

**REGIONAL DISTRICT OF NANAIMO**

**REGULAR BOARD MEETING**

**TUESDAY, AUGUST 13, 2002**

**(immediately following Hospital Board meeting)**

*(City of Nanaimo Council Chambers)*

**A G E N D A**

**PAGES**

1. **CALL TO ORDER**
2. **DELEGATIONS**
  - 10 **Denis Cuerrier**, re Composting of Biosolids Contract Awarded to Malaspina College.
3. **BOARD MINUTES**
  - 11-19 Minutes of the Board meeting held on Tuesday, July 9, 2002.
4. **BUSINESS ARISING FROM THE MINUTES**
5. **COMMUNICATIONS/CORRESPONDENCE**
  - 20-21 **Jim Thom, North Central Municipal Association**, re BC Government Energy Policy Issues.
6. **UNFINISHED BUSINESS**
  - Bylaw Adoption.**
  - 22-23 **Bylaw No. 500.286** - Amendment to Home Based Business Operations - EA's 'A', 'C', 'D', 'E', 'G' and 'H'. (All Directors except EA 'B' - One Vote)
  - 24-29 **OCP/Zoning Amendment Bylaws for E & N Railway Corridor** - **Bylaw No.1240.01, 1148.02, 974.02, 1118.03, 814.07, 1115.02, 1007.03 & 500.283** (All Directors except EA 'B' - One Vote)
    - Bylaw No. 1299** - Parkland Acquisition Security Issuing Bylaw - Area B. (All Directors - Weighted Vote)
    - Bylaw No. 1089.02** - French Creek Bulk Water Local Service Area Development Cost Charge Boundary Amendment Bylaw - Area G. (All Directors - One Vote)
7. **STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**

**7.(I) ELECTORAL AREA PLANNING STANDING COMMITTEE**

30-32

Minutes of the regular Electoral Area Planning Committee meeting held July 23, 2002. (for information)

**PLANNING**

**DEVELOPMENT PERMIT APPLICATIONS**

**DP Application No. 0239 – Thompson – 4619 Maple Guard Drive – Area H.**  
(Electoral Area Directors except EA 'B' - One Vote)

*That Development Permit Application No. 0239, to construct a dwelling unit and to recognize the siting of existing retaining works, accessory building and septic system and to convert an existing cabin to an accessory building within the Hazard Lands Development Permit Area pursuant to the Shaw Hill-Deep Bay Official Community Plan Bylaw No. 1007, 1996, for the property legally described as Lot 35, District Lot 40, Newcastle District, Plan 16121, submitted by David and Sandra Thompson, be approved subject to the conditions and variances outlined in Schedules Nos. 1, 2, 3 & 4 and subject to notification requirements pursuant to the Local Government Act.*

**DP Application No. 0240 – PG Thomson on behalf of Hunt – 2399 Andover Road – Area E.** (Electoral Area Directors except EA 'B' - One Vote)

*That Development Permit Application No. 0240 submitted by PG Thomson, on behalf of G. and B. Hunt, to construct a portion of a new dwelling unit, attached deck, and landscape works within a Watercourse Protection Development Permit Area on the property legally described as Lot 55, District Lot 78, Nanoose District, Plan 47638, be approved, subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.*

**DP Application No. 0242 – Stesco – 3478 Grilse Road – Area E.** (Electoral Area Directors except EA 'B' - One Vote)

*That Development Permit Application No. 0242, submitted by Steven Stesco and Roberta Stesco, to legalize the existing stairway and deck structure within a Watercourse Protection Development Permit Area, and vary the minimum permitted setback from the top of a slope from 8.0 metres to 0.0 metres for the property legally described as Lot 69, District Lot 78, Nanoose District, Plan 15983, be approved, subject to the conditions as outlined in Schedule Nos. 1, 2 and 3 and subject to notification requirements pursuant to the Local Government Act.*

**DP Application No. 0243 – Gibson & Brosz – Horne Lake Caves Road – Area H.**  
(Electoral Area Directors except EA 'B' - One Vote)

*That Development Permit Application No. 0243 to vary the minimum setback requirements of the Comprehensive Development 9 (CD9) zone of 8 metres from the natural boundary of Horne Lake to a minimum of 0 metres for the stairs, and a minimum of 2.0 metres for the deck and recreational residence, to legalize the location of an existing recreational residence and other existing and proposed construction within an Environmentally Sensitive Areas Development Permit Area on the property legally described as Strata Lot 60, District Lot 251, Alberni District, Plan VIS5160, be approved and that the application be referred back to staff to develop conditions of approval.*

**DP Application No. 0230 – Ryan – Horne Lake Caves Road – Area H.** (Electoral Area Directors except EA 'B' - One Vote)

*That Development Permit Application No. 0230, submitted by Dennis and Florence Ryan, to vary the maximum floor area of the main floor of the recreational residence from 70 m<sup>2</sup> to 78 m<sup>2</sup> pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987, to permit the structural alteration to construct a permanent foundation of an existing recreational residence and deck within the Environmentally Sensitive Areas Development Permit Area on the property legally described as Strata Lot 93, District Lot 251, Alberni District, Plan VIS5160, be approved, subject to the requirements outlined in Schedules No. 1, 2 and 3.*

**DEVELOPMENT VARIANCE PERMIT APPLICATIONS**

**Development Variance Permit Application No. 0215 – Mengual – 2955 Anchor Way – Area E.** (Electoral Area Directors except EA 'B' - One Vote)

*That Development Variance Permit Application No. 0215, to relax the minimum rear lot line setback requirements from 2.0 metres to 0.0 metres to accommodate the construction of a retaining wall and to relax the minimum front lot line setback requirement from 8.0 metres to 0.0 metres to accommodate the construction of two driveway entrance pillars, as shown on Attachment No. 1 be approved, subject to the conditions outlined in Schedule Nos. 1, 2 and 3 and the notification requirements pursuant to the Local Government Act.*

