

AGENDA

Regional District of Nanaimo
Electoral Area 'A' Official Community Plan Review Citizen's Committee

Thursday March 17, 2011 @ 6:30 pm
(North Cedar Improvement District Fire Hall - 2100 Yellow Point Road)

1. Minutes

- Adoption of the November 8, 2010 meeting notes - page 2
- Adoption of the January 10, 2011 meeting notes - page 6

3. North Cedar Improvement District Wellhead Protection

- North Cedar Improvement District Correspondence - page 9
- Wellhead protection DPA - page 10
- Wellhead protection policies - page 13
- Discussion and committee recommendation

4. Community Information Meeting

- Comments from the meeting - page 14
- Discussion and recommendations

5. Proposed amendments to the draft OCP

- Amendments proposed at 3rd reading - page 16

Regional District of Nanaimo
Summary of the Electoral Area ‘A’ Official Community Plan Review
Citizen’s Committee Meeting Held on Monday, November 8, 2010 at 6:30pm
At the North Cedar Improvement District Hall
2100 Yellow Point Road

Joe Burnett	Committee Chair
Mike Hooper	Committee Member
Ray Digby	Committee Member
Jill Maibach	Committee Member
Brian Collen	Committee Member
Jack Anderson	Committee Member
Garry Laird	Committee Member
Joanne McLeod	Committee Member
Henrik Kriberg	Committee Member
Geoff Macaulay	Committee Member
Devon Wyatt	Committee Member
Chris Pagan	Committee Member
Anne Fiddick	Committee Member
Donna Sweeney	Committee Member
Mike Donnelly	Manager of Water Services
Christina Metherall	Drinking Water and Watershed Protection Coordinator
Greg Keller	Senior Planner
Stephen Boogaards	Recording Secretary

CALL TO ORDER

The meeting was called to order at 6:30 pm by the Chair. There were approximately 18 people in attendance.

MINUTES

The Chair asked the Committee for a motion to adopt the summary of the October 18, 2010 meeting.

MOVED Ray Digby, SECONDED Geoff Macaulay, that the summary of the Area ‘A’ Citizen’s Committee meeting held on October 18, 2010 be adopted.

CARRIED

YELLOW POINT AQUIFER PRESENTATION AND DISCUSSION

The Chair introduced Mike Donnelly and Christina Metherall of the RDN’s drinking water protection program. M. Donnelly explained that the new service was established region wide to improve information on ground water resources. Researchers are now beginning to have a concept of the ground water resources available in the region. This is information that could be put to use in the OCP.

Ms. Metherall presented on the Yellow Point Aquifer. She explained that the aquifer is very unique and areas not serviced by the North Cedar Improvement District rely on it for their water supply. Since the aquifer is made up of consolidated bedrock it can take a long time to recharge as water slowly infiltrates the fractures in the bedrock. Due to the time for recharge it is not appropriate for urban development. This differs from the Cassidy aquifer that is made up of sand and gravel that allows rapid recharge, though this can be easily contaminated. Due to the Yellow Point aquifer’s supply concerns it was ranked #2 priority

bedrock aquifer for protection on Vancouver Island by the Ministry of the Environment. For comparison most RDN aquifers did not make the top 80 and Cassidy was #5.

Ms. Metherall explained several sources of information that indicated problems with Yellow Point Aquifer. The first was that the Yellow Point Aquifer was noticed to be dropping by an observation well at a potential recharge point. The well is a potential indicator of what is going on in the rest of the aquifer. Another source of information was the Area 'A' water vulnerability study which indicated that many people dependent on the aquifer are not having steady water year round and have water delivered in the summer months. Another source of information was the meetings and workshops held with well drillers, Hydrogeologists, and residents to identify water supply issues. Some of the comments from the meetings suggested that there is not ample supply of water.

Greg Keller addressed the options in the OCP for groundwater protection. He explained that the draft OCP includes policies that would apply at the time of rezoning, advocates for other agencies with authority over groundwater to act, supports water conservation efforts, and includes implementation actions such as reducing development potential or supporting groundwater monitoring. The OCP may include an introductory sentence to indicate that there are water quantity concerns in the Yellow Point Aquifer. It may include direction to support the creation of a new subdivision servicing bylaw that would require a well to be drilled and tested on each proposed lot. The OCP may also include a development permit area specifically for lands above the Yellow Point aquifer where there is a subdivision application for more than 3 lots.

