

# District of Lantzville

Incorporated June 2003

Agenda for the Regular Meeting of Council of the District of Lantzville to be held on Monday, October 2, 2017, at 7:00 pm in the Council Chamber, Municipal Hall, 2<sup>nd</sup> Floor, 7192 Lantzville Road, Lantzville, BC

*Meetings Recorded by the District of Lantzville may be Viewed at [www.lantzville.ca](http://www.lantzville.ca)*

Page No.

- 1-3 1. **ADOPTION OF THE AGENDA**  
THAT Council adopts the October 2, 2017 regular Council meeting agenda, as presented.
2. **RECOGNITION – Nil**
3. **DECLARATION OF CONFLICT**
4. **PUBLIC AND STATUTORY HEARINGS – Nil**
5. **INVITED PRESENTATIONS AND PUBLIC DELEGATIONS – Nil**
6. **PUBLIC INPUT PERIOD** (*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).*)
- 4-9 7. **APPROVAL OF THE MINUTES**  
THAT Council approves the September 11, 2017 regular Council meeting minutes, as presented.
8. **BUSINESS ARISING FROM THE MINUTES**
9. **CONSENT AGENDA – Nil**
10. **BYLAWS**
  - 10-77 a) **Bylaw No. 60.35**  
**MOTION ON THE FLOOR (NO MOVER OR SECONDER REQUIRED)**  
THAT Council gives third reading to “District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017”.  
  
THAT Council adopts “District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017”.
  - 78-83 b) **Bylaw No. 146**  
THAT Council gives first reading to “District of Lantzville 2018 Property Tax Exemption Bylaw No. 146, 2017”.  
  
THAT Council gives second reading to “District of Lantzville 2018 Property Tax Exemption Bylaw No. 146, 2017”.  
  
THAT Council gives third reading to “District of Lantzville 2018 Property Tax Exemption Bylaw No. 146, 2017”.
11. **CORRESPONDENCE – Nil**

**12. REPORTS**

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

84-86 b) **September 21, 2017 Parks and Recreation Commission Meeting Minutes & Recommendation**

THAT Council instructs staff to incorporate into the 2018-2022 Financial Plan, the following projects, in priority order:

Priority	Description	Year	Budget	Funding
1	Copley Ridge Recreation Trail (Woodlot)	2018	4,000	Carry Forward
2	Huddlestone Park Upgrades – playground equipment replacement and addition of Toddler Facilities	2018	142,000	Parks Development Reserve
3	Fernmar Road to Andrea Crescent via Copley Park Trail	2018	5,500	Operating
4	Copley Park Upgrades – playground equipment replacement	2019	80,000	Parks Development Reserve

**13. UNFINISHED BUSINESS – Nil**

**14. NEW BUSINESS**

87-91 a) **Well Field Capacity Update – For Information**

92-94 b) **Contract for the Disposal of the Interceptor Assets to the Regional District of Nanaimo**

THAT Council approves the contract for the disposal of the interceptor assets to the Regional District of Nanaimo; AND FURTHER THAT Council authorizes the Chief Administrative Officer to execute the contract, substantially in the form in the October 2, 2017 Council agenda.

95-98 c) **Water Master Plan Additional Tasks**

THAT the additional tasks and budget of \$20,000 to complete the Water Master Plan be approved, AND FURTHER THAT the funding for the additional tasks be taken out of the \$30,000 contingency within the 2017 Financial Plan that was sourced from Water Surplus.

99-110 d) **Information Technology Support Services Request for Proposal Results and Contract Award**

THAT Sea to Sky Network Solutions be retained as the District of Lantzville’s Information Technology Support Services provider.

111-119 e) **Amendment to the Official Community Plan Budget and Schedule**

THAT Council approves an increase to the Official Community Plan Review budget by \$18,960, funded from general surplus, for the purpose of accommodating additional meetings as requested by Council.

120-136 f) **Request for Refund of Development Cost Charges – 7191 Lancrest Terrace**

THAT Council refunds Development Cost Charges of \$6,182.36 for Sanitary Sewer and \$3,893.51 for water to Ronald Osborne, the property owner at 7191 Lancrest Terrace.

**15. INTRODUCTION OF LATE ITEMS**

**16. NOTICE OF MOTION**

- 17. PUBLIC CLARIFICATION/INPUT PERIOD** *(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), are limited to asking clarification questions or providing comment regarding business discussed by Council at this meeting (excluding public hearing topics)).*

**18. MOTION TO CLOSE THE MEETING TO THE PUBLIC**

THAT Council closes the meeting to the public, pursuant to section 90(1) (a) and (c) 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; and
- labour relations or other employee relations.

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

**19. ADJOURNMENT**

**THAT Council adjourns the meeting.**

NEXT SCHEDULED COUNCIL MEETING:

Regular Meeting, Monday, October 23, 2017 @ 7:00 pm

**Minutes of the Regular Meeting of Council of the District of Lantzville held on Monday, September 11, 2017 at 7:00 pm in the Council Chamber, Municipal Hall, 2<sup>nd</sup> Floor, 7192 Lantzville Road, Lantzville, BC**

**PRESENT:**      **Council:** Mayor Colin Haime  
   Councillor Bob Colclough  
   Councillor John Coulson  
   Councillor Will Geselbracht  
   Councillor Denise Haime  
   Councillor Dot Neary  
   Councillor Mark Swain

**Staff:** Ronald Campbell, Chief Administrative Officer  
   Trudy Coates, Director of Corporate Administration  
   Frank Limshue, Community Planner

The Mayor called the meeting to order at 7:00 pm.

**ADOPTION OF THE AGENDA**

MOVED and SECONDED, THAT Council adopts the September 11, 2017 regular Council meeting agenda, as amended with additional information for item 14e) Sharon Alexander (10 Sept 2017) re: Knarston Creek Forest Corridor in Woodlot 1475.

**CARRIED UNANIMOUSLY**

**RECOGNITION – Nil**

**DECLARATION OF CONFLICT – Nil**

**PUBLIC AND STATUTORY HEARINGS – Nil**

**INVITED PRESENTATIONS AND PUBLIC DELEGATIONS – Nil**

**PUBLIC INPUT PERIOD**

- Ian Savage, 7577 Aulds Road, commented on Council support for the motion on the agenda to protect the Knarston Creek Forest Corridor; the need for the Official Community Plan (OCP) Review Select Committee to have an opportunity to review the OCP draft before it is made public; and omissions in the draft OCP Review Select Committee July meeting minutes
- John Dunn, 7090 Winslow Road, President, Nanoose Streamkeepers, commented on the motion on the agenda to protect the Knarston Creek Forest Corridor, expressing support
- Ursula Vaira 7727 Lantzville Road, commented on supporting the motion to protect the Knarston Creek Forest Corridor, and expressed concern for logging near Knarston Creek
- Dean Gaudry, 126 Cilaire Drive, Nanaimo, co-chair of Nanaimo Area Land Trust, commented on the motion to protect the Knarston Creek Forest Corridor on the agenda, speaking in support of the motion, and offering logistical support for a campaign
- Fraser Wilson, 3261 Cordova Bay Road, Nanaimo, Board member of NALT and a member of a hiking group, commented on the motion on the agenda to protect the Knarston Creek Forest Corridor, speaking in support of the motion and preservation of the Knarston Creek area
- Lucinda and Hamish Gullison, 7163 Lancrest Terrace, commented on the motion on the agenda to protect the Knarston Creek Forest Corridor, speaking in support of the motion and preservation of the Coastal Douglas Fir ecosystem, the woodlot, and the Lantzville Forest
- Derek Riley, 6978 Lantzville Road, Save the Lantzville Forest initiative, recreational use in the woodlot, and preservation of Knarston Creek
- Lisa Marshall, 7739 Clarke Drive, teacher and recreational user of the woods, commented on the motion on the agenda to protect the Knarston Creek Forest Corridor, expressing support

- Elfriede Elgie, 7772 Lantzville Road, commented on the motion on the agenda to protect the Knarston Creek Forest Corridor, expressing support of the motion, noting even an octogenarian was able to hike to and enjoy the falls, and the woodlot recreation area is a treasure that needs Council's support
- Will Lorenzen, 7963 Lorenzen Lane, commented on the motion on the agenda to protect the Knarston Creek Forest Corridor, noting that he has walked there for over 40 years, appreciates the operator of the woodlot, but urged Council to support the motion to protect the Knarston Creek Forest Corridor as the area is a treasure
- John Halliwell, 7186 Lancrest Terrace, commented on the motion to protect the Knarston Creek Forest Corridor, expressing support for the motion.

Council, by consensus, suspended the order of the agenda and proceeded to New Business item: Knarston Creek Forest Corridor in Woodlot 1475.

### **NEW BUSINESS**

#### **1. Knarston Creek Forest Corridor in Woodlot 1475**

MOVED and SECONDED, THAT the District of Lantzville send a letter to the Honourable Doug Donaldson, Minister of Forests, Land and Natural Resource Operations and Rural Development, stating that the District of Lantzville Council supports the Proposal for the Creation of the Knarston Creek Forest Corridor in Woodlot 1475 as authored by Ted Gullison, Derek Riley, Niels Schwarz, and Glen Dunsworth; AND FURTHER THAT the District of Lantzville Council will consider a level of compensation, in partnership with other funders including but not limited to the Province of British Columbia, to the current licensee of Woodlot 1475 for the reduction in timber harvest to establish the 'Knarston Creek Forest Corridor' as outlined in the Proposal for the Creation of the Knarston Creek Forest Corridor.

MOVED and SECONDED, THAT Council amends the motion on the floor by adding "possibly" between "funders" and "including".

**CARRIED UNANIMOUSLY**

C17-108 THAT the District of Lantzville send a letter to the Honourable Doug Donaldson, Minister of Forests, Land and Natural Resource Operations and Rural Development, stating that the District of Lantzville Council supports the Proposal for the Creation of the Knarston Creek Forest Corridor in Woodlot 1475 as authored by Ted Gullison, Derek Riley, Niels Schwarz, and Glen Dunsworth; AND FURTHER THAT the District of Lantzville Council will consider a level of compensation, in partnership with other funders possibly including but not limited to the Province of British Columbia, to the current licensee of Woodlot 1475 for the reduction in timber harvest to establish the 'Knarston Creek Forest Corridor' as outlined in the Proposal for the Creation of the Knarston Creek Forest Corridor.

Opposed: Councillor Neary

**CARRIED**

Council instructed staff to request a meeting at the UBCM Convention with Minister of Forests, Land and Natural Resource Operations and Rural Development.

### **APPROVAL OF THE MINUTES**

MOVED and SECONDED, THAT Council approves the July 24, 2017 regular Council meeting minutes, as presented.

**CARRIED UNANIMOUSLY**

**BUSINESS ARISING FROM THE MINUTES**

1. **Grant Applications Update – For Information**

- a) **Island Coastal Economic Trust – Economic Development Readiness Program Funding (Lantzville Economic Development Strategy) – \$30,000 Approved**
- b) **Insurance Corporation of British Columbia – Road Improvement Program Funding (Purchase of a mobile speed reader board) – \$5,665 Approved**
- c) **Reconsideration of July 24, 2017 District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017 - Third Reading Motion**

C17-109

MOVED and SECONDED, THAT Council reconsider the following July 24, 2017 motion:

THAT Council gives third reading to “District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017”.

Opposed: Mayor Haime, Councillors Coulson and Haime

**CARRIED**

MOTION ON THE FLOOR:

THAT Council gives third reading to “District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017”.

C17-110

MOVED and SECONDED, THAT Council postpones the motion on the floor to the October 2, 2017 regular Council meeting.

Opposed: Mayor Haime, Councillors Coulson and Haime

**CARRIED**

**CONSENT AGENDA – Nil**

**BYLAWS**

2. **Bylaw No. 143**

C17-111 MOVED and SECONDED, THAT Council receives the Certificate of Sufficiency for the proposed Phase III Sanitary Sewer Collection System Local Area Service Establishment and requisite borrowing, and instructs staff to continue with the project.

**CARRIED UNANIMOUSLY**

C17-112 MOVED and SECONDED, THAT Council adopts “District of Lantzville Phase III Sanitary Sewer Collection System Local Area Service Establishment Bylaw No. 143, 2017”.

**CARRIED UNANIMOUSLY**

**CORRESPONDENCE**

1. **Ken Groess, Lantzville Firefighters Association (7 Sept 2017) re: Lantzville Volunteer Firefighters Association - Annual Bonfire & Fireworks Display**

C17-113 MOVED and SECONDED, THAT Council approves the Lantzville Volunteer Firefighters Association holding the annual bonfire and fireworks celebration on the District tennis court property on School Road on Tuesday, October 31, 2017 from approximately 6:00 pm to 10:00 pm.

**CARRIED UNANIMOUSLY**

**REPORTS**

1. **Mayor & Councillors – Verbal Updates**

- Councillor Swain recognized the volunteers, businesses, and vendors that supported the September 9, 2017 Minetown Day
- Councillor Colclough recognized Minetown Day 2017 as a great community event despite weather challenges; and appreciation for the Fire Department response to the significant fire that burned the Snaw-Naw-As community hall, particularly for saving the artifacts.

2. **Official Community Plan Review Select Committee July 12/18, 2017 Meeting Minutes** – For Information. Council noted date errors in the referenced letters. Council requested that staff provide information on the Official Community Plan Review process going forward.
3. **Parks and Recreation Commission July 20, 2017 Meeting Minutes** – For Information

### **UNFINISHED BUSINESS**

1. **Union of BC Municipalities Convention**  
C17-114 **MOVED** and **SECONDED**, THAT Council authorizes Councillor Bob Colclough to attend the 2017 Union of British Columbia Municipalities Convention in Vancouver, British Columbia between September 25 – 29, 2017.  
**CARRIED UNANIMOUSLY**

### **NEW BUSINESS**

1. **2017 Council Meeting Schedule Amendment**  
**MOVED** and **SECONDED**, THAT Council approves the amended 2017 Council Meeting Schedule as attached to the September 11, 2017 staff report and as updated for meeting times, including:
  - cancelling the 7:00 pm Monday, September 18, 2017 regular Council meeting;
  - scheduling a 6:00 pm Monday, September 18, 2017 Committee of the Whole meeting (Water Master Plan);
  - scheduling a 6:00 pm Monday, October 2, 2017 Committee of the Whole meeting (Official Community Plan);
  - scheduling the 6:00 pm Monday, October 16, 2017 Committee of the Whole meeting for consideration of the Financial Plan;
  - scheduling Committee of the Whole meetings for consideration of the Financial Plan at:
    - 6:00 pm Tuesday, October 17, 2017;
    - 6:00 pm Monday, October 30, 2017; and, if required,
    - 6:00 pm Monday, November 27, 2017;
  - scheduling a 7:00 pm November 20, 2017 Special Council Meeting (Financial Plan); and authorizes staff to post the amended 2017 Council Meeting Schedule.

**MOVED** and **SECONDED**, THAT Council amends the motion by removing “scheduling a 6:00 pm Monday, October 2, 2017 Committee of the Whole meeting (Official Community Plan)”.

Opposed: Councillors Colclough, Geselbracht, Neary and Swain

**DEFEATED**

### **MAIN MOTION**

1. **2017 Council Meeting Schedule Amendment**  
C17-115 **MOVED** and **SECONDED**, THAT Council approves the amended 2017 Council Meeting Schedule as attached to the September 11, 2017 staff report, including:
  - cancelling the 7:00 pm Monday, September 18, 2017 regular Council meeting;
  - scheduling a 6:00 pm Monday, September 18, 2017 Committee of the Whole meeting (Water Master Plan);
  - scheduling a 6:00 pm Monday, October 2, 2017 Committee of the Whole meeting (Official Community Plan);
  - scheduling the 6:00 pm Monday, October 16, 2017 Committee of the Whole meeting for consideration of the Financial Plan;
  - scheduling Committee of the Whole meetings for consideration of the Financial Plan at:
    - 6:00 pm Tuesday, October 17, 2017;
    - 6:00 pm Monday, October 30, 2017; and, if required,
    - 6:00 pm Monday, November 27, 2017;

- scheduling a 7:00 pm November 20, 2017 Special Council Meeting (Financial Plan); and authorizes staff to post the amended 2017 Council Meeting Schedule.  
Opposed: Mayor Haime, Councillors Coulson and Haime  
**CARRIED**

C17-116 **MOVED and SECONDED, THAT an OCP Review Select Committee meeting be called to occur before the OCP Draft goes to the Committee of the Whole.**  
**CARRIED UNANIMOUSLY**  
Staff to provide an updated OCP Review schedule.

2. **Request for Leak Adjustment Request – Account No. 006-07935010-000**  
C17-117 **MOVED and SECONDED, THAT Council approves the leak adjustment of \$745.22 for Water and \$307.72 for Sewer on account No. 006-07935010-000 dated July 20, 2017.**  
Opposed: Councillor Colclough  
**CARRIED**

3. **Firefighter 2017 Remuneration Adjustment**  
**MOVED and SECONDED, THAT Council authorizes an increase to the firefighter member rates at an increase equivalent to the CUPE rate increase for 2017, effective January 1, 2017.**  
C17-118 **MOVED and SECONDED, THAT Council postpones the motion until there is a new Fire Chief or no later than November 6, 2017.**  
**CARRIED**

4. **Development Permit – 3060-20-DP17-002 – 7660 Clark Drive (Aspengrove)**  
C17-119 **MOVED and SECONDED, THAT Development Permit Application No. 3060-20-DP17-002 be approved for the property located at 7660 Clark Drive (Aspengrove School), legally described as Lot 1, District Lot 26, Wellington District, Plan VIP83227 and located within Development Permit Area I- Watershed Protection, to accommodate the refilling of the existing irrigation pond.**  
**CARRIED UNANIMOUSLY**

**INTRODUCTION OF LATE ITEMS - Nil**

**NOTICE OF MOTION - Nil**

**PUBLIC CLARIFICATION/INPUT PERIOD**

- Brian Dempsey, 6930 Owen Road, commented on appreciation for the sewer project moving ahead, conflict of interest debate, and reiterated that he has no plans to develop his property.
- Ian Savage, 7577 Aulds Road, commented on appreciation for the opportunity for the OCP Review Select Committee to review the OCP Draft and concern about the draft Committee minutes to ensure issues are reflected in the OCP Draft.

**MOTION TO CLOSE THE MEETING TO THE PUBLIC**

**MOVED and SECONDED, THAT Council closes the meeting to the public, pursuant to sections 90(1) (a) and (c), and 90(2)(d) 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;
- labour or other employee relations; and
- a matter that, under another enactment, is such that the public must be excluded from the meeting.

**CARRIED UNANIMOUSLY**



MEETING CLOSED TO THE PUBLIC: 9:12 pm

MEETING REOPENED TO THE PUBLIC: 9:30 pm, with Councillors Geselbracht and Swain in attendance. Also in attendance: Trudy Coates, Director of Corporate Administration.

Staff announced that the meeting was adjourned at 9:30 pm due to lack of a quorum.

MEETING ADJOURNED: 9:30 pm

Certified Correct:

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Trudy Coates, Director of Corporate Administration

Confirmed this    day of    , 2017.

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Colin Haime, Mayor

**DISTRICT OF LANTZVILLE  
BYLAW NO. 60.35**

**A Bylaw to Amend District of Lantzville Zoning Bylaw No. 60, 2005**

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

A. **Schedule 'A'** of "District of Lantzville Zoning Bylaw No. 60, 2005", is hereby amended as follows:

1. **PART 3 LAND USE REGULATIONS, Section 3.1 Zones** is hereby amended by adding the following classification and corresponding short title equivalent after 'Commercial 7 (CM7)':

Commercial 8 (CM8)

2. **PART 3 LAND USE REGULATIONS, Section 3.4 Regulations for each Zone** is hereby amended by adding immediately following Section 3.4.17, Commercial 7 (CM7):

Section 3.4.18, Commercial 8 (CM8) as shown on Schedule '1' which is attached to and forms part of this bylaw.

3. **PART 3 LAND USE REGULATIONS, Schedule '3A', ZONING MAPS** is hereby amended by rezoning from Commercial 1, Subdivision District L (CM1L) to Commercial 8, Subdivision District L (CM8L) for the lands legally described as:

Lot 2, District Lot 27G (Formerly known as District Lot 27), Wellington District,  
Plan 36633

as shown in heavy dashed line outlined on Schedule '2' which is attached to and forms part of this Bylaw.

4. This Bylaw may be cited as "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017."

**READ A FIRST TIME** this 8<sup>th</sup> day of May, 2017.

**READ A SECOND TIME** this 10<sup>th</sup> day of July, 2017.

Approved by the Ministry of Transportation pursuant to Section 52 of the *Transportation Act* this 17<sup>th</sup> day of July, 2017.

Public Hearing held pursuant to Section 890 of the *Local Government Act* this 24<sup>th</sup> day of July, 2017.

**READ A THIRD TIME** this \_\_\_ day of \_\_\_\_\_, 2017.

**ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Director of Corporate Administration

**“District of Lantzville Zoning Bylaw No. 60, 2005,  
Amendment Bylaw No. 60.35, 2017”  
Schedule No. 1**

**“Section 3.4.18**

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**COMMERCIAL 8**

**CM8**

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**Permitted uses and Minimum Site Area**

<b>Permitted Uses</b>	<b>Required Site Area with: Community Water &amp; Sewer System</b>
Convenience Store	800 m <sup>2</sup>
Office	60 m <sup>2</sup>
Personal Service Use	800 m <sup>2</sup>
Recreational Facility	800 m <sup>2</sup>
Residential Use	60 m <sup>2</sup>
Restaurant	2000 m <sup>2</sup>
Retail Store	800 m <sup>2</sup>

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**Maximum Number and Size of Buildings and Structures**

Dwelling units/parcel	- 10 units
Floor area ratio	- 0.50
Height	- 8.5 m (max. 2 storeys)
Parcel coverage	- 50%

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**Minimum Setback Requirements**

Front lot line	- 5.0 m
Other lot lines	- 5.0 m

except where:

- a) the adjoining parcel is zoned industrial or commercial then the setback from the common interior side lot line may be reduced to zero;
- b) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 shall apply.

**Landscaping and Screening**

In addition to the Landscaping requirements identified in Schedule '3F' Landscaping Regulations and Standards of this bylaw, the following landscaping requirements shall be met:

- a) Where the property line(s) is adjacent to a residential use - to separate parking, internal roads, services or storage areas from adjacent properties, a landscaped buffer of at least 2m in width and 2m in height shall be provided along the inside of the property line(s).
- b) Loading areas, garbage and recycling containers shall be screened and gated to a minimum height of 2m by a landscaping screen or decorative solid fence or a combination thereof.

**Special Regulations**

- a) Not less than forty percent (40%) of total floor area shall be used for commercial uses.
- b) Garbage containers and passive recycling containers shall not be located within any required setback adjacent any residential lot.
- c) The outdoor storage or display of any goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Part.

**“District of Lantzville Zoning Bylaw No. 60, 2005,  
Amendment Bylaw No. 60.35, 2017”  
Schedule No. 2**



Subject Property at 7143 Caillet Road to be rezoned from Commercial 1 (CM1) under Subdivision District 'L' to Commercial 8 (CM8) under Subdivision District 'L'.

**Minutes of the Regular Meeting of Council of the District of Lantzville held on Monday, July 24, 2017 at 7:00 pm in the Council Chamber, Municipal Hall, 2<sup>nd</sup> Floor, 7192 Lantzville Road, Lantzville, BC**

**PRESENT:**      **Council:** Mayor Colin Haime  
    Councillor Bob Colclough  
    Councillor John Coulson  
    Councillor Will Geselbracht  
    Councillor Denise Haime  
    Councillor Dot Neary  
    Councillor Mark Swain

**REDISTRIBUTED**  
**from September 11, 2017 Agenda**  
**Excerpt of July 24, 2017 Minutes re Hearing**

**Staff:** Ronald Campbell, Chief Administrative Officer  
                  Trudy Coates, Director of Corporate Administration  
                  Frank Limshue, Community Planner

The Mayor called the meeting to order at 7:00 pm.

**ADOPTION OF THE AGENDA**

MOVED and SECONDED, THAT Council adopts the July 24, 2017 regular Council meeting agenda, as amended with additional information for item 4a) Public Hearing – Public Input letters from D. Scott, Dr. Montgomery & Dr. McIlwaine, B. Stuart, A. Horvat Crosson, I. Savage, J. & C. Halliwell, M. Pierce, S. Wallbank and B. Blood.

**CARRIED UNANIMOUSLY**

**RECOGNITION – Nil**

**DECLARATION OF CONFLICT – Nil**

**PUBLIC AND STATUTORY HEARINGS**

**1. District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017**

Mayor Haime declared the public hearing open at 7:00 pm, convened pursuant to Section 890 of the *Local Government Act* to allow the public to make representations to Council respecting matters contained in the proposed “District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017”. The Mayor introduced the Council members in attendance.

F. Limshue, Community Planner reviewed the purpose of public hearings and procedures to follow during the hearing, noting that Council cannot receive any submissions or hear speakers on any of the matters contained in the bylaw, after the Public Hearing closes.

The Community Planner introduced the proposed Bylaw No. 60.35, confirming:

- the dates of first and second reading of the bylaw and publication and delivery of notices;
- before the agenda was distributed, three submissions were received and included in the agenda:

- K. & M. Monteiro, 7352 Lantzville Road (17 Jul 2017) re: In Favour
- Brian Dempsey, 6930 Owen Road (20 Jul 2017) re: In Favour
- Graham Savage, Road (21 Jul 2017) re: In Favour

Since the agenda was distributed, nine submissions were received and added to the agenda:

- Dave Scott, 6898 Harwood Drive (24 Jul 2017) re: In Favour
- Dr. Ian Montgomery & Dr. Kristy McIlwaine, 7400 Sunbury Road (24 Jul 2017) re: In Favour
- Bree Stuart, 7006 Lancewood (24 Jul 2017) re: Opposed
- Alyson Horvat Crosson, 6851 Philip Road (24 Jul 2017) re: Opposed
- Ian Savage, 7577 Aulds Road (24 Jul 2017) re: Opposed

- John & Carol Halliwell, 7186 Lancrest Terrace (24 Jul 2017) re: Opposed
- Mike Pierce, 7032 Leland Road (24 Jul 2017) re: Opposed
- Sarah Wallbank (24 Jul 2017) re: In Favour
- Brian Blood, 7075 Caillet Road (24 Jul 2017) re: Opposed
- Council, as requested by a property owner, is considering amending District of Lantzville Zoning Bylaw No. 60, 2005 through the adoption of Bylaw No. 60.35;
- an information binder with background information was available for public inspection at the District Office and at the entrance to the meeting room during the hearing;
- Bylaw No. 60.35, if adopted, would amend the “District of Lantzville Zoning Bylaw No. 60, 2005” by rezoning the property legally described as Lot 2, District Lot 27G (Formerly Known as District Lot 27), Wellington District, Plan 36633 and located at 7143 Caillet Road to be rezoned from Commercial 1 (CM1) under Subdivision District ‘L’ to Commercial 8 (CM8) under Subdivision District ‘L’ to permit a mix of commercial and residential uses; and
- that the applicant has indicated that if the zoning amendment bylaw is approved, they would subsequently apply for a development permit to redevelop the property to accommodate expansion of the existing business, plus accommodate additional commercial and residential space on the property.

The Community Planner reviewed the staff report.

The Mayor called on the applicant to speak. Dave Frinton, speaking on behalf of himself and his wife, Shelly Good, the subject property owners and owners/operators of CruisePlus, spoke in support of their application, noting their business has grown over their 20 years in Lantzville, to 37 staff and they require more office space; they plan to subsidize the new office through residential; they contribute to a healthy village core; they are looking for a decisive answer on whether Lantzville wishes to be open for business; the property is small but could be a good place; and concluded that CruisePlus, one of Lantzville’s largest employers, wants to stay here, build here and see revitalization in Lantzville.

The Mayor called for the first time for people present who believed that their interest in property was affected by the proposed bylaw to raise their hand, wait to be recognized before speaking at the podium, and to state their full name, civic address, and whether they are speaking on their own behalf or for a client, company or group of citizens.

Liz Higgins, 7122 Dickinson Road, stated she is in favour of the development; the proposed development is consistent with the OCP and the Community Survey results; CruisePlus is the type of business we want to attract and retain – they are good business owners and employers, good for the village, and a success story; she has worked at CruisePlus since 2006 and other employees, that don’t live in Lantzville, still use the businesses and services in the Village, and the development would be a benefit to Lantzville.

Maureen DeWit, 7135 Dickinson Road, resides next to the subject property, expressed concern that the neighbours have not seen drawing and are concerned about parking for residents, employees, and customers; noted concerns about removal of trees, the wonderful wildlife next to the property and the creek and whether these would be affected; and concluded that they are not saying no but they would like more information.

John Halliwell, 7186 Lancrest Terrace, stated that he has no objection to the manner in which the company has performed in the village; however, noted the effect on the community if the bylaw proceeds: the precedent, interest by other developers for multi-use, infringing on the OCP, original community interest for a semi-rural community with a village feel, and no buildings

above two-storeys in the village core; OCP review; questioned the purpose and who benefits; read from his letter and asked Council to consider the tax-paying residents.

Jan Moles, 7029 Dickinson Road, stated that her property is not next to the proposed developed, but she spoke in support of the OCP, the application, and having a mix of residential and commercial in the core; noting that she is proud to say there are some successful businesses in Lantzville; and concluded that this is a good business owner in the community that just wants to improve their business.

Andrew Hopkins, 7485 Fernmar Road, spoke in support and stated he has lived in many communities, sees failure in downtown businesses, noting this can be the result of people not living in the downtown core, acknowledged there is a new business going into the former Market location, he wants to see more businesses, and to not allow Lantzville to revitalize the downtown core will mean we lose track of where we are.

Mike Pierce, 7032 Leland Road, stated Lantzville has some great businesses in Lantzville, understand the subject business is reputable, questioned whether the amendment should be part of an OCP process, expressed opposition to increased density, acknowledged the need for residential in the village core, expressed concern that the amendment would cause the village to look like villages in all cities, and requested that the bylaw be tabled to be considered in an OCP process.

Hilda Higgs, 7488 Dickinson Road, stated for 30 years she has been going to OCP processes, wants to see the development consistent with the OCP, wants to see no higher than two-storey, supports a residence above a business, expressed concern that condos do not fit in with the plan, and acknowledged that CruisePlus is a good business and that she would want to see it stay.

Jack Roberts, 7084 Caillet Road, stated he lives in the village core, noted people who support the plan are from outside of the immediate area of the development, people living in the shadow of development have signed a petition opposing it, expressed concern that it will look more like a strip mall, and we already have vacant businesses, asked how parking for 10 units plus the 20-30 cars now will be handled.

Brian Blood, 7075 Caillet Road, stated the bylaw is an end run around the OCP, zoning exists to confine and separate land uses to avoid conflicts, mixing of large residential with commercial can't work here, would any of you want to live in a small unit in the business core, guaranteed win-win for non-resident commercial property owners, too much commercial property and too little activity, questioned trying to compete regionally, lots of commendations for the property owner but he has done little to improve and address the parking issues, call centres request government funding and relocate quickly, asked Council to focus on long-term land use, expressed concern about the precedent it will set, and asked Council to not proceed and to ask for a recorded vote.

