

## Attachment 3 Referral Responses

**From:** [Peter Thicke](#)  
**To:** [Simpson, Courtney](#)  
**Cc:** [Mike Irg](#)  
**Subject:** Referral response to Proposed Bylaws to Standardize Development Permit and Temporary Use Permit Areas  
**Date:** Thursday, October 04, 2018 11:44:45 AM

---

Hi Courtney,

I hope you are doing well. Mike Irg passed along a referral you had sent his way that we received September 21<sup>st</sup> regarding the standardization of DPAs and TUP Areas in the RDN. He did not provide a response sheet but I'm writing to let you know that you can consider the ACRD's interests unaffected regarding the amendment bylaws.

If there is a response sheet that needs to be filled out please let me know and I'll see if Mike can track it down (it might also be faster to send me a copy...).

Thanks!

Peter Thicke, Junior Planner  
Alberni-Clayoquot Regional District  
3008 Fifth Avenue, Port Alberni, BC V9Y 2E3  
Phone: (250)720-2721  
Email: [pthicke@acrd.bc.ca](mailto:pthicke@acrd.bc.ca)

*This email is confidential and may be privileged. Any use of this email by an unintended recipient is prohibited. If you receive this email in error please notify me immediately and delete it.*

**From:** [Lainya Rowett](#)  
**To:** [Simpson, Courtney](#)  
**Cc:** [Dale Lindsay](#)  
**Subject:** Referral of Proposed Bylaws to Standardize DP & TUP Areas  
**Date:** Monday, October 22, 2018 9:54:57 AM

---

Good morning Courtney,

I hope you're doing well! I just wanted to confirm that your referral for the proposed bylaws to standardize DP and TUP Area guidelines was forwarded to me and I reviewed the information and have no concerns from the City's perspective. This was a significant undertaking on the RDN's part to streamline your development reviews, integrate the guidelines into your Zoning Bylaw, and ensure consistency in the guidelines across the region.

I wish you all the best as you move forward towards bylaw adoption and implementation.

Lainya

**Lainya Rowett**  
**Manager, Current Planning**  
**Community Development**  
**City of Nanaimo**  
**250-755-4402**

600 Comox Road, Courtenay, BC V9N 3P6  
Tel: 250-334-6000 Fax: 250-334-4358  
Toll free: 1-800-331-6007  
www.comoxvalleyrd.ca



File: 6470-20

October 1, 2018

Sent via email only: [csimpson@rdn.bc.ca](mailto:csimpson@rdn.bc.ca)

Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo BC V9T 6N2

Attention: Courtney Simpson, Senior Planner

Dear Ms. Simpson:

**Re: Proposed Bylaws to Standardize Development Permit and Temporary Use Permit Areas**

Thank you for forwarding the above-noted referral for the Comox Valley Regional District's (CVRD) comments. Your referral has been reviewed by the CVRD Planning and Development Services Branch. In reviewing the proposed changes in relation to the policies contained in the Rural Comox Valley Official Community Plan Bylaw No. 337, 2014 and the regulations in the Comox Valley Zoning Bylaw, 2005, Bylaw No. 2781, planning staff determined that the CVRD does not have any concern with the proposed bylaw amendments.

Should you have any questions, please contact Robyn Holme, Long Range Planner, at 250-334-6076 or by email at [rholme@comoxvalleyrd.ca](mailto:rholme@comoxvalleyrd.ca).

Sincerely,

***S. Smith***

Scott Smith, MCIP, RPP  
General Manager of Planning and Development Services

cc: Alana Mullaly, Senior Manager of Planning and Protective Services

\rh

**From:** [Ritter, Bernadette](#)  
**To:** [Simpson, Courtney](#)  
**Cc:** [Redpath, Nicholas](#)  
**Subject:** FW: RDN Standardization of Development Permit Area and Temporary Use Permit Areas - Proposed Bylaw Referral  
**Date:** Tuesday, September 25, 2018 10:55:30 AM  
**Attachments:** [image001.png](#)  
[image004.png](#)  
[Bylaw Referrals 1st 2nd for DPA and TUP Standardization Letter.pdf](#)

---

**Bernadette Ritter**

Administrative Associate  
Strategic & Community Development

---

**From:** Gravelle, Kristin [mailto:[Kristin.Gravelle@dfo-mpo.gc.ca](mailto:Kristin.Gravelle@dfo-mpo.gc.ca)]  
**Sent:** Tuesday, September 25, 2018 10:34 AM  
**To:** Ritter, Bernadette  
**Subject:** RE: RDN Standardization of Development Permit Area and Temporary Use Permit Areas - Proposed Bylaw Referral

Hello Bernadette,

The role of the DFO's Fisheries Protection Program (FPP) is to protect and conserve fish and fish habitat in support of Canada's coastal and inland fisheries resources, and to make regulatory decisions under the fisheries protection provisions of the Fisheries Act. The FPP is specifically responsible for reviewing projects for which a s.35(2) Fisheries Act Authorization is required.