**Development Variance Permit Application No. 0216 – Buffie – 6293 West Island Highway – Area H.** (Electoral Area Directors except EA 'B' - One Vote)

*That Development Variance Permit Application No. 0216 to vary the minimum setback requirement from 18.0 metres horizontal distance from the stream centerline of the back channel of Nash Creek to a minimum of 8.7 metres and to vary the minimum setback distance from 18.0 metres horizontal distance from the stream centerline of the main channel of Nash Creek to 16.9 metres for a building envelope to locate a dwelling unit for the property legally described as Lot 10, District Lot 21, Newcastle District, Plan 11567 be approved as outlined in Option B of the staff report subject to the requirements outlined in Schedules No. 1, 2 and 3.*

**7.(II) COMMITTEE OF THE WHOLE STANDING COMMITTEE**

33-37

Minutes of the regular Committee of the Whole Committee meeting held July 23, 2002. (for information)

**COMMUNICATIONS/CORRESPONDENCE**

**Gerald Berry, City of Nanaimo, re Firefighting Coverage for Properties Outside of Municipal Boundaries.** (All Directors - One Vote)

*That the correspondence received from the City of Nanaimo with respect to firefighting coverage for properties located outside Municipal boundaries, be received.*

**Rob Roycroft, City of Parksville, re Port Theatre.** (All Directors - One Vote)

*That the correspondence received from the City of Parksville with respect to the Port Theatre's funding request, be received.*

**Sandra Keddy, Town of Qualicum Beach, re Port Theatre.** (All Directors - One Vote)

*That the correspondence received from the Town of Qualicum Beach with respect to the Port Theatre's funding request, be received.*

**DEVELOPMENT SERVICES**

**BUILDING INSPECTION**

**Section 700 Filings.** (All Directors - One Vote)

*That a notice be filed against the title of the property listed, pursuant to Section 700 of the Local Government Act and that if the infractions are not rectified within ninety (90) days, legal action will be pursued:*

- (a) Lot 7, Block 6, Section 16, Range 1, Plan 2041, Cedar Land District, 2151 Holden Corso Road, Electoral Area 'A', owned by W. Taylor & R. Kulai;*
- (b) Lot 26, Section 18, Plan 21586, Gabriola Island, Nanaimo Land District, 661 Gallagher Way, Electoral Area 'B', owned by R. Pitre;*
- (c) Lot 11, Block 18, District Lot 78, Plan 1694, Nanoose & Newcastle Land Districts, 940 Bennett Road, Electoral Area 'G', owned by R. & G. Smith.*

**PLANNING**

**Community Identification Sign - Qualicum River Estates - Corcan Road - Area F.** (All Directors except EA 'B' - One Vote)

*That the request to recognize the 'Qualicum River Estates' name and area as a "distinct community" within the Regional District for the purpose of meeting Ministry of Transportation criteria to place an entrance sign within the Corcan Road right-of-way be supported.*

## **COMMUNITY SERVICES**

### **RECREATION & PARKS**

#### **Beach Access Improvements – Area G. (All Directors - One Vote)**

*That the Regional Board direct staff to proceed with the permit application to Ministry of Transportation for a 0.65 ha waterfront property (identified as road on Plan No. 22290, registered in 1969) in Columbia Beach, and the subsequent improvements outlined above.*

#### **Project Monitor Agreement with City of Nanaimo for District 69 Multiplex Arena. (All Directors - Weighted Vote)**

*That the Board approve entering into an agreement with the City of Nanaimo to use Mr. Lyle Percevault as Project Monitor for the District 69 Multiplex Arena Project.*

#### **Gabriola Island Regional Park – Name Change – Descanso Bay Regional Park. (All Directors - One Vote)**

*That the new regional park on Gabriola Island be named "Descanso Bay Regional Park".*

### **TRANSIT**

#### **Nanaimo City Centre Transit Exchange Review. (All Directors - One Vote)**

*That the report on the Nanaimo City Centre Transit Exchange Review be received for information.*

#### **Malaspina College/Downtown Nanaimo Transit Linkage. (City of Nanaimo and Electoral Areas A & D - Weighted Vote)**

- 1. That Nanaimo Regional Transit provide a shuttle between downtown Nanaimo and Malaspina University College from August 16<sup>th</sup> to December 20<sup>th</sup> 2002.*
- 2. That the marketing costs for the development of this shuttle will primarily be the responsibility of the Downtown Nanaimo Partnership.*

### **OTHER**

#### **Green's Landing Wharf – Lease Extension. (All Directors - Weighted Vote)**

*That the Regional District of Nanaimo requests from Public Works & Government Services Canada an extension of the temporary lease of the Green's Landing Wharf from September 30, 2002 to March 31, 2003.*

## **CORPORATE SERVICES**

### **ADMINISTRATION**

**2002 Local Government Elections – Appointment of CEO & DCEO.** (All Directors - One Vote)

*That Carol Mason, General Manager, Corporate Services, be appointed as the Chief Election Officer and Maureen Pearse, Manager of Administration Services, be appointed as the Deputy Chief Election Officer for the purpose of conducting the November 16, 2002 local government elections and referendums.*

### **SPECIAL EVENT/SPECIAL OCCASION APPLICATIONS**

**Status Reports (for information).** (All Directors - One Vote)

*That the Special Event/Special Occasion Applications Status Reports be received for information.*

## **ENVIRONMENTAL SERVICES**

### **COMMISSION, ADVISORY & SELECT COMMITTEE**

**District 69 Recreation Commission.** (All Directors - One Vote)

*That the minutes of the District 69 Recreation Commission meeting held July 11, 2002, be received for information.*

*That the recommendations stated in the Recreation and Parks 2003 Fees and Charges report be referred back to staff to investigate a phasing in option in consultation with the Parksville Golden Oldies Sports Association.*

*That all recommendations brought forward from the District 69 Recreation Commission's meeting of July 11, 2002, be referred back to staff.*

