District of Lantzville

Agenda for the Regular Meeting of Council of the District of Lantzville to be held on Wednesday, September 22, 2021, at 6:00 pm via Video-Conference

Pursuant to the June 17, 2020 Ministerial Order No. M192 [Local Government Meetings and Bylaw Process (COVID-19) Order No. 3] members of Council may participate in this meeting, utilizing electronic or other communication facilities, and public access to Council Chambers is not permitted at this open meeting in accordance with the applicable requirements or recommendations under the Public Health Act. ***This meeting may be viewed starting at 7:00 pm* on the District's live-stream webcast at www.lantzville.ca.***

Members of the public who wish to provide input regarding agenda items **MUST** submit written comments by email to district@lantzville.ca, mail or drop off at Municipal Hall, and **MUST be received before 12:00 noon on Wednesday, September 22, 2021**, providing your **name, address, agenda item number / name, and comment**, will become part of the public record, be shared with Council and posted to www.lantzville.ca. ***The District does not accept anonymous submissions (this includes emails with an email address only) so please include your name and address.***

You may also provide verbal input remotely using the Zoom Webinar platform (via telephone or using your computer, tablet, or smartphone) for agenda item 8. Public Input Period by registering in advance. To join the meeting online, register in advance by following the Zoom Webinar **"link"** provided on the District's website for this Council meeting event.

Meetings are live-streamed and recorded by the District of Lantzville and may be viewed at www.lantzville.ca. The public is prohibited from recording Council meetings unless authorized by Council.

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1. CALL TO ORDER

1-5 **2. ADOPTION OF THE AGENDA**

THAT the September 22, 2021 regular Council meeting agenda be adopted, as presented.

3. MOTION TO CLOSE THE MEETING TO THE PUBLIC

THAT the regular Council meeting be closed to the public, pursuant to section(s) 90(1) (a), (e), (f), (g), (i), and (k), of the *Community Charter*, for the purpose of considering:

- **personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;**
- **the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;**
- **law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;**
- **litigation or potential litigation affecting the municipality;**
- **the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and**

- **negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.**

Following adoption of the above motion, the meeting will be closed to the public.
MEETING REOPENS – CLOSED TO PUBLIC as noted above.

4. RECONVENE – (7:00 pm - live-stream starts*)

5. PUBLIC AND STATUTORY HEARINGS – Nil

6. GENERAL MATTERS (Delegations/recognitions)

START OF CONSENT AGENDA

7. CONSENT AGENDA

THAT the recommendation listed for item 7a) in the Consent Agenda be approved.

6-10 a) THAT the September 8, 2021, regular Council meeting minutes be approved, as presented.

END OF CONSENT AGENDA

8. PUBLIC INPUT PERIOD - (Currently suspended in person due to COVID-19)
See above on how to provide written or verbal input regarding agenda items
(Persons recognized by the Chair to speak must first state their name and address for the record, may speak once for up to 2 minutes (unless Council resolves otherwise), and are limited to providing comment regarding items listed on the Council agenda for this meeting ***[EXCLUDING PUBLIC HEARING TOPICS]. Comments must be directed to the Chair, are not to be directed to individual Council members, staff or the audience and must not include personnel issues.***

9. LEGISLATIVE MATTERS (Bylaws, development variance permits, agreements, contracts, grants, budgets)

11-29 a) **Bylaw No. 200**

THAT "District of Lantzville Good Neighbour Bylaw No. 200, 2021" be adopted.

30-110 b) **Bylaw No. 283**

THAT "District of Lantzville Official Community Plan Bylaw No. 150, 2019, Amendment (Village South Special Area Plan) Bylaw No. 283, 2021" be given first and second reading;
AND FURTHER THAT "District of Lantzville Official Community Plan Bylaw No. 150, 2019, Amendment (Village South Special Area Plan) Bylaw No. 283, 2021" is consistent with the District of Lantzville Financial Plan and the relevant waste management plans.

c) **Bylaw No. 284**
[See Item 9. b) staff report]
THAT "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (Village South Special Area Plan Zone) Bylaw No. 284, 2021" be given first and second reading.

111-116 d) **Bylaw No. 286**
THAT "District of Lantzville 2022 Property Tax Exemption Bylaw No. 286, 2021" be given first, second and third readings.

117-146 e) **Development Permit Application for 7908 Lantzville Road**
THAT Development Permit No. DP21-30 be issued to the property owner for 7908 Lantzville Road.

147-149 f) **Clark Crescent Water Main Replacement Budget Amendment**
THAT the 2021-2025 Financial Plan Bylaw be amended to reflect additional funding of $150,000 for the Clark Crescent Water Main Replacement Project, with funding from uncommitted COVID-19 Restart Grant funds.

150-155 g) **Fire Hall and Public Works Facility Design**
THAT the 2021-2025 Financial Plan be amended to include $475,000 in 2021 for the design of a fire hall and public works facility, funded from facilities life cycle reserves.

156-193 h) **Selection of Proposal - Call for Outdoor Artwork**
THAT the artist Leslie Robert Sam (LessLIE) be awarded the contract to provide Outdoor Artwork as outlined in the submission; AND FURTHER THAT District staff enter into an agreement for $5,000 with Leslie Robert Sam (LessLIE) for the design and installation of public art at the District of Lantzville road right-of-way at 7221 Lantzville Road.

10. UNFINISHED BUSINESS

194-241 a) **Proposed Revisions to District Social Media Policy**
Background: The Samara Centre's Field Guide to Online Political Conversations – provided by Councillor Proctor
THAT Social Media Policy No. 3000-10 be approved, as amended.

THAT staff be directed to bring forward an amendment removing sections 31. (9), (10), and (11) of Council Procedure Bylaw No. 141, 2020 and adding language that Council will abide by the guidelines for elected official social media use contained in the Social Media Policy No. 3000-10.

242-243 b) **Crosswalk Installation at Clark Drive and Aulds Road Intersection**
THAT a pedestrian-activated signalized crosswalk be installed at the Clark Drive and Aulds Road intersection, at a cost of approximately $25,000.

244-246 c) **Sebastion Road Beach Access**

THAT staff be directed to move the no-post barriers and the bollard to the North at the Sebastion Road beach access to provide room for one accessible parking stall.

247 d) **'State of the Island' Economic Summit 2021**

THAT Councillor Geselbracht be approved to attend the 'State of the Island' Economic Summit 2021 being held virtually October 27 - 28, 2021 using the Three Pack (Virtual) Non-Member registration fee of $119.

248-250 e) **2022 Council Meeting Schedule**

THAT the 2022 Council Meeting Schedule be approved as attached to the September 8, 2021 staff report; AND FURTHER THAT staff be authorized to publish notice of availability of the schedule.

251-280 f) **Council Meeting Options For After COVID-19 Emergency Authorities Expire September 28, 2021 -** For Information

g) **Representation on the Regional District of Nanaimo Board 2021-2022 Schedule**

Mayor Swain's Recommendation:

THAT pursuant to the *Local Government Act*, Council appoints the following, per the schedule below, as the District of Lantzville Municipal Director and alternate Municipal Director on the Regional District of Nanaimo Board:

Term	Municipal Director	Alternate Municipal Director
Jul 21, 2021 to Dec 31, 2021	Councillor Will Geselbracht	Councillor Karen Proctor
Jan 1, 2022 to May 15, 2022	Councillor Karen Proctor	Councillor Ian Savage
May 16, 2022 to Nov 2, 2022	Councillor Ian Savage	Councillor Jamie Wilson

h) **Municipal Water Service**

i) **Town Hall Meetings Regarding Water Service Expansions**

MOTION POSTPONED (January 6, 2021 & July 7, 2021 regular Council meetings)

NO MOVER OR SECONDER REQUIRED

THAT the District of Lantzville host virtual town hall meetings in February 2021 regarding Community Water System expansion update and discussion; AND FURTHER THAT the following future water service areas/neighbourhoods be engaged:

1. Clark Drive Area (AW), and
2. Winds Residential Area (HW-1).

281-282 ii) **Clark Drive Area (AW) Local Area of Service for Municipal Water Service**

Mayor Swain's Recommendation:

THAT Staff prepare a high level report for Council's consideration outlining the required steps for initiating a Local Area of Service for Municipal Water Service for the Clark Drive Area (AW) as identified in the District of Lantzville Water Master Plan.

11. COMMITTEE/COMMISSION RECOMMENDATIONS

283-285 a) **Community Safety Standing Committee June 8, 2021 Meeting Minutes** – For Information

b) **Community Safety Standing Committee September 7, 2021 Meeting Recommendations**

THAT the Community Safety Standing Committee recommends to Council THAT residents of Lantzville be invited, through our community newsletter, to provide feedback on the potential of reducing the speed limit to 30 km/h on Dickinson Road, and that this input be presented to the Committee at the next Community Safety Standing Committee meeting, for the Committee's consideration of the proposal for recommendation to Council.

THAT Council members receiving community safety complaints from the public be advised to respond: "Please call the RCMP direct (250.754.2345) re: speeding or criminal issues OR email district@lantzville.ca regarding other community safety issues providing name, civic address and concern. If your concern could not be resolved with the Chief Administrative Officer, you can email district@lantzville.ca, addressed to the attention of Council, and staff will distribute to all members of Council."

12. NEW BUSINESS (Reports and correspondence)

a) **Mayor & Councillors** – Verbal Updates

286 b) **Regional District of Nanaimo - Meeting of September 7, 2021** Councillor Geselbracht

13. INTRODUCTION OF LATE ITEMS (In accordance with Council Procedure Bylaw No. 141, 2020, subsection 18(8) for regular agenda)

14. INTRODUCTION OF "NOTICE OF MOTION"

15. PUBLIC CLARIFICATION – (Currently suspended due to COVID-19. Email any questions to district@lantzville.ca following the meeting.).

16. ADJOURNMENT BY MAYOR

NEXT SCHEDULED COUNCIL MEETING:

Special, Monday, **September 27, 2021 @ 6:00 pm**
Special, Monday, **October 4, 2021 @ 6:00 pm**
Regular, Wednesday, **October 6, 2021 @ 6:00 pm**
Regular, Wednesday, **October 20, 2021 @ 6:00 pm**
Special, Wednesday, **October 27, 2021 @ 6:00 pm**

DRAFT

Minutes of the Regular Meeting of Council of the District of Lantzville held on Wednesday, September 8, 2021, at 6:00 pm via Video-Conference

PRESENT:

Council: Mayor Mark Swain*
Councillor Will Geselbracht*
Councillor Karen Proctor*
Councillor Ian Savage*
Councillor Jamie Wilson*

Staff: Ronald Campbell, Chief Administrative Officer (CAO)*
Trudy Coates, Director of Corporate Administration*
Nelda Richardson, Deputy Director of Corporate Administration*
Kyle Young, Director of Planning and Community Services* (left at 7:08 pm)
Raj Hayre, Director of Financial Services*

Guests: Erin Hemmens, Acting Chair, Nanaimo Regional Hospital District*
Tyler Brown, Chair, Regional District of Nanaimo (RDN)*
Douglas Holmes, Chief Administrative Officer, RDN*
Paul Thompson, Acting General Manager, Strategic & Community Development, RDN*
Jeannie Bradburne, Director of Finance, RDN*
Scott McCarten, Executive Director, Capital Management & Finance, Island Health*
Kevin Daniel, Manager, Capital Planning, Island Health*
Richard Brown, Consultant Architect, Island Health*

**Participated electronically*

CALL TO ORDER
The Mayor called the meeting to order at 6:01 pm and acknowledged that the meeting was being held on the traditional territory of the Snaw-naw-as, the Nanoose First Nation.

ADOPTION OF THE AGENDA
MOVED and SECONDED, THAT the September 8, 2021 regular Council meeting agenda be adopted, as amended with additional information circulated for agenda item 8. Public Input Period and corrected information for agenda item 9. c) Bylaw 262.
CARRIED UNANIMOUSLY

MOTION TO CLOSE THE MEETING TO THE PUBLIC
MOVED and SECONDED, THAT the regular Council meeting be closed to the public, pursuant to section 90(1) (a), (e), (f), (g), (i), (k), and 90(2)(b) of the *Community Charter*, for the purpose of considering:

- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

- law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- litigation or potential litigation affecting the municipality;
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public; and
- the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED UNANIMOUSLY

MEETING CLOSED TO THE PUBLIC: 6:02 pm

MEETING REOPENED – CLOSED TO THE PUBLIC DUE TO COVID-19: 6:51 pm with Mayor Swain*, Councillors Geselbracht*, Proctor*, Savage* and Wilson* present. Also, CAO Campbell*, Director Coates*, Director Young*, and Deputy Director Richardson*.

Mayor Swain recessed the meeting until 7:00 pm.

MEETING RECESSED: 6:52 pm
MEETING RESUMED: 7:00 pm, with all of Council* in attendance. Also, in attendance: CAO Campbell*, Director Coates*, Director Hayre*, Director Young*, and Deputy Director Richardson*.

PUBLIC AND STATUTORY HEARINGS - Nil

GENERAL MATTERS (Delegations/recognitions) - Nil

CONSENT AGENDA

C21-129 MOVED and SECONDED, THAT the recommendation listed for item 7a) in the Consent Agenda, be approved.
CARRIED UNANIMOUSLY

a) THAT the July 21, 2021, regular Council meeting minutes be approved, as presented.
CARRIED by Consent

END OF CONSENT AGENDA

MOVED and SECONDED, THAT the September 8, 2021 regular Council meeting agenda be amended to move item 12.b) Seaside Community Society (12 Aug 2021) re Minetown Day Parade Road Closure to after item 8. Public Input Period.
CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – (Suspended in person due to COVID-19)
Two (2) written comments were received, and two (2) members of the public registered via Zoom to provide public input; however, only one participated.

NEW BUSINESS (Reports and correspondence)

1. **Seaside Community Society (12 Aug 2021) re Minetown Day Parade Road Closure**

C21-130 MOVED and SECONDED, THAT the closure to traffic be authorized from 10:00 am to 11:00 am on Saturday, September 18, 2021 on that portion of Lantzville Road from the intersection of Lantzville and Ware Roads, with the parade proceeding northwest through the village core along Lantzville Road from Caillet Road to Huddlestone Road, and then down Huddlestone Road to the entrance of Huddlestone Park, to permit the Seaside Community Society to conduct the Minetown Day children's bike parade, subject to emergency services and transit notification, adequately addressing emergency access issues, and the Society retaining a traffic control company to provide the necessary traffic control.
CARRIED UNANIMOUSLY

LEGISLATIVE MATTERS (Bylaws, development variance permits, agreements, contracts, grants, budgets)

1. **Bylaw No. 167**

C21-131 MOVED and SECONDED, THAT "District of Lantzville Business Licence Bylaw No. 167, 2021" be adopted.
CARRIED

Director Young left the meeting at 7:08 pm.

2. **Bylaw No. 200**

C21-132 MOVED and SECONDED, THAT Good Neighbour Bylaw No. 200, 2021, be amended in clause 23 by striking "quiet hours in the District are between 10:00 pm and 7:00 am, including on beaches" and inserting "quiet hours in the District are between 11:00 pm and 7:00 am, including on beaches".
CARRIED

C21-133 MOVED and SECONDED, THAT Good Neighbour Bylaw No. 200, 2021, be amended in clause 24(d) by striking "operation of any motorized lawn-grooming or garden equipment in the District between the hours of 8:00 pm and 7:00 am" and inserting "operation of any motorized lawn-grooming or garden equipment in the District between the hours of 8:00 pm and 8:00 am".
CARRIED

C21-134 MOVED and SECONDED, THAT Good Neighbour Bylaw No. 200, 2021, be amended in:

- definitions "Special event permit" by striking "approved by Council" and inserting "approved by the Director of Corporate Administration"
- definitions by adding ""Director of Corporate Administration" means the person appointed by Council as the Director of Corporate Administration for the District and any person delegated to assist in carrying out their duties under this Bylaw;".

CARRIED

C21-135 MOVED and SECONDED, THAT Good Neighbour Bylaw No. 200, 2021, be amended in in clause 24(e) by striking "7:00 am" and inserting "8:00 am".
CARRIED UNANIMOUSLY

C21-136 MOVED and SECONDED, THAT "District of Lantzville Good Neighbour Bylaw No. 200, 2021" be given third reading as amended by the previous motions.
CARRIED

3. **Bylaw No. 262**

C21-137 MOVED and SECONDED, THAT "District of Lantzville Official Community Plan Bylaw No. 150, 2019, Amendment (Regional Context Statement and Service Areas) Bylaw No. 262, 2021" be given first and second reading; AND FURTHER THAT District of Lantzville Official Community Plan Bylaw No. 150, 2019, Amendment (Regional Context Statement and Service Areas) Bylaw No. 262, 2021 is consistent with the District of Lantzville Financial Plan and the relevant waste management plans.
CARRIED

Mayor Swain recessed the meeting until 8:21 pm.

MEETING RECESSED: 8:16 pm
MEETING RESUMED: 8:21 pm, with all of Council* in attendance. Also, in attendance: CAO Campbell*, Director Coates*, Director Hayre*, and Deputy Director Richardson*.

4. **Bylaw No. 273**

C21-138 MOVED and SECONDED, THAT "District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26 - 2004, Amendment (Business Licence) Bylaw No. 273, 2021" be adopted.
CARRIED

5. **Bylaw No. 278**

C21-139 MOVED and SECONDED, THAT "District of Lantzville Council Procedure Bylaw No. 141, 2020, Amendment (Electronic Meetings) Bylaw No. 278, 2021" be given first, second and third readings.
CARRIED UNANIMOUSLY

C21-140 MOVED and SECONDED, THAT Council amends the 2021 Council meeting schedule to add a Special Council meeting to be held at 6:00 pm on Monday, September 27, 2021 electronically and in the Council Chamber for those members who wish to attend in person, for consideration of adoption of "District of Lantzville Council Procedure Bylaw No. 141, 2020, Amendment (Electronic Meetings) Bylaw No. 278, 2021".
CARRIED UNANIMOUSLY

C21-141 MOVED and SECONDED, THAT the 2021-2024 Financial Plan be amended to include a $90,000 Capital Budget provision for Electronic Meetings Equipment Upgrade to be funded from the COVID-19 Restart Grant.
CARRIED UNANIMOUSLY

6. **Bylaw No. 281**

MOVED and SECONDED, THAT "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (6935 Dickinson Road) Bylaw No. 281, 2021" be given first and second reading.

C21-142 MOVED and SECONDED, THAT the motion on the floor be referred to staff to discuss feedback from this Council meeting and provide further information regarding community amenity contributions.
CARRIED

The Mayor called for the unanimous consent required for the meeting to proceed beyond 9:30 pm; however, there was an objection.

ADJOURNMENT
MOVED and SECONDED, THAT the meeting be adjourned.
CARRIED UNANIMOUSLY

MEETING ADJOURNED: 9:28 pm

Certified Correct:

_____
Trudy Coates, Director of Corporate Administration

Confirmed this day of , 2021.

_____
Mark Swain, Mayor

As at September 9, 2021

DISTRICT of LANTZVILLE
GOOD NEIGHBOUR BYLAW
NO. 200, 2021

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DISTRICT OF LANTZVILLE
GOOD NEIGHBOUR BYLAW NO. 200, 2021

A Bylaw to enhance the quality of life for the residents of the District of Lantzville

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The Council of the District of Lantzville in open meeting assembled enacts as follows:

CITATION

1. This Bylaw may be cited as "District of Lantzville Good Neighbour Bylaw No. 200, 2021".

INTERPRETATION

2. In this Bylaw, words or phrases defined in the British Columbia *Interpretation Act, Motor Vehicle Act, Local Government Act, Community Charter,* or any successor legislation, shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw. Unless otherwise indicated, a reference to a statute refers to a statute of British Columbia, and a reference to any statute, regulation, bylaw or other enactments refers to that enactment as it may be amended or replaced from time to time. In the event of a conflict between this Bylaw and a Provincial enactment, the stricter law prevails.

3. Schedule "A" contains definitions of terms used in this Bylaw and forms part of this Bylaw.

4. In this Bylaw, unless the context otherwise requires, the singular shall include the plural and the masculine shall include the feminine gender.

5. The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope of the intent of the provisions of this Bylaw.

6. Scales of fees and charges referred to in this Bylaw are listed in Schedule "F" of the Miscellaneous Fees and Charges Bylaw No. 26, 2004.

SEVERABILITY

7. If any section, paragraph, clause or word of this Bylaw is held to be invalid or unenforceable by a court of competent jurisdiction, that portion is severed from the Bylaw and the remaining portions continue to be valid and enforceable.

GENERAL REGULATIONS

8. No **person** shall place or occupy any building, structure, works, tent, **vehicle**, **secondary temporary accommodation**, recreational facility or recreational **vehicle** whatsoever on any part of **District**-owned land, including statutory rights of ways or road allowances except as authorized under the Traffic and Parking Regulations Bylaw No. 28, 2004, with the written approval of the **District** or as provided in this Bylaw.

9. No **person** shall discharge a **firearm** within the boundaries of the **District**, with the exception of:

(a) a Conservation Officer or **Peace Officer** carrying out their official duties;
(b) in accordance with normal farm practices under the *Farm Practices Protection (Right to Farm) Act";*
(c) persons exercising an Aboriginal Right.

10. No **person** shall feed any animal, including geese and seagulls, other than a domestic animal or pet, unless otherwise permitted under the applicable zoning or land designation bylaw, except that bird feeders are permitted on residential property subject to the owner or occupier keeping the land area below the bird feeder free of **accumulation** of seed and debris from the bird feeder at all times.

Public Areas

11. No **person** shall climb, peel, cut, deface, remove, top, injure, or in any way damage any tree planted or growing on **District**-owned land or deface, remove, damage, or destroy any structure, fence, or facility on **District**-owned land without first obtaining written permission of the **Director of Public Works**.

12. No **person** shall place or erect any structure, sign, bulletin board, post, pole or any other advertising device, paint or affix any advertising in **public areas** or on **District**-owned land, except on a community board designated for that purpose or with prior approval of the **District**.

13. No **person** shall consume or possess any open liquor, alcoholic beverage or cannabis on **District**-owned land within the **District** boundaries except with the written approval of the **District**.

LITTERING

14. No **person** shall affix to or place **advertisements** on, or within any lot, building, pole, or **vehicle**, unless such **advertisements** are deposited within a **container** provided by the property owner or occupiers of the land or building.

15. No **person** shall deposit, leave, bury or throw **rubbish, advertisements** or other litter anywhere within the **District,** including without limitation wooded areas and beaches, except in a **container** designated for that purpose.

16. No **person** shall carry into the **District** any **rubbish** or litter for disposal or placement except as permitted by the **District's** Zoning Bylaw No. 180, 2020.

STREET NUISANCES

17. **Restrictions on Panhandling**
No **person** shall **panhandle** within 10 metres of:
(a) an **automated teller machine**;
(b) a bus stop or bus shelter;
(c) a public beach;
(d) a park;
(e) the entrance to any property that a liquor store occupies; or
(f) other public facility.

18. No **person** shall **panhandle** from an occupant of a motor **vehicle** which is:
(a) parked;
(b) stopped at a traffic control signal; or
(c) standing temporarily for the purpose of loading or unloading.

19. No **person** shall **panhandle** after sunset.

20. No **person** shall sit, stand, or lie on the travelled portion of a **highway** for the purpose of panhandling.

21. No **person** shall on a commercial basis solicit for orders, busk or peddle merchandise of any kind in a **public area** or on **District**-owned land, without prior written permission issued by the **District**.

NOISE REGULATION

22. **General Noise Prohibitions**

Unless exempted under this Bylaw, no **person** shall make, cause or permit to be made or caused, any noise in or on any private property or place or on a **highway** or other **public area** in the **District** which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any **person** in the neighbourhood or vicinity of that place.

23. Without limiting section 22, quiet hours in the **District** are between 11:00 pm and 7:00 am, including on beaches. No **person** shall make, cause or allow unnecessary or continuous noise during these quiet hours, except as provided in section 27.

Specific Noise Prohibitions

24. Without limiting the generality of sections 22 and 23 herein:

(a) No **person** shall play or operate any radio, stereophonic equipment or other instrument or any apparatus for the production or amplification of sound, either in or on private property or on any **highway** or other **public area** in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any **person** in the neighbourhood or vicinity of those premises or place;

(b) No **person** being the **landowner** or occupier of land shall allow or permit such land to be used by a **person** for playing or operating any radio or stereophonic equipment or other instrument or other apparatus for the production or amplification of sound that can be easily heard from beyond the property and which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any **person** in the neighbourhood or vicinity of said land;

(c) No **person** shall keep or harbour any dog, cat, or other animal or bird in such a manner that its barking, howling, cries or other sounds can be easily heard, continually, sporadically or erratically, for any period longer than 30 minutes by a **person** who is not on the property or premises;

(d) No **person** may operate, or cause, suffer or permit the operation of any motorized lawn-grooming or garden equipment in the **District** between the hours of 8:00 pm and 8:00 am;

(e) Subject to section 27 (h), no **person**, **landowner** or occupant of land shall, on any day before 8:00 am or after 8:00 pm, cause, permit or allow a **person** to construct, erect, reconstruct, alter, repair or demolish any building, structure or thing, or excavate or fill in land in any manner which causes noise or sounds in or on any property, a **highway** or elsewhere in the **District** which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any **person** or **persons** in the neighbourhood or vicinity;

(f) No **person** shall cause or continue a disturbance upon any portion of a **highway** or other **public area** by participating in a fight or other similar physical confrontation between consenting or non-consenting **persons**.

Motor Vehicle Noise

25. The following motor **vehicle** noises are considered unnecessary, objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public and are prohibited, whether or not they amount to a violation of any other provision of this Bylaw:

(a) the squeal of a tire on a road surface made by a motor **vehicle** which is accelerating, stopping, or changing direction;

(b) a loud, roaring or explosive sound emitted by a motor **vehicle** within the **District**;

(c) the amplified sound or bass of a radio, player, or other sound playback device or amplification equipment, or the sound of a musical instrument, that emanates from a motor **vehicle** and can be easily heard by someone outside the motor **vehicle**;

(d) the sound of an automobile security system which is made, either continuously or intermittently, for a period exceeding three (3) minutes, or made more than three (3) times in a 24-hour period;

(e) the sound of a horn or other warning device on a motor **vehicle** used for any purpose other than as an audible warning incidental to the safe operation of the motor **vehicle**;

(f) the sound of a brake or other type of engine brake on a motor **vehicle** used or operated for any purpose other than as an emergency braking device incidental to the safe operation of the motor **vehicle**.

Motor Vehicle Idling Noise

26. No **person** shall idle or otherwise run a motor **vehicle** continuously for more than three (3) minutes at the same location, except:

(a) a motor **vehicle** containing equipment that must be operated inside or in association with a motor **vehicle**;

(b) a motor **vehicle** while providing assistance in an emergency activity or serving as a facility for taking measurements or making observations by or on behalf of the **District**, public utility, police, fire or ambulance; or

(c) a motor **vehicle**, where idling is required as part of an inspection, servicing or repair process.

Noise Exemptions

27. The noise restrictions of this Bylaw do not apply in the following circumstances:

(a) operating or in charge of Fire Department, police or ambulance **vehicles** while in the execution of their duties;

(b) operating any motor **vehicle**, machinery or other apparatus or thing during an emergency or for a public purpose or in furtherance of the public interest including, without limiting the generality of the foregoing, water main and sewer main break repairs, snow removal, or civil defense exercises;

(c) performing works of an emergency nature for the preservation or protection of life, health or property, provided that, the onus shall be on the **person** performing the work to show cause that the work was of an emergency nature;

(d) performing farm operations conducted in accordance with normal farm practices under the *Farm Practices Protection (Right to Farm) Act*;

(e) lawfully carrying on a trade or industry on property zoned commercial or light industrial to allow for such use, provided that the sound or noise there from does not exceed the sound or noise common to such trade or industry where carried out in accordance with generally accepted industry standards using equipment and facilities in good operating order;

(f) operating residential household equipment including, but not limited to, pool pump motors, air conditioning units, exhaust fans, hot tub pumps, heat pumps provided that the sound or noise there from does not exceed the sound or noise common to such household equipment when in good operating order and being used in accordance with generally accepted industry standards;

(g) hosting events held under the authority of a **special event permit** approved by the **District**;

(h) carrying out construction work under written authorization of the **Director of Planning** where the **Director of Planning** considers that it is impossible or impractical for a **person** to comply with section 24 (e), and has, upon receipt of an application in writing, authorized construction to carry out work that is found to be necessary, at designated hours on designated days and on such other terms and conditions as the **Director of Planning** considers reasonable in the circumstances. An application for an exemption must be in writing and must include all of the following:
   (i) the name, address, telephone number and email of the applicant;
   (ii) the civic address of the location of the works;
   (iii) the building permit number, if applicable;
   (iv) the reasons for the requested exemption;
   (v) a description of the source of noise in respect of which the exemption is sought;
   (vi) the exact period of time for which the exemption is requested; and
   (vii) a statement of the measures planned or presently being taken to minimize the sound or noise created;

(i) Operating a **mobile public address system** approved through a **special event permit** approved by the **District**.

PROPERTY MAINTENANCE

Regulations

28. A **landowner** or occupier of any real or personal property must not cause, permit or allow the property to become or remain **unsightly**.

29. Without limiting the generality of the foregoing, except as permitted under sections 36 and 37 of this Bylaw, no **landowner** or occupier of land shall cause or allow:

(a) **rubbish**, or any noxious, offensive, or **unwholesome matter** to collect or accumulate on the land;

(b) **rubbish** to overflow from or accumulate around any **container** situated on the land;

(c) the land to become or remain **unsightly**;

(d) the **accumulation** of unmanaged vegetation, dead landscaping, weeds, or **noxious weeds** to occur or to remain on the land;

(e) the infestation of caterpillars, termites, mice, rats, or other pests, or destructive animals to remain on the land;

(f) more than two (2) unregistered or unlicensed **vehicles** stored outdoors within the **landowner**'s property boundaries except as permitted by the **District's** Zoning Bylaw No. 180, 2020;

(g) an **accumulation** outdoors of motor **vehicle** parts or any **vehicle** which is in a state of disrepair or disassembly or is a **derelict vehicle** except as permitted by the **District's** Zoning Bylaw No. 180, 2020;

(h) **noxious weeds** to grow on the land and shall remove or have removed, any **noxious weeds** on the land in a manner which eliminates the regrowth of the **noxious weeds**.

Vacant Premises

30. A **landowner** must ensure that vacant land, buildings or structures are secured from unauthorized entry, and must not cause or allow a vacant building or structure to fall into such a state of dilapidation or disrepair that it becomes **unsightly** or creates a hazard, danger or inconvenience to the general public.

Graffiti

31. No **person** shall place **graffiti**, or cause or allow **graffiti** to be placed, on any wall, fence, building or structure that is in the **District**.

32. Every **landowner** or occupier shall keep any wall, fence, building, structure or surface located on such property and adjacent to a **highway** or **public area**, free of **graffiti**.

Boulevard, Highway and Sidewalk Maintenance

33. Every **landowner** or occupier of land adjacent to a **boulevard** or **highway** shall:

(a) ensure that the portion of the **boulevard** adjacent to the land, is maintained and kept free and clear, at all times, of **weeds**, **accumulations** of **filth**, **rubbish**, litter, and hazardous objects;

(b) ensure that the land is kept free and clear, at all times, of **weeds** that are within one meter from the boundary between the land and the adjacent **boulevard**, so as to prevent and control the spreading of **weeds** to adjacent **boulevards**;

(c) ensure that the land is kept free and clear, at all times, of **accumulations** of **filth**, **rubbish**, litter, and hazardous objects that are within one meter from the boundary between the land and the adjacent **boulevard**;

(d) prevent any encroachment or obstruction by vegetation, landscaping features, fences, gates or other private property features or **weeds** on sidewalks, **boulevards**, road shoulders, roadways, or public rights of way; and

(e) keep hedges, trees and other vegetation trimmed so that driveway and intersection **sight distances** are unobstructed.

34. Every owner or occupier of land shall remove, or cause the removal of snow, ice or **rubbish** from every sidewalk that borders on that land within 24 hours of the time the snow, ice or **rubbish** is deposited there on.

35. No **person** shall deposit or cause or permit the deposit of **rubbish**, litter, on any **public area** of the **District**, including without limitation beaches.

Property Maintenance Exemptions

36. Section 29 of this Bylaw does not apply to the orderly outdoor storage of goods and chattels as permitted by the **District's** Zoning Bylaw No. 180, 2020.

37. Section 29 of this Bylaw does not apply to farm operations conducted in accordance with normal farm practices under the *Farm Practices Protection (Right to Farm) Act.*

MANAGEMENT OF PUBLIC AREAS

38. A **person** must not use fertilizers, pesticides, and herbicides in **public areas**.

39. With the exception of **boulevards** where maintenance is required to be done by adjacent property owners, a **person** must not alter or change any **public area** without first obtaining written approval of the **Director of Public Works**.

40. A **person** must not mow **grass** in **public areas** without first obtaining written permission of the **Director of Public Works**.

41. A **person** must not place **rubbish** in a municipal garbage or recycling bin.

42. Beaches and parks in the **District** are closed from:
    a) November 1st to April 30th from 10:00 pm to 7:00 am; and
    b) May 1st to October 31st from 11:00 pm to 6:00 am,
    for all camping, loitering, or congregating in groups of more than four persons.

43. A **person** must not enter or use closed **public areas** including beaches and parks, except as provided in sections 42 and 45.

44. Overnight camping, erection and occupancy of a **temporary shelter** or open burning for any purpose is prohibited in the following key sensitive areas in the **District** of Lantzville:

LOCATION	**CIVIC ADDRESS**
Copley Park	7471 Andrea Crescent
Huddlestone Park	7080 Huddlestone Road
Rotary Park	6945 Peterson Road
Sebastion Park	7342 Lantzville Road
Fire Hall	7580 Superior Road
Municipal Hall	7192 Lantzville Road
Community Use Building A (Costin Hall)	7232 Lantzville Road
Community Use Building B (former church)	7244 Lantzville Road
School Road Parking Lot and Tennis Courts	7005 Lantzville School Road
District-owned Lands	7329 Harby Road East
All Public Beach Areas	
District Trails	
Environmental Sensitive Areas (as designated in the Official Community Plan)	
Registered Road Rights of Way	

45. A **homeless person** may take up overnight accommodation and erect and occupy a **temporary shelter** in a park, except those listed in section 44, between the hours of 7:00 pm on one day and 7:00 am the following day, provided the **homeless person**:

(a) vacates and dismantles any shelter erected by 7:00 am each morning;

(b) removes any shelter material, personal possessions, and disposes of any debris, **rubbish,** litter or any other articles in a **container** designated for that purpose, by 7:00 am each morning;

(c) does not erect a shelter within 10 metres of any playground, sports field, picnic shelter, gazebo, public washroom, bike park, private property, pathway, established trail or sidewalk;

(d) does not damage or alter any **District**-owned land, including fencing, trees, shrubs, plantings, benches or other municipal equipment or infrastructure;

(e) does not obstruct a **District** employee in the performance of their duties.

46. A **person** must not operate a drone in **public areas** including beaches and parks, in such a manner as to damage or interfere with municipal structures and equipment, or impede the use and enjoyment of **public areas**, including beaches and parks.

*[**BURNING CONDITIONS, RESTRICTIONS AND FIRE BANS** Reference the District of Lantzville Fire Protection Services Bylaw No. 185, 2019]*

*[**FOR FIREWORKS REGULATIONS** Reference District of Lantzville Fireworks Regulation Bylaw No. 39, 2005]*

INSPECTIONS

47. No **person** shall obstruct or interfere with a **Bylaw Enforcement Officer** or **Inspector** in the exercise of their duties.

48. A **Bylaw Enforcement Officer** or **Inspector** may enter upon the property of any property owner or occupant at all reasonable times and in a reasonable manner for the purposes of carrying out their duties and determining whether the property is **unsightly** or otherwise not in compliance with the provisions of this Bylaw.

ENFORCEMENT, PENALTY AND COMPLIANCE ORDERS

49. A **person** who:

(a) contravenes this Bylaw;

(b) permits, suffers, or allows any act or thing to be done in contravention of this Bylaw; or

(c) fails or neglects to do anything required to be done under this Bylaw,

commits an offence. Each day that a violation occurs or continues shall constitute a separate offence.

50. A **person** found guilty of contravening this Bylaw is liable to pay:

(a) a fine of not less than $1,000 and not more than $50,000, together with the cost of prosecution, if proceedings are brought under the *Offence Act*;

(b) a fine of up to $1,000 if a ticket is issued under "*District of Lantzville Municipal Ticket Information Bylaw No. 100, 2012*"; or

(c) a penalty in the amount established in a bylaw under the *Local Government Bylaw Notice Enforcement Act*.

51. In addition to the payment of a penalty or fine in relation to an offence, a **person** violating any of the provisions of this Bylaw may be liable to civil proceedings by the **District** to recover expenses, loss or damage incurred by the **District** resulting from such violation.

Compliance Order

52. If in the opinion of a **Bylaw Enforcement Officer** or an **Inspector**, the **landowner** or occupier fails to comply with a requirement of this Bylaw, the **Bylaw Enforcement Officer** or an **Inspector** may issue a **Compliance Order** requiring that the owner or the occupier, or both, bring the property into compliance with this Bylaw within such time as the **Bylaw Enforcement Officer** or **Inspector** considers appropriate in the circumstances.

53. A **Compliance Order** may address any conditions or circumstances particular to the property, specify actions and measures that must be taken, and establish a time frame for completion.

54. Delivery of a **Compliance Order** is deemed sufficient:

(a) in the case of the **landowner**, on the day on which it is personally delivered, or on the fifth business day after being mailed by regular post to the address shown on the current year's property assessment roll; and

(b) in the case of the occupant, on the day on which it is personally delivered, or the day on which it is posted on the property, or on the fifth business day after being mailed by regular post to the address of the property.