Robin Love, 6679 Elm Road, stated they have no direct benefit, immigrated from Nanaimo to Lantzville, has been in area for 30 years, has a business in Nanaimo, recognized pride in Lantzville, not much happening in village, would like to see a successful village, need commercial residential mix, need people who live near core, and need to get the population up to sustain a village.

Ian Savage, 7577 Aulds Road, stated it is a good thing for the property owner to look at improving his property and for the District Planner to be helpful; expressed concern about the precedent setting commercial residential mix and density; lack of amenity donation and



suggested offering a pedestrian walkway; unprecedented street wall strip feel common in other jurisdictions; Village Core Improvement Plan recommended undulating setbacks; reduced space in the heart of the Village that should be retained for future expansion of the Village; commercial secondary to the residential; 2005 OCP demonstrates need for specifying intent; loss of commercial taxes with an increased residential; current occupancy in Village higher now; recommended creating a draw/experience like Tofino rather than a mundane village core; need to clarify C-8, can existing older buildings count for the primary residential, can the residential density vary, e.g. 3 storey, does the 10 dwelling unit apply just to the Caillet property or would a 4 acre property be allowed 51 units; previous processes did not address the issue of ratio between residential/commercial components and if they would prefer tourist accommodation; emphasized concern with precedent not with the development; and recommended tabling the bylaw.

The Mayor called for a second time for speakers or submissions.

Brian Blood, 7075 Caillet Road, noted that Wiles Creek was mentioned earlier, it is the drainage for a large drainage area, it is under pipe under roads and across this property by a former owner, without permission, and should be examined.

The Mayor reiterated that submissions cannot be considered after the hearing closes, and he called for a third and final time for anyone who wished to speak or present written submissions.

Mayor Haime declared the public hearing for "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017" closed at 7:52 pm.

## **INVITED PRESENTATIONS AND PUBLIC DELEGATIONS**

### **1. Draft Water Master Plan**

Jana Zelenski, Lanarc Consultants, requested that any detailed questions about the Draft Water Master Plan be submitted in writing to Fred Spears, gave a PowerPoint presentation on the Draft water Master Plan, for information, responded to questions, and noted the presentation will be available on the District's website.

MOVED and SECONDED, THAT individual Council members supply their questions and comments regarding the Draft Water Master Plan to Lanarc Consultants and to Council and staff.

Opposed: Mayor Haime, Councillors Colclough, Coulson, Haime, Neary and Swain  
DEFEATED

Council members will provide information about availability, for staff to schedule a Committee of the Whole meeting for detailed discussion, when staff, the engineer and consultants can also attend.

Councillor Haime left the meeting at 8:57 pm.

### **2. Official Community Plan Review**

David Reid, Lanarc Consultants, introduced the status update on the Official Community Plan Review process.

Councillor Haime returned to the meeting at 9:00 pm.

D. Reid gave a PowerPoint presentation on the Official Community Plan Review process, for information, noting the next steps in the process and that the presentation will be available on the District's website.

# REDISTRIBUTED

## July 24, 2017 Council Agenda Report and submissions received at Hearing

July 21, 2017

District of Lantzville  
7192 Lantzville Road  
Lantzville, BC  
VOR 2H0



Attention: Mayor and Council

ADDITIONAL INFO - Item 4a)  
July 24, 2017 Regular Council Meeting  
Public Hearing Input - D. Scott  
Bylaw No. 60.35 (7143 Caillet Road)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Council      | <input type="checkbox"/> Circ. To Staff      |
| <input type="checkbox"/> Mayor                   | <input type="checkbox"/> Public Works        |
| <input checked="" type="checkbox"/> C.A.O.       | <input checked="" type="checkbox"/> Planning |
| <input type="checkbox"/> Director of Finance     | <input type="checkbox"/> Fire Dept.          |
| <input checked="" type="checkbox"/> Corp. Admin. | <input type="checkbox"/> Other               |
| <input checked="" type="checkbox"/> Agenda       |  |
- 3900.20-6035  
July 24, 2017

Re: District of Lantzville Zoning Bylaw NO. 60, 2006. Amendment (7143 Caillet Road)  
Bylaw No. 60.35, 2017

I am writing in regard to the above noted amendment bylaw for the property situated at the corner of Caillet Road and Lantzville Road. As you are aware the parcel of land is located within the downtown core of Lantzville and is presently commercially zoned. The building has had several uses over the years, and is being used by the current owners as a travel agency for cruise ship tours.

The existing building appears to be in relatively poor condition and according to the owner is too small for his staff. He has indicated that he has explored renovating the building but due to its configuration and poor condition that this option is not viable.

The current zoning of the property supports the present use. The proposed zoning supports the current use and allows the addition of residential units to the building. This added use of residential over commercial is supported in the current community plan. The community is currently undergoing an OCP review and feedback to date reinforces the existing OCP's direction of residential over commercial. The addition of this residential component will add an additional type of housing choice for the residents of Lantzville. One of the strongest messages from the community through the development of the new OCP has been to allow a variety of housing forms to be built in the community to complement the primarily single family housing that currently exists.

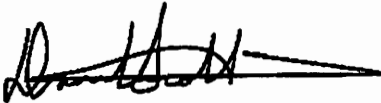
The owners of the property have operated their business for a number of years and are probably now the largest employer in the community. They want to expand their business, creating additional jobs and invest in a new building in our community. I believe that this proposed new building would be the first new private sector commercial building in the downtown core since the Dentist office was constructed many years ago. A new building like this could be a catalyst for the redevelopment of the downtown core, not to mention the additional tax dollars that it would generate for the District.

1. May  
2. June  
3. July  
4. Aug.  
5. Sept.  
6. Oct.  
7. Nov.  
8. Dec.

If the rezoning is successful, the applicant will still have to submit for a Development Permit. At that time the public will be able to see the detailed design of the project. Through a public hearing process, residents will be able to provide comment on the building form and character, which will ultimately need to be approved by Council.

For the aforementioned reasons, I trust Council will support the required zoning amendment for this much needed improvement to our Village core.

Yours truly,

A handwritten signature in black ink, appearing to read "Dave Scott", with a long horizontal stroke extending to the right.

Dave Scott  
6898 Harwood Drive

ADDITIONAL INFO - (Item 4a)  
July 24, 2017 Regular Council Meeting  
Public Hearing Input - Dr. Montgomery &  
Dr. McIlwaine - In Favour  
Bylaw No. 60.35 (7143 Caillet Road)

Dr. Ian Montgomery and Dr. Kristy McIlwaine

7400 Sunbury Road

Lantzville, BC. V0R 2H0

250 714 5486

[ianmontgomery@shaw.ca](mailto:ianmontgomery@shaw.ca)



- Council
- Mayor
- C.A.O.
- Director of Finance
- Corp. Admin.
- Agenda
- Circ. To Staff
- Public Works
- Planning
- Fire Dept.
- Other

3900.20-60.35

July 24, 2017

July 23, 2017

Attention: Lantzville Council  
7192 Lantzville Road  
PO Box 100  
Lantzville, BC, V0R 2H0

Dear Council:

I am writing this letter in support of the application by Dash Developments to obtain rezoning from commercial to mixed use at the property located at 7143 Caillet Rd.

CruisePlus has provided employment for many years in the Lantzville Village, and it is my hope that they can continue to do so. Their proposal to expand their commercial space as well as provide residential units seems to benefit the community and be consistent with the community plan. I am supportive of mixed use in the Lantzville core.

It would be disappointing to see council to be unsupportive and watch another Lantzville business close or move to another community.

Sincerely yours,

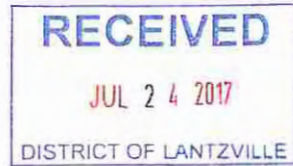
Dr. Ian Montgomery

Dr. Kirsty McIlwaine

**Trudy Coates**

**ADDITIONAL INFO - Item 4a)**  
July 24, 2017 Regular Council Meeting  
Public Hearing Input B. Stuart - Opposed  
Bylaw No. 60.35 (7143 Caillet Road)

**From:** Frank Limshue  
**Sent:** July-24-17 6:41 AM  
**To:** Trudy Coates  
**Subject:** Fwd: Zoning of the downtown core



Sent from my iPhone

Begin forwarded message:

- Council
  - Mayor
  - C.A.O.
  - Director of Finance
  - Corp. Admin.
  - Agenda
  - Circ. To Staff
  - Public Works
  - Planning
  - Fire Dept.
  - Other
- 3900.20-60.35  
July 24, 2017

**From:** Bre <bre.stuart@gmail.com>  
**Date:** July 23, 2017 at 10:23:12 PM PDT  
**To:** flimshue@lantzville.ca  
**Subject:** Zoning of the downtown core

I am against the proposed zoning changes being discussed - commercial with residential above. 12.76 homes per acre ruins what we love about Lantzville. It currently feels rural, like it's a separate zone away from Nanaimo. We have a small town, community feel that is fantastic. I think the majority of us would like to keep it that way.

Thank you.  
Bre Stuart  
7006 Lancewood.  
,250-390-4602

**Trudy Coates**

**From:** Alyson <alyson@havensociety.com>  
**Sent:** July-24-17 3:36 PM  
**To:** Trudy Coates  
**Subject:** RE: commercial property on Caillet Rd

Alyson Horvat Crosson  
6851 Philip Rd Lantzville BC V0R2H0



- Council
  - Mayor
  - C.A.O.
  - Director of Finance
  - Corp. Admin.
  - Agenda
  - Circ. To Staff
  - Public Works
  - Planning
  - Fire Dept.
  - Other \_\_\_\_\_
- 3900.20-60.35  
July 24, 2017

**Subject:** commercial property on Caillet Rd

I am submitting this to you as per directed by Ian Savage in regards to the development proposal on Caillet Rd. I STRONGLY disagree and do not support a development like this in Lantzville.

I posted my short opinion on the Lantzville Community page, this is what I wrote,

"So much of Nanaimo's commercial space is sitting empty, it's an eyesore. If Nanaimo can't find commercial businesses to fill those buildings, it's an absolute joke to think Lantzville will. Yes more housing would be great, but this isn't the answer at all. I'm curious is what's with this sudden rush and push to build, and who's pockets get lined with this purposed bullshit development?"

☺

**From:** Trudy Coates [mailto:tcoates@lantzville.ca]  
**Sent:** July 24, 2017 3:19 PM  
**To:** alyson@havensociety.com  
**Cc:** Ronald Campbell <ronald.campbell@lantzville.ca>; Frank Limshue <flimshue@lantzville.ca>  
**Subject:** FW: commercial property on Caillet Rd

This email is to acknowledge receipt of your July 24, 2017 email regarding commercial property on Caillet Road.

Attached is a copy of the Notice of Public Hearing for Bylaw No. 60.35. As noted in the Notice, written submissions must contain your name and civic address, and will in their entirety become a part of the public record.

The *Local Government Act* provides that all persons who believe that their interest in property is affected by the proposed bylaw must be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaw that is the subject of the hearing.

Case law has affirmed that the person's name and address of the person's property for each person making a submission in a public hearing process, is pertinent information to require when Council considers submissions about a land use matter.

We appreciate your email today which we assume is intended as a written submission; however, to comply with the preceding, we look forward to receipt of your full name and address.

Thanks!

**Trudy Coates**

Director of Corporate Administration

**District of Lantzville**

7192 Lantzville Road, P.O. Box 100

Lantzville, BC V0R 2H0

Telephone: 250.390.4006, Ext. 112

Facsimile: 250.390.5188

Email: [trudy@lantzville.ca](mailto:trudy@lantzville.ca)

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

**From:** Frank Limshue

**Sent:** July-24-17 2:32 PM

**To:** Trudy Coates <[tcoates@lantzville.ca](mailto:tcoates@lantzville.ca)>

**Subject:** FW: commercial property on Caillet Rd

**From:** Alyson [<mailto:alyson@havensociety.com>]

**Sent:** July-24-17 2:28 PM

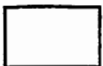
**To:** Frank Limshue

**Subject:** commercial property on Caillet Rd

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I posted my short opinion on the Lantzville Community page, this is what I wrote,

“So much of Nanaimo's commercial space is sitting empty, it's an eyesore. If Nanaimo can't find commercial businesses to fill those buildings, it's an absolute joke to think Lantzville will. Yes more housing would be great, but this isn't the answer at all. I'm curious is what's with this sudden rush and push to build, and who's pockets get lined with this purposed bullshit development?”



Virus-free. [www.avast.com](http://www.avast.com)

**Trudy Coates**

ADDITIONAL INFO - Item 4a)  
July 24, 2017 Regular Council Meeting  
Public Hearing Input I. Savage - Opposed  
Bylaw No. 60.35 (7143 Caillet Road)

**From:** Frank Limshue  
**Sent:** July-24-17 2:19 PM  
**To:** Trudy Coates  
**Subject:** FW: Caillet submission  
**Attachments:** Caillet , Bylaw Submission.docx

Letter for PH

**From:** ian savage [mailto:imboxing@gmail.com]  
**Sent:** July-24-17 1:41 PM  
**To:** Frank Limshue  
**Subject:** Caillet submission



- Council
  - Mayor
  - C.A.O.
  - Director of Finance
  - Corp. Admin.
  - Agenda
  - Circ. To Staff
  - Public Works
  - Planning
  - Fire Dept.
  - Other
- 3900.20-60.35  
July 24, 2017

Hi Frank,

Attached is Caillet Bylaw Submission

I finally had a chance to study the issue of the Caillet rezoning and the proposed Commercial 8 bylaw. I'm sorry we can't agree on this one. The problem is the precedent it sets for the rest of the commercial core. I want the best for the applicant and it's great you're helping him out. I feel, however, there are better approaches to ensure we have a special village centre worthy of its great location and history.

My recommendation would be to table the rezoning and attendant bylaw until the ocp process is complete, and use the next ocp public meeting to address the residential ratio component of the village core.

Regards  
Ian





5170 Dunster Rd – frontage on Mostar. This is an 8 unit residential building with commercial below.

*Below - The most common downtown planning ideology in North America is the “street wall”- commercial buildings right up to the sidewalk with no side setbacks between buildings. This same strategy is employed all over North America resulting in a lockstep homogeneity. Lantzville’s village core should celebrate its abundance of space, with plazas and greenspace in the village core, as opposed to eliminating space with a street wall of predominantly residential.*



Chronicle / Mark Costantini

*Above is the unimaginative, ubiquitous streetwall, with commercial over residential. No views of the ocean or the foothills, lots of shade and the wind tunnel effect in winter.*



*The ocp open house proposed 4 storey residential with commercial. Nanaimo has very little of this - one has to go to greater Victoria or Vancouver.*

It is a good thing the Caillet property owner wants to redevelop his property, and also good the District planner is being helpful. The problem is the precedent it sets for the whole village commercial core.

The proposed Commercial 8 zoning bylaw as it applies to the Caillet property sets the wrong precedent in the following ways:

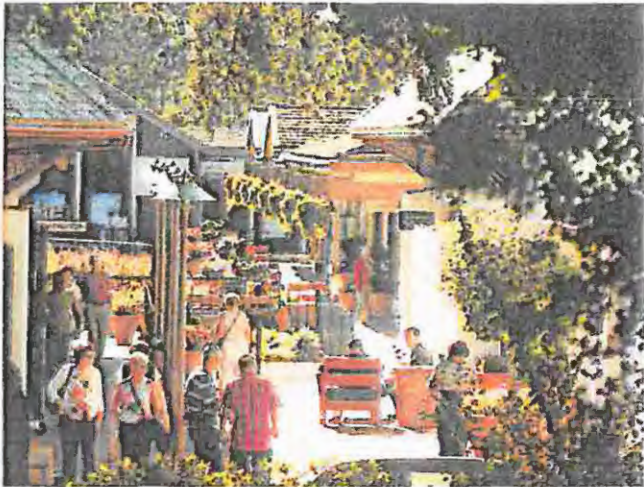
1. It sets the precedent for our village core to become mostly residential, with only 40% commercial for 2 storey buildings. It seems those properties who are permitted 3 and four storey buildings would need a 66% or 75% residential component with 2 or 3 storeys of residential above commercial. This is not expanding our business footprint, it is shrinking it to one floor under predominantly residential.
2. The size of the Caillet property is .784 acre. If 10 units are allowed, that is 12.76 dwelling units per acre, plus commercial. A precedent for a new level of residential density. This is a base density, with no community amenities required. In the rest of the community increased residential density requires parkland or other community benefits. Perhaps the strip of land fronting Lantzville Rd could be acquired as part of a pedestrian walkway system.
3. This bylaw does not require residential units to be above commercial. They can be separate buildings.
4. It sets a precedent for residential "street walls" to flourish. The setbacks being proposed are reducing the current zoning of 8 metre front setbacks to 5 metres. This reduces the amount of space in the heart of the village. The Village Core Improvement Plan opposes a street wall. It recommends an undulating streetscape with some stores forward, some back, with public plazas, greenspaces, throughout the village. But if each new building is a standard 5m setback, with zero side setbacks, this is what creates a street wall. The Village Plan pg 17 recommended determining the setback of each property during the permitting stage. This allows a

negotiation for public plazas, greenspace, or other amenities where desired. While the Village plan includes personal viewpoints of the planner, the two items below were derived from committee consensus :

Pg 45 "Storefronts should be undulating... a strong street wall is not preferred. Instead pedestrian building frontages should provide variation and a high quality public realm."

Pg 42 –"Design should account for solar exposure to public and private spaces."

*The pictures below are examples of successful downtowns. They show there are many different approaches to success. A high density street wall is just one approach, and is the most common... average.*



Carmel California –shops recessed off the street

Kelowna – big greenspaces are a downtown draw.



*Bourton on the Water, England. The downtown is an old Roman canal and greenspace. The surrounding commercial properties are highly successful.*

5. With the varying sizes of the current commercial properties, many commercial uses are possible. However, commercial on the bottom floor of residential buildings is limited in its use. The commercial spaces will be smaller with restricted height, and limited by noise restrictions, especially at night.

6. The 2005 ocp demonstrates how important it is for an ocp to be specific in its intent. The quaint idea of residential above commercial wasn't quantified in the 2005 ocp. However, this policy could be used to justify any ratio of residential to commercial.

7. Commercial/ industrial properties paying a much higher tax rate than residential is unfair, but since it exists, there will be a loss in commercial taxes with an increased residential component. How will the land component be computed? At a 40% commercial rate, 60% residential rate?

8. Having tourist accommodation above commercial is an idea which hasn't yet been vetted in the ocp process. Air B+B is very popular and visitors would likely spend more money in the village. It would also solve the problem of conflicts between commercial core residents and noisy public activities.

9. Will a street wall of predominantly residential space, be a draw for visitors to come to Lantzville? This ubiquitous, average, typical ground floor commercial strip won't be unique or special.

10. The health of current commercial properties is actually not bad. Below is a chart which shows the commercial core is functioning – not dying.

Current commercial inventory, Lantzville:

Property	Comments	Occupied and thriving
Legion		Yes
Plaza beside Legion	Usually fully rented	Yes
Post office plaza	Usually fully rented	Yes
Lantzville Market	Thrived for many years, was sold, then empty, now leased by a new business.	Leased
Pub/ liquor store		Yes
Gas station	Recently leased	Leased
Lumber store	Occupied for years. Currently unoccupied.	No
Little cottage	Michael Pepler kitchen design	Yes
Bunting chiropractor	Now has an upholstery business	Yes
Cruise Centre		Yes
Dentist building		Yes
Green building	Fully rented	Yes
Sow's Ear Medical	Fully rented	Yes
Accountant's building		Yes

11. Of the 14 commercial properties all but one are occupied. Some of these properties contain multiple businesses, so there are over 20 functioning businesses occupying commercial units and 1 empty building. That's over 95% occupancy rate which indicates the village commercial properties are currently operating at almost full capacity. With water coming, improvements are likely.

The village core is being proposed to become at least 60% high density residential – in spite of a high commercial occupancy rate. There is no proof high density residential will vastly improve commercial viability, as many high density towns/ cities have downtown revitalization problems in spite of their density.

12. Some things to clarify in zoning bylaw C 8 :

a. In future applications for rezoning of Lantzville commercial properties, can the existing older buildings count for the 40% commercial component?

- b. Is the residential density, and the commercial ratio... flexible and discretionary in future applications?  
For example a 3 storey building would have two storeys of residential and one ground floor of commercial, which would be 66% residential.
- c. Does the 10 dwelling unit figure, apply to just the Caillet property or to all properties regardless of size?  
Or would the 12.76 units per acre be applied, so a 4 acre property would be allowed 51 units?

Summary – Over the years there have been four or five workshops/ open houses exploring the topic of how to develop the village area. The last was an open house put on by the village core improvement committee attended by about 90 residents. In all these public input sessions the topic of the ratio of residential to commercial for the village core, has never been discussed.

Therefore, with the ocp process still ongoing, would it not be a good idea to present this topic at the planned September Costin Hall ocp presentation to get community input.

Would it not be prudent to table this rezoning and inherent Commercial 8 bylaw, until the issue is settled in the ocp process, which should be complete in 3 months time?

Respectfully submitted by

Ian Savage  
7577 Aulds Rd, Lantzville

## **Trudy Coates**

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### **ADDITIONAL INFO - Item 4a)**

July 24, 2017 Regular Council Meeting

**Public Hearing Input - J&C Halliwell - Opposed  
Bylaw No. 60.35 (7143 Caillet Road)**

**From:** Frank Limshue  
**Sent:** July-24-17 4:20 PM  
**To:** Trudy Coates  
**Subject:** FW: Bylaw No.60.35

Another email

-----Original Message-----

**From:** John & Carol Halliwell [mailto:halliwellfour@shaw.ca]

**Sent:** July-24-17 4:18 PM

**To:** Frank Limshue

**Subject:** Bylaw No.60.35

WE did not as a community want subdivisions in our village like those you can see are in place in Nanaimo bordering our municipality.

WE wanted a rural/semi-rural village by the sea feel, alongside agriculture.

WE wanted a village with lot sizes accommodating all of our population including small lots, 1/4 acre, one acre, 5 acres, etc.

WE wanted the village core to look and feel like a village.

WE DID NOT and I repeat DID NOT want buildings above 2 storeys in our original OCP. WE are still of the same opinion - no buildings above 2 storeys in the village core.

My observations are we never fulfilled the requirements of the original OCP.

Who on earth saw the need for a reviewed OCP? Who could justify the time & money required at taxpayers' expense, to go ahead with a review?

It appears that the OCP review was solely driven to address development.

Who was driving the exercise for an OCP review?

Who do they represent?

What is their motive?

Where do they live?

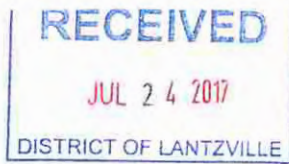
Who gains financially if this goes ahead?

Who loses financially if this goes ahead?

Why, why, why, are we pushing for this now?

Listen to who you represent - the tax paying residents of Lantzville, and not those that are motivated by financial gain or self interest at the expense of our tax paying residents.

John Halliwell  
7186 Lancrest Terrace



ADDITIONAL INFO - (Item 4a)  
July 24, 2017 Regular Council Meeting  
Public Hearing Input - B. Blood - Oppose  
Bylaw No. 60.35 (7143 Caillet Road)

Submission for rezoning hearing for 7143 Caillet Rd. Lantzville B.C. July 24 2017.

From Brian Blood , PO Box 179, 7075 Caillet Rd, Lantzville. B.C.

- Council
- Mayor
- C.A.O.
- Director of Finance
- Corp. Admin.
- Agenda
- Circ. To Staff
- Public Works
- Planning
- Fire Dept.
- Other

Dear Mayor and Councillors, District Municipality of Lantzville.

3900.20-60.35  
July 24, 2017

This rezoning application is about a radical change in land-use. It takes an unspecified reference to residential units above businesses in the village core from our OCP and uses it to create density numbers previously unseen in Lantzville, and it does this without community-wide consultation. The reference was included in the original OCP after a discussion and vote which was by no means unanimous and which included no specifics because it was not well thought out or discussed in any detail. This bylaw would shock most of the framers of the original OCP. The first iteration of this bylaw which would have effectively removed zoning from this property and serve as a template for the rest of the CBD would have shocked even more.

There are a number of fault-lines running through this district. Most involve disparate approaches to land-use. Zoning exists largely to confine and separate those disparate land-uses for good reason. When confusion exists, problems occur. For example; two progressive and respected land-uses that we can all get behind - the peaceful enjoyment of residential property and the agricultural production of local food - famously came into a conflict that still resonates, especially for members of Council. No reminders are needed of the political, financial and legal consequences of that land-use confrontation. We are still living with it.

The mixing of large numbers of residential units spread among commercially zoned properties creates a complex set of fault-lines between these two disparate land-uses. It *can* work. It works in dense upmarket neighborhoods of large sophisticated cities. Will it work here? The middle class element that is required to make this concept work is unlikely to find it appealing. Would you choose to live in a small unit in the business district? Would you want your children to live there? Would you invest in a condo there – big or small? There are simply too many unknown factors for Council to ensure that this hybrid bylaw and its ultimate application to the whole village core will not go very badly indeed for existing (and future) residents. It is a guaranteed win-win for only that handful of mostly non-resident commercial property owners and their investor-backers.

There are other solutions to the problem of too much commercial property and too little commercial activity. We could try to compete as a regional player with the many struggling commercial nodes in greater Nanaimo, but it seems counter-intuitive to add more commercial

zoning or to attempt to shore up existing commercial parcels in an increasingly redundant commercial node in an economy that is successfully moving on to cheaper methods of trade and supply.

The District could encourage, through planning and zoning, the conversion of the larger commercial parcels on the fringes of the CBD, *including this one*, to exclusive residential use. Higher density townhome and condo developments could be enabled with bylaw standards applied ahead of time by the District that would allow these newer denser neighborhoods to co-exist with existing neighborhoods more comfortably. To maintain a standard for condos and townhomes that would adjoin existing single-family home neighborhoods more seamlessly, I would suggest – no second and third floor walk-ups – elevators mandatory - No external staircases - no shared balconies - all internal covered parking - no visible dumpsters –large minimum square footage. This process would also shrink the CBD and reverse the supply/demand equation that would allow for a smaller, more viable business core. This proposed bylaw would hinder any evolution of such a process and is likely to discourage investment in middle and higher end housing.

This property owner has done little to improve the subject property in the years he has owned it and there's scant evidence of any regard for our neighbourhood. The grounds are still unkempt and there seems to have been minimal effort to get employees' vehicles off the District road allowance of our residential street and on to the property-owner's gravel-and-weed field. Call centres are notorious in other jurisdictions for racking up impressive numbers of employees and then using their low-overhead portability as leverage to pressure municipalities for stuff – usually tax concessions and other corporate welfare. They can and often do move to another jurisdiction in a weekend. We've already seen this in Nanaimo. I'm not saying that this property owner is waiting for you to raise his property value in order to cash in and move on, but I'm asking you to concentrate on the long-term effects of this bylaw and not the pretty pictures. I'm sure he is a successful businessman and a swell guy as touted by his acolytes but *this is about land-use*. The letters and comments urging you to support this bylaw because nothing else new has been proposed for a long time also misses the point by replacing planning with desperation.

This bylaw would set a precedent for the entire CBD for many years. If it fails, it will fail very badly indeed and this historical turning point will have your names on it. Please don't do it.

Brian Blood





Dear Mr. Limshue,

I am against the proposed CM 8 #60.35,2017 by law.

The following is how I see it:

This bylaw departs from the current by law as it will reduce required commercial footprint to only 40% and increase residential units 10 fold. The set backs are reduced to 5 metres from 8 and if an adjoining commercial space is present the side lot distance can be zero.

To me this means:

- increased density – not good (going from 1 dwelling unit to 10 – really?)
- a village core that could lead to looking like most other packed in hum drum downtowns in North America.

I believe that most Lantzville residents don't want this and instead would prefer the direction of planning that is suggested in the following Village Core Improvement Plan update...

...Given that our seaside location is one of our defining features and main attractions, the Committee also supports the incorporation of **subtle design elements that build the connection between the seashore and the village core...** - bold highlights mine

(From the June 2014 District of Lantzville Community update).

I don't believe that the new proposed by law would allow for this to happen.

So, I would like to ask that this proposed bylaw be tabled to be considered as part of an overall OCP plan. Hopefully in this process the Village core is developed as part of an overall community process that will hopefully be in tune with the spirit of our community and makes it unique.

I would also like to say that Lantzville has a unique opportunity here to do something really cool with our village core that could be the envy of other communities nearby.

Let's depart from the standardization of everyone else and put our community, our council and planning staff on the map.

Thank you.

Regards, Mike Pierce

7032 Leland rd.

Lantzville



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<input type="checkbox"/> Mayor	<input type="checkbox"/> Public Works
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<input checked="" type="checkbox"/> Agenda	

3900.20-60.35  
July 24, 2017

ADDITIONAL INFO - Item 4a)  
July 24, 2017 Regular Council Meeting  
Public Hearing Input - S. Wallbank - In Favour  
Bylaw No. 60.35 (7143 Caillet Road)

Trudy Coates

**From:** Frank Limshue  
**Sent:** July-24-17 6:16 PM  
**To:** Trudy Coates  
**Subject:** FW: Opinion on the Rezoning 7143 Caillet Rd

**From:** Sarah Wallbank [mailto:sarah.wallbank@gmail.com]  
**Sent:** July-24-17 6:16 PM  
**To:** Frank Limshue  
**Subject:** Opinion on the Rezoning 7143 Caillet Rd

Dear Mr. Limshue:

I am writing to express my opinion on rezoning of the commercial property on Caillet Rd.

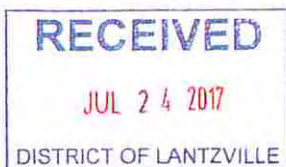
I am in favour of a mixed light commercial and residential village core as I see the two as being symbiotic and vitalizing. Re-energizing "downtown" Lantzville with as a walkable neighbourhood with access to a variety of amenities is good for the district's coffers and for its residents who have entrepreneurial spirit and those who are seeking goods and services.

