

REGIONAL DISTRICT OF NANAIMO
ELECTORAL AREA SERVICES COMMITTEE
AGENDA

Tuesday, February 19, 2019

1:30 P.M.

Board Chambers

(Rescheduled from original meeting date of February 12, 2019)

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 - January 8, 2019

3

That the minutes of the Electoral Area Services Committee meeting held January 8, 2019, be adopted.

4. DELEGATIONS

5. CORRESPONDENCE

6. PLANNING

6.1 Development Variance Permit

6.1.1 Development Variance Permit Application No. PL2018-169 - 1437
Madrona Drive, Electoral Area E

7

**Delegations Wishing to Speak to Development Variance Permit
Application No. PL2018-169 - 1437 Madrona Drive, Electoral Area E**

1. That the Board approve Development Variance Permit No. PL2018-169 to reduce the setback from the top of slope of 30 percent or greater from 8.0 metres to 1.4 metres 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 Variance Permit No. PL2018-169.

6.2 Other

6.2.1 Draft Policy B1.26 Land Use Applications for Cannabis Production 15

That the Board adopt Regional District of Nanaimo Policy B1.26 *Land Use Applications for Cannabis Production*.

7. BUILDING INSPECTION

7.1 Building Permit Activity - 2018 23

That the report Building Permit Activity – 2018 be received for information.

8. BUSINESS ARISING FROM DELEGATIONS

9. NEW BUSINESS

9.1 Directors' Roundtable

10. ADJOURNMENT

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

Tuesday, January 8, 2019
1:30 P.M.
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
	Alternate	
	Director J. Fell	Electoral Area F
	Director C. Gourlay	Electoral Area G
	Director S. McLean	Electoral Area H
Regrets:	Director L. Salter	Electoral Area F
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. Long Range Planning
	C. Simpson	Senior Planner
	T. Mayea	Legislative Coordinator
	S. Commentucci	Recording Secretary

CALL TO ORDER

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

APPROVAL OF THE AGENDA

It was moved and seconded that the agenda be approved, as amended, to include item 9.1 Directors' Roundtable.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Electoral Area Services Committee Meeting - November 20, 2018

It was moved and seconded that the minutes of the Electoral Area Services Committee meeting held November 20, 2018, be adopted.

CARRIED UNANIMOUSLY

PLANNING

Development Permit with Variance

Development Permit with Variance Application No. PL2018-175 - 2110 and 2118 Schoolhouse Road, Electoral Area A

It was moved and seconded 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.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board direct staff to complete the required notification for Development Permit with Variance No. PL2018-175.

CARRIED UNANIMOUSLY

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

It was moved and seconded 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.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board direct staff to complete the required notification for Development Permit with Variance No. PL2018-196.

CARRIED UNANIMOUSLY

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

It was moved and seconded 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.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board direct staff to complete the required notification for Development Permit with Variance No. PL2018-149.

CARRIED UNANIMOUSLY

Subdivision Application

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

It was moved and seconded that the Board receive the Summary of the Public Information Meeting held on November 6, 2018.

CARRIED UNANIMOUSLY

It was moved and seconded that the conditions set out in Attachment 2 of the staff report be completed prior to Amendment Bylaw No. 500.423 being considered for adoption.

CARRIED UNANIMOUSLY

It was moved and seconded that “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019”, be introduced and read two times.

CARRIED UNANIMOUSLY

It was moved and seconded 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*.

CARRIED UNANIMOUSLY

It was moved and seconded 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.

CARRIED UNANIMOUSLY

Other

Nanaimo Airport Planning Consultation Plan

It was moved and seconded that the Terms of Reference including the Consultation Plan for the “Nanaimo Airport Planning Bylaw Updates” be endorsed.

CARRIED UNANIMOUSLY

EMERGENCY PREPAREDNESS

FireSmart Community Funding Grant

It was moved and seconded 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.

CARRIED UNANIMOUSLY

FIRE PROTECTION

Fire Department Operational Guidelines Update

It was moved and seconded that the Fire Department Operational Guidelines Update be received for information.

CARRIED UNANIMOUSLY

NEW BUSINESS

Directors' Roundtable

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

Notice of Motion – AVICC Resolution re Traffic Control and Enforcement on Rural Roads

Director Wilson provided notice of the following motion:

That staff be directed to develop an appropriate resolution for approval by the Board for forwarding to AVICC prior to the AVICC resolution deadline of February 7, 2019, such resolution to deal with the lack of traffic control and enforcement by the RCMP on rural roads in the province of British Columbia.

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

CARRIED UNANIMOUSLY

TIME: 2:26 PM

CHAIR

TO: Electoral Area Services Committee **DATE:** February 12, 2019
FROM: Angela Buick
Planner **FILE:** PL2018-169
SUBJECT: **Development Variance Permit Application No. PL2018-169**
1437 Madrona Drive – Electoral Area E
Lot 137, District Lot 68, Nanoose District, Plan 26680

RECOMMENDATIONS

1. That the Board approve Development Variance Permit No. PL2018-169 to reduce the setback from the top of slope of 30 percent or greater from 8.0 metres to 1.4 metres 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 Variance Permit No. PL2018-169.

