

Figure 45: Examples of housing choice

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7.1 Objectives

The Plan intends to address broadening the range of housing options in Lantzville in the following ways:

- ▶ Encourage smaller-lot single-family, patio-home, multi-family, and seniors care development in the Village Residential area.
- ▶ Give priority to projects that provide for seniors-oriented housing and seniors care facilities.
- ▶ In Special Plan Areas outside the Village, encourage a range of housing choice. While these areas should be dominated by single-family housing in various lot sizes, other choices may include limited areas of multi-family housing. Where multi-family or intensive residential (small lot) housing is included, it shall be subject to development permits for Form and Character.
- ▶ Give priority for servicing to areas where a range of housing options could be developed.
- ▶ Implement the strategy and planning approach for the Foothills Estates area to create extensive parkland and associated rural “estate” residential type development.
- ▶ Establish a planning and development approach for the Village Residential Area and Special Plan Areas that ensures appropriate land use, parks and infrastructure, and design guidelines to create very high-quality development and neighbourhoods.

7.2 Policies

The community, in recognition of the varied needs of its citizens, continues to voice support for providing housing choices that fit with the vision and desired character of Lantzville. The following policies are designed to fulfil this goal.

7.2.1 Village and Special Plan Areas

The general approach is to minimize change in existing residential neighbourhoods, while concentrating housing choice in large infill properties that have current development potential. The designation of Special Plan Areas will allow closer consideration of these areas, with the objective of ensuring a high-level of quality in future development.

The property on both sides of Ware Road from the Island Highway to Lantzville Road, and between Dickinson Road and Seaview School is currently undeveloped. This Ware Road area has been identified in past regional and local planning as a potential development site, and the consultation process leading to this Plan confirmed continued support for this area as a “Village Residential” area with expanded commercial and mixed-use opportunities

The District has adopted the following policies for Village and Special Plan Areas:

1. Village and other Special Plan Areas are shown on Map No. 5A and 5B.
2. Permitted uses include residential, parks, recreation, utilities, places of worship, schools, and hospitals.
3. The Village shall be the subject of a set of Special Area Plans, conforming with the policies in Part Two, Section 8 of this OCP. The District encourages the development of a mix of residential housing types including single-family, smaller-lot single-family,

patio-home, and multi-family in the Village Special Plan Area.

4. Density, height, and green space provisions and other guidelines are provided for the Village and other Special Plan Areas in Part Two, Section 8 of the OCP.
5. In Special Plan Areas, the District, prior to approving any rezoning or subdivision application will require a site plan, acceptable to the District, showing land uses, types of residential housing, any water features, public parks, road circulation, and trails and pedestrian connections through the site and to adjacent neighbourhoods, open space, and green space.
6. Projects will be integrated into the existing community as seamlessly as possible.
7. The District will encourage the use of a registered design scheme for the residential portions of these areas.
8. The District will give priority to projects that will provide accommodation for seniors.
9. Both fee simple and strata title ownership will be supported.
10. The District will support the transfer of development rights from archeologically or historically important sites to other development sites within the Village Residential area.

7.2.2 Affordable Housing Choice and Care Facilities

The District recognizes that aging is a continuum, including childhood, middle life, empty nesters, through stages of active seniors living, with some moving to assisted living or congregate care as health and mobility wane.

A trend is for seniors to stay as long as possible in independent living arrangements, preferably close to family, neighbours, and friends. Many 'young seniors' are looking for a chance to down-size their land and building space, both to free up 'maintenance time' as well as financial resources and to move to space that is scaled to the reduced size of family. To suit this trend, as well as to provide more affordable options for young singles or first-time buyer families, provision of smaller lots/homes, as well as multiple-family choices are anticipated as a component of Special Plan Areas.

As people age, they not only need housing that requires less maintenance, but they also need more access to medical and personal services. The District acknowledges these needs and believes that the appropriate location for assisted living, co-op, or congregate care is primarily in the Village close to shops, services, and public transit. The District therefore adopts the following policies:

1. The District supports development of a facility to provide for the various levels of care for the senior citizens of Lantzville within the Village Special Area Plan.
2. The Village development program must include seniors-oriented assisted living and long-term care facility located within walking distance (400 m) of existing services in the Village Commercial Core. To promote assisted living in the Village Area, development of these care facilities of up to 100 units and related parking and amenities

may be excluded from the area used for gross density and bonusing calculations.

3. The District will consider additional seniors-oriented assisted living and long-term care facilities either in the Village area or in East Lantzville. Each unit in a care facility above the first 100 units in the Village shall represent a 1/2 unit for calculating gross residential density, up to a maximum of 400 seniors assisted living or long-term care units in Lantzville.
4. The District encourages a range of housing forms and sizes of assisted living for seniors and others needing long-term care, including co-housing, co-ops, cottages, small nursing homes (similar in size and character to large private residences), as alternatives to or in addition to moderate-scale institutions.
5. All multi-family and seniors assisted living or long-term care facilities shall be subject to development permits for Form and Character in Section 11.



Figure 46: Assisted Living may range from group living in large single family-like homes to small institutional buildings

7.2.3 Secondary Suites

Secondary Suites can play a potential role in providing more affordable housing alternatives.

1. The District supports the development of secondary suites in single-family detached homes.
2. The District shall create a set of regulations for Secondary Suites which will be added to the Zoning Bylaw.

7.2.4 Foothills Estates Residential

1. Lands designated as the Foothills Comprehensive Development Plan Area will be developed in conformance with the policies in Part Two, Section 8 and the concept included as Map No. 9 in this Plan.

8 | Goal 5: Manage Steady and Sustainable Development of Infill Neighbourhoods

Larger properties with little or no existing development or infrastructure present unique challenges and opportunities. There are several larger properties in Lantzville that have existing land use designation and zoning for residential or mixed-uses. These parcels could subdivide if the developers provide required infrastructure.

In meeting the goals of the OCP, the District wishes future development not just to be “development subdivisions”, but rather “sustainable neighbourhoods”.

Goal 5: To provide clear and adequate planning guidelines for new development addressing environmental protection, protecting open space, and providing a high-quality development that meets the expectations of both the landowners and the community.

8.1 Special Plan Areas

Outside the Village Commercial Core, Lowlands, and immediate surroundings, Infill Residential Areas extend throughout the South and West Village. There is also potential for residential infill in key locations between existing neighbourhoods in Upper Lantzville. While these infill properties, once serviced, could develop under existing zoning, there is a community desire to avoid “cookie-cutter” subdivision, to realize integrated forest buffer and trail systems, and to offer housing choice. In areas away from the Village, it is important that new neighbourhoods be compatible and integrated with nearby semi-rural character areas, with a two-storey maximum height.

To provide for more detailed planning and community engagement, key infill areas are designated Special Plan Areas, as shown on Map No. 5A and 5B, including:

- ▶ Village Commercial Core
- ▶ Village Lowlands
- ▶ Village South
- ▶ Village West
- ▶ Upper Lantzville Ware Road
- ▶ Upper Lantzville Superior Road
- ▶ Lantzville East

By designating these areas as Special Plan Areas (SPAs), the District requires a more detailed planning and engagement process to encourage constructive dialogue and refinement of concepts among interested landowners/developers, neighbouring property owners, and the broader community, with support from District staff and consulting professionals.

The Special Area Plans will need to meet the challenge of providing community infrastructure, public open space, and amenities

while maintaining a character that is compatible with existing neighbourhoods.

In addition to the Special Plan Areas above, the existing Foothills Comprehensive Development Plan has been adopted as a Schedule to the OCP, and remains in effect. Its implementation will provide permanent benefits in the form of public open space.

Rather than seeing sprawl across Lantzville or large amounts of building in existing subdivisions, the intent is to encourage infill development on large undeveloped properties – with a range of housing choice and an integrated forest buffer that supports trails and environmental networks – near the existing Village or existing suburban-density residential neighbourhoods, as well as on transit routes.

By concentrating development in the select Special Plan Areas, the intent is to protect the character of existing rural areas and established neighbourhoods, with priority to retain rural resource forestry and agriculture, rural residential, and crown/public open space lands including large new park space in the Foothills.

8.2 Managing the Rate of Infill Growth

Official Community Plans provide goals, objectives, and policies including land use designations for a period of at least 10 to 20 years. Current OCPs look as far into the future as possible – as much as 40 to 50 years. The further in the future one considers, the more uncertainty there is. It is common practice for OCPs to undergo review every 5 to 10 years to address changing circumstances or community priorities.

Respondents to community engagement in 2016 and 2017 showed a range of opinion about future growth in Lantzville. Some respondents (about 20%) would be satisfied with no growth, similar to the pattern since incorporation.

The majority of respondents expressed interest in some growth and more variety in housing choice than currently available. There has been consistent strong interest in support to strengthen the Village Commercial Core, including accommodating a concentration of residents within walking distance. In Upper Lantzville, although there is community-wide support for infill development, the level of support is less in areas near the Superior Road Special Plan Area, with strong concerns expressed about compatibility with area's existing semi-rural character.

While there is general support for some growth in Lantzville, there is concern about the potential pace of growth or speed of change. Certainly, any growth, when compared to a history of no growth, is likely to feel like a significant change.

Opinions will vary across the community, but it is likely that the majority of the community would wish to see a slow pace of growth. Ideally it would be steady and sustained, with an averaging out of the “boom and bust” cycles typically driven by real estate market forces.

It is also likely that neighbourhoods are most concerned about growth or change that affects them directly. There are many distinct established residential neighbourhoods in Lantzville, including the Winds, the Winchelsea area, the Waterfront, Peterson/Leland Road area, Dickenson Road area, Owen Road Area, Clark Drive area, and the evolving Foothills. Many of these neighbourhoods are quite separate from each other. Growth in the Foothills will not directly affect most other neighbourhoods. Similarly, growth in the Village has little effect on existing Upper Lantzville residential neighbourhoods, or vice versa. Each existing neighbourhood may have its own collective preferences or tolerance for growth either within or nearby their residential area, and this preference will likely evolve over time.

It is uncommon for pacing of growth to be specifically written into an OCP. Rather OCPs are written to guide the location, land use, and character of growth that organically arrives in the planning period. A question arising through the OCP Review was, “Can Lantzville’s OCP influence the pace of growth in various neighbourhoods and infill areas?”

OCPs are written to guide the location, land use and character of growth that organically arrives in the planning period. However, Lantzville could influence the pace of growth in various neighbourhood. There are two approaches below for future Councils to consider as methods to help manage pace of growth on behalf of the community:

1. Council may choose to support Special Area Plans in a specific order of priority, by allocation of community investment (time and financial resources) in Special Plan Area processes. The following list is example priority list based on the OCP Review

community input in 2016/2017, which may change from time to time by Council policy without amendment to the OCP:

1. Commercial Core and Village Areas (Lowland, West, and South)
2. Upper Lantzville Infill Ware Road Area
3. Upper Lantzville Infill Superior Road Area
4. East Lantzville Area
5. Waterfront Foreshore and Shoreline Management Area

Applicants may request Council to consider other multi-property Special Planning Areas and Council may support or deny the request. Applicant planning process funding or co-funding may be required.

2. Council may manage approval timing of individual rezonings, subject to applications being received from the private sector. Approval of each rezoning application is a separate Council decision that considers the merits of the application in relation to community needs. It is at the discretion of Council to approve or deny an application; pace of development in a neighbourhood related to development impacts could be one consideration among others. As well as requiring the completion of Special Area Plan and related community engagement prior to major rezoning, Council may choose to tie rezonings to phased development agreements, with provisions for reaching agreed milestones prior to clearing or construction of a subsequent phase. In taking this approach, Council may help to mitigate speculative land rezonings that increase land costs without supporting immediate development. On the other hand, if Council decisions are seen as "anti-development" on a consistent basis, the

private sector may divert investment or applications away from the District.

The first intent of the above approaches is to allow an "Adaptive Management" approach by Council to the pacing and quality of growth. There may be cases where there is a development proposal that is judged highly desirable to the community, but that requires a short burst of relatively fast growth to be viable. There may be other cases where a slow, phased development with gradual change is acceptable to both the community and the developer. The Special Plan Area approach allows these judgements to be made on a case by case basis.

The second intent is to concentrate change in a few larger infill areas of the community where sustainable and innovative approaches can be well researched and implemented. The corollary is that there would be very limited change in existing residential areas, except for replacement of existing homes or new homes on the few vacant lots.

The time period until buildout of potential growth shown in the OCP is unknown. Although it anticipates what might occur over a 20-year period, it is quite possible, even likely, that it will be 40 years or more before the growth potential in the OCP is fully implemented.

8.3 Objectives

The Plan intends to address planning for new development in Key Infill Areas in the following ways:

- ▶ Establish Special Plan Areas that include large properties with existing development potential to require a more detailed planning and engagement process leading to “sustainable neighbourhoods” rather than simply subdivisions.
- ▶ Require a complete biophysical and geological site inventory and terrain analysis to inform neighbourhood plans to standards acceptable to the District.
- ▶ Identify, preserve, and protect sensitive areas, rare vegetation, wildlife habitat, wetlands, and watersheds.
- ▶ Plan development only where appropriate within the constraints and protection of natural systems.
- ▶ Ensure that there is no negative impact on the water supply or sewage treatment options within and adjacent to Lantzville, and improve those options to the extent practicable.
- ▶ Integrate these areas with the existing community and create complementary neighbourhoods as much as possible.
- ▶ Design road networks, infrastructure, and services in a manner that minimizes impacts on existing developed areas in Lantzville and adjacent communities.
- ▶ Design infrastructure and services using appropriate development standards, including green infrastructure and FireSmart principles.
- ▶ Provide a network of public open space, pedestrian routes, and bicycle trails, as well as roads throughout the project that link with adjacent neighbourhoods.
- ▶ Provide a planning mechanism to implement Goal 3: Strengthen the Village Commercial Core and Goal 4: Provide Housing Choices, while also meeting Goal 1: Protect the Natural Environment and Goal 2: Preserve Community Character.

Reaching the objectives will require public engagement and detailed planning. Important tools made available in the OCP for Special Plan Areas include Density Bonus, Averaging, and Clustering, Community Amenity Contributions, and development permits. These tools and related policies and guidelines are described below and in Section 11.

8.4 Special Area Plan Policies & Process

The following policies apply to Special Plan Areas, as shown on Map No. 5A and 5B:

- ▶ Village Commercial Core
- ▶ Village Lowlands
- ▶ Village South
- ▶ Village West
- ▶ Upper Lantzville Ware Road
- ▶ Upper Lantzville Superior Road
- ▶ Lantzville East

8.4.1 Development Information

Under Section 485 of the *Local Government Act*, the District may require development approval information within the Special Plan Area for zoning amendment or temporary use applications. Development approval information will consist of the following:

Site Inventory and Terrain Analysis

1. The District will require that an archaeological/ heritage, biophysical, watercourse/hydrological, and geological site inventory, vegetation, and terrain analysis be prepared by qualified professionals, to the satisfaction of the District and submitted with the SPA application.

Land Use and Character

2. The SPA application will be accompanied by a local context and character plan, showing adjacent land uses, buildings, roads, forest stands, natural features, viewpoints, existing informal trails, and infrastructure.
3. The SPA process will review options and engage the public to determine how existing and proposed vegetation, buildings and other amenities, trails, environmental features, open spaces, forest buffers, and land use are integrated to respect the

desired community character and to promote a cohesive and integrated social community.

Development Impacts

4. The applicant will be required to provide evidence that development of the area will not have a negative impact on the quantity and quality of the existing surface and groundwater water systems, environmentally sensitive areas, and hazardous areas. A biological impact assessment by a qualified professional biologist and a hydrological impact assessment certified by a professional engineer with experience in hydrologic analysis will be required. The impact assessment will identify the long-term impact of the application on the surface and groundwater resources of the watershed and adjacent properties and aquifers.
5. The applicant will be required to provide evidence that the proposed number of housing units can and will be adequately serviced with water, sewer, road, and pedestrian access.
6. The applicant will be required to provide transportation and traffic studies by qualified professionals to identify the quantity and location of potential traffic flow and related road improvements and other measures to mitigate traffic impacts.
7. The applicant will be required to provide evidence that the proposed number of housing units will be a net benefit to the community in terms of tax revenue generated relative to municipal expenses and will not negatively impact municipal and regional services.

8. The applicant must demonstrate how the proposed development responds to adjacent neighbourhoods and land uses in terms of character, compatibility, and integration and how negative impacts on existing neighbourhoods will be mitigated.
9. The applicant must identify off-site impacts of the proposed development related to surface and storm water, water supply, and sewage disposal, and include proposals for addressing or mitigating those impacts.
10. A phasing plan for the development that will reduce short-term impacts on the community and integrate the proposed development with the phased implementation of related services and infrastructure will be required.

Site Development Plan

A comprehensive site analysis will be the basis for initiating the creation of a site development plan and Special Area Plan (SAP). The following policies apply to development of a SAP:

11. The District will require, as part of the application, that environmentally sensitive areas, hazard areas, rare vegetation, wildlife habitat, watercourses, significant wetlands, archaeological sites, and critical viewpoints be identified, preserved, and protected from the impacts of development.
12. The District will support development only in those areas that are not environmentally sensitive areas, hazard areas, or habitat areas.
13. The SAP must demonstrate that the development will be integrated into the existing community in terms of road access, pedestrian access, and any other possible means.
14. The SAP must include a network of pedestrian and bicycle trails as well as roads

throughout the project, linking internal areas as well as adjacent neighbourhoods.

15. A detailed infrastructure plan must be completed outlining water service, sanitary sewer service, roads, and storm water management including a description of the standards used for infrastructure design.
16. The SAP must include provision of adequate green space for amenity, wildlife, and recreation purposes.
17. The scale of new neighbourhoods shall be designed to be compatible with existing Lantzville development patterns and to avoid large areas of homogeneous “cookie-cutter” development. The SAP must include streetscape plans and building scheme or architectural guidelines to ensure high quality development.
18. Other than the Village Commercial Core, all Special Plan Areas shall have a forested backdrop based on the following guidelines:
 - A site clearing plan shall be provided and approved by the District prior to commencing any land clearing activities.
 - Clearings shall be surrounded by either existing native tree buffers, planted native tree buffers, or waterfront.
 - Native tree buffers shall be of adequate width and undisturbed root zone to allow trees to be reasonably wind-firm and to grow to maturity. Minimum width of buffer root zones shall be as determined by a professional arborist (approx. 20 to 30 m or wider).
 - Forest and open space buffers shall be designed to be linked networks, crossed only by trails, roads, and utilities.
 - Trails running along forest and open space buffers shall be designed to

minimize impacts on existing trees and vegetation, but also to be accessible for a variety of low-impact users, including scooters, wheelchairs, cyclists, and pedestrians. Separate “multi-use” and nature trail systems may be warranted in high-use areas.

19. Trail systems should provide a “safe route to school or work” and also offer loop circuits throughout a neighbourhood, with links to the larger “foreshore to foothills” community trail system.

8.4.2 Special Plan Area Public Engagement & Approval Process

20. The applicant, in cooperation with the District, shall support a multi-stage public engagement process in considering options for and refining the Special Area Plan. An engagement plan shall be established to the satisfaction of the District staff at the beginning of a Special Area Plan process.
21. The steps in the Special Area Plan and development process shall include those in **Table 3**.

Table 3: Special Planning Area Review Steps

#	Approval Step	Approving Body	Public Involvement
1	Consultation on new Official Community Plan (OCP)	Council, Steering Committee	Public consultation
2	Approve Special Area Plan (SAP) policies and refined OCP	Lantzville Council	Public hearing
3	Approve changes to Regional Growth Strategy	Each municipality in the Region, Regional Board	Public consultation
4	Special Area Plan is prepared	Lantzville staff and applicant process	Public consultation*
5	Approve Special Area Plan as amendment to OCP	Lantzville Council	Public hearing
6	Negotiate phased development service agreements and community amenity contribution	Lantzville approving officer recommendation, with review and approval by Lantzville Council	
7	Approve Zoning Amendments to implement Special Area Plan	Lantzville Council	Public hearing
8	Preliminary subdivision review	Lantzville approving officer	
9	Final subdivision approval	Lantzville approving officer	
10	Development Permit Area approvals	Staff recommendation, with review and approval by Lantzville Council	
11	Approval of building permits	Building Official	

* The Special Area Plan process should have a multi-event public consultation process, generally including, at a minimum, three community input opportunities: background information and gathering ideas, alternatives review, and draft recommendations review. Additional public engagement may be warranted to deal with specific issues. Each event should include opportunities for public input and subsequent sessions and the final recommendations should indicate how the proposal has responded to the public review and input. The public information provided should include policy and land use background information, site inventory and analysis, alternative site plans showing both open space/trail and development proposals, innovation features, design guidelines and massing visualizations, and additional local issue-specific information or alternatives in written/graphic form.

8.5 Density Bonus, Averaging, and Clustering

Density Bonus, Averaging, and Clustering for new development are tools that are provided under the *Local Government Act*, and are in common use in many BC municipalities. The 2005 Lantzville OCP included several provisions for Density Bonus and Averaging that are carried forward into the OCP Review.

This section introduces the concepts of density bonus, averaging, and clustering, including typical examples of applications. The types of density bonus that could be considered in Lantzville are provided, with policies for calculations and criteria for approval.

Base Density and Density Bonus amounts vary by land use designation or Special Plan Area, and are listed in Section 7 and 8 of the OCP.

Application of Density Averaging is administered through the Subdivision Bylaw, separate from the OCP.



Figure 47: A standard lot size can be a limitation that unintentionally contributes to cookie-cutter layouts



Figure 48: Clustered residential areas can have a variety of forms - from more traditional style homes that appear as a single unit to row houses and townhomes. Design guidelines that promote high quality finishes and complement surrounding neighborhoods will be critical to successful cluster development

8.5.1 What is Density Bonusing?

A density bonus is a policy that allows developers to attain additional density of use on a development site (e.g., more housing units or floor area) than otherwise allowed, if the development plan allows for additional parks, open space, trails, heritage protection, housing choice, clustering, innovation, or other amenities as defined in the OCP than the minimum normally required under the *Local Government Act*.

8.5.2 What is Density Averaging and Clustering?

The OCP sets base, as well as maximum gross density after density bonuses. These vary by land use designations in Section 5. The gross density has the effect of setting a maximum number of units that could be developed on a land area, if all density bonus requirements were met. Landowners and developers have the choice of proceeding under the base density, without bonuses, or to apply for additional gross density by meeting the requirements in the OCP (see Table 4 and Table 5 in Section 8.5.5), which, among other requirements, trigger public engagement associated with Density Bonus applications).

Density Averaging is a policy provision that allows a variation in the average land/unit. Because of the fixed maximum number of units permitted on the entire site, if the development includes units with land area smaller than the average, it also must include units with land area larger than the average, or dedicate additional public open space. Density averaging may be implemented by provisions in a Zoning or Subdivision Bylaw, which may allow a reduction to 60% to 80% of the minimum lot size, provided the overall gross density is not exceeded. If density averaging is employed, it results in larger lots or additional public open space balancing the smaller parcels.

8.5.3 Why Density Bonusing, Averaging, and Clustering?

Lantzville has indicated strongly that it wishes to:

- ▶ Maintain community characters, ranging from rural through semi-rural to village;
- ▶ In new development, avoid cookie-cutter, homogeneous subdivisions;
- ▶ Protect sensitive areas and maintain natural and forested areas close by, including a forested backdrop to existing and new development;
- ▶ While protecting and buffering the character of existing neighbourhoods, encourage a range of housing choice. While dominated by single-family, there has been interest expressed in a range of lot sizes and some multi-family opportunities in the Village and Special Planning Areas.
- ▶ Encourage high percentages of public and semi-private open space and to create an interconnected open space and trails system extending from foreshore to foothills.
- ▶ Encourage innovative developments that showcase leadership in sustainability, meeting environmental, economic, social, and cultural goals as well as GHG and climate change resilience targets.

8.5.4 Illustration of Special Area Plan Neighbourhood Choices

Diagrams on the following pages (Figure 49 to Figure 52) show various applications of Density Bonusing, Averaging, and Clustering to meet community objectives. The example uses a typical development parcel of approximately 16 hectares (400 m x 400 m). The illustrations are to show principles, which would need to be adapted to a given development site. Actual developments are encouraged to have a “curvilinear” layout rather than the straight streets shown in these simplified examples.

Two illustrations (Figure 49 and Figure 50) shown “uniform” subdivision pattern without using density averaging and clustering. The latter two illustrations (Figure 51 and Figure 52) include density averaging and clustering including a wide range of single-family parcel sizes with some multi-family.

Figure 49 meets only a “large lot size” objective, but not public open space, housing choice, and innovation objectives. Figure 50 and Figure 51

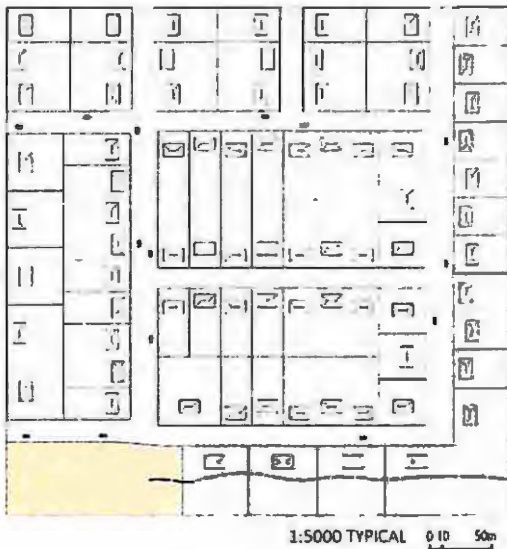
meet some objectives, while Figure 52 has the potential to meet all objectives.

The visualizations show the differences in protected public green space and trails networks. Trees on private lots (retained or planted) would be variable depending on the homeowner’s decisions over time. Buildings shown are typical sizes. All dimensions and sizes are nominal and would vary.

The policies in the OCP for Density Bonusing, Averaging, and Clustering would allow any of these four scenarios (and variations) to be considered by the community and Council as part of a Special Plan Area process. Decisions on what approach to approve would be informed by the required community engagement and planning process for Special Plan Areas, and after public process and public hearing, by decision of Council regarding Special Area Plan adoption and rezonings.

