

REGIONAL DISTRICT OF NANAIMO  
ELECTORAL AREA SERVICES COMMITTEE  
AGENDA

Tuesday, January 8, 2019

1:30 P.M.

Board Chambers

*This meeting will be recorded*

Pages

1. CALL TO ORDER
2. APPROVAL OF THE AGENDA
3. ADOPTION OF MINUTES
  - 3.1 Electoral Area Services Committee Meeting - November 20, 2018 5

That the minutes of the Electoral Area Services Committee meeting held November 20, 2018, be adopted.
4. CORRESPONDENCE
5. PLANNING
  - 5.1 Development Permit with Variance
    - 5.1.1 Development Permit with Variance Application No. PL2018-175 - 2110 and 2118 Schoolhouse Road, Electoral Area A 10

**Delegations Wishing to Speak to Development Permit with Variance Application No. PL2018-175 - 2110 and 2118 Schoolhouse Road, Electoral Area A**

      1. That the Board approve Development Permit with Variance No. PL2018-175 to permit the construction of an industrial building and related site improvements subject to the terms and conditions outlined in Attachments 2 to 7.
      2. That the Board direct staff to complete the required notification for Development Permit with Variance No. PL2018-175.

**5.1.2 Development Permit with Variance Application No. PL2018-196 - 4647 Maple Guard Drive, Electoral Area H 29**

**Delegations Wishing to Speak to Development Permit with Variance Application No. PL2018-196 - 4647 Maple Guard Drive, Electoral Area H**

1. That the Board approve Development Permit with Variance No. PL2018-196 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.
2. That the Board direct staff to complete the required notification for Development Permit with Variance No. PL2018-196.

**5.1.3 Development Permit with Variance Application No. PL2018-149 - 6820 Island Highway West, Electoral Area H 39**

**Delegations Wishing to Speak to Development Permit with Variance Application No. PL2018-149 - 6820 Island Highway West, Electoral Area H**

1. That the Board approve Development Permit with Variance No. PL2018-149 to permit a parcel depth variance for proposed Lots A and B in conjunction with a two lot subdivision subject to the terms and conditions outlined in Attachments 2 to 5.
2. That the Board direct staff to complete the required notification for Development Permit with Variance No. PL2018-149.

**5.2 Subdivision Application**

**5.2.1 Zoning Amendment Application No. PL2018-092 - 2995 Ridgeway Road, Electoral Area C - Amendment Bylaw 500.423, 2019 – Introduction** 50

1. That the Board receive the Summary of the Public Information Meeting held on November 6, 2018.
2. That the conditions set out in Attachment 2 of the staff report be completed prior to Amendment Bylaw No. 500.423 being considered for adoption.
3. That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019”, be introduced and read two times.
4. That the Public Hearing on “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019”, be waived in accordance with Section 464(2) of the *Local Government Act*.
5. That staff be directed to proceed with notification in accordance with Section 467 of *The Local Government Act* of the Board’s intent to consider third reading of “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019” at a regular Board meeting to be held on March 26, 2019

**5.3 Other**

**5.3.1 Nanaimo Airport Planning Consultation Plan** 64

That the Terms of Reference including the Consultation Plan for the “Nanaimo Airport Planning Bylaw Updates” be endorsed.

**6. EMERGENCY PREPAREDNESS**

**6.1 FireSmart Community Funding Grant** 78

That the grant application by the Regional District of Nanaimo for \$47,390 to the Union of British Columbia Municipalities Community Resiliency Investment Program for the completion of FireSmart education, cross training and FireSmart for private land activities be endorsed.

**7. FIRE PROTECTION**

**7.1 Fire Department Operational Guidelines Update** 80

That the Fire Department Operational Guidelines Update be received for information

**8. BUSINESS ARISING FROM DELEGATIONS**

9. NEW BUSINESS
10. ADJOURNMENT

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

**Tuesday, November 20, 2018**  
**1:30 P.M.**  
**RDN Board Chambers**

|                |                     |                  |
|----------------|---------------------|------------------|
| In Attendance: | Director B. Rogers  | Chair            |
|                | Director K. Wilson  | Electoral Area A |
|                | Director V. Craig   | Electoral Area B |
|                | Director M. Young   | Electoral Area C |
|                | Director L. Salter  | Electoral Area F |
|                | Director C. Gourlay | Electoral Area G |
|                | Director S. Mclean  | 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 |
|                     | C. Morrison  | Mgr. Emergency Services                         |
|                     | P. Thompson  | Mgr. Current Planning                           |
|                     | T. Mayea     | Legislative Coordinator                         |
|                     | 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 removed item 8.3.1 from the agenda.

CARRIED UNANIMOUSLY

### **ADOPTION OF MINUTES**

#### **Electoral Area Services Committee Meeting - October 2, 2018**

It was moved and seconded that the minutes of the Electoral Area Services Committee meeting held October 2, 2018, be adopted.

CARRIED UNANIMOUSLY

## **COMMITTEE MINUTES**

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

Nanoose Bay Parks and Open Space Advisory Committee - October 3, 2018

Electoral Area F Parks and Open Space Advisory Committee - September 26, 2018

East Wellington / Pleasant Valley Parks and Open Space Advisory Committee - September 24, 2018

Electoral Area A Parks, Recreation and Culture Commission - September 19, 2018

Electoral Area G Parks and Open Space Advisory Committee - September 19, 2018

Electoral Area B Parks and Open Space Advisory Committee - September 17, 2018

CARRIED UNANIMOUSLY

## **COMMITTEE RECOMMENDATIONS**

### **Nanoose Bay Parks and Open Space Advisory Committee**

#### **Stone Lake Drive Community Park – Natural Play Space Update**

It was moved and seconded that the creation of concept plans for the Stone Lake Drive Community Park Natural Play Space project proceed with the assistance of the Focus Group.

CARRIED UNANIMOUSLY

### **Electoral Area G Parks and Open Space Advisory Committee**

#### **Len Gibson, Oceanside Senior Cycling Groups, Re Cycling - Columbia Beach Access**

It was moved and seconded that the following recommendation from the Electoral Area G Parks and Open Space Advisory Committee be deferred to the December 11, 2018 meeting with the Ministry of Transportation and Infrastructure:

That staff review the Dalmation Drive – Sumar Lane cycling connection with the Ministry of Transportation and Infrastructure and report back with costs for surfacing options.

CARRIED UNANIMOUSLY

### **Electoral Area B Parks and Open Space Advisory Committee**

#### **Joyce Lockwood Community Park Beach Access – Area B**

It was moved and seconded that the beach access stairs at Joyce Lockwood Community Park be removed, and a land use agreement for the existing beach access trail on the adjacent Federal Crown Lands be pursued.

CARRIED UNANIMOUSLY

## **PLANNING**

### **Development Permit with Variance and Site Specific Exemption**

#### **Development Permit with Variance Application and Site Specific Floodplain Bylaw Exemption No. PL2017-143 - 5516 Deep Bay Drive – Electoral Area H**

It was moved and seconded that the Board approve Development Permit with Variance No. PL2017-143 to permit the construction of a dwelling unit, accessory building, and associated landscaping subject to the terms and conditions outlined in Attachments 2 to 5.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board exempt Lot 59, District Lot 1, Newcastle District, Plan 20442 from Section 13(c) of Bylaw 1469 to allow the placement of structural fill within 15 metres from the boundary of the sea.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board direct staff to complete the required notification for Development Permit with Variance No. PL2017-143.

CARRIED UNANIMOUSLY

### **Development Permit with Variance**

#### **Development Permit with Variance Application No. PL2018-174 - 2130 and 2140 Schoolhouse Road – Electoral Area A**

It was moved and seconded that the Board approve Development Permit with Variance No. PL2018-174 to amend Development Permit with Variance No. PL2017-150 as it pertains to fascia signs subject to the terms and conditions outlined in Attachments 2 to 4.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board direct staff to complete the required notification for Development Permit with Variance No. PL2018-174.

CARRIED UNANIMOUSLY

### **Development Variance Permit**

#### **Development Variance Permit Application No. PL2017-173 - 1352 Madrona Drive – Electoral Area E**

Helen Sims, agent for applicant, spoke in support of the application

It was moved and seconded that the Board approve Development Variance Permit No. PL2017-173 to legalize the siting of an existing deck, portion of the house, stairs and to permit the construction of an addition by reducing the setback to the sea and interior side lot line subject to the terms and conditions outlined in Attachments 2 to 3.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board direct staff to complete the required notification for Development Variance Permit No. PL2017-173.

CARRIED UNANIMOUSLY

**Development Variance Permit Application No. PL2018-125 - 2612 Sea Blush Drive – Electoral Area E**

It was moved and seconded that the Board approve Development Variance Permit No. PL2018-125 to increase height for an accessory building subject to the terms and conditions outlined in Attachments 2 to 4.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board direct staff to complete the required notification for Development Variance Permit No. PL2018-125.

CARRIED UNANIMOUSLY

**Request for Frontage Relaxation in Relation to a Subdivision**

**Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in relation to Subdivision Application No. PL2018-070 - 2110 Newcastle Lane and 2050 Minetown Road – Electoral Area A**

It was moved and seconded that the Board approve the request to relax the minimum ten percent perimeter frontage requirements for proposed Lot 2 in relation to Subdivision Application No. PL2018-070.

CARRIED UNANIMOUSLY

**EMERGENCY PREPAREDNESS**

**Evacuation Route Planning Grant – Community Emergency Preparedness Fund**

It was moved and seconded that the grant application by the Regional District of Nanaimo for \$25,000 to the Union of British Columbia Municipalities Community Emergency Preparedness Fund for the completion of Evacuation Route Planning for Electoral Area E be endorsed.

CARRIED UNANIMOUSLY

It was moved and seconded that the grant application by the Regional District of Nanaimo on behalf of the District of Lantzville for \$25,000 to the Union of British Columbia Municipalities Community Emergency Preparedness Fund for the completion Evacuation Route Planning for the District of Lantzville be endorsed.

CARRIED UNANIMOUSLY



**Livestock Emergency Sheltering Agreement Renewals**

It was moved and seconded that the Livestock Emergency Sheltering Agreement Renewal between the Regional District of Nanaimo and Culverden Holdings Ltd. for a five year term commencing January 1, 2019 and ending December 31, 2023 be approved.

CARRIED UNANIMOUSLY

It was moved and seconded that the Livestock Emergency Sheltering Agreement Renewal between the Regional District of Nanaimo and the Arrowsmith Agricultural Association for a five year term commencing January 1, 2019 and ending December 31, 2023 be approved.

CARRIED UNANIMOUSLY

It was moved and seconded that the Livestock Emergency Sheltering Agreement Renewal between the Regional District of Nanaimo and the Coombs Hillers Community Organization for a five year term commencing January 1, 2019 and ending December 31, 2023 be approved.

CARRIED UNANIMOUSLY

**Red Cross Community Partnerships BC Fires 2018 – Community Gathering Grant Update**

It was moved and seconded that the Red Cross Community Partnerships BC Fires 2018 – Community Gathering Grant report be received for information.

CARRIED UNANIMOUSLY

**ADJOURNMENT**

It was moved and seconded that the meeting be adjourned.

CARRIED UNANIMOUSLY

TIME: 2:02 PM

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CHAIR

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**TO:** Electoral Area Services Committee                      **DATE:** January 8, 2019  
**FROM:** Greg Keller  
              Senior Planner    **FILE:** PL2018-175

**SUBJECT: Development Permit with Variance Application No. PL2018-175  
2110 and 2118 Schoolhouse Road – Electoral Area A  
Lot 1, Section 11, Range 7, Cranberry District, Plan 21264**

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## **RECOMMENDATIONS**

1. That the Board approve Development Permit with Variance No. PL2018-175 to permit the construction of an industrial building and related site improvements subject to the terms and conditions outlined in Attachments 2 to 7.
2. That the Board direct staff to complete the required notification for Development Permit with Variance No. PL2018-175.

## **SUMMARY**

To consider an application for a development permit with variance to permit the construction of an industrial building, the installation of signage, and associated improvements on the subject property. Given that the development permit (DP) guidelines have been met and no negative impacts are anticipated as a result of the proposed variances, it is recommended that the Board approve the development permit with variance pending the outcome of public notification and subject to the terms and conditions outlined in Attachments 2 to 7.

## **BACKGROUND**

The Regional District of Nanaimo (RDN) has received an application from Dave McNaught on behalf of Kana Properties Ltd. to permit the construction of an industrial building, the installation of signage, and associated improvements. The subject property is approximately 0.93 hectares in area and is zoned Industrial 1 Zone, Subdivision District 'J', pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The subject property is located to the east of Schoolhouse Road (see Attachment 1 – Subject Property Map) and is bordered by a parcel zoned Industrial 5 to the north and Industrial 1 to the east and south. The property is currently vacant, and is serviced with private onsite water and wastewater disposal.

DP PL2017-147 was previously issued to permit minor land alteration and the installation of a drainage inlet in conjunction with development activities on the adjacent lot to the south.

The subject property gently slopes down from Schoolhouse Road and contains a slight depression which is aligned with a drainage culvert on the south side of the subject property. There is no evidence of any watercourses located on the subject property or the property to the north.

The proposed development is subject to South Wellington Industrial Commercial Development Permit Area (SWDPA) per “Regional District of Nanaimo Electoral Area ‘A Official Community Plan Bylaw No. 1620, 2011”.

### ***Proposed Development and Variances***

The proposed development includes the construction of an industrial building with a floor area of approximately 1,107 square metres intended to be used for heavy equipment display and accessory repair. The proposed development also includes the placement of fill and associated site improvements. The proposed site plans, building elevations, signage plans, and landscaping plans are included on Attachments 3 to 7. The proposed development is consistent with the SWDPA guidelines with regard to groundwater protection, general design, parking and loading, landscaping and screening, site illumination and signage, and pedestrian and cyclist considerations.

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

- **Section 3.4.31 – Maximum Number and Size of Buildings and Structures** to increase the maximum building height from 8.0 m to 13.0 m for a proposed industrial building as shown on Attachment 3.
- **Schedule 3F – Landscaping Regulations** to vary the applicable bylaw buffer and screening requirements to allow landscaping that is consistent with the DPA guidelines as shown on Attachment 7.

The applicant is also proposing to construct one non-illuminated fascia sign and one non-illuminated freestanding sign on the subject property. In order to accommodate the proposed signage, the applicant is requesting variances to the following regulations from the “Regional District of Nanaimo Sign Bylaw 993, 1995” as shown on Attachment 3:

1. **Section 5(c)** – to increase the maximum width of a sign from 4.0 m to 6.8 m for the proposed fascia sign.
2. **Section 5(c)** – to increase the maximum surface area of a sign from 11.0 m<sup>2</sup> to 13.0 m<sup>2</sup> for the proposed fascia sign.
3. **Section 5(c)** – to increase the maximum height of a sign from 4.0 m to 4.9 m for the proposed freestanding sign.

A variance is being requested to increase the maximum building height from 8.0 metres to 13.0 metres for the proposed industrial building. The requested height variance includes an additional 0.2 metre of building height to accommodate for unforeseen design inconsistencies and measurement error. The proposed variance is due to the placement of fill on the property as height is measured from natural grade. Fill is being proposed to create a level building site and yard area that is required to support the proposed industrial use. If the proposed building were

constructed on a level lot, it would be approximately 9.8 metres in height. The use of the proposed building requires overhead equipment (bridge crane) and adequate overhead clearances to accommodate large equipment and to perform repairs.

The applicant has minimized the requested height variance by incorporating a low-pitched roof design which results in a building that is consistent with the context of surrounding buildings. The applicant is also proposing the use of full cutoff LED lighting on the proposed building to minimize light pollution (see Attachment 4 – Building Elevations).

A variance to Schedule 3F is proposed to vary the landscaping requirements as necessary to allow the proposed landscaping. As Schoolhouse Road is a designated highway in Schedule '3F', a combination of a 5.0 metre buffer and a 2.0 metre screen are required. To satisfy the DPA guidelines, the applicant has submitted a landscaping plan prepared by Insignia Landscapes dated October 12, 2018 (see Attachment 7 – Landscaping Plan). In support of the proposed landscaping plan, the applicant has submitted a landscaping security deposit in the amount of \$32,550.

The variances to sign height, surface area and width are supported by the scale of the proposed sign in relation to the building it will be located on. The proposed variances would result in signage that is generally considered to be appropriate given the industrial nature of the proposed development and the context of the surrounding uses. The size, location and design of the proposed signs is architecturally integrated with the overall design of the building and the proposed signage is not illuminated (see Attachment 5 – Proposed Signage).

Board Policy B1.5 "Development Variance Permit, Development Permit with Variance and Floodplain Application Evaluation" for the evaluation of variance applications requires that there is an adequate demonstration of an acceptable land use justification prior to the Board's consideration of a variance proposal. The proposed development is consistent with the South Wellington DPA guidelines. Given that the applicant has provided sufficient rationale and the variance will not result in negative implications for adjacent properties, the applicant has made reasonable efforts to address Board Policy B1.5.

### ***Environmental Implications***

To address the DPA guidelines related to protection of the natural environment, the applicant has submitted a Storm Water Management Report prepared by Newcastle Engineering Ltd. dated October 18, 2018. The report recommends and provides a design for the installation of a storm water drainage system designed to ensure that storm water leaving the site after development does not exceed predevelopment levels and is free of contaminants. The report recommends the installation of an oil water separator and a bi-yearly maintenance interval. It is recommended that the applicant be required to register the report on title as a Section 219 Covenant to require the subject property be developed in accordance with the report and include the recommended maintenance interval (see Attachment 2 – Conditions of Permit).

An Erosion and Sediment Control Plan has been prepared by Newcastle Engineering Ltd. in partnership with Lewkowich Engineering Associates Ltd. dated November 29, 2018. The Plan proposes a number of measures to ensure that sediments do not leave the site during construction. Development of the subject property in accordance with the Sediment and Erosion Control plan is recommended as a condition of approval of this development permit (see Attachment 2 – Conditions of Permit).

Given that the proposed development has been assessed by an engineer, and protective measures are being proposed, no negative environmental impacts are anticipated.

### ***Intergovernmental Implications***

The application was referred to the RDN Fire Services Coordinator and the South Wellington Volunteer Fire Department. Concerns were raised by the Fire Chief regarding the ability of the Fire Department to shuttle the minimum required water volumes for commercial firefighting purposes.

RDN Fire Services indicates that shuttling water from the Cranberry Volunteer Fire Department to the subject property for the purpose of residential firefighting is feasible. However, shuttling water for commercial firefighting purposes requires the installation of additional onsite storage with a minimum of 24,000 imperial gallons to sustain the Fire Underwriters commercial requirement of 400 imperial gallons for a duration of two hours for firefighting purposes.

Providing a minimum water storage capacity of 24,000 imperial gallons on the subject property would also address fire flows for the adjacent properties. As a result, this would satisfy the fire protection condition that was included within DP PL2017-150, which required a fire flow calculation and potential onsite water storage prior to final inspection. It should be noted that the industrial building approved by DP PL2017-150 is currently under construction and as of the date of this report, the condition related to fire protection has not been satisfied. Therefore, it is recommended that the applicant be required to install a water storage tank with a minimum capacity of 24,000 imperial gallons with a fire department connection to the satisfaction of the RDN and Fire Chief prior to final inspection (see Attachment 2 – Terms and Conditions of Approval).

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

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

### **ALTERNATIVES**

1. To approve Development Permit with Variance No. PL2018-175 subject to the terms and conditions outlined in Attachments 2 to 7.
2. To deny Development Permit with Variance No. PL2018-175.

### **FINANCIAL IMPLICATIONS**

The proposed development has no implications related to the Board 2018 – 2022 Financial Plan.

## STRATEGIC PLAN IMPLICATIONS

The Plan's "Focus on the Environment" states that the Board will focus on protecting and enhancing the environment in all decisions. The DPA guideline requirement for a rain water management plan helps ensure that site-specific environmentally sensitive features are identified and that the impacts of development on the environment are identified and mitigated.



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Greg Keller  
gkeller@rdn.bc.ca  
December 19, 2018

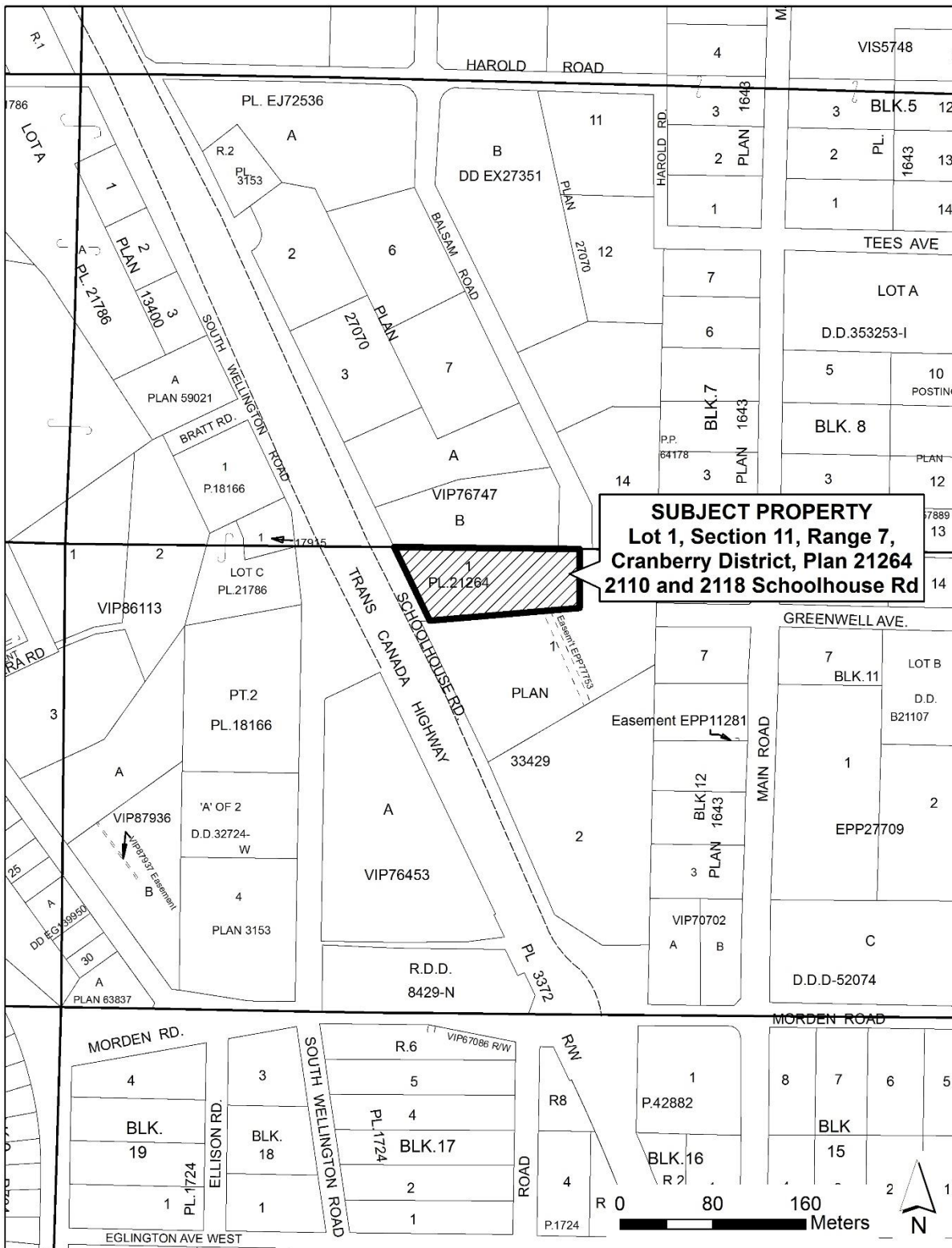
Reviewed by:

- P. Thompson, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. Terms and Conditions of Permit
3. Proposed Site Plan and Variances
4. Building Elevations
5. Proposed Signage
6. Sediment and Erosion Control Plan
7. Landscaping Plan

### Attachment 1 Subject Property Map



**SUBJECT PROPERTY**  
Lot 1, Section 11, Range 7,  
Cranberry District, Plan 21264  
2110 and 2118 Schoolhouse Rd

## **Attachment 2 Terms and Conditions of Permit**

The following sets out the terms and conditions of Development Permit with Variance No. PL2018-175:

### Bylaw No. 500, 1987 Variances

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

1. **Section 3.4.31 – Maximum Number and Size of Buildings and Structures** to increase the maximum building height from 8.0 m to 13.0 m for a proposed industrial building as shown on Attachment 3.
2. **Schedule 3F – Landscaping Regulations** to vary the applicable bylaw buffer and screening requirements to allow landscaping that is consistent with the development permit area guidelines as shown on Attachment 7.