55. If the obligations imposed by the terms of a **Compliance Order** are not performed within the time period set out therein, the **District**, by its employees, agents, or contractors, may at all reasonable times and in a reasonable manner enter the property and bring about such compliance at the cost of one or more of the following:

(a) the occupant of the property from which the non-compliance of this Bylaw arises;

(b) the owner of the property from which the non-compliance of this Bylaw arises;

all of which said costs shall be calculated and invoiced to include all costs and expenses incurred by the **District** to meet the requirements of the **Compliance Order**, including without limitation, administrative costs; the costs to attend the property the **District** employees and its contractors; the costs of equipment, removal, cleanup, and disposal; and the cost of repairs to damaged **District** equipment, **vehicles** or property.

56. If a **landowner** or occupier defaults in paying the costs referred to in section 55 to the **District** within 30 days after receipt of a demand for payment, the amount becomes a debt due and owing to the **District**, and if not fully paid by December 31st, any amount outstanding may be recovered from the **landowner** in the same manner as for property taxes.

Excessive Nuisance Service Calls

57. Where a member of the R.C.M.P., a **Bylaw Enforcement Officer** or other **District** employee is required to respond to a property for:

(a) more than one **nuisance** service call within a twenty-four (24) hour period; or

(b) more than three **nuisance** service calls within a twelve (12) month period;

the **landowner** may be liable to pay an **Excessive Nuisance Abatement Fee** for each additional **nuisance** service call responded to at the same property within the twelve (12) month period following the date of the notice referred to in section 58.

58. Before imposing an **Excessive Nuisance Abatement Fee**, written notice shall first be provided to the **landowner**:

(a) describing in reasonable detail the nature of the **nuisance** conduct, activity or condition that occurred, or was maintained or permitted in, on or near the land; and

(b) advising the **landowner** that **Excessive Nuisance Abatement Fees** will be imposed for each additional **nuisance** service call to the same land and that the imposition of such fees is in addition to the **District's** right to seek other legal remedies or actions for abatement of the **nuisance**.

59. Service of the notice referred to in section 58 will be sufficient if the notice:

(a) In the case of service on an individual, is served personally or mailed by prepaid registered mail to the address of the **landowner** shown on the current year's tax roll for the land for which the notice is issued;

(b) In the case of service on a corporation, is served personally on a director, officer or manager of the corporation or by leaving it at or mailing it by prepaid registered mail to the registered office of the corporation.

60. **Excessive Nuisance Abatement Fees** shall be paid by the **landowner** on being delivered of an invoice from the **District** and if not paid within 30 days, becomes a debt owing by the **landowner** to the **District**.

61. This bylaw shall come into effect on August 1, 2021.

READ A FIRST TIME this 29th day of March, 2021.

READ A SECOND TIME this 29th day of March, 2021.

READ A THIRD TIME this 8th day of September, 2021.

ADOPTED this day of , 2021.

Mark Swain, Mayor

Trudy Coates,
Director of Corporate Administration

SCHEDULE "A"

Attached to and forming part of Bylaw No. 200

The following definitions apply in this Bylaw:

"**Accumulation**" means a build up, growth or collection, either scattered, amassed or piled, existing at the time of inspection;

"**Advertisements**" means circulars, pamphlets, handbills, and papers, and does not include newspapers or notices issued by the **District**;

"**Automated teller machine**" means a device linked to a financial institution's account records which is able to carry out transactions, including, but not limited to, account transfers, deposits, withdrawals, balance inquiries, and mortgage and loan payments;

"**Boulevard**" means that portion of **highway** between the curb lines or the lateral boundary lines of a road way and the adjoining property or between the curbs on median strips or islands, but does not include curbs, sidewalks, ditches or driveways;

"**Building official**" means **persons** duly appointed by **Council** as such;

"**Bylaw Enforcement Officer**" means a **Bylaw Enforcement Officer** appointed by **Council** as such, and shall include any **Peace Officer** or **building official**;

"**CAO**" means the Chief Administrative Officer appointed by **Council** and any **person** delegated to assist in carrying out their duties under this bylaw;

"**Compliance order**" means an order issued pursuant to section 52 of this Bylaw;

"**Container**" includes a dumpster, garbage can, garbage bin or other receptacle designed, intended or used to hold **litter**, discarded materials and debris;

"**Council**" means the elected **Council** for the **District** of Lantzville;

"**Derelict vehicle**" means all or part of any wrecked **vehicle** or motor **vehicle** which is not capable of operating under its own power and not validly registered and licensed in accordance with provincial legislation;

"**Director of Corporate Administration**" means the **person** appointed by **Council** as the **Director of Corporate Administration** for the **District** and any **person** delegated to assist in carrying out their duties under this Bylaw;

"**Director of Planning**" means the **person** appointed by the Chief Administrative Officer as the **Director of Planning** and Community Services for the **District** and any **person** delegated to assist in carrying out their duties under this Bylaw;

"**Director of Public Works**" means the **person** duly appointed by the Chief Administrative Officer as the **Director of Public Works** for the **District** and any **person** delegated to assist in carrying out their duties under this Bylaw;

"**District**" means the **District** of Lantzville;

"**Drone**" means a remotely operated aerial device that is designed to carry a camera or other recording mechanism;

"**Excessive Nuisance Abatement Fees**" include, but are not limited to the following costs and expenses incurred while responding to a **nuisance** service call for the purpose of abating **nuisance** conduct, activity or condition:

(a) The cost of police and **District** employee salaries, including 25% overhead;
(b) The cost of using Fire Department and **District** equipment and **vehicles;**
(c) The administration costs incurred by the **District** in responding to a **nuisance** service call and abating a **nuisance**;
(d) The cost of the **District** Fire Department call-out including employee and equipment; and
(e) The cost of repairs to damaged **District** equipment, **vehicles** or property, and the use of supplies which occurred as a result of responding to a **nuisance** service call;

"**Filth**" means foul or putrid matter;

"**Firearm**" means a rifle, pistol, shotgun, or crossbow and includes air guns, air rifles, air pistols, and spring guns;

"**Graffiti**" includes one or more letters, symbols, writing, pictures or marks, however made, posted, scratched, painted or drawn on any structure, place or thing but does not include marks made accidentally or any of the following:

(a) Sign, public notice or traffic control mark authorized by the **District**, or Provincial or Federal legislation; or
(b) In the case of private property, letter, symbol or mark for which the owner of the property on which the letter or symbol or mark appears, has given prior, written authorization;

"**Grass**" shall include plants that are commonly known or referred to as **grass**;

"**Highway**" means a public road and any other public way, including the full extent of the **highway** dedication, but excludes the area seaward of the present natural boundary of the sea;

"**Homeless person**" means a **person** with no fixed address and no predictable residence to return to on a daily basis;

"Inspector" means anyone who is authorized by the **CAO** to enter and inspect property for the purposes of this Bylaw;

"**Landowner**" means the **person** who is the registered owner on title under the *Land Title Act,* and in relation to the common property of a strata corporation, includes the strata corporation;

"**Mobile public address system**" means a **public address system** that can be used or is used while mounted on a motor **vehicle**, trailer or such other device transported or moved by human power;

"**Noxious weeds**" means any plant designated as a **noxious weed** pursuant to the *Weed Control Regulation;*

"Nuisance" means an action or condition that is prohibited under this Bylaw;

"**Panhandle**" means to solicit, or without consideration, ask for money, donations, goods or other things of value whether by spoken, written or printed word or bodily gesture for one's self or for any other **person** but does not include soliciting for a charitable organization;

"**Peace Officer**" has the same meaning as in the *British Columbia Interpretation Act*;

"**Person**" includes a natural **person**, a company, corporation, partnership, firm, association, society, or party and the heirs, executors, administrators, occupier or tenant of land, personal or other legal representatives or a **person** to whom the context can apply according to law; however, does not include a **District** employee fulfilling or carrying out the duties and responsibilities of their position;

"**Public address system**" means a sound amplification system, either by megaphone or electronically, used outdoors to disseminate the spoken word or music to the public in general, and includes outdoor sound amplification systems used for purposes of a performance, concert, exhibition or entertainment, but does not include systems used for internal communications in schools and businesses.

"**Public Area**" means any park, **highway**, **boulevard**, sidewalk, driveway on **District**-owned land, foreshore, beaches or such premises as the **Council** may from time to time designate.

"**Rubbish**" means any discarded substances, materials, or items, and without limitation includes household waste, decaying or non-decaying solid and semi-solid wastes, combustible and non-combustible wastes, paper, trash, refuse, cardboard, waste material, cans, glass, bedding, mattresses, crates, rags, barrels, boxes, lumber not neatly piled, scrap iron, tin and other metal, scrap paving material, tool sheds, construction, trade and demolition waste, **derelict vehicles** and vessels, tires, batteries, machinery, mechanical or metal parts, abandoned or dilapidated appliances or furniture, ashes from fireplaces and on-site incinerators, yard clippings, brush, wood, dry vegetation, **weeds**, dead trees and branches, stumps, and piles of earth, or any combination of the above;

"**Secondary Temporary Accommodation**" means a trailer or recreational **vehicle**, on skids or wheels.

"**Sight distances**" means a clear line of vision between motorists, cyclists and pedestrians that allows sufficient time for safe manoeuvres to be made without significantly affecting the conflicting traffic;

"**Special event permit**" means any public show, exhibition, carnival or performance or gathering of any particular kind, or any public show, exhibition, carnival or performance approved by the **Director of Corporate Administration**.

"**Temporary shelter**" means a tent or other shelter constructed from a tarp, plastic, cardboard or other similar materials;

"**Unsightly**" in addition to its common dictionary meaning and regardless of the condition of other properties in the neighbourhood, shall include property having any one or more of the following characteristics:

(a) The storage, location or **accumulation** visible to a **person** standing on a public **highway** or on nearby property, of **filth**, litter, **rubbish** or **graffiti**;
(b) The untidy storage, location or placement of building materials on a site where construction is not taking place, except where they cannot be seen from a public **highway** or from nearby property, or from a building or structure situated on a public **highway** or nearby property;
(c) Landscaping or vegetation that is dead or characterized by uncontrolled growth or lack of maintenance, or is damaged;
(d) Fences characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting, or any other evidence of physical decay or neglect or excessive use or lack of maintenance;
(e) Any other similar conditions of disrepair, dilapidation, or deterioration;

(f) Any unlicensed or unregistered **vehicles** in a state of disrepair or disassembly.

"**Unwholesome matter**" means physical objects which are detrimental to physical or mental wellbeing of **persons.**

"**Vehicle**" means a device in, on or by which a **person** or thing is or may be transported or drawn on a **highway**, but does not include a device designed to be moved by human power, a device used exclusively on stationary rails or tracks or a motor assisted cycle, and for the purpose of this Bylaw shall include boat or other trailers;

"**Vehicle Owner**" means a **person** in possession or operation of a motor **vehicle** or ancillary or related equipment;

"**Weed**" means and shall include brush, trees, and other growth that tends to seed and spread readily without human intention or care, and any vegetation that may by its root system, limbs, shoots or leaves intrude into a **highway** in a manner that may impact travel, construction, maintenance levels, longevity or aesthetics of the said **highway**, including:

(a) English ivy (*Hedera helix*),
(b) Himalayan blackberries (*Rubus Armeniacus*), and
(c) Scotch Broom (*Cytisus Scoparius*).

District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: September 22, 2021

SUBJECT: **Official Community Plan & Zoning Bylaw Amendment Application for Village South**

PURPOSE

To consider an Official Community Plan and zoning bylaw amendment application to adopt a Village South Special Area Plan and a Village South Special Area Plan Zone.

RECOMMENDATION

1. **THAT** "District of Lantzville Official Community Plan Bylaw No. 150, 2019, Amendment (Village South Special Area Plan) Bylaw No. 283, 2021" be given first and second reading;

   AND FURTHER THAT "District of Lantzville Official Community Plan Bylaw No. 150, 2019, Amendment (Village South Special Area Plan) Bylaw No. 283, 2021" is consistent with the District of Lantzville Financial Plan and the relevant waste management plans.

2. **THAT** "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (Village South Special Area Plan Zone) Bylaw No. 284, 2021" be given first and second reading.

COMMITTEE RECOMMENDATION

N/A

ALTERNATIVES AND IMPLICATIONS

1. **REFUSAL**

   THAT "District of Lantzville Official Community Plan Bylaw No. 150, 2019, Amendment (Village South Special Area Plan) Bylaw No. 283, 2021" be refused.

   THAT "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (Village South Special Area Plan Zone) Bylaw No. 284, 2021" be refused.

   Subdivision and development of the subject property is not possible until a Special Area Plan and associated zoning have been adopted by the District.

2. **AMEND THE BYLAW**

   When either of the following motions are on the floor:

   THAT "District of Lantzville Official Community Plan Bylaw No. 150, 2019, Amendment (Village South Special Area Plan) Bylaw No. 283, 2021" be given first and second reading.

THAT "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (Village South Special Area Plan Zone) Bylaw No. 284, 2021" be given first and second reading.

Amend either by motion:

THAT the motion on the floor be amended by adding "as amended [*insert amendment*]".

Vote on the main motion as amended:

THAT "District of Lantzville Official Community Plan Bylaw No. 150, 2019, Amendment (Village South Special Area Plan) Bylaw No. 283, 2021" be given first and second reading, as amended [*insert preceding amendment*].

THAT "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (Village South Special Area Plan Zone) Bylaw No. 284, 2021" be given first and second reading, as amended [*insert preceding amendment*].

The implications are unknown until the amendments are known. If Council chooses to amend the bylaws, staff will advise the applicant and give the applicant an opportunity to proceed with the application, as amended, or abandon the application.

BACKGROUND/RELEVANT HISTORY

The subject property is comprised of three parcels of land, as shown in **ATTACHMENTS 1 & 2**:

1. 7220 Ware Road (19.00 ha / 46.95 ac)
2. 6855 Wiles Road (3.65 ha / 9.02 ac)
3. 7133 Lantzville Road (0.56 ha / 1.38 ac)

The property is zoned Future Special Area Plan (F-SAP) in anticipation that a special area plan zone will be adopted for the property (**ATTACHMENT 3**). The property is designated Village in the OCP and is covered by two sub-designations: primarily Village South Special Planning Area and a small portion of the property adjacent to the Ware Road / Lantzville Road intersection designated Village Primary Commercial Core Special Planning Area. The property is vacant and was cleared between 2016 and 2018. There are a number of human-made drainage ditches throughout the property and seasonally wet areas. Ware Road, dedicated and constructed by the land owner in 1997-1998, bisects 7220 Ware Road.

Proposal

The owner has applied for an OCP and Zoning Bylaw Amendment to establish a new Village South Special Area Plan (SAP) to be attached to the OCP and a corresponding Village South Special Area Plan Zone (SAP-2) to ensure that use, development and subdivision of the properties conforms to the SAP. The proposed OCP amendment bylaw with the Village South SAP is included as **ATTACHMENT 4**. The proposed zoning amendment bylaw with the Village South SAP Zone is included as **ATTACHMENT 5**. The proposed bylaws and other supporting information and reports provided by the applicant are available on the District's website.

The proposal is for a mixed-use development that includes housing, commercial uses, parks, greenways, and land for community uses.

ATTACHMENTS

1. Location Map
2. Air Photo
3. Zoning Map
4. Bylaw 283 – OCP Amendment
5. Bylaw 284 – Zoning Bylaw Amendment

ANALYSIS/RATIONALE

The purpose of a SAP is to establish a set of specific policies that will apply to the use, development or subdivision of land in a special planning area designated in the OCP. Once adopted by Council, the SAP will be attached to the OCP as an appendix. The first SAP approved by Council was the Upper Lantzville Ware Road SAP, which was adopted in November 2020.

Official Community Plan

The subject properties fall within the overarching 'Village' designation and the Village South and Village Primary Commercial Core SPA sub-designations in the OCP. There are also a number of other OCP policies that apply to the proposal. The proposal is consistent with the OCP.

Goal 1: Protect the Natural Environmental

The bio-inventory and drainage assessment that was completed for the property that confirmed that "development of the subject properties appears to represent relatively low impact when compared to other similar sized, forested parcels on eastern Vancouver Island." The recommendations in the assessment included the need for a drainage management plan and sediment and erosion control plan (both of which are provided at the subdivision stage), ensuring that land clearing takes place outside of the nesting season, and using a high percentage of native plant species.

Goal 2: Preserve Community Character

The OCP anticipates that the highest density land uses will take place in the Village in order to preserve the character of other established neighbourhoods in Lantzville. The proposal is consistent with this goal.

Goal 3: Strengthen the Village Primary Commercial Core

Development of the Village area will significantly enhance the viability of existing businesses and help attract new businesses to Lantzville. The OCP envisions a vibrant, pedestrian oriented Village area with commercial buildings, mixed uses, and public spaces, all of which are anticipated in the proposed SAP.

Goal 4: Provide Housing Choice

There is currently no choice in Lantzville for housing types other than single-unit housing. The proposal includes the provision of the full range of housing types, including single-unit housing, duplexes, rowhouses, apartments, community care and assisted living.

Goal 5: Manage the Steady and Sustainable Development of Infill Neighbourhoods

The example priority list provided in the OCP based on community input identified that the Village Primary Commercial Core and Village Areas were the highest priority for the development of a SAP. Development of the subject property is anticipated to take place over a number of decades.

Goal 6: Develop Community Infrastructure

The development will be connected to District water and sewer. The owner is proposing to connect a well in the southwest corner of the property to the District's water system. Well water testing and protection plan information have been provided with the application.

The proposal includes the provision of land for community parks, a sports field and a community use parcel that could be used for a new community centre, if desired by the community.

Goal 7: Improve Road, Pedestrian and Bicycle Mobility

The development would result in the upgrading of Ware Road to accommodate onstreet parking, sidewalks, bike paths, street lights, street trees and transit. Two roundabouts are required, including one at the intersection of Lantzville Road and Ware Road and one mid-way along Ware Road to provide access into the site.

Village Primary Commercial Core SPA

While there is a small portion of the property adjacent to the intersection of Ware Road and Lantzville Road that is within the Village Primary Commercial Core SPA, the name of the SAP is Village South SAP in light of the fact that most of the property is in the Village South area. The Village Commercial Core SPA supports mixed use buildings and the inclusion of high quality pedestrian environments.

Village South SPA

This SPA supports a variety of commercial and residential land uses. All new development in this SPA is required to include abundant green space and open space, walking and cycling connections, innovative site and building design, and the provision of a range of housing forms and tenures. The proposal includes 22% public land, parks and greenways.

Village South Special Area Plan (SAP-2) Zone

The proposed zoning amendment bylaw would rezone the property into Park (P), Community Services (CS), and a new Village South SAP Zone. The purpose of the zoning is to implement the Village South SAP.

Phased Development Agreement

In accordance with the OCP, a phased development agreement (PDA) will be prepared for consideration by Council. A PDA provides certainty to a local government and a developer that zoning and servicing provisions and the phased provision of services and amenities are "locked-in" for the term of the PDA. Following first and second readings of the amendment bylaws, a separate report with the proposed PDA will be coming to Council for consideration.

Community Amenity Contributions

Community amenity contributions (CACs) proposed by the applicant include the provision of park land and community use land, park amenities, greenways and trails, gateway signage at the two roundabouts, offsite multi-use pathway connections, and a financial CAC. It is important to note that development's impact on the community, including consideration of any voluntarily offered community amenity contributions will need to be further reviewed in the PDA.

Ministry of Transportation and Infrastructure

The Ministry will need to approve the zoning amendment bylaw because the subject property is within 800 m of a controlled access highway (Island Highway).

Works and Services

Subdivision and development of the property will be subject to the requirements of the subdivision and development works and services bylaw. A separate bylaw to amend the works and services bylaw will be brought forward to Council to include the specific road standards in the SAP.

Public Engagement

Initial engagement on the Village South development began in April 2019 when the owner presented their vision to Council and community members at Costin Hall and has continued with the creation of a project website and ongoing communication community members. Should the bylaws receive first and second readings, the applicant's additional planned engagement includes an updated project website, in-person or virtual open houses, a meeting with land owners on the south side of Lantzville Road in the Village, and on-going communication with community members who have questions about the proposal.

Public Hearing

Once the bylaws are ready to proceed to a public hearing, a statutory public hearing would be scheduled.

Comprehensive Development Plan

At its January 27, 2021 regular meeting, Council passed the following motion:

"THAT the owners of 7220 Ware Rd (Lantzville Projects), 7133 Ware Rd. (Lantzville Projects), 7187 Lantzville Road (Slegg Property), and 7197 Lantzville Road (Pub), and all owners of commercial land on the south side of Lantzville Road from Ware Road to Lantzville School Road, be invited to meet together with District staff, to discuss the potential of a comprehensive development plan for these properties."

While the District does not have the time or resources to lead a meeting with owners, the applicant's planned meeting with these owners will meet the intent of Council's motion. The concept plan provided by the applicant also demonstrates how these properties will fit into the overall land use and road networking layout.

1. Strategic Plan Objectives

Council's Strategic Plan includes the following relevant priorities:

3.4 Acquire as much land as possible through development

The proposal includes an abundance of public land – far more than would be typical for a comparable development in a town center context.

3.7 Consider implementation of the Age-friendly Action Plan

Action 5 (Support Housing Objectives – diversity and seniors housing) of the Age-Friendly Plan provides the following guidance:

"Consider OCP goals and housing needs in reviewing development applications.

Encourage housing units and forms that can be adapted to meet evolving accessibility needs of residents."

The proposal includes many options for seniors supportive housing, including options for fully independent living, assisted living and community care.

2. Policy

There are no policy implications of the recommendation aside from those already discussed.

3. Resource Implications

The proposal will result in the District taking on a significant amount of new public infrastructure and assets, including roads, water, sewer and stormwater management infrastructure, as well as parkland, a sports field and trails. Current resources are insufficient to provide the necessary maintenance and ongoing operation of additional infrastructure or assets of this magnitude. This means that the District need to increase resource capacity as the development proceeds and the

District acquires infrastructure and assets. However, the compact nature of the development will result in a highly efficient use of land, infrastructure and services.

4. Financial/Budget Implications

While there are no immediate financial/budget implications of the recommendation, the additional resources that will be required as the development proceed will have financial/budget implications.

5. Sustainability Implications

The proposed development is a highly sustainable development that will be the economic and social focal point of the community.

Prepared By:

Kyle Young, Director of Planning & Community Services

Date: September 10, 2021

Approved for Submission to Council:

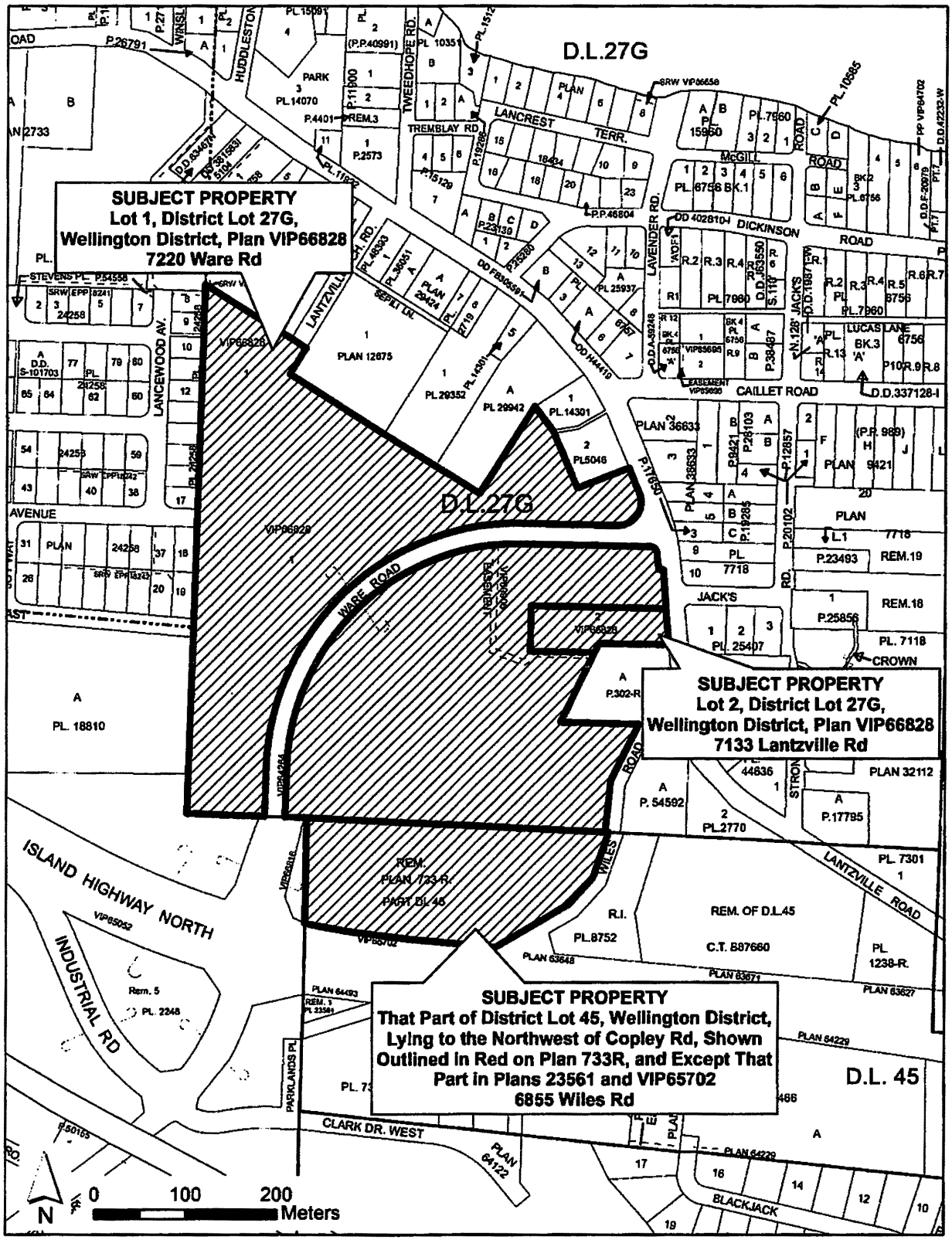
Ronald Campbell, Chief Administrative Officer

Date: September 10, 2021

REVIEWED WITH:			
☑ Corporate Administration	☐ Fire Rescue	☐ Public Works/Engineering	☐ RCMP
☑ Financial Services	☐ Planning	☐ Solicitor	☐ Committee:
☐ Other:			

COUNCIL AGENDA INFORMATION:		
Meeting Type	**Date**	**Agenda Item #**
Regular	September 22, 2021	9. b) & c)
Closed (In-Camera)		

File: 3360-21-2
Location: T:\DISTRICT OF LANTZVILLE\Reports to Council\2021\2021 09 22 OCP & Zoning Bylaw Amendment Application for Village South.docx


SUBJECT PROPERTY
Lot 1, District Lot 27G,
Wellington District, Plan VIP66828
7220 Ware Rd
SUBJECT PROPERTY
Lot 2, District Lot 27G,
Wellington District, Plan VIP66828
7133 Lantzville Rd
SUBJECT PROPERTY
That Part of District Lot 45, Wellington District,
Lying to the Northwest of Copley Rd, Shown
Outlined in Red on Plan 733R, and Except That
Part in Plans 23561 and VIP65702
6855 Wiles Rd
D.L.27G
D.L.45
WARE ROAD
LANTZVILLE ROAD
ISLAND HIGHWAY NORTH
INDUSTRIAL RD
CLARK DR. WEST
CAILLET ROAD
DICKINSON ROAD
LANCREST TERR.
TREMBLAY RD
LANCEWOOD AV.
AVENUE
WILES
JACK'S
LUCAS LANE
BLACKJACK
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DICKINSON RD
LANTZVILLE RD
LANCEWOOD AVE
WARE RD
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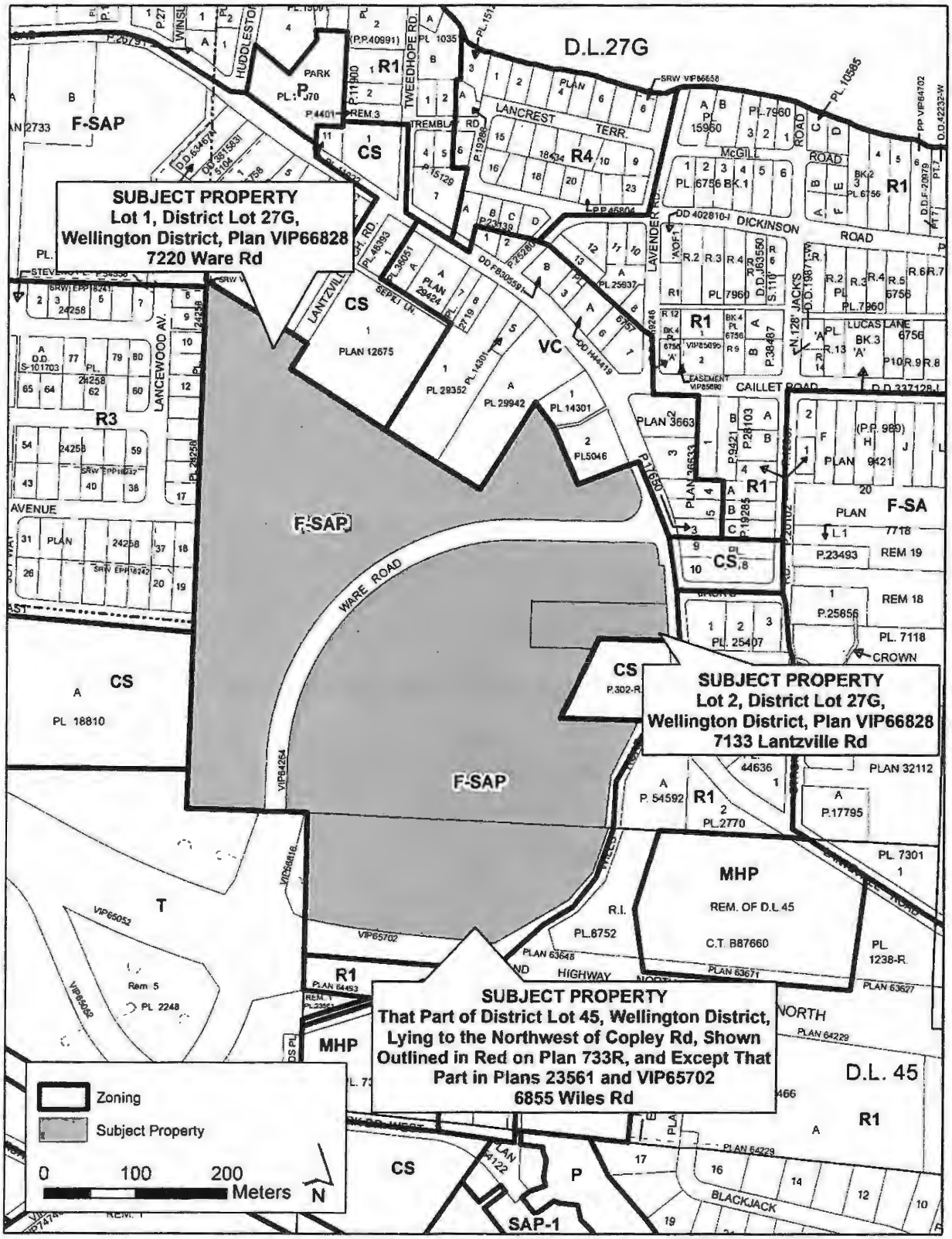
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WARE ROAD
LANTZVILLE
F-SAP
CS
R1
R3
R4
VC
MHP
P
SAP-1
T
Zoning
Subject Property
0
100
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Meters
N

DISTRICT OF LANTZVILLE
BYLAW NO. 283, 2021

A BYLAW TO AMEND DISTRICT OF LANTZVILLE OFFICIAL COMMUNITY PLAN BYLAW NO. 150, 2019

The Municipal Council of the District of Lantzville in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as the "District of Lantzville Official Community Plan Bylaw No. 150, 2019, Amendment (Village South Special Area Plan) Bylaw No. 283, 2021".

2. Schedule 'A' of District of Lantzville Official Community Plan Bylaw No. 150, 2019 is hereby amended as follows:

   (a) in Part 3, Section 11.1.2 by inserting a new clause after clause 17, as follows:

   "18. The Village South Special Area Plan is in Appendix 2 of the OCP. As properties within the special planning area are brought forward to the Municipality for consideration of rezoning, the policies specific to development of those properties will be added to the Special Area Plan through an amendment to the OCP."

   (b) by adding "Appendix 2 – Village South Special Area Plan", attached hereto as Schedule 1.

READ A FIRST TIME this ___ day of ___, 2021.
READ A SECOND TIME this ___ day of ___, 2021.
PUBLIC HEARING HELD this ___ day of ___, 2021.
READ A THIRD TIME this ___ day of ___, 2021.
ADOPTED this ___ day of ___, 2021.

Mark Swain, Mayor

Trudy Coates, Director of Corporate Administration

APPENDIX 2

Village South Special Area Plan



VILLAGE SOUTH SPECIAL AREA PLAN

DISTRICT OF LANTZVILLE

UPDATED: SEPTEMBER 7, 2021

PROJECT HIGHLIGHTS

This page and the next provide a summary of the key features of this proposal.



HIGHLIGHTS

1 Community Parks

A large 0.76-hectare (1.9 acres) public park area becomes a key gathering place and recreational space in the village.

A second 0.50-hectare (1.25 acres) public park area becomes a neighbourhood hub for local residents.

2 Community Use Lot

A large 1.00-hectare (2.5 acres) lot will be dedicated to the District for community use (e.g., community centre).

3 Park for an Additional Playing Field

1.33 hectares (3.3 acres) of park adjacent to the school will be developed as a play field for the community.

4 Streetscape Improvements

Ware Road, Lantzville Road, and new public streets will all be 'green' (e.g., trees, rain gardens) and pedestrian friendly.

5 Mix of Housing

A mix of housing options will be provided across the site, with a focus on townhouses/patio homes as well as single-unit, apartments, and potential for seniors supportive housing.

6 Greenway & Trail Network

A comprehensive network of greenways and trails create active transportation connections throughout the village.

7 Mixed Use Area

Along Ware Road near Lantzville Road, a mixed use area will serve to enhance and expand the existing Village Core.

8 Grocery Store / Mixed Use Site

On the southwest corner of Ware / Lantzville Road, a mixed use site is intended to include a new grocery store.

9 Neighbourhood Buffers & Trail Connections

The west and southern boundaries of the site will include landscaped buffers, only broken by trail connections.

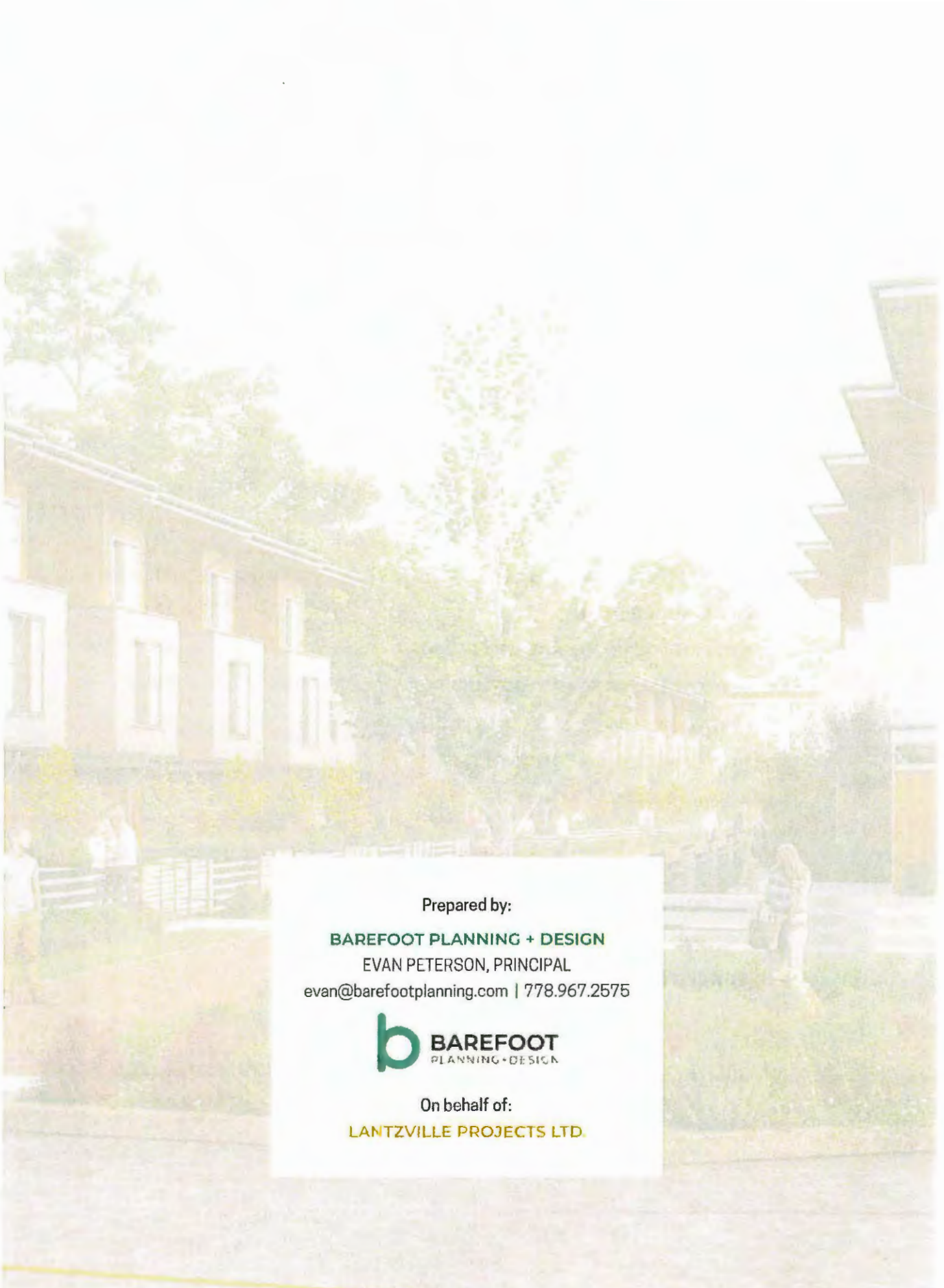
10 Integration with the Village

The street network, trail network, and land uses have been designed to integrate into the wider village redevelopment.