Figure 49: Neighbourhood choice low range uniform

Low Range Uniform Option



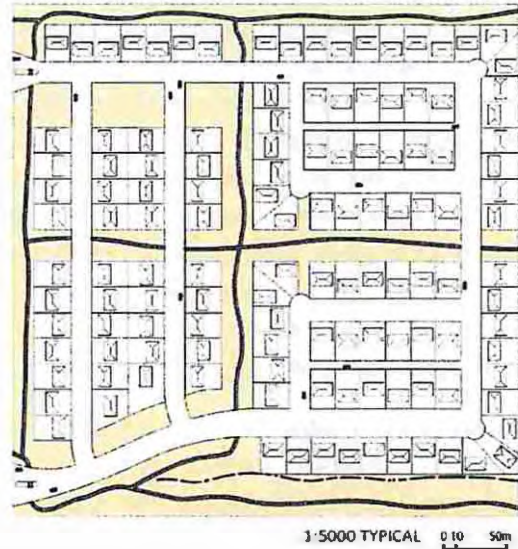
5 uph Gross Density - 80 units on 16 Ha:

- min. (5%) statutory parks dedication;
- ESA covenanted but not dedicated;
- Subdivision mix of:
 - » primarily 25 m x 54 m (0.135 ha - 1/3 acre) single-family lots,
 - » some 0.2 ha (1/2 acre) lots

Does not meet public open space, housing choice, and innovation objectives.

Figure 50: Neighbourhood choice mid-range uniform

Mid Range Uniform Option



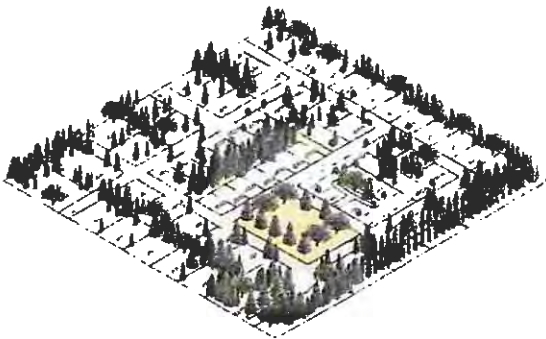
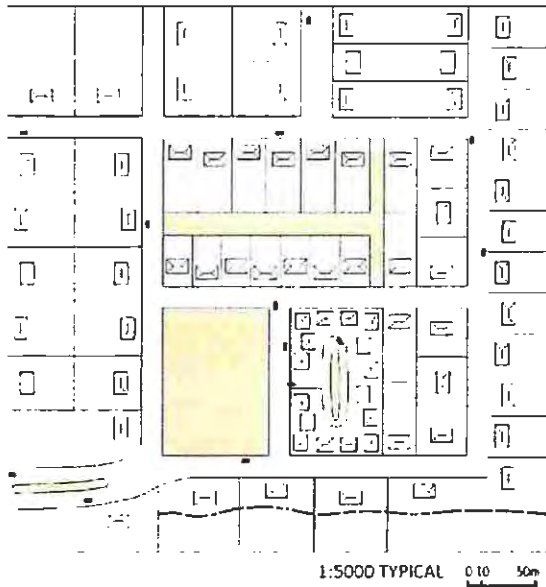
8 uph Gross Density - 128 units on 16 Ha:

- 5% stat plus 15% bonus = 20 % parks dedication;
- ESA area dedicated to public;
- Subdivision mix of:
 - » all 20 m x 29 m (0.058 ha - 1/7 acre) single-family lots

Meets public open space objective, but falls short on housing choice and innovation objectives.

Figure 51: Neighbourhood choice low range varied

Low Range Varied Option



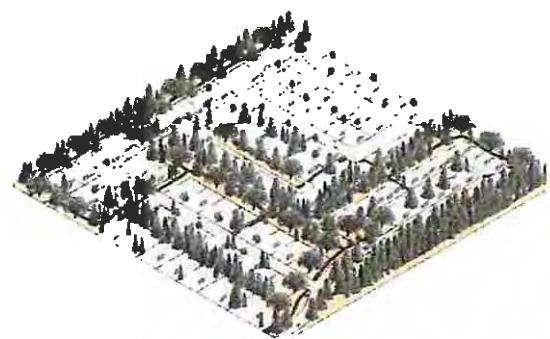
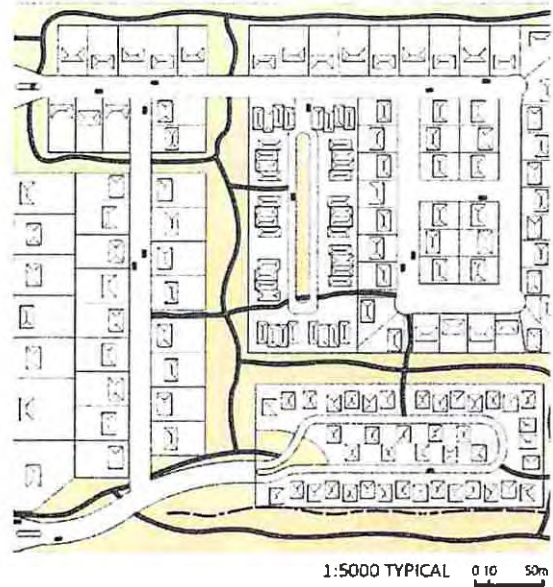
5 uph Gross Density - 80 units on 16 Ha:

- min. (5%) statutory parks dedication;
- ESA covenanted but not dedicated;
- Subdivision mix of:
 - » 50 m x 80 m (0.4 ha - 1 acre),
 - » 50 m x 40 m (0.2 ha - 1/2 acre),
 - » 25 m x 54 m (0.135 ha - 1/3 acre),
 - » 24 m x 33 m (0.08 - 1/5 acre) single-family lots, and
 - » an area of one-storey multi-family cluster development

Meets housing choice objective. Does not meet public open space and innovation objectives.

Figure 52: Neighbourhood choice high range varied

High Range Varied Option



10 uph Gross Density - 160 units on 16 Ha:

- 5% stat plus 15% bonus = 20 % parks dedication;
- ESA area dedicated to public;
- Subdivision mix of:
 - » 50 m x 40 m (0.2 ha - 1/2 acre),
 - » 25 m x 54 m (0.135 ha - 1/3 acre),
 - » 25 m x 40 m (0.10 a - 1/4 acre),
 - » 24 m x 33 m (0.08 ha - 1/5 acre),
 - » 20 m x 29 m (0.058 ha - 1/7 acre) single-family lots, and
 - » one- and two-storey multi-family clusters

Meets public open space, housing choice, and potentially cluster/ innovation objectives.

8.5.5 Density Bonus Types

Table 4 introduces four types of Density Bonus, associated amenities, and calculations to gain the bonus.

Table 4: Density Bonus Types

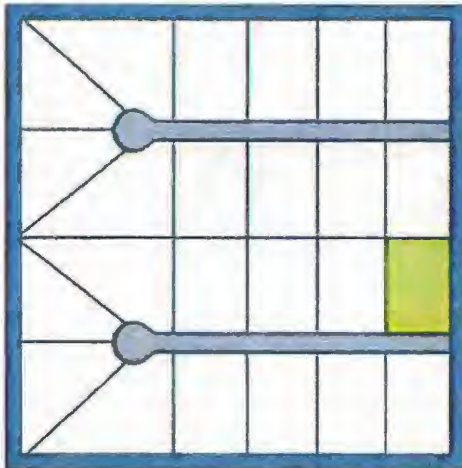
DENSITY BONUS TYPE	AMENITIES THAT MUST BE PROVIDED (Details negotiated prior to rezoning with approval by Council)	BONUS CALCULATION (For land dedication above 5% statutory parks dedication)
1: ESA Dedication Bonus (only applies to properties with environmentally sensitive features)	» Dedication of Environmentally Sensitive Areas (ESAs) defined under watercourse protection, sensitive ecosystem protection, or coastal protection development permit, and acceptable to the District.	» 1 uph per 20% of parent parcel dedicated
2A: Parkland / Trail Dedication Bonus in "Residential" Land Use Designations	» Dedication of usable land (i.e. not hazard or ESA lands) for park or trail corridor » Completion of park / trail improvements, and acceptable to the District	» 1 uph per 10% (was 6%) of parent parcel dedicated
2B: Parkland / Trail Dedication Bonus in "Special Planning Areas"	» Dedication of usable land for park or trail corridor » Completion of park / trail improvements and acceptable to the District	» 1 uph per 4.25% of parent parcel dedicated
3: Cluster / Housing Choice Bonus in "Special Planning Areas"	» Provision of a range of housing choice through inclusion of both smaller and larger options than the target average. Using clustering and density averaging to provide additional public or semi-private* open space, acceptable to the District.	» Varies – see Section 8 » Negotiated case-by-case based on merits of proposal and approved by Council
4: Innovation Bonus in "Special Planning Areas"	» Leading-edge innovation in environmental, economic, or social sustainability	» Varies – see Section 8 » Negotiated case-by-case based on merits of proposal and approved by Council

* semi-private means strata common area with public access covenant or equivalent

8.5.6 Density Bonus Policies

1. The District may allow density bonus, without amendment to the Official Community Plan, up to a maximum bonus density in gross units per hectare calculated in accordance with Table 4, Section 5.2.7 (Residential Areas), and Section 11.1 (Special Planning Areas). Approval of Density Bonus is subject to the proposal meeting the conditions for density bonus in Table 5, to the satisfaction of Council.
2. The calculation of allowable Density Bonus may be pro-rated between the minimum and the maximum extra gross density based on how effectively the proposal meets the criteria in Table 5, as determined by Council. Engagement processes and drawings/reports required in Table 5 may be combined if more than one density bonus is being applied.
3. The District encourages use of Density Averaging to avoid “cookie cutter” or “uniform” subdivision patterns, and to increase housing choice. Examples of clustering are shown in Figure 53. A Density Bonus for Housing Choice / Clustering is described in Table 4 and Table 5.
4. Density Averaging provisions in the Subdivision Bylaw may be reviewed to allow a reduction in minimum lot size of up to 60% provided the overall gross density is not exceeded. This results in larger lots or additional open space balancing smaller parcels.
5. The District encourages developers to invent or bring leading examples of innovation to Lantzville. Examples of development innovations are illustrated in Figure 54. A Density Bonus for Innovation is described in Table 4 and Table 5.

Figure 53: Comparing Conventional and Cluster Subdivision



Conventional Subdivision: Typically includes lots that are of similar size, distributed over most of a parent parcel.



Clustered Subdivision: Encourages a variety of lot sizes with a mix of housing types, potentially including single-family and multi-family, distributed over less of a parent parcel, reserving open space.

Figure 54: Examples of innovation



Innovative low-cost non-market housing (e.g., co-op housing, cabins, tiny homes, etc.)



Fully developed passive energy subdivisions



Innovative seniors-oriented or affordable housing (e.g., cottage cluster, etc.)



Fully Developed zero-emission vehicle subdivisions / homes



Innovative Farm or open space clusters



Fully developed low energy (semi-off grid) subdivisions (e.g., solar, geothermal)



Accessible / adaptable housing (e.g., wheelchair-friendly subdivisions)



Fully developed rainwater harvesting subdivisions / homes for non-potable uses

8.5.7 Density Bonus Criteria

Table 5: Density Bonus Criteria

Minimum Requirements for Base Density / Approval

- Community Water and Community Sewer supply
- Hazard and Geotechnical mapping, assessment, and protection
- Biology Inventory and Vegetation Cover mapping and assessment, with protection of Environmentally Sensitive Areas (e.g., dedication of watercourse, covenant of riparian area)
- Watercourse, Storm water Management, and Hydrogeology Assessment, with watercourse, wetland, riparian area, and aquifer protection, storm water source controls, erosion and sediment controls
- Transportation and Traffic analysis, road improvements, and mitigating measures
- Statutory Parkland Dedication (5%) or cash in lieu as determined by the District
- Trail linkages where shown on OCP maps (journeyways, greenways, public ways)
- Development permit drawings and guideline implementation as required (e.g., including form and character for MF / Commercial / Industrial and Mixed-Use projects)

Minimum Requirements for ESA Dedication Density Bonus (in addition to base requirements)

- Environmentally Sensitive Area land / water dedication to District or approved Non-Government Organization (NGO)
- Community Amenity Contribution or equivalent investment in public trails

Minimum Requirements for Parkland/Trail Density Bonus (in addition to base requirements)

- Public engagement on parkland / trails system and completed mapping / report to address:
 - Forest backdrop guidelines (e.g., maximum clearing dimension of 250 m between forest buffers)
 - Vegetated buffers to adjacent residential / ALR areas
 - Locations, linkages, and minimum widths of proposed public open space and forest buffers, in context with existing buffers on adjacent lands (e.g., along E&N rail corridor or public rights-of-way)
 - Phased / limited clearing plan for development areas, including schedule for retaining forest cover on undeveloped lots
- Dedication of parkland additional to the 5% statutory minimum or cash-in-lieu as determined by the District, with density bonus in accordance with the calculations on Table 4

- Funding of District of Lantzville and neighbourhood signage at the nearest entrance into Lantzville (e.g., Island Highway at Superior Road, Ware Road, or Aulds Road, Lantzville Road at Schook Road)
- Detail design of parkland management, including forest to remain, selective clearing or vegetation management, replanting, trails system routing and grading, standards, and design of other parkland improvements such as signage, site furniture, play areas, or limited manicured areas, to the approval of the District
- Community Amenity Contribution or equivalent investment in public park improvement and trails

Minimum Requirements for Housing Choice / Cluster Density Bonus (in addition to base requirements)

- Public engagement on proposed range of housing choices and clustering, with completed site plan / visualization / report to address:**
 - Site plan showing the range of housing types and clustering proposed, including their location, typical scale of housing units in relation to proposed public and semi-private* open space, streets, right of way, and lot lines
 - Architectural and Landscape Architectural development permit drawings, including irrigation/water conservation plan, of proposed Intensive Residential, Multi-family, or Commercial / Mixed-Use developments
 - 3D visualization showing relative scale and height of proposed housing types and clusters in relation to forest backdrop or buffers
 - Proposed trail linkages, both public and semi-private*
 - Phased / limited clearing plan for development areas, including schedule for retaining forest cover on undeveloped lots
- Implementation of a range of housing choice and clusters, including housing suitable for:**
 - Seniors in various stages of empty-nester through later stages
 - Families with children
 - Youth and starter households
 - Special needs or disabled
 - Affordable housing options
 - Single-family and multi-family forms of tenure, or other options (e.g., co-op, rental)
 - In the Village Area, provision of under-building and/or under-plaza parking that allows for a more pedestrian-oriented and accessible combination of commercial, courtyard, and residential / tourism uses
- Detail design of facilities or open spaces that will be accessible to the public, including trails and semi-private open space* (either forested or manicured)**

- Community Amenity Contribution or equivalent investment in public park or amenity improvement and trails

Minimum Requirements for Innovation Density Bonus (in addition to base requirements)

- Public engagement on proposed innovations, with completed site plan / report to address:
 - Site plan showing the innovations proposed, including their location, typical scale, and relationship to right of way and lot lines
 - Visual and data information on precedents for the innovation elsewhere (if applicable)
 - Architectural and Landscape Architectural development permit drawings, including irrigation/water conservation plan of proposed Intensive Residential, Multi-family, or Commercial / Mixed-Use developments
 - 3D visualization or analysis drawings showing access to light for solar-oriented innovations or micro-climate amelioration and seasonal variation for passive solar buildings and sites
 - Proposed pilot demonstration, monitoring, and timing/scope of reporting on performance
- Implementation of a range of innovations, which may include but are not limited to:
 - Innovative seniors-oriented housing (e.g., cottage cluster, small-scale seniors group homes)
 - Innovative low-cost non-market housing (e.g., co-op housing, cabins, tiny homes)
 - Innovative farm or open space clusters (outside the ALR)
 - Accessible housing (e.g., wheelchair friendly or reduced mobility provisions)
 - Adaptable housing (e.g., where parts of units could convert from family bedroom/den to rental suite, or where kitchens and bathrooms may convert to allow for aging in place)
 - Fully developed passive home subdivisions or developments
 - Fully developed zero-emission vehicle subdivisions / buildings
 - Fully developed low energy (semi-off-grid) subdivisions or buildings (e.g., solar, geothermal)
 - Fully developed rainwater harvesting subdivisions / buildings, for non-potable uses
 - Leading innovations in storm water management, water conservation, and aquifer management, including street / lot tree cover (e.g., min 25% tree cover) and impervious area management (e.g., max 50% impervious), storm water source controls, and low-water use landscape and buildings
 - In the Village Area, provision of strong indoor / outdoor commercial uses and high-amenity spaces that create a unique quality for Lantzville, distinct from nearby communities, and attractive to a wide range of residents and visitors
- Detail design and/or standards for innovations that are proposed on public land or that will be accessible to the public

**semi-private means strata common area with public access covenant or equivalent*

8.6 Community Amenity Contributions

The District may consider a policy, with details outside the OCP, to support Community Amenity Contributions (CAC) associated with rezonings for new development.

Community Amenity Contributions are payments associated with rezoning from developers to the District. They are approved by Council as a part of negotiation of rezoning, and are over and above Development Cost Charges. Unless invested voluntarily by the developer in approved amenities, the funds are kept in District reserves and invested in projects that improve the quality of life of the neighbourhoods and the community.

8.6.1 Policies

1. Consider developing a Community Amenity Contribution Policy that identifies the types of projects that are to be funded. These may include, but are not limited to:
 - Development of parks and trails
 - Development of recreation amenities (sports fields, playgrounds)
 - Investments in community infrastructure in excess of that required by the development
 - Recreation or cultural sites / buildings (e.g., improve or replace Costin Hall)
 - Fire protection or other safety measures (e.g., new fire vehicles or hall)
 - Community beautification, entrance signage, streetscape
 - Waterfront improvements



Figure 55: Community Amenity Contributions support quality of life improvements

9 | Goal 6: Develop Community Infrastructure

Resolution of the community's water and sewage treatment and disposal concerns is the most critical infrastructure issue to be addressed. A safe, clean supply of water and environmentally responsible sewage disposal are essential to the overall health and well-being of the natural and social environment, and to provide options for change. The current aquifer-based water supply system has reached its capacity in terms of available supply. The uncertainty associated with the community water supply, as well as the potential impact of development on groundwater quality and quantity of further development is a concern to the majority of Lantzville residents, who want to be assured of a reliable supply of clean, safe water. Although there are a few communal sewage treatment systems in the community and two phases of the municipal sewer service have been completed, most homes still have private septic tanks and tile disposal fields. In many areas of the community, lot sizes are too small to sustain that form of waste treatment. Residents have expressed concern over the impacts of failing septic systems, over the uncertainty associated with the community's water supply and water quality, and over the potential impacts of new development if water and sewer services are improved. Other municipal services such as roads, parks and trails, and storm water drainage must also be addressed.

Goal 6: To find and implement economically viable solutions to the community's infrastructure needs, while maintaining its "small town" and semi-rural characters.

9.1 Objectives

The Plan intends to address development of community infrastructure in the following ways:

- ▶ Encourage forward progress on implementing options for expansion of the community's water supply and distribution system.
- ▶ Continue to phase service development in a manner that responds to social, environmental, health, and fiscal priorities.
- ▶ Determine and assess sewage collection, treatment, and disposal options.
- ▶ Encourage the Ministry of Health to require regular checking and servicing of septic systems
- ▶ Plan for the efficient use of municipal facilities and land in order to facilitate cost-effective delivery of services within defined service areas.
- ▶ Provide the opportunity for service extensions to existing rural lots or rural development areas to address specific problems or create efficiencies in service delivery infrastructure or financial support.

9.2 Policies

This section contains policies aimed at guiding the development of community infrastructure.

9.2.1 Water Sources and Protection

Most (885) of the homes and businesses in the developed area of Lantzville are on a municipal water system. This system was formerly operated by the Lantzville Improvement District.

The Water Service Area is shown on Map No. 7.

While the system currently provides a consistent supply of good quality water, concerns about the sustainability of aquifer and quality are ongoing. To address the District's long-term goal of providing clean, potable water for domestic use and water for fire-fighting purposes to developed parts of the municipality, the following policies are adopted:

1. Management of water supply and distribution will be guided by the Water Master Plan 2017 or amendments thereto, once approved by Council.
2. The District will continue to work with local residents, landowners, development applicants, and neighbouring jurisdictions to develop additional water supply options.
3. Aquifer studies and well improvements have been completed and are summarized in the Water Master Plan. The District will support the continued study of the aquifers within the municipality to acquire a better understanding of extent and degree to which community water supplies can be obtained and secured.
4. In the development of municipal infrastructure and facilities, the District will adhere to senior government policies and guidelines aimed at protecting groundwater, streams, and other watercourses.

5. Until adequate water supply for the community is developed, the District will limit new development to existing lots currently serviced with water system connections, and will require new subdivision proposals to develop a new water source adequate for the proposed development to standards satisfactory to District of Lantzville, and dedicate that source and related infrastructure to the municipality. The applicant will have to demonstrate that the new source and system will not impact the current system.
6. The District will encourage water conservation in homes and businesses, including the use of water-saving fixtures such as small-tank and low-flush toilets, water-efficient showers, aerated faucets, and drip irrigation systems.



Figure 56: Aquifers are important to water supply

9.2.2 Water Distribution System

The municipality's water storage and distribution system is being upgraded on an on-going basis, as summarized in the Water Master Plan. The District is also aware of the need to extend the distribution system and adopts the following policies:

1. The District will pursue completion of upgrades to its existing water supply and distribution system.
2. When additional water supply is acquired, the District will develop a phasing plan based on the Water Master Plan to extend the water distribution system to residents who are concerned about the quality and quantity of their water and who are not yet connected to the municipal system and to potential development areas.
3. The District will not support use of the community water supply for agricultural production or resource related uses.
4. The District will not actively pursue the extension of public water services to residential users in rural and agricultural areas of the community. Access to water services may be provided to address specific public health, safety, fire protection, or environmental issues, or to create efficiencies in service infrastructure and financing, subject to payment of applicable cost-sharing and fees. Such extensions of water to rural and resource areas shall not result in any decrease in rural or resource lot sizes or increase in densities designated in this Plan.

9.2.3 Current Sewage Treatment

While municipal sewer services have been extended to some parts of the community through completion of Phase I and II of the Sanitary Sewer Collection System, some

buildings, both residential and commercial, within the District of Lantzville are on individual septic systems or, in a very few cases, communal septic systems. Many of these systems were built 25 to 30 years ago and are starting to demonstrate the need for extensive maintenance or replacement. Septic system failures have caused degradation of the natural environment and, in some instances, pollution of surface water and the foreshore. To minimize the impact of septic systems, the District adopts the following policies:

1. The District supports Ministry of Health regulations for construction and maintenance of septic sewage treatment systems within the lot size requirements specified in this plan.
2. The District will work with federal, provincial, regional, and local agencies to mitigate any negative impacts on the natural environment by sewage disposal systems within its jurisdiction.
3. The District recommends that homeowners with septic systems for sewage disposal undertake a regular program of septic system inspection and maintenance.
4. The District will develop awareness programs to remind owners to check and maintain their septic systems and disposal fields.

9.2.4 Future Sewage Collection, Treatment and Disposal Options

The District realizes that a longer-term resolution of sewage treatment and disposal problems is important, and adopts the following policies:

1. The District will continue to investigate and where possible, implement sewage collection, treatment, and disposal options for the community.

2. The District will continue to implement connecting to existing or planned sewage treatment systems with the RDN and Nanoose First Nation.
3. The District will implement phased provision of community sewer services. A preliminary servicing plan is as shown on Map No. 8, entitled Proposed Sanitary Sewer System Phasing.
4. The District supports the RDN Liquid Waste Management Planning process and will work with the Regional District of Nanaimo to define the role of the Lantzville sewer service area in that plan.
5. Private waste treatment systems servicing more than 1 lot will not be permitted.
6. The District will not actively pursue the extension of sewage services to rural and agricultural areas of the community. Access to those services may be provided to address specific public health or environmental issues, or to create efficiencies in service infrastructure and financing. Such extensions shall not result in lot sizes of less than 1 hectare.
7. Extensions of water or sewage services to rural areas of the community shall not result in any increase in the rural residential densities or decrease in the rural lot sizes designated in this Plan.

9.2.5 Solid Waste Disposal

The District of Lantzville currently provides garbage collection service. Recycling services are contracted through the Regional District of Nanaimo. The Regional District of Nanaimo Waste Management Facility serves as the base of the waste management program. The District of Lantzville supports the Regional District's solid waste management strategy.

9.2.6 Municipal Services and Facilities

The District of Lantzville is obligated to provide services and maintain facilities that previously were provided by the Province of British Columbia, the Regional District of Nanaimo, the Lantzville Improvement District, or other agencies. To provide a framework for ongoing provision of these services and facilities, the District of Lantzville adopts the following policies:

1. Community services and facilities are shown on Map No. 5 in this Plan.
2. The District will provide or arrange for the provision of administrative, public works, planning, and engineering services to the community.
3. The District will support and maintain the community Fire Hall and its equipment and support the volunteer staff complement.
4. The District will continue to explore ways and means of providing space for municipal staff and administrative functions within a reasonable cost to taxpayers.
5. The District will continue to provide a community hall that is available to all residents and community groups.
6. The District will continue to work towards the comprehensive plan for the municipal property and facilities at Lantzville and Dickinson Roads.
7. The District will periodically review the need for, and cost effectiveness of, current and/or proposed municipal services.
8. The District will communicate and work with Nanoose First Nation and other adjacent jurisdictions in an attempt to explore any possible economies of combined or shared services.

9.2.7 Other Community Services

The District of Lantzville is obligated to provide services to its citizens that previously were provided by the Regional District of Nanaimo, the Lantzville Improvement District or other agencies. The District has adopted the following policies for the provision of services:

1. The District will continue to retain the services of the provincial RCMP for policing services.
2. The District will continue to utilize the regional transit system to provide public transportation for the community.
3. The District will continue to support the provision of a postal outlet for local postal services by Canada Post within the Village Commercial Core.
4. The District will continue to utilize the provincial ambulance and hospital services based in Nanaimo.
5. The District will continue to examine, with the Vancouver Island Regional Library Board, the feasibility of providing the community with a public library branch.
6. The District will continue to support the provision of schools by School Districts 68 and 69, and specifically to maintain Seaview Elementary School. Aspengrove School is also recognized as an important contributor to education in the Community.
7. The District will work with School Districts 68 and 69 to explore alternative or expanded uses of Seaview Elementary School, including such possibilities as high school classes or Community School uses.
8. The District will explore the need or desire for a cemetery within the municipality.