SUMMARY

The applicant requests to vary the setback from the sea from 8.0 metres to 1.4 metres from the top of bank to allow the renovation of an existing dwelling unit with deck, two additions and detached garage on the subject property. The renovation is largely within the existing footprint with some expansions into the setback area (from top of the slope) that have been identified as safe through geotechnical assessments. The applicant has also demonstrated that the proposed building location is consistent with the location of the houses on the neighbouring properties and does not anticipate a negative impact to the neighbours' view of the sea. Given that this is a redevelopment of an existing dwelling unit, that the setback encroachments are deemed geotechnically safe 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 J.E. Anderson and Associates on behalf of Francine Lussier to permit the renovation of an existing dwelling unit where an expanded covered deck from the original size and portions of the kitchen and bedroom additions are within the required setback to the sea. The subject property is approximately 0.32 hectares in area and is zoned Residential 1 (RS1), pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The property is located to the northwest of Northwest Bay, southeast of Madrona Drive and adjacent to residential properties (see Attachment 1 – Subject Property Map).

The property contains a dwelling unit with deck and detached garage and is serviced by RDN community water and onsite sewage disposal.

Proposed Development and Variance

The applicant requests a variance for portions of a dwelling unit within the setback from the sea from the top of a slope 30 percent or greater. The proposed attached covered deck and kitchen and bedroom additions will be within the 8.0 metre setback. 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 1.4 metres for the covered deck and portions of the two proposed additions.

Land Use Implications

The applicants are proposing to renovate the entire dwelling unit with deck and replace the detached garage while maintaining the existing location with additions projecting further into the setback of the top of slope. The original deck was located entirely within the setback and the applicants would like to request a variance in order to expand on the original location of the deck and increase its size south-westward to be in line with the two proposed additions that will also be projecting slightly into the setback. (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*, assessment of development variance permit applications requires that there is an adequate demonstration of an acceptable land use justification prior to the Board's consideration. The original building was constructed in 1987 and approved under building permit number 8624.

With respect to the justification, the applicant has provided a Geotechnical Hazard Assessment by Lewkowich Engineering Associates Ltd., dated August 22, 2018 to confirm the topographical constraints on the property. The report recommends 1H:1V inclination setback from the toe of slope up and back into the slope at the 1H:1V inclination and is reflected in the requested variance and survey plan. The geotechnical Engineer has indicated that there is more than sufficient setback to meet these criteria and confirms that the site is safe and suitable for the intended use of a dwelling unit with deck and additions within the 8 metre setback from the top of slope provided the recommendations are followed. 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).

With respect to potential impacts, the applicant has evaluated the proposed building location relative to the neighbouring properties. The applicant has indicated that the proposed building projections into the setback will not affect the view of the sea for neighbouring dwellings. The applicant has provided letters of support from the two residences on either side of the subject property. Given that the applicant has provided sufficient rationale and that the proposed location is geotechnically safe and 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 Variance Permit No. PL2018-169 subject to the conditions outlined in Attachments 2 to 4.
2. To deny Development Variance Permit No. PL2018-169.

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 has no implications for the 2016 – 2020 Board Strategic Plan.



Angela Buick
abuick@rdn.bc.ca
January 29, 2019

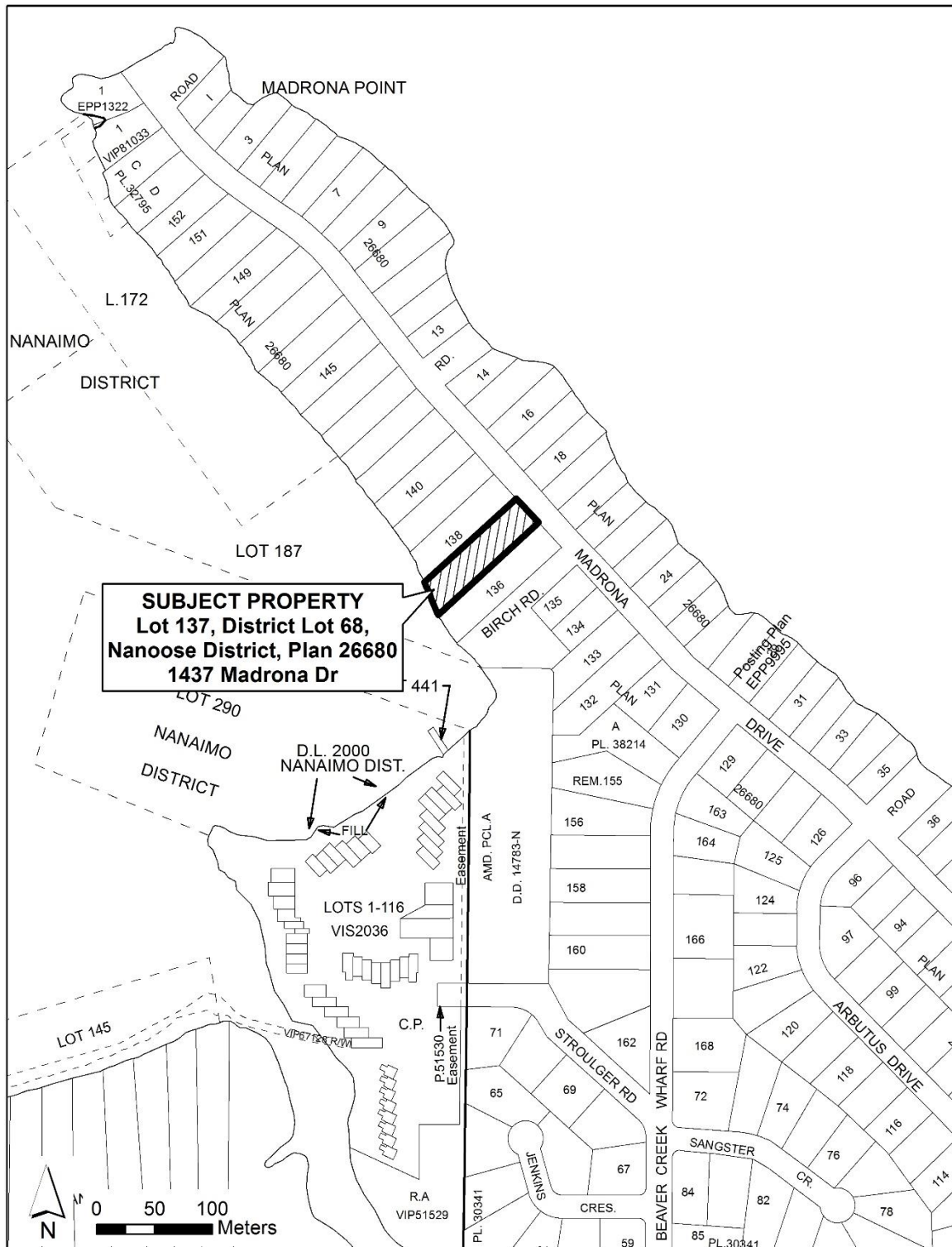
Reviewed by:

- 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

Attachment 1 Subject Property Map



Attachment 2

Terms and Conditions of Permit

The following sets out the terms and conditions of Development Variance Permit No. PL2018-169:

Bylaw No. 500, 1987 Variance

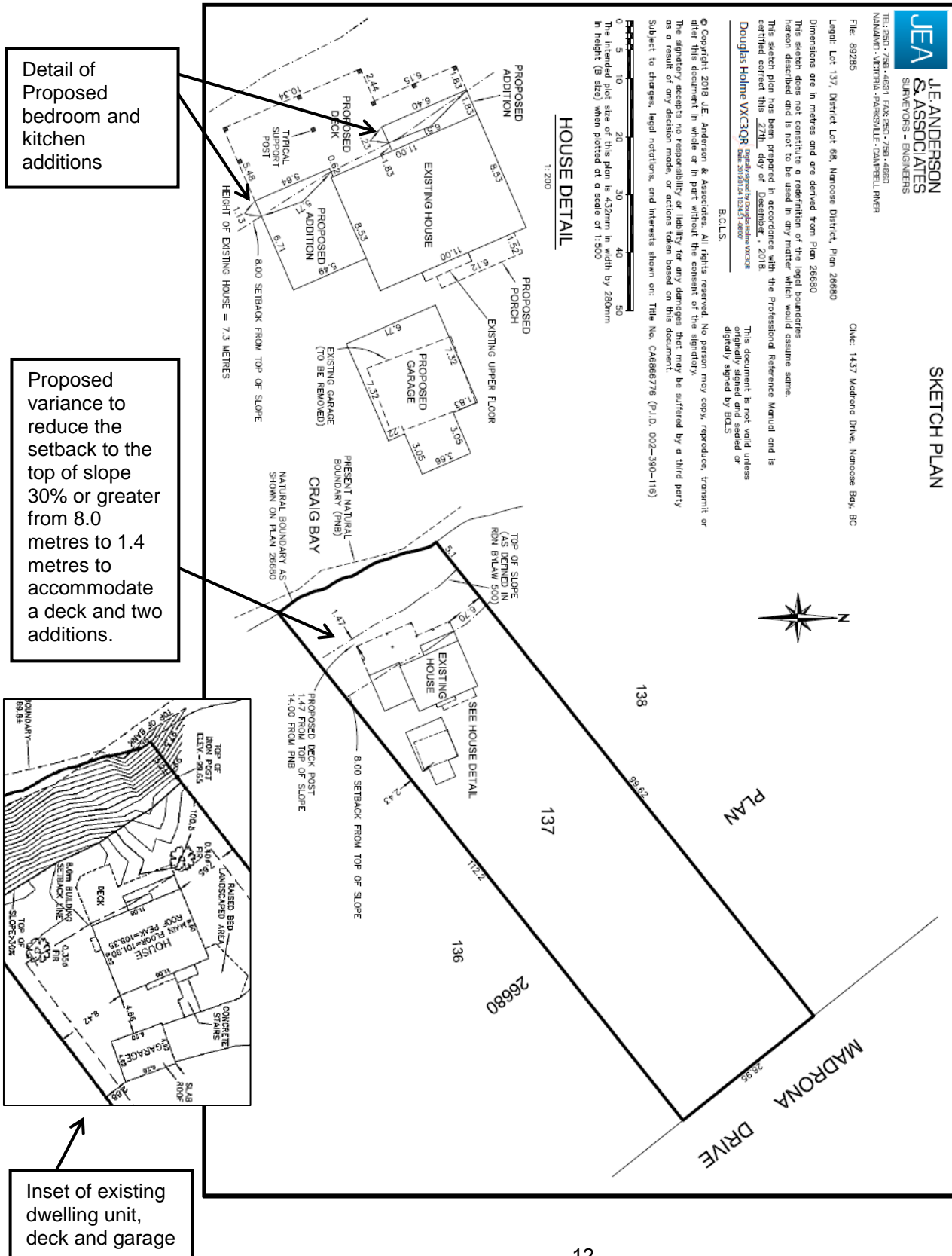
With respect to the lands, “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” is varied as follows:

1. 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 1.4 metres for the covered deck and a portion of two additions to the dwelling unit.

