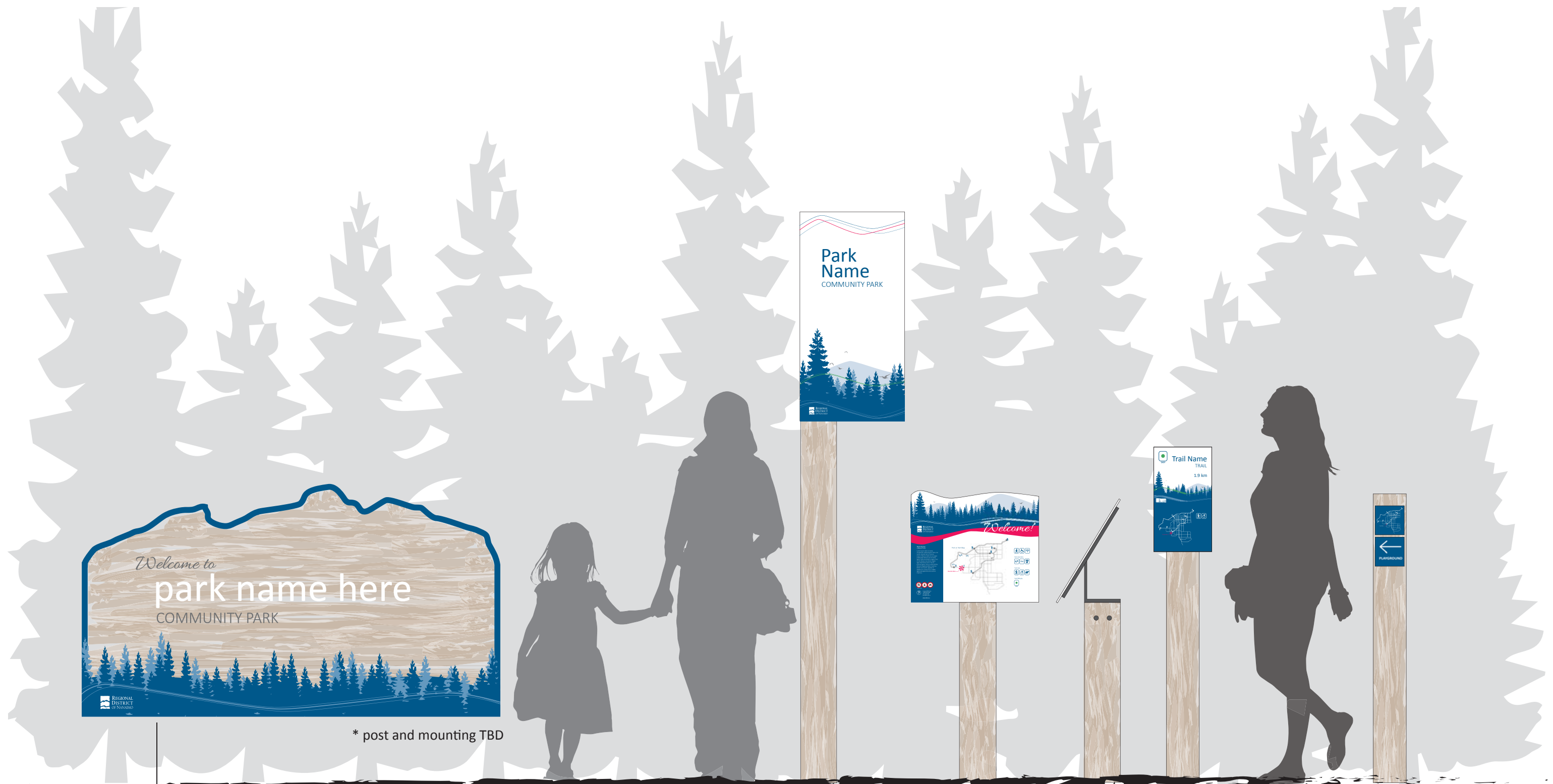
### **Goal and Next Steps**

For the POSAC meeting the goal is for the members to receive the information regarding the Signage Strategy for Community Parks and Trails, provide comment and feedback if they so desire, and to discuss which park and/or trail would be best suited to be the pilot site for new signage. Staff will ultimately assess the success of the signage for the park or trail, compare how it functions to the other pilot sites in the EAs, and determine potential changes required to improve on the signage prior setting it as the standard for RDN Parks.

Please set a date a time for the pilot site to be selected, giving the POSAC members adequate time to reflect on their recommendation.

Thank you!





\* post and mounting TBD

IDENTIFICATION sign  
cedar wood product and dimensions  
to remain

ENTRANCE sign  
size: 18x36"  
height to  
top of sign: 8'

WELCOME sign  
size: 18x22"  
height to top of sign: 4'  
\*panel tilt 30° back  
  
INTERPRETIVE sign  
size: 18x22"  
height to top of sign: 4'  
\*panel tilt 30° back

TRAIL HEAD sign  
size: 10x18"  
height of top of sign: 4'-8"

DIRECTIONAL sign  
size: 5x5"  
height to top of sign: 4'

SIGNAGE CLASSIFICATION FOR THE SIGNAGE STRATEGY FOR COMMUNITY PARKS AND TRAILS  
EASC Meeting February 13th, 2018

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**TO:** Electoral Area Services Committee      **MEETING:** September 4, 2018  
**FROM:** Courtney Simpson  
Senior Planner      **FILE:** 6780-30  
**SUBJECT:** Development Permit and Temporary Use Permit Areas Standardization Project

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**Please note: Recommendation #19 was varied by the Committee by striking out 'or his alternate' and adding 'or the Electoral Area Services Committee Vice-Chair'**

### RECOMMENDATIONS

1. That the Board introduce and give first reading to “Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018”.
2. That the Board give second reading to “Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.
3. That the Board introduce and give first reading to “Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.07, 2018”.
4. That the Board give second reading to “Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.07, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.
5. That the Board introduce and give first reading to “Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Amendment Bylaw No. 1055.05, 2018”.
6. That the Board give second reading to “Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Amendment Bylaw No. 1055.05, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.
7. That the Board introduce and give first reading to “Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.05, 2018”.
8. That the Board give second reading to “Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.05, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.
9. That the Board introduce and give first reading to “Regional District of Nanaimo Electoral Area F Official Community Plan Amendment Bylaw No. 1152.05, 2018”.

10. That the Board give second reading to “Regional District of Nanaimo Electoral Area F Official Community Plan Amendment Bylaw No. 1152.05, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.
11. That the Board introduce and give first reading to “Regional District of Nanaimo Electoral Area G Official Community Plan Amendment Bylaw No. 1540.02, 2018”.
12. That the Board give second reading to “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Amendment Bylaw No. 1540.02, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.
13. That the Board introduce and give first reading to “Regional District of Nanaimo Electoral Area H Official Community Plan Amendment Bylaw No. 1335.07, 2018”.
14. That the Board give second reading to “Regional District of Nanaimo Electoral Area H Official Community Plan Amendment Bylaw No. 1335.07, 2018” having considered the impact on the current Financial Plan, Liquid Waste Management Plan and Solid Waste Management Plan.
15. That the Board introduce and give first reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.422, 2018”.
16. That the Board give second reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.422, 2018”.
17. That the Board introduce and give first reading to “Regional District of Nanaimo Electoral Area F Zoning and Subdivision Amendment Bylaw No. 1285.33, 2018”.
18. That the Board give second reading to “Regional District of Nanaimo Electoral Area F Zoning and Subdivision Amendment Bylaw No. 1285.33, 2018”.
19. That the Board direct the public hearing on the following bylaws to be Chaired by Director Stanhope or his alternate:
  - a. “Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018”.
  - b. “Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.07, 2018”;
  - c. “Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Amendment Bylaw No. 1055.05, 2018”;
  - d. “Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.05, 2018”;
  - e. “Regional District of Nanaimo Electoral Area F Official Community Plan Amendment Bylaw No. 1152.05, 2018”;
  - f. “Regional District of Nanaimo Electoral Area H Official Community Plan Amendment Bylaw No. 1335.07, 2018”;
  - g. “Regional District of Nanaimo Electoral Area G Official Community Plan Amendment Bylaw No. 1540.02, 2018”; and
  - h. “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.422, 2018”;

- i. “Regional District of Nanaimo Electoral Area F Zoning and Subdivision Amendment Bylaw No. 1285.33, 2018”;
20. That the Board introduce and give first, second and third reading to “Regional District of Nanaimo Development Application and Notification Procedures Bylaw No. 1776, 2018”.
21. That the Board approve revisions to “Policy B1.12 *Riparian Areas Regulation Stream Declaration*” under the revised title of “Policy B1.12 Property Declaration Form”.

## SUMMARY

The RDN 2017 Operational Plan identifies specific action item SCD-10-2017 to Review, Standardize and Update DPAs in RDN Electoral Area official community plans (OCP). This is a key action item for Community Planning in 2018 and is recommended to streamline and improve application processing. The project was initiated at the February 27, 2018, Board meeting through endorsement of the Terms of Reference including the consultation plan. Public and stakeholder consultation and resulting revision of the draft bylaw amendments are now complete and recommended for first and second reading.

Public and stakeholder input on draft amendments (during the consultation period from late - June to mid August), resulted in several recommended updates to the standard DPA and TUP areas. While public input may continue to be received until the close of the public hearing, the consultation period involving outreach and events is now considered complete. This report recommends first and second reading to bylaws amending all seven RDN electoral area OCPs and the two zoning bylaws.

These amendments facilitate standardizing 25 of the 49 DPAs, and moving the ‘applicability’, ‘exemption’ and ‘guideline’ sections of all DPAs from the OCPs to the zoning bylaws. Relocating these sections of the DPAs into the zoning bylaws will streamline ease of use, and allow for more effective enforcement. Remaining within the relevant OCPs are designation of DPAs and description of the special conditions or objectives that justify the designations. There are also some updates to the wording or maps to facilitate standardization and best practices. Note that the DPAs that are part of the Schooner Cove and Lakes District neighbourhood plans within the Nanoose Bay OCP are not part of this project; they are part of phased development agreements, and they remain within those neighbourhood plans in their entirety.

For TUP areas, the recommended bylaw amendments move all TUP regulations and requirements to the zoning bylaws for the purpose of standardization, and making them easier to interpret. Six different TUP area designations and conditions are consolidated into one in Zoning Bylaw 500. This also allows the RDN to issue a TUP for any use on any parcel not permitted by the zoning bylaw, based on a list of conditions to determine the suitability of the temporary use. For Zoning Bylaw 1285 that only applies to Electoral Area F, a shorter version of the TUP section in Bylaw 500 is used as not all regulations related to specific uses apply to Area F.

To implement the standardization of the Eagle and Heron Nesting Tree DPA, amendments are required to the *Riparian Areas Stream Declaration Form* that is currently used for property owners to indicate whether there are any streams or other water features on their property in order to determine if a development permit is required prior to development. Expanding the use of this form is proposed to include a property owner declaration of eagle and heron nesting trees. To make this change, the following administrative bylaw and policy require amendment:

- “Regional District of Nanaimo Development Approval and Notification Bylaw No. 1432, 2005”; and
- Policy B1.12 – *Riparian Areas Stream Declaration*.

## **BACKGROUND**

The RDN 2017 Operational Plan identifies specific action item SCD-10-2017 to Review, Standardize and Update DPAs in RDN Electoral Area OCPs. This is a key action item for Community Planning in 2018 and is recommended to streamline and improve application processing. The project was initiated at the February 27, 2018, Board meeting through endorsement of the Terms of Reference including the consultation plan. Public and stakeholder consultation and resulting revision of the draft bylaw amendments are now complete and recommended for first and second reading.

A DPA is an important tool used in the development process for a number of purposes such as: to protect the natural environment; to protect development from hazardous conditions; to guide the form and character of development; to promote energy or water conservation; or, to promote reduction of greenhouse gas emissions. Where a DPA is designated in an OCP, a development permit must first be obtained prior to proceeding with certain types of development such as subdivision, construction, or land alteration. A map in the OCP indicates where the DPA applies, and text of the DPA indicates the types of development that require a permit. The text of the DPA also describes the objectives and special conditions that justify the designation and guidelines respecting the manner by which the objectives or special conditions will be addressed. Some DPA guidelines require a report from a professional such as a biologist or engineer, or other supporting information. The permit itself includes conditions that must be adhered to during or after development.

The RDN designates 49 DPAs in its seven OCPs (Attachment 1 – Current Development Permit Area Structure by OCP Area). Proposed changes involve reorganizing and combining 25 of these DPAs into seven standard DPAs that apply across more than one OCP area (Attachment 2 – Proposed Development Permit Area Structure by OCP Area). Of the remaining 24 DPAs, nine are part of phased development agreements for Schooner Cove and Lakes District and are not included in this project, and 14 primarily address the form and character of development and are tailored to the character of a specific area.

The standardizing of 25 existing DPAs into seven involves some reorganization. For example, several existing DPAs for sensitive ecosystem protection currently include a number of features such as eagle and heron nesting trees, aquifers, marine coast and other sensitive ecosystems. The reorganization separates these into individual DPAs to allow for more tailored exemptions and guidelines. This reorganization is described in detail in the previous staff report and its attachments, which are available to the public on the project website at [www.getinvolved.rdn.ca/DPAs](http://www.getinvolved.rdn.ca/DPAs).

### ***Land Use Implications***

The newly standardized DPAs were carefully constructed and reviewed to ensure they meet the objectives of the project related to improving consistency and ease of interpretation and adopting best practices, without designating any new DPAs where they do not already exist.

The wording of exemptions and guidelines currently vary among DPAs adopted for the same purpose, as they were written at different times with different best practices, by different authors and with different areas of focus. To create consistent language, the wording of most of the DPAs require adjustment. These adjustments will not alter the objectives of the DPAs, rather simplify and refine while adding more exemptions to reflect current best practices.

The newly drafted TUP sections for the zoning bylaws carry forward limitations on the issuance of TUPs for industrial activities as they currently exist. For other uses, they expand the RDN's ability to issue TUPs for any use in any zone where performance criteria are met. The issuance of a TUP is subject to public notification and is a discretionary decision, meaning that if the Board considers the proposal to be inappropriate for the location, or the use itself would cause unacceptable impacts, it can choose to deny the permit.

A red-lined version showing updates to the Board-endorsed June 26 drafts as a result of public and stakeholder consultation has been prepared for each of the seven standard DPAs and the TUP section. They are available on the project website. These updates also include suggested wording changes for clarity from Directors. Input received during the consultation period and resulting updates are described in Attachment 3. The attachments to this report show the clean versions in the applicable amendments to the OCP and zoning bylaws, which are recommended for first and second reading (Attachments 4-12).

To implement the standardization of the Eagle and Heron Nesting Tree DPA, the Riparian Areas Declaration Form should be amended to also include property owner declaration of trees containing eagle or heron nests. Instead of relying on OCP mapping of the location of nests that can be quickly outdated, the draft DPA now applies to a buffer around any eagle or heron nesting tree, whether or not that nest has been mapped in the OCP. Board Policy B1.12 *Riparian Areas Regulation Stream Declaration* establishes use of this form, and the policy is amended for Board approval to include declaration of eagle and heron nesting trees. This also takes the opportunity to streamline a related matter of requirement for site profiles forms, which, based on legal advice, is also included in this revised declaration form.

The "Regional District of Nanaimo Development Approval and Notification Bylaw No. 1432, 2005" has also been re-drafted to reflect the new title for the declaration form and to improve clarity throughout. Bylaw No. 1432 was due for an update to also include reference to phased development agreements or amendments to phased development agreements, which although not part of this project, has been noted as an outstanding item to be addressed the next time the bylaw is amended. Due to the reformatting required throughout the bylaw, a new bylaw to repeal and replace it is recommended (Attachment 15 - Regional District of Nanaimo Development Application and Notification Procedures Bylaw No. 1776, 2018).

### ***Intergovernmental Implications***

First Nations identified in the project's Consultation Plan were notified of this project in March, 2018, and invited to contact us to discuss any interest they may have. One response has been

received from K'omoks First Nation indicating no comment. Formal referrals will be sent to First Nations and agencies after first reading of the amending bylaws.

### ***Public Consultation Implications***

Public consultation for the project included: sharing information and documents through the project website; live events in each electoral area; newspaper and social media advertising; and direct stakeholder outreach through email, phone calls, and in-person meetings. During the month of July, twelve 'pop-up offices' (two in each electoral area) and two open houses were held. One open house was at the Cedar Heritage Centre and the other was at the Qualicum Beach Civic Centre, representing central locations in southern and northern parts of the RDN. These events were advertised through the Parksville – Qualicum News and the Nanaimo News Bulletin, Facebook, Twitter and the RDN website, as well as posters on bulletin boards throughout the region. Attendance numbers were between 0 and 9 for each of the 'pop-up offices' and were 6 and 14 respectively for the open houses.

Direct emails were sent to a list of 32 stakeholders including people working in the development field such as biologists, engineers, development consultants, surveyors and designers. A few responses were received within the first week with general support for any efforts at standardization. Follow up phone calls, emails and meetings resulted in detailed feedback from additional stakeholders.

Overall, the input received strongly supports the concept of standardization and streamlining. The consultation process also was an opportunity to hear from the public about any problems, or frustrations they have with the development process and ideas for improvements. Many concerns were already addressed in the draft documents, and additional changes have been made where new errors or omissions were identified (Attachment 3 - Updates to Draft DPAs and TUPs Resulting from Consultation). Input received on DPAs were primarily minor or technical in nature, aimed at simplifying sentence structure or improving accuracy. The exception was the Farmland Protection DPA where the Board specifically requested that consultation seek input on an additional exemption for existing small lots.

Input on the idea of adding an exemption to the Farmland Protection DPA for existing small lots was primarily received at the open house in the southern part of the RDN. There was support for the idea, but it was unknown what would be a suitable lot size threshold. If the Board would like to add an exemption for existing small lots, the change would impact Electoral Areas A, E and G. The DPA also applies to the Arrowsmith Benson – Cranberry Bright OCP that covers part of Electoral Area C, and Electoral Area H, but for those two areas it only applies to subdivision. The potential exemption for small lots is intended to relate to land alteration, construction of buildings and structure, and creation of impervious or semi-pervious surfaces. DPAs for those activities is only required in Electoral Areas A, E and G.

Two residents of the Columbia Beach area suggested that they should not be required to obtain a development permit for repair of riprap shoreline protection. As this area is within the Parksville Qualicum Wildlife Management Area, owners require approvals from the Province in addition to a development permit from the RDN for shoreline protection works. Staff does not recommend adding a new exemption for repair of riprap shoreline protection, as the environmental impact that a development permit is aimed at mitigating could still be significant for repair of riprap. Repair typically involved heavy machinery on the beach, accessing the beach from a public access, and changes to the vegetation of the shoreline.

The input regarding TUPs mainly involved concern about past or present resource extraction and processing that was disruptive due to noise, dust and odour, and ensuring that current limits on TUPs for these uses are retained. The amendment bylaws address these issues where they are within RDN jurisdiction.

Recommended updates to the drafts based on public and stakeholder input are listed in Attachment 3 – Updates to draft DPAs and TUPs Resulting from Consultation. Red-lined copies of the standardized DPAs and the revised TUP text showing these updates are available on the project website.

A number of issues outside the scope of this project were raised throughout the consultation. Many of these could be addressed through future projects of the RDN and include:

- How height is measured – request to simplify the definition in the zoning bylaw.
- Setback reduction from 15 metres to 8 metres from the natural boundary of the sea where the sea frontage is protected by works designed by a professional engineer – request to remove the ability to reduce this setback in the Floodplain Bylaw as it encourages hard armouring of the shoreline where it is not needed for erosion protection.
- Expanding all DPAs for protection of the environment to all areas – specifically mentioned was support for the Marine Coast DPA to cover the entire Marine Coast of the electoral areas, and the Eagle and Heron Nesting Tree DPA to cover all areas.
- Creating a rebate program for trees to be planted adjacent to the Agricultural Land Reserve.
- Creating an email subscriber list for RDN news and notifications where people can select areas or topics of interest, instead of asking people to sign up for notifications on specific projects as they come and go.
- Publish a list of development permit applications and make it available to the public in consideration that those now under delegated approval no longer appear on RDN meeting agendas.
- Making Riparian Area Regulation Assessment reports available to other biologists as a reference so they can build on each other's work to develop knowledge and understanding of streams.

## **ALTERNATIVES**

1. Proceed with the Development Permit and Temporary Use Permit Area Standardization Project and consider first and second reading of the amendment bylaws and proceed to public hearing.
2. Do not proceed with the amendment bylaw readings and public hearing and provide alternate direction to staff.

## **FINANCIAL IMPLICATIONS**

The 2018 Budget includes funds for community engagement costs for this project such as facility rentals and printed materials. All community, stakeholder and First Nations engagement,



along with bylaw drafting, communication materials drafting and design will be completed by RDN staff.

## STRATEGIC PLAN IMPLICATIONS

The 2016 – 2020 Board Strategic Plan recognizes a “focus on organizational excellence and service” and this project will advance the goal to “ensure our processes are as easy to work with as possible”. Other goals advanced through this project are “economic health” and “the environment”.



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Courtney Simpson  
csimpson@rdn.bc.ca  
August 14, 2018

Reviewed by:

- P. Thompson, Manager, Long Range Planning
- G. Garbutt, General Manager, Strategic and Community Development
- P. Carlyle, Chief Administrative Officer

Attachments:

1. Current Development Permit Area Structure by OCP Area
2. Proposed Development Permit Area Structure by OCP Area
3. Updates to Draft DPAs and TUPs Resulting from Consultation
4. Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018
5. Arrowsmith Benson-Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.07, 2018
6. Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Amendment Bylaw No. 1055.05, 2018
7. Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.05, 2018;
8. Regional District of Nanaimo Electoral Area F Official Community Plan Amendment Bylaw No. 1152.05 2018
9. Regional District of Nanaimo Electoral Area G Official Community Plan Amendment Bylaw No. 1540.02, 2018;
10. Regional District of Nanaimo Electoral Area H Official Community Plan Amendment Bylaw No. 1335.07, 2018;
11. Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.422, 2018
12. Regional District of Nanaimo Electoral Area F Zoning and Subdivision Amendment Bylaw No. 1285.33, 2018
13. Policy B1.12 Riparian Areas Regulation Stream Declaration – version showing changes for information
14. Policy B1.12 Property Declaration Form – for approval

15. Regional District of Nanaimo Development Application and Notification Procedures  
Bylaw No. 1776, 2018.

**Attachment 1**

**Current Development Permit Area Structure by OCP Area**

Official Community Plan	DPA Name	<p><b><u>Legend:</u></b></p> <p><b><i>Bold and italic</i></b> indicate those DPAs that are standardized with other DPAs.</p> <p>* The guidelines related to aquifer protection in these DPAs will be moved to the standardized Aquifer DPA</p>								
Area A	1. <b><i>Environmentally Sensitive Features</i></b>									
	2. <b><i>Watercourse and Fish Habitat Protection</i></b>									
	3. <b><i>Nanaimo River Floodplain</i></b>									
	4. <b><i>Farm Land Protection</i></b>									
	5. South Wellington Industrial – Commercial*									
	6. Cedar Main Street*									
	7. Cassidy*									
	8. Cedar*									
	9. Yellow Point Aquifer Protection									
Arrowsmith Benson – Cranberry Bright	Village Centre - Commercial									
	<b><i>Farmland Protection</i></b>									
	<b><i>Watercourse Protection</i></b>									
	<b><i>Sensitive Ecosystems</i></b>									
	<b><i>Fish Habitat Protection</i></b>									
East Wellington – Pleasant Valley	1. <b><i>Fish Habitat Protection</i></b>									
	2. <b><i>Natural Hazard Areas</i></b>									
	3. Industrial									
Nanoose Bay	1. Form and Character									
	2. <b><i>Farmland Protection</i></b>									
	3. <b><i>Watercourse Protection</i></b>									
	4. <b><i>Sensitive Ecosystem Protection</i></b>									
	5. Highway Corridor Protection									
	Lakes District DPAs 1-5									
	Schooner Cove DPAs 1-4									
Area F	<b><i>Watercourse Protection</i></b>									
	<b><i>Fish Habitat Protection</i></b>									
Area G	1. <b><i>Fish Habitat Protection</i></b>									
	2. <b><i>Environmentally Sensitive Features</i></b>									
	3. <b><i>Hazard Lands</i></b>									
	4. <b><i>Farmland Protection</i></b>									
	5. Highway Corridor									
	6. Multi Residential, Intensive Residential, Industrial, and Commercial Form and Character									

Official Community Plan	DPA Name
Area H	<b>1. Freshwater and Fish Habitat Protection</b>
	<b>2. Eagle and Heron Nesting Trees</b>
	<b>3. Aquifers</b>
	<b>4. Marine Coast</b>
	<b>5. Coastal Steep Slope Hazard</b>
	<b>6. Farmland Protection</b>
	7. Rural Commercial
	8. Qualicum Bay and Dunsmuir Village Centres
	9. Deep Bay Southwest
	Bowser Village Centre

**Attachment 2**

**Proposed Development Permit Area Structure by OCP Area**

Official Community Plan	DPA Name
<b>Area A</b>	<b><i>1. Sensitive Ecosystems</i></b>
	<b><i>2. Marine Coast</i></b>
	<b><i>3. Eagle and Heron Nesting Trees</i></b>
	<b><i>4. Aquifers</i></b>
	<b><i>5. Freshwater and Fish Habitat</i></b>
	<b><i>6. Hazard Lands</i></b>
	<b><i>7. Farmland Protection</i></b>
	8. South Wellington Industrial – Commercial*
	9. Cedar Main Street*
	10. Cassidy*
	11. Cedar*
	12. Yellow Point Aquifer Protection
<b>Arrowsmith Benson – Cranberry Bright</b>	Extension Village Centre - Commercial
	<b><i>Farmland Protection</i></b>
	<b><i>Freshwater and Fish Habitat</i></b>
	<b><i>Sensitive Ecosystems</i></b>
<b>East Wellington – Pleasant Valley</b>	<b><i>1. Freshwater and Fish Habitat</i></b>
	<b><i>2. Hazard Lands</i></b>
	3. East Wellington – Pleasant Valley Industrial
<b>Nanoose Bay</b>	1. Nanoose Bay Form and Character
	<b><i>2. Farmland Protection</i></b>
	<b><i>3. Freshwater and Fish Habitat</i></b>
	<b><i>4. Sensitive Ecosystems</i></b>
	<b><i>5. Eagle and Heron Nesting Trees</i></b>
	6. Highway Corridor Protection
	Lakes District DPAs 1-5
	Schooner Cove DPAs 1-4
<b>Area F</b>	<b><i>Freshwater and Fish Habitat</i></b>
<b>Area G</b>	<b><i>1. Freshwater and Fish Habitat</i></b>
	<b><i>2. Sensitive Ecosystems</i></b>
	<b><i>3. Marine Coast</i></b>
	<b><i>4. Eagle and Heron Nesting Trees</i></b>
	<b><i>5. Aquifers</i></b>
	<b><i>6. Hazard Lands</i></b>
	<b><i>7. Farmland Protection</i></b>
	8. Inland Highway Corridor

**Legend:**

***Bold and italic*** indicate those DPAs that are standardized with other DPAs.

\* The guidelines related to aquifer protection in these DPAs are moved to the standard Aquifer DPA

Official Community Plan	DPA Name
	9. Multi Residential, Intensive Residential, Industrial, and Commercial Form and Character
Area H	<p><b>1. Freshwater and Fish Habitat Protection</b></p> <p><b>2. Eagle and Heron Nesting Trees</b></p> <p><b>3. Aquifers</b></p> <p><b>4. Marine Coast</b></p> <p><b>5. Coastal Steep Slope Hazard</b></p> <p><b>6. Farmland Protection</b></p> <p>7. Rural Commercial – Electoral Area H</p> <p>8. Qualicum Bay and Dunsmuir Village Centres</p> <p>9. Deep Bay Southwest</p> <p>Bowser Village Centre</p>

### Attachment 3

## Updates to Draft DPAs and TUPs Resulting from Consultation

*Throughout, changes were made to the words “lot” or “parcel” for consistency.*

### **Freshwater and Fish Habitat DPA**

<b>Section</b>	<b>Update</b>
<b>Designation</b>	Minor wording and grammar
<b>Justification</b>	Removal of one sentence as it was repetitive
<b>Applicability</b>	Removal of exemptions 8-10 as they are repetitive
<b>Exemption 1</b>	Minor wording and sentence structure
<b>Exemption 5</b>	Regarding hazard tree removal, “immediate” threat changed to “imminent” threat to more accurately reflect the intent
<b>Exemption 6</b>	Addition of “non-native” to describe the “invasive plants” that can be removed at a small-scale without a development permit. Also, replace reference to Develop with Care to the publication ‘Grow Me Instead’ from the Invasive Plant Council of BC.
<b>Exemption 8 (new)</b>	New exemption for observation holes and test pits for percolation or geotechnical investigation
<b>Exemption 12 (renumbered)</b>	Minor wording and sentence structure
<b>Exemption 13 (renumbered)</b>	Added by splitting Exemption 11 into two for clarity and accuracy
<b>Exemption 14 (renumbered)</b>	Added in order to carry forward Exemptions 1 and 2 from the Area A OCP. Had previously indicated this would be addressed in the Designation section.
<b>Exemption 15 (renumbered)</b>	Minor wording and grammar
<b>Exemption 16 (renumbered)</b>	Removed lot consolidation as a type of subdivision for which a DP is not required, as the RDN would not be involved in a lot consolidation where there is no other lot line adjustment or subdivision
<b>Exemptions 17-19 (renumbered)</b>	Minor wording and grammar
<b>Guidelines 1-2</b>	Minor wording and grammar
<b>Guideline 3</b>	List of sensitive biophysical features to be assessed is re-written based on stakeholder feedback to be more clear and effective
<b>Guideline 4</b>	List of mitigation measures to be included in the biological assessment is updated based on stakeholder feedback
<b>Guideline 8</b>	Improved wording and sentence structure for clarity
<b>Guideline 10</b>	Minor wording and grammar

<b>Guideline 12</b>	Accurate reference to authorization for in stream works under Provincial legislation
<b>Guideline 14</b>	Deleted suggestion that a landowner may wish to dedicate the SPEA back to the Crown, as this can be ineffective as years pass due to streams meandering over time. The suggestion to register a covenant on the SPEA remains, as a covenant can be written so as to move with the stream over the years.
<b>Guideline 16</b>	Regarding required fencing for the SPEA, adjustments to allow for the biologist to advise on timing of the installation of the fencing and on the type of fencing given the situation.

### ***Sensitive Ecosystems DPA***

<b>Section</b>	<b>Update</b>
<b>Designation</b>	For Electoral Areas A and G, the designation section is adjusted to strengthen the current intent that, when the mapped area of a sensitive ecosystem does not exactly match the real life extent of the sensitive ecosystem, the DPA applies to where the sensitive ecosystem actually is instead of where it is mapped. The approach in the Nanoose Bay and Arrowsmith Benson – Cranberry Bright OCPs is to designate the entire property on which the sensitive ecosystem is mapped as being within the DPA. Based on legal advice, this, paired with an exemption stating that a DP is not required where the sensitive ecosystem does not exist on-the-ground, is recommended as a better way of designating the sensitive ecosystem DPA, and is now recommended for all four of the OCP areas in which the DPA applies. A DPA can still only be required for a property that is designated as being within the DPA, so no new properties are added to this DPA.
<b>Exemption 2</b>	To the exemption for minor additions (which is a new exemption added as part of this project), additional clarity is added that the minor addition is a cumulative 25% of the original ground floor area.
<b>Exemption 5</b>	To the exemption for a single trail through the DPA, additional criteria that no rare plants are disturbed or impacted.
<b>Exemption 8</b>	Addition of “non-native” to describe the “invasive plants” that can be removed at a small-scale without a development permit. Also, replace reference to Develop with Care to the publication ‘Grow Me Instead’ from the Invasive Plant Council of BC.
<b>Exemption 9</b>	Regarding hazard tree removal, “immediate” threat changed to “imminent” threat to more accurately reflect the intent
<b>Exemption 11</b>	Changed reference to minimum lot size being met exclusive to the DPA, to being exclusive to the sensitive ecosystem. This allows for mapping inaccuracies and is more correct, as the DPA is designated over the entire parcel where a sensitive ecosystem is mapped.
<b>Exemption 12</b>	Removed lot consolidation as a type of subdivision for which a DP is not required, as the RDN would not be involved in a lot consolidation where



	there is no other lot line adjustment or subdivision.
<b>Guideline 4</b>	List of mitigation measures to be included in the biological assessment is updated based on stakeholder feedback
<b>Guideline 6</b>	Deleted for consistency, as through this standardization project, existing guidelines broadly requiring conforming with Develop With Care are not carried forward. The intent of this guideline is to raise awareness of the document as a resource for property owners and developers and this can be communicated outside of the DPA.

### ***Eagle and Heron Nesting Trees DPA***

<b>Section</b>	<b>Update</b>
<b>Designation</b>	Updated to have measure of the DPA as a radius from the base of the tree instead of drip line of the tree
<b>Applicability 1</b>	Minor change for consistency with other DPAs
<b>Exemption 1</b>	Addition of Registered Professional Biologist who can assess if the development is outside of the DPA (which is the buffer from a nesting tree)
<b>Exemptions 3-4</b>	Correction to the nesting season
<b>Exemption 7</b>	Addition of “non-native” to describe the “invasive plants” that can be removed at a small-scale without a development permit. Also, replace reference to Develop with Care to the publication ‘Grow Me Instead’ from the Invasive Plant Council of BC
<b>Exemption 9</b>	For an exemption for works conducted by a government agency, addition that they have been made aware of the eagle or heron nest
<b>Guideline 2</b>	Addition to require geographic coordinates of the nesting tree

### ***Aquifers DPA***

<b>Section</b>	<b>Update</b>
<b>Justification</b>	Minor wording and sentence structure
<b>Exemption 3 (new)</b>	New exemption for observation holes and test pits for percolation or geotechnical investigation
<b>Guideline 2</b>	Changed title of the Checklist of Preparation of Hydrogeological Assessment Reports to a more general reference to an RDN checklist as there is currently no checklist in place.

### ***Marine Coast DPA***

<b>Section</b>	<b>Update</b>

<b>Justification</b>	Minor wording
<b>Exemption 3</b>	To the exemption for minor additions (which is a new exemption added as part of this project), additional clarity is added that the minor addition is a cumulative 25% of the original ground floor area
<b>Exemption 9</b>	Regarding hazard tree removal, “immediate” threat changed to “imminent” threat to more accurately reflect the intent
<b>Exemption 10</b>	Addition of “non-native” to describe the “invasive plants” that can be removed at a small-scale without a development permit. Also, replace reference to Develop with Care to the publication ‘Grow Me Instead’ from the Invasive Plant Council of BC.
<b>Guideline 9</b>	Regarding shoreline protection below the natural boundary, addition of requirement that any proposed works below the natural boundary must be authorized by the Provincial Crown as owner of that land
<b>Guideline 15</b>	Regarding lot design for subdivision, change ‘shall’ to ‘should’ to reflect that the RDN does not have final subdivision approving authority but can influence subdivision design through the DPA

### ***Hazard Lands DPA***

<b>Section</b>	<b>Update</b>
<b>Exemption 4</b>	To the exemption for where a geotechnical report is provided to the building inspector for the proposed development, updates to the wording based on legal advice
<b>Exemption 10</b>	Regarding hazard tree removal, “immediate” threat changed to “imminent” threat to more accurately reflect the intent
<b>Exemption 11</b>	Addition of “non-native” to describe the “invasive plants” that can be removed at a small-scale without a development permit. Also, replace reference to Develop with Care to the publication ‘Grow Me Instead’ from the Invasive Plant Council of BC.
<b>Exemption 14 (new)</b>	New exemption for observation holes and test pits for percolation or geotechnical investigation
<b>Guideline 10</b>	Deleted for consistency, as through this standardization project, existing guidelines broadly requiring conforming with Develop With Care are not carried forward. The intent of this guideline is to raise awareness of the document as a resource for property owners and developers and this can be communicated outside of the DPA

***Farmland Protection DPA***

<b>Section</b>	<b>Update</b>
<b>Exemption 10</b>	Addition of “one” to the exemption for a driveway.
<b>Exemption 14</b>	Addition of “non-native” to describe the “invasive plants” that can be removed at a small-scale without a development permit. Also, replace reference to Develop with Care to the publication ‘Grow Me Instead’ from the Invasive Plant Council of BC.

***Temporary Use Permits***

<b>Section</b>	<b>Update</b>
<b>1.g)</b>	Adding new clause for clarity
<b>2</b>	Adding a table for improved clarity on limitations of the issuance of a TUP in specified areas for specified resource uses
<b>2.d) (renumbered)</b>	Removing the specified distance of 100 metres for a berm or vegetated buffer to allow for opportunity for a larger buffer should it be warranted
<b>3</b>	Clarification that where the land is in the ALR, approval from the ALC is required before issuance of a permit
<b>Overall</b>	Limited the content to be added to Zoning Bylaw 1285 to only that applicable within Area F

ATTACHMENT 4

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1620.05**

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO ELECTORAL AREA A  
OFFICIAL COMMUNITY PLAN BYLAW NO. 1620, 2011**

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

- A. This Bylaw may be cited as “Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018”.
- B. “Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018” is hereby amended as set out in Schedules A, B and C of this Bylaw.

Introduced and read two times this \_\_\_ day of \_\_\_\_\_ 20XX.

Considered in conjunction with the Regional District of Nanaimo Financial Plan and any applicable Waste Management Plans this \_\_\_ day of \_\_\_\_\_ 20XX.

Public Hearing held pursuant to Section 464 of the *Local Government Act* this \_\_\_ day of \_\_\_\_\_ 20XX.

Read a third time this \_\_\_ day of \_\_\_\_\_ 20XX.

Adopted this \_\_\_ day of \_\_\_\_\_ 20XX.

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CHAIR

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CORPORATE OFFICER

Schedule A to accompany "Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018".

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Chair

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Corporate Officer

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1620.05**

Schedule A

1. "Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018" is hereby amended as follows:
  - a) by amending Schedule A as follows:
    - i. to the Table of Contents, by deleting subsection 12.0 Development Permit Areas and replacing with the following:

"12.0 Development Permit Areas  
12.1 Sensitive Ecosystems Development Permit Area  
12.2 Freshwater and Fish Habitat Development Permit Area  
12.3 Marine Coast Development Permit Area  
12.4 Eagle and Heron Nesting Trees Development Permit Area  
12.5 Aquifers Development Permit Area  
12.6 Hazard Lands Development Permit Area  
12.7 Farmland Protection Development Permit Area  
12.8 South Wellington Industrial – Commercial Development Permit Area  
12.9 Cedar Main Street Development Permit Area  
12.10 Cassidy Development Permit Area  
12.11 Cedar Development Permit Area  
12.12 Yellow Point Aquifer Protection Development Permit Area"
    - ii. to Section **2.5 Organization of the Plan**, second paragraph:
      - a. by deleting both occurrences of the word "Guidelines" and replacing with "designations".
      - b. by adding the following sentence at the end of the paragraph: "Development Permit Area exemptions and guidelines are found in the zoning bylaw."
    - iii. to Section **6.2 Cedar Main Street Village Plan**, first paragraph:
      - a. by deleting the word "Guidelines" and replacing with "designation".
      - b. by adding the following sentence at the end of the paragraph: "Development Permit Area exemptions and guidelines are found in the zoning bylaw."
    - iv. to Section **12.0 Development Permit Areas**, Introduction:

- a. to the second paragraph, by adding “found in Bylaw 500” after “Guidelines” and before the period, and delete the last sentence: “The OCP specifies the information required in order to submit a development permit application”.
- b. to the third paragraph, second sentence, by deleting the word “within” after “specified” and before “each”, and replacing with “in Bylaw 500 for”.
- c. to the fifth paragraph, by deleting all three occurrences of “this plan” and replacing the first two occurrences with “ the DPA Guidelines”.
- v. to Section **12.0 Development Permit Areas**, by deleting sub-sections 12.1 to 12.4 and replacing with Schedule B attached to and forming part of this bylaw.
- vi. to sub-section **12.5 South Wellington Industrial – Commercial Development Permit Area**, by deleting the Application, Exemptions, and Guidelines sections.
- vii. to sub-section **12.7 Cassidy Development Permit Area**, by deleting the Application, Exemptions, and Guidelines sections.
- viii. to sub-section **12.8 Cedar Development Permit Area**, by deleting the Application, Exemptions, and Guidelines sections.
- ix. to sub-section **12.9 Yellow Point Aquifer Development Permit Area**, by deleting the Applicability, Exemptions, Guidelines, and Definitions sections.
- b) by amending **Schedule B – Cedar Main Street Village Plan** as follows:
  - i) to Section **6 Cedar Main Street Development Permit Area (DPA)**:
    - a. to **6.1 Purpose**, to the second sentence, delete “herein” and replace with “the Zoning Bylaw No. 500”
    - b. delete **6.3 Application; 6.5 Exemptions; 6.6 Variances to Bylaw No. 500; 6.7 Permit Security; and 6.8 Guidelines**.
- c) by deleting **Map No. 9 - Development Permit Areas for the Protection of the Natural Environment** and replacing with Schedule C attached to and forming part of this bylaw.

Schedule B to accompany "Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018".

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Chair

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Corporate Officer

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1620.05**

Schedule B

**12.1 Sensitive Ecosystem Development Permit Area**

**DESIGNATION:**

The Sensitive Ecosystems Development Permit Area is shown on Map No. 9 and applies to the following:

- all parcels containing the following sensitive ecosystems mapped in the Provincial Sensitive Ecosystem Inventory: 'coastal bluff', 'terrestrial herbaceous', and 'older forest' as mapped in the Provincial Sensitive Ecosystem Inventory; and
- known occurrences of the following rare and endangered species as mapped by the Conservation Data Centre: Propertius Duskywing (butterfly) and Vesper Sparrow.

**AUTHORITY:**

The Sensitive Ecosystems Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity pursuant to Section 488(1)(a) of the *Local Government Act*.

**JUSTIFICATION:**

Increasing development pressure and environmental awareness, as well as the RGS goal of environmental protection has led to the need for the protection of the Plan Area's most sensitive environmentally significant features including components of the Coastal Douglas Fir Ecosystem, rare species, and other environmentally sensitive features to ensure their continued survival and enjoyment for generations to come.

The objective of the development permit area is to minimize the impacts of developments on environmentally sensitive features, ecosystems or habitat.

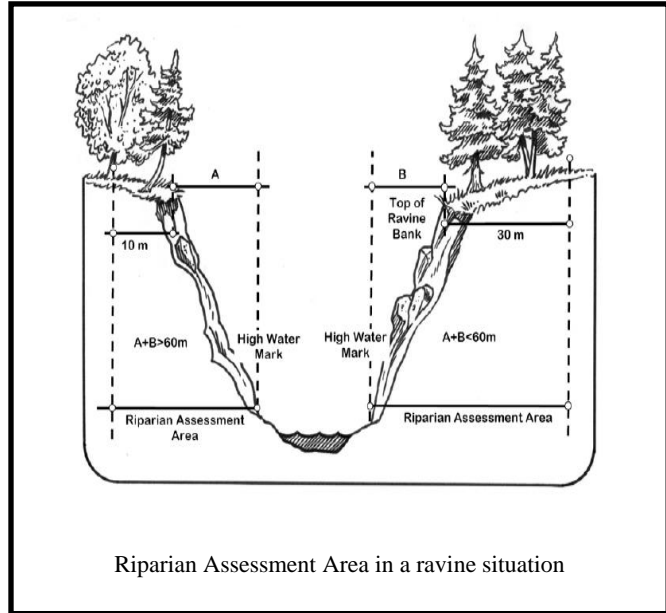
**12.2 Freshwater and Fish Habitat Development Permit Area**

**DESIGNATION**

The Freshwater and Fish Habitat Development Permit Area is shown on Map No. 9, and applies to the riparian assessment areas of mapped and unmapped streams subject to the *Riparian Areas Regulation (RAR)* of the *Riparian Areas Protection Act*, as well as all other mapped lakes, wetlands, ponds and watercourses not subject to the RAR. Specifically, the Development Permit Area is defined as follows:

1. All mapped and unmapped riparian assessment areas as defined in the RAR as follows:

- a) for a stream, a 30 metre strip on both sides of the stream measured from the high water mark;
- b) for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank; and
- c) for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank.



2. All mapped watercourses, lakes, wetlands, and ponds, that are not subject to the RAR; 15 metres as measured from the natural boundary or top of ravine bank, whichever is greater. This includes estuarine areas (areas of tidal influence) of all watercourses and streams. For clarity, in estuarine areas the Marine Coast Development Permit Area also applies.

The following definitions are used for the purpose of defining the development permit area as above:

**‘ravine’** means a narrow, steep-sided valley that is commonly eroded by running water and has a slope grade greater than 3:1.

**‘stream’** includes any of the following that provides fish habitat:

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

**‘top of the ravine bank’** means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed.

**‘watercourse’** means a permanent or non permanent (containing water at least six months of the year) source of water supply that is natural or man made, including a pond, lake, river, creek, brook, ditch, spring or wetland that is integral to a stream, with well defined banks and a bed of 0.6 metres or more below the surrounding land serving to give direction to or containing a current of water but does not apply to a man made pond that does not connect to a stream.

## AUTHORITY

The Freshwater and Fish Habitat Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity, and protection of



development from hazardous conditions pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

## **JUSTIFICATION**

Freshwater and riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed contributing to effective rainwater management and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil's ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water to survive. Logs and other woody debris fall into streams from the riparian area, influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Erosion of banks and steep slopes can also pose a hazard to development, and maintaining and enhancing natural features and vegetation and siting buildings and structure appropriately, can reduce this hazard.

Land use practices including land clearing, road building, construction of buildings and structures, and location of wastewater disposal systems in or near riparian areas can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of the Plan Area. Land use practices can also change the hydraulic flow of a stream and create or exacerbate a flooding hazard.

Furthermore, the Province of British Columbia's *Riparian Areas Protection Act*, requires that local governments establish regulations to protect riparian areas, and not allow development to proceed until the requirements of the RAR are met.

The objectives of this development permit area are:

1. To protect freshwater ecosystems to maintain their natural habitat and environmental quality.
2. To restore freshwater ecosystems to improve their natural habitat and environmental and hazard mitigation quality if they have been previously degraded.
3. To protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.
4. To protect development from flood and slope hazard.

## **12.3 Marine Coast Development Permit Area**

### **DESIGNATION:**

The Marine Coast Development Permit Area is shown on Map No. 9 and applies within a 15 metre horizontal distance upland from the present natural boundary and within 15 metres horizontal distance seaward of the present natural boundary. In estuarine areas, it applies upstream, both on land and water, to the extent of tidal influence. For clarity, in estuarine areas the Freshwater and Fish Habitat Development Permit Area also applies.

#### **AUTHORITY:**

The Marine Coast Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity, and protection of development from hazardous conditions pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

#### **JUSTIFICATION:**

Coastal and marine environments provide goods and services from an ecological, economic, and social perspective. The form and dynamics of the shoreline help determine essential habitat conditions for coastal plant and animal communities. Coastal areas are also highly valued by property owners, the general community, and marine recreational users for their aesthetic qualities, recreational values, and views.

In addition, many coastal communities are experiencing unprecedented levels of growth. This is a critical time to recognize the unintended consequences of past practices and to identify ways to reduce the impacts of development and ensure that the benefits of having healthy marine ecosystems continue to be enjoyed for generations to come.

The objectives of this development permit area are:

1. To work towards the ‘protection of the environment’ goal of the Regional Growth Strategy, in particular by following the policy to ‘minimize impacts of development in coastal zones by ensuring use of low impact development’.
2. To plan and regulate new development in a manner that preserves, protects and restores the long-term physical integrity and ecological values of shorelines and associated foreshore and upland areas.
3. To balance development opportunities with the ecological conservation and restoration of the shoreline environment.
4. To maintain the public’s safe use and access to these important recreation areas in a way that does not compromise the ecological integrity of the shoreline.

### **12.4 Eagle and Heron Nesting Trees Development Permit Area**

#### **DESIGNATION:**

The Eagle and Heron Nesting Trees Development Permit Area is shown on Map No. 9. The development permit area is defined as follows:

- a) For **Bald Eagle Nesting Trees** – the development permit area applies to all mapped and unmapped trees containing bald eagle nests and is a 60 metre radius measured from the base of the nesting tree.
- b) For **Great Blue Heron Nesting Trees** – the development permit area applies to all mapped and unmapped trees containing great blue heron nests, and shall be
  - i. a 60 metre radius from the base of the nesting tree on lots 1.0 hectare or smaller; and
  - ii. a 100 metre radius from the base of the nesting tree on lots larger than 1.0 hectare.

Where the colony consists of more than one tree, the radius is measured from a line drawn around the outer perimeter of the base of all nest trees.

The locations of the eagle and heron nesting trees identified on Map No. 9 of this plan are intended to provide an approximate location only. Ground-truthing may be required by Regional District staff, a

Registered Professional Biologist, or British Columbia Land Surveyor, to accurately determine the location of the tree or trees.

**AUTHORITY:**

The Eagle and Heron Nesting Trees Development Permit Area is designated a development permit area for protection of the natural environment, its ecosystems and biological diversity, pursuant to Section 488(1)(a) of the *Local Government Act*.

**JUSTIFICATION:**

Nesting birds such as the Great Blue Heron and Bald Eagle are sensitive to impact from development and disturbance by human activity and require special treatment in order to protect their ecological value, now and for the future.

Pacific Great Blue Herons are a Species of Special Concern in Canada and are Blue-listed in British Columbia. There are only about 500 nests on Vancouver Island and the Gulf Islands. Bald Eagles are territorial and generally require 1000 meters between nesting sites. Both species nest near lakes, rivers and shorelines throughout BC where they are close to their food source. The loss of available nesting habitat near their food source, as well as disturbance from human presence, reduces the birds' ability to thrive and successfully raise their young. While Section 34 of the *Wildlife Act* provides for the protection of Bald Eagles and Pacific Great Blue Herons and several other at risk bird species, this development permit area protects the nesting habitat essential to ensuring breeding populations are maintained.

The objectives of this development permit area are:

1. To implement Regional Growth Strategy Policy 2.14 to protect environmentally sensitive areas from the impacts of development.
2. To protect eagle and heron nesting sites from the impacts of development.

## **12.5 Aquifers Development Permit Area**

**DESIGNATION:**

The Aquifers Development Permit Area is shown on Map No. 9 and applies to parcels within the growth containment boundary or industrial lands where non-residential development is supported.

**AUTHORITY:**

The Aquifers Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity, pursuant to Section 488(1)(a) of the *Local Government Act*.

**JUSTIFICATION:**

Aquifers are sensitive to impact from development and disturbance by human activity and require special treatment in order to protect their ecological value, and community value as a drinking water source now and for the future.

Aquifers and surface water are connected and interact with each other as typically, surface waters recharge aquifers in months with precipitation and snow melt. The groundwater system contributes to baseflow in rivers and streams, maintaining habitat for fish, wildlife and plants and is the sole domestic water supply for many residents. Maintaining both water quality and quantity requires careful management for the long-term sustainability of ecosystems and drinking water values.

Care must be taken in construction methods, excavation, surface drainage and the storage, handling and manufacture and use of products on parcels of land within this Development Permit Area to avoid contamination of the underlying aquifer and to protect and promote its sustainable use as a drinking water source.

In the Cassidy Village Centre area, a 2010 groundwater vulnerability study conducted by GW Solutions Inc. in partnership with Vancouver Island University indicates the upper Cassidy aquifer is highly vulnerable to surface contamination while the lower aquifer was found to be protected by a thick layer of blue clay. There is concern in the community based on the fact that the majority of residents draw their drinking water from the upper aquifer and there are no community water or sewer services.

In the South Wellington Industrial – Commercial area, there are no community water or community sewer services. Residents are concerned with the protection of groundwater resources, their primary source of domestic drinking water, due to the lack of community services combined with the fact that there are heavy industrial uses on relatively small lots in close proximity to rural residential uses that rely on private domestic wells. Therefore, it is important to ensure that both existing and future commercial and industrial uses do not pose a threat to ground water quantity or quality.

The Cedar Village Centre area overlies mapped Aquifer 161 which is closely connected to the Nanaimo River and ranked as high vulnerability to surface contamination due to the shallow water table and very permeable gravel and sand aquifer material. Water supply for the North Cedar Improvement District comes from Aquifer 161, therefore it is important to ensure both existing and future land uses do not pose a threat to groundwater quality and quantity.

The objective of this development permit area is to implement RGS Policy 2.14 to protect groundwater aquifers and environmentally sensitive areas from contamination and reduced supply caused by land use and development activities.

## **12.6 Hazard Lands Development Permit Area**

### **DESIGNATION:**

The Hazard Lands Development Permit Area is applicable to the Nanaimo River Floodplain identified on Map No. 9.

### **AUTHORITY :**

The Hazard Lands Development Permit Area is designated a development permit area for protection of the natural environment, its ecosystems and biological diversity and for the protection of development from hazardous conditions, pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

### **JUSTIFICATION:**

The Nanaimo River floodplain (including portions of Haslam Creek) is designated by the province as a ‘high risk’ floodplain area. The objective of this development permit area is to protect property from flooding and potential loss of land and property due to high water, erosion, and instability.

## **12.7 Farmland Protection Development Permit Area**

### **DESIGNATION:**

The Farmland Protection Development Permit Area is shown on Map No. 10 and applies to all properties adjacent to the Provincial Agricultural Land Reserve (ALR) boundary.

### **AUTHORITY:**

The Farmland Protection Development Permit Area is designated a development permit area for the protection of farming, pursuant to Section 488(1)(c) of the *Local Government Act*.

### **JUSTIFICATION:**

The BC Agricultural Land Commission has acknowledged that the development of lands adjoining farmlands may compromise the agricultural use of the ALR lands. Agricultural lands therefore require protection for long-term agricultural use.

In addition, as a result of inappropriately designed developments, land use conflicts may develop between the land uses. The incorporation of a 15 metre wide buffer between developed lands and agricultural lands is expected to promote greater compatibility between the uses while protecting the agricultural uses from urban impacts.

The objective of this Development Permit Area is to protect the agricultural land resource of the Plan Area for present and future production of food and other agricultural products.”

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1620.05**

Schedule 'C'

Map No. 9 – Development Permit Areas for the Protection of the Natural Environment



Legend

- Electoral Area Boundary
- Plan Area Boundary

Sensitive Ecosystems  
Development Permit Area

- Coastal Bluff, Terrestrial Herbaceous and Old Forest Ecosystems  
SOURCE: Sensitive Ecosystem Inventory 2004
- Sensitive Species  
SOURCE: Conservation Data Centre

Eagle and Heron Nesting Trees  
Development Permit Area

- All Mapped and Unmapped eagle and heron nesting trees within the shaded area shown on inset map
- Eagle Nest Tree:  
60 metre radius from base of tree
- Heron Nest:  
60 metres from base of tree for lots ≤ 1.0 hectares  
100 metres from base of tree for lots > 1.0 hectares  
SOURCE: BC Ministry of Environment

Freshwater and Fish Habitat  
Development Permit Area

- All Mapped and Unmapped Streams that are Subject to the Riparian Areas Regulation within the shaded area shown on inset
- Nanaimo River and Haslam Creek
- All other Watercourses
- Lake, Wetland, and Pond
- Wetland and Riparian Areas  
SOURCE: Sensitive Ecosystem Inventory 2004

Marine Coast  
Development Permit Area

- Coastal Areas:  
15 metres from Natural Boundary

Hazard Lands  
Development Permit Area

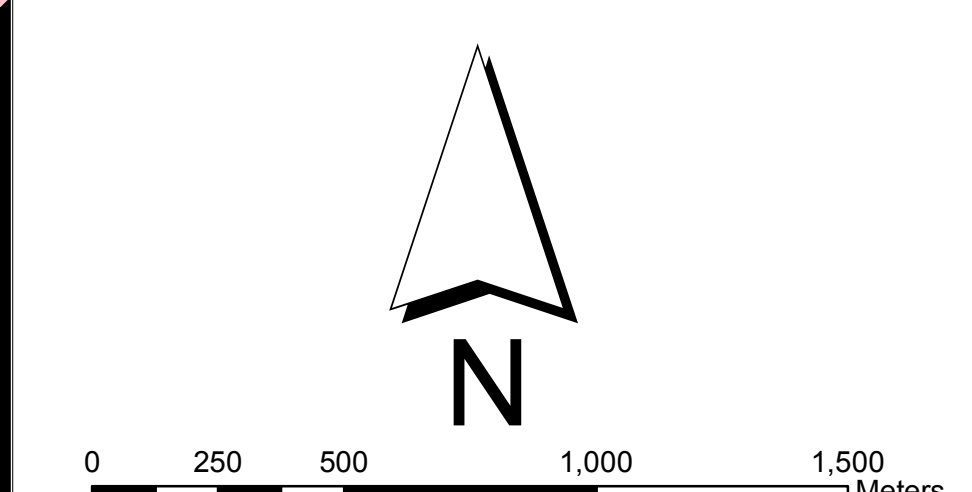
- Nanaimo River Floodplain  
Designated by the floodplain limit at a 200 year frequency.  
SOURCE: B.C. Water Management Branch, Floodplain Mapping Program and Regional District of Nanaimo Floodplain Management Bylaw No. 1469 Schedule 'A' maps

Aquifers Development  
Permit Area

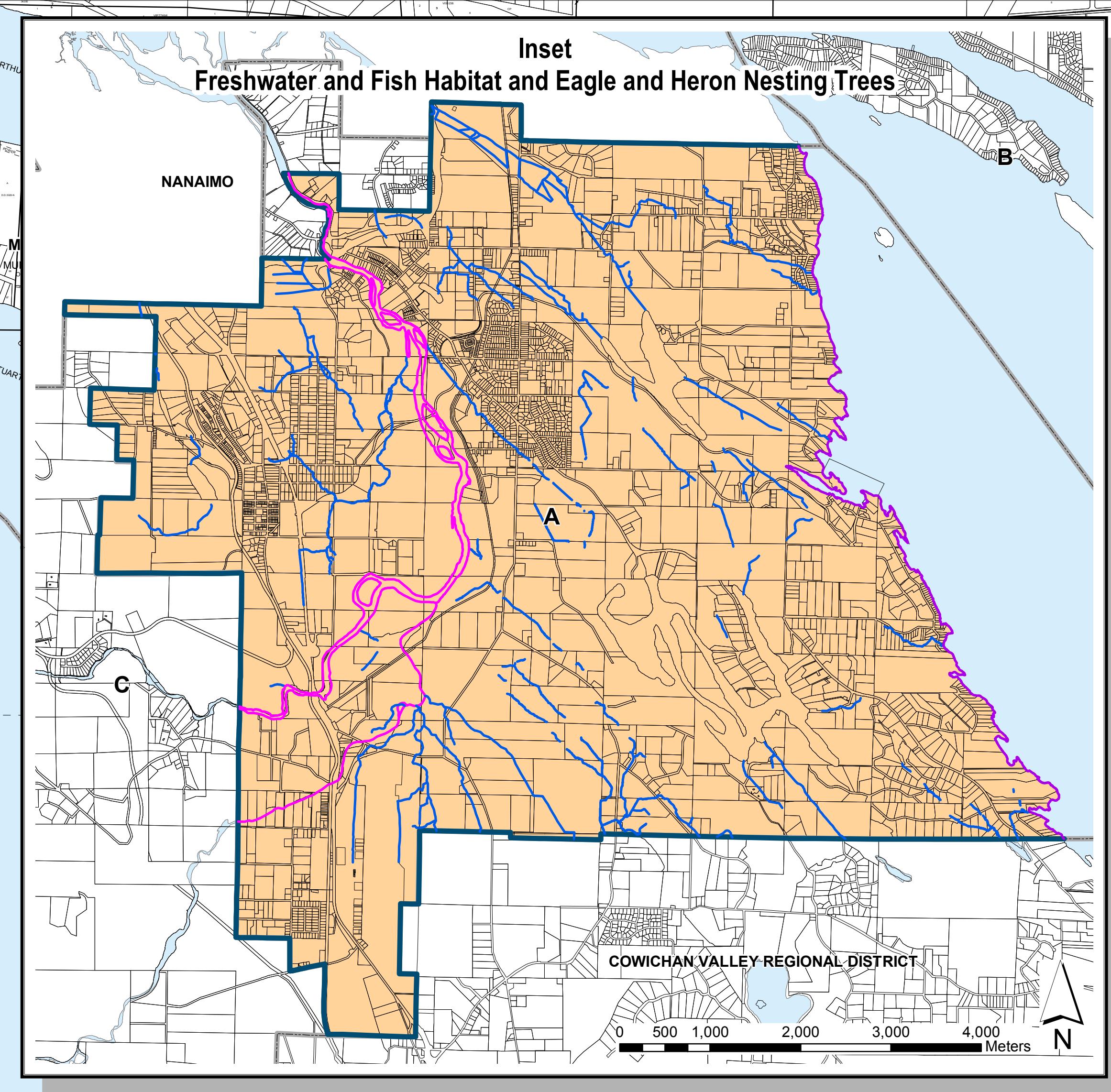
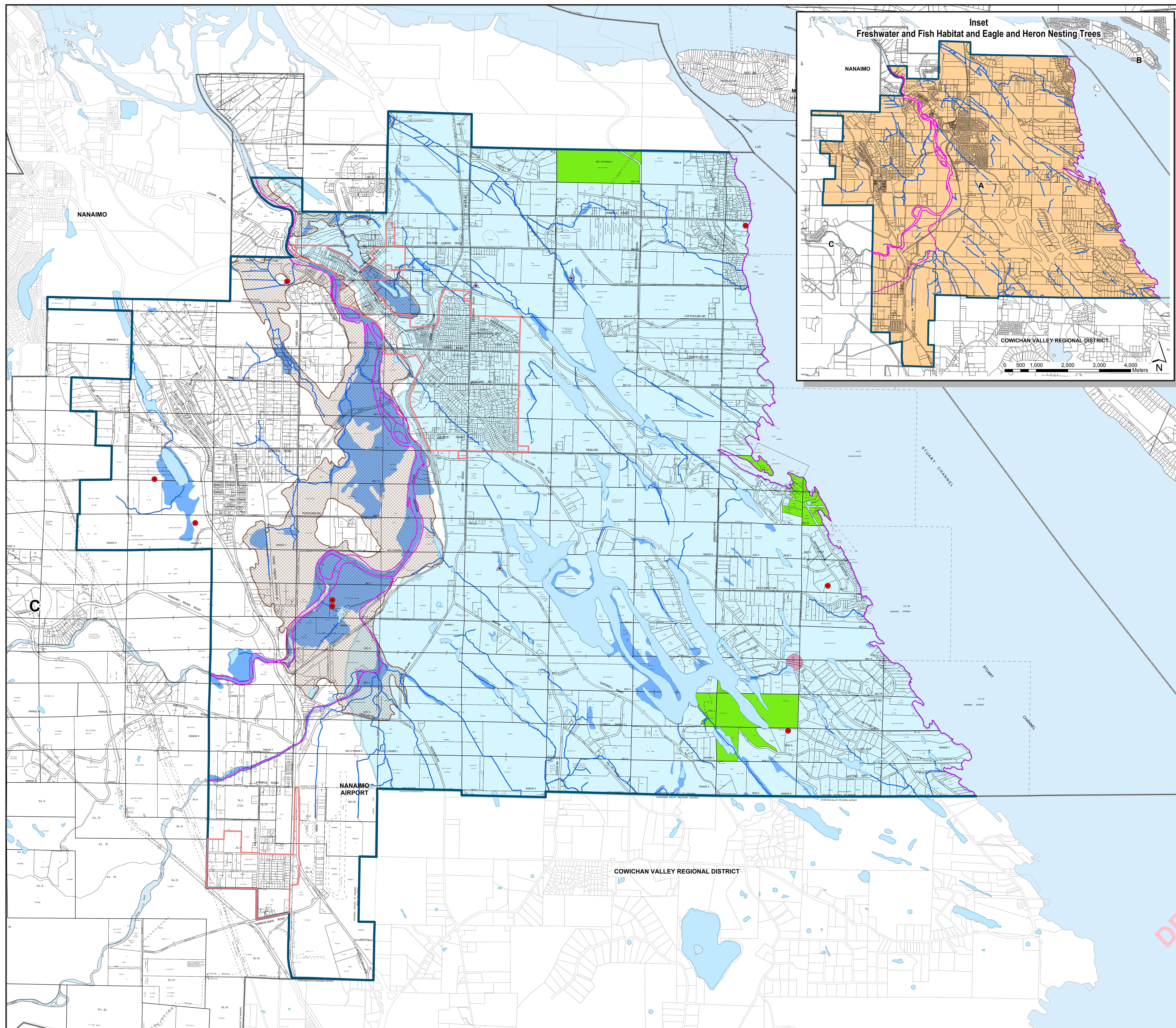
- Yellowpoint Aquifer  
Development Permit Area  
SOURCE: B.C. Ministry of Environment

Chairperson Corporate Officer

BYLAW NO.1620.05, 2018  
Schedule 'C'



DRAFT





ATTACHMENT 5

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1148.07**

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO ARROWSMITH BENSON-CRANBERRY BRIGHT  
OFFICIAL COMMUNITY PLAN BYLAW NO. 1148, 1999**

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

- A. This Bylaw may be cited as “Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.07, 2018”.
- B. “Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw No. 1148, 1999” is hereby amended as set out in Schedules A, B, C and D of this Bylaw.

Introduced and read two times this \_\_\_ day of \_\_\_\_\_ 20XX.

Considered in conjunction with the Regional District of Nanaimo Financial Plan and any applicable Waste Management Plans this \_\_\_ day of \_\_\_\_\_ 20XX.

Public Hearing held pursuant to Section 464 of the *Local Government Act* this \_\_\_ day of \_\_\_\_\_ 20XX.

Read a third time this \_\_\_ day of \_\_\_\_\_ 20XX.

Adopted this \_\_\_ day of \_\_\_\_\_ 20XX.

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CHAIR

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CORPORATE OFFICER



Schedule A to accompany "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.07, 2018".

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Chair

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Corporate Officer

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1148.07**

Schedule A

1. "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw No. 1148, 1999" is hereby amended as follows:
  - a) by amending Schedule A as follows:
    - i. to the Table of Contents, under Appendix A:
      - a. by inserting "Extension" before Village Centre
      - b. by deleting "Farm Land" and replace with "Farmland"
      - c. by deleting "Watercourse Protection"
      - d. by deleting "Fish Habitat Protection" and replacing with "Freshwater and Fish Habitat"
    - ii. to the Introduction section, under Plan Format, to the fourth paragraph, second sentence, by inserting the words "the zoning bylaw" after "and" and before "provides";
    - iii. to Goal 3 – Protect Rural Integrity:
      - a. by deleting Rural Policy 2.a.viii
      - b. by deleting Resource Policy 2.a.viii
    - iv. by deleting Aggregate and Mineral Resources Policy 6;
    - v. to Goal 4 – Protect the Natural Environment, Freshwater Management policy 6, by deleting "Watercourse and Fish Habitat Protection" and replacing with "Freshwater and Fish Habitat Protection";
    - vi. to Goal 6 – Create a Vibrant and Sustainable Economy, under Agriculture, to the fourth paragraph, last sentence, by deleting "requirements of" and replacing with "established in"; and
    - vii. to Appendix A: Development Permit Areas, introduction section:
      - a. to the first paragraph, second sentence, by inserting "in the zoning bylaw" after "provided" and before the period
      - b. to the first paragraph, last sentence, by inserting "in the zoning bylaw" after "specified" and before the period

- c. to the third paragraph, first bullet, by inserting “Extension” before “Village”
- d. to the third paragraph, second bullet, by deleting “Farm Land” and replacing with “Farmland”
- e. by deleting the third paragraph, third bullet
- f. to the third paragraph, fifth bullet, by inserting “Freshwater and” before “Fish Habitat”; and adding “and protection of development from hazards” after “environment” and before the “)”.
  - viii. to Appendix A: Development Permit Areas, Village Centre – Commercial Development Permit Area:
    - a. to the “Area” section, by inserting “Extension” after “The” and before “Village”
    - b. to the “Justification” section, by deleting “designated” and replacing with “within the Extension”
    - c. by deleting the “Application”, “Exemptions” and “Guidelines” sections.
  - ix. To Appendix A: Development Permit Areas, by deleting the Farm Land Protection, Watercourse Protection, Sensitive Ecosystems Protection and Fish Habitat Protection Development Permit Areas and replacing with Schedule ‘B’ attached to and forming part of this bylaw.
- b) by deleting Map No. 7 - Development Permit Areas, Sheets 3 & 4 of 5, and replacing with Schedule ‘C’ attached to and forming part of this bylaw.
- c) by deleting Map No. 7 – Development Permit Areas, Sheet 5 of 5, and replacing with Schedule ‘D’ attached to and forming part of this bylaw.

Schedule B to accompany "Regional District of Nanaimo Arrowsmith  
Benson-Cranberry Bright Official Community Plan Amendment Bylaw  
No. 1148.07, 2018".

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Chair

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Corporate Officer

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1148.07**

Schedule B

**FARMLAND PROTECTION  
DEVELOPMENT PERMIT AREA**

**Authority:**

The Farmland Protection Development Permit Area is designated a development permit area for the protection of farming, pursuant to Section 488(1)(c) of the *Local Government Act*.

**Designation**

The Farmland Protection, Development Permit Area is as shown on Map No. 7, Development Permit Areas, Sheet 2 of 5 and applies to all properties adjacent to the Provincial Agricultural Land Reserve (ALR) boundary.

**Justification:**

Lands located within the ALR require protection for long term agricultural use. Land use conflicts may develop between lands within the ALR and lands adjoining or reasonably adjacent to the ALR. These conflicts may compromise the agricultural use of the ALR lands. The incorporation of 15 metre wide buffers between new subdivisions and ALR lands will protect the agricultural use of ALR lands.

## **SENSITIVE ECOSYSTEMS DEVELOPMENT PERMIT AREAS**

### **Authority:**

The Sensitive Ecosystems Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity pursuant to Section 488(1)(a) of the *Local Government Act*.

### **Designation:**

The Sensitive Ecosystems Development Permit Area is as shown on Map No. 7 (Development Permit Areas, Sheet 5 of 5) and applies to the following sensitive ecosystems mapped in the Provincial Sensitive Ecosystem Inventory (SEI): 'terrestrial herbaceous', 'older forest', and 'sparsely vegetated'.

### **Justification:**

This Development Permit Area is applicable to lands, which contain sensitive ecosystems as identified by Environment Canada and the BC Ministry of Environment, Lands and Parks.

A SEI for east Vancouver Island and the Gulf Islands has been completed by Environment Canada and the BC Ministry of Environment, Lands and Parks. The SEI identified ecosystems within the eastern segment of Arrowsmith Benson - Cranberry Bright, which are endangered or sensitive to disturbance.

The objective of the development permit area is to minimize the impacts of developments on environmentally sensitive features, ecosystems or habitat.

## FRESHWATER AND FISH HABITAT DEVELOPMENT PERMIT AREA

### Authority:

The Freshwater and Fish Habitat Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems, and biological diversity and protection of development from hazardous conditions pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

### Designation:

The Freshwater and Fish Habitat Development Permit Area is shown on Map No. 7, and applies to the riparian assessment areas of mapped and unmapped streams subject to the *Riparian Areas Regulation* (RAR) of the *Riparian Areas Protection Act*, as well as all other mapped lakes, wetlands, ponds and watercourses not subject to the RAR. Specifically, the Development Permit Area is defined as follows:

1. All mapped and unmapped riparian assessment areas as defined in the RAR as follows:
  - a) for a stream, a 30 metre strip on both sides of the stream measured from the high water mark;
  - b) for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank; and
  - c) for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank.
2. All mapped watercourses, lakes, wetlands, and ponds, that are not subject to the RAR; 15 metres as measured from the natural boundary or top of ravine bank, whichever is greater. This includes estuarine areas (areas of tidal influence) of all watercourses and streams. For clarity, in estuarine areas the Marine Coast Development Permit Area also applies.

The following definitions are used for the purpose of defining the development permit area as above:

**‘ravine’** means a narrow, steep-sided valley that is commonly eroded by running water and has a slope grade greater than 3:1;

**‘stream’** includes any of the following that provides fish habitat:

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

**‘top of the ravine bank’** means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed;

**‘watercourse’** means a permanent or non permanent (containing water at least six months of the year) source of water supply that is natural or man made, including a pond, lake, river, creek, brook, ditch, spring or wetland that is integral to a stream, with well defined banks and a bed of 0.6 metres or more below the surrounding land serving to give

direction to or containing a current of water but does not apply to a man made pond that does not connect to a stream.

## **Justification**

Freshwater and riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed contributing to effective rainwater management and stabilizing stream banks by holding soil in place. Plant root systems enhance the soil's ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water to survive. Logs and other woody debris fall into streams from the riparian area, influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Riparian vegetation stabilizes streambanks, helping to minimize erosion and sedimentation that can be harmful to aquatic ecosystems. Erosion of banks and steep slopes can also pose a hazard to development, and maintaining and enhancing natural features and vegetation and siting buildings and structure appropriately, can reduce this hazard.

Land use practices including land clearing, road building, construction of buildings and structures, and location of wastewater disposal systems in or near riparian areas can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of the Plan Area. Land use practices can also change the hydraulic flow of a stream and create or exacerbate a flooding hazard.

Furthermore, the Province of British Columbia's *Riparian Areas Protection Act*, requires that local governments establish regulations to protect riparian areas, and not allow development to proceed until the requirements of the RAR are met.

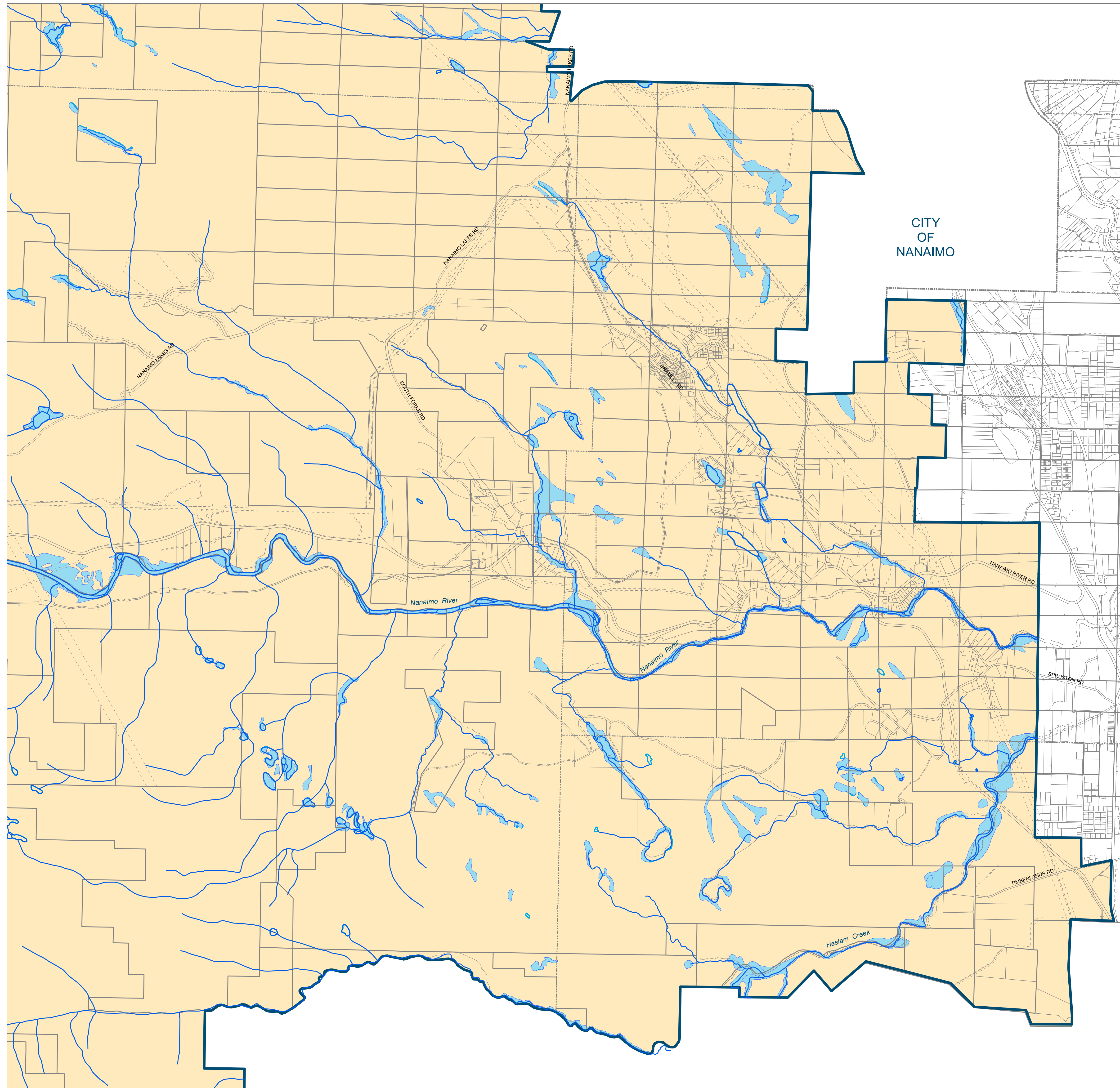
The objectives of this development permit area are:

1. To protect freshwater ecosystems to maintain their natural habitat and environmental quality.
2. To restore freshwater ecosystems to improve their natural habitat and environmental and hazard mitigation quality if they have been previously degraded.
3. To protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.
4. To protect development from flood and slope hazard.