The committee members discussed the buildout potential outside of the Growth Containment Boundary and the impact on water quantity in the aquifer. Mr. Keller explained that based on existing regulations there could be an additional 1000 more lots at full buildout with most of the growth potential within the agricultural lands designation. The committee also discussed the implications of conforming with the policies and land use regulations of the Cowichan Valley Regional District in Area 'H'. In CVRD Area 'H' the parcel sizes are much larger for lands designated as rural or agricultural being 12 ha. The smallest parcel size supported without community water is 2ha. There is also a water conservation zone that only allows 1 dwelling per parcel. If Area 'A' was to be consistent than minimum parcel sizes would need to be significantly increased.

Some of the committee members and public attending the meeting suggested some conflicts with the information being presented on the Yellow Point Aquifer. The RDN representatives explained that all of the information available has suggested there could be a problem. The Chair suggested that the OCP already has language in it to support more research. The committee discussed the groundwater options for the OCP and the need to act on the information that was available on the state of the Yellow Point Aquifer. The committee voted on the following options:

General Statement in the OCP Indicating there is a concern

CARRIED

Consider increasing the Minimum Parcel Sizes as supported by the OCP following further Community Consultation

CARRIED

Policy supporting the creation of Subdivision Serving Bylaw

CARRIED

Aquifer Protection Development Permit Area (for all new subdivisions)

The committee members discussed applying the development permit area to subdivisions of 3 lots or more. The suggestion was based on reasonableness, since the cost of hiring an engineer would be excessive for only two lots. The group recommended that the proposed development permit area be revised so that it would apply to all new subdivisions, not just 3 lots or more on lands above the Yellow Point Aquifer. The group also discussed possibly linking the incentives and disincentives of the sustainability checklist in with the development permit area.

CARRIED

BOAT HARBOUR PROPOSAL

The Chair introduced Keith Brown who is the representative for the developer of Boat Harbour. Mr. Brown explained that his client was asking that ancillary marina uses be supported in the OCP such as caretaker residence, repair shop, office and washrooms. Mr. Brown explained that the current proposed total building area represents 3000 square feet in area. However, upon further review, Mr. Brown suggested that the building footprint could be reduced to 750ft.

The committee members discussed the parking associated with the marina. Mr. Brown suggested that his client is undertaking a study to look at using small portions of the foreshore for the primary parking area. The study will be done by a marine biologist and they will compensate for any of the filled foreshore. Greg Keller explained to the committee members that the purpose for coming to this meeting is to recognise boat harbour as a transportation hub and discuss an opportunity to support marina accessory uses in the draft OCP.

The Chair recommended an amendment to proposed policy 9.2.20 that states ‘the RDN may support rezoning of land to accommodate a service repair shop, caretaker’s residence, marina office and washroom facilities with a total building area not exceeding 280m² to include wording like "This Plan supports the applicant undertaking additional community consultation prior to consideration of the application." The Chair explained that public input may revise the proposal even before the public information meeting or rezoning. This may address community concerns prior to the application being considered by the Board.

The Chair called a vote on the potential amendments:

New objective – Support the continued use and improvement of Boar Harbour Marina

CARRIED

New Policy 9.2.19 – This Plan recognises the importance of the Boat Harbour Marina in providing local boat moorage and facilitating access to the outer islands including Mudge, Link, De Courcy, Ruxton and Pylades.

CARRIED

New Policy 9.2.20 – The RDN may support rezoning of land to accommodate a service repair shop, caretaker’s residents, marina office, and washroom facilities with a total building area not exceeding 70m².

CARRIED

KIPP ROAD PROPOSAL

Greg Keller explained the planning rationale for the option and that from a planning perspective the subject properties may not be suitable for residential use given their proximity to Kipp Road, VMAC, and the Trans Canada Highway. The request being brought forward by the proponent is for the draft OCP to support the expansion of the South Wellington Light Industrial designation to include four properties. Mr. Keller explained that lot 4 should have been identified in the agenda package as one of the properties within the potential expansion area. He suggested that based on the input received so far the community was split on the issue and that it was clear that there are some community members and a community group who oppose the amendment and others who support it. Mr. Keller indicated that the recommendation is a compromise between the two positions. Mr. Keller explained that the OCP could support the lands as a potential expansion area for South Wellington Industrial Area, and support changes to the Regional Growth Strategy based on the outcome of an industrial lands needs assessment. This could help justify the need for more industrial land in this location.