Respectfully,

Sarah Wallbank

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"Through all the world there goes one long cry from the heart of the artist: Give me a chance to do my best."  
- Karen Blixen



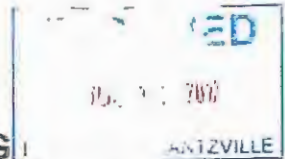
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<input type="checkbox"/> Director of Finance	<input type="checkbox"/> Fire Dept.
<input checked="" type="checkbox"/> Corp. Admin.	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Agenda	

3900-20-60.35  
July 24, 2017



Rec'd from KRM Monteiro  
7352 Lantzville Road, Lantzville, BC

# DISTRICT OF LANTZVILLE NOTICE OF PUBLIC HEARING



Pursuant to sections 464 and 466 of the *Local Government Act*, notice is hereby given that a Public Hearing will be held with respect to the following proposed bylaw:

**"District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017"**

The Public Hearing will be held at:

District of Lantzville Council Chambers  
2<sup>nd</sup> Floor, 7192 Lantzville Road, Lantzville, BC  
Monday, July 24, 2017  
7:00 pm

- Council
- Mayor
- C.A.O.
- Director of Finance
- Corp. Admin.
- Agenda
- Circ. To Staff
- Public Works
- Planning
- Fire Dept.
- Other \_\_\_\_\_

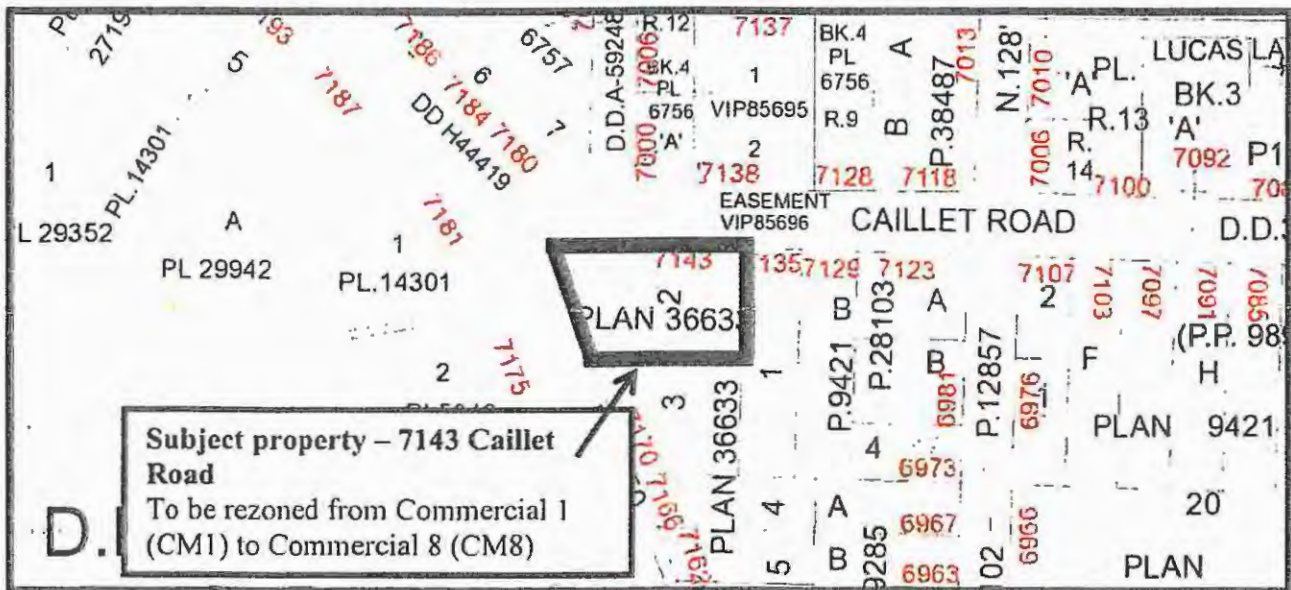
July 24, 2017

3900-20-60.35

*Can't make it to the meeting but in favour of developing his property. Killorick*

### Amendment (7143 Caillet Road) Bylaw No. 60.35

Council, as a result of a request from the property owner, is considering rezoning the property legally described as Lot 2, District Lot 27G (Formerly Known as District Lot 27), Wellington District, Plan 36633 and located at 7143 Caillet Road to be rezoned from Commercial 1 (CM1) under Subdivision District 'L' to a newly created Commercial 8 (CM8) under Subdivision District 'L'. The purpose of the rezoning is to permit a mix of commercial uses (40% minimum) and up to 10 residential units. The applicant has indicated that should the zoning amendment Bylaw be approved, they would subsequently apply for a development permit to redevelop the property to accommodate expansion of the existing business, plus accommodate additional commercial and residential space on the property as shown in heavy black line.



Inspect copies of the proposed Bylaw, and related documents, at the office of the District of Lantzville, 7192 Lantzville Road, Lantzville, BC, Monday through Friday inclusive between the hours of 8:00 am and 4:00 pm, except statutory holidays, from Tuesday July 11, 2017 to Monday, July 24, 2017, or view the proposed Bylaw online at [www.lantzville.ca](http://www.lantzville.ca). Questions about the Bylaw? Contact the Community Planner at 250.390.4006 or [frank@lantzville.ca](mailto:frank@lantzville.ca).

Persons who consider their interest in property to be affected by the proposed Bylaw will be given an opportunity to be heard in person, by a representative or by written submission, on matters contained in the proposed Bylaw at the Public Hearing.

Written submissions:

- Must contain your name and civic address and will in their entirety become a part of the public record
- May be presented at the Public Hearing or, for those not attending, must be submitted to the Director of Corporate Administration prior to 4:00 pm the day of the Public Hearing
- May be submitted to District of Lantzville, 7192 Lantzville Road, PO Box 100, Lantzville, BC V0R 2H0 Fax: 250.390.5188 Email: [frank@lantzville.ca](mailto:frank@lantzville.ca)
- Received after the close of the public hearing will not be considered by Council.



# DISTRICT OF LANTZVILLE NOTICE OF PUBLIC HEARING

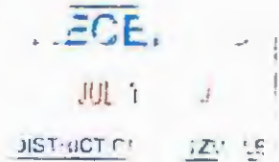


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The Public Hearing will be held at:

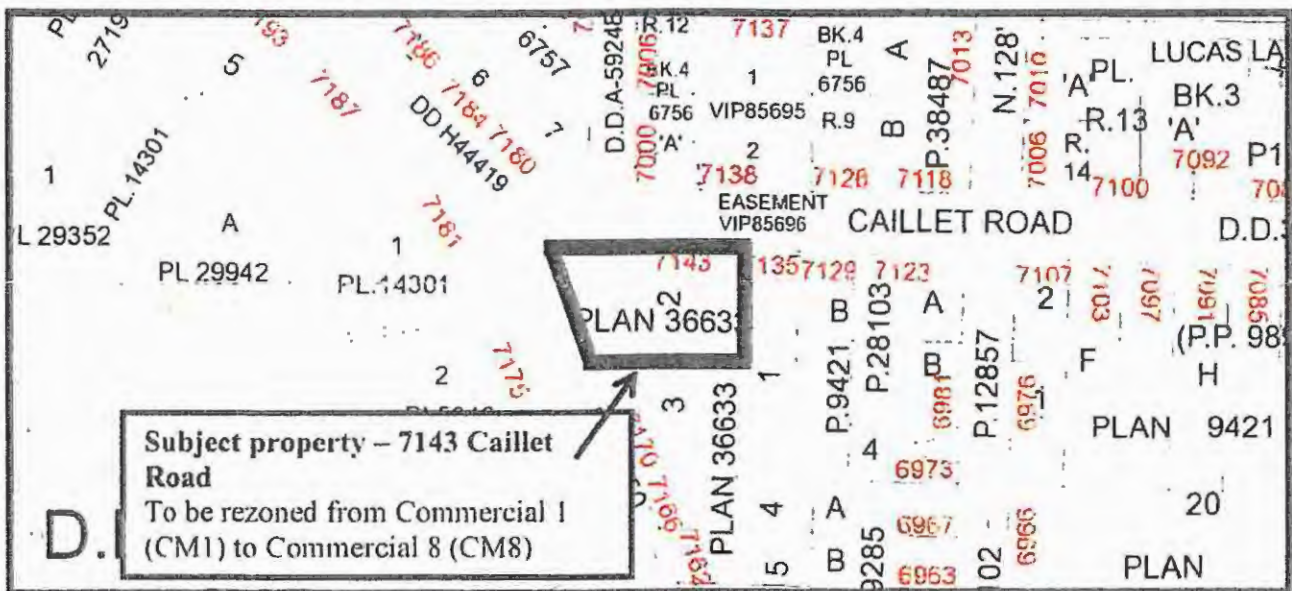
District of Lantzville Council Chambers  
2<sup>nd</sup> Floor, 7192 Lantzville Road, Lantzville, BC  
Monday, July 24, 2017  
7:00 pm



**Amendment (7143 Caillet Road) Bylaw No. 60.35**

*put this through the building is old & property should be developed*

Council, as a result of a request from the property owner, is considering rezoning the property legally described as Lot 2, District Lot 27G (Formerly Known as District Lot 27), Wellington District, Plan 36633 and located at 7143 Caillet Road to be rezoned from Commercial 1 (CM1) under Subdivision District 'L' to a newly created Commercial 8 (CM8) under Subdivision District 'L'. The purpose of the rezoning is to permit a mix of commercial uses (40% minimum) and up to 10 residential units. The applicant has indicated that should the zoning amendment Bylaw be approved, they would subsequently apply for a development permit to redevelop the property to accommodate expansion of the existing business, plus accommodate additional commercial and residential space on the property as shown in heavy black line.



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Brian Dempsey  
6930 Owen Road  
Lantzville, B.C.  
V0R 2H0

District of Lantzville  
7192 Lantzville Road  
Lantzville, B.C.  
V0R2H0

- Council
- Mayor
- C.A.O.
- Director of Finance
- Corp. Admin.
- Agenda
- Circ. To Staff
- Public Works
- Planning
- Fire Dept.
- Other

3900.20.60.35

July 24, 2017

7/20/2017

Attention: Director of Corporate Administration

C  
 P  
 F  
 R  
 Finance  
 m.

Re:- District Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No.60.35, 2017

I support the proposed bylaw.

This will be the first improvement to the village since the replacement of the District Office building.

The proposed buildings will increase the tax base for the community.

Residential over commercial makes sense.

Yours truly,

Brian Dempsey

July 19 2017  
District of Lantzville  
7092 Lantzville Rd;  
Lantzville V0R2H0



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<input type="checkbox"/> Mayor	<input type="checkbox"/> Public Works
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<input type="checkbox"/> Corp. Admin.	<input type="checkbox"/> Other _____
<input checked="" type="checkbox"/> Agenda _____	<u>3900-20-60.35</u>
<u>July 24, 2017</u>	

To - Mayor and Council.

Re: By-law 60.35 2017. Caillett Rd:

I write in support of the proposed rezoning by-law presently under consideration. In my view the current business and the proposal to expand and redevelop the property is exactly what's needed in Lantzville's village. This type of project is 'clean' commercial business and the expansion will create additional employment opportunities and generate spinoff for other businesses within the community. The proposal reflects the vision of the current OCP; and that of the un-adopted Village Core Plan.

Local resident concerns about site generated traffic negatively impacting the neighbourhood are, in my view, unfounded or exaggerated. I use Caillett to visit a friend and I rarely, if ever encounter another vehicle. I suggest that Lantzville Rd will be the preferred route for customers and residents of the Cruiseplus business.

I particularly support the residential component of the project as this will provide a housing choice currently not available within the community.

Council support for this rezoning is important in my view because it will send a positive message to the current businesses and those considering investing in commercial projects in our community. Rejecting this by-law will add *another nail in Lantzville's commercial coffin*.

Benefits: New and additional housing.

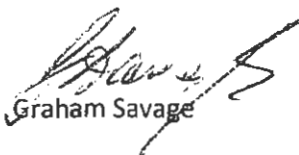
Additional employment opportunities.

Increased taxes and contribution to the District's DCC's.

Spin-off to other businesses.

Positive message to the business community.

In conclusion, I strongly encourage Council to support by-law (60.35 2017) to allow redevelopment and enhancement of the current business on the land.

  
Graham Savage



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**District of Lantzville  
REPORT TO CAO**

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**Regular Council Agenda Item  
July 10, 2017  
File: 3900-20-60.35  
2017 07 10 - 7143 Caillet Road Report - revised bylaw**

**AUTHOR: Frank Limshue, Community Planner**

**SUBJECT: "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment Bylaw No. 60.35, 2017" – 7143 Caillet Road (Dash Development Ltd.)  
Lot 2, District Lot 27G (Formerly Known as District Lot 27), Wellington  
District, Plan 36633 (PID 000-418-749)**

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**RECOMMENDATIONS**

1. **THAT Council withdraws the motion on the floor: That Council gives third reading to "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017".**
2. **THAT Council rescind second reading to "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017" given on May 8, 2017.**
3. **THAT Council gives second reading to "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017", as amended.**
4. **THAT Council approves "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017" to proceed to public hearing; AND FURTHER THAT Council schedules the Public Hearing for Monday, July 24, 2017, at 7:00 pm at the District Office, 2<sup>nd</sup> Floor, 7192 Lantzville Road, Lantzville, BC.**

**ALTERNATIVES**

1. **THAT the applicant be direct to host a public information meeting for the proposal prior to Council giving further consideration Zoning Amendment Application No. 3900-20-60.35 (7143 Caillet Road).**
2. **THAT Zoning Amendment Application 3900-20-60.35 (7143 Caillet Road) not be approved and therefore not permit the application to proceed.**

**ATTACHMENTS**

1. **Location Map;**
2. **Copy of Revised Zoning Amendment Bylaw**
3. **Copy of May 8, 2017 Staff Report; and**
4. **Copy of Public Hearing Report.**

**PURPOSE**

**Generally, to consider a zoning amendment application on the property legally described as Lot 2, District Lot 27G (Formerly Known as District Lot 27), Wellington District, Plan 36633, located at 7143 Caillet Road for the purpose of permitting the redevelopment of the property to accommodate a future mixed use (commercial/residential) development.**

At the June 26, 2017 Council meeting, in considering third reading to the amendment bylaw, Council passed the following motion:

**"Bylaw No. 60.35**

**MOVED and SECONDED, THAT Council gives third reading to "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017".**

**MOVED and SECONDED, THAT Council refers the motion on the floor to staff to provide a report."**

### **DISCUSSION**

Council expressed concern that the proposed zoning amendment bylaw was too broad and created uncertainty regarding:

1. The possibility for the site to be developed with residential units and no commercial
2. Possible increase in traffic associated with the residential units; and
3. The number of residential units that could be built on the property.

As per the Council motion, Staff have worked with the applicant to revise the proposed zoning amendment bylaw. The following regulations have been added to provide further certainty:

1. Limit the maximum number of residential units to 10;
2. Require that at least forty percent (40%) of the total building area is used for commercial use.

### **BACKGROUND**

The District of Lantzville has received a rezoning application for the parcel located at 7143 Caillet Road as shown on Attachment 1. The property is currently zoned Commercial 1 (CM1) and the existing building is home to "Cruise Plus" travel agency. The current building accommodates 30 plus employees. The owners of the property have indicated that given age of the existing building and their need to find additional space for a growing staff, they would like to redevelop the property.

The current zone on the parcel allows the owners to redevelop the property to accommodate the office use under the existing zoning. The parcel is also large enough to provide for additional commercial uses. However, the owners have indicated they wish to redevelop the property to permit a mix of commercial and residential uses which is consistent with the current Official Community Plan. A zoning amendment is required to accommodate the mixed use – commercial with multiple residential units.

### **PUBLIC CONSULTATION IMPLICATIONS**

A public hearing was previously held on June 12, 2017; however, the proposed changes to the new Commercial 8 zone are substantive enough to warrant another public hearing. As this proposed zoning amendment is generally consistent with the Official Community Plan, it is recommended that the public information meeting be waived for this application.

The District of Lantzville bylaw requires that owners within a 60 metre radius be made aware of the application as part of the normal notification process pursuant to the *Local Government Act*. Previously, Council requested that notices be sent to property owners within a 120 metre radius of the subject site.

**FINANCIAL IMPLICATIONS**

Costs to process this application are considered to be within the fees prescribed by the "District of Lantzville Land Use and Development Procedures and Fee Bylaw No. 37, 2005" and any amendments thereto.

**COMMUNICATION STRATEGY**

There is no formal communication strategy required. As this report is in an open Council meeting, the report and attachments will be available on the District's website for review.

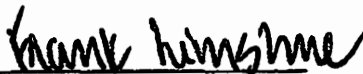
**STRATEGIC PLAN ALIGNMENT**

This application is in keeping with the 2015-2018 Strategic Plan Community Planning goal "to ensure that development is consistent with the Lantzville Official Community Plan." The proposed zoning amendment is consistent with the density outlined in the Official Community Plan for the area.

**SUMMARY**


This is an application to amend "District of Lantzville Zoning Bylaw No. 60, 2005" to rezone the subject property located at 7143 Caillet Road from Commercial 1 (CM1) to Commercial 8 (CM8) to facilitate a future mixed use development. Staff have worked to applicant to address the concerns raised by Council have amended the proposed bylaws accordingly.

Respectfully submitted



**Frank Limshue, Community Planner  
 District of Lantzville**

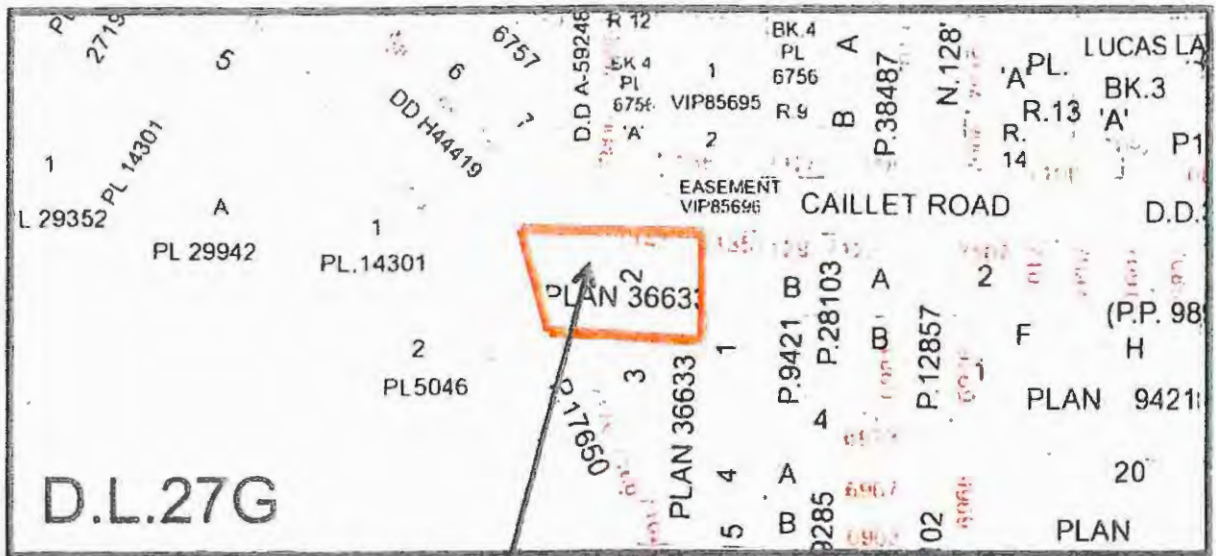
Reviewed By:

Chief Administrative Officer		Director of Financial Services		Director of Public Works		Director of Corporate Administration	
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# Attachment #1

## Attachment No. 1 Location of Subject Property Zoning Amendment Application No. 3360-20-17-1 7143 Caillet Road

Lot 2, District Lot 27G (Formerly known as District Lot 27), Wellington District, Plan 36633



Subject Property at 7143 Caillet Road to be rezoned from Commercial I (CM1) under Subdivision District 'L' to Commercial 8 (CM8) under Subdivision District 'L'.

**(Revised)  
DISTRICT OF LANTZVILLE  
BYLAW NO. 60.35**

**A Bylaw to Amend District of Lantzville Zoning Bylaw No. 60, 2005**

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

A. **Schedule 'A' of "District of Lantzville Zoning Bylaw No. 60, 2005", is hereby amended as follows:**

1. **PART 3 LAND USE REGULATIONS, Section 3.1 Zones is hereby amended by adding the following classification and corresponding short title equivalent after 'Commercial 7 (CM7)':**

**Commercial 8 (CM8)**

2. **PART 3 LAND USE REGULATIONS , Section 3.4 Regulations for each Zone is hereby amended by adding immediately following Section 3.4.17, Commercial 7 (CM7):**

**Section 3.4.18, Commercial 8 (CM8) as shown on Schedule '1' which is attached to and forms part of this bylaw.**

3. **PART 3 LAND USE REGULATIONS, Schedule '3A', ZONING MAPS is hereby amended by rezoning from Commercial 1, Subdivision District L (CM1L) to Commercial 8, Subdivision District L (CM8L) for the lands legally described as:**

**Lot 2, District Lot 27G (Formerly known as District Lot 27), Wellington District,  
Plan 36633**

**as shown in heavy dashed line outlined on Schedule '2' which is attached to and forms part of this Bylaw.**

4. **This Bylaw may be cited as "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017."**

**READ A FIRST TIME this 8<sup>th</sup> day of May, 2017.**

**READ A SECOND TIME this 8<sup>th</sup> day of May, 2017.**

**Public Hearing held pursuant to Section 890 of the *Local Government Act* this 12<sup>th</sup> day of June, 2017.**

Approved by the Ministry of Transportation pursuant to Section 52 of the *Transportation Act* this \_\_\_ day of \_\_\_\_\_, 2017.

**READ A THIRD TIME** this \_\_\_ day of \_\_\_\_\_, 2017.

**ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2017.

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Mayor

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Director of Corporate Administration

**“District of Lantzville Zoning Bylaw No. 60, 2005,  
Amendment Bylaw No. 60.35, 2017”  
Schedule No. 1**

**“Section 3.4.18**

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**COMMERCIAL 8**

**CM8**

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**Permitted uses and Minimum Site Area**

<b>Permitted Uses</b>	<b>Required Site Area with: Community Water &amp; Sewer System</b>
Convenience Store	800 m <sup>2</sup>
Office	60 m <sup>2</sup>
Personal Service Use	800 m <sup>2</sup>
Recreational Facility	800 m <sup>2</sup>
Residential Use	60 m <sup>2</sup>
Restaurant	2000 m <sup>2</sup>
Retail Store	800 m <sup>2</sup>

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**Maximum Number and Size of Buildings and Structures**

Dwelling units/parcel	- 10 units
Floor area ratio	- 0.50
Height	- 8.5 m (max. 2 storeys)
Parcel coverage	- 50%

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**Minimum Setback Requirements**

Front lot line	- 5.0 m
Other lot lines	- 5.0 m

except where:

- a) the adjoining parcel is zoned industrial or commercial then the setback from the common interior side lot line may be reduced to zero;
- b) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 shall apply.

**Landscaping and Screening**

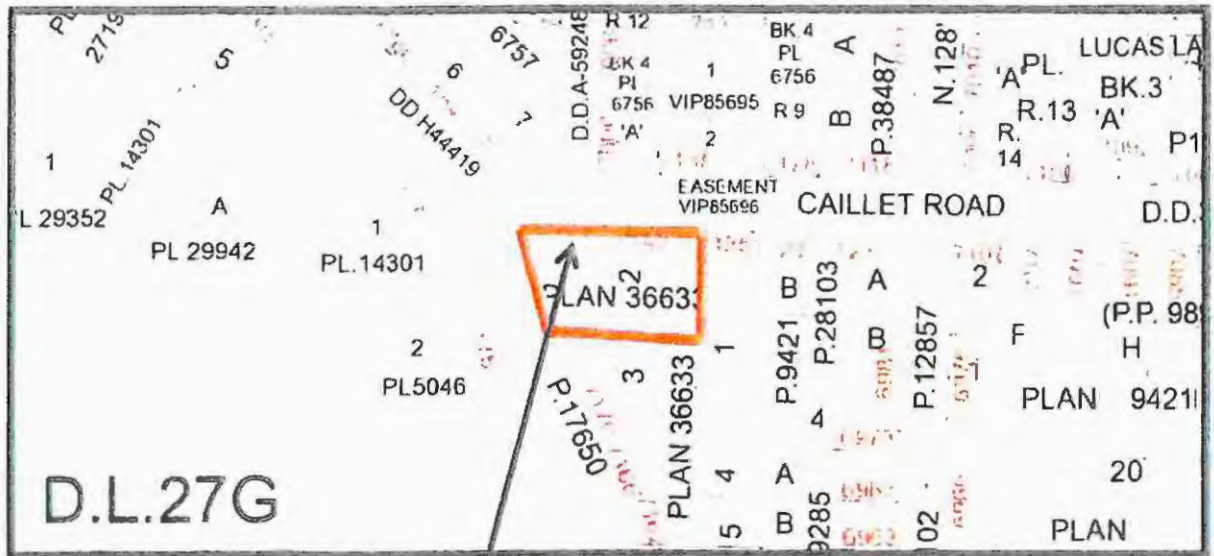
In addition to the Landscaping requirements identified in Schedule '3F' Landscaping Regulations and Standards of this bylaw, the following landscaping requirements shall be met:

- a) Where the property line(s) is adjacent to a residential use - to separate parking, internal roads, services or storage areas from adjacent properties, a landscaped buffer of at least 2m in width and 2m in height shall be provided along the inside of the property line(s).
- b) Loading areas, garbage and recycling containers shall be screened and gated to a minimum height of 2m by a landscaping screen or decorative solid fence or a combination thereof.

**Special Regulations**

- a) Not less than forty percent (40%) shall be used for commercial uses.
- b) Garbage containers and passive recycling containers shall not be located within any required setback adjacent any residential lot.
- c) The outdoor storage or display of any goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Part.

**"District of Lantzville Zoning Bylaw No. 60, 2005,  
Amendment Bylaw No. 60.35, 2017"  
Schedule No. 2**



Subject Property at 7143 Caillet Road to be rezoned from Commercial 1 (CM1) under Subdivision District 'L' to Commercial 8 (CM8) under Subdivision District 'L'.



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District of Lantzville  
REPORT TO CAO

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Regular Council Agenda Item  
May 8, 2017

File: 3900-20-60.35

Q:\DISTRICT OF LANTZVILLE\Reports to Council\2017\7143 Caillet Road Report.docx

**AUTHOR:** Frank Limshue, Community Planner

**SUBJECT:** "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment Bylaw No. 60.35, 2017" – 7143 Caillet Road (Dash Development Ltd.)  
Lot 2, District Lot 27G (Formerly Known as District Lot 27), Wellington District, Plan 36633 (PID 000-418-749)

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**RECOMMENDATIONS**

1. THAT Council gives first reading to "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017".
2. THAT Council gives second reading to "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017".
3. THAT Council approves "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017" to proceed to public hearing; AND FURTHER THAT Council schedules the Public Hearing for Monday, June 12, 2017, at 7:00 pm at the District Office, 2<sup>nd</sup> Floor, 7192 Lantzville Road, Lantzville, BC.

**ALTERNATIVES**

1. THAT Council receive Zoning Amendment Application No. 3900-20-60.35 (7143 Caillet Road) and direct the proposal to a public information meeting prior to further consideration by Council.
2. THAT Council not approve Zoning Amendment Application 3900-20-60.35 (7143 Caillet Road) and therefore not permit the application to proceed.

**ATTACHMENTS**

1. Location Map;
2. Proposed conceptual development plan;
3. Conditions of Approval; and
4. Copy of Zoning amendment bylaw.

**PURPOSE**

To consider a zoning amendment application on the property legally described as Lot 2, District Lot 27G (Formerly Known as District Lot 27), Wellington District, Plan 36633, located at 7143 Caillet Road for the purpose of permitting the redevelopment of the property to accommodate a future mixed use (commercial/residential) development.

**BACKGROUND**

The District of Lantzville has received a rezoning application for the parcel located at 7143 Caillet Road as shown on Attachment 1. The property is currently zoned Commercial 1 (CM1) and the

existing building is home to "Cruise Plus" travel agency. The current building accommodates 30 plus employees. The owners of the property have indicated that given age of the existing building and their need to find additional space for a growing staff, they would like to redevelop the property.

While the owners are able to redevelop the property to accommodate the office use under the existing zoning, the parcel is large enough to provide for additional commercial uses. The owners have indicated they wish to redevelop the property to permit a mix of commercial and residential uses.

## **DEVELOPMENT IMPLICATIONS**

### **OCP Implications**

The subject parcel is located in the "Village Commercial Core" area as indicated on Map # 5 of the District of Lantzville's current Official Community Plan (Bylaw No. 50, 2005). The amendment proposal, as submitted, is consistent with the direction provided by the OCP.

The OCP supports the provision of mixed uses (commercial/residential) as well as other housing forms within the Village Core area. Section 6.2 of the OCP outlines a number of policies intended to strengthen and enhance the Village Commercial Core. This includes:

- "3. The District encourages the development of residential uses in the upper floors of both new and existing commercial buildings."

In addition to amending the Zoning Bylaw, redevelopment of the subject property will be subject to development permit guidelines regarding form and character.

### **Servicing Implications**

#### **Water:**

Currently the District does not have the ability to provide additional water for the re-development of the site if a larger water service is required. Therefore, the proposal must not increase the size of the existing service for residential use. The District will require that a mechanical engineer confirm that the proposed development does not require an increase in the water service size.

The District will allow for an additional service, up to 150mm, to the property if required for a sprinkler system. This service must not be connected to the system that services the property for domestic use.

If the District's water capacity increases and additional water becomes available, the applicant can approach the District for an increase in water service size if desired or required.

#### **Sewer:**

The proposed development must be connected to the District of Lantzville Sanitary Sewer System.

#### **Storm Sewer:**

The applicant is to provide an acceptable rain water management plan to the Director of Public Works for review. A zero-net increase in predevelopment runoff is the goal of the District.

**Roads:**

The applicant is required to provide the District with a traffic assessment for the entrance and egress points identified in the plan. As per Schedule B Section 8.2.1 of the Subdivision and Development Bylaw No. 55, the applicant will be required to construct a side walk along the portion of the property on Lantzville Road and along Caillet Road.

**Land Use Implications**

Prior to being the current home of Cruise Plus, the existing building was used as a residence and restaurant. The current business (Cruise Plus) have out grown the space and the owners are at a point where they need to decide to simply add on to the existing structure or construct a new building.

The property is large enough to accommodate the future needs of Cruise Plus as well some additional commercial uses. In review the current Official Community Plan (OCP) and thinking about the future, the owners would like the ability to redevelopment the property for a mixed use commercial and residential.

The owner are aware of the current water constrains and are exploring a phased development scenario. Attachment 2 of this report provides a of couple development options being considered by the property owners.

Should the rezoning application be approved, the property will be subject to a development permit process to address design (form and character), parking and landscaping.

**PUBLIC CONSULTATION IMPLICATIONS**

As this proposed zoning amendment is generally consistent with the Official Community Plan, it is recommended that the public information meeting be waived for this application.

Surrounding property owners within a 60 metre radius will be made aware of the application as part of the normal notification process pursuant to the *Local Government Act* and Lantzville's own notification policy.

**FINANCIAL IMPLICATIONS**

Costs to process this application are considered to be within the fees prescribed by the "District of Lantzville Land Use and Development Procedures and Fee Bylaw No. 37, 2005" and any amendments thereto. It is not anticipated that additional costs will be incurred on this application.

**COMMUNICATION STRATEGY**

There is no formal communication strategy required. As this report is in an open Council meeting, the report and attachments will be available on the District's website for review.

**STRATEGIC PLAN ALIGNMENT**

This application is in keeping with the 2015-2018 Strategic Plan Community Planning goal "to ensure that development is consistent with the Lantzville Official Community Plan." The proposed zoning amendment is consistent with the density outlined in the Official Community Plan for the area.

**SUMMARY**

This is an application to amend "District of Lantzville Zoning Bylaw No. 60, 2005" to rezone the subject property located at 7143 Caillet Road from Commercial 1 (CM1) to Commercial 8 (CM8) to facilitate a future mixed use development. Given that the Official Community Plan supports the proposed use and density, it is recommended that this application be considered for first and second readings, subject to the conditions outlined in Schedules No. 1 and No.2, and advance to public hearing.