DFO does not have a regulatory role related to the attached letter "**Referral of Proposed Bylaws to Standardize Development Permit and Temporary Use Permit Areas**" because it does not directly propose works, undertakings or activities that may result in serious harm to fish.

DFO's Projects Near Water website (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) includes information for proponents on how to comply with the *Fisheries Act*, request a DFO review of a project, and request a *Fisheries Act* authorization.

If you have any further questions about DFO's regulatory process or need general information, contact DFO's Fisheries Protection Program toll free: 1-866-845-6776 or email: [EnquiriesPacific@dfo-mpo.gc.ca](mailto:EnquiriesPacific@dfo-mpo.gc.ca).

Thank you,

**Kristin Gravelle**

Fisheries Protection Biologist, Fisheries Protection Program  
Fisheries and Oceans Canada/Government of Canada  
[Kristin.Gravelle@dfo-mpo.gc.ca](mailto:Kristin.Gravelle@dfo-mpo.gc.ca)/Tel: 250-756-7292

**From:** Ritter, Bernadette [mailto:BRitter@rdn.bc.ca]  
**Sent:** September-20-18 11:41 AM  
**To:** Planning Email; Simpson, Courtney  
**Cc:** 'Jade.Yehia@viha.ca'; 'Gary.Anderson@viha.ca'; 'Martin.Collins@gov.bc.ca';  
'Gordon.Bednard@gov.bc.ca'; 'Jill.Hatfield@gov.bc.ca'; 'Heike.Schmidt@gov.bc.ca';  
'AJ.Downie@gov.bc.ca'; 'Jenna.Cragg@gov.bc.ca'; 'Bryce.Pirozzini@gov.bc.ca'; FPP.PAC / PPP.PAC  
(DFO/MPO); 'rblackwell@cvrld.bc.ca'; 'Dale.Lindsay@nanaimo.ca'; 'kyoung@lantzville.ca';  
'brussell@parksville.ca'; 'Isales@qualicumbeach.com'; 'mirg@acrd.bc.ca'; 'ismith@comoxvalleryrd.ca';  
'akjerulf@islandstrust.bc.ca'  
**Subject:** RDN Standardization of Development Permit Area and Temporary Use Permit Areas - Proposed Bylaw Referral

Good afternoon

Please find attached correspondence regarding the above matter.

This correspondence has been mailed via Canada Post to you also.

Let us know if you have any questions.

**Bernadette Ritter**

Administrative Associate  
Strategic & Community Development

**Regional District of Nanaimo**

6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2  
T: (250) 390-6510 (x6525) | Email: [britter@rdn.bc.ca](mailto:britter@rdn.bc.ca)



This email is confidential and may be privileged; it is for the use of the named recipient(s) only. If you are not an intended recipient of this email, please notify the sender immediately and do not copy or disclose its contents to any person or body. Any use of this email by an unintended recipient is prohibited. The accuracy or completeness of the information attached to, or disclosed in this email is not guaranteed by the sender.

**From:** [Ritter, Bernadette](#)  
**To:** [Simpson, Courtney](#)  
**Subject:** FW: RDN Standardization of Development Permit Area and Temporary Use Permit Areas - Proposed Bylaw Referral  
**Date:** Monday, October 22, 2018 9:49:20 AM  
**Attachments:** [image001.png](#)  
[image004.png](#)  
[Review comments for RDN DPA standardization project 19Oct2018.docx](#)

---

**Bernadette Ritter**

Administrative Associate

Strategic & Community Development

---

**From:** Cragg, Jenna FLNR:EX [mailto:Jenna.Cragg@gov.bc.ca]  
**Sent:** Friday, October 19, 2018 2:45 PM  
**To:** Ritter, Bernadette  
**Cc:** Roden, Jacqueline FLNR:EX  
**Subject:** RE: RDN Standardization of Development Permit Area and Temporary Use Permit Areas - Proposed Bylaw Referral

Hello Bernadette,

Please find attached my review comments for the RDN Standardization of DPAs and TUPs referral.