### Bylaw No. 993, 1995 Variance:

With respect to the lands, “Regional District of Nanaimo Sign Bylaw No. 993, 1995” is varied as follows:

1. **Section 5(c)** – to increase the maximum width of a sign from 4.0 m to 6.8 m for the proposed fascia sign.
2. **Section 5(c)** – to increase the maximum surface area of a sign from 11.0 m<sup>2</sup> to 13.0 m<sup>2</sup> for the proposed fascia sign.
3. **Section 5(c)** – to increase the maximum height of a sign from 4.0 m to 4.9 m for the proposed freestanding sign.

### Condition Prior to Issuance:

The issuance of this permit shall be withheld until the applicant, at the applicant’s expense, registers a Section 219 Covenant on the property title containing the Storm Water Management Report prepared by Newcastle Engineering Ltd. dated October 18, 2018, and includes a maintenance schedule.

### Conditions of Approval

1. The site is developed in accordance with the Site Plan prepared by Herold Engineering, dated December 18, 2018 and attached as Attachment 3.
2. The site is developed in accordance with the Erosion and Sediment Control Plan prepared by Newcastle Engineering Ltd. in partnership with Lewkowich Engineering Associates Ltd. dated November 29, 2018 and attached as Attachment 6.



3. The proposed development is in general compliance with the Storm Water Management Report prepared by Newcastle Engineering Ltd. dated October 18, 2018
4. The proposed development is in general compliance with the plans and elevations prepared by Herold Engineering dated December 18, 2018 and attached as Attachment 4.
5. The proposed development is in general compliance with the signage plans and elevations prepared by Zip Signs, dated December 6, 2018 and attached as Attachment 5.
6. The proposed landscaping shall be provided and maintained in accordance with the Landscaping Plan prepared by Insignia Landscapes, dated October 12, 2018 and attached as Attachment 7.
7. The applicant shall provide a landscaping security in the amount of \$32,550.00.
8. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

Conditions Prior to Final Inspection

The applicant shall be required to install a water storage tank with a minimum capacity of 24,000 imperial gallons fitted with a fire department connection to the satisfaction of the RDN and Fire Chief prior to final inspection.

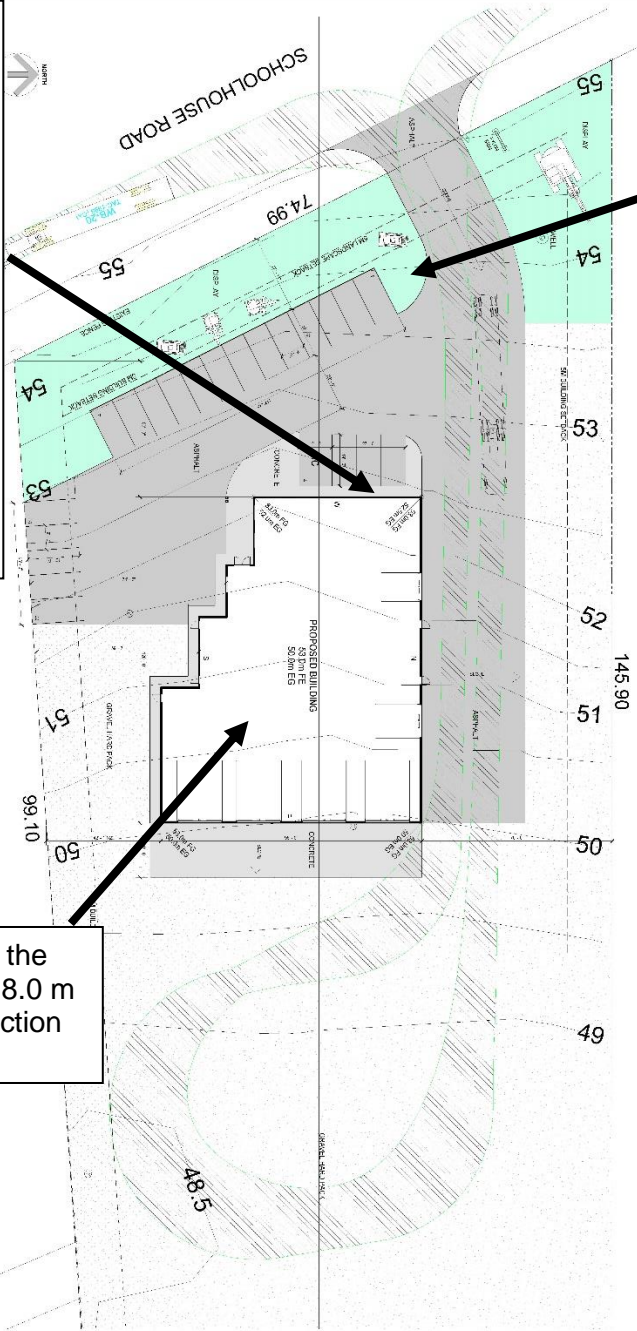
**Attachment 3 (Page 1 of 2)  
 Proposed Site Plan and Variances**

Proposed variance to:

- increase the maximum width of a sign from 4.0 m to 6.8 m.
- increase the maximum surface area of a sign from 11.0 m<sup>2</sup> to 13.0 m<sup>2</sup>.

for a proposed non-illuminated fascia sign (Refer to Sign 1 as shown on Attachment 5).

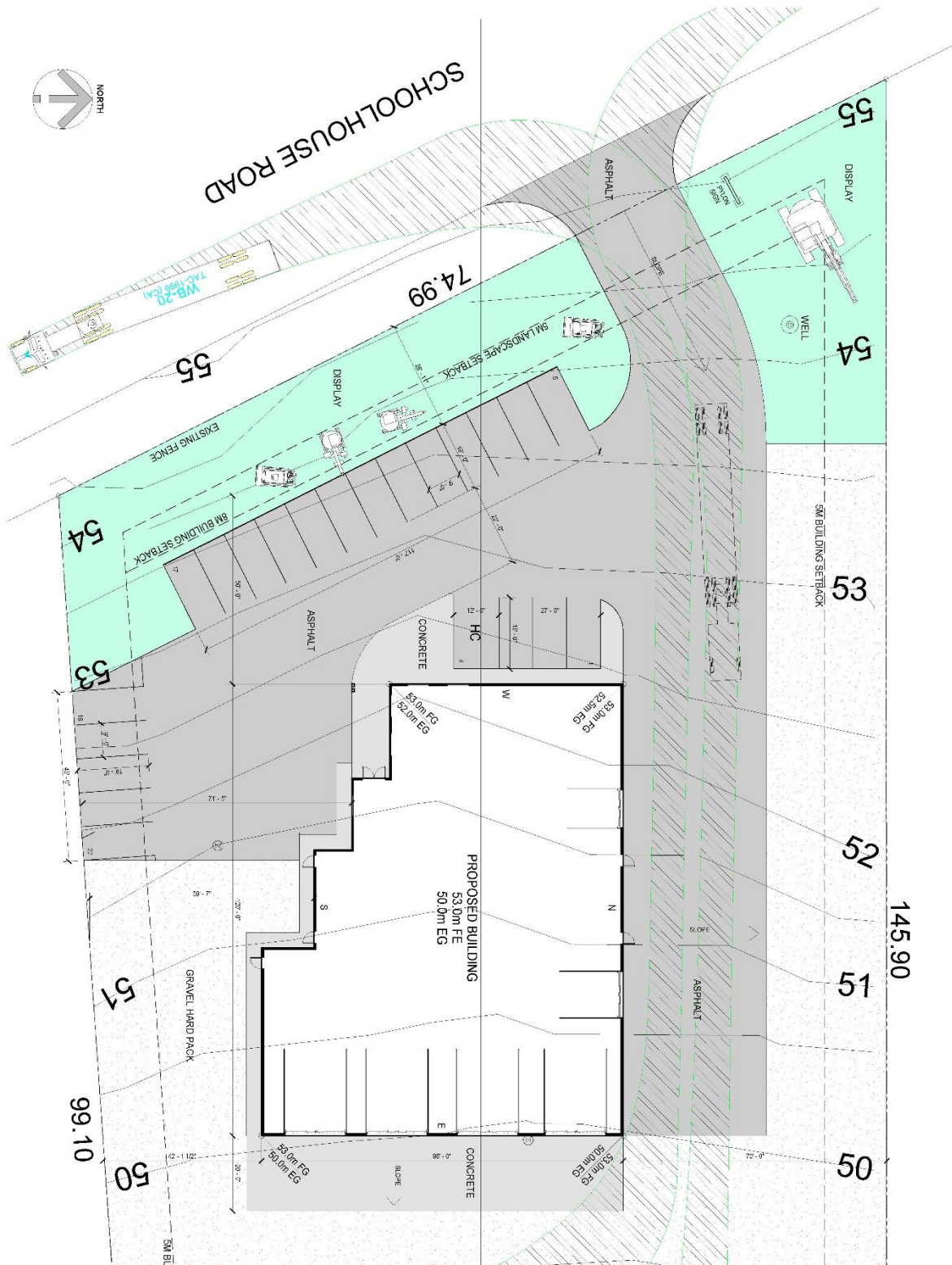
Proposed variance to increase the maximum height of a sign from 4.0 m to 4.9 m for a proposed non-illuminated freestanding sign (Refer to Sign 2 as shown on Attachment 5).



Proposed variance to increase the maximum building height from 8.0 m to 13.0 m to permit the construction of an industrial building.

|  |  |  |                        |
|--|--|--|------------------------|
| <b>HEROLD ENGINEERING</b><br>11700 15th Avenue, Suite 100<br>Surrey, BC V4N 1V5<br>Tel: 604-273-8888<br>Fax: 604-273-8889<br>Email: info@heroldeng.com |  | NEW REPAIR GARAGE - 2110 SCHOOLHOUSE ROAD<br>2110 SCHOOLHOUSE ROAD NANAIMO BC<br>SURBANK DEVELOPMENTS LTD. | SHEET NO. A101<br>OF 2 |
| TITLE: SITE PLAN<br>DATE: 2018-12-10<br>DRAWN BY: [Name]<br>CHECKED BY: [Name]   | PROJECT NO. [Number]<br>CLIENT: [Name] | SCALE: 1:500<br>NORTH: [Arrow]   | COMMENTS: [Text]       |

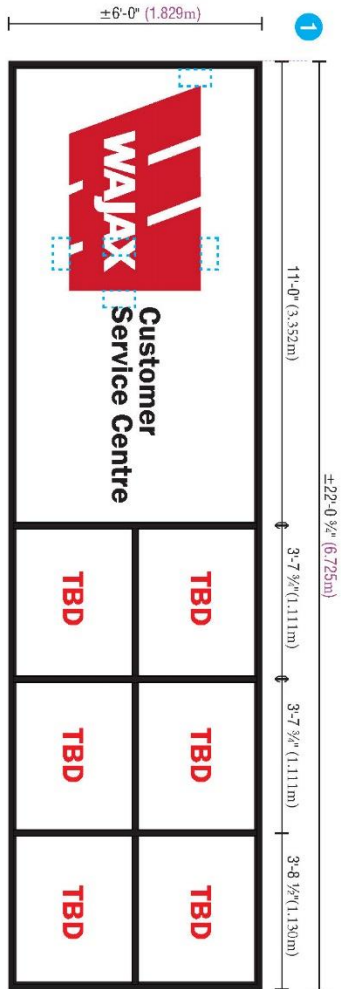
**Attachment 3 (Page 2 of 2)**  
**Proposed Site Plan and Variances – Enlarged for Convenience**




**Attachment 4  
 Building Elevations**



**Attachment 5 (Page 1 of 2)  
 Proposed Signage**



|                                       |  |                                |  |                       |  |                             |  |  |  |
|---------------------------------------|--|--------------------------------|--|-----------------------|--|-----------------------------|--|--|--|
| www.zipsigns.com                      |  | Client: Wajax                  |  | Dwg No. S0028419      |  | Date: Nov 27, 2018          |  | <input checked="" type="checkbox"/> CONCEPTUAL<br><small>DESIGNED BY: S0028419</small> |  |
| 5040 North Service Rd, Burlington, ON |  | Address: 2110 School House Rd. |  | Designer: YS          |  | Rev.3: December 06, 2018 DH |  | <input type="checkbox"/> SHOP READY<br><small>DESIGNED BY: S0028419</small>            |  |
| Ph. 905-332-8332 Fax 905-332-9994     |  | Nanaimo BC                     |  | Sales: Yvonne Overton |  | Rev.2: December 05, 2018 DH |  | Scale: 3/8" = 1'-0"<br>Page: 1 of 4  |  |

|   |   |
|---|---|
| <p><b>Sign 1</b><br/>                 Supply &amp; install (1) new s/s non-illuminated display</p> <p><b>Graphics / Substrate</b><br/>                 Digitally printed logos<br/>                 Red 3630-33 and Black 3630-22 vinyl graphics, applied to inst surface of White Lexan face</p> <p><b>Construction</b><br/>                 EK-14 aluminum filler<br/>                 EK-13 aluminum frame<br/>                 1" x 2" aluminum internal angle bracing<br/>                 2" Signcomp 2138 aluminum H-beam<br/>                 24ga metal back<br/>                 Paint<br/>                 All exposed metal painted black</p> <p><b>Note</b><br/>                 Provide weeping holes</p> <p><b>Site survey required to confirm wall details for mounting</b><br/>                 Client to confirm vendor logos</p> | <p> <input checked="" type="checkbox"/> Red 3630-33 Vinyl<br/> <input checked="" type="checkbox"/> Black Paint<br/> <input checked="" type="checkbox"/> Black 3630-22 Vinyl<br/> <input checked="" type="checkbox"/> Digital Print                 </p> <p style="text-align: right;"> <br/> <small>The Leading in the Industry in 27 Provinces</small> </p> |
|---|---|

**Attachment 5 (Page 2 of 2)  
 Proposed Signage**

S:\01\enr\enr\W\Wajax\Wajax 2018 Refrains\02028419 - BC108\Design

|   |                                      |
|---|--------------------------------------|
| <b>www.zipsigns.com</b>                       | <b>Client</b> Wajax                  |
| <b>5040 North Service Rd., Burlington, ON</b> | <b>Address</b> 2110 School House Rd. |
| <b>PH. 905-332-8332 Fax 905-332-9994</b>      | <b>Location</b> Nanaimo BC           |

|                             |                                    |
|-----------------------------|------------------------------------|
| <b>Dwg No.</b> S0028419     | <b>Date</b> Nov 27, 2018           |
| <b>Designer</b> YS          | <b>Rev. 3</b> December 06, 2018 DH |
| <b>Sales</b> Yvonne Overton | <b>Rev. 2</b> December 05, 2018 DH |

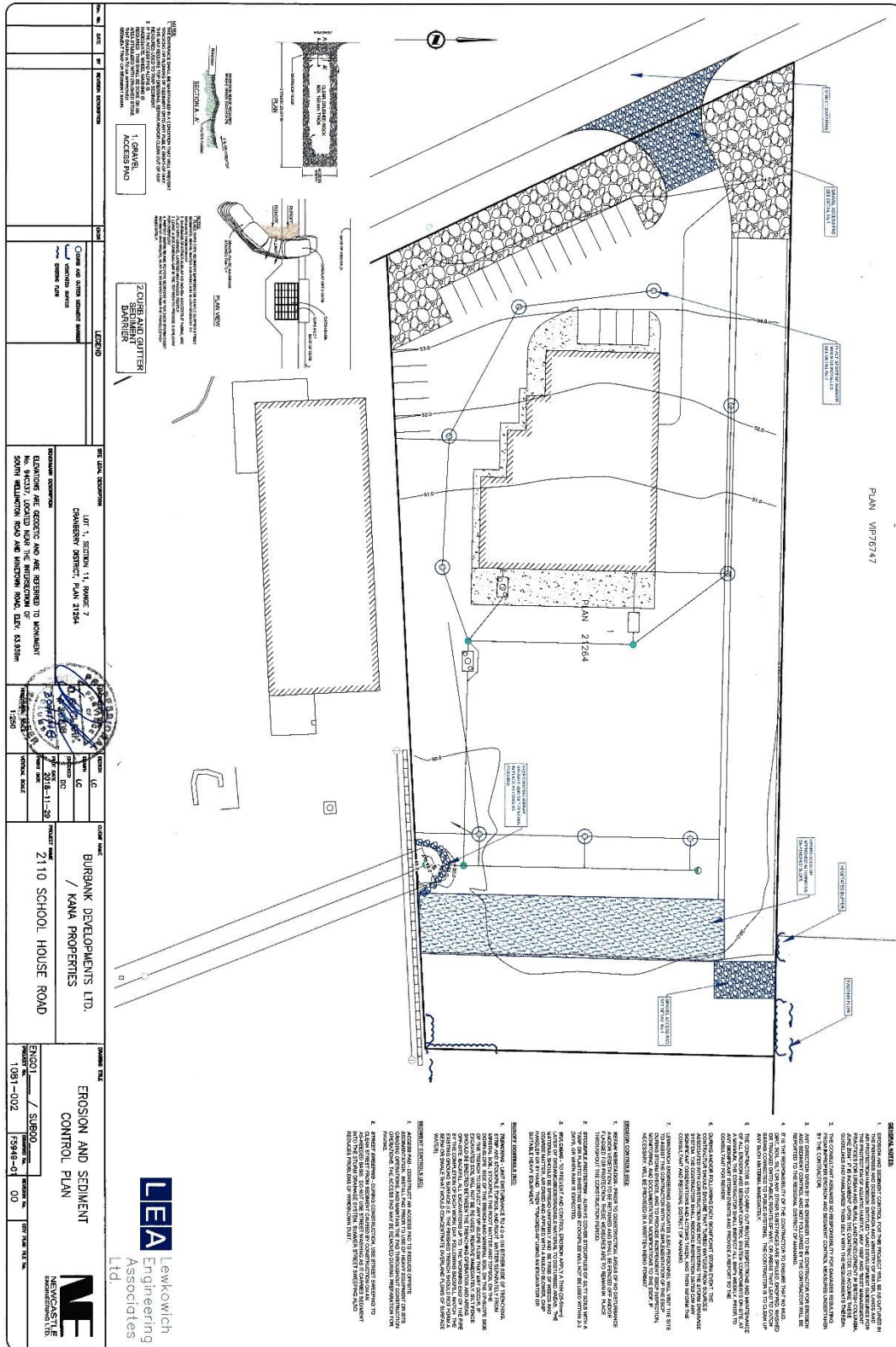
|   |  |
|---|--|
| <input checked="" type="checkbox"/> <b>CONFIDENTIAL</b> | <input type="checkbox"/> <b>SHOP READY</b> |
| W/TRADE/CONTRACTOR                                      | CONTRACTOR/CUSTOMER                        |
| <b>Scale:</b> 1/2" = 1'-0"                              | <b>Page:</b> 3 of 4                        |

**Pylon Placement**  
 Scale: NTS

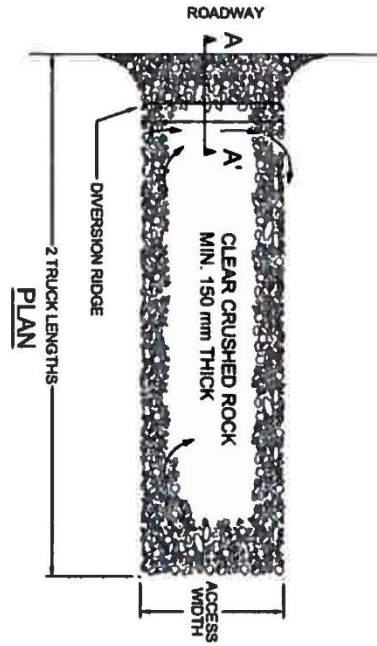
Proposed location of freestanding sign.

|   |  |                   |             |
|---|--|-------------------|-------------|
| <p><b>Sign 4</b><br/>                 Supply (1) new exterior d/s non-illuminated pylon</p> <p><b>Graphics / Substrate</b><br/>                 Red 3630-33 vinyl graphics, applied to first surface of<br/>                 .080 aluminum face, painted White</p> <p><b>Construction</b><br/>                 .080 aluminum face, adhered to Signpro 1250 retainer<br/>                 Signpro d/s filler</p> <p><b>Structure</b><br/>                 1" steel base plate<br/>                 6"x6" x 3/8" thick aluminum post</p> <p><b>Base</b><br/>                 30" X 5' deep concrete base</p> <p><b>Paint</b><br/>                 All exposed metal painted Black</p> | <table style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">  Red 3630-33 Vinyl                 </td> <td style="width: 50%; text-align: center;">  Black Paint                 </td> </tr> </table> <p style="font-size: x-small; text-align: center;">This drawing is the property of ZIP SIGNS Ltd.</p> | Red 3630-33 Vinyl | Black Paint |
| Red 3630-33 Vinyl   | Black Paint  |                   |             |