The group discussed the options for the property and the petition that was circulated within the community. Some of the members expressed concern that the question being circulated was not clear to those signing the petition. Also concerns that many of the addresses were for business or for people living outside of the area. Emphasis was on the precedence for continued expansion of the industrial area. Other members expressed support and indicated that the properties do not have potential for residential use and future industrial uses will bring jobs to the community.

The committee members voted on the possible amendment to the OCP for the Kipp Road properties. One of the committee members recommend a change of wording to the proposal to have a conditional statement that limits support for industrial expansion so that the OCP would only support expansion if the industrial needs assessment justifies an expansion.

The Committee voted on the following amendment:

1. *That the subject properties be identified as a potential expansion of the South Wellington Light Industrial Commercial Area subject to completion of the following:*
 - i. *following the adoption of the new RGS, an RDN initiated region-wide industrial commercial needs assessment is conducted;*
 - ii. *that study supports the expansion; and,*
 - iii. *the RDN amends the RGS to support industrial uses on the subject properties.*
2. *That the subject properties be identified as a potential expansion to the South Wellington Industrial Commercial Development Permit Area.*

CARRIED

ADJOURNMENT

The meeting was adjourned at 9:22 pm.

Certified correct by:

Director Joe Burnett, Committee Chairperson

Regional District of Nanaimo
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Citizen’s Committee Meeting Held on Monday, January 10, 2011 at 6:30pm
At the North Cedar Improvement District Hall
2100 Yellow Point Road

Joe Burnett	Committee Chair
Jack Anderson	Committee Member
Garry Laird	Committee Member
Joanne McLeod	Committee Member
Geoff Macaulay	Committee Member
Chris Pagan	Committee Member
Anne Fiddick	Committee Member
Donna Sweeney	Committee Member
Christina Metherall	Drinking Water and Watershed Protection Coordinator
Greg Keller	Senior Planner
Stephen Boogaards	Recording Secretary

CALL TO ORDER

The meeting was called to order at 6:37 pm by the Chair. There were approximately 9 people in attendance.

MINUTES

The motion to adopt the summary of minutes from November 8, 2010 was held in abeyance pending an appropriate quorum of Citizens Committee members.

YELLOW POINT AQUIFER PROTECTION DEVELOPMENT PERMIT AREA

Greg Keller introduced Christina Metherall, the RDN Drinking Water and Watershed Coordinator, and explained that she would be briefly reviewing her presentation from the last meeting on the Yellow Point aquifer. Ms. Metherall explained that the large bedrock aquifer has very little ability to hold water and takes a while to recharge itself, so it is not well suited to large extraction such as urban development. Information collected through meetings with the public, well drillers, hydrogeologists and the Ministry of the Environment together indicates there may be a concern with the aquifer.

Mr. Keller explained the draft development permit area for the Yellow Point aquifer which the committee supported at the last meeting. He explained the limitations of water conservation Development Permit Areas as imposed by the Local Government Act.

Mr. Keller provided a brief summary of the last meeting where the committee suggested that the development permit area should apply to all subdivisions. Mr. Keller suggested that this may be unreasonable due to cost of the hydrogeological study. He explained that the current draft of the development permit area guidelines, the threshold for the completion of a study is the creation of three or more lots. In staff’s discussion with a hydrogeologist, it was estimated a hydrogeological assessment as required by the proposed development permit area would cost about \$15,000 to \$20,000 with most of the cost going towards the drilling and pump testing of a well. Mr. Keller suggested that the committee may consider removing the requirement for the study or increasing the number of lot threshold for the study so that it applies to larger subdivisions.

The group discussed the cost and application of the hydrogeological study, in particular for small subdivisions. The point was made that the requirement may create an impediment to development. Alternately another comment made suggested that only large developers would be able to afford to do the study. Ms. Metherall suggested that though the RDN does not have completed information on the well or recharge area they do have an opportunity to take a precautionary approach to managing land use over an aquifer that may be a concern.