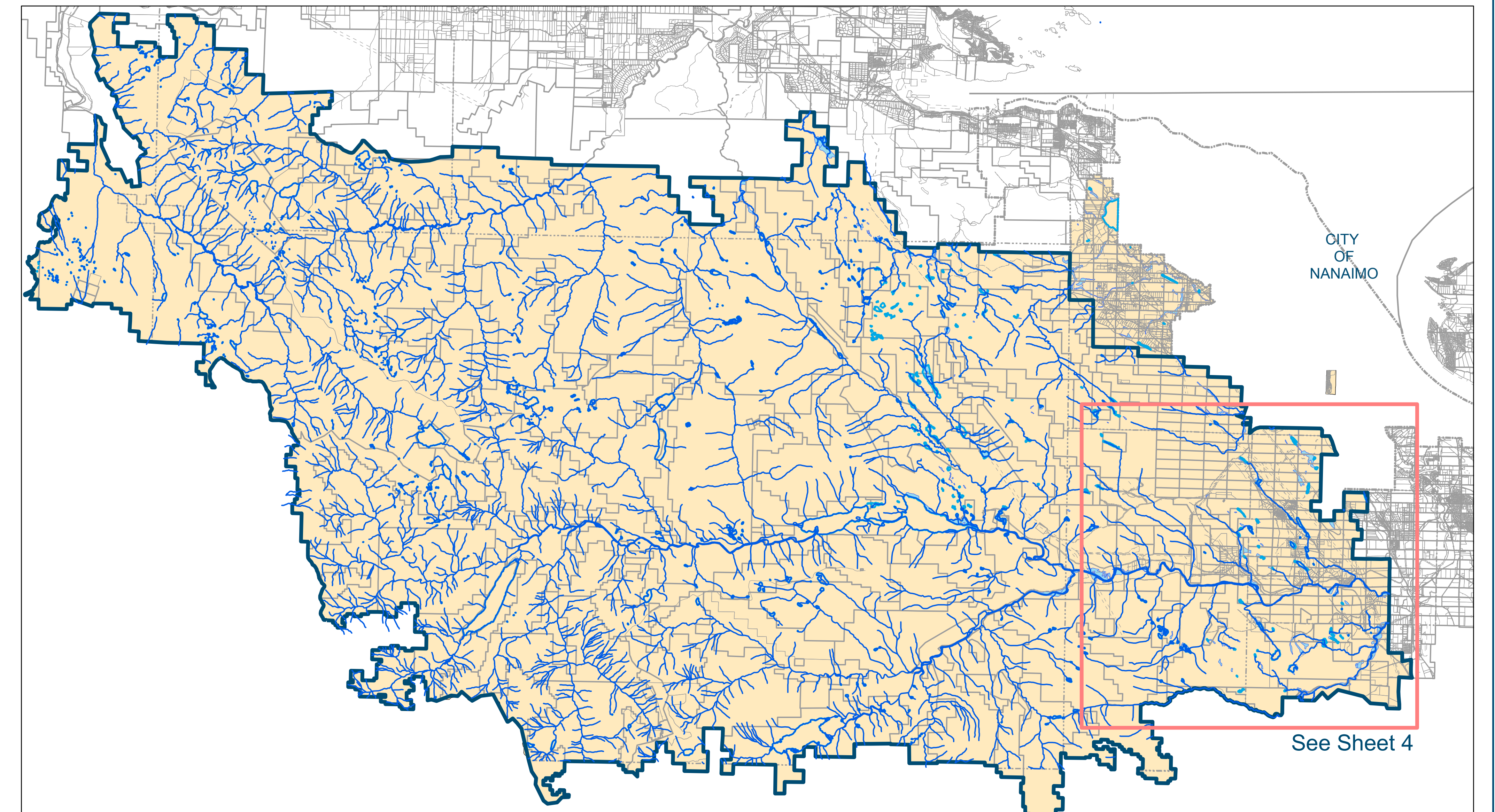
**REGIONAL DISTRICT OF NANAIMO**  
**BYLAW NO. 1148.07**  
Schedule C

Map No. 7 – Development Permit Areas, Sheets 3 & 4 of 5



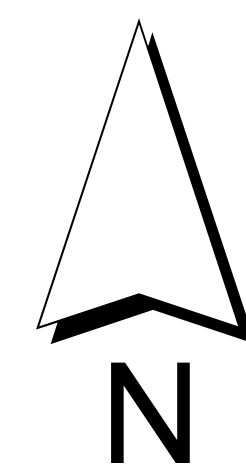


Sheet 4



Sheet 3

**DRAFT**



**LEGEND**

— Plan Area Boundary

**FRESHWATER AND FISH HABITAT DEVELOPMENT PERMIT AREA**

■ All Mapped and Unmapped Streams that are Subject to the Riparian Areas Regulation

— Watercourse  
Source: Provincial TRIM Mapping

□ Lake/Marsh/Swamp

■ Riparian Vegetation / Wetland  
Source: Sensitive Ecosystem Inventory 2004

**ARROWSMITH BENSON - CRANBERRY BRIGHT OFFICIAL COMMUNITY PLAN**

**Map 7 Sheets 3 & 4 of 5  
DEVELOPMENT PERMIT AREAS  
FRESHWATER AND FISH HABITAT**

Chairperson

Corporate Officer

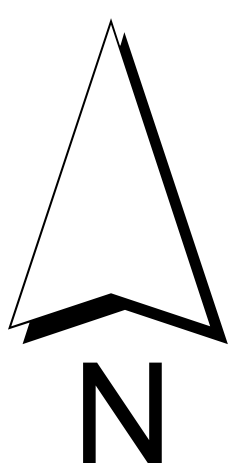
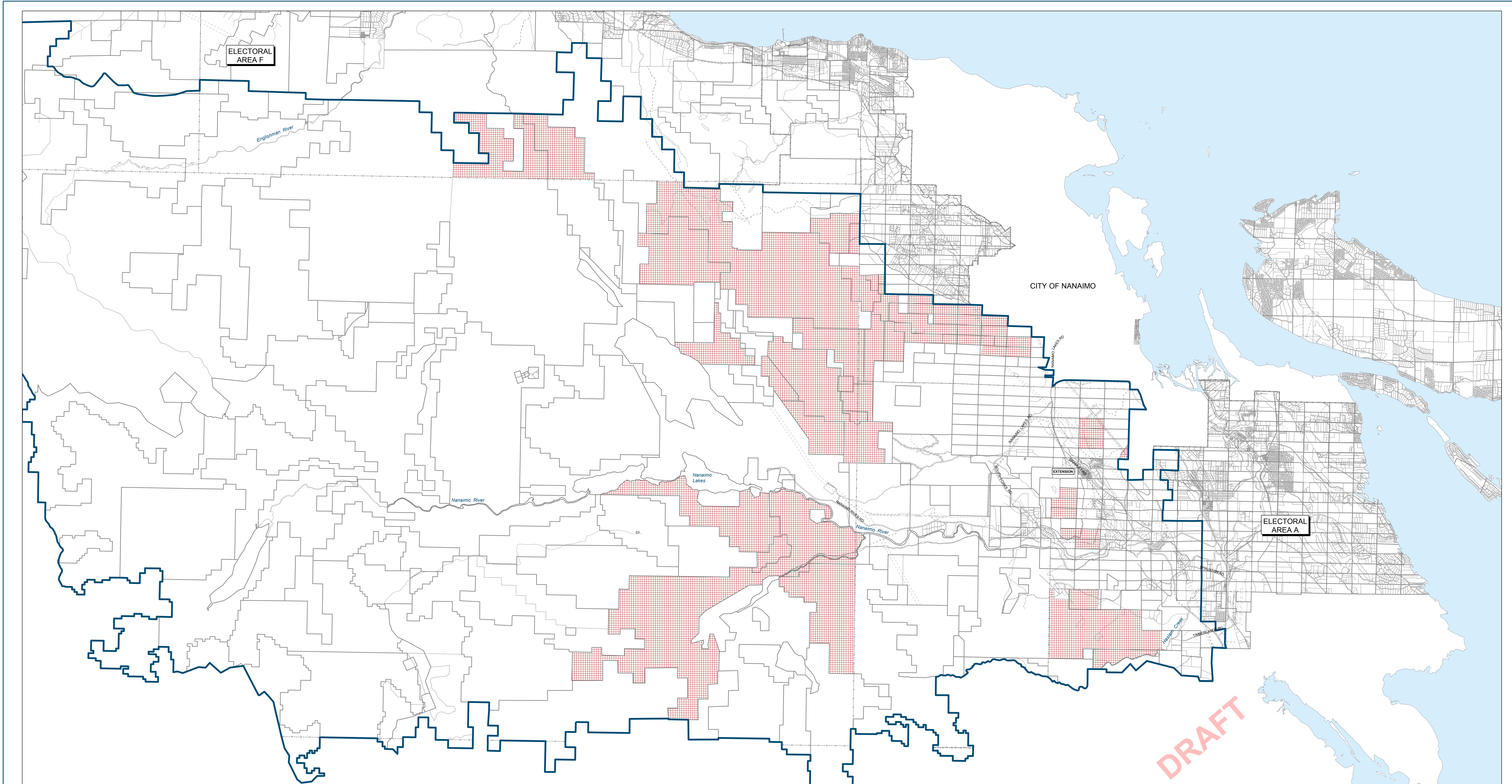
Schedule 'C'  
BYLAW NO. 1148.07, 2018



**REGIONAL DISTRICT OF NANAIMO**  
**BYLAW NO. 1148.07**  
Schedule D

Map No. 7 – Development Permit Areas, Sheets 5 of 5





0 3 6 12 Kilometers

**LEGEND**

- Plan Area
- Sensitive Ecosystems Development Permit Area

**ARROWSMITH BENSON - CRANBERRY BRIGHT  
OFFICIAL COMMUNITY PLAN  
Map 7 Sheet 5 OF 5  
DEVELOPMENT PERMIT AREAS  
SENSITIVE ECOSYSTEMS DEVELOPMENT PERMIT AREA**

\_\_\_\_\_  
Chairperson Corporate Officer

Schedule 'D'  
BYLAW NO. 1148.07, 2018



ATTACHMENT 6

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1055.05**

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO EAST WELLINGTON – PLEASANT VALLEY  
OFFICIAL COMMUNITY PLAN BYLAW NO. 1055, 1997**

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

- A. This Bylaw may be cited as “Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Amendment Bylaw No. 1055.05, 2018.”
  
- B. The “Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Bylaw No. 1055, 1997” is hereby amended as set out in Schedules A, B and C of this Bylaw.

Introduced and read two times this \_\_\_ day of \_\_\_\_\_ 20XX.

Considered in conjunction with the Regional District of Nanaimo Financial Plan and any applicable Waste Management Plans this \_\_\_ day of \_\_\_\_\_ 20XX.

Public Hearing held pursuant to Section 464 of the *Local Government Act* this \_\_\_ day of \_\_\_\_\_ 20XX.

Read a third time this \_\_\_ day of \_\_\_\_\_ 20XX.

Adopted this \_\_\_ day of \_\_\_\_\_ 20XX.

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CHAIR

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CORPORATE OFFICER

Schedule A to accompany "Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Amendment Bylaw No. 1055.05, 2018".

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Officer

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1055.05**

**Schedule A**

1. "Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Bylaw No. 1055, 1997" is hereby amended as follows:
  - a) By amending Schedule A as follows:
    - i. by deleting in the **TABLE OF CONTENTS, SECTION 8 – DEVELOPMENT PERMIT AREAS** and replacing with the following:  
**"SECTION 8 - DEVELOPMENT PERMIT AREAS .....**  
9.1 Freshwater and Fish Habitat.....  
9.2 Hazard Lands.....  
9.3 East Wellington – Pleasant Valley Industrial....."  
**"**
    - ii. by deleting section **4.1 RESOURCE, Policies: Resource, Action: 4.**
    - iii. to **SECTION 8 - DEVELOPMENT PERMIT AREAS**, introduction:
      - a. to the second paragraph, after the first sentence, by inserting the following: "For development permit areas designated in this Plan, the guidelines are located in the zoning bylaw."
      - b. to the fourth paragraph, first sentence, after the word "guidelines", by inserting "in the zoning bylaw".
      - c. to the fifth paragraph, first sentence, after the word "Plant", by inserting "and the zoning bylaw".
      - d. to the fifth paragraph, last sentence, by deleting "within the guidelines of" and replacing with "in the zoning bylaw".
    - iv. by deleting **8.1 FISH HABITAT PROTECTION** and **8.2 NATURAL HAZARD AREAS** and replacing with Schedule B attached to and forming part of this bylaw.
    - v. to **8.3 INDUSTRIAL:**

- a. to the title, by inserting “**EAST WELLINGTON – PLEASANT VALLEY**” before “**INDUSTRIAL**”; and
  - b. by deleting the **GUIDELINES** section.
- b) by deleting Map No. 5 – Development Permit Areas and Map No. 6 – Fish Habitat Protection Development Permit Areas and replacing with Schedule C attached to and forming part of this bylaw.

Schedule B to accompany "Regional District of Nanaimo East  
Wellington – Pleasant Valley Official Community Plan Amendment  
Bylaw No. 1055.05, 2018".

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Chair

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Corporate Officer

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1055.05**

**Schedule B**

**8.1 FRESHWATER AND FISH HABITAT DEVELOPMENT PERMIT AREA**

***Designation:***

The Freshwater and Fish Habitat Development Permit Area is shown on Map No. 5, and applies to the riparian assessment areas of mapped and unmapped streams subject to the *Riparian Areas Regulation* (RAR) of the *Riparian Areas Protection Act*, as well as all other mapped lakes, wetlands, ponds and watercourses not subject to the RAR. Specifically, the Development Permit Area is defined as follows:

1. All mapped and unmapped riparian assessment areas as defined in the RAR as follows:
  - a) for a stream, a 30 metre strip on both sides of the stream measured from the high water mark;
  - b) for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank; and
  - c) for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank.
2. All mapped watercourses, lakes, wetlands, and ponds, that are not subject to the RAR; 15 metres as measured from the natural boundary or top of ravine bank, whichever is greater. This includes estuarine areas (areas of tidal influence) of all watercourses and streams. For clarity, in estuarine areas the Marine Coast Development Permit Area also applies.

The following definitions are used for the purpose of defining the development permit area as above:

**'ravine'** means a narrow, steep-sided valley that is commonly eroded by running water and has a slope grade greater than 3:1;

**'stream'** includes any of the following that provides fish habitat:

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

**‘top of the ravine bank’** means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed;

**‘watercourse’** means a permanent or non permanent (containing water at least six months of the year) source of water supply that is natural or man made, including a pond, lake, river, creek, brook, ditch, spring or wetland that is integral to a stream, with well defined banks and a bed of 0.6 metres or more below the surrounding land serving to give direction to or containing a current of water but does not apply to a man made pond that does not connect to a stream.

**Authority:**

The Freshwater and Fish Habitat Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity, and protection of development from hazardous conditions pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

**Justification:**

Freshwater and riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed contributing to effective rainwater management and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil’s ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water to survive. Logs and other woody debris fall into streams from the riparian area, influencing stream channel morphology, dissipating the stream’s natural erosive energy and providing habitat for a diverse range of species. Erosion of banks and steep slopes can also pose a hazard to development, and maintaining and enhancing natural features and vegetation and siting buildings and structure appropriately, can reduce this hazard.

Land use practices including land clearing, road building, construction of buildings and structures, and location of wastewater disposal systems in or near riparian areas can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of the Plan Area. Land use practices can also change the hydraulic flow of a stream and create or exacerbate a flooding hazard.

Furthermore, the Province of British Columbia’s *Riparian Areas Protection Act*, requires that local governments establish regulations to protect riparian areas, and not allow development to proceed until the requirements of the *Riparian Areas Regulation* are met.

The objectives of this development permit area are:

1. To protect freshwater ecosystems to maintain their natural habitat and environmental quality.

2. To restore freshwater ecosystems to improve their natural habitat and environmental and hazard mitigation quality if they have been previously degraded.
3. To protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.
4. To protect development from flood and slope hazard.



## **8.2 HAZARD LANDS DEVELOPMENT PERMIT AREA**

### ***Designation:***

This Development Permit Area is applicable to lands that may be susceptible to flood or erosion in the floodplain of Brannen Lake and the Millstone River as shown on Map No. 5.

### ***Authority:***

The Hazard Lands Development Permit Area is designated a development permit area for protection of the natural environment, its ecosystems and biological diversity and for the protection of development from hazardous conditions, pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

### ***Justification:***

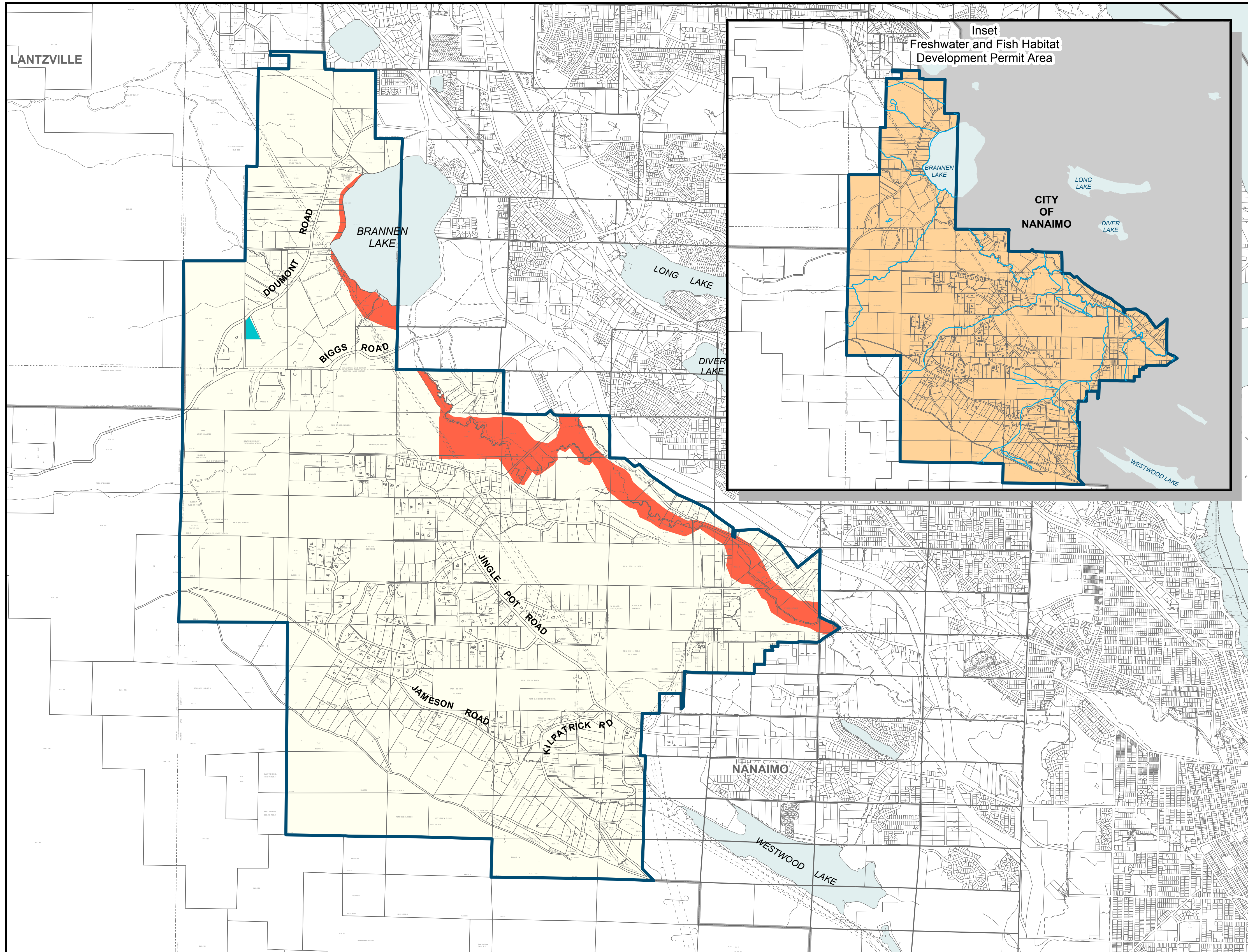
Lands susceptible to mass movement or erosion have been identified in the Plan Area. The development of land or removal of vegetation may destabilize such areas and create potential danger to life. In order to minimize the hazard potential of these areas, the construction of buildings or structures or the subdivision or alteration of land requires regulation. The objective of this development permit area is to protect property from flooding and potential loss of land and property due to high water, erosion and instability.

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1055.05**

**Schedule C**

**Map 5 – DEVELOPMENT PERMIT AREAS**





**EAST WELLINGTON - PLEASANT VALLEY OFFICIAL COMMUNITY PLAN**

**MAP 5 Development Permit Areas**

**Legend**

- Plan Area
- Hazard Lands Development Permit Area
- East Wellington - Pleasant Valley Industrial Development Permit Area

**Freshwater and Fish Habitat Development Permit Area**

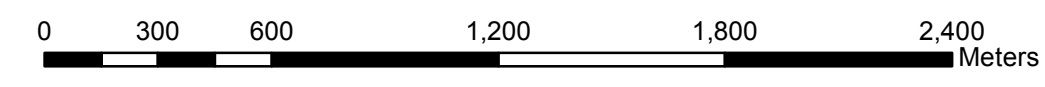
- All Mapped and Unmapped Streams that are Subject to the Riparian Area Regulation within the shaded area shown on Inset Map
- Watercourse

NOTE: Boundary Lines depicting designations on this map are approximate only. Additional areas or values may be present which have not been identified on this map.

Chairperson \_\_\_\_\_ Corporate Officer \_\_\_\_\_

DRAFT

**SCHEDULE 'C'  
BYLAW NO. 1055.05**



Aug 22, 2018



**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1400.05**

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO NANOOSE BAY  
OFFICIAL COMMUNITY PLAN BYLAW NO. 1400, 2005**

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

- A. This Bylaw may be cited as “Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.05, 2018”.
- B. The “Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005” is hereby amended as set out in Schedules A, B, C and D of this Bylaw.

Introduced and read two times this \_\_\_ day of \_\_\_\_\_ 20XX.

Considered in conjunction with the Regional District of Nanaimo Financial Plan and any applicable Waste Management Plans this \_\_\_ day of \_\_\_\_\_ 20XX.

Public Hearing held pursuant to Section 464 of the *Local Government Act* this \_\_\_ day of \_\_\_\_\_ 20XX.

Read a third time this \_\_\_ day of \_\_\_\_\_ 20XX.

Adopted this \_\_\_ day of \_\_\_\_\_ 20XX.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

Schedule A to accompany "Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.05, 2018".

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Chair

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Corporate Officer

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1400.05**

**Schedule A**

1. "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005" is hereby amended as follows:

a) By amending Schedule A as follows:

i. to the **Table of Contents**:

a. by deleting **Section IX – Development Permit Areas** and replacing it with the following:

**"Section IX - Development Permit Areas**

Development Permit Areas General Policies

- DPA I Nanoose Bay Form and Character
- DPA II Farmland Protection
- DPA III Freshwater and Fish Habitat
- DPA IV Sensitive Ecosystems
- DPA V Eagle and Heron Nesting Trees
- DPA VI Highway Corridor Protection"

b. To **Maps Forming Part of this Plan**, by deleting "Map No. 6 Development Permit Areas: and replacing with "Map No. 6 Development Permit Areas for Protection of the Natural Environment; and by deleting "Map No. 7 Watercourse Protection Development Permit Area" and replacing with "Map No. 7 Development Permit Areas for Form and Character and Farmland Protection"

ii. to **Section II, 2.1 ENVIRONMENTALLY SENSITIVE AREAS**, Policy 4, by deleting "Guidelines contained" and replace with "designated"

iii. to **Section II, 2.1 ENVIRONMENTALLY SENSITIVE AREAS**, Policy 5, by deleting "Guidelines contained" and replace with "designated"

iv. to **Section III, 3.4 RESOURCE LANDS**, by deleting Policies 14 and 15.

v. **Section IX, Development Permit Areas**, introduction section:

- a. to the third paragraph, second sentence, delete “will be addressed are also included”; and at the end of the sentence, insert “are included in the zoning bylaw” before the period.
- b. Delete the list in the fourth paragraph and replace with the following:
  - “DPA I Nanoose Bay Form and Character
  - DPA II Farmland Protection
  - DPA III Freshwater and Fish Habitat
  - DPA IV Sensitive Ecosystems
  - DPA V Eagle and Heron Nesting Trees
  - DPA VI Highway Corridor Protection”
- vi. To **Section IX, Development Permit Areas, DPA 1 Form and Character:**
  - a. to the title, insert “Nanoose Bay” before “Form and Character”
  - b. to **DPA 1 - PURPOSE**, insert “Nanoose Bay” before “Form and Character”
  - c. to **DPA 1 - AREA**, insert “Nanoose Bay” before “Form and Character”
  - d. to **DPA 1 – JUSTIFICATION**, insert “Nanoose Bay” before “Form and Character”
  - e. delete the **DPA 1 – GUIDELINES** and **DPA 1 – EXEMPTIONS** sections.
- vii. To **Section IX, Development Permit Areas**, delete **DPA II Farmland Protection, DPA III Watercourse Protection, and DPA IV Sensitive Ecosystem Protection** and replace with Schedule B attached to and forming part of this bylaw.
- viii. To **Section IX, Development Permit Areas, DPA V Highway Corridor Protection**, delete the **DPA V – GUIDELINES** and **DPA V – EXEMPTIONS** sections.
- b) by deleting Map No. 6 – Development Permit Areas and replacing with Schedule C attached to and forming part of this bylaw.
- c) Map No. 7 – Watercourse Protection Development Permit Area and replacing with Schedule D attached to and forming part of this bylaw.

Schedule B to accompany "Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.05, 2018".

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Chair

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Corporate Officer

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1400.05**

**Schedule B**

**DPA II**

**FARMLAND PROTECTION**

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**DPA II - AREA**

The Farmland Protection Development Permit Area is shown on Map No. 7 and applies to all properties adjacent to the Provincial Agricultural Land Reserve (ALR) boundary.

**DPA II - PURPOSE**

The Farmland Protection Development Permit Area is designated a development permit area for the protection of farming, pursuant to Section 488(1)(c) of the *Local Government Act*.

**DPA II - JUSTIFICATION**

The BC Agricultural Land Commission has acknowledged that the development of lands adjoining farmlands may compromise the agricultural use of the ALR lands. Agricultural lands therefore

require protection for long-term agricultural use.

In addition, as a result of inappropriately designed developments, land use conflicts may develop between the land uses. The incorporation of a 15 metre wide buffer between developed lands and agricultural lands is expected to promote greater compatibility between the uses while protecting the agricultural uses from urban impacts.

The objective of this DPA is to protect the agricultural land resource of the Plan Area for present and future production of food and other agricultural products

## DPA III

# FRESHWATER AND FISH HABITAT

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### DPA III - DESIGNATION

The Freshwater and Fish Habitat Development Permit Area is shown on Map No. 6, and applies to the riparian assessment areas of mapped and unmapped streams subject to the *Riparian Areas Regulation* (RAR) of the *Riparian Areas Protection Act*, as well as all other mapped lakes, wetlands, ponds and watercourses not subject to the RAR. Specifically, the Development Permit Area is defined as follows:

1. All mapped and unmapped riparian assessment areas as defined in the RAR as follows:
  - a) for a stream, a 30 metre strip on both sides of the stream measured from the high water mark;
  - b) for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank; and
  - c) for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the

high water mark to a point that is 10 metres beyond the top of the ravine bank.

2. All mapped watercourses, lakes, wetlands, and ponds, that are not subject to the RAR; 15 metres as measured from the natural boundary or top of ravine bank, whichever is greater. This includes estuarine areas (areas of tidal influence) of all watercourses and streams. For clarity, in estuarine areas the Marine Coast Development Permit Area also applies.

The following definitions are used for the purpose of defining the development permit area as above:

**'ravine'** means a narrow, steep-sided valley that is commonly eroded by running water and has a slope grade greater than 3:1;

**'stream'** includes any of the following that provides fish habitat:

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



**'top of the ravine bank'** means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed;

**'watercourse'** means a permanent or non permanent (containing water at least six months of the year) source of water supply that is natural or man made, including a pond, lake, river, creek, brook, ditch, spring or wetland that is integral to a stream, with well defined banks and a bed of 0.6 metres or more below the surrounding land serving to give direction to or containing a current of water but does not apply to a man made pond that does not connect to a stream;

### **DPA III - AUTHORITY**

The Freshwater and Fish Habitat Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity, and protection of development from hazardous conditions pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

### **DPA III - JUSTIFICATION**

Freshwater and riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife,

and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed contributing to effective rainwater management and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil's ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water to survive. Logs and other woody debris fall into streams from the riparian area, influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Erosion of banks and steep slopes can also pose a hazard to development, and maintaining and enhancing natural features and vegetation and siting buildings and structure appropriately, can reduce this hazard.

Land use practices including land clearing, road building, construction of buildings and structures, and location of wastewater disposal systems in or near riparian areas can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural

environment, ecosystems and biological diversity of the Plan Area.

Land use practices can also change the hydraulic flow of a stream and create or exacerbate a flooding hazard.

Furthermore, the Province of British Columbia's *Riparian Areas Protection Act*, requires that local governments establish regulations to protect riparian areas, and not allow development to proceed until the requirements of the *RAR* are met.

The objectives of this development permit area are:

1. To protect freshwater ecosystems to maintain their natural habitat and environmental quality.
2. To restore freshwater ecosystems to improve their natural habitat and environmental and hazard mitigation quality if they have been previously degraded.
3. To protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.
4. To protect development from flood and slope hazard.

## DPA IV

# SENSITIVE ECOSYSTEMS

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### DPA IV - DESIGNATION

The Sensitive Ecosystems Development Permit Area is shown on Map No. 6 and applies to parcels containing the following environmentally sensitive ecosystems mapped in the Provincial Sensitive Ecosystem Inventory (SEI): woodland, coastal bluff (for lands that are subdividable), terrestrial herbaceous, wetland, and sparsely vegetated ecosystems.

### DPA IV - AUTHORITY

The Sensitive Ecosystems Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity, pursuant to Section 488(1)(a) of the *Local Government Act*.

### DPA IV - JUSTIFICATION

The Sensitive Ecosystems Development Permit Area is comprised of parcels including lands that have been identified in the SEI: East Vancouver Island and Gulf Islands 1997 and 2004 updates completed by the Canadian Wildlife Service. These lands have been identified as being endangered or sensitive to disturbance. The lands include stands of Garry oak, woodlands, meadows, grasslands, and their

associated species. Some of the plant and animal species are found only in southeastern British Columbia and these ecosystems are among the rarest in the province. Nanoose Bay is unique in the range of sensitive ecosystems it contains and in the required level of preservation of these systems.

The objective of the development permit area is to minimize the impacts of developments on environmentally sensitive features, ecosystems or habitat.

# DPA V

## EAGLE AND HERON NESTING TREES

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### DPA V - DESIGNATION

The Eagle and Heron Nesting Trees Development Permit Area is shown on Map No. 6. The development permit area is defined as follows:

- a) For **Bald Eagle Nesting Trees** - the development permit area applies to all mapped and unmapped trees containing bald eagle nests and is a 60 metre radius measured from the base of the nesting tree.
- b) For **Great Blue Heron Nesting Trees** - the development permit area applies to all mapped and unmapped trees containing great blue heron nests, and shall be
  - i. a 60 metre radius from the base of the nesting tree on lots 1.0 hectare or smaller; and
  - ii. a 100 metre radius from the base of the nesting tree on lots larger than 1.0 hectare.

Where the colony consists of more than one tree, the radius is measured from a line drawn around the outer perimeter of the base of all nest trees.

The locations of the eagle and heron nesting trees identified on Map No. 6 of this plan are intended to provide an

approximate location only. Ground-truthing may be required by Regional District staff, a Registered Professional Biologist, or British Columbia Land Surveyor, to accurately determine the location of the tree or trees.

### DPA V - AUTHORITY

The Eagle and Heron Nesting Trees Development Permit Area is designated a development permit area for protection of the natural environment, its ecosystems and biological diversity, pursuant to Section 488(1)(a) of the *Local Government Act*.

### DPA V - JUSTIFICATION

Nesting birds such as the Great Blue Heron and Bald Eagle are sensitive to impact from development and disturbance by human activity and require special treatment in order to protect their ecological value, now and for the future.

Pacific Great Blue Herons are a Species of Special Concern in Canada and are Blue-listed in British Columbia. There are only about 500 nests on Vancouver Island and the Gulf Islands. Bald Eagles are territorial and generally require 1000 meters between nesting sites. Both species nest near lakes, rivers and

shorelines throughout BC where they are close to their food source. The loss of available nesting habitat near their food source, as well as disturbance from human presence, reduces the birds' ability to thrive and successfully raise their young. While Section 34 of the *Wildlife Act* provides for the protection of Bald Eagles and Pacific Great Blue Herons and several other at risk bird species, this development permit area protects the nesting habitat essential to ensuring breeding populations are maintained.

The objectives of this development permit area are:

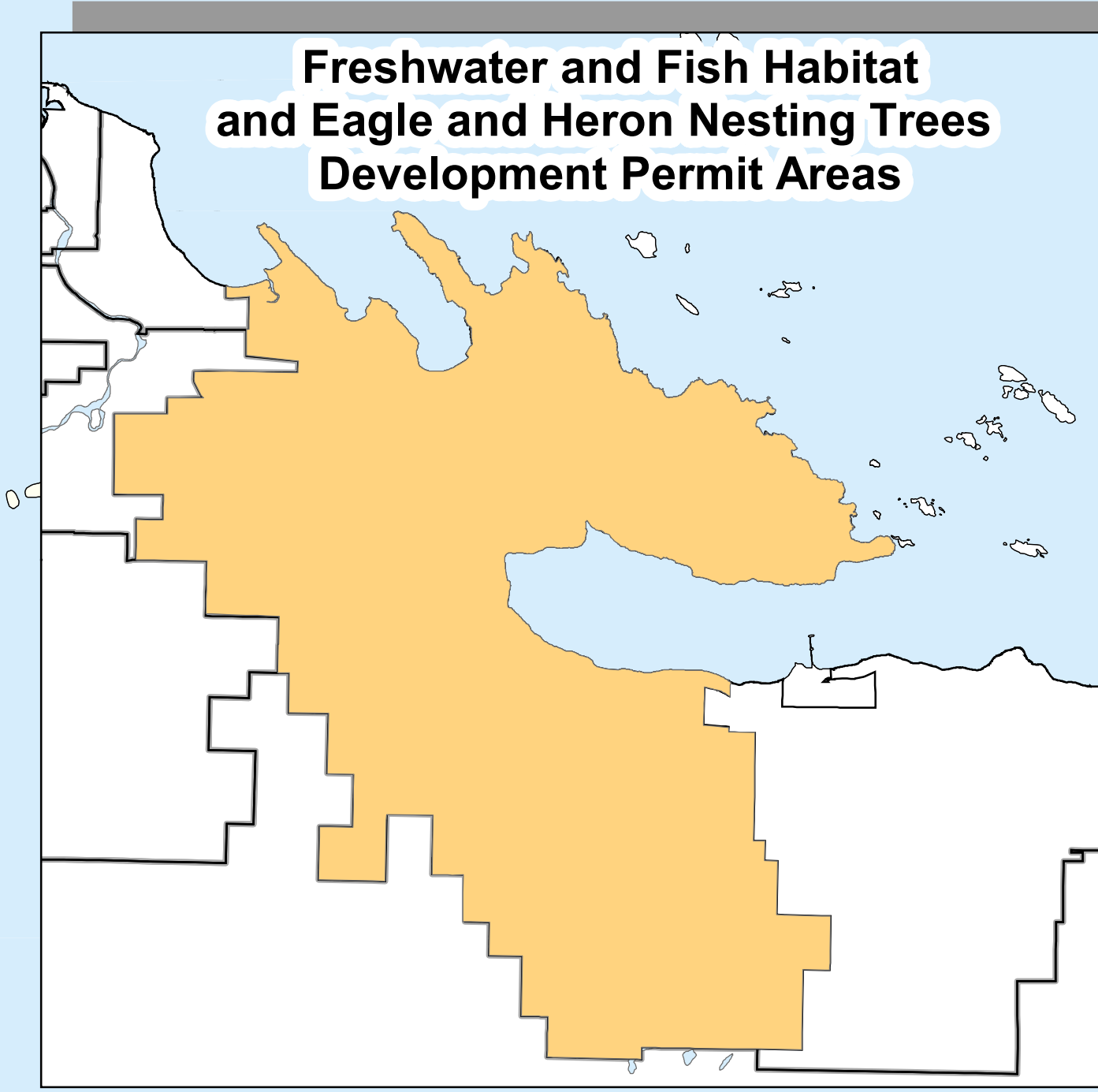
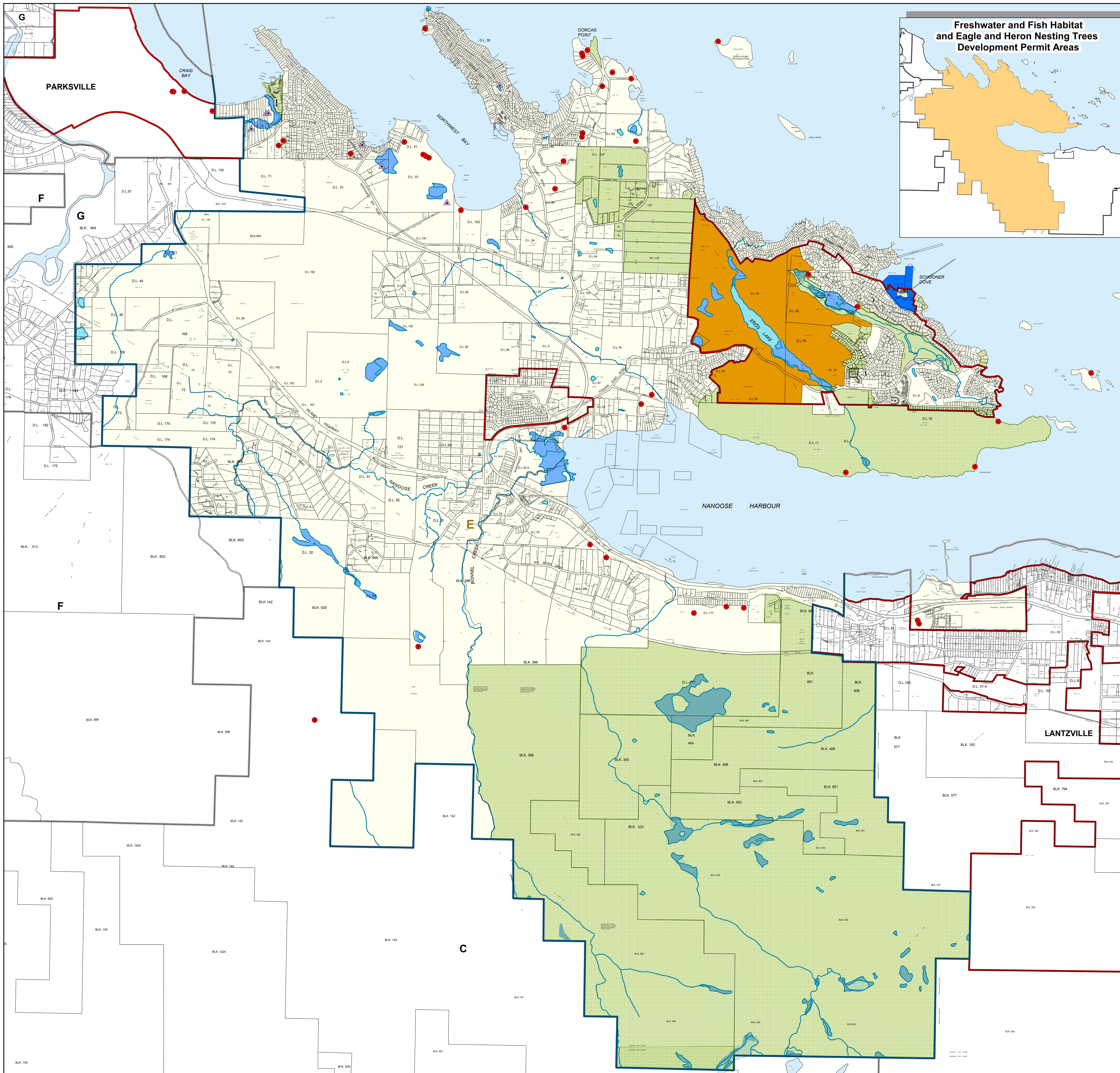
1. To implement Regional Growth Strategy Policy 2.14 to protect environmentally sensitive areas from the impacts of development.
2. To protect eagle and heron nesting sites from the impacts of development.

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1400.05**

**Schedule C**

Map No. 6 Development Permit Areas for Protection of the Natural Environment





- Legend**
- Plan Area Boundary
  - Urban Containment Boundary

**Sensitive Ecosystems Development Permit Area**

- Terrestrial Herbaceous, Sparse Vegetation, Woodland, and Coastal Bluff (For Lands that are Subdividable)

SOURCE: Sensitive Ecosystem Inventory 2004

**Eagle and Heron Nesting Trees Development Permit Area**

- All Mapped and Unmapped eagle and heron nesting trees within the shaded area shown on inset map
- Eagle Nesting Tree  
60 metre radius from base of tree
- ▲ Heron Nesting Tree  
60 metres from base of tree for lots ≤ 1.0 hectares  
100 metres from base of tree for lots > 1.0 hectares

SOURCE: BC Ministry of Environment

**Freshwater and Fish Habitat Development Permit Area**

- All Mapped and Unmapped Streams that are Subject to the Riparian Areas Regulation within the shaded area shown on inset map
- Watercourses
- Lakes, Wetlands and Ponds
- Wetland and Riparian Areas

SOURCE: Sensitive Ecosystem Inventory 2004

**Lakes District Neighbourhood Plan Area**

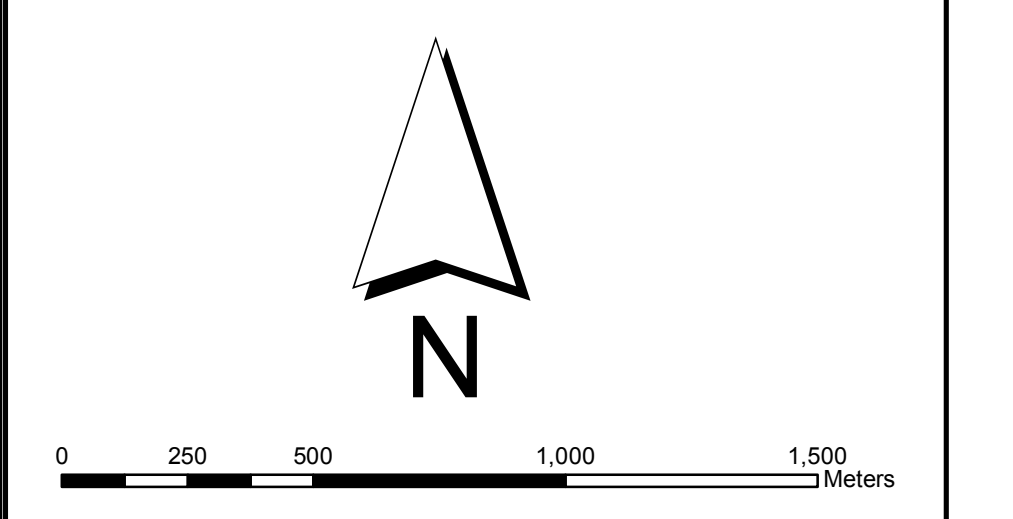
Lands within the Lakes District Neighbourhood Plan Area are subject to the development permit areas included within Section 5 of Schedule 'B' - Lakes District Neighbourhood Plan, which is attached to and forms part of the 'Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005.'

**Schooner Cove Neighbourhood Plan Area**

Lands within the Schooner Cove Neighbourhood Plan Area are subject to the development permit areas included within Section 5 of Schedule 'C' - Schooner Cove Neighbourhood Plan, which is attached to and forms part of the 'Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005.'

DRAFT

Chairperson \_\_\_\_\_ Corporate Officer \_\_\_\_\_  
 BYLAW NO. 1400, 2005  
 BYLAW NO. 1400.01, 2006  
 BYLAW NO. 1400.03, 2011  
 BYLAW NO. 1400.04, 2011  
 BYLAW NO. 1400.05, 2018  
 Schedule 'C'





**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1400.05**



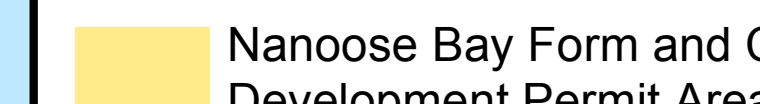




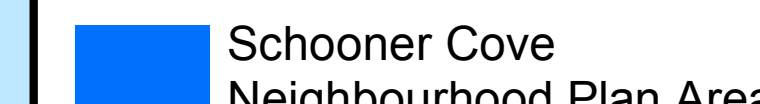
**Schedule D**

Map No. 7 Development Permit Areas for Form and Character and Farmland Protection



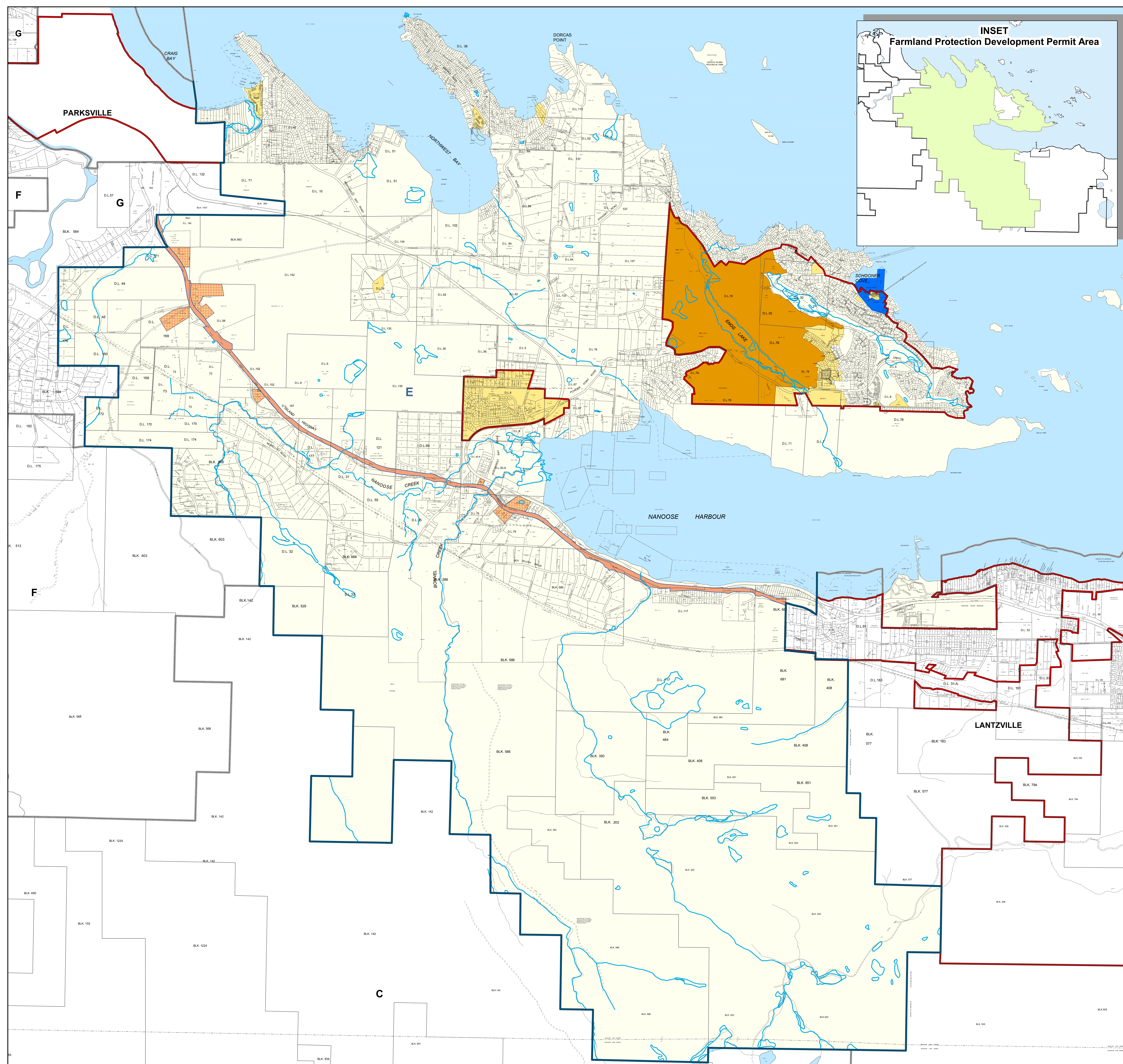
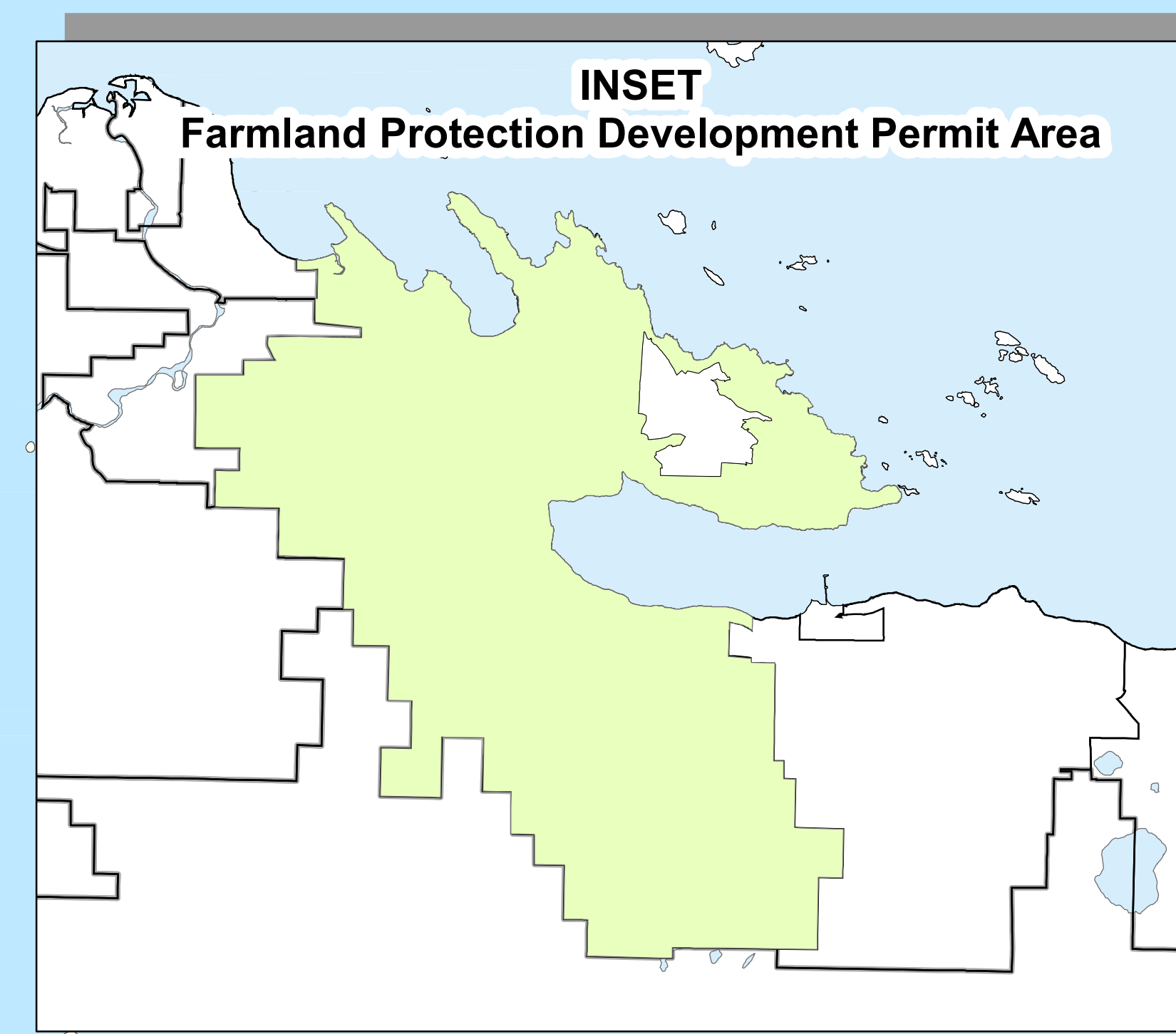
Map No. 7  
Development Permit Areas  
for Form and Character  
and Farmland Protection

**Legend**

-  Plan Area Boundary
-  Urban Containment Boundary
-  Nanoose Bay Form and Character Development Permit Area
-  Farmland Protection Development Permit Area
-  Highway Corridor Development Permit Area
-  Form and Character, and Highway Corridor Development Permit Area
-  Lakes District Neighbourhood Plan Area
-  Schooner Cove Neighbourhood Plan Area

Lands within the Lakes District Neighbourhood Plan Area are subject to the development permit areas included within Section 5 of Schedule 'B' - Lakes District Neighbourhood Plan, which is attached to and forms part of the 'Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005.'

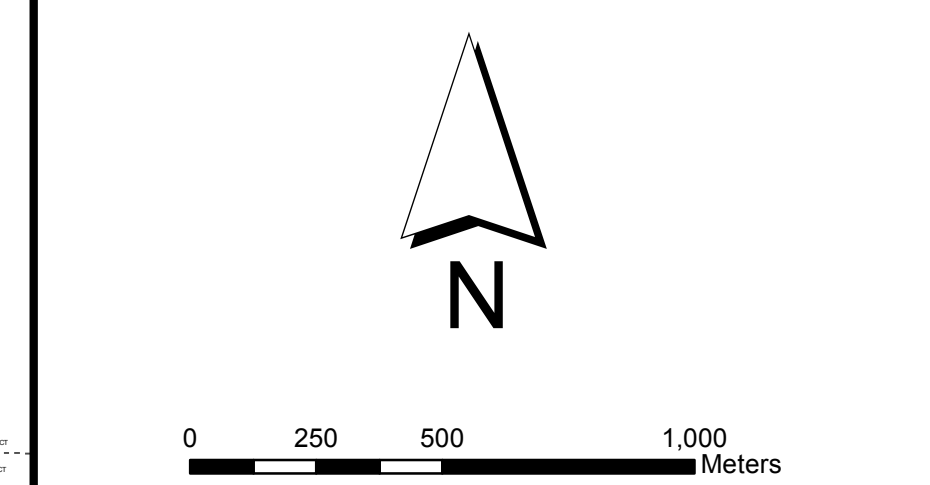
Lands within the Schooner Cove Neighbourhood Plan Area are subject to the development permit areas included within Section 5 of Schedule 'C' - Schooner Cove Neighbourhood Plan, which is attached to and forms part of the 'Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005.'



**DRAFT**

Chairperson Corporate Officer

BYLAW NO. 1400.05, 2018  
Schedule 'D'





ATTACHMENT 8

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1152.05**

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO ELECTORAL AREA F  
OFFICIAL COMMUNITY PLAN BYLAW NO. 1152, 1999**

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

- A. This Bylaw may be cited as “Regional District of Nanaimo Electoral Area F Official Community Plan Amendment Bylaw No. 1152.05 2018”
- B. The “Regional District of Nanaimo Electoral Area F Official Community Plan Bylaw No. 1152, 1999” is hereby amended as set out in Schedules A, B and C of this Bylaw.

Introduced and read two times this \_\_\_ day of \_\_\_\_\_ 20XX.

Considered in conjunction with the Regional District of Nanaimo Financial Plan and any applicable Waste Management Plans this \_\_\_ day of \_\_\_\_\_ 20XX.

Public Hearing held pursuant to Section 464 of the *Local Government Act* this \_\_\_ day of \_\_\_\_\_ 20XX.

Read a third time this \_\_\_ day of \_\_\_\_\_ 20XX.

Adopted this \_\_\_ day of \_\_\_\_\_ 20XX.

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CHAIR

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CORPORATE OFFICER

Schedule A to accompany "Regional District of Nanaimo Electoral Area F Official Community Plan Amendment Bylaw No. 1152.05 2018".

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Chair

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Corporate Officer

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1152.05**

**Schedule A**

1. "Regional District of Nanaimo Electoral Area F Official Community Plan Bylaw No. 1152, 1999" is hereby amended as follows:
  - a) by amending Schedule A as follows:
    - i. to the **Table of Contents**, by deleting **Appendix A** and replacing with the following:

**"Appendix A:**  
A1 Freshwater and Fish Habitat Development Permit Area"
    - ii. to the **Table of Contents, Maps forming part of this Plan:**
      - a. by delete "Map 3: Watercourse Protection Development Permit Areas" and replacing with "Map 3: Freshwater and Fish Habitat Development Permit Area"
      - b. by deleting "Map 7: Fish Habitat Protection Development Permit Area"
    - iii. to **Section 1: Introduction**, subsection **The Regional Growth Management Plan and the Regional Context Statement**, by deleting the fifth paragraph and replacing it with the following:

*"In response to the RGMP's goal of protecting the natural environment, the Electoral Area 'F' OCP designates a development permit area over specific identified and unmapped watercourses in the Plan Area and establishes objectives to encourage the protection of the natural environment."*
    - iv. to **Section 1: Introduction**, subsection **Organization of this Plan**, by deleting the fifth paragraph and replacing with the following:

"The Official Community Plan also contains one appendix: Appendix A1 states the regulations for the Freshwater and Fish Habitat Development Permit Area.
    - v. to **Section 3: Natural Resources**, subsection **Aggregates and Mineral Resources**, by deleting Future Impact Policy 2.

- vi. to **Section 4: The Natural Environment**, by deleting subsection **Watercourse Protection Development Permit Area** and subsection **Fish Habitat Protection Development Permit Area** and replacing with the following:

***“Freshwater and Fish Habitat Development Permit Area***

The Freshwater and Fish Habitat Development Permit Area is designated on Map No. 3 of this Official Community Plan, and applies to the riparian assessment areas of mapped and unmapped streams subject to the Riparian Areas Regulation (RAR) of the Riparian Areas Protection Act, as well as all other mapped lakes, wetlands, ponds and watercourses not subject to the RAR. The zoning bylaw sets out the guidelines of the Freshwater and Fish Habitat Development Permit Area.”

- vii. to **Section 5: Business and Economy**, by deleting General Policy 2.
  - viii. by deleting **Appendix A1 Watercourse Protection Development Permit Area** and **Appendix A2 Fish and Habitat Protection Development Permit Area** and replacing with Schedule ‘B’ attached to and forming part of this bylaw.
- b) by deleting Map 3: Watercourse Protection Development Permit Areas and Map 7: Fish Habitat Protection Development Permit Area and replacing with the Schedule ‘C’ attached to and forming part of this bylaw.

Schedule B to accompany "Regional District of Nanaimo Electoral Area F Official Community Plan Amendment Bylaw No. 1152.05 2018".

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Chair

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Corporate Officer

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1152.05**

**Schedule B**

**Appendix A1**

**Freshwater and Fish Habitat Development Permit Area**

**1.0 PURPOSE**

The Freshwater and Fish Habitat Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity, and protection of development from hazardous conditions pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

**2.0 AREA**

The Freshwater and Fish Habitat Development Permit Area is shown on Map No. 3, and applies to the riparian assessment areas of mapped and unmapped streams subject to the *Riparian Areas Regulation (RAR)* of the *Riparian Areas Protection Act*, as well as all other mapped lakes, wetlands, ponds and watercourses not subject to the RAR. Specifically, the Development Permit Area is defined as follows:

1. All mapped and unmapped riparian assessment areas as defined in the RAR as follows:
  - a) for a stream, a 30 metre strip on both sides of the stream measured from the high water mark;
  - b) for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank; and
  - c) for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank.

2. All mapped watercourses, lakes, wetlands, and ponds, that are not subject to the RAR; 15 metres as measured from the natural boundary or top of ravine bank, whichever is greater. This includes estuarine areas (areas of tidal influence) of all watercourses and streams. For clarity, in estuarine areas the Marine Coast Development Permit Area also applies.

The following definitions are used for the purpose of defining the development permit area as above:

**‘ravine’** means a narrow, steep-sided valley that is commonly eroded by running water and has a slope grade greater than 3:1.

**‘stream’** includes any of the following that provides fish habitat:

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

**‘top of the ravine bank’** means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed.

**‘watercourse’** means a permanent or non permanent (containing water at least six months of the year) source of water supply that is natural or man made, including a pond, lake, river, creek, brook, ditch, spring or wetland that is integral to a stream, with well defined banks and a bed of 0.6 metres or more below the surrounding land serving to give direction to or containing a current of water but does not apply to a man made pond that does not connect to a stream.

### 3.0 JUSTIFICATION

Freshwater and riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed contributing to effective rainwater management and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil’s ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water to survive. Logs and other woody debris fall into streams from the riparian area, influencing stream channel morphology, dissipating the stream’s natural erosive energy and providing habitat for a diverse range of species. Erosion of banks and steep slopes

can also pose a hazard to development, and maintaining and enhancing natural features and vegetation and siting buildings and structure appropriately, can reduce this hazard.

Land use practices including land clearing, road building, construction of buildings and structures, and location of wastewater disposal systems in or near riparian areas can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of the Plan Area. Land use practices can also change the hydraulic flow of a stream and create or exacerbate a flooding hazard.

Furthermore, the Province of British Columbia's *Riparian Areas Protection Act*, requires that local governments establish regulations to protect riparian areas, and not allow development to proceed until the requirements of the RAR are met.

The objectives of this development permit area are:

1. To protect freshwater ecosystems to maintain their natural habitat and environmental quality.
2. To restore freshwater ecosystems to improve their natural habitat and environmental and hazard mitigation quality if they have been previously degraded.
3. To protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.
4. To protect development from flood and slope hazard.

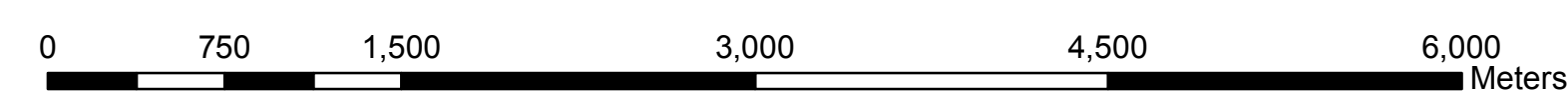
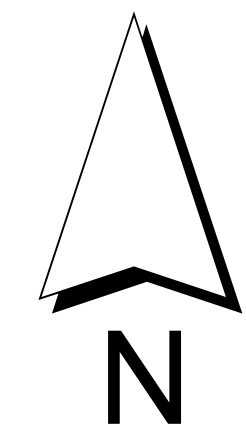
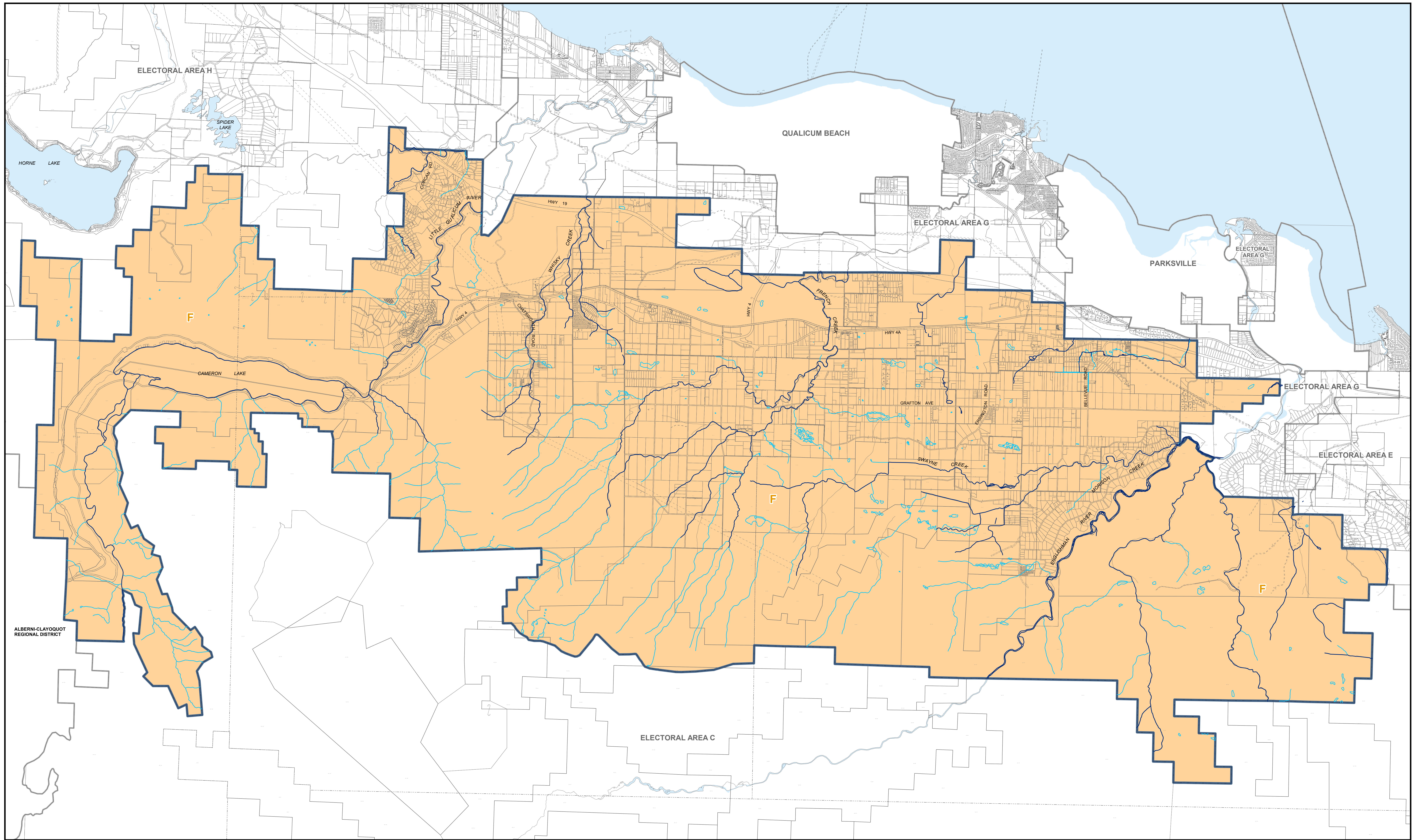


**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1152.05**

**Schedule C**

Map 3 - Freshwater and Fish Habitat Development Permit Area





**Legend**

- Plan Area Boundary
- All Mapped and Unmapped Streams that are Subject to the Riparian Areas Regulation
- Other Watercourse
- Watercourses With Known Fish Habitat

SOURCE: Fishtech Consulting and Environmentally Sensitive Areas Atlas

DRAFT

# ELECTORAL AREA 'F' OFFICIAL COMMUNITY PLAN

## Map 3 Freshwater and Fish Habitat Development Permit Area

BYLAW 1152.05, 2018  
Schedule 'B'

Chairperson

Corporate Officer

Aug 21, 2018



ATTACHMENT 9

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1540.02**

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO ELECTORAL AREA G  
OFFICIAL COMMUNITY PLAN BYLAW NO. 1540, 2008**

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

- A. This Bylaw may be cited as “Regional District of Nanaimo Electoral Area G Official Community Plan Amendment Bylaw No. 1540.02, 2018”
- B. The “Regional District of Nanaimo Electoral Area G Official Community Plan Bylaw No. 1540, 2008” is hereby amended as set out in Schedules A, B, and C of this Bylaw.

Introduced and read two times this \_\_\_ day of \_\_\_\_\_ 20XX.

Considered in conjunction with the Regional District of Nanaimo Financial Plan and any applicable Waste Management Plans this \_\_\_ day of \_\_\_\_\_ 20XX.

Public Hearing held pursuant to Section 464 of the *Local Government Act* this \_\_\_ day of \_\_\_\_\_ 20XX.

Read a third time this \_\_\_ day of \_\_\_\_\_ 20XX.

Adopted this \_\_\_ day of \_\_\_\_\_ 20XX.

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CHAIR

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CORPORATE OFFICER

Schedule A to accompany "Regional District of Nanaimo Electoral Area G Official Community Plan Amendment Bylaw No. 1540.02, 2018".

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Chair

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Corporate Officer

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1540.02**

**Schedule A**

1. "Regional District of Nanaimo Electoral Area G Official Community Plan Bylaw No. 1540, 2008" is hereby amended as follows:
  - a) To Schedule A:
    - i. to the **Table of Contents**, subsection **8.0 – Creating a Vibrant and Sustainable Economy**, by deleting "**8.7 Temporary Use Permits**".
    - ii. To the **Table of Contents**, by deleting section **10.0 – Development Permit Areas** and replacing with the following:

**"10.0 – Development Permit Areas**  
*10.1 Freshwater and Fish Habitat*  
*10.2 Sensitive Ecosystems*  
*10.3 Marine Coast*  
*10.4 Eagle and Heron Nesting Trees*  
*10.5 Aquifers*  
*10.6 Hazard Lands*  
*10.7 Farmland Protection*  
*10.8 Inland Island Highway Corridor*  
*10.9 Multi Residential, Intensive Residential, Industrial, and Commercial Form and Character"*
    - iii. to section **1.0 Introduction**, subsection **1.5 Electoral Area 'G' Regional Context Statement, Goal 6: Vibrant and Sustainable Economy**, paragraph three, second sentence, by deleting "temporary use permits and".
    - iv. to section **3.0 – Containing Urban Sprawl**, subsection **3.2 Neighbourhood Residential**, Policy 4. e., by deleting "Section 10 of this Plan" and replacing with "the zoning bylaw"
    - v. to section **5.0 – Protecting Rural Integrity**, subsection **5.1 Rural and Rural Residential Land Use Designations, Rural**:
      - a. by deleting Policy 26 and replacing with the following:

“Rezoning applications to rezone existing gravel pits to allow primary processing and related activities associated with gravel extraction may be supported in accordance with the Policies contained in Section 8.3 of this Plan.”

- b. to Policy 27 by deleting “and 8.7”.
- vi. to section **5.0 – Protecting Rural Integrity**, subsection **5.2 Rural Resource Lands**:
  - a. by deleting Policy 5 and replacing with the following:

“Rezoning applications to rezone existing gravel pits to allow primary processing and related activities associated with gravel extraction may be supported in accordance with the Policies contained in Sections 8.3 of this Plan.”
  - b. to Policy 6, by deleting “and 8.7”.
- vii. to section **8.0 – Creating a Vibrant and Sustainable Economy**, subsection **8.1 Agriculture**:
  - a. to Policy 4, by deleting all instances of “Farm land” and replacing with “Farmland”.
  - b. by deleting Policy 10.
- viii. to section **8.0 – Creating a Vibrant and Sustainable Economy**, subsection **8.4 Industrial Land Use Designation**, Policy 7:
  - a. by inserting “in the zoning bylaw” after “guidelines” and before “and”; and
  - b. by deleting “provisions” and replacing with “objectives”.
- ix. to section **8.0 – Creating a Vibrant and Sustainable Economy**, subsection **8.5 Commercial Land Use Designation**, Policy 10:
  - a. by inserting “in the zoning bylaw” after “guidelines” and before “and”; and
  - b. by deleting “provisions” and replacing with “objectives”.
- x. to section **8.0 – Creating a Vibrant and Sustainable Economy**, by deleting subsection **8.7 Temporary Use Permits**.
- xi. to section **9.0 – Improving Mobility**, subsection **9.5 Island Highway Agreement**, Policy 2:
  - a. by inserting “in the zoning bylaw” after “guidelines” and before “and”; and
  - b. by deleting “provisions” and replacing with “objectives”.
- xii. to **section 10.0 – Development Permit Areas, Introduction** section:
  - a. to the third paragraph, by inserting “the zoning bylaw” after “and” and before “specifies”.
  - b. by deleting the fourth paragraph.
- xiii. to **section 10.0 – Development Permit Areas**, by deleting subsections **10.1 Fish Habitat Protection; 10.2 Environmentally Sensitive Features; 10.3 Hazard Lands; and**

**10.4 Farmland Protection**, and replacing with Schedule B attached to and forming part of this bylaw.

- xiv. to **section 10.0 – Development Permit Areas, 10.5 Inland Island Highway Corridor:**
    - a. by renumbering the title to 10.8
    - b. under **Area**, to the second sentence, by deleting the bracketed text and replace with: “(Development Permit Areas: Form & Character, Island Highway Corridor, and Farmland Protection”.
    - c. by inserting “in the zoning bylaw” after “after “guidelines” and before “for”.
    - d. by deleting the “Application”, “Exemptions” and “Guidelines” subsections.
  - xv. to **section 10.0 – Development Permit Areas**, subsection **10.6 Multi Residential, Intensive Residential, Industrial, and Commercial Form and Character:**
    - a. by renumbering the title to 10.9
    - b. to the **Purpose**, by deleting “and provide guidelines”
    - c. to the **Area**, by deleting the bracketed text and replace with: “(Development Permit Areas: Form & Character, Island Highway Corridor, and Farmland Protection”.
    - d. by deleting the “**Application**”, “**Exemptions**” and “**Guidelines**” subsections.
  - xvi. to **12.0 – Cooperation Among Jurisdictions**, Policy 9, second sentence, by deleting “of this plan” and replacing with “in the zoning bylaw”.
- b) by deleting **Map No. 9: Development Permit Areas: Fish Habitat Protection, Environmentally Sensitive Features & Hazard Lands** and replacing with Schedule C attached to and forming part of this bylaw.
- c) to **Map No. 10 – Development Permit Areas: Form and Character, Island Highway Corridor, and Farmland Protection:**
- i. by deleting the name of the map “Map No. 10 – Development Permit Areas: Form and Character, Island Highway Corridor, and Farmland Protection” and replacing with “Map No. 10 – Development Permit Areas: Form and Character, Inland Island Highway Corridor and Farmland Protection”
  - ii. by deleting all instances of “Highway Corridor Development Permit Area” and replacing with “Inland Island Highway Corridor Development Permit Area”.
  - iii. by deleting all instances of “Farm Land” and replacing with “Farmland”.

Schedule B to accompany "Regional District of Nanaimo Electoral Area G Official Community Plan Amendment Bylaw No. 1540.02, 2018".

Chair

Corporate Officer

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1540.02**

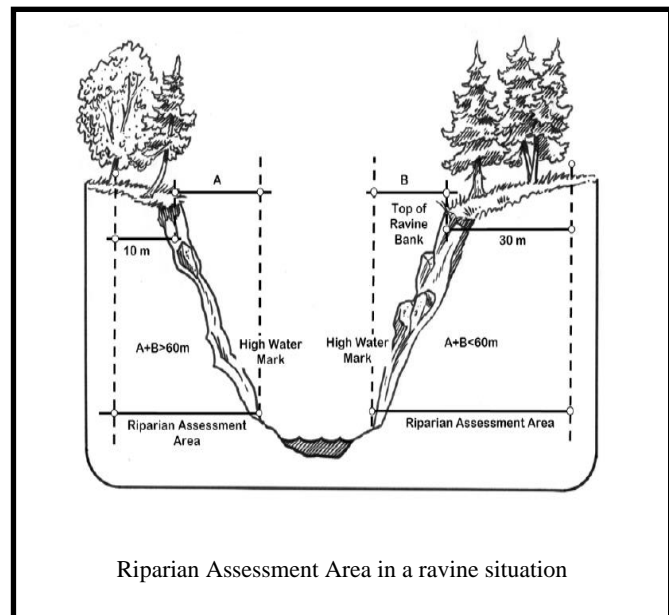
**Schedule 'B'**

**10.1 Freshwater and Fish Habitat**

**Designation:**

The Freshwater and Fish Habitat Development Permit Area is shown on Map No. 9, and applies to the riparian assessment areas of mapped and unmapped streams subject to the *Riparian Areas Regulation (RAR)* of the *Riparian Areas Protection Act*, as well as all other mapped lakes, wetlands, ponds and watercourses not subject to the RAR. Specifically, the Development Permit Area is defined as follows:

1. All mapped and unmapped riparian assessment areas as defined in the RAR as follows:
  - a) for a stream, a 30 metre strip on both sides of the stream measured from the high water mark;
  - b) for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank; and
  - c) for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank.





2. All mapped watercourses, lakes, wetlands, and ponds, that are not subject to the RAR; 15 metres as measured from the natural boundary or top of ravine bank, whichever is greater. This includes estuarine areas (areas of tidal influence) of all watercourses and streams. For clarity, in estuarine areas the Marine Coast Development Permit Area also applies.

The following definitions are used for the purpose of defining the development permit area as above:

**‘ravine’** means a narrow, steep-sided valley that is commonly eroded by running water and has a slope grade greater than 3:1.

**‘stream’** includes any of the following that provides fish habitat:

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

**‘top of the ravine bank’** means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed.

**‘watercourse’** means a permanent or non permanent (containing water at least six months of the year) source of water supply that is natural or man made, including a pond, lake, river, creek, brook, ditch, spring or wetland that is integral to a stream, with well defined banks and a bed of 0.6 metres or more below the surrounding land serving to give direction to or containing a current of water but does not apply to a man made pond that does not connect to a stream.

#### **Authority:**

The Freshwater and Fish Habitat Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity, and protection of development from hazardous conditions pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

#### **Justification:**

Freshwater and riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed contributing to effective rainwater management and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil’s ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water to survive. Logs and other woody debris fall into streams from the riparian area, influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Erosion of banks and steep slopes can also pose a hazard to development, and maintaining and enhancing natural features and vegetation and siting buildings and structure appropriately, can reduce this hazard.

Land use practices including land clearing, road building, construction of buildings and structures, and location of wastewater disposal systems in or near riparian areas can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of the Plan Area. Land use practices can also change the hydraulic flow of a stream and create or exacerbate a flooding hazard.

Furthermore, the Province of British Columbia's *Riparian Areas Protection Act*, requires that local governments establish regulations to protect riparian areas, and not allow development to proceed until the requirements of the RAR are met.

The objectives of this development permit area are:

1. To protect freshwater ecosystems to maintain their natural habitat and environmental quality.
2. To restore freshwater ecosystems to improve their natural habitat and environmental and hazard mitigation quality if they have been previously degraded.
3. To protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.
4. To protect development from flood and slope hazard.

## **10.2 Sensitive Ecosystems**

### **Designation:**

The Sensitive Ecosystems Development Permit Area is shown on Map No. 9 and applies to all parcels containing 'sparsely vegetated', and 'older forest' sensitive ecosystems mapped in the Provincial SEI: East Vancouver Island and Gulf Islands 1993 – 1997 and updated in 2004.

### **Purpose:**

The Sensitive Ecosystems Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity pursuant to Section 488(1)(a) of the *Local Government Act*.

### **Justification:**

Increasing development pressure and environmental awareness, as well as the Regional Growth Strategy's goal of environmental protection has led to the need for the protection of the Plan

Area's most sensitive environmentally significant features to ensure their continued survival and enjoyment for generations to come.

The objective of the development permit area is to minimize the impacts of developments on environmentally sensitive features, ecosystems or habitat.

### **10.3 Marine Coast**

#### **Designation:**

The Marine Coast Development Permit Area is shown on Map No. 9 and applies within a 15 metre horizontal distance upland from the present natural boundary and within 15 metres horizontal distance seaward of the present natural boundary. In estuarine areas, it applies upstream, both on land and water, to the extent of tidal influence. For clarity, in estuarine areas the Freshwater and Fish Habitat Development Permit Area also applies.

#### **Purpose:**

The Marine Coast Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity, and protection of development from hazardous conditions pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

#### **Justification:**

The coastal zone is one of the prime features of the natural environment of the Plan Area and includes recreational beaches, sheltered embayed areas and sensitive estuaries at the mouth of the Little Qualicum and Englishman Rivers as well as French and Morningstar Creeks. The coastal zone also includes shoreline, which may be susceptible to erosion or flooding in some areas.