### Attachment 6 (Page 1 of 4) Sediment and Erosion Control Plan

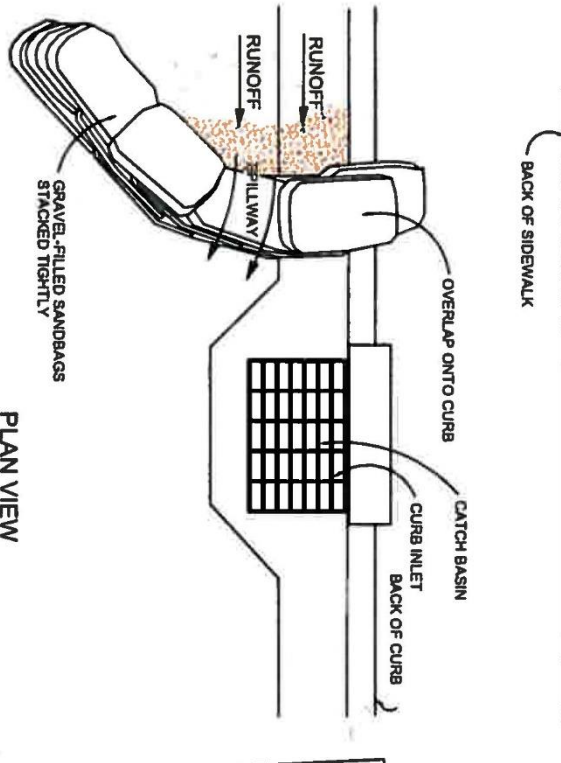


**Attachment 6 (Page 2 of 4)**  
**Sediment and Erosion Control Plan – Enlarged for Convenience**



- NOTES:**
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO ANY PUBLIC RIGHT-OF-WAY. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEAN OUT OF ANY MEASURES USED TO TRAP SEDIMENT.
  2. IF THE ACCESS PAD ALONE IS INADEQUATE, WHEEL WASHING IS REQUIRED. THIS SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

**1. GRAVEL ACCESS PAD**

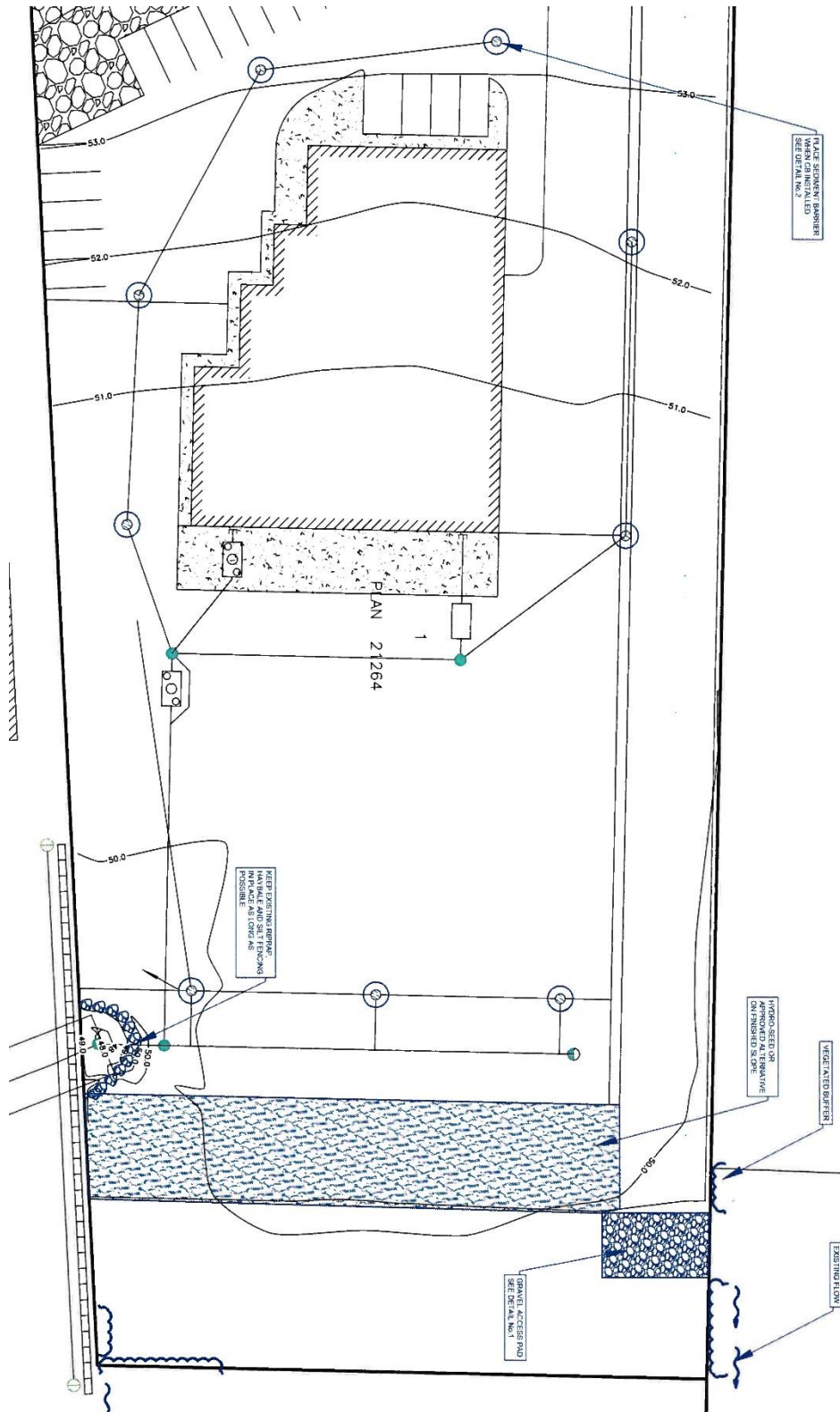


- NOTES:**
1. PLACE CURB TYPE SEDIMENT BARRIERS ON GENTLY SLOPING STREET SEGMENTS, WHERE WATER CAN POOL AND ALLOW SEDIMENT TO SEPARATE FROM RUNOFF.
  2. SANDBAGS OF EITHER BURLAP OR WOVEN GEOTEXTILE FABRIC, ARE FILLED WITH GRAVEL, LAYERED AND PACKED TIGHTLY.
  3. LEAVE A ONE SANDBAG GAP IN THE TOP ROW TO PROVIDE A SPILLWAY FOR OVERFLOW.
  4. INSPECT BARRIERS AND REMOVE SEDIMENT AFTER EACH STORM EVENT. SEDIMENT AND GRAVEL MUST BE REMOVED FROM THE TRAVELED WAY IMMEDIATELY.

**2. CURB AND GUTTER SEDIMENT BARRIER**



**Attachment 6 (Page 3 of 4)**  
**Sediment and Erosion Control Plan – Enlarged for Convenience**



## Attachment 6 (Page 4 of 4) Sediment and Erosion Control Plan – Enlarged for Convenience

### GENERAL NOTES:

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

### EROSION CONTROLS (EC):

1. **RETAIN VEGETATION** - PRIOR TO CONSTRUCTION, AREAS OF NO DISTURBANCE AND/OR VEGETATION TO BE RETAINED AND SHALL BE FENCED OFF AND/OR FLAGGED FOR PROTECTION. THESE MEASURES ARE TO REMAIN IN PLACE THROUGHOUT THE CONSTRUCTION PERIOD.
2. **STOCKPILE PROTECTION** - ALWAYS COVER STOCKPILES OF SILTY SOILS WITH A TARP OR PLASTIC SHEETING WHEN STOCKPILES WILL NOT BE USED WITHIN 2-3 DAYS, OR WHEN RAIN IS EXPECTED.
3. **MULCHING** - TO PREVENT AND CONTROL EROSION APPLY A THIN (25-50mm) LAYER OF ORGANIC/BIODEGRADABLE MATERIAL TO DISTURBED AREAS. THE MATERIAL SHOULD BE SPREAD UNIFORMLY AND BE FREE OF WEEDS AND COARSE MATTER, AIR DRIED AND APPLIED WITH A MULCH BLOWER, CHIP HANDLER OR BY HAND. THEN "TRACKED-IN" USING AN EXCAVATOR OR SUITABLE HEAVY EQUIPMENT.

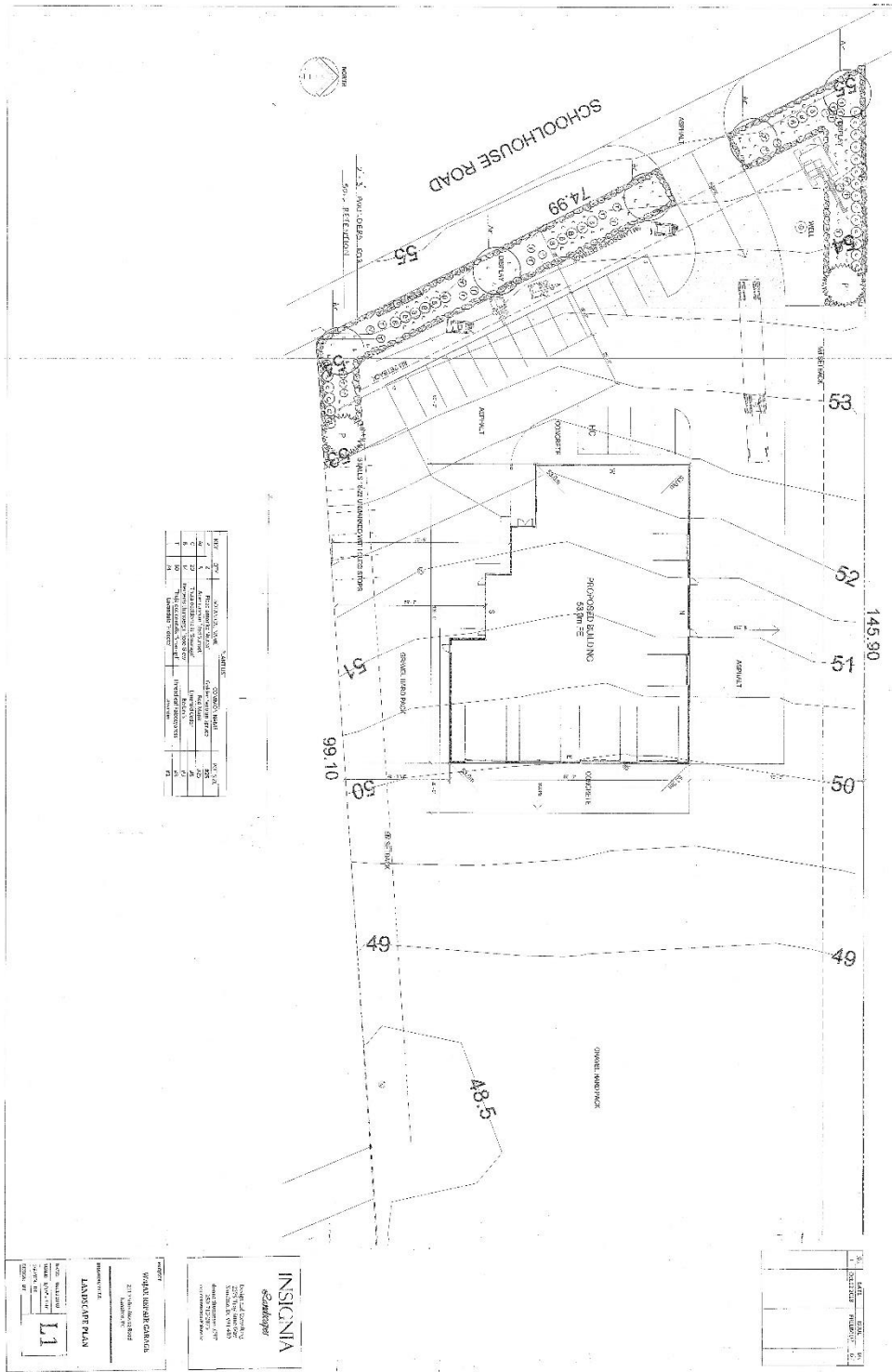
### RUNOFF CONTROLS (RC):

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

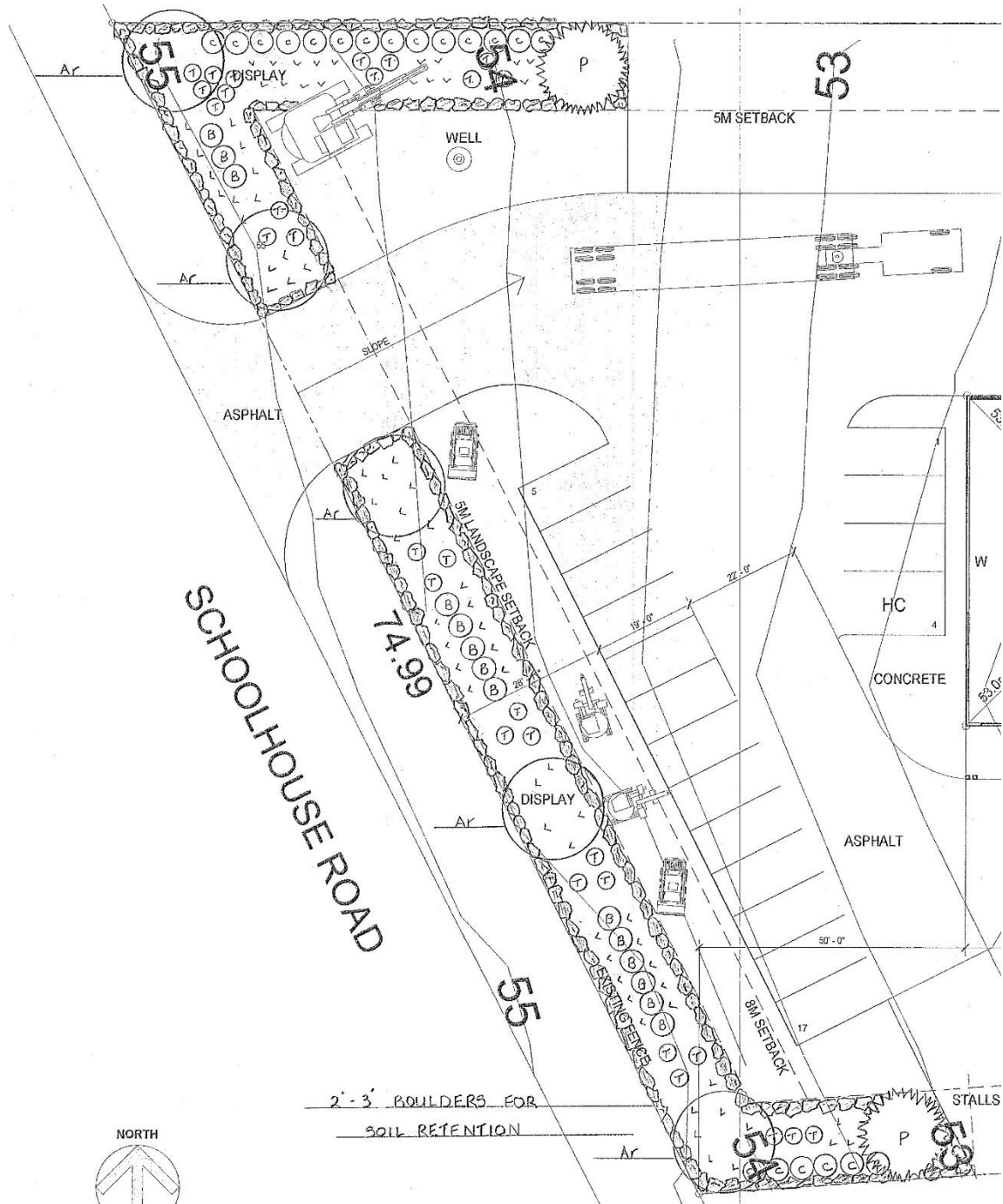
### SEDIMENT CONTROLS (SC):

1. **ACCESS PAD** - CONSTRUCT AN ACCESS PAD TO REDUCE OFFSITE SEDIMENTATION. INSTALL PAD PRIOR TO USE OF HEAVY EQUIPMENT OR SITE GRADING OPERATIONS, AND MAINTAIN THE PAD THROUGHOUT CONSTRUCTION OPERATIONS. THE ACCESS PAD MAY BE REMOVED DURING PREPARATION FOR PAVING.

**Attachment 7 (Page 1 of 2)**  
**Landscaping Plan**



**Attachment 7 (Page 2 of 2)**  
**Landscaping Plan – Enlarged for Convenience**



| PLANT LIST |     |  |                         |          |
|------------|-----|--|-------------------------|----------|
| KEY        | QTY | BOTANICAL NAME                         | COMMON NAME             | POT SIZE |
| P          | 2   | <i>Picea omorika</i> 'Aurea'           | Golden Serbian Spruce   | #25      |
| Ar         | 5   | <i>Acer rubrum</i> 'Red Sunset'        | Red Maple               | #25      |
| C          | 20  | <i>Thuja occidentalis</i> 'Smaragd'    | Emerald Cedar           | #5       |
| B          | 14  | <i>Berberis thunbergii</i> 'Rose Glow' | Berberis                | #3       |
| T          | 30  | <i>Thuja occidentalis</i> 'Smaragd'    | Threadleaf Falsecypress | #3       |
| L          | 74  | <i>Lavandula</i> 'Hidcote'             | Lavender                | #1       |

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**TO:** Electoral Area Services Committee                      **DATE:** January 8, 2018  
**FROM:** Stephen Boogaards  
Planner    **FILE:** PL2018-196  
**SUBJECT:** Development Permit with Variance Application No. PL2018-196  
4647 Maple Guard Drive – Electoral Area H  
Lot 37, District Lot 40, Newcastle District, Plan 16121

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## RECOMMENDATIONS

1. That the Board approve Development Permit with Variance No. PL2018-196 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.
2. That the Board direct staff to complete the required notification for Development Permit with Variance No. PL2018-196.

## SUMMARY

The applicant requests to vary the setback to the top of a slope 30% or greater for a parcel adjacent to a coastal watercourse from 8.0 metres to 5.0 metres to allow the construction of a dwelling unit on the subject property. The applicant has demonstrated a safe geotechnical setback to the top of slope and that the proposed dwelling cannot be accommodated elsewhere on the property. The applicant has also demonstrated that the proposed building location will not impact the view from neighbouring properties. Given the topographical constraints on the property and that the variance is unlikely to result in negative view implications, it is recommended that the Board approve the variance, pending the outcome of public notification and subject to the terms and conditions outlined in Attachments 2 to 4.

## BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Fern Road Consulting Ltd. on behalf of Catherine and Clinton Southurst to permit the construction of a dwelling unit on the subject property. The subject property is approximately 0.27 hectares in area and is zoned Residential 2 Zone (RS2), pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is located to the southwest of the Strait of Georgia and adjacent to other residential properties (see Attachment 1 – Subject Property Map).

The property contains an existing cabin and is serviced by Deep Bay Improvement District and onsite sewage disposal. Any living facilities within the cabin will be decommissioned as part of the building permit, so that the building will be an accessory building. This is a common

occurrence in the RDN to have a lot with a small cabin where the owners then build a larger house and keep the existing cabin as an accessory building. The existing cabin is converted to an accessory building by removing the kitchen. As the zoning does not permit two dwellings the Occupancy permit for the new dwelling cannot be issued until conversion of the existing cabin is complete. The mechanism to ensure that the existing cabin is converted to an accessory building is through the building permit process. A condition of the Development Permit is to comply with the Building Bylaw regulations which requires that the cabin be converted to an accessory building prior to issuing the occupancy permit.

The property also contains a steep slope of approximately 34% which extends from the proposed building location to the natural boundary of the sea. Within the slope is an existing trail that provides access from the building site to the shoreline.

The proposed development is subject to the Hazard Lands Development Permit Area as per the “Regional District of Nanaimo Electoral Area H Official Community Plan Bylaw No. 1335, 2017”.

### ***Proposed Development and Variance***

The proposed development includes the construction of a dwelling unit and ancillary improvements outside of the building footprint, including the driveway and septic field. The applicant proposes to vary the following regulations from the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”:

- **Section 3.3.9 – Setbacks – Sea** to reduce the minimum setback from the top of slope of 30 percent or greater from 8.0 metres to 5.0 metres for the proposed dwelling.

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

The applicants are proposing to construct a dwelling unit on the property and request a variance to the top of slope setback to accommodate the dwelling (see Attachment 3 – Proposed Site Plan and Variance). According to “Board Policy B1.5 Development Variance Permit, Development Permit with Variance and Floodplain Exemption Application Evaluation” the development variance permit application requires that there is an adequate demonstration of a land use justification prior to the Board’s consideration. The proposal must also comply with the Hazard Lands Development Permit Area (DPA) guidelines to mitigate the disturbance of the steep slope to ensure conditions are safe for the proposed development and neighbouring properties.

With respect to justification and development permit area guidelines, the applicant has provided a Geotechnical Hazard Assessment by Lewkowich Engineering Associates Ltd., dated October 7, 2017 to confirm the recommendations for the safe development of the property. Based on the average slope of 34%, the report identifies that the slope is considered to be in a stable condition and the slope will not be subject to regression during a seismic event. The report recommends a safe setback of 5.0 metres from the crest of slope to any footings of permanent buildings or residences. As a condition of the development variance permit, the report will be registered on the property title as a covenant, saving the RDN harmless from all losses or damages to life or property as a result of the hazardous condition (see Attachment 2 – Terms and Conditions of Permit). As for the terms of the covenant, the 5.0 metre setback will apply to any land alteration, vegetation removal or structures, excluding existing conditions such as maintaining the existing trail through the slope. Any work within this setback will require a new development permit or variance as applicable.

For the purposes of the variance, the applicant has also provided further justification for the proposed location of the building. The applicant has identified that in order to retain the existing accessory building and septic field on the property, the proposed dwelling will not be able to move closer to Maple Guard Drive without affecting the side yard setback. For potential impact, the proposed construction will not obstruct neighbouring views to the west as the slope is currently densely treed which already obscures any views. To the west, the neighboring dwelling unit is situated closer to the Strait of Georgia than the subject property. Given that the applicant has provided sufficient rationale and that the variance is not anticipated to result in negative view implications for adjacent properties, the applicants have made reasonable efforts to address Policy B1.5 guidelines.

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

Pending the Electoral Area Services Committee's recommendation and pursuant to the *Local Government Act* and the "Regional District of Nanaimo Development Application and Notification Procedures Bylaw No. 1776, 2018", property owners and tenants of parcels located within a 50.0 metre radius of the subject property will receive a direct notice of the proposal and will have an opportunity to comment on the proposed variance prior to the Board's consideration of the application.

### **ALTERNATIVES**

1. To approve Development Permit with Variance No. PL2018-196 subject to the terms and conditions outlined in Attachments 2 to 4.
2. To deny Development Permit with Variance No. PL2018-196.

### **FINANCIAL IMPLICATIONS**

The proposed development has no implications related to the Board 2018 – 2022 Financial Plan.