10 | Goal 7: Improve Road, Pedestrian and Bicycle Mobility

Mobility, particularly by foot and by bicycle, is of great importance to the residents of Lantzville. Trails for pedestrians and bicyclists rank high on the community's list of desirable functions. Residents have expressed the desire to see greater emphasis on walking, bicycling, and improved public transit rather than on the automobile throughout the community. This includes connections across the Island Highway between Upper and Lower Lantzville, between the community's various neighbourhoods, between West Lantzville and the rest of the community, and between Lantzville and the City of Nanaimo.

The speed of traffic along Lantzville, Dickinson, Peterson, and Leland Roads has been identified as a concern, as well as the dangers associated with cars pulling into and out of parking stalls in front of businesses on Lantzville Road. Traffic safety and safe access to the Island Highway is also a concern. Speed on the Highway, accidents at the Ware Road and Superior Road accesses, and the need for an alternate access to Lantzville other than the Island Highway for the Bayview Park and Ruming Road areas, have all been identified as concerns.

Goal 7: To create a safer road network and better connections between neighbourhoods and across the Island Highway, while improving pedestrian and bicycle options.

10.1 Objectives

The Plan intends to improve road, pedestrian, and bicycle mobility in the following ways:

- ▶ Develop a hierarchy of local, collector, and arterial roads to manage traffic movement within and through the District.
- ▶ Develop existing and acquire new publicly owned lanes, trails, and green corridors for accessible pedestrian and bicycle use.
- ▶ Encourage the inclusion of road connections between neighbourhoods, trails, paths, and walkways in the planning of any new development.
- ▶ Implement a parks and trails program.
- ▶ Encourage modes of mobility that use less energy than the automobile, such as walking, bicycling, car-pooling, and public transit.
- ▶ Emphasize pedestrian orientation in all neighbourhood planning and design.
- ▶ Improve pedestrian access across the Inland Island Highway.
- ▶ Include traffic-calming measures in any improvements to the Village Commercial Core and in access to the Village Residential area.
- ▶ Enhance the experience of driving / walking / riding by utilizing alternative development standards for roadways wherever practicable.
- ▶ Improve options for transit use for commuting to Nanaimo, including transit-oriented development in the Village Core.
- ▶ Support the concept of retaining the E&N Railway route as a transportation corridor.



Figure 57: Improved pedestrian and bicycle connections

10.2 Policies

This section contains policies aimed at guiding the development of community infrastructure.

10.2.1 Pedestrian Routes and Options

Walking is the most frequently cited form of exercise or activity of the majority of Lantzville residents. Walkers want to be able to get from one neighbourhood to all others, including the Foothills, in their community. Residents have expressed a desire to see the Village Commercial Core and proposed Village and other Special Planning Areas become more pedestrian oriented. The following policies are designed to facilitate improved pedestrian travel in the community:

1. Greenways, pedestrian connectors, paths, trails, and journeyways are illustrated on Map No. 6. Some of these proposed connections are on private property, and are either not in use, or do not currently have guaranteed public access.
2. "Journeyways" are roads that are frequently used by pedestrians and bicyclists in lieu of trails or paths. The District will assess existing and proposed journeyways, and improve them as necessary to ensure that road verges are of adequate width for safe wheel chair travel, walking, and bicycling where possible.
3. Where needed, the District will separate vehicle and pedestrian routes.
4. The District will require incorporation of proposed trails, pathways, and pedestrian ways and related facilities and infrastructure in new development areas and larger-scale subdivisions.
5. The District will work with the City of Nanaimo, Nanoose First Nation, and the Regional District of Nanaimo to ensure the integrity of pedestrian and bicycle connections between jurisdictions.
6. The District will work with the City of Nanaimo to extend the Nanaimo Parkway Trail along Dover Road and into Lantzville along Lantzville Road.
7. The District will work with the E&N Railway owners to extend the walking and bicycling trail adjacent to the rail line through Lantzville.
8. The District will work towards making all existing publicly owned lanes and pedestrian connections accessible and usable by the community, wherever practical.
9. The District will examine options for making pedestrian and bicycle travel accessible, safer, and more pleasant along the more heavily travelled roads such as Lantzville, Dickinson, Aulds, Harby West, and Superior Roads.

10.2.2 Traffic Management

Enhancing the pedestrian experience on heavier-traffic roads will encourage more walking. Traffic regulation and calming measures will help to achieve this.

1. The District will consider adding or retaining pedestrian crosswalks, including raised crosswalks, for speed control at appropriate locations.
2. The District will post "New!" signs to warn drivers when pedestrian crosswalks are added.
3. Speed regulation will be used to improve vehicle and pedestrian safety where required.
4. Traffic calming such as curb extensions, narrowed travel lanes, raised crosswalks, roadside parking and boulevards, medians and other devices will be considered to reduce traffic speeds where appropriate.



Figure 58: Curb extension and raised crosswalk

10.2.3 Greenways and Corridors

Greenways and unobstructed corridors that can be used by pedestrians, bicyclists, and animals augment developed trails and provide a safer alternative to roadways. The District adopts the

following policies to preserve existing and add new greenways:

1. Greenways, paths, and pedestrian corridors are shown on Map No. 6 in this Plan.
2. The District will negotiate with landowners of larger blocks of land to create rights of way for trails or open space corridors to link with paths, trails, or existing greenways, or to preserve or add greenways.
3. The District will work with the neighbouring jurisdictions to ensure that trails, greenways, paths, and pedestrian corridors are contiguous.

10.2.4 Hiking and Biking Trails

Hiking and mountain biking are popular activities in many parts of Upper Lantzville and the Foothills. The following policies are aimed at retaining and expanding opportunities to pursue these activities:

1. The District will work with the landowner and consultants for the Foothills Estates to ensure that opportunities for outdoor activities such as hiking, rock climbing, and mountain biking are implemented as development proceeds, and related improvements are incorporated into any proposed development activity subject to resolution of issues related to liability.
2. The District will encourage the owners of lands designated as Resource - Forestry to allow public access to hiking and mountain biking trails that may be located on these private and Crown Land properties.
3. The District will work with Forest Resource Land owners and private landowners to establish a trail access from Lorenzen Road to Arbutus Grove Provincial Park.

10.2.5 Public Transit

Public transit service in Lantzville is infrequent, hence ridership is light, and more frequent service cannot be justified with low ridership and low residential density, creating a significant challenge to improving service. With this in mind, the District adopts the following policies:

1. The District supports and encourages the use of public transit within Lantzville and between Lantzville and neighbouring communities such as the City of Nanaimo.
2. The District will look for opportunities and programs to promote the use of public transit and increase ridership. Increased housing choice and density in key areas such as the Village may support increased frequency and use of public transit.
3. The District will encourage and assist in the development of transit related infrastructure such as shelters, parking areas, and bus pull-outs.
4. The District will work with the Province, the Regional District of Nanaimo, and the transit authority to provide safe stops on the Island Highway at Superior Road and Ware Road for the commuter-bus from Qualicum and Parkville to downtown Nanaimo and back, and public parking areas for commuter vehicles.

Figure 59: Transit shelters with a semi-rural village feel



10.2.6 Roads and Connectors

Since incorporation as a municipality, most of the provision and maintenance of roads has become the responsibility of the District of Lantzville.

The West Lantzville area currently has no road connection to Upper Lantzville. There are two potential connector roads to Superior Road, both of which would cross private lands. West Lantzville residents have expressed a desire to develop a connector road, but in the past, have been discouraged by the cost and challenges.

Highway 19, the Island Highway, divides Upper and Lower Lantzville while the Nanoose First Nation Reserve separates West Lantzville from Lantzville proper. The only public access from and to West Lantzville (Rumming Road and Bayview Park Road) is via Highway 19. Traffic volumes are increasing and speed continues to be an ongoing concern through Lantzville. While there are traffic lights at both Ware and Superior Roads, accidents are frequent. A barrier system on the Island Highway through West Lantzville (Bayview, Rumming, and Lantzville Roads) restricts turns across the Highway and has created short acceleration and deceleration lanes. Residents of the area are concerned that this increases the accident risk. Many Lantzville homes were built before the current route of Highway 19 was established. Increasing traffic volumes and noise have affected residents' quality of life.

The District therefore adopts the following policies:

1. The District supports the concept of route options to minimize the volume of traffic being carried by any particular road or street within the current road network. The municipality's road network and proposed extensions are shown on Map No. 6.

2. The District will work with the landowner of the Ware Road properties to ensure that development plans provide adequate pedestrian and vehicle connections to road allowances that abut the property, subject to provisions of Special Area Plan guidelines that require a full transportation and traffic analysis and corresponding road layout and traffic calming measures to ensure that through traffic does not “short-cut” using Harby or Rossiter Rod from Ware Road through to Lantzville Road, avoiding the Village Commercial Core.
3. As subdivision proceeds, the District will work with the landowner of the Foothills Estates properties and adjacent jurisdictions to ensure that road and pedestrian connections integrate that area with the existing community as much as possible.
4. The District will work with property owners and development applicants and adjacent jurisdictions to establish a public road access from Upper Lantzville to West Lantzville (Bayview Park Road area).
5. The District will work with Nanoose First Nation to ensure that road connections are planned, wherever possible, with both communities’ needs in mind.
6. The District will work with the Ministry of Transportation and Infrastructure to find alternatives such as constructing sound barriers, utilizing silent pavement, or other alternatives that will reduce noise impacts from the Island Highway on the community. This policy may be applied with priority in the Lantzville East frontage on Highway 19.
7. The District will encourage the Ministry of Transportation and Infrastructure to implement its plans for a pedestrian overpass or underpass at Ware Road and the Island Highway.
8. The District and the Ministry of Transportation and Infrastructure have agreed on the retention of a buffer of trees along both sides of the Island Highway within the municipal boundaries of Lantzville. As well as trees on Ministry of Transportation and Infrastructure property, the buffer will be supplemented by a District of Lantzville Development Permit Area on a corridor of adjacent private lands, described in Section 11 – DPA VIII – Hwy 19 Development Permit Area.
9. In an effort to minimize light pollution, the District will use technology that results in “dark sky” lighting in all new or replacement street lighting and for exterior lighting for new development or redevelopment in commercial, institutional, and industrial areas.

Part Three: Plan Implementation

11 | Making it Work

Stating community goals and policies is the easier part of the OCP process. Achieving the goals and pursuing the policies requires the formulation of an action or implementation plan to ensure that the Plan has the positive impact intended. Implementation can be achieved using a number of methods and tools. The following section describes the means by which the Plan's Goals, Objectives, and Policies will be pursued, including the use of:

- ▶ Special Area Plan Policies and Guidelines
- ▶ Development Permit Areas and Guidelines
- ▶ Other Regulatory Bylaws outside the OCP, such as the Zoning Bylaw and Subdivision Bylaw will need to be reviewed and potentially refined to be consistent with the OCP Review.

The tools in Section 11 are designed to allow practical implementation of the Goals, Objectives, and Policies in Part 2 of the OCP. For an introduction to the concepts of Density Bonus, Averaging, and Clustering and the development information and community engagement and planning process for Special Plan Areas, refer to Section 8.

11.1 Special Plan Area Policies and Guidelines

The following area-specific policies and guidelines apply to Special Plan Areas, as shown on Map No. 5A and Map No. 5B:

- ▶ Village Commercial Core (VCC-SPA)
- ▶ Village Lowlands (VL-SPA)
- ▶ Village South (VS-SPA)
- ▶ Village West (VW-SPA)
- ▶ Upper Lantzville Ware Road (ULW-SPA)
- ▶ Upper Lantzville Superior Road (ULS-SPA)
- ▶ Lantzville East (LE-SPA)

11.1.1 Village Commercial Core Special Plan Area (VCC-SPA)

The extent of the Village Commercial Core Special Plan Area is shown on Map No. 5A.

Applications for minor rezonings for individual properties may be considered by the District prior to completion of the VCC-SPA. Rezoning for sites over 0.4 hectares shall require prior completion of the VCC-SPA process.

In addition to the general guidelines for Special Plan Areas outlined in Section 8.4, the following policies also apply:

Allowable Land Uses

1. Commercial uses will be restricted to designated Commercial areas along Ware Road and behind (adjacent to) existing commercial uses on Lantzville Road.
2. The District encourages proposals for development in this area with uses and densities that strengthen the vitality of the Village, provide housing for singles, families, and seniors, improve pedestrian mobility, and enhance the viability of public transit and other services.
3. Density averaging and clustering are permitted within the area.
4. The District encourages the development of residential uses above commercial. The VCC-SPA shall consider a distinction between a "festival district" and a "village mixed-use district", under the following guidelines:
 - The Festival District shall be the focal point for outdoor dining and gatherings, outdoor events and markets. Outdoor entertainment may occur in this area. Residential accommodations in the Festival District should be compatible with the outdoor activities and lively nature of the area. As well as youth-oriented or active senior



Figure 60: Mixed commercial/residential buildings on narrow pedestrian friendly streets, Island of Calvi, FR

accommodation, the Festival District may include tourism accommodation or short-term rentals, subject to business licensing.

- The Village Mixed-Use District shall be more to the edges of the Village Commercial Core. Both commercial and residential uses are envisioned, either side by side or residential above commercial. Other than community special events, outdoor entertainment and large gatherings will not be encouraged in the Village Mixed-Use District.
5. In addition to commercial (e.g., retail, service, office) uses, the Village Commercial Core may include parks, indoor or outdoor recreation facilities, utilities, and educational or other institutional uses.
 6. Seniors-oriented facilities – either congregate care or small-scale independent living – are encouraged within the Village Mixed-Use District.



Figure 62: Artisan brewery or innovative eateries would fit the Festival District



Figure 63: Lantzville Road could become a pedestrian friendly street



Figure 64: Food / grocery market is strongly encouraged

Density, Height, and Green Space Ranges

7. Maximum Base Gross Density of residential units shall be as shown in Table 6. If all density bonus conditions and criteria expressed in Section 8.5 were met to the satisfaction of the District, the allowable Maximum Gross Density with all density bonuses in Table 6 would be permitted.

Table 6: Village Commercial Core SPA – density summary

DENSITY SUMMARY	
Base Gross Density	» 10 uph (units per hectare)
ESA Dedication / Parkland / Trail Bonus	» Up to 5 uph max
Cluster / Housing Choice Bonus	» Up to 5 uph max if under-building parking
Innovation Bonus	» Up to 5 uph max if high-amenity and unique
Max. Gross Density with all Density Bonuses	» Up to 25 uph (was 13.5) » Plus Seniors Congregate Care, if applicable (see Section 7.2.2)
Approximate Range of Potential Units (assuming 5 ha gross area developed)	» 50 to 125 multi-family units depending on extent of residential infill » Plus Seniors Congregate Care, if applicable
Building Height	» See Village Commercial Core policies (Section 6.2) and Development Permit Area Guidelines (Section 11.7)
Protected Open Space Targets	» 20% open space, which may include existing trees, soft landscape, or outdoor hard landscape including walkways, terraces, seating areas, dining areas, or plazas that are either dedicated public or covenanted semi-private*

* semi-private means strata common area with public access covenant or equivalent

Guidelines

8. As part of the Special Area Plan, a conceptual urban design and site plan – integrated across property lines and to adjacent neighbourhoods – will be created that determines:
 - general architectural massing
 - height and terracing
 - street travel and bicycle lanes
 - on-street and off-street parking
 - pedestrian realm of sidewalks, terraces, patios, seating, and dining areas
 - lighting concept
 - utility concepts including managing overhead wires
 - landscape concepts
 - public art / amenity concepts
 - grading and retaining wall concepts.
9. An integrated storm water management plan for the site will be developed to address storm water flow mitigation, treatment, and infiltration on-site.
10. The site plan must include a lane or road that can be used to access the backs of commercial properties fronting on the south side of Lantzville Road.
11. Under-building parking is encouraged in the Village Commercial Core, subject to the Development Permit Area guidelines. Shared parking will also be encouraged to maximize the efficiency of parking space and support small-scale retail uses.
12. DPA guidelines also apply.



Figure 65: Narrow streets opening to sunny plaza, Island of Rhodes, GR. Plaza could cover underground parking, similar to Whistler, BC

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11.1.2 Village Lowlands Special Plan Area (VL-SPA)

The extent of the Village Lowlands Special Plan Area is shown on Map No. 5A.

In addition to the general guidelines for Special Plan Areas outlined in Section 8.4, the following policies also apply:

Allowable Land Uses

1. Multi-family residential and park/open space land uses will be allowed in the Village Lowlands.
2. The District encourages proposals for development in this area with uses and densities that strengthen the vitality of the Village, provide housing for families and housing targeted for seniors, improves pedestrian mobility and enhances the viability of public transit and other services.
3. Density averaging and clustering are permitted within the VL-SPA area.



Figure 66: To protect wetlands and buffers to existing adjacent single family in the lowland area, a limited area of three storey (or four storey if highly articulated roofs) with underground parking would be set in a forested backdrop. High quality design is a requirement

Density, Height, and Green Space Ranges

4. Maximum Base Gross Density of residential units shall be as shown in Table 7. If all density bonus conditions and criteria expressed in Section 8.5 were met to the satisfaction of the District, the allowable Maximum Gross Density with all density bonuses in Table 7 would be permitted.

Table 7: Village Lowlands SPA - density summary

DENSITY SUMMARY	
Base Gross Density	» 10 uph (units per hectare)
ESA Dedication Bonus	» Up to 1 uph max
Park / Trail Bonus	» Up to 10 uph max
Cluster / Housing Choice Bonus	» Up to 5 uph max
Innovation Bonus	» Up to 5 uph max
Max. Gross Density with all Density Bonuses	» Residential apartment condominiums: 31 uph (was 13.5)
Approximate Range of Potential Units (assuming 3.9 ha gross area developed)	» 39 to 120 multi-family units depending on uptake of density bonus and building height
Building Height	<ul style="list-style-type: none"> » If under-building parking is not provided, maximum height of 2 storeys » With under-building parking for all but visitor spaces, height may be three stories generally, with four stories potential as part of a stepped and highly articulated roof design
Protected Open Space Targets	<ul style="list-style-type: none"> » Forested public park space and wetlands: 35-45% » Plus semi-private* space which is encouraged to include ponds, wetlands, and semi-public courtyard areas » Forest buffers (existing or planted) shall be managed to be taller than the building rooflines

* semi-private means strata common area with public access covenant or equivalent

Guidelines

5. The District encourages the development of limited amounts of high quality apartment style condominiums with under-building parking, nestled into and protecting the existing woodland buffers and wetlands in this area:
 - To the south of Seaview School and the existing paved yard (former lumber yard), existing wetlands shall be inventoried and conserved as part of an integrated green infrastructure plan.
 - A park area shall be provided south of the existing school playing fields.
 - A continuous treed buffer of a minimum 15 metre width shall be provided between proposed buildings and existing residences along Lancewood Ave., broken only by trails and a small-scale winding access road / fire lane.
- Trail connections shall extend through the site, connecting Ware Road, Rossiter Ave., and the lane extension of Lynn Drive to the school grounds and to the Village Commercial Core.
6. An integrated storm water management plan for the site will be developed to address storm water flow mitigation, treatment, and infiltration on-site.
7. DPA guidelines also apply.

11.1.3 Village South Special Plan Area (VS-SPA)

The extent of the Village South Special Plan Area is shown on Map No. 5A.

In addition to the general guidelines for Special Plan Areas outlined in Section 8.4, the following policies also apply:

Allowable Land Uses

1. Single-family, multi-family residential, and park / open space land uses will be allowed in the Village South SPA.
2. The District encourages proposals for development in this area with uses and densities that strengthen the vitality of the Village, provide housing for families and for seniors, improve pedestrian mobility, and enhance the viability of public transit and other services.
3. Density averaging and clustering are permitted within the VS-SPA area.



Figure 68: High quality streetscapes fronting two-storey buildings with a mix of single-family and multi-family interiors are envisioned for the Village South Neighbourhood

Density, Height, and Green Space Ranges

4. Maximum Base Gross Density of residential units shall be as shown in Table 8. If all density bonus conditions and criteria expressed in Section Density Bonus Types 8.5.5 were met to the satisfaction of the District, the allowable Maximum Gross Density with all density bonuses in Table 8 would be permitted.

Table 8: Village South SPA - density summary

DENSITY SUMMARY	
Base Gross Density	» 10 uph (units per hectare)
ESA Dedication Bonus	» Up to 1 uph max
Park / Trail Bonus	» Up to 2.0 uph max
Cluster / Housing Choice Bonus	» Up to 2.0 uph max
Innovation Bonus	» Up to 2.0 uph max
Max. Gross Density with all Density Bonuses	» Residential SF and MF: 17 uph (transit-supportive - was 13.5)
Approximate Range of Potential Units (assuming 19 ha gross area developed)	» 190 to 323 units depending on uptake of density bonus and mix of single-family to multi-family housing forms
Building Height	» Maximum height of 2 storeys, plus allowance for slope
Protected Open Space Targets	» Public park space and wetlands: 20% » Plus semi-private* space which is encouraged to include ponds, wetlands, and semi-public courtyard areas

* semi-private means strata common area with public access covenant or equivalent

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Guidelines

5. The District encourages the development of small tracts of highly varied housing types in a one- to two-storey format, nestled into and protecting buffers of existing woods in this area:

- A continuous wooded buffer, of at least 15 metre width plus adjacent wooded crown lands, will be retained along the Island Highway.
- A park area shall be provided, potentially south of the existing church property, as well as continuous open space and trail corridors (greenways), to connect the housing areas across Ware Road and to the Village Commercial Core, Seaview School, and adjacent neighbourhoods.

6. Ware Road passes through this neighbourhood. The development shall create a highly improved entrance streetscape for the development and Village. Features shall include medians and boulevards that integrate green infrastructure and planting, a double or triple row of streets trees, as well as multi-use pedestrian / bicycle trail(s) that connect provide continuity between the Island Highway, Village Commercial Core, Seaview School, and adjacent neighbourhoods.

7. The VS-SPA will include detailed transportation and traffic studies to determine the extent of potential road connections at Harby or Rossiter Roads. While pedestrian, bicycle, and emergency vehicle access from Harby and Rossiter

Roads to the Village South area is anticipated, the question of whether there is limited through access for vehicles requires expertise and study. The analysis should consider the existing street network and options for proposed neighbourhood street patterns and intersections at Ware Road, as well as traffic calming approaches. The objective of distributing traffic through a small-scale and low speed street network is supported, creating a neighbourhood traffic flow that reduces traffic volume and speed on Peterson and Leland Roads. However, in no case would a traffic pattern be accepted that would facilitate "short-cutting" from Ware Road to Lantzville Road using Leland or Peterson, avoiding the Village Core.

8. An integrated storm water management plan for the site will be developed to address storm water flow mitigation, treatment, and infiltration on-site.

9. DPA guidelines also apply.



Figure 69: A linked open space and trails system would encourage walking / bicycling or accessible routes to the Village Core, as well as buffer adjacent residential neighbourhoods

11.1.4 Village West Special Plan Area (VW-SPA)

The extent of the Village South Special Plan Area is shown on Map No. 5A.

In addition to the general guidelines for Special Plan Areas outlined in Section 8.4, the following policies also apply:

Allowable Land Uses

1. Single-family, multi-family residential, and park/open space land uses will be allowed in the Village West SPA.
2. The District encourages proposals for development in this area with uses and densities that strengthen the vitality of the Village, provide housing for families and for seniors, improve pedestrian mobility, and enhance the viability of public transit and other services.
3. Density averaging and clustering are permitted within the VW-SPA area. ESA Dedication and Park/Trail density bonus calculations may be averaged across parcels within the SPA, provided that total cumulative maximum density is not exceeded in the SPA.



Figure 70: Village West would be lower density than other Village areas, including plans for a "safe route" for walking / bicycling to school, as an alternate to Lantzville Road

Density, Height and Green Space Ranges

4. Maximum Base Gross Density of residential units shall be as shown in Table 9. If all density bonus conditions and criteria expressed in Section 8.5 were met to the satisfaction of the District, the allowable Maximum Gross Density with all density bonuses in Table 9 would be permitted.

Table 9: Village West SPA -density summary

DENSITY SUMMARY	
Base Gross Density	» 7.5 uph (units per hectare)
ESA Dedication Bonus	» Up to 1 uph max
Park / Trail Bonus	» Up to 2.5 uph max
Cluster / Housing Choice Bonus	» Up to 0.5 uph max
Innovation Bonus	» Up to 0.5 uph max
Max. Gross Density with all Density Bonuses	» 12.0 uph (was 11.0)
Approximate Range of Potential Units (assuming 10 ha gross area developed)	» 75 to 120 units depending on uptake of density bonus and mix of single-family and multi-family housing forms
Building Height	» Maximum height of 2 storeys
Protected Open Space Targets	» <i>Public park space and wetlands: 20%</i> » Plus semi-private* space which is encouraged to include ponds, wetlands, and semi-public courtyard areas

*semi-private means strata common area with public access covenant or equivalent

Guidelines

5. The District encourages the development of small tracts of highly varied housing types in a one- to two-storey format – including provisions for starter, family, and active senior-oriented homes nestled into and protecting buffers of existing woods and watercourse / riparian areas:

- A continuous surface stream and riparian corridor, including both wildlife trees and existing or planted native trees and plantings shall maintain the surface watercourse on the site. As a non-fish-bearing headwater stream with many dead trees due to past beaver activity and invasive species, it is recognized that habitat restoration and renewal designed by Qualified Professionals may be needed to create a stream corridor that is both good habitat and aesthetically acceptable, subject to District DPA conditions and senior government approvals.
- A continuous publicly accessible trail corridor shall be provided from Peterson Road to Seaview School, generally following the stream corridor and local streets to provide a safe route to school as an alternative to Lantzville Road.
- The interface along Peterson Road shall retain a semi-rural character dominated by a native plant buffer and stream corridor, interrupted only by trails and entrance driveways.
- The interface along Lantzville Road shall retain a semi-rural character dominated by single-family homes in a variety of parcel sizes, with most existing trees retained.
- Retention of heritage rural elements is encouraged.



Figure 71: Integrating ponds, wetlands, and stream corridors into site plans is important (note: the building example shown is three storeys, which is higher than allowed in the Village West SPA)

- Interface along Lynn Drive shall be single-family residential.
 - Park space dedication shall consider expansion / improvement of the existing park-lot at Stevens Place.
 - Stevens Place shall extend through Village West in a circuitous and slow-speed alignment to provide alternate vehicle and pedestrian access from Lynn Drive to Lantzville Road.
6. An integrated storm water management plan for the site will be developed to address storm water flow mitigation, treatment, and infiltration on-site.
7. DPA guidelines also apply.