The Plan Area contains one of only 22 provincially approved wildlife management areas. The Parksville–Qualicum Beach Wildlife Management Area (PQBWMA) encompasses 1,024 hectares of coastal foreshore, estuary, and river habitat between Craig Bay and the Little Qualicum River including land adjacent to the Englishman River. The PQBWMA includes most of the coastal shoreline in the Plan Area and a portion of the Englishman River. It contains a diversity of ecosystems and animal communities that are sensitive to development and human disturbance, including a significant migration of brant geese that stop to rest and feed within this area each spring.

The objectives of this development permit area are:

1. To work towards the 'protection of the environment' goal of the Regional Growth Strategy, in particular by following the policy to 'minimize impacts of development in coastal zones by ensuring use of low impact development'.
2. To plan and regulate new development in a manner that preserves, protects and restores the long-term physical integrity and ecological values of shorelines and associated foreshore and upland areas.

3. To balance development opportunities with the ecological conservation and restoration of the shoreline environment.
4. To maintain the public's safe use and access to these important recreation areas in a way that does not compromise the ecological integrity of the shoreline.

#### **10.4 Eagle and Heron Nesting Trees**

##### **Designation:**

The Eagle and Heron Nesting Trees Development Permit Area is shown on Map No. 9. The development permit area is defined as follows:

- a) For **Bald Eagle Nesting Trees** – the development permit area applies to all mapped and unmapped trees containing bald eagle nests and is a 60 metre radius measured from the base of the nesting tree.
- b) For **Great Blue Heron Nesting Trees** – the development permit area applies to all mapped and unmapped trees containing great blue heron nests, and shall be
  - i. a 60 metre radius from the base of the nesting tree on lots 1.0 hectare or smaller; and
  - ii. a 100 metre radius from the base of the nesting tree on lots larger than 1.0 hectare.

Where the colony consists of more than one tree, the radius is measured from a line drawn around the outer perimeter of the base of all nest trees.

The locations of the eagle and heron nesting trees identified on Map No. 9 of this plan are intended to provide an approximate location only. Ground-truthing may be required by Regional District staff, a Registered Professional Biologist, or British Columbia Land Surveyor, to accurately determine the location of the tree or trees.

##### **Authority:**

The Eagle and Heron Nesting Trees Development Permit Area is designated a development permit area for protection of the natural environment, its ecosystems and biological diversity, pursuant to Section 488(1)(a) of the *Local Government Act*.

##### **Justification:**

Nesting birds such as the Great Blue Heron and Bald Eagle are sensitive to impact from development and disturbance by human activity and require special treatment in order to protect their ecological value, now and for the future.

Pacific Great Blue Herons are a Species of Special Concern in Canada and are Blue-listed in British Columbia. There are only about 500 nests on Vancouver Island and the Gulf Islands. Bald Eagles are territorial and generally require 1000 meters between nesting sites. Both species nest near lakes, rivers and shorelines throughout BC where they are close to their food source. The loss of available nesting habitat near their food source, as well as disturbance from human presence, reduces the birds' ability to thrive and successfully raise their young. While Section 34 of the *Wildlife Act* provides for the protection of Bald Eagles and Pacific Great Blue Herons and

several other at risk bird species, this development permit area protects the nesting habitat essential to ensuring breeding populations are maintained.

The objectives of this development permit area are:

1. To implement Regional Growth Strategy Policy 2.14 to protect environmentally sensitive areas from the impacts of development.
2. To protect eagle and heron nesting sites from the impacts of development.

## **10.5 Aquifers**

### **Authority:**

The Aquifers Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity, pursuant to Section 488(1)(a) of the *Local Government Act*.

### **Designation:**

The Aquifers Development Permit Area is shown on Map No. 9 and applies to parcels within the growth containment boundary or industrial lands where non-residential development is supported.

### **Justification:**

Aquifers are sensitive to impact from development and disturbance by human activity and require special treatment in order to protect their ecological value, and community value as a drinking water source now and for the future.

Aquifers and surface water are connected and interact with each other as typically, surface waters recharge aquifers in months with precipitation and snow melt. The groundwater system contributes to baseflow in rivers and streams, maintaining habitat for fish, wildlife and plants and is the sole domestic water supply for many residents. Maintaining both water quality and quantity requires careful management for the long-term sustainability of ecosystems and drinking water values.

The Plan Area intersects eight different mapped aquifers and contains the lower reaches of three major water regions (Little Qualicum River, French Creek, Englishman River). This results in varying aquifer and watershed conditions, characteristics and contexts. Vulnerability of mapped aquifers to surface contamination is generally high. For the most part, the mapped aquifers that underlie the Plan Area are moderately producing sand and gravel that are subject to moderate demand. These aquifer areas are drinking water sources for domestic well owners and customers of water services areas including EPCOR French Creek, Town of Qualicum Beach, City of Parksville and four RDN Water Service Areas: Surfside, French Creek, San Pareil, and Englishman River Community.

Care must be taken in construction methods, excavation, surface drainage, storage, handling and manufacture and use of products on parcels of land within this Development Permit Area to avoid contamination of the underlying aquifer and to protect and promote its sustainable use as a drinking water source.

The objective of this development permit area is to implement Regional Growth Strategy Policy 2.14 to protect groundwater aquifers and environmentally sensitive areas from contamination and reduced supply caused by land use and development activities.

## **10.6 Hazard Lands**

### ***Designation:***

The Hazard Lands Development Permit Area is applicable to flood prone lands and those lands within the Plan Area with a natural grade greater than 30 percent as identified on Map No. 9. With respect to steep slopes west of the Little Qualicum River, this Development Permit Area applies to lands within 15 metres from the top of the bank where the natural grade of the slope is greater than 30 percent.

### ***Authority:***

The Hazard Lands Development Permit Area is designated a development permit area for protection of the natural environment, its ecosystems and biological diversity and for the protection of development from hazardous conditions, pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

### ***Justification:***

Hazardous lands include steep slopes adjacent to watercourses and along the coastal shoreline and flood prone lands. The subdivision, development of land, or removal of vegetation in these areas may destabilize the area, cause environmental damage, and pose potential for loss of life and property. In response to these risks and conditions, the objective of this Development Permit Area is to protect life, property and the environment from hazardous conditions.

## **10.7 Farmland Protection**

### ***Designation:***

The Farmland Protection Development Permit Area is shown on Map No. 10 and applies to all properties adjacent to the Provincial Agricultural Land Reserve (ALR) boundary.

### ***Authority:***

The Farmland Protection Development Permit Area is designated a development permit area for the protection of farming, pursuant to Section 488(1)(c) of the *Local Government Act*.

### ***Justification:***

The BC Agricultural Land Commission has acknowledged that the development of lands adjoining farmlands may compromise the agricultural use of the ALR lands. Agricultural lands therefore require protection for long-term agricultural use.



In addition, as a result of inappropriately designed developments, land use conflicts may develop between the land uses. The incorporation of a 15 metre wide buffer between developed lands and agricultural lands is expected to promote greater compatibility between the uses while protecting the agricultural uses from urban impacts.

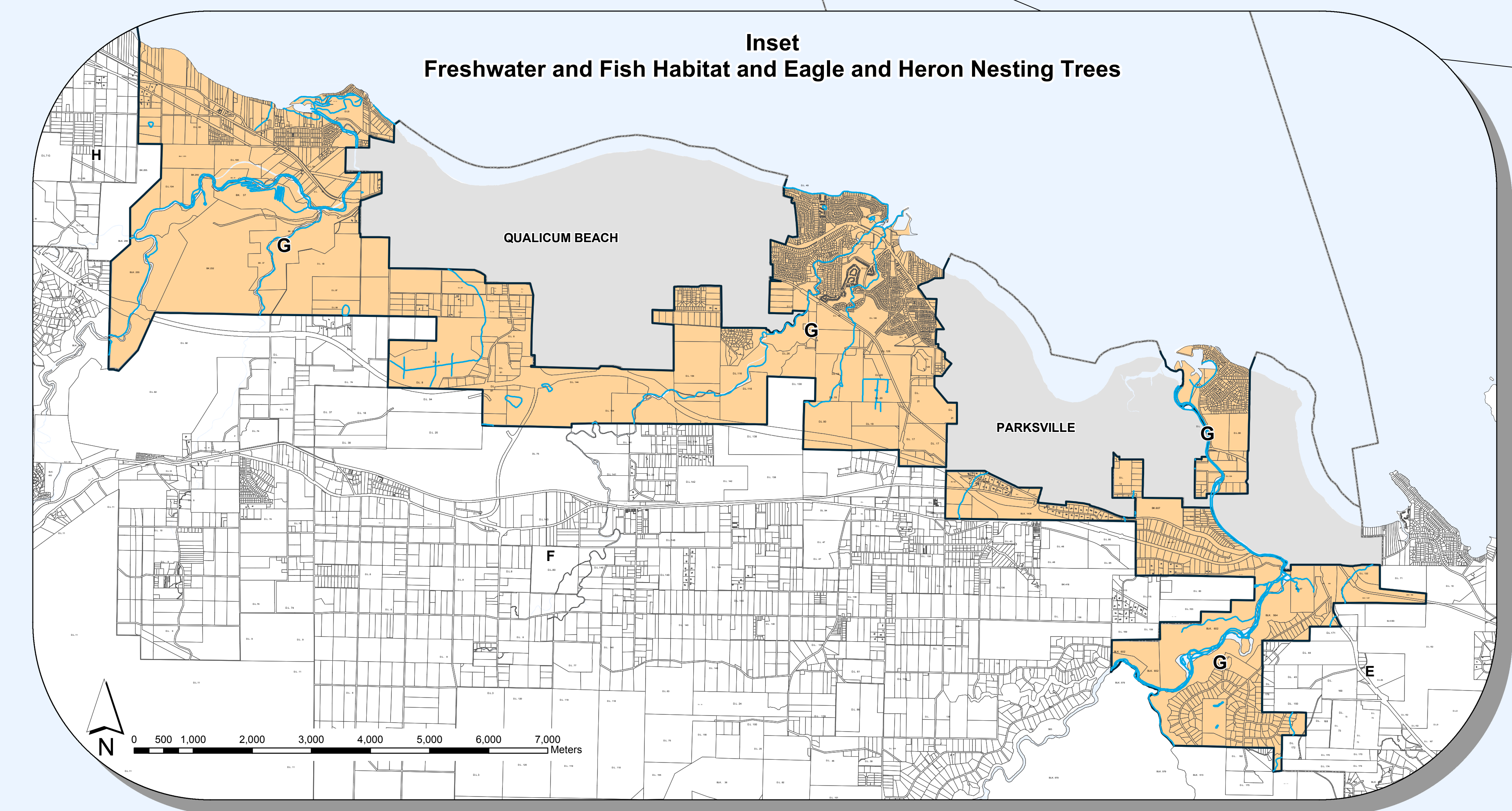
The objective of this Development Permit Area is to protect the agricultural land resource of the Plan Area for present and future production of food and other agricultural products.

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1540.02**

**Schedule C**

Map No. 9 – Development Permit Areas: Environmentally Sensitive Features and Hazard Lands





**Legend**

- Plan Area Boundary
- Municipality
- Electoral Area Boundary

**Sensitive Ecosystems  
 Development Permit Area**

- Older Forest and Sparsely Vegetated Ecosystems
- SOURCE: Sensitive Ecosystem Inventory 2004

**Freshwater and Fish Habitat  
 Development Permit Area**

- All Mapped and Unmapped Streams that are Subject to the "Riparian Areas Regulation" \* within the shaded area shown on Inset Map
  - Little Qualicum River, French Creek, and Englishman River
  - All other Watercourses
  - Lake, Wetland, and Pond
  - Wetland and Riparian Areas
- SOURCE: Sensitive Ecosystem Inventory 2004

**Eagle and Heron Nesting Trees  
 Development Permit Area**

- All Mapped and Unmapped eagle and heron nesting trees within the shaded area shown on inset map.
  - Eagle Nest Tree: 60 metre Radius from Base of Tree
  - Heron Nest: 60 metres from base of tree for lots ≤ 1.0 hectares, 100 metres from base of tree for lots > 1.0 hectares
- SOURCE: BC Ministry of Environment

**Aquifers  
 Development Permit Area**

- Aquifer No. Aquifer
- Aquifer Classification
- Classification Development Subclass
- I - Heavy (demand is high relative to productivity)
  - II - Moderate (demand is moderate relative to productivity)
  - III - Light (demand is low relative to productivity)
- Vulnerability Subclass
- A - High (highly vulnerable to contamination from surface sources)
  - B - Moderate (moderately vulnerable to contamination from surface sources)
  - C - Low (not very vulnerable to contamination from surface sources)
- SOURCE: BC Ministry of Environment - Water Stewardship Division

**Marine Coast  
 Development Permit Area**

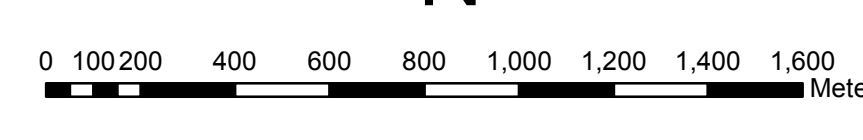
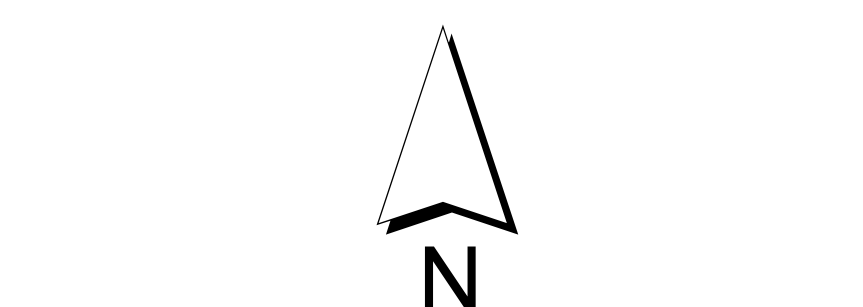
- Coastal Areas: 15 metres from Natural Boundary

**Hazard Lands  
 Development Permit Area**

- Hazard Lands Development Permit Area

Chairperson \_\_\_\_\_ Corporate Officer \_\_\_\_\_

BYLAW NO. 1540.02, 2018  
 Schedule 'C'



DRAFT



ATTACHMENT 10

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1335.07**

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO ELECTORAL AREA H OFFICIAL COMMUNITY  
PLAN BYLAW NO. 1335, 2017**

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

- A. This Bylaw may be cited as “Regional District of Nanaimo Electoral Area H Official Community Plan Amendment Bylaw No. 1335.07, 2018”
- B. The “Regional District of Nanaimo Electoral Area H Official Community Plan Bylaw No. 1335, 2017” is hereby amended as set out in Schedules A, B and C of this Bylaw.

Introduced and read two times this \_\_\_ day of \_\_\_\_\_ 20XX.

Considered in conjunction with the Regional District of Nanaimo Financial Plan and any applicable Waste Management Plans this \_\_\_ day of \_\_\_\_\_ 20XX.

Public Hearing held pursuant to Section 464 of the *Local Government Act* this \_\_\_ day of \_\_\_\_\_ 20XX.

Read a third time this \_\_\_ day of \_\_\_\_\_ 20XX.

Adopted this \_\_\_ day of \_\_\_\_\_ 20XX.

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CHAIR

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CORPORATE OFFICER

Schedule A to accompany "Regional District of Nanaimo Electoral Area H Official Community Plan Amendment Bylaw No. 1335.07, 2018".

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Chair

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Corporate Officer

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1335.07**

**Schedule A**

1. "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2017" is hereby amended as follows:
  - a) By amending Schedule A as follows:
    - i. to **CONTENTS**, Section 5 – The Development Strategy, by deleting "5.11 – Temporary Use Permits".
    - ii. to **CONTENTS**, Section 8 – Development Permit Areas by deleting "Coastal Steep Slope Hazard" and replacing with "Hazard Lands".
    - iii. to **CONTENTS, Maps forming part of this Plan**, delete "6. Environmentally Sensitive Areas Development Permit Areas" and replace with "6. Environmentally Sensitive Development Permit Areas"; and delete "8. Coastal Steep Slopes Development Permit Area" and replace with "8. Hazard Lands Development Permit Area".
    - iv. to **SECTION 2 – THE NATURAL ENVIRONMENT**, subsection **2.4 Marine Environment**:
      - a. to Policy 9, by adding "in the zoning bylaw" after the word "guidelines" and before the period.
      - b. to Policy 10, by adding "in the zoning bylaw" after the word "guidelines" and before the period.
    - v. to **SECTION 2 – THE NATURAL ENVIRONMENT**, subsection **2.5 Climate Change and Energy**, Policy 5, by deleting "development permit area guidelines" and replacing with "designation of development permit areas".
    - vi. to **SECTION 4 – COMMUNITY RESOURCES**, subsection **4.6 Marine Transportation**, Policy 3, by adding "in the zoning bylaw" after the word "guidelines" and before the period.
    - vii. to **SECTION 5 – THE DEVELOPMENT STRATEGY**, subsection **5.6 Tourist Commercial**, Policy 1, by adding "in the zoning bylaw" after the word "guidelines" and before the period.

- viii. to **SECTION 5 – THE DEVELOPMENT STRATEGY**, subsection **5.8 Deep Bay**, Policy 4, by adding “in the zoning bylaw” after the word “guidelines” and before the period.
- ix. by deleting in **SECTION 5 – THE DEVELOPMENT STRATEGY**, subsection **5.11 Temporary Use Permits**.
- x. to **SECTION 10.0 – DEVELOPMENT PERMIT AREAS**:
  - a. to the list of development permit areas at the beginning of the section, delete “Steep Slope Hazard” and replace with “Hazard Lands”.
  - b. to **General Policies and Exemptions, INTRODUCTION**, delete “and exemptions”; and delete “follows” and replace with “are found in the zoning bylaw”.
  - c. to **General Policies and Exemptions**, delete the “GENERAL EXEMPTIONS” section.
  - d. delete **DPA 1 – Freshwater and Fish Habitat Protection** and **DPA 2 – Eagle and Heron Nesting Trees**, and replace with Schedule ‘B’ attached to and forming part of this bylaw.
  - e. To **DPA 3 – Aquifers**, delete the “APPLICABILITY”, “EXEMPTIONS”, and “GUIDELINES” sections.
  - f. To **DPA 4 – Marine Coast**, delete the “APPLICABILITY”, “EXEMPTIONS”, and “GUIDELINES” sections.
  - g. To **DPA 5 – Coastal Steep Slope Hazard**, change the name of the development permit area to “Hazard Lands” throughout; and to the **AUTHORITY** section, add “for the protection of the natural environment and” after “area” and before “for the protection of development”; and delete “Section 488(1)(b)” and replace with “Section 488(1)(a) and (b)”.
  - h. Delete **DPA 6 – Farmland Protection**, and replace with Schedule C attached to and forming part of this bylaw.
  - i. To **DPA 7 – Rural Commercial** and **DPA 8 – Qualicum Bay and Dunsmuir Village Centres**, delete the “APPLICABILITY”, “EXEMPTIONS”, and “GUIDELINES” sections.
- b) To **MAP NO. 6: ENVIRONMENTALLY SENSITIVE DEVELOPMENT PERMIT AREAS**:
  - i. To the legend, under “Blue Heron Nesting Site”, add the following:  
“60 metres from base of tree for lots < 1.0 hectares  
100 metres from base of tree for lots > 1.0 hectares”
  - ii. To the legend, under “Bald Eagle Nesting Tree”, add the following:  
“60 metre radius from base of tree”
- c) To **MAP NO. 8. COASTAL STEEP SLOPES DEVELOPMENT PERMIT AREA**:
  - i. To the title, delete “COASTAL STEEP SLOPE HAZARD” and replace with “HAZARD LANDS”.
  - ii. To the legend, delete “STEEP SLOPES” and replace with “HAZARD LANDS”.



Schedule B to accompany "Regional District of Nanaimo Electoral Area H Official Community Plan Amendment Bylaw No. 1335.07, 2018".

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Chair

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Corporate Officer

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1335.07**

**Schedule B**

**DPA 1 – Freshwater and Fish Habitat**

**DESIGNATION**

The Freshwater and Fish Habitat Development Permit Area is shown on Map No. 6, and applies to the riparian assessment areas of mapped and unmapped streams subject to the *Riparian Areas Regulation* (RAR) of the *Riparian Areas Protection Act*, as well as all other mapped lakes, wetlands, ponds and watercourses not subject to the RAR. Specifically, the Development Permit Area is defined as follows:

1. All mapped and unmapped riparian assessment areas as defined in the RAR as follows:
  - a) for a stream, a 30 metre strip on both sides of the stream measured from the high water mark;
  - b) for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank; and
  - c) for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank.
2. All mapped watercourses, lakes, wetlands, and ponds that are not subject to the RAR; 15 metres as measured from the natural boundary or top of ravine bank, whichever is greater. This includes estuarine areas (areas of tidal influence) of all watercourses and streams. For clarity, in estuarine areas the Marine Coast Development Permit Area also applies.

The following definitions are used for the purpose of defining the development permit area as above:

**'ravine'** means a narrow, steep-sided valley that is commonly eroded by running water and has a slope grade greater than 3:1.

**'stream'** includes any of the following that provides fish habitat:

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

**‘top of the ravine bank’** means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed.

**‘watercourse’** means a permanent or non permanent (containing water at least six months of the year) source of water supply that is natural or man made, including a pond, lake, river, creek, brook, ditch, spring or wetland that is integral to a stream, with well defined banks and a bed of 0.6 metres or more below the surrounding land serving to give direction to or containing a current of water but does not apply to a man made pond that does not connect to a stream.

## AUTHORITY

The Freshwater and Fish Habitat Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity, and protection of development from hazardous conditions pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

## JUSTIFICATION

Freshwater and riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed contributing to effective rainwater management and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil’s ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water to survive. Logs and other woody debris fall into streams from the riparian area, influencing stream channel morphology, dissipating the stream’s natural erosive energy and providing habitat for a diverse range of species. Erosion of banks and steep slopes can also pose a hazard to development, and maintaining and enhancing natural features and vegetation and siting buildings and structure appropriately, can reduce this hazard.

Land use practices including land clearing, road building, construction of buildings and structures, and location of wastewater disposal systems in or near riparian areas can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore

necessary to protect the natural environment, ecosystems and biological diversity of the Plan Area. Land use practices can also change the hydraulic flow of a stream and create or exacerbate a flooding hazard.

Furthermore, the Province of British Columbia's *Riparian Areas Protection Act*, requires that local governments establish regulations to protect riparian areas, and not allow development to proceed until the requirements of the *RAR* are met.

The objectives of this development permit area are:

1. To protect freshwater ecosystems to maintain their natural habitat and environmental quality.
2. To restore freshwater ecosystems to improve their natural habitat and environmental and hazard mitigation quality if they have been previously degraded.
3. To protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.
4. To protect development from flood and slope hazard.

## DPA 2 – Eagle and Heron Nesting Trees

### DESIGNATION

The Eagle and Heron Nesting Trees Development Permit Area is shown on Map No. 6. The development permit area is defined as follows:

- a) For **Bald Eagle Nesting Trees** – the development permit area applies to all mapped and unmapped trees containing bald eagle nests and is a 60 metre radius measured from the base of the nesting tree.
- b) For **Great Blue Heron Nesting Trees** – the development permit area applies to all mapped and unmapped trees containing great blue heron nests, and shall be
  - i. a 60 metre radius from the base of the nesting tree on lots 1.0 hectare or smaller; and
  - ii. a 100 metre radius from the base of the nesting tree on lots larger than 1.0 hectare.

Where the colony consists of more than one tree, the radius is measured from a line drawn around the outer perimeter of the base of all nest trees.

The locations of the eagle and heron nesting trees identified on Map No. 6 of this plan are intended to provide an approximate location only. Ground-truthing may be required by Regional District staff, a Registered Professional Biologist, or British Columbia Land Surveyor, to accurately determine the location of the tree or trees.

### AUTHORITY

The Eagle and Heron Nesting Trees Development Permit Area is designated a development permit area for protection of the natural environment, its ecosystems and biological diversity, pursuant to Section 488(1)(a) of the *Local Government Act*.

### JUSTIFICATION

Nesting birds such as the Great Blue Heron and Bald Eagle are sensitive to impact from development and disturbance by human activity and require special treatment in order to protect their ecological value, now and for the future.

Pacific Great Blue Herons are a Species of Special Concern in Canada and are Blue-listed in British Columbia. There are only about 500 nests on Vancouver Island and the Gulf Islands. Bald Eagles are territorial and generally require 1000 meters between nesting sites. Both species nest near lakes, rivers and shorelines throughout BC where they are close to their food source. The loss of available nesting habitat near their food source, as well as disturbance from human presence, reduces the birds' ability to thrive and successfully raise their young. While Section 34 of the *Wildlife Act* provides for the protection of Bald Eagles and Pacific Great Blue Herons and several other at risk bird species, this development permit area protects the nesting habitat essential to ensuring breeding populations are maintained.

The objectives of this development permit area are:

1. To implement Regional Growth Strategy Policy 2.14 to protect environmentally sensitive areas from the impacts of development.
2. To protect eagle and heron nesting sites from the impacts of development.



Schedule C to accompany “Regional District of Nanaimo Electoral Area H Official Community Plan Amendment Bylaw No. 1335.07, 2018”.

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Chair

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Corporate Officer

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1335.07**

**Schedule C**

**DPA 6 – Farmland Protection**

**DESIGNATION**

The Farmland Protection Development Permit Area is shown on Map No. 7 and applies to all properties adjacent to the Provincial Agricultural Land Reserve (ALR) boundary.

**AUTHORITY**

The Farmland Protection Development Permit Area is designated a development permit area for the protection of farming, pursuant to Section 488(1)(c) of the *Local Government Act*.

**JUSTIFICATION**

The BC Agricultural Land Commission has acknowledged that the development of lands adjoining farmlands may compromise the agricultural use of the ALR lands. Agricultural lands therefore require protection for long-term agricultural use.

In addition, as a result of inappropriately designed developments, land use conflicts may develop between the land uses. The incorporation of a 15 metre wide buffer between developed lands and agricultural lands is expected to promote greater compatibility between the uses while protecting the agricultural uses from urban impacts.

The objective of this DPA is to protect the agricultural land resource of the Plan Area for present and future production of food and other agricultural products.

ATTACHMENT 11

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 500.422**

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO  
LAND USE AND SUBDIVISION BYLAW NO. 500, 1987**

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

- A. This Bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.422, 2018”.
- B. “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” is hereby amended as follows:
  - 1. By adding the following to the Table of Contents in numerical order:

**PART 5 – DEVELOPMENT PERMIT AREAS**

5.1 Development Permit Area Organization

Section 5.1.1 Freshwater and Fish Habitat Development Permit Area

Section 5.1.2 Sensitive Ecosystems Development Permit Area

Section 5.1.3 Eagle and Heron Nesting Trees Development Permit Area

Section 5.1.4 Aquifers Development Permit Area

Section 5.1.5 Marine Coast Development Permit Area

Section 5.1.6 Hazard Lands Development Permit Area

Section 5.1.7 Farmland Protection Development Permit Area

Section 5.1.8 Yellow Point Aquifer Development Permit Area

Section 5.1.9 South Wellington Commercial – Industrial Development Permit Area

Section 5.1.10 Cedar Main Street Development Permit Area

Section 5.1.11 Cassidy Development Permit Area

Section 5.1.12 Cedar Development Permit Area

Section 5.1.13 Extension Village Centre – Commercial Development Permit Area

Section 5.1.14 East Wellington – Pleasant Valley Industrial Development Permit Area

Section 5.1.15 Nanoose Bay Form and Character Development Permit Area

Section 5.1.16 Qualicum Bay and Dunsmuir Village Centres Development Permit Area

Section 5.1.17 Bowser Village Centre Development Permit Area

Section 5.1.18 Multi Residential, Intensive Residential, Industrial and Commercial Form and Character Development Permit Area

Section 5.1.19 Rural Commercial Development Permit Area

Section 5.1.20 Highway Corridor Protection Development Permit Area

Section 5.1.21 Inland Island Highway Corridor Development Permit Area

2. Under Part 3, Land Use Regulations, Section 3.3 General Regulations, by deleting subsection 17 and replacing with Schedule A attached to and forming part of this bylaw.
3. By adding Part 5 – Development Permit Areas as shown in Schedule B attached to and forming part of this bylaw.

Introduced and read two times this \_\_\_ day of \_\_\_\_\_ 20XX.

Considered in conjunction with the Regional District of Nanaimo Financial Plan and any applicable Waste Management Plans this \_\_\_ day of \_\_\_\_\_ 20XX.

Public Hearing held pursuant to Section 464 of the *Local Government Act* this \_\_\_ day of \_\_\_\_\_ 20XX.

Read a third time this \_\_\_ day of \_\_\_\_\_ 20XX.

Adopted this \_\_\_ day of \_\_\_\_\_ 20XX.

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CHAIR

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CORPORATE OFFICER

Schedule A to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.422, 2018".

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Chair

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Corporate Officer

**REGIONAL DISTRICT OF NANAIMO**  
**BYLAW NO. 500.422**  
Schedule A

**17) Temporary Use Permits**

1. The Regional District may issue a temporary use permit on any lot to temporarily allow a use not permitted by this bylaw. The following general conditions will guide the consideration of such applications. The Regional District may waive any of the following should they be deemed to not be relevant, and may give consideration to additional conditions relevant to the specific proposal.
  - i) The applicant demonstrates how any anticipated impact on the surrounding area will be mitigated (for example: noise, light, hours of operation, dust, odour, vibration, aesthetic impact, etc.).
  - ii) The applicant provides a projection of anticipated impact on local road networks, and proposes mitigating measures if necessary.
  - iii) The applicant provides an assessment of the impact of the proposed use on the natural environment, including groundwater, wildlife, and environmentally sensitive areas.
  - iv) The applicant provides a rationale for the suitability of the location and the inability to conduct the use in another area where the use is already permitted.
  - v) Submission of a satisfactory decommissioning and reclamation plan, which may require a security deposit to be held by the Regional District until completion of the proposed works.
  - vi) The proposal addresses concerns related to visual integrity and buffering of the Inland Island Highway if applicable.
  - vii) The proposed use is not a use referred to in section 2.
2. Notwithstanding clause 1 above, in some Official Community Plan areas, the issuance of a temporary use permit for specified uses is limited to specified designation as follows, and the following additional conditions will guide consideration of applications. The Regional District may waive any of the following should they be deemed to not be relevant, and may give consideration to additional conditions relevant to the specific proposal.

Official Community Plan Area	Official Community Plan Designation	Use
Arrowsmith Benson – Cranberry Bright	Resource	<ul style="list-style-type: none"> <li>• Primary processing of onsite aggregate or mineral resources</li> <li>• Manufacture of asphalt products</li> <li>• Commercial composting</li> </ul>
East Wellington – Pleasant Valley	Resource	<ul style="list-style-type: none"> <li>• Manufacture of asphalt products</li> <li>• Commercial composting solely for the purpose of reclaiming mined land</li> </ul>
Nanoose Bay	Resource	<ul style="list-style-type: none"> <li>• Manufacture of asphalt products</li> <li>• Gravel extraction</li> <li>• Commercial composting (only outside of the Agricultural Land Reserve)</li> </ul>
Electoral Area G	Rural or Rural Resource	<ul style="list-style-type: none"> <li>• Primary processing</li> <li>• Manufacture of asphalt products</li> <li>• Commercial composting</li> <li>• Concrete ready mix plant</li> <li>• Yard waste chipping</li> </ul>

- i) lots are in excess of 8.0 hectares in area, or in Electoral Area G are in excess of 4.0 hectares in area;
- ii) the asphalt is produced in a portable asphalt batch plant;
- iii) approval is obtained from the province for an industrial access permit and a Waste Management approval pursuant to the *Waste Management Act*;
- iv) a separation distance, created by a natural vegetative buffer or berm, is maintained between the temporary use and any dwelling unit not located on the subject property. The width should be sufficient to provide a reasonable buffer to noise, dust and sight;
- v) a composting activity shall be no closer than 400 metres from the Growth Containment Boundary as identified in the Regional Growth Strategy.
- vi) where gravel removal and processing are required in conjunction with the manufacture of asphalt products, all requirements for the Approval of Work System and Reclamation Permit under the *Mines Act* including provisions for rehabilitation of the site after completion, are satisfied;
- vii) the daily period is limited to minimize noise impacts, including heavy truck traffic, on surrounding lands;
- viii) the use does not produce odours detectable from adjacent lots;
- ix) for composting, the uses comply with the provincial *Organic Matter Recycling Regulations* and any Regional District of Nanaimo Waste Stream Licensing Bylaw;
- x) in Electoral Area G, consideration is given to future inclusion of the subject property and surrounding land into the City of Parksville or Qualicum Beach and the compatibility of future development with adjoining areas within each municipality.



3. Where the land is in the Agricultural Land Reserve, approval from the Provincial Agricultural Land Commission is required prior to issuance of a permit.
4. The Regional District may specify conditions in a permit including, but not limited to, environmental protection measures, odour abatement, hours of operation, parking, buffering, and groundwater protection.
5. The Regional District may require security and/or an undertaking to secure the conditions of the permit in accordance with the *Local Government Act*.

**REGIONAL DISTRICT OF NANAIMO**  
**BYLAW NO. 500.422**  
Schedule B

Schedule B to accompany “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.422, 2018”.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Officer

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 500**

**PART 5**

**DEVELOPMENT PERMIT AREAS**

**PART 5 – DEVELOPMENT PERMIT AREAS**

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**5.1 Development Permit Area Organization**

For the area covered by this bylaw, the relevant official community plan designates development permit areas and describes the special conditions or objectives that justify the designations. The applicability, exemption and guidelines for the development permit areas are contained within this bylaw as within Part 5.



### 5.1.1 Freshwater and Fish Habitat Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.*

#### **APPLICABILITY**

Terms used in this Development Permit Area that are defined in the provincial *Riparian Areas Regulation* (RAR), of the *Riparian Areas Protection Act*, are intended to be interpreted in accordance with the definition given in the Regulation, as it may be amended from time to time. This Regulation and Act may be obtained from the Provincial Ministry of Forests, Lands, Natural Resource Operations and Rural Development or from the BC Laws website.

A development permit is required for the following activities wherever they occur within this Development Permit Area, unless specifically exempted:

1. removal, alteration, disruption, or destruction of vegetation;
2. disturbance of soils; including grubbing, scraping and the removal of top soils;
3. construction or erection of buildings and structures;
4. creation of non-structural impervious or semi-impervious surfaces;
5. flood protection works;
6. construction of roads, trails, docks, wharves, and bridges; and
7. subdivision of land.

#### **EXEMPTIONS**

The following activities are exempt from any requirement for a development permit.

##### ***Exemptions Applicable to all Watercourses***

1. Development in an area where no stream or watercourse exists, or where the proposed development is clearly outside the development permit area, as determined by the Regional District, a BC Land Surveyor, or a Registered Professional Biologist. This exemption does not apply if the stream or watercourse ecosystem was previously filled or realigned without a development permit.
2. Renovations, repairs, maintenance, the construction of a second storey addition, excluding cantilevered construction to existing buildings within the same footprint (a building permit may still be required).
3. All park or parkland ancillary uses not containing commercial, residential, or industrial activities.
4. Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
  - a) emergency flood or protection works;
  - b) clearing of an obstruction from bridge, culvert, or drainage flow, repairs to bridges and safety fences;

- c) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District or Ministry must be reported to the Regional District and applicable Ministry immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

5. Removal of trees deemed hazardous by a certified Arborist or Registered Professional Forester that pose an imminent threat to buildings or life safety. Removal of hazardous trees that also contain an eagle or heron nest are exempt only if a permit under the *Wildlife Act* has been obtained.
6. The small-scale, manual removal of non-native invasive plants or noxious weeds or planting of non-invasive, native vegetation on a small scale conducted in accordance with best practices such as the Invasive Plant Council of BC's 'Grow Me Instead' publication.
7. The activity is part of a farm operation as defined by the *Farm Practices Protection (Right to Farm) Act*, is a permitted farm use as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedures Regulations*, and the lands are assessed as 'farm' under the *BC Assessment Act*. The farm operation of land clearing is only exempt from the requirement of a development permit if conducted in accordance with a current Environmental Farm Plan (less than five years old); otherwise, land clearing as part of a farm operation is not exempt. Note that other provincial legislation such as the *Waste Management Act* and the *Water Sustainability Act* may apply to farm operation activities.
8. Digging of observation holes for percolation testing under supervision of a Registered Onsite Wastewater Practitioner or Professional Engineer, and digging of test pits for geotechnical investigation under supervision of a Professional Engineer.
9. Works conducted and/or approved by the Department of Fisheries and Oceans and/or Ministry of Environment with respect to trail construction, stream enhancement, fish and wildlife habitat restoration and in-stream works as defined by Section 11 of the *Water Sustainability Act*.
10. All forest management activities on lands subject to the *Forest Act* or *Private Managed Forest Land Act* and classified as 'Forest Lands' on the property assessment.
11. Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area guidelines as determined by the Regional District.
12. Subdivision where the minimum lot size is met exclusive of the development permit area, and no works are proposed within the development permit area.

**Exemptions Applicable to Streams under the RAR only**

13. Subdivision where the minimum lot size is met exclusive of the Streamside Protection and Enhancement Area (SPEA), and no works are proposed within the Riparian Assessment Area.
14. Within Electoral Area A, development activities more than 30 metres from the Nanaimo River or Haslam Creek, measured from the top of bank or present natural boundary, whichever is greater, where:

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- a. a RAR assessment report has been completed by a Qualified Environmental Professional in accordance with the RAR Assessment Methods and submitted to the province; and
  - b. notification of the assessment report has been received by the provincial ministry responsible and the Regional District.
15. For streams subject to the RAR, in the case where a simple assessment is submitted which assigns a SPEA, a development proposed outside of the SPEA where:
- a) the assessment report has been completed by a Qualified Environmental Professional (QEP) in accordance with the RAR Assessment Methods; and
  - b) notification of the assessment report has been received by the provincial ministry responsible and the Regional District, and there are no measures outside of the SPEA required to protect the SPEA.

**Exemptions Applicable to this development permit area where the RAR does not apply**

16. Subdivision involving only lot line adjustment. For lot line adjustment to be exempt there must be sufficient developable area outside the development permit area as confirmed by the Regional District, BC Land Surveyor, or Registered Professional Biologist, and there are no works proposed within the development permit area.
17. A property owner may construct a single trail within this development permit area in accordance with the principles and standards of 'Access Near Aquatic Areas' of the Stewardship Series published by the provincial and federal governments, and subject to the following conditions:
- a) the trail provides the most direct route or feasible passage through the development permit area while minimizing the extent of vegetation removal or disturbance and minimizing excavation and removal of native soils;
  - b) the ground is stable, ie. erodible stream banks or other erosion prone areas shall be avoided;
  - c) no motorized vehicles are permitted on the trail;
  - d) the trail is not to exceed a maximum width of 1.5 metres;
  - e) no trees, which are greater than 5.0 metres in height and 10.0 centimetres in diameter, are to be removed; instead limbing and pruning of trees shall be done, where necessary, to facilitate the construction of the single trail;
  - f) the trail's surface shall only be composed of pervious materials.
18. Minor additions to existing buildings or structures to a cumulative maximum of 25 percent of the original ground floor area, if the addition is located on the side or part of the building or structure most distant from the waterbody or stream.
19. The construction of a small accessory building or structure if all the following apply:
- a) the building or structure is located within an existing landscaped area;
  - b) no native trees with a diameter at breast height of 20 centimetres or greater are removed;
  - c) there is no permanent foundation;

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- d) the building or structure is located a minimum of 10 metres from the high water mark or, where the bank has a slope greater than 3:1, 10 metres from the top of the bank; and
- e) the total area of the accessory building or structure is less than 10 square metres.

**GUIDELINES**

Development permits shall be issued in accordance with the following:

***Guidelines applicable to all watercourses***

1. An assessment must be prepared by a Registered Professional Biologist (a QEP for streams applicable to the RAR) for the purpose of identifying sensitive biophysical features on or near the development permit area and providing recommendations and conditions for development to avoid or mitigate impacts to these features. The assessment should list each guideline with an explanation of how the development is consistent with the guideline, or an explanation as to how the guideline is not applicable. The site plan should indicate the areas for yard and driveway and areas to remain free from development. See Guideline 13 for additional requirements of this report for streams applicable to the RAR.
2. If development or alteration of land is proposed within the development permit area, it shall be located so as to minimize the impact on the stream or waterbody. The assessment report shall include an explanation as to how locating development entirely outside of the development permit area has been considered, and the reason that it is not being proposed. Variances to the zoning bylaw regulations to minimize development in the development permit area should be considered.
3. Sensitive biophysical features to be assessed in this development permit area include but are not limited to:
  - a) forest cover and ecological communities;
  - b) surface drainage patterns;
  - c) site topography and channel morphology;
  - d) aquatic and riparian habitat values, condition and function;
  - e) rare and uncommon species and plant communities; and
  - f) an overall assessment of the ecological importance of the watercourse.
4. Mitigation measures that should be considered in the biological assessment include but are not limited to:
  - a) minimization of vegetation removal;
  - b) maintenance of linkages with adjacent sensitive ecosystems to minimize habitat fragmentation and maintain wildlife corridors;
  - c) sediment and erosion control;
  - d) protection of sensitive areas through fencing or other permanent demarcation; and
  - e) timing of construction to minimize potential impacts.

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5. Where the applicant’s biologist or other qualified professional recommends revegetation and/or enhancement works, the Regional District may require the applicant to submit a landscaping plan and a security deposit equal to the total estimated costs of all materials and labour as determined by a Landscape Architect or other qualified professional to the satisfaction of the Regional District.
6. For the SPEA or where the applicant’s biologist or other qualified professional recommends other specific areas that must remain free from development:
  - a) the Regional District may require a Section 219 covenant to be prepared at the applicant’s expense, to the satisfaction of the Regional District, to ensure that the identified areas remain free from development; and
  - b) prior to construction commencing, the installation of temporary fencing or flagged stakes marking the protection area is required to avoid encroachment within the areas to be protected through to the completion of the development.
7. The applicant’s biologist or QEP may be required to provide confirmation to the Regional District that the property has been developed in accordance with the QEPs recommendations.

***Guidelines Related to Rainwater Management and Protection of Development from Hazardous Conditions***

8. On any development where there is potential for silt, petroleum or any other contaminants to enter a watercourse either directly or indirectly through infiltration, provision of oil, grease and sediment removal facilities and the ongoing maintenance of these features will be required.
9. Directing drainage of rainwater from development sites into the SPEA and other watercourses and water bodies shall be avoided. Instead, rainwater is to be managed onsite with an emphasis on infiltration approaches to management. If impacts cannot be avoided through onsite infiltration, a sediment and erosion control plan may be required, and grading plan may be required where fill is placed near the freshwater feature.
10. In low-lying areas subject to flooding, development should not increase the flood risk on the subject property or on adjacent or nearby properties. Where the placement of fill is proposed within a floodplain as defined by the RDN Floodplain Management Bylaw, it shall be designed by a Professional Engineer to ensure that the placement of the proposed fill will not restrict the passage of flood waters, redirect flood flows, decrease natural flood storage, result in higher flood flows or result in higher flood potential elsewhere in the floodplain.
11. Where there is a slope greater than 30 percent over a minimum horizontal distance of 10 metres, an assessment report prepared by a Professional Engineer with experience in geotechnical engineering may be required to assist in determining what conditions or requirements shall be included in the development permit so that proposed development is protected from the hazard and no increase in hazard is posed to existing development. The geotechnical report will form part of the development permit terms and conditions, and may include registration of a Section 219 covenant, prepared at the applicant's expense and to the satisfaction of the Regional District.

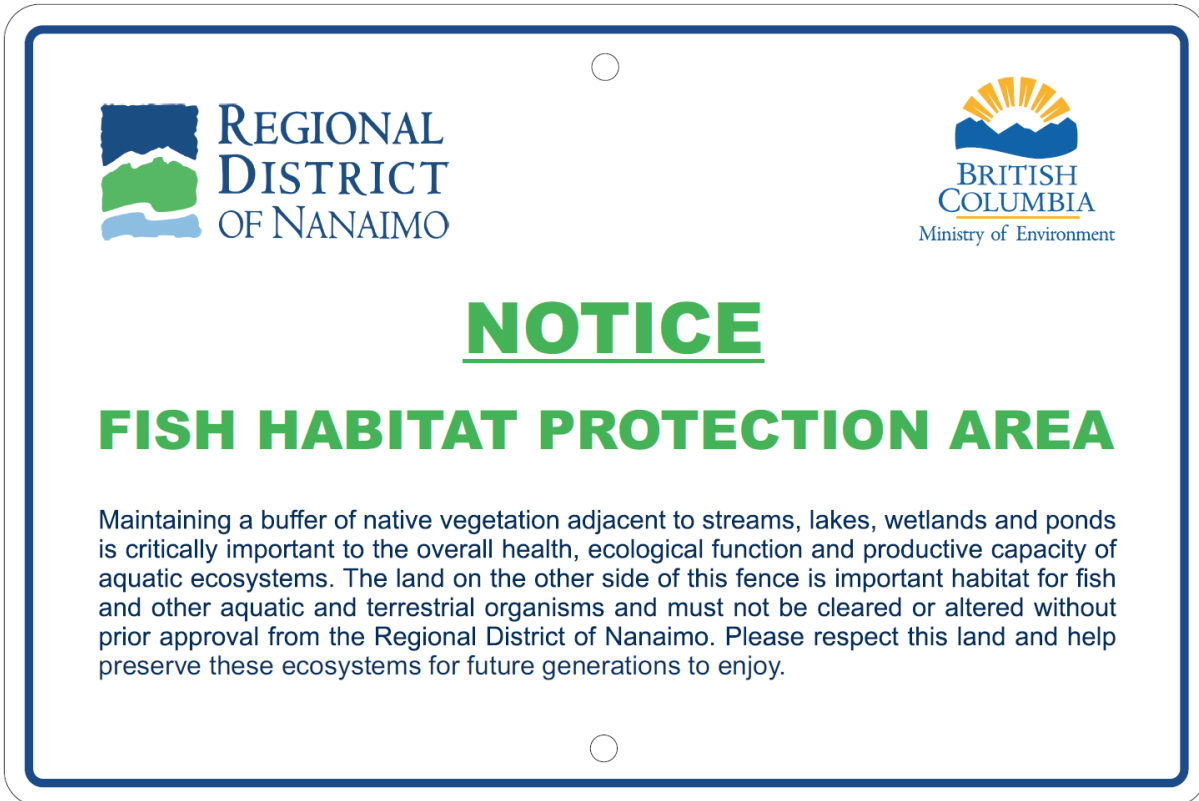
***Additional Guidelines Applicable to Streams Subject to the RAR only***

12. No development shall take place within any SPEA except where:



5.1.1 Freshwater and Fish Habitat Development Permit Area

- a) a QEP has determined that no serious harm is likely to occur or that it can be mitigated by following prescribed measures; or
  - b) the owner has obtained an authorization under subsection 35(2) [serious harm to fish] of the *Fisheries Act* or Section 11 [changes in and about a stream] of the *Water Sustainability Act*.
13. The Regional District shall require the applicant to retain a QEP, at the expense of the applicant, for the purpose of preparing an assessment report, pursuant to Section 4(2) of the RAR and the RAR Assessment Methodology Guidebook, and the assessment report must be electronically submitted to the provincial ministry responsible, via the Riparian Area Regulations Notification System, and a copy must be provided to the Regional District.
14. In addition to implementing the measures in the assessment report, to ensure the integrity of the SPEA the Regional District and landowner may consider the following:
  - a) gift to a nature preservation organization all or part of the SPEA; or
  - b) register a restrictive covenant or conservation covenant on title securing the measures prescribed in the assessment report.
15. For the purpose of subdivision design, proposed lot configuration shall consider the protection of the SPEA and minimize new lot lines in the SPEA. The proposed lot configuration should demonstrate that enough developable land is available on each lot to establish a development envelope that includes a reasonable yard area outside of the SPEA to accommodate wastewater disposal field, driveway, accessory buildings and yard.
16. Permanent fencing and/or other means of clearly delineating the SPEA boundary such as signage must be designed to follow the standard established by the Regional District and Ministry of Environment shown below. Signage should be installed to the satisfaction of the Regional District prior to land alteration and in the case of subdivision prior to the Regional District notifying the Approving Officer that the conditions of the development permit have been met. Fencing must be maintained in good order.



Aluminum or Dibond 12"x18" Radius corners  
Inline border .14"  
RDN logo: 2"x5.17"  
Ministry of Environment logo: 2.5"x2.92"  
Notice: Arial black type .90"  
Fish Habitat Protection Area: Arial black type .60"  
All other text: Arial bold type .27"

## 5.1.2 Sensitive Ecosystems Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.*

### APPLICABILITY

A development permit is required for the following activities wherever they occur within this development permit area, unless specifically exempted:

1. removal, alteration, disruption or destruction of vegetation, including trees, plants and shrubs;
2. disturbance of soils, including grubbing, scraping and the removal of top soils;
3. construction or erection of buildings and structures;
4. creation of non-structural impervious or semi-pervious surfaces; and
5. subdivision of land as defined in the *Land Title Act* or *Strata Property Act*.

### EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Development in an area where the sensitive ecosystem does not exist due to mapping inaccuracy, upon written confirmation from a Registered Professional Biologist. For clarity, if the sensitive ecosystem was previously disturbed without a development permit this exemption does not apply.
2. Minor additions to existing buildings or structures to a cumulative maximum of 25 percent of the original ground floor area, provided that the addition is not situated closer to the environmentally sensitive feature for which the development permit area has been identified, than the existing building or structure.
3. Repair, maintenance, or alteration of existing legal buildings, structures or utilities except for shoreline protection structures, provided the footprint of the building is not expanded (a building permit may still be required).
4. A second storey addition, excluding cantilevered construction, to a legally sited structure, provided the second storey addition is within the existing footprint of the existing structure.
5. A single trail within this development permit area, subject to the following:
  - a) the trail provides the most direct route of feasible passage through the development permit area;
  - b) the location is chosen to require a minimum amount of vegetation removal or disturbance, where no rare plants will be disturbed or otherwise impacted, and where there is limited excavation and removal of native soils;
  - c) the ground is stable, i.e erodible stream banks or other erosion prone areas must be avoided;
  - d) no motorized vehicles are permitted;

- e) the trail is a maximum of 1.5 metres in width;
  - f) no trees, which are greater than 5.0 metres in height and no trees with a diameter at breast height of 10.0 centimetres or more are being removed; limbing, pruning and topping of trees should be done instead; and,
  - g) the trail's surface is pervious but may be constructed with materials that limit erosion and bank destabilization (certain structures may require a building permit).
6. The planting of trees, shrubs, or groundcovers for the purpose of enhancing the habitat values and/or soil stability within the development permit area provided the planting is carried out in accordance with the guidelines provided in 'Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia', published by Ministry of Environment, or any subsequent editions.
  7. Gardening and yard maintenance activities within an existing landscaped area, such as lawn mowing, tree and shrub pruning, vegetation planting and minor soil disturbance that do not alter the general contours of the land. For clarity, this exemption does not apply to retaining walls and anything that is considered a structure as defined by the current zoning bylaw.
  8. The small-scale, manual removal of non-native invasive plants or noxious weeds or planting of non-invasive, native vegetation on a small scale conducted in accordance with best practices such as the Invasive Plant Council of BC's 'Grow Me Instead' publication.
  9. Removal of trees deemed hazardous by a certified Arborist or Registered Professional Forester that pose an imminent threat to buildings or life safety. Removal of hazardous trees that also contain an eagle or heron nest is exempt only if a permit under the *Wildlife Act* has been obtained.
  10. The construction of a small accessory building or structure if all the following apply:
    - a) the building or structure is located within an existing landscaped area;
    - b) no native trees with a diameter at breast height of 20 centimetres or greater are removed;
    - c) there is no permanent foundation;
    - d) the building or structure is located a minimum of 10 metres from the natural boundary of the sea or, where the bank has a slope greater than 3:1, 10 metres from the top of the bank; and
    - e) the total area of the small accessory building or structure is less than 10 square metres.
  11. Subdivision where the following criteria is met:
    - a) minimum lot sizes will be met exclusive of the sensitive ecosystem;
    - b) no development activities including grading, clearing, trenching, or installation of pipes, relating to the creation of all lots will occur within the sensitive ecosystem; and
    - c) where a covenant is registered to protect the sensitive ecosystem or ecosystems in a manner that is consistent with the applicable development permit area guidelines.
  12. Subdivision involving only lot line adjustment. For lot line adjustment to be exempt there must be sufficient developable area outside the development permit area as confirmed by the

Regional District, BC Land Surveyor, or Registered Professional Biologist, and there are no works proposed within the development permit area.

13. The activity is part of a farm operation as defined by the *Farm Practices Protection (Right to Farm) Act*; is a permitted farm use as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedures Regulations*; and the lands are assessed as ‘farm’ under the *BC Assessment Act*. The farm operation of land clearing is only exempt from the requirement of a development permit if conducted in accordance with a current Environmental Farm Plan (less than five years old); otherwise, land clearing as part of a farm operation is not exempt. Note that other provincial legislation such as the *Waste Management Act* and the *Water Sustainability Act* may apply to farm operation activities.
14. Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
  - a) emergency flood or protection works;
  - b) clearing of an obstruction from bridge, culvert, or drainage flow; repairs to bridges and safety fences;
  - c) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the Federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District or Ministry must be reported to the Regional District and applicable Ministry immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

15. Works conducted and/or approved by the Department of Fisheries and Oceans and/or Ministry of Environment with respect to trail construction, stream enhancement, fish and wildlife habitat restoration and in-stream works as defined by Section 11 of the *Water Sustainability Act*.
16. Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area guidelines as determined by the Regional District.
17. All forest management activities on lands subject to the *Forest Act* or *Private Managed Forest Land Act* and classified as ‘forest lands’ on the property assessment.

## GUIDELINES

1. If development or alteration of land is proposed within the development permit area, it shall be located where it will cause the least impact on the sensitive ecosystem. It should be demonstrated that locating development entirely outside of the development permit area has been considered, and a description of why that is not being proposed should be provided. It should be demonstrated that variances to minimize development in the development permit area have been obtained or considered.
2. An assessment must be prepared by a Registered Professional Biologist with the objectives of identifying sensitive biophysical features on or near the property and providing recommendations and conditions for development to avoid or mitigate impacts to these

features. The assessment should list the guidelines in this development permit area with an explanation of how the proposed development is consistent with them (or an explanation of how a guideline is not applicable) and should indicate on a site plan the areas for yard and driveway and areas to remain free from development.

3. Existing native vegetation should be retained wherever possible to minimize disruption to habitat and maintain ecological processes that support ecosystem function, wildlife ecology, and unique ecosystems. These include, but are not limited to:
  - a) vegetation, trees, snags and root systems;
  - b) rare and uncommon species and plant communities;
  - c) soils and soil conditions (moisture, nutrients and permeability);
  - d) bird and other wildlife and their habitats, such as nesting and breeding areas;
  - e) wildlife habitat, including but not limited to wildlife breeding areas as well as nesting and perch trees; and
  - f) topography and relative orientation of features on neighbouring properties.
4. Mitigation measures that should be considered in the biological assessment include but are not limited to:
  - a) minimization of vegetation removal;
  - b) maintenance of linkages with adjacent sensitive ecosystems to minimize habitat fragmentation and maintain wildlife corridors; and
  - c) timing of construction to minimize potential impacts.
5. Where the applicant's biologist recommends revegetation and/or enhancement works within the development permit area, the Regional District may require the applicant to submit a landscaping plan and security deposit equal to the total estimated costs of all materials and labour as determined by a Landscape Architect or other qualified professional.
6. Where the applicant's biologist recommends specific areas that must remain free from development:
  - a) the Regional District may require a Section 219 covenant to be prepared at the applicant's expense, to the satisfaction of the Regional District, to ensure that the identified areas remain free from development; and
  - b) prior to construction commencing, the installation of temporary fencing or flagged stakes marking the protection area is required to avoid encroachment within the areas to be protected through to the completion of the development.
7. The applicant's biologist may be required to provide confirmation to the Regional District that the property has been developed in accordance with the biologist's recommendations.

***Guidelines Related to Rainwater Management and Protection of Development from Hazardous Conditions***

8. Where there is a slope greater than 30 percent over a minimum horizontal distance of 10 metres, an assessment report prepared by a Professional Engineer with experience in geotechnical engineering may be required to assist in determining what conditions or



*5.1.2 Sensitive Ecosystems Development Permit Area*

requirements shall be included in the development permit so that proposed development is protected from the hazard and no increase in hazard is posed to existing development. The geotechnical report will form part of the development permit terms and conditions, and may include registration of a Section 219 covenant, prepared at the applicant's expense and to the satisfaction of the Regional District.

9. Development or subdivision of land should be designed to:
  - a) replicate the function of a naturally vegetated watershed;
  - b) maintain the hydraulic regime of surface and groundwater and pre-development flow rates;
  - c) not interfere with groundwater recharge; and
  - d) not introduce or remove materials where it would cause erosion of or the filling in of natural watercourses and/or wetlands.
10. The use of rain gardens, vegetated swales, a reduction in impervious surfaces, and other methods for managing rainwater on site should be included in all development proposals considered in this DPA.

### 5.1.3 Eagle and Heron Nesting Trees Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.*

#### APPLICABILITY

A development permit is required for the following activities wherever they occur within this development permit area, unless specifically exempted:

1. removal, alteration, disruption or destruction of natural features, including plants, trees and shrubs;
2. disturbance of soils, including grubbing, scraping and the removal of top soils;
3. construction or erection of buildings and structures;
4. creation of non-structural impervious or semi-pervious surfaces; and
5. subdivision of land as defined in the *Land Title Act* or *Strata Property Act*.

#### EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Development or alteration of land to occur outside the designated development permit area, as determined by a BC Land Surveyor, Registered Professional Biologist, or by the Regional District.
2. The landowner has offered and entered into a restrictive covenant to maintain an acceptable no disturbance buffer as determined by a registered professional biologist.
3. A Registered Professional Biologist with relevant experience has confirmed in writing that no Bald Eagle or no Great Blue Heron has established a nest and is present during the breeding and nesting season of the past five years. In general terms, this is from January to September for Great Blue Herons; and January to September for Bald Eagles.
4. Removal, trimming or alteration of vegetation other than the nest tree; onsite sewage disposal system installations and well drilling within the nest tree development permit area is permitted without a development permit where:
  - a) the activity is conducted entirely outside of the nesting season which is from January 15 to September 15 for Pacific Great Blue Herons and January 1 to September 1 for Bald Eagles, or
  - b) a Registered Professional Biologist with relevant experience has confirmed in writing that the activity will not negatively impact the nest tree, or its associated Great Blue Herons or Bald Eagles.
5. Subdivision involving only lot line adjustment or lot consolidation. For lot line adjustment to be exempt there must be sufficient developable area outside the development permit area as confirmed by the Regional District, BC Land Surveyor, or Registered Professional Biologist, and there are no works proposed within the development permit area.
6. Removal of trees deemed hazardous by a certified Arborist or Registered Professional Forester that pose an immediate threat to buildings or life safety. Removal of hazardous trees that also

5.1.3 Eagle and Heron Nesting Trees Development Permit Area

contain an eagle or heron nest is exempt only if a permit under the *Wildlife Act* has been obtained.

7. The small-scale, manual removal of non-native invasive plants or noxious weeds or planting of non-invasive, native vegetation on a small scale conducted in accordance with best practices such as the Invasive Plant Council of BC's 'Grow Me Instead' publication.
8. Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
  - a) emergency flood or protection works;
  - b) clearing of an obstruction from bridge, culvert, or drainage flow; repairs to bridges and safety fences;
  - c) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the Federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District or Ministry must be reported to the Regional District and applicable Ministry immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

9. Works conducted and/or approved by the Regional District, Department of Fisheries and Oceans and/or Ministry of Environment with respect to trail construction, stream enhancement, fish and wildlife habitat restoration and in-stream works as defined by Section 11 of the *Water Sustainability Act*, and where they have been made aware of the eagle or heron nest.
10. All forest management activities on lands subject to the *Forest Act* or *Private Managed Forest Land Act* and classified as 'Forest Lands' on the property assessment.
11. Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area guidelines as determined by the Regional District.

**GUIDELINES**

Development permits shall be issued in accordance with the following:

1. Development shall be located where it will cause the least impact to the nesting activity of eagles or herons. It should be demonstrated that locating development entirely outside of the development permit area has been considered, and a description of why that is not being proposed should be provided.
  - a) An assessment must be prepared by a Registered Professional Biologist with relevant experience to assess the potential impact of the proposed development on the function of the nest tree and development or land alteration within the development permit area on the subject property. The report should include, but is not limited to, the following:
  - b) definition of the study area and the proposed activities in relation to the nesting tree, including a map to identify the location including geographic coordinates of nesting tree or trees, the development permit area, and proposed or existing buildings and structures;

5.1.3 Eagle and Heron Nesting Trees Development Permit Area

- c) identification of the breeding season;
  - d) assessment of the impacts of the proposed activities in relation to the resident birds (Bald Eagle or Great Blue Heron) and prescribe appropriate measures to preserve, protect, restore or enhance the function of the nesting tree area and any alteration of the development permit area on the subject property;
  - e) recommendations on how to mitigate negative impacts during and after construction, if permitted under the *Wildlife Act*, to protect the long term integrity of the nesting habitat; and
  - f) reference to ‘Guidelines for Ecosystem and Species Protection’ and/or ‘Guidelines for Raptor Conservation during Urban and Rural Land Development in BC’ found in ‘Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia’ published by the Province of BC, or any subsequent editions.
2. The recommendations within the assessment report will form part of the development permit terms and conditions, which may include registration of a Section 219 covenant, prepared at the applicant’s expense, to the satisfaction of the Regional District.
  3. To avoid encroachment within the area to be protected as identified in the Assessment Report, prior to construction commencing and through to the completion of the development, installation of temporary fencing or flagged stakes is required at a distance from the nesting tree as prescribed in the Assessment Report.
  4. The applicant’s biologist may be required to provide confirmation to the Regional District that the property has been developed in accordance with their recommendations.

### 5.1.4 Aquifers Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.*

#### APPLICABILITY

A development permit is required for the following activities wherever they occur within this development permit area, unless specifically exempted:

1. alteration of land, disturbance of soils, including grubbing, scraping and the removal of top soils;
2. construction, alteration, or erection of buildings and structures;
3. creation of non-structural impervious or semi-pervious surfaces;
4. subdivision of land as defined in the *Land Title Act* or *Strata Property Act*; and
5. excavation or sub-surface disturbance in the sub-area defined as ‘risk of artesian conditions’.

#### EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Construction, renovation, repair or addition to a single dwelling unit, duplex dwelling unit, secondary suite, building or structure accessory to residential use including a driveway and except for excavation of a depth greater than 1.5 metres in an area with ‘risk of artesian conditions’.
2. Construction of or additions to a building or structure that do not require a building permit.
3. Digging of observation holes for percolation testing under supervision of a Registered Onsite Wastewater Practitioner or Professional Engineer, and digging of test pits for geotechnical investigation under supervision of a Professional Engineer.
4. Onsite wastewater disposal system installation meeting the requirements of the *Sewerage System Regulation* of the *Public Health Act*.
5. Subdivision of land within Cedar Village Centre and South Wellington Light Industrial & Commercial Area as designated in the Electoral Area A Official Community Plan, except for intensive residential within the Cedar Main Street Village Plan area (intensive residential is defined in that plan).
6. Subdivision of land where a maximum of three lots are proposed, including the remainder, and where the subject property:
  - a) in Electoral Area H has a ‘low’ vulnerability as identified in the Official Community Plan or;
  - b) in Electoral Area G does not have a development subclass of ‘heavy’ nor a vulnerability class of ‘high’ or a combination of ‘heavy’ or ‘high’ as identified in the Official Community Plan.

7. Subdivision of land where the application is limited to lot line adjustment and no additional lots are created.
8. Subdivision of land where each lot has an approved connection to a community water system, except for within Cassidy Village Centre.
9. The activity is part of a farm operation as defined by the *Farm Practices Protection (Right to Farm) Act*, is a permitted farm use as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedures Regulations*, and the lands are assessed as ‘farm’ under the *BC Assessment Act*. The farm operation of land clearing is only exempt from the requirement of a development permit if conducted in accordance with a current Environmental Farm Plan (less than 5 years old); otherwise, land clearing as part of a farm operation is not exempt. Note that other provincial legislation such as the *Waste Management Act* and the *Water Sustainability Act* may apply to farm operation activities.
10. All forest management activities on lands subject to the *Forest Act* or *Private Managed Forest Land Act* and classified as ‘Forest Lands’ on the property assessment.
11. Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area Guidelines as determined by the Regional District.

## GUIDELINES

Development permits shall be issued in accordance with the following:

1. The use or disposal of substances or contaminants that may be harmful to area aquifers is discouraged and steps must be taken to ensure the proper disposal of such contaminants.
2. A report must be prepared by a Professional Engineer or Geoscientist with experience in hydrogeology. The report should follow any applicable checklist of the Regional District for preparation of hydrogeological assessment reports and should also include, but is not limited, to the following:
  - a) definition of the study area and the relationship of the proposed development to the protected aquifer, including map(s) indicating community water well locations;
  - b) recharge area and capture zone analysis for existing and proposed new wells;
  - c) an assessment of the ability of the aquifer to accommodate additional groundwater demand proposed by the development, which shall include the anticipated water demand of the proposed uses based on the development potential of the subject property based on the current zoning;
  - d) identification of potential impacts on adjacent properties and land uses; and
  - e) recommendations for measures required to ensure the quality and quantity of water in the aquifer is protected.
3. The use of permeable paving and other methods to reduce rainwater runoff are encouraged.
4. Where a proposed development will include any of the purposes or activities listed in Schedule 2 of the Contaminated Sites Regulation, (B.C. Reg. 375/96), the report prepared by a



Professional Engineer or Geoscientist with experience in hydrogeology (as described in Guideline 2) shall be required to confirm the protection of the aquifer in relation to the intended uses. In this case, the professional report should additionally include the following:

- a) as part of the map(s) described in Guideline 2a., also indicate: site location of activities listed in abovementioned regulation, all well locations (abandoned or operational, proposed or existing above ground or underground fuel storage tanks, and underground utilities, such as water, sanitary, and storm water drainage or natural gas lines;
  - b) assess the potential for contamination and the expected results should a spill occur;
  - c) identify appropriate site-specific groundwater protection measures;
  - d) address site design, and best management practices for site drainage, sewage disposal and hazardous material use, handling, storage, disposal and spill response; and
  - e) provide recommendations, a conclusion and a reference site layout plan.
5. A rainwater management plan prepared by a Professional Engineer may be required to ensure that the discharge of any treated effluent and rainwater does not negatively affect groundwater quality. The plan must include recommendations on how to minimize the risk of deleterious substances entering the groundwater.
- a) Treated effluent and diverted rainwater collection and discharge systems on commercial, industrial, multi-residential, and other developments where there is potential for silt and petroleum-based contaminants to enter a watercourse or infiltrate into the ground must be directed through an appropriately sized and engineered sediment, oil, water and grease separator or other engineered solution. Examples of uses to which this guideline applies includes uses such as vehicle and machinery storage, cleaning and maintenance, and public parking areas.
  - b) The engineer must provide an appropriate maintenance schedule.
6. Development or subdivision of land should be designed to:
- a) replicate the function of a naturally vegetated watershed;
  - b) not interfere with groundwater recharge;
  - c) maintain the hydraulic regime of surface and groundwater and pre-development flow rates which includes no net increase in peak rainwater run-off from the land to adjoining lands.
7. Where a proposed development is within a sub-area “risk of artesian conditions” as identified in the applicable official community plan:
- a) the professional report shall determine the depth of the overlying till aquitard, and provide recommendations for its protection during excavation, well drilling, and construction; and
  - b) wells must be drilled by a registered well driller who is qualified to control artesian flow.
8. Where a proposed development is within the well protection area or well capture zone of a community water system, the professional report must refer to the relevant well protection plan and provide recommendations for the development to ensure mitigation of any potential risk to the community water source.

*5.1.4 Aquifers Development Permit Area*

9. All development that proposes a site, facility, or premise where municipal solid waste or recyclable materials will be managed must be conducted in accordance with RDN Waste Stream Management Licensing Bylaw No. 1386, 2004 as amended or replaced from time to time.
10. Recommendations within the professional report(s) will form part of the development permit terms and conditions, and may include registration of a Section 219 covenant, prepared at the applicant's expense and to the satisfaction of the Regional District. Where a maintenance schedule for a sediment, oil, water and grease separator is recommended, a commitment to the maintenance schedule may be included in the covenant.
11. Developments that are found to pose detrimental impact(s) on either the quality or quantity of groundwater which cannot be adequately mitigated shall not be supported by the Regional District.

## 5.1.5 Marine Coast Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.*

### APPLICABILITY

A development permit is required for the following activities wherever they occur within this development permit area, unless specifically exempted:

1. removal, alteration, disruption or destruction of vegetation, including trees, plants and shrubs;
2. disturbance of soils, including grubbing, scraping and the removal of top soils;
3. construction or erection of buildings and structures;
4. creation of non-structural impervious or semi-pervious surfaces; and
5. subdivision of land as defined in the *Land Title Act* or *Strata Property Act*.

### EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Development or alteration of land to occur outside the designated development permit area, as determined by a BC Land Surveyor or by the Regional District.
2. Repair, maintenance, or alteration of existing legal buildings, structures or utilities except for shoreline protection structures, provided the footprint of the building is not expanded (a building permit may still be required). For clarity, repair, maintenance, alteration or reconstruction of shoreline protection works such as riprap and stacked rocks, requires a development permit whether or not they meet the definition of 'structure' in other bylaws of the Regional District.
3. Minor additions to existing buildings or structures to a cumulative maximum of 25 percent of the original ground floor area, provided that the addition is located on the side or part of the building or structure most distant from the foreshore.
4. A second storey addition, excluding cantilevered construction, to a legally sited structure, provided the second storey addition is within the existing footprint of the existing structure.
5. Repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving, asphaltting or similar surfacing.
6. Construction of a fence so long as no native trees with a diameter at breast height of 20 centimetres or greater are removed and the disturbance of native vegetation is restricted to 0.5 metres on either side of the fence.
7. Gardening and yard maintenance activities within an existing landscaped area, such as lawn mowing, tree and shrub pruning, vegetation planting and minor soil disturbance that do not alter the general contours of the land.

8. The construction of a small accessory building or structure such as a pump house, gazebo, deck, patio, garden shed or play house if all the following apply;
  - a) the building or structure is located within an existing landscaped area;
  - b) no native trees with a diameter at breast height of 20 centimetres or greater are removed;
  - c) there is no permanent foundation
  - d) the building or structure is located a minimum of 10 metres from the natural boundary of the sea or, where the bank has a slope greater than 3:1, 10 metres from the top of the bank; and
  - e) the total area of the small accessory building or structure is less than 10 square metres.
9. Removal of trees deemed hazardous by a certified Arborist or Registered Professional Forester that pose an imminent threat to buildings or life safety. Removal of hazardous trees that also contain an eagle or heron nest is exempt only if a permit under the *Wildlife Act* has been obtained.
10. The small-scale, manual removal of non-native invasive plants or noxious weeds or planting of non-invasive, native vegetation on a small scale conducted in accordance with best practices such as the Invasive Plant Council of BC's 'Grow Me Instead' publication.
11. Works conducted and/or approved by the Regional District, Department of Fisheries and Oceans and/or Ministry of Environment with respect to trail construction, stream enhancement, fish and wildlife habitat restoration and in-stream works as defined by Section 11 of the *Water Sustainability Act*.
12. Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area guidelines as determined by the Regional District.
13. Subdivision involving only lot line adjustment or lot consolidation. For lot line adjustment to be exempt there must be sufficient developable area outside the development permit area as confirmed by the Regional District, BC Land Surveyor, or Registered Professional Biologist, and there are no works proposed within the development permit area.

## **GUIDELINES**

### **General Guidelines**

1. Development within the development permit area should be limited and not negatively impact the ecological health of the immediate area, disrupt coastal sediment transport processes, or impede public access along the shore. It should be demonstrated that locating development entirely outside of the development permit area has been considered, and a description of why that is not being proposed should be provided. It should be demonstrated that variances to minimize development in the development permit area have been obtained or considered.
2. An assessment must be prepared by a Registered Professional Biologist with the objectives of identifying sensitive biophysical features on or near the property and providing recommendations and conditions for development to avoid or mitigate impacts to these

features. The assessment should list the guidelines in this development permit area with an explanation of how the proposed development is consistent with them (or an explanation of how a guideline is not applicable) and should indicate on a site plan areas for yard and driveway and areas to remain free from development.

3. Existing native vegetation should be retained wherever possible to minimize disruption to habitat and to protect against erosion:
  - a) Dune grass is particularly sensitive to foot traffic and often keeping foot traffic away through fencing or signage can result in regeneration in short time periods. Replanting of dune grass and associated plants where it has been previously disturbed may be a condition of a development permit.
  - b) Coniferous trees provide important perches for eagles, and older trees may be used by eagles for nests. It is important that some trees are retained or replanted within and close to the development permit area when properties are developed, even if the trees are young.
  - c) Trees and shrubs to be retained should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading, storage of fill or building materials, and other development activities.
  - d) Temporary fencing at a prescribed distance from the natural boundary or top of bank should be required to protect the shoreline vegetation.
4. New, or additions to, upland buildings and structures should be located and designed to avoid the need for shore protection works throughout the life of the building or structure. Only if all options to locate and design without the need for shore protection measures are exhausted should such works be considered.
5. Shore protection measures shall not be allowed for the sole purpose of reducing the setback pursuant to the Floodplain Bylaw or for reclaiming land lost due to erosion.
6. Where shoreline protection works are proposed they shall be designed by a Professional Engineer and:
  - a) be limited to that necessary to prevent damage to existing structures or established uses on adjacent upland;
  - b) be the ‘softest’ possible shore protection measure that will still provide satisfactory protection;
  - c) not be expected to cause erosion or other physical damage to adjacent or down-current properties;
  - d) address compatibility with any adjacent shore protection works; and
  - e) be in compliance with the Regional District’s Marine Retaining Wall Policy B1-09.
7. Where a geotechnical report is required, it will form part of the development permit terms and conditions, which may include registration of a Section 219 covenant, prepared at the applicant’s expense and to the satisfaction of the Regional District.
8. Where protection from erosion is proposed as either new works or replacement, every effort will be made to design shoreline protection in accordance with the *Green Shores* programs of the Stewardship Centre of BC. These programs provide resources for, and examples of, shoreline

erosion protection involving creation or maintenance of low-angle slopes allowing for dissipation of wave energy, retaining native plants and habitat, and providing a natural appearance. Some *Green Shores* approaches rely on use of the beach below the natural boundary, which requires permission from the Province.

9. Where erosion protection works are proposed below the natural boundary, they should not obstruct public access along the foreshore or beach, and must be authorized by the Provincial Crown as owner of that land.
10. Heavy equipment shall not be permitted on the beach unless existing conditions do not permit upland access and, if required, mitigation methods acceptable to the Regional District shall be identified as part of the application. Procedures shall be in compliance with the Regional District's Marine Retaining Wall Policy B1-09, as amended or replaced from time to time. For commercial and multi-family developments, the *Green Shores for Coastal Developments* program of the Stewardship Centre of BC should be reviewed and referenced, and every effort made to design the development in accordance with its recommendations and best practices.
11. Entirely 'hard' structural shore protection measures such as concrete walls, lock block, or stacked rock (riprap), may be considered as a last resort only when a geotechnical and biophysical analysis demonstrates that:
  - a) the erosion is not being caused by upland conditions, such as the loss of vegetation and drainage associated with upland development;
  - b) all possible on site drainage solutions by directing drainage away from the shoreline edge have been exhausted;
  - c) Green Shores non-structural or structural measures are not feasible or not sufficient to address the stabilization issues;
  - d) it is not feasible to instead construct a retaining wall that meets the zoning bylaw setback;
  - e) the shore protection measure is designed so that neighbouring properties are not expected to experience additional erosion; and
  - f) all shore protection structures are installed upland of the present natural boundary of the sea.
12. Where the installation of a hydrothermal and geoexchange unit is proposed, the Regional District will require the applicant to provide a report by a Registered Professional Biologist with experience in marine ecology, to assess the potential impact of the proposed installation on the marine environment, public users of the foreshore, the anchoring of vessels, and First Nation shellfish harvesting, and provide recommendations to restore or enhance those areas impacted by the proposed development.
13. Where the applicant's biologist or other qualified professional recommends revegetation and/or enhancement works within the development permit area, the Regional District may require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour as determined by a Landscape Architect or other qualified professional.
14. The applicant may be required to provide confirmation to the Regional District that the property has been developed in accordance with the recommendations of the biologist or engineer, as applicable.



**Guidelines Applicable to Subdivisions and New Development**

15. Subdivisions should be designed so that the new lots will not require shore protection measures in order for useable, safe building sites to be created above the year 2100 flood construction level when considering sea level rise.
16. New development on steep slopes or bluffs shall be set back sufficiently from the top of the bluff to ensure that shore protection measures will not be necessary during the life of the structure, as demonstrated by a geotechnical analysis.
17. New driveways, parking lots, and wastewater disposal systems should not be located in the development permit area. If such a location cannot be avoided, the encroachment into the development permit area must be minimized, and the design and construction of the road, parking lot or wastewater disposal system be supervised by a qualified professional to ensure that the objectives and guidelines of the development permit area are met. These works may be required to be completed prior to final approval of the subdivision.

**Guidelines Applicable to Vegetation Management, Restoration and Enhancement**

18. If the area has been previously cleared of native vegetation or where clearing is proposed, replanting should be required in accordance with these guidelines and according to the recommendations of a Registered Professional Biologist. Where it is not practical to replace all vegetation that is or has been removed, replanting should be focused on the areas of highest ecological value such as foreshore dune grass ecosystems, trees suitable for eagle perching, or other areas identified in the biophysical assessment.
19. Vegetation species used in replanting, restoration or enhancement should be salt and wind tolerant, and selected to suit the soil, light and groundwater conditions of the site, should be native to the area, and be selected for erosion control and/or wildlife habitat values as needed. A minor amount of suitably adapted, non-invasive, non-native vegetation may also be considered acceptable subject to supportive recommendations in a biophysical report.
20. All replanting should be maintained by the property owner for a minimum of two years from the date of completion of the planting. This may require removal of invasive, non-native weeds (e.g., Himalayan Blackberry, Scotch Broom, English Ivy) and irrigation. Unhealthy, dying or dead stock should be replaced at the owner's expense within that time in the next regular planting season.

**Guidelines Applicable to Beach Nourishment and Upland Fill**

21. Fill on land above the natural boundary greater than 10 cubic metres in volume should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function. Such fills should be located, designed, and constructed to protect shoreline ecological functions and ecosystem-wide processes, including channel migration, and the Regional District may require a sediment and erosion plan prepared by a qualified professional.
22. Fill below (seaward of) the natural boundary should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function, typically as part of a beach nourishment design. This would also require permission from the Province.