A Livable, Connected Neighbourhood

High quality urban design, small block sizes, green street designs, modest lot sizes, ground-oriented building types, and a comprehensive open space network all work to create a highly livable and pedestrian-friendly neighbourhood.





Prepared by:

BAREFOOT PLANNING + DESIGN

EVAN PETERSON, PRINCIPAL

evan@barefootplanning.com | 778.967.2575

BAREFOOT PLANNING + DESIGN

On behalf of:

LANTZVILLE PROJECTS LTD.

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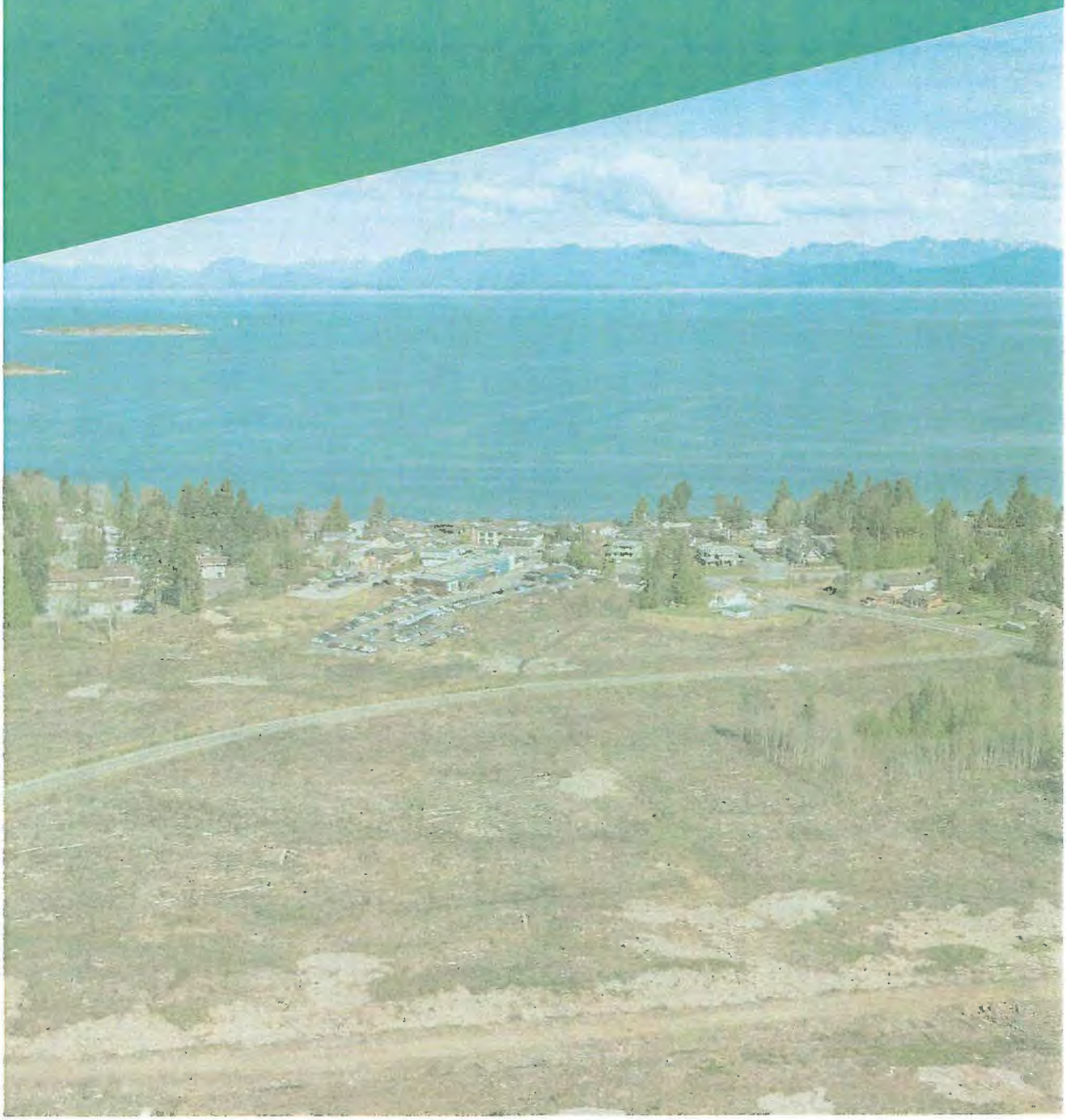
1. INTRODUCTION & CONTEXT



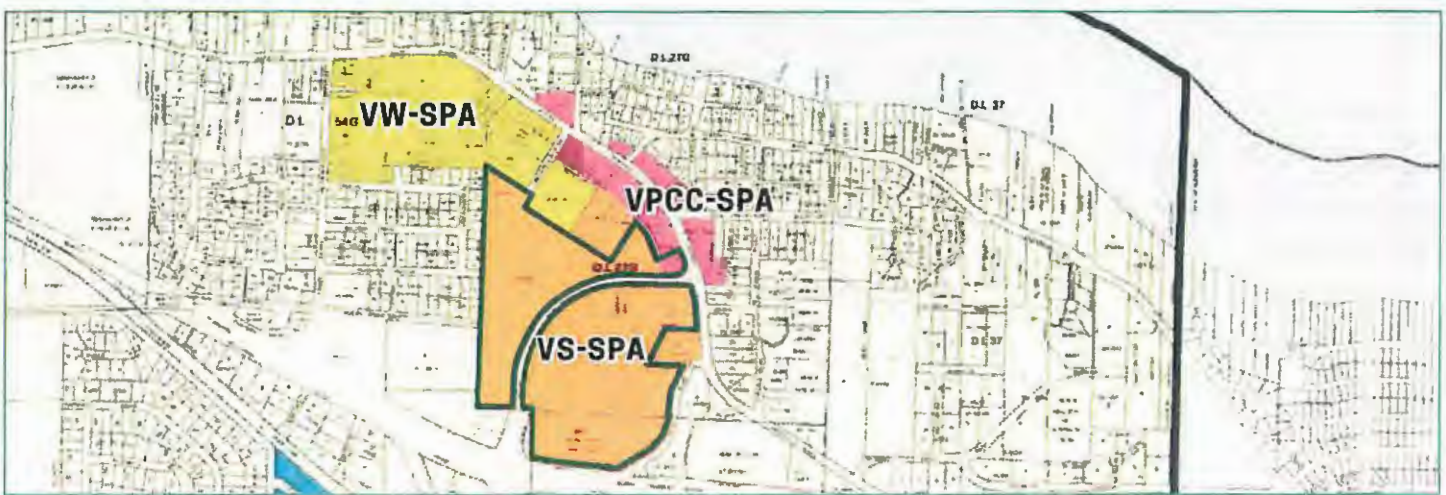
1.1 INTRODUCTION

This report details the development proposal for the Village South properties (see map below), which requires an Official Community Plan (OCP) amendment (to accommodate a new Special Area Plan) and site-specific rezoning.

The properties fall within the Village South and Village Primary Commercial Core Special Plan Areas (see lower map), as designated in the District's OCP. As a result, the proponent is required to develop a more comprehensive plan of the sites and satisfy a number of related application requirements (as presented in this report).



Location Map of the subject properties

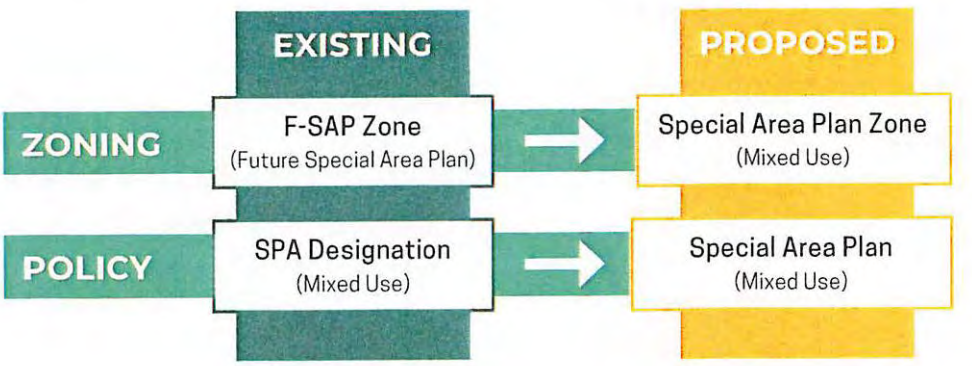


Portion of OCP Map 4, showing location of the Village South Special Plan Area (VS) and Village Primary Commercial Core Special Plan Area (VPCC)

1.2 PROJECT PURPOSE

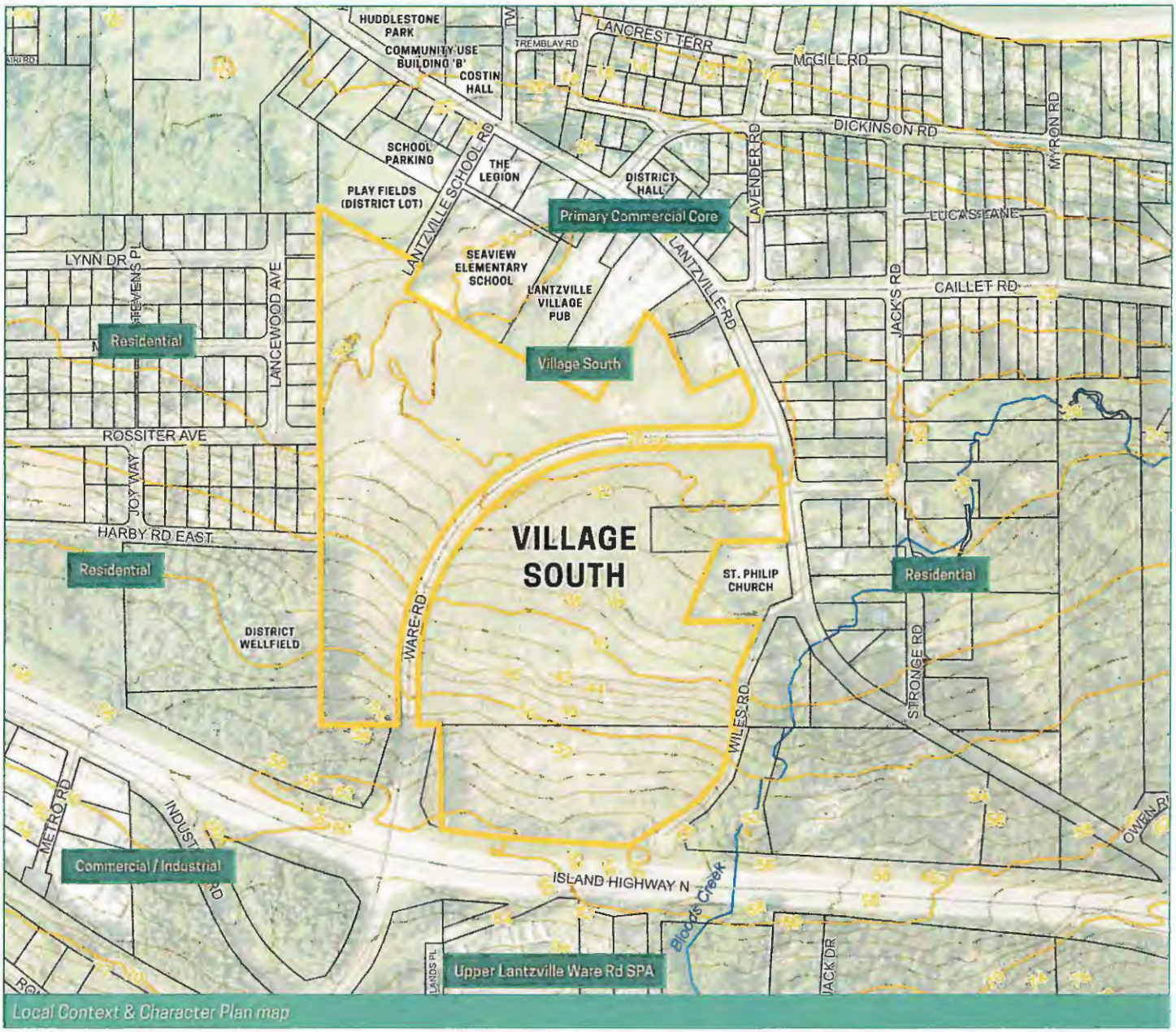
The purpose of this application is to permit the rezoning of the property from the Future Special Area Plan (F-SAP) zone (single-unit housing) to a site-specific "special area plan" zone for the Village South designation. The new zoning regulations would permit mixed use / commercial buildings near the village core with a range of housing types further south, including multifamily, seniors housing, townhomes, and single-unit housing – along with a significant area dedicated to public parks, trails, and other community amenities.

The OCP policies of the Special Plan Area designation require an OCP amendment to accept the corresponding Special Area Plan into the OCP.



1.3 DEVELOPMENT CONTEXT

LOCAL CONTEXT & CHARACTER PLAN



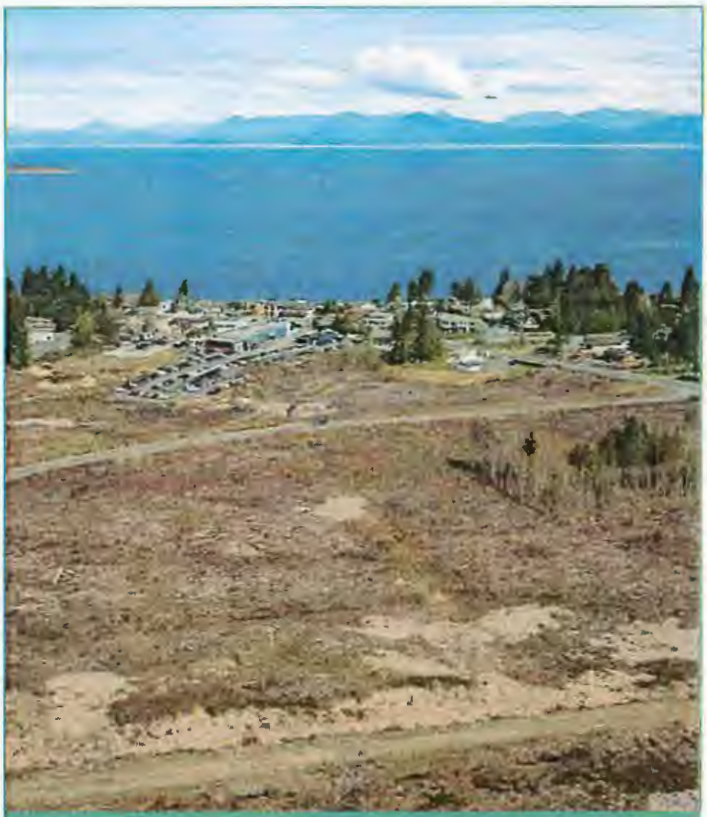
Local Context & Character Plan map

This map shows the development context of the subject sites, including adjacent land uses, current satellite imagery (e.g., existing buildings, roads, and other site features), topography, and landmarks (see 1.4 for a focus on natural features).

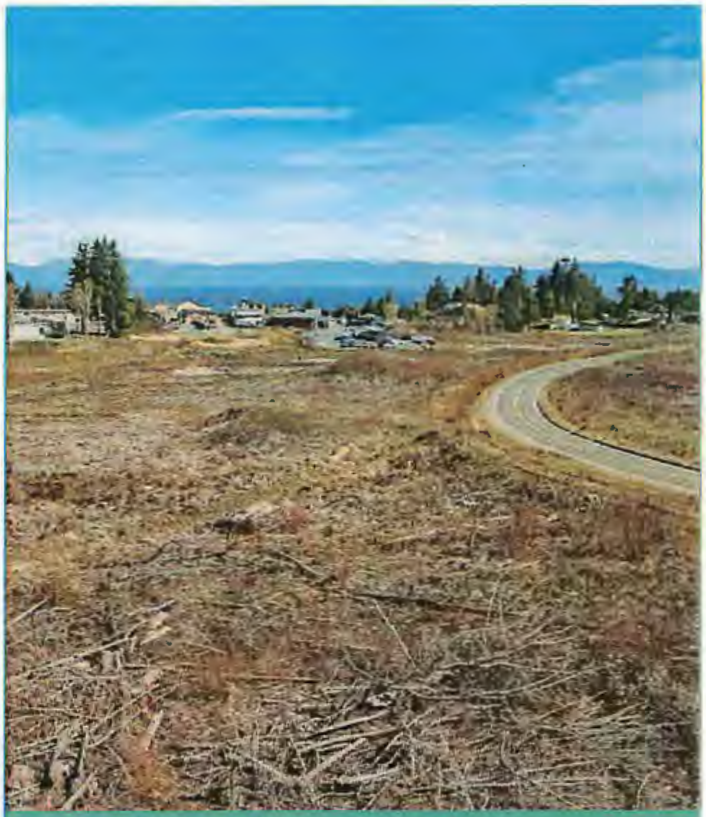
The surrounding area is primarily characterized by [a] residential land uses to the east and west, [b] adjacency to Lantzville Road, village commercial core, and Seaview Elementary School to the north, [c] proximity to Highway 19 to the south, and [c] very few existing site features (e.g., buildings, trails, natural elements). The site is further defined by its gentle slope and views to the north and potential street connections to the north, east, and west.

OCP Land Use designations

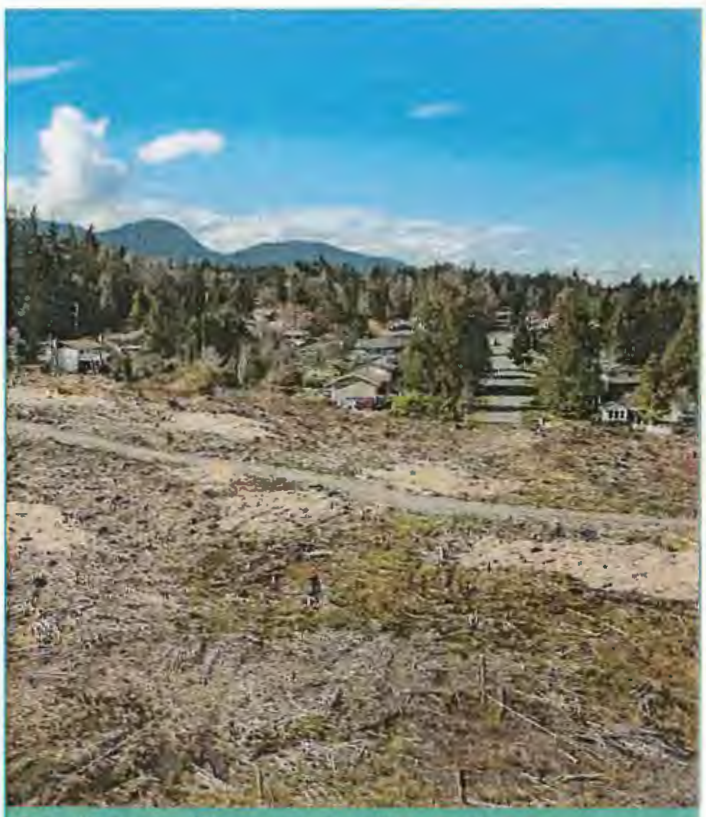
PHOTO GALLERY



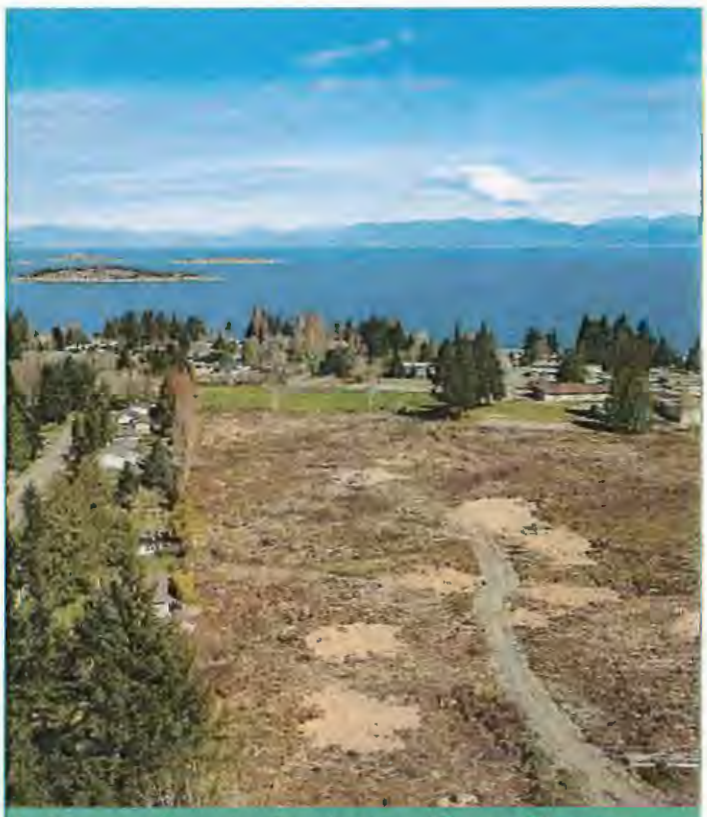
Bird's eye view of site, looking north toward Lantzville Road



Looking northeast from the western edge of the site

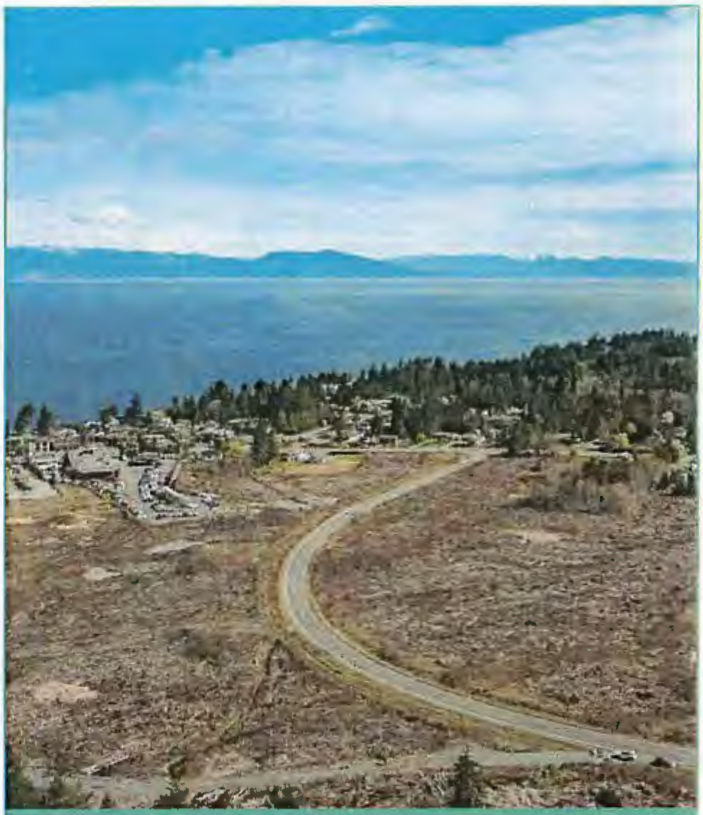


Typical interface with residential neighbours to the west

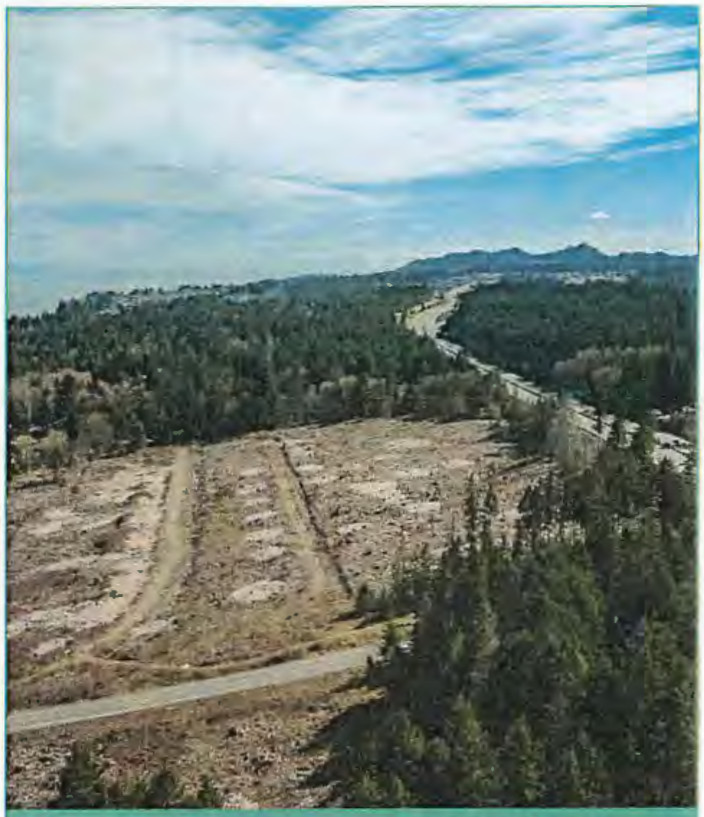


Looking along the western boundary toward Seaview Elementary

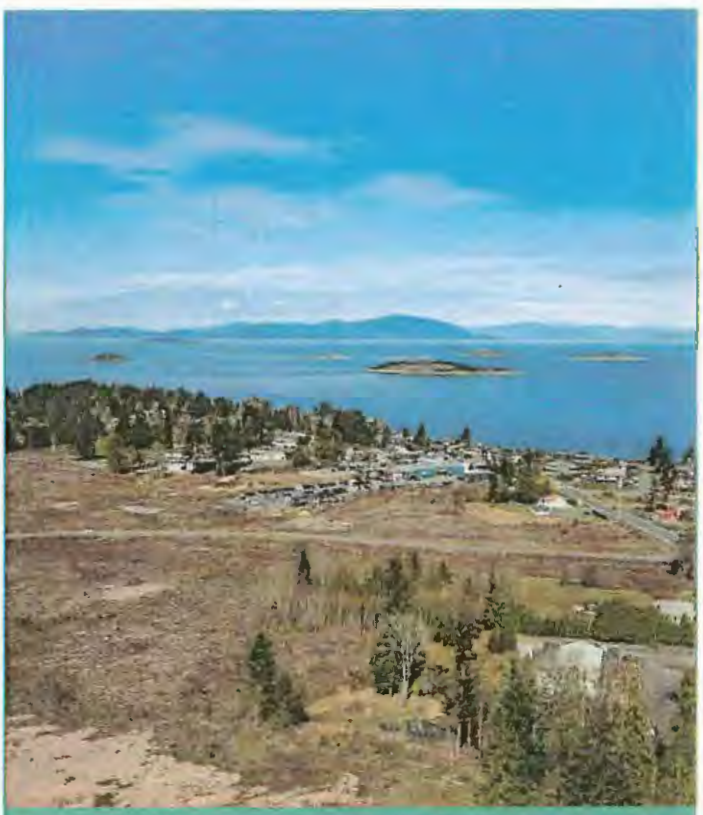
PHOTO GALLERY



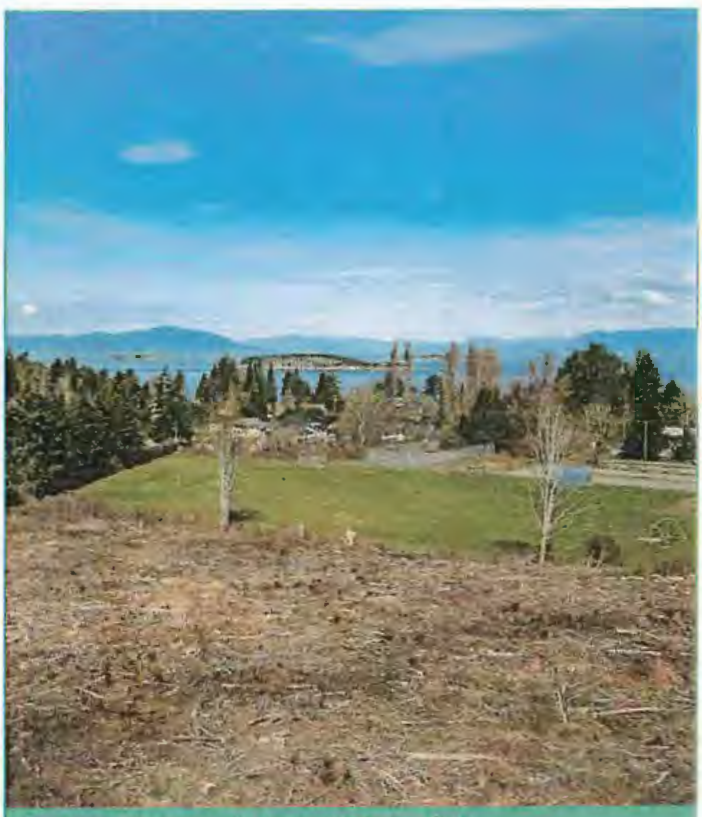
Bird's eye view from the west, looking east



Bird's eye view from the west, looking across the south extent

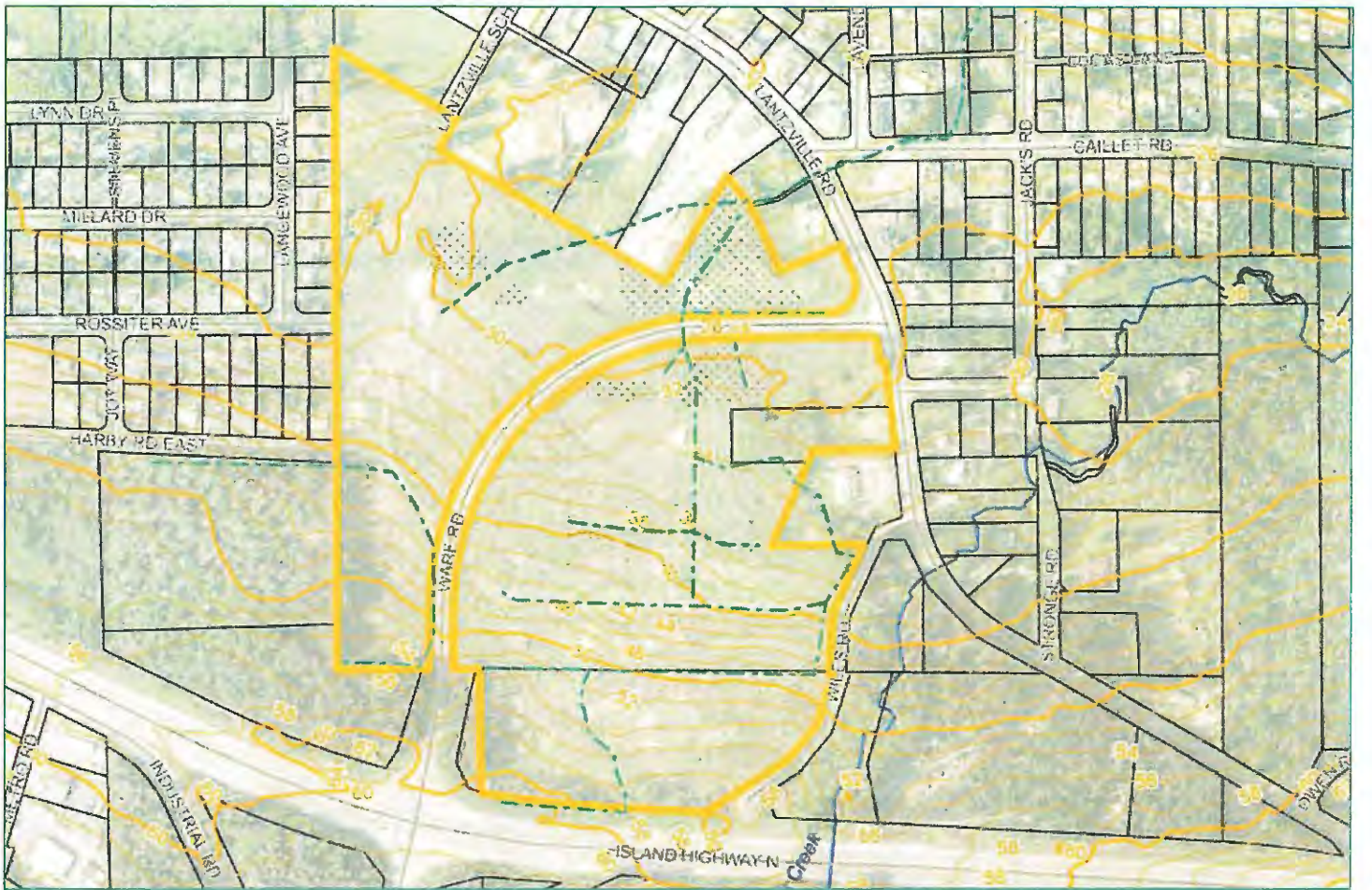


Looking along the eastern boundary of the site and Lantzville Road



Condition adjacent to the Lantzville School field

1.4 SITE INVENTORY

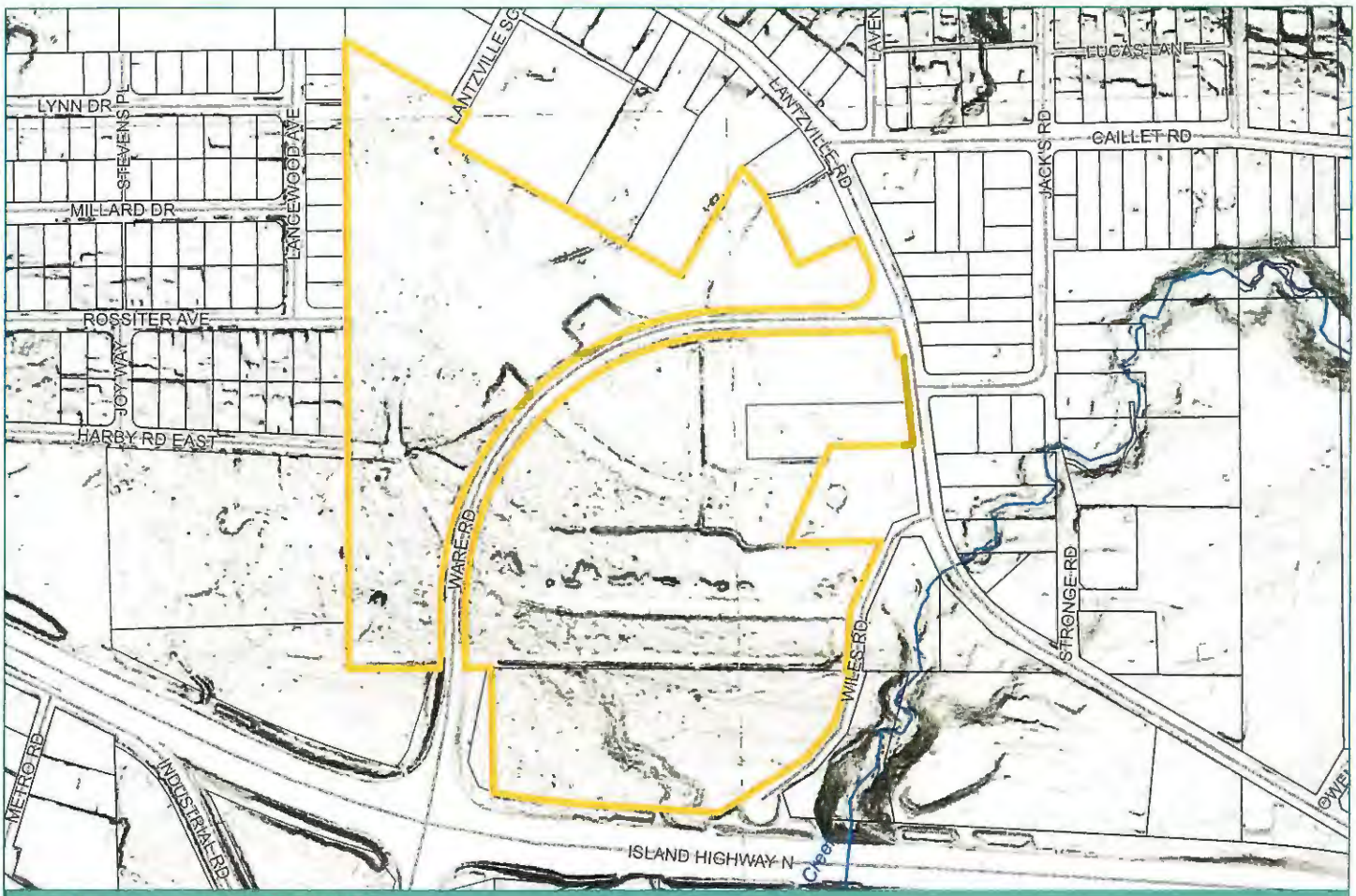


Site Inventory Map showing key site features

The above Site Inventory map summarizes the following, for which studies can be found in the appendices (where relevant):

- **Archaeological / Heritage Values**
  - There are no identified archaeological or heritage values on the site.
- **Watercourse / Hydrological**
  - The site has well-draining soils, with surface water channeled through a series of unmaintained ditches that flow into an interceptor ditch that eventually drains at the end of Jack's Road.
  - The ditches and related drainage/topographic elements do not represent natural features and are a product of historical site works followed by a lack of maintenance or improvements.
- **Biophysical Analysis**
  - The site is dominated by shallow soils and deciduous shrubs and saplings, as well as many invasives. There is no identified or observed critical habitat or species of significance on site (plant or wildlife).
  - The low points and wet areas are a product of historic development, including Highway 19 and Ware Road, not natural habitat formations.