Some members of the group discussed the potential for a community wide study to determine the status of the Yellow Point aquifer. Mr. Keller explained that the draft Official Community Plan supports more data collection and study on the aquifer. Ms. Metherall also explained that aquifer characterization or water modeling would take time and would be very costly. Measuring existing wells will only indicate the status of the aquifer at the current time, to determine the long term decline of the aquifer a pumping test is needed which will help to determine how the aquifer will respond over the next 25 years. The group discussed the possibility of another parcel tax for the properties over the Yellow Point aquifer to fund the necessary studies.

The group discussed incentives for cisterns. One of the committee members suggested that the development permit area could provide exception for dwelling units that are not connected to groundwater as long as the cistern is approved by a building inspector. Mr. Keller suggested that an exemption to the development permit area for a dwelling not connected to groundwater is a possible incentive. The group discussed the methodology for estimating the required storage tank capacity for rainwater, being 30% of 740L per day for 90 days. Ms. Metherall explained that for conservative water use this storage tank may be sufficient for total water use by a dwelling and may not be very expensive to install compared to drilling a conventional well.

The committee voted to incorporate the development permit area within the Official Community Plan with an exception for dwellings not using groundwater.

In Favour – 6

Opposed – 1

NORTH CEDAR IMPROVEMENT DISTRICT WELLHEAD PROTECTION

Greg Keller explained that the North Cedar Improvement District (NCID) approached the RDN to include requirements for the protection of their wellheads through the Official Community Plan. Mr. Keller presented a proposed wellhead protection strategy which was attached to the meeting agenda.

The group discussed what the NCID can do on their own. It was suggested by someone in the group that currently land owners around the wellhead do not want to sell their land and the NCID cannot afford to purchase the land. Someone in the group suggested that people are starting to notice the river adjacent to the wellhead is being contaminated by septic tanks as algal bloom is earlier every year.

Mr. Keller informed the group that the development permit area must be mapped in the Official Community Plan. The group expressed concerns about the lack of application to future wellheads and security around existing wellheads. Mr. Keller explained that if the development permit area map shows the location of the wellheads than it can be amended later with new wellheads. Alternately the development permit area may apply to a larger area than just the 90m wellhead setback. Within the larger area all development is exempted except where it is within 90m of a wellhead, similar to the development permit area for the Riparian Area Regulations. The committee was not comfortable making a recommendation on the wellhead protection development permit area at the meeting without hearing back from NCID on the proposed wellhead protection strategy.

DRAFT OFFICIAL COMMUNITY PLAN

Greg Keller explained that he will take the information discussed at the meeting and make amendments to the Yellow Point aquifer development permit area. The Official Community Plan will be going for first and second reading in February. The group discussed the policies in the food production section of the Official Community Plan and the potential for organic farming.

ADJOURNMENT

The meeting was adjourned at 9:01 pm.

Certified correct by:

Director Joe Burnett, Committee Chairperson

JAN 20 2011

REGIONAL DISTRICT
of NANAIMO

North Cedar Improvement District

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January 14, 2011

Mr. Greg Keller, MCIP
Senior Planner
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

RE: Proposed Development Permit Area: OCP: Community Water Protection

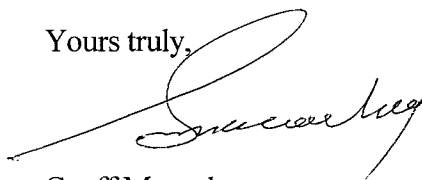
Dear Sir:

This is in reply to the various exchanges between you and Heather Sarchuk, Administrator, North Cedar Improvement District (NCID). This will confirm that at its monthly meeting (January 13, 2011) the Board of Trustees of NCID endorsed the draft proposal that had been presented for consideration to the Area "A" OCP Advisory Committee on Monday, January 10, 2011.

It is recognized that the proposed Development Permit Area (DPA) would only provide limited protection upon receipt of a subdivision or rezoning application. The NCID Board of Trustees further confirms that this is only part of a series of measures and strategies being undertaken by NCID to protect the community water supply. Satisfactory sources – adequate quality and quantity - of water are becoming increasingly difficult to find, develop and protect. Inclusion of the DRAFT DPA in the OCP would greatly assist these efforts.