Best regards,

**Jenna Cragg, M.Sc., R.P. Bio**

Ecosystems Biologist, West Coast Region

Ministry of Forests, Lands, Natural Resource Operations and Rural Development

250-751-3214

---

**From:** Ritter, Bernadette [mailto:BRitter@rdn.bc.ca]  
**Sent:** Thursday, September 20, 2018 11:41 AM  
**To:** Planning Email; Simpson, Courtney  
**Cc:** 'Jade.Yehia@viha.ca'; 'Gary.Anderson@viha.ca'; Collins, Martin J ALC:EX; Bednard, Gordon ALC:EX; Hatfield, Jill AGRI:EX; Schmidt, Heike MAH:EX; Downie, AJ ENV:EX; Cragg, Jenna FLNR:EX; Pirozzini, Bryce TRAN:EX; 'ReferralsPacific@dfo-mpo.gc.ca'; 'rblackwell@cvrld.bc.ca'; XT:Linsday, Dale LCLB:IN; 'kyoung@lantzville.ca'; XT:Russell, Blaine; City of Parksville CITZ:IN; 'Isales@qualicumbeach.com'; XT:Irg, Mike Alberni-Clyoquot Regional District EAO:IN; 'ismith@comoxvalleryrd.ca'; 'akjerulf@islandstrust.bc.ca'  
**Subject:** RDN Standardization of Development Permit Area and Temporary Use Permit Areas - Proposed Bylaw Referral

Good afternoon

Please find attached correspondence regarding the above matter.

This correspondence has been mailed via Canada Post to you also.

Let us know if you have any questions.

**Bernadette Ritter**

Administrative Associate

Strategic & Community Development

**Regional District of Nanaimo**

6300 Hammond Bay Road

Nanaimo, BC V9T 6N2

T: (250) 390-6510 (x6525) | Email: [britter@rdn.bc.ca](mailto:britter@rdn.bc.ca)



This email is confidential and may be privileged; it is for the use of the named recipient(s) only. If you are not an intended recipient of this email, please notify the sender immediately and do not copy or disclose its contents to any person or body. Any use of this email by an unintended recipient is prohibited. The accuracy or completeness of the information attached to, or disclosed in this email is not guaranteed by the sender.

## **FLNRORD Review comments for RDN DPA standardization project**

I have reviewed the documents posted under Proposed Bylaws for Referral – September 18 for Freshwater and Fish Habitat, Sensitive Ecosystems, Eagle and Heron Nesting Trees, and Marine Coast DPAs.

### Freshwater and Fish Habitat Development Permit Area

#### **Definition of ‘Watercourse’**

The RDN definition of watercourse is problematic because it does not align with the RAR definitions. This creates confusion because the DPA is intended to apply to streams as defined under the RAR, as well as non-RAR streams. In the definition of ‘stream’, the word ‘watercourse’ is included under point (a), consistent with the RAR language. However, the word ‘watercourse’ is then defined below using a definition that is not consistent with RAR, creating potential for confusion over what is considered RAR-applicable.

The definition of ‘watercourse’ in the DPA differs from RAR in that:

- The RAR definition of watercourse does not specify a channel depth or definition of banks, and relies on definitions of floodplain and high water mark to identify the boundaries of a waterbody.
- Under the RAR, a non-permanent stream is defined as containing water for less than six months of the year (not “at least” six months of the year as stated in the DPA).
- The RDN’s definition of ‘watercourse’ is therefore more narrow than its definition under the RAR.

I suggest that clarifying language be added to distinguish between the use of the word ‘watercourse’ as defined by the RDN for the purposes of protecting non-RAR applicable streams from the definition of the word ‘watercourse’ within the RAR definition of a stream.

#### **Applicability**

Why are points 8-10 removed from the list of activities requiring a development permit? These are listed in the RAR assessment methods as types of development subject to the RAR.

#### **Exemptions Applicable to all Watercourses**

We note that exemptions for repair/renovations are problematic because this can be open to interpretation and applicants may feel that they are exempt from RAR when the development planned would impact the SPEA. For example even if repairs or renovations are legitimately grandparented under the RAR, the construction activities could result in damage to the SPEA if no protection measures identified by a QEP.