### **STRATEGIC PLAN IMPLICATIONS**

The proposed development has been reviewed and has no implications for the 2016 – 2020 Board Strategic Plan.



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Stephen Boogaards  
sboogaards@rdn.bc.ca  
December 11, 2018

Reviewed by:

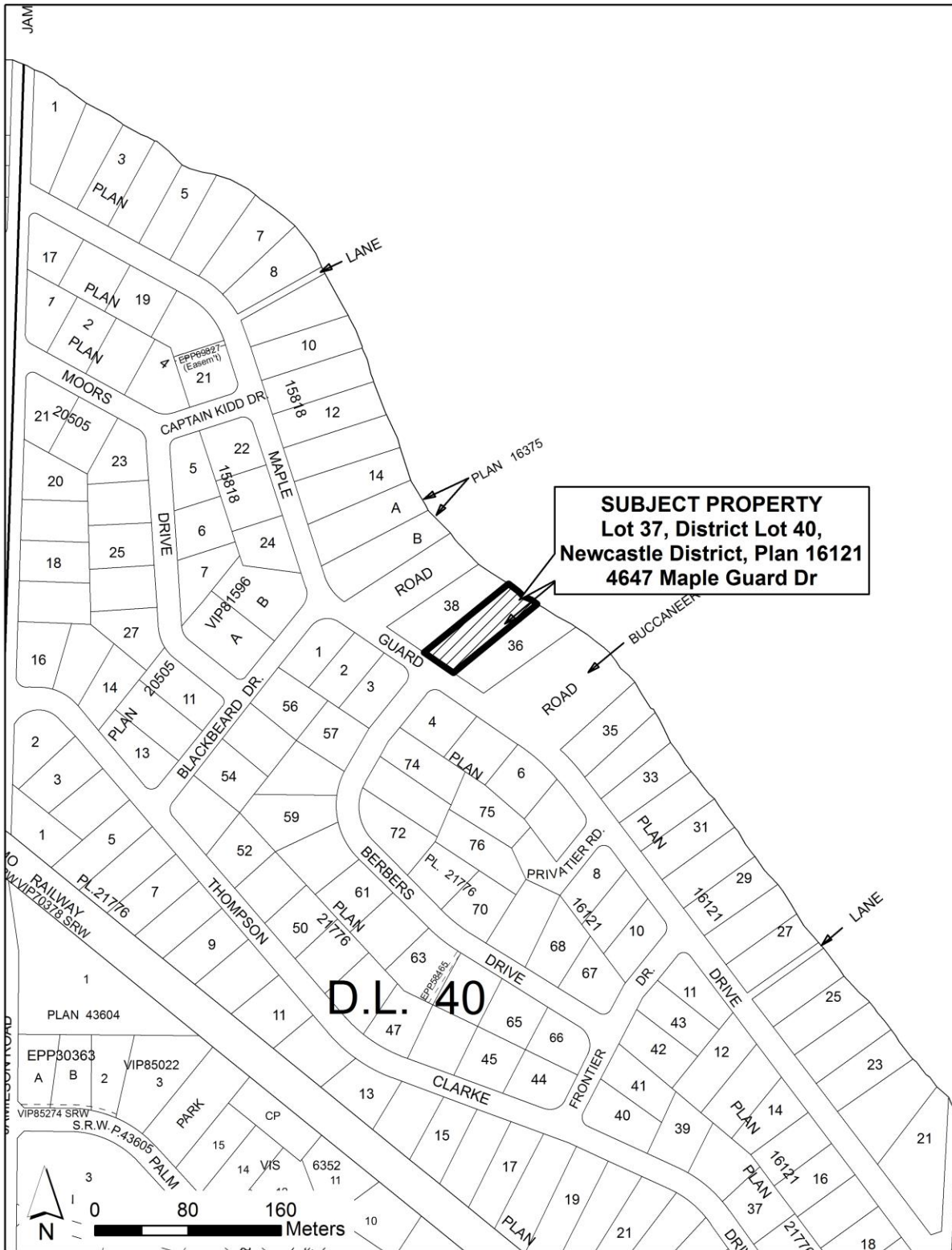
- P. Thompson, Manager, Current Planning
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. Terms and Conditions of Permit
3. Proposed Site Plan and Variance
4. Building Elevations and Plans



**Attachment 1**  
**Subject Property Map**



## **Attachment 2 Terms and Conditions of Permit**

The following sets out the terms and conditions of Development Permit with Variance No. PL2018-196:

### Bylaw No. 500, 1987 Variances

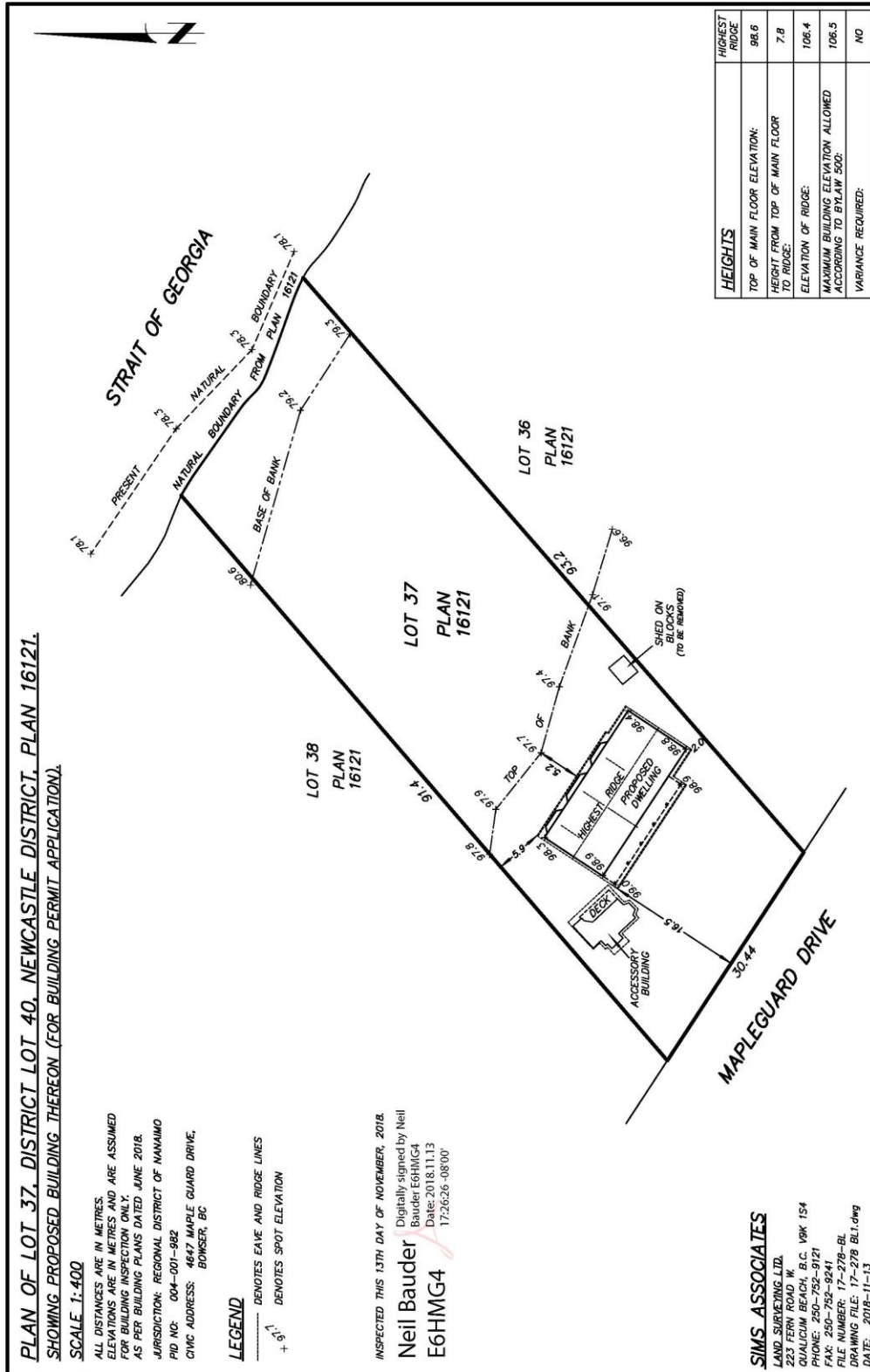
With respect to the lands, “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” is varied as follows:

**Section 3.3.9 – Setbacks – Sea** to reduce the minimum setback from the top of slope of 30 percent or greater from 8.0 metres to 5.0 metres for the proposed dwelling.

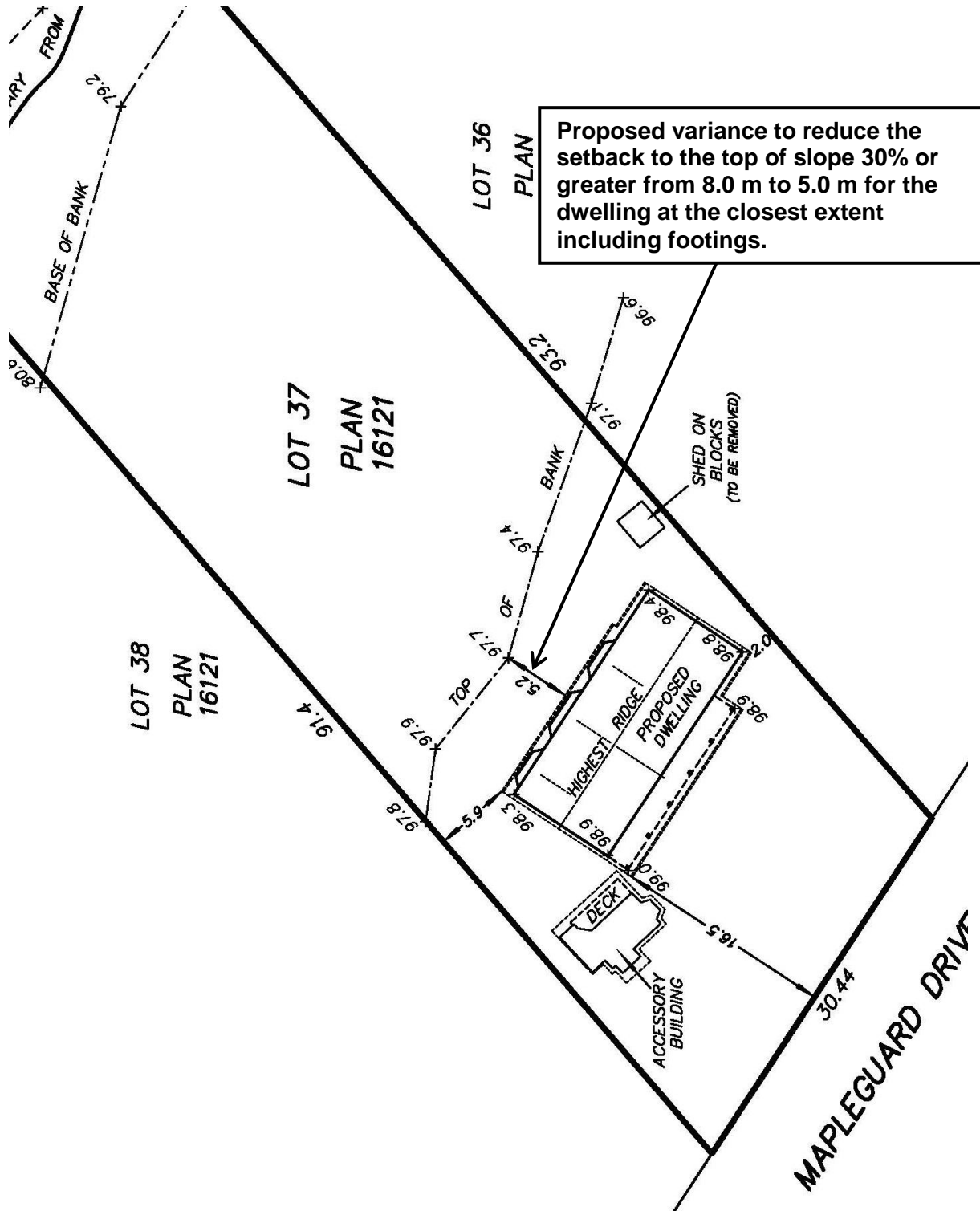
### Conditions of Approval

1. The site is developed generally in accordance with the Survey Plan prepared by Sims Associates Land Surveying Ltd., dated November 13, 2018 and attached as Attachment 3.
2. The proposed development is in general compliance with the plans and elevations prepared by Rina Knoesen, dated June 2018 and attached as Attachment 4.
3. The subject property shall be developed in accordance with the recommendations contained in the Geotechnical Hazard Assessment prepared by Lewkowich Engineering Associates Ltd. dated October 7, 2017.
4. The issuance of this Permit shall be withheld until the applicant, at the applicant’s expense, registers a Section 219 Covenant on the property title containing the Geotechnical Hazard Assessment prepared by Lewkowich Engineering Associates Ltd. dated October 7, 2017, and includes a save harmless clause that releases the Regional District of Nanaimo from all losses and damages as a result of the potential hazard. The covenant is to restrict any vegetation removal, land alteration or structures within the 5.0 metre geotechnical setback, except for maintenance of existing conditions and unless otherwise approved by the RDN.
5. Prior to construction, the geotechnical setback shall be marked with temporary fencing or flagged stakes to avoid disturbance.
6. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

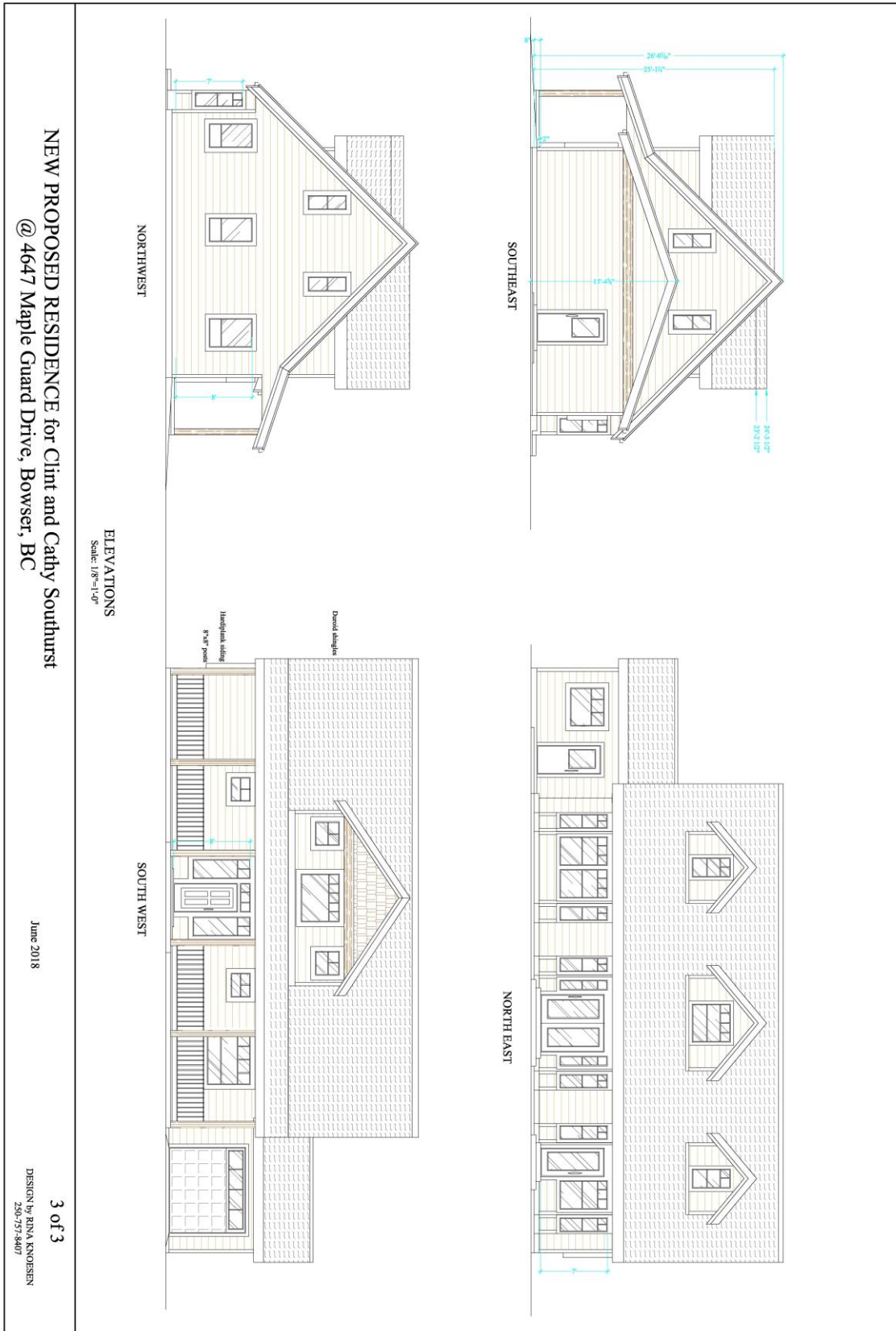
**Attachment 3**  
**Proposed Site Plan and Variance (Page 1 of 2)**



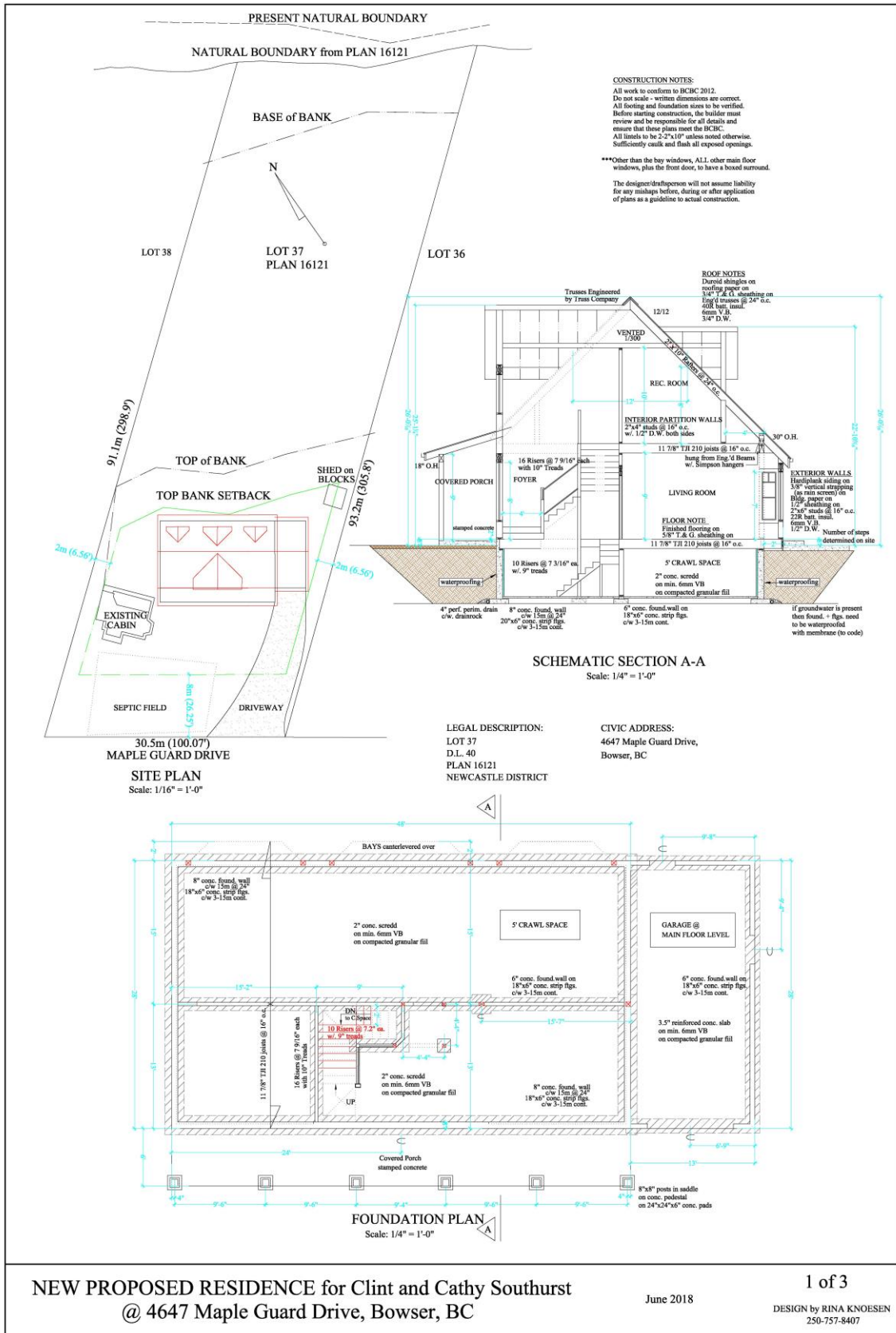
Attachment 3  
Proposed Site Plan and Variance (Page 2 of 2)



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



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



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**TO:** Electoral Area Services Committee                      **DATE:** January 8, 2019  
**FROM:** Kristy Marks  
Planner    **FILE:** PL2018-149

**SUBJECT: Development Permit with Variance Application No. PL2018-149  
6820 Island Highway West – Electoral Area H  
Lot 10, District Lot 36, Newcastle District, Plan 1820, Except Parcel A (DD  
18277-N) and Plan 37332**

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## **RECOMMENDATIONS**

1. That the Board approve Development Permit with Variance No. PL2018-149 to permit a parcel depth variance for proposed Lots A and B in conjunction with a two lot subdivision subject to the terms and conditions outlined in Attachments 2 to 5.
2. That the Board direct staff to complete the required notification for Development Permit with Variance No. PL2018-149.

## **SUMMARY**

This is an application for a Fish Habitat Protection Development Permit and a parcel depth variance in conjunction with a two lot subdivision. Given that the development permit guidelines have been met and no negative impacts are anticipated as a result of the proposed variance, it is recommended that the Board approve the development permit with variance pending the outcome of public notification and subject to the terms and conditions outlined in Attachment 2.

## **BACKGROUND**

The Regional District of Nanaimo (RDN) has received an application from Fern Road Consulting Ltd. on behalf of Randolph Low to permit a parcel depth variance in conjunction with a two lot subdivision. The subject property is approximately 0.9 hectares in area and is zoned Residential 2 (RS2), Subdivision District 'M', pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The property is located to the west of the Island Highway West and is surrounded by developed rural residential parcels, the unconstructed Eastdowne Road to the south, and a road that will remain unconstructed to the west. Thames Creek bisects the western boundary of the property and is contained within a steep ravine which makes the western portion of the property near the creek inaccessible (see Attachment 1 – Subject Property Map).