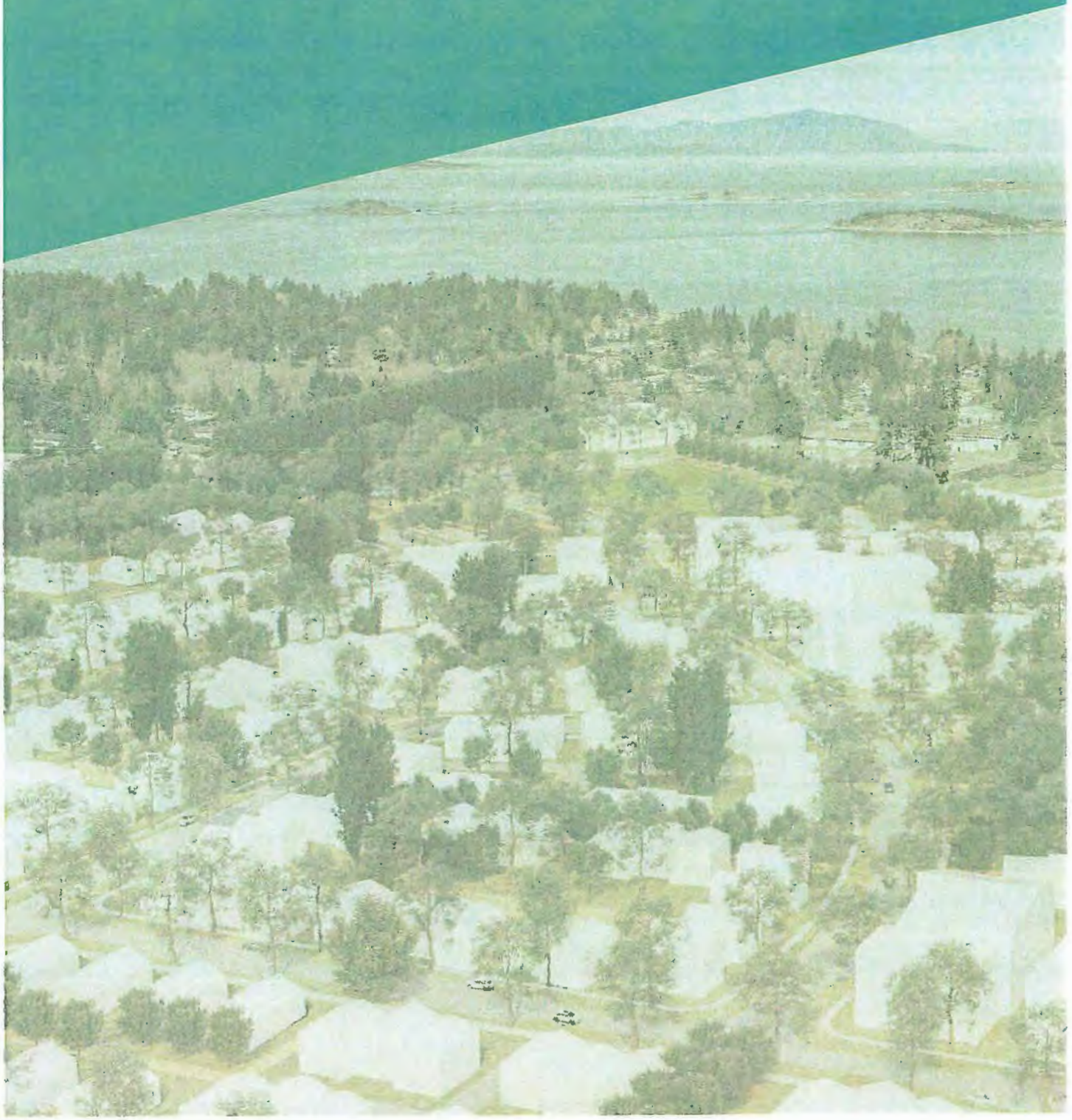
- Bloods Creek primary drainage
- On-site drainage ditches/ routes
- Drainage Low Points
- 2 m contour intervals



Slope Map based on 2018-2019 LIDAR data

- Terrain Analysis
  - The site is a gently sloping site (more at the south end) with a northern aspect and lowlands at the north end. There are no significant terrain features.
  - The above slope map shows the lack of steep slopes (dark areas, such as around Bloods Creek and towards the oceanfront). Clearly visible features are existing drainage ditches and unimproved access points.

2. VISION & CONCEPT PLAN



2.1 VISION & POLICY ALIGNMENT

OVERVIEW

This Special Area Plan has been developed to directly respond to both the overarching community goals from the OCP as well as the more specific OCP policies for the relevant Special Plan Areas. Below is a review of the relevant policies and directions from the OCP, which are directly addressed in this plan.



Innovative mix of housing types

OCP: SPA DIRECTIONS

The District's OCP provides policy direction and a vision for the Village South Special Plan Area, which the majority of the subject properties are designated, and the Village Primary Commercial Core Special Plan Area, which a portion of the subject properties are designated (along Lantzville Road).

In summary, the OCP policies encourage **"uses and densities that strengthen the vitality of the Village, provide housing for singles, families, and seniors, improve pedestrian mobility, and enhance the viability of public transit and other services."**

More specifically, the following land use directions are provided:



Vibrant mixed use village

Village South SPA

- In the northeast, consideration for a mix of uses, including commercial, residential, small-scale seniors housing, mixed use, institutional, recreational, educational, and live-work
- Everywhere else, support for multi-unit, single-unit, and seniors supportive housing
- High quality pedestrian environments and enhanced pedestrian mobility
- Treed buffers (min 15m) to existing residential neighbourhoods and the Island Highway
- Integrated stormwater management
- A variety of housing types and unit sizes – the SPA must not be dominated by a single housing type
- A limited number of high quality apartments
- Uses and residential densities that strengthen the vitality of the village
- **Density numbers are not intended to replace the rezoning and site design process.**
- Park and trail network to connect residential areas with the commercial core and to connect Ware Road, Harby Road East, Rossiter Avenue, and the lane extension of Lynn Drive
- Target of 30% total green space, open space, and public parks (target 22% public parks)
- Natural park area south of the existing school playing fields



Abundant public green spaces

Village Primary Commercial Core SPA

- Commercial uses on the ground floor
- High quality pedestrian environments and enhanced pedestrian mobility
- Vegetated buffers to existing residential neighbourhoods
- Integrated stormwater management
- A variety of housing types and unit sizes
- Uses and residential densities that strengthen the vitality of the village
- **Residential density is to be considered by Council on a case-by-case basis**

The plan responds directly to each of the above SPA directions and policies from the OCP, focusing on the creation of [c] a vibrant village core and adjacent mixed residential neighbourhood, [b] pedestrian-friendly streets, and [c] an integrated trail and green space network. See Section 5.1 for a breakdown of the responses to each SPA policy.



Retail shops and village vibrancy supported by sufficient residential densities nearby.



Multifamily building and maintaining a 'forested backdrop' for the neighbourhood

OCP: COMMUNITY GOALS

In addition to the specific SPA policies, the OCP also provides several high-level community goals that the proposal seeks to satisfy. These include:

A. Protect the Natural Environment

- The plan creates a compact village, which helps to both avoid sprawl and increased pressure on existing neighbourhoods.
- The plan also takes a site-adaptive approach that integrates site conditions and green infrastructure.

B. Strengthen the Village Commercial Core

- The plan provides a compact land use pattern and urban street network which, among other benefits, creates a walkable village with calmed traffic and more on-street parking.
- The plan also provides densification and diversification of housing in the core, increasing local business viability and municipal revenues.

C. Preserve Community Character

- The growth provided alleviates development pressure on existing low-density neighbourhoods as well as agricultural/natural/resource lands.
- The OCP recognizes the necessary differences in village lands versus non-village lands and that these differences can be complementary and synergistic.

D. Provide Housing Choices

- The plan provides a variety of housing types that support a vibrant, viable village core; provide attainable housing options; and provide unit sizes and tenures for residents across their lifespan.
- Suburban development patterns cannot support successful village development nor provide a variety of housing options.

E. Manage Steady and Sustainable Development of Infill Neighbourhoods

- The Village SPA areas are the top priority infill area suggested in the OCP; and the plan represents a context-sensitive and sustainable neighbourhood design that reflects the policies and goals of the OCP.

F. Develop Community Infrastructure

- The plan includes the development and extension of water and sanitary infrastructure to adequately service these sites and future development; and the proposed land use pattern and streetscapes offer a cost-effective use of new infrastructure
- Streetscape improvements will be constructed on Ware, Lantzville, and Wiles Roads, consistent with the Village Commercial Core Improvement Plan along the frontage of the subject properties.
- Additionally, two roundabouts will be constructed on Ware Road – at Lantzville Road and further west.

G. Improve Road, Pedestrian, and Bicycle Mobility

- The plan includes [a] traffic-calmed and pedestrian-friendly streets with narrow travel lanes, sidewalks, and landscape buffers; [b] pedestrian trail connections within and to/from the sites; and [c] a multi-use path connection (or separated bike lanes and sidewalks) along Ware Road, from the Island Highway to Lantzville Road.

2.2 CONCEPT PLAN



PLAN OVERVIEW

The development concept envisions [a] a walkable and vibrant mixed use and multifamily core close to Lantzville Road; [b] a range of ground-oriented housing along green, traffic-calmed streets; [c] a large community park and new play fields adjacent to the school and existing play fields; [d] a new District-owned site for a TBD community use; [e] treed buffers and trail connections to existing neighbourhoods and the Island Highway; [f] a new mixed use site (planned grocery store) on the corner of Lantzville and Ware Roads; [g] a network of multi-use trails and greenways that enhance connectivity, provide gathering spaces and play areas, and facilitate improved stormwater management; and [h] streetscape improvements along Ware Road, Lantzville Road, and Wiles Road.

The zoning accommodates a variety of housing types – single-unit housing, cluster housing, townhouses and rowhouses, seniors supportive housing, and multifamily apartments. This provides a much-needed variety of housing types, lot sizes, and housing choices as prioritized in OCP and SPA objectives and policies (See Section 3.1 Zoning).

CONCEPT ILLUSTRATIONS

The following images further illustrate the proposed concept for the site. While still conceptual in nature, these drawings are generally consistent with the proposed zoning regulations and future design directions.



Looking west on Ware Road (at Lantzville Road) with a grocery store on the left and mixed use buildings on the right



Looking south on Ware Road with streetscape improvements, townhouses, and a mixed use building in the background

Street Scenes

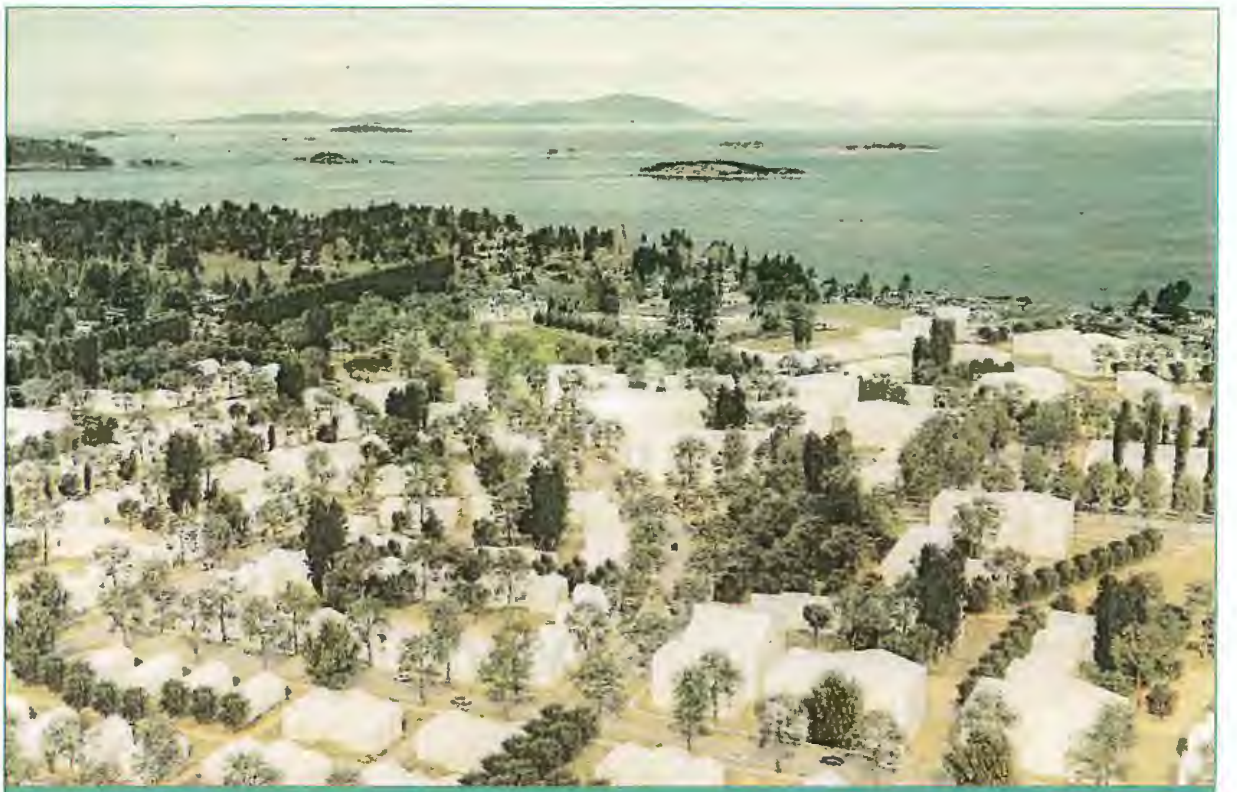


Looking from a new internal public road into a townhouse development with mid-block pedestrian trail (public)



Single-unit streetscape with greenway trail on the left

Site Illustrations



A perspective illustration of the site, looking north.

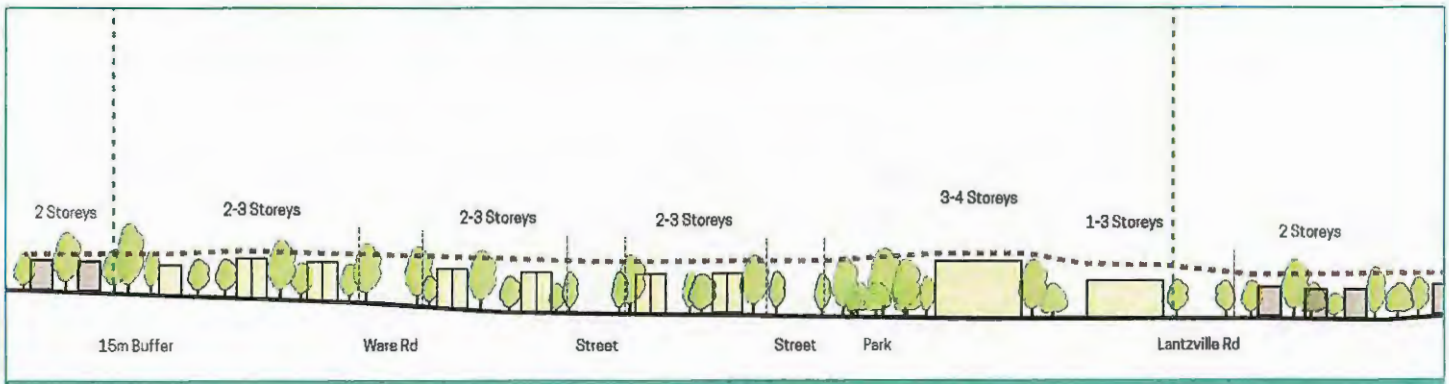


A perspective illustration of the site, looking east.

Height Context & Transitions

The site plan and zoning provide a sensitive height transition to adjacent single family homes, existing commercial buildings, and future village redevelopment. The below conceptual diagrams illustrate the context and transition of heights, from west to east and from north to south.

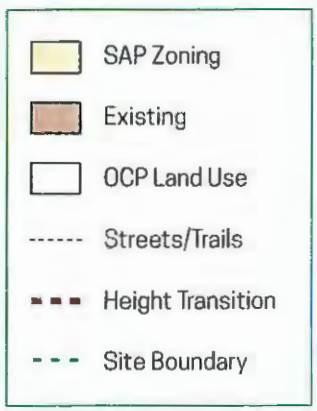
The sections are meant to be typical or representative (rather than specific) locations.



A conceptual site cross section, showing general height transitions from west to east across the site.



A conceptual site section, showing general height transitions from north to south across the site.



3. DEVELOPMENT PLAN



3.1 ZONING

The map and associated table, below, provide key details of the proposed site-specific Special Area Plan zoning for these sites.

ZONING MAP



- A – Ground-Oriented Housing
- B – Multi-Family Housing
- C – Mixed Use
- C – Mixed Use (Transition)
- CS – Community Service
- P – Park
- --- Conceptual Road & Trail Layout

Area Calculations

Total gross site area: 23.27 hectares (includes land area that will be dedicated to the District on Ware and Lantzville Roads, and new roads).

Area calculations below are approximate "net" values and exclude internal road areas.

A – Ground-Oriented	9.30 ha
B – Multi-Family	3.02 ha
C – Mixed Use	3.20 ha
CS – Community Service	1.03 ha
P – Park	2.59 ha
Public Trails & Greenways	0.72 ha
Site Total (excl. roads)	19.8 ha

Parks, Greenways, & Community Lands

The total area dedicated to public parks, trails, and community use is and trails is 22% of the (net) site area, including 3.3 hectares of public park and trails (17% of the net site area). A minimum of 3.2 hectares of additional private green space is anticipated – for a total minimum green space for the site of 38% of the net site area.

VISUALIZING THE ZONES

To better visualize what is envisioned in each zone, this gallery offers precedent images taken from other successful neighbourhoods and represents the "types of things" that could be expected.

AREA A: GROUND-ORIENTED HOUSING (SINGLE-UNIT & CLUSTER HOUSING)



Cluster housing with individual homes



Single unit home on smaller lot



Single-unit home without parking in the front yard

AREA A: GROUND-ORIENTED HOUSING (TOWNHOMES)



Townhouse cluster along a public sidewalk



Townhouse cluster with internal pedestrian pathways



Townhouses with semi-private front yard spaces

AREA B: MULTI-FAMILY HOUSING



Multi-family with abundant green landscaping



Multi-family fronting public sidewalk



Small-scale multifamily building

AREA C: MIXED-USE COMMERCIAL



Main street with 3-storey mixed use buildings



Modern, small scale mixed use buildings with active retail on the ground floor



Main street with 3-storey mixed use buildings

AREA C: RETAIL / COMMERCIAL



Grocery store with high quality pedestrian realm



Retail/commercial building on main street corner



Retail building with high quality street frontage

PARKS & OPEN SPACE



Community park with trails, playground, and landscaping



Community park and greenway with multi-use path and playground with abundant tree plantings



Greenway trail through a residential area

3.2 TRANSPORTATION PLAN

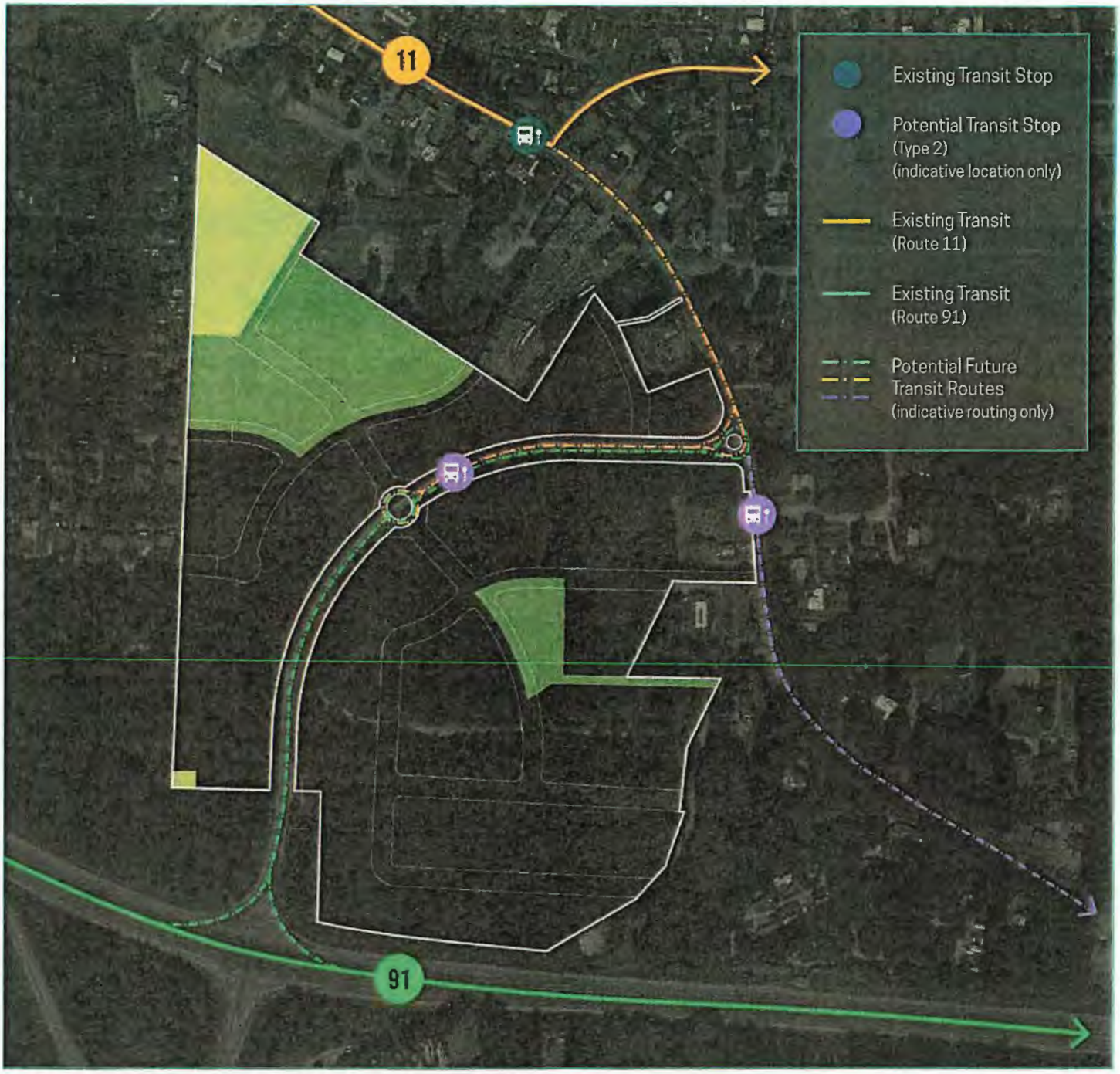
NEIGHBOURHOOD CONNECTIVITY DIAGRAM



The transportation network includes [a] streetscape improvements on Ware, Lantzville, and Wiles Roads (frontage); [b] two new roundabouts (at Ware/Lantzville and further west on Lantzville Road); [c] new pedestrian-friendly streets throughout the site; [d] extensive neighbourhood trails/greenways; [e] trail connections to adjacent neighbourhoods; and [f] new potential transit routes and stops (see Transit Map on the following page).

The network of sidewalks and trails was designed to [a] facilitate walking and cycling to/from and within the village area and [b] create recreational walking routes for residents in Lantzville.

NEIGHBOURHOOD TRANSIT MAP



The Neighbourhood Transit Map shows the existing and potential future public transit network in the Village South Area. Future routes and stop locations will be determined with RDN Transit in response to future service expansion and route redesign. The illustrated stops and route extensions are indicative only but show convenient walking distance to the village, new community spaces (e.g., parks, play fields), and new residences.

The transit network is integrated with the connectivity plan (previous page), providing future residents and visitors walking and alternative mobility connections (e.g., cycling, rolling) throughout the area and directly to (future) transit stops.

GETTING AROUND

Implementation of the Transportation Plan for the area will include the following:

- All new streets will include sidewalks on both sides and the use of street width will prioritize pedestrian mobility and safety over vehicular efficiency.
- A separated multi-use trail or bike lanes and sidewalks will be provided on both sides of Ware Road.
- Pedestrian, alternative, and active mobility will be prioritized through:
  - The connectivity of sidewalks, trails, and green spaces.
  - The connectivity of public transit and alternative mobility (e.g., walking, cycling, rolling) through universal access sidewalks and trails and the strategic location of transit stops.
- Up to 4 new illuminated type 2 transit shelters within or adjacent to the site will be developed.
- A minimum of one concrete bus pad on Ware Road will be created to serve a future transit stop (to be determined location.

STREET CONCEPTS

The proposed street designs for the project are focused on creating slow, family-friendly, and walkable streets – not thoroughfares or neighbourhood short-cuts. All internal streets will feature the following:

- Sidewalks on both sides of the street and bike lanes on both sides of Ware Road;
- Street trees throughout, providing a multitude of benefits;
- Traffic calming via narrower travel lanes (except Ware Road), on-street parking, street trees, and curb extensions / bulbouts; and,
- Integrated stormwater management via rain gardens – in bulbouts and landscape buffer areas.

The diagrams on pages 24-26 offer conceptual street designs.

PUBLIC TRAILS/GREENWAYS

The trail and greenway network for the project is focused on creating multi-functional neighbourhood connections. All trails will [a] enhance pedestrian, cycling, and "rolling" (e.g., wheelchairs, walkers, strollers) connectivity and [b] provide tree canopy cover and urban habitat.

Further directions and concept designs for trails and greenway can be found in the next subsection 3.3.



New Streets - Example of neighbourhood street with sidewalk, green landscape buffer, and on-street parking

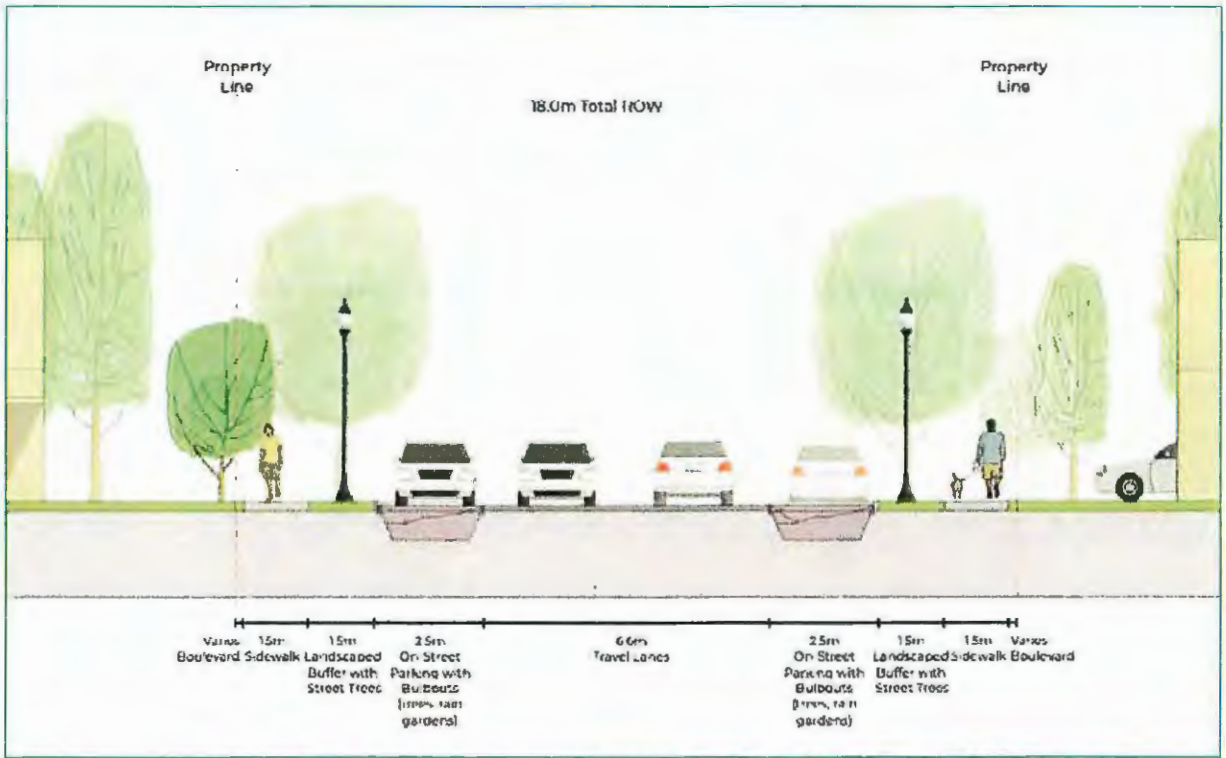


Lantzville Road / Commercial Streets - Example of village commercial main street with high quality streetscape



Ware Road - Example of a 'gateway' road with central median and roundabout

Local Street (Mixed Use): Concept Design

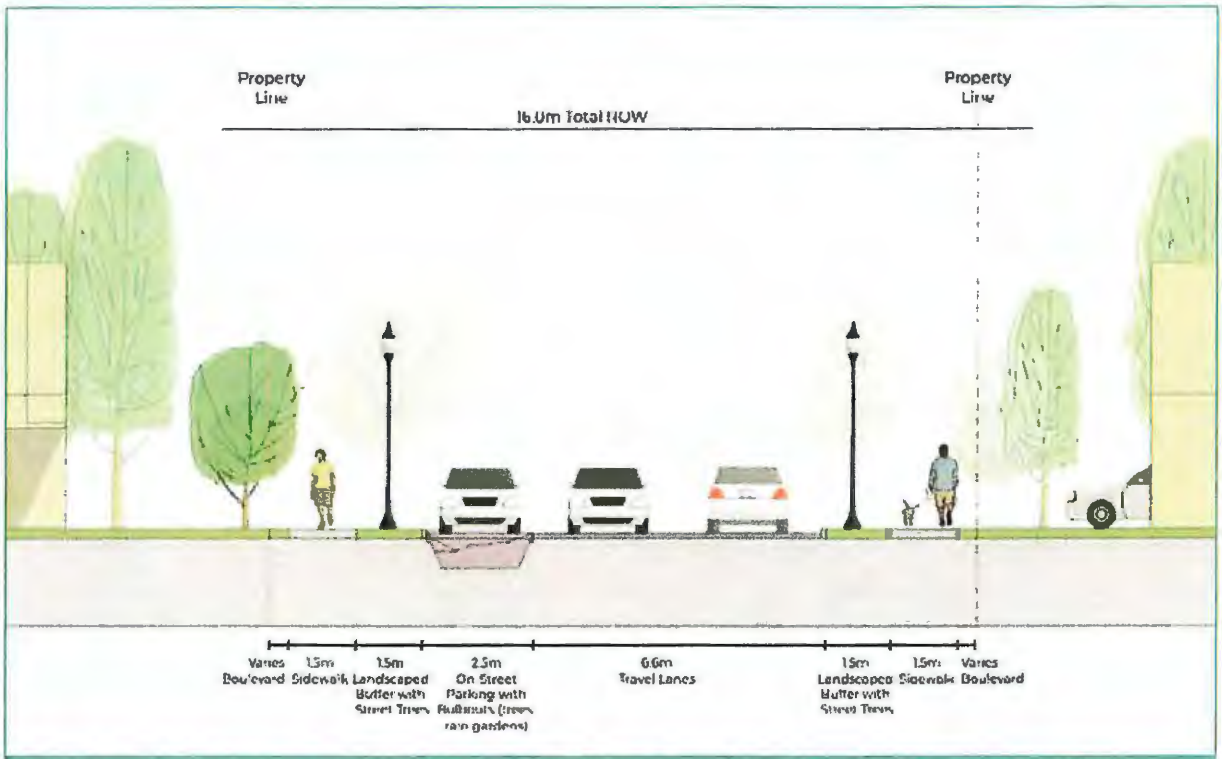


Typical road design, featuring narrow travel lanes, on-street parking, rain gardens, and green landscaping and boulevard areas

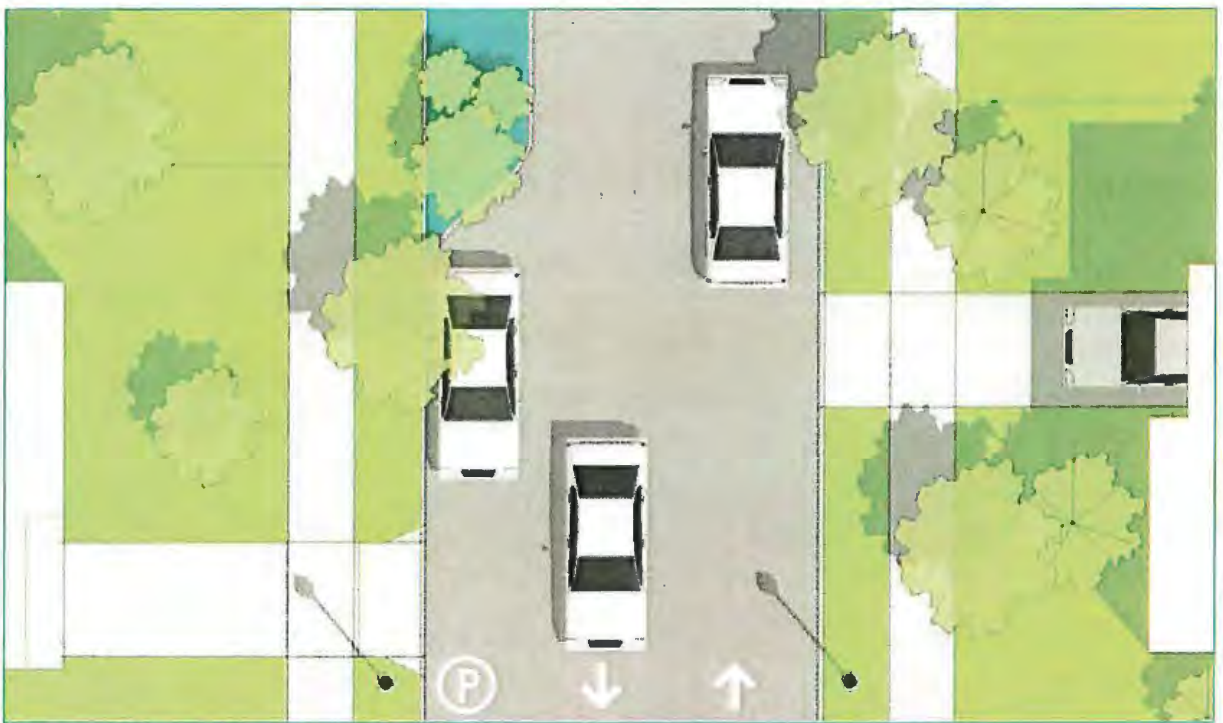


Plan view of the above street section diagram

Local Street (Residential): Concept Design

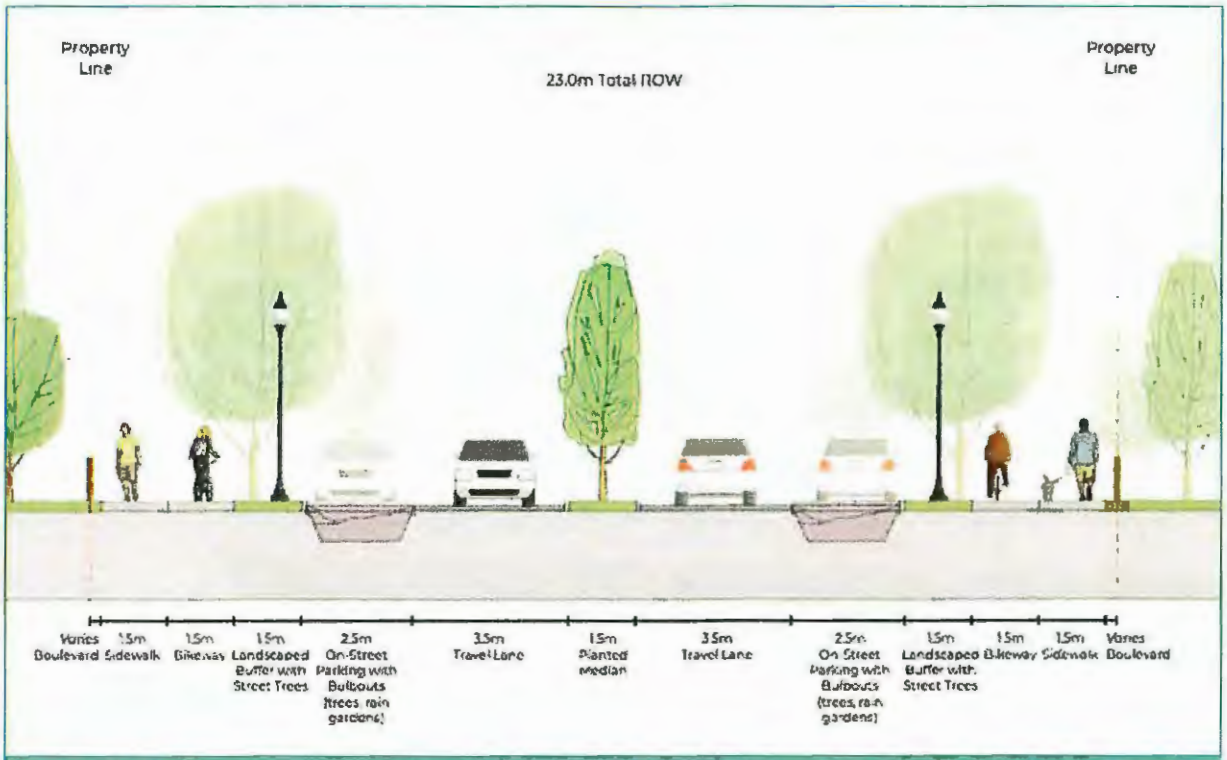


Typical road design, featuring narrow travel lanes, one side of on-street parking, and green landscaping and boulevard areas



Plan view of the above street section diagram

Ware Road: Concept Design



Ware Road will feature sidewalk and bike lanes, wide landscaped areas, on-street parking, and centre treed median



Plan view of the above street section diagram

3.3 OPEN SPACE PLAN

APPROACH

The Open Space Plan for the site is based on four primary goals:

1. Gathering Places & Play Spaces

Provide high quality community gathering places, including opportunities for passive and active recreation.