Further, under the RAR (Application 3(2)), exemptions for renovations, repairs, maintenance and additions refer to section 911 (8) of the Local Government Act, which is now under Part 14, Division 14 (532):

### **Restrictions on repair or reconstruction of non-conforming structures**

**532** (1) If a building or other structure, the use of which does not conform to the provisions of a land use regulation bylaw, is **damaged or destroyed to the extent of 75%** or more of its value above its foundations, as determined by the building inspector, the structure must not be repaired or reconstructed except for a conforming use in accordance with the bylaw.

[http://www.bclaws.ca/civix/document/id/lc/statreg/r15001\\_14](http://www.bclaws.ca/civix/document/id/lc/statreg/r15001_14)

We recommend that the wording in the DPA refer to this specific exemption in order to be consistent with the RAR.

### **Additional Guidelines Applicable to Streams Subject to the RAR only**

Point 12: No development shall take place within any SPEA except:

- The RAR does not provide any allowance for development within the SPEA, regardless of a statement of no serious harm by the QEP. We recommend removing the statement in 12. (a) that allows the QEP to determine at their discretion whether serious harm is likely to occur or that it can be mitigated.
- The QEP can sign Section 7.2 (a) of the RAR report when appropriate to certify that no HADD will be caused by activities that are exempt from RAR such as renovation or reconstruction on existing foundations, removal of hazard trees, etc.

Point 14: dedicating back to the Crown or Regional District vs. registering a covenant to move with the stream, with respect to low-gradient, meandering streams. Some points to consider:

- The idea of covenants that move with the stream is good in theory but in practice may be impractical
- Covenants are often ignored by landowners either deliberately or inadvertently, and it is challenging to monitor and enforce covenants
- If the stream moves and shifts covenant boundaries, it is unlikely that landowners will be aware of the new covenanted area or how it applies to their lot. This is particularly challenging for small streams that can run dry in summer, when the channel may be poorly defined, and the actual location of the stream can be difficult to determine. Further, as the stream moves, riparian areas no longer protected within the covenant might then be open to development, landscaping, etc but the area that the stream is moving towards, having been previously excluded from a covenant, may not have adequate riparian vegetation. Thus, each time the stream moves and “releases” areas from a covenant, the landowner may then be free to alter

the riparian vegetation, which could result in a net loss of habitat over time. With a static boundary, at least there is some certainty that there is consistent management of the vegetation over time.

- Land dedication might be more straightforward and easier for neighboring landowners to respect, and more effective if it's designed to apply to the floodplain of the stream.

#### Sensitive Ecosystems Development Permit Area

##### **General comments:**

- It is confusing as to why different types of sensitive ecosystems/rare & endangered species are protected in different OCP areas. Is it because some types of ecosystems are only found in certain areas? If so it would be simpler to apply DPAs to sensitive ecosystems wherever they occur. How were some rare/endangered species selected to be included in DPAs?
- I assume that wetland and riparian ecosystems are excluded from the SEI DPAs because this would be redundant with the Freshwater and Fish Habitat DPAs? Has the mapping of wetlands/riparian areas been included in the Freshwater and Fish Habitat DPAs for non-RAR applicable streams/waterbodies?
- There are other known occurrences of red- and blue-listed plant communities, rare and endangered or threatened species that are available from the BC Conservation Data Center, as well as a Provincially maintained layer for Critical Habitat identified in federal Recovery Strategies. Could these locations be included in a DPA that would require RPBio advice on development? Could it be a requirement that biophysical assessments be conducted within DPAs for these occurrences to determine whether there is a need for habitat protection in each case?

##### **Guidelines**

Point 4. (a) maintenance of an effective visual and sound buffer around nesting trees

- I recommend keeping this point in the guidelines, as this would apply not only to herons and eagles but to other raptors such as owls, hawks and falcons that nest in urban/rural areas and require undisturbed nesting trees.