We trust that the Advisory Committee will give favorable consideration to this measure.

Yours truly,



Geoff Macaulay
Board Chairperson

12.10 Wellhead Protection Development Permit Area

PURPOSE:

This Development Permit Area (DPA) has been designated pursuant section 919.1(a) of the *Local Government Act* for the purpose of protection of the natural environment, its ecosystems and biological diversity.

AREA:

This Development Permit Area (DPA) includes properties located within 90 metres of a well that is a source of water for a community water system.

JUSTIFICATION:

The Plan Area relies almost exclusively on groundwater sources for its domestic drinking water supply. There are concerns with the impacts of future development on parcels adjacent to the community wells and the potential for groundwater contamination. This is a special concern because as of the date of this Plan, the properties adjacent to the well sites are not connected to a community sewer system. This highlights the need to ensure that any development or land alteration adjacent to a community water system is reviewed to ensure that it will not have a negative impact on the groundwater resources that the community relies on for its domestic water supply.

APPLICABILITY:

A development permit is required for the following activities unless specifically exempt:

1. land alteration which results in removal, alteration, disruption, or destruction of natural features, including mature and native vegetation;
2. disturbance of soils, including grubbing, scraping and removal of top soils;
3. construction or erection of buildings and structures;
4. creation of non-structural impervious or semi-pervious surfaces; and,
5. subdivision as defined in the [Land Title Act](#) or the [Strata Property Act](#).

EXEMPTIONS:

The following activities are exempt from requiring a development permit:

1. Construction or erection of a fence.
2. Additions to existing buildings and structures as well as renovations, repairs, or maintenance provided that the proposed improvements do not result in the building or structure being situated closer to a community water well than the existing building or structure.
3. The planting of trees, shrubs, or groundcovers for the purpose of enhancing the habitat values and/or soil stability within the DPA provided the planting is carried out in accordance with the guidelines provided in '[Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia](#)', published by MOE, or any subsequent editions.
4. The removal of invasive plants or noxious weeds on a small scale within the DPA including, but not limited to, giant hogweed, Scotch broom, Himalayan blackberry, morning glory and purple loosestrife provided such works are conducted in accordance with a vegetation management plan and measures

are taken to avoid sediment or debris being discharged into the watercourse or onto the foreshore and the area is replanted immediately in accordance with "9" above.

5. With the exception of nesting trees protected under section 34 of the [Wildlife Act](#), cutting of vegetation and trees provided the cutting is not a precursor to development, the roots/stump are left in the ground, and the cutting does not result in land alteration.
6. Construction of accessory buildings and structures.
7. An application for subdivision where the following criteria can be met:
 - a) minimum parcel sizes will be met exclusive of the Development Permit Area; and
 - b) no new or amended parcels are being proposed within the DPA.

GUIDELINES:

1. Where the possibility of impacts exist, the RDN shall require the applicant to supply a report from a professional Hydrogeologist or qualified engineer registered in the province of British Columbia and experienced in hydrogeological investigations which includes the following:
 - a. assessment of the subsurface materials and characteristics of the aquifer;
 - b. a statement backed by a professional assessment that the proposed development will not have a negative impact on the aquifer; and,
 - c. recommendations on what measures are required to ensure the aquifer is protected.

The Regional District of Nanaimo shall require the applicant to implement the report's recommendations in the proposed development and the recommendations shall become conditions of the Development Permit.

2. The RDN may require an applicant to submit a rain water management plan prepared by a qualified Professional Engineer registered in the province of British Columbia and experienced in rain water management which must ensure that any run off, rain water, or other liquid from any of the proposed land uses, buildings, and impervious surfaces does not negatively impact groundwater quality. The Plan must include recommendations on how to minimize the risk of deleterious substances entering the groundwater. The RDN shall require the applicant to implement the report's recommendations in the proposed development and the recommendations shall become conditions of the Development Permit.
3. Where an applicant is proposing to disturb native vegetation within this DPA, the RDN may require the applicant to supply a re-vegetation plan to the satisfaction of the RDN.
4. In order to ensure that unnecessary encroachment does not occur within the DPA at the time of construction, permanent or temporary fencing measures may be required.
5. Development applications shall generally comply with the environmental protection policies contained in Section 4.0 of this Plan.