2. Connection to Nature

Provide abundant green space and treed areas throughout the site, including naturalized and landscaped open spaces on public and private lands.



3. Sensitive Transitions

Provide treed landscape buffers between existing single-family neighbourhoods and the site.



4. Walkable Connectivity

Provide a comprehensive active transportation network of sidewalks, trails, and greenways to serve transportation and recreational needs.



OPEN SPACE NETWORK PLAN



The Open Space network includes a variety of active and passive recreational amenities, as well as trails designed to [a] facilitate walking and cycling to/from and within the wider village area and [b] create recreational walking routes in the neighbourhood.

The network includes [a] a large Community Park with potential for passive (e.g., seating, pathways) and active (e.g., playground, pickleball court, sport court) recreation features; [b] another large park area providing additional space for Playing Fields adjacent to the school play fields; [c] a Neighbourhood Park in the centre of the site; [d] landscaped buffers to the residential homes to the west and to the highway; [e] extensive neighbourhood trails/greenways, including connections to adjacent streets and mid-block connections to enhance pedestrian mobility; and [f] active transportation connections to adjacent neighbourhoods.

- Public Parks
- Community Lands
- Greenways/Trails
- Examples of potential Private Open Spaces

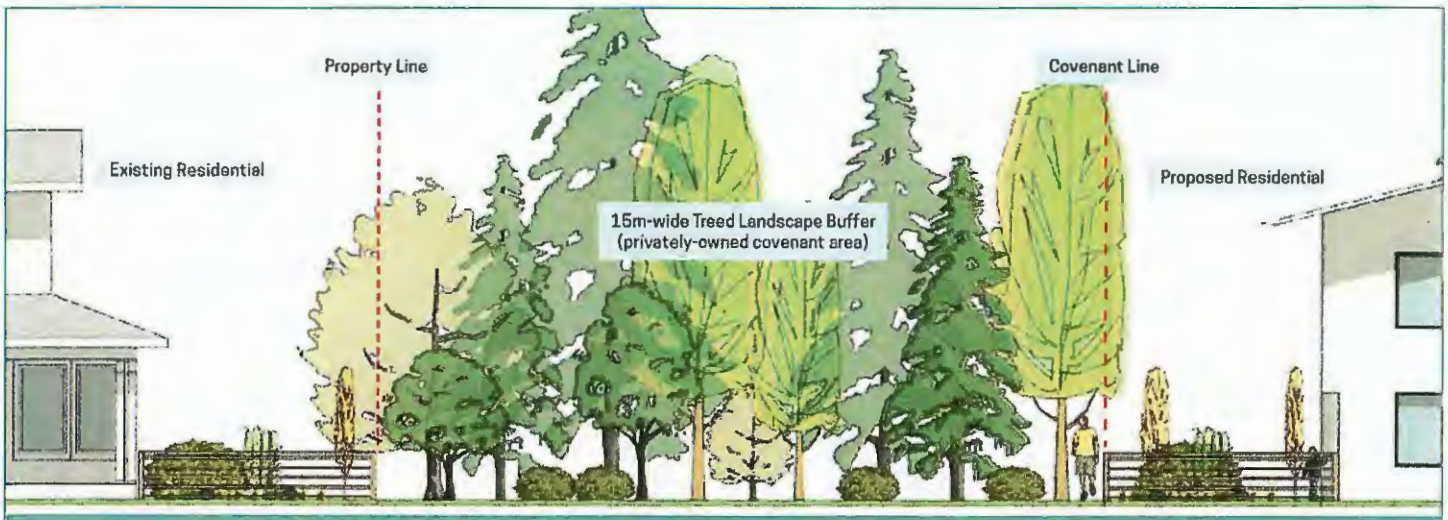
All other Open Spaces TBD

OPEN SPACE CONCEPT DESIGNS

This subsection provides concept designs for key open space features, including neighbourhood buffers, a public greenway/trail, and the central public park space.

Landscape Buffer Concept

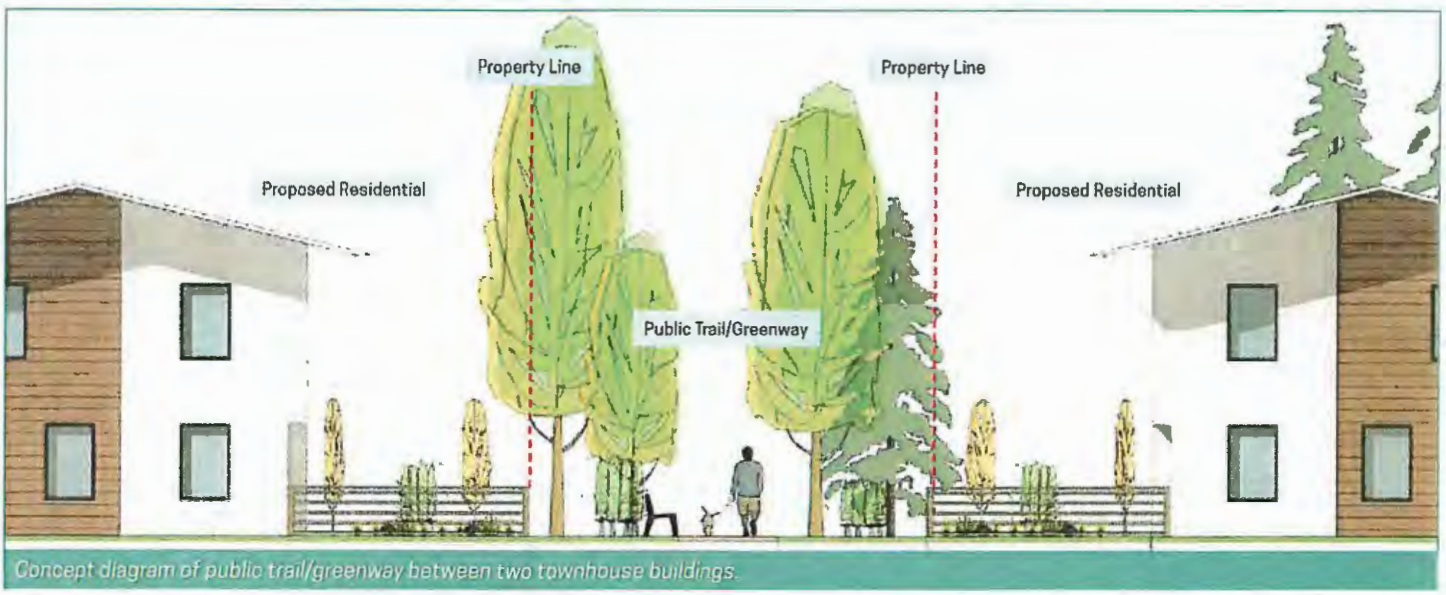
At the west and south boundaries of the site, a min. 15m landscape buffer (privately-owned covenant area) is proposed between new development and existing homes (or highway).



Concept diagram of western interface between existing single-family (left) and new townhouses (right) with 15m landscape buffer in between.

Public Trail/Greenway Concept

The proposal includes a number of public trails and greenways through the site, often functioning as mid-block walking/cycling connections.



Concept diagram of public trail/greenway between two townhouse buildings.

Community Park

On the west side of the site, a new community park is proposed. This is envisioned as a multi-functional community gathering place that encourages social interaction, passive and active recreation, and neighbourhood connectivity.

Below is a preliminary conceptual design intended to show the types of elements that may be included in the park's development, which will ultimately be determined through a future District process.



Preliminary concept of a community park, adjacent to a new District-owned site (north/top left), play fields (northeast/top right), and residential.

VISUALIZING PUBLIC SPACES

Public spaces are envisioned as pedestrian friendly and green network of active transportation connections and community gathering places. The gallery below provides examples of these new public spaces.

PEDESTRIAN-FRIENDLY & GREEN STREETS



Village street with wide sidewalks, active retail frontage, street trees, and rain gardens



Street in a lower density area with sidewalks, street trees, and on-street parking



Street in a multi-family area with sidewalk, street trees, and landscaping in the front setback

TRAILS & GREENWAYS



Two trail connections meeting within a large townhouse development



A pedestrian connection within a private development



A narrow trail and wider community greenway intersect on a multi-family site

PARKS & OPEN SPACES



A community park with central gathering space



A community park with large play space and walking trails



Active recreational opportunities in a community park, such as pickleball

URBAN FOREST & INVASIVE SPECIES

Tree Planting & Urban Forest

The District will seek to enhance the urban forest in the village by following the strategies, which should supplement relevant current and future District bylaws.

Strategies

A. Proposed trees should have access to the following minimum soil volumes:
   - Large-canopied trees: 15m³
   - Medium-canopied trees: 12m³
   - Small-canopied trees: 8m³

B. Street trees will be planted along all improved streets in the subject area according to the following guidelines:
   - Select large full-canopied trees where possible.
   - Space trees as follows:
     - Large-canopied trees: 10-12m apart
     - Medium-canopied trees: 6-10 m apart
     - Small-canopied trees: 6 m apart
   - Install min. 450mm depth of soil in boulevards and show that proposed trees will have access to sufficient soil volumes (see guidelines above).
   - Minimum boulevard width is to be 1.5m to allow for planting of boulevard trees, with increased width in areas of boulevard rain gardens.
   - Tree species to be native or adaptive non-native tree species selected by a registered Landscape Architect.

C. Plant trees in public parks and open spaces.
   - Prioritize municipal budgets to plant and maintain trees in public spaces.
   - Plant large full-canopied trees where possible.
   - Minimize impervious surfaces and provide a minimum of 20% of the site area in soft landscaping with deep soils.



A residential street with mature trees



A new development with street trees

Invasive Species Management

This site is characterized by previously-disturbed lands with limited on-going maintenance and management. Due to the disturbed and isolated nature of the site, most of the site works will pose minimal impacts on the surrounding landscape or existing ecological values. That said, invasive species management will be conducted during project development according to Best Management Practices and overseen by a qualified professional.

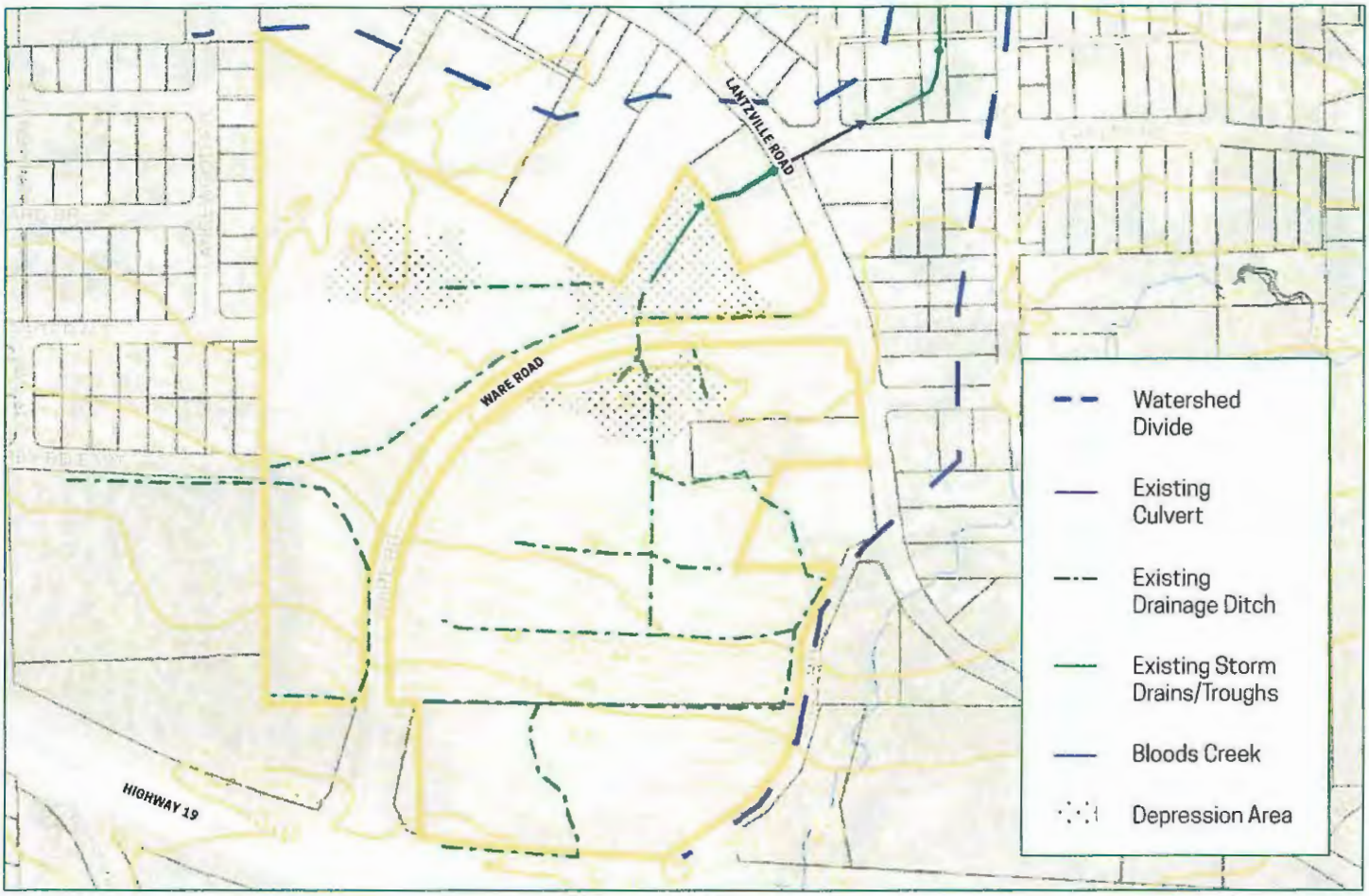
Two key reference documents for relevant species removal are:

Controlling Invasive Plants on your property-5th Ed. 2017. District of Saanich. https://www.saanich.ca/assets/Community/Documents/Environment/Invasive%20Plants%20Booklet%202015%20web.pdf

Controlling Invasive Plants: Information and Process Package, City of Nanaimo. https://www.nanaimo.ca/docs/services/home-and-property/invasive_plants.pdf

3.4 STORMWATER MANAGEMENT PLAN

EXISTING CONDITIONS



Site Watershed

The site is located within the Nanoose to South Wellington Watershed and is part of a sub watershed that drains north into the Salish Sea. The watershed extends south and crosses the Island Highway. Significant runoff flows onto the site from the Harby Road ditch. There are several depression areas (see existing drainage plan on the right) that are ephemerally wet. The lower watershed (north of the Lantzville Road) is comprised of mostly single unit homes and a few commercial properties.

Existing Site Drainage

The site is divided into two main drainage areas by Ware Road. Rainwater that falls on the north and east side of Ware Road flows via several rough ditches and collects in a depression area adjacent to Ware Road. Water is conveyed via a culvert under Ware Road from which its flows in a ditch towards Lantzville Road. On the south and west sides of Ware Road, water in the lower area drains to a depression south of the school. The south part of this sub-catchment area and runoff from Harby Road flow in a ditch. Water from both areas flow to the east and converge with the runoff from the north/east drainage areas. Water flows in a ditch/slough to a culvert on Lantzville Road near the intersection of Caillet Road. From there it flows in a series of storm drains and concrete troughs before discharging to the ocean at the end of Jacks Road.

It is important to note that the ditches and related drainage elements do not represent natural features and are a product of historical site works followed by a lack of maintenance or improvements.

APPROACH

A stormwater management plan (SWMP) was developed in collaboration between Newcastle Engineering and Murdoch De Greeff Landscape Architects. The SWMP focuses on applying key source control best practices and on meeting the stormwater regulations of the District's Subdivision and Development Works and Services Bylaw.: The SWMP seeks to:

A. Ensure post-development stormwater quantity and quality will be maintained to pre-development conditions;

B. Retain natural water flows on the land as long as possible; and.

C. Maximize clean runoff to receiving waterbodies using biofiltration measures.

The SWMP will achieve this through:

A. **Infrastructure Improvements** – upgraded piped storm sewer infrastructure to handle overflows from the site-based facilities and to accept and convey drainage from upstream tributary areas.

B. **Parks, Plazas, and Greenways** – maximizing soft landscaping and utilizing absorbent landscaping and rain gardens.

C. **On street Strategies** – rain gardens integrated throughout and sized according to the impervious surface of each roadway;

D. **Private Land** – minimizing impervious surfaces, shared detention and filtration features (e.g., large rain gardens, swales), and other solutions;

The following subsection details the implementation strategy for the SWMP within the Village South Special Plan Area.



Rain gardens in a mixed use village context



Rain gardens in a mixed use village context

IMPLEMENTATION

Infrastructure Improvements

Strategy

The developer will complete the following drainage works within and downstream of the subject properties:

A. Construction of a piped drainage system from the intersection of Lantzville and Caillet Roads along Caillet Road to Jacks Road and along Jacks Road to the ocean.

B. Reconstruction of a portion of the existing storm sewer at the west end of Caillet Road to lower its elevation sufficiently to accept drainage from the lowest areas of the subject properties and to allow for possible future construction of underground parking structures drained by gravity.

C. Construction of a piped storm sewer system in Lantzville and Ware Roads to serve the proposed development and to accept and convey drainage from upstream tributary areas.

See the Preliminary Servicing Study (September 2, 2021) prepared by Newcastle Engineering for more details.



A hardscaped plaza integrating absorbent soils

Parks, Plazas, & Greenways

Strategy

All new parks, plazas, and greenways will be designed with sufficient capacity to meet the storm water requirements of the District's Subdivision and Development Works and Services Bylaw. Solutions include:

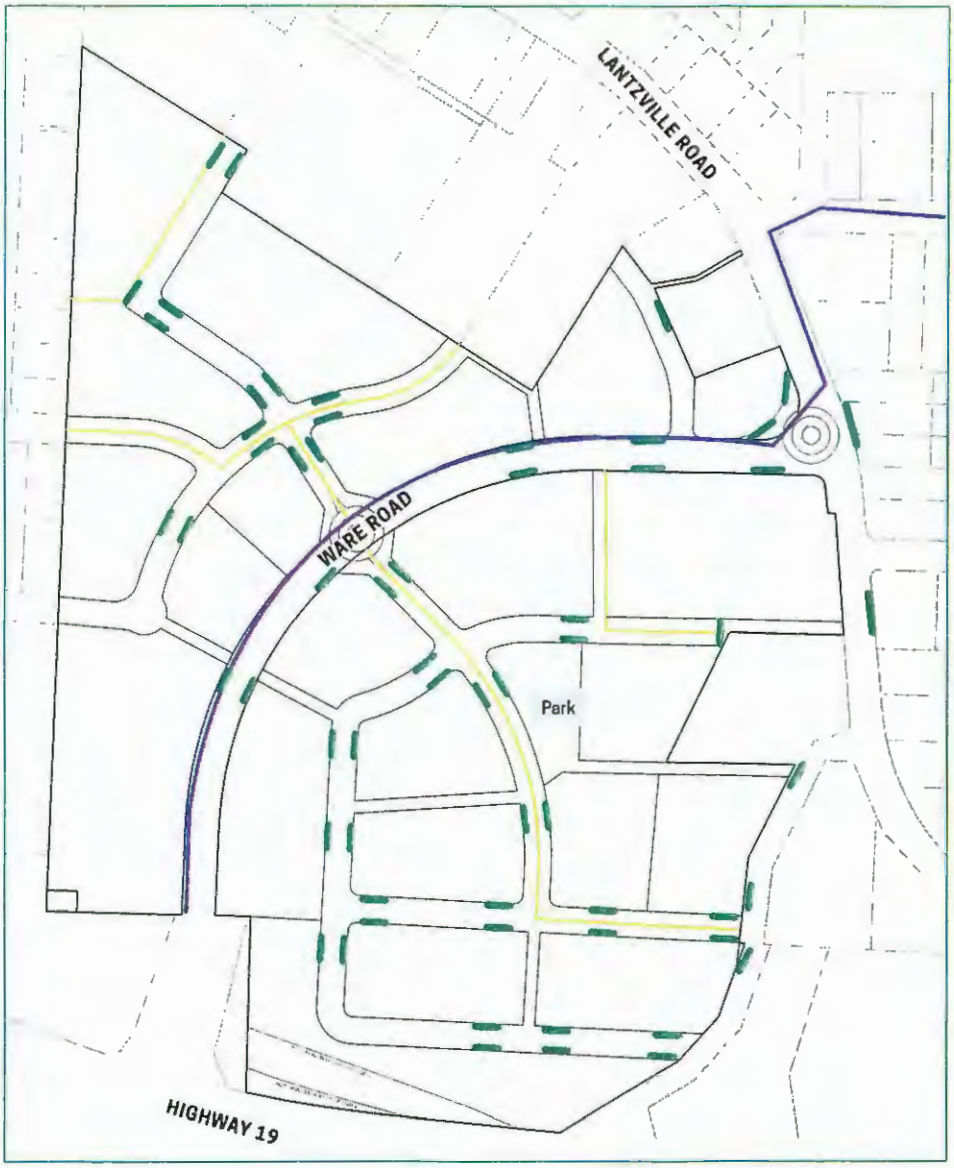
A. Maximize the use soft landscaping areas with deep soils as absorbent landscape.

B. Direct runoff from pathways and small paved surfaces to absorbent landscape.



An urban plaza with abundant soft landscaping

The term 'catchment area' refers to the total up-slope impervious surface area that drains to a known collection point, such as a catch basin or rain garden.





Large rain garden in a residential street



Large rain garden on a civic site

App. Rain Garden Area

Proposed Storm Sewer

Zoning Boundary

On Streets

Strategy

Ware Road and all new roads will incorporate rain gardens of sufficient capacity to meet the storm water requirements of the District's Subdivision and Development Works and Services Bylaw.

- A general guideline for this site is that rain gardens should be sized to app. 6-8% of the impervious area of the catchment area, if designed with minimum 600mm growing medium depth, high growing medium infiltration rates and minimum 150mm flood depth.
- Rain garden designs to be prepared by appropriately qualified professional.
- Prioritize municipal budgets to maintain boulevard rain gardens.
- Design rain gardens with an underdrain and overflow drain sized to convey large storm events.

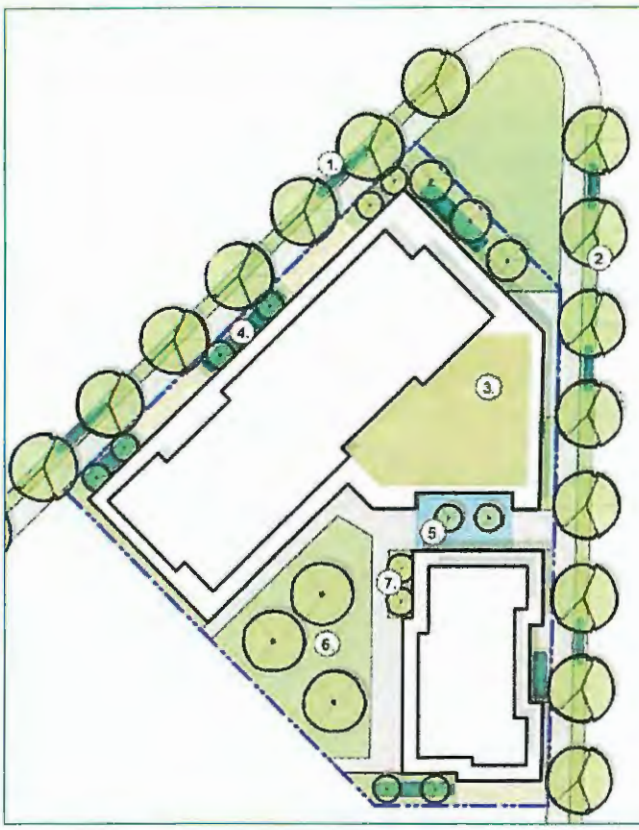
Concept Plan

The adjacent plan conceptually shows the space needed to meet District requirements to store / treat road runoff.

An integrated stormwater approach is shown, which directs rainwater runoff to rain gardens distributed throughout the site. This approach fits rainwater management into boulevard space and curb bulbouts (in parking lanes), which conserves land, creates more green space, separates pedestrians from cars, and helps calm traffic.

The road side rain gardens can be designed with sediment sumps and low maintenance plantings to assist with maintenance requirements.

See page 38 for further details on rain gardens.



1. On-street rain garden sized to road catchment area
2. Boulevard with rain gardens and soft landscaping
3. Green roof to minimize impervious surface area
4. Rain gardens sized at 6-8% of impervious area in the catchment
5. Permeable paving and tree cells where required
6. Soft landscaping as absorbent areas for paving runoff
7. Tree plantings, favouring largest suitable trees for the site

Private Land

Strategy

A combination of landscape-based best management practices will be required at the Building Permit stage, designed with sufficient capacity to meet the storm water requirements of the District's Subdivision and Development Works and Services Bylaw. Potential solutions include:

A. Minimizing impervious surfaces.

B. Utilizing rain gardens to meet the District's stormwater requirements.

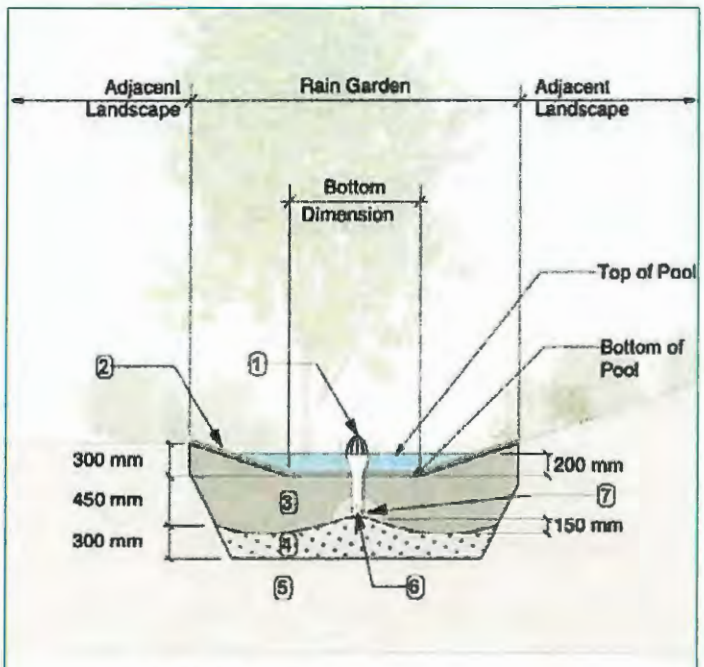
- A general guideline for success is that rain gardens should make up app. 6-8% of the impervious area in the catchment (site) area,

C. Using permeable paving where rain gardens are not possible (or use in combination with the above, where appropriate).

Conceptual Plan

The adjacent plan conceptually shows a number of strategies to meet storm water requirements on private land.

Rain gardens are a cost-effective solution that can be designed on a site-by-site basis. Permeable pavement can also be used to reduce pollution load and runoff from driveway surfaces.



RAIN GARDEN MATERIALS

1. Overflow drain, 200 mm domed grate + adapter
2. Composted mulch, 50 -70 mm depth
3. Bio-retention growing medium, 450 mm depth
4. Scarified/tilled subgrade, 300 mm depth
5. Existing subgrade/native material
6. 100 mm diameter (min) perforated pipe
7. 25 mm diameter drain rock, 100 mm depth

Typical rain garden

RAIN GARDENS

Below, you will find examples of rain gardens integrated into private development ("on site") and into the public streetscape ("on street").

ON SITE



Permeable path and infiltration swale

ON STREET



On-street rain garden flows



Rain garden between buildings



Curb bulbout with rain garden



Rain garden on commercial frontage



Rain garden in landscape buffer

Overview

Swales and rain gardens form essential parts of an integrated storm water system. They control the flow of storm water around a site, attenuate flows, remove pollutants, increase infiltration, and capture debris.

Rain garden designs are to be prepared by appropriately qualified professional and designed with an underdrain and overflow drain sized to convey large storm events.

Maintenance

These areas are considered to be **Class 3 Moderate Area** requiring regularly scheduled weeding, debris removal, and thorough inspections to identify damage or deterioration in the system. Inspections will determine when other maintenance activities such as repair, pruning, or irrigation may be required.

Level 3 Moderate Maintenance

Objective: To present a neat, moderately groomed appearance with tolerance for wear and tear from moderate traffic.

Maintenance Practices: Routine maintenance at a moderate frequency and intensity. Regularly monitor for deterioration and to determine maintenance priorities. Some tasks require a Qualified professional.

Maintenance of Bioretention Facilities

Swales and rain gardens function best when they are planted, and much of their regular maintenance involves activities that are typical of areas planted with perennials. Common maintenance activities for perennial plantings include fertilizing, mulching, planting, pruning, repairing, transplanting, watering, and weed control. In addition to the maintenance requirement of the plantings themselves, the following maintenance activities should be performed regularly to ensure their long-term performance::

- **EACH VISIT:** Inspect all drain inlets, outlets, fore-bays and catchment areas for debris/damage/excessive sediment.
- **EROSION REPAIR:** identify and address the cause of erosion.
- **SEDIMENT REMOVAL:** remove sediment and debris from drain inlets.
- **CLEAN INLETS / OUTLETS:** remove all debris from drain inlets and outlets.
- **CAMERA UNDERDRAIN:** Inspect underdrains to ensure continued function.
- **CLEAN CATCH BASIN:** Remove silt and debris to maintain catch basin capacity.

3.5 SERVICING & INFRASTRUCTURE

SITE SERVICING

Sanitary Sewer

The development area is within the District's existing sanitary sewer catchment area. There are existing sanitary mains in Ware (300/375 diameter) and Lantzville (200/375 diameter) Roads, which are sized to accommodate the full build-out of the proposal. The developer will construct new sewer mains and lines throughout the development, on private property and on new public roads.

Please, refer to the full servicing report by Newcastle Engineering, including a diagram of the existing District sanitary sewer system.

Water

There are existing water mains in Ware and Lantzville Roads (250 diameter and 200 diameter respectively), which are sized to accommodate the full build-out of the proposal. The developer will construct new watermains within the new internal road network.

Well 11 will be connected to the District of Lantzville water system at the Developer's cost and a suitably-sized parcel will be dedicated to the District in order to supplement the District of Lantzville water supply.

Please, refer to the full servicing report by Newcastle Engineering, including a diagram of the existing District water system.

Storm Sewer

The developer will construct significant improvements to the existing storm sewer system – through the subject properties, in Ware and Lantzville Roads, and downstream along Caillet and Jacks Roads to a new outfall on the foreshore at the bottom of Jacks Road. The new storm sewers will be designed to convey post-development flows from the upstream tributary area.

Please, refer to the full servicing report by Newcastle Engineering, including a diagram of the proposed storm sewer works. Also, see Section 3.4 for the stormwater management plan.

Geotechnical

Geotechnical findings from Lewkowich Engineering Associates Ltd. confirm that the lands are considered safe for the use intended. Some unfavourable (soft clay) areas and a higher water table were identified challenges; however, recommendations have been provided to safely support development in these areas.

Please, refer to the geotechnical report from Lewkowich Engineering Associates Ltd.

Roads

Both sites presently have public road access.

The developer will [a] construct frontage/streetscape improvements to Ware, Lantzville, and Wiles Roads; [b] construct intersection improvements at Ware/Lantzville Road, including a new roundabout; and [c] construct a new internal road network, as shown on the Concept Plan.

Please, refer to the impact summary in Section 4.2 and the full Traffic Impact Assessment by Watt Consulting Group.

3.6 URBAN DESIGN

DEVELOPMENT PERMITS

The District's DPA 8 Village Form & Character will apply to the plan area at the Development Permit stage. Therefore, these guidelines look to "fill the gaps" between the other contents of this application and the provisions of DPA 8 in the OCP.

- Notwithstanding the above, a Building Scheme will replace the need for a Development Permit for Intensive Residential within the subject properties.

ADDITIONAL DESIGN GUIDELINES

Building Design & Materials

A. Generally design buildings in a contemporary West Coast style, with a focus on materials that are durable, high-quality, and consistent in their application, while avoiding a 'thin veneer' look and feel.

B. Orient primary building facades and entries to the fronting street or open space to create street edge definition and activity.

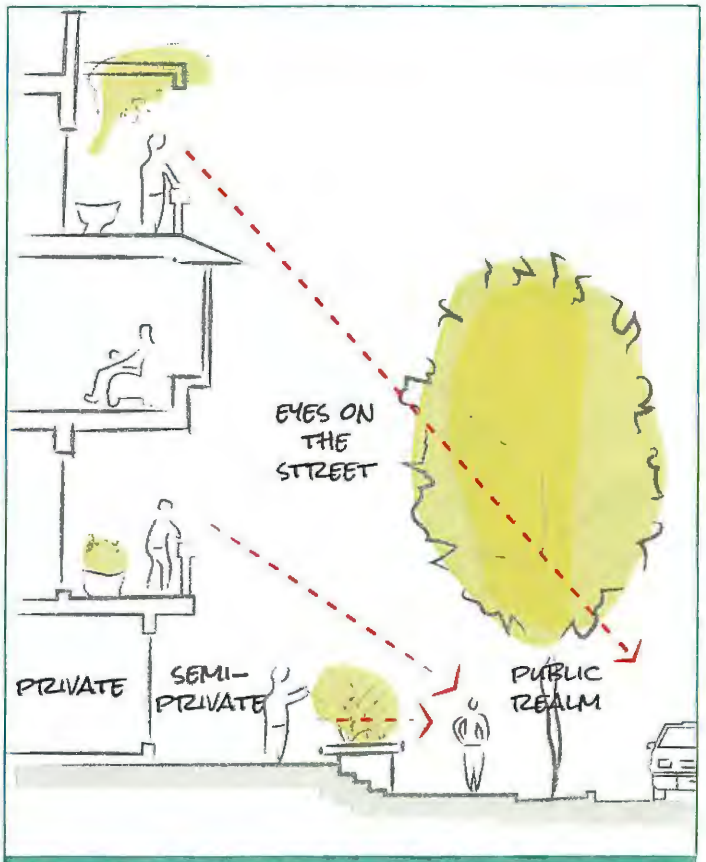
C. Use architectural and landscape features to create well-defined, clearly visible, and universally accessible primary building entrances.

D. Break up the perceived mass of large buildings by incorporating visual breaks in facades

E. Design all multi-family, commercial, and mixed-use buildings to have transparent frontages to promote "eyes on the street", using strategies such as:

- Having continuous commercial and retail uses with windows and primary entrances facing the street;
- Having ground-oriented residential units with windows and primary entrances facing the street; and,
- Locating and designing windows, balconies, and primary building facades to promote activity and natural surveillance of the street.

F. Avoid blank walls at grade wherever possible.



Windows, balconies, and street-level uses providing eyes on the street.



Example of natural surveillance and territorial reinforcement

For Commercial and Mixed Use Buildings:

G. On commercial frontages, incorporate frequent entrances (every 15m maximum) to create punctuation and rhythm along the street, visual interest, and support pedestrian activity.

H. On retail frontage, site and set back buildings to create a minimum 3m sidewalk and permit opportunities for patio space and small plazas

I. Site buildings using a common 'build to' line at or near the front property line so that a continuous street frontage is maintained. Some variation (1-3m maximum) can be accommodated in ground level set backs to support pedestrian and retail activity by, for example, incorporating a recessed entryway, small entry plaza, or sidewalk cafe.

J. Incorporate frequent entrances into commercial street frontages to create punctuation and rhythm along the street, visual interest, and support pedestrian activity

For Multifamily Buildings:

K. Set back residential buildings on the ground floor between 3-5m from the property line to create a semi-private entry or transition zone to individual units and to allow for an elevated front entryway or raised patio.

   - A height of 0.4-1.2m (e.g., 2-6 steps) is desired for front entryways.

L. Incorporate individual entrances to ground floor units accessible from the fronting street or public open spaces.

M. Design facades to articulate individual ground-oriented units (e.g., townhomes) as architectural intervals, using strategies such as recessing or projecting facades or using entrance or roofline features).



A multifamily building with ground-oriented units.

Parking, Services, & Driveways

A. Ensure the provision of adequate servicing, vehicle access, and parking while minimizing negative impacts on the safety and attractiveness of the public realm by, for example, accessing parking via a secondary street.

B. Locate off-street parking and other 'back-of-house' uses (such as loading, garbage collection, utilities, and parking access) away from public view.

C. Ensure utility areas are clearly identified at the development permit stage and are located to not unnecessarily impact public or common open spaces.

D. Driveway cuts on the public street should be minimized to preserve landscaping and on-street parking.

For multifamily, mixed use, and commercial projects:

E. Accommodate off-street parking in one of the following ways, in order of preference:

- Underground;
- Parking in half-storey (where it is able to be accommodated to not negatively impact the street frontage);
- Garages or at-grade parking integrated into the building (located at the rear of the building); and
- Surface parking in the rear, with access from the lane or secondary street wherever possible.

F. In cases where publicly visible parking is unavoidable, screen using strategies such as:

- Landscaping;
- Trellises;
- Grillwork with climbing vines; or
- Other attractive screening with some visual permeability.