The property contains two dwelling units and a number of accessory buildings that will be retained on proposed Lot B. Proposed Lot A would be vacant and approximately 0.5 hectares in

size. Both lots would be serviced by Bowser Waterworks District and onsite wastewater disposal.

The proposed development is subject to the Freshwater and Fish Habitat Protection Development Permit Areas per the “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Bylaw No. 1335, 2017”:

***Proposed Development and Variance***

This is an application for a development permit to permit a parcel depth variance in conjunction with a proposed two lot subdivision. The applicant proposes to vary the following regulations from the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”:

- **Section 4.5.1 - Parcel Shape and Dimensions** to increase the permitted parcel depth for proposed Lot A from 40% to 45.2% of the length of the perimeter of the parcel and for proposed Lot B from 40% to 43.4% of the length of the perimeter of the parcel.

| Proposed Lot No. | Perimeter (m) | Maximum Parcel Depth (40%) | Proposed Parcel Depth | Proposed Parcel Depth as a % of the Parcel Perimeter |
|------------------|---------------|----------------------------|-----------------------|--|
| A                | 508.2         | 203.3                      | 229.7                 | 45.2%  |
| B                | 355.5         | 142.2                      | 154.2                 | 43.4%  |

***Land Use Implications***

Both of the proposed parcels are at least twice the minimum parcel size of 2,000 m<sup>2</sup> which is the minimum parcel size for a lot connected to a community water system. However, the proposed parcels do not comply with the 40% parcel depth requirement of Bylaw 500. The purpose of this requirement is to ensure that each lot created is not excessively deep, relative to their width. “Board Policy B1.5 Development Variance Permit Application Evaluation” (B1.5) requires a demonstration of a land use justification or rationale to address why the proposal cannot comply with the regulations and how the proposal can provide for efficient land use.

Thames Creek crosses the western end of proposed Lot A and is confined within a steep ravine. The applicant has provided a Geotechnical Hazards Assessment prepared by Lewkovich Geotechnical Engineering Associates Ltd. dated November 29, 2018 to address slope stability and address the Development Permit Area (DPA) guidelines related to the protection of development from hazardous conditions. The report recommends a minimum setback of 25.0 metres from the crest of the ravine slope for any dwelling unit and a minimum setback of 7.0 metres for accessory buildings and other non-habitable structures. The report also recommends that trees in proximity to the slope be retained and that septic fields be located greater than 10 metres from the crest of the slope. The applicant will be required to register a Section 219 Covenant on the property title that includes the Geotechnical Hazards Assessment and a save harmless clause that releases the RDN from all losses and damages to life and property as a result of the potential hazard (see Attachment 2 – Terms and Conditions of Permit).

Although Lot A is proposed to be 0.5 hectares in area, the long, narrow configuration of the parent parcel, steep slope adjacent to Thames Creek and geotechnical setbacks, result in a



significantly reduced building envelope of 516 m<sup>2</sup> for any habitable buildings. Due to significant site constraints and to ensure the proposed parcel can accommodate permitted uses and that future development is consistent with the character of surrounding residential properties the applicant has agreed to limit development of proposed Lot A to one dwelling unit and one attached secondary suite. This restriction is to be secured through the registration of a Section 219 Covenant on the title of proposed Lot A concurrent with the registration of the final plan of subdivision (see Attachment 2 – Terms and Conditions of Permit).

With respect to the requested parcel depth variance, the applicant has indicated that the proposed parcel shape and dimensions are influenced by the long, narrow shape of the parent parcel and the fact that the subject property is surrounded by road frontage on three sides. The property could not be uniformly subdivided without a parcel depth variance. As that frontage is measured from the shortest lot line adjacent to a highway or road, parcel depth is measured from the narrowest end of each proposed parcel. The proposed parcels are more than twice the minimum parcel size and there is adequate access and frontage for each parcel. No development concerns have been identified for Lot B and it can accommodate the existing uses. However, as noted above, due to the constraints on Lot A the applicant has agreed to register a Section 219 Covenant to restrict development on proposed Lot A.

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

### ***Environmental Implications***

To address the DP guidelines, the applicant has submitted a Riparian Areas Assessment prepared by Toth & Associates Environmental Services dated February 10, 2018. The assessment notes that Thames Creek runs across the west end of the property within a well-defined ravine and establishes a Streamside Protection and Enhancement Area (SPEA) of 18.0 metres from the high water mark (see Attachment 4 – Riparian Assessment Map). The assessment confirms that development outside the watercourse setbacks will not encroach upon or negatively impact the SPEA, given that the setbacks from watercourses outlined in Bylaw 500 are 9.0 metres from the top of the ravine bank and that the SPEA is located well below the top of the ravine bank. The report recommends that no overland run-off from development be directed to the ravine slope and that traditional techniques for management of stormwater including drain rock chambers and/or infiltration swales should be utilized. In addition, the applicant is required to submit a post development assessment and report within 60 days of project completion to identify whether any development has had any negative impact on the SPEA

DPA guideline 13 requires that 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. Given that the developable area for proposed Lot A is well above the top of ravine bank outside the SPEA for proposed Lot A, the applicant has satisfied this guideline. Proposed Lot A is more than twice the minimum parcel size and meets guideline 14, which notes that minimum parcel size should be met exclusive of the SPEA. To address DPA guideline 15 the applicant shall be required to install permanent fencing or other means of clearly delineating the SPEA, prior to notifying the Provincial Approving Officer that the conditions of the DP have been met. The applicant has agreed to install one fish habitat

protection sign along the SPEA boundary on proposed Lot A (see Attachment 2 – Terms and Conditions of Permit and Attachment 5 – Fish Habitat Protection Sign Standard).

Given that the applicant has satisfied the intent of the DPA guidelines and measures are being proposed to protect the environmentally sensitive riparian areas, the proposed development is not anticipated to have negative environmental impacts.

### ***Intergovernmental Implications***

The Ministry of Transportation and Infrastructure (MOTI) has reviewed the subdivision application and issued preliminary layout approval (PLA). The PLA lists a number of conditions including the preparation of a Section 219 Covenant including the Geotechnical Hazards Assessment prepared by Lewkowich Engineering Associates Ltd. in favour of the Province of British Columbia as represented by the Minister of Transportation and Infrastructure, as well as the local government.

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

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

## **ALTERNATIVES**

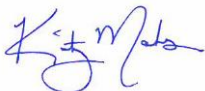
1. To approve Development Permit with Variance No. PL2018-149 subject to the terms and conditions outlined in Attachments 2 and 3.
2. To deny Development Permit with Variance No. PL2018-149.

## **FINANCIAL IMPLICATIONS**

The proposed development has no implications related to the Board 2018 – 2022 Financial Plan.

## **STRATEGIC PLAN IMPLICATIONS**

The Plan's "Focus on the Environment" states that the Board will focus on protecting and enhancing the environment in all decisions. The DPA guideline requirement for a biological assessment helps ensure that site-specific environmentally sensitive features are identified and that the impacts of development on the environment are identified and mitigated.



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Kristy Marks  
kmarks@rdn.bc.ca  
December 19, 2018

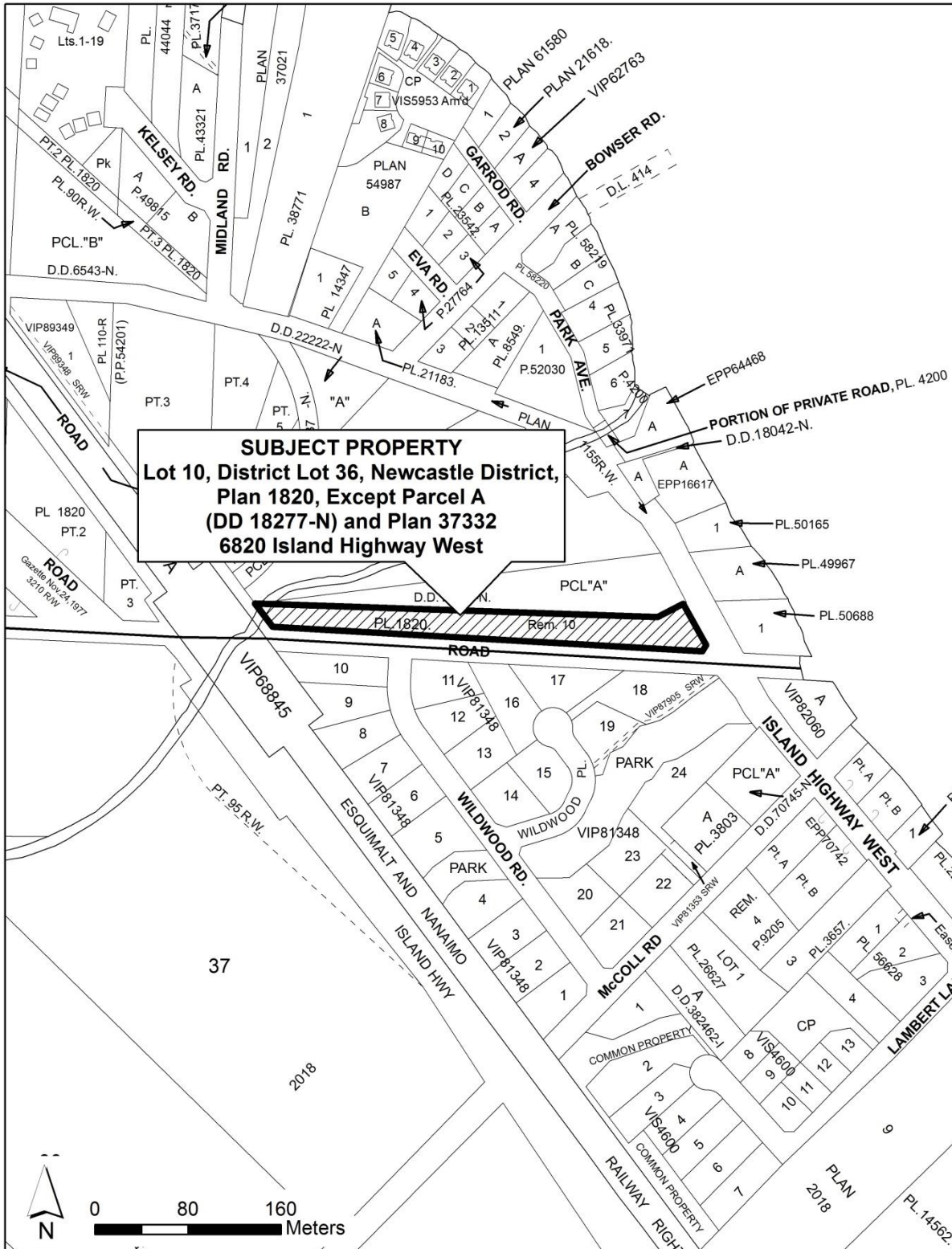
Reviewed by:

- P. Thompson, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. Terms and Conditions of Permit
3. Proposed Plan of Subdivision and Variances
4. Riparian Assessment Map
5. Fish Habitat Protection Sign Standard

### Attachment 1 Subject Property Map



## **Attachment 2 Terms and Conditions of Permit**

The following sets out the terms and conditions of Development Permit with Variance No. PL2018-149:

### Bylaw No. 500, 1987 Variances

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

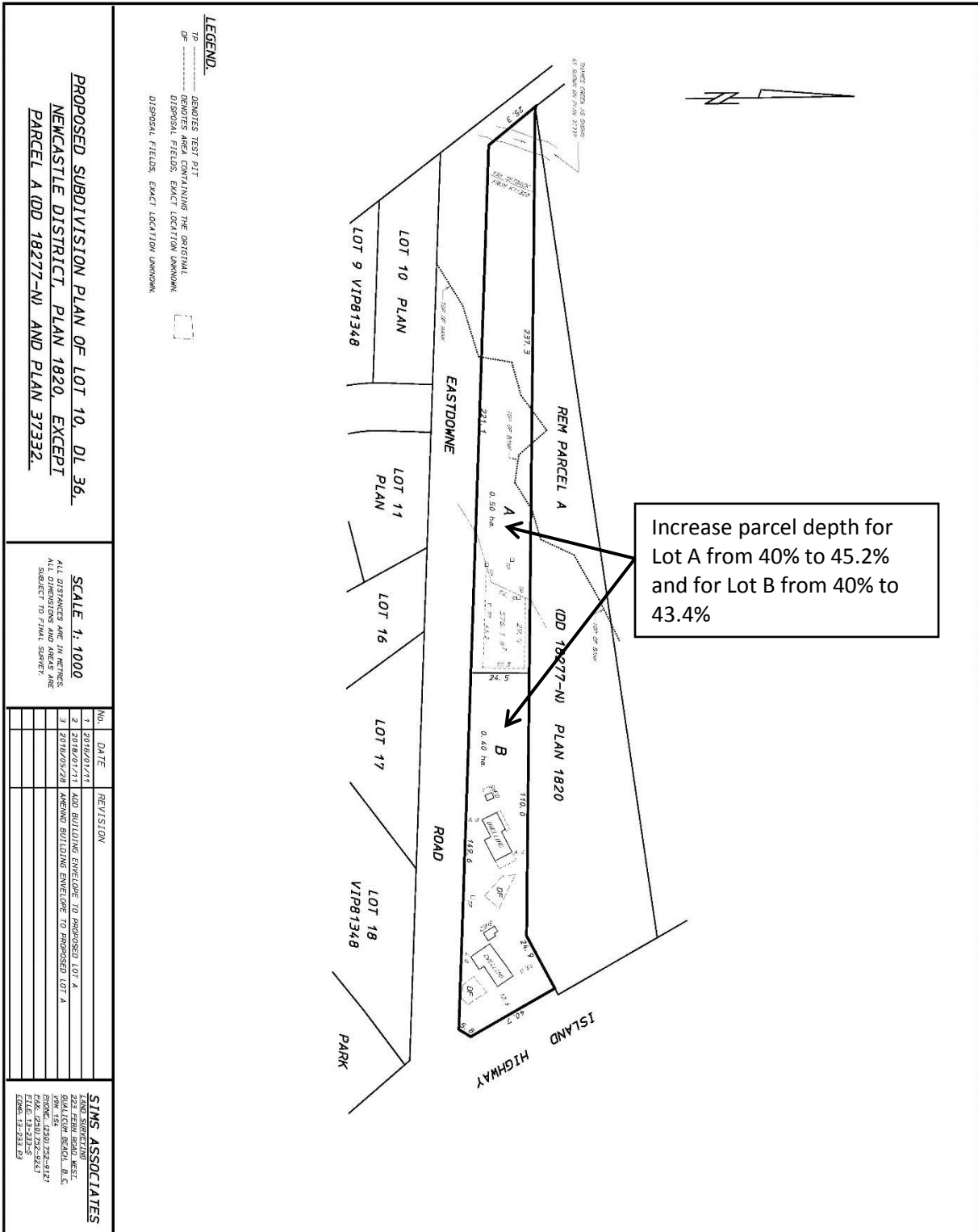
1. **Section 4.5.1. – Parcel Shape and Dimensions** to increase the permitted parcel depth for proposed Lot A from 40% to 45.2% of the length of the perimeter of the parcel and Lot B from 40% to 43.4 % of the length of the perimeter of the parcel.

### Conditions of Approval

1. The site is developed in accordance with the Proposed Plan of Subdivision prepared by Sims Associates Land Surveying, dated May 28, 2018 and attached as Attachment 3.
2. The subject property shall be developed in accordance with the recommendations contained in the Riparian Areas Assessment prepared by Toth & Associates Environmental Consulting Ltd. dated February 10, 2018.
3. The property owner shall provide confirmation in the form of a report prepared by a Qualified Environmental Professional (QEP), to the satisfaction of the General Manager of Strategic and Community Development, that development of the subject property has occurred in accordance with the QEP’s recommendations.
4. Prior to the issuance of the subdivision compliance letter, one habitat protection sign shall be erected on proposed Lot A along the Streamside Protection and Enhancement Area (SPEA), to permanently mark the SPEA boundary using the sign standard included on Attachment 5.
5. The subject property shall be developed in accordance with the recommendations contained in the Geotechnical Hazards Assessment prepared by Lewkowich Engineering Associates Ltd., dated November 29, 2018.
6. Concurrent with the registration of the final plan of subdivision, the applicant, at the applicant’s expense, shall register a Section 219 Covenant on the property title containing the Geotechnical Engineering Review prepared by Lewkowich Engineering Associates Ltd. dated November 29, 2018, and includes a save harmless clause that releases the Regional District of Nanaimo from all losses and damages as a result of the potential hazard.
7. Concurrent with the registration of the final plan of subdivision, the applicant, at the applicant’s expense, shall register a Section 219 Covenant on the property title of proposed Lot A restricting development to one dwelling unit and one attached secondary suite, in addition to accessory residential buildings and structures.

8. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

### Attachment 3 Proposed Plan of Subdivision and Variances



**Attachment 4  
 Riparian Assessment Map**

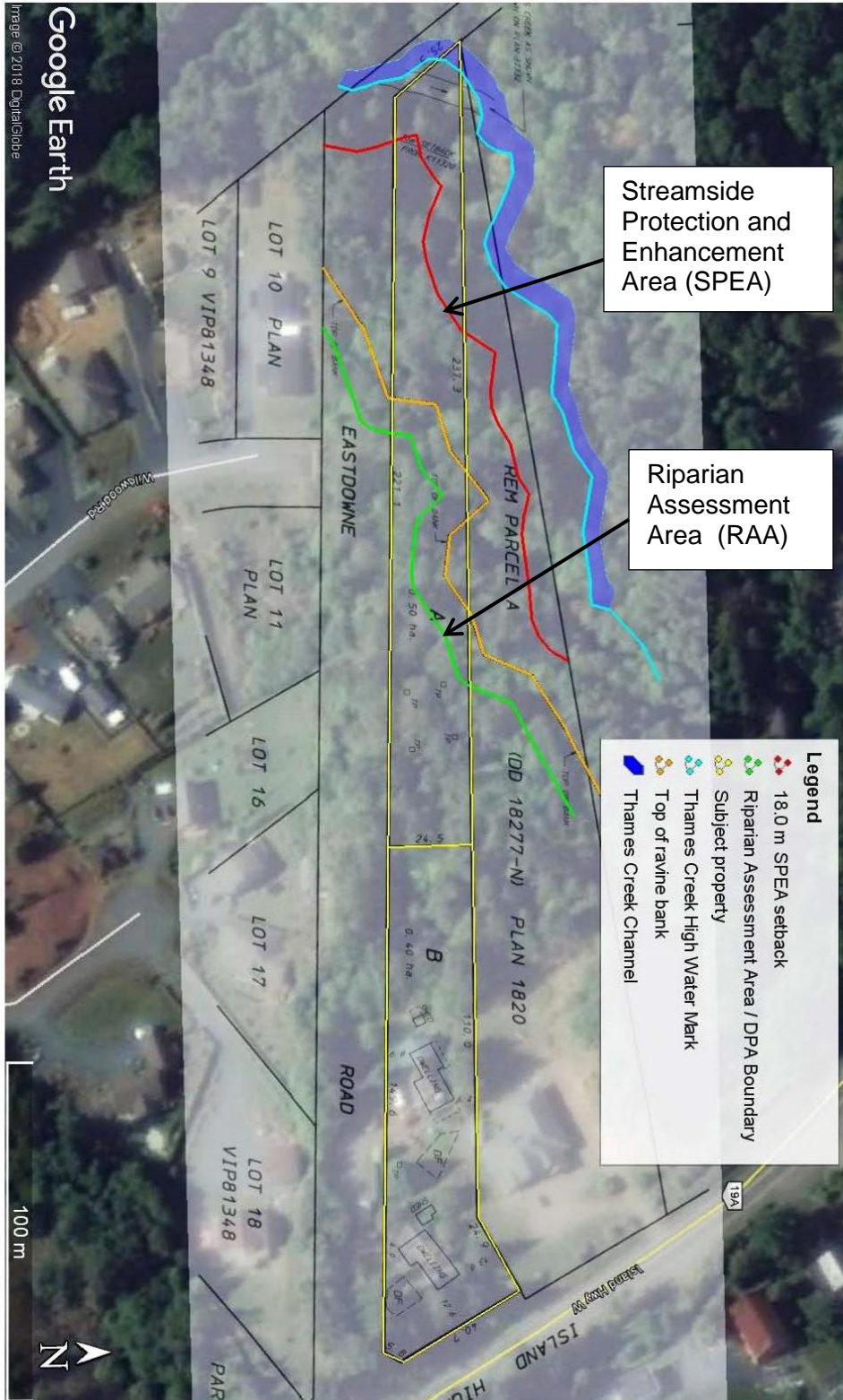
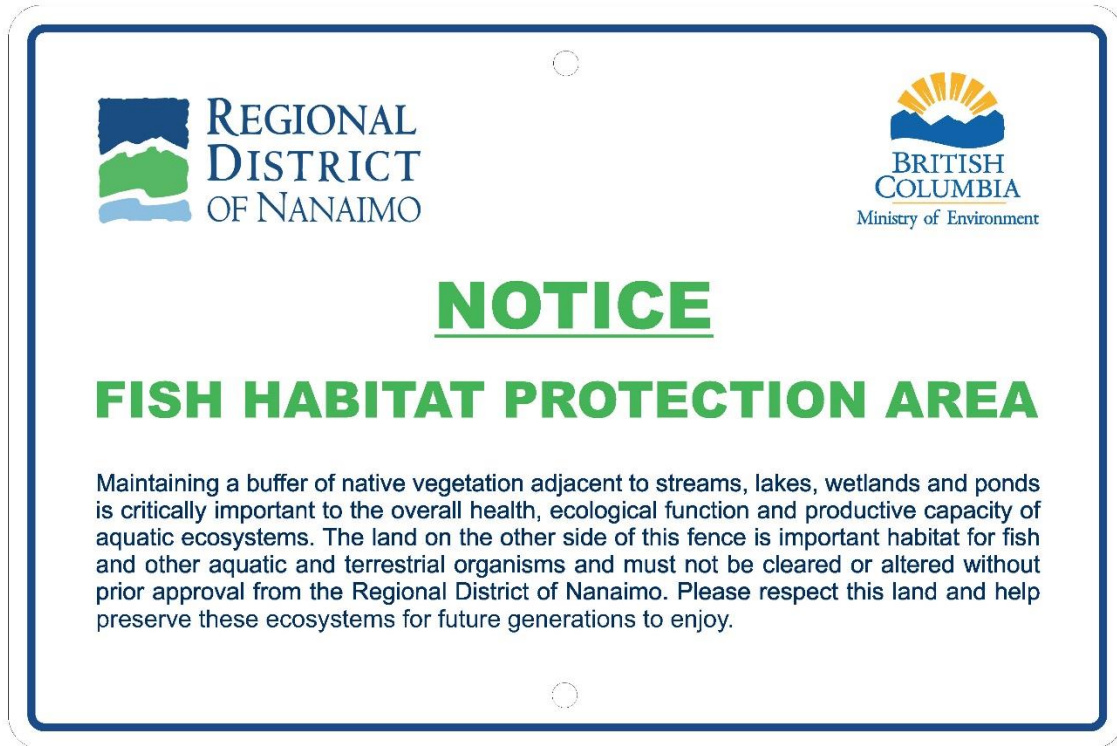


Figure 3. SPEA setbacks, Riparian Assessment Area and proposed subdivision plan on September 2016 air photo

Form 3 Detailed Assessment Form  
 Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report



**Attachment 5**  
**Fish Habitat Protection Sign Standard**



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"

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**TO:** Electoral Area Services Committee      **DATE:** January 8, 2019  
**FROM:** Angela Buick  
Planner      **FILE:** PL2018-092  
**SUBJECT:** **Zoning Amendment Application No. PL2018-092**  
**2995 Ridgeway Road – Electoral Area C**  
**Amendment Bylaw 500.423, 2019 – Introduction**  
**Lot 1 of Section 11, Ranges 3 and 4 and of Section 12, Range 4, Mountain**  
**District, Plan 31326**

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**RECOMMENDATIONS**

1. That the Board receive the Summary of the Public Information Meeting held on November 6, 2018.
2. That the conditions set out in Attachment 2 of the staff report be completed prior to Amendment Bylaw No. 500.423 being considered for adoption.
3. That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019”, be introduced and read two times.
4. That the Public Hearing on “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019”, be waived in accordance with Section 464(2) of the *Local Government Act*.
5. That staff be directed to proceed with notification in accordance with Section 467 of *The Local Government Act* of the Board’s intent to consider third reading of “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019” at a regular Board meeting to be held on March 26, 2019

**SUMMARY**

The applicant proposes to amend the zoning for the property from Rural 1 (RU1), Subdivision District ‘D’ to RU1 Zone, Subdivision District ‘F’, to allow the subdivision of the subject property into two lots. A Public Information Meeting was held on November 6, 2018 where no objections were raised by the public. It is recommended that Amendment Bylaw No. 500.423, 2019 be granted first and second reading, that the public hearing for the bylaw be waived in accordance with Section 464(2) of the *Local Government Act* given that the proposal is consistent with the applicable Official Community Plan (OCP) policies, and that the conditions of approval are to be completed by the applicant prior to the Board’s consideration of the bylaw for adoption (see Attachment 2).