#### Eagle and heron nesting trees Development Permit Area

##### **Designation**

- The Provincial Heron Working Group has agreed that buffers applied around heron nest trees should be measured from the dripline of trees, not the base of trees, to be consistent across different tree species (for example when comparing the relative sizes of crowns of mature Big-leaf maple trees vs young Douglas-fir trees).
- The Raptor Conservation during Urban and Rural Land Development in BC provides larger recommended buffers for Bald Eagle as summarized on p. 33, Table 6:
  - Undeveloped (> 5 ha previously forested lots): 200 m

- Rural (< 5 ha lots): 100 m
- Urban: 1.5 tree lengths or 50 m from cliff
- Additional breeding season quiet buffer: 100 m in addition to other buffers above
- The Heron Fact Sheet from Develop with Care recommends buffers of 200 m in rural areas and 300 m in undeveloped areas.
- For both herons and Bald Eagles, the Province recommends a buffer distance of 1000 m for blasting or other similarly loud noises during the breeding season.
- These buffer distances are in some cases larger than what is recommended by the RDN DPAs, and the larger recommended buffer distances are based on the best available science to support conservation of herons and Bald Eagles.

### **Justification**

- This section explains the need for DPAs, but could also clarify in the second paragraph that while the nests of Bald Eagles and herons are protected under section 34 (b) of the *Wildlife Act*, the DPAs are necessary to ensure that nesting habitat is functional by retaining a buffer around active nests.

### Marine Coast Development Permit Area

#### **Justification (p2)**

- Correction: The Plan Area contains one of only 22 **28** Provincially approved **designated** wildlife management areas.
- Last sentence – I suggest the following wording: “It contains a diversity of ecosystems and animal communities that are sensitive to development and human disturbance, including a significant **number of migratory Brant geese** that stop to rest and feed within this area each spring.”

#### **Objectives of the DPA:**

- What about climate change mitigation/adaptation to sea level rise? Is there an objective to address a specific projected sea level rise for the year 2100?

#### **General Guidelines (p5):**

- Point 3. Retention of riparian vegetation is also an important component of habitat suitability for marine forage fish such as Surf Smelt and Pacific Sand Lance that spawn in the high intertidal. Overhanging riparian vegetation provides shading of spawning habitat, and riparian vegetation helps to reduce harmful runoff from upland development. In addition, riparian vegetation contributes to the marine food web that supports juvenile salmonids.
- Point 10. Any use of heavy equipment on the beach should follow regulatory requirements under the federal *Fisheries Act*.



October 23, 2018

Courtney Simpson  
Senior Planner, Strategic and Community Development  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2

Dear Ms Simpson:

**Re: Referral of Proposed Bylaws to Standardize Development Permit (DP) and Temporary Use Permit (TUP) Areas**

Thank you for the opportunity to comment on the Regional District of Nanaimo (RDN) Standardized DP and TUP areas. The past few years have seen significant advances in linking urban-rural planning with a variety of health outcomes.

These include impacts of not only access safe drinking water and sustainable wastewater disposal but also such as: the encouragement of physical activity, healthier eating, greater safety, cleaner air and healthier living environments, access to health services, food security, age friendly communities, and improved social interaction amongst other potential health criteria.

Island Health (VIHA) appreciates the opportunity to provide evidence based recommendations and comments for this referral. Our regulatory considerations and support for this standardization are listed below:

### **Regulatory Considerations**

#### **Drinking Water**

- While there is reference to Island Health's jurisdiction for sewerage systems, i.e. *Sewerage System Regulation* and provisions under the *Public Health Act*, there is no mention of the *Drinking Water Protection Act* and *Regulation*. In particular, to the Aquifers Development Permit Area (DPA) it might be appropriate to include reference to these pieces of legislation. Where by any construction, installation, alteration, or extension of (a) a water supply system, or (b) works, facilities, or equipment that are intended to be a water supply system or part of a water supply system, must be issued a construction permit from our Public Health Engineer and operating permit from our Drinking Water Officer.
- It is advised that definitions be enhanced in the Aquifers DPA. Specifically, to a "water (supply) system" in line with the *Drinking Water Protection Act* and *Regulation* in addition to the *Subdivision Regulation* that clearly defines a "community water system".

---

Gateway Office

201 - 771 Vernon Avenue | Victoria, BC V8X 5A7

Tel: 250-519-3401 | Fax: 250-519-3402

*Excellent care, for everyone, everywhere, every time.*

- It may not be well placed to include this here, however, we wanted to highlight our concerns around potential cumulative impacts of sewerage systems on vulnerable aquifers. While, areas such as: Electoral Areas G and H, and in Electoral Area A, land within the Cedar and Cassidy Village Centres, Cedar Main Street and the South Wellington Industrial (commercial area) have been included. If the objective is “to protect groundwater aquifers and environmentally sensitive areas from contamination and reduced supply caused by land use and development activities” there may be other geographical areas to include in this DPA.