Respectfully submitted

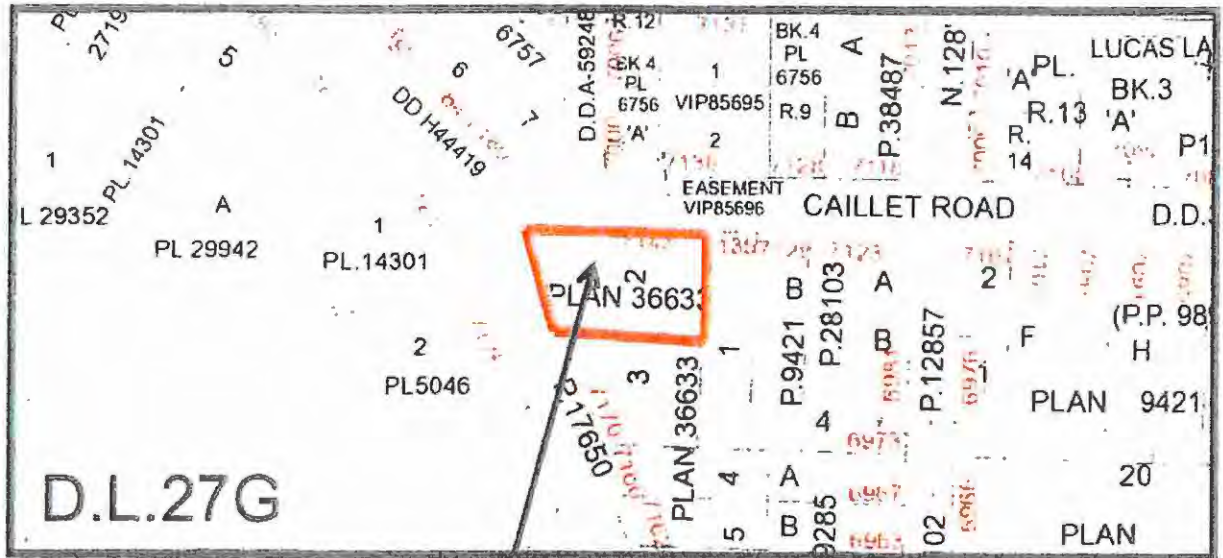
\_\_\_\_\_  
**Frank Limshue, Community Planner**  
**District of Lantzville**

Reviewed By:

<b>Chief Administrative Officer</b>		<b>Director of Financial Services</b>		<b>Director of Public Works</b>		<b>Director of Corporate Administration</b>	
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**Attachment No. 1**  
**Location of Subject Property**  
**Zoning Amendment Application No. 3360-20-17-1**  
**7143 Caillet Road**

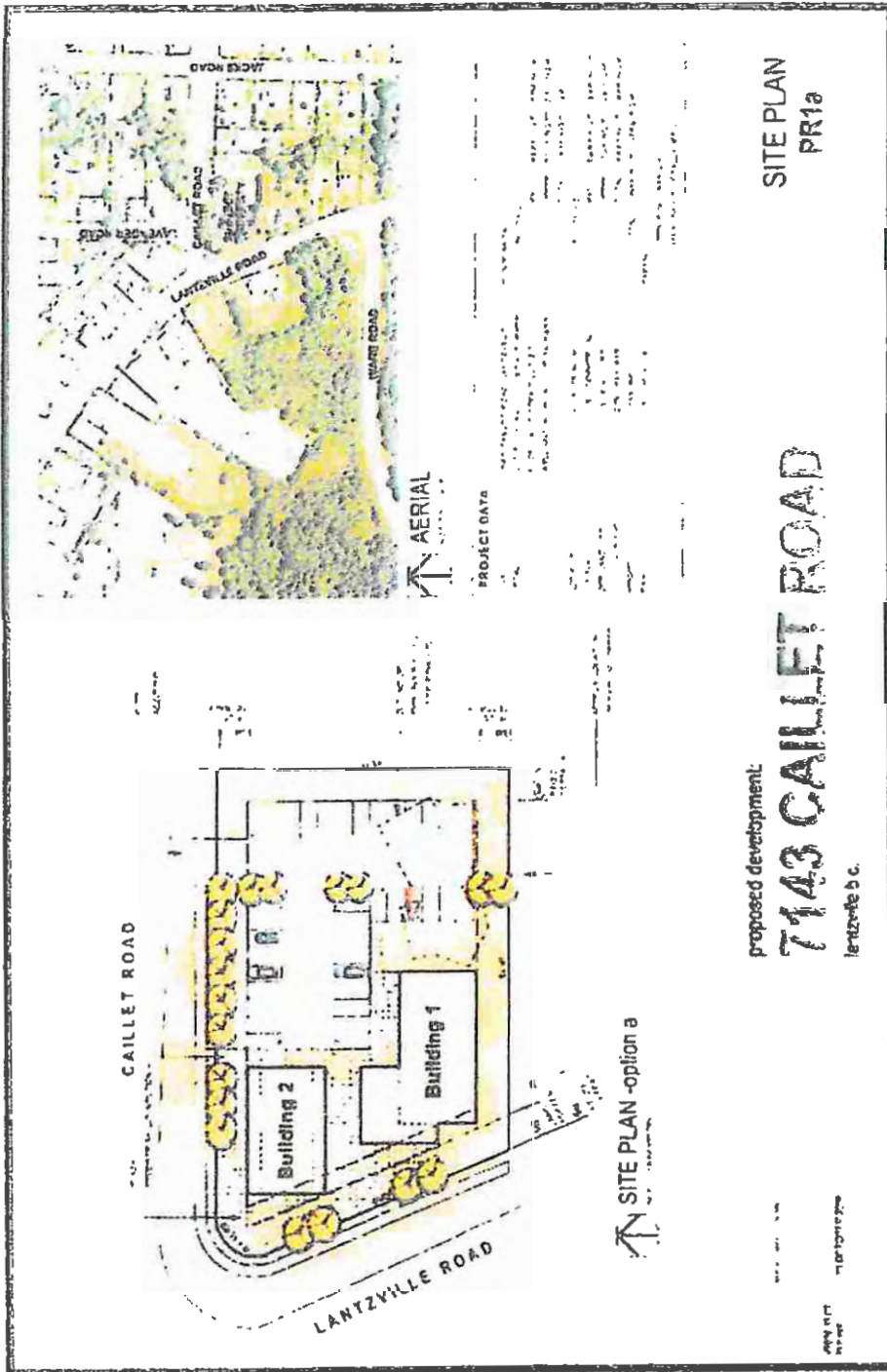
**Lot 2, District Lot 27G (Formerly known as District Lot 27), Wellington District, Plan 36633**



Subject Property at 7143 Caillet Road to be rezoned from Commercial 1 (CM1) under Subdivision District 'L' to Commercial 8 (CM8) under Subdivision District 'L'.

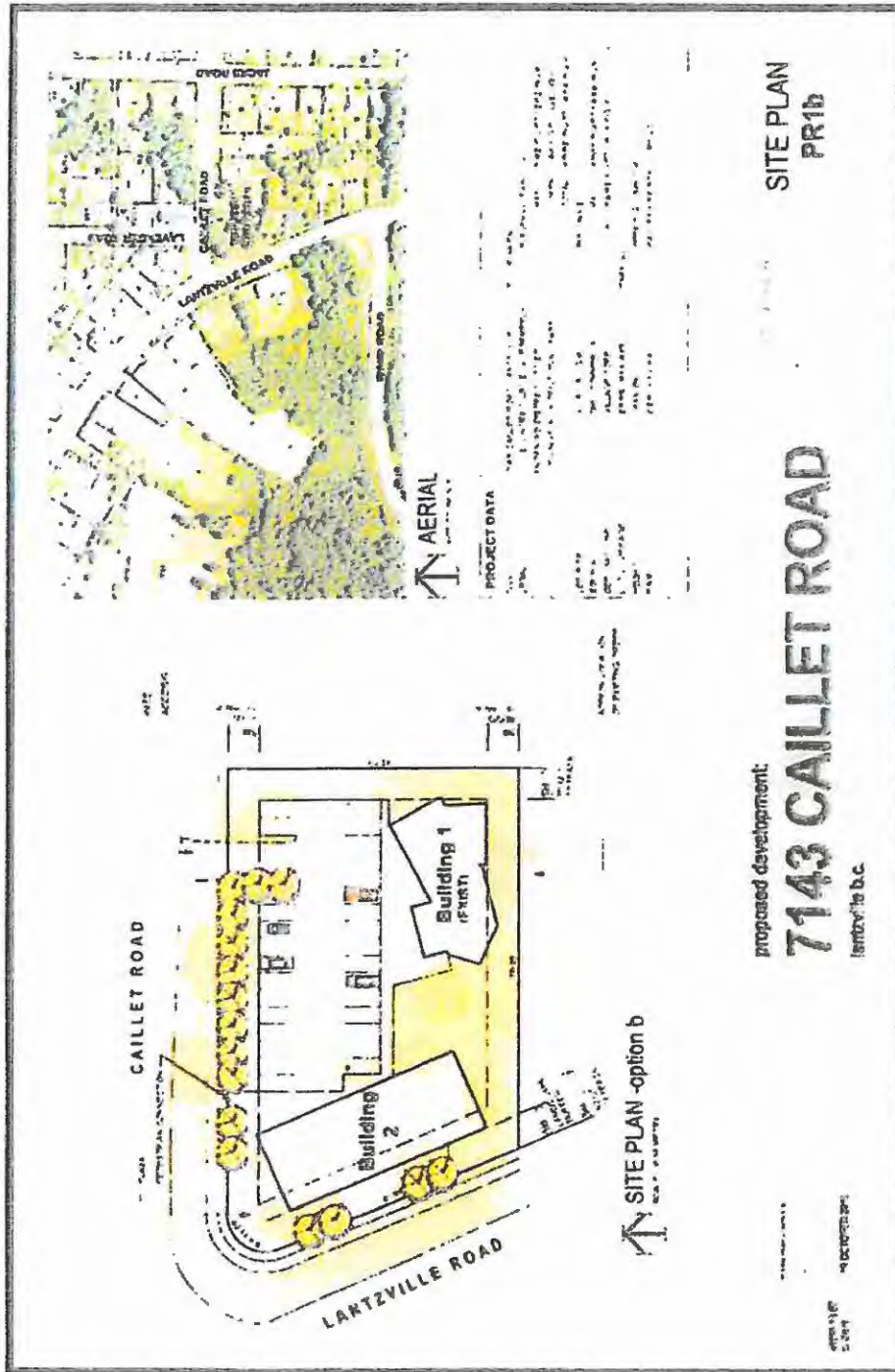
Attachment No. 2  
Conceptual Plan PR1a of Proposed Development  
Zoning Amendment Application No. 3360-20-17-1  
7143 Caillet Road

Lot 2, District Lot 27G (Formerly known as District Lot 27), Wellington District, Plan  
36633



Attachment No. 2  
Conceptual Plan PR1b of Proposed Development  
Zoning Amendment Application No. 3360-20-17-1  
7143 Caillet Road

Lot 2, District Lot 27G (Formerly known as District Lot 27), Wellington District, Plan  
36633



**Schedule No. 1  
Conditions of Approval  
"District of Lantzville Zoning Bylaw No. 60, 2005,  
Amendment Bylaw No. 60.35, 2017"  
7143 Callet Road**

**Lot 2, District Lot 27G (Formerly known as District Lot 27), Wellington District, Plan  
36633**

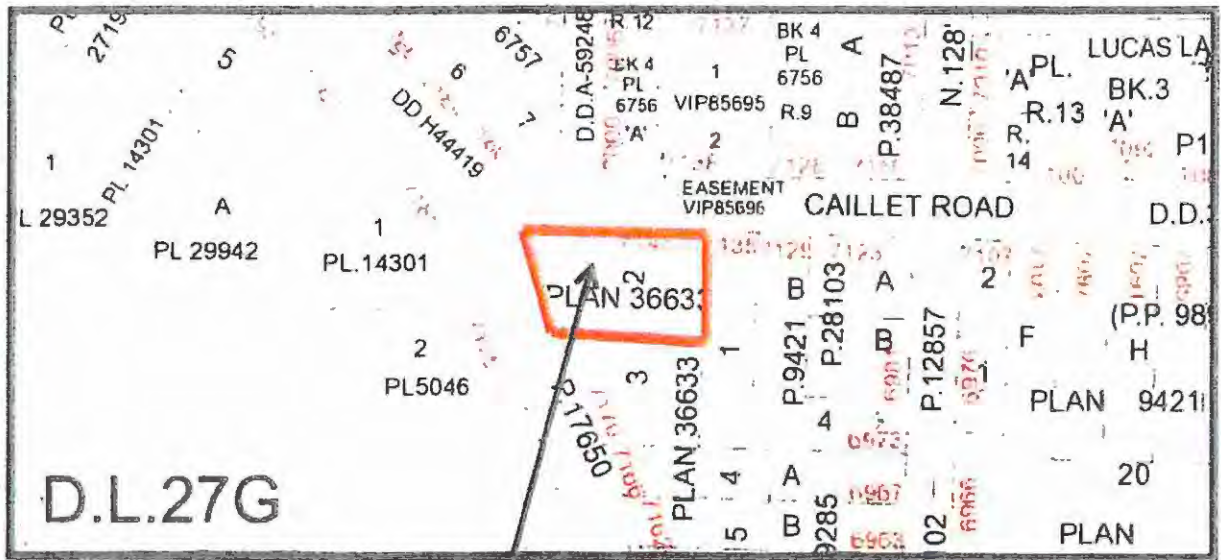
The following conditions apply to the above noted application to amend the District of Lantzville's Zoning Bylaw No. 60, 2005 from Commercial 1 (CM1), Subdivision District 'L' to Commercial 8 (CM 8) Subdivision District 'L':

1. The development of the subject property will comply with all aspects, uses, and conditions of the District of Lantzville Zoning Bylaw No. 60, 2005, any other District of Lantzville bylaws or regulations, building code regulations, and the regulations of other local and/or senior levels of government.
2. The approval of this zoning amendment application in no way establishes the approval of subsequent Development Permit applications. The merits of a Development Permit application will be considered separately from this rezoning application.
3. As the District currently does not have the ability to provide additional water for the re-development of the site if a larger water service is required, the proposal must not increase the size of the existing service for residential use. The District will require that a mechanical engineer confirm that the proposed development does not require an increase in the water service size.
4. The development of the subject property shall comply with the requirement of the District of Lantzville Subdivision and Development Bylaw No. 55.



**Schedule No. 2**  
**Location of Subject Property**  
**Zoning Amendment Application No. 3360-20-17-1**  
**7143 Caillet Road**

**Lot 2, District Lot 27G (Formerly known as District Lot 27), Wellington District, Plan 36633**



Subject Property at 7143 Caillet Road to be rezoned from Commercial 1 (CM1) under Subdivision District 'L' to Commercial 8 (CM8) under Subdivision District 'L'.

**DISTRICT OF LANTZVILLE  
BYLAW NO. 60.35**

**A Bylaw to Amend District of Lantzville Zoning Bylaw No. 60, 2005**

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

A. **Schedule 'A'** of "District of Lantzville Zoning Bylaw No. 60, 2005", is hereby amended as follows:

1. **PART 3 LAND USE REGULATIONS, Section 3.1 Zones** is hereby amended by adding the following classification and corresponding short title equivalent after 'Commercial 7 (CM7)':

Commercial 8 (CM8)

2. **PART 3 LAND USE REGULATIONS , Section 3.4 Regulations for each Zone** is hereby amended by adding immediately following Section 3.4.17, Commercial 7 (CM7):

Section 3.4.18, Commercial 8 (CM8) as shown on Schedule '1' which is attached to and forms part of this bylaw.

3. **PART 3 LAND USE REGULATIONS, Schedule '3A', ZONING MAPS** is hereby amended by rezoning from Commercial 1, Subdivision District L (CM1L) to Commercial 8, Subdivision District L (CM8L) for the lands legally described as:

Lot 2, District Lot 27G (Formerly known as District Lot 27), Wellington District,  
Plan 36633

as shown in heavy dashed line outlined on Schedule '2' which is attached to and forms part of this Bylaw.

4. This Bylaw may be cited as "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017."

**READ A FIRST TIME** this 8<sup>th</sup> day of May, 2017.

**READ A SECOND TIME** this 8<sup>th</sup> day of May, 2017.

Public Hearing held pursuant to Section 890 of the *Local Government Act* this 12<sup>th</sup> day of June, 2017.

Approved by the Ministry of Transportation pursuant to Section 52 of the *Transportation Act* this \_\_\_ day of \_\_\_\_\_, 2017.

**READ A THIRD TIME** this \_\_\_ day of \_\_\_\_\_, 2017.

**ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Director of Corporate Administration

**“District of Lantzville Zoning Bylaw No. 60, 2005,  
Amendment Bylaw No. 60.35, 2017”  
Schedule No. 1**

**“Section 3.4.18**

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**COMMERCIAL 8**

**CMB**

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**Permitted uses and Minimum Site Area**

<b>Permitted Uses</b>	<b>Required Site Area with: Community Water &amp; Sewer System</b>
Convenience Store	800 m <sup>2</sup>
Office	60 m <sup>2</sup>
Personal Service Use	800 m <sup>2</sup>
Recreational Facility	800 m <sup>2</sup>
Residential Use	60 m <sup>2</sup>
Restaurant	2000 m <sup>2</sup>
Retail Store	800 m <sup>2</sup>

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**Maximum Number and Size of Buildings and Structures**

Dwelling units/parcel	- subject to site area requirements above
Floor area ratio	- 0.50
Height	- 8.5 m (max. 2 storeys)
Parcel coverage	- 50%

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**Minimum Setback Requirements**

Front lot line	- 5.0 m
Other lot lines	- 5.0 m

except where:

- a) the adjoining parcel is zoned industrial or commercial then the setback from the common interior side lot line may be reduced to zero;
- b) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 shall apply.

**Landscaping and Screening**

In addition to the Landscaping requirements identified in Schedule '3F' Landscaping Regulations and Standards of this bylaw, the following landscaping requirements shall be met:

- a) Where the property line(s) is adjacent to a residential use - to separate parking, internal roads, services or storage areas from adjacent properties, a landscaped buffer of at least 2m in width and 2m in height shall be provided along the inside of the property line(s).
- b) Loading areas, garbage and recycling containers shall be screened and gated to a minimum height of 2m by a landscaping screen or decorative solid fence or a combination thereof.

**Special Regulations**

- a) Garbage containers and passive recycling containers shall not be located within any required setback adjacent any residential lot.
- b) The outdoor storage or display of any goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Part.

**"District of Lantzville Zoning Bylaw No. 60, 2005,  
Amendment Bylaw No. 60.35, 2017"  
Schedule No. 2**



Subject Property at 7143 Caillet Road to be rezoned from Commercial 1 (CM1) under Subdivision District 'L' to Commercial 8 (CM8) under Subdivision District 'L'.

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**District of Lantzville  
REPORT TO CAO**

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**Regular Council Agenda Item**

**June 26, 2017**

**File: 3900-20-60.35**

T:\DISTRICT OF LANTZVILLE\Reports to Council\2017\7143 Caillet Road Public Hearing Report.docx

**AUTHOR: Frank Limshue, Community Planner**

**SUBJECT: Public Hearing Report "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment Bylaw No. 60.35, 2017" – 7143 Caillet Road (Dash Development Ltd.) for Lot 2, District Lot 27G (Formerly Known as District Lot 27), Wellington District, Plan 36633 (PID 000-418-749)**

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**RECOMMENDATIONS**

1. **THAT Council gives third reading to "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017".**
2. **THAT Council adopts "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017".**

**ALTERNATIVES**

1. **THAT Council not approve third reading for "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017" and therefore not permit the application to proceed.**
2. **THAT Council instruct Staff to host a Public Information Meeting and schedule another public hearing.**

**ATTACHMENTS**

1. **Location Map;**
2. **Copy of concept plans;**
3. **Copy of zoning amendment bylaw;**
4. **Copy of written submission; and**
5. **Copy of petition.**

**PURPOSE**

**This public hearing report relates to the Public Hearing held on June 12, 2017 for the purpose of consider a zoning amendment application on the property legally described as Lot 2, District Lot 27G (Formerly Known as District Lot 27), Wellington District, Plan 36633, located at 7143 Caillet Road to allow for the redevelopment of the property in order to accommodate a future mixed use (commercial/residential) development.**

**BACKGROUND**

The District of Lantzville has received a rezoning application for the parcel located at 7143 Caillet Road as shown on Attachment 1. The property is currently zoned Commercial 1 (CM1) and the existing building is home to "Cruise Plus" travel agency. The current building accommodates 30 plus employees. The owners of the property have indicated that given age of the existing building and their need to find additional space for a growing staff, they would like to redevelop the property.

While the owners are able to redevelop the property to accommodate the office use under the existing zoning, the parcel is large enough to provide for additional commercial uses. The owners have indicated they wish to redevelop the property to permit a mix of commercial and residential uses.

The subject parcel is located in the "Village Commercial Core" area as indicated on Map # 5 of the District of Lantzville's current Official Community Plan (Bylaw No. 50, 2005). The amendment proposal, as submitted, is consistent with the direction provided by the OCP.

**PUBLIC HEARING**

Notices for the June 12, 2017 public hearing was sent to neighboring properties located within 120m of the subject lands and advertised in two consecutive issues of the newspaper.

There were seven (7) verbal submissions. Four (4) spoke in favour of the rezoning amendment, while three (3) spoke against the proposed amendment. One of the speakers also submitted his opposition in writing.

A petition containing 41 signatures opposing the zoning amendment was submitted.

Respectfully submitted

**Frank Limshue, Community Planner  
District of Lantzville**

Reviewed By:

<b>Chief Administrative Officer</b>		<b>Director of Financial Services</b>		<b>Director of Public Works</b>		<b>Director of Corporate Administration</b>	
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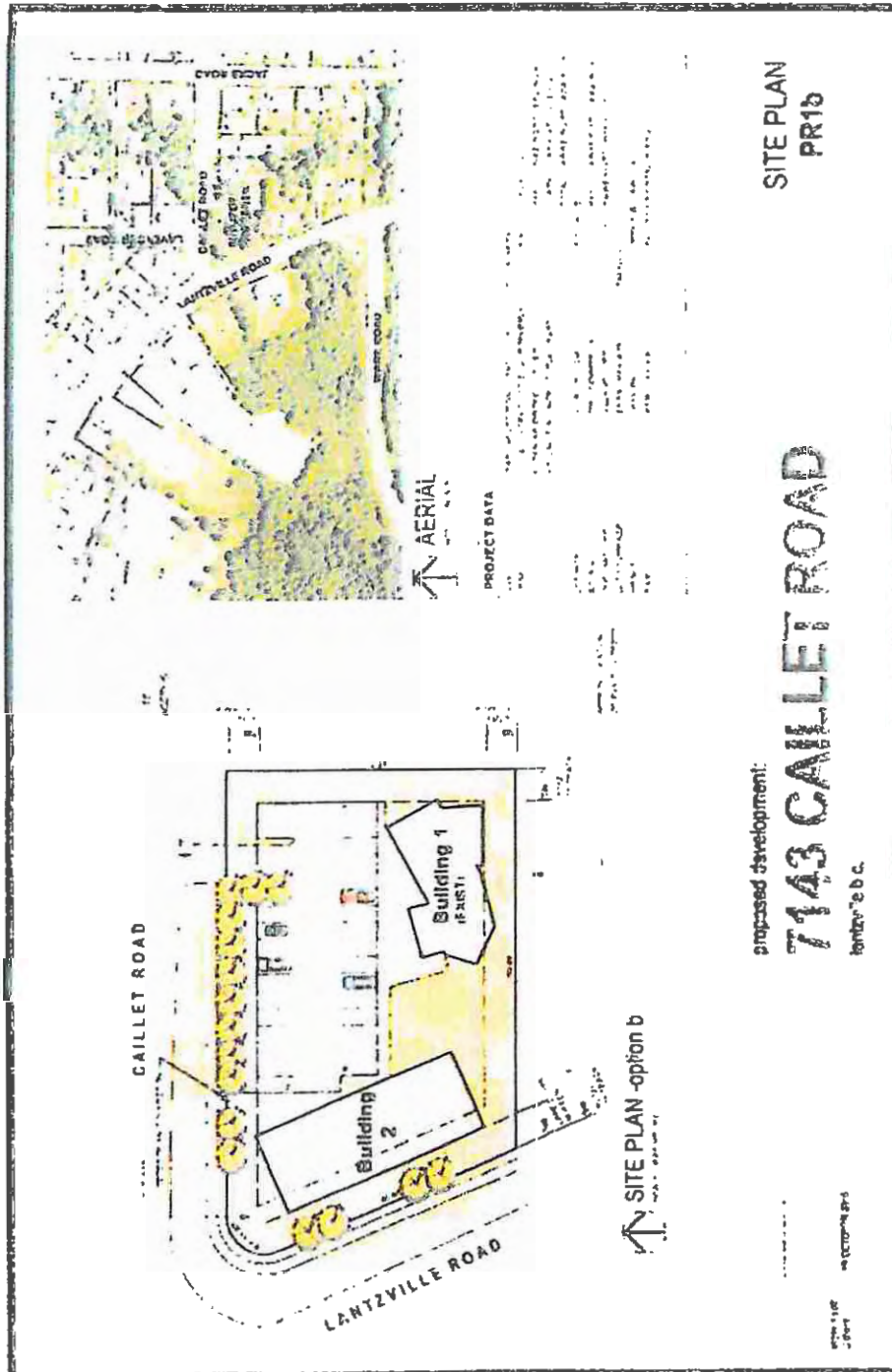






**Attachment No. 2**  
**Conceptual Plan PR1b of Proposed Development**  
**Zoning Amendment Application No. 3360-20-17-1**  
**7143 Caillet Road**

**Lot 2, District Lot 27G (Formerly known as District Lot 27), Wellington District, Plan 36633**



**Attachment No. 3  
DISTRICT OF LANTZVILLE  
BYLAW NO. 60.35**

**A Bylaw to Amend District of Lantzville Zoning Bylaw No. 60, 2005**

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

A. Schedule 'A' of "District of Lantzville Zoning Bylaw No. 60, 2005", is hereby amended as follows:

1. **PART 3 LAND USE REGULATIONS, Section 3.1 Zones** is hereby amended by adding the following classification and corresponding short title equivalent after 'Commercial 7 (CM7)':

**Commercial 8 (CM8)**

2. **PART 3 LAND USE REGULATIONS , Section 3.4 Regulations for each Zone** is hereby amended by adding immediately following Section 3.4.17, Commercial 7 (CM7):

**Section 3.4.18, Commercial 8 (CM8) as shown on Schedule '1' which is attached to and forms part of this bylaw.**

3. **PART 3 LAND USE REGULATIONS, Schedule '3A', ZONING MAPS** is hereby amended by rezoning from Commercial 1, Subdivision District L (CM1L) to Commercial 8, Subdivision District L (CM8L) for the lands legally described as:

**Lot 2, District Lot 27G (Formerly known as District Lot 27), Wellington District, Plan 36633**

**as shown in heavy dashed line outlined on Schedule '2' which is attached to and forms part of this Bylaw.**

4. This Bylaw may be cited as "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment (7143 Caillet Road) Bylaw No. 60.35, 2017."

**READ A FIRST TIME** this 8<sup>th</sup> day of May, 2017.

**READ A SECOND TIME** this 8<sup>th</sup> day of May, 2017.

Public Hearing held pursuant to Section 890 of the *Local Government Act* this 12<sup>th</sup> day of June, 2017.

Approved by the Ministry of Transportation pursuant to Section 52 of the *Transportation Act* this 16<sup>th</sup> day of June, 2017.

**READ A THIRD TIME** this \_\_\_ day of \_\_\_\_\_, 2017.

**ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Director of Corporate Administration

**"District of Lantzville Zoning Bylaw No. 60, 2005,  
 Amendment Bylaw No. 60.35, 2017"  
 Schedule No. 1**

**"Section 3.4.18**

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**COMMERCIAL B**

**CM8**

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**Permitted uses and Minimum Site Area**

<b>Permitted Uses</b>	<b>Required Site Area with: Community Water &amp; Sewer System</b>
Convenience Store	800 m <sup>2</sup>
Office	60 m <sup>2</sup>
Personal Service Use	800 m <sup>2</sup>
Recreational Facility	800 m <sup>2</sup>
Residential Use	60 m <sup>2</sup>
Restaurant	2000 m <sup>2</sup>
Retail Store	800 m <sup>2</sup>

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**Maximum Number and Size of Buildings and Structures**

Dwelling units/parcel	- subject to site area requirements above
Floor area ratio	- 0.50
Height	- 8.5 m (max. 2 storeys)
Parcel coverage	- 50%

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**Minimum Setback Requirements**

Front lot line	- 5.0 m
Other lot lines	- 5.0 m

except where:

- a) the adjoining parcel is zoned industrial or commercial then the setback from the common interior side lot line may be reduced to zero;
- b) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 shall apply.

**Landscaping and Screening**

In addition to the Landscaping requirements identified in Schedule '3F' Landscaping Regulations and Standards of this bylaw, the following landscaping requirements shall be met:

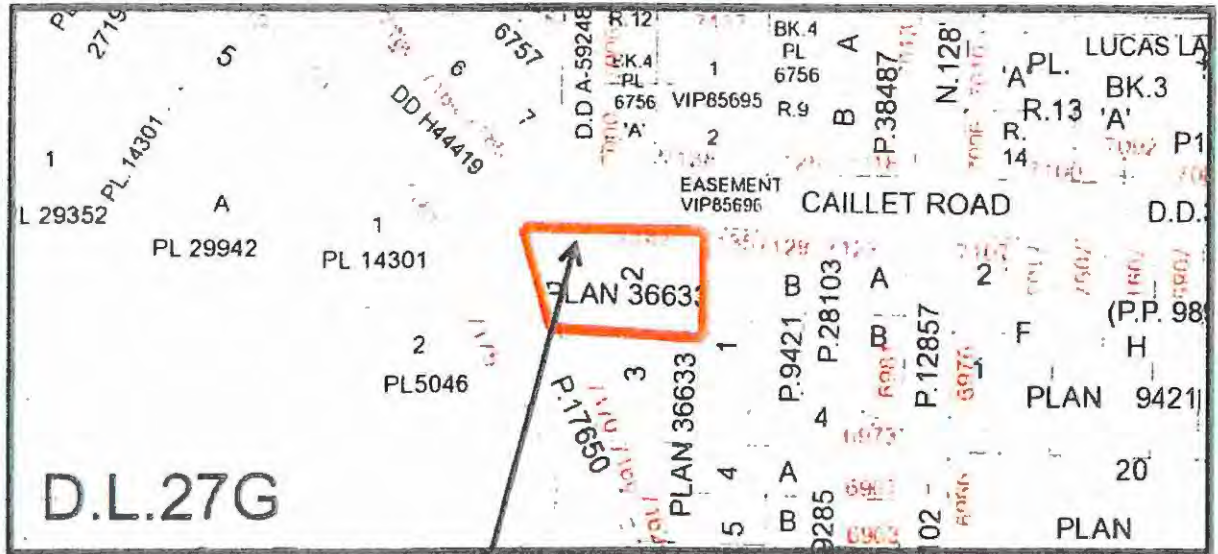
- a) Where the property line(s) is adjacent to a residential use - to separate parking, internal roads, services or storage areas from adjacent properties, a landscaped buffer of at least 2m in width and 2m in height shall be provided along the inside of the property line(s).
- b) Loading areas, garbage and recycling containers shall be screened and gated to a minimum height of 2m by a landscaping screen or decorative solid fence or a combination thereof.

**Special Regulations**

- a) Garbage containers and passive recycling containers shall not be located within any required setback adjacent any residential lot.
- b) The outdoor storage or display of any goods, materials or supplies is specifically prohibited.

notwithstanding any other provision in this Part.