**Guidelines Applicable to Commercial and Industrial Development**

5.1.5 Marine Coast Development Permit Area

23. New boating facilities that provide moorage shall not be constructed unless access is available to adequate and convenient facilities for pump-out of holding tanks.
24. New boat maintenance and repair facilities shall be designed, located and operated in a way that ensures there will be no discharge of toxic materials from boats (fuels, oils, maintenance by-products, etc.)
25. In order to minimize the impact on aquatic life, lighting of commercial and industrial developments built over the water surface should be kept to the minimum necessary for safety and visibility. Light fixtures on such sites should focus light on the area to be illuminated and avoid spillage of light into other areas. Fixtures should not result in glare when viewed from areas that overlook the sea. Low-glare fixtures with a high-cutoff angle should be used. Full-spectrum fixtures are preferred. Neon lighting should not be used outside buildings.
26. Signs on commercial and industrial developments built over the water surface should not move or be audible and should not incorporate lighting that moves or flashes or gives the impression of doing so.

**Guidelines Applicable to Boat Launch Facilities or Ramps**

27. Boat launch ramps are the least desirable of all water access structures and may only be located on stable, non-erosional banks where a minimum amount of substrate disturbance or stabilization is necessary. Ramps should be kept flush with the slope of the foreshore to minimize interruption of natural geo-hydraulic processes. The ramp width should be minimized, and paved strips versus a full concrete pad is preferable. Development Permit applications must demonstrate all applicable provincial and federal guidelines have been followed and approvals are in place.

### 5.1.6 Hazard Lands Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.*

#### APPLICABILITY

A development permit is required for the following activities unless specifically exempt:

1. alteration of land, placement of fill, disturbance of soils, including grubbing, scraping and removal of top soils;
2. construction or erection of buildings and structures;
3. creation of non-structural impervious or semi-pervious surfaces; and,
4. subdivision of land.

#### EXEMPTIONS

The following activities are exempt from requiring a development permit:

1. Development or alteration of land to occur outside the designated development permit area, as determined by a BC Land Surveyor or by the Regional District.
2. Where there is no flooding or steep slope hazard, confirmation of which may require a letter from a Professional Engineer.
3. The construction of buildings and structures in accordance with the RDN Floodplain Management Bylaw No. 1469, 2006 or a subsequent Floodplain Bylaw, where there is no proposed land alteration, placement of fill, or modification to land within the floodplain outside of the building footprint beyond minor soil disturbance resulting from normal construction practices.
4. Where a geotechnical report for a proposed building or structure is provided to the building inspector and a s.219 covenant regarding building on the land is registered on the title to the land, in circumstances where there is no proposed alteration of land, including placement of fill, other than minor soil and vegetation disturbance of a type and to an extent that is usual in normal construction practices.
5. On a lot where the hazard is not due to a steep slope, a second storey addition to an existing structure provided the building footprint remains the same.
6. The construction of a small accessory building or structure if all the following apply:
  - a) the building is located within an existing landscaped area;
  - b) no native trees with a diameter at breast height of 20 centimetres or greater are removed;
  - c) is moveable by being not directly affixed to the ground;
  - d) the building is located a minimum of 10 metres from the high water mark of a watercourse or waterbody or, where a slope greater than 3:1, 10 metres from the top of the slope; and

- e) the total area of the small accessory building is less than 10 metres square.
- 7. The construction of a fence.
- 8. In the case of an application to subdivide, a development permit is not required where:
  - a) minimum lot areas are met exclusive of the development permit area; and
  - b) no development activities (such as grading, clearing, trenching, installation of pipes, etc.) relating to the creation of lots or provision of services for those lots will occur within the development permit area.
- 9. Subdivision involving only lot line adjustment or lot consolidation. For lot line adjustment to be exempt there must be sufficient developable area outside the development permit area as confirmed by the Regional District, BC Land Surveyor, or Professional Engineer, and there are no works proposed within the development permit area.
- 10. Removal of trees deemed hazardous by a certified Arborist or Registered Professional Forester that pose an imminent threat to buildings or life safety. Removal of hazardous trees that also contain an eagle or heron nest is exempt only if a permit under the *Wildlife Act* has been obtained.
- 11. The small-scale, manual removal of non-native invasive plants or noxious weeds or planting of non-invasive, native vegetation on a small scale conducted in accordance with best practices such as the Invasive Plan Council of BC's 'Grow Me Instead' publication.
- 12. The activity is part of a farm operation as defined by the *Farm Practices Protection (Right to Farm) Act*, is a permitted farm use as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedures Regulations*, and the lands are assessed as 'farm' under the *BC Assessment Act*. The farm operation of land clearing is only exempt from the requirement of a development permit if conducted in accordance with a current Environmental Farm Plan (less than five years old); otherwise, land clearing as part of a farm operation is not exempt. Note that other provincial legislation such as the *Waste Management Act* and the *Water Sustainability Act* may apply to farm operation activities.
- 13. Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
  - a) emergency flood or protection works;
  - b) clearing of an obstruction from bridge, culvert, or drainage flow; repairs to bridges and safety fences;
  - c) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District or Ministry must be reported to the Regional District and applicable Ministry immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

- 14. Digging of observation holes for percolation testing under supervision of a Registered Onsite Wastewater Practitioner or Professional Engineer, and digging of test pits for geotechnical investigation under supervision of a Professional Engineer.

5.1.6 Hazard Lands Development Permit Area

15. Works conducted and/or approved by the Regional District, Department of Fisheries and Oceans and/or Ministry of Environment with respect to trail construction, stream enhancement, fish and wildlife habitat restoration and in-stream works as defined by Section 11 of the *Water Sustainability Act*.
16. All forest management activities on lands subject to the *Forest Act* or *Private Managed Forest Land Act* and classified as 'Forest Lands' on the property assessment.
17. Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area guidelines as determined by the Regional District.

**GUIDELINES**

**General Guidelines**

1. An assessment report prepared by a Professional Engineer or Geoscientist with experience in geotechnical engineering, geohazard assessment or river hydrology, as applicable, shall be required to assist in determining what conditions or requirements shall be included in the development permit so that the proposed development is protected from the hazard, and no increase in hazard is posed to existing development on or near the subject property.
  - a) The assessment report should include a site plan identifying areas susceptible to the flooding, erosion or steep slope hazard, location of watercourses, existing natural vegetation, on site topography, and the location of the proposed development.
  - b) The assessment report must include a statement from the Professional Engineer that states in their opinion that the property is safe for the intended use.
  - c) The assessment report will form part of the development permit terms and conditions, and which may include registration of a Section 219 covenant, prepared at the applicant's expense and to the satisfaction of the Regional District.
2. It should be demonstrated that locating development entirely outside of the development permit area has been considered, and a description of why that is not being proposed should be provided. It should be demonstrated that variances to minimize development in the development permit area have been obtained or considered.
3. Where the assessment report recommends revegetation and/or enhancement works, the Regional District may require the applicant to submit a landscaping plan and a security deposit equal to the total estimated costs of all materials and labour as determined by a Landscape Architect or other qualified professional to the satisfaction of the Regional District.
4. Development should:
  - a) be designed to ensure that development can withstand the hazard;
  - b) take a form that minimizes the development with any hazardous areas and minimizes impact on the natural features including vegetation, that help to mitigate flood and/or erosion risk; and
  - c) be conducted at a time of year, and use construction methods, that minimize the impact on the development permit area.

5. Prior to construction commencing, the installation of temporary fencing or flagged stakes marking any areas to be avoided due to either hazardous conditions or to avoid disturbance to a sensitive vegetation that plays a role in mitigating the hazard, is required.

**Guidelines related to flood hazard**

6. Development or subdivision of land should be designed to:
  - a) replicate the function of a naturally vegetated watershed;
  - b) maintain the hydraulic regime of surface and groundwater and pre-development flow rates; and
  - c) not interfere with groundwater recharge.
7. Wetlands and other natural water features should be maintained in their natural state to enhance natural flood storage and protect environmentally sensitive ecosystems. Restoration of previously impacted natural freshwater systems should be considered in this development permit area to improve flood hazard mitigation.
8. Site development shall preserve natural vegetation where it contributes to flood protection and mitigation.
9. Where the placement of fill is proposed within a floodplain, the fill must not restrict the passage of flood waters, redirect flood flows, decrease natural flood storage, or result in higher flood flows or flood potential elsewhere in the floodplain. The Regional District may require a report by a Professional Engineer that ensures the placement of the proposed fill would not restrict the passage of flood waters, redirect flood flows, decrease natural flood storage, or result in higher flood flows or flood potential elsewhere in the floodplain.

**Guidelines related to steep slopes**

10. No unnecessary disturbance of the steep slope shall be permitted. Site development shall preserve natural vegetation on steep slopes and retain the natural terrain, topography of the site, and minimize cutting into the slopes.
11. Development at the top and toe of a steep slope should be designed to prevent negative impacts to slope stability and protect development from the hazard. The assessment report should include recommendations for development such as drainage management, landscaping, and proximity of buildings and structures to the slope.



### 5.1.7 Farmland Protection Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.*

#### APPLICABILITY

A development permit is required for the following activities wherever they occur within the Development Permit Area, unless specifically exempted:

1. Subdivision of land as defined in the *Land Title Act* or bare land strata under the *Strata Property Act*.
2. For Electoral Areas A, E and G only where the lot is greater than 5000m<sup>2</sup>:
  - a) alteration of land, disturbance of soils, including grubbing scraping and removal of top soils;
  - b) construction or erection of buildings and structures; and
  - c) creation of non-structural impervious or semi-pervious surfaces.

#### EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Development on lands within the ALR.
2. Development in accordance with an existing covenant for maintenance of a landscaped buffer related to adjacency of the ALR.
3. Lands zoned industrial, and proposed to be or being used for industrial purposes.
4. Subdivision where each proposed lot within the DPA have a minimum lot depth of 50 metres measured perpendicular from the ALR boundary.
5. The activity is part of a farm operation as defined by the *Farm Practices Protection (Right to Farm) Act*; is a permitted farm use as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedures Regulations*; and the lands are assessed as 'farm' under the *BC Assessment Act*. The farm operation of land clearing is only exempt from the requirement of a development permit if conducted in accordance with a current Environmental Farm Plan (less than five years old); otherwise, land clearing as part of a farm operation is not exempt. Note that other provincial legislation such as the *Waste Management Act* and the *Water Sustainability Act* may apply to farm operation activities.
6. Construction of a building or structure located further than 15 metres from the boundary of the ALR.
7. Land alteration, disturbance of soils, including grubbing, scraping and removal of top soils greater than 15 metres from the boundary of the ALR.
8. Maintenance of existing buildings and structures.
9. Reconstruction of, redevelopment of, additions (including second storey), or alterations to an existing dwelling unit or other building or structure within the development permit area

provided the changes do not result in the buildings or structures being located further within the DPA than the existing buildings or structure.

10. Construction of one access driveway provided it is no more than 9.0 metres in width.
11. The construction of a fence provided the area being disturbed to allow for construction and maintenance is 3.0 metres or less in width, and no trees with a diameter at breast height of 10 centimetres or more are being removed.
12. Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
  - a) emergency flood or protection works;
  - b) clearing of an obstruction from bridge, culvert, or drainage flow, repairs to bridges and safety fences;
  - c) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the Federal *Fisheries Act*.
  - d) notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District or Ministry must be reported to the Regional District and applicable Ministry immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.
13. Removal of trees deemed hazardous by a certified Arborist or Registered Professional Forester that pose an immediate threat to buildings or life safety. Removal of hazardous trees that also contain an eagle or heron nest is exempt only if a permit under the *Wildlife Act* has been obtained.
14. The small-scale, manual removal of non-native invasive plants or noxious weeds or planting of non-invasive, native vegetation on a small scale conducted in accordance with best practices such as the Invasive Plant Council of BC's 'Grow Me Instead' publication.
15. All forest management activities on lands subject to the *Forest Act* or *Private Managed Forest Land Act* and classified as 'Forest Lands' on the property assessment.
16. Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area guidelines as determined by the Regional District.
17. The construction of a small accessory building or structure if all the following apply:
  - a) the building or structure is located within an existing landscaped area;
  - b) no native trees with a diameter at breast height of 20 centimetres or greater are removed;
  - c) there is no permanent foundation;
  - d) the building or structure meets setbacks in the zoning bylaw; and
  - e) the total area of the small accessory building or structure is less than 10 square metres.

**GUIDELINES**

1. A 15 metre wide vegetated buffer should be retained or established and maintained on land adjacent to an ALR boundary. The buffer shall generally be designed and landscaped using materials set out in *Guide to Edge Planning: Appendix B*, published by the BC Ministry of Agriculture, or any subsequent editions.
2. Within the vegetated buffer area mature trees and existing native vegetation shall be preserved and where possible integrated with the new landscaping. The planting of trees is strongly encouraged.
3. Plant layout, spacing and support shall generally be in accordance with *Guide to Edge Planning: Appendix B*, published by the BC Ministry of Agriculture, or any subsequent editions. The planting material should include non-invasive, low maintenance, native vegetation that can thrive with little or no fertilizer.
4. Where the introduction of vegetation is required within the development permit area, the Regional District may require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified person to the satisfaction of the Regional District.
5. New buildings and structures, except for fencing, should not be situated within the 15 metre vegetated buffer area.
6. Despite the above guidelines, a vegetated buffer of less than 15 metres may be considered in cases where 15 metres is not possible due to existing lot size or other natural or human-made constraint, and buildings or structures may be located within the 15 metres area where it is shown there are no other practical options. Where the buffer area is proposed to be less than 15 metres, as much existing buffering vegetation as possible should be retained or enhancement of vegetation and/or construction of fencing should be undertaken.
7. The vegetated buffer should be installed prior to commencing construction or land alteration, or prior to final subdivision approval.
8. A Section 219 covenant as per the *Land Title Act* may be required to restrict the removal of vegetation and the construction of any buildings or structures other than fencing within the buffer area, and notify any future property owner that the lot is adjacent to the ALR where normal farm practices may produce noise, odour, dust or other impacts.
9. Subdivision design must minimize the impacts that may occur between farm and non-farm uses on adjacent ALR lands including but not limited to the following:
  - a) Site design to allow the clustering of lots, buildings or structures away from ALR lands.
  - b) Avoid road endings or stubs which point directly into the ALR, and half roads along the ALR boundary, except where required for access by farm vehicles.
  - c) Where a parkland dedication is required, the dedication should be located next to the ALR boundary and include the required vegetated buffer.
10. Fencing should be constructed generally in accordance with *Guide to Edge Planning: Appendix C – Fencing Specifications*, published by the BC Ministry of Agriculture, or any subsequent editions.

### 5.1.8 Yellow Point Aquifer Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the Electoral Area A Official Community Plan.*

#### APPLICABILITY

A development permit is required for the following activities unless specifically exempt:

1. Subdivision of land as defined in the Land Title Act or the Strata Property Act; and,
2. Construction, alteration, or erection of a dwelling unit(s).

#### EXEMPTIONS

The following activities are exempt from requiring a development permit:

1. Subdivision of land which results in three or fewer lots and the parcel proposed to be subdivided has not been subdivided within the past five years.
2. Land alteration.
3. Construction of a dwelling unit or subdivision of land on lands serviced by a community water system.
4. Construction and/or alteration of accessory buildings, agricultural buildings, structures and fencing.
5. Construction or renovation to commercial, institutional, recreational, and industrial buildings.
6. All additions or alterations to an existing dwelling unit.
7. The replacement or reconstruction of an existing dwelling unit with another dwelling unit within the same basic footprint.
8. Construction of a secondary suite.
9. Construction of a dwelling unit where the applicant demonstrates that there is:
  - a) A well that existed prior to July 26, 2011 which produces a minimum of 3.5 m<sup>3</sup> per day year round that will be connected to the proposed dwelling unit;
  - b) an existing (prior to July 26, 2011) water license with capacity to satisfy at least 30% of total household water use for a 90 day period; or
  - c) a valid approved source of water which is not groundwater that is currently in use and has adequate capacity to satisfy at least 30% of total household water use for a 90 day period.
10. Construction of a dwelling unit where the dwelling unit:
  - a) Is not to be connected to a groundwater source; and,
  - b) Is entirely serviced with water through stored and treated rainwater which meets or exceeds Canadian Drinking Water Standards.

Note: for exemption 10 above, prior to the issuance of a building permit, a report from an Engineer or other qualified professional may be required to satisfy the Regional District that the proposed rainwater

system has adequate capacity to meet the year round water demands of the dwelling unit being proposed and that the water will be stored and treated to Canadian drinking water standards.

## **GUIDELINES**

### **A. For subdivision, the following guidelines apply:**

1. Where property is proposed to be subdivided and more than three parcels, including the remainder (if applicable) are proposed, the Regional District shall require the applicant to supply a report prepared by a professional Hydrogeologist or engineer registered in the province of British Columbia and experienced in hydrogeological investigations which includes the following:
  - a) An assessment of the characteristics and behavior of the aquifer at its most stressed time of the year which includes two cross sections which define the groundwater body and determine where the water comes from. The assessment must also examine the location of proposed wells and their interaction with the Yellow Point Aquifer;
  - b) The results and professional interpretation of a minimum 72 hour pumping test to occur in at least one location within the lands being subdivided or a greater number as recommended by a professional hydrogeologist or engineer based on the scale of development and aquifer characteristics;
  - c) An assessment of seasonal water table fluctuations and the ability of the Yellow Point aquifer to provide a sustainable water supply which satisfies the additional groundwater demand without impacting adjacent rural properties or restricting or limiting the availability of water supply for agricultural irrigation;
  - d) An assessment of the potential for salt water intrusion as a result of the proposed water extraction which is required to service the proposed development; and,
  - e) Identification of key recharge points located on the subject property and recommended measures to protect them.
  - f) Recommendations to address the impacts on groundwater quality and quantity identified through the assessments outlined in sections 1.i – v.

The Regional District shall require the applicant to implement the report's recommendations in the proposed development and the recommendations shall become conditions of the development permit.

2. The Regional District may require, at the applicant's expense, and to the satisfaction of the Regional District, a Section 219 covenant registering the Hydrogeologist's and/or engineer's report on the title of the subject property.
3. The Regional District may require the applicant to install a groundwater monitoring device in at least one well within the proposed subdivision. The Regional District may require an agreement be registered on title to allow the Regional District to access the property to collect data from the device
4. Where rainwater management is recommended by the report identified in Guideline 1 above, rainwater must be retained on site and managed using methods such as vegetated swales, rain gardens, or other methods which allow rainwater to return to the ground.

### **B. For the construction of a dwelling unit the following guidelines apply:**

**Siting of Buildings and Structures**

1. Dwelling units must be sited to allow for the optimal placement of a gravity fed rainwater collection tank which collects rainwater from the roof leaders of the dwelling unit which captures the majority of the rainwater flows.
2. Water storage tanks should be sited in the least obtrusive way possible from the neighboring properties.
3. A site plan should be provided illustrating the location of the proposed water storage tank(s) in relation to the proposed dwelling unit and adjacent property lines. The site plan should illustrate the rainwater harvesting system components and may be prepared by the applicant provided it is drawn to scale and is legible.

**Form and exterior design**

4. Dwelling units should be designed to optimize opportunities for rainwater capture for the intended use and corresponding cistern volume.
5. Roof surface materials should be selected to accommodate the type of rainwater harvesting system being proposed.

**Specific features in the development**

6. Impervious surfaces should be minimized. The use of impervious paved driveways is discouraged.

**Machinery, equipment, and systems external to buildings and other structures**

7. The Regional District shall require that all new dwelling units include a rainwater harvesting system which is designed to satisfy a minimum of 30% of the total household water use (indoor and outdoor) for a minimum of 90 consecutive precipitation free days.
8. Rainwater harvesting systems should target a minimum rainwater storage tank volume of 18,181 litres (4,000 Imperial Gallons). Larger tank sizes are also supported. This figure was derived based on the following information and calculation:

- Average total household water use the RDN is 704 litres per day
- 30% of the total household water use is for outdoor non-potable use
- Storage must satisfy 100% of outdoor watering needs for a 90 day period

Minimum tank volume is calculated as follows:

Average household use per day  $\times$  0.3  $\times$  90 days = minimum water storage tank volume

$$704 \text{ litres} \times \frac{30}{100} \times 90 \text{ days} = 19,008 \text{ litres}$$



9. Notwithstanding Guideline 8 above, a water storage tank with a lesser volume may be supported where an assessment of total household water use (indoor and outdoor) prepared by a registered plumber, accredited rainwater harvesting professional, or Engineer is provided, and the applicant is proposing to satisfy a minimum of 30% of total household use for a minimum of 90 consecutive precipitation free days with a rainwater harvesting system.
10. Rainwater harvesting systems may, at the applicant’s discretion, be designed for non-potable outdoor use, non-potable indoor use, or potable drinking water use. The design of such systems must reflect their intended use.
11. The rainwater harvesting system design must, at minimum, consider and include the following components:
  - a) Roofing materials that are appropriate for the type of rainwater harvesting system being proposed.
  - b) Gutters, downspouts, and transport piping to move the rainwater collected on the roof towards the water storage tank and beyond to its end use.
  - c) Debris removal, filters, and first flush diverter sized and designed to accommodate the proposed rainwater harvesting system.
  - d) Provisions for tank overflow.
  - e) A water storage tank(s) rated for potable use while it is strongly recommended that all other components be rated for potable use.
  - f) A pumping system to move the rainwater and distribution system.
  - g) Rainwater filtration, purification, and disinfection (in the case of potable systems).
12. Rainwater harvesting systems should be designed to facilitate additional storage volume and future connection to the dwelling unit.
13. All external pipe, plumbing fixtures, and hose bibs where rainwater is used shall be clearly marked with “Non-Potable Water Do Not Drink” as shown in Diagram 2 at right.
14. Although not a requirement of these Development Permit Area Guidelines, where non-potable rainwater harvesting equipment is required, the Regional District shall encourage the applicant to install dedicated plumbing lines within proposed dwelling units to make use of stored rainwater for flushing toilets and other non-potable uses. The Regional District shall assist the applicant in obtaining the necessary building permit approvals.



## DEFINITIONS

**Total household water use** means the sum total of all water use in a household during a typical hot dry summer day including gardens and lawns, baths and showers, kitchen (dishwasher, etc.), toilet flushing, laundry, car washing, drinking, property maintenance, and other outdoor uses.

### 5.1.9 South Wellington Industrial – Commercial Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the Electoral Area A Official Community Plan.*

#### APPLICATION

A development permit is required for the following activities unless specifically exempt:

1. Alteration of land, disturbance of soils, including grubbing, scraping and removal of top soils;
2. Construction, alteration, or erection of buildings and structures; and,
3. Creation of non-structural impervious or semi-pervious surfaces;

#### EXEMPTIONS

1. A development permit shall not be required for the construction, renovation, or addition to single or duplex dwelling units or accessory residential buildings.
2. A development permit shall not be required for the subdivision of land.
3. A development permit shall not be required for alterations or additions to a building which do not require a building permit. This exemption excludes new signage which shall require a development permit.

#### GUIDELINES

##### General Design

1. The Regional District shall require building elevations prepared by an architect or other qualified designer.
2. The use of non-combustible building materials is encouraged and where feasible locally produced natural building materials should be incorporated in to the design without compromising the building or structure's fire resistance.
3. There shall be no net increase in peak rainwater run-off from the land to adjoining lands.
4. Development of land should be designed to:
  - a) Replicate the function of a naturally vegetated watershed;
  - b) Maintain the hydraulic regime of surface and groundwater and pre-development flow rates;
  - c) Not interfere with groundwater recharge; and,
  - d) Not introduce or remove materials where it would cause erosion of or the filling in of natural watercourses and/or wetlands.
5. Public open space and pedestrian walkway linkages to adjacent neighbourhoods which complement existing parks and recreation opportunities and reduce automobile dependence shall be encouraged.
6. The use of energy efficient building materials, techniques, and practices that reduce the amount of energy consumption shall be encouraged.

7. The use of rainwater catchment and reuse as well as other water conservation devices and strategies shall be encouraged.
8. Buildings and structures, located on parcels adjacent to the Tran Canada Highway, South Wellington Road, or Schoolhouse Road, shall generally be sited and shaped in a visually unobtrusive manner.

#### **Parking and Loading**

9. Parking and loading areas shall generally be located to the rear of buildings, should be screened from view from the Trans Canada Highway and adjacent residential uses and be located outside of the minimum required zoning setback, unless a variance is being considered. Screening should consist of landscaping, fencing, or a combination of landscaping and fencing. Parking areas should include landscaped areas, defined by concrete curbs, to provide visual breaks between clusters of approximately ten stalls.
10. Vehicular and truck movement patterns must be illustrated on the site plan submitted by the applicant to ensure adequate circulation. A Professional Engineer may be required to ensure that adequate lane widths and turning radiuses are provided for all forms of vehicles intended to use the property.
11. Provision should be made for public transit, emergency vehicles, delivery and service vehicles.
12. Safe and effectively designed and located internal roadways, entrance points, parking areas, pedestrian paths, and open spaces shall be provided.

#### **Landscaping and Screening**

13. The applicant may be required to submit a landscaping plan prepared by a landscape architect or equivalent designer which meets the current edition of the British Columbia Landscape Standard and satisfies the following objectives:
  - a) To use a variety of drought tolerant deciduous and evergreen native plant species that are best suited to the site specific growing conditions;
  - b) To minimize water consumption through means such as micro-irrigation and xeriscaping;
  - c) To provide visual separation from the Tran Canada Highway and compatibility with surrounding single residential uses;
  - d) To improve the aesthetic appeal of the development;
  - e) To assist in the safe movement of pedestrians throughout the site;
  - f) To reduce the amount of impervious surfaces on the site;
  - g) To complement the development and surrounding uses;
  - h) To establish or enhance habitat values on the development site where appropriate; and/or,
  - i) To shade the development from the summer sun.
14. The landscaping plan must be drawn to scale and show the type, size, and location of proposed landscaping and shall be submitted with the development permit application.

15. At minimum, and in addition to the requirements specified in Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 as amended or replaced from time to time, the landscape design should provide:
  - a) A continuous landscaped screen area of at least 2.0 metres in width along the inside of all property lines, excluding access points and adjacent to all roads and highways;
  - b) Where landscaping is for the purpose of visual separation, a minimum height of 5.0 metres once mature; and,
  - c) A landscape buffer of at least 5.0 metres in width to create spatial separation between non-residential and residential zoned properties and should contribute towards the objectives identified in Policy 20 above.
16. Notwithstanding Policy 20 above, the landscaped buffer width and enhancement works adjacent to any watercourse shall be determined by a Qualified Environmental professional and shall work towards Policy 20(h) above– to establish or enhance habitat values on the development site.
17. Development should be sited in a manner that minimizes the disturbance of existing native vegetation.
18. Vegetation species used in replanting, restoration, and enhancement shall be selected to suit the local soils; light conditions, and groundwater regime of the site and should be native to the area, and where applicable, selected for erosion control and/or fish and wildlife habitat values.
19. All landscaping shall require the following minimum depth of topsoil or amended organic soils on all landscaped areas of a property:
  - a) Shrubs – 45 cm;
  - b) Groundcover and grass – 30 cm; and,
  - c) Trees – 30 cm around and below the root ball.
20. Where irrigation is required to maintain proposed landscaping, it should be designed by an Irrigation Industry Association of British Columbia certified irrigation designer and be installed by an irrigation industry association of British Columbia irrigation contractor or other equivalent to the satisfaction of the Regional District.
21. The Regional District shall require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other similarly qualified person to the satisfaction of the Regional District to be released upon final inspection by a landscape architect or other similarly qualified person to the satisfaction of the Regional District.
22. Garbage and recycling containers shall be screened with landscaping and solid gated fencing to a minimum height of 2.0 metres. Similarly, utilities, service kiosks, meters, elevator housing, exhaust elements, satellite dishes, etc. shall be screened with fencing, landscaping, or a combination of the two.
23. Chain link fencing shall be used only when screened by landscaping. Decorative fences are encouraged which complement the materials used for the principle building.

**Site Illumination and Signage:**

24. Lighting should be designated for security and safety. However, there should not be glare on neighbouring properties, adjacent roads or light directed towards the sky.
25. All new, replacement, and upgraded exterior lighting in existing and proposed developments shall be Full Cut-off Flat Lens (FCO/FL) luminaries to light roads, parking, loading, and pedestrian areas. Exterior building lighting will also be required to have FCO lighting fixtures.
26. The size, location, and design of freestanding signage shall be architecturally integrated with the overall design of the buildings and landscaping. The design of fascia signs containing individual business signage shall be integrated into the design of the building.
27. Signage should be visually unobtrusive; particular emphasis should be given to signage which is aesthetically pleasing and requires a minimal amount of lighting or boldness to be effective. No video, reader board, neon, or LED signs will be supported.
28. Where there is a conflict between these DPA guidelines and the [RDN Sign Bylaw No. 993, 1995](#), these guidelines shall prevail. However, a variance to the sign bylaw may be required.

**Pedestrian and Cyclist Considerations:**

29. Pedestrian sidewalks or defined pathways connecting building entrances to and through parking areas and sidewalks or road right of ways of the adjacent streets should be provided.
30. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of a clearly delineated pathway or durable low maintenance surface material such as pavers, bricks, or concrete to enhance pedestrian safety and comfort as well as the attractiveness of the walkways.
31. Bicycle parking facilities should be considered at grade near primary building entrances.

### 5.1.10 Cedar Main Street Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the Electoral Area A Official Community Plan.*

#### APPLICATION

A development permit is required for the following development activities unless specifically exempt:

1. Alteration of land or disturbance of soils such as grubbing, scraping, and removal of top soils;
2. Construction, alteration, or erection of buildings and structures; and,
3. Creation of non-structural impervious or semi-pervious surfaces.
4. Subdivision of land(s).

#### EXEMPTIONS

A Development Permit shall not be required for the following:

1. Construction, renovation, or addition to a single or duplex dwelling unit or accessory residential building on a lot.
2. The replacement or repair of an existing sign provided that the sign is not enlarged or moved and is replaced with the same type of sign (i.e. fascia, freestanding, canopy, etc.).
3. Subdivision of land, except in the case of subdivision for intensive residential<sup>1</sup>.
4. Renovations or alterations within a building.
5. Alterations or additions to a building which do not require a building permit, except where new signage requires a development permit.
6. Development activities that are not visible from Cedar Road or other public spaces.
7. Invasive species removal on lands located outside of the 30 metre Riparian Assessment Area or the Streamside Protection and Enhancement Area as established by a Qualified Environmental Professional.
8. Construction of unattended public utilities.
9. Construction of an attended public utility and related accessory buildings and structures (excluding government office) such as a water treatment facility, shall be exempt from DPA guidelines in the following categories: General Guidelines, Building Massing, Site Planning and Pedestrian Design, Façade Design and Architectural Detailing.

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<sup>1</sup> For the purpose of this DPA, intensive residential shall mean any residential development with an average minimum parcel size less than 2000 m<sup>2</sup> or density greater than 5 dwelling units per ha whether fee simple or strata.



### **VARIANCES TO BYLAW NO. 500**

The requirements of this Plan may not be consistent with the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987. Where there is inconsistency between Bylaw No. 500 and these DPA Guidelines, a variance to Bylaw No. 500 may be required to meet the intent of this Plan.

### **PERMIT SECURITY**

1. The Regional District may require applicants for any development permits within the Cedar Main Street Development Permit Area to provide security in the form of cash or an unconditional, irrevocable and automatically renewing letter of credit in cases where:
  - The Regional District considers that damage to the natural environment (including ground and surface water) could result as a consequence of a contravention of a condition in a development permit issued;
  - The permit holder is required to retain, restore or replace vegetation;
  - The permit holder is required to provide landscaping; and/or,
  - The permit holder is required to provide onsite rainwater management.

The amount of these securities shall be determined by a qualified person and shall be sufficient to cover the cost of materials and labour.

### **GUIDELINES**

The Cedar Main Street Development Permit Area Guidelines are organized into the following ten categories.

- |  |                            |
|--|----------------------------|
| 1. General Guidelines                  | 6. Architectural Detailing |
| 2. Building Massing                    | 7. Landscape Design        |
| 3. Site Planning and Pedestrian Design | 8. Signage                 |
| 4. Green Building                      | 9. Lighting                |
| 5. Façade Design                       | 10. Parking and Loading    |

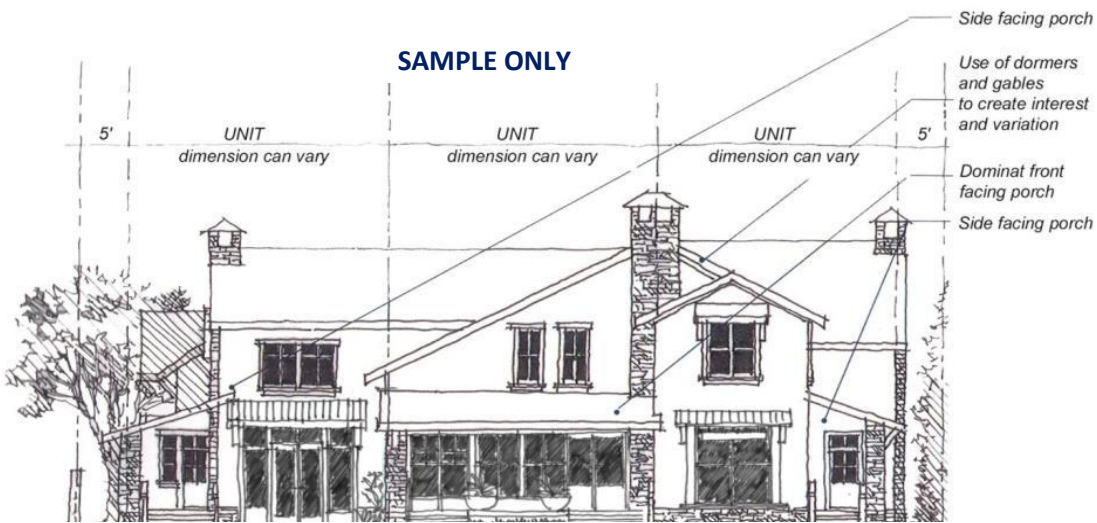
Development applications must generally satisfy all applicable Development Permit Area Guidelines in order for staff to recommend approval of a Development Permit application.

#### ***General Guidelines***

1. Development is encouraged to incorporate design elements and reflect the general intent of the Design Ideas included in Sections 3 and 4 of the Cedar Main Street Village Plan.
2. Where new or alterations to buildings and structures are proposed, the Regional District may require building elevations prepared by an architect or other qualified designer.
3. In the case of subdivision for intensive residential development, each dwelling unit shall be designed in a way which is consistent with the direction provided in this Development Permit Area. Building elevations showing how the proposed buildings comply may be required and may be secured at the time of subdivision through the use of a Section 219 covenant.

**BUILDING MASSING**

4. A variety of architectural styles shall be used that create visual interest, complement adjacent buildings, and reflect local culture and history. Applicants are encouraged to refer to the Visual Preference Exercise results contained in the Final Charrette Report dated June 2012 for inspiration.
5. Larger buildings (>12 metres in width) shall be designed in such a way as to avoid large flat building expanses which are visible from Cedar Road. Large expanses shall include trim, design features (such as windows, gables, projections, and porches), varied façade materials, and architectural design.



**Sample** of how a larger building could be designed to avoid large flat building expanses.

6. Larger buildings should be consistent with the height and emerging character of other buildings on the street.
7. Smaller buildings ( $\leq 12$  metres in width) should include one or more of the following design features:

- a) Design which maintains a residential scale and simplicity in façade and roof design;
- b) Generous first floor heights;
- c) Front porches or patios;
- d) A vertical orientation not in a rancher style;



**SAMPLE:** Building with vertical orientation



5.1.10 Cedar Main Street Development Permit Area

- e) Gable ends of the roof facing Cedar Road. (exceptions can be made for flat roofed buildings and buildings utilizing passive solar and requiring certain roof orientations; and,
  - f) Architectural design which compliments adjacent buildings through contrasting roof orientations and shapes. Roof design that provides usable space through dormers and gables is strongly encouraged.
8. Multi-tenant/Multi-use buildings should include independent entrances and visual separation between uses. Visual separation could include both colour, façade, and/or other design elements.
9. New buildings should appear to be two storeys as viewed from Cedar Road.
10. A third floor can be included where:
- a) It is fully contained within the roof and the building.
  - b) It maintains a two storey appearance from Cedar Road.
  - c) The building meets the fire protection and rescue requirements of the North Cedar Fire Department.<sup>2</sup>
11. Buildings should emphasize a 'small town' or 'rural' scale and should utilize a variety of heights, varied building faces, and artistic design features to add interest to the streetscape.



Example of third floor space built into the roofscape.

SAMPLE ONLY



Example of how topography could be used to support of third storey within the roof on the downslope side of a parcel.

**SITE PLANNING AND PEDESTRIAN DESIGN**

<sup>2</sup> Applicants may be required to submit correspondence from the North Cedar Fire Department regarding both fire protection and rescue.

5.1.10 Cedar Main Street Development Permit Area

12. Travel ways which straddle lot lines to accommodate shared access and/or parking facilities are preferred. Travel ways should be avoided between every building.
13. Mixed use and commercial buildings shall be located in close

SAMPLE ONLY



- Third floor space which shall be built into the through hand frame
- Travel ways which straddle lot lines are preferred.
- Parking shall not be located between buildings.
- Storefront entrances covered from the elements
- Provide bicycle racks
- Where on-street parking is possible it shall be used in the overall parking counts.



Example of a covered walkway

Illustration of desirable design elements such as mixed on and off street parking and shared travel ways between developments.

proximity to the sidewalks and the pedestrian space.

14. Design, siting, and construction of sidewalks shall be determined through discussions with the owner/developer and MOTI where applicable.
15. Where mixed use or commercial buildings are proposed, avoid large spaces between buildings.
16. Maximize opportunities for the creation of accessible public space such as patios, plazas, and courtyards.
17. The use of drive-through shall not be part of building or site design.
18. For commercial and mixed-use developments continuous weather protection for pedestrians should be provided on the exterior of the building. This can be accomplished in a number of ways including:

- a) Maintaining covered porch areas adjacent to building entrances;

SAMPLE ONLY

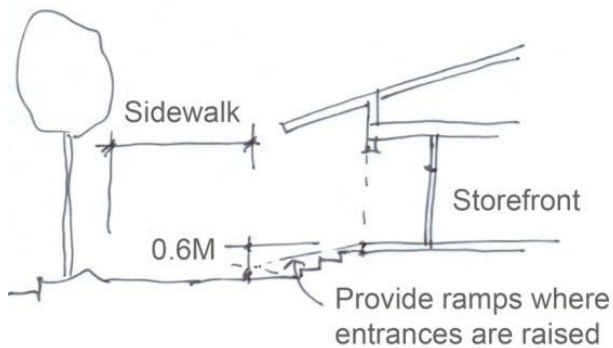


Illustration of commercial building storefront located in close proximity to the sidewalk.



5.1.10 Cedar Main Street Development Permit Area

- b) Providing canopies above storefront doors constructed of wood or other quality, durable materials which are colour-fast and resistant to deterioration caused by dampness; and,
  - c) Extending roof elements at least 1.8 metres past the building envelope provided the roof above is no more than 5.5 metres in average above the storefront threshold.
19. Safe, convenient pedestrian routes for all units should be provided from the unit to an abutting street. All pedestrian access points and routes should be designed for universal access to accommodate persons with disabilities.



20. Where the possibility for view exists, the protection and creation of view corridors towards York Lake or the Nanaimo River should be incorporated in a site's design.
21. Where a building is adjacent to Cedar Road, its principal elevation should be oriented towards Cedar Road and designed in such a manner as to promote a lively energetic, pedestrian-oriented, streetscape. Residential developments proposed to be screened from Cedar Road are exempt from this guideline.
22. Buildings located on corner lots should be oriented towards both streets and building design should add significant prominence to the corner.
23. Outdoor seating areas should be provided.

**GREEN BUILDING**

24. The use of rainwater harvesting for landscape irrigation and other indoor and outdoor non-potable uses should be used. The use of potable rainwater harvesting

SAMPLE ONLY



Example of an outdoor seating area on a corner lot

systems for potable is encouraged<sup>3</sup> where supported by a report from a Professional Engineer or other qualified person that the system<sup>4</sup> produces water that meets or exceeds Canadian Drinking Water Standards in a quantity sufficient for the proposed use.

25. Sites should be evaluated for passive solar gain opportunities. On sites with substantial solar exposure, buildings should be sited, designed, and landscaped to take advantage of passive solar gain in winter and reduce sun exposure in summer.
26. Electric vehicle charging stations are encouraged.
27. All new commercial, mixed use, and multi-unit residential buildings within the Development Permit Area should strive to achieve a third party certification such as built green gold or Leadership in Energy and Environmental Design (LEED). The Regional District may provide assistance in the Planning and Design Process and may offer grants and incentives in accordance with current offers and rebate programs.
28. The use of solar panels, geothermal heating and other efficient or renewable energy use alternatives are encouraged in building and site design.

#### **FAÇADE DESIGN**

29. Visually appealing quality siding materials shall be used.
30. Building design shall avoid large expanses of any one type or style of cladding.
31. The use of vinyl siding should be minimized.
32. To create visual interest the following design strategies shall be used:
  - a) Create different textures by using both horizontal and vertical façade elements;
  - b) Break up large building expanses;
  - c) Separate uses with trim and exterior design features; and,
  - d) Use a variety of complementary types of siding material, trim, colour, etc.
33. A variety of complementary colours shall be used. The use of at least three different colours on the building exterior is encouraged.
34. Materials must be high quality, practical, durable, and hard wearing and must be appropriate for a west coast environment. Materials that integrate well within the natural environment should be included in the design.

#### **ARCHITECTURAL DETAILING**

35. Buildings should utilize a variety of high quality complimentary architectural styles rather than a unified design theme.

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<sup>3</sup> May require approval from outside jurisdiction such as Vancouver Island Health Authority or North Cedar Improvement District.

<sup>4</sup> System includes roofing material, collection, treatment, and all other components.



36. Exposed structural elements such as exposed rafter tails, timber brackets, posts, and beams are

SAMPLE ONLY



Example of different architectural types that are supported.

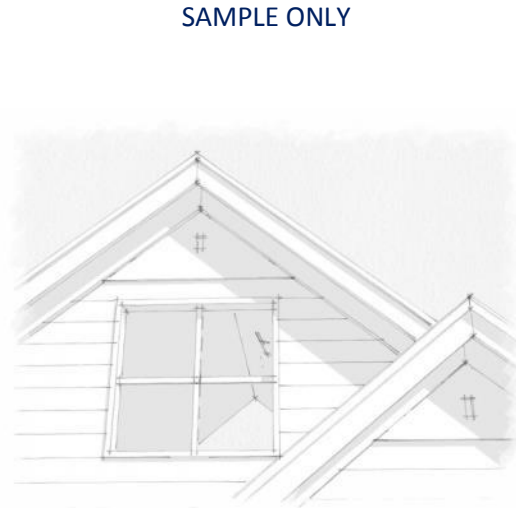
encouraged.

5.1.10 Cedar Main Street Development Permit Area

37. At gable ends, encourage the use of frieze boards, det ails,



ails,

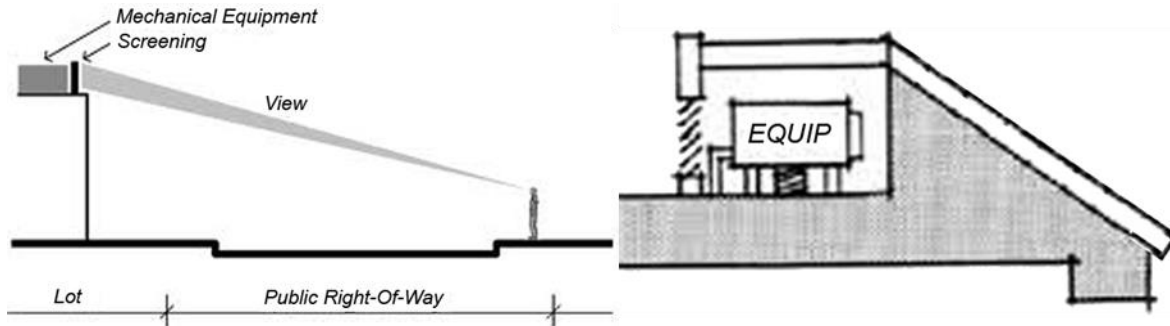


Care should be taken in detailing the façade. Use trim in appropriate dimensions and locations.

and other trim.

Illustration showing the use of frieze boards and other trim

38. Larger buildings shall utilize accent design features/ strategies to break up large expanses of siding.
39. Rooftop mechanical units shall be screened from view with design elements that are incorporated within the architectural massing. Consideration should be given to impacts on adjacent properties.



Examples of rooftop screening

## LANDSCAPE DESIGN

40. Where landscaping is required as part of the development permit, the applicant shall submit a landscaping plan prepared by a landscape architect or equivalent designer which meets the British Columbia Landscape Standard and satisfies the following objectives:
- To use a variety of drought tolerant deciduous and evergreen native plant species that are best suited to the site specific growing conditions;
  - To protect, enhance, or retain existing mature healthy vegetation;
  - To minimize water consumption through means such as micro-irrigation and xeriscaping;
  - To promote compatibility with surrounding uses;
  - To improve the aesthetic appeal of the development and adjacent streetscape;
  - To assist in the safe movement of pedestrians throughout the site;
  - To reduce the amount of impervious surfaces on the site;
  - To shade the proposed development from the summer sun;
  - To complement the development and surrounding uses; and/or,
  - To establish or enhance habitat values on the development site where appropriate.
41. Notwithstanding Guideline 40 above, edible landscapes (food producing plants, shrubs, and trees) are encouraged and may be considered part of the landscape design where suitable arrangements have been made for ongoing care and maintenance as well as produce harvesting to the satisfaction of the Regional District. Community gleaning is strongly encouraged.
42. The landscaping plan must be drawn to scale and show the type, size, and location of proposed landscaping and shall be submitted with the Development Permit application.
43. To provide separation between residential and non-residential uses (excluding mixed use buildings and developments and shared parking and laneways), a landscaped screen of at least 2.0 metres in width along the shared property lines, excluding access points, between all commercial and residential zoned properties should be provided.
44. Landscaping should be provided adjacent to all roadways to improve aesthetic appeal, minimize impervious surfaces, and provide a visual screen for all outdoor storage, refuse, parking, loading,

and unloading facilities and must also work towards the objectives identified in Guideline 6.8.8(1) above.

45. Landscaping of boulevards should be provided, including the provision of street trees in accordance with the following:
- a) All landscaping and works within the public road right-of-way require MOTI approval with a maintenance agreement arranged between the property owner/developer, MOTI, and the Regional District.
  - b) Where the opportunity exists, street trees should generally be provided as follows:
    - i. One high branched tree, of at least 5 centimetre caliper at breast height at time of planting, for every 6.0 metres of street property line with a maximum distance between trees of 12.0 metres, where the type and spacing of trees is to form a sidewalk canopy. Existing native vegetation may be considered provided it satisfies the general intent of this guideline;
    - ii. Tree species should be compatible with the local growing conditions and character of the area; and,
    - iii. A minimum of 3 cubic metres of appropriate soil and growing space is provided for each tree.
46. Garbage and recycling containers shall be screened with landscaping and/or gated fencing to a minimum height of 2.0 metres. Chain link fence may only be used in accordance with Guideline 52 below. Similarly, utilities, service kiosks, metres, elevator housing, exhaust elements, satellite dishes, etc. shall be screened with fencing, landscaping, or a combination of the two.
47. Buildings and structures should be sited in a manner that minimizes the disturbance of existing native vegetation.
48. A principle of 'no net loss' of significant native vegetation in any development should be considered. Where it is necessary to remove significant vegetation in order to develop a property, replacement plantings should be provided of a sufficient number, size, type, and maturity to offset its removal.
49. Plant species used in replanting, restoration, and enhancement shall be selected to suit the local soils; light conditions, and groundwater regime of the site and should be native to the area, and where applicable, selected for erosion control and/or fish and wildlife habitat values.
50. Unless otherwise noted above, all landscaping shall require the following minimum depth of topsoil or amended organic soils on all landscaped areas of a property:
- a) Shrubs – 45 cm;
  - b) Groundcover and grass – 30 cm; and,
  - c) Trees – 30 cm around and below the root ball.
51. Where irrigation is required to maintain proposed landscaping, it should be designed by an Irrigation Industry Association of British Columbia certified irrigation designer and be installed by an Irrigation Industry Association of British Columbia irrigation contractor or other equivalent to the satisfaction of the Regional District.

*5.1.10 Cedar Main Street Development Permit Area*

52. The Regional District shall require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour, as determined by a landscape architect or other similarly qualified person to the satisfaction of the Regional District. The security shall be released following the completion of all approved landscaping and/or site improvements as specified in the Development Permit to the satisfaction of the Regional District. Notwithstanding the above, the Regional District shall withhold 25% of the security for one year to ensure proper maintenance.
53. Chain link fencing shall be used only when screened by landscaping. Decorative fences are encouraged which complement the materials used for the principle building.

**SIGNAGE**

54. Signs should be hand crafted and provide individuality to each establishment.

55. Materials chosen for signage should be durable enough to last for several years of continuous use, except for the special cases of temporary signage or banners.

56. The following types of signs are not considered acceptable:

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

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

SAMPLE ONLY



Example of a hand crafted sign



Example of a consolidated free standing sign

SAMPLE ONLY



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

business within.

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

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

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



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

61. Signage should be visually unobtrusive and particular emphasis should be given to signage which is aesthetically pleasing and requires a minimal amount of lighting or boldness to be effective.
62. Signs should graphically communicate a message.
63. If there is a conflict between these Development Permit Area guidelines and the [RDN Sign Bylaw No. 993, 1995](#) as amended or replaced from time to time, these guidelines shall prevail. However, a variance to the sign bylaw may be required.

## LIGHTING

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

SAMPLE ONLY



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

## PARKING AND LOADING

70. If on street parking is proposed, it must be designed by a Professional Engineer and approved by the Ministry of Transportation and Infrastructure.
71. On site parking and loading areas should generally be located to the rear or side of buildings, should be screened from view from the adjacent road, and be located outside of the minimum required building setback. The screening should consist of landscaping, fencing, or a combination of landscaping and fencing.
72. Vehicular and truck movement patterns must be illustrated on the site plan submitted by the applicant to ensure adequate circulation. A professional engineer may be required to ensure

5.1.10 Cedar Main Street Development Permit Area

that adequate lane widths and turning radii are provided for all forms of vehicles intended to use the property.

73. Provision should be made for public transit, emergency vehicles, delivery and service vehicles.
74. Safe and effectively designed and located internal roadways, entrance points, parking areas, pedestrian paths and open spaces shall be provided.
75. Parking areas should be designed to be aesthetically pleasing and should include smaller groupings of parking spaces separated by landscaping and shade trees. Large expanses of open parking area should be avoided.
76. The use of permeable paving materials is encouraged in parking areas where it can be demonstrated that oil, water, and other potential contaminants will not enter the aquifer, river, lake, or wetland.
77. Bicycle parking facilities should be provided for each use in accordance with the following:
  - a) Office use: 0.5 - 1 space per 100 m<sup>2</sup> of gross floor area;
  - b) Institutional: 0.5 – 0.8 spaces per 100 m<sup>2</sup> of gross floor area;
  - c) Commercial: 1 space per 750 m<sup>2</sup> of gross floor area with a minimum of four spaces per establishment; or,
  - d) Multi-unit residential: 0.2 spaces per dwelling unit.

Where calculation results in a fractional number, the nearest whole number above the calculation shall be taken.

### 5.1.11 Cassidy Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the Electoral Area A Official Community Plan.*

#### APPLICATION

A development permit is required for the following activities unless specifically exempt:

1. Alteration of land and disturbance of soils;
2. Construction, alteration, or erection of buildings and structures;
3. Subdivision as defined in the [Land Title Act](#) or the [Strata Property Act](#); and,
4. Creation of non-structural impervious or semi-pervious surfaces;

#### EXEMPTIONS

1. A development permit shall not be required for the construction, renovation, or addition to one single or duplex dwelling unit or accessory residential building on one single lot.
2. The replacement or repair of an existing sign provided that the sign is not enlarged or moved and is replaced with the same type of sign (i.e. fascia, freestanding, canopy, etc.).
3. A development permit shall not be required for alterations or additions to a building which do not require a building permit. This exemption excludes new signage which shall require a development permit.

#### GUIDELINES

##### General Design

1. For commercial, multi residential, The Regional District shall require an applicant to submit building elevations prepared by an architect or other qualified designer.
2. Commercial and mixed use buildings should be designed to reflect the fact that they are located within a pedestrian environment and should be of human scale at street level and should aim to provide functional civic space.
3. The siting of buildings shall be integrated with other existing uses within the Cassidy Rural Village land use designation to promote safe pedestrian linkages and encourage consolidated vehicle access.
4. The use high quality building materials such as Hardiplank, stone, wood, brick, and other exterior natural building materials shall be encouraged.
5. Development should generally not be visible from the Trans Canada Highway with the exception of those properties north of Timberlands Road which are designated Commercial by this plan.
6. The architectural design of buildings and structures should be varied, aesthetically pleasing and visually pleasing.

5.1.10 Cassidy Development Permit Area

7. Buildings clad entirely in vinyl siding will be strongly discouraged. Where vinyl is used, it should be used sparingly and in combination with other materials.
8. The use of energy efficient building materials, techniques, technologies, and practices that produce local energy and/or reduce the amount of energy consumption shall be strongly encouraged which include, but are not limited to:
  - a) passive solar gain;
  - b) district heat and hot water;
  - c) solar voltaic cells;
  - d) solar hot water;
  - e) micro wind; and
  - f) geothermal.

**Parking and Loading**

9. Parking areas should be located to rear or side of buildings and should include landscaped boulevards and other aesthetically pleasing landscaping features.
10. In cases where parking is not practical to the rear or side of buildings, it may be supported in front of a building provided all parking areas are adequately screened by solid fencing, landscaping, or a combination of the two.
11. Loading areas should be located to the side or rear of buildings and should not be visible from the adjacent road.
12. Vehicular and truck movement patterns must be illustrated on the site plan submitted by the applicant to ensure adequate circulation. A professional engineer may be required to ensure that adequate lane widths and turning radiuses are provided for all forms of vehicles intended to use the property.
13. Provision should be made for public transit, emergency vehicles, delivery and service vehicles.
14. Safe, efficient, and effectively designed and located roadways, entrance points, parking areas, pedestrian paths and open spaces shall be provided.

**Landscaping and Screening**

15. The Regional District may require the applicant to submit a landscaping plan prepared by a landscape architect or qualified designer which meets the British Columbia Landscape Standard and satisfies the following objectives:
  - a) To use a variety of drought tolerant deciduous and evergreen native plant species that are best suited to the site specific growing conditions;
  - b) To minimize water consumption through means such as micro-irrigation and xeriscaping;
  - c) To improve the aesthetic appeal of the development;
  - d) To screen the development from the Trans Canada Highway and adjacent established neighbourhoods;

5.1.10 Cassidy Development Permit Area

- e) To maintain rural character;
  - f) To shade the proposed development from the summer sun;
  - g) To assist in the safe movement of pedestrians throughout the site;
  - h) To reduce the amount of impervious surfaces on the site;
  - i) To complement the development and surrounding uses; and,
  - j) To establish or enhance habitat values on the development site where appropriate.
16. The landscaping plan must be drawn to scale and show the type, size, and location of proposed landscaping and shall be submitted with the development permit application.
17. Where development is proposed adjacent to Timberlands Road, Hallberg Road, or the Trans Canada Highway, the landscape design should provide a landscaped buffer consisting of native vegetation either maintained, enhanced, or established of sufficient height, width, and density to provide spatial separation and screen the proposed development from view from Timberlands Road, Hallberg Road, and the Trans Canada Highway with the exception of strategically placed and consolidated signage and access and egress points.
18. All landscaping shall require the following minimum depth of topsoil or amended organic soils on all landscaped areas of a property:
- a) Shrubs – 45 cm;
  - b) Groundcover and grass – 30 cm; and,
  - c) Trees – 30 cm around and below the root ball.
19. Where irrigation is required to maintain proposed landscaping, it should be designed by an Irrigation Industry Association of British Columbia certified irrigation designer and be installed by an Irrigation Industry Association of British Columbia irrigation contractor or other equivalent to the satisfaction of the Regional District.
20. The Regional District shall require the applicant to submit a landscaping security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other similarly qualified person to the satisfaction of the Regional District to be released upon final inspection by a landscape architect or other similarly qualified person to the satisfaction of the Regional District.
21. Garbage and recycling containers shall be screened with landscaping and solid gated fencing to a minimum height of 2.0 metres. Similarly, utilities, service kiosks, meters, elevator housing, exhaust elements, satellite dishes, etc. shall be screened with landscaping, fencing, or a combination of the two.
22. Decorative fences are encouraged which complement the materials used for the principle building.

### **Site Illumination and Signage**

23. Lighting should be designated for security and safety. However, there should not be glare on neighbouring properties, adjacent roads, or the sky.
24. All new, replacement and upgraded exterior lighting in existing and proposed developments shall be Full Cut-off Flat Lens (FCO/FL) luminaries to light roads, parking, loading, and pedestrian areas. Exterior building lighting will also be required to have FCO lighting fixtures.
25. The size, location, and design of freestanding signage shall be architecturally integrated with the overall design of the buildings and landscaping. The design of fascia signs containing individual business signage shall be integrated into the design of the building. No video, neon, reader board, or LED signs will be supported.
26. The installation of fascia or projecting signs that are handcrafted, hand painted, and individually designed are strongly encouraged.
27. Signage should be visually unobtrusive and particular emphasis should be given to signage which is aesthetically pleasing and requires a minimal amount of lighting or boldness to be effective.
28. If there is a conflict between these DPA guidelines and the [RDN Sign Bylaw No. 993, 1995](#) as amended or replaced from time to time, these guidelines shall prevail. However, a variance to the sign bylaw may be required.

### **Pedestrian and Cyclist Considerations**

29. Pedestrian sidewalks or defined pathways to encourage pedestrian movement throughout the site should be provided.
30. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of a clearly delineated pathway or durable low maintenance surface material such as pavers, bricks, or concrete to enhance pedestrian safety and comfort as well as the attractiveness of the walkways.
31. Bicycle parking facilities should be provided at grade near primary building entrances.



### 5.1.12 Cedar Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the Electoral Area A Official Community Plan.*

#### APPLICATION

A development permit is required for the following activities unless specifically exempt:

1. Alteration of land and disturbance of soils;
2. Construction, alteration, or erection of buildings and structures; and,
3. Creation of non-structural impervious or semi-pervious surfaces;

#### EXEMPTIONS

1. A development permit shall not be required for the construction, renovation, or addition to one single or duplex dwelling unit or accessory residential building on one single lot.
2. The replacement or repair of an existing signs provided that the sign is not enlarged or moved and is replaced with the same type of sign (i.e. fascia, freestanding, canopy, etc.).
3. A development permit shall not be required for the subdivision of land.
4. A development permit shall not be required for alterations or additions to a building which do not require a building permit. This exemption excludes new signage which shall require a development permit.

#### GUIDELINES

##### General Design

1. The Regional District shall require building elevations prepared by an architect or other qualified designer.
2. Commercial development should be ground-oriented and in scale with the surrounding uses.
3. The use of non-combustible building materials is encouraged and where feasible, locally produced natural building materials should be incorporated in to the design without compromising the building or structure's fire resistance.
4. There shall be no net increase in peak rainwater run-off from the land to adjoining lands.
5. Development of land should be designed to:
  - a) Replicate the function of a naturally vegetated watershed;
  - b) Maintain the hydraulic regime of surface and groundwater and pre-development flow rates;
  - c) Not interfere with groundwater recharge; and,
  - d) Not introduce or remove materials where it would cause erosion of or the filling in of natural watercourses and/or wetlands.

5.1.10 Cedar Development Permit Area

6. Public open space and pedestrian walkway linkages to adjacent neighbourhoods, which complement existing parks and recreation opportunities and reduce automobile dependence, shall be encouraged.
7. The use of energy efficient building materials, techniques, and practices that reduce energy consumption shall be encouraged.

**Parking and Loading**

8. Parking and loading areas should generally be located to the rear of buildings, should be screened from view from the adjacent road, and be located outside of the minimum required zoning setback, unless a variance is being considered. The screening should consist of landscaping, fencing, or a combination of landscaping and fencing.
9. Vehicular and truck movement patterns must be illustrated on the site plan submitted by the applicant to ensure adequate circulation. A professional engineer may be required to ensure that adequate lane widths and turning radiuses are provided for all forms of vehicles intended to use the property.
10. Provision should be made for public transit, emergency vehicles, delivery and service vehicles.
11. Safe and effectively designed and located internal roadways, entrance points, parking areas, pedestrian paths and open spaces shall be provided.

**Landscaping and Screening**

12. The Regional District may require the applicant to submit a landscaping plan prepared by a landscape architect or equivalent designer which meets the British Columbia Landscape Standard and satisfies the following objectives:
  - a) To use a variety of drought tolerant deciduous and evergreen native plant species that are best suited to the site specific growing conditions;
  - b) To minimize water consumption through means such as micro-irrigation and xeriscaping;
  - c) To promote compatibility with surrounding residential uses;
  - d) To improve the aesthetic appeal of the development;
  - e) To assist in the safe movement of pedestrians throughout the site;
  - f) To reduce the amount of impervious surfaces on the site;
  - g) To shade the proposed development from the summer sun;
  - h) To complement the development and surrounding uses; and/or,
  - i) To establish or enhance habitat values on the development site where appropriate.
13. The landscaping plan must be drawn to scale and show the type, size, and location of proposed landscaping and shall be submitted with the development permit application.
14. To provide separation between residential and non-residential uses, a continuous landscaped buffer area of at least 2.0 metres in width along the inside of all property lines, excluding access points, adjacent to all residential zoned property should be provided.

15. Landscaping should be provided adjacent to all roadways to improve aesthetic appeal, minimize impervious surfaces, and provide a visual screen for all outdoor storage, refuse, parking, loading, and unloading facilities and must also work towards the objectives identified in Guideline 12 above.
16. Garbage and recycling containers shall be screened with landscaping and/or solid gated fencing to a minimum height of 2.0 metres. Similarly, utilities, service kiosks, meters, elevator housing, exhaust elements, satellite dishes, etc. shall be screened with fencing, landscaping, or a combination of the two.
17. Buildings and structures should be sited in a manner that minimizes the disturbance of existing native vegetation.
18. Vegetation species used in replanting, restoration, and enhancement shall be selected to suit the local soils; light conditions, and groundwater regime of the site and should be native to the area, and where applicable, selected for erosion control and/or fish and wildlife habitat values.
19. All landscaping shall require the following minimum depth of topsoil or amended organic soils on all landscaped areas of a property:
  - a) Shrubs – 45 cm;
  - b) Groundcover and grass – 30 cm; and,
  - c) Trees – 30 cm around and below the root ball.
20. Where irrigation is required to maintain proposed landscaping, it should be designed by an Irrigation Industry Association of British Columbia certified irrigation designer and be installed by an Irrigation Industry Association of British Columbia irrigation contractor or other equivalent to the satisfaction of the Regional District.
21. The Regional District shall require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour, as determined by a landscape architect or other similarly qualified person to the satisfaction of the Regional District, to be released upon final inspection by a landscape architect or other similarly qualified person to the satisfaction of the Regional District.
22. Chain link fencing shall be used only when screened by landscaping. Decorative fences are encouraged which complement the materials used for the principle building.

#### **Site Illumination and Signage**

23. Lighting should be designated for security and safety. However, there should not be glare on neighbouring properties, adjacent roads or light directed towards the sky.
24. All new, replacement, and upgraded exterior lighting in existing and proposed developments shall be Full Cut-off Flat Lens (FCO/FL) luminaries to light roads, parking, loading, and pedestrian areas. Exterior building lighting will also be required to have FCO lighting fixtures.
25. The size, location, and design of freestanding signage shall be architecturally integrated with the overall design of the buildings and landscaping. The design of fascia signs containing individual business signage shall be integrated into the design of the building.
26. Signage should be visually unobtrusive and particular emphasis should be given to signage which is aesthetically pleasing and requires a minimal amount of lighting or boldness to be effective.

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27. If there is a conflict between these DPA guidelines and the [RDN Sign Bylaw No. 993, 1995](#) as amended or replaced from time to time, these guidelines shall prevail. However, a variance to the sign bylaw may be required.

**Pedestrian and Cyclist Considerations**

28. Pedestrian sidewalks or defined pathways connecting building entrances to and through parking areas and sidewalks or road right of ways of the adjacent streets should be provided.
29. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of a clearly delineated pathway or durable, low maintenance surface material such as pavers, bricks, or concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.
30. Bicycle parking facilities should be considered at grade near primary building entrances

### 5.1.13 Extension Village Centre – Commercial Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.*

#### APPLICABILITY

Prior to commencing the construction of, addition to, or alteration of a building or structure the owner must obtain a development permit in accordance with the Village Centre – Commercial, Development Permit Area Guidelines.

#### EXEMPTIONS

A development permit is not required for the following:

1. construction, alteration or addition to a building or structure utilized for non-commercial purposes including home based businesses, public utility uses or park uses;
2. internal alterations to an existing building or structure;
3. excluding signs and awnings, building additions or alterations which do not affect more than 20 percent of the area of a building face or increase gross floor area by more than 20 percent;
4. canvas awnings provided no portion exceeds 4.0 metres in height as measured from finished grade and the vertical or horizontal extent of the awning does not exceed 1.5 metres;
5. unlit or front lit, suspended, projecting signs provided the sign face does not exceed one (1) square metre and the distance between the sign faces does not exceed 0.1 metre;
6. unlit or front lit signs consisting solely of physically separate letters or symbols attached directly to a building exterior or awning and occupying a rectangular area of not more than one (1) square metre; or
7. subdivision of land.

#### GUIDELINES

1. All new buildings must be massed to give the impression of small blocks.
2. The architectural design and scale of new buildings must integrate with and enhance the residential character of surrounding buildings.
3. An addition to an existing building must integrate with the overall architectural design and scale of the building.
4. Building elevations, which are visible from the street, must be treated as front elevations for the purpose of ensuring that buildings do not turn their backs on the street. The treatment of these elevations need not be as extensive as the actual front elevation but should promote visual harmony especially in regards to streetscapes.
5. The main pedestrian entrance of a building must face the street, and have direct and continuous pedestrian access to the street.

*5.1.13 Extension Village Centre – Commercial Development Permit Area*

6. Developments must incorporate pedestrian traffic routes along public road frontages and should provide covered walkways to shelter pedestrian movements.
7. On site pedestrian walkways and public pedestrian traffic routes must be hard surfaced.
8. Where possible, off-street parking areas must be located behind the building so that the building screens the parking area from the road.
9. Vehicle accesses should be consolidated where possible.
10. Buildings and structures should be sited in a manner that minimizes the disturbance of existing natural vegetation.
11. Landscaping must be comprised primarily of native species, which enhance the architectural characteristics of the development.
12. Signs must be unobtrusive, grouped whenever possible and designed in such a manner as to be complementary to the architectural design and scale of surrounding development.
13. Site lighting must not utilize high-intensity lights and must be ornamental and in scale with a pedestrian environment. The use of metal halide lighting is encouraged.
14. Garbage containers, loading, unloading and storage areas must be screened from public view.



### 5.1.14 East Wellington – Pleasant Valley Industrial Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.*

#### GUIDELINES

1. A Development Proposal shall be submitted with the Development Permit application. The proposal should generally provide the following information, in the form of plans and/or written documents:
  - a) detailed site plan illustrating existing and proposed buildings and structures, topographical features and existing natural vegetation;
  - b) detailed plans of proposed buildings and structures;
  - c) detailed storm water management plans; and
  - d) detailed landscaping plan indicating the location, number and type of proposed plantings.
2. Off-street parking should be located to the rear or sides of buildings and structures wherever possible. Off-street parking proposed to be located to the front of buildings and structures should be suitably screened with a landscape screen.
3. Outside storage and manufacturing areas should be located to the rear of the buildings and structures and be suitably landscaped with a landscape screen.
4. Buildings and structures should be sited and shaped in such a manner as to be visually unobtrusive.
5. Signage should be visually unobtrusive and grouped wherever possible. Particular emphasis should be given to signage, which is aesthetically pleasing and has a minimal amount of lighting and specifically excludes neon lighting.
6. Where land use activities involve the handling, storage or manufacture of potential contaminants, provision shall be made that will prevent seepage of such contaminants into the subsurface. All provisions shall be approved by the appropriate provincial agency prior to issuance of a development permit. All parking facilities shall be equipped with oil/water separators.
7. Any new development shall not negatively impact storm water quality or quantity.
8. Facilities for the proposed storage and distribution of propane from tanks or vessels over an aggregate volume of 19,000 litres shall be required to meet the following:
  - a) have located on site one approved fire extinguisher having a minimum capacity of 8.0 kilograms of dry chemical with a BC rating;
  - b) meet all requirements of the *Gas Safety Act* and regulations adopted thereto;
  - c) additional fire protection measures may be required in compliance with the NFPA Standard for the Storage and Handling of Liquefied Petroleum Gases; and
  - d) plans shall be forwarded to the Fire Chief of the local fire protection department for review and comment.

### 5.1.15 Nanoose Bay Form and Character Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.*

#### EXEMPTIONS

1. A development permit shall not be required to construct, renovate or alter a single dwelling unit or building or structure accessory to a single dwelling unit.
2. A development permit shall not be required to construct an accessory building to a multiple dwelling unit development where the proposed accessory building is 10 m<sup>2</sup> or less in size and 3 m in height.
3. A development permit shall not be required for interior alterations or repairs.
4. A development permit shall not be required for the subdivision of land.

#### GUIDELINES

1. The character of commercial development will generally:
  - a) Be designed and situated to maximize views wherever possible;
  - b) integrate with and enhance the character of existing development;
  - c) incorporate natural materials into the design of the buildings;
  - d) be designed to maximize the use of the existing topography and natural landscaping; and
  - e) incorporate crime prevention and public safety features.
2. The character of multi-unit residential development will generally:
  - a) be in keeping with the character of the village centre and surrounding rural and residential lands;
  - b) provide a range of housing types and options;
  - c) be developed to a height that maintains 'human scale' (generally less than three storey);
  - d) be ground oriented;
  - e) be designed to maximize the use of the existing topography and natural landscaping;
  - f) incorporate natural building materials into the design of the buildings; and
  - g) be designed and situated to maximize views wherever possible.
3. Safe pedestrian and cycling routes shall be provided through and to commercial or multi-unit residential developments and shall link to existing neighborhoods, parks and the waterfront.
4. Introduced landscaping shall use native plantings, drought tolerant species, and xeriscaping standards, where possible.

5.1.15 Nanoose Bay Development Permit Area

5. Off-street parking areas shall primarily be located to the rear or side of buildings and include landscape areas or screening.
6. Any outside storage or manufacturing areas shall be located to the rear of buildings unless adequately screened with landscaping.
7. Where appropriate, pedestrian facilities shall be provided to separate pedestrian and traffic circulation on a site and minimize vehicle/pedestrian conflicts.
8. Building and site design should include "public gathering places" (e.g. outdoor plazas) and encourage pedestrian uses. The use of small seating areas, entry areas, plazas, and other meeting places in conjunction with pedestrian areas is encouraged.
9. Where appropriate, cycling facilities should be provided through safe circulation paths with sheltered locations for bicycle security.
10. Signage shall complement the design of buildings and structures and be grouped on multiple development sites. The use of natural materials is encouraged.
11. The use of indirect lighting on signage is encouraged.
12. Walls, fences, shrubs, grade changes or other site features should not obscure vehicle driver vision of pedestrian or bicycle routes or provide for concealment.
13. Applications to rezone land within a village or neighbourhood centre shall be evaluated, at a minimum, on how the following elements are proposed to be incorporated into the development and shown to be compatible with the centre:
  - a) a mix of uses;
  - b) building and landscape architectural themes;
  - c) concept design of public space;
  - d) public park land requirements;
  - e) road standards;
  - f) pedestrian facilities;
  - g) treatment of utilities (i.e., street lighting, hydro, etc);
  - h) methods of integrating existing and new developments; and
  - i) where a Village Centre Plan has been prepared for the Red Gap Village Centre, how the development proposal responds to the elements of the Village Centre Plan.

### 5.1.16 Qualicum Bay and Dunsmuir Village Centres Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plan.*

#### APPLICABILITY

A development permit is required for the following activities wherever they occur within the development permit area, unless specifically exempted:

1. Construction, erection, renovation or addition of buildings or structures on the land, including signage over 1.0 meters in height.
2. Alteration of land, removal of vegetation, disturbance of soils, including grubbing, scraping and removal of top soil.

#### EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Exemptions listed in Section 8.3 Development Permit Areas – General Exemptions.
2. Construction, renovation, or addition to single dwelling unit, duplex dwelling unit, or accessory residential buildings.
3. Alterations or additions to a building which does not require a building permit. This exemption excludes new signage.
4. Addition to an existing building or structure that is not visible from a public roadway or other public spaces.
5. Subdivision of land except for intensive residential which for the purpose of this exemption, means any residential development with an average minimum parcel size less than 2,000 m<sup>2</sup> or density greater than five dwellings per hectare whether fee simple or strata.
6. Maintenance of existing landscaping, existing roads, parking areas, paths and trails.
7. Construction of unpaved driveways and walkways not exceeding 4 meters in width.

#### GUIDELINES

1. For Qualicum Bay Village Centre, tourist and business frontage for the Village shall be encouraged to be oriented toward the central portion of District Lot 20, Newcastle District and shall provide linkage and integration with the existing commercial lands along the Island Highway No. 19A and institutional uses including the Lighthouse Community Hall, seniors housing and park land.
2. For Dunsmuir Village Centre, the tourist and business frontage for the Village shall be encouraged to be oriented toward Horne Lake Road and existing commercial areas along the Island Highway No. 19A. New development shall provide pedestrian and vehicle linkages with the existing residential areas and currently vacant lands adjacent to Horne Lake Road.

3. The character of commercial development will generally:
  - a) be integrated with and enhance the character of the existing development,
  - b) be designed with a mix of commercial building styles, and constructed as small scale, low-rise structures that are clustered together,
  - c) be oriented toward adjacent streets where possible, and
  - d) be designed to have separate buildings or buildings that appear as small, individual buildings rather than a single large building.
4. The character of multi-family development will generally:
  - a) be in keeping with the village character and surrounding residential or rural areas,
  - b) provide a range of housing types,
  - c) be clustered in small groups,
  - d) provide pedestrian linkages to areas beyond the development,
  - e) be ground oriented wherever possible; and
  - f) incorporate landscaping to separate residential clusters.
5. Incorporating natural materials to create a “west coast” style into the design is encouraged.
6. Safe pedestrian and cycling routes that connect the property with the waterfront, open spaces and active transportation networks shall be identified and where applicable, constructed in accordance with the Regional District’s Community Parks and Trails Strategy, Regional Parks and Trails Plan, or Active Transportation Plan, and any subsequent editions.
7. Walls, fences, shrubs, grade changes or other site features should not obscure the vision of vehicle drivers with respect to pedestrians or bicycle routes.
8. Development shall not be separated or ‘gated’ with walled or fenced enclaves.
9. Off-street parking and off-street loading areas shall be located to the rear of buildings wherever possible, shall be complimentary to the development, and shall be screened with landscaping. Small clustered parking areas are preferable to large paved areas.
10. Off-street parking and off-street loading areas, located adjacent to residential or rural land uses, shall be adequately screened from the residential uses.
11. All outdoor refuse and storage areas shall be screened with a combination of landscape plants and fencing, and wherever possible, located to the rear of the buildings or in unobtrusive locations. For waterfront properties, consideration should also be given to screening these areas from the beach front.
12. Sites and buildings must be designed to use best practices for integrated rainwater management and water conservation techniques, including appropriate source controls such porous and permeable surfaces, bioswales, absorbent landscaping, infiltration facilities, re-use systems and other techniques. Water quality should be maintained by ensuring that no deleterious substances enter ground or surface water. Rainwater should be managed onsite wherever

possible, and management approaches should be aligned with *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia*, published by the B.C. Ministry of Environment, or any subsequent editions. The Regional District may require a rainwater management plan prepared by a professional engineer or other qualified professional.

13. Applicants are encouraged to refer to the most recent edition of the British Columbia Landscape Standards published by the BC Society of Landscape Architects when creating their plan. Landscaping should be used in site design to achieve the following list of objectives:
  - a) retain existing healthy, mature trees to provide shading and enhance the streetscape;
  - b) new plantings should consist of indigenous vegetation or other non-invasive vegetation suitable for local environmental conditions;
  - c) utilize a variety of native plants that are drought tolerant suitable to local growing conditions;
  - d) enhance the pedestrian experience (e.g., aesthetics, weather conditions, safe movement throughout site and visual separation from and between uses) and compliment the development and surrounding area;
  - e) add texture and three dimensional components to the site (e.g., ground level planting, raised beds, shrubs, tree canopy) and avoid creating areas that are predominately bark mulch, gravel or other similar materials;
  - f) minimize water consumption through conservation techniques such as micro-irrigation and xeriscaping;
  - g) respect required sightlines from roadways and enhance public views;
  - h) help screen parking areas, electrical and mechanical features, and refuse and recycling facilities; and
  - i) contribute to a sense of personal safety and security.
14. The design and layout of open spaces that can accommodate buildings and areas for edible landscapes and food production are encouraged (e.g., planter boxes, green house, compost facility, private and/ or community gardens, arbours and associated planting, bee hives.)
15. Where the introduction of vegetation is required within the development permit area, the Regional District may require the applicant to submit a landscape plan and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified person to the satisfaction of the Regional District.
16. Exterior lighting shall be low intensity, pedestrian-oriented with an emphasis on public safety and the prevention of glare onto adjacent properties, roads or sky. The use of solar power lighting is encouraged.
17. All new or replacement exterior lighting in commercial areas shall use Full-Cut Off/Flat Lens (FCO/FL) lighting fixtures on exterior to light roads, parking, loading and pedestrian areas.
18. Signs should be visually unobtrusive, grouped wherever possible and primarily pedestrian-oriented, designed at a pedestrian scale. Handcrafted signs of a professional quality, designed to be effective with minimal lighting and integrated into the overall design of the building and landscape are preferred.



*5.1.16 Qualicum Bay and Dunsmuir Village Centres Development Permit Area*

19. For land to be developed where a commercial property abuts residential zoned property(s), a landscaped buffer area should be provided between the commercial property and the residential property(s) to provide a visual screen.
20. For land to be developed that is adjacent to or adjoining an Agricultural Land Reserve boundary a buffer area containing vegetation or fencing or a combination of both shall be retained, or established and maintained. All buffer areas shall generally be designed and landscaped using materials set out in Guide to Edge Planning: Appendix B, published by the BC Ministry of Agriculture, or any subsequent editions.