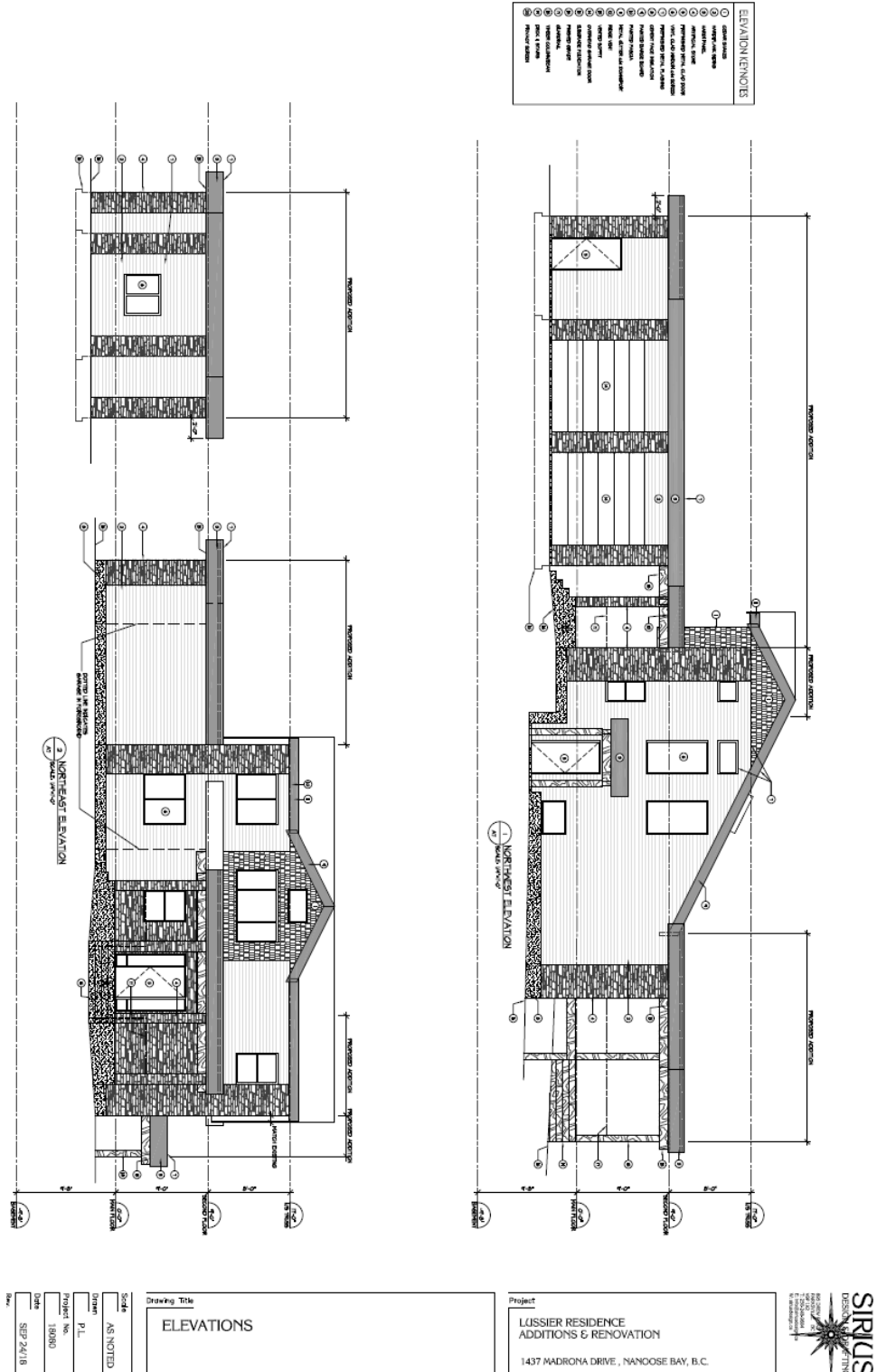
Conditions of Approval

1. The site is developed in accordance with the Survey Plan prepared by J.E. Anderson & Associates dated December 27, 2018 and attached as Attachment 3.
2. The proposed development is in substantial compliance with the plans and elevations prepared by Sirius Design & Drafting, dated September 24, 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 August 22, 2018.
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 August 22, 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.
5. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