**"District of Lantzville Zoning Bylaw No. 60, 2005,  
Amendment Bylaw No. 60.35, 2017"  
Schedule No. 2**



Subject Property at 7143 Caillet Road to be rezoned from Commercial 1 (CM1) under Subdivision District 'L' to Commercial 8 (CM8) under Subdivision District 'L'.




office? Multiple commercial units on one or two storeys with just a few additional dwelling units? Councilors, these aren't just out questions, the redevelopment of 7145 Carleton Road will affect the environment of the surrounding neighbourhood as well as the interests we each have in our own property for many many years to come.

No one will dispute that a property owner has the right to seek highest and best use of that property and if a commercial use aims to maximize returns on investment. The issue before us is that there are insufficient limits in this proposed zoning bylaw to ensure that this would be achieved in accordance with the local neighbourhood's wishes and with the current (and even a potential future) community plan.

I urge you to vote against the proposed Bylaw No. 63-35-2017 for the reasons stated above.

Sincerely,



Jamie Dryburgh  
7075 Carleton Road  
Lantzville BC



Lantzville Municipal Council  
 7500 Highway 100, Lantzville, BC V0L 2G0  
 (250) 833-2117

PETITION

Received from B Blood at June 12, 2017  
 Regular Council Meeting Item 4a)  
 Public Hearing Bylaw No. 60.35

We, the undersigned, request that Lantzville Council members deny the request to rezone the property at 7143 Caillet Rd from Commercial 1 to Commercial 8. The Amendment Bylaw No.60.35, 2017 lacks the specificity to protect the established single-family nature of our neighborhood from an unknown quantity, size and quality of mixed residential and commercial use.

NAME (print)	SIGNATURE	ADDRESS
RICHARD BREND BACK	R. J. B.	7085 CAILLET RD JUNE 8
GORD TIGHE	[Signature]	7097 CAILLET RD JUNE 8/17
KATHLEEN MAKI	[Signature]	9139 CAILLET RD JUNE 8
Samir Popkin	[Signature]	7044 Caillet Rd. JUNE 8
Chris Tamm	[Signature]	7013 Jacks Rd.
Shirley Roberts	[Signature]	7084 Caillet Rd June 8/17
Jack Roberts	[Signature]	7084 Caillet Rd June 8/17
Carrie Ann Popkin	[Signature]	7044 Caillet Rd. June 8/17
RAY HARRIS	[Signature]	7041 CAILLET RD
REGINA OLSEN	[Signature]	7033 CAILLET RD June 8/17

PETITION

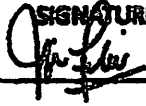

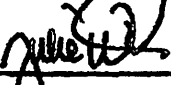




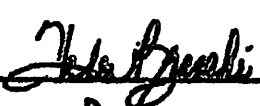
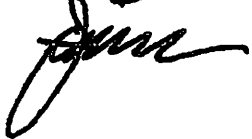
We, the undersigned, request that Lantzville Council members deny the request to rezone the property at 7143 Caillet Rd from Commercial 1 to Commercial 8. The Amendment Bylaw No.60.35, 2017 lacks the specificity to protect the established single-family nature of our neighborhood from an unknown quantity, size and quality of mixed residential and commercial use.

NAME (print)	SIGNATURE	ADDRESS
Gordon Little		7143 Caillet Rd Lantzville
Barbara [unclear]		91/211 6970 Jacks Rd Lantzville
		6928 Jacks Rd Lantzville 6928 Jacks Rd Lantzville
G.E. Oldham		6963 Jacks Rd
M.R. Oldham		6963 Jacks Rd
Lee Heppell		6928 Jacks Rd
PETER H. [unclear]		722 Caillet Rd

P21

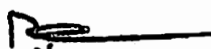
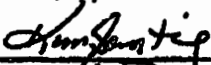


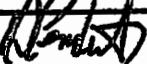
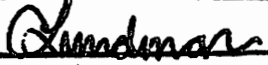



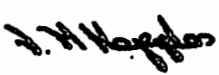

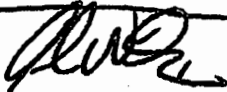
PETITION

We, the undersigned, request that Lenoirville Council members deny the request to rezone the property at 7143 Caillet Rd from Commercial 1 to Commercial 8. The Amendment Bylaw No.60.35, 2017 lacks the specificity to protect the established single-family nature of our neighborhood from an unknown quantity, size and quality of mixed residential and commercial use.

NAME (print)	SIGNATURE	ADDRESS
JIM LESOE		7070 CAILLET RD. 04/08/17
Jessica Aubertin		7007 Saxon Cross Rd. 04/08/17
Julie Winkel		7008 Saxon Cross Rd
Clint Winkel		7008 Saxon Cross Rd.
Peggy Erickson		7016 Caillet Rd.
CURT ERICKSON		7016 CAILLET RD.
Stephane Laroche		7017 Caillet Rd.
HELEN BRANCHI		1052 CAILLET RD (Dunwoody)
JANIE DEYBURGH		7015 CAILLET RD. 2018/06/09

PETITION

We, the undersigned, request that Lenoirville Council members deny the request to rezone the property at 7143 Caillat Rd from Commercial 1 to Commercial 8. The Amendment Bylaw No.60.35, 2017 lacks the specificity to protect the established single-family nature of our neighborhood from an unknown quantity, size and quality of mixed residential and commercial use.

NAME (print)	SIGNATURE	ADDRESS
BRIAN BARTM		6981 TRICKS RD
Tim Banting		"
Sheri Brown		8115 Southwind.
MARC FREDERICKSON		7135 CAILEY RD
David Pemberton		7138 Caillat Rd. 06/09/2017
CRIST LINDMAN		7000 Caillat Rd
JENIFER WILSON		7103 Caillat Rd
Jean Cooper		7008 HYRON RD.
Brian Blood		7079 Caillat. Jun 9/2017
Janet Haggles		7074 Caillat Rd Jun 9 2017
Estelle Hoover		7119 Caillat Rd June 9/2017
JOHN WILSON		7103 CAILLAT RD P23

PETITION

We, the undersigned, request that Lantzville Council members deny the request to rezone the property at 7143 Caillet Rd from Commercial 1 to Commercial 8. The Amendment Bylaw No.60.35, 2017 lacks the specificity to protect the established single-family nature of our neighborhood from an unknown quantity, size and quality of mixed residential and commercial use

NAME (print)	SIGNATURE	ADDRESS
P. J. ...		655 ...

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# District of Lantzville

## REPORT TO COUNCIL

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**Regular Council Agenda Item  
October 2, 2017**

File: 1970-04

Q:\DISTRICT OF LANTZVILLE\Reports to Council\2018\2018 10 02 Permissive Tax Exemption  
Bylaw No 146.docx

**AUTHOR:** Jeannie Beauchamp, Director of Financial Services

**SUBJECT:** District of Lantzville 2018 Property Tax Exemption Bylaw No. 146,  
2017

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### **RECOMMENDATION**

THAT Council gives first reading to District of Lantzville 2018 Property Tax Exemption Bylaw No. 146, 2017.

THAT Council gives second reading to District of Lantzville 2018 Property Tax Exemption Bylaw No. 146, 2017.

THAT Council gives third reading to District of Lantzville 2018 Property Tax Exemption Bylaw No. 146, 2017.

### **ALTERNATIVES**

THAT Council directs staff to amend District of Lantzville 2018 Property Tax Exemption Bylaw No. 146, 2017.

### **ATTACHMENT(S)**

1. District of Lantzville 2018 Property Tax Exemption Bylaw No. 146, 2017

### **PURPOSE**

For Council to consider providing relief to eligible charitable, recreational and philanthropic organizations operating in the District of Lantzville for the 2018 property taxation year based on permissive tax exemptions granted for 2017.

**BACKGROUND**

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 31<sup>st</sup> 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
  - Heritage Church, which is owned by the District, leased by the Seaside Community Society and sublet to the Woodgrove Christian Community Church Society
  
- B. Property owned or held by charitable/service club/recreational/philanthropic organizations used for public recreation, charitable or philanthropic purposes**
  - Tennis Court Property (parking lot only), which the District has leased to the Seaside Community Society, the Legion and School District #68
  - Costin Hall, which the District leases to the Seaside Community Society
  - The Seaview Centennial Branch 257 of The Royal Canadian Legion

**DISCUSSION**

The proposed bylaw (attached) identifies one-year permissive tax exemptions for the same properties that were exempted by Council in the previous year. The bylaw may only be adopted after public notice of the proposed bylaw in accordance with section 227 and section 94 of the *Community Charter*. A 10-year (2012-2021) permissive tax exemption for the Island Corridor Foundation was approved in a separate bylaw by Council in 2011. All permissive tax exemptions are listed in the District’s Annual Report, regardless of their term. The *Community Charter* does allow council to grant permissive tax exemptions for a maximum term of 10 years.

**FINANCIAL IMPLICATIONS**

The following properties were granted permissive tax exemptions for 2017 and estimates of property tax amounts to be exempted for 2018 are provided below:

<b>Roll</b>	<b>Organization</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
350 07917.000	St. Phillip’s Anglican Church	\$ 1,310	\$ 1,380	\$ 1,450
350 07945.100	Heritage Church	1,070	1,120	1,180
350 07920.000	Tennis Court Parking Lot	1,920	2,020	2,120
350 07919.500	Costin Hall	4,920	5,170	5,430
350 07906.500	The Royal Canadian Legion	3,150	3,310	3,480
		<b>\$12,370</b>	<b>\$13,000</b>	<b>\$13,660</b>

It is estimated that this will represent 0.7% of 2018 total Municipal property taxes.

**COMMUNICATION STRATEGY**

Public notice will be provided in accordance with section 227 and section 94 of the *Community Charter*, which is met by two advertisements in the local newspaper. Additionally, this report will be available for review by the public in the October 2, 2017 Council meeting agenda package and available on the District of Lantzville website.

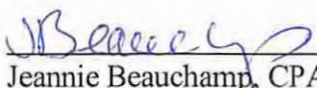
**STRATEGIC PLAN ALIGNMENT**

N/A

**SUMMARY**

Council must adopt the permissive taxation exemption bylaw by October 31, 2017 for the 2018 property taxation year. Unless Council directs staff to amend the bylaw, staff would look to Council to proceed with first, second, and third readings of the proposed District of Lantzville 2018 Property Tax Exemption Bylaw No. 146. 2017 as the exemptions identified in the bylaw are consistent with Council’s direction in prior years.

Respectfully submitted,

  
\_\_\_\_\_  
Jeannie Beauchamp, CPA, CGA, MBA  
Director of Financial Services  
District of Lantzville

Reviewed By:

Chief Administrative Officer		Director of Financial Services		Director of Public Works		Director of Corporate Administration	
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**DISTRICT OF LANTZVILLE  
BYLAW NO. 146, 2017**

**A BYLAW TO EXEMPT CERTAIN PROPERTIES FROM TAXATION FOR THE  
YEAR 2018**

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**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 enacts as follows:

**Citation**

- 1.1 This bylaw may be cited for all purposes as "District of Lantzville 2018 Property Tax Exemption Bylaw No. 146, 2017"

**Property to be Exempted**

- 2.1 Subject to Section 2.3 of this Bylaw, the following Church lands, together with the buildings thereon, shall be exempt from taxation for the 2018 property taxation year:

**St. Philip's by the Sea Anglican Church**

Roll Number: 350.07917.000

Legal: Lot 2, Plan 2913, as shown on Plan 302R, DL 27G, Wellington  
Land District

Civic: 7113 Lantzville Road

Owner: Anglican Synod Diocese of B.C.

- 2.2 Church halls situated upon lands described in Section 2.1 of this Bylaw, whether such halls are within church buildings or apart therefrom, are deemed to be necessary to their respective church operations.

- 2.3 The maximum area of land to be exempted from taxation shall be 2.0 acres (87,120 sq. ft.) of the land upon which the 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 land and improvements used or occupied by a church as a tenant or licensee, shall be exempt from taxation for the 2018 property taxation year:

The Woodgrove Christian Community Church Society

Roll Number: 350.07945.100

Legal: Lot 11, Plan 11922, DL 27G Wellington Land District

Civic: 7244 Lantzville Road

Owner: District of Lantzville

- 2.5 The following miscellaneous recreational land and improvements shall be exempt from taxation for the 2018 property taxation year to the extent indicated below:

(a) Tennis Court Property

Roll Number: 350.07920.000

Legal: Lot 1, Plan 9671, DL 27G, Wellington Land District, Except Plan 20967, SEC 24(W) TA Ball Park/Playing Field

Civic: School Road

Owner: District of Lantzville

Extent of Exemption: All land and improvements

(b) Costin Hall

Roll Number: 350.07919.500

Legal: Lot 1, Plan 2573, DL 27G, Wellington Land District, Parking Lot SEC 24 (W) TA

Civic: 7232 Lantzville Road

Owner: District of Lantzville

Extent of Exemption: All land and improvements

- 2.6 The following land and improvements owned by a not for profit corporation shall be exempt from taxation for the 2018 property taxation year to the extent indicated below:

Legion Hall

Roll Number: 350.07906.500

Legal: Lot 1, Plan 48393, District Lot 27G, Wellington Land District

Civic: 7225 Lantzville Road

Owner: Seaview Centennial #257 Branch

Royal Canadian Legion

Extent of Exemption: All land and improvements

**READ A FIRST TIME** this day of

**READ A SECOND TIME** this day of

**READ A THIRD TIME** this day of

Notice published pursuant to Section 94 of the *Community Charter* on the and  
of October, 2017.

**ADOPTED** this day of

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Director of Corporate Administration

**Minutes of the District of Lantzville Parks and Recreation Commission Meeting held on Thursday, September 21, 2017 at 4:30 pm at the District Office, 2<sup>nd</sup> Floor – 7192 Lantzville Road, Lantzville, BC**

**PRESENT: Members:** Dot Neary, Councillor, Chairperson  
Julia Ohly, Member  
Karen Proctor, Member  
Brenda Savage, Member  
Joy Tretick, Member

**Absent:** Paul Manhas, Member  
Liette Masse, Member

**Staff:** Frank Limshue, Community Planner

The Chairperson called the meeting to order at 4:30 pm.

**ADOPTION OF THE AGENDA**

MOVED and SECONDED, THAT the Commission adopts the September 21, 2017 meeting agenda.  
**CARRIED**

**PUBLIC INPUT PERIOD – Nil**

**APPROVAL OF THE MINUTES**

MOVED and SECONDED, THAT the Commission approves the June 15, 2017 meeting minutes, as presented.

**CARRIED**

MOVED and SECONDED, THAT the Commission approves the July 25, 2017 meeting minutes, as presented.

**CARRIED**

**BUSINESS ARISING**

**PRESENTATIONS, DELEGATIONS, PETITIONS – Nil**

**CORRESPONDENCE – Nil**

**STATUS OF COMMISSION RECOMMENDATIONS TO COUNCIL/COUNCIL MOTIONS – Nil**

**UNFINISHED BUSINESS**

**(1) Project Updates**

**a) Copley Ridge Recreation Trail – Update**

- Interpretive Signage – Staff confirmed that trail map signage has been completed and installed at trail heads, final prints of the interpretive signage for the Pileated Woodpecker and Salal expected this month (after comments/logo from Snaw-Naw-As re Traditional First Nations Uses of Salal), and drafts for Black Bear, Cougar and Oregon Grape underway. Staff noted focus will return to the public information community-wide parks/trails brochure/map (for printing and website) after the interpretive sign designs are completed, with intent of completion in 2017. The Commission suggested inviting and acknowledging the Aspengrove School students involved with preparing the interpretive signage, when the Pileated Woodpecker signs are being placed on the trail.
- Construction – Two bridges off Lorenzen planned for construction Fall 2017; may need to carry forward funding for one for completion in 2018. There was some uncertainty regarding the location of the proposed bridges; staff to clarify at next meeting.

- b) **Rotary Park Mountain Bike Skills Circuit – Update**  
 After missing the construction schedule in the Spring due to weather, drainage work was completed and the Mountain Bike Skills Circuit project was postponed until an opening in the designer/construction crew’s schedule. Work is planned as a Fall project. Hoots designer met with the Director of Public Works on site on September 13, 2017.

- (2) **Minetown Day September 9, 2017 – Update**  
 Staff reported that the event was completed under budget; a planning group meeting is scheduled for October 11, 2017; and a summary report will be brought forward to the Commission after all invoices have been received. Minetown Day planning group chair, J. Ohly provided an update, noting that overall there was a good turnout and good spirit despite the weather and competing events. There was suggestion to look at coordinating “Lantzville Got Talent” earlier. The Commission acknowledged and expressed appreciation for all the sponsors, including: Koers & Associates, Copcan Civil Ltd. and Woodlot 1475, M&J Tree Service, Keller’s Jewellers Ltd., Teresa Battle, Woodgrove Centre, Ivanhoe Cambridge, Susanne Turnbull & Guides, Progressive Waste Solutions, 4Cats Art Studio, Tiger Mountain Music Studio, Riso Foods, Blissful Day Spa, Quality Foods, Tom Whipps, Jack DeJong, and all the many volunteers, vendors and exhibitors.

**NEW BUSINESS**

- (1) **2018 – 2022 Financial Plan**  
 The Commission proceeded to review, update and confirm the Parks and Recreation Commission projects list to finalize a recommendation to Council for funding in 2018 – 2022 Financial Plan.
  - Parks and Recreation Commission 2017 & Beyond Priority Projects Worksheet – September 2017 Draft

MOVED and SECONDED, THAT the Commission recommends to Council THAT Council instructs staff to incorporate into the 2018-2022 Financial Plan, the following projects, in priority order:

Priority	Description	Year	Budget	Funding
1	Copley Ridge Recreation Trail (Woodlot)	2018	4,000	Carry Forward
2	Huddlestone Park Upgrades – playground equipment replacement and addition of Toddler Facilities	2018	142,000	Parks Development Reserve
3	Fernmar Road to Andrea Crescent via Copley Park Trail	2018	5,500	Operating
4	Copley Park Upgrades – playground equipment replacement	2019	80,000	Parks Development Reserve

**CARRIED**

**LATE ITEMS DISCUSSED**

- (1) Pickball lines painted on the tennis courts – B. Savage suggested that Seaside Community Society could place a note on their sandwich board sign in front of Costin Hall.
- (2) Tennis Courts – discussed how to monitor/guage usage of the tennis courts.
- (3) Seaside Community Society has issued a public Invitation to an Open House to be held at Costin Hall, September 30, 2017 10:00 am-2:00 pm, with spaghetti dinner from 5:00 pm-9:00 pm. Tickets for dinner required – no charge.

**PUBLIC CLARIFICATION/INPUT PERIOD – Nil**

**MOTION TO CLOSE THE MEETING TO THE PUBLIC – Nil**

**ADJOURNMENT**

**MOVED and SECONDED, THAT the Commission adjourns the meeting.  
CARRIED**

**MEETING ADJOURNED: 5:29 pm**

Certified Correct:

\_\_\_\_\_  
Trudy Coates, Director of Corporate Administration

Confirmed this    day of            , 2017.

\_\_\_\_\_  
Dot Neary, Councillor, Chairperson

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# District of Lantzville

## REPORT TO COUNCIL

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**Regular Council Agenda Item  
October 2, 2017**

File: 5600-08  
Q:\DISTRICT OF LANTZVILLE\Reports to Council\2017\2017 02 10 Well Field Capacity  
Update.docx

**AUTHOR:** Fred Spears, Director of Public Works

**SUBJECT:** Well Field Capacity Update

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### **RECOMMENDATION**

For information.

### **ALTERNATIVES**

1. Other direction, as provided by Council.

### **ATTACHMENT(S)**

N/A

### **PURPOSE**

To provide Council with an update on the capacity of the District's well field located on Harby Road East.

### **BACKGROUND**

A formal update of the District's Wellfield Management Plan was completed in October 2014 by Lowen Hydrogeology Consulting Ltd. The updated plan identified efficiency issues with all of the District's wells and recommended further study into those inefficiencies. On March 31, 2015 Lowen Hydrogeology Consulting Ltd. provided a report on the well efficiencies with recommendations on how to increase them.

The recommendations were as follows:

1. Re-development work is recommended for three of the District's active wells: Wells #4, #9, and #12. A program of surging and pumping using a cable tool drilling machine and a large plunging device is recommended for re-development. Further, a new well should be drilled near the site of Well #6.
2. The order of priority for the recommended work is as follows:
  - 1) Re-drill Well #6

- 2) Re-develop Well #9
- 3) Re-develop Well #12
- 4) Re-develop Well #4

In July 2015, the District’s consulting engineers Koers and Associates Ltd. completed a Water Supply and Distribution System Study. The study incorporated the recommendations of the Lowen Hydrogeology Consulting Ltd. updated Wellfield Management Plan as well as the report on well efficiencies. Once the Water Supply and Distribution System Study was presented to Council, they decided to move forward with the works recommended.

Council, at its regular meeting on January 25, 2016, passed the following motion:

C16-9            THAT Council directs staff to replace Well #6 and redevelop Well #4, Well #9, and Well #12 within the District of Lantzville Wellfield as recommended in the 2015 Koers and Associates Water Supply and Distribution Study; AND FURTHER THAT Council approves funding in the 2016-2020 Financial Plan of \$375,000, to be funded by the Waterworks Reserve, to replace Well #6 and redevelop Well #4, Well #9, and Well #12 within the District of Lantzville Wellfield.

Once the above direction was received from Council, staff began design of a new well to replace Well #6. The new well identifier became #6a. Shortly after design, staff began soliciting quotes for the construction of Well #6a. At the same time, staff began requesting quotes for the re-habilitation of Wells #9, #12 and #4.

Well #9 rehabilitation and Well #6 replacement with Well #6a was completed in December 2016 with Well 6a being brought online permanently in January 2017. Well #12 and Well #4 were partially completed by April 2017.

Rehabilitation on Wells #4, #6, #9, and #12 were complete, except for the kiosks on Well #4 and #12 being replaced in May 2017. As far as well production, the wells were completed. It was known that once the well rehab was finished, that the District would carry out testing of Well #5, which was not in use, in order to identify interference and if it was economically sound rehabilitating the well and reconnecting it to the system. District Well #5 tested at 420.03 cubic meters per day when run in combination with the other wells. This capacity includes interference.

Council received a report on July 10, 2017 with the following discussion:

“Rehabilitation of Wells #4, #6, #9, and #12 have now been completed. As the October 15, 2014 report from Lowen Hydrogeology Consulting Ltd. identified, the wellfield capacity estimation was 2,424 cubic meters per day. Even though the maximum amount that could be pumped at the time was approximately 1,800 cubic meters per day, it was expected that 2,424 cubic meters per day could be extracted once upgrades to the wells was completed.

Now that the rehabilitation works are complete, the wells have been tested for capacity, and the total combined capacity is estimated at 2,683.51 cubic meters per day. This estimation is for Wells# 4, #6a, #9, and #12 only. In total, the District has increased its ability to extract an additional 883 cubic meters per day from the wellfield.

Testing was carried out on District Well #5 and on Well #11. Well #11 is owned by Lantzville Projects Ltd. It was found that District Well #5 could produce approximately 420.03 cubic meters per day and not cause interference issues with the new District Well #6a. With upgrades to District Well #5, the new wellfield capacity would be approximately 3,103.54 cubic meters



per day. As Well #11 is privately owned, staff have not included it in the overall rating of the District Wellfield; however, Well #11 has been rated at 696.14 cubic meters per day. It should be noted that the rating for District Well #5 and Well #11 was done in conjunction with Wells #4, #6a, and #12.

It is recommended by the hydrogeologist, Dennis Lowen, to carry out a full wellfield pump test during the dry season to ensure the aquifer is performing as predicted. Staff will schedule a full wellfield pump test for late August or early September, which is usually when there is a drop in the aquifer level.”

## **DISCUSSION**

During the late spring of 2017 tests were carried out on the District wells. It was found that the wells, at that time, could produce a maximum combined capacity of 3,103.54 cubic meter per day. All wells were monitored by the SCADA system. These numbers were very positive and showed a potential for the allowance of additional service connections.

A wellfield capacity test was completed on August 28, 2017. This testing was carried out due to a recommendation from Lowen Hydrogeology Consulting Ltd. as stated above. Unfortunately, the pump tests carried out on August 28<sup>th</sup> did not show positive numbers that would lead to additional water service connections.

The pump test results from August 28, 2017 identified the maximum capacity of the District’s wellfield was 2,380 cubic meters per day (437USgpm) during the late summer. This new capacity includes a 30% factor of safety as per the BC Ministry of Environment (1999) standard for well rating.

During the testing on August 28<sup>th</sup> Wells #4, #6a, #9, and 1#2 has a water drawn down level of approximately 15 to 20 centimeters above the pump intake, any more of a drawdown caused the well pumps to cavitate. By adjusting the variable frequency drive units in each well, we were able to minimize the effects of interference and maximize the overall drawdown however, the capacity was significantly less than the previous test results had shown.

Overall, the pump test on August 28<sup>th</sup> identified the total loss of daily capacity over the summer to be in the range of 723 cubic meters per day making the current well field capacity 2,380 cubic meters per day. Unfortunately, those summer months are when water is most needed. Staff will continue to monitor and maintain the well field to ensure what capacity is available now, continues to be available in the future.

## **FINANCIAL IMPLICATIONS**

N/A

## **COMMUNICATION STRATEGY**

This report will be available for review by the public in the October 2, 2017 Council meeting agenda package and available on the District of Lantzville website.

**STRATEGIC PLAN ALIGNMENT**

This is in keeping with Council’s 2016 Strategic Plan Operational Priorities.

**SUMMARY**

For future planning purposes, staff will be referring to the maximum well field capacity as 2,380 cubic meters per day.

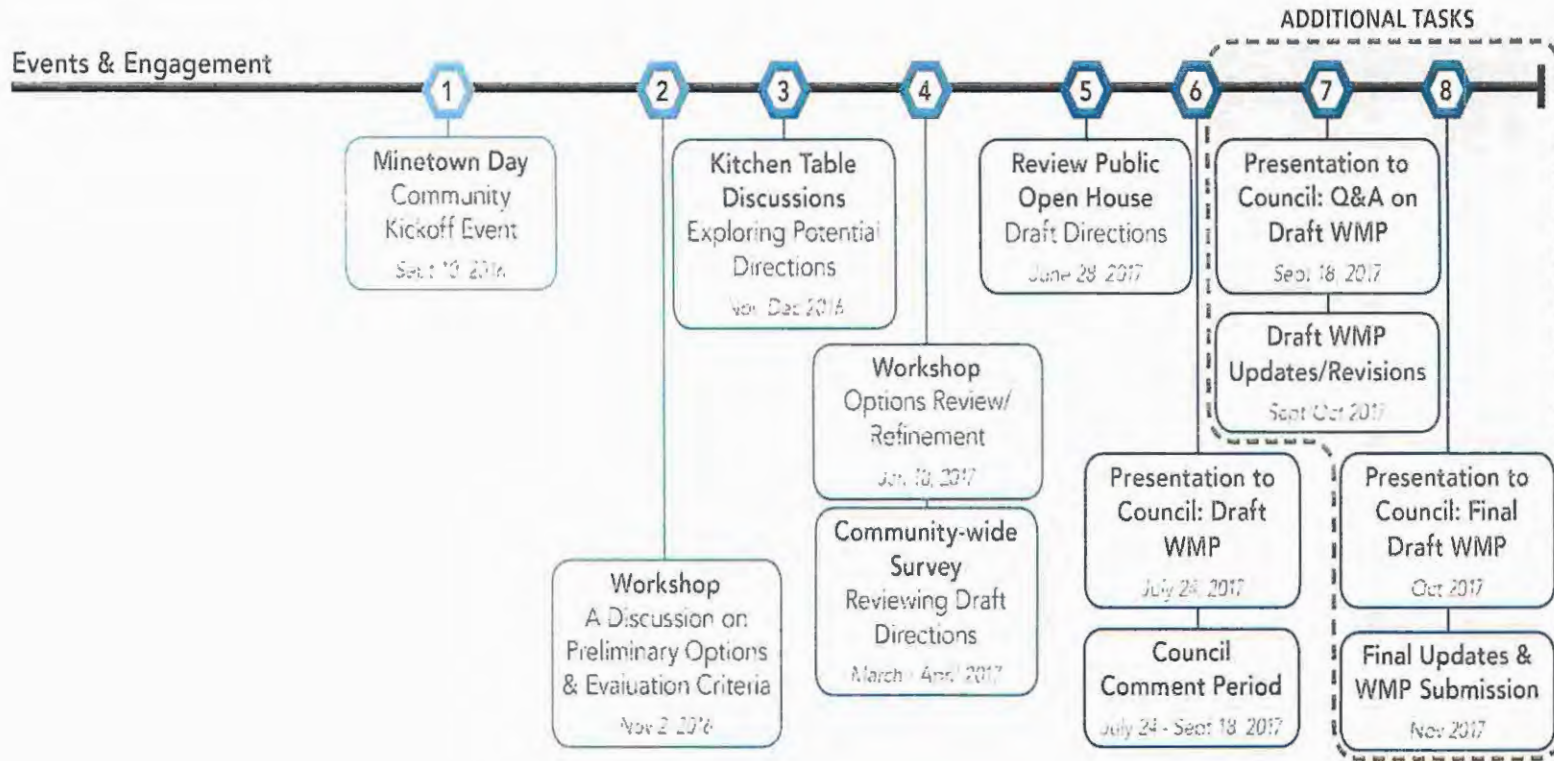
Respectfully submitted,

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Mark (Fred) Spears  
Director of Public Works  
District of Lantzville

Reviewed By:

Chief Administrative Officer		Director of Financial Services		Director of Public Works		Director of Corporate Administration	
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**CONTRACT OF SALE OF GOODS (ABSOLUTE)**

THIS CONTRACT dated the \_\_\_ day of \_\_\_\_\_, 2017.

IN PURSUANCE OF THE "SALE OF GOODS ACT"

BETWEEN:

**DISTRICT OF LANTZVILLE**

PO Box 100  
Lantzville, BC V0R 2H0

(the "**Seller**")

OF THE FIRST PART

AND:

**REGIONAL DISTRICT OF NANAIMO**

6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2

(the "**Buyer**")

OF THE SECOND PART

WHEREAS the Seller

- (a) has assigned all of the Seller's right, title, interest and estate in that unregistered statutory right of way assigned No. V906291 by Her Majesty the Queen in Right of the Province of British Columbia (the "SRW");
- (b) is possessed of the sanitary sewer interceptor pipe and appurtenances located within the SRW (the "goods"); and
- (c) has agreed with the Buyer for the absolute sale to it of the goods upon the terms and conditions and for the consideration hereinafter set forth.

**NOW THIS INDENTURE WITNESSES:**

In consideration of and for the sum of Ten Dollars (\$10.00) of lawful money of Canada, and other good and valuable consideration, paid by the Buyer to the Seller at or before the sealing and delivery of this Contract, the receipt whereof the Seller hereby acknowledges, the Seller hereby sells, assigns, transfers and sets over all and singular the said goods, and all the right, title, interest, property, claim and demand of the Seller thereto and therein, unto the Buyer, to and for its sole and only use forever.