6. The RDN may require a Section 219 covenant to be prepared at the applicant's expense and to the satisfaction of the RDN, registering the professional's report on title, specifying areas that must remain free from development, and/or protecting an environmentally sensitive feature.
7. The use of rain gardens, vegetated swales, a reduction in impervious surfaces, and other methods for managing rain water on site should be included in all development proposals considered in this DPA.
8. The use or disposal of substances or contaminants that may be harmful to area aquifers shall be discouraged and steps shall be taken to ensure the proper disposal of such contaminants.
11. In the case of multi-residential, commercial, or institutional uses, the RDN shall require that drainage from all impervious surfaces and areas where vehicles and machinery are stored, cleaned, dismantled, operated, and maintained be directed through an appropriately sized and engineered sedimentation, oil, water and grease separator and/or other engineered containment system approved by the RDN. The engineer must provide an appropriate maintenance schedule.
12. Where an engineered sedimentation, oil, water, and grease separator and/or other engineered containment system is required, the RDN shall require the applicant to enter into a Section 219 covenant registering the maintenance schedule and a commitment to maintain the sedimentation, oil, water, and grease separator or other containment system as per the engineer's recommendations.
13. Proposed developments that may reasonably pose a detrimental impact on either the quality or quantity of groundwater shall not be supported.

DRAFT

Draft Wellhead Protection Policies For Discussion Purposes Only

The following policies could be included in the draft Official Community Plan as part of the wellhead protection strategy previously discussed.

Add new policies after policy 4.4.13 as follows:

Policy 4.4.14: This Plan recognizes that it is in the community's interest to ensure that community domestic water supplies are protected against all forms of groundwater contamination.

Advocacy Policy 4.4.15: When reviewing subdivision applications on properties adjacent to a community water supply well, the RDN shall encourage the Provincial Subdivision Approving Officer to require wellhead protection measures and the registration of a covenant on lands surrounding community wells at the time of subdivision to ensure that domestic drinking water supplies are protected against potential contamination.

Policy 4.4.16: For lands within a community wellhead protection area and/or lands reasonably adjacent to a community well, the Regional District of Nanaimo shall work with the North Cedar Improvement District or other community water providers, developers, and property owners to consider:

- i. connection to a community sewer system (if capacity is available);
- ii. upgrading existing type 1 systems to a system which produces high quality treated effluent; and/or,
- iii. to develop and undertake routine maintenance of existing septic disposal systems to ensure their longevity and maximize their treatment potential.

Policy 4.4.17: This Plan supports the acquisition of land surrounding community wells as a community amenity through the rezoning process, through purchase or donation, or at the time of subdivision for community park.

Amend Cedar Main Street Policy 6.2.7 by adding "land adjacent to community wells for wellhead protection".

**Electoral Area A Official Community Plan Review
Summary of Community Information Meeting
March 7, 2011**

The following provides a brief summary of the community information meeting held at the South Wellington Hall on March 7, 2011.

- Approximately 30 people attended the event.
- From 4:00pm to 7:00pm the event was an open house that provided an opportunity for community members to review the draft Official Community Plan and ask questions.
- At 7:00 Regional District of Nanaimo staff gave a presentation which provided an overview of the Official Community Plan review process, common themes that emerged through public consultation, and highlights of the key changes proposed by the draft Official Community Plan.
- Comment sheets were provided. Only one completed sheet was returned as attached.
- Following the presentation a number of questions were asked to clarify policies in the Official Community Plan. Nobody spoke against the draft Official Community Plan.
- A suggestion was made that a sentence be added to the airport section of the draft Official Community Plan to recognize the importance of aquifer protection.
- One community member disagreed with the approach that the draft OCP proposed with respect to the Nanaimo Airport lands.

The meeting concluded at approximately 8:00pm.



Electoral Area 'A' Official Community Plan Review Draft Official Community Plan Comment Sheet

What policies and guidelines in the draft OCP do you support and consider a top priority in achieving the community vision? Why?

DPA TO PROTECT AGRICULTURAL LAND

Are there policies and guidelines in the draft OCP that you disagree with? Why?