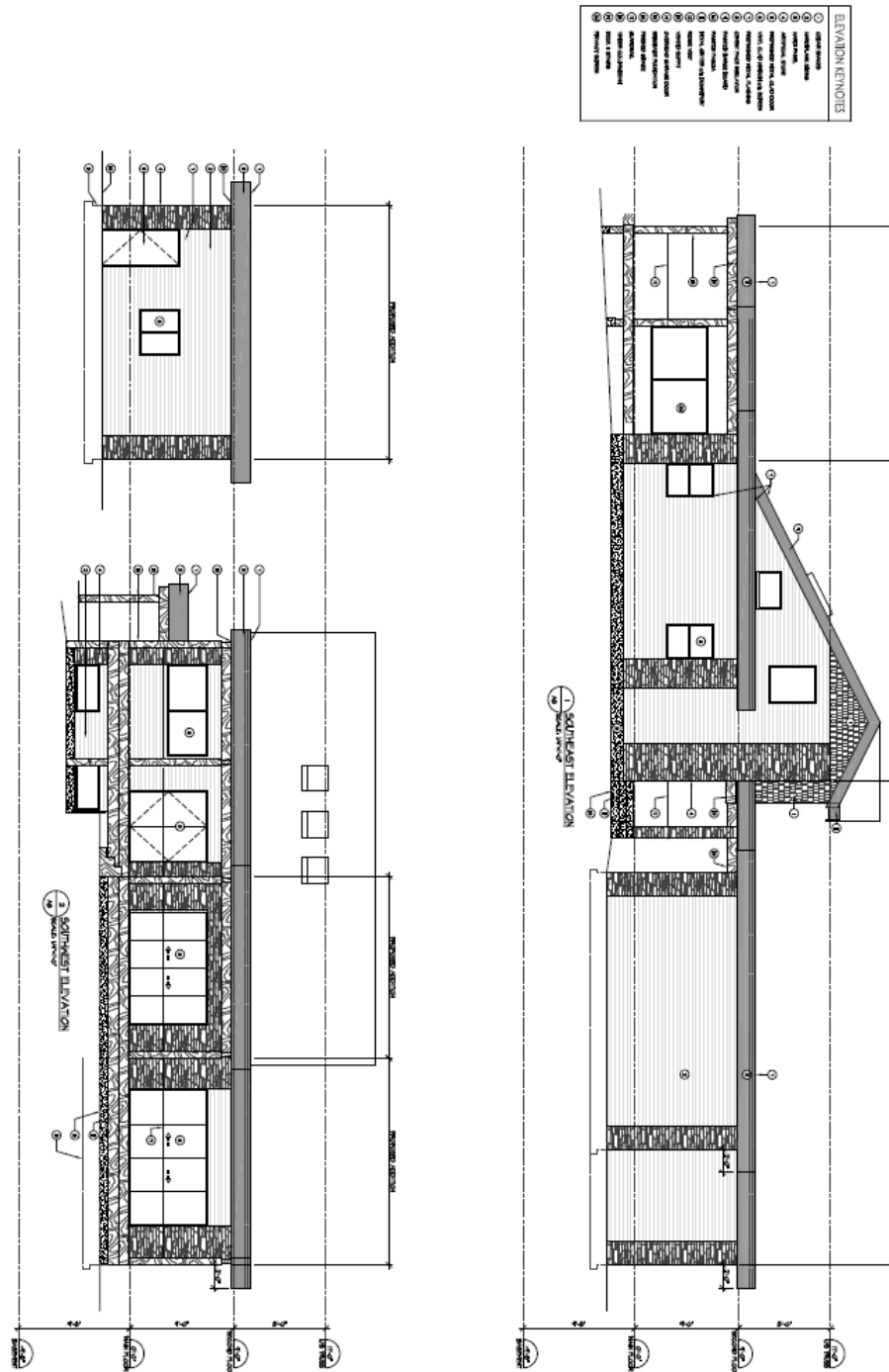
Attachment 3 Proposed Site Plan and Variances



Attachment 4 Building Elevations (Page 1 of 2)



Attachment 4
Building Elevations (Page 2 of 2)



Scale: AS NOTED Drawn: P.L. Project No.: 18000 Date: SEP 24/18 Sign:	Drawing Title: ELEVATIONS	Project: LUSSIER RESIDENCE ADDITIONS & RENOVATION 1437 MADRONA DRIVE, NANOOSE BAY, B.C.
--	---------------------------	--



TO: Electoral Area Services Committee **MEETING:** February 12, 2019
FROM: Nick Redpath
Planner **FILE:** 0125-20-Cannabis
SUBJECT: Draft Policy B1.26 Land Use Applications for Cannabis Production

RECOMMENDATION

That the Board adopt Regional District of Nanaimo Policy B1.26 *Land Use Applications for Cannabis Production*.

SUMMARY

On October 17, 2018, the *Cannabis Act* came into force, effectively legalizing cannabis within Canada. The *Cannabis Act* puts in place a new framework for controlling the production, distribution, sale and possession of cannabis in Canada. Within this framework, Health Canada implemented a new licensing regime that distinguishes between the different aspects of cannabis cultivation, processing, analytical testing and research. These federal changes have resulted in enquiries to produce cannabis on smaller lots within the Regional District of Nanaimo (RDN) on properties not zoned for this use. The new federal licensing requirements are now less onerous, allowing for smaller scale, more economically feasible operations. In recognition of the recent licensing changes made by Health Canada, Draft Policy B1.26 *Land Use Applications for Cannabis Production* (see Attachment 1 – Draft Policy B1.26 *Land Use Applications for Cannabis Production*) is proposed to assist applicants when completing land use applications for cannabis production and to establish a framework for RDN staff and elected officials for reviewing these applications.