### 5.1.17 Bowser Village Centre Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plan.*

#### APPLICABILITY

A development permit is required for the following activities wherever they occur within the development permit area, unless specifically exempted:

1. alteration of land, placement of fill, disturbance of soils, including grubbing, scraping and the removal of top soils;
2. construction of, addition to, or alteration of a building or structure;
3. creation of non-structural impervious or semi-pervious surfaces; and
4. subdivision of land as defined in the Land Title Act or Strata Property Act.

#### EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Construction, renovation, or addition to a single dwelling unit, detached secondary suite or duplex dwelling unit.
2. Addition to an existing building or structure that is not visible from a public road way or other public spaces.
3. The replacement or repair of an existing sign providing the sign is not enlarged or moved and is replaced with the same type of sign (i.e., fascia, freestanding, etc).
4. Subdivision of land as defined in the *Land Title Act* or *Strata Property Act*, except for intensive residential<sup>5</sup>.
5. Maintenance and minor modifications to existing landscaping, existing roads, parking areas, paths and trails.
6. Construction of unpaved driveways and walkways not exceeding 4 meters in width.
7. Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area guidelines as determined by the Regional District.

#### GUIDELINES

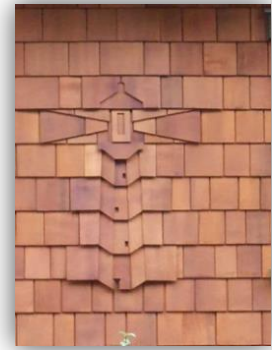
##### ***Context and Regional Expression***

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<sup>5</sup> For the purpose of this DPA, intensive residential shall mean any residential development with an average minimum parcel size less than 2000 m<sup>2</sup> or density greater than 5 dwelling units per hectare, whether fee simple or strata.

5.1.17 Bowser Village Centre Development Permit Area

1. Incorporate form and images that relate to the natural and cultural landscape of Bowser by integrating one or more of the following themes:
  - a) Lighthouse Country
  - b) First Nations History
  - c) Post 1900's historical themes such as logging, fishing and shellfish aquaculture
  - d) Connect to water such as Thames Creek, Strait of Georgia, surface water and aquifers
  - e) West coast influenced design incorporating BC wood products
2. Through building design and placement, address sunlight penetration, natural ventilation, and protection from different weather elements to improve the pedestrian experience in commercial areas (e.g., covered walkways, awnings, canopies, overhangs, pergolas and shade trees).
3. Protect and enhance public views of landmarks, buildings, open spaces, natural features and the ocean through careful building siting, height and form.



*Example of desired design detail.*

**Human Scale**

4. Design from human scale and visual interest in all building elevations. This can be achieved by placing an emphasis on street facing building entrances, windows and landscaping relative to walls and building structure.
5. Mixed use and commercial buildings shall be located in close proximity to the sidewalks and pedestrian spaces.
6. Where mixed use or commercial buildings are proposed, avoid large spaces between buildings.
7. The use of drive-through shall not be a part of building or site design.
8. Design, siting and construction of sidewalks or paths in the road right-of-way shall be consistent with the Active Transportation Plan for Electoral Area H, 2017 or provide rationale for taking a different approach as presented in that Plan. Note that approval from the Ministry of Transportation and Infrastructure is required for works in the road right-of-way.



*Example of mixed-used building, orientated to the street with covered walkway.*

**Building Massing, Height and Form**

9. Larger buildings (e.g., > 12meters in width) shall be designed to avoid large, flat building expanses by creating multiple, separate buildings such that individual buildings appear as many small buildings that are compatible in shape, mass, and exterior finishes. Consider

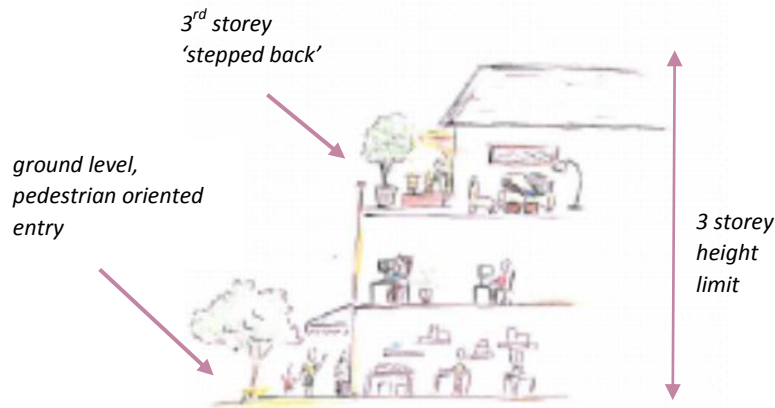


*Example of building articulation, varying rooflines & exterior architectural design detail.*

5.1.17 Bowser Village Centre Development Permit Area

using building articulation, visually-interesting rooflines (e.g., variations in cornice lines and roof slopes); architectural elements (e.g., balconies, bay windows, cupolas, dormers), and other detailing that creates rhythm along the lines of the building.

10. Utilize landscaping treatments to further soften the mass of building form (e.g., strategic location of trees, hedge borders, trellis and surface materials such as pavers).
11. On slopes, building design should step with the natural topography. Building form should depict a series of buildings nested into the hillside, rather than a single, uniform building form.



12. Building height is limited to a maximum of 12 meters (i.e., 3 storeys) unless otherwise specified.
13. Where building height is 12 meters (i.e., 3 storeys), incorporate step back and/or terrace above the second floor to reduce visual impact and to strengthen the pedestrian-scale of the building.
14. Development shall not be separated or 'gated' with walled or fenced enclaves.

**Building Style & Exterior Materials**

15. High quality, functional exterior finishes suited to a west coast climate should be used to ensure the integrity of the building envelope and to present an attractive appearance.
16. Natural, local non-combustible materials should be used to the greatest extent possible, with an emphasis on British Columbia wood products.
17. Use exterior colours that are found in or complement the area's natural and cultural landscape.
18. Use materials in combination to create contrast, enhance human scale and reduce massing of a building.



*Example of different materials and colours used in combination to create contrast and to reduce massing of a prominent building in the Qualicum Beach village center.*

**Signs, Canopies & Lighting**

5.1.17 Bowser Village Centre Development Permit Area

19. Signs should be visually unobtrusive, grouped wherever possible and primarily pedestrian-oriented, designed at a pedestrian scale. Handcrafted signs of a professional quality, designed to be effective with minimal lighting and integrated into the overall design of the building and landscape are preferred.

20. The following types of signage shall be encouraged:

- a) projecting two dimensional signs suspended from canopies, awnings or overhangs,
- b) externally, front lit signs especially with LED lighting,
- c) fascia signs integrated into the design of the building,
- d) letter signs mounted on storefronts, and
- e) carved wooden signs.

21. The following types of signage shall be avoided:

- a) awnings as signs or large signage on awnings (letter heights over 30 cm/12 inches),
- b) internally lit, plastic face, aluminum box style signage,
- c) animated, flashing, oscillating or moving signs,
- d) pylon (stand alone) signs, and
- e) roof top signs.

22. Continuous weather protection for pedestrian’s comfort should be provided in commercial areas (e.g., awnings, canopies, overhangs, pergolas and shade trees). All design elements should complement the overall building and public realm.

23. Exterior lighting shall be low intensity, pedestrian-orientated with an emphasis on public safety and the prevention of glare onto adjacent properties, roads or sky. The use of solar power lighting is encouraged.

24. All new or replacement exterior lighting in commercial areas shall use Full-Cut Off/Flat Lens (FCO/FL) lighting fixtures on exterior to light roads, parking, loading and pedestrian areas.



Examples of desired signage that is attractive and informative for both pedestrians and the travelling public.

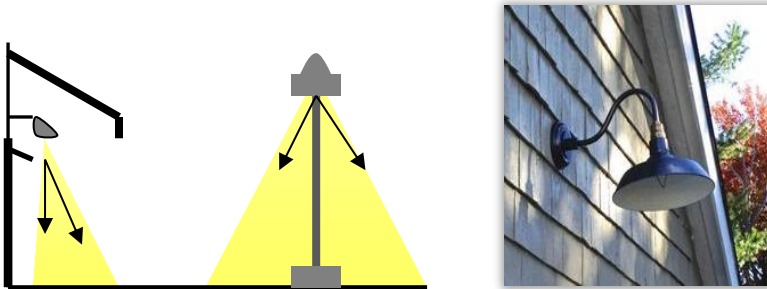


Example of undesirable signage within the Bowser Village Center.



5.1.17 Bowser Village Centre Development Permit Area

- 25. Light fixtures should be concealed, unless they are decorative and then the style shall be consistent with the design and character of the building.



Examples of Full-Cut Off Lighting and decorative exterior lighting.

**Outdoor Public Open Spaces**

- 26. Outdoor patios and dining areas should be designed to create a compatible and complementary relationship with the adjacent streetscape, building architecture, and uses. These spaces should be well defined by landscaping, decorative fencing or other vertical barriers while being generally open and visible from public areas.
- 27. Public art or features should be considered for public plazas and courtyards.
- 28. All play areas for children should have adequate shade and seating for adults.
- 29. The retention of natural features (like trees, rock or other landscape features) in open spaces shall be encouraged.
- 30. Street furniture to enhance the pedestrian experience, such as benches, decorative street lamps, bicycle racks and refuse containers shall be incorporated in the landscape design. These shall be required to be consistent, similar, or identical in character to the architectural character



of the development and identified by type and source in the application.

**Accessibility & Connectivity**

- 31. Universal design principals shall be employed to ensure meaningful access for people of all ages, stages and abilities, including children, parents, older adults and seniors. Meaningful access is determined by the users' complete experience of a building, connecting pathways, complementary landscaping to define public entrances, doors and hallways. Features include things such as accessible, barrier-free travel

Examples of all ages, stages and abilities street furniture, complementary landscaping to define public outdoor spaces.

5.1.17 Bowser Village Centre Development Permit Area

routes to the main building entry, smooth, ground-level entrances without stairs, and wide interior doors and hallways. Consider those using such equipment as wheelchairs, other walking-aids, strollers and bicycles.

32. Accessible travel routes shall be provided that incorporate transitions between public walkways, together with private walkways, parking areas, retail shops and services, and roads to provide seamless and interesting access for all users, including those of different ages and abilities.



Example of accessible, laneways that connect commercial areas to public/social spaces.

**Crime Prevention**

33. Best practices for “Crime Prevention through Environmental Design” should be incorporated into building design, such as:
  - a) Natural surveillance, ‘eyes on the street’: visibility, light and openness should maximize the ability to see throughout the site through placement of windows that access all areas, appropriate lighting to avoid darken spaces and walkways, entrances and site features should be designed to avoid areas for hiding.
  - b) Define spaces: creating a clear definition between public and private space that express ownership and boundaries, particularly for multi-residential and mixed-use developments.
  - c) Active Spaces: Encourage legitimate activity in public spaces by locating uses in complementary arrangements. Avoid spaces that appear confined, isolated, or unconnected, or appear without a clear purpose or function.

**Green & Healthy Buildings**

34. Evaluate site design for passive solar gain and cooling opportunities (e.g., passive solar water heating, solar mass wall, passive solar heating of intake air). On sites with substantial solar exposure, buildings should be sited, designed, and landscaped to take advantage of passive solar gain in winter and reduce sun expose in summer.
35. Minimize exposure to noise and pollution through site and building design, especially for those developments located along busy roads (e.g., triple-pane glazing, orient courtyards, playgrounds, open spaces, and building air intakes away from the road).



5.1.17 Bowser Village Centre Development Permit Area

36. Utilize sustainable construction methods and materials, including the reuse, rehabilitation, restoration, and recycling of buildings and/or building elements.

37. All new commercial, mixed-use, and multi-unit residential buildings within the development permit area are encouraged to be efficient and healthy, and are encouraged to seek third party certification, such as Built Green Gold or Leadership in Energy and Environmental Design (LEED). The Regional District may be able to provide assistance in the planning process and may offer financial assistance in accordance with Regional District’s environmental rebate and grant programs.



Example of a passive solar gain designed house.

38. The design and layout of open spaces that can accommodate buildings and areas for edible landscapes and food production are encouraged (e.g., planter boxes, green house, compost facility, private and/or community gardens, arbours and associated planting, bee hives).

39. The installation of electric vehicle charging stations are encouraged. The Regional District may be able to provide assistance in the planning process and may be able to identify applicable rebate and grant programs.

**Relationship to the Street**

40. Orient residential and commercial buildings to face the street.

41. Commercial and mixed-use buildings should be sited within close proximity to sidewalks and the pedestrian space to enhance the pedestrian experience, unless where a setback may be considered to provide transition to adjacent building or pedestrian-friendly features such as a patio, courtyard or plaza.



Example of an animated, mixed-use streetscape that provides a buffer between pedestrians and road traffic.

42. Building setbacks from lot lines should:

- a) be designed to create an intimate, pedestrian friendly streetscape;
- b) be between 0.0 m and 3.0 m (RDN in collaboration with MOTI will determine minimum building setbacks from lot lines);
- c) consider relationship and transition to adjacent buildings;
- d) corner sites are encouraged to feature landmark design or alternatively to provide a semi-public or public open space; and

- e) include “corner cuts” or similar treatment to expand sidewalks adjacent to intersections.



43. Pedestrian sidewalks or defined walkways connecting building entrances to and through parking areas and sidewalks or road right-of-ways of the adjacent streets shall be



Example of site plan demonstrating a ‘woonerf’ style streetscape.

Example of :

provided.

- 44. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of a clearly delineated pathway or durable, low maintenance surface materials such as pavers, bricks, or concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.
- 45. In residential areas, side street should consider ‘woonerf’ style streets that integrate needs of multiple users such as walking, cycling, playing, gardening and socializing.
- 46. Pedestrian sidewalks or defined walkways connecting building entrances to and through parking areas and sidewalks or road right-of-ways of the adjacent streets shall be provided.

**Pedestrian Access, Provisions for Cyclists Circulation, Vehicles and Loading**

- 47. Clearly defined, safe pedestrian access shall be provided through sites and parking areas to maintain a pattern of active transportation that is integrated with building entrances, walkways, sidewalks, trails and adjacent streets.
- 48. Locate parking areas to the rear of buildings, internal to the building, or below grade.
- 49. Avoid large expanses of parking. Provide paved surfaces with visual interest and landscaped areas to create safe pedestrian walkways and visual breaks between clusters of parking stalls (approximately every seven stalls).
- 50. Bicycle and scooter parking facilities should be provided at grade near primary building entrances.



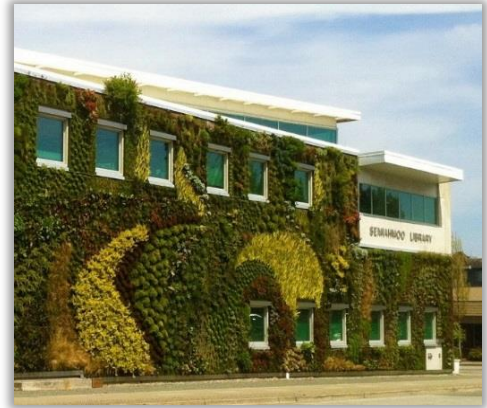




5.1.17 Bowser Village Centre Development Permit Area

separation from and between uses) and compliment the development and surrounding area;

- d) add texture and three dimensional components to the site (e.g., ground level planting, raised beds, shrubs, tree canopy) and avoid creating areas that are predominately bark mulch, gravel or other similar materials;
- e) minimize water consumption through conservation techniques such as micro-irrigation and xeriscaping;
- f) respect required sightlines from roadways and enhance public views;
- g) help screen parking areas, electrical and mechanical features, and refuse and recycling facilities;
- h) contribute to a sense of personal safety and security;



Example of a vertical green wall system.

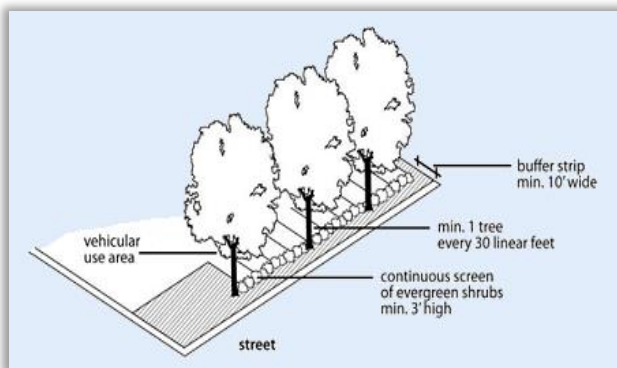
57. Mitigate undesirable architectural elements (e.g., blank walls can be covered with trellis and vines).

58. Minimize water consumption through conservation techniques such as micro-irrigation and xeriscaping. Landscaping is to meet the minimum depth of topsoil or amended organic soil on all landscaped areas of a property:

- a) Shrubs – 45 cm,
- b) Groundcover and grass – 30 cm, and
- c) Trees – 30 cm around and below the root ball.

59. Landscape plans must be drawn to scale and show type, size and location of proposed landscaping works and planting materials and shall be submitted with the development permit application.

60. Where irrigation is required to maintain proposed landscaping, it should be designed and installed by an Irrigation Industry Association of British Columbia certified irrigation designer or another qualified person.



Example of landscaped buffer from street or between residential properties.



Example of decorative fencing and landscaped screening.

5.1.17 Bowser Village Centre Development Permit Area

61. Where a commercial property abuts residential zoned property, landscaped buffer area should be provided between the commercial property and the residential property(s).
62. High-efficiency, water saving, automatic irrigation systems are encouraged.
63. All refuse and recycling facilities shall be screened with landscaping and/or gated fencing to a minimum 2.0 meters. Similarly, utilities, electrical and mechanical features shall be screened with fencing, landscaping or a combination of the two.
64. Decorative fences are encouraged. Where chain link fencing used, it shall be screened with landscaping.

**Rainwater Management**

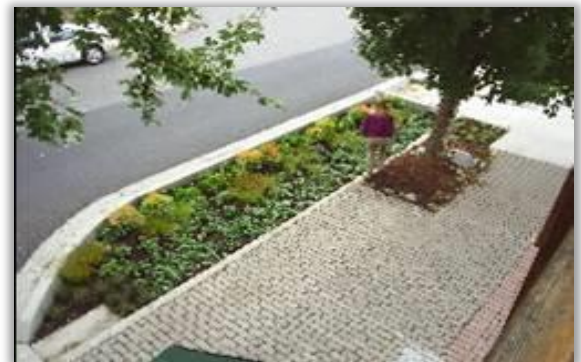
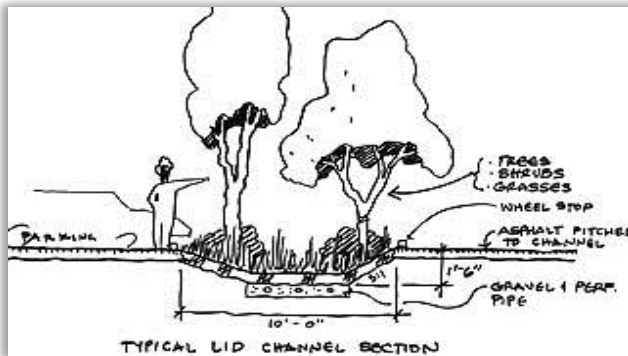


*Examples of a rain garden and rainwater harvesting system.*

65. Design sites and buildings to use best practices for integrated rainwater management and water conservation techniques, including appropriate source controls such porous and permeable surfaces, bioswales, absorbent landscaping, infiltration facilities, and re-use systems and other techniques aligned with Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia, 2014, published by the B.C. Ministry of Environment, or any subsequent editions.
66. Water quality should be maintained by ensuring that no deleterious substances enter ground or surface water.
67. The Regional District may require a rainwater management plan prepared by a Professional Engineer or other qualified professional.

5.1.17 Bowser Village Centre Development Permit Area

- 68. New buildings are encouraged to include non-potable water harvesting in the form of rainwater catchment or green roofs.



Examples of bioswales, permeable surfaces and absorbent landscaping.

**Multi-Residential and Intensive Residential Development Guidelines**

- 69. Residential units should be clustered to make the most efficient use of land and preserve as much land as possible for open space.
- 70. Residential land uses should be arranged to achieve gradual transition and minimize conflicts with adjacent housing types and surrounding neighbourhoods.
- 71. Residential units shall be designed to allow residents privacy as well as a sense of community such that each unit has at least one private outdoor space with access to or views of adjacent semi-public spaces.
- 72. Use landscaping and design to clearly distinguish and provide transitions between public and private spaces especially where residential uses are mixed with commercial uses.
- 73. Children’s play areas should be located to facilitate ‘natural surveillance’ with high visibility from residential units.

**Additional Commercial Mixed-Use Development Guidelines**

- 74. The maximum floor area for individual retail and commercial units should be 300 m<sup>2</sup> with the exception of grocery stores where a maximum 1,500 m<sup>2</sup> of retail space will be allowed.
- 75. Building size for institutional and commercial service/light industrial uses shall be a maximum 1,000 m<sup>2</sup>.



Example of mixed-use building with third floor roofscape.

**Additional Service Commercial/Light Industrial Development Guidelines**

- 76. Retail and office uses in commercial service



*5.1.17 Bowser Village Centre Development Permit Area*

development should be ground oriented, located adjacent to the street with non-retail functions located to the rear of the property.

77. Residential 'live-work' units shall be located above street level over top of commercial service uses.
78. Where possible residential 'live-work' units should be oriented to overlook public streets.
79. Residential 'live-work' units shall have at least one private outdoor space with access to or views of adjacent semi-public spaces.

### **5.1.18 Multi Residential, Intensive Residential, Industrial and Commercial Form and Character Development Permit Area**

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the Electoral Area G Official Community Plan.*

#### **APPLICATION**

A development permit is required for the following activities unless specifically exempt:

1. alteration of land, placement of fill, disturbance of soils, including grubbing, scraping, and removal of top soils;
2. construction or erection of buildings and structures;
3. creation of non-structural impervious or semi-pervious surfaces; and
4. subdivision as defined in the *Land Title Act* or the *Strata Property Act*.

#### **EXEMPTIONS**

The following activities are exempt from requiring a development permit:

1. Single residential development and accessory uses, including subdivision, on lands zoned for single residential use.
2. The cutting down of hazardous trees in accordance with the recommendations contained in a report prepared by an Arbourist or other qualified professional. Trees must pose an immediate threat to the safety of persons or existing buildings or structures.

#### **GUIDELINES**

##### ***Servicing***

1. Prior to any phase of a proposed development, the developer must provide a report prepared by a registered professional engineer that provides the following:
  - a) detailed plans and specifications showing the proposed sewage connection or disposal system (in unserviced areas) and rainwater drainage systems to be constructed to service the proposed development;
  - b) on lands serviced by community water, proof that the proposed development will be connected to the community water system and that the proposed system is compatible with the adjacent municipality's engineering standards; and,
  - c) on lands serviced with community sewer, proof that the proposed development will be connected to the community sewer system and that the proposed system is compatible with the adjacent municipalities engineering standards.

**General Design**

2. The Regional District of Nanaimo shall require an applicant to submit building elevations prepared by an architect or other qualified professional.
3. Commercial development should be ground oriented and in scale with the surrounding uses.
4. The use of non-combustible building materials is encouraged and where feasible locally produced natural building materials should be incorporated in to the design without compromising the building or structures fire resistance. West Coast architecture is strongly encouraged.
5. There shall be no net increase in peak rainwater run-off from the land to adjoining lands.
6. Development or subdivision of land should be designed to:
  - a) replicate the function of a naturally vegetated watershed;
  - b) maintain the hydraulic regime of surface and groundwater and pre-development flow rates;
  - c) not interfere with groundwater recharge;
  - d) not introduce or remove materials where it would cause erosion of or the filling in of natural watercourses and/or wetlands.
7. Benches, ornamental street lights, and public art are encouraged throughout the site. Outdoor patios or amenity areas are encouraged.
8. Street furniture such as benches, lamps and refuse containers shall be incorporated in the landscape design. These shall be required to be consistent, similar, or identical in character to the architectural character of the development and identified by type and source in the application.
9. Public open space and pedestrian walkway linkages to adjacent neighbourhoods and to Wembley Mall which complement existing parks and recreation opportunities and reduce automobile dependence shall be encouraged.
10. The use of energy efficient building materials, techniques, and practices that reduce the amount of energy consumption shall be encouraged.
11. Comprehensive development proposals that consider the full life cycle of input materials and process by-products as well as seek to minimize energy and raw materials use, minimize waste, and build sustainable economic, ecological and social relationships (eco-industrial networking) shall be encouraged.
12. Buildings shall be designed so as to avoid presenting an overly massive appearance using roof lines, window treatments, and landscaping to break up their bulk and soften their appearance.

**Residential Development Guidelines**

13. Residential developments should include a variety of housing sizes and types. These may range from single dwelling units, condominiums, and townhouses. Residential land uses should be arranged to achieve gradual transition from adjacent housing types and surrounding neighbourhoods.

*5.1.18 Multi Residential, Intensive Residential, Industrial and Commercial Form and Character Development Permit Area*

14. Developments should be designed to take advantage of sun exposure to reduce winter heating and summer cooling.
15. Multiple dwelling unit buildings should be designed to utilize sunlight for the health and comfort of residents and for energy conservation purposes.
16. Dwelling units should be designed to allow residents privacy as well as a sense of community such that each unit has at least one private outdoor space with access to or views of adjacent semi-public spaces.
17. Development shall not be a separate "gated community" with walled or fenced enclaves and shall be integrated with and compatible with surrounding neighbourhoods.
18. Where practical, clustering of multi-residential development a minimum of 250 metres away from the centre of the FCPC should be required in order to maximize vegetation retention buffers to limit periodic odour migration.

***Parking and Loading***

19. Parking and loading areas shall generally be located to the rear of buildings, must be screened from view from adjacent properties, and be located outside of the minimum required zoning setback. The screening should consist of landscaping and/or fencing. Parking areas shall include landscaped areas, defined by concrete curbs, to provide visual breaks between clusters of approximately ten stalls.
20. Vehicular and truck movement patterns must be illustrated on the site plan submitted by the applicant to ensure adequate circulation. A professional engineer may be required to ensure that adequate lane widths and turning radiuses are provided for all forms of vehicles intended to use the property.
21. Provision should be made for emergency vehicles, moving vans, and service vehicles.
22. Safe, efficient, and effectively designed and located roadways, entrance points, parking areas, pedestrian paths, and open spaces shall be provided.

***Landscaping and Screening***

23. The Regional District shall require the applicant to submit a landscaping plan prepared by a Landscape Architect or equivalent professional which meets the British Columbia Landscape Standard and satisfies the following objectives:
  - a) to use a variety of drought tolerant deciduous and evergreen native plant species that are best suited to the site specific growing conditions;
  - b) to minimize water consumption through means such as micro-irrigation and xeriscaping;
  - c) to provide visual separation from and compatibility with surrounding single residential uses;
  - d) to improve the aesthetic appeal of the development;
  - e) to assist in the safe movement of pedestrians throughout the site;
  - f) to reduce the amount of impervious surfaces on the site;
  - g) to compliment the development and surrounding uses;

5.1.18 Multi Residential, Intensive Residential, Industrial and Commercial Form and Character Development Permit Area

- h) to preserve the rural experience and to minimize the visual distraction of development on Highways No. 19, 19A, and Highway 4; and,
  - i) to establish or enhance habitat values on the development site where appropriate.
- 24. The landscaping plan must be drawn to scale and show the type, size and location of proposed landscaping and shall be submitted with the development permit application.
- 25. At minimum the landscape design should provide a continuous landscaped buffer area of at least 2.0 metres in width along the inside of all property lines, excluding access points, adjacent to all roads and highways and adjacent to all residential zoned property and should contribute towards the objectives identified in Guideline 24.
- 26. Notwithstanding Guideline 24, the landscaped buffer adjacent to any watercourse, coastal area, or environmentally sensitive feature shall be determined by a QEP and shall work towards Guideline 23(i) – to establish or enhance habitat values on the development site.
- 27. To separate parking, service or storage areas from adjacent properties, a landscaped buffer area of at least 2.0 metres in width and 2.0 metres in height, shall be provided along the inside of all affected property lines.
- 28. Buildings and structures should be sited in a manner that minimizes the disturbance of existing native vegetation.
- 29. Vegetation species used in replanting, restoration and enhancement shall be selected to suit the soil, light and groundwater conditions of the site, should be native to the area, and be selected for erosion control and/or fish and habitat wildlife habitat values as needed.
- 30. All replanting shall be maintained by the property owner for a minimum of five years from the date of completion of the planting. Unhealthy, dying or dead stock will be replaced at the owner's expense during the next regular planting season.
- 31. All landscaping shall require the following minimum depth of topsoil or amended organic soils on all landscaped areas of a property:
  - a) shrubs – 45 cm;
  - b) groundcover and grass – 30 cm;
  - c) trees – 30 cm around and below the root ball.
- 32. Where irrigation is required to maintain proposed landscaping, it shall be designed and installed by an Irrigation Industry Association of British Columbia certified irrigation designer.
- 33. The Regional District of Nanaimo shall require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour as determined by a Landscape Architect or other similarly qualified person to the satisfaction of the Regional District to be released upon final inspection by a Landscape Architect or other similarly qualified person to the satisfaction of the Regional District of Nanaimo.
- 34. Garbage and recycling containers shall be screened with landscaping and fencing and gated to a minimum height of 2.0 metres. Similarly, utilities, service kiosks, meters, elevator housing, exhaust elements, satellite dishes, etc. shall be screened with landscaping and fencing.

5.1.18 Multi Residential, Intensive Residential, Industrial and Commercial Form and Character Development Permit Area

35. Chain link fencing shall be used only when screened by landscaping. Decorative fences are encouraged matching the materials used for the principle building.
36. Subject to the approval of the MOT where applicable, the installation of boulevards, street trees, pedestrian pathways, or sidewalks within the public road right of way may be supported. Boulevards must be landscaped, irrigated, and maintained by the subject development.
37. Open spaces acting as sites of public assembly shall incorporate special landscape features such as fountains, landscaping or monuments as focal elements.

**Site Illumination and Signage:**

38. Lighting should be designated for security and safety. However, there should not be glare on neighbouring properties, adjacent roads or the sky.
39. All new, replacement and upgraded exterior lighting in existing and proposed developments shall be Full-Cut Off/Flat Lens (FCO/FL) luminaries to light roads, parking, loading and pedestrian areas. Exterior building lighting will also be required to have FCO lighting fixtures.
40. The size, location and design of freestanding signage shall be architecturally integrated with the overall design of the buildings and landscaping. The design of fascia signs containing individual business signage shall be integrated into the design of the building.
41. No roof top signs shall be permitted. Multi-tenant buildings shall provide combined tenant signage.
42. Signage should be visually unobtrusive; particular emphasis should be given to signage which is aesthetically pleasing and requires a minimal amount of lighting or boldness to be effective

**Pedestrian and Cyclist Considerations:**

43. Pedestrian sidewalks or defined pathways connecting building entrances to and through parking areas and sidewalks or road right-of-ways of the adjacent streets shall be provided.
44. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of a clearly delineated pathway or durable, low maintenance surface materials such as pavers, bricks, or concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.
45. Bicycle parking facilities should be provided at grade near the primary building entrances.



### 5.1.19 Rural Commercial Development Permit Area

**Information Note:** the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the Electoral Area H Official Community Plan.

#### APPLICABILITY

A development permit is required for the following activities wherever they occur within the development permit area, unless specifically exempted:

1. Construction, erection, renovation or addition of buildings or structures on the land, including signage over 1.0 meter in height.
2. Alteration of land, removal of vegetation, disturbance of soils, including grubbing, scraping and removal of top soil.

#### EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Exemptions listed in Section 8.3 Development Permit Areas – General Exemptions.
2. Construction, renovation, or addition to single dwelling unit, duplex dwelling unit, or accessory residential buildings.
3. Alterations or additions to a building which does not require a building permit. This exemption excludes new signage.
4. Construction of a building or structure with a total floor area of 10 square meters or less which is not visible from a public roadway.
5. Addition to an existing building or structure that is screened from view from a public roadway or other public space by the existing building or structure.
6. Subdivision of land as defined in the *Land Title Act* or *Strata Property Act*.
7. Maintenance of existing landscaping, existing roads, parking areas, paths and trails.
8. Construction of unpaved driveways and walkways not exceeding 4 meters in width.

#### GUIDELINES

1. The character of the development will generally:
  - a) be designed to utilize the existing topography and vegetation in a manner that is visually unobtrusive and blends into the surrounding landscape,
  - b) be designed to mimic the natural water balance by maximizing infiltration of uncontaminated rainwater,
  - c) integrated with and enhance the character of existing development to avoid mass and character that would be overwhelming to adjacent non-commercial properties, and

- d) include gathering places such as seating areas, patios, garden entry areas that are visible and accessible and encourage pedestrian uses, where possible.
2. Incorporating natural materials to create a “west coast” style into the design is encouraged.
3. Where buildings present an aspect to the highway or to highly visible areas, continuous blank wall surfaces (longer than 5 meters) shall be avoided. Consider using building articulation, visually-interesting rooflines (e.g., variations in cornice lines and roof slopes); architectural elements (e.g., balconies, bay windows, cupolas, dormers), and other detailing that creates rhythm along the lines of the building.
4. Safe pedestrian and cycling routes that connect the property with the waterfront, open spaces and active transportation networks shall be identified and where applicable, constructed in accordance with the Regional District’s *Community Parks and Trails Strategy, Regional Parks and Trails Plan, or Active Transportation Plan*, and any subsequent editions.
5. Walls, fences, shrubs, grade changes or other site features should not obscure the vision of vehicle drivers with respect to pedestrians or bicycle routes.
6. Off-street parking and off-street loading areas shall be located to the rear of buildings wherever possible, shall be complimentary to the development, and shall be screened with landscaping. Small clustered parking areas are preferable to large paved areas.
7. Off-street parking and off-street loading areas, located adjacent to residential or rural land uses, shall be adequately screened from the residential uses.
8. All outdoor refuse and storage areas shall be screened with a combination of landscape plants and fencing, and wherever possible, located to the rear of the buildings or in unobtrusive locations. For waterfront properties, consideration should also be given to screening these areas from the beach front.
9. For land to be developed where it abuts a residential zoned property(s), a landscaped buffer shall be retained or planted to provide a visual screen.
10. Porous and permeable surfaces should be used where practical and techniques such as rain gardens and vegetative swales to assist in the treatment of rainwater runoff from a site are encouraged in accordance with *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia*, published by the B.C. Ministry of Environment, or any subsequent editions. The Regional District may require a rainwater management plan prepared by a Professional Engineer or other qualified professional.
11. Mature trees shall be preserved and, where possible, integrated with new landscaping. The planting of trees is strongly encouraged.
12. Proposed new plantings should consist of indigenous vegetation or other non-invasive vegetation suitable for local environmental conditions.
13. Where the introduction of vegetation is required within the development permit area, the Regional District may require the applicant to submit a landscape plan and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified professional to the satisfaction of the Regional District.
14. Exterior lighting shall be low intensity, pedestrian-orientated with an emphasis on public safety and the prevention of glare onto adjacent properties, roads or sky. The use of solar power lightening is encouraged.

*5.1.19 Rural Commercial Development Permit Area*

15. All new or replacement exterior lighting in commercial areas shall use Full-Cut Off/Flat Lens (FCO/FL) lighting fixtures on exterior to light roads, parking, loading and pedestrian areas.
16. Signage should be visually unobtrusive and grouped whenever possible. Particular emphasis should be given to signage that is complementary to the scenic qualities of the area and requires a minimal amount of lighting to be effective. Animated, flashing, oscillating or moving signs and roof top signs shall be avoided to retain a rural appearance and not be distracting to drivers.

### 5.1.20 Highway Corridor Protection Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the Nanoose Bay Official Community Plan.*

#### EXEMPTIONS

The following are exempt from obtaining a development permit:

1. The construction, renovation, or addition to a single dwelling unit, duplex dwelling unit, or accessory residential buildings; and/or
2. The subdivision of land within the ALR.

#### GUIDELINES

1. Landscaping, screening and the retention of natural vegetation shall be encouraged to enhance the appearance of properties adjacent to the highway in accordance with land use bylaws.
2. Off street parking, loading areas, refuse containers and outdoor storage/manufacturing areas shall, where achievable, be located to the rear of buildings and/or adequately screened from residential and rural lands by a combination of landscape buffering and fencing.
3. Signage on properties bordering the highway should be grouped whenever possible, complementary with the natural character of the area, and employ the use of a minimal amount of direct or indirect lighting to be effective.
4. The Ministry of Transportation and Infrastructure is supported in their initiatives to consolidate access points to major roadways and to provide access through 'slip' roads.

### 5.1.21 Inland Island Highway Corridor Development Permit Area

*Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the Electoral Area G Official Community Plan.*

#### APPLICATION

A development permit is required for the following commercial, industrial, intensive residential and multi-residential uses unless specifically exempt:

1. alteration of land, removal of vegetation, disturbance of soils, including grubbing, scraping, and removal of top soils;
2. construction or erection of buildings and structures;
3. creation of non-structural impervious or semi-pervious surfaces; and
4. Subdivision as defined in the *Land Title Act* or the *Strata Property Act*.

#### EXEMPTIONS

1. All development activities, including subdivision of land that does not include commercial, industrial, intensive residential or multi-residential development or related activities.

#### GUIDELINES

1. Development or redevelopment of commercial, industrial, or multi-residential land within the Inland Island Highway Development Permit Area shall:
  - a) reinforce the rural and aesthetic visual image of the Inland Island Highway by maintaining the rural wooded landscape on adjoining lands;
  - b) ensure that orderly and aesthetic development or redevelopment of existing industrial zoned lands do not negatively impact the view corridor of the new highway; and,
  - c) prohibit direct vehicular access from the Inland Island Highway.
2. All industrial, commercial, or multi-residential subdivisions or individual developments should provide a 30 metre visual integrity buffer, adjacent to the Inland Island Highway, where a natural wooded character will be maintained and no buildings, outdoor storage or signage shall be permitted without the approval of both the MOTI and the Regional District Board.
3. Buildings, structures, parking, and storage should be designed and sited to be outside of the visual integrity buffer of the Inland Island Highway and complement the rural integrity of the area. Plans shall be submitted illustrating cross sections of the property and proposed buildings. The Plans shall illustrate the view corridor of eastbound and westbound traffic and the visual impact of any proposed structures from the Inland Island Highway. In addition, a photographic survey of the site and development proposal shall be submitted, from adjoining parcels and major roadways, to illustrate visual compatibility with surrounding development.
4. No signage shall be visible from the Inland Island Highway. Signage should be visually unobtrusive and grouped whenever possible, and no third party signs shall be permitted within the Development Permit Area.

*5.1.21 Inland Island Highway Corridor Development Permit Area*

5. Wherever possible development should be oriented with the "front" face of buildings away from the Highway and no loading, storage, or other service functions should be located between the building and the highway.
6. Where the introduction of vegetation is required within the Development Permit Area, the Regional District may require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified person to the satisfaction of the Regional District.
7. Where irrigation is required to maintain proposed landscaping, it should be designed and installed an Irrigation Industry Association of British Columbia certified irrigation designer.



ATTACHMENT 12

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1285.33**

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO ELECTORAL AREA F ZONING AND  
SUBDIVISION BYLAW NO. 1285, 2002**

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

- A. This Bylaw may be cited as “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.33, 2018”.
- B. “Regional District of Nanaimo Electoral Area F Zoning and Subdivision Bylaw No. 1285, 2002” is hereby amended as follows:

- 1. To the **Table of Contents**, section 2.21, by deleting “for Farmers’ Market”.
- 2. By adding the following to the Table of Contents in numerical order:

**“Section 7 – Development Permit Areas**

<u>Section</u>	<u>Title</u>
7.1	Development Permit Area Organization
7.2	Freshwater and Fish Habitat Development Permit Area”

- 3. By deleting **Section 2.21 Temporary Use Permits for Farmers’ Market**, and replacing with Schedule A attached to and forming part of this bylaw.
- 4. By adding **Section 7 – Development Permit Areas** as shown in Schedule B attached to and forming part of this bylaw.

Introduced and read two times this \_\_\_ day of \_\_\_\_\_ 20XX.

Considered in conjunction with the Regional District of Nanaimo Financial Plan and any applicable Waste Management Plans this \_\_\_ day of \_\_\_\_\_ 20XX.

Public Hearing held pursuant to Section 464 of the *Local Government Act* this \_\_\_ day of \_\_\_\_\_ 20XX.

Read a third time this \_\_\_ day of \_\_\_\_\_ 20XX.

Adopted this \_\_\_ day of \_\_\_\_\_ 20XX.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

Schedule A to accompany "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.33, 2018".

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Chair

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Corporate Officer

**REGIONAL DISTRICT OF NANAIMO**  
**BYLAW NO. 1285.33**  
Schedule A

**2.21 Temporary Use Permits**

1. The Regional District may issue a temporary use permit on any lot to temporarily allow a use not permitted by this bylaw. The following general conditions will guide the consideration of such applications. The Regional District may waive any of the following should they be deemed to not be relevant, and may give consideration to additional conditions relevant to the specific proposal.
  - a) The applicant demonstrates how any anticipated impact on the surrounding area will be mitigated (for example: noise, light, hours of operation, dust, odour, vibration, aesthetic impact, etc.).
  - b) The applicant provides a projection of anticipated impact on local road networks, and proposes mitigating measures if necessary.
  - c) The applicant provides an assessment of the impact of the proposed use on the natural environment, including groundwater, wildlife, and environmentally sensitive areas.
  - d) The applicant provides a rationale for the suitability of the location and the inability to conduct the use in another area where the use is already permitted.
  - e) Submission of a satisfactory decommissioning and reclamation plan, which may require a security deposit to be held by the Regional District until completion of the proposed works.
  - f) The proposal addresses concerns related to visual integrity and buffering of the Inland Island Highway if applicable.
2. Where the land is in the Agricultural Land Reserve, approval from the Provincial Agricultural Land Commission is required prior to issuance of a permit.
3. The Regional District may specify conditions in a permit including, but not limited to, environmental protection measures, odour abatement, hours of operation, parking, buffering, and groundwater protection.
4. The Regional District may require security and/or an undertaking to secure the conditions of the permit in accordance with the *Local Government Act*.

Schedule B to accompany "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.33, 2018".

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Officer

**REGIONAL DISTRICT OF NANAIMO**  
**BYLAW NO. 1285.33**  
Schedule B

**DEVELOPMENT PERMIT AREAS**

**SECTION 7**

**7.1 Development Permit Area Organization**

For the area covered by this bylaw, the Electoral Area F Official Community Plan designates development permit areas and describes the special conditions or objectives that justify the designations. The applicability, exemption and guidelines for the development permit areas are contained within this bylaw as within Section 7 of this bylaw.

**7.2 Freshwater and Fish Habitat Development Permit Area**

**APPLICABILITY**

Terms used in this development permit area that are defined in the provincial *Riparian Areas Regulation (RAR)*, of the *Riparian Areas Protection Act*, are intended to be interpreted in accordance with the definition given in the Regulation, as it may be amended from time to time. This Regulation and Act may be obtained from the provincial Ministry of Forests, Lands, Natural Resource Operations and Rural Development or from the BC Laws website.

A development permit is required for the following activities wherever they occur within this Development Permit Area, unless specifically exempted:

1. removal, alteration, disruption, or destruction of vegetation;
2. disturbance of soils; including grubbing, scraping and the removal of top soils;
3. construction or erection of buildings and structures;
4. creation of non-structural impervious or semi-impervious surfaces;
5. flood protection works;
6. construction of roads, trails, docks, wharves, and bridges; and
7. subdivision of land.

## EXEMPTIONS

The following activities are exempt from any requirement for a development permit.

### ***Exemptions Applicable to all Watercourses:***

1. Development in an area where no stream or watercourse exists, or where the proposed development is clearly outside the development permit area, as determined by the Regional District, a BC Land Surveyor, or a Registered Professional Biologist. This exemption does not apply if the stream or watercourse ecosystem was previously filled or realigned without a development permit.
2. Renovations, repairs, maintenance, the construction of a second storey addition, excluding cantilevered construction to existing buildings within the same footprint (a building permit may still be required).
3. All park or parkland ancillary uses not containing commercial, residential, or industrial activities.
4. Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
  - a) emergency flood or protection works;
  - b) clearing of an obstruction from bridge, culvert, or drainage flow, repairs to bridges and safety fences;
  - c) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District or Ministry must be reported to the Regional District and applicable Ministry immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

5. Removal of trees deemed hazardous by a certified arborist or Registered Professional Forester that pose an imminent threat to buildings or life safety. Removal of hazardous trees that also contain an eagle or heron nest are exempt only if a permit under the *Wildlife Act* has been obtained.
6. The small-scale, manual removal of non-native invasive plants or noxious weeds or planting of non-invasive, native vegetation on a small scale conducted in accordance with best practices such as the Invasive Plan Council of BC's 'Grow Me Instead' publication.
7. The activity is part of a farm operation as defined by the *Farm Practices Protection (Right to Farm) Act*, is a permitted farm use as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedures Regulations*, and the lands are assessed as 'farm' under the *BC Assessment Act*. The farm operation of land clearing is only exempt from the requirement of a development permit if conducted in accordance with a current Environmental Farm Plan (less than five years old); otherwise, land clearing as part of a farm operation is not exempt. Note that other provincial legislation such as the *Waste Management Act* and the *Water Sustainability Act* may apply to farm operation activities.

8. Digging of observation holes for percolation testing under supervision of a Registered Onsite Wastewater Practitioner or Professional Engineer, and digging of test pits for geotechnical investigation under supervision of a Professional Engineer.
9. Works conducted and/or approved by the Department of Fisheries and Oceans and/or Ministry of Environment with respect to trail construction, stream enhancement, fish and wildlife habitat restoration and in-stream works as defined by Section 11 of the *Water Sustainability Act*.
10. All forest management activities on lands subject to the *Forest Act* or *Private Managed Forest Land Act* and classified as 'Forest Lands' on the property assessment.
11. Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area guidelines as determined by the Regional District.
12. Subdivision where the minimum lot size is met exclusive of the exclusive of the development permit area, and no works are proposed within the development permit area.

***Exemptions Applicable to Streams under the RAR only:***

13. Subdivision where the minimum lot size is met exclusive of the Streamside Protection and Enhancement Area (SPEA), and no works are proposed within the Riparian Assessment Area.
14. Within Electoral Area A, development activities more than 30 metres from the Nanaimo River or Haslam Creek, measured from the top of bank or present natural boundary, whichever is greater, where:
  - a. a RAR assessment report has been completed by a Qualified Environmental Professional (QEP) in accordance with the RAR Assessment Methods and submitted to the province; and
  - b. notification of the assessment report has been received by the provincial ministry responsible and the Regional District.
15. For streams subject to the RAR, in the case where a simple assessment is submitted which assigns a SPEA, a development proposed outside of the SPEA where:
  - a) the assessment report has been completed by a QEP in accordance with the RAR Assessment Methods; and
  - b) notification of the assessment report has been received by the provincial ministry responsible and the Regional District, and there are no measures outside of the SPEA required to protect the SPEA.

***Exemptions Applicable to this development permit area where the RAR does not apply:***

16. Subdivision involving only lot line adjustment. For lot line adjustment to be exempt there must be sufficient developable area outside the development permit area as confirmed by the Regional District, BC Land Surveyor, or Registered Professional Biologist, and there are no works proposed within the development permit area.
17. A property owner may construct a single trail within this development permit area in accordance with the principles and standards of 'Access Near Aquatic Areas' of the

Stewardship Series published by the provincial and federal governments, and subject to the following conditions:

- a) the trail provides the most direct route or feasible passage through the development permit area while minimizing the extent of vegetation removal or disturbance and minimizing excavation and removal of native soils;
  - b) the ground is stable, ie. erodible stream banks or other erosion prone areas shall be avoided;
  - c) no motorized vehicles are permitted on the trail;
  - d) the trail is not to exceed a maximum width of 1.5 metres;
  - e) no trees, which are greater than five metres in height and 10 centimetres in diameter, are to be removed; instead limbing and pruning of trees shall be done, where necessary, to facilitate the construction of the single trail;
  - f) the trail's surface shall only be composed of pervious materials.
18. Minor additions to existing buildings or structures to a cumulative maximum of 25 percent of the original ground floor area, if the addition is located on the side or part of the building or structure most distant from the waterbody or stream.
19. The construction of a small accessory building or structure if all the following apply:
- a) the building or structure is located within an existing landscaped area;
  - b) no native trees with a diameter at breast height of 20 centimetres or greater are removed;
  - c) there is no permanent foundation;
  - d) the building or structure is located a minimum of 10 metres from the high water mark or, where the bank has a slope greater than 3:1, 10 metres from the top of the bank; and
  - e) the total area of the accessory building or structure is less than 10 square metres.

## **GUIDELINES**

Development permits shall be issued in accordance with the following.

### ***Guidelines applicable to all watercourses:***

1. An assessment must be prepared by a Registered Professional Biologist (a QEP for streams applicable to the RAR) for the purpose of identifying sensitive biophysical features on or near the development permit area and providing recommendations and conditions for development to avoid or mitigate impacts to these features. The assessment should list each guideline with an explanation of how the development is consistent with the guideline, or an explanation as to how the guideline is not applicable. The site plan should indicate the areas for yard and driveway and areas to remain free from development. See Guideline 13 for additional requirements of this report for streams applicable to the RAR.

2. If development or alteration of land is proposed within the development permit area, it shall be located so as to minimize the impact on the stream or waterbody. The assessment report shall include an explanation as to how locating development entirely outside of the development permit area has been considered, and the reason that it is not being proposed. Variances to the zoning bylaw regulations to minimize development in the development permit area should be considered.
3. Sensitive biophysical features to be assessed in this development permit area include but are not limited to:
  - a) forest cover and ecological communities;
  - b) surface drainage patterns;
  - c) site topography and channel morphology;
  - d) aquatic and riparian habitat values, condition and function; and
  - e) an overall assessment of the ecological importance of the watercourse.
4. Mitigation measures that should be considered in the biological assessment include but are not limited to:
  - a) minimization of vegetation removal;
  - b) maintenance of linkages with adjacent sensitive ecosystems to minimize habitat fragmentation and maintain wildlife corridors;
  - c) sediment and erosion control;
  - d) protection of sensitive areas through fencing or other permanent demarcation; and
  - e) timing of construction to minimize potential impacts.
5. Where the applicant's biologist or other qualified professional recommends revegetation and/or enhancement works, the Regional District may require the applicant to submit a landscaping plan and a security deposit equal to the total estimated costs of all materials and labour as determined by a Landscape Architect or other qualified professional to the satisfaction of the Regional District.
6. For the SPEA or where the applicant's biologist or other qualified professional recommends other specific areas that must remain free from development:
  - a) the Regional District may require a Section 219 covenant to be prepared at the applicant's expense, to the satisfaction of the Regional District, to ensure that the identified areas remain free from development; and
  - b) prior to construction commencing, the installation of temporary fencing or flagged stakes marking the protection area is required to avoid encroachment within the areas to be protected through to the completion of the development.
7. The applicant's biologist or QEP may be required to provide confirmation to the Regional District that the property has been developed in accordance with the QEPs recommendations.

***Guidelines Related to Rainwater Management and Protection of Development from Hazardous Conditions:***

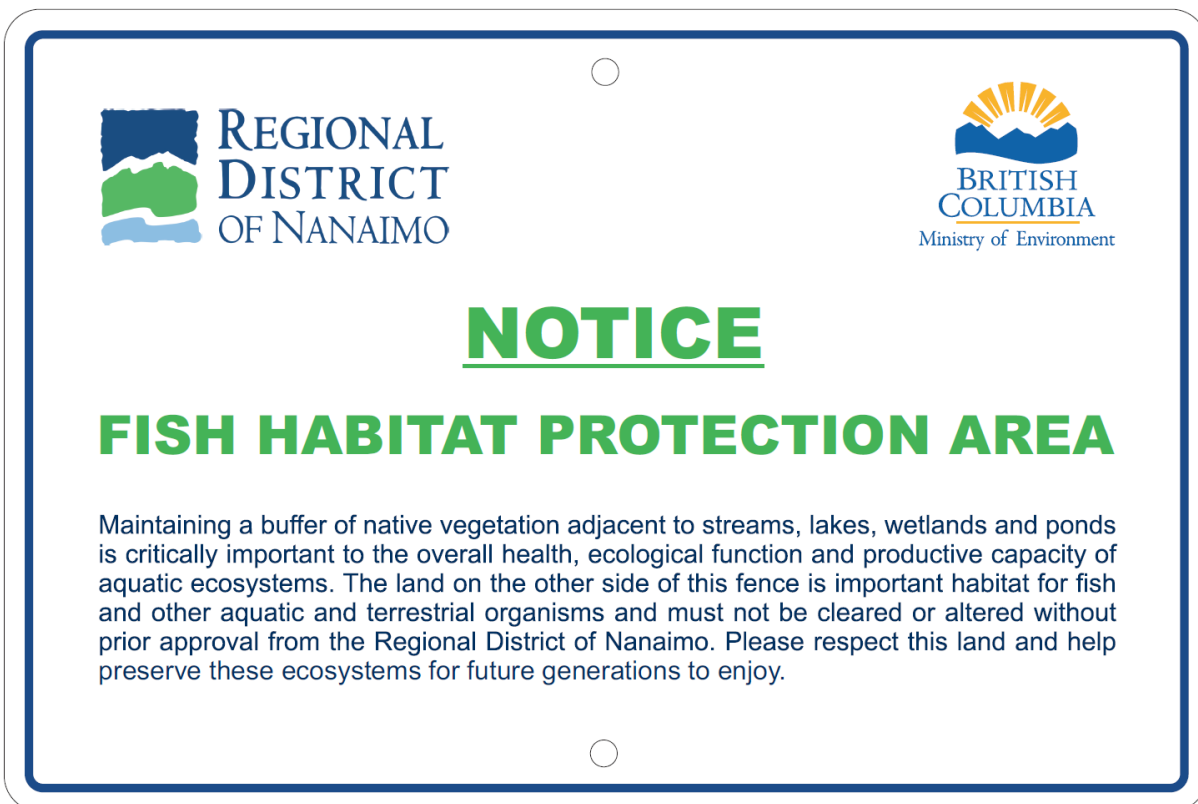


8. On any development where there is potential for silt, petroleum or any other contaminants to enter a watercourse either directly or indirectly through infiltration, provision of oil, grease and sediment removal facilities and the ongoing maintenance of these features will be required.
9. Directing drainage of rainwater from development sites into the SPEA and other watercourses and water bodies shall be avoided. Instead, rainwater is to be managed onsite with an emphasis on infiltration approaches to management. If impacts cannot be avoided through onsite infiltration, a sediment and erosion control plan may be required, and grading plan may be required where fill is placed near the freshwater feature.
10. In low-lying areas subject to flooding, development should not increase the flood risk on the subject property or on adjacent or nearby properties. Where the placement of fill is proposed within a floodplain as defined by the RDN Floodplain Management Bylaw, it shall be designed by a Professional Engineer to ensure that the placement of the proposed fill will not restrict the passage of flood waters, redirect flood flows, decrease natural flood storage, result in higher flood flows or result in higher flood potential elsewhere in the floodplain.
11. Where there is a slope greater than 30 percent over a minimum horizontal distance of 10 metres, an assessment report prepared by a Professional Engineer with experience in geotechnical engineering may be required to assist in determining what conditions or requirements shall be included in the development permit so that proposed development is protected from the hazard and no increase in hazard is posed to existing development. The geotechnical report will form part of the development permit terms and conditions, and may include registration of a Section 219 Covenant, prepared at the applicant's expense and to the satisfaction of the Regional District.

***Additional Guidelines Applicable to Streams Subject to the RAR only:***

12. No development shall take place within any SPEA except where:
  - a) a QEP has determined that no serious harm is likely to occur or that it can be mitigated by following prescribed measures; or
  - b) the owner has obtained an authorization under subsection 35(2) [serious harm to fish] of the *Fisheries Act* or Section 11 [changes in and about a stream] of the *Water Sustainability Act*.
13. The Regional District shall require the applicant to retain a QEP, at the expense of the applicant, for the purpose of preparing an assessment report, pursuant to Section 4(2) of the RAR and the RAR Assessment Methodology Guidebook, and the assessment report must be electronically submitted to the provincial ministry responsible, via the Riparian Area Regulations Notification System, and a copy must be provided to the Regional District.
14. In addition to implementing the measures in the assessment report, to ensure the integrity of the SPEA the Regional District and landowner may consider the following:
  - a) gift to a nature preservation organization all or part of the SPEA; or
  - b) register a restrictive covenant or conservation covenant on title securing the measures prescribed in the assessment report.

15. For the purpose of subdivision design, proposed lot configuration shall consider the protection of the SPEA and minimize new lot lines in the SPEA. The proposed lot configuration should demonstrate that enough developable land is available on each lot to establish a development envelope that includes a reasonable yard area outside of the SPEA to accommodate wastewater disposal field, driveway, accessory buildings and yard.
16. Permanent fencing and/or other means of clearly delineating the SPEA boundary such as signage must be designed to follow the standard established by the Regional District and Ministry of Environment shown below. Signage should be installed to the satisfaction of the Regional District prior to land alteration and in the case of subdivision prior to the Regional District notifying the Approving Officer that the conditions of the development permit have been met. Fencing must be maintained in good order.



Aluminum or Dibond 12"x18" Radius corners  
Inline border .14"  
RDN logo: 2"x5.17"  
Ministry of Environment logo: 2.5"x2.92"  
Notice: Arial black type .90"  
Fish Habitat Protection Area: Arial black type .60"  
All other text: Arial bold type .27"

# REGIONAL DISTRICT OF NANAIMO

## P O L I C Y

SUBJECT: <i><u>Riparian Areas Regulation Stream Property Declaration Form</u></i>	POLICY NO: B1.12 CROSS REF.:
EFFECTIVE DATE: September 26, 2006	APPROVED BY: Board
REVISION DATE: <u>September 4, 2018</u>	PAGE: 1 of 3

### PURPOSE

To provide a consistent process to determine a property owner's knowledge of the following for the purpose of development applications:

1. the presence or absence of streams subject to the Riparian Areas Regulation (RAR)
2. the presence or absence of eagle or heron nesting trees on or near the subject property; and
3. that a site has been used, or is used, for industrial or commercial purposes or activities.

To when handling property related inquiries and development applications, and to ensure that property owners and developers their agents are aware of their responsibilities with respect to the Riparian Areas Regulation RAR, development permit area requirements with respect to eagle and heron nesting trees, and the Contaminated Sites Regulation.

### POLICY

~~1.~~—The property declaration form, a sample of which is attached as Attachment No. 1, shall be completed by the property owner(s) or authorized agent(s) when applying for a building permit, and as necessary to determine whether or not a ~~d~~Development ~~p~~Permit or Site Profile Form is required. This is, to ensure compliance with the ~~Riparian Areas Regulation RAR, Contaminated Sites Regulation, and development permit area requirements.~~

#### Riparian Areas:

2. Where the property owner(s) or authorized agent(s) indicates that there is a water feature on a property, and the development, including land alteration and/or vegetation removal, may be within 30.0 metres of a watercourse, staff shall:
  - i. require the applicant to hire a Qualified Environmental Professional to determine whether the water feature is subject to the RAR, or
  - ii. make the determination that a water feature(s) is (are) not subject to the RAR where the situation is clear; however, where any uncertainty exists the applicant shall be required to hire a Qualified Environmental Professional to make the determination.
3. Where the property owner(s) or authorized agent(s) indicates that there is (are) no water feature(s) on a property that may be within 30.0 metres of any development, including land alteration and/or vegetation removal, staff shall:
  - i. review mapping resources and air photographs for any indication of the presence of a watercourse;

- ii. check for a water feature during any site visits or inspections of the property; and
  - iii. require the applicant to hire a Qualified Environmental Professional to make a determination as to whether the watercourse is subject to the RAR where a water feature is suspected to exist.
  - iv. where no water feature exists within 30.0 metres of a development, consider exempting the proposed development from requiring a ~~d~~Development ~~P~~ermit, according to the requirements of the applicable development permit area;
4. ~~If a proposed development as defined in the Riparian Areas Regulation RAR is found to be within the Riparian Assessment Area as defined in the Riparian Areas Regulation RAR, the applicant shall be required to hire a Qualified Environmental Professional to conduct an assessment pursuant to the Riparian Areas Regulation RAR and applicable development permit area.~~

**Eagle and Heron Nesting Trees:**

5. ~~Where the property owner(s) or authorized agent(s) indicates that there is an eagle or heron nesting tree on or near a property, and the development, including land alteration and/or vegetation removal, may be within a radius of the tree specified in the development permit area designation, staff shall:~~
- i. ~~determine if the applicable official community plan designates a development permit area for eagle and heron nesting trees and if so, inform the applicant that a development permit is required; and~~
  - ii. ~~inform the applicant of their responsibilities under the *Wildlife Act* related to not disturbing the nest or birds.~~

**Contaminated Sites:**

6. ~~Where the property owner(s) or authorized agent(s) indicate that a site has been used, or is used, for industrial or commercial purposes or activities, staff shall:~~
- i. ~~determine if a Site Profile Form is required, and if so, require that the site profile form is completed prior to accepting a development application form.~~

**Riparian Areas Regulation Stream Declaration Form Policy - Attachment No. 1**  
**SAMPLE FORM**



**Riparian Areas Regulation  
Property Declaration Form**

Page 1 of 1

Property Subject Legal Description: \_\_\_\_\_

Subject Property Address: \_\_\_\_\_

~~I (we) acknowledge that the province of British Columbia enacted the *Riparian Areas Regulation* to protect the critical features, functions, and conditions required to sustain fish habitat. Furthermore, this legislation prohibits the Regional District of Nanaimo from approving or allowing a development to proceed adjacent to a watercourse until it has received notice that a report prepared by a Qualified Environmental Professional has been received by the Ministry of Environment.~~

~~I (we) understand that a water feature includes any of the following:~~

- ~~a) any watercourse, whether it usually contains water or not;~~
- ~~b) any pond, lake, river, creek, or brook; and/or;~~
- ~~c) any ditch, culvert, spring, or wetland.~~

~~I (we) declare that (please check the one that applies):~~

- ~~A.  there are no water features located on the subject property, or~~
- ~~B.  there are water features located on the subject property.~~

~~I (we) declare that all proposed development including land alteration, vegetation removal, construction and / or building (please check the one that applies):~~

- ~~A.  is greater than 30.0 metres from a water feature, or~~
- ~~B.  is less than 30.0 metres from that water feature.~~

~~I (we) acknowledge that I (we) are familiar with the property and area, and have inspected the property and immediate area for the existence of any water features prior to signing this form.~~

Property owner/agent signature(s): 1 \_\_\_\_\_ 2 \_\_\_\_\_

Print Name(s): 1 \_\_\_\_\_ 2 \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_ Phone: \_\_\_\_\_

Witnessed By: \_\_\_\_\_ Date: \_\_\_\_\_



## **Property Declaration Form** **for Riparian Areas, Nesting Trees,** **and Site Profiles**

Subject Property Legal Description:

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Subject Property Civic Address:

---

Subject Property PID:

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### **Riparian Areas**

I (we) acknowledge that the province of British Columbia enacted the *Riparian Areas Regulation* to protect the critical features, functions, and conditions required to sustain fish habitat. Furthermore, this legislation prohibits the Regional District of Nanaimo (RDN) from approving or allowing a development to proceed adjacent to a watercourse until it has received notice that a report prepared by a Qualified Environmental Professional has been received by the Ministry of Environment.

I (we) understand that a water feature includes any of the following:

- a) any watercourse, whether it usually contains water or not;
- b) any pond, lake, river, creek or brook; and/or,
- c) any ditch, culvert, spring, or wetland.

I (we) declare that I (we) are familiar with the property and area, and have inspected the property and immediate area for the existence of any water features. I (we) declare that **(please check the one that applies):**

- that there are no water features located on the subject property; or
- there are water features located on the subject property.

I (we) declare that all proposed development including land alteration, vegetation removal, alteration or construction of a building or structure **(please check the one that applies):**

- is greater than 30.0 metres from a water feature; or
- is less than 30.0 metres from a water feature.

### **Eagle and Heron Nesting Trees**

I (we) acknowledge that the *Wildlife Act* protects Bald Eagles and Great Blue Herons, their eggs and nests. Bald Eagles and Great Blue Herons are sensitive to development near their nesting sites and may return to a nest that has been unused for a number of years.

While the provincial government and the RDN undertake mapping of nesting sites from time to time, not all are mapped. Some sites on private property may have been undetected, and new nests are continually being built. Typically, a 60 metre radius for an eagle nesting tree and depending on the level of development in an area, a 60 - 300 metre radius for a heron nesting tree or heronry (group of trees) is considered to be sensitive to disturbance. Electoral Areas A, E, G and H require that a development permit be obtained prior to development near an eagle or heron nest.

Mapped eagle nest trees and heronries can be found on the Community Mapping Network at <http://cmnmaps.ca/WITS/> and <http://cmnmaps.ca/GBHE/>

I (we) declare that I (we) are familiar with the property and area, and have inspected the property and immediate area for the existence of eagle or heron nests prior to completing this form. I (we) declare that **(please check the one that applies)**:

- there are no eagle or heron nesting trees on or within 100 metres of the subject property; or
- there is an eagle or heron nesting tree on or within 100 metres of the subject property.

**Site Profile**

I (we) acknowledge that when an application is made to the RDN, Section 40(1) of the *Environmental Management Act* requires that a Site Profile be completed when the applicant knows, or reasonably should know, that the land is being used or has been used for industrial or commercial purposes of the type listed in Schedule 2 of the *Contaminated Sites Regulation* unless otherwise exempt under the Regulation. Please find the Site Profile Form and Schedule 2 on the Government of BC website at [www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/site-profiles](http://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/site-profiles) or on the RDN's website. Please contact the RDN Planning Department if any of the activities listed in Schedule 2 apply to the subject property.

I (we) declare that **(please check the one that applies)**:

- I (we) have read the *Contaminated Sites Regulation* Schedule 2 document, and determined that the subject property has been used for purposes listed in Schedule 2, and filled out the Site Profile Form; or
- I (we) have read the *Contaminated Sites Regulation* Schedule 2 document and am (are) not required to submit a Site Profile Form as to my (our) knowledge, the subject property has not been used for any of the activities listed in Schedule 2; or
- I (we) have read the *Contaminated Sites Regulation* Schedule 2 document and am (are) exempted from being required to submit a Site Profile Form under Section 4 of the *Contaminated Sites Regulation*. I (we) have provided the following information in support of this exemption:

(List information here. Use additional pages if required):

---

**DECLARATION SIGNATURE**

All registered owners shown on the certificate of title must sign the declaration. Please provide an additional page with owners' names and signatures if required.

I (we) declare that I (we) have read and filled out the above form.

Owner/Agent 1 \_\_\_\_\_ Signature \_\_\_\_\_

Owner 2 \_\_\_\_\_ Signature \_\_\_\_\_

Owner 3 \_\_\_\_\_ Signature \_\_\_\_\_

Applicant Mailing Address: \_\_\_\_\_



Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Date: \_\_\_\_\_

Witnessed By Name: \_\_\_\_\_ Witnessed By Signature: \_\_\_\_\_

# REGIONAL DISTRICT OF NANAIMO

## P O L I C Y

SUBJECT:	<i>Property Declaration Form</i>	POLICY NO: B1.12
		CROSS REF.:
EFFECTIVE DATE:	September 26, 2006	APPROVED BY: Board
REVISION DATE:	<b>September 4, 2018</b>	PAGE: 1 of 3

### PURPOSE

To provide a consistent process to determine a property owner's knowledge of the following for the purpose of development applications:

1. the presence or absence of streams subject to the Riparian Areas Regulation (RAR)
2. the presence or absence of eagle or heron nesting trees on or near the subject property; and
3. that a site has been used, or is used, for industrial or commercial purposes or activities.

To ensure that property owners and their agents are aware of their responsibilities with respect to the RAR, development permit area requirements with respect to eagle and heron nesting trees, and the Contaminated Sites Regulation.

### POLICY

The property declaration form, a sample of which is attached as Attachment No. 1, shall be completed by the property owner(s) or authorized agent(s) when applying for a building permit, and as necessary to determine whether or not a development permit or Site Profile Form is required. This is to ensure compliance with the RAR, Contaminated Sites Regulation, and development permit area requirements.

#### Riparian Areas:

2. Where the property owner(s) or authorized agent(s) indicates that there is a water feature on a property, and the development, including land alteration and/or vegetation removal, may be within 30.0 metres of a watercourse, staff shall:
  - i. require the applicant to hire a Qualified Environmental Professional to determine whether the water feature is subject to the RAR, or
  - ii. make the determination that a water feature(s) is (are) not subject to the RAR where the situation is clear; however, where any uncertainty exists the applicant shall be required to hire a Qualified Environmental Professional to make the determination.
3. Where the property owner(s) or authorized agent(s) indicates that there is (are) no water feature(s) on a property that may be within 30.0 metres of any development, including land alteration and/or vegetation removal, staff shall:
  - i. review mapping resources and air photographs for any indication of the presence of a watercourse;

- ii. check for a water feature during any site visits or inspections of the property; and
  - iii. require the applicant to hire a Qualified Environmental Professional to make a determination as to whether the watercourse is subject to the RAR where a water feature is suspected to exist.
  - iv. where no water feature exists within 30.0 metres of a development, consider exempting the proposed development from requiring a development permit, according to the requirements of the applicable development permit area;
4. If a proposed development as defined in the RAR is found to be within the Riparian Assessment Area as defined in the RAR, the applicant shall be required to hire a Qualified Environmental Professional to conduct an assessment pursuant to the RAR and applicable development permit area.

***Eagle and Heron Nesting Trees:***

5. Where the property owner(s) or authorized agent(s) indicates that there is an eagle or heron nesting tree on or near a property, and the development, including land alteration and/or vegetation removal, may be within a radius of the tree specified in the development permit area designation, staff shall:
- i. determine if the applicable official community plan designates a development permit area for eagle and heron nesting trees and if so, inform the applicant that a development permit is required; and
  - ii. inform the applicant of their responsibilities under the *Wildlife Act* related to not disturbing the nest or birds.

***Contaminated Sites:***

6. Where the property owner(s) or authorized agent(s) indicate that a site has been used, or is used, for industrial or commercial purposes or activities, staff shall:
- i. determine if a Site Profile Form is required, and if so, require that the Site Profile Form is completed prior to accepting a development application form.

Declaration Form Policy - Attachment No. 1  
SAMPLE FORM



## Property Declaration Form

for Riparian Areas, Nesting Trees,  
and Site Profiles

Subject Property Legal Description: \_\_\_\_\_

Subject Property Civic Address: \_\_\_\_\_

Subject Property PID: \_\_\_\_\_

### **Riparian Areas**

I (we) acknowledge that the province of British Columbia enacted the *Riparian Areas Regulation* to protect the critical features, functions, and conditions required to sustain fish habitat. Furthermore, this legislation prohibits the Regional District of Nanaimo (RDN) from approving or allowing a development to proceed adjacent to a watercourse until it has received notice that a report prepared by a Qualified Environmental Professional has been received by the Ministry of Environment.

I (we) understand that a water feature includes any of the following:

- a) any watercourse, whether it usually contains water or not;
- b) any pond, lake, river, creek or brook; and/or,
- c) any ditch, culvert, spring, or wetland.

I (we) declare that I (we) are familiar with the property and area, and have inspected the property and immediate area for the existence of any water features. I (we) declare that (***please check the one that applies***):

- that there are no water features located on the subject property; or
- there are water features located on the subject property.

I (we) declare that all proposed development including land alteration, vegetation removal, alteration or construction of a building or structure (***please check the one that applies***):

- is greater than 30.0 metres from a water feature; or
- is less than 30.0 metres from a water feature.

### **Eagle and Heron Nesting Trees**

I (we) acknowledge that the *Wildlife Act* protects Bald Eagles and Great Blue Herons, their eggs and nests. Bald Eagles and Great Blue Herons are sensitive to development near their nesting sites and may return to a nest that has been unused for a number of years.

While the provincial government and the RDN undertake mapping of nesting sites from time to time, not all are mapped. Some on private property may have been undetected, and new nests are continually being built. Typically, a 60 metre radius for an eagle nesting tree and depending on the level of development in an area, a 60 - 300 metre radius for a heron nesting tree (or trees) is considered to be sensitive to disturbance. Electoral Areas A, E, G and H require that a development permit be obtained prior to development near an eagle or heron nest.

Mapped eagle and heron nest trees can be found on the Community Mapping Network at [www.cmnmaps.ca/WITS/](http://www.cmnmaps.ca/WITS/) and [www.cmnmaps.ca/GBHE/](http://www.cmnmaps.ca/GBHE/).

I (we) declare that I (we) are familiar with the property and area, and have inspected the property and immediate area for the existence of eagle or heron nests prior to completing this form. I (we) declare that (***please check the one that applies***):

- there are no eagle or heron nesting trees on or within 100 metres of the subject property; or
- there is an eagle or heron nesting tree on or within 100 metres of the subject property.

**Site Profile**

I (we) acknowledge that when an application is made to the RDN, Section 40(1) of the *Environmental Management Act* requires that a Site Profile be completed when the applicant knows, or reasonably should know, that the land is being used or has been used for industrial or commercial purposes of the type listed in Schedule 2 of the *Contaminated Sites Regulation* unless otherwise exempt under the Regulation. Please find the Site Profile Form and Schedule 2 on the Government of BC website at [www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/site-profiles](http://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/site-profiles) or on the RDN's website. Please contact the RDN Planning Department if any of the activities listed in Schedule 2 apply to the subject property.

I (we) declare that (***please check the one that applies***):

- I (we) have read the *Contaminated Sites Regulation* Schedule 2 document, and determined that the subject property has been used for purposes listed in Schedule 2, and filled out the Site Profile Form; or
- I (we) have read the *Contaminated Sites Regulation* Schedule 2 document and am (are) not required to submit a Site Profile Form as to my (our) knowledge, the subject property has not been used for any of the activities listed in Schedule 2; or
- I (we) have read the *Contaminated Sites Regulation* Schedule 2 document and am (are) exempted from being required to submit a Site Profile Form under Section 4 of the *Contaminated Sites Regulation*. I (we) have provided the following information in support of this exemption:

(List information here. Use additional pages if required): \_\_\_\_\_  
\_\_\_\_\_

**DECLARATION SIGNATURE**

All registered owners shown on the certificate of title must sign the declaration. Please provide an additional page with owners' names and signatures if required.

I (we) declare that I (we) have read and filled out the above form.

Owner/Agent 1 \_\_\_\_\_ Signature \_\_\_\_\_

Owner 2 \_\_\_\_\_ Signature \_\_\_\_\_

Owner 3 \_\_\_\_\_ Signature \_\_\_\_\_

Applicant Mailing Address: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Date: \_\_\_\_\_

Witnessed By Name: \_\_\_\_\_ Witnessed By Signature: \_\_\_\_\_

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1776, 2018

A BYLAW TO ESTABLISH DEVELOPMENT APPLICATION AND  
NOTIFICATION PROCEDURES

WHEREAS Section 460 of the *Local Government Act* provides that where a local government has adopted an official community plan or a zoning bylaw, the local government must, by bylaw, define procedures under which an owner of land may apply for an amendment to the plan or bylaw or for the issuance of a permit under Part 14 of the *Local Government Act*;

NOW THEREFORE, The Board of the Regional District of Nanaimo, in open meeting assembled, enacts the following:

**1. Citation**

This Bylaw may be cited as "Regional District of Nanaimo Development Application and Notification Procedures Bylaw No. 1776, 2018."

**2. Schedules**

The following schedules attached to this bylaw form an integral part of this bylaw and are enforceable in the same manner as this bylaw:

2.1. Schedule A – Development Application Notice Specifications

**3. Application and Repeal**

3.1 This bylaw applies to the types of matters referred to in section 5.1 of this bylaw within Electoral Areas A, C, E, F, G, and H of the Regional District.

3.2 "Regional District of Nanaimo Development Approval Procedures and Notification Bylaw No. 1432, 2005" is hereby repealed.

**4. Definitions**

4.1. For the purpose of this bylaw, the following definitions apply:

**"Applicant"** means a person applying for a Bylaw Amendment, a permit under Part 14 of the *Local Government Act*, a phased development agreement bylaw or another matter or decision of the Regional District to which this bylaw applies;

**"Building setback"** means a setback for the construction of a building or other structure established under a land use bylaw or under a bylaw establishing a floodplain;

**"Building elevation"** means an elevation for a structural support system established under a bylaw establishing a floodplain;

**"Bylaw amendment"** means an amendment to one or both of a zoning bylaw or an official community plan bylaw;

**"Parcel" or "Subject Parcel"** means one or more lots, or parts of lots, that are the subject of an application for a Bylaw amendment, permit, approval or other decision of the Regional Board;

**"Property Declaration Form"** means a form setting out the owner's confirmation regarding the subject parcel;

**"Regional Board"** means the Board of the Regional District;

**"Regional District"** means the Regional District of Nanaimo.

4.2 A reference in this bylaw to any bylaw, policy or form of the Regional District is a reference to the bylaw, policy or form as amended, revised, consolidated or replaced from time to time.

## 5. Application Requirements

5.1 This bylaw applies to applications for:

- (a) a bylaw amendment;
- (b) issuance or amendment of a permit under Part 14 of the *Local Government Act*; and
- (c) adoption of a bylaw to authorize a phased development agreement.

5.2 An owner of land may authorize an agent in writing to act on behalf of the owner and must notify the Regional District in writing if the owner changes.

5.3 An applicant requesting a bylaw amendment, permit or approval referred to in Section 5.1 must submit information required by the Regional District which includes at a minimum the following:

- (a) a completed application form provided by the Regional District;
- (b) a copy of state of title certificate(s) dated within 30 days of the date of application;
- (c) a corporate registry search if the owner is a corporation, current to within 30 days;
- (d) a copy of all covenants, easements, and rights of way and any other encumbrance affecting the use of land registered against the title;
- (e) confirmation that the land is not land to which the *Private Managed Forest Land Act* (British Columbia) applies;
- (f) a copy of approval or permission for the proposed use or development under any applicable provincial enactment;
- (g) two (2) copies of a detailed site plan prepared by a BC Land Surveyor drawn to a maximum scale of 1:500 showing all information applicable to the parcel including:
  - (i) boundaries and dimensions of the parcel(s);
  - (ii) proposed subdivision of parcel(s);
  - (iii) location of existing and proposed roads;
  - (iv) location and type of existing and proposed easements, rights of way and covenants;
  - (v) location of watercourses, environmentally sensitive areas, eagle and heron nests, natural hazard areas, and their associated setbacks;
  - (vi) size and location of an existing and proposed building, or structure and their use or proposed use;
  - (vii) applicable building setbacks;



- (viii) applicable development permit areas;
  - (ix) location of existing and proposed vehicular, cycling, and pedestrian internal routes and access points;
  - (x) location of existing and proposed off-street parking and loading spaces, garbage and recycling provisions;
  - (xi) location and type of existing and proposed landscaping;
  - (xii) existing and proposed on-site water or wastewater services; and
  - (xiii) location and type of existing and proposed signage;
- (h) a detailed plan of building elevations drawn to a scale not larger than 1:100;
  - (i) electronic copies of all plans;
  - (j) site profile pursuant to the *Environmental Management Act*, if applicable;
  - (k) Property Declaration Form pertaining to presence or absence of riparian areas, and eagle and heron nesting trees, and contaminated sites on the subject property;
  - (l) professional reports to be provided under “Regional District of Nanaimo Impact Assessment Bylaw No. 1165, 1999”, or otherwise requested by the Regional District or an accepted Impact Report Proposal;
  - (m) written authorization from an owner for an agent to act on behalf of the owner under Section 5.2 of this bylaw; and
  - (n) the applicable application fee set out in “Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002”.