## **BACKGROUND**

The Regional District of Nanaimo (RDN) has received an application from Douglas Holme of JE Anderson & Associates Ltd. on behalf of David and Elaine Seymour to rezone the subject property in order to permit a two-lot subdivision. The subject property is approximately 2.25 hectares in area and contains one dwelling unit and one accessory building (see Attachment 4 – Proposed Plan of Subdivision). The property is located north west of Ridgeway Road and south of Jameson Road and is surrounded by large Rural 1 (RU1) zoned lots (see Attachment 1 – Subject Property Map and Attachment 3 – Current Zoning Map).

### ***Proposed Development***

The applicant proposes to rezone the subject property from RU1 Zone, Subdivision District 'D' to RU1 Zone, Subdivision District 'F' to allow the subdivision of the property into two 1.0 hectare lots (see Attachment 3 – Current and Proposed Zoning Map). Proposed Lot A is currently serviced by an existing well and an on-site septic system, while proposed Lot B will be serviced with a new well and on-site septic system.

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

The subject property is designated as Rural Residential pursuant to the “Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Bylaw No. 1055, 1997” (OCP). The Rural Residential designation supports the subdivision of a parcel that existed prior to the adoption of the OCP. In this case, the subject property was created in 1978 and therefore qualifies under this provision. However, the application must meet a number of criteria to avoid an OCP amendment. One of these criteria is that no new parcels can be smaller than 1.0 hectare in size. As Bylaw 500 allows parcel averaging, the applicant will be required to register a Section 219 Covenant requiring all parcels within the subdivision to be no less than 1.0 hectare in size (see Attachment 2 – Conditions of Approval). The OCP also requires a Section 219 Covenant to prevent further subdivision under the *Land Title Act* or *Strata Property Act*. Since the proposed plan of subdivision shows each parcel of land with more than 1.0 hectare in area, and provided that the applicant satisfies the Conditions of Approval prior to adoption, the proposed amendment is consistent with the OCP policies.

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

The existing RU1 zoning of the subject property allows agriculture, aquaculture, home-based business, produce stand, silviculture, secondary suite, and residential use. Currently two dwelling units are permitted on the subject property, as the parcel area is greater than 2.0 hectares. The proposed subdivision is consistent with OCP policy as it relates to density supported of one dwelling unit per one hectare of land (see Attachment 6 – Proposed Amendment Bylaw 500.423, 2019).

The applicant has submitted a proposed plan of subdivision to show the potential parcel shape and dimensions (see Attachment 4 – Proposed Plan of Subdivision). The proposed plan was prepared to comply with the 1.0-hectare minimum parcel size requirement and accommodate the existing buildings, driveway access and parking area.

The proposed zoning amendment is required to demonstrate compliance with Policy B1.21 and OCP policy to provide verification of onsite sewage disposal capability and that potable water sources are sufficient to service the proposed development. In support of this, the applicant has

provided a Preliminary Hydrogeological Assessment prepared by GW Solutions Inc. dated June 5, 2018 which provides an assessment of the hydrogeological conditions of the subject property and provides a professional opinion on the suitability of a potable water source for the proposed subdivision. The report anticipates that a well on each proposed lot could sustain the required water supply of 3.5 m<sup>3</sup> per day provided that the water is used for domestic use only and that water conservation measures are taken (e.g. use of native plants, xeriscaping, rain water collection, no lawn watering using automatic sprinkling systems). Provided these measures are taken, a new well drilled for residential use on proposed Lot B will not have an adverse impact on surrounding wells, groundwater resources and receiving waters.

The applicant has also provided a soils summary to determine the suitability for onsite sewage on proposed Lot B. The summary concludes that the lot will be suitable for a low-pressure type 1 system. However, this will be verified by Island Health by way of a septic approval through the subdivision approval process.

Prior to the Board's consideration of adoption of the amendment bylaw, it is recommended that the applicant be required to register a Section 219 Covenant with a clause requiring wells to be constructed and tested at subdivision stage consistent with Board Policy B1.21.

### ***Environmental Implications***

Prior to land alteration and/or final approval for subdivision, the applicant shall be required to determine if the subject properties will be subject to the Fish Habitat Development Permit Area per the "Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Bylaw No. 1055, 1998". If it is determined that there is a watercourse subject to the *Riparian Area Regulations*, a development permit application will be required prior to subdivision approval.

### ***Intergovernmental Implications***

The application was referred to the local Fire Chief and RDN Water and Wastewater Services who expressed no concerns. The Ministry of Transportation and Infrastructure expressed no concerns, however all comments pertaining to the subdivision would be provided at the time of subdivision. Island Health has also commented that a subdivision application will require septic approval at the time of subdivision, which will need to be witnessed by the Environmental Health Officer. The City of Nanaimo was sent a referral as well because there is a right-of-Way (ROW) for a historic power generation connection between Westwood and Witchcraft Lakes intersecting a small portion of the proposed Lot A at the corner of Jameson and Ridgeway Roads. The City of Nanaimo's Parks department supports re-routing the ROW as necessary to provide privacy to the subject property owners. It was noted that this ROW provides a unique opportunity for a future trail/greenway development in an existing corridor and that re-routing may occur at any point in the future between the land owner and the City of Nanaimo would be supported. It is recommended to the applicant to consider this re-routing at the time of subdivision if desirable.

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

A Public Information Meeting (PIM) was held on November 6, 2018. Nine members of the public attended, and no written submissions were received prior to the PIM (see Attachment 5 – Summary of Minutes of the Public Information Meeting).

In accordance with Section 464 of the *Local Government Act*, the Board may waive the holding of a public hearing if the proposed amendment bylaw is consistent with the OCP. It is assessed that the proposed development is consistent with the OCP and no concern has been expressed by the community with respect to the proposed amendment. Therefore, it is recommended that the Board waive the public hearing and direct staff to proceed with the notification requirements outlined in Section 467 of the *Local Government Act*.

## **ALTERNATIVES**

1. To proceed with Zoning Amendment Application No. PL2018-092, consider first and second reading of the Amendment Bylaw and waive the Public Hearing.
2. To not proceed with the Bylaw amendment.

## **FINANCIAL IMPLICATIONS**

The proposed development has been reviewed and has no implications related to the Board 2018 – 2022 Financial Plan.

## **STRATEGIC PLAN IMPLICATIONS**

The proposed development has been reviewed and the application supports the Board 2016-2020 Strategic Plan's strategic priorities Focus on the Environment and Focus on Service and Organizational Excellence respectively through commitments to groundwater protection and the applicants proposed community amenity contribution to support of local emergency services.



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Angela Buick  
abuick@rdn.bc.ca  
December 18, 2018

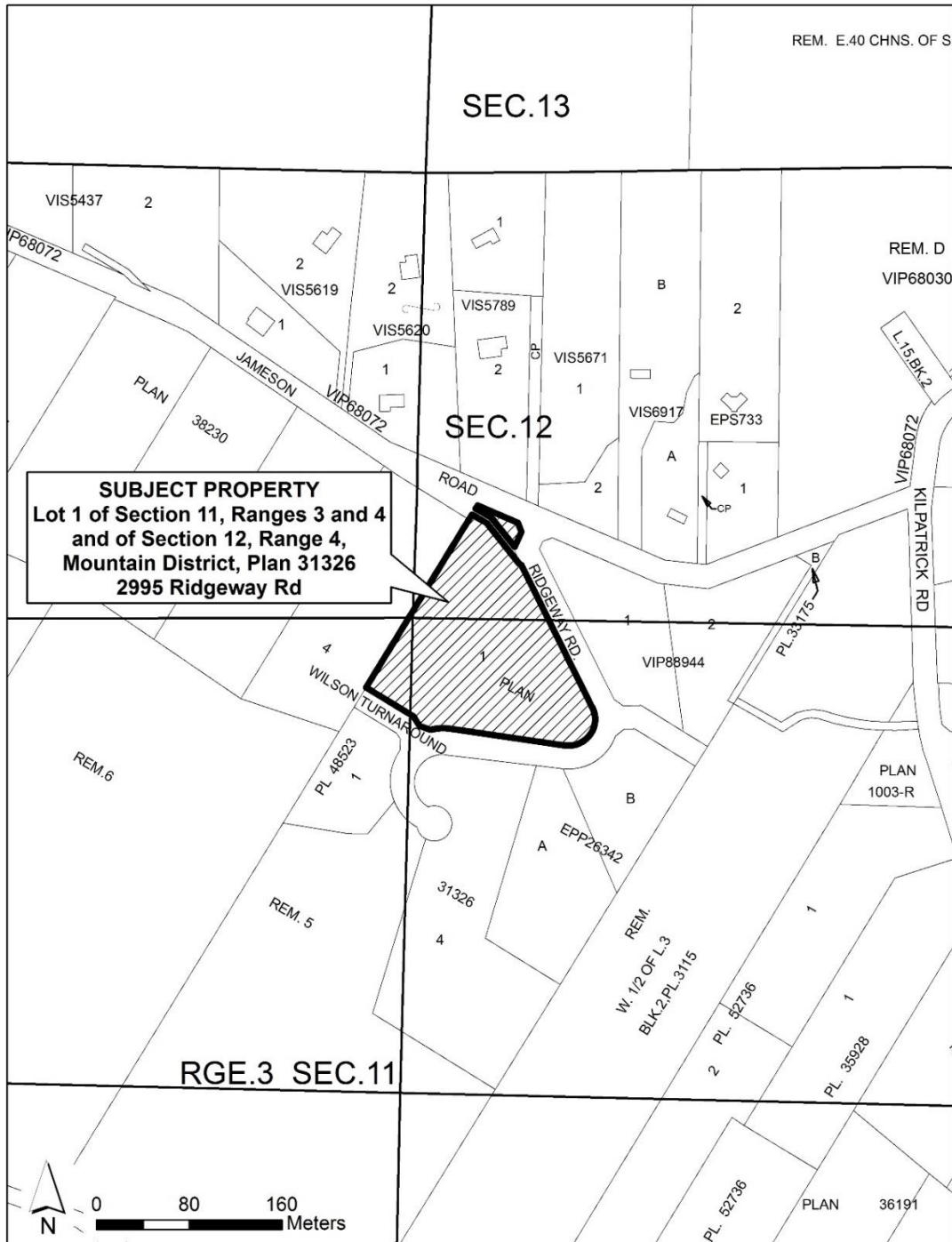
### Reviewed by:

- P. Thompson, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

### Attachments

1. Subject Property Map
2. Conditions of Approval
3. Current and Proposed Zoning Map
4. Proposed Plan of Subdivision
5. Summary of Report of the Public Information Meeting
6. Proposed Amendment Bylaw No. 500.423, 2019

**Attachment 1  
Subject Property Map**



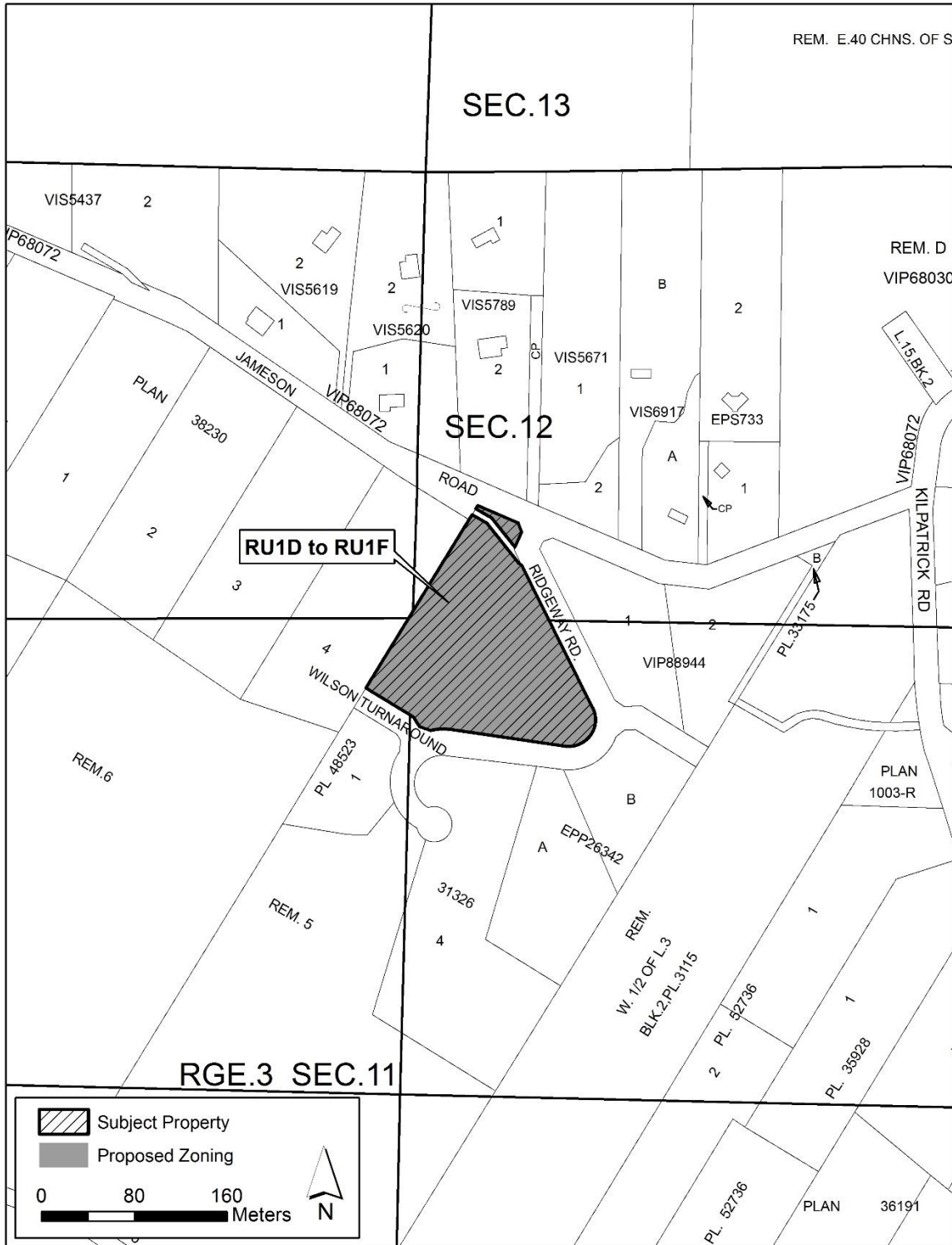
**Attachment 2**  
**Conditions of Approval**

The following is required prior to the “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019” being considered for adoption:

Conditions of Approval

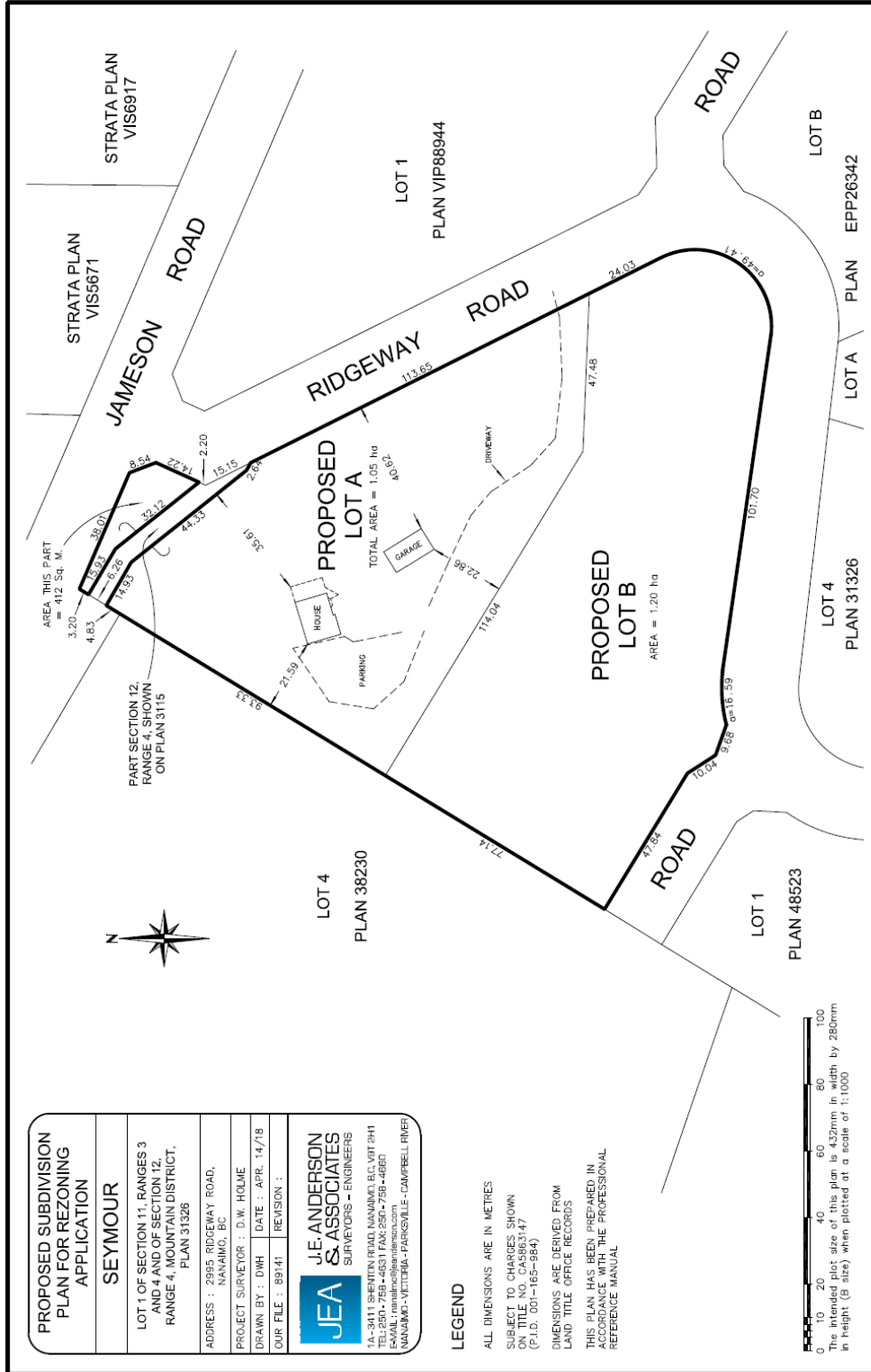
1. The applicant shall register, at the applicant’s expense, a Section 219 Covenant on the property title requiring any new parcel created through subdivision to be 1.0 hectare or greater in area.
2. The applicant shall register, at the applicant’s expense, a Section 219 Covenant on the property title to prohibit the subdivision of the new parcels.
3. The applicant shall register, at the applicant’s expense, a Section 219 Covenant on the property title requiring the development of the land occur in a manner consistent with the Preliminary Hydrological Assessment report prepared by GW Solutions Inc., dated June 5, 2018.
4. The applicant is required to register, at the applicant’s expense, a Section 219 Covenant on the property title stating that the wells be constructed and tested, and a report from a Professional Engineer (registered in BC) be submitted to the Regional District of Nanaimo prior to final approval of subdivision in accordance with “Board Policy B1.21 – *Groundwater – Application Requirements for Rezoning of Un-serviced Lands*”. No subdivision shall occur until such time that a report from a Professional Engineer (registered in BC) has been completed to the satisfaction of the Regional District of Nanaimo confirming that the wells have been pump tested and certified including well head protection, and that the water meets Canadian Drinking Water Standards.