1. The Seller hereby covenants, promises and agrees to and with the Buyer:
  - (a) that all of the said goods are now in the possession of the Seller as defined in the *Sale of Goods Act*;
  - (b) that the Seller is now rightfully and absolutely possessed of and entitled to the said goods hereby sold and assigned, and to all and every part of them;
  - (c) that the Seller now has good right to sell and assign the said goods unto the Buyer in the manner aforesaid and according to the true intent and meaning of this Contract;
  - (d) that the goods are free and clear of all charges and encumbrances of every nature and kind whatsoever;
  - (e) that the Buyer shall and may from time to time, and at all times hereafter, peaceably and quietly have, hold, possess and enjoy the said goods hereby sold and assigned, and all and every part of them, to and for its own use and benefit without any manner of hindrance, interruption, molestation, claim or demand whatsoever of, from or by the Seller, or any person whomsoever; and
  - (f) that the Seller shall and will from time to time, and at all times hereafter, upon every reasonable request of the Buyer, but at the expense of the Buyer, make, do and execute, or cause or procure to be made, done and executed, all such further acts, deeds and assurances for the more effectual assignment and assurance of the said hereby sold and assigned goods unto the Buyer, in the manner aforesaid, and according to the true intent and meaning of this Contract, as shall be reasonably required by the Buyer.
2. The parties to this agreement hereby covenant and agree as follows:
  - (a) that the said goods hereby sold are sold on an as is, where is basis and that the Seller makes no representations or warranties to the Buyer of any nature whatsoever regarding the condition of the said goods; and
  - (b) that the Buyer shall pay any and all taxes, duties, rates and charges that may be imposed by any federal, provincial, state or local government as a result of this sale, and that the Buyer will indemnify and save the Seller harmless from any liability for any such tax, duty, rate or charge.

3. This contract shall be governed by the laws of British Columbia.

IN WITNESS WHEREOF the parties hereto have set their hand and seal as of the day and year first above written.

**DISTRICT OF LANTZVILLE** )  
 by its authorized signatory(ies): )  
 )  
 )  
 )  
 \_\_\_\_\_ )  
 Name: )  
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 \_\_\_\_\_ )  
 Name: )

**REGIONAL DISTRICT OF NANAIMO** by its )  
 authorized signatory(ies): )  
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# District of Lantzville

## REPORT TO COUNCIL

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Regular Council Agenda Item

October 2, 2017

File: 6480-20-2016REV

Q:\DISTRICT OF LANTZVILLE\Reports to Council\2017\2017 10 02 Water Master Plan Additional Tasks.docx

**AUTHOR:** Fred Spears, Director of Public Works

**SUBJECT:** Water Master Plan Additional Tasks

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### **RECOMMENDATION**

THAT the additional tasks and budget of \$20,000 to complete the Water Master Plan be approved; AND FURTHER THAT the funding for the additional tasks be taken out of the \$30,000 contingency within the 2017 Financial Plan that was sourced from Water Surplus.

### **ALTERNATIVES**

1. THAT the additional tasks or budget of \$20,000 and not complete the Water Master Plan not be approved.
2. Other direction, as provided by Council.

### **ATTACHMENT(S)**

1. Water Master Plan Original Schedule, June 2016.
2. Water Master Plan Updated Schedule, September 2017.

### **PURPOSE**

To receive approval from Council for the additional tasks and budget to complete the Water Master Plan.

### **BACKGROUND**

Council at its July 11, 2016 meeting passed the following motion:

*THAT Council approves awarding Lanarc 2015 Consultants Ltd. the contract to prepare a Water Master Plan for the District of Lantzville.*

At the time of the above motion, the schedule and budget to complete the works was identified as task numbers 1 through 6 on the original schedule identified in this report as Attachment 1, that formed part of the proposal form provided by Lanarc in June of 2016.

### **DISCUSSION**

As stated above, the original tasks were laid out in the schedule (Attachment 1) of the Proposal form provided in June 2016. Due to additional meeting requests and additional works to provide updated quantities for wellfield capacities as these capacities have changed, additional tasks are required from the consultant as identified within an updated schedule (Attachment 2).

As this document is crucial to the District’s long-term plans for water supply and distribution, Council may wish to adopt it as a guide for the community as well as direction for both future Council and staff. Prior to that adoption, it is necessary to ensure that the document provides as much technically accurate information as possible to guide the Community today and well into the future.

**PUBLIC CONSULTATION IMPLICATIONS**

The Draft Water Master Plan has, throughout the process carried out several public engagement meetings as well as provided the public with opportunities for input through a questionnaire and a survey.

**FINANCIAL IMPLICATIONS**

Currently the 2017 Financial Plans Water Budget has a \$30,000 contingency that was sourced from Water Surplus, the same funding as used for the work to-date. If the recommendation is approved, there will be \$10,000 remaining in the water budget contingency for the remainder of 2017.

**COMMUNICATION STRATEGY**

The Draft Water Master Plan will be presented with updates, as per Councils input, at a future Council meeting.

Further, this report will be available for review by the public in the October 2, 2017 Council meeting agenda package and available on the District of Lantzville website.

**STRATEGIC PLAN ALIGNMENT**

This is in keeping with Council’s 2016 Strategic Plan Operational Priorities.

**SUMMARY**

Staff are requesting an alteration to the Water Master Plan Schedule as well as a budget increase of \$20,000. With the above changes, the District will be provided a more technically accurate document that contains more input from Council that will guide the District far into the future.

Respectfully submitted,

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Mark (Fred) Spears  
Director of Public Works  
District of Lantzville

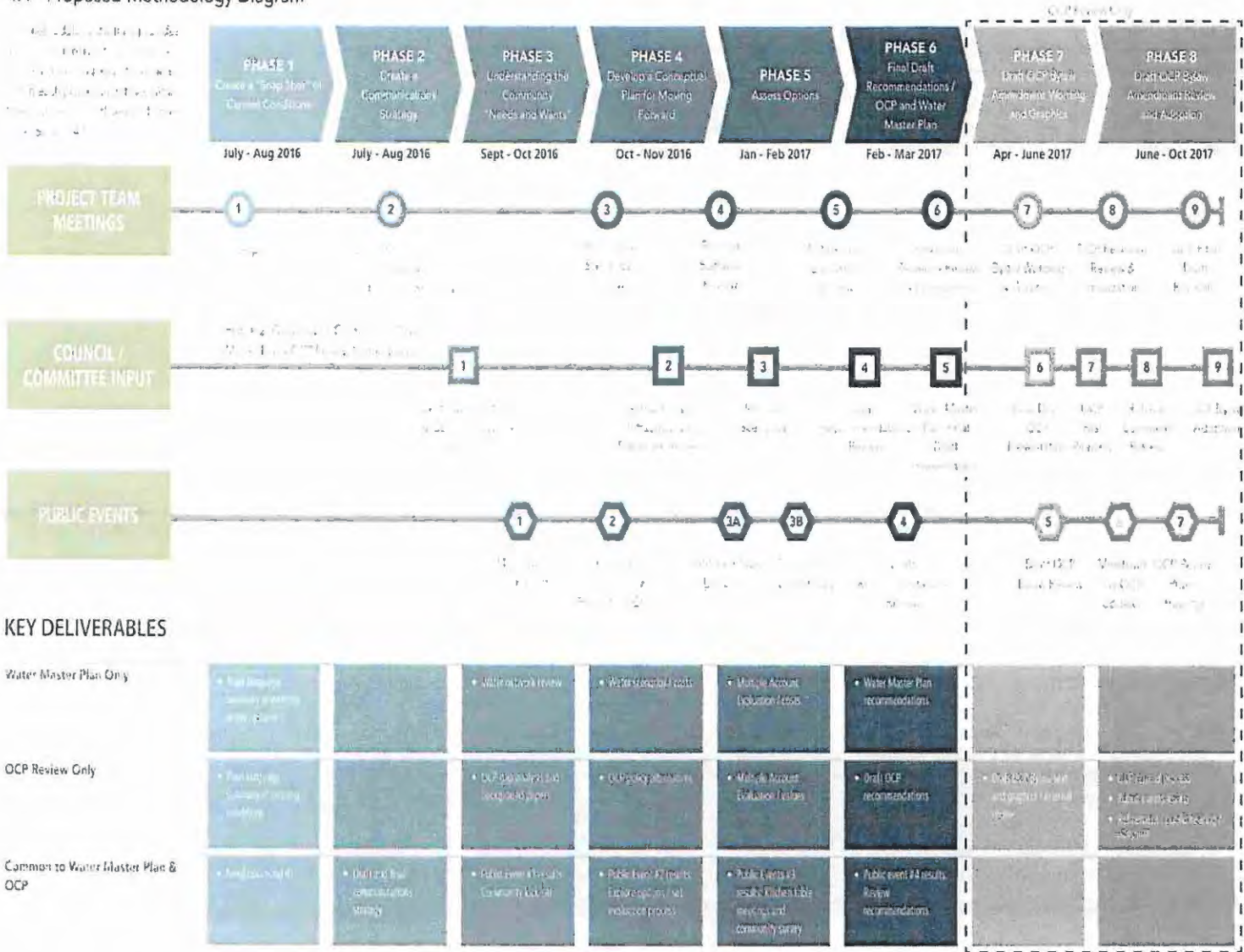
Reviewed By:

Chief Administrative Officer		Director of Financial Services		Director of Public Works		Director of Corporate Administration	
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**SCHEDULE 1**

4.4 Proposed Methodology Diagram



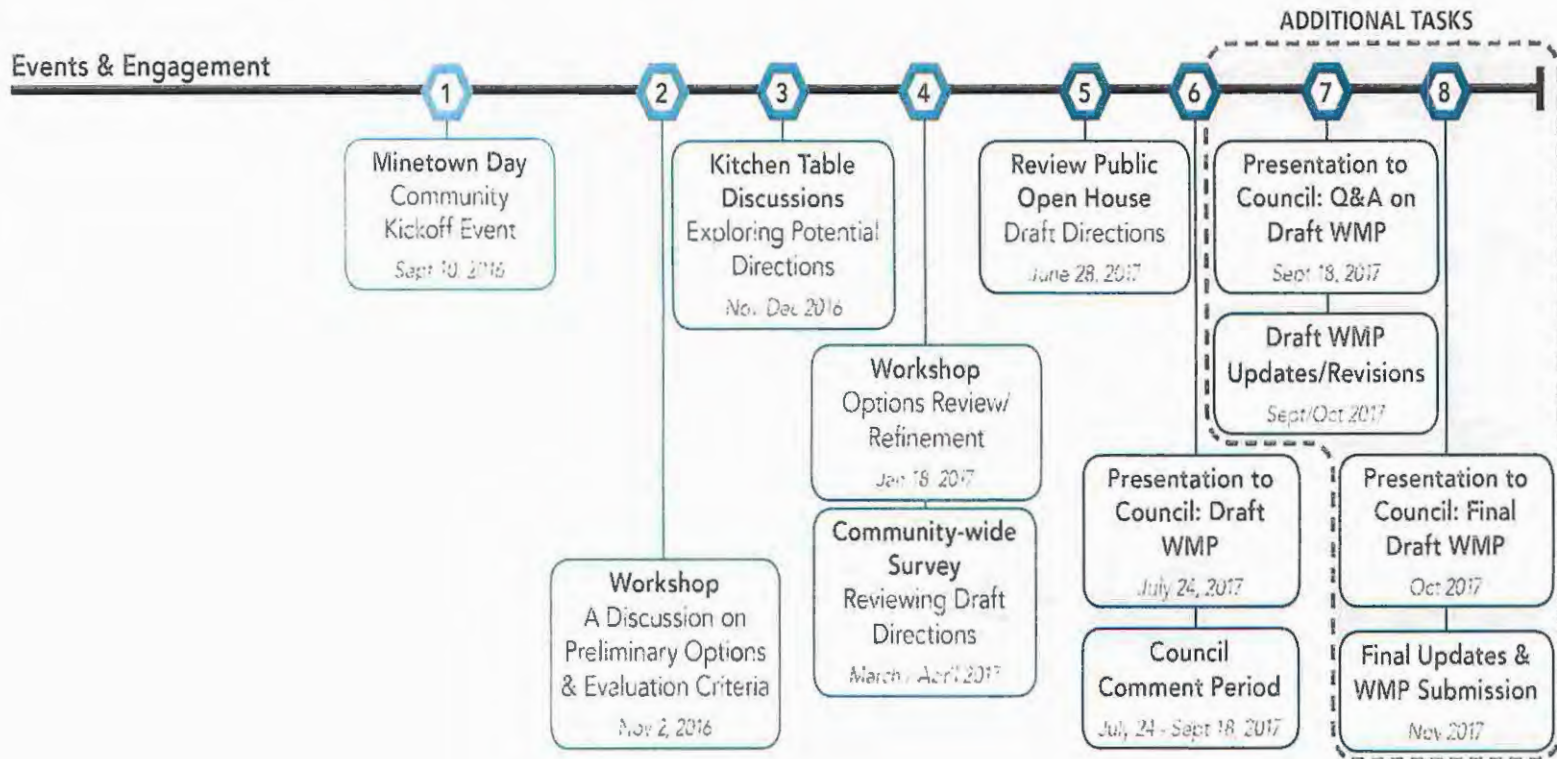


Final Plan Completion

Water Master Plan

November 2017

**SCHEDULE 2**



	Vital-IT	Sea to Sky
<b>Qualifications &amp; Experience</b>		
<b>STAFF</b>	1 - Theo	16 - all staff would be part of the team.
<b>Municipal experience</b>	With Lantzville since 2007 City of Nanaimo support desk 1.5 years	municipalities since 2003 City of Armstrong, District of Clearwater, Village of Queen Charlotte
<b>Schedule &amp; Capacity</b>		
<b>STAFF</b>	1	16 - all staff would be part of the team.
<b>Regular hours support</b>	Mon-Fri, 9am-5pm	Mon-Fri, 8am-6pm
<b>After Hours support</b>	All-inclusive	\$225/hour
<b>Service Levels</b>	All-inclusive Direct contact via phone & email Regular site visits	All-inclusive service, with after hour add-on Critical < .5hr response & resolution plan asap High < 1hr response & resolution plan same day Med < 4hr response & resolution plan next business day Low < 8hr reponse & resolution plan in 3 business days
<b>Project Understanding, Methodology and Approach</b>		
<b>Procurement Management</b>	Yes, quotes from local company plus Dell, HP, Cisco, etc includes install at site of hardware change	Yes, quotes from Dell, Lenovo, Cisco etc includes install at site of hardware change
<b>Software maintenance</b>	review current patch state, and begin maintenance plan, install updates on each PC Familiar with Vadim	nightly updates (push down), install patches when released, ensure users on same version MicroSoft Very familiar with Vadim & other muni software
<b>Life-cycle planning</b>	yes, provide hardware replacement schedule & budget forecast	yes, provide direction for budget discussions
<b>On-site troubleshooting</b>	yes, all inclusive	yes, all inclusive
<b>Warranty</b>	does not mention	will facilitate current warranties
<b>Licensing</b>	will implement review & prioritize	maintain licences, diarize
<b>Printer support</b>	yes	yes
<b>Inventory of assets</b>	yes	yes & barcode each asset, record location
<b>Server Backup</b>	prefers the Barracuda backup appliance Option-mentions alternate device to cloud backup relay.	will support our existing Barracuda Backup System recommends we seek a more robust solution that also fits with disaster recovery plan
<b>Business Continuity/Disaster Recovery plan</b>	develop a comprehensive disaster recovery plan	Will prepare a plan; has established plans for other muni's
<b>Reporting &amp; Communications</b>	Review and recommend solutions	schedule biannual meeting,
<b>Install &amp; Manage Network &amp; Software</b>	all inclusive. Implement review	all inclusive. Would establish system monitoring with alert system on each PC for updates & infection warnings.
<b>Network Security</b>	Looking to install Sophos for SPAM & email filtering to improve our security  We have Anti-malware, virus removal & security software that will be expiring soon and will need to purchase new software	Will deploy a enterprise grade, cloud hosted Anti-Virus solution to every server and PC on the network, cloud based solution utilizes less resources as does not require software on our servers  We would not need to purchase new Anti-Virus Software, so will see some savings here. Anti-Virus includes content filtering and spam filtering on exchange server. Would increase security for user access & remote access.

**Additional Services & knowledge**  
 Additionl Expertise  
 Cloud Based Servers

**Vital-IT**  
 Web-app, web page experience  
 no

**Sea to Sky**  
 SCADA knowledge  
 Hosts cloud based servers that we could subscribe to replace our backup software  
 STS backup is run hourly, and would be incorporated into a disaster recovery plan  
 STS is a Shaw Authorized Partner, and will work with Shaw to reduce our costs for  
 phone lines & improve internet speed  
 Has noted certain deficiencies on our system that should be addressed for improved security  
 1) UPS should have a network interface card enabling alerts  
 2) VPN connection is not as secure as other solutions  
 3) exchange server security settings should be reconfigured improving security  
 4) noted that we currently do not have SPAM filter for email  
 5) Noted that the District is on Internet 25, should be on Internet 150, will improve speed  
 6) STS Cloud Backup option would cost DoL an addtl \$3500/yr, but we would recognize  
 savings on anti-virus software (~\$1000/yr), and phone lines(~\$1200/yr).

<b>Cost</b>		
Flat Fee	17,400	18,000
After Hours (estimate 5 hours)	600	1,125
<b>Total COST</b>	<b>18,000</b>	<b>19,125</b>

<b>RFP Received</b>	<b>Tender - Annual Base Fee</b>
Vital-IT	\$17,400
Sea to Sky	\$18,000
Avocette	\$30,000
Graycon IT	\$31,368
JMR	\$760,446

Sea to Sky Network Solutions  
2554 Vine Street, Vancouver, BC  
Proposal in response to:



District of Lantzville  
Request for Proposal: NO. 2017-03  
Information Technology Support Services  
August 10, 2017

Sea to Sky Network Solutions is a full-service IT provider, in operation since 2003. Our team of 16 full-time staff excel at providing proactive support to our broad range of customers around BC.

Our offices are based in Vancouver, however we currently provide support to many districts and municipalities around the province. For example, a few of our remote customers include The City of Armstrong, The District of Clearwater, and the Village of Queen Charlotte located on Haida Gwaii. These customers are good examples of how efficiently the IT environment can run, if setup correctly. Our customers range from smaller municipalities with a limited number of users and locations, to large customers with offices across BC and Alberta. Our range of client demographics allows us to stay ahead of the constantly changing tech environment, yet stay small enough to remain personable.

Unlike many other IT providers, Sea to Sky believes that key to success is developing a relationship. This would involve Sea to Sky learning about your specific processes and requirements and planning for any future growth or changes of the organization. At Sea to Sky, we work hard to keep our staff happy and minimize turnover. In turn, this helps to build strong relationships with our clients. If you decide to work with us you will quickly find that our staff are friendly, knowledgeable and most have been with the company for years.

Sea to Sky has extensive experience in supplying and supporting the various IT products and services which are required by a public organization like the District of Lantzville. We work with business grade hardware vendors such as Dell, Lenovo, SonicWall, Cisco, Microsoft, Barracuda, etc. to ensure that hardware supplied is appropriately sized and priced, and supported by a reputable vendor.

I can confirm that we have read and fully understand the RFP and your requirements. We are fully capable of delivering the services you require, and our experience in working with other organizations similar to yours will serve us well in ensuring you have a stable, reliable, and cost effective IT infrastructure.

The following pages outline in detail our response, organized to mirror the requests of the RFP for better flow and easier evaluation.

Thank you,

Sea to Sky Network Solutions

A handwritten signature in blue ink, appearing to read "Jay Mitt".

## **Qualifications and Experience**

**A) Sea to Sky maintains a fully staffed team of technical support professionals, who maintain appropriate industry certifications. We have a Technical Support Team Lead, who would be the District's primary liaison for any serious issues. In addition, our Support Coordinator is responsible for triaging all tickets and assigning them to the appropriately skilled tech. All staff at Sea to Sky would be part of the team working with the District of Lantzville. We do not assign technicians to specific clients as we find it more effective to empower everyone with the knowledge to help any client. This leads to faster response times as you are not stuck waiting for your tech to become available.**

We do not subcontract any of our network support to third parties. In addition, all the services we provide with the exception of Office 365 and some other cloud services are maintained in-house. For example, customers using our offsite backup or hosting services have their data stored on Sea to Sky owned servers in Vancouver or Toronto. In addition to IT support, Sea to Sky works to be your one-stop shop for all technology needs, to limit the time you need to spend working with multiple vendors. We can coordinate the install and configuration of A/V equipment, data cabling, phone systems, etc.

**B) Sea to Sky has been in business since 2003 and provides managed IT support to a vast demographic. From large construction companies with local and remote staff across BC and Alberta, to software development companies requiring 100% uptime, we are experienced with a diverse range of IT needs. Our staff are certified with current industry standard designations and we employ both tier one and tier two technicians.**

**C) Previous service contracts and included references:**

### **District of Clearwater**

Sea to Sky has been supporting the District of Clearwater since January of 2016. They have a user base of approximately 30. Although their user base is larger than the District of Lantzville, their complexity level is similar. Both Clearwater and Lantzville have multiple locations that require support, security requirements of a public organization, and require a robust backup and disaster recovery solution. As mentioned previously, all team members of STS work with every client.

Contact: Leslie Groulx, CAO

### **Tourism Kelowna**

Tourism Kelowna distributed an RFP in February of 2017 looking for a replacement of their IT provider at the time. The previous provider was not completing any proactive maintenance or monitoring and their system was starting to show the effect of this. In addition, the workstations were not appropriately spec'd for the demands of the Tourism Kelowna staff, and they were paying for licensing that wasn't required. Sea to Sky was able to source appropriate equipment and provide financing to make this new equipment purchase possible. After onboarding the team at Tourism Kelowna, we created proper documentation of all hardware and software and removed unnecessary licences.

Contact: Chris Lewis, Sales Manager

## Village of Belcarra

The Village of Belcarra is a long-time customer of Sea to Sky. We have been providing managed services support on a monthly basis since 2011. They have a standard network, very similar to the District of Lantzville but integrate a complex SCADA system for their public water supply due to their remote location away from shared city resources.

Contact: Lorna Dysart, CAO

D) As our entire team would be involved in supporting the District of Lantzville, it would be a great deal of paperwork to include 16 resumes from our team. We have not provided resumes, however, if more specific details are needed, or profiles and experience of key staff members are required, they can be provided upon request.

## Project Understanding, Methodology, and Approach

A) The RFP outlined a number of Value Added Services to be addressed – which we'll summarize our approach to these as follows:

- a) **Procurement Management:** STS maintains relationships with all major vendors and software distributors. We ensure all equipment deployed is appropriately sized for the organization, and we handle all aspects of procurement – The District of Lantzville will only need to deal with a single IT vendor.
- b) **Licensing Control:** STS would work with the finance team to manage renewals of all licensing as needed. This will be included in annual budgetary discussions. All licensing is documented on our systems.
- c) **Software Maintenance:** Patching is included in our monthly support plan at no additional cost. Updates to software are automatically pushed down to machines each night ensuring everything is up to date and secure. We would also ensure that each user is running the same version of Microsoft Office to minimize problems with collaboration. STS is very familiar with Vadim iCity and can work with the District to ensure proper integrations.
- d) **Service Level Expectation:** Service levels are found in our attached SLA. Planned upgrades outside of normal business hours are either small changes that can be scheduled to run automatically or large hardware changes that will be billed according to our after hours support SLA. All other support outlined in the RFP is included in our monthly managed services. Please note that the response times of our SLA are maximums, we are generally able to respond in a much quicker fashion.
- e) **On-Going planning and On-Site Troubleshooting:** Lifecycle management would be completed as part of our budgetary discussions. End of life equipment is reused or recycled as appropriate. STS works to ensure that no equipment is in use which is past the manufacturer's end of support date.

Daily network support and troubleshooting is the heart of our business. We pride ourselves on our friendly and approachable staff that will work with all users to ensure their IT problems are taken care of. All support is included in our managed services.

- f) **Warranty, Break Fixes, and Installation Services:** Warranty items (covered by the vendor) will be facilitated by STS under our support agreement. Non-warranted hardware can be replaced or repaired at the Districts discretion.
- g) **Printer Deployments and Support:** Printer deployment and management is covered under our monthly support agreements and is standard practice.
- h) **Asset Management:** STS maintains an asset inventory of all client machines. Additionally, all machines are tagged with asset codes, so there is no confusion regarding the location or user of a given machine.
- i) **Performance Management and Server Backup:** STS is capable of supporting the current Barracuda Backup 190 solution in place until it reaches its end of life. At that time, we recommend replacing the backup solution to something more robust and commonly used by other public organizations. Our most popular backup device schedules backups every hour and then consolidates these and replicates them offsite at the end of each day. In the event of a server failure, we are able to restore to the previous hour instead of the previous day as is common in other systems.
- j) **General Account Management:** Account Management is coordinated by Taylor, our Business Development Manager and when required, escalated to Mike and Jason, managing partners of Sea to Sky Network Solutions. In addition, we employ a full time Controller to ensure accurate billing, and a Support Coordinator to ensure we meet our SLA.
- k) **Parts Availability and Inventory:** STS stocks a number of standard hardware configurations for desktop and laptops, which we have found to be excellent performers at a good price point. These are our recommended configurations for all users, and can be provided on short notice as needed. They include 3 year onsite warranty service on the hardware through the manufacturer. We can also work with The District of Lantzville to source customized requirements as needed.
- l) **Service around Business continuity and Disaster Recovery Management Planning:** Our knowledge and expertise in disaster recovery goes beyond just planning. With the recent wildfires affecting BC, we have delivered equipment and setup the Emergency Operations Centres for our clients requiring them this year. In the event of these wildfires destroying a physical server, our backup servers are able to takeover and keep operations running normally. We work with our municipal clients to develop a custom disaster recovery plan as each town has specific needs.
- m) **Reporting and Communication:** STS can provide reporting on key metrics as required by District Lantzville personnel. We generally schedule a biannual meeting to review support issues and provide detailed reporting at that time. This is fully customizable to the Districts needs.
- n) **Install and Manage Network Equipment and Software:** The management of network security, user access, firewalls, and anti-virus software is included in our monthly support plan. We deploy an enterprise grade, cloud hosted Anti-Virus solution to every server and workstation on the network. A cloud based solution utilizes less server and workstation resources to scan and detect for viruses as the software is not hosted on your servers. In



addition to antivirus, and included in our monthly support is content filtering. This service works by automatically blocking malicious or suspicious sites before a connection can be established, preventing the download of a virus or malicious software. Spam filtering is either hosted on your servers, included with Office 365, or provided by Sea to Sky at an additional cost. Currently, no spam filtering is present and the District is susceptible to malicious attacks as the exchange server is setup to allow external unauthenticated relay.

- o) Backups of server and workstations:** As mentioned above, STS is fully capable of implementing and managing a backup solution for the Districts servers. Workstation backups are very customizable and multiple solutions are available. STS would discuss options with district staff as needed.
- p) Desktop Support and Troubleshooting:** All desktop support and troubleshooting is included in our monthly support plans.
- q) Manage desktops servers and networks:** STS manages all desktops, servers, and networks as part of our monthly support. All servers and workstation will have system monitoring software installed to report on their status and alert us to any problems. During our onsite visit, we noticed that the UPS does not have a network interface card installed. This device would allow the UPS to alert our staff of a power interruption or problem with the server power supply. Without one installed, no proactive alerts can be generated by the UPS.
- r) Security and user access, Firewalls, Anti-Virus:** STS would ensure that user access is setup securely when working remotely or in the office. The current VPN solution is not best practice and we would recommend implementing a secure option for users to connect when working from home or other location such as the public works building or firehall. STS also recommends a reconfiguration the security settings on the exchange server to block unauthorized access. This type of work would be included as part of our monthly support.
- s) New phone system:** We are both a Shaw and Telus authorized partner and can assist in consulting on a phone replacement plan. We have experience with phone system deployments for many of our clients and any consulting on this project would be included in our monthly service agreement.
- t) Council Chambers Video Recording:** Sea to Sky has experience with council chamber setups and the need to record all open-door meetings. This would be handled under our monthly service agreement.

**B) We confirm that we have read and fully understand the RFP and that all requirements can be met and services provided.**

**C) We are able to fulfill the role of a full service managed service provider and work on a month to month basis, requiring no long term time commitment to us.**

**D) The District of Lantzville would be expected to provide clear communications to Sea to Sky, give as much advanced notice as possible for all technical projects, new users, etc., and meet the terms of our Managed Services Agreement.**

## **Schedule and Capacity**

**A) We are available for critical support issues 24/7 – however, our monthly support agreements include work from 8AM-6PM.**

Ongoing support would be provided remotely, and if needed, someone would be dispatched for onsite work. Sea to Sky uses a ticketing system for all incoming requests by email or phone, or through our online client portal. Each ticket is assigned a unique number so it can be tracked through completion. All requests are triaged by our Support Coordinator to ensure that the right resource is assigned to the ticket. He also handles escalation as needed on critical issues.

Note that ticket response times are defined by our SLA, which is attached at the end of this document.

**B) Each member of our technical team is responsible for all users among our client base. The benefit to having a large helpdesk team is the ability to resolve issues faster than that of a small IT firm. We always have someone available to answer the phone and most issues are resolved significantly faster than the time indicated in our SLA.**

**C) Our helpdesk is staffed from 8am – 6pm, Monday to Friday. All staff are available to assist with tickets as they come in. We do not see a situation in which our entire team would be unavailable.**

**D) We have a great deal of municipal clients and have far more experience with the requirements of a government organization than many of our competitors. We invest heavily in private Canadian hosted cloud services to provide our clients with secure storage options on Canadian servers. Additionally, we have low staff turnover resulting in a great deal of knowledge and experience that we can pass on to you.**

In addition, we are a Shaw Authorized Partner and are able to work with Shaw to provide a better level of service for the District. Currently, the internet connection at the Municipal Hall is Business Internet 25 with a Static IP and 8 business phone lines. This would normally come at a cost of around \$400.

The District of Lantzville is eligible (on a 36 month term) for Business Internet 150, a Static IP, and 8 business phone lines for around \$300. This allows for greater speed and a reduction in monthly expenses.

## **Proposed Fee**

A) Sea to Sky provides support on a flat-fee monthly basis. This is inclusive of all the requested items in your RFP. We do not require term contracts – we operate on a monthly basis, so that were winning your business every day. A contract can be produced if need, however it should be noted that STS does not require a minimum term commitment.

Our fee can be found as Appendix C at the end of this proposal or by visiting the following link:  
<https://stsns.ca/2gjecWG>

This quote is based on the requirements listed in the RFP. It is our assumption that there will be projects imitated in the short term that may require the acquisition of additional hardware and software as needed.

Our fee is all-inclusive for support. We do not charge for special projects, new user setups, imaging of machines, etc. All support during regular hours of 8am-6pm are included in the quoted amount. After hours emergency support is billed hourly and not included in the quote.

## **Proposed Purchase Contract**

A) Our client relationships are guided under our standard MSA. If required, we can provide a copy of this for your review.

Sea to Sky Network Solutions is unable to comply with section 3.4 – Appropriation, of Schedule B. If Sea to Sky is to comply with section 3.4, reasonable insurance will need to be provided on an annual basis that a sufficient budget has been allocated to IT services with a provision for failed equipment or emergency repairs.

## **Conflict of Interest**

Sea to Sky Network Solutions and its employees have no conflict of interest with the District of Lantzville.