### **BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Concept Plan Proposal – Block 564 - Texada Land Corporation.** (All Directors except EA 'B' - One Vote)

*That staff be directed to bring forward a report to the next Board meeting (August 13, 2002) outlining the necessary amendments to the Growth Management Plan to consider a proposal submitted by Texada Land Corporation for Block 564.*

38-59

**Proposed Amendments to Board Remuneration.** (Report attached for information)  
(All Directors - One Vote)

*That the report with respect to proposed amendments to Board Remuneration be received and that the following recommendations of the Board Remuneration Committee with respect to Bylaws 1078 and 1317 be approved:*

**Bylaw 1078.** (All Directors - One Vote - 2/3)

1. *That the following recommendations of the Board Remuneration Committee with respect to Bylaw 1078 be approved as presented:*

**Base Remuneration**

- (a) *That the base remuneration be defined as remuneration for up to 5 meetings per month.*
- (b) *That the base rate of remuneration remain at \$7,940 for the next three years.*
- (c) *That the Chairperson's allowance be adjusted by 2% for 2003, and by the Vancouver CPI as at November 30<sup>th</sup> (effective in December) in 2004 and 2005*

**Mileage reimbursements**

- (d) *That Section 5(b)(vi) be amended to read : Attendance at meetings pursuant to a request from Regional District staff when the meeting occurs outside the member's jurisdiction*

**Meeting Per diems**

- (e) *That a rate of \$100 be established for "Other Business" meetings which last more than half a day.*
- (f) *That the definition of Committee Chair for the purposes of Scheduled Standing Committee per diem rates include the Chairperson of a Public Hearing or Public Information Meeting.*

**Travel per diems:**

- (g) *That a flat daily per diem allowance of \$60 be paid for attendances at UBCM, AVICC and FCM. No meal per diems will be paid for these conference attendances.*
2. *That the "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits (All Directors) Amendment Bylaw No. 1078.04, 2002" be introduced for first three readings.*
  3. *That the "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits (All Directors) Amendment Bylaw No. 1078.04, 2002" having received three readings be adopted.*

**Bylaw 1317. (Electoral Area Directors - Weighted Vote - 2/3)**

1. *That the following recommendations of the Board Remuneration Committee with respect to Bylaw 1317 be approved as presented:*

**Regional Allowance**

- (a) *That the base allowance be increased by \$200 for 2002/3.*
- (b) *That the base allowance be adjusted by the Vancouver CPI as at November 30<sup>th</sup> (effective in December) in 2003/4 and 2004/5.*
- (c) *That a rate of .45 per capita be calculated for populations exceeding 5,000 and that the per capita adjustment be fixed until the next census*

4. *That "Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Bylaw No. 1317, 2002 be introduced for first three readings.*
5. *That "Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Bylaw No. 1317, 2002 having received three readings be adopted.*

**7.(III) EXECUTIVE STANDING COMMITTEE**

**7.(IV) COMMISSION**

**7.(V) SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS**

G. Holme, re Board Appointment to the Project Committee for the Vancouver Island Generation Project. (Verbal)

Project Committee for the Vancouver Island Generation Project - Director Elliott (Verbal Update)

**8. ADMINISTRATOR'S REPORT**

- |         |  |
|---------|--|
| 60-62   | Operating Results to June 30, 2002. (All Directors - One Vote)   |
| 63-65   | Contravention of Unsightly Premises Regulatory Bylaw No. 1073 - Pitre - 661 Gallagher Way - Area B. (All Directors - One Vote)                   |
| 66-78   | Development Permit Application No. 0243 - Gibson and Brosz - Horne Lake Caves Road - Area H. (Electoral Area Directors except EA 'B' - One Vote) |
| 79-84   | Approach Path Zoning for the Nanaimo Airport - Area A (Electoral Area Directors except EA 'B' - One Vote)  |
| 85-100  | Vancouver Island Generation Project and Environment Assessment Review - All Electoral Areas (All Directors - One Vote)                           |
| 101-114 | Regional Growth Strategy Bylaw No. 1309 - Texada Land Corporation Block 54 Development Proposal. (All Directors except EA 'B' - One Vote)        |

**9. ADDENDUM**

**10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**



**11. NEW BUSINESS**

Chartwell/Sandpiper Water Supply - Director Stanhope. (Verbal)