BACKGROUND

In anticipation of the *Cannabis Act* and legalization of cannabis, the RDN amended “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” and “Regional District of Nanaimo Zoning and Subdivision Bylaw No. 1285, 2002” to permit the production of cannabis on lands within the Agricultural Land Reserve (ALR) and within the Industrial 1, 2 and 3 zones of Electoral Area F.

Health Canada recently created a new licensing regime that distinguishes between the different aspects of cannabis cultivation, processing, analytical testing and research. These licence classes are further broken down into subclasses including standard cultivation, micro-cultivation, nursery, standard processing and micro-processing. The current RDN definition of cannabis production within Bylaw 500 and Bylaw 1285 encompasses all aspects of the production of cannabis and does not differentiate between the new Health Canada licensing classes and subclasses.

These new licence classes have opened up the potential for smaller scale cannabis production operations that can be accommodated on smaller lots with less stringent financial and security requirements. For example, Health Canada's new Micro-Cultivation Licence now permits small scale "craft" cultivation, stipulating that plant surface area cannot exceed 200 square metres. A Nursery License for the production of cannabis seeds has a maximum surface area of 50 square metres. With the new federal licensing requirements being less onerous and more economical, the RDN has received an influx of enquiries for cannabis production on smaller lots within the RDN on properties that are not currently zoned for this use. In recognition of the recent licensing changes made by Health Canada, Draft Policy B1.26 *Land Use Applications for Cannabis Production* (Draft Policy B1.26) is proposed.

Land Use Management

Bylaw 500 and Bylaw 1285 were amended in 2017 to address Health Canada's old licensing regime for large scale cannabis production facilities within the RDN. These amendments reflect the change in terminology used by the federal government from "marihuana" production to "cannabis" production and permit the production of cannabis on lands within the ALR and within the Industrial 1, 2 and 3 zones of Electoral Area F. Currently, setbacks for all building and structures associated with the production of cannabis in the ALR are 30 metres from all property lines, 60 metres from all lot lines adjacent to non-ALR residential uses, and 150 metres from any parcel that contains a park or school. Cannabis production in the Industrial 1, 2 and 3 zones of Electoral Area F are subject to setbacks that are 4.5 metres from front and exterior side lot lines and 2 metres from all other lot lines.

In July of 2018, the Province amended Section 2 of the *Agricultural Land Reserve, Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002 (ALC Act)* designating the production of cannabis as a farm use for the purposes of the *Act* if the cannabis is produced outdoors in a field, or inside a structure that has a base consisting entirely of soil (see Attachment 2 – Order in Council No. 380). Recent discussions with potential cannabis producers has indicated that although Health Canada allows for the outdoor or soil based production of cannabis, these methods prove difficult to meet the stringent federal licensing requirements surrounding security, ventilation and quality control. Recent discussions with the Agricultural Land Commission (ALC) have indicated that the approach for determining whether cannabis production operations are deemed a farm use under the *ALC Act* is for applicants to submit a non-farm use application. If the ALC deems the cannabis production operation does not meet their definition of farm use, a subsequent zoning amendment application will need to be submitted to the RDN.

Many of the subject properties where enquiries have been received are not within the ALR or Industrial zones of Electoral Area F but are focused more on rural residential areas, as many interested parties intend on attaining micro licenses to produce cannabis in their backyards.

As the RDN is a very diverse and expansive region, creating an entirely new cannabis production zone, or further opening up cannabis production as a permitted use in certain existing zones would be challenging and may lead to undesired impacts to neighbouring properties and the community in general. Setbacks and other conditions are important to protect neighbouring properties but are difficult to implement on a region wide basis, as each lot is unique and poses its own challenges, and each cannabis production licence application may vary considerably. To address the challenges associated with Health Canada's new cannabis production licence classes, a policy approach is recommended to help guide the case by case

review of future zoning amendment and temporary use permit (TUP) applications for cannabis production within the RDN.

Draft Policy B1.26 Land Use Applications for Cannabis Production

With the new licensing regime within the *Cannabis Act*, an increase is expected in cannabis related zoning amendment and TUP applications. Draft Policy B1.26 is being proposed to provide a consistent and clear approach in the review of zoning amendment and TUP applications to permit cannabis production on land not currently zoned for this use. This Policy is intended to provide a clear framework to assist property owners when making applications and to provide clarity to RDN staff and elected officials as to the criteria for assessing these applications.

Future site specific zoning amendment applications would add cannabis production as a new permitted use (with specific conditions associated as deemed appropriate) in addition to the existing permitted uses in the zoning associated with the subject property. The RDN Board would consider each application on a case by case basis.

Community Impact Evaluation Criteria

Draft Policy B1.26 provides criteria to guide future applicants submitting zoning amendment or TUP applications for cannabis production. Some of the identified areas of concern where cannabis production may cause impacts are odour, security, waste disposal and proximity of the cannabis operation to neighbouring properties and sensitive uses. This policy is intended to identify these and other areas of concern that must be addressed in the application to mitigate potential impacts to neighbouring properties and the greater community, while still providing opportunities for economic development to entrepreneurs capitalizing on this new industry.

ALTERNATIVES

1. Adopt Policy B1.26 *Land Use Applications for Cannabis Production*.
2. Do not adopt Policy B1.26 *Land Use Applications for Cannabis Production*.
3. Provide alternate direction.

FINANCIAL IMPLICATIONS

Draft Policy B1.26 can be accommodated within the existing Community Planning budget.