11.1.5 Upper Lantzville Ware Road Special Plan Area (ULW-SPA)

The extent of the Upper Lantzville Ware Road Special Plan Area is shown on Map No. 5B.

In addition to the general guidelines for Special Plan Areas outlined in Section 8.4, the following policies also apply:

Allowable Land Uses

1. Single-family, multi-family residential and park/open space land uses will be allowed in the Upper Lantzville Ware Road SPA.
2. Similar to Figure 51 or 52, the District encourages proposals for development in this area with uses and densities that are dominated by larger single-family housing parcels as buffers to adjacent neighbourhoods, provide a variety of single-family and some multi-family housing for families and seniors, include linked open space and trails systems, improve pedestrian and bicycle mobility, and enhance the viability of public transit and other services.
3. Density averaging and clustering are permitted within the ULW-SPA area. ESA Dedication and Park/Trail density bonus calculations may be averaged across parcels within the SPA, provided that total cumulative maximum density is not exceeded in the SPA.



Figure 72: Upper Lantzville Ware Road area includes Bloods Creek ravine and large parcels - some cleared in recent past and some wooded

Density, Height and Green Space Ranges

4. Maximum Base Gross Density of residential units shall be as shown in Table 10. If all density bonus conditions and criteria expressed in Section 8.5 were met to the satisfaction of the District, the allowable Maximum Gross Density with all density bonuses in Table 10 would be permitted.

Table 10: Upper Lantzville Ware Road SPA - density summary

DENSITY SUMMARY	
Base Gross Density	» 5.0 uph (units per hectare)
ESA Dedication Bonus	» Up to 1 uph max
Park / Trail Bonus	» Up to 2.5 uph max
Cluster / Housing Choice Bonus	» Up to 0.75 uph max
Innovation Bonus	» Up to 0.75 uph max
Max. Gross Density with all Density Bonuses	» 10.0 uph (was 7.5)
Approximate Range of Potential Units (assuming 26 ha gross area developed)	» 130 to 260 units depending on uptake of density bonus and mix of single-family to multi-family housing forms
Building Height	» Maximum height of 2-storeys plus allowance for slope
Protected Open Space Targets	» Public park space and dedicated riparian areas: 20-30% » Plus semi-private* space which is encouraged to include ponds, wetlands, and semi-public courtyard areas in multi-family sites

* semi-private means strata common area with public access covenant or equivalent

Guidelines

5. The District encourages the development of small tracts of highly varied housing types in a one- to two-storey format – including provisions for starter, family, and active senior-oriented homes nestled into and protecting buffers of existing woods and watercourse / riparian areas:
 - A continuous surface stream, protected ravine and riparian corridor, including both wildlife trees and existing or planted native trees and plantings, shall maintain the surface watercourses on the site, including Bloods Creek and its tributaries.
 - A continuous publicly accessible trail corridor shall be provided at the outside of the Bloods Creek riparian corridor, with consideration of how to extend the trail to connect to Aspengrove School, the E&N Trail, and future trails across the Island Highway, creating a neighbourhood trail loop system.
 - Forested buffer shall be maintained at the intersection of Ware Road and Clark Drive. An “Upper Lantzville” community welcome sign is encouraged for Ware Road and the Island Highway.
- Park space dedication shall consider provision of a relatively level park site of sufficient size to accommodate a softball / soccer playing field.
- Clark Drive shall extend in a circuitous and slow-speed alignment to provide alternate vehicle, emergency, and pedestrian access from Aulds Road to Ware Road. A transportation and traffic study shall address road alignment, travel lane width, and traffic calming requirements to avoid speeding and short-cutting between Aulds Road and Ware Road.
6. An integrated storm water management plan for the site will be developed to address storm water flow mitigation, treatment, and infiltration on-site.
7. DPA guidelines also apply.

Upper Lantzville Superior Road Special Plan Area (ULS-SPA)

The extent of the Upper Lantzville Superior Road Special Plan Area is shown on Map No. 5B.

In addition to the general guidelines for Special Plan Areas outlined in Section 8.4, the following policies also apply:

Allowable Land Uses

1. Single-family, multi-family residential, and
3. Density averaging and clustering are



Figure 73: Upper Lantzville Superior Road area development will need to integrate with the semi-rural character of the existing neighbourhood

park/open space land uses will be allowed in the Upper Lantzville Superior Road SPA.

2. Similar to 51 or 52, the District encourages proposals for development in this area with uses and densities that are dominated by larger single-family housing parcels as buffers to adjacent neighbourhoods, provide a variety of single-family and some multi-family housing for families and seniors, include linked open space and trails systems, improve pedestrian and bicycle mobility, and enhance the viability of public transit and other services.

permitted within the ULS-SPA area. ESA Dedication and Park/Trail density bonus calculations may be averaged across parcels within the SPA, provided that total cumulative maximum density is not exceeded in the SPA.

Density, Height and Green Space Ranges

4. Maximum Base Gross Density of residential units shall be as shown in Table 11. If all density bonus conditions and criteria expressed in Section 8.5 were met to the satisfaction of the District, the allowable Maximum Gross Density with all density bonuses in Table 11 would be permitted.

Table 11: Upper Lantzville Superior Road SPA - density summary

DENSITY SUMMARY	
Base Gross Density	» 5.0 uph (units per hectare)
ESA Dedication Bonus	» Up to 1 uph max
Park / Trail Bonus	» Up to 2.5 uph max
Cluster / Housing Choice Bonus	» Up to 0.75 uph max
Innovation Bonus	» Up to 0.75 uph max
Max. Gross Density with all Density Bonuses	» 10.0 uph (was 7.5)
Approximate Range of Potential Units (assuming 27 ha gross area developed)	» 135 to 270 units depending on uptake of density bonus and mix of single-family and multi-family housing forms
Building Height	» Maximum height of 2-storeys plus allowance for slope
Protected Open Space Targets	» Public park space and dedicated riparian areas: 20-30% » Plus semi-private* space which is encouraged to include ponds, wetlands, and semi-public courtyard areas in multi-family sites

* semi-private means strata common area with public access covenant or equivalent

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Guidelines

5. The District encourages the development of small tracts of highly varied housing types in a one- to two-storey format – including provisions for starter, family, and active senior-oriented homes nestled into and protecting buffers of existing woods and watercourse / riparian areas:
 - A continuous surface stream, protected ravine, and riparian corridor, including both wildlife trees and existing or planted native trees and plantings, shall maintain the surface watercourses on the site, including Knarston Creek and its tributaries.
 - Forested buffers shall be maintained in a continuous network to provide forested backdrops to “semi-rural” neighbourhood clusters. The distance between forested buffers shall vary, but as a guideline should not exceed 250 metres.
 - A continuous publicly accessible trail corridor shall be provided at the outside of the Knarston Creek riparian corridor, and shall extend through the network of forested buffers to connect to Superior Road, the E&N Trail, and future trails across the Island Highway, creating a neighbourhood trail loop system.
- Forested buffer shall be maintained at the intersection of Island Highway, the E&N Railway corridor, and Superior Road. An “Upper Lantzville” community welcome sign is encouraged for Superior Road and the Island Highway.
- Park space dedication shall consider provision of a relatively level park site of sufficient size to accommodate neighbourhood gatherings in a “semi-rural” setting.
6. A transportation and traffic study shall address the Superior Road / Island Highway intersection, along with road alignment, travel lane width, and traffic calming requirements accessing the site to avoid speeding and minimize traffic impacts on Superior Road in the Agricultural Land Reserve and adjacent neighbourhoods.
7. An integrated storm water management plan for the site will be developed to address storm water flow mitigation, treatment, and infiltration on-site.
8. DPA guidelines also apply.

11.1.7 Lantzville East Special Plan Area (LE-SPA)

The extent of the Lantzville East Special Plan Area is shown on Map No. 5B.

In addition to the general guidelines for Special Plan Areas outlined in Section 8.4, the following policies also apply:

Allowable Land Uses

1. Single-family, multi-family residential, seniors institutional, places of worship, child care, professional office / service, and park/open space land uses will be allowed in the Lantzville East SPA.
2. Density averaging and clustering are permitted within the LE-SPA area. ESA Dedication and Park/Trail density bonus calculations may be averaged across parcels within the SPA, provided that total cumulative maximum density is not exceeded in the SPA.



Figure 74: Retention of existing woods as buffers to adjacent neighbourhoods will be important in Lantzville East

Density, Height and Green Space Ranges

3. Maximum Base Gross Density of residential units shall be as shown in Table 12. If all density bonus conditions and criteria expressed in Section 8.5 were met to the satisfaction of the District, the allowable Maximum Gross Density with all density bonuses in Table 12 would be permitted.

Table 12: Lantzville East SPA - density summary

DENSITY SUMMARY	
Base Gross Density	» 5.0 uph (units per hectare)
ESA Dedication Bonus	» Up to 1 uph max
Park / Trail Bonus	» Up to 2.5 uph max
Cluster / Housing Choice Bonus	» Up to 2 uph max
Innovation Bonus	» Up to 2 uph max
Max. Gross Density with all Density Bonuses	» 12.0 uph (was 7.5) » Plus Seniors Congregate Care, if applicable (see Section 7.2.2)
Approximate Range of Potential Units (assuming 6.0 ha gross area developed)	» 30 to 72 units depending on uptake of density bonus and mix of single-family and multi-family housing forms. » Plus Seniors Congregate Care, if applicable.
Building Height	» If under-building parking is not provided, maximum height of 2 storeys » With under-building parking for all but visitor spaces, height may be two stories generally, with three stories potential as part of a stepped and highly articulated roof design
Protected Open Space Targets	» Public park space and dedicated riparian areas: 20% » Plus semi-private* space which is encouraged to include ponds, wetlands, and semi-public courtyard areas in multi-family or institutional sites

* semi-private means strata common area with public access covenant or equivalent

Guidelines

4. The District encourages the development of small tracts of highly varied housing types dominated by one- to two-storey format – including provisions for starter, family, and active senior and congregate-care oriented homes and institutions nestled into and protecting buffers of existing woods:
 - A continuous wooded buffer, with trees exceeding the height of proposed buildings, shall be maintained along the northern boundary of the SPA. In combination with the existing District lane right of way in the area, the minimum width of forest buffer shall be 20 metres in general, and 30 metres where buildings are 3-storeys.
 - Forested buffers shall also be maintained in a continuous network along the north side of Lantzville Road and at property lines to provide forested backdrops to neighbourhood clusters. The distance between north-south oriented forested buffers shall vary, but as a guideline should not exceed 250 metres.
 - A continuous publicly accessible trail corridor shall be provided to extend through the network of forested buffers to connect to Lantzville Road and to Schook Road, creating a neighbourhood trail loop system.
 - Native trees shall be retained or replanted along the south side of Lantzville Road to provide a “park-like” setting when viewed from the Island Highway. Noise attenuation berms may be considered in cooperation with the Province between Highway 19 and Lantzville Road.
 - A “Lantzville” community welcome sign is encouraged for Lantzville Road at Schook Road.
 - Park space dedication shall consider provision of a relatively level park site of sufficient size to accommodate senior / family / child neighbourhood gatherings in a “semi-rural” setting.
5. Frontage improvements along Lantzville Road shall accommodate cyclists, pedestrians, and seniors, and have a semi-rural character.
 6. An integrated storm water management plan for the site will be developed to address storm water flow mitigation, treatment, and infiltration on-site.
 7. DPA guidelines also apply.



Figure 75: Pet care and veterinarian are an example of uses that may not compete with the Village Commercial Core

11.1.8 Foothills Comprehensive Development Plan Area (FCDPA)

The Foothills Comprehensive Development Plan Area is established policy in the Official Community Plan and is under implementation. In addition to the general guidelines for Special Plan Areas outlined in Section 8.4, the following policies apply to the Foothills Comprehensive Development Plan Area:

1. Permitted uses within the FCDPA include residential, neighbourhood retail, parks, recreation, utilities, places of worship, schools, and fire halls.
2. The Foothills CDP may include one neighbourhood commercial site. This use should have a focus on providing a retail “convenience” service to reduce the use of motor vehicles. Additional civic uses such as a secondary fire hall, local park, or other features to provide a neighbourhood atmosphere for families such as a place of worship, community hall, or playground should be associated with this site.
3. The Foothills CDP Area will have a maximum gross density of 1.0 unit per hectare. The total number of residential units in the Foothills Estates may be up to a maximum of 730.
4. Density transfer will be permitted in this area at a ratio of 1.0 unit for each for each 1 hectare dedicated as Public Park. The 5% dedication required under the *Local Government Act* may be included as part of the parkland resulting from density transfer. The target area for parkland resulting from density transfer is 365 hectares or 50% of the site area.
5. Development areas and park areas within the FCDPA will conform to the concept illustrated on Map No. 9 in this Plan.
6. In subdivision applications, an area of proposed parkland equivalent in area to the area of proposed residential development shall be included in the subdivision, or shall be secured through other means for public ownership and use.
7. The District recommends that an ecosystem-based site-adaptive planning approach be used in developing the site plan for the FCDPA.
8. The District encourages a range of lot sizes and house sizes, within a rural setting and with a predominantly rural character.
9. The proposed 365-hectare park area will prioritize environmentally sensitive areas, wildlife corridors, high recreational values, viewscales, and interconnectivity to the developed portion of Lantzville and the Regional District of Nanaimo trail network.
10. Traffic impacts on developed areas of Lantzville and adjacent Electoral Area D must be minimized. A detailed traffic and transit study, and detailed road network plan, including public parking areas, prepared by a qualified professional, must be completed to the satisfaction of the District of Lantzville.
11. A detailed parks plan and trail network outlining construction techniques must be completed to the satisfaction of the District. Proposed improvements to proposed municipal parks or open space will be completed prior to acceptance of those lands.
12. A detailed infrastructure plan must be completed outlining water service, sanitary sewer service, roads, and storm water management including a description of the standards used for infrastructure design.

13. Connections between water and sewer infrastructure in the Foothills Estates area and infrastructure in the rest of Lantzville will be encouraged where economies of scale and security of the service will result.
14. A site restoration and rehabilitation plan to address erosion risk, surface water quality and quantity, and riparian areas must be completed and a schedule developed to carry out the plan. The landowner may be required to register a covenant against the property, post a bond, or provide other guarantees that the plan will be implemented.
15. No subdivision will be approved or parkland accepted unless remediation work has been either completed or otherwise guaranteed in the area of application.
16. Wildlife impacts will be assessed and risks associated with large animals such as bears will be identified with recommended mitigation measures.
17. DPA guidelines also apply to many portions of the Foothills CDPA.

11.2 Development Permit Areas

Section 488 of the *Local Government Act* allows the District to designate Development Permit Areas (DPAs) for one or more of the following purposes:

- (a) protection of the natural environment, its ecosystems, and biological diversity;
- (b) protection of development from hazardous conditions;
- (c) protection of farming;
- (d) revitalization of an area in which a commercial use is permitted;
- (e) establishment of objectives for the form and character of intensive residential development;
- (f) establishment of objectives for the form and character of commercial, industrial, or multi-family residential development.

By requiring a development permit for a project, the District can require a greater level of detail and analysis for a development proposed for lands that are considered to have special or sensitive conditions. The community is thus better able to assess the impact the project will have.

The following activities require a development permit whenever they occur within a DPA:

- ▶ subdivision of land;
- ▶ the siting and construction of buildings and structures with a building floor area greater than 10 square metres (107.6 square feet);
- ▶ paving improvements including roads and driveways, septic tanks, drainage fields, sewage treatment systems and discharges, irrigation or water systems, driveways, swimming pools, retaining walls, and shoreline protection devices.
- ▶ In Special Plan Areas, the clearing of trees or site grading / deposit of fill prior to adoption of an approved Special Area Plan on parcels larger than 4,000 sq.m. shall be subject to a development permit under categories I, II, III, and IV as applicable, that clarifies the extent of subsequent, potentially smaller, Development Permit Areas. Removal of one tree per parcel in any calendar year does not require a development permit.

11.2.1 General Development Permit Area Policies

Development Permit Areas are shown on Map No. 10. The following general policies apply to Development Permit Areas:

1. Owners of land within a DPA are required to obtain a development permit prior to: the subdivision of land; the construction of, or addition to a building or structure on the land; or the alteration of land within a designated Development Permit Area, except where exemption provisions apply.
2. In reviewing development permit applications, the District will give due consideration to:
 - soil stability;
 - natural vegetation or ground cover;
 - wildlife and fish habitat;
 - quality and quantity of surface drainage and groundwater; and
 - adjacent land uses.
3. Where land is subject to more than one DPA designation, a single development permit is required. However, the application will be subject to the requirements of all applicable DPAs.
4. **Where**, in the opinion of council, the proposed change is small in scale, or insignificant in terms of potential impact, a development permit may not be required.

11.2.2 Development Information

Under Section 485 of the *Local Government Act*, the District may require development approval information within the Development Permit Area. Where a report by a qualified professional is required, the following guideline may be used to define the scope of the information required. This guideline is not intended to limit the scope of a required report on any specific site as may be required in a Bylaw approved under Section 485. The report will contain:

1. A legal description of the property.
2. A location map depicting property location.
3. A description of any relevant climatic, hydrometric, geological, hydro-geological, ecological, or other related information.
4. A site map and/or air photograph overlay depicting: the existing property boundaries, water courses, slopes, sensitive and habitat areas, and any other relevant regional or site-specific information.
5. A description of all relevant restrictive covenants registered on title for the subject property.
6. A review of current and historical air photographs.
7. A review of historic nature, extent, magnitude, frequency, and potential effect of hazards or constraints that may affect the property.
8. A description of the methodology and assumptions used to undertake the assessment. The methodology should be described in sufficient detail to facilitate a professional review.
9. An assessment of the location of all proposed building or development sites by specifying setback distances from a natural boundary, property boundary, or feature or

hazard area and/or map notation. Areas depicted on maps must be delineated with sufficient accuracy and detail to allow the preparation of legal reference plan for attachment to a restrictive covenant.

10. Where applicable, flood construction level by prescribing an elevation above the natural boundary of a watercourse or natural ground elevation at the building site, or by specifying a geodetic elevation, or by a combination of the above.
11. Recommendations to ensure safe use of a site should be clearly stated with sufficient detail and clarity to facilitate inclusion of a Land Title Act Section 219 covenant.
12. A description of any proposed mitigation works and/or actions designed to mitigate the hazard or impact of development.
13. Where mitigation works and/or actions are proposed, an assessment of the effects that the proposed works and/or actions may have on other properties including public infrastructure or lands.
14. Where mitigation works and/or actions designed to reduce hazards or impacts are contemplated, the applicant should confirm that the works and/or actions will be acceptable to the local government, and that they would meet regulatory requirements prior to completing the report and/or a detailed design.
15. A Quality Assurance Statement with signature and seal of a Qualified Professional. Some assessment reports may require the involvement of one or more Qualified Professionals and/or a peer review process.

11.2.3 Activities Not Requiring a Development Permit

The following activities do not require a development permit:

- ▶ removal of hazard trees;
- ▶ emergency actions for flood protection, or erosion protection;
- ▶ emergency works to repair or replace public utilities or infrastructure;
- ▶ repairs to bridges or safely fences
- ▶ removal of invasive non-native vegetation from riparian areas;
- ▶ instream habitat development or restoration that complies with Provincial and Federal legislation and requirements.

11.2.4 Mapping of Development Permit Areas

Eight Development Permit Areas are designated on Map No. 10 (Development Permit Areas). These Development Permit Areas are:

- ▶ DPA I - Watercourse Protection
- ▶ DPA II - Steep Slope Protection
- ▶ DPA III - Sensitive Ecosystems Protection
- ▶ DPA IV - Coastal Protection
- ▶ DPA V - Village, Intensive Residential, and Multi-Family Form and Character
- ▶ DPA VI - Lantzville Industrial Land Form and Character
- ▶ DPA VII - Forest Resource Lands
- ▶ DPA VIII - Hwy 19 (Island Highway)

11.3 DPA I - Watercourse Protection

11.3.1 Category

Pursuant to Section 488 (1) (a) and (b) of the *Local Government Act*, this designation is intended to minimize the impact of the built environment on fish habitat and fish supportive watercourses, as well as to minimize the effect of seasonal flooding on the built environment. DPA I areas include all land within a distance of 30 metres from top of bank for all streams, brooks, creeks, and wetlands, including, but not limited to, Knarston, Bloods, Hardy, Metral, Heikkila, Raines, Caillet, and Jepson Creeks, Copley Brook and wetland, and Doumont Marsh.

11.3.2 Justification

Watercourse Protection Development Permit Areas represent resources that provide habitat for aquatic and wildlife species. Riparian areas also protect the physical and ecological integrity of the watercourse ecosystem and provide valuable groundwater recharge. Undisturbed riparian areas can protect private property from the impacts of flooding and potential loss of land due to erosion and instability.



Figure 76: Watercourse and riparian area protection provides habitat, aquifer recharge, erosion and flood control, and community amenity.

11.3.3 Guidelines

1. A development permit must be applied for, and issued by the District of Lantzville, prior to any of the following activities occurring in the Watercourse Protection Development Permit Area:
 - removal, alteration, disruption, or destruction of vegetation;
 - disturbance of soils;
 - construction or erection of buildings and structures;
 - creation of non-structural impervious or semi-impervious surfaces;
 - flood protection works;
 - construction of roads, trails, docks, retaining walls, wharves, and bridges;
 - provision and maintenance of sewer and water services;
 - development of drainage systems;
 - development of utility corridors; and
 - subdivision as defined in Section 455 of the *Local Government Act*.
2. Interior alterations or non-structural exterior alterations to a building or structure do not require a Watercourse Protection Development Permit.
3. Where possible, development or alteration should be planned to avoid intrusion into DPA I areas and to minimize the impact of any activity on these areas.
4. The definitions of "stream", "development", and "riparian area" are in the Riparian Areas Regulation (RAR) under the Fish Protection Act. For the purposes of this Development Permit Area, the terms used herein have the same meaning that they do under the Riparian Areas Regulation (BC Reg. 376/2004).
5. The Development Permit Area is coincidental with the Riparian Assessment Area as defined in the Riparian Areas Regulation (BC Reg. 376/2004). The Development Permit Area is indicated in general terms on Map No. 10.
6. Notwithstanding the areas indicated on Map No. 10, the actual Development Permit Area will in every case be measured on the ground, and will be:
 - (a) for a stream, the 30-metre strip on both sides of the stream, measured from the high water mark;
 - (b) for a 3:1 (vertical/horizontal) ravine less than 60 metres wide, a strip on both sides of the stream measured from the high-water mark to a point that is 30 metres beyond the top of ravine bank; and
 - (c) for a 3:1 (vertical/horizontal) ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high-water mark to a point that is 10 metres beyond the top of ravine bank.
7. Prior to undertaking any of the development activities listed above, an owner of property within the Watercourse Protection Development Permit Area shall apply to the District of Lantzville for a development permit, and the application shall meet the following guidelines:
 - (a) A qualified environmental professional (QEP) will be retained at the expense of the applicant, for the purpose of preparing a report on the riparian area pursuant to the RAR Assessment Methodology guidebook. The report will be submitted to the BC Ministry of Environment, Fisheries and Oceans Canada, and District of Lantzville.

- (b) Where the QEP report proposes a Harmful Alteration, Disruption, or Destruction (HADD) to fish habitat pursuant to Section 35(2) of the *Canada Fisheries Act*, the development permit shall not be issued unless the HADD is subsequently approved by Fisheries and Oceans Canada.
- (c) Where the QEP report describes an area designated as Streamside Protection and Enhancement Area (SPEA), the development permit will not allow any development activities to take place therein, and the owner will be required to provide a plan for protecting the SPEA over the long term through measures to be implemented as a condition of the development permit, such as:
- a dedication back to the Crown;
 - gifting to a nature protection organization (tax receipts may be issued);
 - the registration of a restrictive covenant or conservation covenant over the SPEA confirming its long-term availability as a riparian buffer to remain free of development.
- (d) Where the QEP report describes an area as suitable for development with special mitigating measures, the development permit will only allow the development to occur in strict compliance with the measures described in the report.
- (e) Monitoring and regular reporting by professionals paid for by the applicant may be required, as specified in a development permit.
- (f) If the nature of a proposed project in a riparian assessment area evolves due to new information or some other change, the QEP will be required to re-assess the proposal with respect to the SPEA.
- (g) Wherever possible, QEPs are encouraged to exceed the minimum standards set out in the RAR in their reports.
8. No development projects within the 30-metre riparian assessment area may proceed until the Ministry of Environment advises the District of Lantzville that the fish habitat requirements as set out in the Riparian Areas Regulation have been met.
9. No aspect of this Schedule relieves a developer from the requirement to meet all other requirements of any applicable bylaws or enactments or to acquire any necessary permits.
10. Development permit applications should include a report prepared by a qualified professional outlining the following information:
- detailed site plan (1:250 or larger) identifying the environmentally sensitive area within the site;
 - criteria used to define the boundaries of the environmentally sensitive area;
 - inventory of fisheries species and related habitat;
 - impact statement describing effects of proposed development on natural conditions;
 - procedures for protection of riparian areas and habitat during construction;
 - guidelines for mitigating habitat degradation including limits of proposed leave areas;
 - habitat compensation alternatives, where compensation is approved.

11. Development permit applications should include a vegetation management plan indicating the extent of proposed buffer areas and the proposed management of vegetation in these areas.
12. Based on the bio-physical assessment of the site within an area designated DPA I, works or protective measures, such as the planting or retention of trees or vegetation, may be required to preserve, protect, restore, or enhance natural watercourses, fish habitat, or riparian areas.
13. In the absence of a report from a qualified professional, a minimum buffer of 30 metres will be preserved between the natural boundary of the watercourse and any building or structure.

11.4 DPA II - Steep Slope Protection

11.4.1 Category

In accordance with Section 488 (1) (b) of the *Local Government Act*, steep slopes are areas with 30 percent incline or more, and may be treed. These slopes are designated DPA II areas, as shown on Map No. 10.

11.4.2 Justification

These slopes tend to constitute high risk areas for erosion and slippage if the tree cover is substantially altered. In order to ensure that potentially hazardous conditions are avoided, that adequate tree cover is retained, and that surface water runoff is minimized, the District requires development permits for these areas.