## Appendix A – Submission Form

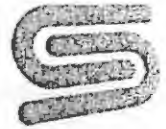
**Project title: Information Technology Support Services**

The Proponent hereby acknowledges that:

- 1) it understands and agrees with the RFP process described in this document, including without limitation that the District makes no commitment under this RFP; and
- 2) the information included in this Proposal is correct and it has thoroughly reviewed and has complied with the documents making up this Proposal, including all drawings and specifications as may be listed and any amendments or addenda thereto:

The Respondent represents to the District that the individual signing this Submission For on its behalf has proper authority to do so.

<b>Contact for Additional Information</b>  Name: Taylor Jones  Telephone: 604-628-6965  Fax: N/A  E-Mail: taylor@seatosky.com	<b>Company Name and Complete Address</b>  Sea to Sky Network Solutions Inc. 2554 Vine Street Vancouver, BC V6K 3L1  GST#: 834511628RT0001
Date: 9/8/2017	Telephone: 604-628-6970  Fax: N/A  E-Mail: support@seatosky.com
Proponent's Name: Sea to Sky Network Solutions	Signature: 



Appendix A - Managed Service Agreement Response & Resolution Times

The following table shows the targets of acknowledgement times and commencement times to address any given issue the client may be experiencing.

MSA Severity Level Rating	Definition of the Event	Response Time	Resolution Plan
Level 1 Critical	<b>Service Not Available</b> All users are affected. Business critical functions are unavailable.	< 30 minutes	As Soon As Possible
Level 2 High	<b>Significant Degradation of Service</b> A large number of users affected. Business critical functions affected.	< 1 hour	Same Day
Level 3 Medium	<b>Limited Degradations of Service</b> A limited number of users are affected. Business functions are affected, however, business processes can continue.	< 4 hours	Next Business Day
Level 4 Low	<b>Small Degradation of Service</b> One user is affected. Business processes can continue.	< 8 hours	Three Business Days

Note: All issues will be subject to the rating approval of Sea to Sky Network Solutions management. Estimates only. Times are based on the business hour support unless otherwise stated on the agreement. Contact Sea to Sky management with any questions.

**Quote**

Quote Number: 3268

Payment Terms:  
Expiration Date: 09/22/17**Quote Prepared For**

**Ronald Campbell**  
**District of Lantzville**  
 7192 Lantzville Rd  
 Lantzville, BC V0R 2H0  
 Canada  
 Phone: 250.390.4006  
 ronaldcampbell@lantzville.ca

**Quote Prepared By**

**Taylor Jones**  
**Sea to Sky Network Solutions**  
 2554 Vine St.  
 Vancouver, BC V6K 3L1  
 Canada  
 Phone: 604.628.6965  
 Fax: 604.628.6971  
[taylor@seatosky.com](mailto:taylor@seatosky.com)

Item#	Quantity	Item	Unit Price	Adjusted Unit Price	Extended Price
<b>Monthly Items</b>					
1)	10	Managed Services - Per User Monthly Managed Services. Includes unlimited phone and remote support plus on-site support for the covered user. Billed in advance for following month.	\$150.00	\$150.00	\$1,500.00
<b>Monthly Total</b>					<b>\$1,500.00</b>
<b>Subtotal</b>					<b>\$1,500.00</b>
<b>Total Taxes</b>					<b>\$180.00</b>
<b>Total</b>					<b>\$1,680.00</b>

Authorizing Signature \_\_\_\_\_

Date \_\_\_\_\_

Interest Charges on Past Due Accounts and Collection Costs Overdue amounts shall be subject to a monthly finance charge. In addition, customer shall reimburse all costs and expenses for attorney's fees incurred in collecting any amounts past due. Additional training or Professional Services can be provided at our standard rates.

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# District of Lantzville

## REPORT TO COUNCIL

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**Council Agenda Item**  
**October 2, 2017**  
File: 6480-20-2016REV

T:\DISTRICT OF LANTZVILLE\Reports to Council\2017\OCP Consultant Contract Amendment - Oct 2.docx

**AUTHOR:** Frank Limshue, Community Planner

**SUBJECT:** Amendment to the Official Community Plan Budget and Schedule

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### **RECOMMENDATION**

THAT Council approve an increase to the Official Community Plan Review budget by \$18,960, funded from general surplus, for the purpose of accommodating additional meetings as requested by Council.

### **ALTERNATIVES**

1. THAT Council not support an increase to the budget for the Official Community Plan Review.

### **ATTACHMENT(S)**

1. Outline of proposed changes – letter from Lanarc dated September 13, 2017;
2. Timetable previously approved by Council;
3. Revised Timetable.

### **PURPOSE**

To provide additional meetings for the Official Community Plan Review Steering Committee to review and provide feedback regarding the draft Official Community Plan, and to approve additional costs and time line implications.

### **BACKGROUND**

The District of Lantzville Council at the September 11, 2017 meeting passed the following motion:

THAT an OCP Review Select Committee meeting be called to occur before the OCP Draft goes to the Committee of the Whole.

Council also asked Staff to provide an updated OCP Review schedule.

The Official Community Plan Bylaw, No. 50, 2005 (Adopted September 26, 2005) is over ten years old. Council, in its Strategic Priorities Chart, identified the review and update of the OCP as one of the top priorities and reaffirmed this through the budget process as funds were allocated to commence the review process.

**DISCUSSION**

As noted, Council passed a motion to increase the number of times the Draft OCP goes to the Official Community Plan Review Select Committee for review and feedback, and requested Staff provide an updated schedule.

The attached letter dated September 19, 2017 from Lanarc, provides details for the proposed changes to the contract agreement between District of Lantzville and Lanarc 2015 Consultants Ltd. It should be noted that while Lanarc has amended its schedule as per Council's resolution, they have also made provisions for a possible two additional meetings, if required. The estimated increase in budget of \$18,960 reflects four meetings.

**FINANCIAL IMPLICATIONS**

A budget of \$60, 000 (2016) and \$55,000 (2017) has been approved for the completion of this project. The additional \$18,960 would be funded from general surplus.

**COMMUNICATION STRATEGY**

The draft Official Community Plan will be presented to the Official Community Plan Review Select Committee, Council and the general public at a future public meeting for review and feedback.

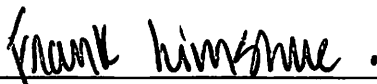
**STRATEGIC PLAN ALIGNMENT**

The Official Community Planning Review is in keeping with Council's 2016 Strategic Plan Operational Priorities.

**SUMMARY**

Council has advised Staff of their wish to alter the Official Community Plan Review process to provide the Official Community Plan Review Select Committee with additional opportunities to review and provide feedback on the draft Official Community Plan. Lanarc has provided a revised schedule and an estimate for including the additional meetings. Staff recommends increasing the project budget by \$18,960.

Respectfully submitted,



Frank Limshue  
Community Planner  
District of Lantzville

Reviewed By:

Chief Administrative Officer		Director of Financial Services		Director of Public Works		Director of Corporate Administration	
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# LANARC

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September 19, 2017

District of Lantzville,  
7192 Lantzville Road, PO Box 100  
Lantzville, BC V0R 2H0

To: Mr. Frank Limshue

**Re: OCP Review, Change Order Re Extended OCP Committee Review and Timeline**

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As requested, this letter provides details of a Change Order under Purchase Order 177218 and the contract agreement between Lanarc 2015 Consultants Ltd. and the District of Lantzville on the OCP Review.

Based on the input from the general public of Lantzville, the 10 meetings to date of the OCP Review Select Advisory Committee (OCP Committee) and input from Staff, Lanarc is near completion of a DRAFT of an update to the Official Community Plan. Council has asked that the OCP Committee be provided with the DRAFT for further review and comment, prior to the document being brought to Council. This Change Order anticipates up to four meetings of the OCP Committee in the fall of 2017. A non-statutory PUBLIC ENGAGEMENT EVENT for the draft OCP was allowed for in the Consultant's original scope. We encourage that this public engagement occur so that its input may be considered in refinements to the draft discussed by the OCP Committee and Council.

The consulting scope as outlined below:

- ▶ Provide a schedule and scope update to Council and Staff, and organize the extended duration of the project.
- ▶ Review feedback from the July 24 Council presentation, OCP Review Select Committee members, and Staff. Prepare comments and graphic/analysis material to aid in discussion of remaining issues (throughout the process below).
- ▶ OCP Review Select Committee Meeting #11 – review the DRAFT OCP (copy provided at least a week in advance), facilitate identification and discussion of remaining issues. Consulting time includes related preparation and followup (in all meetings below).
- ▶ OCP Review Select Committee Meeting #12 (if required as a followup to Meeting #11) – prepare alternatives on the remaining issues, facilitate in-depth discussion of the remaining issues. Update the DRAFT and summary of remaining issues for public and Council

Lanarc 2015 Consultants Ltd.  
405-256 Wallace Street, Nanaimo, BC V9R 5B3 | 96 Timbercrest Dr. Port Moody, BC V3H 4T1  
778.762.4800

discussion. A tabling of the DRAFT with Council is anticipated, for information, prior to the public engagement event.

- ▶ PUBLIC ENGAGEMENT EVENT – as allowed for in the original workplan, including facilitation of a public review of the draft, including a written response form on-line. We encourage that this public input should occur prior to the OCP Committee finalizing their recommendations to Council.
- ▶ OCP Review Select Committee Meeting #13 – after the public engagement session and related written/web response period, review the input received, as well as Council comments and questions on the DRAFT OCP, and discuss related refinements towards a FINAL DRAFT OCP.
- ▶ OCP Review Select Committee Meeting #14 (if required) – meeting to resolve remaining issues to provide a OCP Committee report on recommendations to Council. Include clear definition of majority opinion, as well as minority opinion if that remains.

Each OCP Review Select Committee event involves meeting preparation and handout / support material preparation, attendance and facilitation of the event under the guidance of the Committee Chair, and limited followup after the event with staff. It is likely that three meetings of the OCP Committee will be required at a minimum. The fourth meeting would only be necessary if there is extended discussion desired by the OCP Committee, and facilitation required to clarify majority / minority opinion on recommendations to Council.

Council has also requested an update to the anticipated time schedule for the OCP. The attached Process Update diagram indicates a revised schedule that allows for the additional review meetings with the OCP Review Select Advisory Committee in the fall of 2017. This extends the duration of Phase 8 in the Process Update diagram, with the proposed final public engagement session pushed to mid fall 2017 after OCP Committee meeting #11 (and perhaps #12) and tabling of a DRAFT OCP to Council for information. After OCP Committee meeting #13 and if necessary #14 to consider refinements in response to the public input, an updated report to Council on the FINAL DRAFT including a summary of OCP Committee recommendations will be provided by the Consultants and Lantzville staff. After the FINAL DRAFT is reviewed by Council, the original process would continue, including referrals to outside agencies, legal review, related refinements, statutory public hearing, and consideration by Council for adoption. We anticipate the hearing and adoption proceedings will likely take place in March or April of 2018.

# LANARC

The original schedule in Lanarc's proposal was to complete the consultant services by the end of October 2017. The extension to the process timeline is about 6 months longer than the original schedule.

The required consulting budget for the above services is estimated at \$18,960, not including GST. The budget required would be less if the fourth meeting is not necessary.

It is anticipated that wording (policy and written guideline) changes to the DRAFT OCP will occur as the OCP Committee has input. The allocated budget anticipates these minor wording changes, but does not allow for major revision to structure or graphics in the document, which would be the subject of a future change order if warranted.

Hourly rates and conditions of service would be as set out in the original contract agreement and purchase order. If additional services are required beyond the scope allowance provided, services would not be provided until approved by staff, and would be calculated at the hourly rates in the original contract agreement.

Thank you for the opportunity to continue service on this important project for Lantzville's future.

Sincerely,



Jana Zelenski  
Principal



David Reid  
Principal

Attachments: Revised OCP Review Schedule

CHANGE ORDER 8

LANARC

CLIENT PROJECT NO. / PO:  
177218

PROJECT NAME: Lantzville OCP Review

Pursuant to the STANDARD TERMS OF ENGAGEMENT ("Agreement") dated June 17, 2016 and whereas DISTRICT OF LANTZVILLE, shall be referred to under this Change Order as "Client" and LANARC 2015 CONSULTANTS LTD., shall be refer to under this Change Order as "Consultant", the parties agree on the following:

1. **CHANGE ORDER.** This change order ("Change Order") consists of the following documents, including all plans and specifications referenced below, all of which form part of and are hereby incorporated into this Change Order:

No.	Document	Details
1	Change Order OCP Review Lanarc Letter of Scope Sept 19 2017	PDF of letter

2. **SERVICES.** The Services to be performed by Consultant pursuant to this Change Order are Prep for and facilitate up to four OCP Review Select Advisory Committee Meetings in Fall 2017. Consultant shall perform the services and shall furnish all labour, materials, supplies, equipment, supervision and services necessary for and incident to the performance of the Services, except as otherwise specifically described herein.

3. **SCHEDULE.** The Consultant will perform and complete the Services in accordance with the schedule dates as set out below, on the earlier of the Effective Date or the Commencement Date and complete the Services in strict accordance with the Schedule, which may be amended by Client and Consultant in accordance with this Agreement.

COMMENCEMENT DATE: August 1, 2017  
 SCHEDULED SUBSTANTIAL COMPLETION DATE: February 28, 2018  
 COMPLETION DATE: March 31, 2018

4. **COMPENSATION.** The basis for determining the amount of charges, frequency of billing and any special payment provisions, including reimbursement of expenses, are as set forth below. The term "Reimbursable Time" means an amount based on the Consultant's hourly rates as set out below for its personnel engaged in the Services multiplied by the time engaged by such personnel in the actual performance of the Services.

<u>INDIVIDUAL/CATEGORY</u>	<u>RATE</u>
<u>David Reid</u>	<u>\$160/hr</u>
<u>Don Crockett</u>	<u>\$160/hr</u>
<u>Jana Zelenski</u>	<u>\$150/hr</u>
<u>Kate Evans</u>	<u>\$125/hr</u>
<u>Staff</u>	<u>\$85/hr</u>
<u>Expenses</u>	<u>\$0</u>

Consultant agrees that the above rates include any overtime and other statutory payments. The term "Reimbursable Expenses" means expenses reasonably and necessarily incurred by the Consultant in performing the Services and which expenses: (i) have been authorized by Client in writing; (ii) are properly supported by reference documents on demand, such as paid invoices, expense reports and copies of payment receipts. 'Not to exceed limitations' for individual tasks apply only to the particular task and may not be applied to other tasks.

5. **TOTAL AUTHORIZED COMPENSATION AMOUNT.** The total authorized compensation amount payable to Consultant under this Change Order, including fees, expenses and miscellaneous expenditures, but not GST, is \$18,960

(\*Total Authorized Compensation Amount\*). The Total Authorized Compensation Amount plus GST is a not to exceed limit and all amounts owing to Consultant shall be determined in accordance with the Agreement. No payments will be made to Consultant in excess of the Total Authorized Compensation Amount plus GST without a Change Order signed by both parties. All dollar figures shall mean Canadian Dollars, unless otherwise specifically referenced.

6. **TERMS AND CONDITIONS.** This Change Order shall be governed by the terms and conditions of the Agreement referenced above. This Change Order also incorporates all the terms and conditions of the agreement between Consultant and Client.

7. **CONSULTANT MANAGER AND CONSULTANT OFFICE:**

Address: 405 256 Wallace St., Nanaimo, BC. V9R 5B3

Project Manager: Jana Zelenski

Phone No.: 778 762 4800

Contact Email: jana@lanarcconsultants.ca

8. **PROJECT PERSONNEL:**

Employees:

As per agreement \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

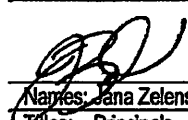
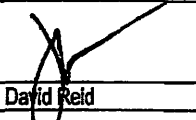
9. **COUNTERPARTS.** This Change Order may be executed and delivered in any number of counterparts, including via facsimile or other electronic means, each of which when executed and delivered is an original but all of which taken together constitute one and the same instrument.

DATED: September 19, 2017

DISTRICT OF LANTZVILLE

\_\_\_\_\_  
 Name:  
 \_\_\_\_\_  
 Title:  
 \_\_\_\_\_  
 I have authority to bind the corporation

LANARC 2015 CONSULTANTS LTD.

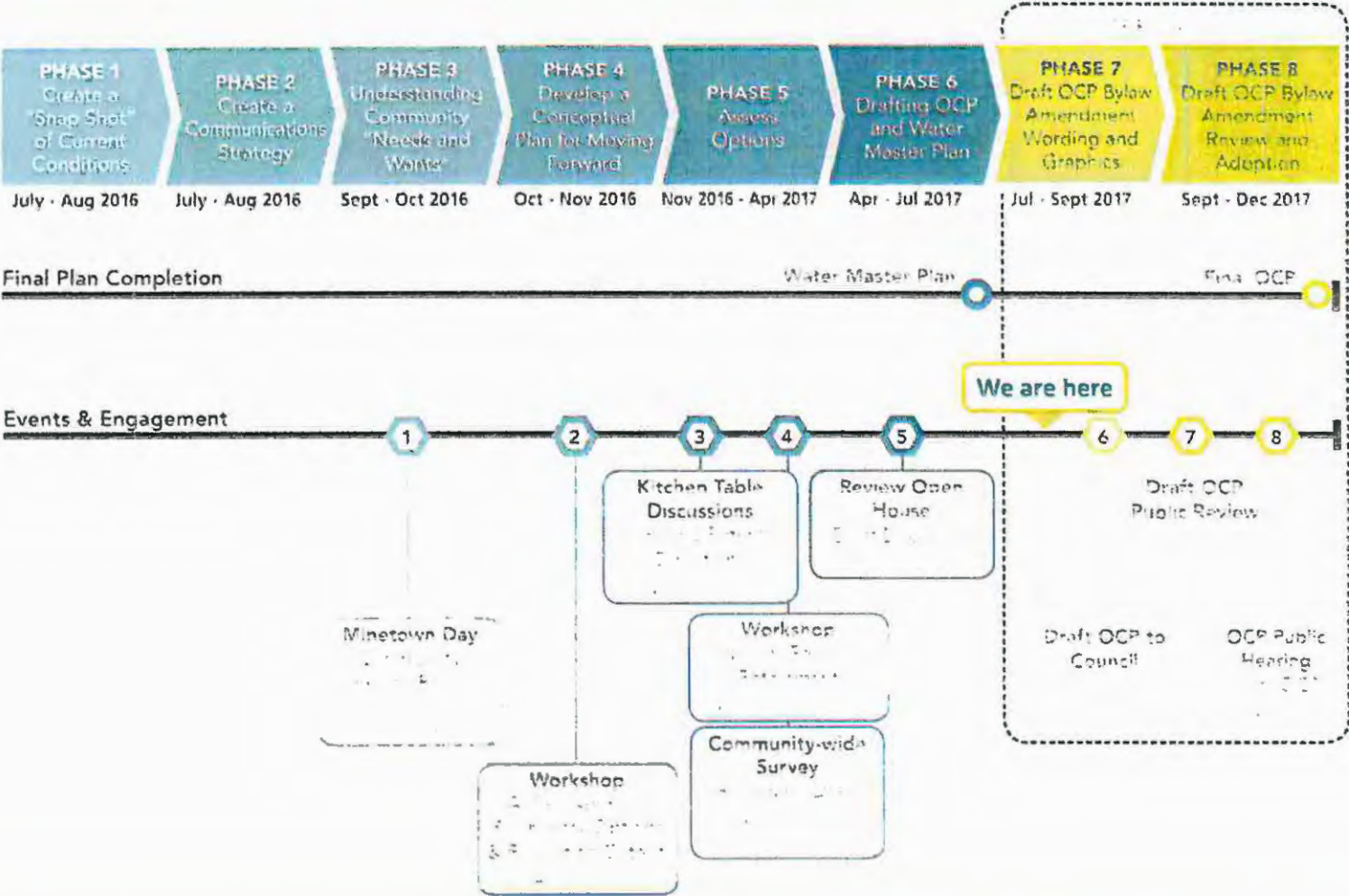
 

Names: Jana Zelenski David Reid

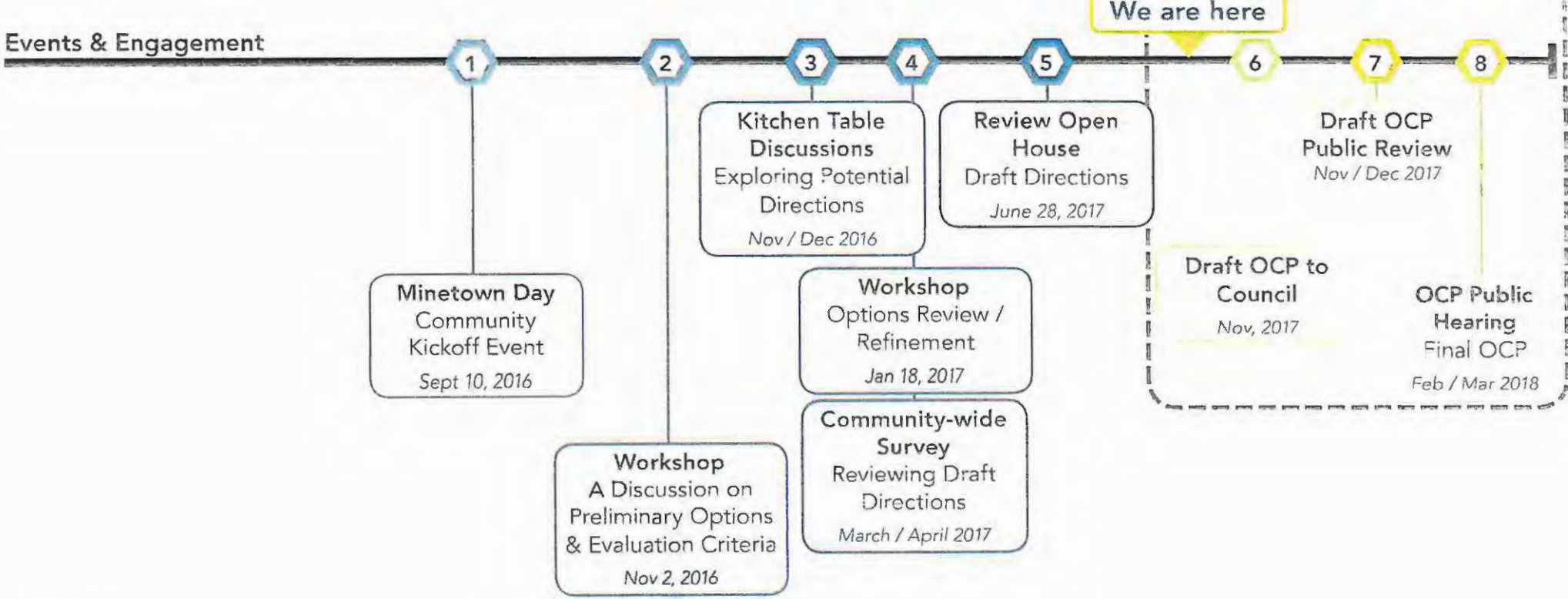
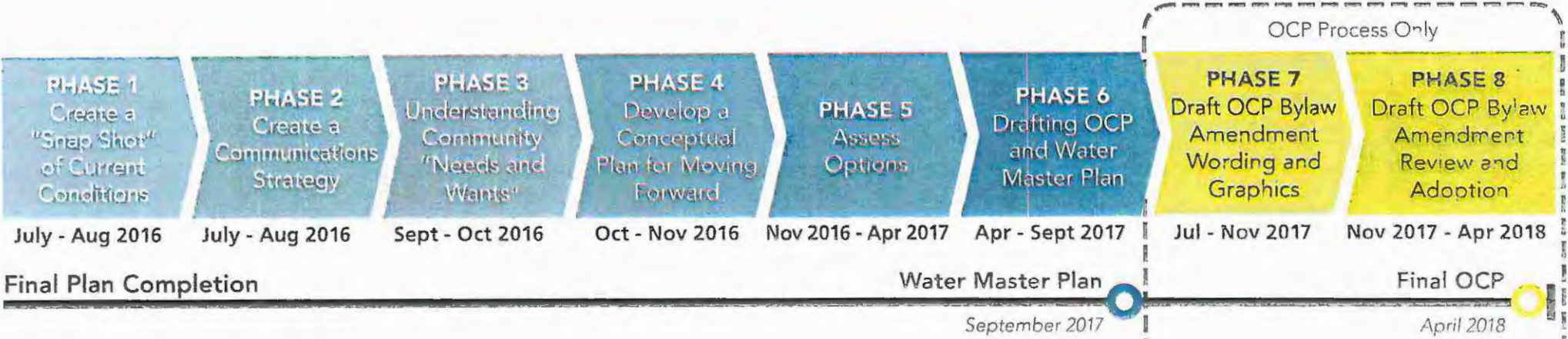
Titles: Principals

\_\_\_\_\_  
 I have authority to bind the corporation

# Process Update



# Revised Schedule



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# District of Lantzville

## REPORT TO COUNCIL

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Regular Council Agenda Item

October 2, 2017

\\seaview\data\Common\DISTRICT OF LANTZVILLE\Reports to Council\2017\DCC refund request.docx

**AUTHOR:** Lynda Sowerby, Deputy Director of Finance  
Frank Limshue, Community Planner

**SUBJECT:** Request for Refund of Development Cost Charges

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### **RECOMMENDATION**

THAT Council refunds Development Cost Charges of \$6,182.36 for Sanitary Sewer and \$3,893.51 for Water to Ronald Osborne, the property owner at 7191 Lancrest Terrace.

### **ALTERNATIVES**

THAT Council does not refund the Development Cost Charges (DCC's) collected to 7191 Lancrest Terrace.

### **ATTACHMENT(S)**

- 1) Letter – request for refund from Ronald Osborne
- 2) District of Lantzville Development Cost Charges for Water, Sewage, Drainage, Highway Facilities and Park Land Bylaw 52, 2006

### **PURPOSE**

The property owner, Ronald Osborne, of 7191 Lancrest Terrace has requested a refund of all DCC's that he was required to pay in 2015 when he applied for a building permit on his property located at 7191 Lancrest Terrace.

### **BACKGROUND**

The Lancrest Terrace property is part of a subdivision that was approved 1965, prior to the incorporation of the District of Lantzville. Mr. Osborne has owned the Lancrest property since 1987, but has left it undeveloped until he built a home in 2015. At the time of subdivision, the development was required to provide its own water and sewer systems, which were operated by the Improvement District. All fees and charges have been paid for by each property owner within the subdivision, including Mr. Osborne.

When the District water became available, the development connected to the District Water system. Each of the property owners, including Mr. Osborne, have been paying a water parcel tax since that time. Similarly, when the local area sewer system was installed, the development connected to the sewer system, and Mr. Osborne has been paying the Parcel Tax since 2009.

District of Lantzville Development Cost Charges for Water, Sewage, Drainage, Highway Facilities and Park Land Bylaw 52, 2006 was adopted on April 16, 2007. The Bylaw, section 2(b) states that every person who obtains a building permit authorizing the construction, alteration or extension of a building or structure, for any purpose; shall pay to the District of Lantzville the applicable development cost



charges as provided in Schedule “A”. When Mr. Osborne applied for a building permit in 2015, he was required to pay the DCC’s as per the Bylaw.

**DISCUSSION**

In this particular case, the property owner has been required to pay water and sewer capital costs twice on the vacant property that he has owned since 1987. In 2015, when he proceeded with the building of a home, he was required to pay sewer and water capital costs a third time in the form of a DCC charge. This owner has put less burden on the existing infrastructure than the other strata owners at Lancrest Terrace, but because he delayed building a home, he is now required to pay the DCC charges.

The District did obtain a legal opinion confirming its ability to apply the DCC bylaw to vacant properties. Despite the fact that we have the legal authority to charge DCC’s on this property, staff has reviewed the charge against this property as being unfair given that the owner has paid for water and sewer services twice already without ever directly benefitting.

This property is somewhat of an anomaly in that the infrastructure for sewer and water was in place prior to the local service area being established. The District requested that these systems paid by the strata property owners be decommissioned and the strata development connect to the District services.

It is the opinion of Staff, that while the DCC bylaw provides the ability for the District to charge Mr. Osborne DCCs, it was not the intent to treat a property owner unfairly by double charging the property owner for receiving the service.

**FINANCIAL IMPLICATIONS**

The requested refund would reduce the Water DCC reserve fund by \$3,893.51 and Sanitary Sewer DCC reserve fund by \$6,182.36. Council should note however, that the Water DCC funds are currently committed to the Aulds Road Reservoir Replacement, and that funding for this project will need to be altered.

In addition, this request for refund may result in Council receiving additional requests for waiver of DCC’s by owners of existing properties within the Water and Sewer Service areas (including PH III). The additional Lancrest Terrace vacant property below is the only property that has the same circumstances as Mr. Osborne’s, where the strata owner also contributed to the capital cost of the private water and sewer system of the strata development.

<b>Water and Sewer Service Areas</b>	<b>Water DCC</b>	<b>Sewer DCC</b>
2 Lancrest Terrace	\$ 7,679.02	12,364.72
<b>Additional Vacant lots in Water &amp; Sewer Service, subject to DCC Bylaw</b>		
<b>Areas currently paying Parcel Tax, but not connected</b>		
1 vacant lot - Water only	3,839.51	-
3 vacant lots - Sewer only *	-	18,547.08
1 vacant lot - Water and Sewer	<u>3,839.51</u>	<u>6182.36</u>
<b>Impact to DCC’s</b>	<b><u>\$ 19,197.55</u></b>	<b><u>\$ 24,729.44</u></b>
*Opted out of water		

**COMMUNICATION STRATEGY**

This report will be available for review by the public in the October 2, 2017 Regular Meeting of Council agenda package and available on the District of Lantzville website.

**STRATEGIC PLAN ALIGNMENT**

N/A


**SUMMARY**

Mr. Ronald Osbourne, owner of 7191 Lancrest Terrace, has requested a refund from the District of Lantzville for Development Cost Charges paid in 2015 for the construction of a new house.

Staff has reviewed the matter and determined that the District bylaw enables the District to collect DCCs. However, given Mr. Osbourne’s unique situation, collection of the DCCs has resulted in Mr. Osbourne paying multiple times for both water and sewer services. It is the opinion of Staff that this was an unintended result. Therefore, Staff recommends the District refund Mr. Osbourne \$6,182.36 for sewer DCC and \$3,893.51 for water DCC.