For Townhouses and other ground-oriented building typologies:

G. Rear-access garage or integrated tuck under parking is preferred, in general.

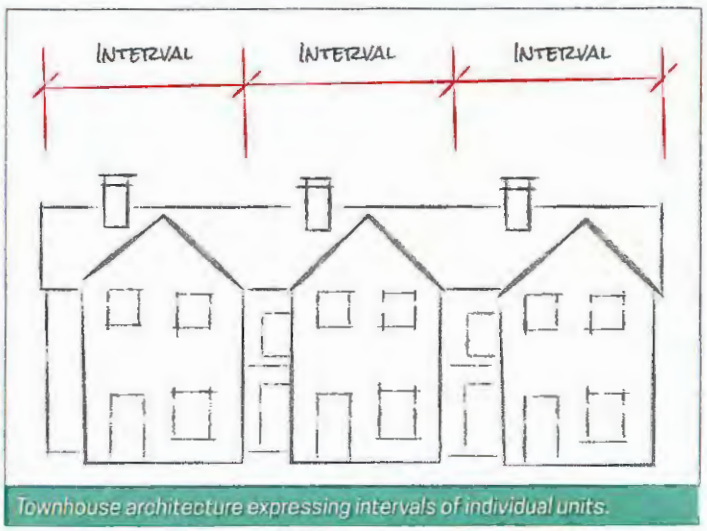
H. Centralized parking areas that eliminate the need to integrate parking into individual units are supported.

I. Front garages and driveway parking are acceptable in townhouses facing internal strata roads, with the following considerations:

- Architecturally integrate the parking into the building and provide weather protection to building entries; and
- Design garage doors to limit visual impact, using strategies such as recessing the garage from the rest of the facade.



Parking accessed at the rear of the building and off the secondary street



Townhouse architecture expressing intervals of individual units.

Site Planning & Landscaping

A. Incorporate easy-to-maintain traffic calming features, such as on-street parking bays and curb extensions, textured materials, and crosswalks.

B. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage.

C. Locate semi-private open spaces to maximize sunlight penetration, minimize noise disruptions, and minimize 'overlook' from adjacent units.

D. Design internal strata roadways to serve as additional shared space (e.g., vehicle access, pedestrian access, open space) using strategies such as:

- High-quality pavement materials (e.g., permeable pavers); and
- Providing usable spaces for sitting, gathering and playing.

E. Use landscaping materials that soften development and enhance the public realm.

F. Plant native and/or drought tolerant trees and plants suitable for the local climate.

G. Select trees for long-term durability, climate and soil suitability, and compatibility with the site's specific urban conditions

H. Design front yards to primarily consist of soft landscaping (lawns, trees, shrubs, gardens). Where practical, no more than 40% of the front yard will be covered by hard surfaces.

I. In addition to street trees, to provide shade and unify the neighborhood, at least one tree per ground-oriented dwelling unit front should be provided.



A townhouse frontage with functional, permeable landscaping



Courtyard space with abundant tree plantings and permeable area.

Drainage

A. In addition to maximizing soft landscaping and permeable surfaces, each lot will utilize a combination of rain gardens, ponds, swales, and/or other drainage facilities to collect and convey stormwater from building roofs and other impervious surfaces.

Lighting in Public Spaces

Decorative luminaires will be installed on all public streets and in public open spaces (e.g., parks, greenways, plazas) according to the following guidelines:

B. Is black in colour and representative of a minimalist, classic (or modern heritage) aesthetic consistent with the adjacent images.

A. Adheres to dark sky principles, including down lighting that is shielded or full cut-off with no up-lighting.

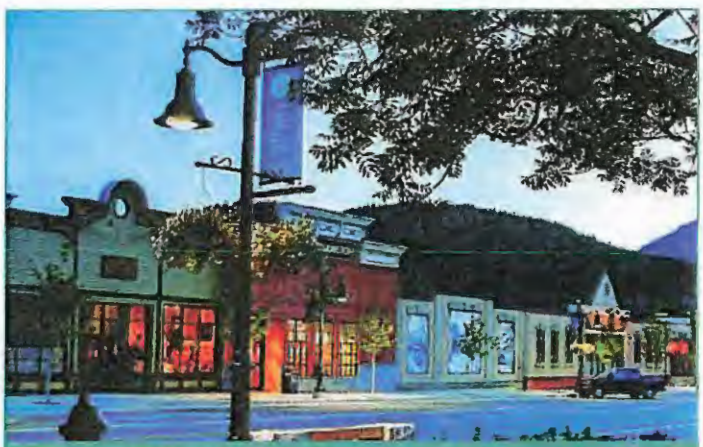
B. LED lights for energy efficiency while ensuring a' warm white 'colour temperature (e.g., 2500K-3,500K).

C. In all on-street locations, incorporates power outlets.

D. On Ware Road adjacent to Mixed Use sites and on Lantzville Road,, incorporates pedestrian-level fixtures and banner mounting brackets.



On-site rain garden and drainage area.



Modern luminaire with dark sky-friendly lighting , classic aesthetics, and brackets for banners and flower baskets.



Dark sky lighting along a public greenway

3.7 GHG EMISSIONS REDUCTION PLAN

OVERVIEW

Transportation and the built environment both play a key role in helping communities transition towards a low carbon future.

The redevelopment of Lantzville village is an opportunity to not only create a compact, walkable area that reduces our reliance on automobiles and fossil fuels but also utilize high performance buildings and other sustainability strategies.



Multi-family adjacent to commercial village

STRATEGIES

Lantzville Village GHG Emissions Reduction Plan is focused on achieving practical and meaningful climate action in the eight areas outlined below.

1. Village Commercial & Mixed Uses

In smaller communities in British Columbia the transportation sector is typically the largest emitter of GHG emissions as people travel in vehicles to shop, work or other daily activities. Creation of a vibrant village core with a variety of commercial and institutional uses will greatly reduce the need to travel to adjacent centres and thereby reduce GHG emissions. Surrounding the village core with a higher residential density will encourage people live and walk to

STRATEGY #1

1.1 Support for the village core and encouragement to buy and shop local in order to reduce GHG emissions from the transportation sector.

2. BC ENERGY STEP CODE

The Step Code is a province-wide performance standard requiring new buildings to attain higher energy performance by meeting set targets for the building envelope, mechanical system efficiency and airtightness. Energy modeling software and on-site air tightness testing is used to demonstrate Step Code compliance, indicating that the building meets the required performance level at the pre-construction stage as well as project completion.

The Province has signaled that the base BC Building Code will increment over the next three update cycles, to reach the top Steps of the code – a "net-zero energy ready" performance level – by 2032.



High performance multi-family building

STRATEGY #2

2.1 Follow the BC Energy Step Code as the incremental steps are adopted by the District of Lantzville Building Department.

3. BIKE PARKING

Providing on-site bike parking in multi-unit residential projects promotes bicycling as an active transportation and low carbon alternative to the vehicle. The District has best practice minimum requirements for bike parking.

STRATEGY #3

3.1 Provide on-site bike parking at the rates described in the Zoning Bylaw.



Bike racks outside of a mixed-use building

4. ELECTRIC VEHICLE CHARGING

Electric Vehicles are becoming more prevalent across Canada, BC, and on Vancouver Island, and the Provincial government has adopted an EV mandate stating that by 2040 all cars and trucks sold in the province will be EVs. Most EV charging occurs at home, and access to 'at home' charging is a critical factor determining whether households will adopt an EV. Acknowledging this, the District has best practice minimum requirements for EV charging stations.

STRATEGY #4

5.1 Provide on-site EV charging at the rates described in the Zoning Bylaw.

5. CAR SHARING

Car sharing platforms provide access to a shared rather than a private fleet of automobiles distributed in the region. Participation in such services induces changes in mobility behaviour as well as vehicle ownership patterns that could have positive environmental impacts including GHG emission reduction. Additionally, car sharing may reduce the amount of parking required by new developments, increasing the amount of usable floor space.

STRATEGY #5

7.1 Provide opportunities for car sharing, especially in mid-rise buildings



Car share cars adjacent to a large employer

3.8 AGE-FRIENDLY PLANNING

AGE-FRIENDLY LANTZVILLE

In 2020, the District developed an Age-friendly Plan, which included a list of strategies for the District of Lantzville to pursue, alone and in collaboration with the community and other partners.

The Village South SAP satisfies a number of the objectives of the Age-friendly Plan, including:

A. Improve the accessibility of and amenities in outdoor spaces in Lantzville.
   - New parks will be universally accessible and include amenities for all ages and abilities.

B. Improve the accessibility of buildings in Lantzville.
   - New buildings will be meet current accessibility standards, which existing buildings in the village often lack.

C. Encourage a safe and integrated network of roads, transit, bike routes and pedestrian realm, for people of all ages and abilities.
   - The transportation network includes a highly integrated network of accessible sidewalks, bike routes, and trails.

D. Improve the accessibility and age-friendliness of transit.
   - New transit stops will be universally-accessible and more friendly to those with mobility challenges.

E. Support more affordable, and accessible housing options for older adults in Lantzville.
   - A range of new housing options, including more attainable units, will be provided in the plan area.

F. Improve the accessibility standards of housing in Lantzville.
   - New residential units will be meet current accessibility standards, which existing buildings in the village often lack, and include some adaptable units.



A seniors-oriented co-housing project

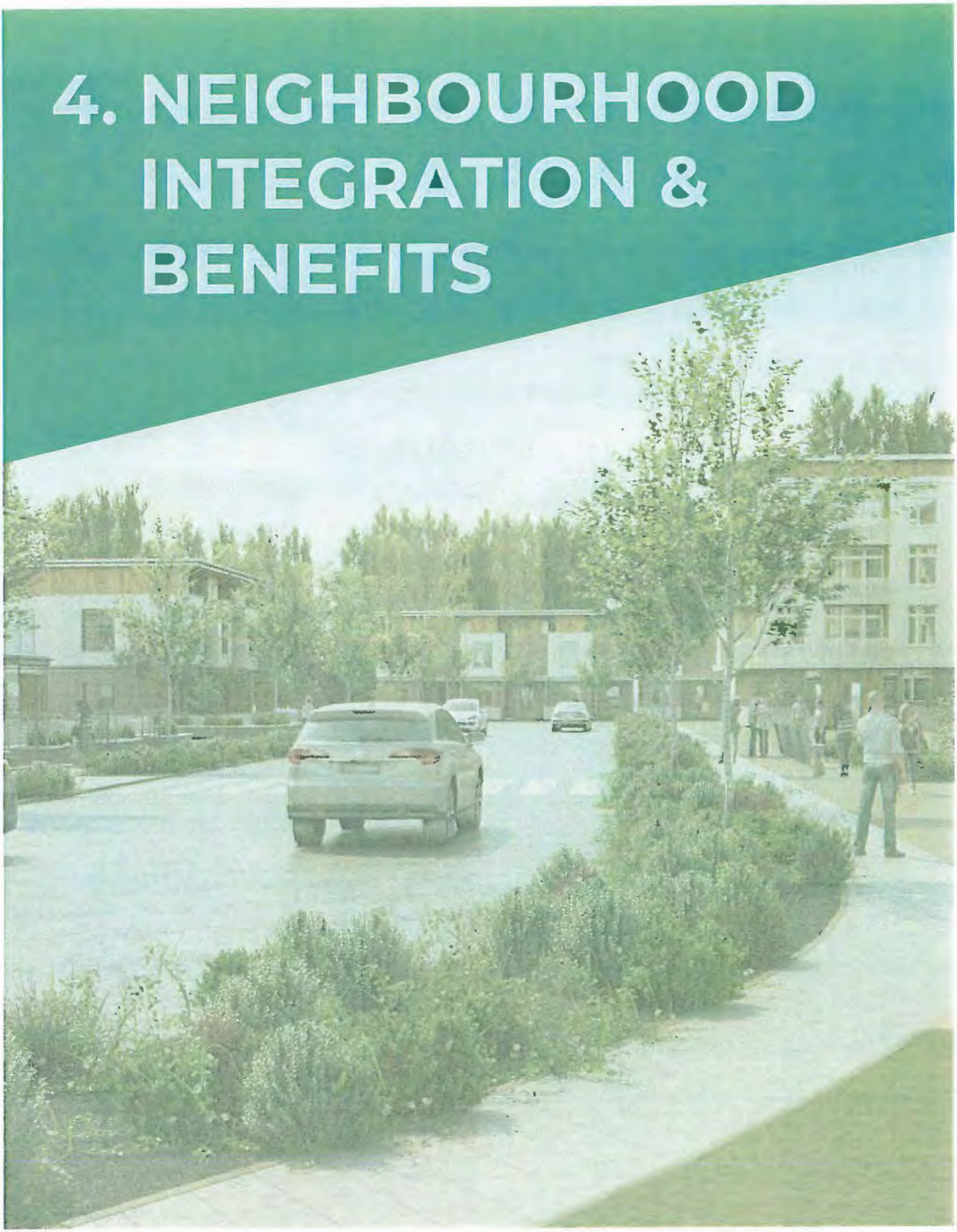


Accessible and connected trail system



The Age-friendly Plan was completed in 2020

4. NEIGHBOURHOOD INTEGRATION & BENEFITS



4.1 RESPONSE TO NEIGHBOURHOOD

The subject properties offer a unique context and opportunity from which to design the expansion of an existing village core while also creating a complementary residential neighbourhood. The SAP strives to not only meet the policies of the OCP but also mitigate impacts on and strengthen integration with adjacent neighbourhoods.

KEYS TO INTEGRATION

A. Land Use & Density Transitions

- The plan is consist with OCP direction for land uses and location of more intensive uses.
- Ground-oriented residential (e.g., townhouses, single-unit, cluster housing) have been located adjacent to the existing single-family neighbourhood to the west.
- More intensive residential, commercial, and mixed use buildings have been located adjacent to major roads or parcels within a Special Plan Area – and so with a comparable existing or future land use.

B. Landscape Buffers

- As directed in the OCP, a minimum 15m landscape buffer has been located at the western edge of the site, adjacent to existing single-family lots.
- Additionally, a minimum 15m landscape buffer has been located at the southern edge of the site, adjacent to the highway.

C. Green Spaces & Trail Network

- The plan includes an extensive trail network, within public parks and public rights-of-way, that creates strong active transportation connections to/from and across the site.
- A large community park is provided on the west side of the site, This will provide opportunities as a new community gathering place, with play spaces, seating areas, and areas for passive and active recreation, based upon future community input.
- Adjacent to the above park, a new community playing field is provided in close proximity to the school, the school playing fields, and existing single-family homes.
- A neighbourhood park is also provided in the centre of the site, providing a playground and park space within an easy walking distance of all residential units.
- An abundance of additional private green space will be provided throughout the site, complementing the 'green' aesthetic of Lantzville and its surroundings.

D. Street Trees, Landscaping, and Forested Backdrop

- The plan incorporates street trees for all of their multi-faceted benefits, including beautification and integration of the natural environment. Moreover, over time, street trees, new greenways, landscaped buffers, large parks, and a focus on on-site landscaping will provide a strong link between the "forested backdrop" of the area and the development itself.

E. Traffic Calming

- Narrow travel lanes, on-street parking, street trees, shorter building setbacks, and curb bulbouts will all contribute to physically and perceptually calm traffic and lower speeds on new and existing roads.

F. Sidewalks and Neighbourhood Connections

- While using landscape buffers, park areas, and density transitions to soften the interface with single-family neighbourhoods, the plan also includes numerous trail connections to these areas, creating strong walking and cycling routes to/from the village for the wider community.
- Additionally, sidewalks will be provided throughout the site, improving pedestrian comfort and safety and providing options for transportation and recreation in the village area.



Sensitive multifamily architecture integrates well with single-unit



Trails enhance mobility and safety for all ages

4.2 TRAFFIC IMPACTS

The following is an overview of key development impacts and benefits.

TRAFFIC & PARKING

As noted in previous sections, the proposal seeks to not only minimize potential traffic impacts but also benefit the pedestrian and cyclist environment in the immediate area. The proposed road network focuses on traffic calmed streets with narrow travel lanes and pedestrian connectivity and comfort – via sidewalks, street trees, trails, and greenways.

Watt Consulting Group (Transportation/Traffic) undertook a Traffic Impact Assessment (TIA) for the proposal. The TIA demonstrates that the long-term level of service (LOS) of key intersections – both in the village and at the Highway 19/Ware Road intersection –remain at an LOS D or better. Along Ware Road, two single-lane roundabouts are proposed (at Lantzville Road and Ware Road and at Ware and a new main access road): the TIA concludes that these intersections will remain at a Level-of-Service A (highest) for all movements in the long term.

The TIA includes four recommendations:

- Developer to install single lane roundabouts at Lantzville Road / Ware Road and Ware Road at the main site access.
- Developer to upgrade Ware Road and Lantzville Road along the site frontages to meet the standards set out in the District's bylaws, including a separated bike path or multi-use trail along the Ware Road site frontage.
- Developer to work with RDN Transit to identify future additional transit infrastructure in proximity to the development.
- Ensure internal roads are designed for the intended use of the road and not overbuilt.

The TIA also suggests that the District should consider:

- Reducing the speed limit on Lantzville Road reduced to 30km/h south of Wiles Road

The site design seeks to further minimize the impacts of parking on the pedestrian experience and public realm in the village. On-street parking will be surrounding by street trees and landscaped curb bulbouts; underground and under building parking will be utilized on multi-family and mixed use sites; and rear yard, screened, and tuck-under parking will be utilized on townhouse sites. All of these strategies will reduce the impacts of vehicles in the village and increase the aesthetic nature and 'green' feeling of the proposal.

4.3 BENEFITS & AMENITIES

PUBLIC AMENITY PACKAGE

Lantzville Projects Ltd. is seeking to help re-establish and re-invigorate Lantzville's village core through a vibrant mix of compact housing and mixed use / commercial development.

One of the major advantages of compact, sustainable land use patterns is the ability to provide more and higher quality public benefits, services, and amenities to more people within closer proximity.

The vision of the landowner for the site is consistent with that of the OCP – a desire to create a vibrant, livable village and residential neighbourhood with a mix of housing types, services, and amenities within walking distance, while providing significant public lands and green spaces.

Project Benefits

Benefits are positive indirect contributions that the proposal provides to the community as a whole as well as at the neighbourhood level. The development offers the following benefits:

- Revitalization and enhancement of Lantzville Village
  - Greater local business viability in the village (more nearby housing)
  - New grocery store and mixed use development sites with retail/commercial units
  - Revitalized streetscapes
- Housing
  - Mix of housing types (e.g., single-unit, cluster housing, townhouse, apartment)
  - Mix of housing tenures (i.e., rental, fee simple ownership, strata ownership)
  - More attainable housing options throughout
  - Seniors supportive housing
- Increased Tax Revenue
  - Compact, economically-sustainable land use pattern
  - Increased District tax revenue from increased residential/commercial densities

Project Amenities

In addition to providing the benefits (previous page), the developer will also provide several in-kind and cash Community Amenity Contributions (CACs).

In considering the land lift for these sites (i.e., the increase in land value as a result of rezoning), any potential increase in development value should be considered alongside the value of the public lands and amenities being provided. For this project, these include:

A. Community Lands

- Dedication of a 1.00 hectare (2.5 acres) parcel of land to the District for a future civic/community use.

B. Public Parks and Park Amenities

- Dedication and construction of a 1.33 hectare (3.3 acres) parcel of land as a public park for use as an additional playing field, adjacent to the school (app. $1M in construction).
- Dedication of a 0.76 hectare (~1.2 acres) parcel of land to be utilized by the District for a multi-purpose community park.
- Dedication of a 0.50 hectare (1.25 acre) parcel of land to be utilized by the District for a multi-purpose neighbourhood park.
- Dedication and construction of 0.7 hectares (1.7 acres) of additional publicly-accessible trails and greenways throughout the site.

C. Cash Contribution

- Direction contribution of $3,000 per residential unit to the District (app. $1.56M).

D. Other

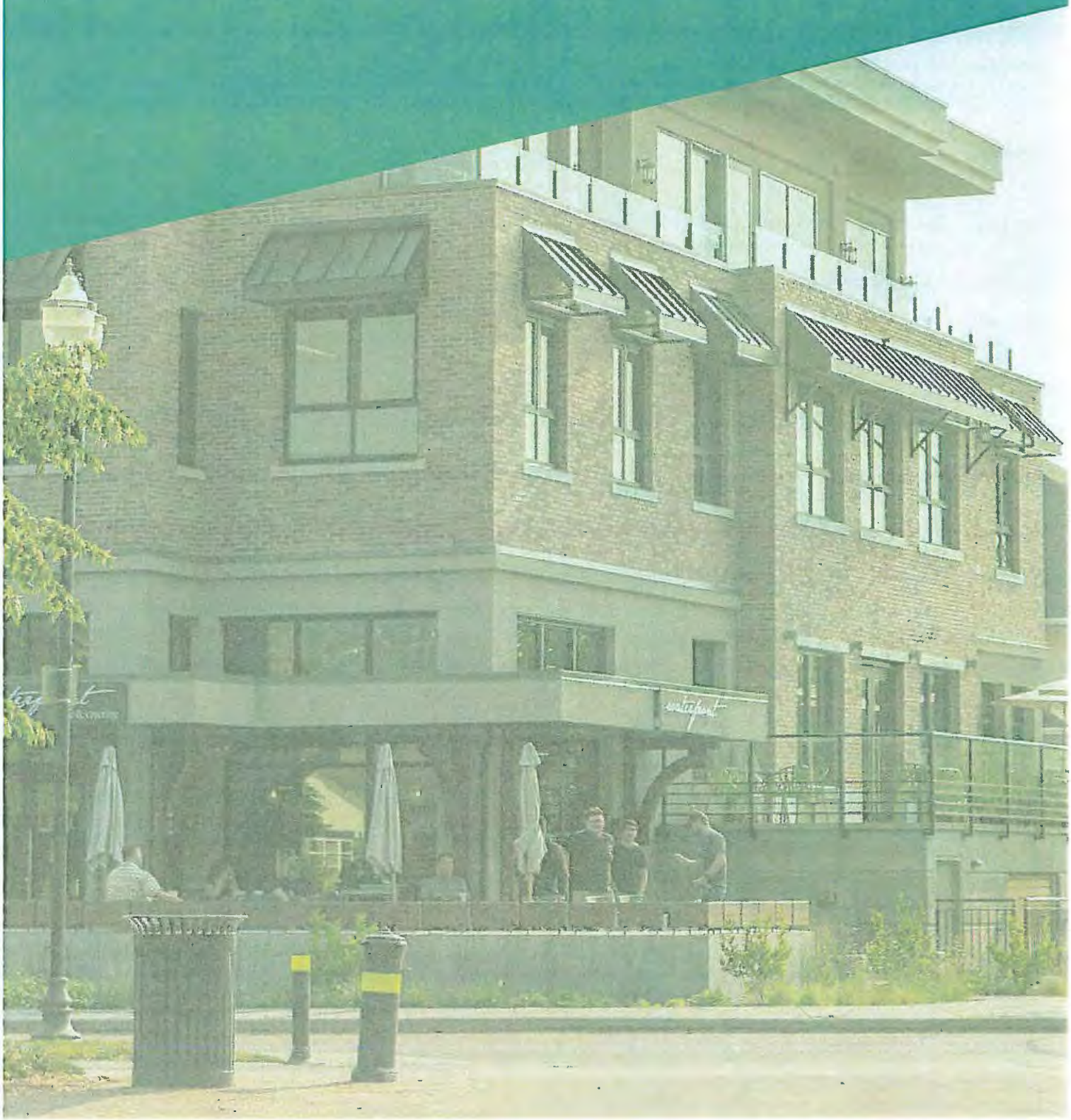
- Provision of gateway signage on each of the two roundabouts to be constructed.
- Construction of a multi-use path from the south extent of the site, along Ware Road, to the Island Highway.

FRONTAGE & STREETSCAPE IMPROVEMENTS

In addition to providing the listed benefits and amenities, the landowners will also construct the following frontage/streetscape improvements based on the street designs provided in this document and in accordance with District bylaws.

- Construction of Ware Road improvements adjacent to the subject site (full cross-section).
- Construction of all new public roads (full cross-section)
- Construction of Wiles Road improvements adjacent to the subject site (site frontage only)
- Construction of Lantzville Road improvements adjacent to the subject site (full cross-section)

5. OCP CONSISTENCY

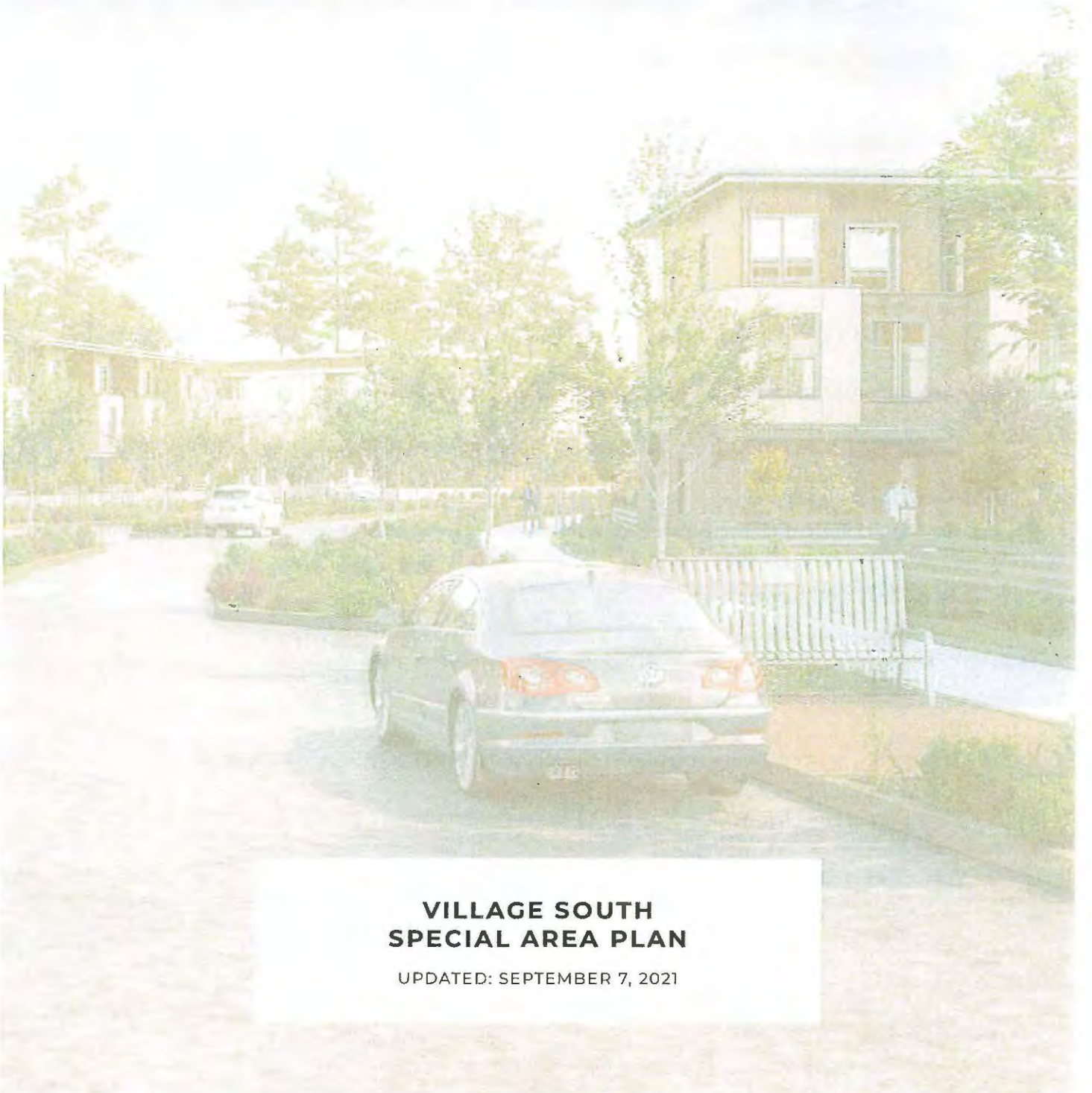


5.1 OCP CONSISTENCY

The below table demonstrates the proposal's commitment to the OCP policies for the Village South Special Plan Area. The left-hand columns present the relevant SPA policies, whereas the right-hand column summarizes how the policies are integrated into the proposed Special Area Plan:

See Section 2.1 for an overview of relevant OCP Goals and the proposed responses..

OCP POLICIES TO BE INTEGRATED INTO THE VILLAGE SOUTH SAP		
POLICY #	**POLICY**	**RESPONSE**
11.1.2 #2	Close to Ware/Lantzville Roads, a range of commercial, residential and small-scale seniors supportive housing uses, with potential for commercial under residential. (The Village Commercial Core SPA policies also apply and encourage mixed use.)	Mixed Use, Commercial, and Mixed Use Zoning (including Seniors Supportive housing) zoning near Ware/Lantzville Roads
11.1.2 #3	In the remainder of the SPA, single-unit housing, multi-unit housing, small-scale seniors supportive housing, and park and open space land uses. Seniors-oriented housing, either community care or small-scale independent living, are encouraged.	Residential zones with a range of housing types provided in the remainder of site
11.1.2 #4	Development within this SPA will include high-quality pedestrian environments as outlined in the Development Permit Guidelines.	Street sections and design guidelines focus on high-quality pedestrian environment
11.1.2 #4	Vegetated buffers to provide privacy to existing adjacent residential properties.	Vegetated buffers will be provided
11.1.2 #5	Development with uses and densities that strengthen the vitality of the Village, provide housing for singles, families, and seniors, improve pedestrian mobility, and enhance the viability of public transit and other services.	Residential zones provide a range of housing types and increased densities to support a vibrant and viable village core
11.1.2 #7	An integrated storm water management plan for the site will be developed to address storm water flow mitigation, treatment, and infiltration on-site.	Stormwater management strategies integrated throughout with a focus on the use of green infrastructure
11.1.2 #8	A lane or road that can be used to access the backs of commercial properties fronting on the south side of Lantzville Road.	New roadway provided
11.1.2 #10	A limited number of high-quality apartments with underground parking, nestled into treed buffers.	A limited number of high-quality apartments will be provided in areas that minimize impact on adjacent residents
11.1.2 #11	The District encourages the development of small tracts of highly varied housing types in a one- to two-storey format.	Site divided into small development tracks with highly varied house types
11.1.2 #12	A continuous treed buffer of at least 15 m width plus adjacent wooded Crown lands, will be retained along the Island Highway.	Vegetated buffer will be provided
11.1.2 #13	A continuous treed buffer of a minimum 15 metre width shall be provided between proposed buildings and existing residences along Lancewood Avenue, broken only by trails and a small-scale winding access road / fire lane.	Vegetated buffer and right-of-way connections will be provided
11.1.2 #14	A park area and continuous open space and trail corridors (greenways) to connect the housing areas across Ware Road and to the Village Primary Commercial Core and Village South SPAs, Seaview School, and adjacent neighbourhoods.	Large community park and neighbourhood park as well as continuous north-south and east-west trail connections provided
11.1.2 #15	A park area shall be provided south of the existing school playing fields and will be a reforested park.	Provided; however, envisioned as future play fields as per District direction
11.1.2 #16	Trail connections shall extend through the site, connecting Ware Road, Rossiter Avenue, and the lane extension of Lynn Drive to the school grounds and to the Village Primary Commercial Core.	Trail connections provided from existing roads to Ware Road and the commercial core
11.1.2 #17	A highly improved entrance streetscape for the development and Village on Ware Road, including medians and boulevards that integrate green infrastructure and planting, a double or triple row of street trees, as well as multi-use pedestrian / bicycle trail(s) that provide continuity between the Island Highway, Village Primary Commercial Core, Seaview School, and adjacent neighbourhoods.	Ware Road redevelopment envisioned and concept design presented that provides these elements.



VILLAGE SOUTH SPECIAL AREA PLAN

UPDATED: SEPTEMBER 7, 2021

DISTRICT OF LANTZVILLE
BYLAW NO. 284, 2021

A BYLAW TO AMEND DISTRICT OF LANTZVILLE ZONING BYLAW NO. 180, 2020

The Municipal Council of the District of Lantzville in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as the "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (Village South Special Area Plan Zone) Bylaw No. 284, 2021".

2. Schedule 'A' of District of Lantzville Zoning Bylaw No. 180, 2020 is hereby amended as follows:

   (a) in Part 1 by inserting "Village South Special Area Plan" after "Upper Lantzville Ware Road Special Area Plan" in the list of zones,

   (b) in Part 1 by inserting the "Village South Special Area Plan Zone" attached hereto as Schedule 1 after Section 1.9 and re-numbering the remaining sections in Part 1,

   (c) In Part 2, Section 2.17.1 by inserting "Village South Special Area Plan" after "Upper Lantzville Ware Road Special Area Plan",

   (d) In Part 3, Section 4.1, by inserting the following definitions:

      i) "**Cluster Housing** means one dwelling unit or two dwelling units within the same building which are on the same parcel as at least four other dwelling units,

      ii) **Limited Home Business** means a home business that is limited to an office.", and

   (e) by re-classifying the land legally described as

      "THAT PART OF DISTRICT LOT 45 WELLINGTON DISTRICT LYING TO THE NORTH WEST OF COPLEY ROAD SHOWN OUTLINED IN RED ON PLAN 733R AND EXCEPT THAT PART IN PLANS 23561 AND VIP65702

      LOT 1 DISTRICT LOT 27G WELLINGTON DISTRICT PLAN VIP66828

      LOT 2 DISTRICT LOT 27G WELLINGTON DISTRICT PLAN VIP66828"

      from "Future Special Area Plan Zone (F-SAP)" to "Village South Special Area Plan Zone (SAP-2)", "Community Services Zone (CS)", and "Park Zone (P)", as shown on the map attached hereto as Schedule 2.

READ A FIRST TIME this ___ day of ___, 2021.
READ A SECOND TIME this ___ day of ___, 2021.
PUBLIC HEARING HELD this ___ day of ___, 2021.
READ A THIRD TIME this ___ day of ___, 2021.
APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this ___ day of ___, 2021.
ADOPTED this ___ day of ___, 2021.

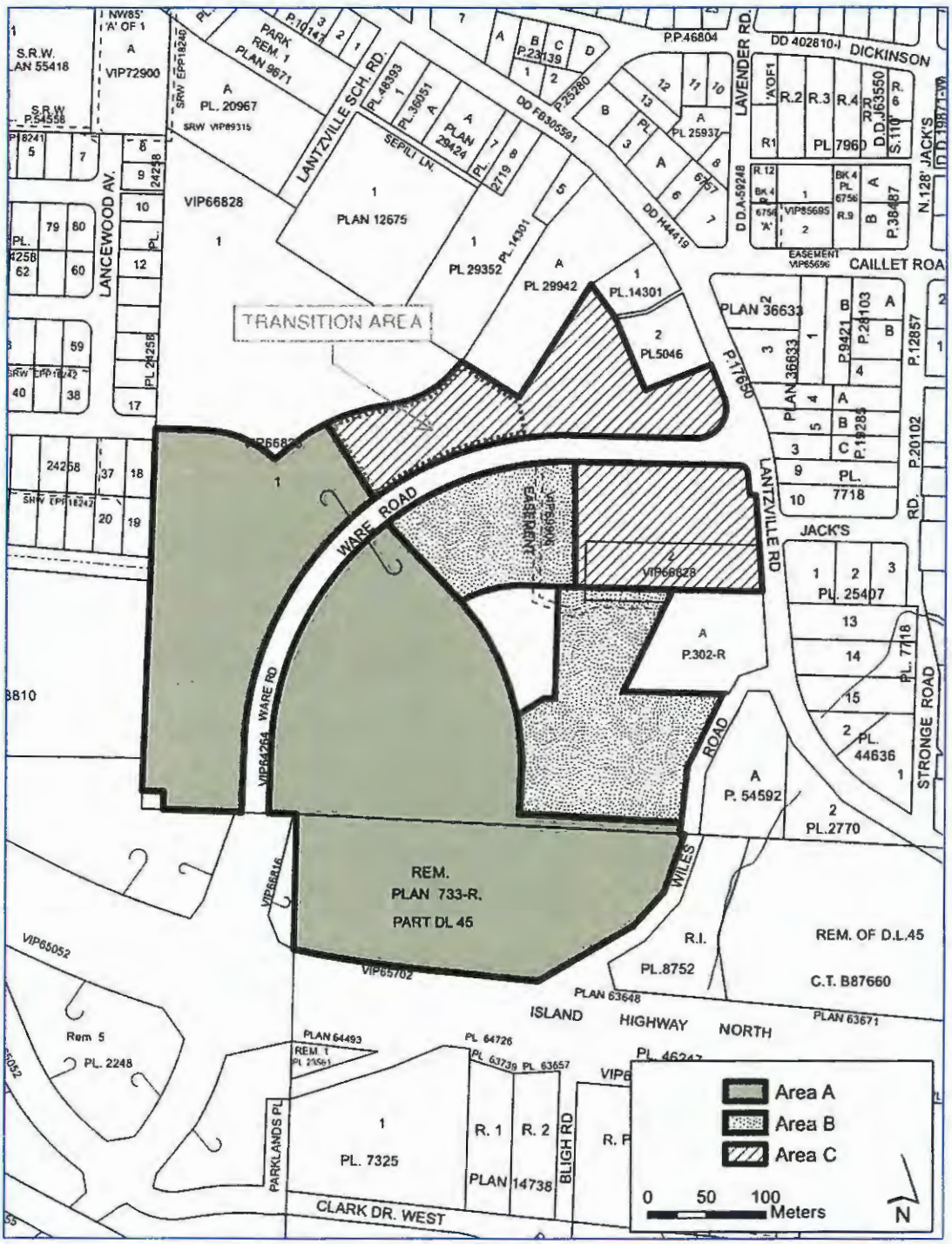
Mark Swain, Mayor	Trudy Coates, Director of Corporate Administration

"Schedule 1 to Bylaw 284, 2021"

1.8 VILLAGE SOUTH SPECIAL AREA PLAN ZONE (SAP-2)

Areas

1. The SAP-2 Zone is divided into Areas A-C, as shown on the following map:



Permitted Uses

2. The permitted primary and secondary uses are as follows:

Primary	Secondary
Area A – Ground-Oriented Housing	
Cluster Housing Duplex House Rowhouse Townhouse	Limited Home Business
Area B – Multi-Unit Housing	
Apartment Assisted Living Community Care Rowhouse Townhouse	Child Care Limited Home Business
Area C – Mixed Use	
Apartment Assembly Assisted Living Community Care Craft Beverage Processing Cultural Service Financial Service Food and Beverage Service Health Service Indoor Recreation Market Office Personal Service Retail Social Service	Child Care Limited Home Business Mobile Vending

Building Form & Density

3. In Area C, outside of the "transition area", apartments, assisted living units, and community care units, are only permitted in a mixed-use building format and must not be located on the first storey of a building.