- LACK of DPA TO PROTECT MANAGED FOREST LAND
& ECO-FORESTRY LAND
- NEW ENVIRONMENTAL DPA SHOULD INCLUDE M.F.
 - SUGGEST YOU APPROACH PRIVATE MANAGED FOREST LAND COUNCIL TO JOINTLY DEVELOP ~~THE~~ THIS TOOL.
 - EITHER ACTUAL BUFFER or INCREASED SET BACK FOR DWELLINGS.
- P 160 - OPTION 2 - LACK of SUPPORT FOR TRANSFER of DEVELOPMENT CREDITS FROM ALR/MF LAND TO DEVELOPMENT LANDS AS AN INCENTIVE FOR OWNERS of ALR/MF LANDS

If you need additional space, you may write on the back of this sheet or attach a separate sheet of paper. Please deposit your completed comment sheet to the submission box or mail or otherwise deliver your completed questionnaire to the Regional District of Nanaimo at 6300 Hammond Bay Road, Nanaimo BC, V9T6N2 no later than 4:30pm on March 28th, 2011. Note, all comments received by this date will be part of the public record and will be available for public inspection at the public hearing.

Electoral Area A Official Community Plan Review Changes Proposed to the Draft OCP at 3rd reading

The following is a list of potential amendments to the Electoral Area 'A' Official Community Plan following further public consultation and review.

Page (January 18, 2011 draft)	Policy/ Section	Potential Amendment/Concern	Rationale/Concern	Consistency with Draft OCP Vision, Sustainability Principles, and Goals	RDN Planning Staff Recommendation
5	Definitions	Amend the last sentence of the definition of Community Sewer Service to read as follows: It consists of a wastewater collection system, wastewater treatment plant, recycling the treated liquid or releasing it to a water body or to the ground, and proper disposal of biosolids for beneficial use.	To maintain consistency with RDN Liquid Waste Management Plan	n/c	Amend as recommended
33	After policy 4.4.13	Add new policies after policy 4.4.13 as follows: Policy 4.4.14: This Plan recognizes that it is in the community's interest to ensure that community domestic water supplies are protected against all forms of groundwater contamination. Advocacy Policy 4.4.15: When reviewing subdivision applications on properties adjacent to a community water supply well, the RDN shall encourage the Provincial Subdivision Approving Officer to require wellhead protection measures and the registration of a covenant on lands surrounding community wells at the time of subdivision to ensure that domestic drinking water supplies are protected against potential contamination. Policy 4.4.16: For lands within a community	To introduce wellhead protection policies into the draft OCP which apply to lands adjacent to community wells.	Consistent with the Community Vision, Sustainability Principles 4 and 9, as well as Community Goals 12 and 13	Amend as recommended

Page (January 18, 2011 draft)	Policy/ Section	Potential Amendment/Concern	Rationale/Concern	Consistency with Draft OCP Vision, Sustainability Principles, and Goals	RDN Planning Staff Recommendation
		<p>wellhead protection area and/or lands reasonably adjacent to a community well, the Regional District of Nanaimo shall work with the North Cedar Improvement District or other community water providers, developers, and property owners to consider:</p> <ul style="list-style-type: none"> i. connection to a community sewer system (if capacity is available); ii. upgrading existing type I systems to a system which produces high quality treated effluent; and/or, iii. to develop and undertake routine maintenance of existing septic disposal systems to ensure their longevity and maximize their treatment potential. <p>Policy 4.4.17: This Plan supports the acquisition of land surrounding community wells as a community amenity through the rezoning process, through purchase or donation, or at the time of subdivision for community park.</p>			
49	6.1 Cedar Estates Land Use Designation	Amend the Title from Cedar Estates Mixed Use and remove reference to commercial use In the introduction.	When this designation was amended (prior to 1 st and 2 nd reading) to remove commercial use as a use which could be supported, the title was not changed to reflect the actual intent and the description was not changed to remove reference to	n/a	Housekeeping amendment. Amend as recommended.