Figure 77: Development near steep slopes may provide views, but hazards require careful avoidance and risk management

11.4.3 Guidelines

For areas on steep slopes, the following guidelines will be used to assess any proposed development or alteration of land:

1. Development permits will be required in these areas for activity including construction, subdivision, land clearing, land grubbing, soil removal, soil deposit, and tree removal.
2. Interior alterations or non-structural exterior alterations to a building or structure do not require a development permit.
3. Where possible, development or alteration should be planned to avoid intrusion into DPA II areas and to minimize the impact of any activity on these areas.
4. Prior to any development or alteration of land within DPA II areas, a development permit must be issued that includes an assessment by a qualified professional assessing the slope condition and the importance of existing vegetation to the slope stability.
5. No development or alteration of land will occur where the report by the qualified professional indicates that a hazardous condition would result.
6. The District encourages planning for the retention of significant stands of trees within DPA II areas.
7. In the absence of a geotechnical engineering report, no development or alteration of land will be permitted on a 30 percent or steeper slope, or within 30 metres of the top of the ridge or the base of the slope.

11.5 DPA III - Sensitive Ecosystems Protection

11.5.1 Category

As permitted by Section 488 (1) (a) of the *Local Government Act*, environmentally sensitive areas or ecosystems and areas that have been identified in the Sensitive Ecosystem Inventory Project for Southeast Vancouver Island (2004 update) as being endangered or sensitive to disturbance, are designated as Development Permit Areas. Such lands include stands of Garry oak, woodlands, older forests, habitat and nest trees for eagles and herons, meadows, grasslands, and their associated species, some of which are unique to south-eastern Vancouver Island.

11.5.2 Justification

The *Wildlife Act* protects identified birds, birds' nests, eggs, and young while the nest is occupied and year-round for the nests of eagles and herons. To ensure the viability of nest trees, the Ministry of Environment recommends buffer areas surrounding these trees.

Sensitive lands identified on the Sensitive Ecosystem Project map are generally considered to be areas that are endangered or sensitive to disturbance. It is acknowledged, however, that there may be sensitive ecosystems that are not recorded on the map, and that a number of sites shown on the map have not yet been ground-truthed.

In both cases, adequate buffers must be provided between Environmentally Sensitive Areas and development to protect the feature.

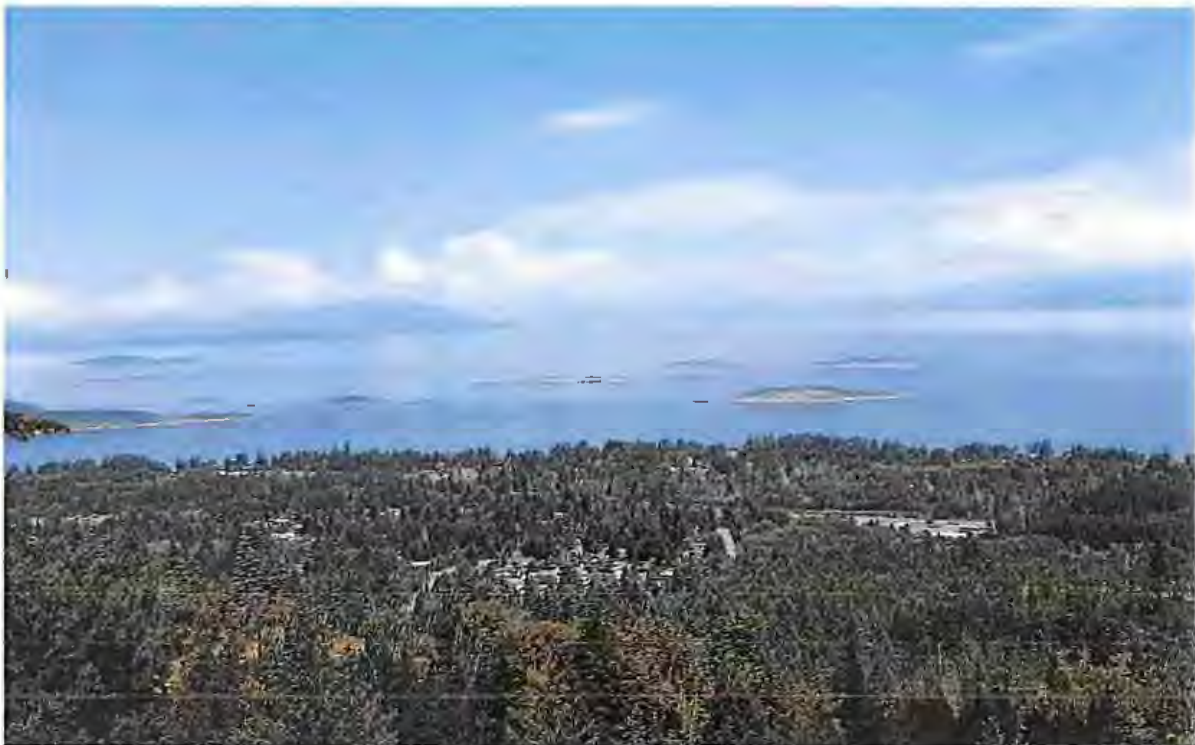


Figure 78: Sensitive ecosystems include nest trees, Garry oak, herbaceous areas, and areas of rare older forest or woodlands

11.5.3 Guidelines

For sensitive ecosystems the following guidelines apply:

1. Development permits will be required in these areas for activity including construction, subdivision, land clearing, land grubbing, soil removal, soil deposit, or tree removal.
2. Interior alterations or non-structural exterior alterations to a building or structure do not require a development permit.
3. Nest trees are protected under the provincial *Wildlife Act*. This includes known nest trees and nest trees that may be identified during the course of site assessment or development.
4. Nest tree protection buffer areas will be determined in accordance with Section 4.3.2 of the document *Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia* and Section 8 of *Guidelines for Raptor Conservation during Urban and Rural Land Development in British Columbia (2013)*.
5. The District will only support development of land within a DPA for environmentally sensitive areas provided the applicant or appropriate authority presents acceptable evidence that the proposed development will not disturb or adversely affect the habitat tree or ecosystem.
6. Development permit applications should include a report prepared by a qualified professional outlining the following information:
 - detailed site plan (1:250 or larger) identifying the environmentally sensitive area within the site;
 - criteria used to define the boundaries of the environmentally sensitive area;
 - inventory of species and related habitat;
 - impact statement describing effects of proposed development on natural conditions;
 - procedures for protection of Environmentally Sensitive Areas during construction;
 - guidelines for mitigating Environmentally Sensitive Area or habitat degradation including limits of proposed leave areas;
 - habitat compensation alternatives, where compensation is approved.
7. In the absence of satisfactory evidence of non-disturbance, no development or alteration will occur within 60 m of the habitat tree or within 30 metres of a sensitive ecosystem.

11.6 DPA IV - Coastal Protection

11.6.1 Category

Pursuant to Section 488 (1) (a) and (b) of the *Local Government Act*, the entire shoreline of the District of Lantzville at the Salish Sea is designated a Development Permit Area, including the land within 15 metres inland of the natural boundary, and also the public foreshore from the natural boundary seaward to the water low tide line, as shown on Map No. 10.

11.6.2 Justification

Construction or erosion control features along the waterfront often accelerate shoreline erosion on adjacent areas, reduce stability, and degrade the aesthetic of and pedestrian movement along the beach area. They may also result in accretion in other areas. In order to ensure that potentially hazardous conditions are avoided and that the integrity of the slopes and shoreline is maintained, alteration of adjacent lands must be regulated.

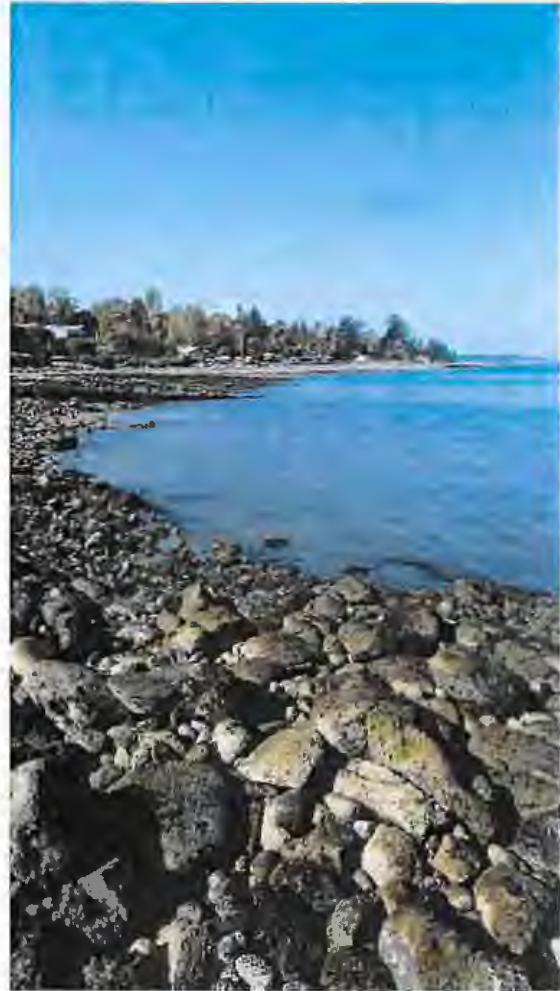


Figure 79: Maintaining public foreshore access and waterfront ecosystems must be integrated with waterfront property development and maintenance

11.6.3 Guidelines

The District has adopted the following guidelines for coastal protection:

1. A development permit will be required for shoreline protection devices, removal of native vegetation, grading, or works within an area designated DPA IV.
2. Construction or alteration should be planned to avoid intrusion into DPA IV areas, to minimize the impact on these areas, and to minimize any further erosion or accretion at the subject property or adjacent properties. Public walking access along sand or gravel beach areas will be accommodated between the non-spring high tide line (approximately 1.5 metres geodetic) and the toe of any structural riprap or vertical erosion control structure, with a minimum public access width at non-spring high tide of 2 metres. It is recognized this public access may be temporarily inaccessible in spring tide and storm surge conditions.
3. An assessment by a qualified professional (marine engineer and/or geotechnical engineer) and a British Columbia Land Surveyor's certificate will be conditions of the development permit for shoreline protection devices or works.
4. Other than approved portions of green shores beach nourishment solutions, protection devices or works will be located within the original shoreline property boundary, without extending into prior encroachments onto public property and without extending into accretion areas.
5. No development or alteration of land will occur where the qualified professional report indicates that a hazardous condition would result or impacts will occur on adjacent public or private property.
6. Except where otherwise permitted in the Zoning Bylaw, buildings and accessory structures must be set back at least 15 metres from the property boundary adjacent to the Salish Sea. This 15-metre area will be limited to uses that have impact on the marine foreshore and bank.
7. The flood construction level will be an elevation at least 4.5 metres geodetic (2.0 metres above the highest recorded water level of the Salish Sea). This flood construction level may change from time to time due to the influence of anticipated sea level rise. Structures that have an anticipated life exceeding 75 years shall require a custom flood construction level that anticipates sea level rise to the end of the structure life, as determined by a qualified professional (marine engineer and/or or geotechnical engineer).
8. The placing of fill within 15 metres of the top of bank will be discouraged. Any grading within the Development Permit Area requires a development permit.
9. The District encourages the retention and restoration of natural shoreline vegetation and naturally occurring driftwood and rocks. Where these are removed for construction (including beach nourishment or green shores construction), the owner's qualified professionals shall provide a plan for restoration or replacement of native shoreline vegetation, large woody features, and foreshore / backshore habitat features. Once approved by the District, the plan shall be a requirement of development permit.
10. The District will discourage armouring of the shoreline by retaining walls, cement blocks,

or other permanent structures unless erosion is directly threatening the permitted primary residential building.

11. The need for all erosion protection structures, and the design and materials of the erosion control features, shall be determined by a qualified professional (marine engineer and/or geotechnical engineer), and will be subject to approval by appropriate federal and provincial agencies and the District of Lantzville.
12. Where protection is required, new and reconstructed protection structures should be constructed of (in order of preference):
 - beach nourishment sand and gravels,
 - large rounded boulders,
 - large wood material,
 - riprap,
 - or combinations of the above, rather than vertical wall structures.
13. If vertical wall structures are the only potential solution, the owner shall provide an impact assessment by a qualified professional (marine engineer and/or geotechnical engineer) that quantifies and mitigates the potential impact to adjacent properties and foreshore.
14. All erosion control features will be constructed on private lands, other than approved parts of green shores beach nourishment which may extend onto upper parts of the public foreshore. The portion of beach nourishment on public property will be subject to approval by Provincial and Federal authorities, as well as the District.

15. The District will discourage the approval by relevant provincial authorities of any property accretion being transferred to private landowners along the shoreline.
16. Over the longer term, the District will encourage current landowners, and may require new development to restore the shoreline to a natural beach (green shore) with provision for sea level rise. The District will work with property owners and provincial and federal agencies to develop a restoration plan. Wave energy reduction may be considered as part of the solution to erosion and restoration.
17. The District will co-operate with foreshore landowners, appropriate agencies, local stewardship groups, and the community to enhance creek mouths in support of aquatic and riparian habitat.



Figure 80: At Rathtrevor Provincial Park, a seawall causing waterfront erosion was replaced by beach nourishment sands and gravels in a "Green Shores" approach

11.7 DPA V - Village, Intensive Residential, and Multi-Family

11.7.1 Category

Pursuant to Section 488 (1) (d), (e), (f), (h), (i), and (j) of the *Local Government Act*, all land identified below and as shown on Map No. 3 and Map No. 10 is designated a Development Permit Area, including:

- ▶ All land within the Village, including the commercial core and Village Residential areas, as shown on Map No. 3.
- ▶ All intensive residential, multi-family, commercial, or mixed-use lands within the District.
- ▶ All lands within the Special Plan Areas shown on Map No. 10, until such time as a Special Plan is adopted as a supplement to the OCP, in which case the DPA V Design Guidelines may be adjusted in accordance with the applicable Special Plan, which may identify areas where DPA V would continue to apply, and other areas where DPA V does not apply (e.g. single-family land uses with separate building schemes).
- ▶ DPA V design guidelines do not apply to the Lantzville Industrial Park, which is administered under DPA VI – Lantzville Industrial Land Form and Character.

11.7.2 Justification

Goal 3 in this Plan is to strengthen the Village Commercial Core, and Goal 4 is to Provide Housing Choices. It is the objective of the designation DPA V to provide guidelines for the form and character of mixed-use, commercial, multi-family residential, and intensive residential development, as well as any revitalization of the Village Commercial Core which may include seniors residences. The District wishes to ensure that the Village develops as the central focal point in the community; that adequate pedestrian / bicycle paths are built and integrated into the surrounding neighbourhoods; and that the visual appearance of the area is kept at a “village” scale, including compatible architecture and landscaping. DPA V would also apply to any uses of these types that may occur in other Special Plan Areas, excepting guidelines that be specific to locations in the Village.

Goal 1 of this Plan is to protect the natural environment. Greenhouse gas (GHG) reduction targets are also included in this Plan. Additional objectives of this DPA are therefore to promote energy conservation, water conservation, and the reduction of GHG emissions. Appropriate site planning, form, exterior design, and features can have a significant effect on water and energy use and GHG emissions.



11.7.3 Guidelines

A. Guidelines Applicable to All Land Uses

1. A development permit will be required for any subdivision, land clearing, grading, or development, redevelopment, or construction of any building or structure within the Village, Intensive Residential, and Multi-Family DPA.
2. A development permit will not be required for interior alterations to buildings, or for removal of one tree per parcel in any calendar year period.
3. Intensive Residential means any development on a parcel (fee simple or strata) that is smaller than 500 square metres in area. Multi-Family means any strata development including bare land strata or building strata.
4. The policies contained in Part Two, Sections 6.2, 7.2, and 8.4 apply to this DPA.
5. The development permit application must include architectural, landscape architectural, and site plans showing, at a minimum, the following:
 - the location, design, architectural elevations, and visual character of all buildings and structures, including signage;
 - the location of roads, vehicular access, and parking areas;
 - the location of pedestrian and bicycle linkages to adjacent neighbourhoods;
 - the location of off-street parking and any related landscaping and screening;
 - the location of outside refuse containers and any related landscape buffer or fencing and plantings;
 - a landscape site plan showing all pedestrian plazas, walks, amenity areas,

site furniture, ornamental lighting, public art, walls, steps or changes in grade, street trees, and plantings to create a welcoming landscape and pedestrian environment; and

- The location, size and species of retained vegetation, and the location, size and quantity of planted vegetation and tree cover.

Neighbourliness:

6. The scale, form, and character of new development will enhance and be compatible with the existing character of surrounding properties.
7. Development will respect the tranquility, privacy, and access to sunlight of nearby properties.
8. Ocean views at the intersection of Dickinson and Lantzville Roads, and Tweedhope and Lantzville Roads, will be protected, through sensitive and proper massing, setbacks, and heights of buildings at street ends.
9. All development will incorporate Crime Prevention Through Environment Design (CPTED) principles to ensure that public safety and crime prevention are considered in the physical layout and architectural design. In particular:
 - Providing adequate pedestrian level lighting for sidewalks, pathways, and parking areas to promote safe evening access;
 - Buildings should be designed and sited to facilitate a high degree of visual surveillance of adjacent streets and outdoor common areas from unit windows;

- Exterior unit entrances/exits should be designed and sited to allow a high degree of visual surveillance from unit windows, adjacent streets, and internal roads; and
- The location of habitable rooms with windows that face streets, sidewalks, and associated open space should be sited promote informal surveillance through a high degree of visual oversight.

Relationship to the Street, Public Realm, & Pedestrian Orientation:

10. All site plan layouts will accommodate pedestrians and provide accessible routes for wheel chairs:
 - Primary pedestrian routes must be smooth, level, and clear of encumbrances to ensure direct passage for those with visual impairments, pushing strollers, or who require mobility aids.
 - Ramps shall be provided for wheelchair and scooter access to buildings.
11. All development will integrate pedestrian / bicycling paths into the site plans, providing linkages with adjacent neighbourhoods.

Landscaping & Screening:

12. Design should account for solar exposure to public and private spaces.
13. Development projects should retain as much of the natural vegetation on site as possible. Where it is necessary to remove significant plant material in order to develop a property, replacement plantings should be provided of a sufficient number, size, type, and maturity to off-set its removal.
14. Impervious surfaces should be minimized. Paved surfaces should be limited to

pedestrian gathering places and the minimum requirements for parking and loading spaces and maneuvering aisles. Where paving is necessary, the use of porous paving materials (e.g., permeable pavers or wheel strips) and/or light-coloured reflective paving materials is encouraged.

15. Outdoor mechanical and electrical equipment, including heat pumps, will be screened from the view of onsite building windows, balconies, decks, adjacent streets, adjacent properties, and other prominent public viewpoints.
16. Surface parking will be screened with landscape or hardscape materials. Wherever practical, surface parking areas should be softened with the planting of trees throughout the areas to visually break-up the parking area and reduce localized heat build-up.
17. Outside refuse containers will be located to the rear of the buildings where feasible, and should be suitably landscaped with a solid landscape buffer including a combination of fencing and plantings.
18. Drought-resistant, edible, and native planting species are encouraged. Invasive species will not be planted.
19. Green roofs and rooftop gardens are encouraged to reduce runoff and energy consumption.
20. Sufficient topsoil should be retained or added to promote well-rooted landscaping that requires less irrigation and stays green longer during drought conditions.
21. Rainwater harvesting, for indoor non-potable use and/or outdoor irrigation use, is encouraged.
22. Vegetated channels such as bioswales are encouraged to capture, store, and slowly

release rainwater in place of concrete storm channels and drains.

Parking, Loading, & Access:

23. New public roads, private driveways, and their access to existing public roads will be sited to avoid environmentally sensitive areas.
24. Underground parking is encouraged.
25. On site surface water retention and absorption is required for outside parking through the use of porous materials, water retention and infiltration areas, or other means that meet District development standards.
26. Structured (in-building) parking is permitted but it must incorporate well-designed architectural elements or storefronts on facades that face the street or other buildings.
27. Provision for public transit service, including bus stops and pull-outs, will be included with development plans where appropriate.

Lighting:

28. All exterior building, exterior corridor, and site lighting fixtures (including those in parking areas, but excluding dwelling unit balcony and patio lighting) should:
 - produce illumination levels in accordance with current engineering practices and standards;
 - minimize illumination of adjacent properties;

- consist of full cut off / flat lens pole lighting or fully shielded wall lighting; and
- be arranged so rays of light are directed upon the parking, walking, loading, or corridor areas and not upon adjacent land or streets.

29. Solar powered lighting is encouraged.

Green Buildings:

30. Achieving energy use and greenhouse gas emission benchmarks through the use of architecture, design and construction materials based on Leadership in Energy and Environmental Design (LEED), Built Green™, Passive House principles and standards, or other recognized systems, is encouraged.
31. Buildings and exterior elements such as windows should be sited, designed, and landscaped to take advantage of passive solar exposure in wintertime and reduce sun penetration in summer.
32. Incorporation of solar panels as a supplementary or alternative energy and geothermal heating are encouraged.
33. The use of on-site renewable energy generation systems to supply electricity, heating, and cooling energy to buildings and other structures, water pumps, sewage pumps, and/or charging stations for electric vehicles is strongly encouraged.

B. Guidelines for Residential Development

35. Limited areas of three- to four-storey apartments or seniors housing shall be located within walking distance (300 metres) of established commercial services in the Village Commercial Core. Under-building parking shall be required for three- to four-storey buildings, and strongly encouraged for two-storey buildings. All other multi-family housing should be a mix of one- and two-storey heights.
36. Orient buildings and pedestrian entries to face winding, narrow streets.
37. At site periphery, provide native wooded buffers, or manicured streetscape, trees, and articulated perimeter screening rather than blank fences or hedges.
38. Multi-family housing developments will be designed in such a way as to ensure ample open space and pedestrian pathway systems that connect to create continuity in a trail system. Shared amenities such as courtyards and community gardens are strongly encouraged.
39. Bends or angles in building plan form are encouraged to break up long facades and to form courtyards or plaza spaces between buildings.
40. Building and site architecture should be highly articulated and detailed in rooflines, facades, ground floor, and site elements. Coordinate materials, forms, and design character between buildings and site elements like screens, fences, signage, and lighting to be complementary with adjacent uses.
41. Multi-family housing developments will be designed in such a way as to facilitate recycling collection and composting, and shall include bicycle storage facilities.
42. District energy or heating systems are encouraged where viable.

Figure 82: Precedents for site development guidelines



Provide wooded backdrop and winding narrow streets



Provide well-designed and detailed streetscape where wooded buffers are not present



Avoid unarticulated streetscape that turns its back on the street.

Figure 83: Precedents for residential building guidelines



Building articulation includes sloped and complex roof lines; steps in building height (e.g., three-storeys to four-storeys); turns in building plan to form courtyards or plazas; articulated facades (many ins and outs) including gables, bay or box windows, recesses, and balconies; and ground floor articulation coordinated with building design including porches, screens, gates, entrance features, signage, and lighting.

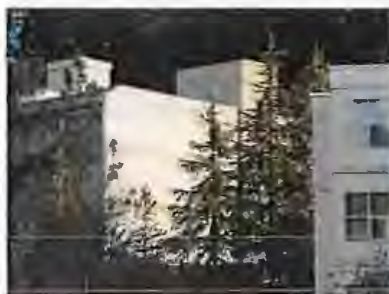


Where buildings include garages, ensure it is the residence and landscape that dominates the streetscape, rather than the garage door.

Avoid large double garage doors, using one (or two separated) single doors.

Orient the garage door perpendicular to the street where possible.

Figure 84: Avoid these problems through well planned site design and high-quality building design



Avoid boxy, unarticulated buildings without varied roof or facades



Avoid wide garage doors and driveways that dominate



Avoid long straight streets, excess pavement, regimented buildings

C. Guidelines for Commercial, Institutional, and Mixed-Use Development

Form & Character:

43. Guidelines for Residential Development (above) apply to residential components of this section.
44. A variety of architectural expressions are supported. Buildings should fit the Lantzville context, responding to the landscape, site, climate, and history of the site.
45. The use of local building materials such as wood is encouraged.
46. Simplistic box-shaped buildings are not supported. Interesting rooflines are supported, paired with heritage features.
47. A relaxed feel is supported, rather than architectural styles that look too expensive / exclusive or resort-like.
48. Subtle design elements – such as porthole windows, widow watches, or the use of local coastal materials – could enhance the connection between the village and the seashore.
49. New development should support the “village scale” of the Village Commercial Core.
50. On sites at street corners, the roof and facade design should emphasize the corner, with visible portions of the building side

treated to a similar level of detail to the building frontage, avoiding large visible blank walls.

51. Special architectural features that establish character or variety may, with Council approval, exceed the zoning height limit. Any height variance should take into consideration the height of other buildings on the street and protection of views.
52. Second and third / fourth storeys of buildings should be stepped back, terraced, or tapered from the first floor to maintain pedestrian scale, prevent shadowing on the street, enhance solar gain, and preserve significant ocean views.

Building Materials & Colour:

53. The use of natural materials or materials that replicate the aesthetic of natural materials such as cedar shingles, wood, logs, and stone is encouraged.
54. Historic colours such taupes, browns, greys, whites, and pastels are supported, with complimentary colours as accents.
55. Exterior trim and architectural features should be robust and weather resistant.
56. Pedestrian weather protection should be provided by overhangs or canopies.

Figure 85: Application of form and character guidelines to the Village

Building form and height

- ▶ There is broad support for keeping the village commercial core at a “village scale”. This is interpreted by many community members as a maximum height of three stories and walkable in length.
- ▶ Building heights should step down towards the ocean (potentially higher on the south side of the street, lower on the north), capitalizing on the seaside location.
- ▶ Having buildings step back at each storey would also help avoid shading the street.
- ▶ Residential use above commercial units is encouraged.

Relationship between buildings and the street

- ▶ Storefronts should be undulating. While buildings may locate near the front of lots (not farther back than 8 metres, to be determined at the time of development permit), forming a street edge and creating a main street feel, a strong street wall is not preferred. Instead, pedestrian and gathering areas in front of buildings should create variation and a high quality public realm. Setbacks for plazas, walk-throughs, and pedestrian elements are encouraged.
- ▶ Facades should provide visual interest and buildings should interact with the street – for example, through doors and frontages on the street, large transparent windows with window displays, and avoiding large blank walls facing the street.
- ▶ Patio life should be encouraged, with activity spilling out from storefronts (but not obstructing walkways).
- ▶ Overhangs or awnings could provide color, interest, and shelter from the rain.

Narrower building frontages, with shorter distances between doors, could create a more walkable rhythm.



The photo above (from Falmouth, MA) was highly ranked by community members, for the scale and appropriate massing of the buildings, the strong interaction between the buildings and the street (due to large clear windows and wares and activities spilling into the pedestrian realm), and the ambiance and ‘quaint’ character.