4. The maximum density and floor area ratio are as follows:

Area	Maximum Density / FAR
Area A	25 units per hectare
Area B (Apartment, Rowhouse, Townhouse)	100 units per hectare
Area B (Assisted Living, Community Care)	2.0 FAR
Area C	2.0 FAR

Siting

5. The minimum setbacks from parcel lines in Area A are as follows:

Structure	Front	Rear	Interior Side	Exterior Side
Duplex, House	3 m	4.5 m	1.5 m	3 m
Rowhouse, Townhouse	3 m	6 m	3 m	3 m
Secondary Structure	6 m	1.5 m	1.5 m	3 m

6. The minimum setbacks from parcel lines in Area B are as follows:

Structure	Front	Rear	Interior Side	Exterior Side
Apartment	3 m	4.5 m	3 m	4.5 m
Assisted Living, Community Care	4.5 m	6 m	3 m	3 m
Rowhouse, Townhouse	3 m	3 m	4.5m	4.5 m
Secondary Structure	6 m	2 m	2 m	3 m

7. The minimum setbacks from parcel lines in Area C are as follows:

Structure	Front	Rear	Interior Side	Exterior Side
Apartment	3 m	4.5 m	3 m	3 m
All Other Structures	1.5 m	3 m	0 m	1.5 m
Canopy or Awning	0 m	3 m	0 m	0 m

8. Despite the foregoing, the minimum setback of a garage in any Area is 6 m from front parcel lines and 3 m from rear parcel lines.

9. Despite the foregoing, the minimum setback from an interior side parcel line for dwellings units within a duplex, rowhouse or townhouse that are separated by a party wall is 0 m on the side where the dwelling units are adjoining.

Height

10. The maximum heights are as follows:

Structure	Maximum Height
Apartment, Assisted Living, Community Care, Mixed Use	4 storeys and 16 m
Craft Beverage Processing, Food and Beverage Service, Indoor Recreation, Office, Personal Service, Retail, Rowhouse, Townhouse	12 m and 3 storeys
House, Duplex	9 m
Secondary Structure	5 m
Fence	1.8 m

11. Despite the foregoing, the maximum height of a building fronting Lantzville Road is 3 storeys and 12 m.

Parcel Coverage

12. The maximum parcel coverages are as follows:

Area	Principal Building	All Buildings and Structures Combined
Area A	50%	55%
Area A (Rowhouse, Townhouse)	70%	70%
Area B	55%	60%
Area C (Apartment, Assisted Living, Community Care)	55%	60%
Area C (Mixed-Use, other uses)	70%	100%

Subdivision

13. The subdivision regulations are as follows:

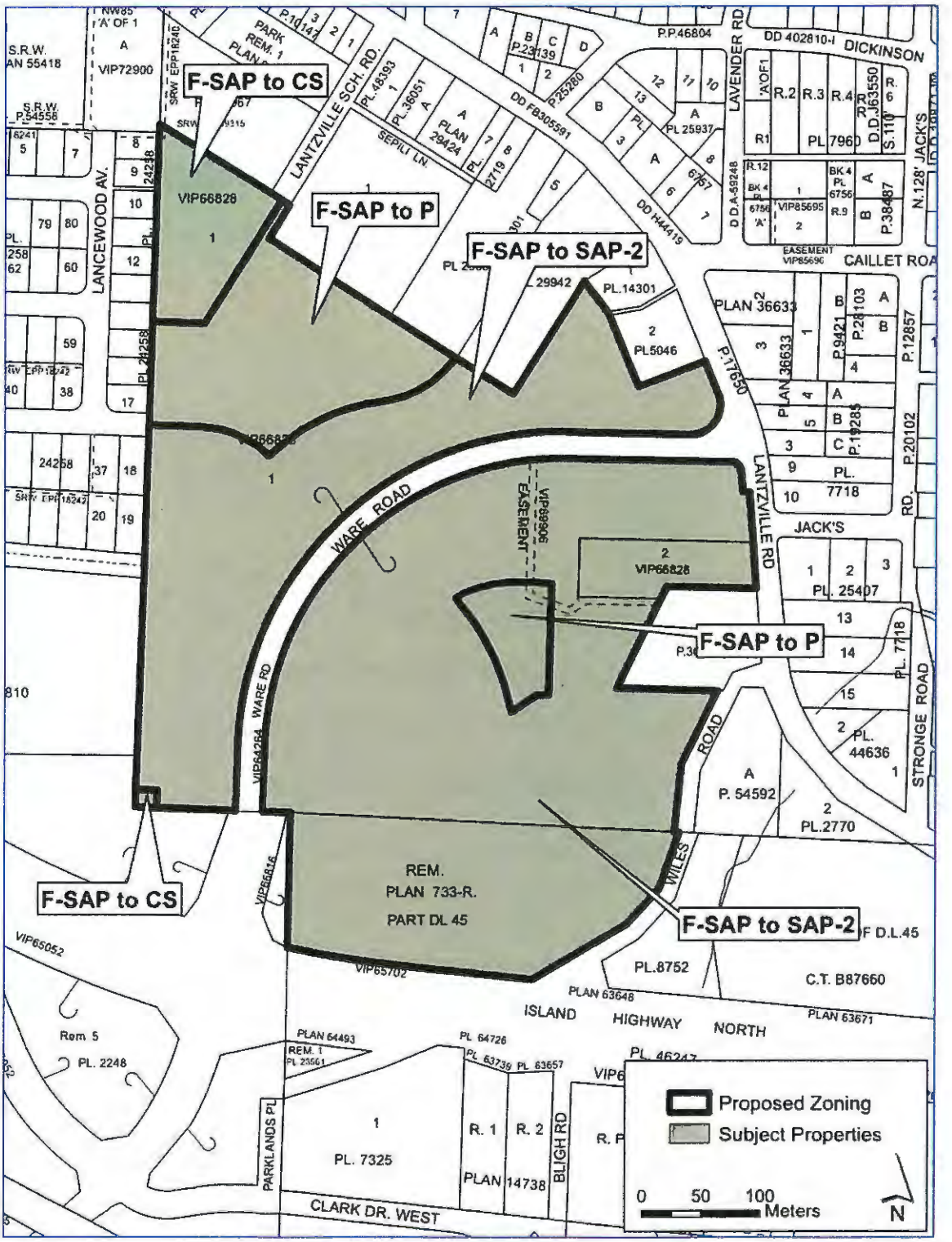
Area	Minimum Parcel Area	Minimum Parcel Frontage and Width
Area A (House)	300 m^2	12 m
Area A (Cluster Housing)	4,000 m^2	9 m
Area A (Rowhouse/Townhouse with party wall, attached on both sides)	150 m^2	6 m
Area A (Rowhouse/Townhouse with party wall, attached on one side)	200 m^2	7.5 m
Area A (Duplex with party wall)	225 m^2	9 m
Area B (Apartment, Assisted Living, Community Care)	1,000 m^2	25 m
Area B (Rowhouse/Townhouse with party wall, attached on both sides)	150 m^2	6 m
Area B (Rowhouse/Townhouse with party wall, attached on one side)	200 m^2	7.5 m
Area C	450 m^2	15 m

14. Despite the foregoing, the following specific regulations apply:

a) The parcel area and frontage of parcels in a phased building strata subdivision may be reduced below the minimum parcel area and minimum parcel frontage.

b) The minimum parcel frontage of a parcel fronting a cul-de-sac or curved portion of a highway is 10 m, or the minimum parcel frontage regulation specified above, whichever is less.

"Schedule 2 to Bylaw 284, 2021"



District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: September 22, 2021

SUBJECT: District of Lantzville 2022 Property Tax Exemption Bylaw No. 286, 2021

PURPOSE

For Council to consider providing relief to eligible charitable, recreational and philanthropic organizations operating in the District of Lantzville (District) for the 2022 property taxation year.

RECOMMENDATION

THAT District of Lantzville 2022 Property Tax Exemption Bylaw No. 286, 2021 be given first, second and third reading.

COMMITTEE/COMMISSION RECOMMENDATION

N/A

ALTERNATIVES AND IMPLICATIONS

THAT Council directs staff to amend District of Lantzville 2022 Property Tax Exemption Bylaw No. 286, 2021.

BACKGROUND/RELEVANT HISTORY

In accordance with sections 220 – 226 of the *Community Charter*, Council may grant permissive exemptions from property taxes to eligible properties. These sections permit exemptions from municipal taxes, and there are similar provisions in other taxing authority legislation to extend the permissive exemption to those levies.

The *Community Charter* also requires the District to publish notice of Council's intention to adopt a permissive tax exemption bylaw. This notice must identify the property, the proposed exemption, the term of the exemption, and provide an estimate of the amount of taxes being exempted. The bylaw must be adopted by October 31st in the year before which the exemption applies.

Properties eligible for exemption in the District of Lantzville include:

A. Public worship property

- St. Philip's by the Sea Anglican Church

B. Property owned or held by charitable/service club/recreational/philanthropic organizations used for public recreation, charitable or philanthropic purposes

- Community Use Building "A" at 7232 Lantzville Road, which the District leases to the Seaside Community Society
- Community Use Building "B" at 7244 Lantzville Road, which the District leases to the Seaside Community Society
- The Royal Canadian Legion Seaview Centennial Branch #257 at 7225 Lantzville Road
- Island Corridor Foundation – properties held, preserved, developed and/or maintained to create trails, parks, gardens, and greenways along the Island Corridor

ATTACHMENT

District of Lantzville 2022 Property Tax Exemption Bylaw No. 286, 2021

ANALYSIS/RATIONALE

In addition to proposing one-year permissive tax exemptions for the same properties that were exempted by Council in the previous year, the attached Bylaw No. 286 also includes a permissive tax exemption for properties owned by the Island Corridor. A 10-year (2012-2021) permissive tax exemption to the Island Corridor Foundation was approved in a separate bylaw by Council in 2011. With the expiry of this permissive tax exemption in 2021, it makes administrative sense to incorporate the permissive tax exemption for the Island Corridor Foundation parcels in proposed Bylaw No. 286, so that all permissive tax exemptions are contained in one bylaw.

The District entered into a License of Occupation (LOO) agreement with the Island Corridor Foundation on July 29, 2011, that grants the Island Corridor Foundation a license to use and occupy a portion of Lands for the purposes of constructing, operating and maintaining a multi-purpose regional park trail for public use. As part of the terms of agreement the District agreed to grant the Island Corridor Foundation an exemption from any and all real property taxes payable to the municipality. The term of the LOO is from January 2011 to December 2035, with a renewal option for a further twenty-five years upon mutual consent.

The permissive tax exemption bylaw may only be adopted after public notice of the proposed bylaw in accordance with section 94 and section 227 of the *Community Charter*. All permissive tax exemptions are also listed in the District's Annual Report. The *Community Charter* allows council to grant permissive tax exemptions for a maximum term of 10 years.

Public notice will be provided in accordance with section 94 and section 227 of the *Community Charter*, which is met by two advertisements in the local newspaper (September 8 and 15, 2021) and posting on the District bulletin board and website. Additionally, this report will be available for review by the public in the September 22, 2021 regular Council agenda package and available on the District website.

Financial/Budget Implications

The following properties were granted permissive tax exemptions for 2021 and estimates of property tax amounts to be exempted for 2022 to 2024 are provided below:

Roll	Organization	2022	2023	2024
350 07917.000	Anglican Synod Diocese of B.C. (St. Philip's by the Sea Anglican Church)	$1,470	$ 1,560	$ 1,650
350 07919.500	Seaside Community Society (Community Use Building A)	3,120	3,310	3,500
350 07945.100	Seaside Community Society (Community Use Building B)	1,530	1,620	1,720
350 07906.500	Royal Canadian Legion Seaview Centennial Branch #257	3,190	3,380	3,580
19458.008 19459.009 19459.012 19459.014 19459.017 19459.018 19459.019 19460.003	Island Corridor Foundation	26,270	27,850	29,520
		$35,580	**$37,720**	**$39,970**

It is estimated that permissive tax exemptions granted by Council will represent 1.2% of 2022 total Municipal property taxes.

Prepared by:

Raj Hayre, Director of Financial Services

Date: September 15, 2021

Approved for submission to Council:

Ronald Campbell, Chief Administrative Officer

Date: September 15, 2021

REVIEWED WITH:			
☐ Corporate Administration	☐ Fire Rescue	☐ Public Works/Engineering	☐ RCMP
☐ Financial Services	☐ Planning	☐ Solicitor	☐ Committee:
☐ Other:			

COUNCIL AGENDA INFORMATION:		
Meeting Type	**Date**	**Agenda Item #**
Regular	September 22, 2020	9.d)
Closed (In-Camera)		

File Number: 3900-20-286
Location: T:\DISTRICT OF LANTZVILLE\Reports to Council\2021\2021 09 22 District of Lantzville 2022 Property Tax Exemption Bylaw No. 286, 2021.docx

DISTRICT OF LANTZVILLE
BYLAW NO. 286, 2021

A BYLAW TO EXEMPT CERTAIN PROPERTIES FROM TAXATION FOR THE YEAR 2022

WHEREAS sections 220-226 of the *Community Charter* provide general regulations for the exemption of property from taxation;

AND WHEREAS section 220 of the *Community Charter* provides specific exemptions for certain types or uses of property;

AND WHEREAS Council may, by bylaw, pursuant to Section 224 of the *Community Charter* exempt additional property from taxation;

AND WHEREAS Council deems it expedient to exempt property enumerated herein;

NOW THEREFORE the Municipal Council of the District of Lantzville in open meeting assembled hereby enacts as follows:

Citation

1.1 This bylaw may be cited for all purposes as "District of Lantzville 2022 Property Tax Exemption Bylaw No. 286, 2021."

Property to be Exempted

2.1 Subject to Section 2.3 of this Bylaw, the following surrounding lands at a place of public worship, together with the buildings thereon, shall be exempt from taxation for the 2022 property taxation year:

Owner:	Anglican Synod Diocese of B.C.
Civic Address:	7113 Lantzville Road
Legal Description:	Lot 2, District Lot 27G, (also known as District Lot 27) Wellington District, Plan 2913, shown outlined in red on Plan 302-R
Roll Number:	350.07917.000

2.2 Improvements situated upon lands described in Section 2.1 of the Bylaw, whether such improvements are within the portion used specifically for public worship or apart therefrom, are deemed to be necessary for the purpose of public worship.

2.3 The maximum area of land to be exempted from taxation shall be 2.0 acres (87,120 sq. ft.) of land upon which buildings for public worship stand plus the footprint of the building(s) used for public worship. This exempted area will not exceed the land area of the legal parcel(s) upon which these buildings stand.

2.4 The following recreational land and improvements shall be exempt from taxation for the 2022 property taxation year to the extent indicated below:

(a) Island Corridor Foundation

1. Legal Description: Lot A, district Lots 91 and 92, Nanoose District, Plan VIP66615;
   Roll Number: 351.19458.008

2. Legal Description: Lot A, District Lot 66, Nanoose District, Plan VIP66291, Wellington Land District
   Roll Number: 350.19459.014

3. Legal Description: Lot A, District Lot 53, Nanoose District, Plan VIP59333
   Roll Number: 350.19459.017

4. Legal Description: Lot A, Section 7, Wellington District Plan VIP59334
   Roll Number: 350.19459.018

5. Legal Description: Lot 6, District Lot 85, Nanoose District, and District Lot 44, Wellington District, (Part of which lies in Nanoose District
   Roll Number: 350.19459.019

6. Legal Description: Lot A, District Lots 26 and 46, Wellington District, Plan VIP66248
   Roll Number: 350.19460.003

7. Legal Description: 1.561 km Mainline on Commercial Railway within District of Lantzville, Nanoose District and Wellington District
   Roll Number: 350.19459.009

8. Legal Description: 2.559 km on Mainline on Commercial Railway within District of Lantzville, Nanoose District and Wellington District.
   Roll Number: 350.19459.012

(b) Seaside Community Society (Community Use Building A)

Owner: District of Lantzville
Civic Address: 7232 Lantzville Road
Legal Description: Lot1, District Lot 27G (formerly Lot 27), Wellington District, Plan 2573
Roll Number: 350.07919.500

(c) Seaside Community Society (Community Use Building B)

Owner: District of Lantzville
Civic Address: 7244 Lantzville Road
Legal Description: Lot 11, District Lot 27G (formerly Lot 27), Wellington District, Plan 11922
Roll Number: 350.07945.100

2.5 The following land and improvements owned by a not-for-profit corporation shall be exempt from taxation for the 2022 property taxation year to the extent indicated below:

Owner:	Royal Canadian Legion Seaview Centennial Branch #257
Civic Address:	7225 Lantzville Road
Legal Description:	Lot 1, Plan 48393, District Lot 27G, Wellington Land District
Roll Number:	350.07906.500

READ A FIRST TIME this day of , 2021.

READ A SECOND TIME this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

Mark Swain, Mayor

Trudy Coates, Director of Corporate Administration

District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: ~~September 8, 2021~~

SUBJECT: **Development Permit Application for 7908 Lantzville Road**

PURPOSE

To consider a Development Permit application for development within Development Permit Area (DPA) 1 – Watercourse Protection and DPA 3 – Coastal Protection, including a variance to the streamside protection setback in the Zoning Bylaw.

RECOMMENDATION

THAT Development Permit No. DP21-30 be issued to the property owner for 7908 Lantzville Road.

COMMITTEE RECOMMENDATION

N/A

ALTERNATIVES AND IMPLICATIONS

1. **REFUSAL**

   THAT issuance of Development Permit No. DP21-30 be refused.

   Council can only refuse issuance of the Development Permit because the proposal is inconsistent with the Development Permit Guidelines in the OCP or a regulation in another District bylaw. Council cannot refuse the Development Permit for any other reason. If the Development Permit is refused, Council should clearly identify which guidelines the application does not comply with.

2. **AMEND THE DEVELOPMENT PERMIT**

   THAT Development Permit No. DP21-30 be amended by _____.

   AND FURTHER THAT Development Permit No. DP21-30, as amended, be issued to the property owner for 7908 Lantzville Road

   The implications are unknown until the amendments are known. Council can only approve, refuse or amend the Development Permit on the basis of consistency with the Development Permit Guidelines in the OCP or a regulation in another District bylaw. Council cannot refuse or amend the Development Permit for any other reason.

BACKGROUND/RELEVANT HISTORY

The subject property is 0.45 ha (1.11 ac) in area (**ATTACHMENTS 1 & 2**) and is zoned Residential 1 Zone (R1) (**ATTACHMENT 3**). The property contains an existing house that is accessed via a shared driveway. Knarston Creek flows through the property and a bridge is the only way to access the existing house. Site photos are included as **ATTACHMENT 4**.

Proposal

The owner is proposing to construct a new house on the property in approximately the same location as the existing house, as well as a replacement bridge, and new detached garage. The owner is also requesting a variance to reduce the streamside protection setback in the Zoning Bylaw from 15 m to 11 m for the house site and from 15 m to 0 m for the replacement bridge.

Development Permit Areas

The property is designated DPA 1 – Watercourse Protection and DPA 3 – Coastal Protection in the OCP, which means that a Development Permit is required prior to development.

ATTACHMENTS

1. Location Map
2. Air Photo
3. Zoning Map
4. Site Photos
5. Development Permit No. DP21-30

ANALYSIS/RATIONALE

Development Permit

The proposed Development Permit is included as **ATTACHMENT 5**. Provided that development takes place in accordance with the Riparian Areas Protection Regulation (RAPR) Assessment Report prepared by the Qualified Environmental Professional, staff do not have any concerns with the proposal. The proposal is consistent with the Development Permit Guidelines.

Variance

The purpose of the streamside protection regulation in the Zoning Bylaw is to protect riparian areas (i.e. ecologically sensitive areas). The width of the streamside protection area is determined by a QEP through the RAPR assessment process. In this case, the QEP determined a SPEA of 11 m.

When the 15 m coastal setback and 15 m streamside setback are applied to the property, the area for a potential house site is limited. The owner is requesting a relaxation in the setback from 15 m to 11 m for the house site to be consistent with the SPEA determined by the QEP. The owner is also proposing to replace the existing bridge with a new bridge in order to access the new house. A bridge is a structure, which means that the minimum 15 m setback applies. Reducing the setback to accommodate a bridge is a reasonable request, as owners should have access to different parts of their

property that are bisected by a stream. The owner has already received provincial approval for the bridge under Section 11 of the *Water Sustainability Act*.

1. Strategic Plan Objectives

N/A

2. Policy

There are no policy implications of the recommendation.

3. Resource Implications

There are no resource implications of the recommendation.

4. Financial/Budget Implications

There are no financial/budget implications of the recommendation.

5. Sustainability Implications

There are no sustainability implications of the recommendation.

Prepared By:

Kyle Young, Director of Planning & Community Services

Date: August 27, 2021

Approved for Submission to Council:

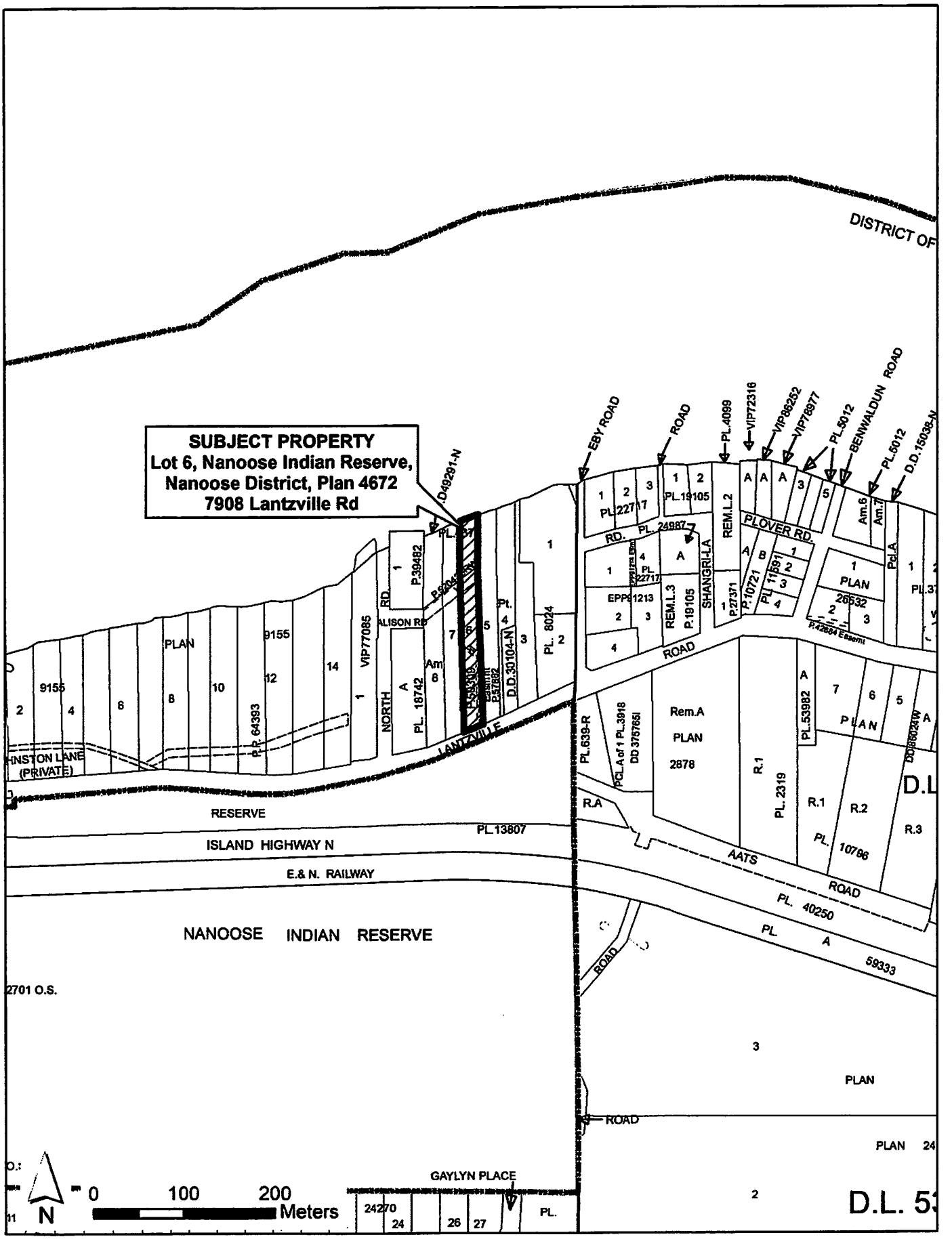
Ronald Campbell, Chief Administrative Officer

Date: August, 2021

REVIEWED WITH:			
☐ Corporate Administration	☐ Fire Rescue	☐ Public Works/Engineering	☐ RCMP
☐ Financial Services	☐ Planning	☐ Solicitor	☐ Committee:
☐ Other:			

COUNCIL AGENDA INFORMATION:		
Meeting Type	**Date**	**Agenda Item #**
Regular	September 22, 2021	9.a) 9.e)
Closed (In-Camera)		
Special		

File: 3060-20-21-30
Location: T:\DISTRICT OF LANTZVILLE\Reports to Council\2021\2021 09 08 Development Permit Application for 7908 Lantzville Road.docx


SUBJECT PROPERTY
Lot 6, Nanoose Indian Reserve,
Nanoose District, Plan 4672
7908 Lantzville Rd
DISTRICT OF
EBY ROAD
ROAD
PL.4099
VIP72316
VIP88252
VIP78977
PL.5012
BENWALDUN ROAD
PL.5012
D.D.15038-N
D.049291-N
PL. 8024
PLOVER RD.
PL. 24987
REM.L.2
PL.19105
PL 22717
SHANGRI-LA
P.27371
P.10721
PL 11891
PLAN 26532
P.42684 Easmt
ROAD
EPP31213
REM.L.3
P.19105
P.39482
ALISON RD
VIP77085
NORTH
PL. 18742
D.D.30104-N
LANTZVILLE
PLAN 9155
P.P. 64393
HNSTON LANE
(PRIVATE)
RESERVE
PL.13807
ISLAND HIGHWAY N
E.& N. RAILWAY
NANOOSE INDIAN RESERVE
2701 O.S.
PL.639-R
PCL.A of 1 PL.3918
DD 376765I
Rem.A
PLAN
2878
R.1
PL. 2319
PL.53982
PLAN
R.A
R.1
R.2
R.3
PL. 10796
AATS
ROAD
PL. 40250
PL. A 59333
ROAD
PLAN
ROAD
PLAN 24
D.L. 5
GAYLYN PLACE
PL.
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ISLAND HIGHWAY NORTH
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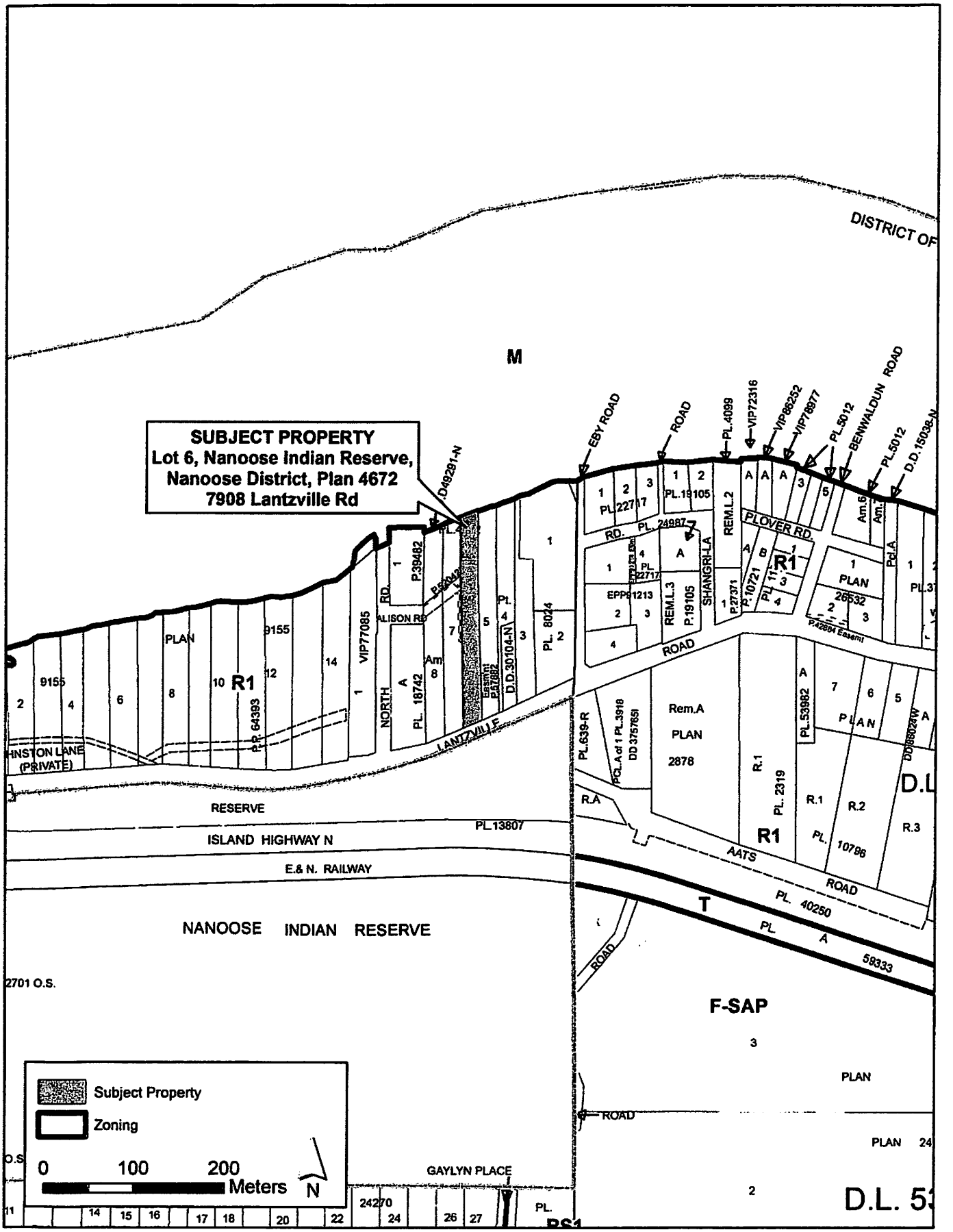
SUBJECT PROPERTY
Lot 6, Nanoose Indian Reserve,
Nanoose District, Plan 4672
7908 Lantzville Rd
DISTRICT OF
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EBY ROAD
ROAD
PL.4099
VIP72316
VIP86252
VIP78977
PL.5012
BENWALDUN ROAD
PL.5012
D.D.15038-N
D49281-N
PLOVER RD.
SHANGRI-LA
ALISON RD
NORTH
LANTZVILLE
JOHNSTON LANE (PRIVATE)
RESERVE
ISLAND HIGHWAY N
PL.13807
E.& N. RAILWAY
NANOOSE INDIAN RESERVE
2701 O.S.
AATS
ROAD
PL. 40250
PL A 59333
F-SAP
GAYLYN PLACE
R1
R.1
R.2
R.3
R.A
Rem.A
PLAN 2878
D.L. 5
Subject Property
Zoning
0 100 200
Meters
N









Lantzville

DEVELOPMENT PERMIT NO. DP21-30

Permit:	3060-20-DP21-30
Registered Owner:	Dr. T. Leanne Campbell Inc.
Applicant:	Westmark Construction (Jacquie Kinnersley)
Subject Property:	7908 Lantzville Road
Legal Description:	LOT 6 NANOOSE INDIAN RESERVE NANOOSE DISTRICT PLAN 4672
PID:	006-122-884
Folio:	350-10563.000
DPA:	DPA 1 – Watercourse Protection & DPA 3 – Coastal Protection
Proposal:	House & Bridge

CONDITIONS OF PERMIT:

1. This permit applies to the Land described above and any buildings, structures or other development on the Land.

2. This permit is issued subject to compliance with all relevant Municipal bylaws, except as otherwise varied or supplemented by this permit.

3. This permit varies Section 2.11.1 of Zoning Bylaw No. 180, 2020, as follows:

   a) by reducing the minimum streamside setback from 15.0 m to 11.0 for house construction and associated development, and
   b) by reducing the minimum streamside setback from 15.0 m to 0 m for a bridge.

4. This permit does not exempt the owner from obtaining all other federal, provincial and Municipal approvals required to develop the Land. This permit does not constitute subdivision approval or a building permit.

5. The Land must be developed strictly in accordance with this permit and the following Schedules:

   Schedule 1: Site Plan
   Schedule 2: Riparian Areas Protection Regulation Assessment Report

6. Authorized development is limited to the construction of a house, bridge and all other associated development on the Land (secondary structures, yard maintenance, landscaping, driveways).

7. Development is not authorized to proceed under this permit until the District receives notification of the Riparian Areas Protection Regulation (RAPR) Assessment Report in

Schedule 2 of this permit from the Ministry of Forests, Lands, Natural Resource Operations & Rural Development.

Streamside Protection

8. All development must be carried out in accordance with the RAPR Assessment Report.

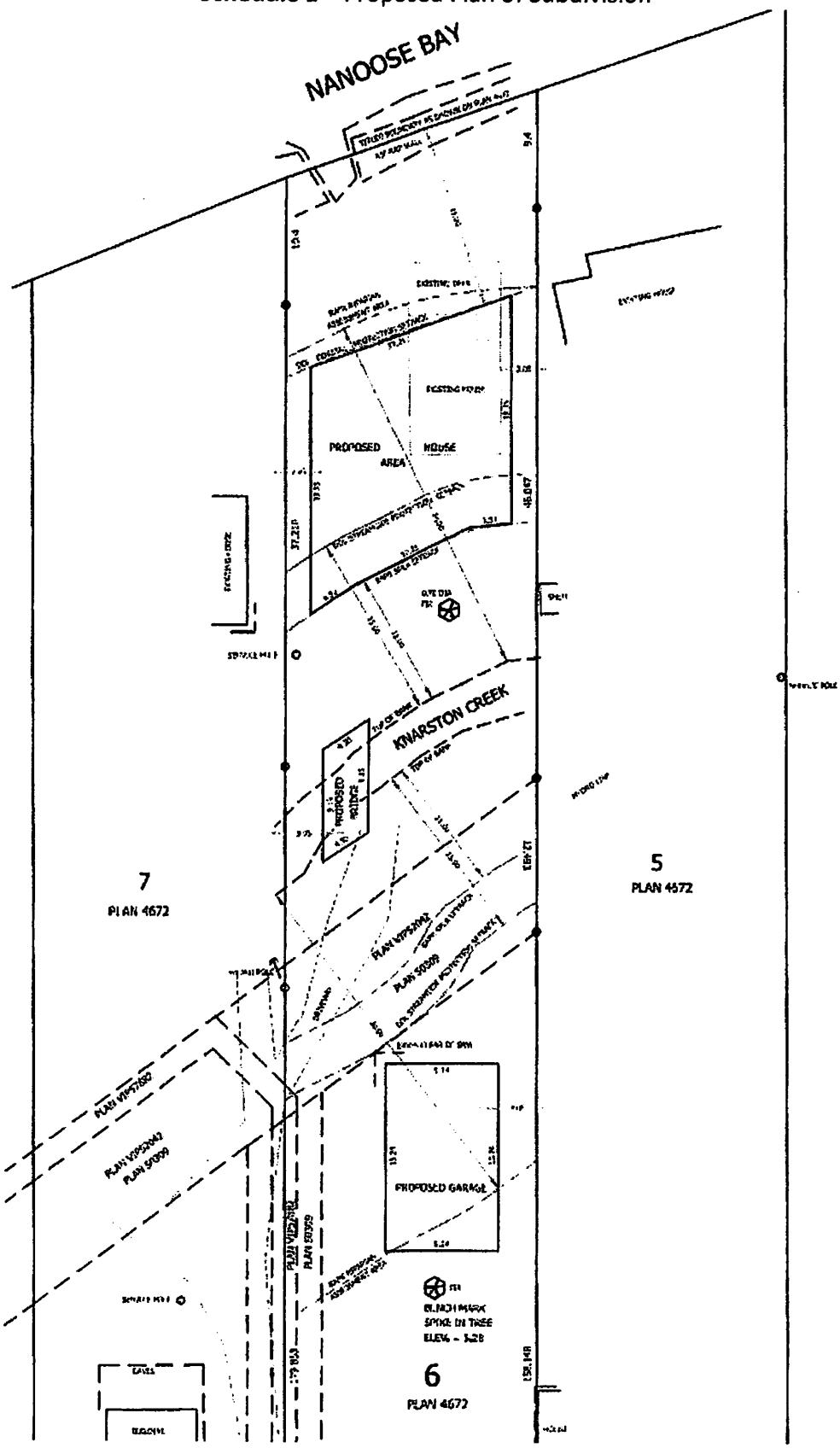
9. A Streamside Protection and Enhancement Area (SPEA) must be established on the Land prior to any work commencing, extending 11.0 m from the boundary of the stream, as shown on the Site Plan in Schedule 1 and in accordance with the RAPR Assessment Report. The SPEA must be delineated by temporary construction fencing, flagging and silt fencing.