## 6 Public Notification

6.2 In accordance with the *Local Government Act*, where notice is required to be given by the Regional District to owners and tenants in occupation of the subject parcel and other parcels, the parcels within the distances from the lot lines of the subject parcel as set out in Column III of the following table will be included in the notification:

I Electoral Area(s)	II Application Type	III Distance measured from the lot lines of the subject parcel
F	Bylaw amendment	500 metres
A, C, E, G and H	Bylaw amendment that would allow for less than 20 additional residential units on the subject parcel; or affects a subject parcel having an area less than 4000 m <sup>2</sup> zoned or to be zoned for the purpose of commercial or industrial development	200 metres
	Bylaw amendment that would allow for 20 or more additional residential units; or affects a parcel area equal to or greater than 4000 m <sup>2</sup> for the purpose of commercial or industrial	500 metres

	development	
<b>All</b>	Phased Development Agreement or amendment other than a minor amendment	500 metres
<b>All</b>	Development Variance Permit	50 metres
<b>All</b>	Temporary Use Permit	200 metres

## 7 Development Notice Signage

- 7.1 For a Bylaw amendment application, the applicant shall, at their cost, post signage a minimum of 10 days prior to a scheduled public information meeting in respect of the application or where there is no public information meeting, a minimum of 10 days prior to the Electoral Area Services Committee meeting at which the application will be first considered.
- 7.2 The signage shall be made of weather resistant material and shall be in accordance with the specifications outlined in Schedule A attached to and forming part of this bylaw.
- 7.3 A minimum of one sign per parcel being considered as part of the amendment application in a location that provides an unobstructed view from the nearest constructed highway.
- 7.4 Notwithstanding subsection 7.3 above, in the case of a parcel having more than one highway abutting the parcel, a minimum of one sign for each highway frontage in locations that provide unobstructed views from the said highways.
- 7.5 Notwithstanding subsections 7.3 and 7.4 above, where a parcel abuts intersecting highways, provided the sign is posted at the corner of the intersecting highways in such a manner as to provide an unobstructed view from the both highways, the posting of one sign will be considered sufficient.
- 7.6 The applicant must submit photographs to the Regional District showing all installed signs within 48 hours of the signs being posted.
- 7.7 The sign or signs must be promptly removed at the expense of the applicant after the completion of the public hearing.

## 8 Public Information Meetings

A public information meeting may be held for any application described in this bylaw as determined by the Regional District. A notice of the meeting shall be placed in a minimum of one (1) edition of a local newspaper at least 3 and not more than 10 days prior to the meeting, and shall be mailed at least 10 days prior to the meeting to the owners and tenants of the subject parcel and owners and tenants of nearby parcels as indicated in Section 6.

## 9 Effective Date

This bylaw shall come into effect upon adoption.

Introduced and read three times this \_\_\_\_ day of \_\_\_\_\_, 20XX.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 20XX.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

Schedule A to accompany "Regional District of Nanaimo  
Development Application and Notification Procedures Bylaw No.  
1776, 2018".

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Officer

### Schedule A

Development Application Notice Specifications (page 1 of 2)

### DEVELOPMENT APPLICATION SIGN

Line

1 **DEVELOPMENT APPLICATION**

2 AN APPLICATION HAS BEEN SUBMITTED TO THE REGIONAL DISTRICT OF NANAIMO  
3 TO (REZONE/REDESIGNATE) THIS PROPERTY FROM \_\_\_\_\_ TO \_\_\_\_\_

4  
5  
6 Location Map  
7 Civic Address/Legal Description  
8

**FOR FURTHER INFORMATION CONTACT:**

APPLICANT:  
NAME:  
ADDRESS:  
PHONE:

9 **A PUBLIC HEARING<sup>1</sup> WILL BE HELD**

10 DATE:  
11 TIME:  
12 LOCATION:  
13 ADDRESS:

**REGIONAL DISTRICT OF NANAIMO**  
STRATEGIC AND COMMUNITY DEVELOPMENT  
6300 HAMMOND BAY ROAD  
NANAIMO, BC V9T 6N2  
PHONE: 390-6510 or 1-877-607-4111  
planning@rdn.bc.ca

14

1 Where a public information meeting is to be held, the sign will indicate the date, time and place of that meeting. Where a public hearing is to be held after the public information meeting, the applicant will change the sign to indicate the date, time and place of the hearing.

## Schedule A

### Development Application Sign Specifications (page 2 of 2)

#### DEVELOPMENT APPLICATION SIGN DETAIL

##### Lettering:

White Background / Royal Blue Lettering  
Royal Blue Border around Sign

Royal blue colour codes for printer as follows: PANTONE® #301C

CMYK - 100/40/0/40

RGB - 0/82/147

HEX - 005293

Printing on Uncoated

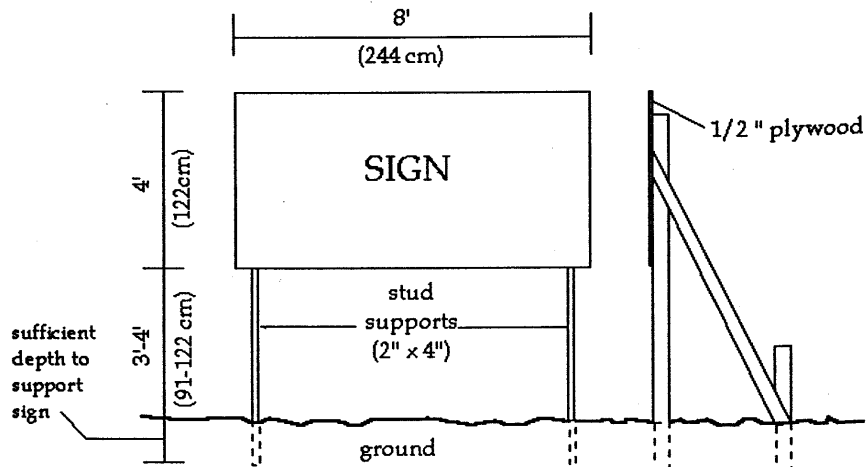
PANTONE® #2945U

CMYK - 100/40/0/50

Lettering in BLOCK CALIBRI CAPITALS with the following minimum height sizes for each Notice:

Line 1	12.4 cm (5")
Line 2	7.5 cm (3")
Line 3	7.5 cm (3")
Line 4	7.5 cm (3")
Line 5	4.0 cm (1.5")
Line 6	4.0 cm (1.5")
Line 7	4.0 cm (1.5")
Line 8	4.0 cm (1.5")
Line 9	4.0 cm (1.5")
Line 10	4.0 cm (1.5")
Line 11	4.0 cm (1.5")
Line 12	4.0 cm (1.5")
Line 13	4.0 cm (1.5")

##### Notice Installation:





The proposed meeting schedule for the 2019 to 2023 Financial Plan is as follows:

December 4, 2018	2019 Proposed Budget available on RDN website
December 4, 2018	Special Committee of the Whole re: 2019 Budget & Business Plan presentations
January 8, 2019	Report on 2019 Proposed Budget to Committee of the Whole Meeting Agenda for approval
February 12, 2019	Special Committee of the Whole for 2019 to 2023 Financial Plan
February 26, 2019	Report & Bylaw for 2019 to 2023 Financial Plan to Board Meeting Agenda for first 3 readings
March 26, 2019	Adopt Financial Plan Bylaw

The 2019 budget is based on the 2018 to 2022 Financial Plan approved under Bylaw No. 1771 (Attachment 1) and updated to reflect new work plans and capital project changes. Forecasted residential tax rates based on 2018 assessments and on the 2018 to 2022 Financial Plan are shown in Attachment 2. Specific impacts to the multiple jurisdictions in the RDN will vary depending on assessment growth and which services a community participates in. However, there continues to be strong construction development in all communities which will have somewhat of an offsetting effect on tax rates.

While it is difficult to predict how the BC, Vancouver Island and RDN area economy will fare in 2019, at this time, all areas continue to show growth. This is indicated by continued increases in housing prices and ongoing strength in the number of building permits initiated for the area (680 to June 2018 vs: 718 for June 2017). As well the unemployment rate remains low at 5.2% for BC as of June 2018 (June 2017: 5.1%). The impacts of the North American Free Trade Agreement negotiations, the change in the Provincial Government, potential interest rate increases and the likely significant forest fire costs for 2018 to be incurred by the Province are yet to be fully determined; however, at this time, sources such as TD Economics (June 2018) continue to predict growth at 2.4% for the BC Real GDP for 2018.

**ALTERNATIVES**

1. Receive the preliminary 2019 budget information provided and approve the proposed schedule of meetings to review and approve the 2019 to 2023 Financial Plan.
2. Provide alternate direction to staff regarding the review and approval process for the 2019 to 2023 Financial Plan.

**FINANCIAL IMPLICATIONS**

The 2018 to 2022 Financial Plan Bylaw predicted a preliminary estimate for an overall increase of \$3.033 million to total property taxes (includes specific local services such as community parks/water/sewer/fire) in 2019 and is used as the basis for the next five year plan. However,

there will be a number of new items that need to be incorporated into the plan over the next few months. These include changes resulting from the Bowser Sewer Service establishment, the Community Grants application process, the Northern Communities Recreation Services Review, the Solid Waste Management Plan Review, results of BC Transit Annual Operating Agreement adjustments, 2018 year end results, and any other direction received.

Some of the largest components of the existing plan increase are noted in the table below and are largely related to major capital and service level increases. These numbers will continue to change over the December to March period pending new direction.

**2018 to 2023 Financial Plan – 2019 Projected Changes**

Wastewater - Southern	\$1,222,000	Increases related to secondary treatment costs and related debt servicing
Transit – Southern Community	\$277,600	Service expansion for January 2019
Fire Services	\$241,000	Cumulative total for 12 fire service areas to maintain capital plans and impacts of increased operating costs
Electoral Areas & Legislative Services	\$205,000	Full year impact of revised Board remuneration plan + Strategic Plan Renewal + website renewal
Other jurisdictions service impacts	\$169,000	Includes VIRL, 911 Services, Northern Community Recreation Sportsfields & Southern Community Recreation
Solid Waste Management	\$123,000	Plan implemented in 2015 as a result of tipping fee reductions to maintain capital/reserve program
Wastewater – Northern	\$104,000	Planned upgrade & expansion capital, debt servicing and additional operating costs
Community Parks Operations	\$92,100	Cumulative total for 8 community park services
Nanoose Bulk Water	\$64,900	Englishman River Water System Joint Venture treatment and expansion related costs
Nanoose Peninsula Water	\$47,000	Capital program costs
Multiple other services	\$487,400	Includes changes for water/ wastewater/ street lighting utilities, recreation services, transit, community justice, economic development
<b>Total</b>	<b>\$3,033,000</b>	



Individual impacts to a property owner in the RDN will vary greatly depending on where you live and what RDN services are provided in your area, e.g. you only pay for water services if you are provided with RDN water. The Nanaimo Regional Hospital District (NRHD) 2019 budget will also be developed during this time and brought forward to the NRHD Select Committee and Board for approval.

Costs for the financial planning process estimated at \$8,000 excluding staff wages are included in the annual budget. These are costs for newspaper advertising and graphic design to produce summary budget documents to be placed on the website and included in property tax notices to electoral area property owners.

### **STRATEGIC PLAN IMPLICATIONS**

Although there are areas of the financial plan where provincial and federal regulations for services such as solid waste, water and wastewater have a significant impact on plans and requisitions, the financial planning process provides opportunity for the Board to review business plans and allocate resources to the key priority areas of the strategic plan.



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Wendy Idema (widema@rdn.bc.ca)  
August 9, 2018

Reviewed by:

- D. Wells, General Manager, Corporate Services
- P. Carlyle, Chief Administrative Officer

Attachments:

1. Bylaw 1771, 2018 to 2022 Financial Plan
2. Summary of Forecast Tax Rates by Member 2018 to 2022

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1771**

**A BYLAW TO ADOPT THE 2018 TO 2022 FINANCIAL PLAN**

WHEREAS the Regional District of Nanaimo shall, in accordance with the the *Local Government Act*, adopt by bylaw a five year financial plan;

AND WHEREAS an expenditure not provided for in the financial plan or the financial plan as amended, is not lawful unless for an emergency that was not contemplated;

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

**1. Definitions**

“**Emergency**” means a present or imminent event that:

- a) is caused by accident, fire explosion or technical failure or by the forces of nature; and
- b) requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property.

**2. Financial Plan**

Schedule ‘A’ attached to this bylaw is hereby adopted as the Financial Plan for the Regional District of Nanaimo for the period January 1, 2018 to December 31, 2022.

**3. Financial Plan Amendments**

- a) Funds may be reallocated in accordance with the Regional District of Nanaimo’s purchasing policy for new projects.
- b) The officer responsible for financial administration may transfer unexpended appropriations to Reserve Funds and accounts for future expenditures.
- c) The Board may authorize amendments to the plan for Emergencies as defined herein.

**4. Citation**

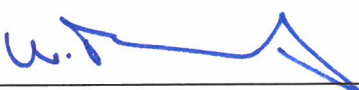
This bylaw may be cited as “Regional District of Nanaimo Financial Plan 2018 to 2022 Bylaw No. 1771, 2018”.


Introduced and read three times this 27th day of February, 2018.

Third reading rescinded this 27th day of March, 2018.

Read a third time, as amended, this 27th day of March, 2018.

Adopted this 27th day of March, 2018.

  
\_\_\_\_\_  
CHAIR

  
\_\_\_\_\_  
CORPORATE OFFICER



**CONSOLIDATED FINANCIAL PLAN  
2018 TO 2022**

Schedule 'A' to accompany "Regional District of Nanaimo Financial Plan 2018 to 2022 Bylaw No. 1771, 2018"

Chair

Corporate Officer

	2017 Budget	2018 Proposed	2019	2020	2021	2022	Total
<b>Operating Revenues</b>		<b>6.6%</b>	<b>5.7%</b>	<b>3.7%</b>	<b>3.0%</b>	<b>3.2%</b>	
Property taxes	(44,980,223)	<b>(48,086,314)</b>	(50,785,674)	(52,711,009)	(54,269,156)	(55,995,323)	(261,847,476)
Parcel taxes	(4,763,907)	<b>(4,970,691)</b>	(5,291,329)	(5,465,081)	(5,642,429)	(5,810,844)	(27,180,374)
Municipal agreements	(350,645)	<b>(363,015)</b>	(375,991)	(390,152)	(392,179)	(400,022)	(1,921,359)
	<b>(50,094,775)</b>	<b>(53,420,020)</b>	<b>(56,452,994)</b>	<b>(58,566,242)</b>	<b>(60,303,764)</b>	<b>(62,206,189)</b>	<b>(290,949,209)</b>
Operations	(3,566,245)	<b>(3,877,345)</b>	(3,788,006)	(3,821,623)	(3,854,008)	(3,888,770)	(19,229,752)
Interest income	(150,000)	<b>(150,000)</b>	(150,000)	(150,000)	(150,000)	(150,000)	(750,000)
Transit fares	(4,486,982)	<b>(4,480,232)</b>	(4,573,182)	(4,656,357)	(4,792,965)	(4,889,041)	(23,391,777)
Landfill tipping fees	(7,600,000)	<b>(8,200,000)</b>	(8,282,000)	(8,282,000)	(8,364,820)	(8,364,820)	(41,493,640)
Recreation fees	(608,156)	<b>(642,808)</b>	(656,202)	(669,559)	(683,230)	(697,577)	(3,349,376)
Recreation facility rentals	(541,795)	<b>(546,190)</b>	(562,576)	(579,453)	(596,837)	(614,742)	(2,899,798)
Recreation vending sales	(4,500)	<b>(5,900)</b>	(5,900)	(5,900)	(5,900)	(5,900)	(29,500)
Recreation concession	(5,000)	<b>(5,000)</b>	(5,000)	(5,000)	(5,000)	(5,000)	(25,000)
Recreation other	(453,415)	<b>(500,450)</b>	(515,464)	(530,927)	(546,854)	(562,361)	(2,656,056)
Utility user fees	(4,830,285)	<b>(5,007,661)</b>	(5,208,178)	(5,368,337)	(5,533,688)	(5,703,050)	(26,820,914)
Operating grants	(6,216,146)	<b>(6,858,751)</b>	(6,584,590)	(6,579,641)	(6,905,360)	(7,167,412)	(34,095,754)
Planning grants	(301,898)	<b>(370,667)</b>	(875,693)	(1,045,130)	(385,421)	(157,100)	(2,833,411)
Grants in lieu of taxes	(149,290)	<b>(149,290)</b>	(149,290)	(149,290)	(149,290)	(149,290)	(746,450)
Interdepartmental recoveries	(6,346,161)	<b>(7,075,064)</b>	(7,310,072)	(7,407,658)	(7,489,510)	(7,740,799)	(37,023,103)
Miscellaneous	(8,652,686)	<b>(7,973,181)</b>	(8,465,798)	(8,160,952)	(8,421,080)	(8,369,859)	(41,390,870)
<b>Total Operating Revenues</b>	<b>(94,007,334)</b>	<b>(99,261,959)</b>	<b>(103,584,945)</b>	<b>(105,978,069)</b>	<b>(108,187,727)</b>	<b>(110,671,910)</b>	<b>(527,684,610)</b>
<b>Operating Expenditures</b>							
Administration	4,521,662	<b>4,733,548</b>	4,809,215	4,841,894	4,915,459	4,991,709	24,291,825
Community grants	787,764	<b>131,940</b>	101,940	101,940	101,940	101,940	539,700
Legislative	511,635	<b>769,731</b>	728,992	741,445	754,127	942,042	3,936,337
Professional fees	2,464,845	<b>3,306,734</b>	2,310,015	2,017,677	1,964,209	1,998,027	11,596,662
Building ops	3,286,717	<b>3,329,749</b>	3,394,261	3,451,666	3,517,445	3,583,934	17,277,055
Veh & Equip ops	7,722,123	<b>7,499,287</b>	7,628,166	7,771,379	7,919,754	8,068,946	38,887,532
Operating costs	17,341,000	<b>18,708,616</b>	20,514,680	21,323,902	22,680,991	23,553,283	106,781,472
Program costs	1,109,238	<b>1,417,666</b>	1,389,938	1,266,705	1,278,634	1,290,756	6,643,699
Wages & benefits	32,313,526	<b>34,034,732</b>	34,850,603	35,552,609	36,263,654	36,958,938	177,660,536
Transfer to other gov/org	6,916,996	<b>7,374,277</b>	7,399,509	7,554,857	7,713,635	7,915,934	37,958,212
Contributions to reserve funds	8,369,629	<b>10,433,016</b>	9,772,110	8,835,084	7,776,667	7,466,786	44,283,663
Debt interest	4,533,834	<b>4,627,007</b>	4,241,826	3,996,881	3,832,919	3,766,722	20,465,355
<b>Total Operating Expenditures</b>	<b>89,878,969</b>	<b>96,366,303</b>	<b>97,141,255</b>	<b>97,456,039</b>	<b>98,719,434</b>	<b>100,639,017</b>	<b>490,322,048</b>
<b>Operating (surplus)/deficit</b>	<b>(4,128,365)</b>	<b>(2,895,656)</b>	<b>(6,443,690)</b>	<b>(8,522,030)</b>	<b>(9,468,293)</b>	<b>(10,032,893)</b>	<b>(37,362,562)</b>
<b>Capital Asset Expenditures</b>							
Capital expenditures	65,901,871	<b>72,943,091</b>	52,665,198	27,701,763	21,777,302	8,511,095	183,598,449
Transfer from reserves	(36,654,987)	<b>(41,022,039)</b>	(16,873,642)	(15,659,029)	(4,569,052)	(5,013,720)	(83,137,482)
Grants and other	(5,973,767)	<b>(12,856,726)</b>	(9,685,679)	(1,656,000)	(10,000)	(1,388,633)	(25,597,038)
New borrowing	(19,144,870)	<b>(15,119,726)</b>	(23,164,764)	(8,046,655)	(15,045,793)	(463,280)	(61,840,218)
<b>Net Capital Assets funded from Operations</b>	<b>4,128,247</b>	<b>3,944,600</b>	<b>2,941,113</b>	<b>2,340,079</b>	<b>2,152,457</b>	<b>1,645,462</b>	<b>13,023,711</b>
<b>Capital Financing Charges</b>							
Existing debt (principal)	4,371,769	<b>4,958,635</b>	4,595,643	4,588,207	4,304,759	4,162,453	22,609,697
New debt (principal & interest)	191,448	<b>151,198</b>	1,323,528	2,961,031	3,652,350	4,668,297	12,756,404
<b>Total Capital Financing Charges</b>	<b>4,563,217</b>	<b>5,109,833</b>	<b>5,919,171</b>	<b>7,549,238</b>	<b>7,957,109</b>	<b>8,830,750</b>	<b>35,366,101</b>
<b>Net (surplus)/deficit for the year</b>	<b>4,563,099</b>	<b>6,158,777</b>	<b>2,416,594</b>	<b>1,367,287</b>	<b>641,273</b>	<b>443,319</b>	<b>11,027,250</b>
Add: Transfer from appropriated surplus		<b>(2,635,433)</b>					<b>(2,635,433)</b>
Add: Prior year (surplus) / deficit	(12,163,067)	<b>(12,146,812)</b>	(8,623,468)	(6,206,874)	(4,839,587)	(4,198,314)	(36,015,055)
<b>(Surplus) applied to future years</b>	<b>(7,599,968)</b>	<b>(8,623,468)</b>	<b>(6,206,874)</b>	<b>(4,839,587)</b>	<b>(4,198,314)</b>	<b>(3,754,995)</b>	<b>(27,623,238)</b>

REGIONAL DISTRICT OF NANAIMO  
 FORECAST OF RESIDENTIAL TAX RATES  
 2018 TO 2022  
 (BASED ON 2018 AVERAGE RESIDENTIAL VALUE)

<b>JURISDICTION</b>	<b>2018 Average Residential Value</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
City of Nanaimo	\$447,025	\$418	\$442	\$456	\$463	\$473
Dollar Change		\$45	\$24	\$14	\$7	\$10
% change		12%	6%	3%	2%	2%
District of Lantzville	\$640,711	\$535	\$555	\$567	\$569	\$574
Dollar Change		\$28	\$20	\$12	\$2	\$5
% change		6%	4%	2%	0%	1%
City of Parksville	\$413,304	\$619	\$630	\$632	\$634	\$637
Dollar Change		\$10	\$11	\$2	\$2	\$3
% change		2%	2%	0%	0%	0%
Town of Qualicum Beach	\$544,372	\$687	\$700	\$701	\$704	\$707
Dollar Change		\$18	\$13	\$1	\$3	\$3
% change		3%	2%	0%	0%	0%
Electoral Area A	\$429,057	\$552	\$570	\$581	\$586	\$592
Dollar Change		\$12	\$18	\$11	\$5	\$6
% change		2%	3%	2%	1%	1%
Electoral Area B	\$353,415	\$353	\$359	\$363	\$365	\$367
Dollar Change		\$19	\$6	\$4	\$2	\$2
% change		6%	2%	1%	1%	1%
Electoral Area C	\$549,738	\$612	\$628	\$638	\$645	\$651
Dollar Change		\$21	\$16	\$10	\$7	\$6
% change		4%	3%	2%	1%	1%
Electoral Area E	\$688,052	\$654	\$677	\$689	\$698	\$705
Dollar Change		\$15	\$23	\$12	\$9	\$7
% change		2%	4%	2%	1%	1%
Electoral Area F	\$383,737	\$487	\$505	\$515	\$523	\$528
Dollar Change		\$14	\$18	\$10	\$8	\$5
% change		3%	4%	2%	2%	1%
Electoral Area G	\$551,994	\$700	\$717	\$730	\$739	\$744
Dollar Change		\$15	\$17	\$13	\$9	\$5
% change		2%	2%	2%	1%	1%
Electoral Area H	\$487,660	\$565	\$575	\$582	\$588	\$592
Dollar Change		\$25	\$10	\$7	\$6	\$4
% change		5%	2%	1%	1%	1%



The designated signing authorities as outlined in this report would also apply should the Regional District open new financial instrument accounts.

The updated signing authorities are listed in the recommendation.

The practical application of the signing authorities involves issuing cheques for goods and services and investing sums with the Municipal Finance Authority and other banking institutions as allowed under the *Local Government Act*. Two signatures are required as follows:

- Cheques less than \$1,000 have two signatures automatically printed through the finance software;
- Cheques over \$1,000 have one signature printed and are reviewed and signed manually for the second signature by the Manager, Accounting Services;
- Cheques with a value of more than \$250,000 have no preprinted signatures and must be signed individually by two signing officers, typically the Director of Finance and the Manager, Accounting Services.

## ALTERNATIVES

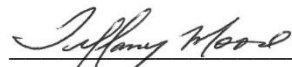
1. Approve the signing authorities as presented to be applicable to the Regional District of Nanaimo.
2. Recommend an alternative list of signing authorities.

## FINANCIAL IMPLICATIONS

There are no financial implications to these measures. The number of designated authorities is sufficient to ensure that two signatures can be obtained in an efficient manner.

## STRATEGIC PLAN IMPLICATIONS

There are no strategic plan implications to this report.



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Tiffany Moore  
[tmoore@rdn.bc.ca](mailto:tmoore@rdn.bc.ca)  
August 20, 2018

Reviewed by:

- W. Idema, Director of Finance
- D. Wells, General Manager, Corporate Services
- P. Carlyle, Chief Administrative Officer





2. Do not grant a permissive tax exemption for the 2019 taxation year for the Alberni-Clayoquot Regional District Mt. Arrowsmith Regional Park properties.

### **FINANCIAL IMPLICATIONS**

The 2018 assessed values for the two properties in question (folios 768 002268.420 and 768 002268.416) total \$2,222,000. Had the exemption not been in place for the 2018 taxation year, the properties would have been assessed Regional District taxes of approximately \$2,430. However, if the properties were no longer to be statutorily exempt, the assessment value could increase and the property taxes payable would also be higher. Despite this implication, there is an intent and expectation that local governments will be exempt on any land they own directly. These properties represent the only permissive tax exemption provided by the Regional District of Nanaimo.

### **STRATEGIC PLAN IMPLICATIONS**

Adopting the property tax exemption for Alberni-Clayoquot Mt. Arrowsmith Regional Park is consistent with the Regional District of Nanaimo Strategic Plan under Focus on Relationships – we look for opportunities to partner with other government to advance our region.



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Tiffany Moore  
[tmoore@rdn.bc.ca](mailto:tmoore@rdn.bc.ca)  
July 27, 2018

#### Reviewed by:

- W. Idema, Director of Finance
- D. Wells, General Manager, Corporate Services
- P. Carlyle, Chief Administrative Officer

#### Attachments:

1. Bylaw No. 1775
2. Map showing ACRD Mt. Arrowsmith Regional Park

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1775**

**A BYLAW TO AUTHORIZE A PROPERTY  
TAX EXEMPTION FOR THE YEAR 2019**

WHEREAS a Board may, by bylaw adopted by at least 2/3 of the votes cast, exempt property from property taxes under Section 391(3), in accordance with Section 391(4) of the *Local Government Act*;

AND WHEREAS the Alberni-Clayoquot Regional District is the owner of properties located within the boundaries of the Regional District of Nanaimo and the properties are used as a public park;

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

1. The properties described as:

- a) District Lot 2000, Cameron Land District
- b) Lot 1, Block 1324, Plan 28909, Cameron Land District

which are owned by the Alberni-Clayoquot Regional District and are used for public park purposes, are authorized to be exempt from property taxes in accordance with Section 391(4)(g) of the *Local Government Act* for the year 2018.

2. This bylaw may be cited as the "Property Tax Exemption (Alberni-Clayoquot Mt. Arrowsmith Regional Park) Bylaw No. 1775, 2018".

Introduced and read three times this \_\_ day of \_\_\_\_\_, 2018.

Adopted this \_\_ day of \_\_\_\_\_, 2018.

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CHAIR

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CORPORATE OFFICER

ELECTORAL AREA F

Cameron Lake

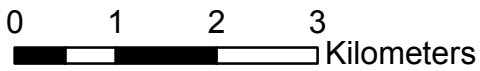
**MOUNT ARROWSMITH  
REGIONAL PARK (ACRD):  
Lot 1, Block 1324,  
Cameron District, Plan 28909  
and District Lot 2000,  
Cameron District**

Mount Arrowsmith  
Regional Park  
(ACRD)

Mount Arrowsmith Massif  
Regional Park (RDN)

ALBERNI -  
CLAYOQUOT  
REGIONAL  
DISTRICT

ELECTORAL AREA C



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be extended through to the end of 2019 or 2020 in order to ensure potential losses discovered after the end of 2018 are covered. The coverage includes general liability as well as errors and omissions insurance.

The alternative to obtaining this Associate Member coverage is to essentially self-insure for any claims made as a result of the election that could be attributed to the actions of a temporary election worker. Although the risk is relatively low for such claims and the RDN's existing \$100,000 deductible would still be applicable, the cost to defend such an action could be significant without the MIABC coverage. As the cost of the additional coverage is only \$250.00, staff recommend proceeding with the Associate Member policy. A copy of the Service Provider Agreement to be completed with MIABC is attached.

### **ALTERNATIVES**

1. Approve the purchase of Associate Member liability coverage from MIABC for RDN election workers.
2. Do not approve the purchase of Associate Member liability coverage from MIABC for RDN election workers and self-insure for any claims resulting from the actions of temporary election workers engaged for the 2018 election.

### **FINANCIAL IMPLICATIONS**

The cost of adding this coverage is minimal at \$250 annually and it provides additional coverage to the RDN for those engaged as election workers on a temporary basis.

### **STRATEGIC PLAN IMPLICATIONS**

Ensuring there is adequate liability insurance coverage in place for the 2018 Election is supported by a number of governing principles of the RDN's 2016 to 2020 Strategic Plan including:

*Through enhanced financial planning, the Board will ensure long-term viability of the RDN through prudent use of tax dollars, delivering services expected by residents of the Region as cost effectively as possible.*

*As a proactive organization, we will monitor regional trends, access the best information available, and aim to prevent problems before they arise.*



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Wendy Idema, (widema@rdn.bc.ca)  
August 14, 2018

Reviewed by:

- D. Wells, General Manager, Corporate Services
- P. Carlyle, Chief Administrative Officer

Attachments:

1. MIA BC Associate Member Coverage Service Provider Agreement



MUNICIPAL INSURANCE ASSOCIATION  
OF BRITISH COLUMBIA

## SERVICE PROVIDER AGREEMENT

This Service Provider Agreement (the "Agreement") is made and entered into this XX day of September, 2018 by and in between The Regional District of Nanaimo (the "Local Government") and 2018 Regional District of Nanaimo Local Government Election Officials (the "Service Provider").

The Service Provider agrees to provide the following services for or on behalf of the Local Government:  
Services in relation to administering the October 20, 2018 Regional District of Nanaimo local government election in accordance with the Local Government Act and in accordance with the sworn election worker oath.

The term of the Agreement is from the 1st day of August, 2018 and the 31st day of December, 2019.

The term of the Agreement is perpetual commencing the \_\_\_\_\_ day of \_\_\_\_\_.

While providing the agreed service, the Service Provider agrees to comply with: all applicable laws, rules and regulations; the practices, procedures and policies of the Local Government; and any special instructions given to the Service Provider by representative(s) of the Local Government.

The Local Government agrees to obtain commercial general liability insurance coverage from the Municipal Insurance Association of British Columbia (MIABC) naming the Service Provider as an Additional Named Insured entitled to full coverage in the amount of \$5,000,000 with respect to third party liability claims arising from the provision of the agreed service. The Service Provider agrees to carry its own statutory worker's compensation insurance and automobile liability insurance, if appropriate.

The Service Provider agrees to indemnify, defend and hold harmless the Local Government, its agents, servants, employees, trustees, officers and representatives from any liability, loss or damage which the Local Government may suffer as a result of any claims, demands, costs, actions, causes of actions, or judgments, including legal fees, asserted against or incurred by the Local Government arising out of, during, or as a result of the provision of services outlined in the Agreement except such liability, loss, or

damage which is the result of, or arising out of, the sole negligence of the Local Government or that is covered by the MIABC liability insurance policy.

- The Local Government agrees to be responsible for any and all deductible amounts including any claim expenses incurred and policy premium payments.
- The Service Provider agrees to be responsible for any and all deductible amounts including any claim expenses incurred and policy premium payments.

The Local Government reserves the right to terminate this Agreement and the associated commercial general liability insurance coverage provided to the Service Provider by the MIABC at any time upon written notification to the Service Provider of the termination.

**ON BEHALF OF *REGIONAL DISTRICT OF NANAIMO***

Name: Jeannie Beauchamp

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Title: Director of Finance

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Signature:

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Date:

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**ON BEHALF OF *ELECTION WORKERS***

Name: Jacquie Hill

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Title: Deputy Election Officer & Manager  
Administrative Services, Regional District of  
Nanaimo

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Signature:

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Date:

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Cowichan Valley Regional District	\$4,827	Single tenant (Central Island 911)
City of Nanaimo Ice Centre	\$10,500	Single tenant (TELUS)
Regional District of Nanaimo	\$13,860	Single tenant (Rogers)
Comox Valley Regional District	\$26,000	Multiple tenants (2)
City of Nanaimo College Heights	\$31,900	Multiple tenants (2)

## ALTERNATIVES

1. To accept the offer from Rogers Communications Inc. of \$13,860 per year for the 2018 – 2023 term and to allow two additional five-year extensions commencing June 1, 2028 for the Statutory Right of Way Agreement.
2. To not accept the new Rogers Communications Inc. offer for the 2018 – 2023 term and attempt to negotiate a better rate.

## FINANCIAL IMPLICATIONS

Alternative 1 From 2018 – 2023, the yearly income would be \$13,860 for the Rogers Cell Tower under the Statutory Right of Way Agreement.

*All subsequent renewal options shall be the greater of Consumer Price Index adjustments – All Items for British Columbia or 10% for each renewal option.*

Alternative 2 From 2018 – 2023 the yearly income would be contingent on an alternately negotiated rate.

## STRATEGIC PLAN IMPLICATIONS

This Statutory Right of Way Agreement aligns with the RDN Strategic Plan key focus area “Focus on Economic Health”, specifically by supporting technology based industries. Allowing for the continuance of wireless telecommunications infrastructure to ensure wireless device users are well served in our region creates economic opportunities for individuals and businesses.

  
\_\_\_\_\_

Mike Moody  
[mrmood@rdn.bc.ca](mailto:mrmood@rdn.bc.ca)

July 27, 2018

Reviewed by:

- D. Wells, General Manager, Corporate Services
- P. Carlyle, Chief Administrative Officer



shift identified in the progress towards RGS Goal 6 intended to increase the portion of households living in housing that meet their needs<sup>1</sup>. The following motion was passed:

It was moved and seconded that the Regional Growth Strategy policies relating to affordable housing be included in the approved Focused Regional Growth Strategy Review.

What follows is an overview on affordable housing, current conditions in the region and approaches that the RDN can use to proactively influence non-market and market affordable housing needs across the region.

### **What is Affordable Housing?**

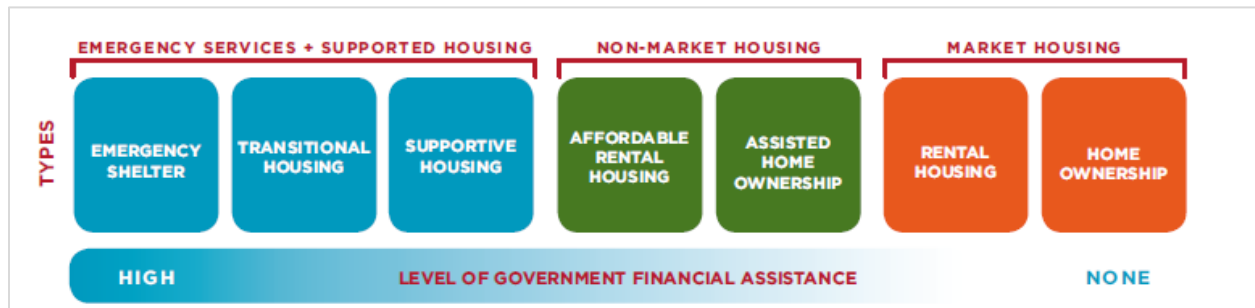
The RDN recognizes the BC Housing definition of affordable housing:

Housing is considered to be "affordable" when it costs less than 30% of before-tax household income. Housing is not affordable when it costs so much that individuals and families have trouble paying for other necessities such as food, health and transportation.

For renters, shelter costs include rent and any payments for electricity, fuel, water and other municipal services. For owners, shelter costs include mortgage payments (principal and interest), property taxes, and any condominium fees, along with payments for electricity, fuel, water and other municipal services (Canada Housing and Mortgage Corporation).

The Housing Continuum (Figure 1) is commonly used to understand housing affordability. It shows a range of housing types and tenures, inferring that all residents should have the opportunity to move across the housing continuum and find housing that is suitable, appropriate and affordable and meets their needs and circumstances.

Figure 1: The Housing Continuum



Source: Nanaimo Affordable Housing Discussion Paper, April 2018

<sup>1</sup> The 2017 RGS Annual Report data is for the [Nanaimo and Parksville Census Agglomeration](#) and includes the City of Nanaimo, City of Parksville, Town of Qualicum Beach, French Creek, District of Lantzville, Electoral Area A, Electoral Area C, Snuneymuxw First Nations Lands, and Snaw-Naw-As First Nations Lands.

### ***Regional Perspective on Housing Needs***

In the RDN the shortage of affordable housing has historically been attributed to the widening gap between the cost of housing relative to incomes and the shortage of adequate rental stock<sup>2</sup>. According to 2016 census data, real estate market statistics and other sources referenced below, this condition persists and is on the rise as a result of the recent increase in housing costs in the region.

Between 2015 and 2017 the average price for a single residential dwelling increased from:

- \$391,313 to \$518,449 for Nanaimo (Zone 4), an increase of 33%
- \$404,700 to \$548,378 for Parksville/Qualicum Beach (Zone 5)<sup>3</sup>, an increase of 36%

In terms of the affordability threshold (less than 30% of before tax income), both home owners and renters are impacted, with renter households facing the greatest challenge. Of the 50,930 owner households in the region 8,149 (16%) of households spent 30% or more on shelter compared to 17% on Vancouver Island. Of the 17,830 renter households 8,558 (48%) spent 30% or more on shelter compared to 45% on Vancouver Island<sup>4</sup>. As a result, the Canadian Rental Index places the region fifth in their list of “Top 10 Most Critical Scores” when compared to other regional districts in BC<sup>5</sup>.

To better understand the housing need, the BC Non-profit Housing Association<sup>6</sup> has published a report estimating the current need for housing in BC broken down by region. According to the report, the current rental supply backlog in the RDN is 1,779 units. This total includes core housing need households (average income \$18,501) and middle income households (average income \$51,978). The report also provides a break down of the total average annual investment needed to support current and future affordable housing supply needs. In the RDN, it is estimated that the annual cost is \$68 million, of which 25% or \$17 million is considered the community's share.

Given that provisions for affordable, adequate and suitable housing remains a challenge in the RDN and other areas in BC, the recently launched Strategy and funding programs presents new opportunities for all levels of government to help address housing needs across the housing continuum.

### ***Overview of the National Housing Strategy***

The [National Housing Strategy: A Place to Call Home](#) is an ambitious 10 year, \$40 billion commitment to address housing needs from shelters and transitional housing to affordable rentals and homeownership. The Strategy's goals include:

- reducing chronic homelessness by 50 percent;

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<sup>2</sup> Regional District of Nanaimo Housing Needs Overview, January 2009 [https://www.rdn.bc.ca/dms/documents/planning/affordable-housing/meeting-regional-housing-needs/phase\\_1\\_-\\_housing\\_needs\\_overview.pdf](https://www.rdn.bc.ca/dms/documents/planning/affordable-housing/meeting-regional-housing-needs/phase_1_-_housing_needs_overview.pdf)

<sup>3</sup> Zone 4 & 5 is the classification used by the Vancouver Island Real Estate Board. When combined, the two zones represent the RDN electoral areas and member municipalities.

<sup>4</sup> Statistics Canada, 2016 Census

<sup>5</sup> Canadian Rental Housing Index [http://rentalhousingindex.ca/en/#rhi\\_cd](http://rentalhousingindex.ca/en/#rhi_cd)

<sup>6</sup> BC Affordable Housing Plan Regional Breakdown: Nanaimo Regional District [http://bcnpha.ca/wp\\_bcnpha/wp-content/uploads/2017/04/Nanaimo.pdf](http://bcnpha.ca/wp_bcnpha/wp-content/uploads/2017/04/Nanaimo.pdf)

- removing more than 530,000 households from housing needs;
- creating four times as many new housing units as built under federal programs from 2005 to 2015;
- repairing three times as many existing housing units as repaired under federal programs from 2005 to 2015; and
- protecting an additional 385,000 households from losing an affordable place to live.

To achieve these goals, the Strategy features at least 20 targeted initiatives to advance the intended outcomes. The provinces and territories are the primary partners in the Strategy, while local governments, and private and non-profit sectors are identified for select initiatives. Local governments are eligible to apply for, or become a funding partner in, the National Housing Co-Investment Fund and the Affordable Housing Innovation Fund.

The National Housing Co-Investment Fund (including \$4.7 billion in capital grants and \$11.2 billion in low-interest loans), is composed of two streams: new construction, and housing repair and renewal. Partnerships are a required feature of this fund to maximize investment and to ensure efforts are coordinated. To be eligible for this fund the federal funding must be supplemented by investment from provincial or local government and can include in-kind and cash contributions.

The second program, the Affordable Housing Innovation Fund (\$200 million fund) is designed to support the development of innovative approaches to affordable housing, including innovations in building design and/or financial models. Eligibility is limited to individuals, corporations and organizations. While a local government would not be eligible, a non-profit housing organization or a corporate entity, such as a Regional Housing Corporation would be eligible.

The new Strategy represents a shift in federal housing policy away from the traditional 'social housing' model towards mixed-income developments. Mixed-income housing is a widely accepted approach to creating affordable housing options because it includes diverse types of housing units (eg., apartments, townhouses, duplex and single dwellings) for a range of income levels. The Strategy also sets out opportunities for all levels of government to get involved in implementation, including direct delivery of housing programs as illustrated by the Co-Investment Fund.

Aligned with the federal approach, the Province of BC has already allocated \$7 billion over the next ten years to create and preserve affordable housing in BC. The two main funding programs are the Community Housing Fund and the Community Partnership Initiatives. The Community Housing Fund is aimed at non-profit housing or for-profit firms that partner with non-profit societies to build and operate new rental units. The Community Partnership Initiative differs in that it provides financing to help non-profit societies create affordable housing developments. Local governments are not eligible to apply, but they can be an investment partner or as in the case of the Community Partnership Initiative can participate through a Regional Housing Corporation.

While the recent shift in federal and provincial direction provides more options, what remains to be decided is how the RDN can become involved, or more specifically, what role the RDN should play in affordable housing? To provide background for this discussion, the remainder of this report provides a summary of the RDN's affordable housing initiatives, ways local governments can get involved and recommendations for potential next steps.

### ***Affordable Housing Initiatives in the RDN***

In 2009, the RDN's Housing Needs Overview report confirmed that the supply of affordable housing throughout the region fell short of meeting the needs of those least able to afford adequate housing. Earlier works confirmed that the availability of developable land was not a contributing factor. The 2006 Land Inventory and Residential Capacity Analysis<sup>7</sup> determined a dwelling unit capacity of 49,063 units across the region. At fault was the widening gap between the cost of housing relative to peoples' incomes and the shortage of rental housing stock.

Following the needs assessment, the report Connecting Housing Needs and Opportunities addressed solutions, which were incorporated into the current RDN Housing Action Plan (the Plan), see Attachment 1.

The Plan sets out opportunities and clear actions to influence affordable housing using existing RDN resources. Within this defined scope, the Plan's focus is on land use provisions and other activities aimed at raising awareness, and to coordinating efforts amongst government agencies, non-profits and private business. A review of the Action Plan reveals that many of the actions have been completed or are considered on-going communication/facilitation activities. A few highlights of this work include:

- integrated affordable housing policies into the RGS
- integrated affordable housing policies into some Official Community Plans (OCP) (e.g., Area A OCP includes provisions for housing agreements to secure affordable housing units and Area H OCP acknowledges acquiring affordable housing as a community amenity contribution),
- adopted regulations in support of secondary suites in most rural and residential zones in Areas A, C, E, F, G and H<sup>8</sup>,
- on-going actions to support initiatives of others (Oceanside Task Force on Homelessness and the City of Nanaimo Affordable Housing Strategy),
- waiving fees for non-profit organizations associated with development applications (eg., Bowser Seniors' Housing Project), and
- awareness raising through annual updates of the housing resource list, extreme weather shelter brochure/poster and the RDN affordable housing webpage at [www.rdn.bc.ca/rdn-affordable-housing](http://www.rdn.bc.ca/rdn-affordable-housing)

In addition to these efforts, the RDN has been an investment partner in the development of one housing project in particular. In partnership with the Province, RDN, City of Parksville, and Town of Qualicum Beach, funding was provided for the purchase of a property in Parksville for the purpose of building a 50 unit supportive housing facility. The RDN's contribution was made possible through the Community Grants provisions in the Local Government Act.

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<sup>7</sup> To continue to monitor the region's land resources, the RDN's Land Inventory and Capacity Study is scheduled to be updated as part of the scheduled 2018-19 Regional Growth Strategy Review.

<sup>8</sup> Secondary Suites Bylaw Amendment No. 389, adopted May 27, 2014.



### ***Rural Character and Current Conditions***

Housing issues in rural areas are quite diverse and are heavily influenced by a region's proximity to major urban areas; whether it has been designated as a potential resort or retirement community; and whether there has been population decline or growth in recent years.

In addition to these external factors, low population density can restrict transportation options and lower incomes of some rural residents, which often puts them at a disadvantage in finding suitable accommodations. The RDN shares many of these same rural characteristics and is also attributed with a lack of rental housing and general high market appeal that serves to maintain high property values. Consequently, the RDN has developed select policies and regulations in support of affordable housing. The intended outcomes however have been slow to develop. This may be attributed in part to limitations of the current policies and regulations and limited implementation. However, of greater influence is the lack of diversity in rural housing types and the intentionally low volume of development in rural areas compared to urban areas.

Traditionally, the rural housing market is quite homogenous, limiting residents' options regarding type and tenure of housing. In the RDN, the current dominant structural type and tenure is owner households of single detached dwellings. The current housing capacity of single dwelling units is considered adequate to meet projected housing demand until 2031. In comparison, ground-oriented dwelling unit capacity is only adequate to meet the projected housing demand to 2021<sup>9</sup>. Despite policies and regulations in place to encourage different types of housing, the uptake has been insufficient to help address the increased need for affordable rental and market housing options. Secondary suites is one example where the provisions are in place, but the uptake has been low. Since 2014, only 38 building permits have been issued for secondary suites. Even so, secondary suites are a proven option for affordable housing and should continue to be encouraged along with other types of ground-oriented dwellings.

Another obstacle to improving affordable housing in rural areas is the lack of multi-residential development that would lead to securing additional community amenities. Local governments can incorporate policies to encourage amenity contribution negotiations as part of the rezoning process. This type of policy is successfully used in many urban areas (eg., City of Nanaimo), but to a lesser extent within the rural areas in the RDN. Generally, amenity contributions would be triggered by rezoning for a multi-residential development, which may only occur once a year, or not at all. This is further hindered by the current lack of amenity policies that seek affordable housing as an amenity contribution. In the rural context, amenities are generally acquired for park land, trails, bus stops and road dedication. The exception to this is the recently adopted Area H OCP, which provides the strongest policy direction by seeking a broad array of amenities, inclusive of affordable housing units or a financial contribution to a RDN affordable housing fund (should one be established).

In the RDN, many of the current policy and regulatory approaches in place provide fringe benefits. They also set a precedent for seeking solutions, and make room for enacting larger changes towards long-term planning for sustainable affordable housing.

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<sup>9</sup> RDN Land Inventory and Residential Capacity Study, 2007

### **Opportunities and Approaches for Influencing Affordable Housing in the RDN**

The implementation hierarchy set out in the Connecting Housing Needs and Opportunities report is a useful starting point for investigating potential next steps and further approaches best suited to the residents and areas within the RDN. As illustrated in Figure 2, just over half of the strategies have been completed or are on-going (green) through the implementation of the RDN Housing Action Plan.

Figure 2: Housing Implementation Hierarchy

<b>Potential Strategies To Support Development Of Affordable Housing In The RDN</b>	
Completed and/or ongoing	1 <b>Raise Awareness.</b> Of existing housing needs. Of existing housing programs.
	2 <b>Support for Others' Initiatives.</b> Assist non-profit societies that are actively pursuing government funding for special needs groups. Encourage non-market housing providers to "regenerate" existing social housing sites.
Not started	3 <b>Research and Networking.</b> Work with major employers and business associations to investigate an "employer assisted housing program". Seek funding from BC Real Estate Foundation
Completed	4 <b>Policy.</b> Continue to support infill/development, including manufactured housing, in serviced Village Centres.
	5 <b>Policy.</b> Include housing policies in RGS. Include housing policies in OCPs.
	6 <b>Policy.</b> Develop a region-wide policy on secondary units (suites, secondary dwellings) in Village Centres and rural parts of Electoral Areas.
Some progress	7 <b>Policy.</b> Continue to implement the 2006 Manufactured Home Park Redevelopment Policy.
	8 <b>Regulatory Tool – Amenity Rezoning.</b> Develop a policy / program to generate affordable home ownership through new development. AKA known as "Inclusionary Housing".
Not currently being advanced	9 <b>Regulatory Tool – Zoning.</b> Update zoning bylaws in serviced Village Centres to encourage small houses on small lots / infill or new subdivisions. Meets other sustainability objectives.
	10 <b>Financial Measure.</b> Investigate the establishment of a Regional Housing Trust Fund.
	11 <b>Regional Housing Corporation.</b> Build and maintain rental housing.

Of the remaining strategies (yellow/orange), there is an opportunity to pursue a combination of policy, regulatory, financial and housing management strategies that are consistent with affordable housing best practices. Pursuing this course would be a shift for the RDN, but it would also establish a more strategic and regional approach to affordable housing that brings economic, environmental and social returns. Each dollar invested by the region can be leveraged to access provincial and federal funding resulting in new construction. Housing production creates design opportunity to include energy conservation and each new unit generates local employment. The key components of a regional approach to affordable housing are detailed below.

#### Policy Considerations

The RGS provides the policy framework for managing growth within the RDN. Within the 11 goals of the RGS, Goal 6 provides the policy context intended to support and facilitate the provision for appropriate, adequate, affordable, and adaptable housing. Under the current conditions, it is both timely and necessary to strengthen the RGS policies relating to affordable housing. Acknowledging this need, the applicable policies have recently been added to the 2018-2019 RGS review.

Were the Board to support advancing a regional approach to affordable housing, it is recommended that this work is included as a sub-project to the RGS review to coordinate with the review of the RGS affordable housing policies.

### Zoning Considerations

In order to strengthen and clarify land use provisions for affordable housing, additional types of provisions can be considered, such as:

- a. encourage pre-zoning within an OCP to support development within Rural Village Centers and to provide developers with more certainty;
- b. encourage inclusionary zoning to require affordable units through new multi-residential developments, aligned with mixed-income housing models (eg., Ucluelet and Langford);
- c. as an alternative to pre-zoning or inclusionary zoning, a housing agreement bylaw can be used to secure new affordable housing stock or specific terms such as rental or leasehold rates (eg., Islands Trust);
- d. density-bonus zoning within residential lots to permit a duplex or triplex within the same building footprint as a single dwelling unit, and
- e. consider provisions to accommodate year round residency within alternative housing options, such as recreational vehicles or tiny homes.

Provisions such as pre-zoning, inclusionary zoning and housing agreements may be more suitable to urban areas within the Growth Containment Boundaries and the Rural Village Centers. Density-bonus zoning, in much the same way as secondary suites, allows a number of households to be housed on a single residential lot without creating an additional building footprint. This design increases the affordability of housing as the cost of land is shared between the households and it may reduce sprawl by encouraging a form of in-fill suitable for rural villages in the RDN.

Long-term stay provisions enable year-round residency within recreational vehicles or tiny homes and are suitable to both rural and some urban areas. By regulating the use this may help to address issues arising in areas where this type of residency is already occurring and facilitate new opportunities. Managing alternative housing options through a temporary use permit or rezoning process is key. As a condition of approval, a standard of public health and safety can be achieved to provide adequate, suitable, as well as affordable housing options for some residents.

### Financial Measures - Regional Affordable Housing Service and Reserve (Trust) Fund

The establishment of a financial contribution service and reserve fund is a proven and increasingly used approach in BC to help address region-wide housing needs. The service would be used to build a capital reserve fund, from which non-profit housing providers could access funding for new affordable housing projects, or renovations to existing affordable housing that benefit communities in the region.

The Capital Regional District (CRD) is one of the first regional districts in BC to implement a Regional Housing Trust Fund (RHTF), which has proven to be pivotal in moving forward on their key housing priorities. Within the first five years of the program \$3.4 million was granted, generating 281 units over 17 projects. These funds are also used to leverage other funds from federal and provincial providers.

Following the success of the CRD's program, other regional districts facing the same challenges have implemented similar approaches, including the Comox Valley Regional District in 2015. More recently, the Cowichan Valley Regional District is evaluating the establishment of a regional service. Experience shows that there are a number of benefits to establishing a service. A top benefit is the ability to adopt a strategic approach to meeting housing priorities across the region and to develop the necessary long-term relationship with housing developers and housing agencies to implement 'brick and mortar' housing projects. RHTFs are also complementary to existing municipal trusts (eg., City of Nanaimo Housing Legacy Reserve Fund) as they can use regional funds to leverage other funding, which can further assure that funding is distributed equitably throughout the region.

The main challenge with a RHTF is there must be a commitment to a regular and ongoing source of funding. The source of funding may come from new sources such as an amenity contribution for new multi-unit residential developments. The associated amount may be seen as the cost of doing business to developers, but may not be adequate to address the level of need. Alternatively, a regional affordable housing service could be created that would spread the cost across the region. If the Board were to support a RHTF in principal, it is recommended that the RDN work with the member municipalities and non-profit housing organizations to further investigate this opportunity.

#### Housing Management - Regional Housing Corporation

A regional housing corporation enables a regional district to become a shareholder of the corporation, which owns and operates a range of housing units. This housing is often a mixture of market rental units and subsidized housing, allowing the regional district to maintain affordability of housing units. One challenge is that the corporations have to compete for funding unless they have access to permanent, on-going government support such as a RHTF as in the case of the CRD and the Capital Region Housing Corporation.

Establishing a housing corporation is not integral to establishing a successful affordable housing program and may be worth exploring at a future date in the event that the RDN were to establish an affordable housing service and reserve fund.

#### ***The Changing Role of the RDN in Affordable Housing***

In addition to the financial consideration of establishing an affordable housing service, there may be some reluctance from some decision-makers and residents to expand the existing role of the RDN in influencing affordable housing. To some extent this position is understandable since traditionally housing policy has been the responsibility of the federal and provincial governments. This changed in the late 1980s when the federal policy direction shifted by assuming the free-market economy would adjust to fill the gap. Since affordable housing is not considered by developers to be the highest and best use of the land, developers did not respond as envisioned. Instead, local governments in BC and elsewhere have gradually become more active in housing. This is evident by the examples in this report as well as the accumulated works of the RDN that have resulted in the RDN's Housing Action Plan.

While much has been achieved through the implementation of the Action Plan, it is clear that additional tools are needed to help address the growing need in affordable rental and owned housing in the region. While some additional policy and regulatory tools can be considered, the greatest opportunity for the RDN to influence affordable housing rests in establishing financial measures with housing management as a possible future development. Experience shows that a regional approach to housing has accumulated community benefits and enables local

government to become an investment partner through programs like the National Housing Co-Investment Fund and/or any subsequent federal and provincial funding programs.

## ALTERNATIVES

1. Receive this report for information and provide direction to create a regional approach to affordable housing that considers partnership development, and the creation of a regional affordable housing service and reserve fund.
2. Provide alternative direction.

## FINANCIAL IMPLICATIONS

The financial implications would include retaining a consultant to investigate a regional housing approach and financial contribution service. To support this work, the RDN would seek opportunities for applying for a grant from the Real Estate Foundation. In addition, funds have been established to conduct service reviews for RDN functions. These funds have not been allocated to any one service and, with the Board's approval, could be used to investigate an affordable housing service.

## STRATEGIC PLAN IMPLICATIONS

The Board 2016-2020 Strategic Plan includes a strategic focus on service and organizational excellence with a priority to invest in regional services that are effective and efficient. It also has a focus on relationships where the RDN looks for opportunities to partner with other governments and community groups to advance the region, which could be achieved once an affordable housing service is established. Further to this, the Board has made a commitment to plan for the impact of our aging population. Affordable housing is a priority for all ages. As residents age, meeting the future housing needs of seniors is projected to outpace other age groups because of the size of the population.

The recommendation in this report, builds on previous RDN affordable housing studies, aligns with the objectives of the RDN's Housing Action Plan and with the RDN's governing principles of 'Represent the Interests of the Region', 'Work Effectively as a Team' and 'Focus on Solutions'.



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Jamai Schile  
[jschile@rdn.bc.ca](mailto:jschile@rdn.bc.ca)  
August 23, 2018

### Reviewed by:

- P.Thompson, Manager, Long Range Planning
- G.Garbutt, General Manager, Strategic and Community Development
- P. Carlyle, Chief Administrative Officer

### Attachment:

- Regional District of Nanaimo Housing Action Plan

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# Housing Action Plan

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Meeting Regional  
Housing Needs

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December 30<sup>th</sup> 2010



## Background

The provision of appropriate, adequate, attainable, affordable and adaptable housing throughout the region is being increasingly recognized as an essential component of social and economic sustainability. As documented in the State of Sustainability Report<sup>1</sup>, the Regional District of Nanaimo (RDN) has been experiencing increasing shortages of affordable rental and owned housing for those with low to moderate incomes over the last ten years.

The shortage of affordable housing is due to widening gaps between the cost of housing relative to incomes and a shortage of adequate rental stock. As the market continues to fail to provide suitable affordable rental and ownership options, the number of people requiring access to ‘Affordable Non-Market Housing’ and ‘Government Subsidized Housing’ has been increasing.

The Regional District of Nanaimo (RDN) 2010 Board Strategic Plan recognizes access to housing as part of the vision for a more sustainable region. The Board Strategic Plan vision reflects the 2006 State of Sustainability Report which identified housing affordability as one of the characteristics of social sustainability.

2010 Board Strategic Plan	
<p><b>Vision</b></p> <p><i>.....Housing is affordable, and a variety of different types and sizes of housing are available to accommodate the current and future needs of residents.</i></p>	<p><b>Goal 6</b></p> <p><i>Increase affordable housing and housing choices that support “ageing in place”</i></p> <ul style="list-style-type: none"> <li><i>a) Build on the Regional Housing Affordability Study to develop strategies that promote the development of affordable housing and housing that supports “ageing in place”.</i></li> <li><i>b) Develop region-wide strategies, incentives and options for increasing density in current and planned neighbourhoods to increase the cost-effectiveness of infrastructure, services and transit.</i></li> <li><i>c) Explore ways to encourage higher density development on land inside the Growth Containment Boundary.</i></li> <li><i>d) Ensure future costs of infrastructure are allocated fairly.</i></li> <li><i>e) Lobby senior governments to provide resources and support for affordable and senior’s housing.</i></li> </ul>

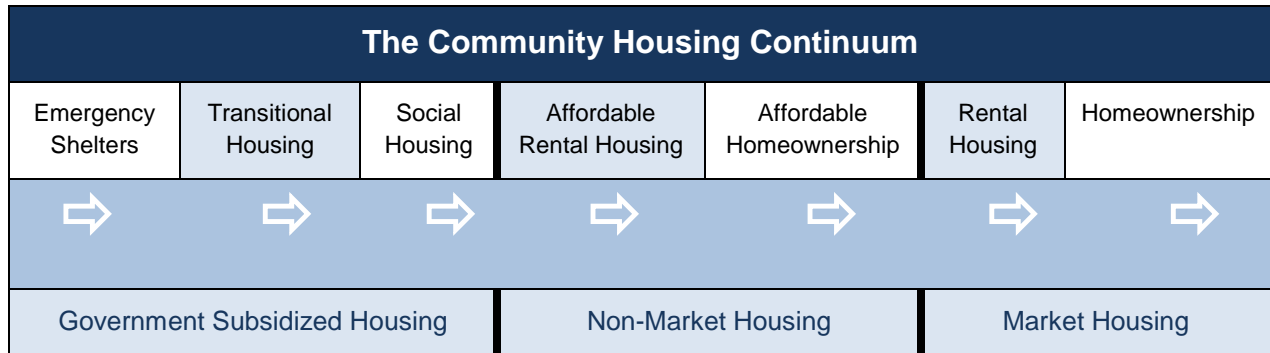
Consistent with the findings of the State of Sustainability Report and the Board’s direction in the 2010 Strategic Plan, the December 30th 2010 Draft Regional Growth Strategy (RGS) contains goals and policies that directly address affordable housing.

<sup>1</sup> 2006 Regional District of Nanaimo State of Sustainability Report (Prospering Today, Protecting Tomorrow: The State Of Sustainability of the Regional District of Nanaimo)



## Housing Continuum

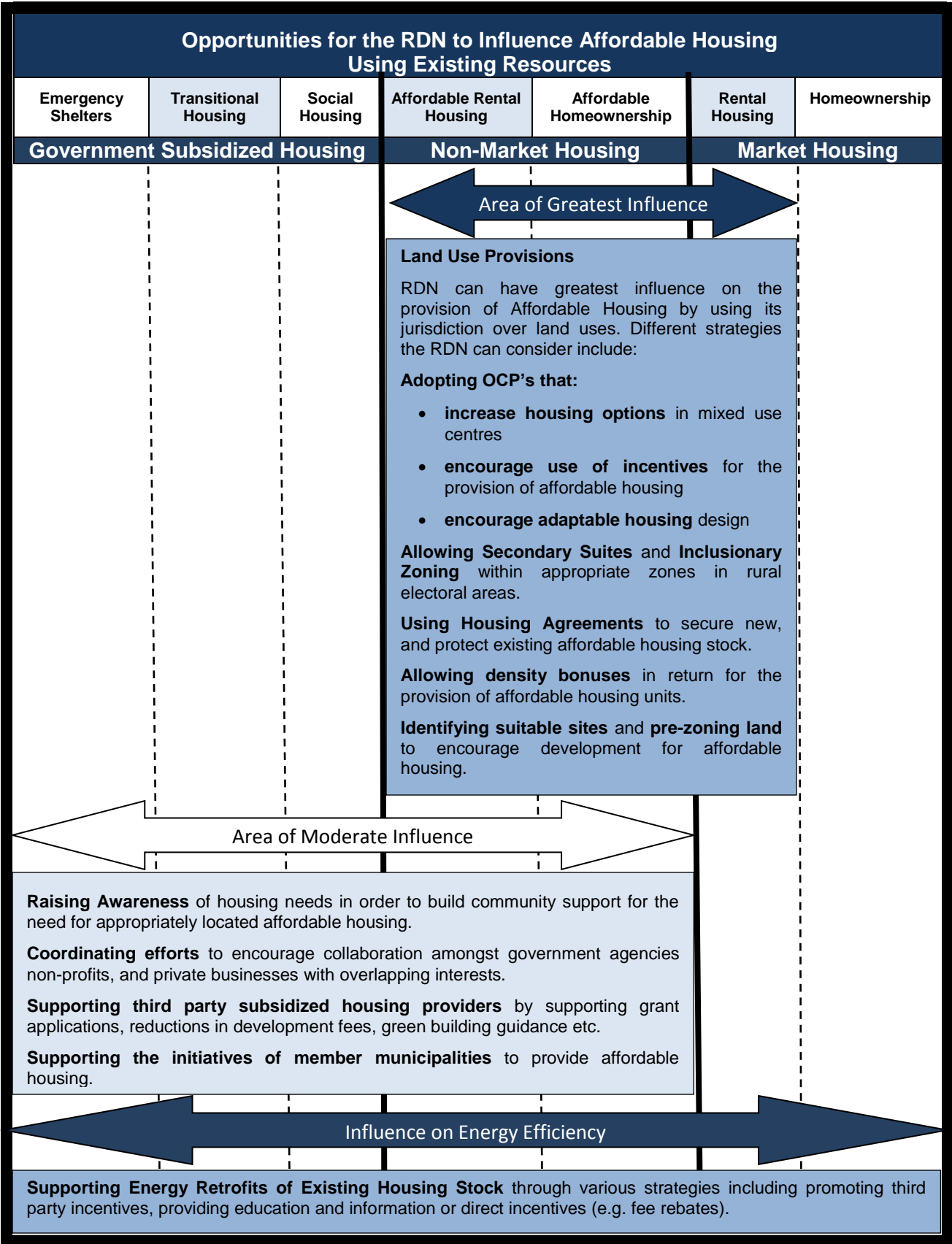
Canada Mortgage and Housing Corporation (CMHC) use a graphic tool called *The Community Housing Continuum* to understand housing affordability (see the diagram below). *The Community Housing Continuum* shows a range of housing and tenures, inferring that there are options for people to move along a continuum of housing types ranging from Government-Subsidized Housing to Market Housing.



Given an understanding of the RDN’s organizational mandate, jurisdiction, expertise and resources, the RDN can most effectively focus efforts to address regional housing needs by:

1. Influencing the provision of market rental housing.
2. Influencing the provision of non-market housing (both rental and owned) through the RDN’s regulatory authority.
3. Continuing to support and encourage the provision of government subsidized housing.

The diagram below shows how the RDN can influence the provision of housing at different intervals on *The Community Housing Continuum* within the scope of existing functions, budget and resources.



This *Housing Action Plan* sets out clear actions that the RDN can take to work towards reaching the Board's vision and meet the housing needs identified by the RDN's 2009 *Regional Housing Affordability Study*. The Plan focuses on effective actions that can be accomplished using existing budgets and staffing resources.

## Goal

To increase the number and choice of affordable rental and market housing units designed to meet the needs of lower income residents with different household sizes, ages and special needs.

## Objectives

Based on previous work on affordable housing, this Action Plan identifies a number of objectives related to the construction, attainment and provision of affordable housing.

1. To support and facilitate the provision of appropriate, adequate, affordable, attainable and adaptable housing.
2. To raise public awareness of regional housing needs and understanding of ways to address these needs.
3. To promote and support the efforts of existing organizations and partnerships mandated to address housing needs within the region.
4. To lobby other levels of governments to provide adequate resources and take concrete measures to support those experiencing homelessness and with high core housing needs.
5. To build partnerships to address regional housing needs.
6. To inform landlords and tenants about ways to improve housing and lower costs for tenants.
7. To inform employers about the benefits of providing or supporting the provision of affordable and adequate employee housing.
8. To identify barriers to constructing and maintaining affordable rental and owned housing units.
9. To encourage the development and construction industries to undertake projects that include affordable rental and owned housing units as well as market based rental units.
10. To identify and consider incentives to encourage the construction, provision and maintenance of affordable housing units (both rental and owned).
11. To increase the supply of housing in the region to meet the needs of seniors, youth, those with special needs, those with moderate or low incomes, and the homeless.
12. To reduce the number of people in core housing need, especially low income renters.
13. To reduce the number of people experiencing homelessness and support the transition out of homelessness.

## Actions

### 1. Documenting Housing Resources

The RDN will consider maintaining a list of organizations and the resources they provide to support meeting different housing needs. The purpose of this is to monitor regional housing resources and how well they are meeting needs identified in the RDN's *Regional Housing Affordability Study* and to use this information to promote the programs and resources provided by these organizations to RDN residents and member municipalities.

### 2. Providing Information on Housing Resources

The RDN will consider undertaking the following actions as part of an education and awareness program. The purpose of undertaking these actions are to raise awareness of existing housing needs

so that future initiatives receive community support and to promote maximum use of currently available third party programs and initiatives.

**a. Developing and distributing brochures and web-based data:**

The RDN will consider publishing and distributing one or more brochures and having online information about affordable housing. The purpose of this is to provide information about:

- Current and predicted regional housing needs.
- Third party programs and opportunities to help RDN partners and non-profits meet housing needs.
- Organizations, programs and resources for those with low incomes or other specialized housing needs (e.g. modifying the City of Nanaimo's *'Surviving in Nanaimo Guide'* to include other regional resources).
- Programs to help create, maintain and improve the quality and availability of affordable, appropriate housing stock for private landlords and non-profits.
- Techniques and resources for landlords and tenants to improve the energy efficiency of rental housing stock.
- Techniques and resources for landlords, tenants and home owners to build and retrofit existing homes to enable 'aging in place'.
- The role of employers in supporting affordable housing within close proximity to places of work.

As appropriate and available, the RDN will use existing information and brochures produced by third parties or partner with other agencies with shared interests in promoting similar information (e.g. Habitat for Humanity, Nanaimo Citizen Advocacy Association, Canada Housing and Mortgage Association, Central Vancouver Island Multi-cultural Society).

**b. Conducting information sessions on affordable and adaptable housing:**

The RDN will consider conducting one or more information sessions for builders and community members on adaptable housing to facilitate 'ageing in place'. The purpose of the sessions is to provide information about:

- Methods for building owned and rental housing designed to adapt as the needs of householders change (e.g. family size, physical ability, income levels) and to improve energy efficiency.
- Available funding or programs to support building or converting homes designed to adapt as the needs of householders change.

**c. Conducting information sessions on secondary suites:**

Based upon the outcome of the secondary suites study and subsequent changes to RDN bylaws, the RDN will consider conducting one or more information sessions for builders and community members on secondary suites in electoral areas.

**3. Building Partnerships through a Regional Housing Working Group**

The RDN will consider establishing a Regional Housing Working Group. The purpose of the Working Group is to build partnerships and coordinate efforts to address short and long term housing needs. A key mandate of the Working Group would be to develop and implement a Regional Housing Strategy.

The RDN will consider pursuing grants and other sources of funding to establish a Regional Housing Working Group and hiring a consultant to develop a Regional Housing Strategy.

**4. Developing a Regional Housing Strategy**

As noted above, the RDN will consider hiring a consultant to develop a Regional Housing Strategy. The purpose of the strategy is to prioritize and coordinate efforts to address regional housing needs.

**5. Supporting the initiatives of others**

The RDN will consider assisting third party organizations in their efforts to provide affordable and adaptable housing in designated centres. The RDN can assist and support the efforts of non-profit and for profit organizations to provide housing by:

- Encouraging collaboration between different groups to avoid duplication of effort and maximize best use of resources.
- Continuing to participate and support the efforts of existing working groups including the City of Nanaimo's Homelessness Working Group and the Oceanside Homelessness Task Force coordinated by the City of Parksville.
- Providing guidance and information on RDN studies, policies and land use bylaws will help ensure that initiatives are aligned to meet identified needs and regional regulations.

**6. Provide Incentives for Creating and Maintaining Affordable and Adaptable Housing**

The RDN will consider undertaking a study to identify incentives that the RDN and member municipalities could provide to encourage the creation of new and maintenance of existing affordable and adaptable housing units. Incentives could include expedited permitting, lower development cost charges and density bonuses in return for making commitments to maintain determined levels of rent or ownership costs over a set period of time.

**7. Updating Official Community Plans and Zoning Bylaws to support Affordable and Adaptable Housing**

The RDN will consider undertaking a process to review and update all electoral area Official Community Plans (OCPs) and zoning bylaws to support the provision of affordable and adaptable housing. The purpose of this is to ensure that RDN bylaws adequately support the provision of suitably located affordable and adaptable forms of housing.

**8. Adopting a Secondary Suites Bylaw**

The RDN will consider undertaking a study to identify where secondary suites and carriage homes should be permitted in the electoral areas of the RDN. The study would also consider appropriate land use regulations (e.g. parking spaces, floor area).

Based upon the outcome of the study above, the RDN will consider updating OCPs and zoning bylaws to allow secondary suites.

**9. Supporting the efforts of municipalities to maximize secondary suites**

The RDN will consider encouraging and assisting municipalities (that have adopted bylaws permitting secondary suites) in their efforts to increase the number of suites in new and existing single family dwelling units. The purpose of this would be to maximize efforts already underway to make use of existing housing stock and infrastructure in growth centres that are well served by transit, shopping and other services.

Activities to support this could include:

- Sharing educational information (e.g. documents, brochures, posters)
- Co-hosting seminars on the benefits of secondary suites and ways of including them in existing and new homes

- Helping identify barriers to constructing suites and ways of overcoming them (e.g. reducing parking requirements or providing incentives such as reduced development cost charges or fee reductions for solid and liquid waste).

**10. Promoting the maintenance of existing and increasing the provision of new market rental stock**

The RDN will consider encouraging the maintenance of existing rental housing and the provision of new rental housing by providing information to developers and landlords about:

- Where different forms of rental housing would be supported in the region (e.g. mobile homes, apartments, carriage homes, secondary suites, condominiums).
- Access to funding to support improving the quality of existing rental housing.
- The importance of maintaining mobile home parks as a form of affordable housing in rural areas.

The purpose of this would be to ensure that the lifespan and energy efficiency of existing affordable homes and rental housing is maximized, so that longer term use is possible. This is far more cost effective and sustainable compared to having to replace or re-build new dwellings.

**11. Promoting third party programs that support the provision of new affordable housing units and improving existing housing in rural areas**

The RDN will consider promoting third party programs that support the provision of new affordable housing units and improving existing housing in rural areas. For example, Canada Mortgage and Housing Corporation (CMHC) offers:

- The Residential Rehabilitation Assistance Programs (RRAPs) to provide financial assistance for maintaining the quality of affordable housing units for homeowners and renters and the creation new affordable units for renters including seniors and those with disabilities.
- The Emergency Repair Program (ERP) to help low-income households in rural areas, for emergency repairs required for the continued safe occupancy of their home.

**12. Supporting the efforts of higher levels of government and non-profits to build the resilience of those most at risk of experiencing homelessness**

The RDN will consider advocating for the provincial and federal governments to take the lead in coordinating efforts to monitor and reduce the risk of individuals and households at risk of experiencing homelessness. The purpose of this would be to mitigate increases in the numbers of people experiencing homelessness by increasing the resilience of fragile individuals and households.

This could involve coordinating the efforts of various ministries and programs that have overlapping involvement with the health and welfare of individuals, families and children work with non-profit agencies to ensure that:

- There is a coordinated team of agencies monitoring and assisting those at risk of experiencing homelessness.
- Available resources can be accessed through one primary source so that those needing support are not overwhelmed by complicated processes or multiple referrals. For example the Nanaimo Area Resources for Families (NARSF) outreach workers that were supported by federal funding.

**13. Supporting the efforts of others to adequately house and provide support to those experiencing homelessness**

The RDN will consider supporting the efforts of provincial and federal agencies, member municipalities, non-profits and addressing the needs of those experiencing homelessness. This includes:

- Advocating for the creation of a multi-disciplinary community outreach team to provide services for the 'hidden' homeless in rural electoral areas. Such a team or position would ensure that

other service providers provide information and coordinate services to minimize people 'slipping through the cracks'.

- Advocating for a multi-faceted and coordinated approach beyond providing shelter to meeting the mental, physical and spiritual needs of those experiencing homelessness.

#### **14. Working with employers to provide 'employer assisted housing'**

The RDN will consider working with employee groups and employers to raise awareness of the need for employees to have access to adequate, affordable housing and encourage employers to participate in strategies and undertake actions to ensure their employees are adequately housed. For new developments, incentives could be considered to obtain employee housing.

### **B u d g e t**

The RDN will consider the allocation of staffing resources and funds to implement selected components of the Action Plan as a part of the budget approval process for each year.

### **T i m e l i n e**

The RDN Board will consider undertaking one or more action items each year, starting in 2011, as a part of the budgetary process for each year.





over the past two years towards its goals, in preparation for developing a new strategic plan in the coming months.

OHWN's structure includes a Circle of Partners as the core group of 15 from government, organizations and community; a wider Network which now includes more than 100 members; and an Action Group for each of the three strategic priorities. RDN elected officials in District 69 are invited to all Network meetings, a senior planner from Long Range Planning sits on the Circle of Partners, and a recreation programmer sits on the Network Development Action Group. The Circle of Partners and Action Groups meet monthly and the Network meets one or two times per year.

The Circle of Partners provides strategic direction to the Network and Action Groups, oversees the goals, objectives and strategies identified for the Network, and monitors metrics related to key determinants of health in Oceanside. The composition of and election to the Circle of Partners has recently been formalized. The Circle of Partners has 15 members of which the Circle of Partners elects 12 for a two-year term, and appoints two from Island Health, and one from the RDN.

Island Health plans to support the establishment of a community health network in each of its local health areas and is currently working towards one in Local Health Area 68 – Nanaimo. Local Health Area 68 is aligned with the School District 68 boundaries and includes Electoral Areas A, B, and C the City of Nanaimo and District of Lantzville. Island Health would like the RDN to manage the contract for a coordinator for that health network, when it is established.

## **ALTERNATIVES**

1. That the Regional District of Nanaimo enter into a second three year contract with Island Health, from November 1, 2018 to October 31, 2021, to administer funds for subcontracting with a coordinator for the Oceanside Health and Wellness Network.
2. That the Regional District of Nanaimo not continue to administer funds for subcontracting with a coordinator for the Oceanside Health and Wellness Network.

## **FINANCIAL IMPLICATIONS**

There will be no direct cost to the RDN as the Coordinator sub-contract cost of \$30,000.00 per year is fully covered by the funds from Island Health. The Coordinator provides their own office space and equipment.