#### **Sewerage Disposal**

- In the Aquifers DPA reference (and exemption to DPs) speaks to the *Sewerage System Regulation & Public Health Act*. While, however, this is specific to exemptions we want to point the RDN to our Subdivision Standards. For the subdivision of land this guidance document is what we use as part of the referral process from Ministry of Transportation and Infrastructure (MOTI).

#### **Recommendations under Island Health’s Healthy Built Environment Initiative**

##### **Food Security**

- Island Health supports the RDN’s position to protect agricultural lands and increase the capacity of local food systems within this standardization. “Farmland preservation help to maintain a level of food production that contributes to food self-sufficiency and food self-sufficiency supports healthy eating”<sup>1</sup>.

##### **Healthy Housing**

- In the TUP standardization, we appreciate the RDN’s recognition for potential land use conflicts and as a result the establishment of buffers to address this issue. This has a myriad of health related benefits, for example “housing proximity to dense, busy areas or industrial sites is related to noise levels inside the home. High levels of noise exposure (is but one impact and) can result in sleep disturbance, fatigue, and other mental and physical health problems”<sup>1</sup>.

If you have any questions or comments, please do not hesitate to contact the undersigned to discuss further.

Sincerely,



Jade Yehia, CPHI(C)  
Regional Built Environment Consultant

JY/cmd

cc: Gary Anderson, Land Use Consultant, Island Health

<sup>1</sup>PHSA (2018). Healthy Built Environment Linkages Toolkit. Retrieved from: [http://www.bccdc.ca/pop-public-health/Documents/HBE\\_linkages\\_toolkit\\_2018.pdf](http://www.bccdc.ca/pop-public-health/Documents/HBE_linkages_toolkit_2018.pdf)

**From:** [Monty Horton](#)  
**To:** [Simpson, Courtney](#)  
**Subject:** DP and TUP amendments  
**Date:** Thursday, October 18, 2018 8:36:44 AM

---

Hi Courtney, we are in receipt of your referral, dated September 19, 2018. We have no comments or concerns regarding the bylaw amendments to your DP and TUP areas.

Monty Horton  
Lands Manager  
K'omoks First Nation  
Courtenay, BC  
Cell: 250-937-9195  
Work: 250-339-4545

**From:** [Kyle Young](#)  
**To:** [Ritter, Bernadette](#)  
**Cc:** [Planning Email](#); [Simpson, Courtney](#)  
**Subject:** RE: RDN Standardization of Development Permit Area and Temporary Use Permit Areas - Proposed Bylaw Referral  
**Date:** Tuesday, October 09, 2018 2:21:54 PM  
**Attachments:** [image001.png](#)  
[image004.png](#)

---

Bernadette:

The District of Lantzville has no concerns with the proposed bylaw.

Sincerely,

Kyle

***Kyle Young, M.SEM, RPP***  
*Director of Development Services*  
***District of Lantzville***  
*7192 Lantzville Road, P.O. Box 100*  
*Lantzville, BC V0R 2H0*  
*Telephone: 250.933.8083*  
*Email: [kyoung@lantzville.ca](mailto:kyoung@lantzville.ca)*

-  
*[Make every second count!](#)*

This email and any attachments are for the use of the intended recipient only and may be confidential and privileged. If you are not the intended recipient, you are hereby notified that any review, retransmission, printing, copying, circulation or other use of this message and any attachment, is strictly prohibited. If you received this message in error, please notify me by return email and delete this message, any attachments and any copy of the message and attachments from your system. Please note that correspondence with any government body, including District of Lantzville Council and staff, can be subject to disclosure under the *Freedom of Information and Protection of Privacy Act*. Thank you.