The implications to the Community Planning budget for review of zoning amendment and TUP applications for cannabis production could be significant depending on the number received. Existing zoning amendment fees will help recover only some of the costs associated with review and processing of these applications.

STRATEGIC PLAN IMPLICATIONS

Focus On Economic Health- We Will Foster Economic Development

A focus on Economic Health is one of the strategic priorities in the RDN Strategic Plan 2016 – 2020. In particular, the strategic plan directs that the RDN will foster economic development and support diversification of our regional economy. The production of cannabis is a viable form of

economic development for the region and could provide local business opportunities in this emerging sector and promote economic health through the diversification of the regional economy.



Nick Redpath
nredpath@rdn.bc.ca
January 28, 2019

Reviewed by:

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

Attachments

1. Attachment 1 – Draft Policy B1.26 *Land Use Applications for Cannabis Production*
2. Attachment 2 – Order in Council No. 380

Attachment 1
Draft Policy B1.26 Land Use Applications for Cannabis Production

REGIONAL DISTRICT OF NANAIMO
P O L I C Y

SUBJECT:	<i>Land Use Applications for Cannabis Production</i>	POLICY NO:	B1.26
		CROSS REF.:	
EFFECTIVE DATE:	TBD	APPROVED BY:	Board
REVISION DATE:		PAGE:	1 of 3

PURPOSE

To provide for a consistent and clear approach to applications for zoning amendments and temporary use permits (TUP) to allow cannabis production on land not currently zoned for this use. This Policy is intended to assist applicants when completing land use applications for cannabis production and to establish a framework for reviewing these applications.

GENERAL APPLICATION

This Policy applies when an enquiry or application is received from a property owner regarding a zoning amendment or TUP to allow for the production of cannabis on their property.

TERMINOLOGY

For the purpose of this Policy, cannabis production is as defined by “Regional District of Nanaimo Zoning and Subdivision Bylaw No. 500, 1987” and “Regional District of Nanaimo Zoning and Subdivision Bylaw No. 1285, 2002”.

POLICY

Community Impact Evaluation Criteria

To address possible impacts, the following information, including, but not limited to, shall be required for zoning amendment or TUP applications for cannabis production:

- i) Location, size, design and detailed description of the proposed cannabis production operation, including proposed hours of operation and number of people employed;
- ii) Proximity of the proposed cannabis production operation to neighbouring properties and sensitive uses including parcels that contain a park or school. Where possible, existing setback requirements for cannabis production within Bylaw 500 and Bylaw 1285 should be

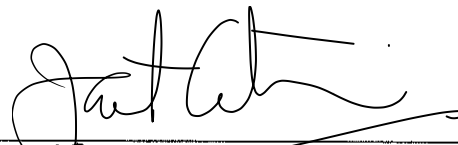
maintained. Current setback regulations are as follows: Setbacks for all building and structures associated with the production of cannabis in the ALR are 30 metres from all property lines, 60 metres from all lot lines adjacent to non-ALR residential uses and 150 metres from any parcel that contains a park or school. Cannabis production in the Industrial 1, 2 and 3 zones of Electoral Area F are subject to 4.5 metre setbacks from front and exterior side lot lines and 2 metres from all other lot lines. In cases where an application is made and the proposed property cannot accommodate existing bylaw setback requirements, a case by case review shall take place to determine appropriate setback distances and other necessary conditions to mitigate impact to neighbouring properties and uses;

- iii) Number of properties with existing fully licensed cannabis production operations in the general vicinity of the proposed cannabis production application;
- iv) Traffic and parking plan;
- v) Relevant socio-economic information in support of the production facility;
- vi) Comments received through the public notification process as set out by “Regional District of Nanaimo Bylaw No. 1776, 2018”;
- vii) Possible impacts on adjacent properties and community and how they will be addressed;
- viii) Confirmation of adequate water supply;
- ix) Confirmation of adequate sewerage/waste disposal;
- x) Information on odour abatement;
- xi) Security and public safety plan;
- xii) Information on lighting impacts;
- xiii) Health Canada Cannabis Production Licence Application;
- xiv) Confirmation of compliance with provincial and federal requirements;
- xv) Landscaping plan.

PROVINCE OF BRITISH COLUMBIA

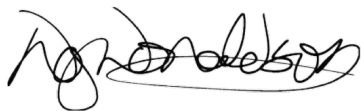
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 380 , Approved and Ordered July 13, 2018

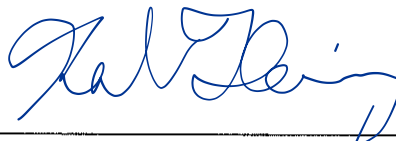

Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, is amended as set out in the attached Schedule.



Minister of Agriculture



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Agricultural Land Commission Act, S.B.C. 2002, c. 36, s. 58 (2)

Other: OIC 571/2002

R10235503

SCHEDULE

1 Section 2 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, is amended

(a) by repealing subsection (2) (p), and

(b) by adding the following subsection:

(2.5) The lawful production of cannabis is designated as farm use for the purposes of the Act if produced outdoors in a field or inside a structure

(a) that has a base consisting entirely of soil, or

(b) that was, before the date on which this section came into force,

(i) constructed for the purpose of growing crops inside it, including but not limited to the lawful production of cannabis, or

(ii) under construction for the purpose referred to in subparagraph (i), if that construction

(A) was being carried out in accordance with all applicable authorizations and enactments, and

(B) continues without interruption from the date it began to the date the structure is completed, other than work stoppages considered reasonable in the building industry, and

that has not been altered since that date to increase the size of its base or to change the material used as its base.