Administering the funding from Island Health involves staff support from the Finance and Long Range Planning departments. The time spent varies, but typically involves processing monthly invoices from the Coordinator, managing the budget, reviewing quarterly reports from the Coordinator to Island Health, and managing website updates as the RDN hosts webpages for OHWN. From time to time additional staff time is required for such things as hiring a new coordinator should the position become vacant, and reviewing and submitting OHWN-prepared grant applications.

As well, the RDN disburses a \$15,000.00 seed funding account pursuant to a 2015 Memorandum of Understanding between Island Health and the RDN, of which approximately \$4,000.00 remains. This account typically covers expenses such as advertising for the coordinator position if vacant, meeting supplies, and monthly phone bill. Average annual

expenditures from the seed funding in the first three years was approximately \$760.00 with the majority for advertising for the Coordinator position. In 2018, the OHWN Circle of Partners allocated \$7,257.40 to wages for administrative support provided by staff from a partner organization (\$5,000); and further support for the 2018 Forum beyond that covered by the Community Wellness Grant (\$2,257.40). The \$4,000.00 remaining in the account is sufficient to cover normal expenses over the term of the renewed contract to October 31, 2021, but will not cover a continuation of the wages for administrative support, or additional wages for special projects. Beyond 2021, additional funds may be required for expenses.

### **STRATEGIC PLAN IMPLICATIONS**

The Board's Strategic Plan recognizes "focus on relationships", and supporting OHWN advances the goals to "look for opportunities to partner with other branches of government / community groups to advance our region" and to "facilitate / advocate for issues outside of our jurisdiction".



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Courtney Simpson  
csimpson@rdn.bc.ca  
July 31, 2018

#### Reviewed by:

- P. Thompson, Manager, Long Range Planning
- K. Felker, Purchasing Manager
- G. Garbutt, General Manager, Strategic and Community Development
- P. Carlyle, Chief Administrative Officer

#### Attachments

1. Service Contract Renewal between Island Health and RDN 2018-2021



Contract Number:  
Term: : November 1, 2018 to October 31, 2021  
Max Amt To Be Paid (Incl Taxes): \$90,000.00  
Cost Centre & Expense Code: 82.71.350102000 8604000

## SERVICE CONTRACT

### BETWEEN

**Vancouver Island Health Authority**

**AND**

**Regional District of Nanaimo (RDN)**

(the "Island Health (VIHA)")

(the "Contractor/Service Provider")

At the following address:

1952 Bay Street  
Victoria, BC V8R 1J8

At the following address:

Fax: (250) 740-2663

Tel: (250) 642-1634

Island Health and the Contractor agree to all Terms and Conditions contained in this agreement and to the following schedules (collectively, the "Agreement").

### SCHEDULE A – SERVICES

The following services and/or deliverables (the "Services") will be provided by the Contractor (Regional District of Nanaimo (RDN)) for the term from November 1, 2018 to October 31, 2021 (the "Term"):

The purpose of this Agreement is to support the continued development and progress of the Oceanside Community Health Network as it works in partnership with Island Health and other stakeholders to develop shared understanding, identify shared priorities and to take collective action to address the social determinants of health and modifiable risk factors in the Oceanside area of the Nanaimo Regional District.

To support this work, the Contractor will subcontract with a coordinator who will support the continued efforts of the Community Health Network (CHN) to:

- Convene dialogue regarding social determinants of health and modifiable risk factors informed by credible data (e.g. Canadian Community Health Survey, Local Health Area Profiles, BC Center For Disease Control Community Health Profiles) content experts (e.g. Medical Health Officers, Academics, Planners) and front line community experience (e.g. Health Care Providers, Collaborative Service Committees, Primary Care Networks, Community Service Providers) in order to:
  - foster a common understanding of community health priorities
  - create a shared vision for a healthy community
  - reach agreement on joint priorities for shared action/intervention
  - develop/maintain and/or renew time-limited strategy documents reflecting vision, priorities and action plans.
- Facilitate coordinated action amongst partners to address joint priorities.
- Engage policy makers around system level changes required to enable action on joint priorities.
- Support and coordinate the procurement of additional funding (from sources outside of Island Health), in-kind contributions and other resources to support actions addressing joint priorities.
- Facilitate ongoing collection and dissemination of data from partners regarding aligned community action in support of joint priorities and observable outcomes of aligned actions.
- Conduct outreach to build community awareness and support for the CHN.

- Ensure broad and equitable participation at all levels of their network structure including participation from multi-sector community partners with active participation from Foundations, Charitable Organizations, Island Health, Local Government, Local First Nations, School Districts/Boards, Post-Secondary Institutions, Local Business organizations, existing collaborative groups, and other institutions and sectors representing a spectrum of expertise, ages, and population perspectives spanning the ENTIRE region.
- Collaborate with Island Health regarding ongoing alignment of evolving priorities tied to strategic Initiatives of the Ministry of Health and Island Health which may change over time such as:
  - The Primary Care Networks (PCN) Initiative (requiring PCNs and Collaborative Services Committees (CSCs) to partner with the community sector regarding upstream prevention of locally prevalent illnesses and risk factors). This initiative seeks to link the health priorities identified through PCNs to specific population based initiatives that are mutually reinforcing to improve health and wellness of the population (for example, physical literacy initiatives in response to high incidence of frailty in seniors or air quality improvement strategies in response to high respiratory illness hospitalization rates).
  - The Healthy Communities Initiative (requiring partnerships between Island Health, Local Governments, Aboriginal Communities and other Community Partners on planning for upstream prevention).

The Services provided by the Contractor will be limited to:

- Ensuring that the CHN has approved invoices for the subcontracted coordinator;
- Providing monthly statements to the CHN;
- In kind accounts payable services; and,
- Participating at an advisory level in the CHN.

The costs permitted under this Agreement include:

- Subcontractor fees and expenses;
- CHN Community meeting expenses;
- CHN administration committee meeting expenses; and,
- CHN working group expenses.

The Contractor will consult with the CHN on all aspects of the coordinator's contract/work description and will ensure that the CHN supports the expectations laid out for the coordinator's contract/work description.

**Key Performance Measures:**

- 1) Quarterly Reports Completed for each quarter and on time
- 2) Annual Reports Completed for each year and on time
- 3) Subcontracted coordinator role is maintained throughout the course of the contract
- 4) Strategic Plan documents are maintained and updated
- 5) Actions related to at least 2 priorities are completed and documented by end of year 3 and process for measuring outcomes is in place
- 6) Confirmation of Multi-sector partnerships tied to MOH initiatives (i.e. Local Governments, Aboriginal Communities, PCNs and CSCs) are documented by end of year 3). (*Partnership with PCNs are in place within a year of establishment of a new PCN in the community*)

## SCHEDULE B – FEES AND EXPENSES

**Fees:** \$90,000.00 is the maximum amount of fees paid for providing the Services during the Term of this Agreement. Payments will be made in lump sum amounts as follows on or about the following dates:

Payment Date	Amount
November 1, 2018	\$30,000.00
November 1, 2019	\$30,000.00
November 1, 2020	\$30,000.00

Should there be any break in the Services due to the unavailability of the subcontractor, Island Health may recover unspent funds.

## SCHEDULE C – REPORTING ACCOUNTABILITIES

On a quarterly basis, the Contractor will ensure that Island Health receives a summary report from the CHN outlining:

- The amount of funds that have been spent to date;
- Key accomplishments made possible through funding the coordinator role including a shared understanding and agreement on shared priorities stemming from the Local Health Area Profile;
- The anticipated expenditures to the end of the funding period; and
- Any change to the coordinator status or unplanned break in service.

In addition, the Contractor will ensure the coordinator contributes to evaluation activities regarding CHN outcomes and processes. This includes ensuring the completion of an annual process evaluation as well provision of qualitative and quantitative data to inform CHN outcome evaluation as needed.

### Key Performance Measures:

- 1) Quarterly Reports Completed for each quarter and on time
- 2) Annual Reports Completed for each year and on time
- 3) Subcontracted coordinator role is maintained throughout the course of the contract
- 4) Strategic Plan Documents are maintained and updated
- 5) Actions related to at least 2 priorities are completed and documented by end of year 3 and process for measuring outcomes is in place
- 6) Confirmation of Multi-sector partnerships tied to MOH initiatives (i.e. Local Governments, Aboriginal Communities, PCNs and CSCs) are documented by end of year 3). (*Partnership with PCNs are in place within a year of establishment of a new PCN in the community*)

**SCHEDULE D – APPROVED SUB-CONTRACTOR(S)**

The approved sub-contractor(s) to whom the Contractor may sub-contract under this Agreement include:

<u>Name of Sub-Contractor</u>	<u>Type of Service</u>
TBD	Facilitation

**SCHEDULE E – INSURANCE (S)**

The Contractor shall ensure that subcontractors, at their own expense, provide and maintain necessary insurance with insurers licensed in British Columbia.

**SCHEDULE F – PRIVACY (H)**

Please review Schedule F - Terms and Conditions  Not Applicable

**SCHEDULE G – WCB INSURANCE (M)**

The Contractor will comply with the *Workers' Compensation Act* of the Province of British Columbia and in particular will ensure that its subcontractors hold Personal Optional Protection.

Signed, sealed and delivered this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

SIGNED AND DELIVERED on behalf of Island Health by an authorized representative of Island Health:	SIGNED AND DELIVERED by or on behalf of the Contractor (or by an authorized signatory if a corporation):
_____	_____
Authorized Representative: (signature)	Contractor or Authorized Signatory: (signature)
_____	_____
Authorized Representative: (print name)	Contractor or Authorized Signatory: (print name)
_____	_____
Authorized Representative: (print title)	Contractor or Authorized Signatory: (print title)





One of the most popular programs is the Wood Stove exchange program that encourages the installation of high efficiency wood stoves to reduce particulate matter in the atmosphere and improve air quality. There has not been the same level of uptake in the other rebates although there has been an increased interest in rebates related to home energy assessments and renewable energy. As the Province is moving towards regulating net zero building, staff recommend a review of the current rebates and consider new rebates that will continue to incentivize behavioural change to encourage homeowners to build energy efficient homes.

The Program has been offered to residents in the RDN's Electoral Areas (EAs) and the District of Lantzville since 2011. There are six Green Building Incentive Programs administered by the RDN and these are outlined below:

1. Woodstove Exchange Program - \$250 & \$400

Many homes in the RDN have traditionally used wood as a heating source and this is why the Woodstove Exchange Program is the RDN's most popular Green Building Incentive Program. This rebate program encourages investment in renewable energy systems while supporting local businesses across the region. For 2017, the RDN received \$19,750 in funding from the BC Lung Association for the Woodstove Exchange Program and \$7,500 of this grant funding was transferred to the City of Nanaimo so they can offer a similar program to their residents.

2. Home Energy Assessment - \$150-\$200

The Home Energy Assessment is our next most popular program and with the changes to the building code in December 2017 the RDN has received a number of inquiries from Energy Advisors and owner-builders with respect to the BC Energy Step Code. Builders can now choose to achieve Step 1 or higher. The home energy assessment program allows homeowners to access a rebate during mid-construction and additional incentives are available upon completion. With changes in the BC Building Code, the popularity of this program will likely increase.

The home energy assessment program is a valuable tool for homeowners to learn about the most cost effective energy efficiency measures they can take. The RDN rebate covers roughly 50% of the cost of an initial assessment, up to \$150. This incentive sends a strong signal to RDN residents that home energy efficiency is worthwhile to understand; and that investing in energy efficiency, renovations and retrofits benefits the homeowner while making an important contribution to the local economy.

3. Oil to Heat Pump Rebate - \$250

The busiest time for the Oil to Heat Pump Incentive Program is the fall. The home energy assessments provide residents with information on RDN and Provincial rebates to encourage homeowners in the RDN Electoral Areas and the District of Lantzville to transition from oil heating to heat pumps. The rebate is an additional incentive from the RDN for those who complete the upgrade from oil to heat pump and are eligible for the Provincial Oil to Heat Pump Incentive Program administered by City Green Solutions.

4. Graded Site-Cut Timber - \$250

The Graded Site-Cut Timber Rebate is not very popular as only those homeowners with access to marketable timber on their property come forward to inquire about this particular rebate.

Homeowners can access a rebate of up to \$250 when using graded site-cut timber for structural use in renovations and new construction requiring a building permit. Homeowners in the RDN EAs and the District of Lantzville who harvest and use timber on the same site can take advantage of this rebate.

5. Sustainable Development Checklist - \$500 - \$1,000

The Sustainable Development Checklist is intended to help homeowners and builders in the RDN's Electoral Areas and the District of Lantzville to develop high-performance building projects. Homeowners who achieve a high score on the completed checklist may qualify for incentives valued between \$500 and \$1,000.

The RDN's Home Energy Assessment and Sustainable Development Checklist Incentives both reference the EnerGuide® rating system. Homeowners and owner-builders can earn incentives for achieving a high checklist score. The dollar value of the incentives offered by the RDN is from \$500 - \$1,000.

With funding provided by BC Hydro to promote energy efficient homes the RDN will be participating in a program to educate developers and homeowners about the Sustainability Checklist. By linking the education from the BC Energy Step Code more projects are anticipated to take advantage of this particular rebate program. Many enquiries are received about the Sustainability Checklist. However, as the checklist is voluntary most homeowners do not follow through on pursuing this rebate. With the proposed changes in the BC Building Code new home builders may wish to pursue an application for the Sustainable Development Checklist rebate and this can be initiated at the pre-application meeting.

6. Residential Electric Vehicle Charging Station - \$250

Since 2016, we have received much interest in the Residential Electric Vehicle Charging Station rebate program that was due to the Province of BC's EV charging station incentive program, which has now been disbanded. With the upcoming increases in Provincial rebates to incentivize purchases of electric vehicles the RDN is poised to respond to the potential increased demand for residential EV charging stations. This program enables residents to install a residential Level 2 Electric Vehicle Charging Station, providing immediate emission reductions and encouraging clean energy vehicle deployment in a residential setting in the RDN EAs and the District of Lantzville.

To provide an overview of the funds distributed through the Green Building Incentive Program, Table 1. Provides a comparison between the woodstove exchange program to all of the other incentives and outlines the value of the incentives disbursed from 2013 to 2018.

Table 1. Comparison of Green Building Incentives distributed from 2013-2018.

Incentive Program	2013		2014		2015		2016		2017		2018*	
	No.	Value (\$)	No.	Value (\$)	No.	Value (\$)	No.	Value (\$)	No.	Value (\$)	No.	Value (\$)
Woodstove Exchange	154	38,500	60	15,000	174	43,500	163	40,750	127	31,500	43	11,400
Home Energy Assessment	57	8,670	6	930	9	1,500	22	3,270	18	2,850	10	1,550
Site-cut Timber	2	488	1	200			3	700	1	250		
Renewable Energy Systems	4	1,250	3	750	8	2,000	2	500	6	1,500	3	750
Oil to Heat Pump							5	1,250	1	250	3	750
EV Charging Station									1	250	3	500
Sustainability Checklist	4	4,050	2	1,500								
<b>Totals</b>	<b>217</b>	<b>\$48,900</b>	<b>69</b>	<b>\$18,380</b>	<b>191</b>	<b>\$47,000</b>	<b>195</b>	<b>\$46,470</b>	<b>154</b>	<b>\$36,600</b>	<b>62</b>	<b>\$14,950</b>
Woodstove Rebates as a percentage of total Green Building Incentives	<b>72.70%</b>		<b>82.50%</b>		<b>92.50%</b>		<b>80%</b>		<b>86.10%</b>		<b>76.40%</b>	

\*2018 – Total Expenses as of July 2018

## ALTERNATIVES

1. Receive this report for information only.
2. Receive this report for information and initiate a review of the existing Green Building Incentives.

## FINANCIAL IMPLICATIONS

The annual funding sources for the Green Building Series are from the Building Inspection service. In addition, the RDN applies for external funding from the BC Lung Association to support the Woodstove Exchange component of the Green Building Incentive Program. The total number of incentives allocated towards the Woodstove Exchange Program accounts for roughly 80% of the Green Building incentives dispersed annually.

RDN incentives are available on a first come first served basis. Once the annual funding is exhausted for the Woodstove Exchange Program and other incentive programs they will be unavailable until the next budgetary cycle for 2019.

Based on the 2018 incentives distributed to date, we are on track to use the funds currently budgeted. As long as funding through the BC Lung Association is available the RDN will continue to apply for funding as the woodstove exchange program as it is the most popular program and provides significant benefits to reducing particulate matter and improving local air quality. One major change for 2018 is that the Province has increased the incentive amount from \$250 to \$400 for homeowners exchanging an old wood burning stove for a qualifying electric, gas, or pellet-fueled stove. This is to encourage residents to install stoves that use cleaner fuel sources. Currently, all the rebates are available to residents and the budget will continue to be monitored throughout 2018.

## **STRATEGIC PLAN IMPLICATIONS**

The Green Building Incentive Program supports the Board's 2016 – 2020 Strategic Plan's sustainability objectives. The Program is consistent with a number of the Board's strategic priorities to enhance collaboration and cooperation between municipalities and electoral areas, and is aligned with the strategic priority to use a collaborative regional model for providing services.

The Green Building Incentive Program has been developed by the RDN to support residents' commitment to building a sustainable and resilient future. This program generates local investment in energy efficiency and in the development of the green business sector. Conversations with interested residents show that the interest in alternative energy systems and high performance buildings is strong, and represents opportunities to build local capacity and create economic benefits to the region.



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Sharon Horsburgh  
shorsburgh@rdn.bc.ca  
July 27, 2018

### Reviewed by:

- P. Thompson, Manager of Long Range Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer



The amendment of an RGS may proceed in one of two ways: through a regular amendment process or a minor amendment process. The regular amendment process is outlined in the *Local Government Act* and requires acceptance by all affected local governments. The process for approving a minor amendment is outlined in Section 1.5.2 of the RGS, see Attachment 2. The process for a minor amendment has fewer steps and requires less consultation than a regular amendment to the RGS.

An RGS amendment resulting from an OCP review must be requested by the municipality. For an amendment to be considered minor, it is first assessed in terms of the “Criteria for Minor Amendments” in Section 1.5.1 of the RGS, and the Board may resolve, by an affirmative vote of 2/3 of the Board members attending the meeting, to proceed with the amendment bylaw as a minor amendment, see Attachment 3.

As the proposed amendments to implement the Town’s OCP bylaw are the result of a “full Electoral Area or Municipal Official Community Plan review process”, the amendment meets the first set of criteria to be considered minor. The RGS amendments resulting from the Town’s OCP review are as follows:

- RGS Appendix A Maps 1, 2 and 5 amended so that the RGS GCB is the same as the municipal boundary.
- Map 3 and Map 4 amended so that the RGS GCB is the same as the municipal boundary and all of the land within the municipal boundary is shown as Urban Area.
- Sheets 5 and Sheet 6 of Appendix B amended so that the GCB is the same as the municipal boundary.

A draft bylaw to amend the RGS as per the above list is included as Attachment 4.

## **ALTERNATIVES**

1. That the amendment required to the “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011” to implement the “Town of Qualicum Beach Official Community Plan Bylaw No. 800, 2018” proceed through the minor amendment process, the Consultation Plan be endorsed and the Regional Context Statement accepted.
2. That the amendments required to the “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011” to implement the “Town of Qualicum Beach Official Community Plan Bylaw No. 800, 2018” not proceed through the minor amendment process and the Consultation Plan be amended to reflect the additional steps required for the regular amendment process.
3. Provide alternative direction.

## **LAND USE IMPLICATIONS**

### ***Development Implications***

One of the primary tools for managing growth is to establish a GCB that defines where growth will be directed. The GCB must be the same in both the RGS and the municipal OCP, which means that a change to the GCB in the RGS is required before the Town can finalize the change to the GCB in its OCP.



The RGS currently recognizes that Urban Centres, which are to be fully serviced with community water and sewer systems, are the primary locations for growth and development in the region. The Town has stated that it still intends to have an Urban Containment Boundary (UCB) in the OCP. This means that while the GCB will be located at the Town boundary there will still be an UCB that surrounds the areas where urban type growth will develop. Further to this, the Town's OCP Policy 2.1.1.3 states: "*The Town shall not provide sewer services to areas located outside of the designated UCB or municipality boundary, except where existing development threatens public health or the environment.*" This approach to growth management is consistent with the RGS policies on Urban Centres (RGS Section 4.7 – 4.9).

Based on this understanding the inclusion of all of Qualicum Beach within the GCB would not be inconsistent with the general premise that the majority of new growth will take place within the municipalities. Of all the municipalities, Qualicum Beach currently has the smallest percentage of its land within the GCB: only 51% as compared to Nanaimo with 96%<sup>1</sup>, Parksville with 77% and Lantzville with 60%.

In accordance with the *Local Government Act*, the Town's OCP includes a Regional Context Statement that outlines the relationship between the OCP and the RGS. Given this information, no inconsistencies between the two policy documents are identified.

### ***Environmental Implications***

The Town has stated that moving the GCB is an issue related to governance and not land use. Moving the GCB to the Town boundary gives the Town more autonomy and allows them to evaluate proposals for higher levels of development on all lands within the Town without involving the RDN or other municipalities. Further, the Town will continue to evaluate proposals to amend the OCP and subsequent zoning amendments as they arise. For each proposal, the Town will conduct a thorough evaluation including protection of environmentally sensitive areas and impacts on the aquifers.

### ***Public Consultation Implications***

The RGS Policy 1.5.2 requires the determination of an appropriate form of consultation. For public consultation, a distinction has to be made between the Town's OCP review process and the RDN's RGS minor amendment process. Each has its own requirements with respect to public consultation. Unlike an OCP, for an RGS amendment there is no specific requirement to consult with the public. There is however a requirement to determine the appropriate form of consultation. Depending on the circumstances the appropriate consultation can consist of notifying the affected local governments before the first reading to the proposed amendment bylaw.

In the case of a minor amendment request originating in a municipality, the RDN's role is limited to the process to amend the RGS. Opportunities for the public to comment on the specifics of the change to the OCP are provided during the municipal OCP review process. As significant consultation has already occurred through the OCP review process, a similar level of consultation is not warranted for the RGS minor amendment. The proposed consultation consists of the following:

- Notification of the proposed amendment to the affected local governments as per Section 1.5.2 of "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011".

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<sup>1</sup> Within the boundaries of the City of Nanaimo, only a few small islands (eg. Jesse's Island) are not within the GCB.

- Staff written reports and the bylaw to amend the RGS will be available to the public at the RDN main administration office and on the RDN website.
- One advertisement in local newspapers will be posted to advertise the date, time and place of the Board meeting at which the amending bylaw will be considered for first reading.
- Ensuring RDN staff are available to answer questions from the public and others regarding the proposed RGS minor amendment.

In accordance with the minor amendment criteria, the proposed bylaw may be adopted without a public hearing after second reading in the event that the amending bylaw receives an affirmative vote of all Board members attending the meeting. Once the bylaw receives third and final reading a letter is sent to the affected local governments informing them of the Board's decision. For further details of the approach to public consultation, see Attachment 5: Consultation Plan.

### **FINANCIAL IMPLICATIONS**

Should the RGS amendment process proceed through the minor amendment process there are no anticipated financial implications to the RDN.

Should the request proceed through the regular amendment process then there are some financial implications for the RDN and the Town. The implications for the RDN are that a significantly higher amount of staff time is required to process the request. For the Town, in addition to the staff time there are a number of professional reports that are required to accompany the request.

### **STRATEGIC PLAN IMPLICATIONS**

The Board's Strategic Plan recognizes "the environment" and "economic health" in its core focus areas. The identified amendments to the RGS will enable implementation of the Town's OCP policies related to these areas.



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Jamai Schile  
[jschile@rdn.bc.ca](mailto:jschile@rdn.bc.ca)  
August 15, 2018

Reviewed by:

- P. Thompson, Manager, Long Range Planning
- G. Garbutt, General Manager, Strategic and Community Planning
- P. Carlyle, Chief Administrative Officer

Attachments:

1. Letter of Request from the Town of Qualicum Beach
2. RGS Section 1.5.2 Process for Approving Minor Amendments
3. RGS Section 1.5.1 Criteria for Minor Amendments
4. Draft Bylaw No.1615.03

5. Consultation Plan

# Attachment 1



## TOWN OF QUALICUM BEACH

INCORPORATED 1942

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Website: [www.qualicumbeach.com](http://www.qualicumbeach.com)

June 21, 2018

Board of Directors  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2  
[corpsrv@rdn.bc.ca](mailto:corpsrv@rdn.bc.ca)

Dear Board Members,

### 2016-2018 OCP Review – Growth Containment Boundary and Regional Context Statement

It is my pleasure to inform the Regional District of Nanaimo that “Town of Qualicum Beach Official Community Plan (OCP) Bylaw No. 800, 2018 was adopted on June 18, 2018, after nearly two years of public consultation. In addition to the procedural requirements of the *Local Government Act*, this OCP review included extensive public engagement. Approximately 2000 people responded to the 2017 Quality of Life Survey, and the Town also provided numerous opportunities for individuals and groups to take part in other ways:

- Five large-format meetings at the Civic Centre;
- Nine small focus group meetings hosted by the Town;
- Thirteen small group meetings in various formats and locations, including groups such as the Qualicum Beach Elementary School Parent’s Advisory Committee, students at Kwalicum Secondary School, School District 69 Board, residents’ associations, Town committees and local parent groups;
- Three kitchen table conversations hosted by community members;
- Informal “popup” engagement at the Farmers’ Market;
- Online engagement on Facebook; and,
- Five Committee of the Whole Meetings.

Included with this correspondence are two printed copies of the complete OCP. One change from the 2011 OCP is that the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy (Regional Context Statement page B-3). Map Schedule 2.1 also reflects this pending change, along with a notation that these changes are subject to an amendment to the Regional Growth Strategy.

The complete 2018 Official Community Plan is also available for review online at [www.qualicumbeach.com/ocp](http://www.qualicumbeach.com/ocp).

# Attachment 1

2016-2018 OCP Review - Growth Containment Boundary and Regional Context Statement

June 21, 2018

Page 2

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

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

Yours truly,



Luke Sales, MCIP, RPP  
Director of Planning

att. Official Community Plan Bylaw No. 800, 2018

cc Paul Thompson, Manager of Long-range Planning, RDN  
Daniel Sailland CAO, Town of Qualicum Beach  
Heather Svensen, Corporate Administrator, Town of Qualicum Beach

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## Attachment 2

### Excerpt from the RDN Regional Growth Strategy Bylaw No. 1615. 2011

#### 1.5.2 Process for Approving Minor Amendments

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

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<sup>1</sup> Board Motion 17-346 on June 27, 2017 directed that: “the Sustainability Select Committee be dissolved and such matters be considered by the Committee of the Whole”.

## Attachment 3

### Excerpt from the RDN Regional Growth Strategy Bylaw No. 1615. 2011

#### 1.5.1 Criteria for Minor Amendments

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

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



# Attachment 4 Draft

## REGIONAL DISTRICT OF NANAIMO BYLAW NO. 1615.03, 2018

### A Bylaw to Amend Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011

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

#### 1) TITLE

This Bylaw may be cited as “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.02, 2018”.

#### 2) AMENDMENT

The “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011”, is hereby amended as follows:

- a) Delete Appendix A, Maps 1, 2 and 5, and replace with Attachment 1, that show the Regional Growth Strategy Growth Containment Boundary is the same as the Town of Qualicum Beach municipal boundary.
- b) Delete Appendix A, Map 3 and Map 4, and replace with Attachment 2, that show the Regional Growth Strategy Growth Containment Boundary is the same as the Town of Qualicum Beach municipal boundary, and that all the land within the municipal boundary is shown as Urban Area.
- c) Delete Appendix B, Sheets 4, 5 and 6, and replace with Attachment 3, that shows the Regional Growth Strategy Growth Containment Boundary is the same as the Town of Qualicum Beach municipal boundary.

Introduced and read two times this \_\_\_\_ day of \_\_\_\_\_, 20 XX.

Read a third time this \_\_\_\_ day of \_\_\_\_\_, 20 XX.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 20 XX.

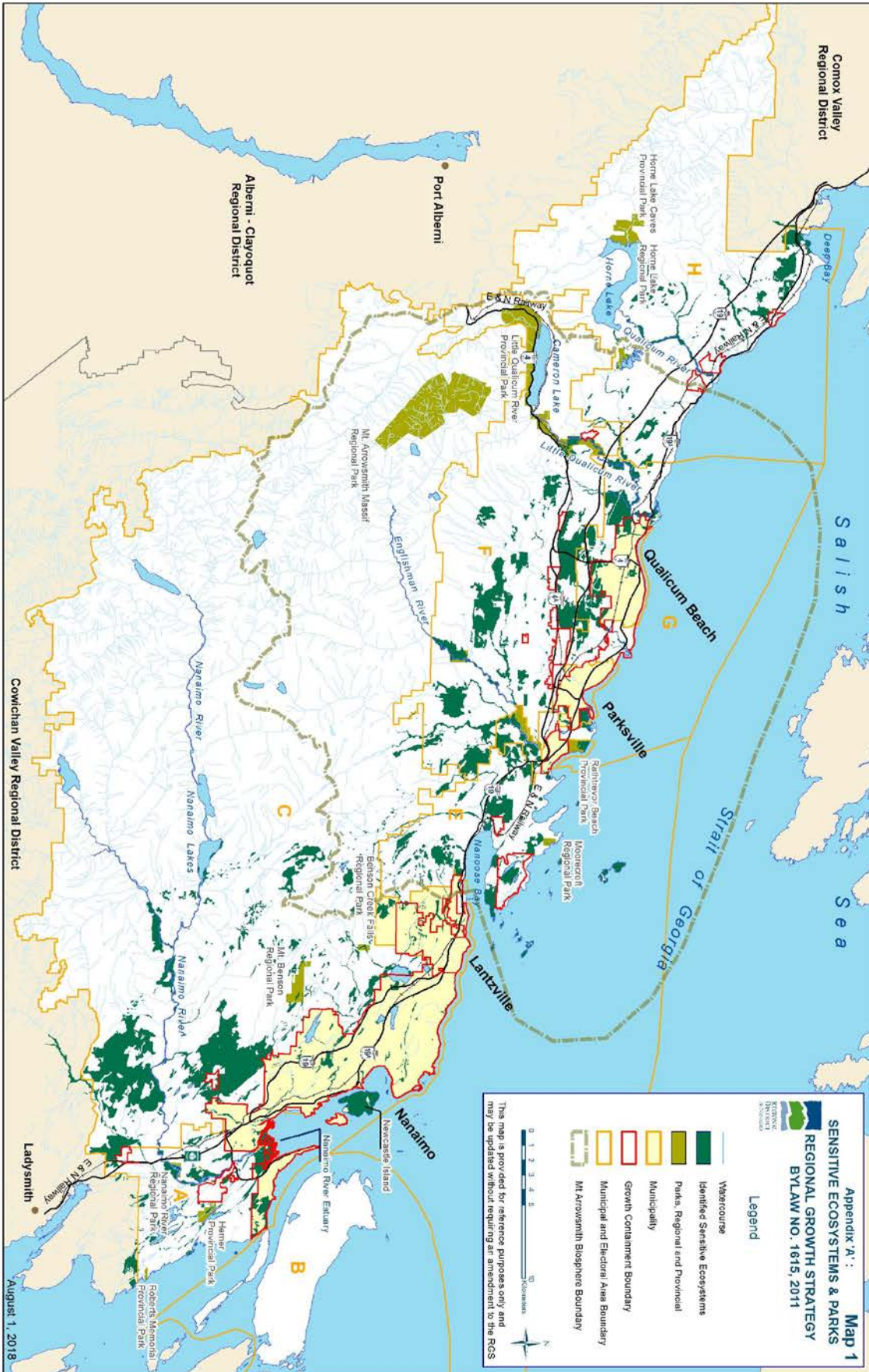
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Chair

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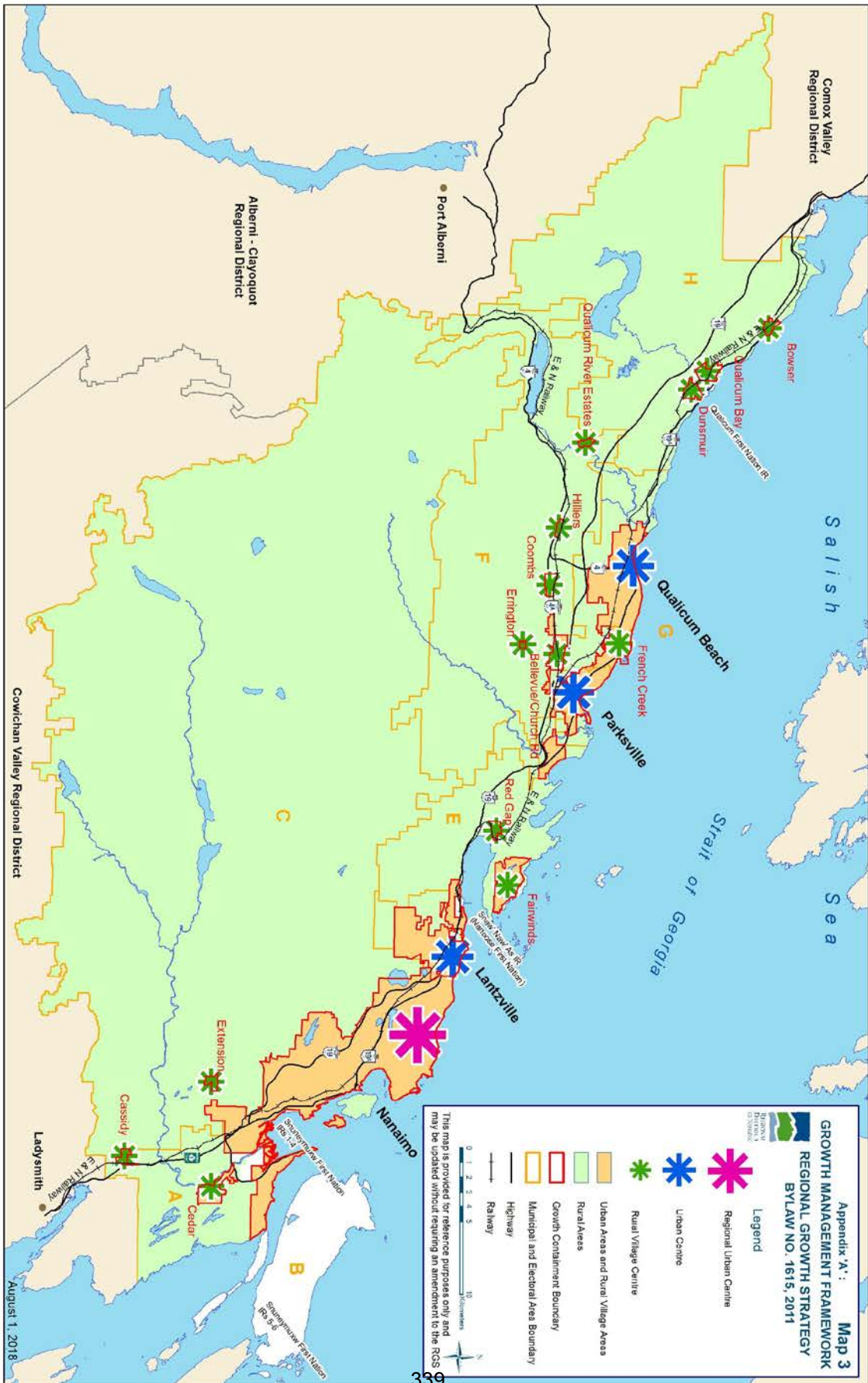
Corporate Officer

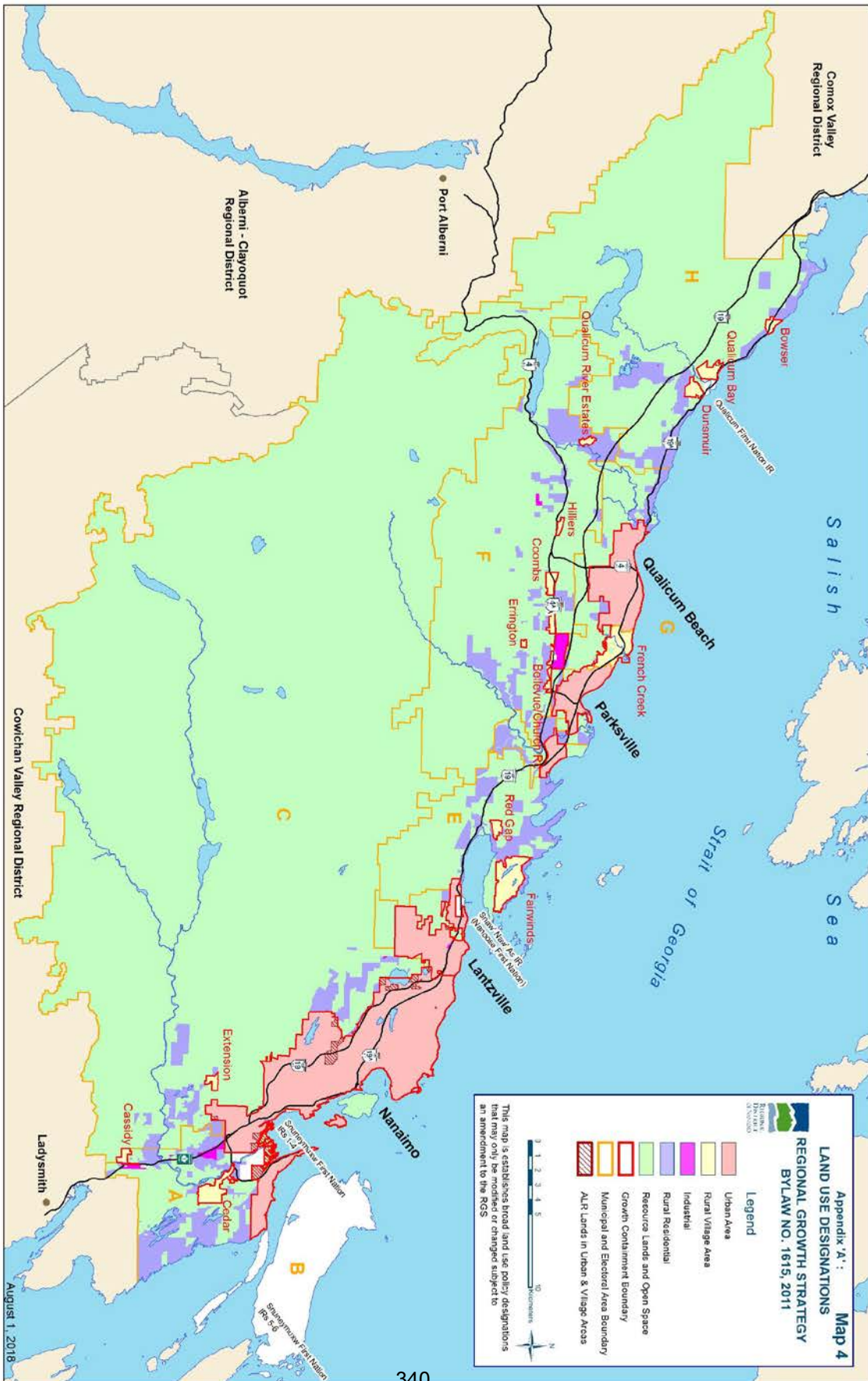
Appendix A: RGS Maps 1 to 5







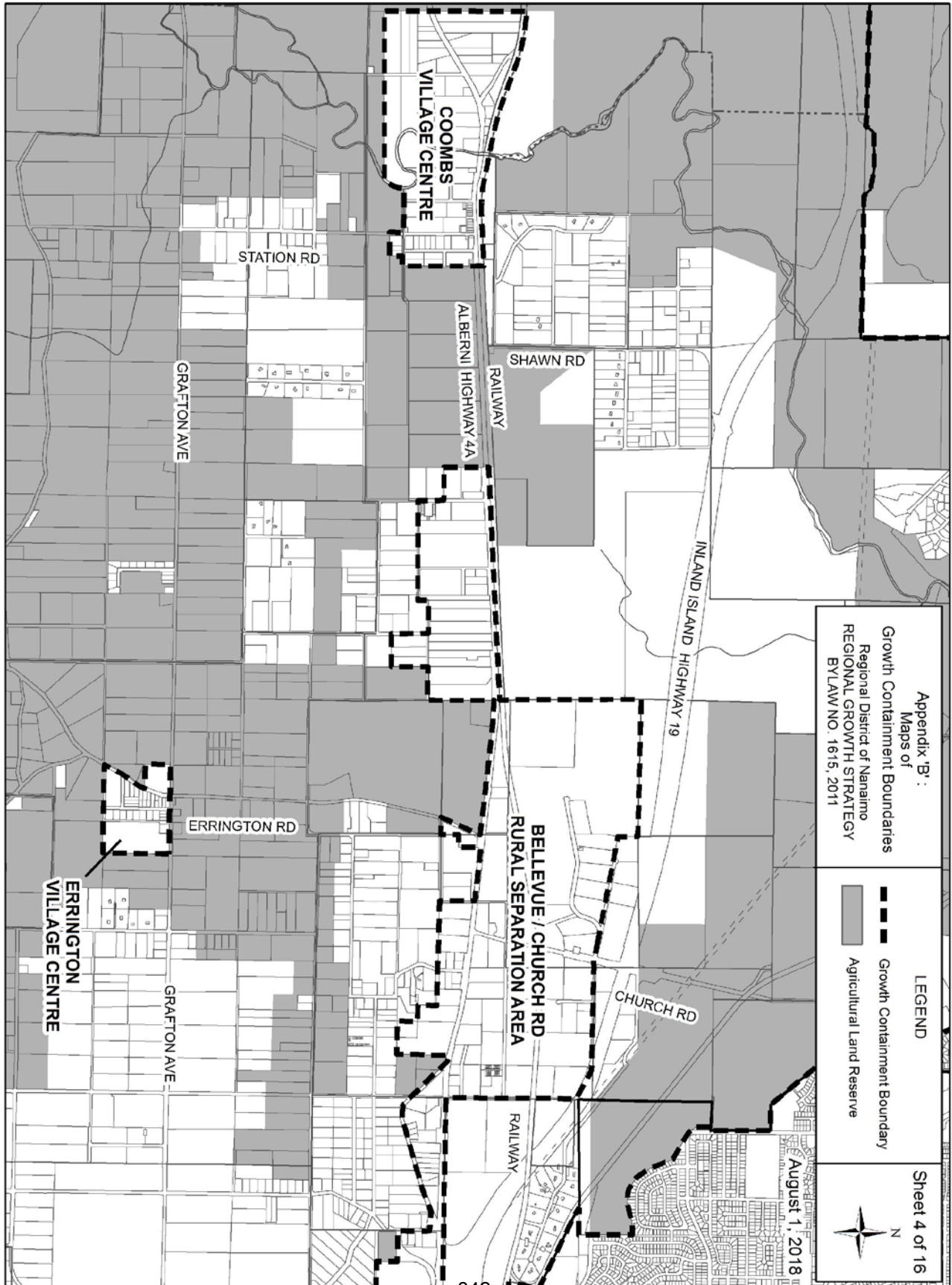




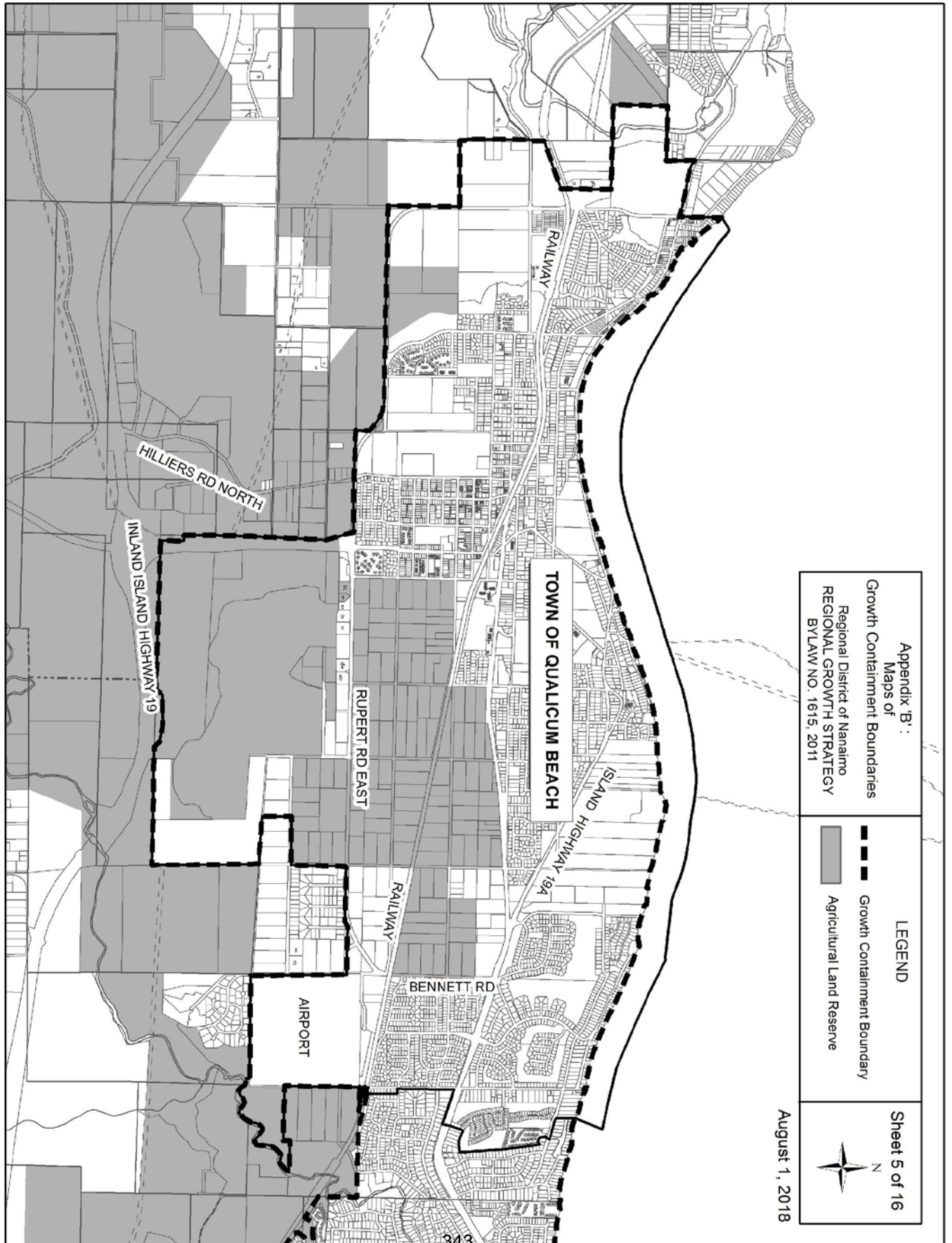




Appendix B: RGS Sheets 4 to 6



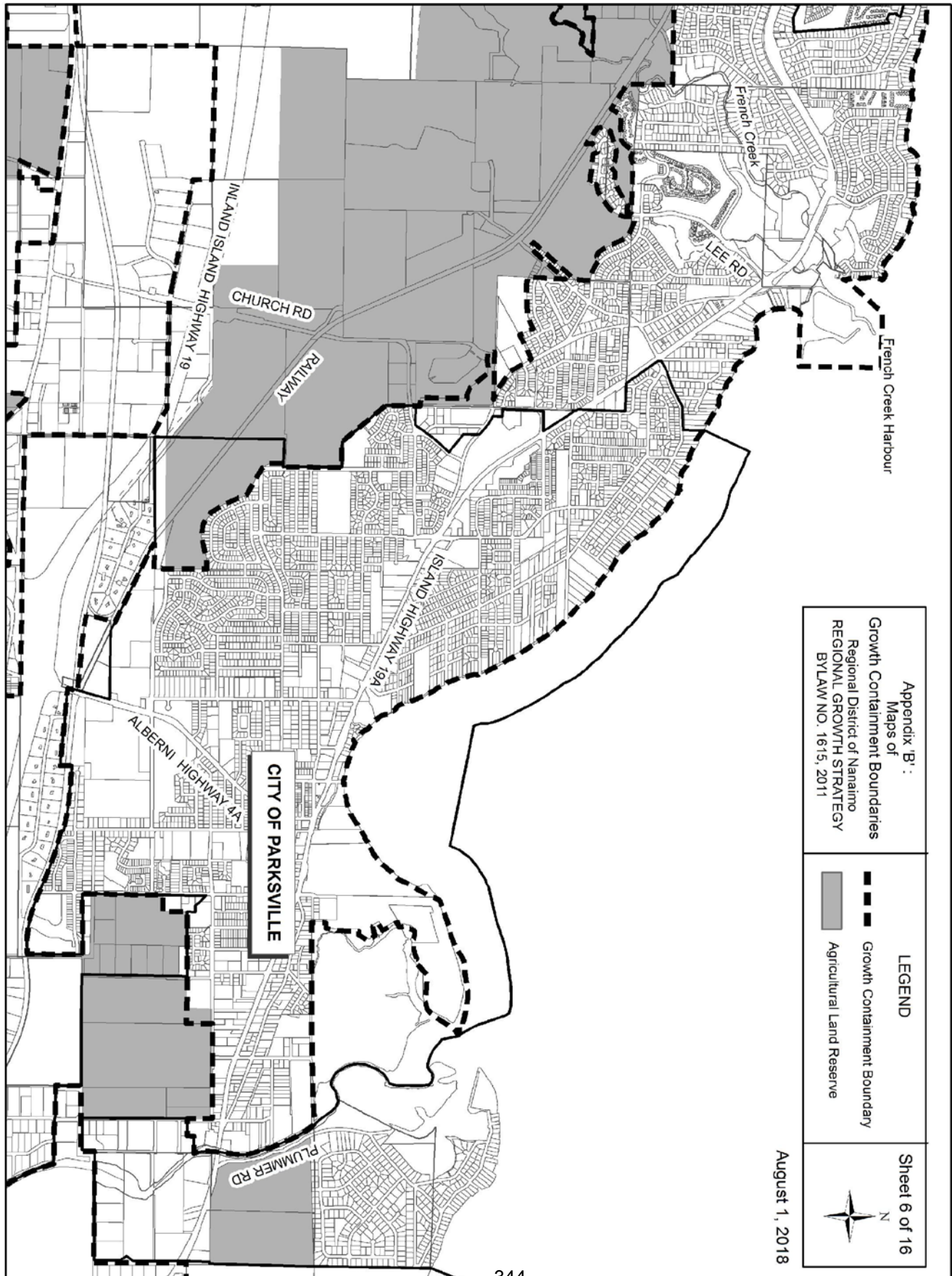




Appendix 'B':  
Maps of  
Growth Containment Boundaries  
Regional District of Nanaimo  
REGIONAL GROWTH STRATEGY  
BYLAW NO. 1615, 2011

**LEGEND**  
--- Growth Containment Boundary  
■ Agricultural Land Reserve

Sheet 5 of 16  
N  
August 1, 2018



Appendix 'B':  
Maps of  
Growth Containment Boundaries  
Regional District of Nanaimo  
REGIONAL GROWTH STRATEGY  
BYLAW NO. 1615, 2011

**LEGEND**

- Growth Containment Boundary
- Agricultural Land Reserve

Sheet 6 of 16

August 1, 2018

# CONSULTATION PLAN

## Regional Growth Strategy Amendment to Implement the Town of Qualicum Beach Official Community Plan



July 30, 2018

### INTRODUCTION

An amendment to the Regional Growth Strategy (RGS) is being undertaken to implement the Town of Qualicum Beach Official Community Plan (OCP) resulting from its review ending in 2018. Given the extensive public engagement over the two-year OCP review project, consultation on the subsequent RGS amendment is focused on making information available to interested parties. This Consultation Plan is based on the RGS amendment proceeding through the minor amendment process. See Appendix A: Summary of a RGS Minor Amendment process.

### OBJECTIVES

- To provide information to affected local governments and First Nations.
- To make information readily available to interested citizens and stakeholders.
- To respond to input from citizens, affected local governments and First Nations.

### METHODS AND TASKS

Pursuant to RGS Policy 1.5.2, affected local governments will be provided 45 days written notice that the proposed amendment has been determined to be a minor amendment, and the date, time and place of the board meeting at which the amending bylaw will be considered for first reading. First Nations will also be provided written notice. Table 1 below lists affected local governments as defined in the *Local Government Act*, and First Nations to whom a written notice will be sent.

Table 1 Affected Local Governments and First Nations to whom notice will be sent

Affected Local Governments	First Nations
City of Nanaimo District of Lantzville City of Parksville Town of Qualicum Beach Comox Valley Regional District Alberni Clayoquot Regional District Cowichan Valley Regional District	Snuneymuxw First Nation Snaw-Naw-As First Nation Qualicum First Nation K'omoks First Nation

## Attachment 5

Staff reports and the bylaw to amend the RGS will be available to the public at the RDN main administration office and on the [RDN Regional Growth Strategy](#) website. One advertisement in local newspapers will be posted to advertise the date, time and place of the Board meeting at which the amending bylaw will be considered for first reading.

A public hearing is only required if at second reading, the amending bylaw does not receive an affirmative vote by all Board members attending the meeting.

Those wishing to provide feedback on this amendment may provide written comments to the RDN by email, mail, or in person at any time. Community members and other stakeholders may also appear as delegations or submit comments on the amendment to the RDN Board or committees of the Board. This communication will be documented as part of the public record on this amendment and will be made available for review.

### **BUDGET**

The staff resources and cost of newspaper advertisements needed to implement this Consultation Plan are included in the 2018 Long Range Planning budget.

## Attachment 5

### APPENDIX A: SUMMARY OF RGS MINOR AMENDMENT PROCESS

Legislated Amendment Process for the Regional Growth Strategy – Initiated by a member municipality	
1. OCP Review is Completed	Municipality completes a full OCP review process which results in a need to amend the RGS.
2. Municipality submits request for RGS Amendment to the RDN	Council forwards request to RDN Board to amend the RGS through the Minor Amendment Process.
3. Committee of the Whole (CoW)	Committee reviews the request and makes a recommendation to the RDN Board
4. RDN Board Meeting <ul style="list-style-type: none"> <li>a. Receive recommendation from CoW</li> <li>b. Decide on whether the proposed RGS Amendment is Minor</li> <li>c. Adopt consultation plan</li> </ul>	A minimum of 2/3 of the Board must vote in favour to proceed as a Minor Amendment. If proceeding as a Minor Amendment, Board adopts a consultation plan.
5. Notify Affected Local Governments	Notice of the proposed RGS Minor Amendment is provided to the RDN's member municipalities and adjacent regional districts. They have up to 45 days to respond.
6. RDN Board Meeting <ul style="list-style-type: none"> <li>a. Receive comments from affected local governments</li> <li>b. Give 1<sup>st</sup> reading to bylaw</li> <li>c. Give 2<sup>nd</sup> reading to bylaw, and maybe 3<sup>rd</sup></li> <li>d. Give 3<sup>rd</sup> reading to bylaw</li> </ul>	Board receives and considers comments from affected local governments Board gives 1 <sup>st</sup> reading to bylaw If unanimous vote for 2 <sup>nd</sup> reading then no public hearing required and can give Bylaw 3 <sup>rd</sup> reading Board gives 3 <sup>rd</sup> reading to bylaw.
7. Public Hearing (only if required)	A public hearing is only required if there is <u>not</u> a unanimous Board vote in favour of giving the bylaw 2 <sup>nd</sup> reading.
8. RDN Board Meeting <ul style="list-style-type: none"> <li>a. Give final reading to bylaw</li> <li style="text-align: center;">Or</li> <li>b. Receive report from public hearing</li> <li>c. Give 3<sup>rd</sup> reading to bylaw</li> <li>d. Give final reading to bylaw</li> </ul>	Final reading if 3 <sup>rd</sup> reading given at last meeting or Board receives report from public hearing and proceeds with giving 3 <sup>rd</sup> and final readings to the bylaw.
9. Notice to Municipality	A letter is sent to the municipality and other local governments informing them of the Board decision on the RGS bylaw.





The proposed Bylaw 1777 provide for alternates, in addition to other housekeeping items. The overall mandate of the Commission would be per Sections 13 and 14 below and as provided in Attachment 1.

13. The Commission shall make recommendations to the Board on the following:
  - (a) the development, establishment, operation and discontinuation of recreational, leisure and associated cultural programs within School District 69;
  - (b) the formulation of policies regarding the operation, equipping, maintenance and management of the District 69 Arena located within the Parksville Community Park, Arena Multiplex located at Wembley Centre and the District 69 Swimming Pool located in Qualicum Beach;
  - (c) the provisional and annual budget for the operation of the Facilities and the operation of recreational, leisure and associated cultural programs and services within School District 69;
  - (d) fees and charges for participation in recreation, leisure and associated cultural programs and services within School District 69 operated by the Regional District of Nanaimo and for the use of the Facilities;
  - (e) policies on schedules for the use of the Facilities operated in connection with community recreational, leisure and associated cultural programs within School District 69;
  - (f) youth and community recreation grants.
14. The Commission may establish any sub-committee, as it deems necessary from time to time, to assist the Commission in the performance of its responsibilities. The Commission may where it considers it appropriate, appoint to a sub-committee persons from the community at large who are not members of the Commission.

The term for appointees to the Commission would be for two years, with the appointment terms commencing January 1st and with half the members appointed each year. This is an adjustment from the current three-year term that was in place when election cycles were for that same period of time.

## **ALTERNATIVES**

1. That the "District 69 Recreation Commission Bylaw No. 1777, 2018" be introduced, read three times and adopted.
2. That the "District 69 Recreation Commission Bylaw No. 1777, 2018" not be introduced and alternative direction be provided.



## FINANCIAL IMPLICATIONS

There are no financial implications to the proposed changes.

## STRATEGIC PLAN IMPLICATIONS

Updating the Bylaw for the District 69 Recreation Commission is in line with the RDN Board Strategic Plan which provides for the development of a governance structure to reflect the regions unique municipal and electoral area demographics and to improve public involvement in the decision-making process.



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Tom Osborne  
tosborne@rdn.bc.ca  
August 22, 2018

Reviewed by:

- T. Mayea, Legislative Coordinator
- P. Carlyle, Chief Administrative Officer

Attachment

1. District 69 Recreation Commission Bylaw No. 1777, 2018

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1777

A BYLAW FOR THE ESTABLISHMENT OF A  
DISTRICT 69 RECREATION  
COMMISSION FOR THE CITY OF PARKSVILLE,  
THE TOWN OF QUALICUM BEACH AND  
ELECTORAL AREAS 'E', 'F', 'G' AND 'H'

WHEREAS the Regional District of Nanaimo may, by bylaw, establish commissions to operate regional district services and manage property and may delegate powers, duties and functions;

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

1. In this bylaw:

**"Board"** means the Board of the Regional District of Nanaimo.

**"Commission"** means the District 69 Recreation Commission.

**"Facilities"** means those facilities listed in Schedule 'A' attached hereto and forming part of this bylaw.

**"School District 69"** means that area of the Regional District constituted as a school district by the School Act, R.S.B.C. 1996, c. 412 or a former School Act under the name School District 69 (Qualicum).

2. A Recreation Commission, to be known as the District 69 Recreation Commission, is hereby established.

3. The Commission shall consist of eight members with eight alternates.

(a) The following members shall be appointed by the Board:

- (i) one member who is entitled under the *Local Government Act* to vote for Electoral Area 'E';
- (ii) one member who is entitled under the *Local Government Act* to vote for Electoral Area Director in Electoral Area 'F';
- (iii) one member who is entitled under the *Local Government Act* to vote for Electoral Area Director in Electoral Area 'G';
- (iv) one member who is entitled under the *Local Government Act* to vote for Electoral Area Director in Electoral Area 'H';
- (v) one member and alternate who is a member of the Board.

- (b) one member and alternate shall be appointed by the Council in the City of Parksville.
  - (c) one member and alternate shall be appointed by the Council in the Town of Qualicum Beach.
  - (d) one member and alternate shall be appointed by the Board of Trustees of School District 69.
4. The alternates for the electoral areas will be the Electoral Area Director from the respective electoral area.
  5. Alternates appointed in accordance with sections 3 and 4 may take the place of, vote and generally act in all matters for an absent Commission member.
  6. The term of office for members appointed under Section 3 shall be two (2) years, with the appointment terms commencing January 1<sup>st</sup> and with half the members appointed each year.
  7. In the event of the death, resignation, or disqualification of a member of the Commission, a successor for the remainder of that member's term shall be appointed in accordance with section 3.
  8. The Commission shall, at its first meeting, elect a chair and a vice-chair from among its members.
  9. A quorum of the Commission is a majority of all members.
  10. The rules of procedure for the Commission shall be consistent with the rules of procedure for the Board.
  11. The Board shall have the power, by an affirmative vote of not less than two-thirds of all of the Directors of the Board which represent an area which participates in the function of a District 69 Recreation Commission, to remove any member of the Commission from office at any time.
  12.
    - (a) Discussion on all matters of business and all affairs of the Commission shall be open to all members of the Commission subject to section 12 (b).
    - (b) The member appointed under 3. (a)(i) shall not be entitled to participate in a discussion or vote on any matter directly involving only the District 69 Swimming Pool.
  13. The Commission shall make recommendations to the Board on the following:
    - (a) the development, establishment, operation and discontinuation of recreational, leisure and associated cultural programs within School District 69;
    - (b) the formulation of policies regarding the operation, equipping, maintenance and management of the District 69 Arena located within the Parksville Community Park, Arena Multiplex located at Wembley Centre and the District 69 Swimming Pool located in Qualicum Beach;

- (c) the provisional and annual budget for the operation of the Facilities and the operation of recreational, leisure and associated cultural programs and services within School District 69;
  - (d) fees and charges for participation in recreation, leisure and associated cultural programs and services within School District 69 operated by the Regional District of Nanaimo and for the use of the Facilities;
  - (e) policies on schedules for the use of the Facilities operated in connection with community recreational, leisure and associated cultural programs within School District 69;
  - (f) youth and community recreation grants.
14. The Commission may establish any sub-committee, as it deems necessary from time to time, to assist the Commission in the performance of its responsibilities. The Commission may where it considers it appropriate, appoint to a sub-committee persons from the community at large who are not members of the Commission.
15. Bylaw No. 935, a Bylaw for the Establishment of a Joint Civic Properties and Recreation Commission for the City of Parksville, The Town of Qualicum Beach and Regional District of Nanaimo Electoral Areas 'E', 'F', 'G' and 'H', is hereby repealed.
16. This bylaw may be cited as "District 69 Recreation Commission Bylaw No. 1777, 2018".

Introduced and read three times this \_\_\_ day of \_\_\_\_\_, 20XX

Adopted this \_\_\_ day of \_\_\_\_\_, 20XX

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CHAIR

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CORPORATE OFFICER

Schedule 'A' to accompany "District 69 Recreation Commission Bylaw No. 1777, 2018".

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Chair

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Corporate Officer

## **SCHEDULE 'A'**

### **Facilities**

1. District 69 Swimming Pool known as Ravensong Aquatic Centre
2. District 69 Arena known as Parksville Curling Club
3. Arena Multiplex known as Oceanside Place



1. Water Connection Charge

The Water Connection Charge is intended to recover the cost of the labour, equipment, and materials required to install a water meter, install a protective road box, and turn on the water service at a property that has not been previously connected to an RDN community water service. The fee is applied to the property owner’s building permit at the time of application.

For larger water connections (greater than 25mm diameter) the connection fee is set at \$1,000 or the actual cost, whichever is greater. These larger connections are normally required for multi-family dwellings, commercial, industrial, or institutional users. No changes are proposed to this fee.

For typical single household water connections (25mm diameter and less) the connection fee is a specified amount. This fee was last updated in 2004 when the average cost to perform this service was \$577.50. In year-to-date 2018, the average cost to perform this service was \$778.10. It is proposed to change this fee as shown in Table 1.

**Table 1: Existing and Proposed Water Service Connection Fees**

<b>WATER SERVICES</b>		
	<b>Up to 25 mm Dia.</b>	<b>All Other Connections</b>
Existing Connection Fee	\$580	\$1,000 minimum with actual cost charged to applicant
<b>Proposed Connection Fee</b>	<b>\$780</b>	<b>\$1,000 minimum with actual cost charged to applicant</b>

2. Reconnection Charge

The Reconnection Charge is intended to recover the cost of labour and materials required to reconnect an existing water service that has been disconnected. This fee is currently \$100. No changes are proposed to this fee.

3. Hydrant Use Fees

Hydrant Use Fees are part of a “Hydrant Use Permit” that is issued to an outside agency wishing to utilize a fire hydrant in an RDN Service Area. The fees are intended to cover the cost of ensuring the hydrant is used correctly and the cost of the water consumed. No changes are proposed to these fees.



#### 4. Water Bill Adjustment Fees

*Regional District of Nanaimo Policy D1.1 Adjustment for Water Leak* was created in 2003 and last amended in 2006. The policy refers to Bylaw No. 1655 and requires a Water Bill Adjustment Administration Fee to be paid on each application. This fee is intended to offset the cost of RDN staff time required to process the application, which includes calculating and adjusting the water bill account and field verification that the leak has been repaired. This fee is currently \$20, which is far less than the value of the time required to complete these tasks. It is proposed that the Leak Policy Administration Fee be increased to \$50 to more closely reflect the cost of the RDN staff resources required to implement the policy. No changes are proposed to the other fees required by this policy.

*Regional District of Nanaimo Water Services Fees & Charges Bylaw No. 1655, 2012* requires amendment in order to effect a change to the water services fees. A revised bylaw containing the changes proposed in this bylaw amendment is included with this report for Board review and consideration.

#### **ALTERNATIVES**

1. Introduce, give three readings to, and adopt Bylaw No. 1655.08.
2. Do not introduce, give three readings to, and adopt Bylaw No. 1655.08.

#### **FINANCIAL IMPLICATIONS**

If the Water Connection Charge is increased as proposed, it will reflect the updated cost of material, labour, and equipment required to complete a service connection. Property owners requiring water connections will pay about \$200 more for their water connection than they do at present.

The increase in the Water Bill Adjustment Fees will more closely reflect the actual staff resources required to process each application. As a result of this policy, applicants typically reduce their costs by an amount far greater than this fee. Increasing the fee will reduce the reliance on RDN operational budgets to accommodate this service.

The proposed changes to fees and charges support a user-pay approach for elective services, preserving budgeted funds to sustain the administration costs of the community water systems.

If the fees and charges for these elective services are not increased, the costs will continue to be subsidized by the general revenue collected from the entire region.

## STRATEGIC PLAN IMPLICATIONS

The Board's Strategic Plan recognizes the importance of water in supporting our economic and environmental health. Sufficient recovery of funds from each water service area supports the effective operation of the RDN's nine water systems and allows for the continuous provision of safe, sustainable drinking water.



Murray Walters, P.Eng.  
mwalters@rdn.bc.ca  
July 18, 2018

Reviewed by:

- S. De Pol, Director, Water and Wastewater Services
- R. Alexander, General Manager, Regional and Community Utilities
- P. Carlyle, Chief Administrative Officer

Attachments

1. *Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.08, 2018*

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1655.08**

**A BYLAW TO AMEND THE FEES AND CHARGES FOR  
REGIONAL DISTRICT OF NANAIMO WATER SERVICES**

WHEREAS The Board of the Regional District of Nanaimo adopted the “Regional District of Nanaimo Water Services Fees & Charges Bylaw No. 1655, 2012” which established fees and charges for water services;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to introduce water services fee increases that reflect the current service costs;

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

**1. Citation**

This bylaw may be cited for all purposes as the “Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.08, 2018”.

**2. Amendments**

“Regional District of Nanaimo Water Services Fees & Charges Bylaw No. 1655, 2012” is amended as follows:

- a) By deleting Schedule ‘B’ of Bylaw No. 1655 and replacing it with the Schedule ‘B’ attached to and forming part of this bylaw.

Introduced and read three times this      day of      , 2018.

Adopted this      day of      , 2018.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

Schedule 'B' to accompany "Regional District  
of Nanaimo Water Services Fees & Charges  
Amendment Bylaw No. 1655.08, 2018".

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Chair

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Corporate Officer

## SCHEDULE 'B'

### SERVICE CONNECTION, FIRE HYDRANT USE, AND WATER BILL ADJUSTMENT FEES AND CHARGES

#### 1. Connection Charges

(a)	To existing service connections up to 25mm dia.	\$	780.00
(b)	To all other water service connections (Applicant to pay any additional costs)	\$	1,000.00

2.	<b>Reconnection</b> to any water service disconnected pursuant to this bylaw	\$	100.00
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#### 3. Hydrant Use Fees

	Application fee payable on receipt of the application	\$	50.00 (plus GST)
	Inspection and Maintenance fee	\$	125.00 (plus GST)
	Damage deposit on RDN equipment*	\$	500.00
	Consumption charge per cubic meter	\$	2.00

\* Note: The damage deposit will be returned to the applicant less any other noted charges.

#### 4. Water Bill Adjustment Fees

	Administration Fee (all applications)	\$	50.00 (plus GST)
	Meter Accuracy Test Fee (if requested by applicant)	\$	50.00 (plus GST)
	Meter Re-reading Fee (if requested by applicant)	\$	50.00 (plus GST)
	Meter Replacement Fee (if requested by applicant)	\$	200.00 (plus GST)



**Table 1: Existing and Proposed Water User Rates**

	Minimum Daily Rate	Average Daily Consumption in Cubic Metres					
		Up to 0.7 m <sup>3</sup>	0.71 to 1.4 m <sup>3</sup>	1.41 to 2.1 m <sup>3</sup>	2.11 to 2.8 m <sup>3</sup>	2.81 to 3.5 m <sup>3</sup>	over 3.50 m <sup>3</sup>
2018 Rate	\$0.34	\$1.04	\$1.18	\$1.52	\$1.79	\$2.40	\$3.60
<b>Proposed 2019 Rate (2018 Rate +2%)</b>	<b>\$0.35</b>	<b>\$1.06</b>	<b>\$1.20</b>	<b>\$1.55</b>	<b>\$1.83</b>	<b>\$2.45</b>	<b>\$3.67</b>

**ALTERNATIVES**

1. Introduce, give three readings to, and adopt Bylaw No. 1655.09.
2. Do not introduce, give three readings to, and adopt Bylaw No. 1655.09.

**FINANCIAL IMPLICATIONS**

If the water user rates are increased as proposed, then the ongoing maintenance, upgrades and improvements under each water system capital plan can proceed as laid out in the revised 2019 -2023 Financial Plan.

For Alternative 2, if the water user rates are not increased as proposed, there will be a reduction in anticipated revenues to support the operation of all RDN water systems resulting in reduced operational activity, regular system maintenance and planned upgrades.

**STRATEGIC PLAN IMPLICATIONS**

Sufficient recovery of funds from each water service area supports the effective operation of the RDN’s nine water systems and allows for the continuous provision of safe, sustainable drinking water. The Board’s Strategic Plan recognizes the importance of water in supporting our economic and environmental health.

Murray Walters, P.Eng.  
 mwalters@rdn.bc.ca  
 July 25, 2018

Reviewed by:

- S De Pol, Director, Water and Wastewater Services
- R. Alexander, General Manager, Regional and Community Utilities
- P. Carlyle, Chief Administrative Officer

Attachment

1. *Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.09, 2018*

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1655.09**

**A BYLAW TO AMEND THE FEES AND CHARGES FOR  
REGIONAL DISTRICT OF NANAIMO WATER SERVICES**

WHEREAS The Board of the Regional District of Nanaimo adopted “Regional District of Nanaimo Water Services Fees & Charges Bylaw No. 1655, 2012” which established fees and charges for water services;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to amend the fees and charges;

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

**1. Citation**

This bylaw may be cited for all purposes as the “Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.09, 2018”.

**2. Amendments**

“Regional District of Nanaimo Water Services Fees & Charges Bylaw No. 1655, 2012” is amended as follows:

- a) By deleting Schedule ‘A’ of Bylaw No. 1655 and replacing it with the Schedule ‘A’ attached to and forming part of this bylaw.

**3. Effective Date**

The effective date of this Bylaw is May 1, 2019.

Introduced and read three times this    day of    , 2018.

Adopted this    day of    , 2018.

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CHAIR

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CORPORATE OFFICER



Schedule 'A' to accompany "Regional District  
of Nanaimo Water Services Fees & Charges  
Amendment Bylaw No. 1655.09, 2018".

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Chair

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Corporate Officer

### **SCHEDULE 'A'**

#### **WATER RATES**

1. (a) Calculated on the average daily consumption per unit:
  - i) For the first 0.7 cubic meters per day, \$1.06 per cubic meter.
  - ii) From 0.71 to 1.4 cubic meters per day, \$1.20 per cubic meter.
  - iii) From 1.41 to 2.1 cubic meters per day, \$1.55 per cubic meter.
  - iv) From 2.11 to 2.8 cubic meters per day, \$1.83 per cubic meter.
  - v) From 2.81 to 3.5 cubic meters per day, \$2.45 per cubic meter.
  - vi) Over 3.50 cubic meters per day, \$3.67 per cubic meter.
- (b) Minimum rate is \$0.35 per day.
- (c) Un-metered connections - \$3.06 per day.
- (d) Schools – As per (a) above plus \$80.00 per billing period.
- (e) Un-metered fire lines, \$65.00 per billing period.



(undocumented) agreement until this point. Island Timberlands has offered to formalize this arrangement by linking the RUA to the SRW at no additional cost. The RUA is similar to other agreements recently signed with Island Timberlands and is included as Attachment 2.

## **ALTERNATIVES**

1. The Board approve the Madrona Reservoir Statutory Right of Way agreement with Island Timberlands, including the Road Use Agreement.
2. Provide alternate direction to staff.

## **FINANCIAL IMPLICATIONS**

The fees for the SRW are budgeted within the Nanoose Bay Peninsula Water Service Area.

## **STRATEGIC PLAN IMPLICATIONS**

This recommendation supports the effective operation of the RDN's Nanoose Bay water system and allows for the continuous provision of safe, sustainable drinking water. The Board's Strategic Plan recognizes the importance of water in supporting our economic and environmental health.



Murray Walters  
mwalters@rdn.bc.ca  
August 1, 2018

### Reviewed by:

- S. De Pol, Director, Water and Wastewater Services
- R. Alexander, General Manager, Regional and Community Utilities
- P. Carlyle, Chief Administrative Officer

### Attachments

1. RDN Madrona SRW renewal letter - May 2018 (Island Timberlands)
2. Madrona\_Reservoir\_RUA-May 2018 (Island Timberlands)



Island Timberlands LP  
65 Front Street, 4th Floor  
Nanaimo, BC V9R 5H9

Tel (250) 755-3520  
Fax (250) 755-3540  
Email: rorr@islandtimberlands.com

May 9, 2018

**DRAFT**

Our File: G-1261  
Your file: \_\_\_\_\_

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

**Attention: Mr. Sean De Pol, Director of Water and Wastewater Services**

Dear Sean:

**Re: Renewal of Statutory Right of Way Agreement over PID# 005-629-471: Madrona reservoir**

Island Timberlands Limited Partnership (ITLP), hereby offers to renew your Statutory Right of Way Agreement dated April 25, 2008, and any subsequent amendments and renewals, on the following terms and conditions:

1. The term of this renewal shall be for 5 years commencing June 1st, 2014 and expiring May 31, 2019.
2. Fees for 2014-2015 and 2015-2016 have been previously invoiced and payment has been received.
3. Per s. 4.7 of the SRW, fees for 2016-2017, 2017-2018, and 2018-2019 are as follows:
  - a. 2016-2017: \$1,373.26 + 1.2% = **\$1,389.74**
  - b. 2017-2018: \$1,389.74 + 2.2% = **\$1,420.31**
  - c. 2018-2019: \$1,420.31 + 2.2% = **\$1,451.56**

The above fee's are plus G.S.T. Payable upon receipt of invoice.

All other terms and conditions of the Statutory Right of Way Agreement dated April 25, 2008, and any subsequent amendments and renewals, will remain in effect during the term. Please sign where indicated in the space below to indicate your acceptance of these terms and conditions, and return the "original" agreement to the address shown above. The "copy" is for your records.

Island Timberlands Limited Partnership's G.S.T. Registration Number is R860211499 RT0001.

Yours truly,  
**Island Timberlands Limited Partnership,**  
by its general partner Island Timberlands GP Ltd.  
Real Estate Group

Agreed to and accepted by:  
**Regional District of Nanaimo**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

Randy Orr, RI, RFT  
Manager, Real Estate



1. **EFFECTIVE DATE:** June 1st, 2014 **EXPIRY DATE:** May 31st, 2019
  
2. **LICENSOR:** Island Timberlands Limited Partnership ("ITLP")  
4<sup>th</sup> Floor – 65 Front Street  
Nanaimo, B.C. Canada  
V9R 5H9
  
3. **LICENSEE:** **Regional District of Nanaimo**  
6300 Hammond Bay Road  
Nanaimo, BC  
V9T 6N2  
**Att: Mr. Sean De pol, Director of Water and Wastewater Services**  
**SDePol@rdn.bc.ca T: 250.390.4111**
  
4. **GRANT:** ITLP is the owner of certain property legally described as: **PID#005-629-471 - BLOCK 563, PID#009-540-334 - BLOCK 152, & PID#009-449-469 - DL 56, PLAN 351 R/W, ALL IN THE NANOOSE LAND DISTRICT**  
  
ITLP grants to the Licensee, its contractors, invitees, licensees, employees, agents and servants, together with vehicles, supplies, and equipment, the non-exclusive license to enter and be upon the roads shown outlined in RED on the attached Schedule 'A' map (the "Lands").  
  
See overview maps attached as Schedule 'A' for location and further details.
  
5. **PURPOSE:** This License is granted for the purpose of vehicle access to the Madrona water reservoir and the associated infrastructure ("the Improvements") and no other purpose, upon the terms agreed to herein.
  
6. **LICENCE FEES:** No annual fee. Tied to G#1261.
  
7. **SECURITY DEPOSIT:** Not required.  
  
The Security Deposit is security for the performance of all obligations by the Licensee under this License. If the Licensee defaults in the performance of any obligation herein, ITLP may, without prejudice to any right or remedy hereunder, apply the said security to the extent necessary.
  
8. **TAXES:** On demand from ITLP, the Licensee shall pay for any increase in taxes incurred due to any Licensee improvements placed upon the Lands.
  
9. **MAINTENANCE, THEFT, REPAIR, SEARCH AND RESCUE, AND POLICING:**
  - a) The Licensee shall keep the Lands used in connection therewith in a neat and tidy condition.
  - b) Garbage removal and repair of vandalism found to be directly attributed to the existence of the improvements will be the sole responsibility of the Licensee.
  
10. **IMPROVEMENTS:**
  - a) The Licensee shall not place any improvements upon, or make any physical changes to, the Licensed Roads without the prior written consent of ITLP, such consent not to be unreasonably withheld.
  
11. **TIMBER:** The Licensee shall:
  - a) not cut or damage, or allow the cutting or damaging of trees, upon the Lands except in locations where the Improvements are approved by ITLP under section 10 of this Licence and,
  - b) ensure the felling of timber, where required, only occurs using fully certified and trained Fallers and a falling plan approved by ITLP.
  