---

**From:** Ritter, Bernadette <BRitter@rdn.bc.ca>  
**Sent:** September-20-18 11:41 AM  
**To:** Planning Email <planning@rdn.bc.ca>; Simpson, Courtney <CSimpson@rdn.bc.ca>  
**Cc:** 'Jade.Yehia@viha.ca' <Jade.Yehia@viha.ca>; 'Gary.Anderson@viha.ca' <Gary.Anderson@viha.ca>; 'Martin.Collins@gov.bc.ca' <Martin.Collins@gov.bc.ca>; 'Gordon.Bednard@gov.bc.ca' <Gordon.Bednard@gov.bc.ca>; 'Jill.Hatfield@gov.bc.ca' <Jill.Hatfield@gov.bc.ca>; 'Heike.Schmidt@gov.bc.ca' <Heike.Schmidt@gov.bc.ca>; 'AJ.Downie@gov.bc.ca' <AJ.Downie@gov.bc.ca>; 'Jenna.Cragg@gov.bc.ca' <Jenna.Cragg@gov.bc.ca>; 'Bryce.Pirozzini@gov.bc.ca' <Bryce.Pirozzini@gov.bc.ca>; 'ReferralsPacific@dfo-mpo.gc.ca' <ReferralsPacific@dfo-mpo.gc.ca>; 'rblackwell@cprd.bc.ca' <rblackwell@cprd.bc.ca>; 'Dale.Lindsay@nanaimo.ca' <Dale.Lindsay@nanaimo.ca>; Kyle Young <kyoung@lantzville.ca>; 'brussell@parksville.ca' <brussell@parksville.ca>; 'lsales@qualicumbeach.com' <lsales@qualicumbeach.com>; 'mirg@acrd.bc.ca' <mirg@acrd.bc.ca>; 'ismith@comoxvalleryrd.ca' <ismith@comoxvalleryrd.ca>; 'akjerulf@islandstrust.bc.ca'



<akjerulf@islandstrust.bc.ca>

**Subject:** RDN Standardization of Development Permit Area and Temporary Use Permit Areas - Proposed Bylaw Referral

Good afternoon

Please find attached correspondence regarding the above matter.

This correspondence has been mailed via Canada Post to you also.

Let us know if you have any questions.

**Bernadette Ritter**

Administrative Associate

Strategic & Community Development

**Regional District of Nanaimo**

6300 Hammond Bay Road

Nanaimo, BC V9T 6N2

T: (250) 390-6510 (x6525) | Email: [britter@rdn.bc.ca](mailto:britter@rdn.bc.ca)



This email is confidential and may be privileged; it is for the use of the named recipient(s) only. If you are not an intended recipient of this email, please notify the sender immediately and do not copy or disclose its contents to any person or body. Any use of this email by an unintended recipient is prohibited. The accuracy or completeness of the information attached to, or disclosed in this email is not guaranteed by the sender.



**From:** [Hatfield, Jill AGRI:EX](#)  
**To:** [Simpson, Courtney](#)  
**Cc:** [Ritter, Bernadette](#); [Planning Email](#); [Bailey, Reed ALC:EX](#)  
**Subject:** RE: RDN Standardization of Development Permit Area and Temporary Use Permit Areas - Proposed Bylaw Referral  
**Date:** Thursday, October 18, 2018 1:33:25 PM  
**Attachments:** [image001.png](#)  
[image004.png](#)

---

Good Afternoon Courtney: Thank you for the referral on the proposed bylaws to standardize the DP and TUP's across electoral areas. The Ministry of Agriculture is supportive of reorganizing and combining 25 DPAs into seven standard DPAs that apply across more than one OCP area. This will provide consistency across electoral areas for agricultural land owners in RDN.

With respect to the Farmland Protection DPA where the Board specifically requested that consultation seek input on an additional exemption for existing small lots. This is an area that further discussion with the Ministry may be warranted. I appreciate the challenges with applying the Farmland Protection DP to existing small lots, however small lots adjacent to working farms is often a situation that can generate a number of concerns and complaints from both farmers and home owners. This often happens when either property changes hands or a DP is triggered by an application. It would be useful to know how many lots would be described as small next to the ALR and what issues have been raised to date before making any decisions about relaxing the Farmland Protection DP.

There might be other ways to address this problem. A number are described in the Edge Planning Guide, section 3. [https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/agriculture-and-seafood/agricultural-land-and-environment/strengthening-farming/planning-for-agriculture/823100-3\\_edge\\_guide\\_2015.pdf](https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/agriculture-and-seafood/agricultural-land-and-environment/strengthening-farming/planning-for-agriculture/823100-3_edge_guide_2015.pdf)

1. Disclosure statements could be placed on the land titles to indicate to future owners of these homes that they are living near a farming area.
2. The use of fencing and buffers based on a sliding scale related to the size of the property. A small physical barrier between residences and farms is often better than none.

Please let me know if you have any concerns related to the comments above.