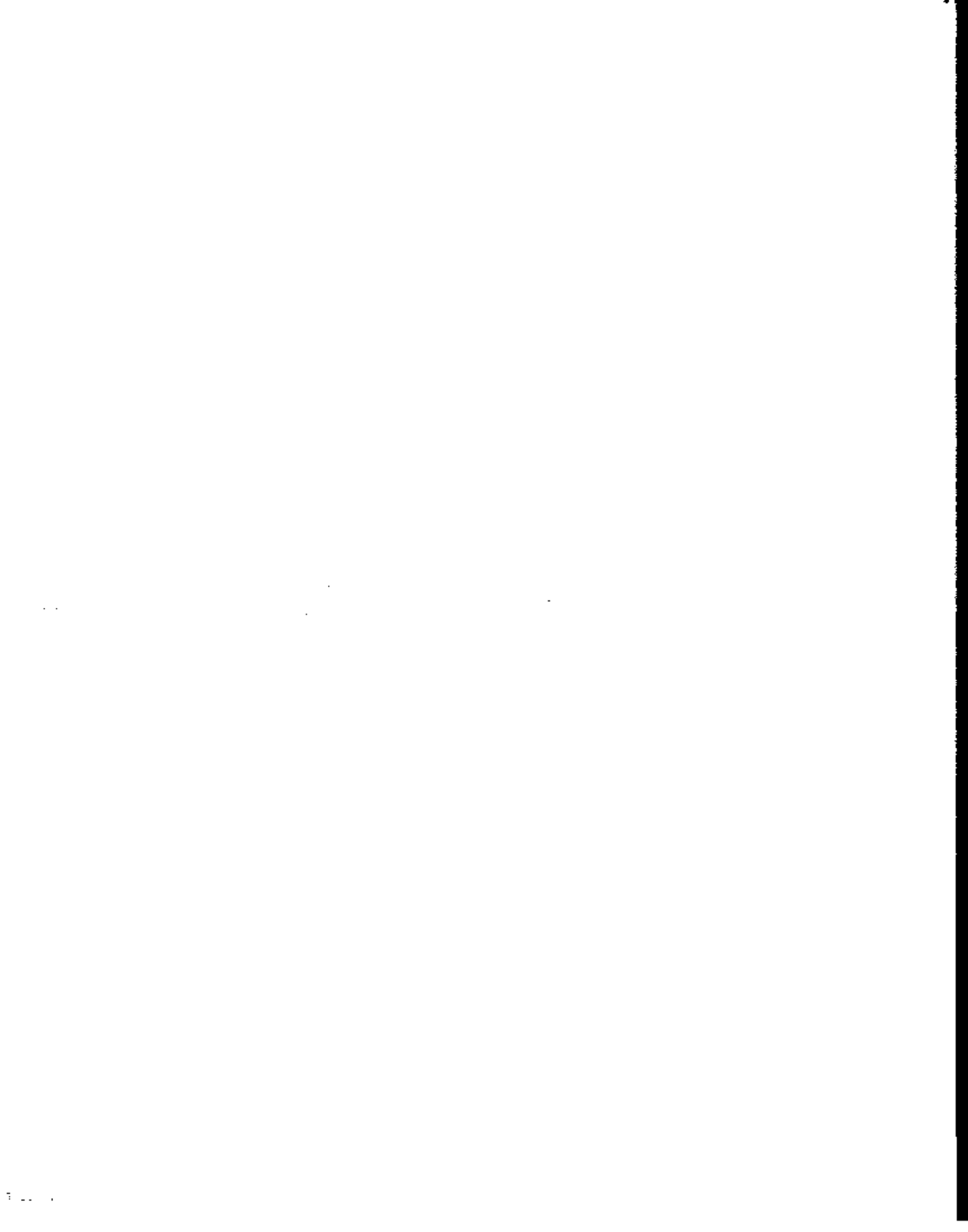
Representation at Meetings - Director Sperling. (Verbal)

Vancouver Island Generation Project - Director Elliott. (Verbal)

**12. BOARD INFORMATION (Separate enclosure on blue paper)**

**13. ADJOURNMENT**

**14. IN CAMERA**



**Burgoyne, Linda**

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**From:** Denis Cuerrier [dcuerrier@shaw.ca]

**Sent:** Friday, July 26, 2002 3:55 PM

**To:** Burgoyne, Linda

**Subject:** Request for Delegation

I would like to request special Delegation to make a 10 minutes presentation to the next Board of Directors meeting scheduled for August 13th, 2002.

The purpose of my delegation request is to ask that the Board cancel there contract with the **Malispina University College**. This contract was awarded recently by the RDN for the composting of Biosolids. The Malispina College is a **publicly funded entity** and should not be entitled to compete with private sector. The College has an unfair advantage over private companies.

Malispina College do not offer any Composting Education Program. I have confirmed it with the College.

The bottom line is clear and simple. The RDN must sever their relationship immidiately.

Thank you!

Denis Cuerrier

7/26/2002

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## REGIONAL DISTRICT OF NANAIMO

### MINUTES OF THE REGULAR MEETING OF THE BOARD OF THE REGIONAL DISTRICT OF NANAIMO HELD ON TUESDAY, JULY 9, 2002, AT 7:30 PM IN THE NANAIMO CITY COUNCIL CHAMBERS

#### Present:

Director G. Holme	Chairperson
Director L. Elliott	Electoral Area A
Director B. Sperling	Electoral Area B
Director E. Hamilton	Electoral Area C
Director D. Haime	Electoral Area D
Director J. McLean	Electoral Area F
Director J. Stanhope	Electoral Area G
Director R. Quittenton	Electoral Area H
Director J. Macdonald	City of Parksville
Director T. Westbroek Alternate	Town of Qualicum Beach
Director R. Cantelon	City of Nanaimo
Director G. Korpan	City of Nanaimo
Director L. Sherry Alternate	City of Nanaimo
Director S. Lance	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director B. Holdom	City of Nanaimo

#### Also in Attendance:

K. Daniels	Chief Administrative Officer
B. Lapham	Gen. Mgr. of Development Services
J. Finnie	Gen. Mgr. of Environmental Services
M. Pearse	Manager of Administrative Services
M. Donnelly	Manager of Transportation Services
N. Tom	Recording Secretary

#### SPECIAL PRESENTATION

**Presentation of a Certificate of Commendation to Per Humle by George Holme, Chairperson, on behalf of Her Excellency the Right Honourable Adrienne Clarkson, Governor General.**

The Chairperson presented a Certificate of Commendation to Mr. Humle on behalf of the Governor General for his selfless actions in coming to the rescue of an individual following a vehicle accident on November 22, 2001.

#### DELEGATIONS

**David Flaig, Combined Forest Holdings, re Request for Acceptance of Cash in Lieu of Park Land – Church & Valley Roads – Area F.**

Mr. Flaig provided a short history of the application for subdivision by Combined Forest Holdings and urged the Board to accept the application for cash in-lieu-of park land dedication as the subdivision application commenced prior to the adoption of the Area 'F' OCP.

**Phil Robertson, re DVP Application No. 0214 – Intracorp/Fairwinds – Arbutus Hills Development – Area E.**

Mr. Robertson speaking on behalf of a number of residents on Andover Road, spoke in opposition to DVP Application No. 0214. Mr. Robertson noted, however, that consultation with a representative of the applicant is ongoing.

**LATE DELEGATIONS**

MOVED Director Stanhope, SECONDED Director McNabb, that the following late delegations be permitted to address the Board.