Other precedent images:



Store differentiation, complex roof



Patio life

Building character

- ▶ A variety of architectural expressions are supported. Buildings should fit the Lantzville context, responding to the landscape, site, climate, and history of the site.
- ▶ The use of local building materials such as wood is encouraged.
- ▶ Simplistic box-shaped buildings are not supported. Interesting rooflines are supported, paired with heritage features.
- ▶ A relaxed feel is supported, rather than architectural styles that look too expensive or resort-like.

Connection to the Ocean

- ▶ Views of the ocean should be preserved.
- ▶ Subtle design elements – such as porthole windows, widow watches, or the use of local coastal materials - could enhance the connection between the village and the seashore.

Precedent images continued:



Local materials, accent colours



Mixed-use with residential above

Examples of seaside elements in buildings:



Relationship to the Street, Public Realm, & Pedestrian Orientation:

57. Buildings fronting along Lantzville Road should be oriented to Lantzville Road.
58. Facades should include elements of interest and buildings should interact well with the street – for example, through the provision of doors and frontages on the street, large transparent windows with window displays, and avoiding large blank walls facing the street.
59. Building facades should be designed in ways that express individual storefront identity. Pedestrian scale of the street frontage should be retained by articulating building facades to represent small storefront lengths of 5 to 8 metres, rather than long continuous street walls.
60. Where larger interior spaces are warranted (e.g., grocery or hardware store), smaller retail, service outlets, or café spaces are encouraged on the street or exposed frontages to complement to store entrance, and to avoid large blank walls facing the street frontage(s).
61. Buildings should have a strong relationship to the street. If buildings are set back from the street, it should be for the purpose of enhancing the pedestrian street level appeal. This may include recessed entrances, planters, shrubs, street furniture, outdoor seating and dining areas, public art, plazas, and walkways.
62. Storefronts should be undulating. While buildings may locate near the front of lots, forming more of a street edge and creating more of a main street feel, a strong street wall is not preferred. Instead, pedestrian building frontages should provide variation and a high quality public realm.

Figure 86: Create a "people place"



The above picture shows what a private business can do to enhance the public realm, given support from the municipality. Although the buildings may be larger in scale than what is envisioned for Lantzville, visual preferences suggested the streetscape looks texturally pleasing, attractive, and sets up a "people place".

63. Short walkable distances between storefronts and generous provision of windows are encouraged.
64. In mixed-use buildings, locating residential uses above commercial uses is encouraged.
65. Awnings and canopies for visual interest and shelter are encouraged. The design of canopies should vary from frontage to frontage. Long canopies of the same design can harm the desired diversity and scale and should be avoided. Freestanding canopies at cafés or outdoor dining areas are encouraged.
66. Natural light penetration under overhangs, eaves, or awnings should enhance private and public outdoor experience.
67. All commercial development will provide a minimum of one rest bench. Rest benches that fit the character of the village are encouraged.

68. Parcel coverage may be varied to provide public amenities like gathering places.

69. Sunny sitting-out areas are encouraged throughout the Village Commercial Core, especially sidewalk cafes and quiet “sitting and watching” areas, with a variety of hard and soft ground surfaces and public seating. Private sitting areas may be adjacent to, but should not be on, public sidewalks, unless a minimum of two additional metres of sidewalk is available for safe pedestrian passage.

70. Ornamental, decorative, and sculptural elements are encouraged in building design or freestanding on the site.

71. Greenery in the form of window boxes, planters and hanging baskets maintained by businesses could be encouraged. Some businesses already add these features.

72. Planter boxes in the public right of way could support beautification and delineate pedestrian areas in the shorter term. Edible landscaping could be incorporated where feasible.

73. Periodic landscaped areas could also provide breaks, screening on-street parking and increasing attractiveness of the Village to residents, commercial users, and tourists.

Figure 87: Incorporate trees, flowers, and sculptural elements



Landscaping could incorporate elements of the seashore. Some examples are depicted below:



A planted paddleboat



Log features could be incorporated into planters

Signage:

- 74. Signage will generally be unobtrusive and designed in such a manner as to be complementary to the “village” form and character.
- 75. Signage should be clear and at as small a scale as possible to be legible from adjacent street areas. The District may consider a consolidated sign directory for “Lantville Village” that is at the entrance(s) to the Village Commercial Core.
- 76. The use of carved wood for signs is encouraged.
- 77. Backlit signs are not permitted.
- 78. Where more than one business fronts a street under a single awning, there should be no more than one awning sign per business.

- 79. Facia signs may be located on the exterior front wall, side wall(s), and rear wall of a building, limited to one sign on each facia.
- 80. Hanging, under-canopy signs are encouraged perpendicular to a building, but only one per business should be permitted and any such sign should be not less than 2.5 metres above the sidewalk.
- 81. Freestanding signs using carved wood and incorporating ornamental, decorative, or sculptural elements are permitted.
- 82. Sandwich board signs must not obstruct pedestrian circulation.

Figure 88: Shared signage that has a coastal village feel



Parking, Loading, and Access

- 83. Where possible, vehicular access to all off-street parking spaces will be from a lane or side street.
- 84. Where access via a lane or side street is not possible, vehicle access and egress will be limited to one driveway per property, scaled and designed to be attractive for pedestrian access from parking to main street and businesses.
- 85. New curb cuts will be avoided or minimized on Lantzville Road. Sharing an access with a neighbouring development is encouraged.
- 86. Loading and service areas will be located and designed to minimize visibility from public rights-of-way and public spaces. The use of walls and landscaping to screen views of these areas is encouraged.
- 87. Off-street parking or loading within the setback between the road right of way and the front of the building is not permitted; off-street parking will be located to the side or rear of the building.
- 88. A reduction in parking spaces based on a mix of complimentary uses, different peak time usage, or other shared parking factors may be considered. A parking study may be required.
- 89. All commercial development will provide a minimum of one bike rack. Bike shelters and bike storage facilities are encouraged.

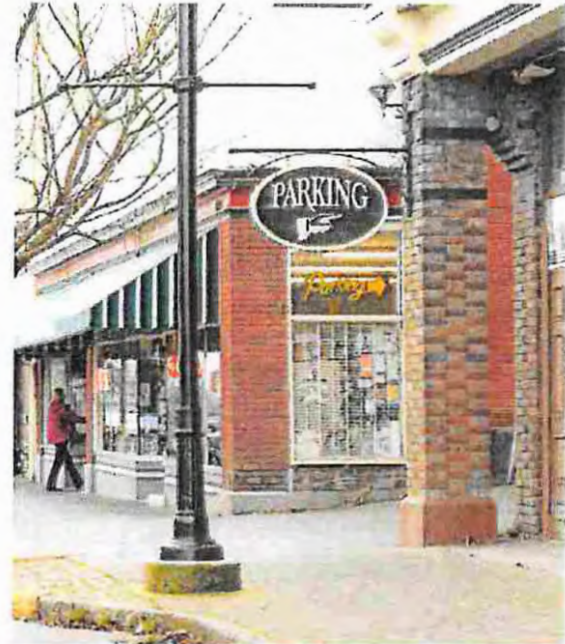


Figure 89: The sign directs drivers to off-street parking at the rear of buildings in Ladysmith

11.8 DPA VI - Lantzville Industrial Land Form and Character

11.8.1 Category

Pursuant to Section 488 (1) (f) of the *Local Government Act*, the District designates the Lantzville Industrial Lands as a Development Permit Area to control the form and character of development within these areas.

11.8.2 Justification

While Lantzville Industrial Park is, in general, fully developed and occupied, it is recognized that the area could, in whole or in part, be redeveloped to suit new tenants. The area is highly visible by people walking, bicycling, or driving along the Island Highway and is a reflection of the image many people have of Lantzville.



Figure 90: Lantzville Industrial Park

11.8.4 Guidelines

The following guidelines are intended to aid in the maintenance and enhancement of the area:

1. A development permit will be required for any development within the Lantzville Industrial Park DPA.
2. The policies contained in Part Three, Section 11.2.1 apply to this area.
3. In accordance with its agreement with the Ministry of Transportation and Infrastructure, the District wishes to maintain a treed buffer along the Island Highway for its entire length within the municipality. The District therefore encourages the planting of trees, shrubs, and hedges on the property frontages along Industrial Road.
4. The development permit application must include architectural, landscape architectural, and site plans showing, as a minimum, the following:
 - the location, design, architectural elevations, and visual character of all buildings and structures, including signage;
 - the location of roads, vehicular access, and parking areas;
 - the location of pedestrian and bicycle linkages to adjacent neighbourhoods;
 - the location of off-street parking and any related landscaping and screening;
 - the location of outside refuse containers and any related landscape buffer or fencing and plantings;
 - a landscape site plan showing all pedestrian plazas, walks, amenity areas, site furniture, ornamental lighting, public art, walls, steps or changes in grade, street trees, and plantings to create a welcoming landscape and pedestrian environment; and
 - The location, size, and species of retained vegetation, and the location, size, and quantity of planted vegetation and tree cover.
5. Outside storage and manufacturing areas should be located to the rear of the buildings and structures and should be suitably screened with landscaping.
6. Buildings, structures, and works yards located on parcels adjacent to Industrial Road should be sited and shaped in such a manner as to be visually unobtrusive.
7. Outdoor mechanical and electrical equipment, including heat pumps, will be screened from the view of onsite building windows, balconies, decks, adjacent streets, adjacent properties, and other prominent public viewpoints.
8. Surface parking will be screened with landscape or hardscape materials. Wherever practical, surface parking areas should be softened with the planting of trees throughout the areas to visually break-up the parking area and reduce localized heat build-up.
9. Outside refuse containers will be located to the rear of the buildings where feasible, and should be suitably landscaped with a solid landscape buffer including a combination of fencing and plantings.
10. Drought-resistant, edible, and native planting species are encouraged. Invasive species will not be planted.
11. Sufficient topsoil should be retained or added to promote well-rooted landscaping that requires less irrigation and stays green longer during drought conditions.

12. Rainwater harvesting, for indoor non-potable use and/or outdoor irrigation use, is encouraged.
13. Vegetated channels such as bioswales in place of concrete storm channels and drains to capture, store, and slowly release rainwater are encouraged.

Lighting:

14. All exterior building and site lighting fixtures should:
 - produce illumination levels in accordance with current engineering practices and standards;
 - minimize illumination of adjacent properties;
 - consist of full cut off / flat lens pole lighting or fully shielded wall lighting;
 - be arranged so rays of light are directed upon the parking, walking, loading, or operations areas and not upon adjacent land or streets.
15. Solar powered lighting is encouraged.

Green Buildings:

16. Achieving energy use and greenhouse gas emission benchmarks through the use of architecture, design, and construction materials based on Leadership in Energy and Environmental Design (LEED), Built Green™, Passive House principles, or other recognized systems, is encouraged.
17. Buildings and exterior elements such as windows should be sited, designed, and landscaped to take advantage of passive solar exposure in wintertime and reduce sun penetration in summer.
18. Incorporation of solar panels as a supplementary or alternative energy and geothermal heating are encouraged.

19. The use of on-site renewable energy generation systems to supply electricity, heating and cooling energy to buildings and other structures, water pumps, sewage pumps, and/or charging stations for electric vehicles is strongly encouraged.

Signage:

1. Signage should be visually unobtrusive and grouped wherever possible. Particular emphasis should be given to signage that is aesthetically pleasing and has minimal or indirect lighting.
2. Signage should be clear and at as small a scale as possible to be legible from Industrial Road. Signage on individual properties of scale and height to be legible from the Island Highway is discouraged. The District may consider a consolidated sign directory for "Lantzville Industrial Park" that is at the entrance(s) to Industrial Road from the Island Highway.
3. The use of carved wood for signs is encouraged. Backlit signs are not permitted.
4. Where more than one business fronts a street under a single awning, there should be no more than one awning sign per business.
5. Facia signs may be located on the exterior front wall, side wall(s), and rear wall of a building, limited to one sign on each facia.
6. Hanging, under-canopy signs are encouraged perpendicular to a building, but only one per business should be permitted.
7. Freestanding signs using carved wood and incorporating ornamental, decorative, or sculptural elements are permitted.
8. Sandwich board signs must not obstruct pedestrian circulation.

11.9 DPA VII - Forest Resource Lands

11.9.1 Category

Pursuant to Section 488 (1) (a) and (b) of the *Local Government Act*, this designation is intended to minimize the impact of development on fish habitat and fish supportive watercourses, surface water quality, the effect of seasonal flooding on the built environment, stability of steep slopes, and protection of habitat. It includes privately owned lands designated as Forest Resource in this Plan that are not managed under the regulations of the *Private Managed Forest Land Act*.

11.9.2 Justification

Protection of the ecological values of forested areas is managed by the province when forested areas are designated as managed forests under the *Private Managed Forest Land Act*. This currently applies to the designated privately and publicly owned designated forest lands in Lantzville. Should any of these areas be removed from designation under the *Private Managed Forest Land Act*, or should the provincial lands be sold as a private tenure, no provincial management guidelines or regulations to protect the ecological values of these sites would apply directly to the ongoing management of these areas as working forests.

11.9.3 Guidelines

The District adopts the following policies for these areas:

1. Development permits will not be required for lands subject to the regulations under the *Private Managed Forest Land Act* or the *BC Forest Practices Code*.
2. Development permits will be required in these areas for construction, subdivision, land clearing, tree removal, road construction, land grubbing, soil removal, or soil deposit.
3. The development permit application must include, as a minimum, a management plan prepared by a qualified professional for tree harvesting or processing and/or any related site development including road construction, and will include the following:
 - Protection of water quality, maintenance of natural hydrologic flow rates and locations, and fish habitat by establishing and maintaining Riparian Management Zones (RMZs), building and maintaining secure and stable roads with appropriate drainage structures, protecting natural surface drainage patterns, and complying with all applicable legislation.
 - Protection of wildlife and wildlife habitat by addressing provisions of all applicable legislation, locating critical wildlife areas, and enter into a habitat protection agreement, as needed.
 - Protection of the long-term forestry use by ensuring timely re-establishment of forest cover following harvesting or if natural events cause removal of trees.
 - The location of internal roads, road fill extraction areas, public road connections, and method and timing of harvest.
 - Conservation of soil, especially in sensitive terrain by identifying areas of unstable slopes and soils or areas that are prone to erosion, and manage all harvesting and road building accordingly.

11.10 DPA VIII – Hwy 19 (Island Highway) Development Permit Area

11.10.1 Category

The DPA VIII - Hwy 19 (Island Highway) Development Permit Area applies to all private lands within 15 metres of the right of way boundary with Hwy 19, as shown on Map No. 10

Pursuant to Section 488 (1) (a), (b), (e), (f), (i) and (j) of the *Local Government Act*, this designation is intended to provide a visual, natural environment and greenhouse gas buffer between the Island Highway (Hwy 19) and intensive residential, commercial, and mixed-use areas of Lantzville.

11.10.2 Justification

The frontage of Lantzville along Hwy 19 (Island Highway) is generally lined with native forest, both within the highway right of way, and on adjacent private property or on the E&N railway right of way. This buffer is a key part of the semi-rural character of the District, and also provides natural environment advantages including limited use of water and uptake of greenhouse gases. The objective of DPA VIII is to maintain or supplement / renew this forest buffer when development of intensive residential, commercial, or mixed-uses occurs along the corridor.



Figure 91: Forest buffers along Island Highway are important to the character of Lantzville

11.10.3 Guidelines

The District adopts the following policies for these areas:

1. Development permits will not be required for lands subject to the regulations of the Agricultural Land Reserve.
2. Development permits will be required in these areas for construction, subdivision, land clearing, tree removal, road construction, land grubbing, soil removal, or soil deposit.
3. The development permit application must include, at a minimum, a management plan prepared by a qualified professional for tree management (consulting arborist or landscape architect) that would include:
 - Identification of existing forested or treed areas to remain, with a classification to indicate species mix and general size ranges.
 - Relationship of existing forested or treed areas to adjacent land use development, including forested areas remaining between highway pavement edge and highway right of way, or on E&N railway or other utility rights-of-way, as well as proposed development or tree clearing on the private side of the buffer.
4. Recommendations of the qualified professional, once approved by the District, shall become requirements of the development permit.
 - Assessment of hazard trees in the buffer area and justification for removal if required.
 - Identification of invasive plant materials in the buffer and recommendations for removal.
 - Recommendations for supplementary native tree planting to replace hazard trees removed and to fill in unforested areas with the objective of creating a continuous forest buffer in the DPA.
 - Conservation of soil, especially in sensitive terrain or areas that may receive concentrated surface flow, by identifying areas of unstable slopes and soils or areas that are prone to erosion, and management of all adjacent development accordingly to protect soils and vegetation in the DPA buffer.

11.11 Comprehensive Development Plan Areas and Special Plan Areas

The District has designated the Foothills Estates lands as a Comprehensive Development Plan Area. Several large development sites are designated as Special Plan Areas. Designating these large development sites as Comprehensive Development Plan Areas or Special Plan Areas, allows a more detailed planning and engagement process to encourage constructive dialogue and refinement of concepts among interested landowners / developers, neighbouring property owners, and the broader community, with support from District staff and consulting professionals.

Guidelines and policies for the planning and development of these areas are included in Part 2, Section 8.1 of this Plan. A copy of the Comprehensive Development Plan for the Foothills Estates is attached to this OCP as Appendix C.

11.12 Zoning

Zoning is one of the regulatory tools that can be utilized to implement the vision, goals, and policies contained in an Official Community Plan. Under Section 479 of the *Local Government Act*, zoning legally establishes the density of development that will be permitted on any parcel of land, as well as specifying the activities and uses that can take place. It also contains specific regulations that will control the size, siting, and other details of development control that are required. Like an OCP, zoning is adopted by bylaw.

11.13 Subdivision

A subdivision bylaw regulates how land may be subdivided in conformity with the policies of the Official Community Plan. A subdivision bylaw approved under Section 506 of the *Local Government Act*, primarily regulates the minimum standards for development, as well as the detailed and specific requirements for those services that may be necessary in order for subdivision approval.

The District has updated "District of Lantzville Subdivision and Development Bylaw No. 55. 2005" to ensure that it reflects the most appropriate standards for Lantzville and the policies of this plan.

11.14 Development Approval Information

The District will adopt relevant requirements and procedures to require development approval information under Section 485 of the *Local Government Act*, for Special Plan Areas and Comprehensive Development Plan Areas and for Development Permit Areas as identified in this Plan.



Figure 92: The Foothills Development is entering first phases

11.15 Development Cost Charges

Development Cost Charges (DCCs) are charges levied on new development projects pursuant to Section 559 of the *Local Government Act*. DCCs may be imposed by bylaw for the purpose of providing funds to assist the local government to pay the capital costs of services such as sewerage, water, drainage, roads, or other infrastructure improvements required to support the development. The District currently uses the “Development Cost Charges for Water, Sewage, Drainage, Highway Facilities, and Park Land Bylaw No. 52, 2006” and may undertake studies from time to time to determine updated DCCs that might be applied to new development areas.

11.16 Development Standards

The District has the authority to adopt engineering and development standards as it deems appropriate for the community.

While the District’s current engineering and development standards incorporate green infrastructure into public roadway requirements at subdivision, the District will encourage green infrastructure or alternative development standards to extend into private lands, in particular in intensive residential, multi-family, commercial, or mixed land uses.

11.17 Administration of the Plan

The District intends to ensure that this Plan, which represents the vision and goals of the residents of Lantzville, is implemented. Actions arising from the OCP include, among other tasks and activities, the following:

- ▶ Work with neighbouring jurisdictions including Nanoose First Nation, the City of Nanaimo, and the Regional District of Nanaimo to maintain good communication with its neighbours and ensure compatibility of adjacent land uses;
- ▶ Review and revision of applicable zoning bylaws;
- ▶ Review and revision, if considered appropriate, of subdivision bylaws;
- ▶ Consideration and adoption, where appropriate, of additional bylaws;
- ▶ Review, revision, and adoption of the Special Area Plans identified in the OCP.
- ▶ The development officer will use this Official Community Plan and its policies in review and approval of any relevant application related to development, subdivision, or rezoning.

12 | Climate Change and Reducing Greenhouse Gas Emissions

In response to climate change issues, the provincial government gave Royal Assent to Bill 27 [*Local Government (Green Communities) Statutes Amendment Act, 2008*] on May 29, 2008. Bill 27 amends the *Local Government Act* and other Provincial regulations to provide new tools for local governments. Most significantly, Bill 27 requires that all local governments include greenhouse gas emission reduction targets – along with policies and actions to achieve those targets – in their Official Community Plans.

The District of Lantzville is signatory to the Climate Action Charter, along with most other local governments in British Columbia, committing to contribute to reduction of Greenhouse Gas (GHG) emissions, including developing strategies and taking actions to achieve the following goals:

- ▶ being carbon neutral in respect of their operations by 2012, recognizing that solid waste facilities regulated under the Environmental Management Act are not included in operations for the purposes of this Charter.
- ▶ measuring and reporting on their community's GHG emissions profile; and
- ▶ creating complete, compact, more energy efficient rural and urban communities (e.g., foster a built environment that supports a reduction in car dependency and energy use, establish policies and processes that support fast tracking of green development projects, adopt zoning practices that encourage land use patterns that increase density and reduce sprawl.)

The Charter encourages local governments to implement programs, policies, or legislative actions that facilitate reduction of greenhouse gas emissions and remove barriers to taking action on climate change. As a “semi-rural” community with a low population, Lantzville's contribution to GHG emissions is small compared to larger communities. However, Lantzville has the opportunity to show leadership in its role in energy efficiency, as a model and inspiration to other small BC communities.

Lantzville's GHG reduction actions are integrated into the strategy of the Regional District of Nanaimo, including:

- ▶ regional waste collection, where Lantzville participates fully in efficient recycling, waste minimization, and organics collection, towards Net Zero Waste.
- ▶ regional transit, where Lantzville is serviced by transit using low-carbon fuels.
- ▶ regional recreation, where major energy consumers such as ice rinks and swimming facilities are supported in cooperation with the region and participating municipalities. Major energy and GHG reduction strategies are being implemented at these facilities. City of Nanaimo reached its corporate 2020 GHG reduction target by 2013.

Lantzville, as a corporate body, has a very small physical plant, consisting largely of the municipal hall, fire hall, municipal roads, and infrastructure. Energy and GHG emission reductions in these facilities is subject to on-going monitoring and improvement.

In this context, Lantzville's primary role in climate change and GHG emissions management lies in its monitoring and land use planning practices, as they affect transportation and building GHG emissions. The Province of BC's 2007 *Community Energy and Emissions Inventory* showed Lantzville's emissions breakdown as follows:

- ▶ 82.1% from on-road transportation (compared with 60.0% for all of BC)
- ▶ 16.0% from buildings (compared with 34.9% for all of BC)
- ▶ 1.9% from solid waste (compared with 5.1% for all of BC)

These benchmarks indicate that land use planning that encourages people to choose alternate forms of transportation including walking, bicycling, and transit will support Lantzville reducing GHG emissions.

Objectives and policies below focus on how to integrate climate change and GHG emission management into land use planning. A key goal for Lantzville, in parallel with the same goal for British Columbia as a Province, will be to reduce GHG emissions on a per capita basis, so that overall emissions in the community remain manageable even if the population grows.

12.1 Objectives

The Plan intends to address climate change and reduction of GHG emissions in the following ways:

- ▶ To establish climate change as a factor in land use decision-making.
- ▶ To support efforts and policies to help our community adapt to climate change impacts.
- ▶ To work with others (e.g. RDN, adjacent municipalities and FN, and the Province) to support actions to limit emissions.
- ▶ To reduce greenhouse gas emissions by 33% by 2020 and 85% by 2050 from 2007 levels.

12.2 Policies

The District adopts the following policies with respect to the reduction of greenhouse gas emissions and climate change adaptation:

1. Pursue funding for GHG emission and energy planning, including updates to baseline and current GHG emissions and monitoring.
2. Continue to review and minimize energy use and GHG provisions from District corporate facilities, including buildings, vehicle fleet, pumps, and operations.
3. In OCP and Zoning, provide land use provisions for forestry, agricultural, rural areas, and large public open space (e.g., foothills) with high concentrations of vegetation for carbon sequestration, and low density of dwellings.
4. Where residential growth is permitted by the OCP and Zoning, encourage establishment of new neighbourhoods on transit routes, and at densities that are supportive of reasonable transit frequency of service, towards transit-oriented development.
5. Encourage a wide range of housing choice with relatively higher densities within walking and bicycling distance of the Village Commercial Core.
6. To minimize private vehicle emissions and promote transit in the Village Commercial

Core, allow mixed-use land uses including residential for a wide range of ages including young singles, families, and seniors.