Thank you

Jill Hatfield P.Ag|Regional Agrologist – Vancouver Island North  
BC Ministry of Agriculture | phone: 250-897-7518 | cell: 250-334-7272 | email:  
[Jill.Hatfield@gov.bc.ca](mailto:Jill.Hatfield@gov.bc.ca)

[AgriServiceBC@gov.bc.ca](mailto:AgriServiceBC@gov.bc.ca) 1 888 221-7141 | [www.gov.bc.ca/agriservicebc](http://www.gov.bc.ca/agriservicebc)

---

**From:** Ritter, Bernadette [mailto:BRitter@rdn.bc.ca]  
**Sent:** Thursday, September 20, 2018 11:41 AM  
**To:** Planning Email; Simpson, Courtney  
**Cc:** 'Jade.Yehia@viha.ca'; 'Gary.Anderson@viha.ca'; Collins, Martin J ALC:EX; Bednard, Gordon ALC:EX; Hatfield, Jill AGRI:EX; Schmidt, Heike MAH:EX; Downie, AJ ENV:EX; Cragg, Jenna FLNR:EX; Pirozzini, Bryce TRAN:EX; 'ReferralsPacific@dfo-mpo.gc.ca'; 'rblackwell@cvrd.bc.ca'; XT:Linsday, Dale LCLB:IN; 'kyoung@lantzville.ca'; XT:Russell, Blaine; City of Parksville CITZ:IN; 'Isales@qualicumbeach.com'; XT:Irg, Mike Alberni-Clyoquot Regional District EAO:IN; 'ismith@comoxvalleryrd.ca'; 'akjerulf@islandstrust.bc.ca'  
**Subject:** RDN Standardization of Development Permit Area and Temporary Use Permit Areas - Proposed Bylaw Referral

Good afternoon

Please find attached correspondence regarding the above matter.

This correspondence has been mailed via Canada Post to you also.

Let us know if you have any questions.

**Bernadette Ritter**

Administrative Associate  
Strategic & Community Development

**Regional District of Nanaimo**

6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2  
T: (250) 390-6510 (x6525) | Email: [britter@rdn.bc.ca](mailto:britter@rdn.bc.ca)



This email is confidential and may be privileged; it is for the use of the named recipient(s) only. If you are not an intended recipient of this email, please notify the sender immediately and do not copy or disclose its contents to any person or body. Any use of this email by an unintended recipient is prohibited. The accuracy or completeness of the information attached to, or disclosed in this email is not guaranteed by the sender.

**From:** [Turner, Cindy ENV:EX](#)  
**To:** [Simpson, Courtney](#)  
**Cc:** [Downie, AJ ENV:EX](#)  
**Subject:** Regional District of Nanaimo - Referral Request  
**Date:** Tuesday, September 25, 2018 11:38:34 AM  
**Attachments:** [Scan\\_20180924.pdf](#)

---

Hi Courtney,

Thank you for your email. Please be advised that Regional Operations Branch staff in the Environmental Protection Division of MOE no longer receive or comment on referrals so we are unable to respond specifically to this request.

Projects or activities which involve generation, handling or management of a waste must be in compliance with the *Environmental Management Act*, and all supporting applicable regulations. The Act and regulations may be found at the following government website:

<http://www.env.gov.bc.ca/epd/main/ema.htm>. In particular, please note that Sec 6(4) of the Act states that “a person must not introduce waste into the environment in such a manner or quantity as to cause pollution”. Pollution is defined in the Act as “the presence in the environment of substances or contaminants that substantially alter or impair the usefulness of the environment”. Ministry compliance and enforcement staff may verify compliance through planned activities or in response to complaints.

For strategic level planning processes or a site-specific land development proposals, please refer to the Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia found at: <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare/>.

For proposed activities or projects requiring a waste discharge authorization or registration, please consult the Ministry of Environment authorizations website at:  
<http://www2.gov.bc.ca/gov/topic.page?id=0876E90DA4744A449423D35EB4E09785> .

Sincerely,

*Cindy Turner*

Program Administrative Support  
Regional Operations – Authorizations South  
Ministry of Environment & Climate Change Strategy  
#401-333 Victoria Street, Nelson BC V1L 4K3  
Phone: 250.354.6185 iFax: 250.354.6332  
Email: [Cindy.Turner@gov.bc.ca](mailto:Cindy.Turner@gov.bc.ca)