CARRIED

**David Stalker, re Development Variance Permit No. 0211 – Kosak – 3043 Jameson Road – Area D.**

Mr. Stalker spoke in opposition to Development Variance Permit application No. 0211, citing his concerns with a 1.44 metre lot line.

**Wanda Kosak, re Development Variance Permit No. 0211 – Kosak – 3043 Jameson Road – Area D.**

Ms. Kosak addressed some of the previous delegation's concerns and urged the Board to approve DVP Application No. 0211.

**Helen Sims, re Development Variance Permit Application No. 0214 – Intracorp/Fairwinds – Arbutus Hills Development – Area E.**

Ms. Sims noted her client's wish to work with the neighbours with respect to their concerns regarding Lot 25, and requested that the application for development variance for Lot 25 be held in abeyance for thirty days and that approval for the remaining lots be approved. Ms. Sims also noted that a single level dwelling would be proposed for Lot 26.

MOVED Director Sherry, SECONDED Director McLean, that the delegations be received.

CARRIED

**BOARD MINUTES**

MOVED Director Sherry, SECONDED Director Korpan, that the minutes of the regular Board meeting held on June 11, 2002 and the Special Board meeting held on Tuesday, June 25, 2002 be adopted.

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

**Scott Tanner, re Community Bonds.**

MOVED Director Korpan, SECONDED Director Westbrook, that the correspondence received from Scott Tanner with respect to the Community Bond as an alternative to conventional debenture borrowing, be received.

CARRIED

**George Koutris, re Development Variance Permit Application No. 0214 – Intracorp/Fairwinds – Arbutus Hills Development – Area E.**

MOVED Director Korpan, SECONDED Director Westbrook, that the correspondence received from George Koutris with respect to Development Variance Permit Application No. 0214 be received.

CARRIED

**UNFINISHED BUSINESS**

**From the Board Meeting held June 11, 2002.**

**Development Variance Permit Application No. 0211 - Kosak - 3043 Jameson Road - Area D.**

MOVED Director Haime, SECONDED Director McLean, that Development Variance Permit Application No. 0211, submitted by Wanda Kosak for the property legally described as Lot 1, Section 12, Range 3, Mountain District, Plan 38230, to vary a lot line from 8.0 metres to 1.44 metres, be approved, subject to notification requirements pursuant to the *Local Government Act*.

CARRIED

**Public Hearing.**

**Minutes of the Public Hearing held June 19, 2002 with respect to Bylaw No. 500.286 – Amendment to Home Based Business Operations – Areas A, C, D, E, G and H.**

MOVED Director Stanhope, SECONDED Director Quittenton, that the minutes of the Public Hearing held Wednesday, June 19, 2002 as a result of public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.286, 2002", be received.

CARRIED

MOVED Director Stanhope, SECONDED Director Quittenton, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.286, 2002" be given 3<sup>rd</sup> reading and be referred to the Ministry of Transportation for approval.

CARRIED

**STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**

**ELECTORAL AREA PLANNING STANDING COMMITTEE**

MOVED Director Hamilton, SECONDED Director Haime, that the minutes of the regular Electoral Area Planning Committee meeting held June 25, 2002, be received for information.

CARRIED

**PLANNING**

**DEVELOPMENT PERMIT APPLICATIONS**

**DP Application No. 0235 – M. Salmon on Behalf of Wilcox – Strata Lot 59, Horne Lake Caves Road – Area H.**

MOVED Director Quittenton, SECONDED Director Hamilton, that Development Permit Application No. 0235 be approved subject to the conditions set out in Schedule Nos. 1 and 2 of the corresponding staff report and the notification requirements pursuant to the *Local Government Act*.

CARRIED

**DP Application No. 0236 – Roy – 3379 Blueback Drive – Area E.**

MOVED Director Hamilton, SECONDED Director Stanhope, that Development Permit Application No. 0236, submitted by Fern Road Consulting, Agent, on behalf of Louise Roy, to facilitate the construction of (1) an addition to a single dwelling unit within the Development Permit Area and (2) a stairwell to access the foreshore by varying the minimum permitted setback to the natural boundary of the ocean for the stairwell, within the Residential 1 (RS1) zone from 8.0 metres to 0.0 metres for the property legally described as Lot 29, District Lot 78, Nanoose District, Plan 15983, be approved, subject to conditions as outlined in Schedule No. 1 and subject to notification requirements pursuant to the *Local Government Act*.

CARRIED

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**DEVELOPMENT VARIANCE PERMIT APPLICATIONS**

**Development Variance Permit Application No. 0210 – Littlewood – 2406 Nanoose Beach Road – Area E.**

MOVED Director Hamilton, SECONDED Director Haime, that Development Variance Permit Application No. 0210, submitted by Scott Littlewood for the property legally described as Parcel No. 1 (DD 24745N) of Lot A, of Lot 79, Nanoose District, Plan 1460, to vary the other lot line from 5.0 metres to 0.0 metres and the interior side lot line from 2.0 metres to 0.0 metres, be approved, subject to the conditions outlined in Schedule No. 1 as amended to replace the words "within 30 days" with the words "within 60 days", and subject to the notification requirements pursuant to the *Local Government Act*.

**Development Variance Permit Application No. 0213 – Walker – 3652 Dolphin Drive – Area E.**

MOVED Director Hamilton, SECONDED Director Haime, that Development Variance Permit Application No. 0213, submitted by Helen Sims, Agent, on behalf of James Walker and Faye Walker, for the property legally described as Lot 26, District Lot 78, Nanoose District, Plan 20762 to vary the minimum other lot line setback requirements of the Residential 1 (RS1) zone from 5.0 metres to 0.0 metres to legalize the siting of a retaining wall, and to vary the other lot line setback from 5.0 metres to 0.1 metres to facilitate the construction of an accessory building, both as shown on Schedule No. 2 be approved, subject to the conditions outlined in Schedule No. 1, and subject to the notification requirements pursuant to the *Local Government Act*.