### Attachment 3 Current and Proposed Zoning Map



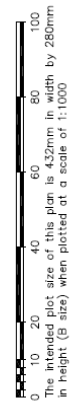


**Attachment 4**  
**Proposed Plan of Subdivision**



|  |                   |
|--|-------------------|
| <b>PROPOSED SUBDIVISION<br/>PLAN FOR REZONING<br/>APPLICATION</b>  |                   |
| <b>SEYMOUR</b>   |                   |
| LOT 1 OF SECTION 11, RANGES 3<br>AND 4 AND OF SECTION 12,<br>RANGE 4, MOUNTAIN DISTRICT,<br>PLAN 31326   |                   |
| ADDRESS : 2695 RIDGEWAY ROAD,<br>NANAIMO, BC   |                   |
| PROJECT SURVEYOR : D.W. HOLME  | DATE : APR. 14/18 |
| OUR FILE : 89141   | REVISION :        |
|  <b>J.E. ANDERSON<br/>&amp; ASSOCIATES</b><br>SURVEYORS - ENGINEERS<br>1A-3411 SHERIDAN ROAD NANAIMO, B.C. V9T 2H1<br>TEL: 250-759-4631 FAX: 250-759-4680<br>NANAIMO - VICTORIA - PARKSVILLE - CAMPBELL RIVER |                   |

**LEGEND**  
 ALL DIMENSIONS ARE IN METRES  
 SUBJECT TO CHARGES SHOWN  
 PLAN TITLE: PL-48523/147  
 (P.I.B. 001-165-3984)  
 DIMENSIONS ARE DERIVED FROM  
 LAND TITLE OFFICE RECORDS  
 THIS PLAN HAS BEEN PREPARED IN  
 ACCORDANCE WITH THE PROFESSIONAL  
 REFERENCE MANUAL



**Attachment 5**  
**Summary of Report of a Public Information Meeting**  
**Held at Mountain View Elementary School – Multi-purpose Room**  
**2480 East Wellington Road, Nanaimo**  
**November 06, 2018 at 6:05 PM**  
**RDN Application PL2018-092**

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

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

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

Director Maureen Young, Electoral Area C (the Chair)  
Charlie Pinker, Alternate for Electoral Area C  
Angela Buick, Planner handling the development application  
Sarah Preston, Planning Technician, Recording Secretary

**Present for the Applicant:**

Doug Holme, JE Anderson & Associates Ltd.  
David and Elaine Seymour, Subject Property Owners

The Chair opened the meeting at 6:05 pm, outlined the evening's agenda, and introduced the Regional District of Nanaimo (RDN) staff and the applicant(s) in attendance. The Chair then stated the purpose of the Public Information Meeting and asked RDN staff to provide background information concerning the development application.

Director Young provided a brief summary of the proposed Zoning Amendment application, supporting documents provided by the applicant, and the application process.

The Chair invited the applicant to give a presentation of the development proposal.

Doug Holme, JE Anderson & Associates Ltd. presented an overview of the proposal.

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

Peter Wright, 2940 Jameson Road, asked to clarify the total density after re-zoning.

The Chair explained that there would be two dwelling units and that there could be up to one suite associated with each house, per the new secondary suites bylaw. The application does not increase the density.

Tim Miller, 3000 Ridgeway Road, asked if there was going to be more small lot subdivisions in the area.

Charlie Pinker, Alternate, explained that there will not be any high-density subdivisions in the area. At the time the Official Community Plan (OCP) was reviewed in 1997, the residents wanted the option to rezone properties that predated the bylaw to support 1.0-hectare minimum parcel sizes with one dwelling unit, provided they met the OCP policies in this regard.

David Seymour, 2995 Ridgeway Road, explained that the OCP designation was the reason they purchased the property as they had a plan to develop the land. If approved, they will have the option to keep it or sell it to help realize their dream of being mortgage free.

Peter Wright, 2940 Jameson, noted he would be in support of the application as long as it didn't result in a loss of the area's rural character.

Laura McDonough, 3000 Ridgeway Road, announced that the water was good but asked what this application means for overland flow.

Doug Holme, Agent, explained that drainage is dealt with at the time of subdivision.

David Seymour, 2995 Ridgeway Road, announced that they had all the overland flow coming from the mountain, and that Ministry of Transportation and Infrastructure (MOTI) diverted it to the other side of the road.

Laura McDonough, 3000 Ridgeway Road, noted that MOTI did some work to improve their side of the road but there are now erosion issues. They also asked if there was enough water capacity to serve another dwelling unit.

Doug Holme, Agent, referenced the geotechnical engineers' report which concluded that there would be enough water to support a new well for single family residential use and confirmed that the subdivision will not be approved if there isn't enough water when the well is drilled.

Laura McDonough, 3000 Ridgeway Road, announced her concern about wells running low but stated that perhaps this only effects properties on Jameson Road.

Doug Holme, Agent, reiterated that the report concluded that there would be sufficient water for another dwelling unit.

Ian Higgs, 2962 Ridgeway Road, expressed his concern for the re-routed drainage beside his property. It has eroded his driveway and devastated the ditch, washing it away. Asked why MOTI hasn't utilized ditches on both sides of the road?

The Chair, asked if the ditch is on Ian's property or on MOTI land?

Ian Higgs, 2962 Ridgeway Road, explained that MOTI says it's partially his land and their land. The previous owner had completed some non-standard rockwork that was done as landscaping by a prior owner. MOTI came out with a grader and cut off the vegetation which had caused major erosion issues.

David Seymour, 2995 Ridgeway Road, explained that MOTI admitted they made a mistake and took some fault because they would have to buy a portion of the property, so they laid a rock ditch to help

but it eroded away. David offered to work together with Ian in connection with MOTI to help solve the erosion issue at the 2962 Ridgeway Road ditch.

Laura McDonough, 3000 Ridgeway Road, explained that some of the drainage is moving down her driveway and toward her house.

The Chair asked if there were any further questions or comments. Being none, the Chair thanked those in attendance and announced that the Public Information Meeting was closed.

The meeting was concluded at 6:35 pm.



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Sarah Preston, Recording Secretary

**Attachment 6**  
**Proposed Amendment Bylaw No. 500.423, 2019**

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 500.423**

**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. 500.423, 2019”.
- B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:
  - 1. By rezoning the lands shown on the attached Schedule ‘1’ and legally described as

Lot 1 of Section 11, Range 3 and 4 and of Section 12, Range 4, Mountain District, Plan 31326 from Rural 1 Zone Subdivision District ‘D’ to Rural 1 Zone Subdivision District ‘F’

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

Public Hearing waived in accordance with Section 464(2) of *The Local Government Act*.

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

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

\_\_\_\_\_  
Chair

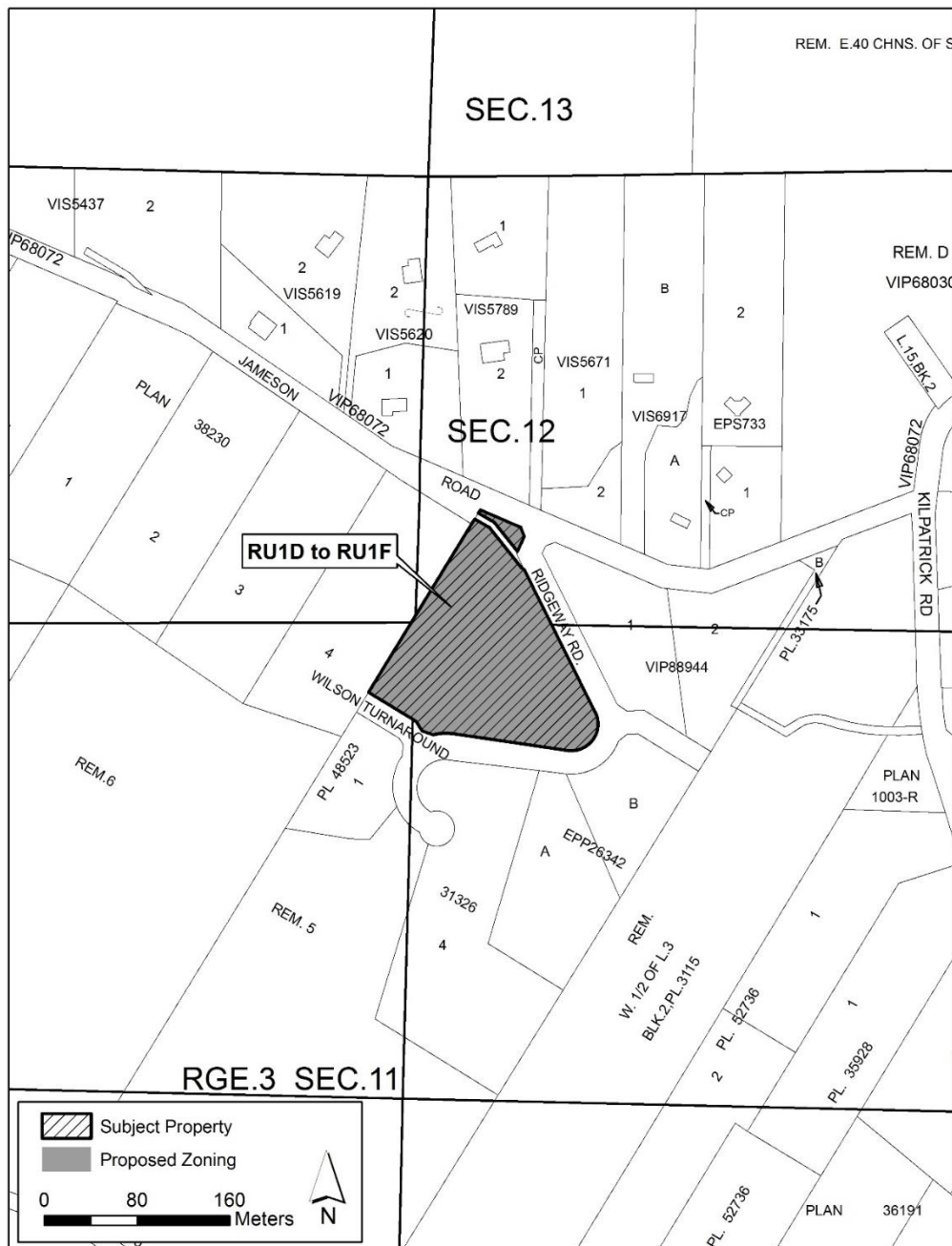
\_\_\_\_\_  
Corporate Officer

Schedule '1' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019".

\_\_\_\_\_  
Chair

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

**Schedule '1'**



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**TO:** Electoral Area Services Committee      **MEETING:** January 8, 2019  
**FROM:** Courtney Simpson  
Senior Planner      **FILE:** 2400 20 NAV/AVI  
**SUBJECT:** Nanaimo Airport Planning Consultation Plan

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**RECOMMENDATION**

That the Terms of Reference including the Consultation Plan for the “Nanaimo Airport Planning Bylaw Updates” be endorsed.

**SUMMARY**

The Nanaimo Airport is a regional transportation hub and important part of the Central Vancouver Island economy. The Nanaimo Airport Commission (NAC), who owns and operates the airport, has developed a land use plan that includes expanding the airport terminal and airside commercial for aviation and aviation light industrial, and developing land adjacent to the Trans Canada Highway for commercial uses, passenger flow, and parking. The purpose of this project is to amend the Regional Growth Strategy (RGS), Electoral Area A Official Community Plan (OCP), and Nanaimo Regional District Land Use and Subdivision Bylaw 500, 1987 (zoning bylaw) to support growth of the Nanaimo Airport lands as a regional transportation hub and an important part of the central Vancouver Island economy.

The attached Terms of Reference outlines a project to amend the RGS, OCP and zoning bylaw for the Nanaimo Airport lands to acknowledge current airport use and to create policies, objectives, guidelines and regulations for uses not related to aeronautics (see Attachment 1 – Terms of Reference). This project will build on previous work over the past 15 years to adopt land use regulations for the Nanaimo Airport lands. As a starting point for consultation, draft RGS, OCP and zoning bylaw amendments will be developed building on past work and updated for today’s context. Stakeholder and public consultation will seek input on these draft amendments. The objectives of this project are as follows:

- Consider the proposed land uses on Nanaimo Airport lands within the local and regional land use context.
- Ensure that development on the Nanaimo Airport lands is consistent with the vision, principles and goals of the OCP.
- Build on previous work to update RDN planning bylaws for the Airport lands.
- Ensure policies, regulations and guidelines are in place to protect the Cassidy aquifer, and other ecologically important habitats and features.



## **BACKGROUND**

The Nanaimo Airport is located on approximately 211 hectares of land situated in the southwest corner of Electoral Area A. Jurisdiction over land use is shared between the RDN and the NAC, and depends on the nature of specific uses. Use and development of the Airport lands in relation to aeronautics is under exclusive federal authority through the NAC, and not subject to the regulatory control of the RDN, however, uses not related to aeronautics are subject to RDN bylaws.

The Nanaimo Airport lands are almost entirely within the RDN; a small portion at the south end of the property is within the Cowichan Valley Regional District. In 1942, the Department of National Defense purchased the land on which the Airport is situated, and constructed an airstrip making it war-ready. In 1992, the management of the Airport was transferred to the NAC, a federally registered not for profit authority, to which ownership of the lands was also transferred in 1996. A more detailed history of the airport is found on the Nanaimo Airport website at: [www.nanaimoairport.com/business/history](http://www.nanaimoairport.com/business/history).

Until 1997, the Airport land was entirely in the Agricultural Land Reserve (ALR). The Airport received approval from the Agricultural Land Commission to exclude approximately 50 hectares from the ALR to allow for the addition of 'airport related' uses along the portion of the airport adjacent to the Island Highway. The Commission also granted 'special use status' for a 40 hectares parcel for commercial/recreational use (Cottonwood Golf Course) to the east of the airport runway.

Since at least 2003, the RDN and the NAC have been in discussion to formalize current aeronautics-related uses in RDN planning bylaws and to create policies and regulations for future uses on the Nanaimo Airport lands that are not related to aeronautics and operation of the airport. During the most recent review of the Electoral Area A OCP, it was decided to initiate a separate process to adopt a objectives, policies and regulations for the Nanaimo Airport lands within the OCP and zoning bylaw, and this separate process began in 2011. Over the past several years, the RDN and NAC have been in discussions to develop a MOU, which is ongoing.

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

The RGS designates the area containing the airport terminal, hangars and associated parking and some undeveloped land as "Industrial", and the ALR land including the runway and golf course, and the land fronting the Island Highway as "Resource Lands and Open Space". The Cassidy Village Centre is immediately across the Trans Canada Highway from the Airport lands.

The 2011 OCP designates these lands as "Nanaimo Airport" and does not contain any objectives or policies for this designation, instead supporting a public process to add objectives and policies for these lands to the OCP in the future.

Current zoning of the Nanaimo Airport lands does not reflect actual land uses. The lands are zoned Rural 4 or Agriculture 1, and are within Subdivision District 'D'. The permitted uses in the Rural 4 zone are agriculture, aquaculture, home based business, produce stand, residential use, silviculture, and secondary suite. Permitted principal uses in the Agriculture 1 zone are farm use, agriculture and residential. The minimum parcel size in Subdivision District 'D' is 2.0 hectares irrespective of the level of servicing available.

### ***Intergovernmental Implications***

Given the regional importance of the Nanaimo Airport, the Cowichan Valley Regional District, City of Nanaimo, and Town of Ladysmith are included in the stakeholder list for this planning project. The RGS

recognizes the need to coordinate planning with First Nations. The Terms of Reference includes a list of First Nations who have indicated interest in the lands that include the Nanaimo Airport lands who will be engaged with as part of this project (see Attachment 1).

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

As outlined in the Consultation Plan within the Terms of Reference, public consultation includes key local stakeholder engagement and broad public consultation. Drop-in office hours in Cassidy for three days is planned as an opportunity for local residents to learn about the project and provide input, and a public meeting or open house with presentation by staff is planned to target a broad range of interested public from the wider region. Planning staff will seek to meet with stakeholder groups individually either by attending meetings they already have scheduled or at a meeting specifically to discuss the project.

### **ALTERNATIVES**

1. That the Terms or Reference including the Consultation Plan for the “Nanaimo Airport Planning Bylaw Updates” be endorsed.
2. That the Terms or Reference including the Consultation Plan for the “Nanaimo Airport Planning Bylaw Updates” be amended.
3. Not proceed with the Terms or Reference including the Consultation Plan for the “Nanaimo Airport Planning Bylaw Updates”.

### **FINANCIAL IMPLICATIONS**

The resources needed for this project are largely staff time. The 2018 budget includes a small amount for community engagement such as facility rentals and printed materials.

Approximately 0.5 full-time staff equivalent from Strategic and Community Development and mapping resources will be assigned to the project through to completion. 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 Board’s Strategic Plan recognizes “focus on economic health” and this project will advance the goal to “support both our traditional industries including forestry, tourism, manufacturing and fishing as well as emerging knowledge based and technology based industries.” The process proposes to address issues of jurisdiction at the airport and balance the local matter of land use with the regional provision of air transportation. Goals of other focus areas of the Strategic Plan for “focus on the environment” and “focus on relationships” will also be advanced through this project.



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Courtney Simpson  
csimpson@rdn.bc.ca  
December 6, 2018

Reviewed by:

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

Attachments

1. Terms of Reference for Nanaimo Airport Planning Bylaw Updates Project

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# Nanaimo Airport Planning Bylaw Updates

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## Terms of Reference

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December 6, 2018

### Introduction

The purpose of this project is to acknowledge current aviation uses and support the growth and development of the Nanaimo Airport lands by amending the Regional Growth Strategy (RGS), Electoral Area A Official Community Plan (OCP) and the Land Use and Subdivision Bylaw 500 (zoning bylaw).

Since at least 2003 the Regional District of Nanaimo (RDN) and the Nanaimo Airport Commission (NAC) have been in discussion to formalize current aeronautics-related uses in RDN land use bylaws and to create policies and regulations for future uses on the Nanaimo Airport lands that are not related to aeronautics and operation of the airport. During the most recent review of the Electoral Area A OCP, it was decided to initiate a separate process to adopt a land use plan for the Nanaimo Airport lands within the OCP and zoning bylaw, and this separate process began in 2011. This Terms of Reference outlines the current phase in the ongoing project towards adoption of OCP and zoning bylaw amendments for the Nanaimo Airport lands.

### 1. Background

The Nanaimo Airport is located on approximately 211 hectares (ha) of land situated in the southwest corner of Electoral Area A (see figure 1). Jurisdiction over land use is shared between the RDN and the NAC, and depends on the nature of specific uses. Use and development of the airport lands in relation to aeronautics is under exclusive federal authority through the NAC and not subject to the regulatory control of the RDN, however, uses not related to aeronautics are subject to RDN bylaws.

The Nanaimo Airport lands are almost entirely within the RDN; a small portion at the south end of the property is within the Cowichan Valley Regional District. In 1942, the Department of National Defense purchased the land on which the Airport is situated, and constructed an airstrip making it war-ready. In 1992, the management of the Airport was transferred to the NAC, a federally registered not for profit authority, to which ownership of the lands was also transferred in 1996. A more detailed history of the airport is found on the Nanaimo Airport website at: [www.nanaimoairport.com/business/history](http://www.nanaimoairport.com/business/history).

Until 1997, the Airport property was entirely in the Agricultural Land Reserve (ALR). The Airport received approval from the Agricultural Land Commission to exclude approximately 50 ha from the ALR to allow for the addition of 'airport related' uses along the portion of the airport adjacent to the Island Highway. The Commission also granted 'special use status' for a 40 ha parcel for commercial/recreational use (the golf course) to the east of the airport runway.

### ***Regional Growth Strategy, OCP and Zoning***

The Regional Growth Strategy (RGS) designates the area containing the airport terminal, hangars and associated parking as “Industrial”, and the ALR land including the runway and golf course, and the land fronting the Island Highway as “Resource Lands and Open Space” (see figure 1).

The 2011 OCP designates these lands as “Nanaimo Airport” and does not contain any objectives or policies for this designation, instead supporting a public process to add objectives and policies for these lands to the OCP in the future.

Current zoning of the Nanaimo Airport lands does not reflect actual land uses. The lands are zoned Rural 4 or Agriculture 1, and are within Subdivision District 'D' (see figure 2). The permitted uses in the Rural 4 zone are: agriculture, aquaculture, home based business, produce stand, residential use, silviculture, and secondary suite. Permitted principal uses in the Agriculture 1 zone are farm use, agriculture and residential. The minimum parcel size in Subdivision District 'D' is 2.0 ha irrespective of the level of servicing available.

### ***Past work on OCP and Zoning Bylaw Amendments***

The NAC has been pursuing development of their non-ALR land adjacent to the Island Highway for some time, and first referred a draft of their “Nanaimo Airport Master Plan” to the RDN for comment in 2003, which was subsequently finalized in 2004. At that time, the RDN drafted OCP and zoning bylaw amendments for the lands but these were not adopted and the earlier zoning remains in place. Since then, the NAC has continued to develop and refine their land use plan, and published a map on their website at [www.ycdaviationgateway.ca](http://www.ycdaviationgateway.ca), which provides important context and background for this project.

Non-aviation use of the Nanaimo Airport lands were again considered during the Electoral Area A OCP Review from 2008-2011, but issues and community concern over land use jurisdiction of the Nanaimo Airport lands could not be resolved in the time frame for that process, and it was decided to initiate a separate, public engagement process following adoption of the OCP.

Immediately following the adoption of the 2011 OCP, the RDN engaged CitySpaces Consulting to conduct a jurisdictional review of comparable airports in BC and to provide advice to the RDN on an appropriate process to include the Airport lands in the Area A OCP based on feedback from consultations with key stakeholders, Area A residents and the general public. The “Nanaimo Airport Land Use Final Report” dated June 2012 presents the results of their review and consultation. Based on the recommendations in that report, the RDN and NAC proceeded to develop a memorandum of understanding (MOU) which is still ongoing.