Page (January 18, 2011 draft)	Policy/ Section	Potential Amendment/Concern	Rationale/Concern	Consistency with Draft OCP Vision, Sustainability Principles, and Goals	RDN Planning Staff Recommendation
52	Policy 6.2.7	Amend Cedar Main Street Policy 6.2.7 by adding "land adjacent to community wells for wellhead protection".	To encourage the acquisition of lands surrounding community wells as a development amenity at the time of rezoning.	Consistent with the Community Vision, Sustainability Principles 4 and 9, as well as Community Goals 12 and 13	Amend as recommended
52	Policy 6.2.12	Amend Policy 6.2.12 to read as follows: Development within this designation shall not take the form of Big Box retail, highway commercial, strip commercial, warehouse, or uses include a drive through window.	This was a typo which was intended to be amended to be consistent with policy 6.2.4. The amendment does not change the use or density supported as policy 6.2.4 indicates uses which may be supported.	n/a	Housekeeping amendment. Amend as recommended.
76	8.8 – Nanaimo Airport	Add the following after the second paragraph. "The airport lands are located above the Cassidy Aquifer which is known to be highly vulnerable to surface contamination. Aquifer protection is of utmost importance to Plan Area residents. Therefore the community wishes to ensure that all activities on airport lands are conducted in a manner which minimizes the risk of groundwater contamination.	Concern over aquifer vulnerability has led to a request to incorporate a statement in the draft OCP which recognizes the importance of aquifer protection	Consistent with the Community Vision, Sustainability Principles, and Community Goals	Amend as recommended
100	Implementati on Actions	Delete the word "feasibility" from the implementation action.	To clarify what information is needed.	n/a	Amend as recommended
101	Policy 11.4.7	Amend policy 11.4.7 to read as follows: The use of pump and haul services as a temporary solution for the removal of wastewater may be supported where an existing	To clarify that the use of pump and hall as a means of managing wastewater is a temporary solution.	n/a	Amend as recommended

Page (January 18, 2011 draft)	Policy/ Section	Potential Amendment/Concern	Rationale/Concern	Consistency with Draft OCP Vision, Sustainability Principles, and Goals	RDN Planning Staff Recommendation
		septic disposal system has failed, where a connection to a community sewer system is not possible, and/or where there is no alternative means of resolving the treatment problem through on-site measures for existing developed parcels.			
147	12.9	Amend Exemption 1 to read as follows: Subdivision of land which results in three or fewer lots, lot consolidation, lot line adjustment, creation of park land or other protected area, any other form of subdivision which does not result in additional lots being created only where the parcel proposed to be subdivided has not been subdivided within the past five years.	To ensure the properties cannot be subdivided in half repeatedly without the requirement for a Development Permit.	Consistent with the Community Vision, Sustainability Principles, and Community Goals	Amend as recommended
148	12.9	Amend guideline 1(ii) to read as follows: "the results and professional interpretation of a minimum 72 hour pumping test to occur at least once per subdivision or greater number as recommended by the Professional Hydrogeologist or Engineer based on the scale of development and aquifer characteristics";	To clarify that one pumping test per subdivision (not lot) is required.	Consistent with the Community Vision, Sustainability Principles, and Community Goals	Amend as recommended
151	12.10	Add a new wellhead protection DPA.	To require a review of development activities within 90m of a community water supply to help protect groundwater resources and the community water supply.	Consistent with the Community Vision, Sustainability Principles 4 and 9, as well as Community Goals 12 and 13	Amend as recommended

Page (January 18, 2011 draft)	Policy/ Section	Potential Amendment/Concern	Rationale/Concern	Consistency with Draft OCP Vision, Sustainability Principles, and Goals	RDN Planning Staff Recommendation
n/a	Section 12	Desire to have a Private Managed Forest Land Protection DPA.	To require a buffer of vegetation on lands located adjacent to Private Managed Forest Lands similar to the Farm Land Protection DPA.	Consistent with Community Vision, Sustainability Principle 4, and Community Goals 16 and 17.	Local Governments do not have authority to have this type of DPA. Therefore, it cannot be included in the draft OCP.
n/a	n/a	Desire to support transfer of development credits from Agricultural Land Reserve and Private Managed Forest Lands to lands within the Growth Containment Boundary.	To encourage growth in appropriate areas that can be services and are close to employment, schools, transit, etc. TO preserve sensitive areas and agricultural potential.	Consistent with Community Vision, Sustainability Principles 1-4 and 9, and Community Goals 1,2,3,7, and 12.	The Committee previously discussed this option. Staff have looked in to this option and believe it may be too complex to implement in the RDN in the near future. Therefore, it is not recommended at this time.