CARRIED

**Development Variance Permit Application No. 0231 – Culverden Holdings Inc./Davey – 1888 Kay Road – Areas E & G.**

MOVED Director Hamilton, SECONDED Director Stanhope, that Development Permit Application No. 0231 to legalize the construction of a fire protection device within an Environmentally Sensitive Area and Watercourse Protection Development Permit Area on the property legally described as Lot 1, District Lot 171, Nanoose District, Plan VIP71158, be approved, subject to the conditions outlined in Schedules No. 1 and 2.

CARRIED

**Development Variance Permit Application No. 0214 – Intracorp/Fairwinds – Arbutus Hills Development – Area E.**

MOVED Director Hamilton, SECONDED Director McLean, that Development Variance Permit Application No. 0214 submitted by Helen Sims, Agent on behalf of 3536696 Canada Inc., to facilitate construction of single dwelling units and retaining walls for the properties legally described as Lots 2-20 and Lot 26 (single level dwelling unit with no setback relaxation for retaining walls in the front setback), District Lot 78, Nanoose District, Plan VIP73214, be approved subject to the conditions outlined in Schedules No. 1 and 2 and subject to the notification requirements pursuant to the *Local Government Act* and that the application for Lot 25 be held in abeyance for one month.

CARRIED

**COMMITTEE OF THE WHOLE STANDING COMMITTEE**

MOVED Director Stanhope, SECONDED Director Sherry, that the minutes of the Committee of the Whole meeting held June 25, 2002, be received for information.

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

**Don Sutherland, Ministry of Community, Aboriginal & Women's Services, re Order in Council to Acquire Access to Regional Parks & Trails.**

MOVED Director Stanhope, SECONDED Director Quittenton, that the correspondence received from the Ministry of Community, Aboriginal & Women's Services, with respect to the approval of an amendment to RDN Regulation, BC Reg. 194/91 to add a section regarding access to regional parks and trails, be received.

CARRIED

Director McNabb left the meeting citing a possible conflict with the next item.

**DEVELOPMENT SERVICES****BUILDING INSPECTION****Section 700 Filings.**

MOVED Director Hamilton, SECONDED Director Macdonald, that a notice be filed against the title of the property listed, pursuant to Section 700 of the Local Government Act and that if the infractions are not rectified within ninety (90) days, legal action will be pursued:

- (a) Lot 12, Section 11, Range 2, District Lot 8, Plan 23856, Cedar Land District, 2159 Yellow Point Road, Electoral Area 'A', owned by J. Yanda;
- (b) North 40 acres of the South East ¼ of Section 2, Gabriola Island, Nanaimo Land District, 2411 South Road, Electoral Area 'B', owned by M. Zane and M. Gauvin;
- (c) Lot 1, Block 1, District Lot 27G (formerly known as Lot 27), Plan 6756, Wellington Land District, 7056 Lavender Road, Electoral Area 'D', owned by L. Kilner;
- (d) Lot 39, District Lot 116, Plan 27229, Nanoose Land District, 1106 Symons Crescent, Electoral Area 'G', owned by P. Seggie.

CARRIED

Director McNabb returned to the meeting.

**PLANNING****ALR Exclusion Application No. 0206 – Dorman – Pirart Road – Area D.**

MOVED Director Haime, SECONDED Director Sherry, that application for exclusion from the Agricultural Land Reserve for a portion of Lot D, Sections 16 and 17, Range 5, Mountain District, Plan 2964, except those parts thereof included within the boundaries of Plans 17458 and 20359, be refused, and that the Land Reserve Commission be advised that this application is not proceeding.

CARRIED

**Request for Acceptance of Cash in Lieu of Park Land – Kenyon & Wilson on behalf of Arturo Mendenhall – Smithers & Bellevue Roads – Area F.**

MOVED Director McLean, SECONDED Director Holdom, that the request, submitted by Kenyon & Wilson, BCLS, on behalf of Arturo Mendenhall, pursuant to Section 941 of the Local Government Act, offering to pay cash in-lieu-of park land dedication in conjunction with the proposed subdivision of Lot 1, District Lot 99, Nanoose District, Plan 2626, Except Part in Plans 37533 and VIP53117, be referred back to the Subdivision Approving Officer, recommending that the subdivision be denied in the public interest as it is inconsistent with the Area 'F' Official Community Plan and proposed zoning Bylaw 1285, and due to concerns regarding possible contamination of the area's water source, septic disposal and drainage issues.

CARRIED

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**Request for Acceptance of Cash in lieu of Park Land – JE Anderson on behalf of Combined Forest Products Ltd. – Church & Valley Roads – Area F.**

MOVED Director McLean, SECONDED Director Macdonald, that the request, submitted by JE Anderson & Associates, BCLS, on behalf of Combined Forest Holdings Ltd., pursuant to Section 941 of the Local Government Act, offering to pay cash in-lieu-of park land dedication in conjunction with the proposed subdivision of Lot 11, District Lot 156, Nanoose District, Plan 1964, be referred back to the Subdivision Approving Officer, recommending that the subdivision be denied as it is inconsistent with the Area 'F' Official Community Plan zoning which proposes a minimum parcel size of 1.0 ha.

CARRIED

**COMMUNITY SERVICES**

**REGIONAL DEVELOPMENT**

**Regional Growth Management Plan Review – Present Status Lands Designation – Bylaw No. 1309.**

MOVED Director Stanhope, SECONDED Director Sherry, that the report on the issue of the Present Status Lands (Sub-Urban Area) designation, prepared as a part of the Growth Management Plan Review and consideration of Regional Growth Strategy Bylaw 1309, be received for information.

CARRIED

MOVED Director Stanhope, SECONDED Director Westbroek, that "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" be received.

CARRIED

MOVED Director Stanhope, SECONDED Director Macdonald, that "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

A recorded vote was requested.

MOVED Director McLean, SECONDED Director Quittenton, that this item be deferred for twenty-four months.

DEFEATED

The question was called on the motion.