7. Implement density bonus incentives and policies that create an integrated system of walking and bicycling trails and routes to schools, Village Commercial Core, and recreation areas, to provide safe and functional alternatives to use of private vehicles.
8. Encourage the implementation of energy and water saving best-practices in new subdivisions and developments, including:
 - Use of low energy / GHG embodied materials (e.g., low energy concrete, wood first)
 - Passive solar buildings and subdivisions
 - Renewable energy provisions in buildings and subdivisions

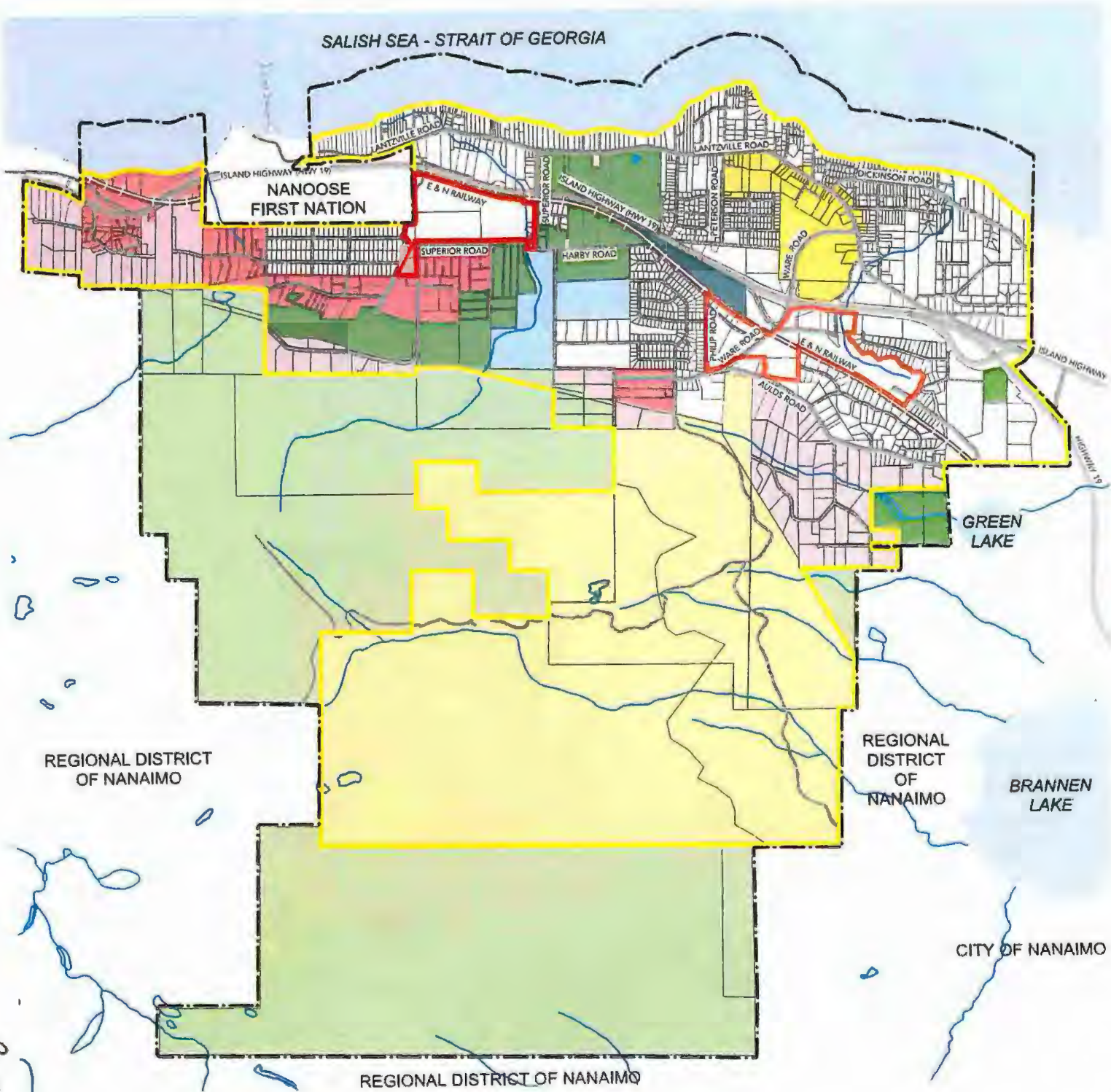
- Net-zero energy-ready buildings
- Low energy roadway and decorative lighting (e.g., LED or solar) where lighting is necessary.
- Provisions for shared-economy transportation
- Inclusion of charging provisions for non-fossil fuel (electric) vehicles

9. Promote, through District communications and outreach, appropriate existing and new energy efficiency programs, building code updates, and retrofit incentives by others (e.g., Province of BC, BC Hydro, Fortis BC), encouraging use of best practices in both new construction and retrofit of buildings.



Figure 93: Energy conservation, low energy buildings, more walking / bicycling / transit, and zero emission vehicles are in Lantzville's future

MAP 4: LAND USE DESIGNATIONS



LEGEND

- District of Lantzville Boundary
- Growth Containment Boundary
- Parcels
- Roads
- Upper Lantzville Special Plan Areas

OCP LAND USE DESIGNATIONS

- Resource - Agriculture
- Resource - Forestry
- Resource - Open Space
- Residential
- Estate Residential
- Rural Residential
- Village
- Foothills CDA
- Commercial / Industrial
- Transportation Corridor

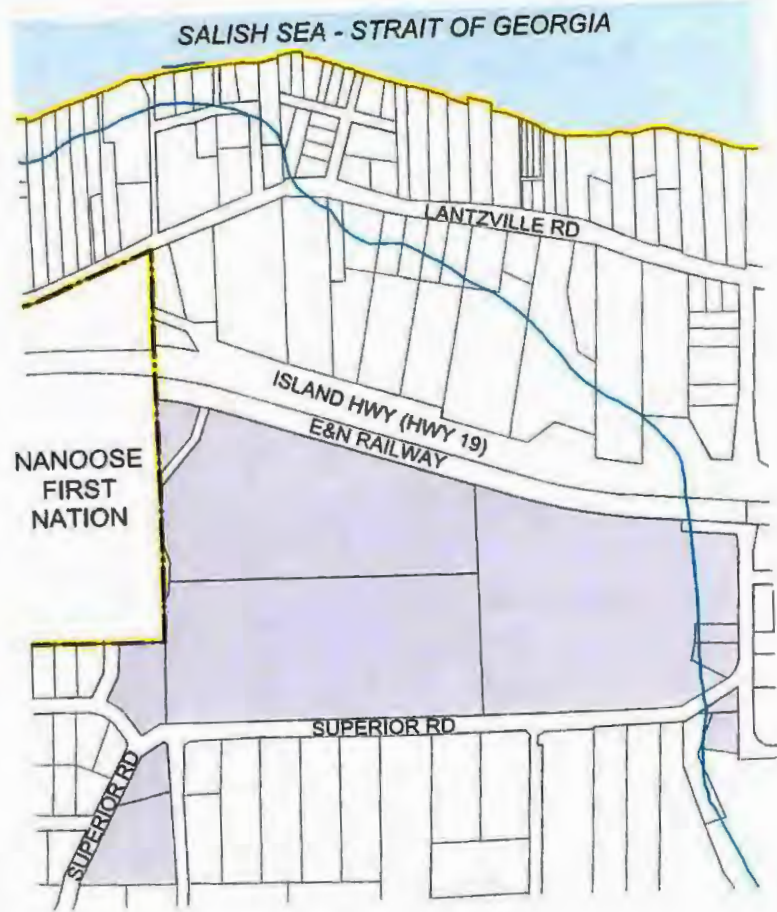
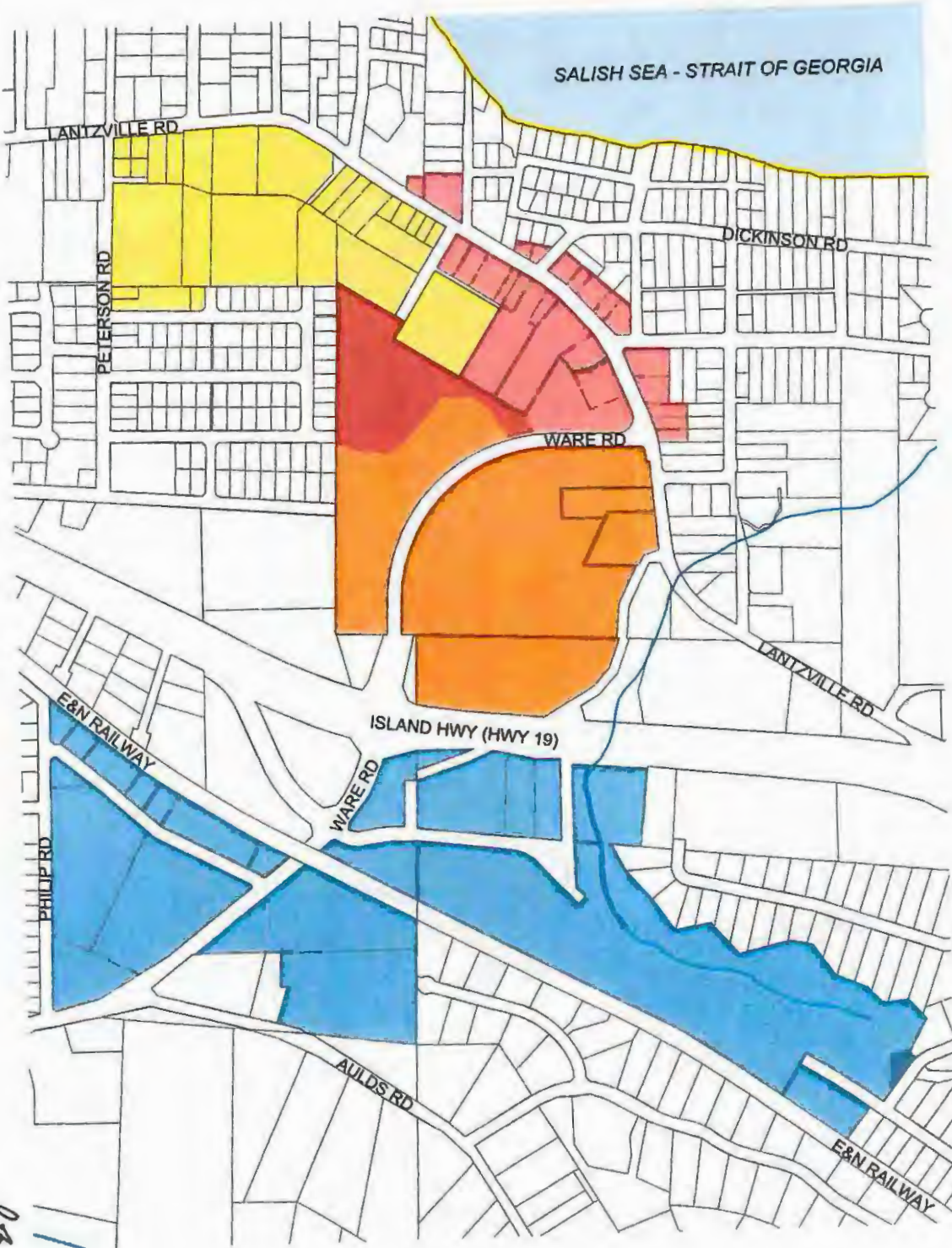
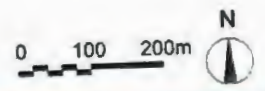
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MAP 5: VILLAGE & UPPER LANTZVILLE SPECIAL PLAN AREAS (SPAs)

LEGEND

-  District of Lantzville Boundary
-  Growth Containment Boundary
-  Parcels
-  Village Commercial Core SPA
-  Village West SPA
-  Village Lowlands SPA
-  Village South SPA
-  Upper Lantzville Ware Road SPA
-  Upper Lantzville Superior Road SPA



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District of Lantzville

REPORT TO COUNCIL

Regular Council Agenda Item

October 23, 2017

File: 5330-20-PetersonWaterLineReplacement2017

T:\DOLA\Reports to Council\2017WaterMainReplacementPetersonRd

AUTHOR: Fred Spears, Director of Public Works

SUBJECT: 2017 Peterson Road Watermain Replacement Project

RECOMMENDATION

THAT Council not award the tender for the 2017 Peterson Road Watermain Replacement Project at this time due to insufficient funding.

ALTERNATIVES

THAT Council award the contract for the 2017 Peterson Road Watermain Replacement Project to Hazelwood Construction Service Inc. in the amount of \$362,431.39 including GST. and directs staff to prepare a 2017-2021 Financial Plan amendment to increase the budget to reflect the cost of the tender and an additional 15% for engineering making the total project costs \$416,796.10, with the additional funding coming from Gas Tax.

ATTACHMENT(S)

N/A

PURPOSE

To provide Council with results pertaining to the District's invitation to tender the 2017 Peterson Road Watermain Replacement Project.

BACKGROUND

During the 2017 Financial Planning Council approved \$280,000 for the replacement of the watermain that runs along Peterson Road between Lynn Drive and Lantzville Road.

DISCUSSION

Tenders for the 2017 Watermain Replacement Project – Peterson Road were received and opened in public at the Parksville office of Koers and Associates Engineering Ltd. on Thursday, October 10, 2017 in the presence of Fred Spears, Koers Engineering staff, and representatives from several of the bidding contractors.

The scope of the proposed work consists of the installation of approximately 310m of 250mm diameter PVC watermain piping along Peterson Road replacing the 150mm asbestos cement pipe currently in use and the installation of one fire hydrant.

The tenders that were received exceeded 2017 budgeted estimates. In consultation with the Districts Engineers, a recommendation to hold off on the Peterson Road Watermain Replacement Project until 2018 was presented. During late 2017 or early 2018 it is expected that staff will have acquired road dedication at the end of Peterson Road that will accommodate a safer intersection at Lantzville and Peterson Roads. Once the design is completed for the Peterson roadworks both projects will be tendered together to gain an economy of scale so that the District receives a bid that is within the budget.

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FINANCIAL IMPLICATIONS

The proposed 2017-2021 Financial Plan capital expenditures include \$280,000 for the 2017 Watermain Replacement Project. Three tenders were received and the tender prices are summarized below. Further, the tenders were checked by Koers & Associates Engineering staff for completeness and accuracy.

Contractor	Tender Price (incl. GST)	Engineering cost (incl. GST)	Days to Complete
Hazelwood Construction Services Inc.	\$362,431.39	\$54,364.71	180
Copcan Civil Ltd.	366,648.14	54,999.22	180
Western Watershed Designs Inc.	374,361.23	56,154.18	60

The lowest tender is from Hazelwood Construction Services Inc. and it exceeded the amount allocated to this project in the 2017-2021 Financial Plan. Hazelwood Construction Services Inc. is based in Nanaimo and has completed civil works throughout mid Vancouver Island including extensive experience in the installation of water infrastructure. It is a respected company in the construction industry; unfortunately, at this time, funding is not available in the amount tendered for the project.

COMMUNICATION STRATEGY

This report will be available for review by the public in the October 23, 2017 regular Council meeting agenda package and available on the District of Lantzville website.

STRATEGIC PLAN ALIGNMENT

N/A

SUMMARY

Three tenders were received for the 2017 Peterson Road Watermain Replacement Project, with Hazelwood Construction Inc. being the lowest bidder. Unfortunately, the tender exceeded the funds allotted in the 2017-2021 Financial Plan therefore, staff recommend not awarding this project at this time.

Respectfully submitted,



Fred Spears
 Director of Public Works
 District of Lantzville

Reviewed By:

Chief Administrative Officer	<i>re</i>	Director of Financial Services		Director of Public Works		Director of Corporate Administration	
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District of Lantzville

REPORT TO COUNCIL

Regular Council Agenda Item

October 23, 2017

File: 0530.01

T:\DISTRICT OF LANTZVILLE\Reports to Council\2017\2017 & 2018 Council Meeting Schedule Oct 23 2017.doc

AUTHOR: Trudy Coates, Director of Corporate Administration

SUBJECT: 2018 Council Meeting Schedule

RECOMMENDATION

THAT Council approves the 2018 Council Meeting Schedule for the 2018 regular Council and Committee of the Whole meetings, as attached to the October 23, 2017 staff report, including cancelling the September 24, 2018 regular Council meeting, and holding the 7:00 pm November 5, 2018 Inaugural meeting at Costin Hall, 7232 Lantzville Road; AND FURTHER authorizes staff to publish notice of availability of the schedule.

ALTERNATIVES

1. Propose alternate meeting dates, and approve the amended schedule.
2. Postpone consideration to another meeting.

ATTACHMENT(S)

1. Draft 2018 Council Meeting Schedule.

PURPOSE

To establish Council's meeting schedule for the 2018 calendar year.

BACKGROUND

Section 125 of the *Community Charter (CC)* requires that a Council must meet regularly in accordance with their procedure bylaw.

Section 127 of the *CC* requires that a schedule of the date, time and place of all regular Council meetings to be held during the year, be prepared and made available to the public. The *CC* also requires publishing a statutory notice (newspaper) at least once per year of the availability of the schedule. We also publish notice of availability of the schedule on the District's bulletin board and website.

Council Procedure Bylaw No. 118, 2016, provides that:

- the first Council meeting after an election must be held on the first Monday in November (starting in 2018, when the election is scheduled to be held on Saturday, October 20, 2017)
- meetings must be held in the District Office unless Council passes a motion to hold a meeting elsewhere
- Council must establish annually, and make available to the public, a schedule of dates, times and places of regular Council meetings,
 - with meetings to be held on two Mondays of each month (except in December when one meeting will be held and no regular meetings in August), except as otherwise provided
 - and in the case of the Monday being a statutory holiday, a meeting may not be held that week unless another meeting day is chosen
- when revisions are necessary to the annual schedule of regular Council meetings, the Corporate Officer must, as soon as possible, post a notice on the bulletin board of any revisions to the date, time and place or cancellation of a regular meeting. The amended schedule is also posted on the District's website.

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The Procedure Bylaw also refers to Council holding Committee of the Whole (COTW) meetings and posting notice at least 24 hours before a COTW. The practice in Lantzville has been to issue the Council meeting schedule showing tentative COTW meeting dates (to be held only if required) and also showing any known scheduled COTW meetings, e.g. for the Financial Plan process (the 2018 draft schedules notes also to be held only if required). COTW meetings and Special Council meetings are also held at other times and have been scheduled ad hoc. New Council orientation workshops are scheduled separately, depending on topic (e.g. if educational only) may not require posting as a meeting.

DISCUSSION

The attached 2018 Council Meeting Schedule:

- follows the two meetings per month, no meetings in August, and one meeting in December schedule from the Procedure Bylaw, with the exception of September when staff recommend cancelling the second meeting and scheduled a Committee of the Whole meeting for that day (September 24th), to be held, if required. The next regular Council meeting would be held one week later on October 1st.
- provides a schedule for Committee of the Whole meetings for consideration of the Financial Plan in March and November 2018 and tentative dates for Committee of the Whole meetings to be held in other months, all to be held only if required
- does not conflict with other scheduled events that Council may consider attending, e.g. Association of Vancouver Island and Coastal Communities Conference (April 13-15, 2018 in Victoria), Federation of Canadian Municipalities Conference (May 31-June 3, 2018 in Halifax) or Union of BC Municipalities Convention (September 10-14, 2018 in Whistler)
- does not conflict with the 2018 General Local Election Advance Voting on Wednesday, October 10 and 17, 2018 and General Voting Day on Saturday, October 20, 2018 to elect the new 5-member Council, and holding the Inaugural meeting at 7:00 pm on November 5, 2018 at Costin Hall. The last meeting of the current Council would be held on October 15, 2017 unless a special meeting is called.

Regardless of the schedule approved by Council at this time, it is always within Council’s authority to, at a later date, propose additional meeting dates or to cancel meetings. Additional information is expected in 2018 regarding local and regional new Council orientation schedules for November/December 2018.

FINANCIAL IMPLICATIONS

If Council approves the 2018 schedule, staff must publish the availability of the schedule twice in the newspaper; the cost of advertising is funded within the current operating budget.

COMMUNICATION STRATEGY

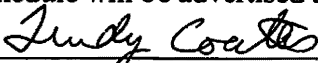
In addition to the statutory notice in a newspaper, the availability of the schedule will also be posted on the District’s bulletin board and website. The meeting calendar on the District’s website will also be updated.

STRATEGIC PLAN ALIGNMENT

Establishing and communicating the 2018 Council meeting schedule is consistent with the Communication, Engagement and Transparency corporate priority contained in the 2016-2018 Strategic Priorities Chart and with the District’s Public Participation Policy.

SUMMARY

Establishing an annual schedule of Council meetings, and publishing the schedule, is a statutory requirement. It would be timely for planning purposes and public information to approve the 2018 schedule at this time. Staff recommend approval of the attached schedule. If approved, the attached schedule will be advertised and posted.


Trudy Coates, Director of Corporate Administration

Reviewed by:

CAO	<i>Trudy Coates</i>	Dir. of FS		Dir. of PW		Com.Planner	
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District of Lantzville 2018 Council Meeting Schedule **DRAFT**

Attachment #1

Date	Time	Subject	Location
January	8	7:00 pm	NOTE: Meetings are held in the Council Chamber, Municipal Hall, 2 nd Floor, 7192 Lantzville Road, unless indicated otherwise.
	15	6:00 pm	
	22	7:00 pm	
February	5	7:00 pm	
	19	6:00 pm	
	26	7:00 pm	
March	12	7:00 pm	
	19	6:00 pm	
	26	7:00 pm	
April	9	7:00 pm	
	16	6:00 pm	
	23	7:00 pm	
May	7	7:00 pm	
	14	6:00 pm	
	28	7:00 pm	
June	11	7:00 pm	
	18	6:00 pm	
	25	7:00 pm	
July	9	7:00 pm	
	16	6:00 pm	
	23	7:00 pm	
August	SUMMER RECESS		
September	17	7:00 pm	
	24	6:00 pm	
October	1	7:00 pm	
	15	7:00 pm	
November	5	7:00 pm	Costin Hall, 7232 Lantzville Road
	7	6:00 pm	
	14	6:00 pm	
	19	6:00 pm	
	26	6:00 pm	
	26	7:00 pm	
December	10	7:00 pm	

Schedule is subject to change – View the calendar at www.lantzville.ca, or contact the Municipal Hall to confirm.

By the Friday before each Monday Council meeting, a copy of the agenda cover is posted on the Public Notice Board outside of the Municipal Hall at 7192 Lantzville Road and the complete agenda package is posted at www.lantzville.ca (access by selecting the meeting date on the calendar) and is also available for viewing in a binder at the Municipal Hall front counter.

Questions regarding Council or committee meetings? Contact the Director of Corporate Administration at trudy@lantzville.ca or 250.390.4006.

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

District of Lantzville

DRAFT

Corporate Policy

Section:	
Sub-Section:	
Title:	WHISTLE BLOWER PROTECTION POLICY

APPROVALS

Approval Date: October	Approved by:
Amended:	Approved by:
Amended:	Approved by:
Amended:	Approved by:

1. PURPOSE AND STATEMENT OF POLICY

1. The District of Lantzville Council is committed to conducting its business in compliance with all laws and regulations applicable to a local government operating in the Province of British Columbia.
2. This policy sets out guidelines for the reporting and investigation of serious misconduct where there are no procedures in place for doing so, and provides protection from retaliation to those who report serious misconduct in good faith. Reporting serious misconduct in good faith is also referred to as whistle blowing. This policy applies to all employees, officers and elected officials of the District of Lantzville.
3. This policy does not cover reporting procedures in situations where persons seek to report in good faith serious misconduct of both senior management and Council members with respect to the same issue. In such a situation, other rights of reporting to authorities such as the Royal Canadian Mounted Police or the Information and Privacy Commissioner of British Columbia are available. Despite the fact that this policy does not address the reporting procedures for such reports of serious misconduct, whistle blowers who report serious misconduct only in good faith will still be afforded the protections in part 6 of this policy.
4. In the event that any portion of this policy is inconsistent with a binding collective agreement or federal or provincial legislation, that portion and only that portion of the policy will have no application to the extent of that inconsistency. All other portions of the policy will continue in full force and effect.

2. DEFINITIONS:

1. “Whistle Blowing” means reporting serious misconduct in good faith.
2. “Good Faith” means having reasonable and objective grounds, capable of being verified or substantiated by a written statement, documented evidence or other witnesses, for believing an allegation of serious misconduct is true.
3. “Serious Misconduct” includes but is not limited to:
 - (a) Serious violations of District policies or violations of applicable acts, regulations or bylaws;
 - (b) Manipulation of District resources for any illegal, improper or unethical purpose including fraud, theft, embezzling funds or accepting kickbacks or bribes;
 - (c) Misappropriating funds, misdirecting or misuse of funds, assets or corporate information;

- (d) Manipulating District accounting or audit records or destroying any accounting or audit-related records except as otherwise permitted;
- (e) Actions likely to cause serious harm to persons, public safety, property or the environment;
- (f) Actions resulting in the District being exposed to liability or financial loss;
- (g) Failure to take reasonable steps to report and/or rectify actions that may impact negatively on the District's reputation resulting in the public losing confidence in the organizations ability to deliver services; or,
- (h) Deliberately concealing information relating to any of the above.

The above are examples only and are not an exhaustive list of what amounts to serious misconduct.

3. REPORTING SERIOUS MISCONDUCT

1. Persons who, in good faith, are aware of serious misconduct have a responsibility to report it in accordance with this policy.
2. Reports of alleged serious misconduct should be reported in the following manner:

	If the subject of the alleged serious misconduct involves:	Then it should be reported to:
(a)	a colleague	the complainant's supervisor
(b)	a supervisor	the supervisor's manager
(c)	a manager	the Chief Administrative Officer
(d)	the Chief Administrative Officer	the Mayor
(e)	If the Chief Administrative Officer has a complaint, he or she may report it to a Councillor or the Mayor, or to another officer of the District.	
(f)	If an elected official has a complaint, he or she may report it to the Mayor or the Chief Administrative Officer.	

3. Persons are required to report alleged serious misconduct, and a report of alleged serious misconduct must be in writing. A person may be permitted to report alleged serious misconduct verbally if the person to whom they are reporting makes a written record of the complaint and confirms its accuracy with the complainant.

4. If it is proven (by the Chief Administrative Officer, other manager or Councillor or the Mayor if the Chief Administrative Officer is involved in the allegation) that a violation of this policy has occurred, that an unsubstantiated complaint was not bona fide, was frivolous or was filed for inappropriate or malicious purposes, the Chief Administrative Officer may initiate appropriate disciplinary action against the Complainant up to and including termination of employment and/or repayment of all costs incurred by the District to investigate the complaint. The District will take any such misuse of this policy very seriously.

4. CONFIDENTIALITY

1. Every effort will be made to ensure confidentiality to those reporting serious misconduct. Persons making a report under this policy are required to provide their name in confidence, which allows for follow-up questions, clarification and investigation where necessary. Reports made anonymously may not be investigated unless the truth of their contents and whether they were made in good faith can be ascertained.
2. Confidentiality extends to all records relating to reports, including but not limited to meetings, interviews and investigation results. Personal information, including the identity of the person reporting the alleged serious misconduct, will be protected in accordance with the *Freedom of Information and Protection of Privacy Act* of BC. Persons making a report, investigators, witnesses and individuals against whom a report has been made are expected to maintain confidentiality. Breaches of confidentiality may be regarded as serious misconduct and will be treated accordingly.
3. Disclosure of records relating to reports made under this policy to any other person, and in particular any third party, will require the prior approval of the District's solicitor to ensure that privilege of such documentation is properly maintained.
4. Confidentiality may be subject to legal disclosure requirements during a court proceeding, arbitration or other legal proceedings, and to circumstances where affected persons have consented to be identified.
5. The person who reported the alleged serious misconduct should not, outside of regular work hours, contact the subject of the report or attempt to investigate the allegations further for any reason. The person who reported the serious misconduct must treat all aspects of the report and the incident generally as strictly confidential and must not discuss it with anyone except the person to whom the report has been made, legal advisors or police investigators.