Respectfully submitted,

  
Lynda Sowerby, Deputy Director of Finance

  
Frank Limshue, Community Planner

Reviewed By:

Chief Administrative Officer		Director of Financial Services		Director of Public Works		Director of Corporate Administration	
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Plan 18434

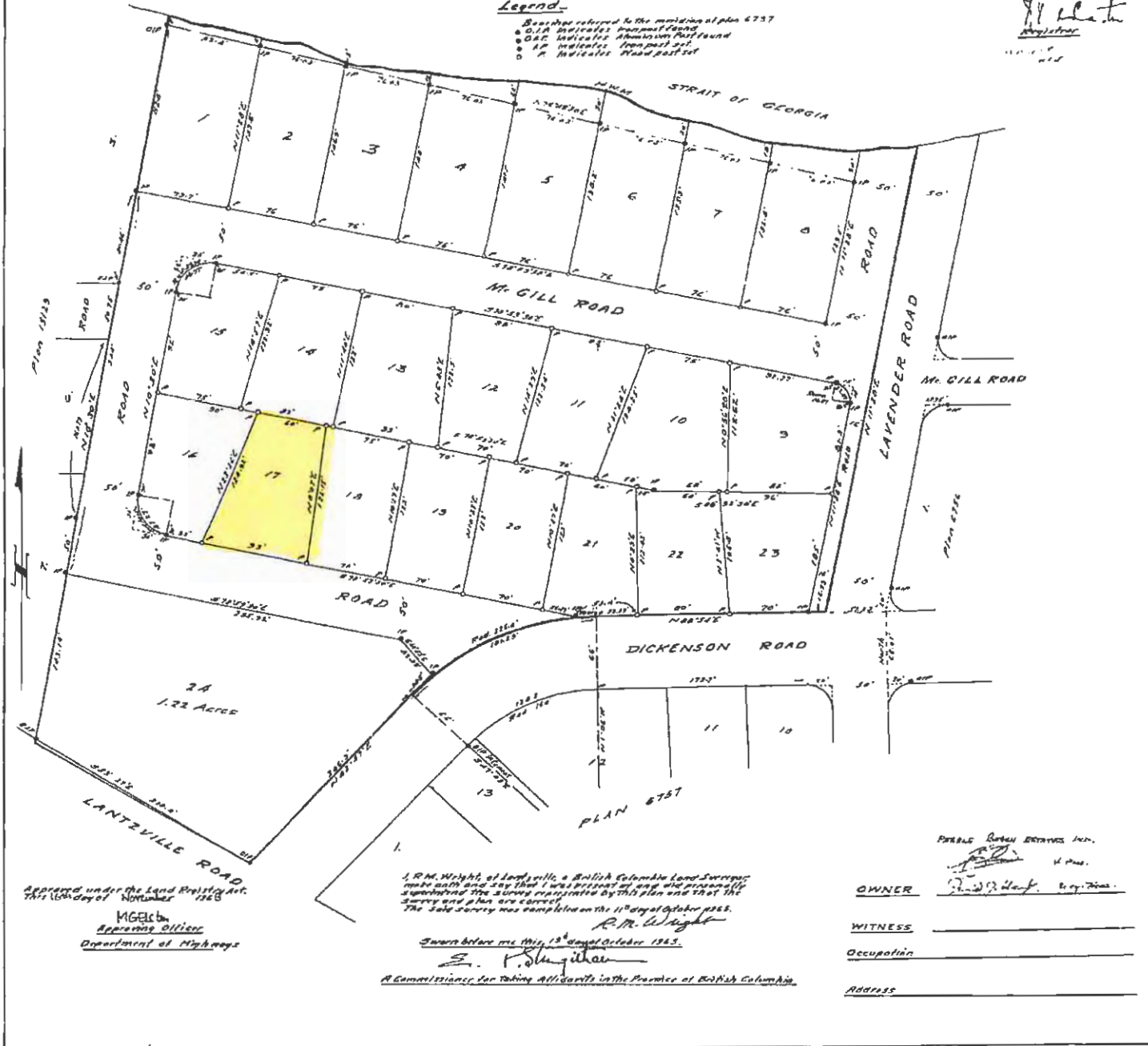
PLAN OF SUBDIVISION OF  
PART OF LOT 3 DISTRICT LOT 276 WELLINGTON DISTRICT  
COMPOSITE PLAN 3051 SCALE 1 INCH = 50 FEET

Checked and in the Land Registry Office  
of B.C. on the 15th day of December 1965

*M. W. Wright*  
Registrar

Legend

- Boundaries referred to the subdivision of plan 6757
- O.A. indicates proposed found
- O.A.C. indicates Abandoned Path found
- L.P. indicates from post set
- A. indicates from post set



Approved under the Land Registry Act  
this 15th day of November 1965

M. G. E. C. B.  
Registering Officer  
Department of Highways

J. R. M. Wright, of Langley, a British Columbia Land Surveyor  
make oath and say that I was present at and did personally  
superintend the survey represented by this plan and that the  
survey and plan are correct.  
The said survey was completed on the 11th day of October 1965.

*J. R. M. Wright*

Sworn before me this 15th day of October 1965.

*S. P. Langille*

A Commissioner for Taking Affidavits in the Province of British Columbia

FRANK BROWN ESTATES INC.

*Frank Brown*

OWNER Frank Brown Estates Inc.

WITNESS \_\_\_\_\_

Occupation \_\_\_\_\_

Address \_\_\_\_\_

## Frank Limshue

---

**From:** ronald s osborne <rsos5255@yahoo.ca>  
**Sent:** September-25-17 10:47 AM  
**To:** Frank Limshue  
**Subject:** DCC's

Hello Frank,

Regarding the upcoming District of Lantzville Council Meeting in October, where I understand the council will be talking about a refund of the DCC's I had to pay before a building permit would be issued.

I think you know my position but I would like to clarify my message for you to present to the council.

I firmly believe that I should get All of my monies refunded.. "There has to be Benefit " is clearly stated in the DCC Rules,

As confirmed by Mr Jack McAully who is an authority on DCC's ( he has travelled to European countries to advise on applying DDC's in jurisdictions ) Jack McAully will be with me at that council meeting.

A further note regarding the DCC Re Storm Drains. There are NO Storm Drains on Lot 17.. 7191 Lancrest Terrace Nor is there Storm Drains on the property to the East ( Mr Barry Penrice ) and the next and so on. and there is never likely to be.

When my house was being built ( 7191 Lancrest ) I was forced to hire a Geotech Engineer by the RDN. the engineer had a pit dug at the bottom of the property..then filled with gravel. That single issue cost me several thousand \$\$\$.. and that sir is the drainage !!.. That pit now fills up... Overflows and drains onto the next properties to the West and North.. which is exactly what the natural water has done for the past 10,000 years..

I Firmly believe I should be refunded All of the DCC money that I was forced to pay to the District of Lantzville AND the RDN.

Please present this letter to the District Council. Also please print a copy and return to me by Post.

Thank you and Regards

Sincerely

Ronald S Osborne

## Frank Limshue

---

**From:** ronald s osborne <rsos5255@yahoo.ca>  
**Sent:** April-23-17 4:15 PM  
**To:** Frank Limshue  
**Subject:** Re: Re DDC's 7191 Lancrest Terrace.

Hello Frank,

Further to my email of April 20th . I have requested copies of Taxes paid to the Provincial Gov't for the TEN years prior to 2006. For the years 1987 to 1996 I was told those records of Taxes would be in archives and can be accessed which I will be doing. I know for certainty that All of those records will show Sewer upkeep Taxes for all of those years plus Water Taxes. My estimate of \$45k was for 20 years... that estimate is short by 10 Years worth of Sewer/Water Taxes.

I will Forward those Tax records 1997/2005 to you as soon as I get them. Please acknowledge receipt of my emails.

Thank you & Regards

Ron Osborne

On Thursday, April 20, 2017 2:13 PM, ronald s osborne <[rsos5255@yahoo.ca](mailto:rsos5255@yahoo.ca)> wrote:

Frank Limshue

Ronald S Osborne April 20th 2017

Dear Frank,

Thank you for seeing me and my friend Re the above issue on Monday 17th April 2017.

Here is a little more of the history of Lot 17 Lancrest Terrace Before the house was built.

I have owned that property since 1987 and paid taxes on Lot 17 now for 30 years.. Which INCLUDED Taxes for SEWER and WATER for ALL of those Years. It is important to Note that Prior to 2006..Taxes for Lantzville were collected by the Provincial Gov't including taxes for the "private" sewer system of the "Pebble Beach Estates " which Lot 17 was a part of. It was a relatively small subdivision which was fully serviced with Sewers and Water and Roads. The owners of all of the Lots have been paying Taxes for Sewers and Water for all of those Years. When I purchased Lot 17 ( from a resident of Lancrest Terrace ) there was only one other Lot that did not have a house on. That lot is still unbuilt.

I have attached copies of Lantzville Tax notices for the years 2006 2007 2008. In there you will see the taxes for Sewer and Water... For the Years 2006/7 Sewer tax was \$488 each year. From 2008 to 2015 Sewer Tax was \$497 / year Water 2006 to 2015 ranged from \$240.47 to \$355 in 2015. Please Note Prior to 2006 I paid For Sewer and Water for 20 years directly to the Provincial Gov't. In Other words I have Paid Sewer and Water Taxes for 30 Years.

Please note 2006 and 2007 were BEFORE the RDN took over the operation of Pebble Beach private sewer system which is now included in the phase 1.( This changed nothing( in essence) for the residents of Pebble Beach estates other than now being part of the main sewer system.)

As I mentioned in our conversation on Monday regarding the DCC for "Storm Drains " There are NO Storms Drains on Lot 17 . When the house was built at 7191 Lancrest Terrace The RDN forced me to hire a Geo Tech Engineer who had a Pit excavated at the bottom of Lot 17 it was filled with Gravel and covered with fill... there is a pipe which takes the over flow to drain onto the Next Lot.. which it has been doing constantly all winter and the water still flows as it has done for ever. the cost to me was over \$3000. There are NO storm drains on those property's on the same side as Lot 17.

**I Believe I have Paid more than \$45000.00 in Taxes for Sewer Water and ect. On the Lot 17. Before the house was Built**

**Regards**

Ron Osborne

# 2006 PROPERTY TAX NOTICE

## DISTRICT OF LANTZVILLE

#1 - 7217 Lantzville Road (Temporary Location)  
 PO Box 100, Lantzville, BC V0R 2H0 (Mailing Address)  
 Phone: (250) 390-4006 Fax: (250) 390-5188  
 OFFICE HOURS: MONDAY to FRIDAY 8:30 AM - 4:30 PM

Roll: 350 07935.080  
 Civic Address: LANCREST TERR  
 Legal Desc: Plan: 18434 Lot: 17 Block:  
 DL#: 27G

Mortgage Code:  
 Mortgage Name:

*FA10*

• Reprint •  
 May 17, 2006

**OSBORNE, RONALD S**  
**13780 MARTELLA RD**  
**LADYSMITH BC V9G 1C1**

If the property has been sold, please forward this notice to the purchaser

**DUE DATE**  
**July 4, 2006**

Property taxes are payable on or before 4:30 p.m. on July 4, 2006. A 5% penalty will be applied to unpaid 2006 property tax balances after that time. A further 5% penalty will be applied should an unpaid property tax balance remain after September 30, 2006.

### Home Owner Grant Information

If the property is your principal residence, you may qualify for the Home Owner Grant. Please read the back of this form and, if eligible, complete the application. A payment need not be made to claim the Home Owner Grant. If taxes are paid through your mortgage, the Home Owner Grant claim must still be made, if eligible. Grant claims not received by the due date are subject to penalty. Home Owner Grant applications must be completed each year to receive the grant.

Taxable Assessed Value	Class	Land	Improvements	
Hospital	01	178,000	0	
General	01	178,000	0	
School	01	178,000	0	
Tax Levies	Class	Taxable Value	Rate	Amount
SCHOOL - RESIDENTIAL	01	178,000	3.006000	535.07
BCAA-RESIDENTIAL	01	178,000	0.081600	14.52
MUNICIPAL-RESIDENTIAL	01	178,000	2.008600	357.53
HOSP-RESIDENTIAL	01	178,000	0.265000	47.17
LIBRARY-RESIDENTIAL	01	178,000	0.206300	36.72
MFA-RESIDENTIAL	01	178,000	0.000300	0.05
RDN-RESIDENTIAL	01	178,000	0.737000	131.19
Local Services Taxes - Bylaw				
Water Supply	00	1	240.470000	240.47
Sewer	00	1	488.000000	488.00
<b>Total Current Taxes</b>				<b>1,850.72</b>

### Payment Information

Payment can be made by mail, in person or in the drop box at the District Office. Payment by ATM is available during business hours. We accept post-dated cheques for July 4, 2006 or earlier. Your cancelled cheque is your receipt. Postmarks will not be considered as date of payment. Property tax payments can also be made at most financial institutions in person, by telephone or internet banking.

### School & Other Taxes

For information regarding taxes set by other Government Bodies, please contact:

School District #68 (250) 754-5521  
 School District #69 (250) 248-4241  
 BC Assessment Authority (250) 753-6621  
 Municipal Finance Authority (250) 383-1181  
 Nanaimo Reg. Hospital District (877) 607-4111  
 Nanaimo Regional District (877) 607-4111  
 Vancouver Island  
 Regional Library (250) 758-4697

Pay A, B, or C	A. Not Eligible for Grant	B. Eligible and Under 65	C. Eligible 65+ and Other
Basic Provincial School Levy	535.07	535.07	535.07
Less Home Owner Grant	0.00	0.00	0.00
Net School Taxes	535.07	535.07	535.07
General Municipal & Other Taxes	587.18	587.18	587.18
Local Services Taxes	728.47	728.47	728.47
Less Residual Home Owner Grant	0.00	0.00	0.00
<b>Total Current Taxes</b>	<b>1,850.72</b>	<b>1,850.72</b>	<b>1,850.72</b>
Arrears (including interest to July 04, 2006)	0.00	0.00	0.00
Delinquent (including interest to July 04, 2006)	0.00	0.00	0.00
Adjustments / Penalty	0.00	0.00	0.00
Less Prepayments (including interest)	0.00	0.00	0.00
<b>Total Amount Due July 04, 2006</b>	<b>1,850.72</b>	<b>1,850.72</b>	<b>1,850.72</b>

SEE REVERSE SIDE FOR IMPORTANT EXPLANATORY NOTES

Detach bottom portion and remit with payment

Enter amount paid

# 2007 PROPERTY TAX NOTICE

## DISTRICT OF LANTZVILLE

7192 Lantzville Road

PO Box 100, Lantzville, BC V0R 2H0 (Mailing Address)

Phone: (250) 390-4006 Fax: (250) 390-5188

OFFICE HOURS: MONDAY to FRIDAY 8:30 AM - 4:30 PM

Roll: 350 07935.080  
 Civic Address: LANCREST TERR  
 Legal Desc: Plan: 18434 Lot: 17 Block:  
 DL#: 27G

Mortgage Code:

**OSBORNE, RONALD S**  
**13780 MARTELLA RD**  
**LADYSMITH BC V9G 1C1**

If the property has been sold, please forward this notice to the purchaser

**DUE DATE**  
**July 3, 2007**

Property taxes are payable on or before 4:30 p.m. on July 3, 2007. A 5% penalty will be applied to unpaid 2007 property tax balances after that time. A further 5% penalty will be applied should an unpaid property tax balance remain after September 30, 2007.

### Home Owner Grant Information

If the property is your principal residence, you may qualify for the Home Owner Grant. Please read the back of this form and, if eligible, complete the application. A payment need not be made to claim the Home Owner Grant. If taxes are paid through your mortgage, the Home Owner Grant claim must still be made, if eligible. Grant claims not received by the due date are subject to penalty. Home Owner Grant applications must be completed each year to receive the grant.

Taxable Assessed Value	Class
Hospital	01
General	01
School	01

Land	Improvements
237,000	0
237,000	0
237,000	0

### Tax Levies

Tax Levies	Class
SCHOOL - RESIDENTIAL	01
BCAA-RESIDENTIAL	01
MUNICIPAL-RESIDENTIAL	01
HOSP-RESIDENTIAL	01
LIBRARY-RESIDENTIAL	01
MFA-RESIDENTIAL	01
POLICE-RESIDENTIAL	01
RDN-RESIDENTIAL	01

Taxable Value	Rate	Amount
237,000	2.470000	585.39
237,000	0.067700	16.04
237,000	1.770000	419.49
237,000	0.220400	52.23
237,000	0.178600	42.33
237,000	0.000300	0.07
237,000	0.210600	49.91
237,000	0.601700	142.60

### Local Services Taxes - Bylaw

Parks	15.05
Water Supply	240.47
Sewer	488.00
<b>Total Current Taxes</b>	<b>2,051.58</b>

### Payment Information

Payment can be made by mail, in person or in the drop box at the District Office. Payment by ATM is available during business hours. We accept post-dated cheques for July 3, 2007 or earlier. Your cancelled cheque is your receipt. Postmarks will not be considered as date of payment. Property tax payments can also be made at most financial institutions in person, by telephone or internet banking

### School & Other Taxes

For information regarding taxes set by other Government Bodies, please contact:  
 School District #68 (250) 356-0907  
 School District #69 (250) 356-0907  
 BC Assessment Authority (250) 753-6621  
 Municipal Finance Authority (250) 383-1181  
 Nanaimo Reg. Hospital District (877) 607-4111  
 Nanaimo Regional District (877) 607-4111  
 Vancouver Island Regional Library (250) 758-4697

Pay A, B, or C	A. Not Eligible for Grant	B. Eligible and Under 65	C. Eligible 65+ and Other
Basic Provincial School Levy	585.39	585.39	585.39
Less Home Owner Grant	0.00	0.00	0.00
Net School Taxes	585.39	585.39	585.39
General Municipal & Other Taxes	722.67	722.67	722.67
Local Services Taxes	743.52	743.52	743.52
Less Residual Home Owner Grant	0.00	0.00	0.00
<b>Total Current Taxes</b>	<b>2,051.58</b>	<b>2,051.58</b>	<b>2,051.58</b>
Arrears (including interest to July 03, 2007)	0.00	0.00	0.00
Delinquent (including interest to July 03, 2007)	0.00	0.00	0.00
Adjustments / Penalty	0.00	0.00	0.00
Less Prepayments (including interest)	0.00	0.00	0.00
<b>Total Amount Due July 03, 2007</b>	<b>2,051.58</b>	<b>2,051.58</b>	<b>2,051.58</b>

SEE REVERSE SIDE FOR IMPORTANT EXPLANATORY NOTES  
 Detach bottom portion and remit with payment

Enter amount paid:

2,051.58



# 2008 PROPERTY TAX NOTICE

## DISTRICT OF LANTZVILLE

7192 Lantzville Road  
 PO Box 100, Lantzville, BC V0R 2H0 (Mailing Address)  
 Phone: (250) 390-4006 Fax: (250) 390-5188  
 OFFICE HOURS: MONDAY to FRIDAY 8:30 AM - 4:30 PM

Roll:	350 07935.080		
Civic Address:	LANCREST TERR		
Legal Desc:	Plan: 18434	Lot: 17	Block:
	DL#: 27G		

Mortgage Code:  
 Mortgage Name:

**OSBORNE, RONALD S**  
**13780 MARTELLA RD**  
**LADYSMITH BC V9G 1C1**

DUE DATE  
July 2, 2008

Property taxes are payable on or before 4:30 p.m. on July 2, 2008. A 5% penalty will be applied to unpaid 2008 property tax balances after that time. A further 5% penalty will be applied should an unpaid property tax balance remain after September 30, 2008.

If the property has been sold, please forward this notice to the purchaser.

**Home Owner Grant Information**  
 If the property is your principal residence, you may qualify for the Home Owner Grant. Please read the back of this form and, if eligible, complete the application. A payment need not be made to claim the Home Owner Grant. If taxes are paid through your mortgage, the Home Owner Grant claim must still be made, if eligible. Grant claims not received by the due date are subject to penalty. Home Owner Grant applications must be completed each year to receive the grant.

Taxable Assessed Value	Class	Land	Improvements
Hospital	01	261,000	0
General	01	261,000	0
School	01	261,000	0

Tax Levies	Class	Taxable Value	Rate	Amount
SCHOOL - RESIDENTIAL	01	261,000	2.249500	587.12
BCAA-RESIDENTIAL	01	261,000	0.061500	16.05
MUNICIPAL-RESIDENTIAL	01	261,000	1.590000	414.99
HOSP-RESIDENTIAL	01	261,000	0.226500	59.12
LIBRARY-RESIDENTIAL	01	261,000	0.156000	40.72
MFA-RESIDENTIAL	01	261,000	0.000200	0.05
POLICE-RESIDENTIAL	01	261,000	0.201100	52.49
RDN-RESIDENTIAL	01	261,000	0.470200	122.72
<b>Local Services Taxes - Bylaw</b>				
Regional Parks & Trails	00	1	17.550000	17.55
Water Tax	00	1	240.470000	240.47
Sanitary Sewer Phase 1	00	1	497.000000	497.00
<b>Total Current Taxes</b>				<b>2,048.28</b>

**Payment Information**  
 Payment can be made by mail, in person or in the drop box at the District Office. Payment by ATM is available during business hours. We accept post-dated cheques for July 2, 2008 or earlier. Your cancelled cheque is your receipt. Postmarks will not be considered as date of payment. Property tax payments can also be made at most financial institutions, in person, by telephone or internet banking.

**School & Other Taxes**  
 For information regarding taxes set by other Government Bodies, please contact:  
 School District #68 & #69 (250) 356-0907  
 BC Assessment (250) 753-6621  
 Municipal Finance Authority (250) 383-1181  
 Nanaimo Reg. Hospital District (877) 607-4111  
 Regional District of Nanaimo (877) 607-4111  
 Vancouver Island (250) 758-4697  
 Regional Library

Pay A, B, or C	A. Not Eligible for Grant	B. Eligible and Under 65	C. Eligible 65+ and Other
Basic Provincial School Levy	587.12	587.12	587.12
Less Home Owner Grant	0.00	0.00	0.00
<b>Net School Taxes</b>	<b>587.12</b>	<b>587.12</b>	<b>587.12</b>
General Municipal & Other Taxes	706.14	706.14	706.14
Local Services Taxes	755.02	755.02	755.02
Less Residual Home Owner Grant	0.00	0.00	0.00
<b>Total Current Taxes</b>	<b>2,048.28</b>	<b>2,048.28</b>	<b>2,048.28</b>
Arrears (including interest to July 02, 2008)	0.00	0.00	0.00
Delinquent (including interest to July 02, 2008)	0.00	0.00	0.00
Adjustments / Penalty	0.00	0.00	0.00
Less Prepayments (including interest)	0.00	0.00	0.00
<b>Total Amount Due July 02, 2008</b>	<b>2,048.28</b>	<b>2,048.28</b>	<b>2,048.28</b>

SEE REVERSE SIDE FOR IMPORTANT EXPLANATORY NOTES  
 Detach bottom portion and remit with payment

Enter amount paid:

District of Lantzville  
Att: The Mayor Mr Colin Haime

Re Lot 17 Lancrest Terrace Re DCCs

R.S. Osborne  
Ladysmith B.C  
July 9<sup>th</sup> 2015

Dear Sir,

The Lot in question is Zoned Single Family and was created and fully developed in the 80's.

"In the case of single family Zoned lots a DCC can only be charged at the time of the Lot registration in the LTO. They Cannot be charged at a later date. If a local Gov't is doing so It is Illegal " I have been advised to ask you to produce evidence where a DCC has been charged after building permit issued on a single family home Anywhere in the Province of B.C.

In the case of Lot 17 Lancrest Terrace there is another very clear cut situation.

Lot 17 Lancrest is part of Pebble Beach Estates . A subdivision that was Fully Developed some 30 years ago. That Development included Sewer ( The only sewerred lots in Lantzville ) Water and Roads. Which would have been paid for in Full By the Developer . Who would then Pass on those costs to the purchasers of the Lots.

In other words Sir Development Costs for Sewer Water and Roads .. Including Lot 17 Have already been paid in Full.

Any further DCC charges would not only be illegal.. It would amount to charging the owner of Lot 17 Twice for Development of Sewer Water Roads ect.,

It would appear there has been a series of errors by Lantzville staff . Errors that could cost me several thousands.. Try \$15k.

Your staff are completely wrong on this issue. Further more in correspondence these past weeks Lantzville staff have Not addressed the issue of " Double charging ".

Have all the other properties in Pebble Beach been double charged for Sewer Water Roads ? We all know they have not ! So why just one Lot 17 ?

Lantzville ByLaw Re DCCs Surely cannot be applied to a lot where there are already Sewers Water Roads that were developed and fully paid for some 30 years ago ! In other words There are NO development costs to Lantzville simply because there is No development to be done. That Development was done & paid for 30 years ago. What could be more obvious than that !

I want to get on with my project and enjoy my property in Lantzville... I am an 88 yr old Veteran of WW11 with multiple spinal injuries from War service

This issue has caused me loss of sleep on several nights and considerable distress. How is that going to look in the National newspapers.

If I am forced to pay DCCs to build on my property Then please be advised I will seek legal counsel.

Sincerely

Ronald S Osborne (245-3915)  
cc Jim Dias, Brian Childs.

7191.

**DISTRICT OF LANTZVILLE  
BYLAW NO. 52**

**A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES FOR WATER,  
SEWAGE, DRAINAGE, HIGHWAY FACILITIES AND PARK LAND**

---

**WHEREAS** pursuant to Section 933 of the *Local Government Act*, Council may by bylaw, impose development cost charges under the terms and conditions of that section;

**AND WHEREAS** development cost charges may be imposed for the purpose of providing funds to assist the local government in paying the capital costs of providing, constructing, altering or expanding water, sewage, drainage, highway facilities and providing and improving park land in order to serve, directly or indirectly, the development for which the charge is being imposed;

**AND WHEREAS** in establishing the development cost charges under this bylaw, Council has considered the future land use patterns and development, the phasing of works and services and the provision of park land described in the District of Lantzville Official Community Plan;

**AND WHEREAS** Council is of the opinion that the development cost charges imposed under this bylaw:

- (a) are not excessive in relation to the capital costs of prevailing standards of service,
- (b) will not deter development, and
- (c) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land,

within the District of Lantzville.

**AND WHEREAS** the approval of the Inspector of Municipalities has been obtained;

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

1. Interpretation:

**“Commercial Use”** means all uses except residential use, congregate care facility use, institutional use and industrial use.

**“Gross Floor Area”** means the space on any story of a building, including the basement, between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but not including any floor area used exclusively for vehicle parking or vehicle access, any basement area where the ceiling is less than 1.8 metres above the floor, exits, vertical service spaces, and their enclosing assemblies.

**“Mixed Use Building”** means a building that contains one or more self-contained dwelling units in conjunction with commercial use, institutional use and/or industrial use.

**“Multiple Family Residential Building”** means a building used for residential use only and containing more than one self-contained dwelling unit.

**“Vertical Service Space”** means a shaft oriented essentially vertically that is provided in a building to facilitate the installation of building services including mechanical, electrical and plumbing installations and facilities such as elevators, refuse chutes and linen chutes.

2. Subject to the provisions of Section 3, every person who obtains:
  - (a) approval of a subdivision of a parcel of land under the *Land Title Act*, or a subdivision by bare land strata plan, pursuant to the *Strata Property Act* for residential purposes other than for a multiple family residential building; or
  - (b) a building permit authorizing the construction, alteration or extension of a building or structure, for any purpose
  - (c) a building permit for any new floor area which has a construction value in excess of \$50,000 or the total of the building permits issued for the same parcel of land within the preceding 2 years exceeds \$50,000
  - (d) the charges will be based on the actual use of the building not the zoning category of the property
    - i) despite the above, where there is more than one use, each use is subject to the charge based on the actual use and there may be more than one category applied per building
    - ii) mezzanines, storage or similar areas within a building are subject to development cost charges based on the same use that the majority area of the building contains

- iii) where a building is vacant and its future use cannot be determined, development cost charges are payable in accordance with the zoning category for the land upon which the building is situated

shall pay to the District of Lantzville the applicable development cost charges as provided in Schedule "A", at the time provided in Schedule "A".

3. Section 2 does not apply to where the imposition of a development cost charge is prohibited by statute.
4. This bylaw does, to the extent provided, apply to a person who obtains a building permit that authorizes the construction, alteration or extension of a building that will, after construction, alteration or extension, contain fewer than 4 self-contained dwelling units, and that will be put to no other use other than residential use in those dwelling units.
5. Schedule "A" is attached hereto and forms part of this Bylaw.
6. This Bylaw may be cited for all purposes as "District of Lantzville Development Cost Charges for Water, Sewage, Drainage, Highway Facilities and Park Land Bylaw No. 52, 2006".

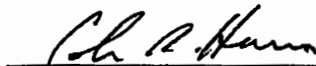
**READ A FIRST TIME** this 27<sup>th</sup> day of November, 2006.

**READ A SECOND TIME** this 22<sup>nd</sup> day of January, 2007.

**READ A THIRD TIME** this 12<sup>th</sup> day of February, 2007.

**APPROVED BY THE INSPECTOR OF MUNICIPALITIES** this 12<sup>th</sup> day of April, 2007.

**RECONSIDERED AND FINALLY ADOPTED** this 16<sup>th</sup> day of April, 2007.



Mayor



Director of Corporate Administration

I hereby certify that the above is a true and correct copy of "District of Lantzville Development Cost Charges for Water, Sewage, Drainage, Highway Facilities and Park Land Bylaw No. 52, 2006", as adopted by Council of the District of Lantzville on the 16<sup>th</sup> day of April, 2007.

\_\_\_\_\_  
Director of Corporate Administration

**SCHEDULE "A"**

**TO**

**District of Lantzville Development Cost Charges for Water, Sewage,  
Drainage, Highway Facilities and Park Land  
Bylaw No. 2006 (the "Bylaw")**

Pursuant to S. 2 of this Bylaw, development cost charges shall be paid as follows:

1. In respect of a residential use, other than a multiple family residential building upon the earlier of:
  - (a) subdivision of land to permit such residential use; and
  - (b) upon issuance of a building permit for the construction, alteration or extension of a residential building

Water	3,893.51
Sewage	6,182.36
Drainage	2,361.66
Highway Facilities	1,935.40
Park Land	<u>1,540.49</u>
Total	<u>15,913.42</u>

Per lot being created or per residential unit constructed

2. Upon issuance of a building permit for the construction, alteration or extension of a multiple family residential building, the following charge shall be paid for each unit authorized by the building permit.

Water	2,884.08
Sewage	4,579.53
Drainage	1,417.00
Highway Facilities	1,185.11
Park Land	<u>1,141.10</u>
Total	<u>11,206.82</u>

3. Upon issuance of a building permit for the construction, alteration or extension of a congregate care facility building, the following charge shall be paid for each unit authorized by the building permit.

Water	1,442.04
Sewage	2,289.76
Drainage	330.63
Highway Facilities	408.52
Park Land	<u>570.55</u>
Total	<u>5,041.50</u>

4. Upon issuance of a building permit for the construction, alteration or extension of a building or part of a building for any commercial use, the following charge shall be paid for each square metre of gross floor area authorized by the building permit:

Water	10.38
Sewage	16.49
Drainage	2.55
Highway Facilities	<u>72.60</u>
Total	<u>102.02</u>

5. Upon issuance of a building permit for the construction, alteration or extension of a building or part of a building for any institutional use the following charge shall be paid for each square metre of gross floor area authorized by the building permit:

Water	86.52
Sewage	137.39
Drainage	.43
Highway Facilities	<u>31.55</u>
Total	<u>255.89</u>

6. Upon issuance of a building permit for the construction, alteration or extension of a building or part of a building for any industrial use, the following charge shall be paid for each per hectare of gross site area authorized by the building permit:

Water	34,609.00
Sewage	54,954.35
Drainage	42,509.91
Highway Facilities	<u>26,521.31</u>
Total	<u>158,594.57</u>

7. Upon issuance of a building permit for the construction, alteration or extension of a mixed use building the development cost charges as follows:

- for the residential portion of the building shall be as set out in Section 2 of this schedule as applicable;
- for the commercial portion of the building shall be as set out in Section 4 of this schedule as applicable;
- for the institutional portion of the building shall be as set out in Section 5 of this schedule as applicable;
- for the industrial portion of the building shall be as set out in Section 6 of this schedule as applicable.