The motion CARRIED with Directors Holme, Hamilton, Sherry, Haime, Macdonald, Holdom, McNabb, Elliott, Lance and Stanhope voting in the affirmative and Directors Quittenton, Westbroek, McLean, Korpan and Cantelon voting in the negative.

MOVED Director Stanhope, SECONDED Director McNabb, that "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" proceed to public hearing on a date to be determined by the Public Hearing Chairpersons or their alternates.

CARRIED

MOVED Director Stanhope, SECONDED Director Holdom, that the holding of the public hearing with respect to "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" be delegated to Board Chair Director George Holme, Board Deputy Chair Director Larry McNabb and Committee of the Whole Chair Director Stanhope, or their alternates.

CARRIED

**Regional Growth Management Plan Review – Watersheds – Bylaw No. 1309.**

MOVED Director Stanhope, SECONDED Director Sherry, that the report on the issue of watersheds, prepared as a part of the Growth Management Plan Review and consideration of Regional Growth Strategy Bylaw 1309, be received for information.

CARRIED

**TRANSIT****Transit Service and Feasibility Reviews – Cedar & Gabriola Island.**

MOVED Director Stanhope, SECONDED Director Cantelon, that the Transit Service and Feasibility reports for Cedar and Gabriola be received for information and be brought forward as part of the 2003 Transit Business Plan review.

CARRIED

**Regional Transit/handyDART – 2001 BC Transit Performance Summary.**

MOVED Director Stanhope, SECONDED Director Westbrook, that the Regional Transit/HandyDART 2001 Performance Summary report be received for information.

CARRIED

MOVED Director Stanhope, SECONDED Director Cantelon, that a letter of congratulations be sent to the staff of the Transportation Services Department with respect to their excellent performance in the past year in achieving an outstanding cost recovery and service record.

CARRIED

**BC Transit – Funding & Service Strategy Review.**

MOVED Director Stanhope, SECONDED Director Sherry, that the Regional District respond to BC Transit's Phase 1 Consultation program concerning reduced funding for 2003 with a position that BC Transit consider a reduction to their annual administration fee to assist with the Regional District's 2003 budget review process for Transit this Fall.

CARRIED

**ENVIRONMENTAL SERVICES****SOLID WASTE****Contract for Bird Control at Regional Landfill.**

MOVED Director Sherry, SECONDED Director Holdom, that the Board award the contract for bird control services at the Regional Landfill to Pacific Northwest Raptors for a period of three years commencing September 1, 2002 at a total cost of \$249,000.

CARRIED

**UTILITIES****Rural Streetlighting LSA Boundary Amendment Bylaw No. 791.04 – Area G.**

MOVED Director Stanhope, SECONDED Director Sherry, that "Rural Streetlighting Local Service Area Boundary Amendment Bylaw 791.04, 2002" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

**Driftwood Water Supply Service Area Bylaw No. 1255.01 – Area E.**

MOVED Director Stanhope, SECONDED Director Sherry, that "Driftwood Water Service Area Boundary Amendment Bylaw 1255.01, 2002" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

**COMMISSION, ADVISORY & SELECT COMMITTEE****Lantzville Parks & Open Space Advisory Committee.**

MOVED Director Haime, SECONDED Director McNabb, that the minutes of the Lantzville Parks & Open Space Advisory Committee meeting held May 6, 2002, be received for information.

CARRIED

**PAGE  
17**

**Area A Parks, Recreation and Greenspaces Advisory Committee.**

MOVED Director Elliott, SECONDED Director Macdonald, that the minutes of the Area A Parks, Recreation and Greenspaces Advisory Committee meeting held May 16, 2002, be received for information.

CARRIED

**District 69 Recreation Commission.**

MOVED Director Quittenton, SECONDED Director Westbrook, that the minutes of the District 69 Recreation Commission meeting held June 11, 2002, be received for information.

CARRIED

**Nanoose Bay Parks & Open Space Advisory Committee.**

MOVED Director Hamilton, SECONDED Director Holdom, that the minutes of the Nanoose Bay Parks & Open Space Advisory Committee meeting held June 10, 2002, be received for information.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Canadian Community Monitoring Network.**

MOVED Director Holdom, SECONDED Director Stanhope, that the Board support the Canadian Nature Federation and the Ecological Monitoring and Assessment Network Coordinating Office of Environment Canada's Canadian Community Monitoring Network initiative.

CARRIED

**SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE**

**Intergovernmental Advisory Committee.**

MOVED Director Sherry, SECONDED Director Macdonald, that the minutes from the Intergovernmental Advisory Committee meetings held on June 6, June 14, June 19 and June 27, 2002 be received for information.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Community Bonds – Arena Multiplex Facility.**

MOVED Director Westbrook, SECONDED Director McNabb, that staff prepare a report on the financing options for the Arena Multiplex Facility including community bonds.

CARRIED

**NEW BUSINESS**

**Arrowsmith Community Justice Society.**

Director Westbrook presented an overview of the Arrowsmith Community Justice Society's statistical report and noted that he would be requesting consideration of funding this programme in the future.

CARRIED

**Electoral Area 'A' Community Trails Study Project Committee.**

MOVED Director Elliott, SECONDED Director Korpan, that Joe Materi be appointed to the Electoral Area 'A' Community Trails Study Project Committee.

CARRIED

**ADJOURNMENT**

MOVED Director Sherry, SECONDED Director McNabb, that this meeting terminate.

CARRIED

TIME: 8:55 PM

---

CHAIRPERSON

---

GENERAL MANAGER, CORPORATE SERVICES



NORTH CENTRAL MUNICIPAL ASSOCIATION

P.O. Box 1426, Prince George, B.C. V2L 4V4  
Telephone: 250.962.2051 • Facsimile: 250.962.8703  
Website: <http://ncma.anorthernbc.com> • Email: [ncma@telus.net](mailto:ncma@telus.net)

June 27, 2000

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

REGIONAL DISTRICT RECEIVED NANAIMO	
JUL 09 2000	
CHAIR	GMCrs
CAO	GMDS
GMCm8	GMES
<i>Bid correspondence</i>	

Re: BC Government Energy Policy Issues – to be debated at UBCM

The North Central Municipal Association recently endorsed a response to the BC Government Energy Policy paper released earlier this year. The following recommendations from this paper will be presented as resolutions on the floor of the UBCM convention in Whistler this September.