5. INVESTIGATION

1. Persons identified in Section 3.2 who receive a report of alleged serious misconduct are required to conduct a preliminary investigation and report to their immediate supervisor within 10 working days. If the person does not have an immediate supervisor, the District's solicitor should be consulted.
2. Within 10 working days of receiving a report under Section 5.1, the allegation of serious misconduct must be reported to the CAO who will have the authority to determine the appropriate level of detailed investigation and response. Where the alleged serious misconduct is proven, a response may include disciplinary measures appropriate to the degree of misconduct and terms of employment, and would be consistent with any terms of a collective agreement, if applicable.
3. Persons identified in Section 3.2 who receive a report of alleged serious misconduct must confirm in writing to the complainant that their complaint has been received and will be investigated in accordance with this policy. This receipt of complaint must be delivered to the complainant not more than 10 working days after the report has been received.

6. PROTECTION AGAINST RETALIATION

1. Any form of retaliation, discrimination or reprisal against a staff member because that person reported serious misconduct in good faith or because that person acted as a witness or otherwise participated in an investigation in good faith will be considered a serious violation of this policy. Such retaliatory actions are themselves serious misconduct and may result in discipline, including dismissal.

7. EXCEPTIONS

1. Where persons come forward to report their own serious misconduct under this policy, they will not be exempt from discipline appropriate to the serious misconduct; however, such reporting will be given appropriate consideration as a mitigating factor and these instances will be dealt with on an individual basis in accordance with this policy.

MEMORANDUM OF UNDERSTANDING

**A MEMORANDUM OF UNDERSTANDING WITH RESPECT TO DEVELOPMENT
OF THE FOOTHILLS LANDS**

BETWEEN:

**District of Lantzville
7192 Lantzville Road
Lantzville, B.C.
V0R 2H0**

(the "District")

AND:

Lone Tree Properties Ltd.

**c/o Storm Mountain Development Corporation
1130 15th Street West, North Vancouver, British Columbia,**

V7P 1M9 ("Lone Tree")

(collectively referred to as the "Parties")

WHEREAS:

A. Lone Tree is the owner of the following parcels of land located within the District's boundaries:

PID 009-438-904; Block 794, Nanoose District;

PID 000-060-542; Block 206, Nanoose District (situate partly within the Wellington District)

PID 000-060-569; That part of Block 389, Wellington District, Lying to the South West of a Straight Boundary Joining Points on the Westerly and Easterly Boundaries of Said Block, Distant 4888.8 Feet and 1050.9 Feet Respectively From the South West and South East Corners of Said Block;

PID 000-060-097; Block 471, Nanoose District, Except Parts in Plans 27114 and VIP78883; and

PID 026-290-847; Lot A, Block 471, Nanoose District Plan VIP78883

(collectively, the "Foothills Lands").

B. Lone Tree acknowledges that a former proposed development of the Foothills Lands was earlier conceived before the recession as subject to the conditions set out in a s. 219 covenant (the "Covenant") which is still registered on title to the Foothills Lands.

C. The parties would like to amend the development plans that were previously agreed upon by the former owner of the Foothills Lands and the District.

D. The Parties agree that this MOU is not binding, but by signing the MOU the Parties indicate their acceptance of the principles contained herein and accept their respective responsibilities leading up to the intended creation of binding agreements to advance the development of the Foothills Lands.

THE PARTIES AGREE AS FOLLOWS:

Modified Agreement

1. The Parties will, pursuant to s. 219(9) of the *Land Title Act*, RSBC 1996, c. 250, execute and register a replacement agreement of the Covenant that is currently registered on title to the Foothills Lands (the "Modified Agreement") in order to carry out the terms and conditions of this MOU.
2. The Parties agree that the Modified Agreement will be drafted and registered by the District's legal counsel to the mutual satisfaction of the Parties.
3. The Parties agree that the Modified Agreement will provide for the following:
 - a. a requirement for an initial dedication of 900 acres of parkland to the District by Lone Tree upon execution of a new phased development agreement and the final adoption of amended zoning and official community plan amendment bylaws to accommodate density relocation, which parkland shall be comprised of a squared off portion of those lands intended for the 'Initial Park Dedication' on Schedule 'A' to the Covenant, provided there is reserved reasonable mutually acceptable accommodation for wells and water service lines and necessary water exploration and access in or through the parkland area and to that end the District agrees to grant a licence of occupation to Lone Tree over specified areas of the park for such exploration and access;
 - b. a transfer of density from the parkland area to the Urban Containment Area, to provide for a larger and more cohesive park, to protect the park from unnecessary major servicing and utility corridor encroachments (while providing for water lines and exploration and related access), and to save servicing repair, maintenance and replacement costs;
 - c. an enforcement provision if the Covenant or Phased Development Agreement, as amended by the Modified Agreement, is breached;
 - d. a transfer of land by Lone Tree for a fire hall and public works yard for the District in exchange for the District giving up the community centre that is currently required under s. 4(a) of the Covenant; and
 - e. following completion of a survey, and in substitution for all the items contained in Schedule B of the Covenant, a transfer of title in fee simple by Lone Tree to the

District of an area of the lands depicted in Schedule "A" of the Covenant, being approximately 200 acres, on a sequential basis in conjunction with final approval of Lone Tree subdivision applications, subject to a mutually acceptable restrictive covenant restricting the nature and timing of its development for uses other than municipal services and administration, but subject always to the permissible built density on the remaining Lone Tree lands (those not gifted to the District) being capable of an overall development density of 730 residential units.

4. The Parties acknowledge and agree that the obligations set out in the Covenant that is currently registered are binding and enforceable by the District as against Lone Tree until the Modification Agreement is executed and registered.

Phased Development Agreement

5. The Parties will enter into a Phased Development Agreement pursuant to s. 905.1 of the *Local Government Act*, which will address the following:
 - a. the provision of park land to the District by Lone Tree;
 - b. the location of the park;
 - c. agreement by Lone Tree to register a covenant under s. 219 of the *Land Title Act* and section 905.1(4)(d) of the *Local Government Act* on terms to be agreed to give effect to this MOU and the terms of the phased development agreement;
 - d. in addition to the District's application fees and charges as required by bylaw, reimbursement by Lone Tree to the District for the District's legal fees in relation to the following:
 - i. drafting the Modified Agreement and this MOU; and
 - ii. drafting the Phased Development Agreement and the bylaw by which the District can enter into the PDA; and
 - iii. reviewing and commenting on the revised Zoning Bylaw, amendment to the OCP, and reviewing and commenting on notices and public hearing documents, all of which will be required as a result of the shift in density;
 - e. agreement that the District cannot downzone the Foothills Lands for 20 years, provided the Inspector approves a term of 20 years for the PDA;
 - f. agreement by Lone Tree that it will make a community amenity contribution to the District, in an amount of \$7,945 per approved residential dwelling unit on the Foothills Lands, to be paid at the time of issuance of a building permit, up to a maximum of \$5,800,000.
6. The parties acknowledge and agree that the Phased Development Agreement will be considered by Council at the same time as the Zoning amendment and the OCP amendment.

Water

7. Lone Tree will explore the possibility of Lone Tree obtaining water from on-site wells. If on-site water is sufficient to meet the District standards, Lone Tree agrees to create a community water system in accordance with the District standards of the day, noting that the current standards are for wells with a minimum 50 gallons per minute ("GPM") production requirement. Upon completion of each part of the water system to serve a phase of Lone Tree's development and as a condition of subdivision approval for that phase, the water system will become part of the District's system. The District agrees that once the District's Wellfield Management Plan and Water Quality Assessment is complete, the parties can revisit the issue of water production requirements.
8. If Lone Tree is not able to provide on-site water sufficient to meet the District standards, the District agrees that it will consider granting to Lone Tree connections to the Nanaimo system for up to 16 Foothills premises each calendar year, subject to the payment of applicable District development cost charges, connection fees and user fees. The parties acknowledge and agree that the District's consideration of the provision of water connections as set out above is subject to the following:
 - a. the District having an agreement with Nanaimo for the provision of water and second; and
 - b. to Council's unfettered discretion.

Road Dedication

9. Lone Tree agrees that, upon the granting of a development permit subsequent to execution of a new Phased Development Agreement and the Modified Agreement, it will dedicate to the District the lands comprising the existing graded gravel main road alignment running through the Foothills Lands, and at such time as Lone Tree develops lands adjacent or abutting the road, Lone Tree will then at its cost develop the road to servicing standards set out in the Phased Development Agreement and in keeping with the District's Bylaw 55. It is acknowledged that the actual travelled road area may temporarily require routing by way of an existing easement over private land.

Reservoirs

10. Lone Tree agrees that it will contribute land for one reservoir to the District as an amenity that will be owned by the District. Lone Tree shall also pay 100% of the cost of the construction of the reservoir in accordance with District standards and specifications as designed by professional engineers acceptable to the District. Lone Tree agrees that the reservoir will provide capacity for an additional 400,000 gallons to exclusively serve the community as a whole above and beyond the capacity required to service the development on the Foothills Lands, noting that the current requirement to service the development on the Foothills Lands is 1,000,000 gallons. Lone Tree also agrees that it will provide land for a wet well and a pump station and that it shall also pay 100% of the costs of the construction of the wet well and pump station. The land for the
 - (a) reservoir, and
 - (b) for the wet well and pump station

will be located on sites reasonably acceptable to the District.

Development Permits

11. Lone Tree acknowledges that the Foothills Lands are located in development permit areas and that they are subject to the requirement to obtain a development permit prior to proceeding with development of the Foothills Lands.

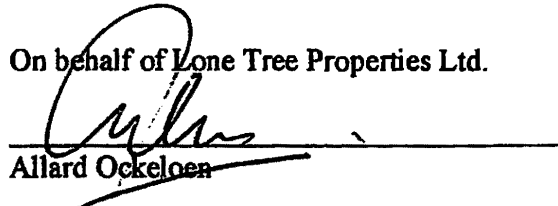
General

12. The Parties acknowledge and agree that nothing in this MOU affects the statutory duties or authority of the District under the *Community Charter, Local Government Act*, and other applicable enactments.

13. The Parties acknowledge and agree that the District's ability to enter into the binding legal agreements proposed under this MOU and its ability to adopt amendments to its Zoning Bylaw and OCP are subject to the approval of Council of the District, which approval is subject to Council's absolute unfettered discretion.

EXECUTED in Lantzville, British Columbia on the 4th day of September
20 14.

On behalf of Lone Tree Properties Ltd.


Allard Ockeloen

On behalf of the District of Lantzville


Mayor Jack de Jong


Twyla Graff, CAO

Motion for October 23, 2017 Regular Meeting:

Councillor Coulson MOVED THAT Council request staff conduct an information audit and report detailing how the Upper Pressure Zone became the targeted location for Nanaimo water whereas:

- 1) the District's solicitor conflict of interest opinion of 2013:
 - a) separated the supply of water between Upper and Lower Lantzville, not Upper/Lower Pressure Zone and,
 - b) the conflict of interest opinion of 2013 stated some members of Council were not in a conflict of interest regarding the Lantzville/Nanaimo water agreement because they lived in Lower Lantzville, even though these same individuals resided in the Upper Pressure zone at the time.
- 2) An article in the Nanaimo new Bulletin, dated May 30.2013, contains a quote from Al Kenning, CAO of the City of Nanaimo at the time, stating "the current proposal isn't to supply the entire area of Lantzville, it's to supply the area known as Upper Lantzville"
- 3) A June 18.2013 memo to Council from Twyla Graff, the CAO of the day, stated "in discussions with Al Kenning on Tuesday, June 18 Mr Kenning has indicated that they will have the City's legal counsel amend the agreement to reflect the new recently negotiated principles."
- 4) In a September 12.2014 email from Twyla Graff, the CAO of the day, it notes:
 - a) Al Kenning as the City of Nanaimo contact regarding negotiations resuming "if Lantzville were to supply 'Upper' Lantzville vs 'Lower'"
 - b) Water to be supplied to Upper Lantzville only
- 5) The September 4.2014 Memorandum of Understanding signed with Lone Tree properties Ltd (The Foothills) specifically states in section 8 that the District would consider granting to Lone Tree connections to the Nanaimo System for up to 16 Foothills premises each year.
- 6) The Foothills is not in the Upper Zone, as noted in the current July 2017 draft water master plan
- 7) the Lantzville Nanaimo Water, signed on September 8.2014, agreement specifically references Upper Lantzville being the recipient of Nanaimo Water,

Reference Information:

Page 26 – Water Servicing : Infrastructure Updates

PROPOSED PRESSURE ZONES

Figure 19 outlines the proposed future pressure zones.

LOWER PRESSURE ZONE

The Lower Pressure Zone would remain as existing with a top water elevation of 97.25 m. The area would continue to be serviced by Lantzville groundwater via the Ware Road reservoir.

UPPER PRESSURE ZONE

The Upper Pressure Zone would include properties to the extent of the Water Service Area, with the exception of the Clark Drive Area. The area would be serviced by a proposed new dual reservoir in the Foothills with a top water elevation of 158 m, supplied by water from Nanaimo.

PROPOSED MIDDLE PRESSURE ZONE

The proposed Middle Pressure Zone would include properties in the Clark Drive Area. The area would be serviced by the proposed new dual reservoir in the Foothills, using Lantzville groundwater pumped from Ware Road Reservoir.

Dual Reservoir: A water reservoir that has two or more cells that can be used separately or in conjunction. For example, Ware Road Reservoir has two cells that could be used separately if required.

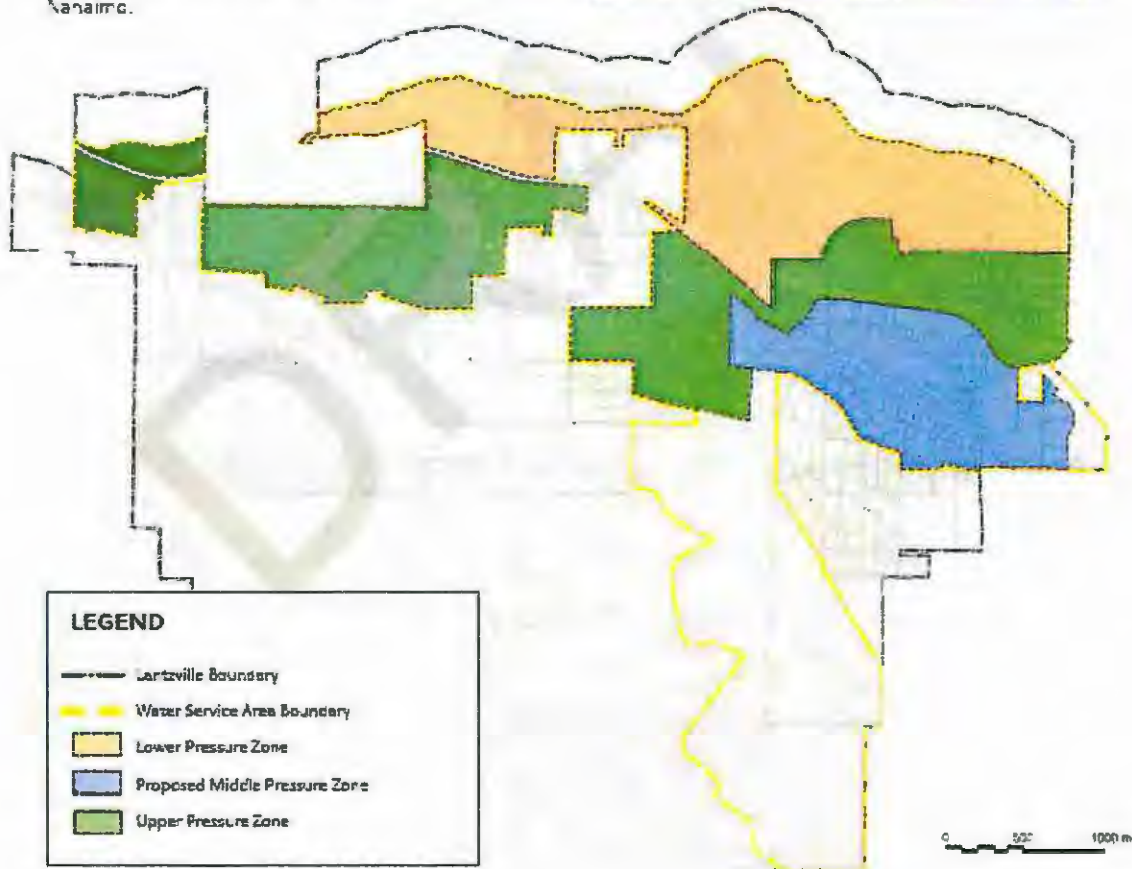


Figure 19: Potential Future Water Pressure Zones

From the "Facts" section of the June 24, 2013 Conflict of Interest Letter from Don Lidstone to DOL:

4. At some point in the future, once the properties in Upper Lantzville are served by City water pursuant to the proposed agreement with Nanaimo, the District will have excess capacity in its water supply system, and will be in a position to supply its water to properties within Lower Lantzville. At that time, Council will need to consider and adopt development cost charges, connection fees, and user rates, associated with the provision of District water in Lower Lantzville.
5. Mayor Jack de Jong and Councillors Bratkowski and Dempsey reside in Lower Lantzville. Their properties are served by wells. As noted above, once the properties in Upper Lantzville are serviced with City water, the District will be in a position to service additional parcels within Lower Lantzville with water from the District supply. Accordingly, their properties may receive District water in the future.

From the "Analysis" section of the June 24, 2013 Conflict of Interest Letter from Don Lidstone to DOL:

3. Providing water to Lower Lantzville

Again, as discussed by the judges in the Fairbrass cases above, more than a contingent possible future benefit to an elected official is required in order to give rise to a conflict of interest. For this reason, the potential future benefit of (additional) community water provision to properties owned by Council members, resulting from the available capacity in the District system once the Upper Lantzville properties receive City water, is insufficient to preclude these Council members from voting at this stage. Thus, in our opinion, at this point in time neither Mayor Jack de Jong nor Councillors Bratkowski, Dempsey or Haime have a conflict of interest, because of 104(1)(d) of the *Community Charter*.

That said, when the matter of water provision to Lower Lantzville properties is actually before Council, this issue should be revisited.

From the "Summary" section of the June 24, 2013 Conflict of Interest Letter from Don Lidstone to DOL:

- 4. Mayor Jack de Jong and Councillors Bratkowski, Dempsey and Haimre (in respect of the commercial property) do not have a conflict at this stage, because of s. 104(1)(d) of the *Community Charter*. That said, they may have a conflict of interest in the future when the matter of water provision to properties in Lower Lantzville is before Council;**

From the September 4, 2014 MOU:

- 8. If Lone Tree is not able to provide on-site water sufficient to meet the District standards, the District agrees that it will consider granting to Lone Tree connections to the Nanaimo system for up to 16 Foothills premises each calendar year, subject to the payment of applicable District development cost charges, connection fees and user fees. The parties acknowledge and agree that the District's consideration of the provision of water connections as set out above is subject to the following:
 - a. the District having an agreement with Nanaimo for the provision of water and, second; and**
 - b. to Council's unfettered discretion.****

June 18, 2013 Memorandum of Understanding

June 18, 2013

**DISTRICT OF LANTZVILLE
IN-CAMERA MEMORANDUM**

To: Mayor & Council
From: Twyla Graff, CAO
Re: Draft - Lantzville/Nanaimo Water Agreement

Please find attached draft Lantzville/Nanaimo Water Agreement dated December 14, 2011. In discussions with Al Kenning on Tuesday, June 18, Mr. Kenning has indicated that they will have the City's legal counsel amend the agreement to reflect the new recently negotiated principles. Following this amendment a copy will be provided to the District for our review.

In the interim I am preparing a letter, a copy of which will be provided to Council for comment and review prior to distribution, that will highlight the more significant principles of our negotiations for a water supply from the City of Nanaimo including details of the draft agreement for distribution to the residents of Lantzville.

Further, Council may wish to provide staff with a resolution authorizing the release of our water discussions with the City, in particular, details of the agreement.

From May 30th, 2013 Nanaimo News Bulletin Article:

"The current proposal isn't to supply the entire area of Lantzville, it's to supply the area known as Upper Lantzville," said Al Kenning, city manager for Nanaimo. "The actual demands on the city's systems will be relatively limited in the short term at least. As well, I think it's quite important that Lantzville has agreed to support Nanaimo's applications to senior governments for additional water supply, which is important because when communities work together it makes for a stronger application."

From September 12, 2014 email to Council regarding "Water Agreement & Supplemental information released Sept 8, 2014 – CONFIDENTIAL":

At this point, the draft agreement provided to myself on December 21, 2011, was, for lack of a better term 'shelved' and communications pertaining to this topic between the DoL and the CoN ceased in light of CoN Council's recent 'change of heart' given their circumstances.

In October of 2012, I approached Al Kenning to see if staff communications could resume if Lantzville were to look at supplying 'upper' Lantzville vs. 'lower', appreciating the fact that there are only 225 connections in upper Lantzville compared to the 651 connections in lower Lantzville and respecting the City's challenges with their own future supply needs.

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-
- staff (DoL and CoN) met in October/November to investigate the issues surrounding this option (e.g., separation of the system, etc)
 - staff (CoN and DoL) were able to conclude that this option had merit and at Lantzville's in-camera meeting held November 26, 2012, Council directed staff to approach the City of Nanaimo Council to request a meeting to discuss water supply options.
 - CoN Council and DoL Council met on January 30, 2013 at which time myself and Al Kenning presented to Council staff's thoughts re: the options available to consider moving forward with supplying water to the DoL.

As a result of discussions held at the January 30, 2013 meeting, the following additional/new principles were discussed and supported by this Council:

- Water to be supplied to upper Lantzville only
- Properties in the Northwind/Southwind area could potentially be connected (re: health concerns)
- Limiting connections relating to new development
- Not supplying water for agriculture or golf course purposes
- Lantzville to keep existing wells online; and
- Lantzville to support Nanaimo in securing future water supply

Motion for October 23, 2017 Regular Meeting:

Councillor Coulson MOVED THAT Council request a report from staff addressing:

- 1) How Council of the day could sign an MOU, dated September 4, 2014, with Lone Tree properties (The Foothills), offering up to 16 connections to Nanaimo water per year, when the Foothills lands are not part of the Upper Pressure Zone
- 2) Is there any legal exposure/risk to the District for offering an amenity which could not be offered based on the restrictions of where water Nanaimo water can be provided?

Reference Information:

From the September 4, 2014 MOU:

8. **If Lone Tree is not able to provide on-site water sufficient to meet the District standards, the District agrees that it will consider granting to Lone Tree connections to the Nanaimo system for up to 16 Foothills premises each calendar year, subject to the payment of applicable District development cost charges, connection fees and user fees. The parties acknowledge and agree that the District's consideration of the provision of water connections as set out above is subject to the following:**
 - a. **the District having an agreement with Nanaimo for the provision of water and, second; and**
 - b. **to Council's unfettered discretion.**

From September 22, 2014 Nanaimo News Bulletin Article:

Fred Spears, the district's director of public works, informed Coulson that references to upper and lower Lantzville have always referred to pressure zones and not geographical boundaries.

"The interpretation is the same from staff point of view in both Nanaimo and Lantzville. I have confirmed and I have in it writing that Nanaimo looks at the agreement as per upper pressure zone and lower pressure zone, the same way staff look at it here," he said.

Unlike the accepted geographical definition of upper and lower Lantzville, the upper and lower pressure zones are not divided by Highway 19. Instead, the upper pressure zone boundary line crosses into lower Lantzville near the Nanaimo border.

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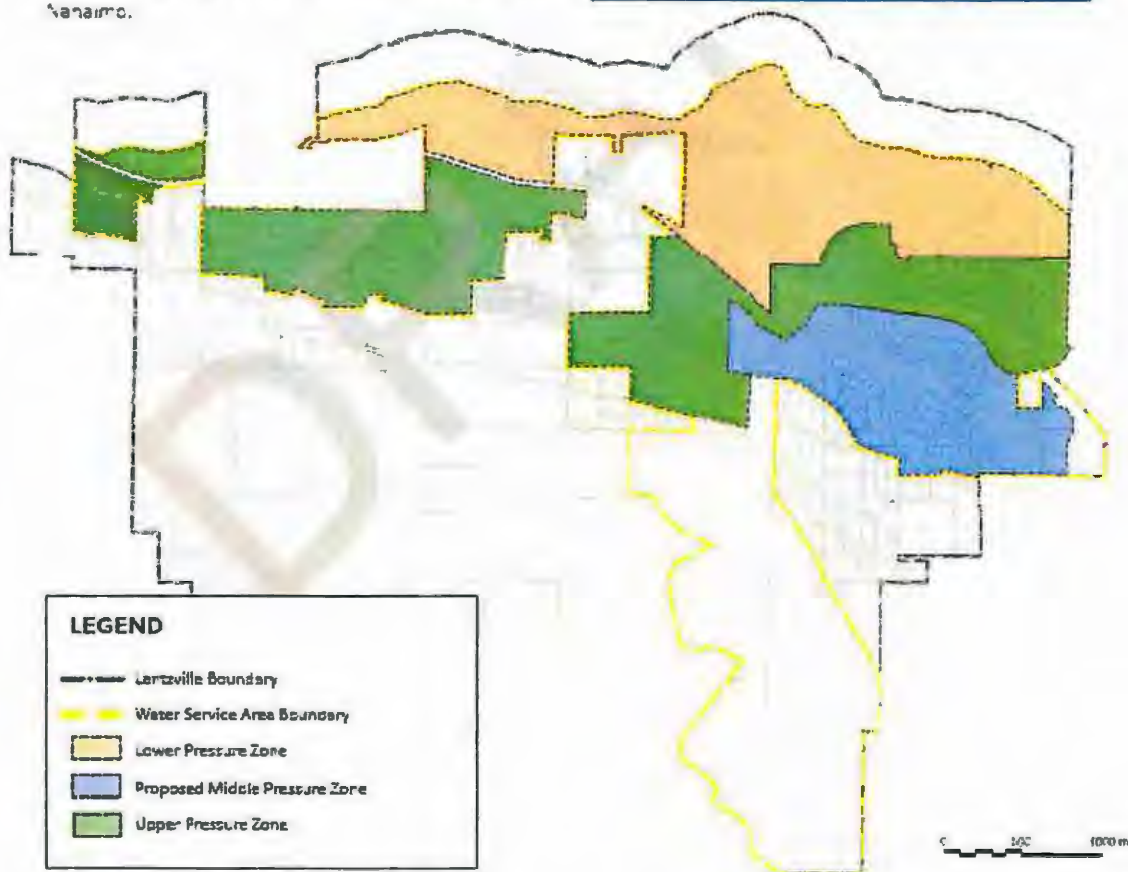


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