12. **ROAD USE RULES:** If any ITLP road is used in connection with this License, the Licensee shall
  - a) strictly observe all speed limits and traffic regulations,
  - b) suspend use of ITLP roads whenever such use is likely to cause excessive damage to them,
  - c) ensure all security gates used in connection with this License remain operational, and
  - d) ensure that motor vehicle access to the Lands is restricted to the Licensee (or Licensee designate) as required for security or maintenance of improvements only.
  
13. **PROTECTION AGAINST FIRE:** The Licensee shall
  - a) have on the Lands at all times firefighting tools and equipment as required by the BC Wildfire Regulation,
  - b) immediately notify ITLP, the Ministry of Forests, and the local fire department upon discovery of any fire in the vicinity of the Lands, and
  - c) strictly observe ITLP and Ministry of Forests closure instructions with regard to forest fire hazards.

DRAFT

14. **ENVIRONMENTAL RESPONSIBILITY:**
- In exercising its rights under this Licence, the Licensee shall comply with all applicable environmental laws and implement practicable measures to protect environmental quality and human health on the Lands.
  - In exercising its rights under this Licence, the Licensee shall use the Lands in a manner to prevent the occurrence of any adverse environmental events and minimize potential environmental hazards that may affect ITLP and its contractors, invitees, licensees, employees, agents and servants, the public and the environment; and in connection with any adverse environmental event, the Licensee shall implement effective control measures and notify all concerned parties.
  - The Lands used by the Licensee shall be subject to environmental audits, as ITLP, in its sole discretion, thinks advisable.
15. **COMPLIANCE WITH LAWS AND REGULATIONS:** The Licensee shall comply with all laws, by-laws, and regulations, Federal, Provincial or otherwise.
16. **ASSUMPTION OF RISK AND LIABILITY OF LICENSEE:**
- ITLP has made no representations or given any warranties save as set forth herein.
  - The Licensee assumes all risk of damage to property of, or injury including death ("**Licensee Damage**") to, the Licensee and the Licensee's contractors, invitees, licensees, employees, agents and servants in connection with the Licensee's exercise of the privileges hereunder, except to the extent that such the Licensee Damage arises from the negligence ITLP, its contractors, invitees, licensees, employees, agents and servants
  - The Licensee shall pay for all damage to ITLP resulting directly or indirectly from any negligent act or omission of the said Licensee in exercising its privileges hereunder, and shall reimburse ITLP for all expenses incurred by ITLP for fighting fire to the extent that such expenses result directly or indirectly from said Licensee's negligent acts or omissions in exercising its privileges hereunder.
  - The Licensee shall indemnify and save harmless ITLP against all claims, damages, costs, suits, actions, expenses or liabilities asserted by the public or third party persons resulting directly or indirectly from said Licensee's negligent acts or omissions in exercising its privileges hereunder, except to the extent that such claims, damages, costs, suits, actions, expenses or liabilities arise from the negligence of ITLP, its contractors, invitees, licensees, employees, agents and servants.
17. **INSURANCE:** The Licensee shall obtain and maintain during the term hereof
- Comprehensive general liability insurance including non-owned automobile, covering bodily injury and property damage including loss of use thereof, and loss of use of tangible property which has not been physically injured or destroyed. The policy shall also include coverage for:
    - unlicensed and specially licensed vehicles,
    - forest fire caused by the Licensee, Licensee's invitees, or members of the general public which are accessing the lands,
    - contractual liability covering the Licensee's liability under this License; and
  - Motor vehicle liability covering all said Licensee's licensed vehicles (owned and leased) exercising privileges granted under this License. The minimum limits of liability for (a) and (b) shall be \$5,000,000 inclusive. Such insurance shall be issued by an insurance company acceptable to ITLP, and shall include an endorsement requiring thirty (30) days' notice to ITLP prior to cancellation. The Licensee shall furnish evidence of the insurance prescribed in sub-paragraphs (a) and (b) above to ITLP before exercising any privileges granted hereunder.
- Notwithstanding the foregoing, ITLP acknowledges that the Licensee may satisfy the foregoing insurance requirements through primary coverage or self-insured retention.**
18. **TERMINATION, SUSPENSION AND RENEWAL:**
- Either party may terminate this License by giving the other one-hundred eighty (180) days' written notice, and if ITLP terminates this License for any reason, the unearned portion of any prepaid consideration shall be returned to the Licensee, without interest.
  - If the Licensee defaults, all privileges hereunder terminate ten (10) days after notice of default is given by ITLP to the Licensee, if the default is not remedied within such time. If the default cannot be remedied within ten (10) days, the Licensee must notify ITLP in writing, ITLP may consent to extend the time within which the Licensee must remedy the default for such time as is reasonably required by the Licensee to correct or cure the default, such consent not to be unreasonably withheld. ITLP's termination of this License shall not prejudice ITLP's right to collect damages on account of the Licensee's breach of any term hereof.
  - Any failure to exercise ITLP's right to terminate this License in case of default does not constitute a waiver of the Licensee's obligations to perform strictly in accordance with the terms of this License. Any such right to terminate shall remain in effect and may be exercised as long as the default continues.
  - On termination, the Licensee shall forthwith deactivate and/or remove any improvements placed on the Lands if requested by ITLP. Where requested, if such improvements are not deactivated and/or removed within one-hundred eighty (180) days of termination, ITLP will deactivate/remove the improvements at the Licensee's cost plus 15%.
  - The privileges granted under this License may be suspended and/or modified as ITLP, in its sole discretion, thinks advisable.
  - If the Licensee requests a renewal of this License at least three (3) months before the Expiry Date, ITLP may, but is not obligated to, grant a renewal on terms satisfactory to it.
19. **NON-ASSIGNMENT:** Neither this License nor the privileges hereunder may be assigned in whole or in part by operation of law or otherwise, without the previous written consent of ITLP.
20. **NOTICES:** All notices shall be written and deemed duly given if delivered by hand or mailed by registered mail, postage prepaid, addressed to the party concerned at the address herein set forth or at such other address as may from time to time be communicated by notice. Notices shall be deemed to have been received, if delivered by hand, on the day delivered, and, if mailed, on the third day after posting unless there is between the time of mailing and actual receipt a mail strike, slowdown or other dispute which might affect delivery of the mail, in which case notice shall be only effective when actually delivered.

21. **OTHER TERMS:**

- a) The Licensee will review the attached ITLP INFO-FLIP with their employees, agents, and contractors prior to entering onto any ITLP lands, including without limitation the Licensed Roads.
- b) Where road access already exists, ITLP shall use reasonable efforts to provide the Licensee with reasonable access to the License Area, but ITLP shall not be under any obligation to maintain, re-construct, repair or improve the existing road or right of way, or to clear it of snow or other obstruction.
- c) ITLP will only maintain the Licensed Roads during periods in which ITLP is actively using the Licensed Roads for timber harvesting or other business purpose.
- d) The Licensee shall consult with ITLP before undertaking any significant road improvements or other works on the Licensed Roads, and will undertake such works only after receiving written approval from ITLP, such approval not to be unreasonably conditioned, withheld or delayed.
- e) Wind felled trees which are restricting access may be removed by the Licensee provided those bucking the trees are trained to do so, the trees can be removed safely, and any and all personal protective equipment required is worn by those involved.
- f) The Licensee shall comply with all reasonable rules and regulations that may, from time to time, be issued by ITLP to govern the use of the Licensed Roads.
- g) The Licensee will maintain radio contact on the appropriate frequency while travelling or hauling on the Licensed Roads.
- h) The Licensee agrees to use the Licensed Roads solely for the purpose of access and shall not store any vehicles, good or materials thereon.
- i) It is understood and agreed to between ITLP and the Licensee that gates owned by either party may be modified with an additional lock back to facilitate the other party's lock. Upon request, they shall be modified back to their original state on or before the expiry of this License, all at the cost of the modifying party.
- j) On termination or expiration of this License, the Licensee shall leave the Licensed Roads in a condition acceptable to ITLP, acting commercially reasonably.
- k) Nothing in this Licence, or in the use of or expenditure of public funds upon ITLP lands as contemplated by this Licence, shall be construed as a dedication of ITLP lands as a public park, public lands, highway, or trail.

22.

**SIGNED:**

**Island Timberlands Limited Partnership,  
by its general partner Island Timberlands GP Ltd.  
Real Estate Group  
Per**

**Licensee  
Regional District of Nanaimo**

\_\_\_\_\_  
*Signature*

**Randy Orr, RI, RFT**

\_\_\_\_\_  
*Type/Print Name*

**Manager, Real Estate**

\_\_\_\_\_  
*Position*

\_\_\_\_\_  
*Dated*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Type/Print Name*

\_\_\_\_\_  
*Position*

\_\_\_\_\_  
*Dated*







**SCHEDULE 'A'**  
**MAP & PLANS**

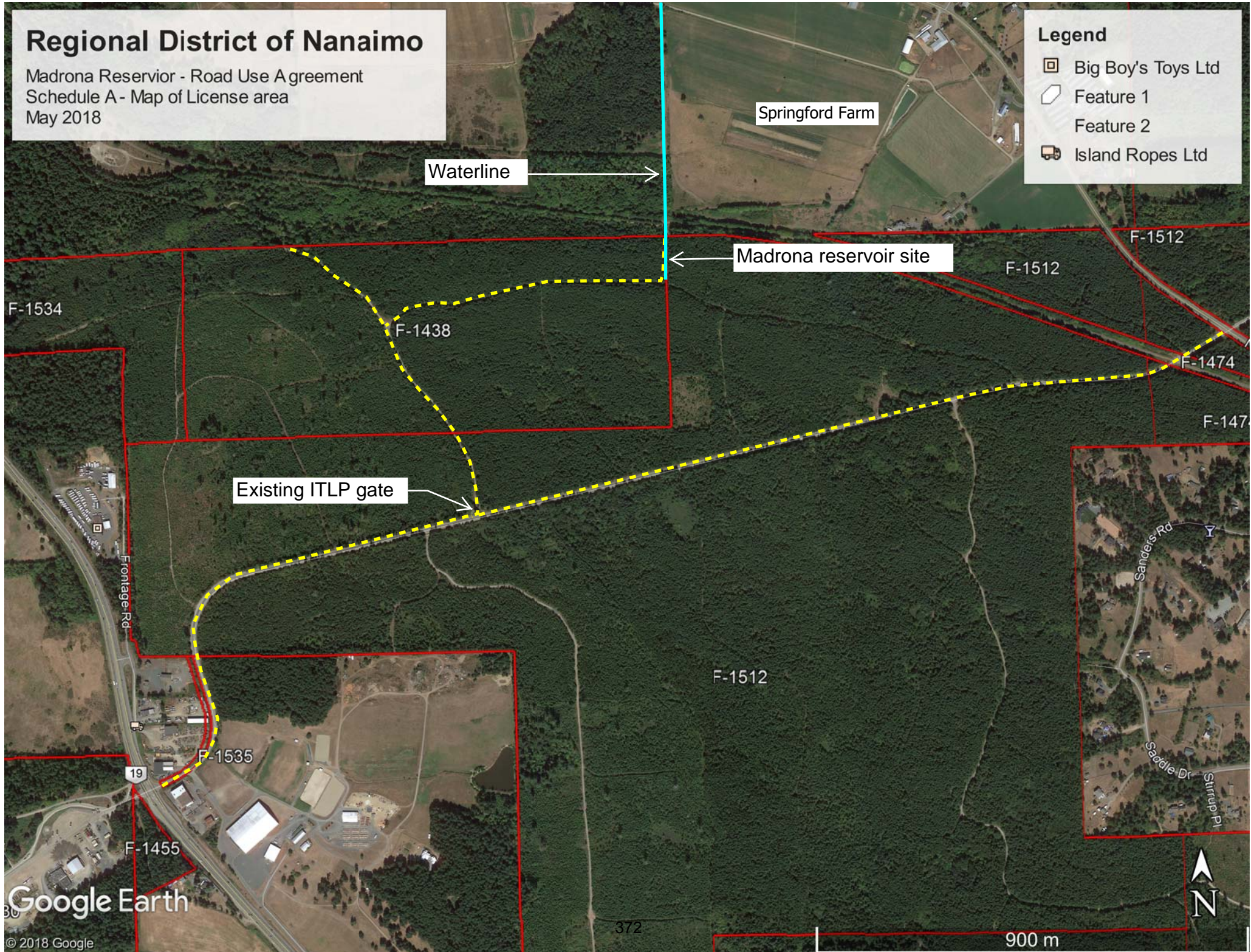


# Regional District of Nanaimo

Madrona Reservoir - Road Use Agreement  
Schedule A - Map of License area  
May 2018

## Legend

-  Big Boy's Toys Ltd
-  Feature 1
-  Feature 2
-  Island Ropes Ltd







2. That the Board provide alternate direction.

## FINANCIAL IMPLICATIONS

Since the surplus, \$10,400.87, stems from funds that were paid out in 2017 and there is an ongoing grant agreement with FRA, there is no impact to the financial plan. Allowing the FRA to extend the surplus funds over an additional two months continues to make this service is available to residents.

## STRATEGIC PLAN IMPLICATIONS

Support of local emergency services such as Family Resource Association Victim Services, supports the RDN Board's strategic priority of *Focusing on Service and Organizational Excellence* through "viewing our emergency services as core elements of community safety" as well as the strategic focus area of *Relationships* by "recognizing all volunteers as an essential component of service delivery".



Erica Beauchamp

[Erica.beauchamp@rdn.bc.ca](mailto:Erica.beauchamp@rdn.bc.ca)

August 21, 2018

Reviewed by:

- D. Pearce, Director, Transportation and Emergency Services
- P. Carlyle, Chief Administrative Officer

Attachments

1. RDN Surplus Spending Request Letter from Family Resource Association



# Family Resource Association

P.O. Box 965, 198 Morison Ave., Parksville B.C., V9P 2H1  
Phone 250-752-6766 Fax 250-752-6730  
www.frabc.ca

August 20, 2018

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

Thank you for this opportunity to address the FRA surplus related to the Regional District of Nanaimo (RDN) funding for our Police-based Victim Services (PBVS) program.

The Police Based Victim Service Program is a new program for FRA. We were awarded the contract by the Ministry of Public Safety and Solicitor General (Min of PS & SG) starting September 1, 2017. Our fiscal year end is March 31 so we received prorated funding from both the Ministry (\$33,010.02) and the RDN (\$37,916.97) for the period from September 1, 2017 to March 31, 2018. As this was our start-up period, and not everything was in place on the first day of the contract, this is essentially the reason that we have a surplus in the first year. We do not anticipate that this will be the case going forward.

The Min of PS & SG and the RDN have different approaches for addressing surplus funding. The Ministry simply requires a proposal on how the funds will be used to enhance the program and, given a reasonable plan, they approve a request to maintain the funds within the program. The RDN requests that any surplus be returned to it.

This year we proposed to the Min of PS & SG that surplus funds will be used to provide for additional hours of service (staffing) as well as promotion of the program in the community. We propose that the surplus from the RDN funding will be applied in the same way. We currently have two PBVS Caseworkers at 30 hrs per week. We will increase hours to 35 per week for approximately 52 weeks until the surplus from both the RDN and the Min of PS & SG has been fully utilized. The Ministry surplus spending plan is worth \$6,125.37 and the RDN surplus is \$10,400.87.

We are requesting approval from the Regional District of Nanaimo to apply the surplus as proposed. We thank you for your consideration.

Yours truly

Deborah Joyce  
Chief Executive Officer

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1385.09**

**A BYLAW TO AMEND THE BOUNDARIES  
OF THE BOW HORN BAY FIRE PROTECTION SERVICE**

WHEREAS the Regional District of Nanaimo established the Bow Horn Bay Fire Protection Service pursuant to Bylaw No. 1385, cited as "Bow Horn Bay Fire Protection Service Establishment Bylaw No. 1385, 2004";

AND WHEREAS the Board of the Regional District of Nanaimo has been petitioned by the property owners to extend the boundaries of the service area to include the lands shown outlined in black on Schedule 'A' of this bylaw;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained;

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with section 349 of the *Local Government Act*;

THEREFORE BE IT RESOLVED that the Board of the Regional District of Nanaimo, in open meeting assembled enacts as follows:

**1. Citation**

This bylaw may be cited for all purposes as "Bow Horn Bay Fire Protection Service Amendment Bylaw No. 1385.09, 2018".

**2. Amendment**

"Bow Horn Bay Fire Protection Service Establishment Bylaw No. 1385, 2004" is hereby amended as follows:

(1) By deleting section 3 and replacing it with the following:

"3. The Participating Areas for the Service are Electoral Areas 'F' and 'H'."

(2) By amending the boundaries of the Bow Horn Bay Fire Protection Service area to include the properties outlined in black on Schedule 'A' attached to and forming part of this bylaw.

Introduced and read three times this 24th day of July, 2018.

Received the approval of the Inspector of Municipalities this \_\_\_\_ day of \_\_\_\_\_, 2018.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2018.

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CHAIR

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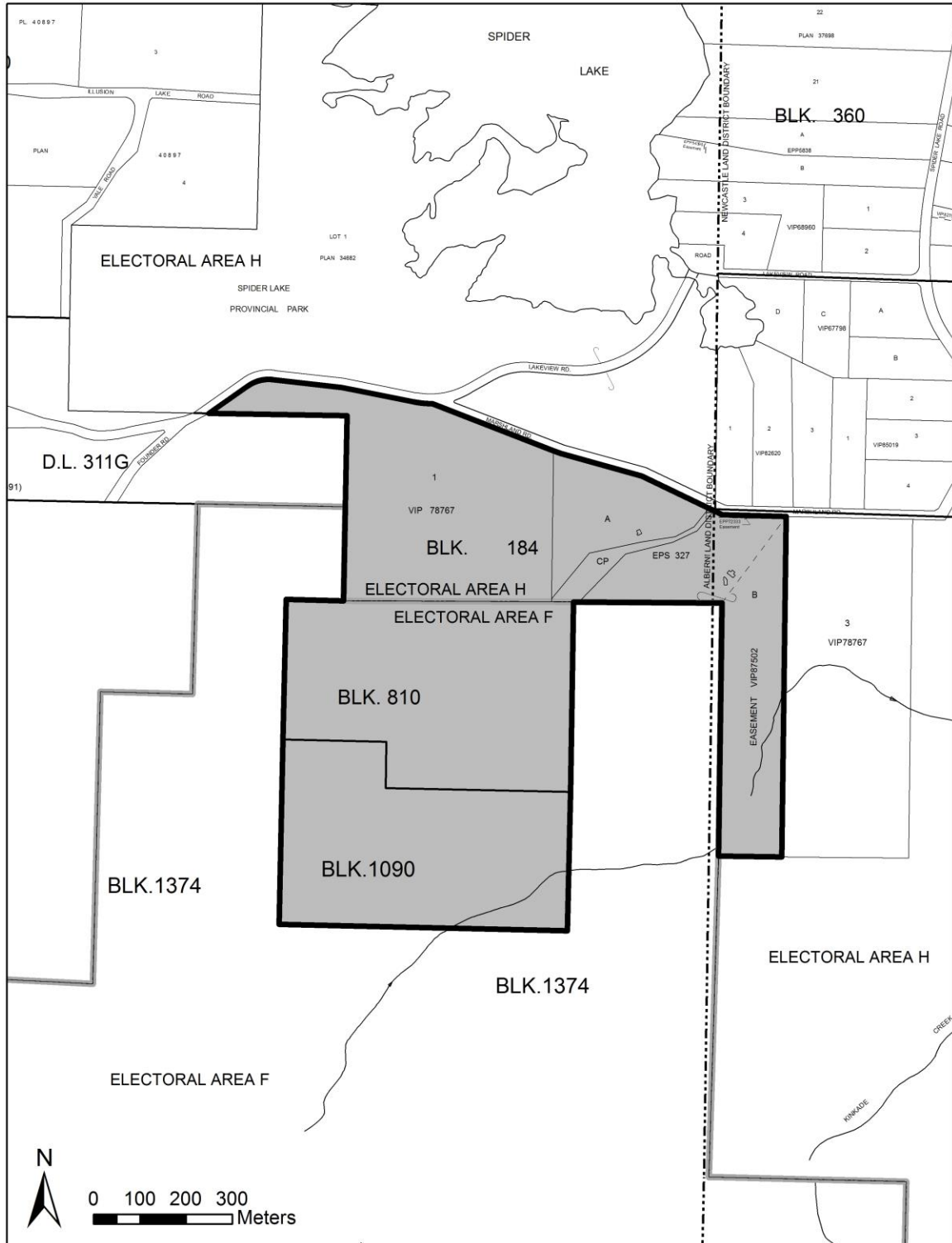
CORPORATE OFFICER

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Chair

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Corporate Officer





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**TO:** Regional District of Nanaimo Board Meeting      **MEETING:** September 18, 2018

**FROM:** Paul Thompson  
Manager of Long Range Planning      **FILE:**

**SUBJECT:** Request for Support from Parksville Qualicum Beach Tourism Association regarding the Municipal Regional District Tax

---

**RECOMMENDATIONS**

1. That the Board supports Parksville Qualicum Beach Tourism Association’s renewal of the 2% Municipal Regional District Tax in Electoral Areas E, F, G & H, City of Parksville, and Town of Qualicum Beach.
2. That the Board supports Municipal Regional District Tax amounts collected by accommodation providers in Electoral Areas E, F, G & H (per Regional District of Nanaimo Bylaws) to be provided directly to Parksville Qualicum Beach Tourism Association by the Province.
3. That the Parksville Qualicum Beach Tourism Association be requested to use the taxes collected from the online accommodation platforms for use on affordable housing initiatives starting in 2020.
4. That the Parksville Qualicum Beach Tourism Association consult with the local governments in the designated accommodation area so that an Affordable Housing Municipal Regional District Tax Plan can be completed for November 2019.

**SUMMARY**

The Municipal Regional District Tax (MRDT) is a tax collected by accommodation providers and used for tourism promotion activities. For the northern part of the Regional District of Nanaimo (RDN) the revenues from the MRDT are provided directly to the Parksville Qualicum Beach Tourism Association (PQBTA) to use for destination marketing activities. Every five years the PQBTA must get support from the local governments within the designated accommodation area to keep receiving this money. This is the third renewal of the MRDT tax for the PQBTA.

In the past this tax was only collected from accommodation providers that have four rooms or greater. Starting in 2019 the MRDT tax can be collected from accommodation providers with less than four rooms including Online Accommodation Platforms (OAP) such as Airbnb. Another change to the legislation will also allow local governments to use the MRDT collected from the OAPs for affordable housing projects.

To enable the use of these funds for affordable housing projects the PQBTA would have to submit an Affordable Housing MRDT Plan and identify the partnerships with local governments. The RDN can request that the PQBTA meet with the three local governments in the designated accommodation area for discussion on using the MRDT revenues from OAPs for affordable housing projects. An Affordable Housing MRDT Plan could be submitted to the province in November 2019 and be used for an affordable housing project starting in 2020.

## **BACKGROUND**

The purpose of the MRDT program is to assist designated recipients such as the PQBTA to fund tourism marketing, programs and projects. The tax applies to purchases of taxable accommodation within the designated accommodation area. The tax is collected by the Province on behalf of the designated recipient.

For new and renewal applications, the tax will be implemented for a period of five years. To extend the tax for an additional five year period, a designated recipient must re-apply. There is no restriction on the number of times a designated recipient can apply to renew the tax. The current five year term for the PQBTA ends in May 2019 and they must now get support from the local governments within the designated accommodation area to renew the collection of the MRDT for another five years. Parksville and Qualicum Beach have already provided letters of support. This will be third five year renewal of the MRDT going directly to the PQBTA.

The Board adopted the following motion at its April 24, 2018 meeting:

*It was moved and seconded that the Regional District of Nanaimo send letters to the Ministers of Finance and Tourism, Arts and Culture that supports the initiatives of the Parksville Qualicum Beach Tourism Association (PQBTA) and that the Regional District of Nanaimo Board will continue to support the PQBTA so it may allocate all the funds generated by the Municipal Regional District Tax (MRDT) as determined by its Board of Directors.*

Starting in 2019 local governments can use the funds collected from the OAPs (ie. Airbnb) for affordable housing. Affordable housing was added as a permissible use of funds in the BC Budget 2018.

Designated recipients that wish to use MRDT revenues for affordable housing must provide an Affordable Housing Plan prior to implementation, which is due November 30 of each year to outline spending in the upcoming year. The Affordable Housing MRDT Plan must include a description of how a particular project will respond to affordable housing needs in a community (for example, if the project is oriented towards providing housing to tourism workers).

The plan must identify project name and address, project rationale and details, MRDT contribution, housing provider/project owner, funding partners and contribution (if applicable), estimated completion date, estimated number of housing units, and evidence of consultation from local government(s) if the designated recipient is not a municipality.

Designated recipients have the flexibility to define, identify, and fund affordable housing initiatives that they deem appropriate to meet local needs. Designated recipients may use MRDT revenues for the following purposes for spending on affordable housing initiatives:

- Acquiring, constructing, maintaining or renovating housing or shelter;
- Acquiring or improving land used for, or intended to be used for, housing or shelter;
- Supporting the acquisition, construction, maintenance, renovation or retention of housing or shelter or the acquisition or improvement of land intended to be used for housing or shelter;
- Supporting housing, rental or shelter programs; or
- Paying expenses related to the administration or disposal of housing, shelter or land acquired with money paid out of MRDT revenues.

## **ALTERNATIVES**

1. Support the MRDT tax revenues going directly to PQBTA.
2. Support the MRDT tax revenues going directly to PQBTA with the condition that tax revenues from OAPs be used for affordable housing starting in 2020.
3. Do not support the MRDT tax revenues going directly to PQBTA.

## **FINANCIAL IMPLICATIONS**

With the change in provincial legislation a new source of funding has been created for affordable housing projects. As the RDN is currently investigating funding options for affordable housing, this is one source of funding that could be pursued in cooperation with the PQBTA, City of Parksville and Town of Qualicum Beach.

The MRDT revenues from the designated accommodation area for 2017 are as follows: Parksville - \$524,620; Qualicum Beach – \$63,673; Electoral Areas E, F, G and H – \$59,383; Total \$647,676. The projected MRDT revenues for 2019 are slightly less overall at \$631,208.

At this time it is not clear what the revenues from the OAPs will be in the designated accommodation area as data on the numbers of units available in the OAPs is not available. The total number of units available on the Air BnB platform for Parksville and Qualicum Beach is estimated at 168 in September 2018. This is just a small portion of the total units in the designated accommodation area as this does not include units listed on other OAPs or units available in the electoral areas.

The Province has stated that it can provide information on the amount of revenues generated from OAPs although it is likely that it won't be until after the 2019 season is over, and a more accurate number is available. This information will be useful in developing the Affordable Housing MRDT Plan as funding will have to be matched with a project.

As the MRDT did not previously apply to OAPs, this money should constitute new revenues and will not be a reduction in the amount of MRDT revenue that is available to the PQBTA. The PQBTA will continue to get the revenue from the MRDT that is collected from existing accommodation providers and any new accommodation providers that are not an OAP.

As discussions on this new source of funding have not yet taken place, the preparation of an Affordable Housing MRDT Plan is not possible to meet the November deadline for 2018. The next deadline for use of the MRDT revenues for affordable housing is in November 2019, and it is therefore possible to ascertain the interest of the PQBTA, Parksville and Qualicum Beach on

the new use of MRDT funds, get information on potential revenues from OAPs and identify potential affordable housing projects for 2019.

### **STRATEGIC PLAN IMPLICATIONS**

The Board 2016-2020 Strategic Plan includes a strategic focus on service and organizational excellence with a priority to invest in regional services that are effective and efficient. It also has a focus on relationships where the RDN looks for opportunities to partner with other governments and community groups to advance the region, which could be achieved once an affordable housing service is established.

The recommendations in this report build on previous RDN affordable housing studies, align with the objectives of the RDN's Housing Action Plan and with the RDN's governing principles of 'Represent the Interests of the Region', 'Work Effectively as a Team' and 'Focus on Solutions'.



---

Paul Thompson  
[pthompson@rdn.bc.ca](mailto:pthompson@rdn.bc.ca)  
September 11, 2018

Reviewed by:

- G. Garbutt, General Manager, Strategic and Community Development
- D. Wells, General Manager, Corporate Services

Attachment:

1. Letter from Parksville Qualicum Beach Tourism Association

# PARKSVILLE QUALICUM BEACH

Parksville Qualicum Beach Tourism Association

PO Box 239, Parksville, BC V9P 2G4

T: 250 248 6300 | F: 250-248-6308

ParksvilleQualicumBeach.com

July 31, 2018

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

Dear Chairman Veenhof and Directors:

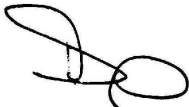
Parksville Qualicum Beach Tourism is in the process of renewing the 2% Municipal Regional District Tax (MRDT) for our region. I am writing to ask for the Board's support of our renewal in the form of a resolution.

Parksville Qualicum Beach Tourism asks the RDN Board of Directors to include the following in its support resolution:

- That the RDN Board supports Parksville Qualicum Beach Tourism Association's renewal of the 2% MRDT in Electoral Areas E, F, G & H, City of Parksville, and Town of Qualicum Beach. The City and Town are being approached for similar support resolutions.
- That the RDN Board supports MRDT amounts collected by accommodation providers in Electoral Areas E, F, G & H (per RDN Bylaws) to be provided directly to Parksville Qualicum Beach Tourism Assoc. by the Province.

Thank-you in advance for your support.

Best regards,



Blain Sepos,  
Executive Director

# REFRESH HERE.

---

**TO:** Board Meeting **MEETING:** September 18, 2018  
**FROM:** Randy Alexander **FILE:** 1855-04  
GM, Regional and Community  
Utilities  
**SUBJECT:** Valuing Natural Assets Demonstration Pilot Partnership Project

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### **RECOMMENDATION**

That the Board endorse Regional District of Nanaimo participation in the proposed joint initiative with the Town of Gibson's, Capital Regional District, District of North Vancouver, with the Partnership for Water Sustainability in BC, seeking grant funding under asset management grant programs from both the Federation of Canadian Municipalities and Union of BC Municipalities to undertake demonstration projects to apply the Ecological Accounting Protocol approach to natural asset valuation.

### **SUMMARY**

The Town of Gibson's proposes to act as the lead applicant to apply for grant funding for a proposed joint initiative between four regional/local governments (Regional District of Nanaimo (RDN), Town of Gibson's, Capital Regional District, District of North Vancouver) and the Partnership for Water Sustainability in BC. The proposed project would pilot application of an Ecological Accounting Protocol to value natural assets in one water/creek shed from each participating local government. Funding is being sought under the Federation of Canadian Municipalities' "Municipal Asset Management Program" and the Union of BC Municipalities' "Asset Management Planning Program. It is anticipated that grants from the two agencies would provide 100% of the cost of the project, with in-kind participation of RDN staff to provide input into project scoping, provide data and information, and review and approve findings and report contents.

### **BACKGROUND**

Ecological systems such as water/creek sheds are natural infrastructure assets that provide a range of valuable services including drinking water, recreation, ecosystems, fisheries, forestry, jobs and economic opportunities. Asset Management BC is currently in the process of integrating "natural (i.e. ecological assets)" into the BC Framework for "Asset Management For Sustainable Service Delivery. The concept of natural capital and natural assets is a challenge to integrate effectively into asset management practices, and local governments need "real numbers" to support effective decision making.

The Town of Gibson's proposes to act as the lead applicant to apply for grant funding for a proposed joint initiative between four regional/local governments RDN, Town of Gibson's, Capital Regional District, District of North Vancouver) and the Partnership for Water

Sustainability in BC. The Regional District of Nanaimo participates in the Partnership for Water Sustainability, in particular through membership in the Inter-Regional Education Initiative” which involves five regional Districts, representing 75% of BC’s population.

The proposed project is intended to assist in developing effective methods of assessing the worth and value of a natural asset (such as a water/creek shed) to the community. The project would test, validate and refine methodology through pilot demonstration applications in the jurisdictions of the four participating local governments (Town of Gibson’s, RDN, Capital Regional District, and District of North Vancouver).

Funding is being sought under the Federation of Canadian Municipalities’ (FCM) “Municipal Asset Management Program” and the Union of BC Municipalities’ (UBCM) “Asset Management Planning Program. Draft applications, to be submitted by the Town of Gibson’s, are provided in Attachment 1.

**Deliverable:** The project would provide analysis of one demonstration water/creek shed in each of the four participating local governments. The four sets of analysis would be consolidated summary report titled “What We Learned, and How to Apply the Findings. Stand-alone chapters would provide a concise synthesis of the process and the outcomes.

## ALTERNATIVES

1. The Board endorse participation in the proposed grant application partnership.
2. The Board provide alternate direction.

## FINANCIAL IMPLICATIONS

The grant funds being applied for are expected to cover 100% of the project costs, through stacking of the FCM and UBCM grants. The project budget is \$50,000 from FCM and \$15,000 from UBCM. The grant application identifies “in-kind” contributions from the participants, which in the case of the RDN would be participation of RDN staff to provide input into project scoping, provide data and information, and review and approve findings and report contents.

## STRATEGIC PLAN IMPLICATIONS

RDN rebates supports several priorities of the Board’s 2016 – 2020 Strategic Plan, including the focus on key service areas of: Service and Organizational Excellence; Partnerships; Economic Health, and; Environment.

---

Randy Alexander  
ralexander@rdn.bc.ca  
September 13, 2018

Reviewed by:

- P. Carlyle, Chief Administrative Officer

Attachment:

1. Draft Grant Applications





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## Municipal Asset Management Program Application Form

### FCM's Municipal Asset Management Program Application Form

**IMPORTANT: Before filling out this application form, please read the Municipal Asset Management Program (MAMP) application guide, available on the FCM website.**

**Please save or download this form to your computer before completing it. If you see a dialog box requesting that you trust the links to FCM, please click "trust".**

**We encourage you to contact FCM before you submit your application.** FCM advisors can help determine if your project is eligible, answer questions and help you prepare a successful application. Contact us at:

[programs@fcm.ca](mailto:programs@fcm.ca)

Tel.: 613-907-6208 or 1-877-997-9926

#### Part A: Applicant information

There are two eligible lead applicant categories:

- » Municipal governments (e.g. towns, cities, regions, districts, etc., and local boards thereof)
- » Quebec applicants must first submit their application through Quebec's Ministère des Affaires municipales et de l'Occupation du territoire (MAMOT). See details below.
- » Municipal partners applying in association with a municipal government

A municipal partner is one of the following entities:

- a. a municipally owned corporation
- b. a regional, provincial or territorial organization delivering municipal services
- c. an Indigenous community
  - » *Certain Indigenous communities require a shared service agreement with a municipal government related to infrastructure to be eligible. Contact FCM for additional details.*
- d. a not-for-profit organization with a focus on municipal services

**Please note that private-sector entities are not eligible as municipal partners.**



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# Municipal Asset Management Program Application Form

## 1. Lead applicant information

Please select your organization type from the list below. If you are unsure, please review the [application guide](#), or contact FCM: email [programs@fcm.ca](mailto:programs@fcm.ca) or call 613-907-6208 or 1-877-997-9926.

- Municipal government (e.g. towns, cities, regions, districts, etc., and local boards thereof)

### Municipal partner

- a municipally owned corporation
- a regional, provincial or territorial organization delivering municipal services
- an Indigenous community
  - » *Certain Indigenous communities require a shared service agreement with a municipal government related to infrastructure to be eligible. Contact FCM for additional details.*
- a not-for-profit organization with a focus on municipal services
- Other Describe: \_\_\_\_\_

## 2. Lead applicant contact information

Organization name

Town of Gibsons

### Mailing address

Address

474 South Fletcher Road

City

Gibsons

Province/territory

British Columbia

Postal code

V0N 1V0

Tel.

604-886-2274

Fax (optional)

(area) number

### Lead applicant primary contact information

Salutation (optional)

Mr.

First name

Emanuel

Last name

Machado

Middle initial (optional)

Title

Chief Administrative Officer

Email

emachado@gibsons.ca

Tel. (work)

1 604 886 2274

Ext.

Cell (optional)

1 604 741 1092



**3. Additional lead applicant information**

The following demographic information will help FCM understand the reach and results of the Municipal Asset Management Program:

Lead applicant annual operating budget:	\$8,000,000.00
Number of administrative staff that manage the municipality or lead organization (e.g. senior administrators, finance, public works, planners and other administrative staff)	21 - 50

**Part B: Self-assessment**

Please complete a self-assessment using the [Asset Management Readiness Scale](#), available for download. The self-assessment should be reflective of your organization as a whole, and not a division or an asset class within the organization. Using the results of the self-assessment, fill in the Current State column in the table below.

**5. Self-assessment summary – Current State**

Competency	Current State <i>What are your current readiness levels?</i>	Notes <i>Three outcomes make up each level of the Asset Management Readiness Scale. Please provide notes that describe how you have achieved each of the three outcomes associated with your current level.</i>
Policy and governance	Level 3	
People and leadership	Level 4	
Data and information	Level 4	
Planning and decision making	Level 2	
Contribution to asset management practice	Level 2	

**Part C: Project description**

**6. Working title**

What is the project's working title? This title will be used publically to identify the project.

Ecological Accounting Process (EAP): Valuing the Worth of Ecological Services (Stage 2 Demonstration Applications)



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# Municipal Asset Management Program Application Form

## 7. Description

Provide a high-level description of the activities you will complete within your project. Summarize what you will do and what the project will achieve in 100 words or less. If your application is accepted, this section will be used as the public description of your project.

The concept of natural capital and natural assets can be a challenge to integrate effectively into asset management practices. Local governments need "real numbers" to deliver outcomes and support decision making. EAP deals with a basic question: what is a creekshed WORTH, now and in future, to the community and various intervenors?

WORTH is defined as use by the community of a "package of ecological services" made possible by the hydrology. Ecological services are diverse, and provide environmental, social and traditional (core) services to the community via a natural asset – in this case, a creek/riparian area. Stage 1 tested the concept for leveraging the BC Assessment database to establish a financial value for the "Commons Asset" (the land comprising the stream corridor and riparian zone).

Stage 2 would refine the "valuation of worth" methodology (Stage 1) by further validating the EAP through pilots (demonstration applications) with four collaborating local governments, namely: Town of Gibsons, Capital Regional District, Regional District of Nanaimo, and District of North Vancouver.

NOTE TO REVIEWERS: Additional work is underway outside Stage 2 to understand the complementary nature of EAP and the Municipal Natural Asset Initiative (MNAI). The latter also involves the Town of Gibsons as a lead proponent. Stage 2 would therefore result in a greater understanding of the value of EAP, as well as the compatibility of both approaches / tools working together to create a total picture.

## 8. Activities and deliverables

What are the proposed activities that you want FCM to fund? Please identify one to three activities.

What deliverables do you plan to submit to FCM at the end of this project that will demonstrate you have completed the activities? Please identify **at least one** deliverable per activity.

Please see the [application guide](#) for additional guidance on the level of detail expected.

Activity	Deliverable
----------	-------------



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# Municipal Asset Management Program Application Form

<p>Please identify one to three asset management related activities.</p> <p>Examples:</p> <ul style="list-style-type: none"> <li>» conduct a needs assessment</li> <li>» collect data on the condition of 200 km of roads</li> <li>» set up a cross-functional asset management committee</li> <li>» training for cross-functional team of managers</li> <li>» update job descriptions to include asset management responsibilities</li> </ul> <p style="text-align: center;">Add</p>	<p>Please identify specific items you will send to FCM to demonstrate completion of each activity.</p> <p>Examples:</p> <ul style="list-style-type: none"> <li>» needs assessment report</li> <li>» condition assessment report for 200 km of roads</li> <li>» asset management committee terms of reference and minutes from first two meetings</li> <li>» training attendance record and copy of training materials</li> <li>» updated job descriptions, and minutes from job description workshop with cross-functional team</li> </ul>	
Remove 1.	<p><b>DATA COLLECTION &amp; REPORTING:</b> Apply the EAP process to asset management concerns identified by each of four collaborating local governments (Gibsons, Capital Regional District, Nanaimo Regional District, and North Vancouver District)</p>	<p>In each case: 1) Define the package of ecological services; 2) Define the required commons asset area; 3) Calculate the worth of the package of ecological services; and, 4) Calculate the financial value of the land supporting the ecological assets</p>
Remove 2.	<p><b>KNOWLEDGE TRANSFER:</b> Prepare a summary report, titled "What We Learned, How to Apply the Findings", describing the results of the analyses for the four demonstration applications.</p>	<p>Describe each of the four demonstration applications in a stand-alone chapter that provides a concise synthesis of the process and the outcomes.</p>

Note: Please use these same activities to complete the workplan and budget template. In the workplan and budget template, you will be required to break each of these activities down into tasks.

## 9. Outcomes

Describe how your proposed activities will improve your asset management capacity and why these activities are the priority for your municipality at this time. How will these outcomes move you along the Asset Management Readiness Scale? List the specific outcomes in the scale that are likely to be achieved through your proposed activities.

In addition to the immediate outcomes, you can also describe the impact these activities will ultimately have on your municipality or community.

**HOW PROJECT WILL IMPROVE ASSET MANAGEMENT CAPACITY:** Ecological systems such as creeksheds are "infrastructure assets" that provide "water balance services" that in turn power "ecological services". In BC, this way of thinking is described as "Sustainable Watershed Systems, through Asset Management". The twin pillars are EAP ("social lens") and the Water Balance Methodology ("technical lens"). These pillars are interconnected. In Stage 2, the spotlight is on the EAP pillar.

EAP provides a methodology to assign a dollar value to the "stream corridor and riparian zone" (natural assets) so that a baseline annual budget for maintenance and management of this "Commons Asset" can be incorporated in asset management strategies and plans. Inclusion requires definition and measurement.



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## Municipal Asset Management Program Application Form

Stage 1 tested how to leverage the BC Assessment database to value the Commons Asset. Stage 2 would refine the "valuation of worth" (value in use) methodology through demonstration applications (4) in Gibsons, Capital Regional District, Nanaimo Regional District, and North Vancouver District.

**MOVING ALONG THE ASSET READINESS SCALE:** Each demonstration would examine a concern that each collaborating local government has identified vis-a-vis a project where asset management needs refinement. The analysis would show how the technical and social dimensions are connected through the concept of the commons and the "package of ecological services" (made available by the subject creekshed or other ecological asset). This would help each collaborator defend or support strategic asset management decisions.

In all four jurisdictions, Stage 2 EAP outcomes would be expected to help advance competency in all five asset management "competencies", with emphasis in two categories: "Data & Information"; "Planning & Decision-Making". The biggest impact would be in "Contribution to Asset Management Practice" because the Stage 2 EAP outcomes encompass "staff development, sharing knowledge internally and participating in external knowledge sharing".

**WHY THIS WORK IS A PRIORITY:** Hydrology is the engine that powers ecological services. Impaired hydrology function results in a diminished package of ecological services. EAP defines natural assets as the hydrology of a creekshed and the ecological (water balance) services dependent on that hydrology.

View choices through the "worth lens" if the goal is to motivate communities to implement strategies that restore or protect creekshed function. Taking action depends on what a community thinks a creekshed is worth.

**PREVIOUS APPLIED RESEARCH:** In Stage 1, the EAP approach demonstrated a way to confirm the importance and value of ecological features (services and supporting hydrology) as community assets. Thus, managers, intervenors and the community can consider investment in management and maintenance of these ecological features, as well as the land harbouring them, in their asset management strategies and plans. This is the view of worth, value in use, and commitment of lands for related purposes.

EAP focuses on worth rather than personal and social perceptions of value (inherent, imputed, and assigned) or market value (value in exchange). Worth refers to likely returns for expenditures. The history of stakeholder initiatives is a measure of stakeholder understanding of ecological services and what they may be worth.

**IMMEDIATE "DESIRED OUTCOME":** In Stage 2, the EAP program has the goal of positioning local government practitioners and their collaborators to integrate natural asset values (worth of ecological services) into asset management strategies. The practicality of this approach would be illustrated through analyses of four demonstration applications of current importance to local governments.

Local governments need "real numbers" to deliver outcomes. EAP uses BC Assessment database as a proxy regarding land value to calculate the financial value of the Commons Asset.

**ULTIMATE IMPACT:** Implementation of a whole-system, water balance approach founded on the twin pillars of EAP and the Water Balance Methodology would enable local governments to avoid an unfunded liability, adapt to a changing climate, and reduce life-cycle costs for drainage infrastructure.



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# Municipal Asset Management Program Application Form

Use the [Asset Management Readiness Scale](#) to identify your desired future state. Complete the Desired Future State column below to indicate your intended readiness levels at the end of the funded project.

**Note:** Progression in asset management practices takes time and ongoing effort. Your “desired future state” should reflect the levels you realistically anticipate reaching by the end of the project. In some cases, the asset management activities that are most important for you may not result in a full level change on the readiness scale. That is okay — all progress is important.

**Tip:** Once you identify your desired future state below, revisit the “Outcomes” text box above. Have you provided information about how your activities will help you achieve each of your “desired future state” levels?

<b>Competency</b>	<b>Current State</b> <i>This column will auto populate based on the readiness levels you identify in Part B.</i>	<b>Desired Future State</b> <i>What are your <b>intended</b> readiness levels at the end of this project?</i>
Policy and governance	Level 3	No change
People and leadership	Level 4	No change
Data and information	Level 4	No change
Planning and decision making	Level 2	Level 3
Contribution to asset management practice	Level 2	Level 3

## 10. Human resources

Describe the internal and external human resources who will complete the proposed activities.

- » Who will lead the project? Who will carry out project activities?
- » If you plan to hire external individuals or organizations to carry out project activities, please describe and, if possible, specifically identify them below.
- » Summarize the relevant experience of your proposed project team.

EAP is an initiative of the Partnership for Water Sustainability in British Columbia (PWSBC), a not-for-profit society that originated (in 2002) as an intergovernmental partnership. The Town of Gibsons is a member of PWSBC. Note that Stage 1 of the EAP program was funded by the governments of Canada and British Columbia under the aegis of the Clean Water & Wastewater Fund.

PWSBC will lead the project. The project activities comprising the Stage 2 workplan will be carried out by a 3-person team led by Tim Pringle (PWSBC Director & EAP Chair). He will be supported by David Huer (researcher) and Kim Stephens (PWSBC Executive Director).

There will be a minimum of one and typically two key contacts per local government, namely: Emanuel Machado, Town of Gibsons; Jody Watson & Natalie Bandringa, Capital Regional District (CRD); Randy Alexander & Julie Pisani, Regional District of Nanaimo (RDN); Richard Boase & Stephen Bridger, District of North Vancouver (DNV). In addition, key collaborators from the stewardship sector will be key resources - for example, Peter Law, President of the Mid-Vancouver Island Habitat Enhancement Society for the RDN demonstration application.





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## Municipal Asset Management Program Application Form

PWSBC is the hub for a "convening for action" network in the local government setting; and develops approaches, tools and resources. PWSBC delivers the Water Sustainability Action Plan for BC through partnerships and collaboration. The program includes the Georgia Basin Inter-Regional Education Initiative (IREI). Gibsons, CRD, RDN and DNV are actively engaged in the IREI.

How to value the services provided by nature has been a career quest for Tim Pringle. He was the founding Executive Director for the Real Estate Foundation of BC. In 2010, he was the inaugural recipient of the BC Land Champion Award. EAP is Tim's vision. EAP is one of the twin pillars of "Sustainable Watershed Systems, through Asset Management".

For 15 years, Kim Stephens has been responsible for the Water Sustainability Action Plan program. His leadership role in a series of provincial initiatives includes "Stormwater Planning: A Guidebook for British Columbia". At the heart of the Guidebook is the Water Balance Methodology, which Kim developed. This is the other pillar of Sustainable Watershed Systems.

### **11. Fit with provincial or territorial approach**

Describe how this project fits within the asset management approach being implemented within your province or territory.

Under the IREI umbrella, which involves five regional district partners representing 75% of BC's population, the implementation program for "Sustainable Watershed Systems, through Asset Management" is aligned with and supports the vision for "Asset Management for Sustainable Service Delivery: A BC Framework".

Asset management has traditionally been about hard engineered assets. Yet, creekshed systems are also "infrastructure assets". Hence, PWSBC is collaborating with Asset Management BC to "make real" the concept of the Asset Management Continuum.

Assessment Management BC is currently in the process of integrating Climate Change and Natural Assets into the Framework, with 'primers' specifically on both topics. The EAP project would support this updating by providing real-life application of how natural assets can be integrated into a local government's asset management practices.

Hydrologic integrity has emerged as a driver for "maintenance" (prevent degradation) and "management" (enhancement) of nature's water balance services in the same way that engineered assets (and services) are managed.

The continuum defines three steps or thresholds: Step One is embrace the BC Framework; Step 2 is implement Sustainable Service Delivery; and Step Three is apply EAP. It is a journey that takes time. As understanding grows, each local government would progress incrementally along the continuum.

The goal would be to build capacity within a local government to transition to Step 3. The ultimate outcome would be Sustainable Watershed Systems and thus a "water-resilient future".

### **12. Challenges and mitigations**

What are the one to three most important risks or challenges that could impede the delivery of this project? How will you mitigate these challenges?



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# Municipal Asset Management Program Application Form

Add	Challenge	Mitigation
	<p>The EAP approach is breaking new ground, introducing new ideas / approaches, and the nature of the analysis is outside the normal range of practitioner experience.</p> <p>Hence, it can be a challenge for project collaborators to intuitively grasp what the deliverables would look like. As a result, there is a learning process as collaborators assimilate a new way of thinking about natural assets.</p> <p>When collaborators have a diversity of backgrounds and experience, it is necessary for the project team to find the "right balance" to explain and report out on concepts and findings.</p>	<p>Be crystal clear. Use straightforward language that is readily understood. Establish and manage expectations. Under-promise and over-deliver.</p> <p>Explain concepts and findings in a clear and concise way that bridges perspectives in order to inform and educate a range of audiences - from stewardship sector to local government senior manager.</p> <p>Be patient.</p>

## Part D: Required attachments

Please submit the following with your application

Supporting document	Comments and reference pages
A resolution from council, band council or board of directors, using the sample provided	
<input type="button" value="Attach File"/>	
A completed workplan and budget template	
<input type="button" value="Remove"/> 3b_MAMP_EAP_Workplan_Budget_Aug2018.xlsm	

## Part E: Declaration and signature

Please review this declaration and have it executed by an authorized signatory of the applicant. This declaration confirms that: a) the Applicant understands and will abide by the Federation of Canadian Municipalities' ("FCM") requirements, including those related to funding; and b) the information provided in and appended to the application is accurate and complete.

I, Emanuel Machado, Chief Administrative Officer of Town of Gibsons (herein called the "**Applicant**"), hereby declare, without personal liability and in my capacity as Chief Administrative Officer of the Applicant, as follows:



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## Municipal Asset Management Program Application Form

1. That the Applicant will not be able to receive funding from FCM prior to entering into a legally binding agreement with FCM (the "**Agreement**") in respect of the project being applied for (the "**Initiative**") and that the said Agreement will contain pre-conditions to funding, all of which the Applicant must comply with, including without limitation:
  - a. the Applicant having obtained all authorizations required to enter into the Agreement and carry out the Initiative;
  - b. the Applicant having obtained assignments of copyright and waivers of moral rights from any consultants or third-parties who have contributed or will contribute to reports prepared on the Applicant's behalf, such that the Applicant will hold the copyright in all reports related to the Initiative;
  - c. the Applicant providing reports and consenting to FCM sharing the lessons learned and experience gained from the Initiative with other communities across Canada by allowing FCM to publish reports, such as project completion and final reports, on the FCM website;
  - d. the Applicant having incurred costs in connection with the Initiative, which costs must be invoiced to and paid for by the Lead Applicant; and
  - e. the Applicant claiming reimbursement for in-kind costs only, all in accordance with FCM's restrictions regarding such claims.
2. That the Applicant will carry out the Initiative in compliance with all applicable laws and regulations.
3. That the Applicant will confirm to FCM all sources of funding prior to executing the Agreement.
4. That all of the information contained in this application and in the accompanying documents is true, accurate and complete as of the date of submission.
5. That if any of the information contained in this application and in the accompanying documents becomes inaccurate, incomplete or incorrect, the Applicant will provide updated information and/or accompanying documents.
6. That the Applicant acknowledges and agrees that changes in scope to the Initiative after this date of application may not be accepted by FCM.
7. If the Applicant has engaged or intends to engage (a) consultant(s) who will communicate with FCM on behalf of the Applicant, that the Applicant hereby confirms that the consultant(s) are authorized to do so.

Name of authorized agent: Partnership for Water Sustainability in BC (Attn: Kim Stephens)

Organization: Town of Gibsons

By typing my name above and submitting this application, I am providing my signature for the declaration above.



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## Municipal Asset Management Program Application Form

*Note: The information provided in this application, including all attachments, will be kept confidential. Access to this information will be limited to:*

- » *FCM employees and professional representatives who are involved with your Initiative*
- » *persons to whom the applicant has granted access and persons authorized by law*

*The information provided in applications, including attachments, is subject to FCM's Privacy Policy.*

The system will highlight any incomplete questions

**Review**

# Asset Management Planning Program

## 2018 Application Form

Updated April 2018

Please complete and return the application form by Friday, September 28, 2018. All questions are required to be answered by typing directly in this form. If you have any questions, contact lgps@ubcm.ca or (250) 356-2947.

### SECTION 1: Applicant Information

Local Government: Town of Gibsons

Complete Mailing Address: Box 340 - 474  
South Fletcher Road, Gibsons, BC, V0N 1V0

Contact Person: Emanuel Machado

Position: CAO

Phone: 604-886-2274

E-mail: emachado@gibsons.ca

### SECTION 2: PROJECT INFORMATION

#### 1. Project Information

A. Project Title: Ecological Accounting Process (EAP): Valuing the Worth of Ecological Services (Stage 2 Demonstration Applications)-----

NOTE THAT Stage 1 tested the concept and Stage 2 would refine the methodology by further validating the EAP through pilots with four collaborating local governments, namely Town of Gibsons, Capital Regional District, Regional District of Nanaimo and District of North Vancouver

B. Proposed start and end dates. Start: Nov 1 2018 End: Oct 31, 2019

C. Total project budget: \$99,000

D. Is this project also funded through FCM's Municipal Asset Management Program? Refer to Section 6 of the Program & Application Guide for more information.

Yes       No

2. **Current Status of Asset Management Expertise** (based on self-assessment). Please select your current status and provide a description of current level of asset management expertise.

A.  Beginner     Intermediate     Advanced

B. Description of current level of asset management expertise:

**3. Proposed Activities.** Please describe the specific activities you plan to undertake, i.e. baseline assessment, asset management policy, asset management plan, training, etc.

The concept of natural capital and natural assets can be a challenge to integrate effectively into asset management practices. Local governments need "real numbers" to deliver outcomes and support decision making. EAP deals with a basic question: what is a creekshed WORTH, now and in future, to the community and various intervenors?

WORTH is defined as use by the community of a "package of ecological services" made possible by the hydrology. Ecological services are diverse, and provide environmental, social and traditional (core) services to the community via a natural asset – in this case, a creek/riparian area.

NOTE THAT: A grant application has also been submitted to the FCM's Municipal Asset Management Program. The following two activities and associated deliverables are described in and brought forward from the FCM grant application.

**ACTIVITY 1 - DATA COLLECTION & REPORTING:** Apply the EAP process to asset management concerns identified by each of four collaborating local governments (Gibsons, Capital Regional District, Nanaimo Regional District, and North Vancouver District).

**DELIVERABLES:** In each case: 1) Define the package of ecological services; 2) Define the required commons asset area; 3) Calculate the worth of the package of ecological services; and, 4) Calculate the financial value of the land supporting the ecological assets.

**ACTIVITY 2 - KNOWLEDGE TRANSFER:** Prepare a summary report, titled "What We Learned, How to Apply the Findings", describing the results of the analyses for the four demonstration applications.

**DELIVERABLES:** Describe each of the four demonstration applications in a stand-alone chapter that provides a concise synthesis of the process and the outcomes.

**4. Progress to Date.** If you have previously received funding under the Asset Management Planning program, or through the Gas Tax Fund, please provide an update on the outcomes of those funded projects or a summary of progress to date.

**5. Intended Outcomes, Deliverables & Impacts on Local Government.** What will your project achieve? What will be the specific deliverables? List any policies, practices, plans or local government documents that will be developed or amended as a result of your project.

The following description of OUTCOMES is brought forward from the FCM grant application. The description of DELIVERABLES is included under Item #3 above.

**HOW PROJECT WILL IMPROVE ASSET MANAGEMENT CAPACITY:** Ecological systems such as creeksheds are "infrastructure assets" that provide "water balance services" that in turn power "ecological services". In BC, this way of thinking is described as "Sustainable Watershed Systems, through Asset Management". The twin pillars are EAP ("social lens") and the Water Balance Methodology ("technical lens"). These pillars are interconnected. In Stage 2, the spotlight is on the EAP pillar.

EAP provides a methodology to assign a dollar value to the "stream corridor and riparian zone" (natural assets) so that a baseline annual budget for maintenance and management of this "Commons Asset" can be incorporated in asset management strategies and plans. Inclusion requires definition and measurement.

Stage 1 tested how to leverage the BC Assessment database to value the Commons Asset. Stage 2 would refine the "valuation of worth" (value in use) methodology through demonstration applications (4) in Gibsons, Capital Regional District, Nanaimo Regional District, and North Vancouver District.

**MOVING ALONG THE ASSET READINESS SCALE:** Each demonstration would examine a concern that each collaborating local government has identified vis-a-vis a project where asset management needs refinement. The analysis would show how the technical and social dimensions are connected through the concept of the commons and the "package of ecological services" (made available by the subject creekshed or other ecological asset). This would help each collaborator defend or support strategic asset management decisions.

In all four jurisdictions, Stage 2 EAP outcomes would be expected to help advance competency in all five asset management "competencies" as listed in FCM's grant application, with emphasis in these two categories: "Data & Information"; "Planning & Decision-Making". The biggest impact would be in the "Contribution to Asset Management Practice" competency because the Stage 2 EAP outcomes encompass "staff development, sharing knowledge internally and participating in external knowledge sharing".

**WHY THIS WORK IS A PRIORITY:** Hydrology is the engine that powers ecological services. Impaired hydrology function results in a diminished package of ecological services. EAP defines natural assets as the hydrology of a creekshed and the ecological



(water balance) services dependent on that hydrology.

View choices through the "worth lens" if the goal is to motivate communities to implement strategies that restore or protect creekshed function. Taking action depends on what a community thinks a creekshed is worth.

**PREVIOUS APPLIED RESEARCH:** In Stage 1, the EAP approach demonstrated a way to confirm the importance and value of ecological features (services and supporting hydrology) as community assets. Thus, managers, intervenors and the community can consider investment in management and maintenance of these ecological features, as well as the land harbouring them, in their asset management strategies and plans. This is the view of worth, value in use, and commitment of lands for related purposes.

EAP focuses on worth rather than personal and social perceptions of value (inherent, imputed, and assigned) or market value (value in exchange). Worth refers to likely returns for expenditures. The history of stakeholder initiatives is a measure of stakeholder understanding of ecological services and what they may be worth.

**IMMEDIATE "DESIRED OUTCOME":** In Stage 2, the EAP program has the goal of positioning local government practitioners and their collaborators to integrate natural asset values (worth of ecological services) into asset management strategies. The practicality of this approach would be illustrated through analyses of four demonstration applications of current importance to local governments.

Local governments need "real numbers" to deliver outcomes. EAP uses BC Assessment database as a proxy regarding land value to calculate the financial value of the Commons Asset.

**ULTIMATE IMPACT:** Implementation of a whole-system, water balance approach founded on the twin pillars of EAP and the Water Balance Methodology would enable local governments to avoid an unfunded liability, adapt to a changing climate, and reduce life-cycle costs for drainage infrastructure.

**6. Additional Information.** Please share any other information you think may help support your submission.

The EAP program falls under the umbrella of the Georgia Basin Inter-Regional Education Initiative (IREI). Town of Gibsons, CRD, RDN and DNV are actively engaged in the IREI.

The following two topics are brought forward from the FCM application.

## HOW EAP FITS WITH PROVINCIAL APPROACH:

Under the IREI umbrella, which involves five regional district partners representing 75% of BC's population, the implementation program for "Sustainable Watershed Systems, through Asset Management" is aligned with and supports the vision for "Asset Management for Sustainable Service Delivery: A BC Framework".

Asset management has traditionally been about hard engineered assets. Yet, creekshed systems are also "infrastructure assets". Hence, PWSBC is collaborating with Asset Management BC to "make real" the concept of the Asset Management Continuum.

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Hydrologic integrity has emerged as a driver for "maintenance" (prevent degradation) and "management" (enhancement) of nature's water balance services in the same way that engineered assets (and services) are managed.

The continuum defines three steps or thresholds: Step One is embrace the BC Framework; Step 2 is implement Sustainable Service Delivery; and Step Three is apply EAP. It is a journey that takes time. As understanding grows, each local government would progress incrementally along the continuum.

The goal would be to build capacity within a local government to transition to Step 3. The ultimate outcome would be Sustainable Watershed Systems and thus a "water-resilient future".

## THE TEAM:

EAP is an initiative of the Partnership for Water Sustainability in British Columbia (PWSBC), a not-for-profit society that originated (in 2002) as an intergovernmental partnership. The Town of Gibsons is a member of PWSBC. Note that Stage 1 of the EAP program was funded by the governments of Canada and British Columbia under the aegis of the Clean Water & Wastewater Fund.

PWSBC will lead the project. The project activities comprising the Stage 2 workplan will be carried out by a 3-person team led by Tim Pringle (PWSBC Director & EAP Chair). He will be supported by David Huer (researcher) and Kim Stephens (PWSBC Executive Director).

There will be a minimum of one and typically two key contacts per local government, namely: Emanuel Machado, Town of Gibsons; Jody Watson & Natalie Bandringa, Capital Regional District (CRD); Randy Alexander & Julie Pisani, Regional District of Nanaimo (RDN); Richard Boase & Stephen Bridger, District of North Vancouver (DNV). In addition, key collaborators from the stewardship sector will be key resources - for example, Peter Law, President of the Mid-Vancouver Island Habitat Enhancement

Society for the RDN demonstration application.

PWSBC is the hub for a "convening for action" network in the local government setting; and develops approaches, tools and resources. PWSBC delivers the Water Sustainability Action Plan for BC through partnerships and collaboration. The program includes the Georgia Basin Inter-Regional Education Initiative (IREI). CRD, RDN and DNV are actively engaged in the IREI.

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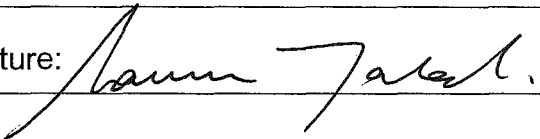
### SECTION 3: Required Attachments

Please submit the following with your application:

- Council/Board Resolution – Indicating local government support for the proposed project and a willingness to provide overall grant management
- Detailed budget
- For eligible projects that are also funded through FCM, the complete MAMP application package and notice of funding approval from FCM is also required to be submitted.

### SECTION 4: Signature

Applications are required to be signed by an authorized representative of the applicant. Please note all application materials will be shared with the Province.

Name: Emanuel Machado	Title: CAO
Signature: 	Date: September 18, 2018

Workplan and Budget - MAMP Funding Offer						Instructions
Lead applicant:	TOWN OF GIBSONS BC					This is the legal name of your organization.
Project title:	ECOLOGICAL ACCOUNTING PROCESS - STAGE 2 DEMONSTRATION APPLICATIONS					This is the title describing your project in 10 words or less.
Activity	Start date	End date	Eligible cost (\$)	Ineligible cost (\$)	Total cost (\$)	
Data Collection and Reporting	01/11/2018	31/10/2019				Notes: Activities should match those in Section C of the Application Form. Project timeline may not exceed 11 months.
Apply the EAP process to asset management concerns identified by each of four collaborating local governments (Gibsons, Capital Regional District, Nanaimo Regional District, and North Van Dist)			\$59,000	\$28,000	\$87,000	Describe the steps that will be taken to complete the activity. Provide details broken down by major tasks needed to achieve the deliverables noted in the Application Form. Identify who will be doing the work.
NOTE THAT: In each case (demonstration application), there is a set of four deliverables:						
1) Define the package of ecological services						
2) Define the required commons asset area						
3) Calculate the worth of the package of ecological services						
4) Calculate the financial value of the land supporting the ecological assets						
Activity 1 Subtotals					\$87,000	
Knowledge Transfer	01/11/2018	31/10/2019				If you have only one activity, leave the remaining cells blank.
Prepare a summary report, titled "What We Learned, How to Apply the Findings". This deliverable would consolidate the results of the analyses for the four demonstration applications.			\$6,000	\$6,000	\$12,000	
NOTE: Describe each of the four demonstration applications in a stand-alone chapter that provides a concise synthesis of the process and the outcomes for each.						
Activity 2 Subtotals					\$12,000	
	01/11/2018	31/10/2019				
					\$0	
					\$0	
					\$0	
					\$0	
[Add task description here]					\$0	
Activity 3 Subtotals					\$0	
			<b>Total costs</b>	<b>\$65,000</b>	<b>\$34,000</b>	<b>\$99,000</b>
			<b>Total eligible costs</b>	<b>\$65,000</b>		
<p>NB: Click on the Calculate Budget button to round off all figures to the nearest \$100.</p> <p style="text-align: right;"><b>Calculate Budget</b></p>						
Contingency costs: Have you included room for contingencies in some or all of your task costs? Please explain.						Contingency is not mandatory.
No contingency is included. Any additional time & effort to complete Stage 2 would simply increase the value of the In-Kind Contribution by PWSBC						
Other Notes:						
A global budget is shown above because the individual allocations by demonstration application are relatively small and range from \$11,000 to \$22,000.						

## About the Partnership for Water Sustainability

*The Partnership for Water Sustainability in BC is a legal entity, incorporated in 2010 as a not-for-profit society, and delivers services on behalf of government. It originated as an inter-governmental partnership, formed in 2002 to fund and develop the Water Balance Model as a web-based decision support tool.*

*When the **Water Sustainability Action Plan for British Columbia (Action Plan)** was released in 2004, the Water Balance Model for BC was the centrepiece initiative. Action Plan experience informed development of **Living Water Smart, British Columbia's Water Plan**, released in 2008, as well as the parallel **Green Communities Initiative**.*

*The Partnership for Water Sustainability embraces shared responsibility, is the hub for a "convening for action" network in the local government setting, and is responsible for delivering the Action Plan program through partnerships and collaboration. This program includes the **Georgia Basin Inter-Regional Education Initiative (IREI)**.*

*The Partnership for Water Sustainability plays a bridging role between Province, local government and community; and is the steward for **Stormwater Planning: A Guidebook for British Columbia**, a provincial guidance document released in 2002.*

## Regional Districts supporting the IREI



C.V.R.D.



Making a difference...together



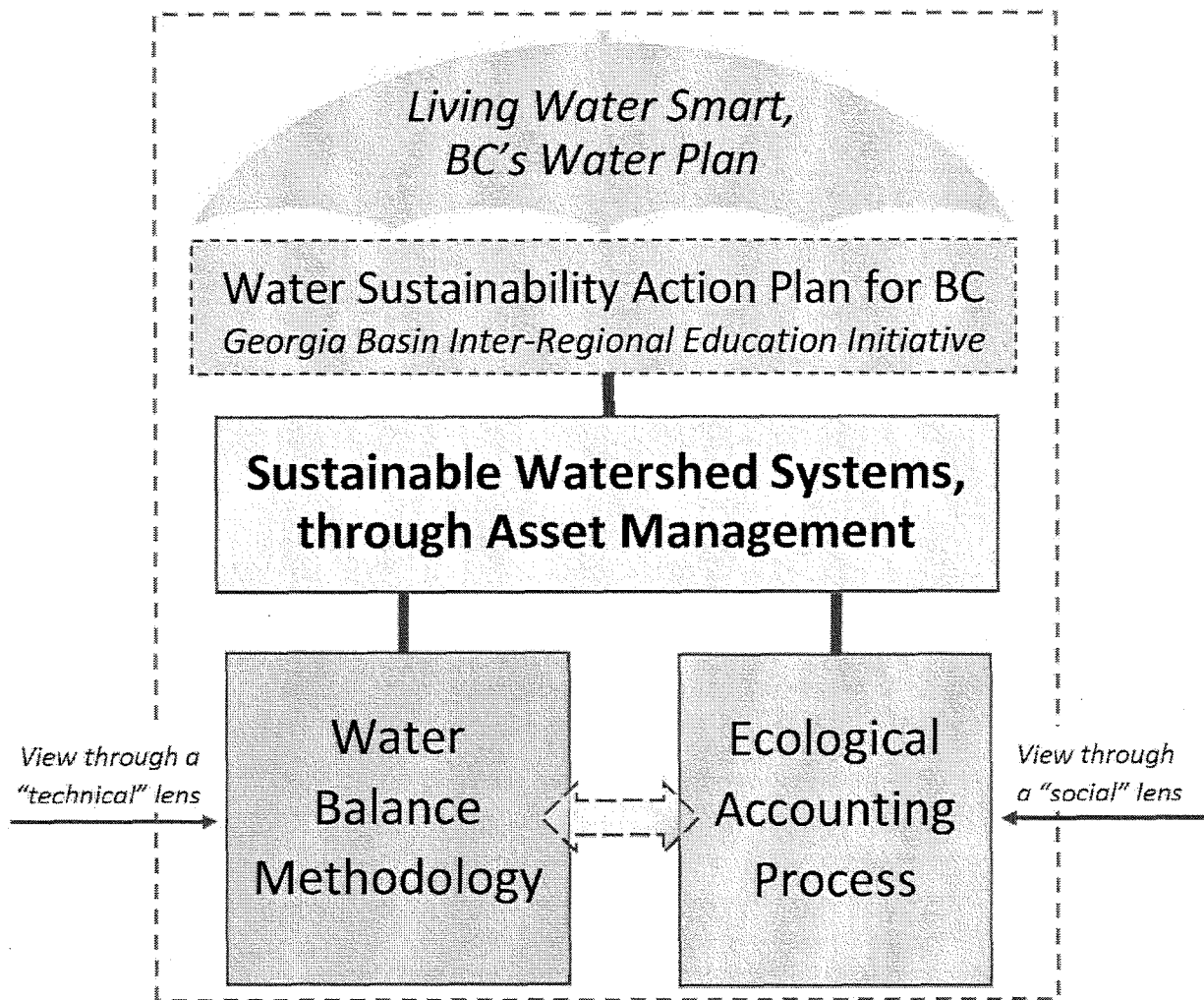
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The five Regional Boards have passed Resolutions endorsing the IREI and supporting the work of the Partnership in facilitating a sharing of experience under the IREI umbrella.

### Educational Goal

Build practitioner capacity within local government to implement a whole-system, water balance approach branded as ***Sustainable Watershed Systems, through Asset Management***.

Inter-governmental collaboration and funding enable the Partnership to develop approaches, tools and resources; as well as provide teaching, training and mentoring.



The Twin Pillars of Sustainable Watershed Systems

*Hydrology is the Engine that Powers Ecological Services*

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**TO:** Board Meeting **MEETING:** September 18, 2018  
**FROM:** Doug Gardiner **FILE:** 7200 01 DFPS  
Fire & Rescue Services Coordinator  
**SUBJECT:** Boundary Expansion – Dashwood Fire Protection Services

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### **RECOMMENDATION**

That the Board adopt “Dashwood Fire Protection Service Amendment Bylaw No. 964.06, 2018”.

### **SUMMARY**

The Regional District of Nanaimo (RDN) received a request from the developer of Timberlake Road properties in the Corcan/Meadowood area of Electoral Area ‘F’, to have fire protection supplied by the Dashwood Fire Department. The Dashwood Fire Chief and the Dashwood Fire Department Society agreed that if a petition was successful, they would be in favour of servicing the expansion area. The RDN received an adequate number of returned petitions to warrant the expansion of the Dashwood Fire Service Area to include seven additional properties on Timberlake Road. If approved, the subject area will be taxed for the additional service provided by the Dashwood Fire Department.

### **BACKGROUND**

The developer of Timberlake Road properties became aware that there is no fire protection, through communication with Dashwood Fire Department. The Developer of the subject area (Attachment 1) then requested that the properties along Timberlake Road be included in the Dashwood Fire Protection Area. In discussion, with the Dashwood Fire Chief and Society, all were in favour of the expansion. Petitions were sent out to the owners of the 7 subject properties with 4 properties (57%) submitting their petitions for the expansion. The net taxable value of all land and improvements in the proposed service area is \$1,329,000 and the net taxable value of the petitions received (land and improvements) is \$711,000 (53.5%). The required threshold to move forward with the boundary expansion and bylaw amendment is 50 + 1% of net taxable value.



## ALTERNATIVES

1. That the Board adopt “Dashwood Fire Protection Service Amendment Bylaw No. 964.06, 2018”.
2. To not adopt “Dashwood Fire Protection Service Amendment Bylaw No. 964.06, 2018” and to provide alternate direction.

## FINANCIAL IMPLICATIONS

There are no significant financial or operational implications.

## STRATEGIC PLAN IMPLICATIONS

The strategic plan implications would be for the Dashwood Fire Department to have their members aware of the additional properties they will be responding to, and to familiarize their department with the properties and adapt any training required for emergency response to the subject area. This is in line with the RDN’s strategic priority to focus on service and organizational excellence by viewing our emergency services as core elements of community safety.



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Doug Gardiner  
[dgardiner@rdn.bc.ca](mailto:dgardiner@rdn.bc.ca)  
September 10, 2018

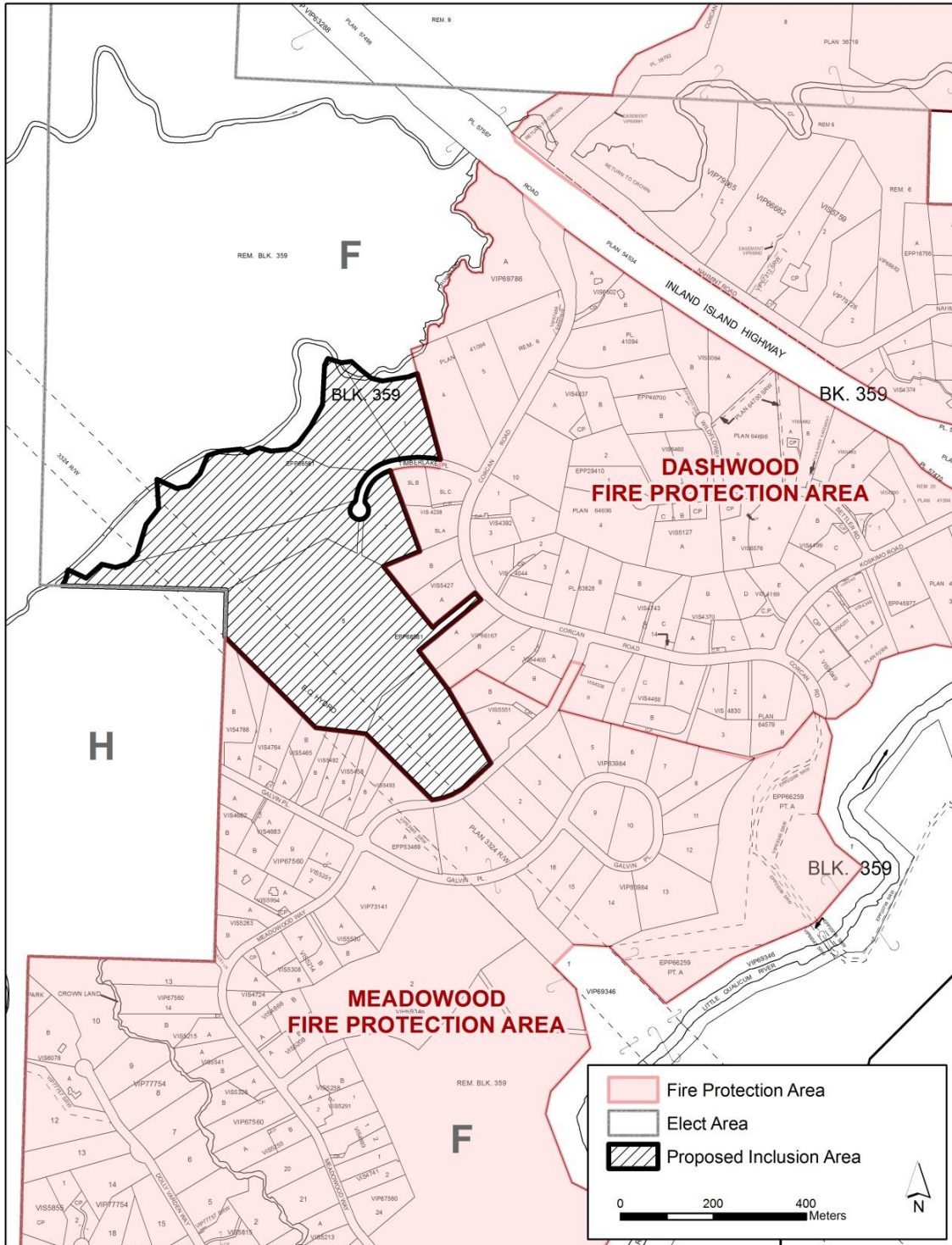
### Reviewed by:

- D. Pearce, Director, Transportation & Emergency Services
- P. Carlyle, Chief Administrative Officer

### Attachments

1. Subject Area Map
2. Dashwood Fire Protection Service Amendment Bylaw No. 964.06, 2018

**Attachment 1 - Subject Area Map**



**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 964.06**

**A BYLAW TO AMEND THE BOUNDARIES  
OF THE DASHWOOD FIRE PROTECTION SERVICE**

WHEREAS the Regional District of Nanaimo established the Dashwood Fire Protection Service pursuant to Bylaw No. 964, cited as "Dashwood Fire Protection Service Conversion and Boundary Amendment Bylaw No. 964, 1996";

AND WHEREAS the Board of the Regional District of Nanaimo has been petitioned by the property owners to extend the boundaries of the service area to include the lands shown outlined in black on Schedule 'A' of this bylaw;

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with section 349 of the *Local Government Act*;

THEREFORE BE IT RESOLVED that the Board of the Regional District of Nanaimo, in open meeting assembled enacts as follows:

1. **Citation**

This bylaw may be cited for all purposes as "Dashwood Fire Protection Service Amendment Bylaw No. 964.06, 2018".

2. **Amendment**

"Dashwood Fire Protection Service Conversion and Boundary Amendment Bylaw No. 964, 1996" is hereby amended as follows:

- (1) By amending the boundaries of the Dashwood Fire Protection Service area to include the properties outlined in black on Schedule 'A' attached to and forming part of this bylaw.

Introduced and read three times this 24th day of July, 2018.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2018.

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CHAIR

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CORPORATE OFFICER

Chair

Corporate Officer