TO: Electoral Area Services Committee **MEETING:** February 12, 2019
FROM: Tom Armet
 Manager, Building & Bylaw Services **FILE:**
SUBJECT: Building Permit Activity - 2018

RECOMMENDATION

That the report Building Permit Activity – 2018 be received for information.

SUMMARY

This report contains 2018 summary information on building permit activity for the Regional District of Nanaimo's (RDN's) seven Electoral Areas, as well as the District of Lantzville where the RDN provides building permit and inspection services under contract. The RDN has experienced continued growth in residential construction activity during the past three years at levels higher than the provincial average. Overall, the number of permits in 2018 remained the same as 2017, which is a 21% increase over 2016. The value of the permits increased in 2018 by 7% over the 2017 amounts. Non-residential permits in 2018 declined by 44% over 2017. An update on innovations that the Department is continuing to implement to improve the efficiency of building permit processing is also provided in this report.

BACKGROUND

The increased level of building activity over the past three years within the Regional District of Nanaimo is reflective of the strong performing economy in the region. Recent published reports by Central 1 and the BC Real Estate Association are forecasting continued growth in the housing market in this region into 2019 and beyond.¹

Building permit data is collected and disseminated monthly to various federal and provincial agencies such as Statistics Canada and BC Assessment where the data is used for tracking, property valuation and forecasting of development trends. RDN staff also post monthly permitting activity reports on the RDN website and provide copies to the Area Directors.

Construction activity in the RDN Electoral Areas tends to be predominately residential, with a relatively small number of non-residential (commercial/industrial) building permits issued. This report provides a brief summary of both residential and non-residential building permit activity in the Electoral Areas and the District of Lantzville for 2018. Data for the years 2017 and 2016 is shown for comparison.

¹ https://www.central1.com/wp-content/uploads/2018/11/ea-2018_04-BC.pdf

Building Permit Applications

The RDN received 857 building permit applications in 2018, similar to the 2017 total, and a 21% increase over the number of permit applications in 2016. The overall construction value of the permits issued in 2018 is \$129.8 million, representing a 7% increase over 2017 and a 41% increase in construction value over 2016.

Non-Residential Building Permits

Non-residential (commercial/industrial) building permits typically represent a relatively small number of the permits issued by the RDN. However, the value of these permits can be high, depending on the scope of the commercial or industrial projects. While the overall volume of building permit applications remained at the same level as 2017, the number of non-residential permits declined. In 2018, the RDN issued 23 non-residential permits valued at \$3.8 million, compared to 41 permits valued at \$8.7 million in 2017, and 39 non-residential permits valued at \$4.6 million in 2016.

Building Permits by Electoral Area

Building activity levels in the electoral areas remain strong, particularly Areas A, E and F and G. The following table provides a breakdown of building permits issued by electoral area and Lantzville from 2016 to 2018:

Electoral Area	Building Permits Issued		
	2016	2017	2018
A	79	109	103
B	73	86	87
C	41	40	54
E	115	137	122
F	81	109	94
G	102	117	109
H	74	56	84
Lantzville	33	32	42
Total Permits issued	598	686	695
Total Construction Value (\$m)	\$94.1	\$121.7	\$129.8

Building Permit Approvals and Inspection Scheduling

Building Permit approval times can vary depending on the project complexity and increased volumes of applications during the busiest periods for construction activity. During the first quarter of 2018, the turn-around time for permit approvals was 2 to 3 weeks, however, as

anticipated, this increased to 5 to 6 weeks on average due to high volumes of permit applications in the summer months. In 2018, RDN Building Inspectors conducted just over 7,000 scheduled inspections within 24 to 48 hours of the client's request. The number of inspections in 2018 is consistent with 2017 and 18% over the total number of inspections in 2016. Permit approvals and inspection scheduling times in the RDN remain consistent with or lower than other regional districts and municipalities on Vancouver Island.

Service Enhancements

Permit processing times and the delivery of inspection services has an impact on our customers' ability to deliver product to their clients. In response to this, we have incorporated a continuous improvement model to review our processes, incorporate technology and adjust service and staff levels accordingly.

Work is continuing on the initiative to implement a public portal in early 2019 for online building permit applications and inspection scheduling. The public portal will be fully integrated with the RDN's internal processes and is designed to give the public the option to "self-serve" their building permit application and inspection requests from their home, office or mobile device. Use of the portal will eliminate the need for clients to travel to the RDN office or schedule their inspections by telephone, which in turn will enhance the overall efficiency of the permit/inspection process for the public and staff alike.

ALTERNATIVES

1. Receive the report on 2018 building permit activity for information.
2. Provide alternate direction to staff.

FINANCIAL IMPLICATIONS

There are no financial implications in receiving this report.

STRATEGIC PLAN IMPLICATIONS

Reporting on building permit activity enhances regional governance by providing Area Directors with information on development activity and trends within each Electoral Area and the region overall.



Tom Armet
tarmet@rdn.bc.ca
January 27, 2019

Reviewed by:

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