10. A Qualified Environmental Professional is required to act as an Environmental Monitor for the duration of the development to ensure that the development is carried in accordance with this Development Permit and the RAPR Assessment Report. The Environmental Monitor must submit a post-construction report to the District.

11. A Section 219 *Land Title Act* covenant consistent with the Municipality's template covenant must be registered on the title of the Land prior to issued of a Building Permit for construction of the proposed house.

12. This permit was issued on **September 8, 2021** and expires on **September 8, 2023**.

Schedule 1 – Proposed Plan of Subdivision



Riparian Areas Protection Regulation: Assessment Report

Please refer to submission instructions and assessment report guidelines when completing this report.

					Date	May 8, 2021	
I. Primary QEP Information							
First Name	Steve			Middle Name			
Last Name	Toth						
Designation	R.P.Bio		Company	Toth and Associates Environmental Services			
Registration #	1788			Email	stoth@shaw.ca		
Address	6821 Harwood Drive						
City	Lantzville	Postal/Zip	V0R-2H0	Phone #	250-390-7602		
Prov/state	BC		Country	Canada			
II. Secondary QEP Information (use Form 2 for other QEPs)							
First Name			Middle Name				
Last Name							
Designation			Company				
Registration #				Email			
Address							
City		Postal/Zip		Phone #			
Prov/state			Country				
III. Developer Information							
First Name	Darren			Middle Name			
Last Name	Kiedyk						
Company							
Phone #	250-478-7882			Email	Dkiedyk1@shaw.ca		
Address	7908 Lantzville Road						
City	Lantzville	Postal/Zip	V0R-2H0				
Prov/state	BC	Country	Canada				
IV. Development Information							
Development Type	Construction: Single Family Residential						
Area of Development (ha)	0.1		Riparian Length (m)	25			
Lot Area (ha)	0.4532		Nature of Development	Redevelopment			
Proposed Start Date	2021-08-01		Proposed End Date	2023-08-01			
V. Location of Proposed Development							
Street Address (or nearest town)	7908 Lantzville Road						
Local Government	District of Lantzville			City	Lantzville		
Stream Name	Knarston Creek						
Legal Description (PID)	006-122-884			Region	Vancouver Island		
Stream/River Type	Stream			DFO Area	South Coast		
Watershed Code	920-419700						
Latitude	49	15	17	Longitude	124	06	52

Completion of Database Information includes the Form 2 for the Additional QEPs, if needed. Insert that form immediately after this page.

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Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

1.1 Introduction

Steve Toth, AScT, R.P.Bio. (Toth and Associates Environmental Services) conducted a detailed *Riparian Areas Protection Regulation* (RAPR) assessment of Knarston Creek on 7908 Lantzville Road, Lantzville on April 2, 2021. The subject property is within the District of Lantzville's (DOL) Watercourse Protection Development Permit Area (WPDPA) and Coastal Protection DPA. Knarston Creek runs 25 m east to west through the northern end of the 0.45 ha subject property (Figure 1).

Existing development on the subject property includes a driveway, footbridge and older residence located at the north end of the oceanfront property. Access to the house is via a footbridge over Knarston Creek (Photographs 3 & 4).

1.2 Fisheries Resource Values

The Fisheries Inventory Data Queries (FIDQ) website indicated that Knarston Creek supports populations of coho salmon, chum salmon, and cutthroat trout (sea-run and resident). Relatively high densities of juvenile salmon were observed during the field survey.

Our prior experience with Knarston Creek includes environmental assessments of 7139 Eby Road, 7704 Superior Road, 7655 Harby Road, 8030 Sywash Ridge Road and Ecological Inventories of the Lanztville Woodlots. We have previously documented (presumably) resident trout on Knarston Creek to south of the BCTC transmission corridor near Sywash Ridge Road. The BC HabitatWizard website indicates a falls on Knarston Creek at the Highway 19 crossing. We are not certain whether this indicates that the culvert under the highway is a barrier, or refers to the waterfall upstream of the highway on 7704 Superior Road, which appears to be a barrier to anadromous fish passage (Photograph 1). The Knarston Creek stream network is shown on Figure 3.

Knarston Creek is subject to drying during the summer months. The annual build-up of beach gravels at the mouth of Knarston Creek impedes fish access to and from the ocean.

Riparian conditions on Knarston Creek through the subject property (Photographs 2 – 8) includes dense shrub dominated vegetation comprised of primarily Himalayan blackberry, common snowberry and Nootka rose. Larger shrub species include sumac, common hawthorn and plum.

On the north side of the creek the riparian area is limited to a 1 – 3 m wide strip of vegetation, with the remainder of the riparian assessment area comprised of lawn, a young arbutus and mature Douglas-fir tree. Two non-permanent garden sheds are located within the SPEA setback.

On the south side of Knarston Creek the 30 m riparian assessment area is vegetated with the exception of the existing gravel driveway access. Vegetation includes dense Himalayan blackberry, Nootka rose, red-osier dogwood and Pacific ninebark, with red alder, willow and black cottonwood trees.

1.3 Proposed Development

The proposed development includes demolition of the existing house on the north side of Knarston Creek, construction of a new house in approximately the same location, and construction of a garage on the south side of Knarston Creek. Installation of a prefabricated clear-span bridge crossing on Knarston Creek will be required to provide driveway access to the building envelope on the north side of the creek. Bridge installation will be conducted under a provincial *Water Sustainability Act* Section 11 Notification. The Notification application has been submitted to Frountcounter BC (tracking # 100353977).

The garage will be located approximately 16.3 m south of the stream boundary of Knarston Creek. The house plans have not been finalized yet, but the house will be located outside the 11.0 m SPEA setback.

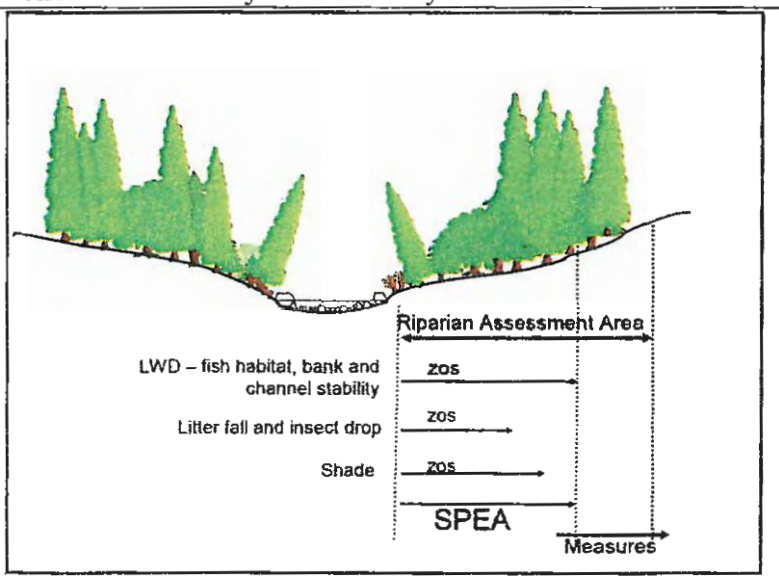
1.4 Watercourse Setbacks

Under the RAPR, the Detailed Assessment Methods rely upon determination of the "Zones of Sensitivity" by a Qualified Environmental Professional (QEP) for the features, functions and conditions that support fish life within the 30m Riparian Assessment Area. The SPEA width is then the largest "Zone of Sensitivity" (ZOS) resulting from the assessment as shown on the figure below. The five main features, functions and conditions that the assessment evaluates include:

1. Large Woody Debris (LWD) for fish habitat and the maintenance of channel morphology
2. Area for localized bank stability
3. Area for channel movement
4. Shade
5. Litter fall and insect drop

The QEP then provides "Measures" (Section 4.0 of this report) to protect the integrity of the SPEA setbacks.

Zones of Sensitivity and how they relate to SPEA setbacks



The resulting SPEA setbacks vary from a minimum of 10 m to a maximum of 30 m depending on average channel width, channel gradient and potential vegetation type.

Knarston Creek through the subject property would receive an 11.0 m SPEA setback. Features of the subject property, SPEA setback boundaries and configuration are shown on Figures 4 & 5.

The watercourse setbacks required under the Section 2.11 of the District of Lantzville Zoning Bylaw No. 180, 2020 are 15 m from stream boundary.

Section 2. Results of Detailed Riparian Assessment

Refer to Section 3 of Technical Manual

Date: May 8, 2021

Description of Water bodies involved (number, type): Knarston Creek

Stream	X
Number of reaches	1
Reach #	1

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

	Channel Width(m)	Gradient (%)
starting point	4.5	1.0
upstream	3.7	
	3.3	
	3.1	
	3.5	
downstream	3.5	
	3.4	
	3.5	
	3.8	
	4.0	1.0
	4.3	
Total: minus high /low	33.0	2.0
mean	3.7	1.0

	R/P	C/P	S/P
Channel Type	X		

I, Steve Toth (*name of qualified environmental professional*), hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk (*name of developer*);

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Site Potential Vegetation Type (SPVT)

	Yes	No	
SPVT Polygons		X	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes

I, Steve Toth, hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Polygon No: 1

	LC	SH	TR
SPVT Type			X

Method employed if other than TR

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons
LWD, Bank and Channel Stability ZOS (m)	11.0	
Litter fall and insect drop ZOS (m)	11.0	
Shade ZOS (m) max	11.0	

South bank: Yes X No

Ditch: Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)

Ditch Fish Bearing: Yes | No | If non-fish bearing insert no fish bearing status report

SPEA maximum 11.0 (For ditch use table3-7)

Segment No:	2	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons
LWD, Bank and Channel	11.0	

Stability ZOS (m)							
Litter fall and insect drop ZOS (m)	11.0						
Shade ZOS (m) max	NA	South bank	Yes		No	X	
SPEA maximum	**11.0**	(For ditch use table3-7)					

I, Steve Toth , hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Comments

Figure 1. Survey Plan of 7908 Lantzville Road

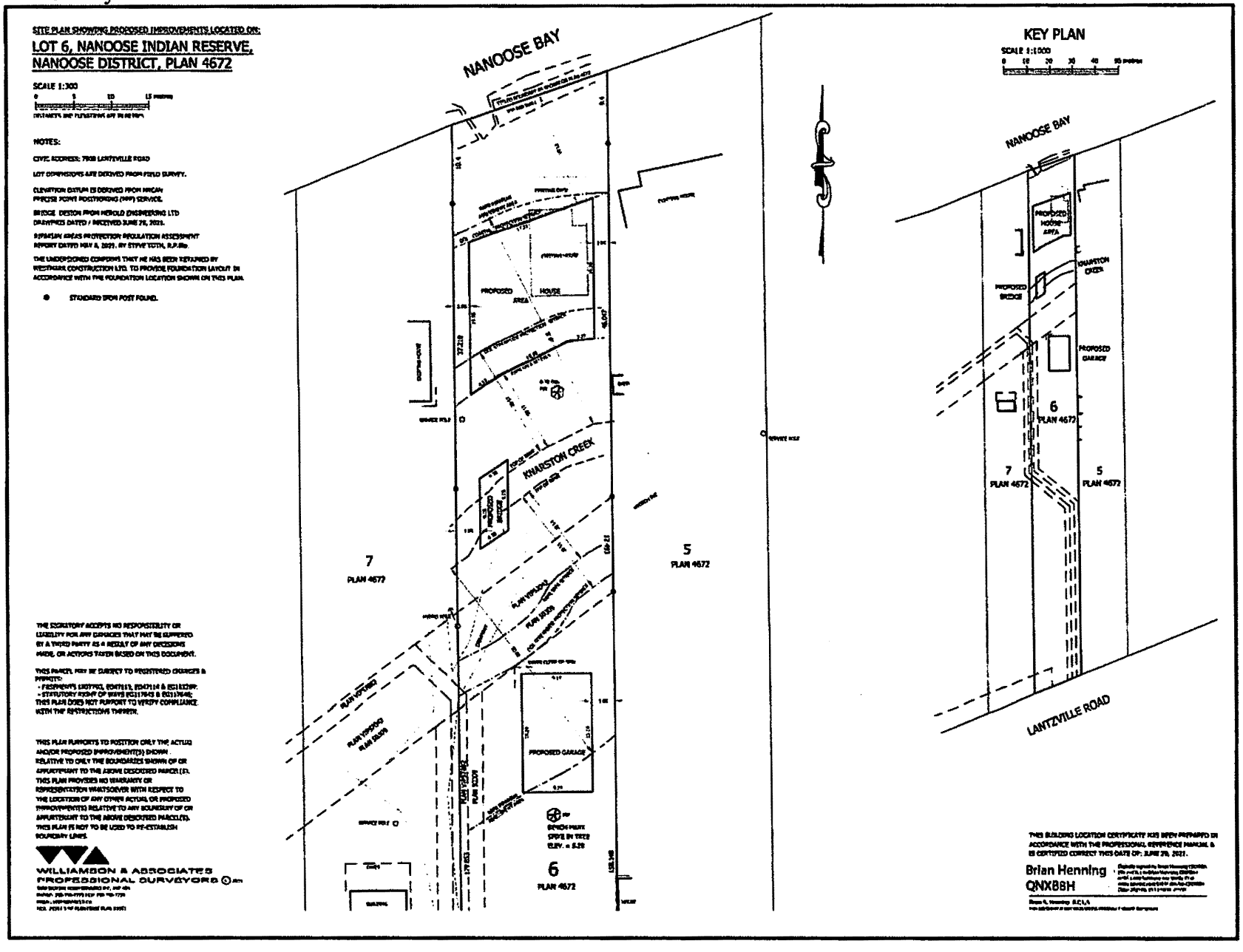


Figure 2. Excerpt from survey plan showing the north end of the property

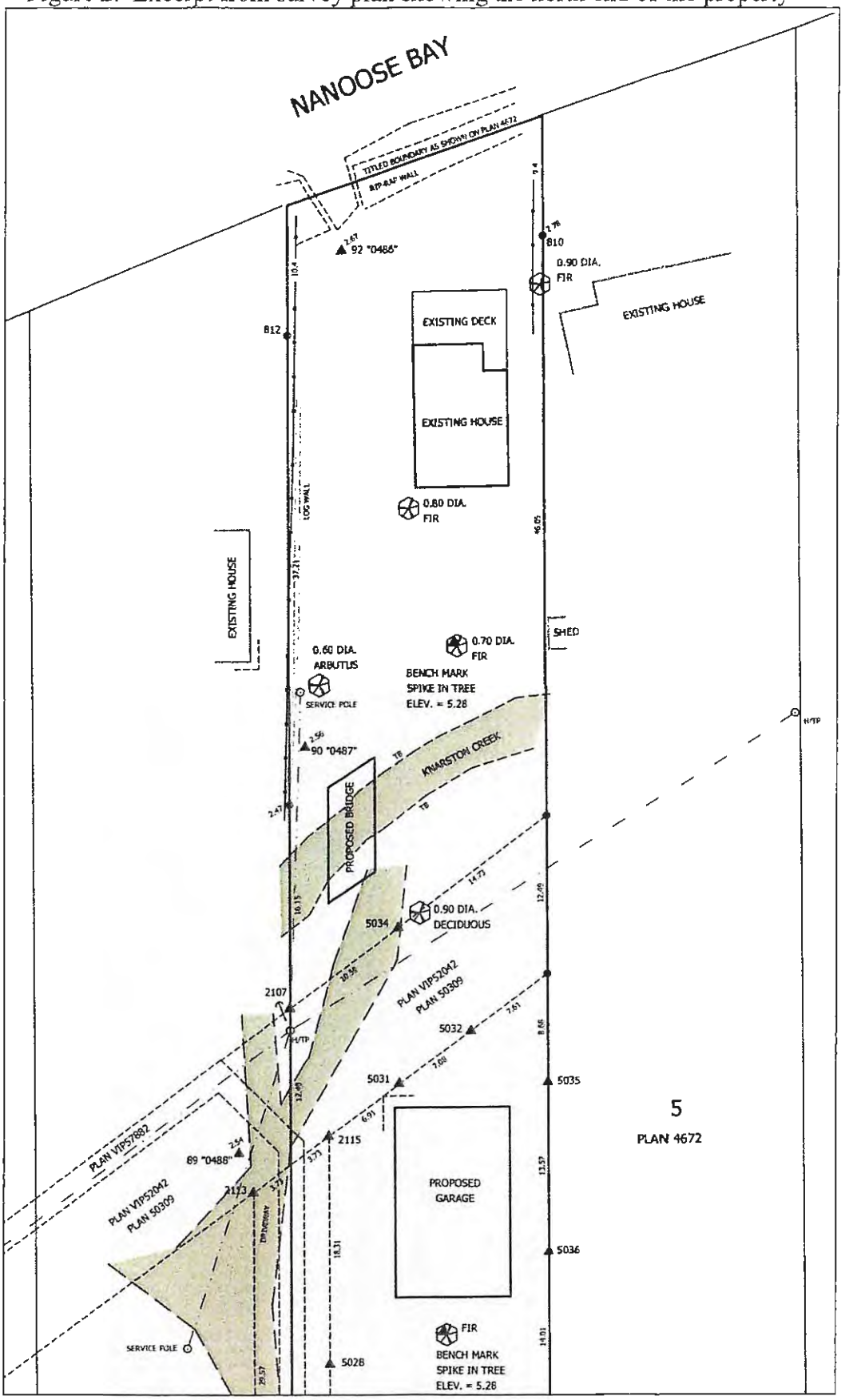


Figure 3. August 2016 air photo showing subject property location and stream network

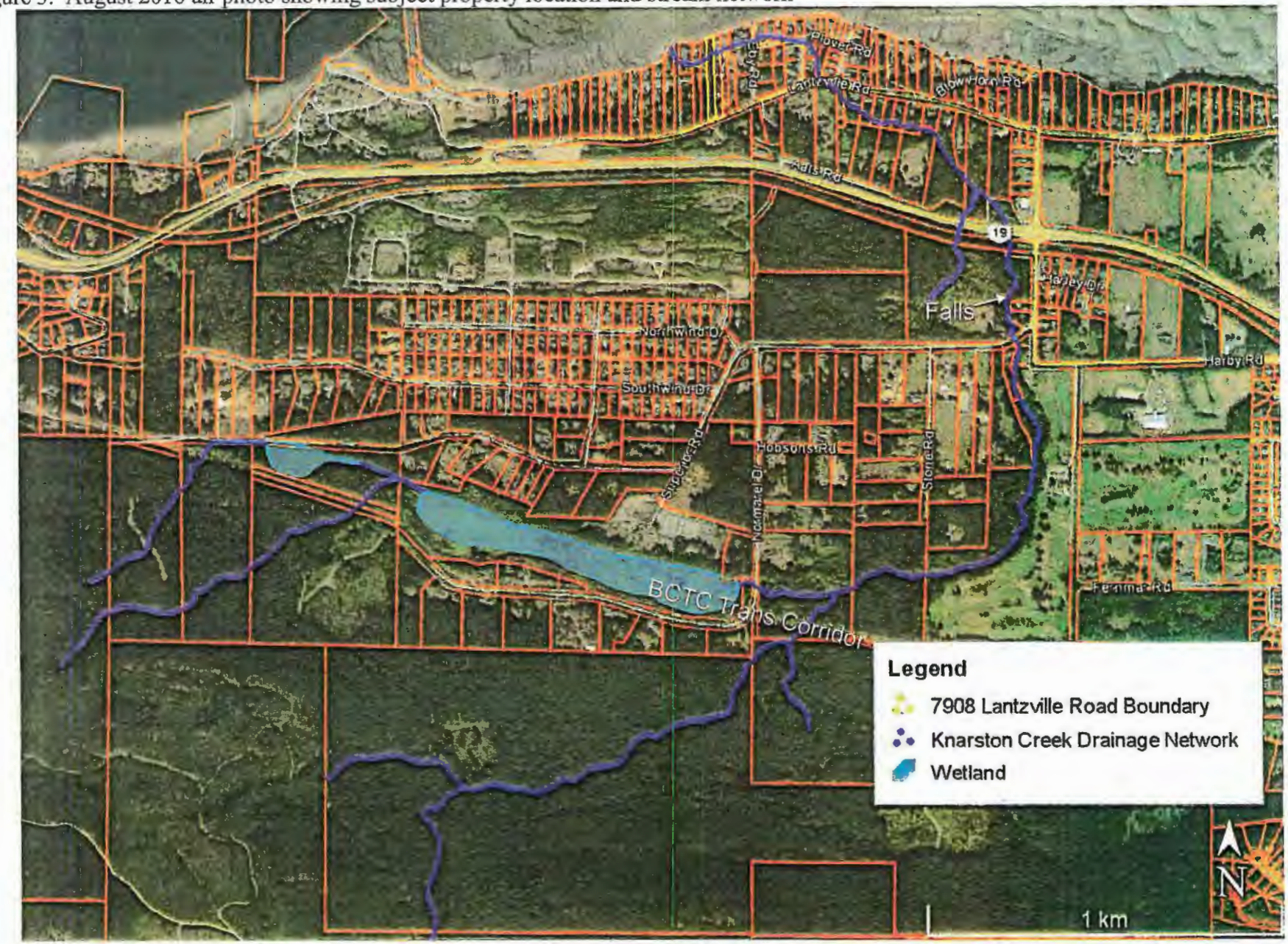


Figure 4. August 2016 air photo with SPEA setbacks

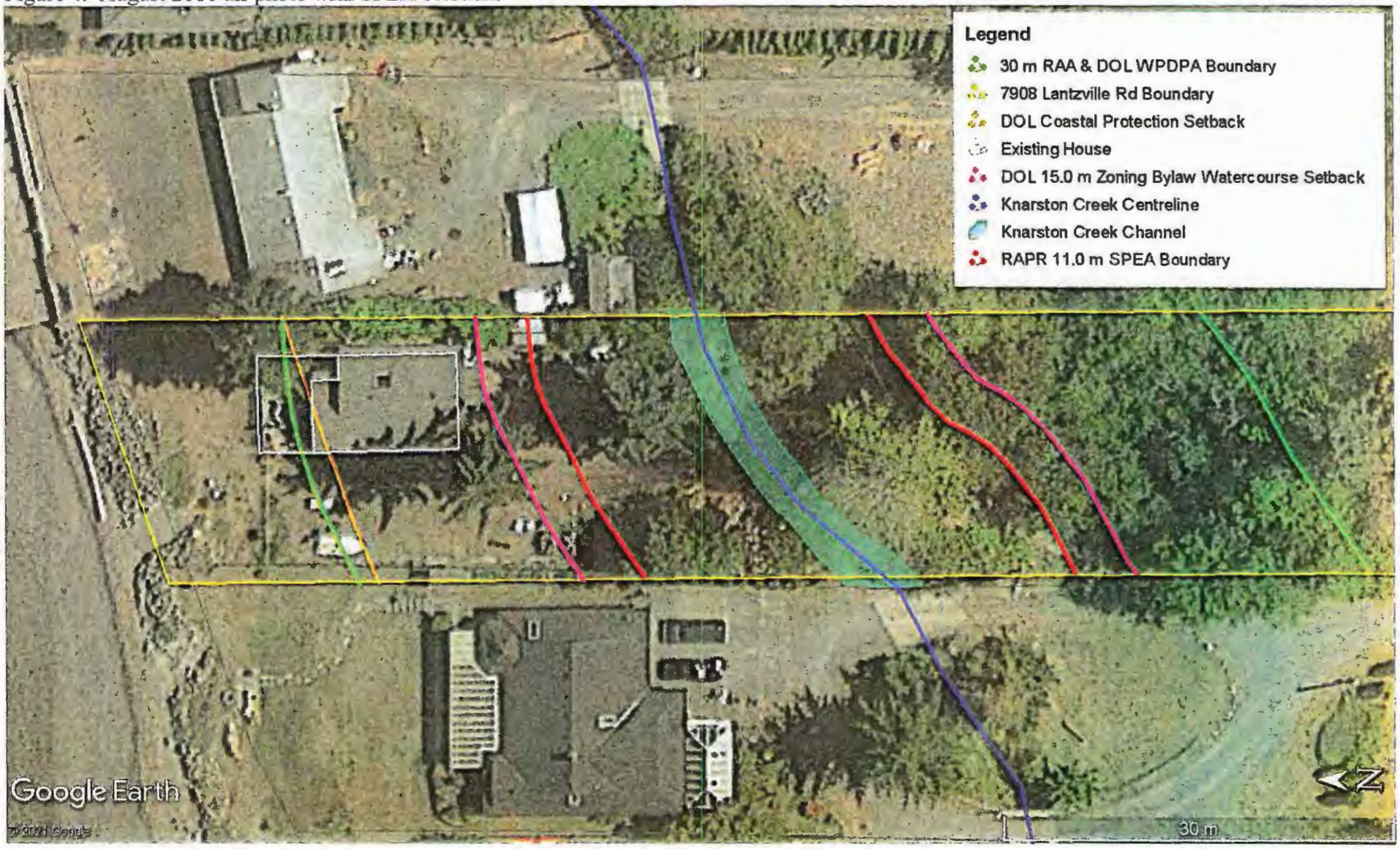
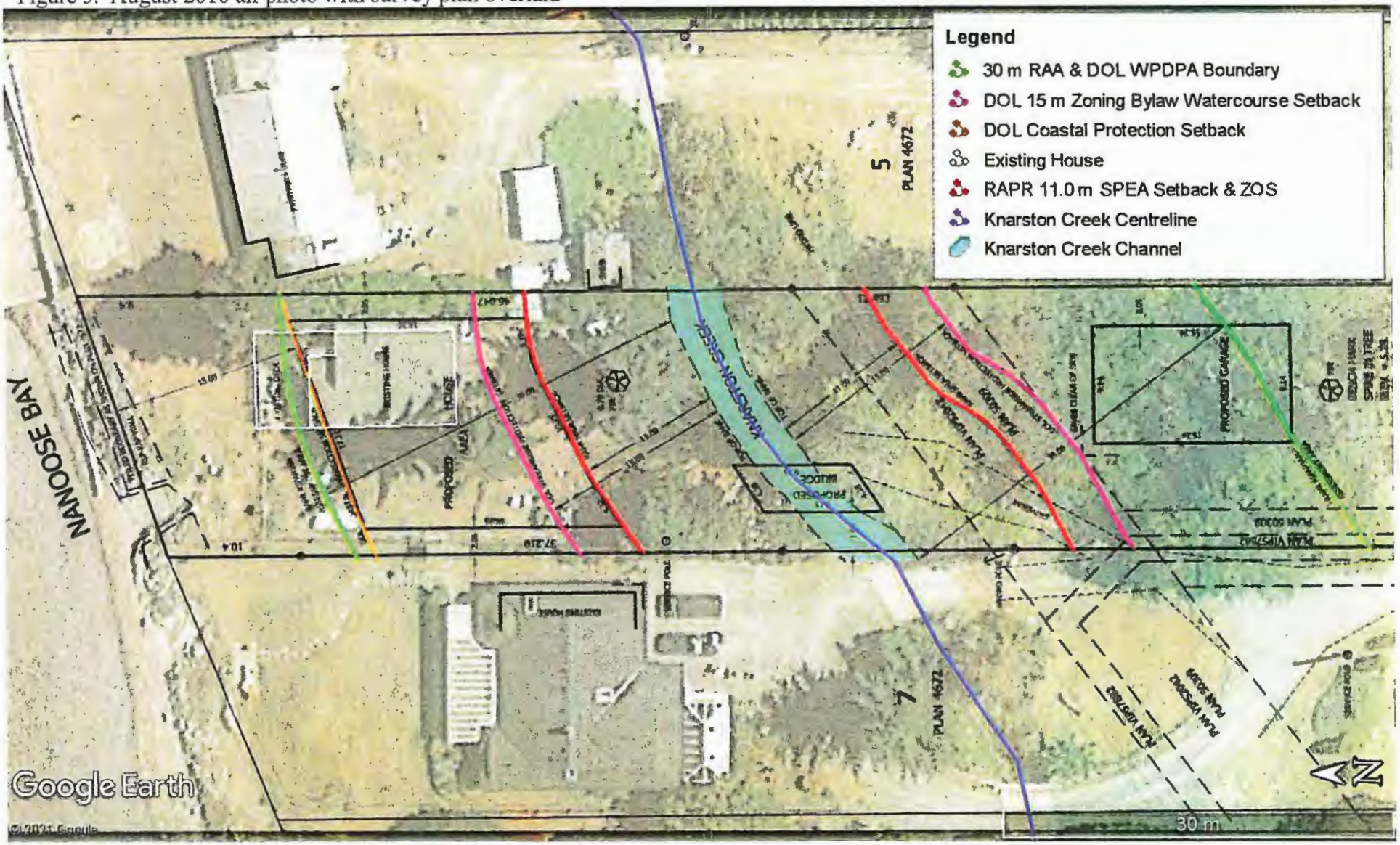


Figure 5. August 2016 air photo with survey plan overlaid



Section 3. Measures to Protect and Maintain the SPEA

1. Danger Trees	There were no danger trees noted within the riparian assessment area during the field survey.

I, Steve Toth, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

2. Windthrow	There was no windthrow noted within the riparian assessment area during the survey.

I, Steve Toth, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

3. Slope Stability	There are no steep slopes within the riparian assessment area.

I, Steve Toth, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

4. Protection of Trees	There are only 2 trees (1 arbutus and 1 Douglas-fir) located within the SPEA setback on the north side of the creek and 1 mature black cottonwood within the SPEA on the south side of the creek. The 0.9 m diameter black cottonwood adjacent to the driveway on the south side of the creek will require removal to allow driveway upgrades and installation of the bridge crossing.

I, Steve Toth, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

5. Encroachment	The only encroachment will be for installation of a clear-span bridge crossing on Knarston Creek to provide driveway access to the building envelope on the north side of the creek. Bridge installation will be conducted under a provincial *Water Sustainability Act* Section 11 Notification authorization.

I, Steve Toth, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

6. Sediment and Erosion Control	We recommend that the SPEA boundary on both sides of Knarston Creek be fenced with orange construction fencing and silt fencing for the duration of construction.

I, Steve Toth, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

7. Stormwater Management	It is likely that the new house and proposed garage will utilize traditional rock pits / infiltration chambers for the collection and dispersal of stormwater. These features are not permitted within SPEA boundaries. The SPEA cannot be used for the treatment of stormwaters.

I, Steve Toth, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.	
8. Floodplain Concerns (highly mobile channel)	Knarston Creek has a history of flooding in the lower reach of the watercourse. A flood water diversion channel was constructed upstream of the subject property approximately 10 years ago to bypass flood waters directly to the ocean. We could not find a report for the diversion project or a drawing of the diversion's alignment.

I, Steve Toth, hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

Section 5. Environmental Monitoring

Monitoring of proposed clear-span bridge installation will be a requirement of the WSA Section 11 Notification.

Section 6. Photos



Photograph 1. March 11, 2014. View of waterfall on Knarston Creek on 7704 Superior Road.



Photograph 2. April 2, 2021. View of existing driveway access.



Photograph 3. View north from driveway to footbridge and existing house, with black cottonwood on right.



Photograph 4. View of footbridge over Knarston Creek with sumac on left and arbutus behind.



Photograph 5. View of the north side of Knarston Creek with Nanoose Bay in background.



Photograph 6. View of non-permanent structures on the north side of Knarston Creek.



Photograph 7. View upstream along the north bank of Knarston Creek.



Photograph 8. View downstream on Knarston Creek from footbridge to neighbour's driveway bridge crossing.

Section 7. Professional Opinion

Qualified Environmental Professional opinion on the development proposal's riparian assessment.

Date April 15, 2021

1. I/We **Steve Toth**
(Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)
hereby certify that:

a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am/We are qualified to carry out the assessment of the proposal made by the developer **Darren Kiedyk**, which proposal is described in section 3 of this Assessment Report (the "development proposal"),
c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
d) In carrying out my/our assessment of the development proposal, I have/We have followed the specifications of the Riparian Areas Protection Regulation and assessment methodology set out in the minister's manual; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

a) [N/A] the site of the proposed development is subject to undue hardship, (**if applicable, indicate N/A otherwise**) and
b) [X] the proposed development will meet the **riparian protection standard** if the development proceeds as proposed in the report and complies with the measures, if any, recommended in the report.

[NOTE: "Qualified Environmental Professional" means an individual as described in section 21 of the Riparian Areas Protection Regulation.]

Appendix A: Riparian Assessment Assurance Statement – Qualified Environmental Professional

Note: This Statement is to be read and completed in conjunction with the *Professional Practice Guidelines – Legislated Riparian Assessments* and the Riparian Areas Regulation 2004 OIC 837 and is to be provided for *riparian assessments* (not landslides, floods or flood controls) for the purposes of the Riparian Areas Protection Regulation. Italicized words are defined in the guidelines.

To: The *Approving Authority*: District of Lantzville Jurisdiction: District of Lantzville Address: 7192 Lantzville Road, P.O.Box 100 Lantzville, BC V0R 2H0	Date: April 15, 2021

With reference to the Riparian Areas Protection Regulation Assessment for the subject property:

Legal description or PID: 006-122-884	Civic address: 7908 Lantzville Road

The undersigned hereby gives assurance that he/she is a *Qualified Environmental Professional:*

Name of *Qualified Environmental Professional:* Steve Toth Professional designation: R.P.Bio, AScT	Professional association: College of Applied Biology of British Columbia Association of Professional Biology Applied Science Technologists & Technicians of British Columbia

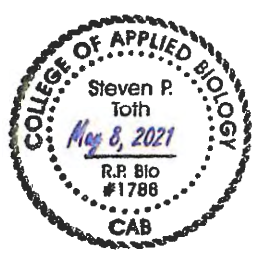
I have signed, sealed and dated, and thereby certified, the attached riparian assessment report on the property in accordance with the *Professional Practice Guidelines – Legislated Riparian Assessments* and with the *assessment methods.* That report must be read in conjunction with this statement. In preparing that report I have:

1. ☒ Collected and reviewed appropriate background information
2. ☒ Reviewed the *development proposal* on the property
3. ☒ Conducted field work on and, if required, beyond the property
4. ☒ Reported on the results of the field work on and, if required, beyond the property
5. ☒ Incorporated recommendations or assessment results from other *specialists*
6. ☒ Prescribed *measures* to protect and maintain the integrity of the streamside protection and enhancement area
7. ☒ Prescribed *measures* to avoid the occurrence of a *HADD**
8. ☒ Reported on the requirements for *field reviews* or *environmental monitoring* of the property during or following site works for the proposed *development* and recommended who should conduct those *field reviews* or *environmental monitoring*
9. ☒ Reviewed the *riparian assessment* report with the *client* and explained the content and the *measures* required to be implemented.

**HADD – harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes*

Steve Toth, AScT. R.P.Bio.

Toth and Associates Environmental Services



Appendix B: Qualified Environmental Professional (QEP) - Statement of Qualifications

Name of *primary QEP:*
Steve Toth
Professional designation:
R.P.Bio, AScT
Registration Number:
1788 / 20057

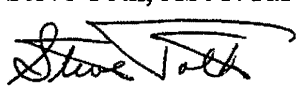
Professional association:
College of Applied Biology of British Columbia
Association of Professional Biology
Applied Science Technologists & Technicians of British Columbia

Training in Riparian Areas Regulation assessment methods	
Organization or agency delivering training:	Ministry of Environment
Name of trainer:	Margaret Henigman / Marlene Caskey, Peter Law
Date of training session:	March 2010
Certificate number:	NA
Organization or agency delivering training:	Ministry of Forests, Lands and Natural Resource Operations
Name of trainer:	Margaret Henigman / Marlene Caskey, Michele Jones
Date of training session:	February 2012
Certificate number:	NA
Organization or agency delivering training:	Ministry of Forests, Lands and Natural Resource Operations
Name of trainer:	Margaret Henigman, Andrew Appleton, Stacey Wilkerson
Date of training session:	November 2015
Certificate number:	NA
Organization or agency delivering training:	Ministry of Forests, Lands and Natural Resource Operations
Name of trainer:	Andrew Appleton
Date of training session:	October 2019
Certificate number:	NA

Other relevant education, training or experience:
Mr. Steven Toth, AScT, R.P.Bio is the owner and operator of Toth and Associates Environmental Services. Mr. Toth has 27 years of experience in the environmental consulting industry as a Registered Professional Biologist and Applied Science Technologist. Work experience consists of a diverse range of projects including environmental impact assessments, wildlife and ecological inventories, riparian area assessments, urban / sub-urban biophysical inventories, detailed fish habitat assessments, fisheries inventories, stream, lake and wetland classifications, fisheries research and population assessments, forestry audits, tree inventories, water quality and environmental monitoring. Project experience includes:

- ~250 provincial *Riparian Areas Protection Regulation* Assessments as primary QEP;
- ~350 biophysical inventories for various land development projects;
- ~20 Wildlife EIAs for run-of-river hydropower developments;
- >100 Raptor and heron nest tree assessments;
- 4 Watershed Restoration Program Overview and Level 1 Fish Habitat Assessments, along with numerous other fisheries related projects;
- >50 environmental and water quality monitoring projects;
- >40 Tree surveys for tree removal permit applications
- 5 large scale 1:20,000 Forest Renewal B.C. Fish and Fish Habitat Inventories; and,
- >180 lake surveys conducted according to RISC standards and DFO's juvenile sockeye assessment methodologies.

Steve Toth, AScT. R.P.Bio.



Toth and Associates Environmental Services