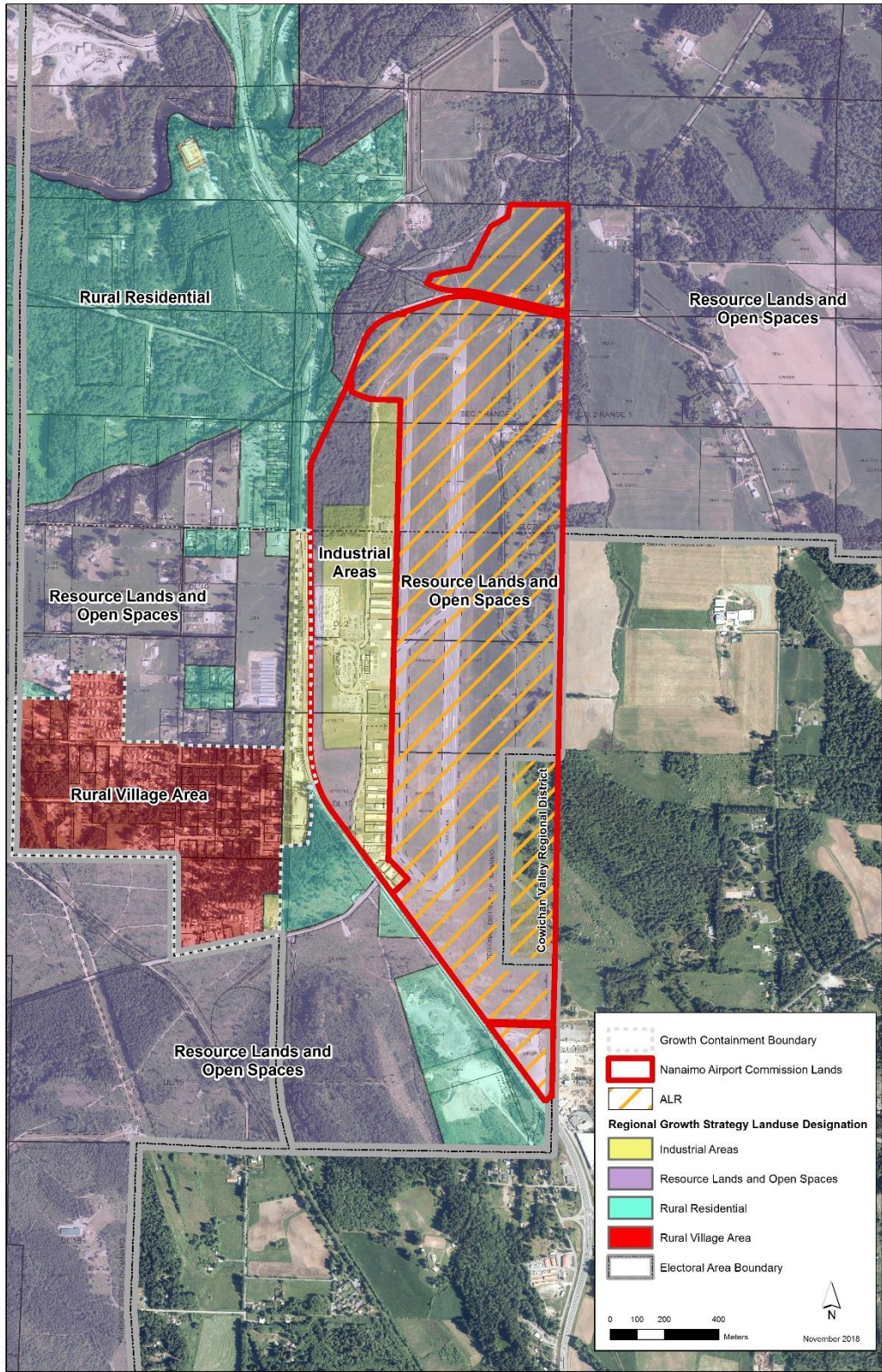


Figure 1 Nanaimo Airport Commission Lands and Current Regional Growth Strategy Designations

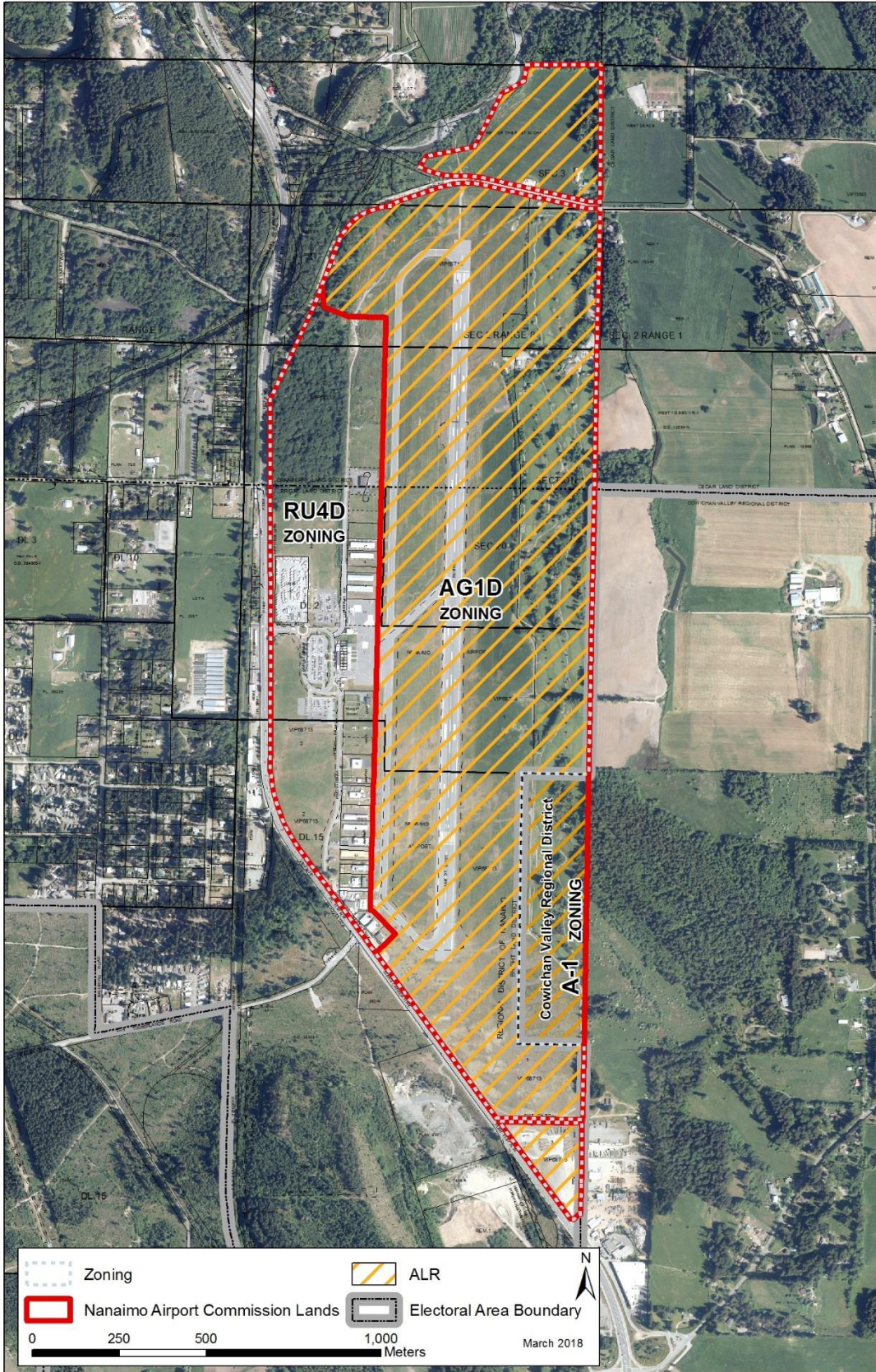


Figure 2 Nanaimo Airport Commission Lands and Current Zoning

## 1.1. Goal

To amend the RGS, OCP and zoning bylaw for the Nanaimo Airport lands to acknowledge current aviation use and to create policies, objective, guidelines and regulations for non-aviation related uses.

## 1.2. Objectives

- Support the growth of the Nanaimo Airport as a regional transportation hub and an important part of the central Vancouver Island economy.
- Consider the proposed land uses on Nanaimo Airport lands within the local and regional land use context.
- Ensure that development on the Nanaimo Airport lands is consistent with the vision, principles and goals of the OCP.
- Build on previous work to update RDN planning bylaws for the Airport lands.
- Ensure policies, regulations and guidelines are in place to protect the Cassidy aquifer, and other ecologically important habitats and features.

## 2. Scope of Work

The scope of this project includes stakeholder and public engagement on the existing planning work done for the Nanaimo Airport lands by the NAC and the RDN, and adoption of RGS, OCP and zoning bylaw amendments so that development of non-aviation uses on the Nanaimo Airport lands can proceed. The following specific activities are included in the project scope:

- Amendments to the RGS, OCP and zoning bylaw for the Nanaimo Airport lands.
- Preparation of draft RGS, OCP and zoning amendments for consultation.
- Development permit area designations for aquifer protection, form and character, and consideration of other development permit area designations.
- Consideration of zoning bylaw amendment for the golf course land.
- OCP amendments outside of the Nanaimo Airport lands to preserve the flight path.

In consideration of the stakeholder and public engagement that has already occurred for this project over the past several years, the scope does not include any visioning-style work for the use of these lands. Instead, this project builds on previous work. As well, continued development of the MOU with NAC is not within the scope of this project and will proceed separately.



### 3. Tasks and Timeline

The timetable below is based on the project scope as outlined in this Terms of Reference. Any proposed changes to the scope should be evaluated against the timeline to understand how the timeline may be impacted. The timeline for presentation of draft bylaws to the EASC depends on the timeline of the Nanaimo Airport for providing necessary information on their land use plan to ensure that the draft bylaws are consistent with their plans.

| <b>Project Timeline</b>          |   |                           |
|----------------------------------|---|---------------------------|
|                                  | <b>MILESTONE</b>  | <b>TARGET DATE (2019)</b> |
| <b>INITIATE</b><br>(3 months)    | <b>Terms of Reference and Engagement Plan to EASC</b>                               | January 8 EASC            |
|                                  | <b>Terms of Reference and Engagement Plan endorsed by Board</b>                     | January 22 Board          |
|                                  | <b>Liaison with Nanaimo Airport and NAC Board</b>                                   | Ongoing                   |
|                                  | <b>Draft for consultation reviewed by EASC</b>                                      | March 12 EASC             |
|                                  | <b>Draft for consultation endorsed by Board</b>                                     | March 26 Board            |
|                                  | <b>News Release and other communications</b>  | March 29                  |
|                                  | <b>First Nations and stakeholder outreach</b>                                       | March 29                  |
| <b>CONSULT</b><br>(3 months)     | <b>Office Hours in Cassidy (3 days)</b>   | April                     |
|                                  | <b>Stakeholder meetings</b>   | April                     |
|                                  | <b>Online survey</b>  | April                     |
|                                  | <b>Public open houses / meetings</b>  | April                     |
| <b>ADOPT</b><br>(4-5 months)     | <b>Report to EASC for OCP and zoning 1<sup>st</sup> and 2<sup>nd</sup> reading</b>  | June 11 EASC              |
|                                  | <b>Report to Board for OCP and zoning 1<sup>st</sup> and 2<sup>nd</sup> reading</b> | June 25 EASC              |
|                                  | <b>Bylaw referral to agencies and First Nations</b>                                 | June 28                   |
|                                  | <b>Public Hearing</b>   | July                      |
|                                  | <b>Report to COW for RGS 1<sup>st</sup> reading</b>                                 | July 23                   |
|                                  | <b>OCP and zoning 3<sup>rd</sup> Reading and Adoption</b>                           | September 17 Board        |
|                                  | <b>Updates to website and follow up public communication</b>                        | September                 |
| <b>Adoption of RGS amendment</b> | October   |                           |

## 4. Roles and Responsibilities

**Staff:** to provide project management and professional advice, organize, coordinate and facilitate public consultation, draft and finalize the bylaw amendments.

**Electoral Area Director:** to provide situational leadership throughout the project by chairing and/or presenting at public events, and reporting to the EASC and Board on the project as required.

**EASC:** to review the project from a regional and sub-regional perspective and make recommendations to the RDN Board on bylaw amendments which may result.

**RDN Board:** to consider recommendations from the EASC regarding bylaw amendments

**Member Municipalities:** to consider proposed RGS amendments.

## 5. Stakeholders and Public Engagement

The RDN is committed to ongoing and meaningful public consultation, and recognizes that not only do the people who live with the impacts of any of our plans, policies, programs or projects expect to share in the decision-making process but that better decisions are made through a shared approach<sup>1</sup>.

The plan for community engagement for this project is based on the following principals:

**Inclusiveness** – engage the widest possible audience through multiple consultation opportunities

**Timeliness** – offer early and ongoing opportunities for participation well before decisions are made

**Transparency** – records of all consultation activities will be made available to the public

**Balance** – provide opportunities for diverse perspectives and opinions to be raised and considered

**Flexibility** – adapt as required to meet the needs of participants

**Traceability** – demonstrate the impact of participation input on decision-making

### 5.1 Approach, Methods and Tools

A variety of methods and tools will be used to communicate and engage during the project. These methods and tools are divided into five approaches:

**Information** – The RDN will share information about the project throughout the process. Updates will be shared through RDN social media accounts and print materials such as the RDN Perspectives quarterly publication. A “Get Involved” page will be created for the project and updated regularly, acting as the main source of information for the project. Interested public and stakeholders will be encouraged to sign up for email alerts on the project through “Get Involved”.

**Online Consultation** – The RDN will solicit comments and feedback online through the “Get Involved” page for the project using tools such as online survey and the Question and Answer tool.

**Live Events** – The following live events are planned:

- Drop in office hours in the Cassidy area for three days with the target audience of the local Cassidy neighbourhoods.

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<sup>1</sup> Regional District of Nanaimo, 2008. *A Coordinated Public Consultation/Community Framework*.

- Two public meeting / open houses with presentation by staff targeting a broad range of interested public from the wider region.

**Outreach** – Outreach to the public will be through newspaper ads for the live events, Facebook and Twitter, direct email and phone calls to identified stakeholders listed in this Terms of Reference. Planning staff will seek to meet with stakeholder groups individually either by attending meetings they already have scheduled or at a meeting specifically to discuss the project. If groups that are not already identified in the stakeholder list in this Terms of Reference wish to be involved, Planning staff will meet with and otherwise include them in the consultation for this project.

Engagement with internal stakeholders at the RDN is also important to this process, and there will be collaboration with staff within the Strategic and Community Development department as well as those in other departments who may be impacted by the project or whose expertise may be important.

## 5.2 Outcomes and Products

One of the principles of this public engagement is transparency, and in order to achieve this, the “Get Involved” page for the project will be used to store information and resources. Presentation materials from public events will be posted to the website so that people who do not attend in person have access to the same information presented at the event. Input received from the public or stakeholders will be posted to the website. An exception to this may be engagement with First Nations, where confidential or sensitive information may not be posted publicly.

## 5.3 Referral Agencies, and Community Stakeholders

There is a statutory requirement for consultation in section 475 of the *Local Government Act*, which requires that during the development of an Official Community Plan, the Regional District must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. The Board must specifically consider whether consultation is required with the board of any regional district that is adjacent to the area covered by the plan, the council of any municipality that is adjacent to the area covered by the plan, First Nations, school district boards, greater boards and improvement district boards, and the Provincial and Federal governments and their agencies.

The following is a list of stakeholders for Board consideration pursuant to the requirements in the *Local Government Act*. If groups or agencies identified in the list wish to be involved, Planning staff will meet with and otherwise include them in the consultation for this project.

| <b>Local</b>  | <b>Provincial</b>   |
|---|---|
| <ul style="list-style-type: none"> <li>• Nanaimo Airport Commission</li> <li>• North Cedar Improvement District</li> <li>• Past members of the Electoral Area ‘A’ OCP Committee</li> <li>• Nanaimo Flying Club</li> <li>• Nanaimo Area Land Trust</li> <li>• South Wellington and Area Community Association</li> </ul> | <ul style="list-style-type: none"> <li>• School District No. 68</li> <li>• Island Health</li> <li>• Agricultural Land Commission</li> <li>• Ministry of Municipal Affairs &amp; Housing</li> <li>• Ministry of Environment</li> <li>• Ministry of Transportation &amp; Infrastructure</li> <li>• Ministry of Forests, Lands, Natural Resource Operations &amp; Rural Development</li> </ul> |

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**Local Governments**

- Cowichan Valley Regional District
- City of Nanaimo
- Town of Ladysmith

**Federal**

- Canadian Wildlife Service
  - Transport Canada
-

## 5.4 First Nations Engagement

The Regional Growth Strategy recognizes the need to coordinate planning with First Nations. Regional Growth Strategy Policy 11.3 states that “the RDN wishes to involve First Nations in its planning processes in the same way it involves other levels of government”, and that the RDN will “continue dialogue with First Nations regarding land use planning in the RDN... for the purpose of building a mutual appreciation and understanding of land use planning processes”. The following First Nations have indicated interest in an area that includes the Nanaimo Airport lands.

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Stz’uminus First Nation  
Snuneymuxw First Nation  
Lake Cowichan First Nation  
Halalt First Nation  
Lyackson First Nation  
Penelakut First Nation  
Cowichan Tribes

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First Nations will be contacted by letter or email initially about the project, and asked how they would like to be involved. The plan for engagement with First Nations after this initial outreach will be defined based on their response. Regardless of response to this initial outreach, all First Nations will receive a formal bylaw referral after 1<sup>st</sup> reading.

## 6. Budget and Resources

Approximately 0.5 full-time staff equivalent from Strategic and Community Development and mapping resources will be assigned to the project through to completion. All community, stakeholder and First Nations engagement, bylaw drafting, communications materials drafting and design will be completed by RDN staff.

## 7. Monitoring and Evaluation

The RDN recognizes that engaging the public is a constantly evolving challenge, and is committed to developing new and innovative approaches to keep the community involved and informed as well as getting their feedback. Evaluating the public engagement for this project will be done throughout by using feedback forms, surveys, and polls to gauge to what extent the public’s expectations are being met, in order to adapt the consultation methods during the project, and as a learning tool for future projects.

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**TO:** Electoral Area Services Committee      **MEETING:** January 8, 2019  
**FROM:** Catherine Morrison  
          Manager, Emergency Services      **FILE:** 7320-20 CRI FS  
**SUBJECT:** FireSmart Community Funding Grant

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### **RECOMMENDATION**

That the grant application by the Regional District of Nanaimo for \$47,390 to the Union of British Columbia Municipalities Community Resiliency Investment Program for the completion of FireSmart education, cross training and FireSmart for private land activities be endorsed.

### **SUMMARY**

The Community Resiliency Investment program is a new provincial program intended to reduce the risk and impact of wildfire to communities in British Columbia (BC) through community funding. The Regional District of Nanaimo (RDN) can request grant funds to provide the Local FireSmart Representative Workshop, the FireSmart Community Champion Workshop, a FireSmart Community Event and to provide FireSmart home assessments with incremental staff wages for volunteer fire department members to assist in the completion of assessments. As an incentive to complete home assessments, the RDN has requested grant funds to include yard waste disposal vouchers to the first 150 homeowners who have an assessment completed. The application deadline for the grant funding was December 7, 2018. To meet this deadline, the application was submitted prior to receiving Board support, therefore this report is now seeking Board endorsement for the proposed project activities and grant application.

### **BACKGROUND**

The BC Flood and Wildfire Review identified a critical need to strengthen public understanding of the risks and personal responsibilities associated with living in a community where Wildland and Urban Interface. Wildfires can have significant public safety and economic impacts, properly preparing homes and communities can reduce the risk of damage caused by wildfires. Findings from a study of the 2016 Horse River wildfire in Fort McMurray indicate that FireSmart principles were one of the main reasons why individual homes survived.

The 2-day Local FireSmart Representative Workshop will equip the Fire Departments and RDN emergency services staff with the tools to work with community groups to commence the implementation of the FireSmart Canada Community Recognition Program (FCCRP). The FCCRP is the second major component of the FireSmart Canada Initiative and is especially effective on private land in the wildland/urban interface, an area that is beyond the reach of provincial wildfire hazard mitigation programs. Local FireSmart Representatives will have the knowledge and training to deliver the Community Champion Workshops and assist homeowners in the completion of FireSmart home assessments. Should the grant application be successful,

the Community Champion Workshops and FireSmart home assessments will take into account the restrictions on lands that are environmentally sensitive or hazardous, and any requirements to follow land use regulations that may apply.

## **ALTERNATIVES**

1. That the grant application by the Regional District of Nanaimo for \$47,390 to the Union of British Columbia Municipalities Community Resiliency Investment Program for the completion of FireSmart education, cross training and FireSmart for private land activities be endorsed.
2. That alternate direction be provided.

## **FINANCIAL IMPLICATIONS**

RDN staff will need to dedicate time to the workshops, community event and home assessments. The Community Resiliency Investment program grant will cover the costs for all proposed project activities.

To support the continuation of FireSmart activities each year, the RDN can work with active community groups to apply for the Wildfire Community Preparedness Day project funding awards offered by FireSmart Canada aimed at reducing wildfire risks within their communities.

## **STRATEGIC PLAN IMPLICATIONS**

Focus On Service And Organizational Excellence - We View Our Emergency Services As Core Elements Of Community Safety



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Catherine Morrison  
[cmorrison@rdn.bc.ca](mailto:cmorrison@rdn.bc.ca)  
December 3, 2018

Reviewed by:

- D. Pearce, Director of Transportation and Emergency Services
- P. Carlyle, Chief Administrative Officer

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**TO:** Electoral Area Services Committee      **MEETING:** January 8, 2019  
**FROM:** Doug Gardiner  
Fire Service Coordinator      **FILE:** 7200 01 OG  
**SUBJECT:** Fire Department Operational Guidelines Update

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### **RECOMMENDATION**

That the Fire Department Operational Guidelines Update be received for information

### **SUMMARY**

In April 2016, a Fire Services Review was conducted for the Regional District of Nanaimo (RDN). One of the recommendations from the review was that each Fire Department has a complete set of Operational Guidelines (OGs), and that the RDN, in cooperation with the fire departments, develop a uniform set of region-wide OGs for use by each department to reduce the workload involved and ensure consistency. The project to create a standardized set of Operational Guidelines for the six Fire Departments where the RDN is the authority having Jurisdiction (AHJ), began early in 2018 and was completed in September 2018 with final copies being distributed in early November. Standardized OGs were created in consultation with the six Fire Chiefs to incorporate services provided by each department. As not all departments offer the same services such as Swift Water Rescue, the Fire Chiefs are in the process of determining which of the OGs are applicable to their department and will then review each applicable OG with their members.

### **BACKGROUND**

Operational Guidelines are required by WorkSafe B.C. and need to be in place for any action that is not considered to be a common practice that a lay person would perform in their everyday life. As OGs are operational in nature, the Fire Chiefs are responsible for having current OGs in place that are applicable to the operational needs of the department. OGs need to be accessible, reviewed and understood by all fire department members on a regular basis. With consultation from the regional Fire Chiefs and the RDN Fire Services Coordinator, the consultant developed an online platform utilizing Google drive to store the standardized set of OGs and make them accessible to Fire Chiefs and Officers. Tim Pley and Associates was the firm selected by the RDN to complete the development of the set of OGs.

The consultant met with the fire departments on April 18, 2018 to give a general overview of the project and have input from the fire departments on what they would like to see in the finished product. Between April and June, the consultant held two progress meetings with the six RDN Fire Chiefs, at each of these meetings the OGs that were completed to date were reviewed by the Chiefs with the consultant. The completed project is a bank of OGs that each Fire Chief can utilize for their department's specific functions.



Following the fire season on September 17, 2018, the final meeting was held with the Fire Chiefs to review the completed Operational Guidelines. Each of the Fire Chiefs was sent a copy of the final OG bank and provided access to the online platform for easy retrieval. In the future, a OG committee will review any amendments, deletions or additions to the bank of OGs.

## **ALTERNATIVES**

1. That the Fire Department Operational Guidelines Update be received for information.
2. That alternative direction be provided.

## **FINANCIAL IMPLICATIONS**

The consultant costs for the completion of the project were \$34,000. There are no further financial implications for this project.

## **STRATEGIC PLAN IMPLICATIONS**

Focus On Service And Organizational Excellence - We View Our Emergency Services As Core Elements Of Community Safety



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Doug Gardiner  
[DGardiner@rdn.bc.ca](mailto:DGardiner@rdn.bc.ca)  
December 15, 2018

Reviewed by:

- C. Morrison, Manager, Emergency Services
- D. Pearce, Director, Transportation and Emergency Services
- P. Carlyle, Chief Administrative Officer