1. Low cost electricity produced by the major dams on the Peace and Columbia Rivers and other dams in BC that were developed by public investments guaranteed by the citizens of BC will be regarded as an entitlement in perpetuity for the benefit of all British Columbians.
2. Rates charged for electricity to customers in BC will continue to be based on the cost of production that combines the low cost entitlement power and the incremental power developed from new sources. Postage stamp rates will continue to be provided across the province. Further, an energy policy for BC will include providing economical, affordable electricity in order to attract industry and improve the quality of life of British Columbians.
3. BC Hydro will continue to hold an obligation to serve throughout its service area. Further, an energy policy for BC will include mechanisms to facilitate electrical extensions at affordable cost to serve areas currently un-served.
4. The province will instruct the BC Utilities Commission to review electricity rates specifically to address the load of direct and indirect taxation that is among the highest of any jurisdiction in Canada, in the recognition that this high tax load robs BC industry of competitiveness and adds to the cost of living for residents.

5. The province will recognize that the BC Hydro electrical generation, transmission and distribution system is an enormous strategic and profitable asset, which can be used to achieve economic objectives that benefit all British Columbians and will not be sold or privatized.
6. The province will consider international analyses of climate change, as well as implications of the Kyoto Protocol, in any further development of energy policy.
7. An energy policy for BC will include a mandate for BC Hydro to produce and transmit electricity for export at market rates after its first mandate to serve BC's domestic needs has been satisfied; and further that as part of the export mandate, that BC Hydro transmit independent power production power to export markets and improve potential export transmission lines.

A copy of the complete report is available from your Area Association, or at <http://ncma.enorthernbc.com>.

We urge you to support these resolutions and send a strong message to the Provincial Government regarding the future of BC Hydro, its assets, and the strong economic advantage that its current structure provides to the people of British Columbia.

Sincerely,



Jim Thom  
President



REGIONAL DISTRICT OF NANAIMO			
JUL 30 2002			
CHAIR		GMCrS	
CAO		GMDS	
GMCrS		GMES	
		<i>Bed</i>	<input checked="" type="checkbox"/>

# MEMORANDUM

**TO:** Pamela Shaw  
Manager, Community Planning

**DATE:** August 2, 2002

**FROM:** Deborah Jensen  
Planner

**FILE:** 3360 30 0206

**SUBJECT:** Bylaw No. 500.286 – Amendment to Home Based Business Operations  
Electoral Areas A, C, D, E, G and H

## PURPOSE

To consider Bylaw No. 500.286 for adoption.

## BACKGROUND

Bylaw No. 500.286 was considered by the Board and given 1<sup>st</sup> and 2<sup>nd</sup> reading on May 14, 2002. A public hearing was held on June 19, 2002, and the Board granted the Bylaw 3<sup>rd</sup> reading on July 9, 2002.

Bylaw No. 500.286 is an amendment bylaw consisting of a text amendment to prohibit "fast food outlets" as a home based business operation. This text amendment will revise Section 3.3.12(b)(xxv) **Prohibited Uses** by replacing "*sale of food and/or beverages for immediate consumption on the premises, other than breakfast served by a bed and breakfast to the traveling public who have been provided with overnight accommodation*" with the following statement:

*"sale of food and/or beverages for immediate consumption on or off the premises by an individual or household, and specifically including fast food outlets, neighbourhood pubs, and restaurants, but not including breakfast served by a bed and breakfast to the traveling public who have been provided with overnight accommodation."*

The Bylaw may now be considered for adoption by the Regional Board.

## ALTERNATIVES

The following options are available for consideration:

1. To adopt Bylaw 500.286.
2. To not adopt Bylaw 500.286, and to give further direction to staff.

## VOTING

All Directors – one vote, except Electoral Area 'B'.


**SUMMARY/CONCLUSIONS**

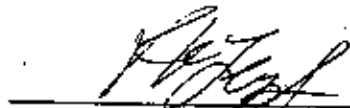
"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.286, 2002" was given 1<sup>st</sup> and 2<sup>nd</sup> reading on May 14, 2002. A Public Hearing was held on June 19, 2002, and the Bylaw was given 3<sup>rd</sup> reading on July 9, 2002. The Bylaw can now be considered for adoption.


The following recommendation is provided for consideration by the Board.

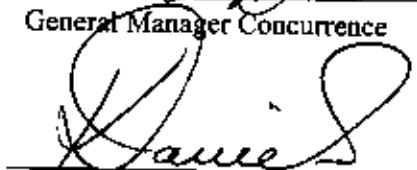
**RECOMMENDATION**

That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.286, 2002" be adopted.

  
\_\_\_\_\_  
Report Writer

  
\_\_\_\_\_  
General Manager Concurrence

  
\_\_\_\_\_  
Manager Concurrence

  
\_\_\_\_\_  
CAO Concurrence

**COMMENTS:**

3360 30 0007 au brd Burgess Greaves adpt.doc





REGIONAL DISTRICT OF NANAIMO			
JUL 30 2002			
CHAIR		GMCrs	
CAO		GMDS	
CMOms		GMES	
		<i>End</i>	<input checked="" type="checkbox"/>

MEMORANDUM

TO: Pamela Shaw  
 Manager of Community Planning

DATE: July 30, 2002

FROM: Geoff Garbutt  
 Senior Planner

FILE: 6410 00 RAIL

SUBJECT: Zoning/OCP Amendment Bylaws for E&N Railway Corridor

PURPOSE

To consider adoption of Official Community Plan (OCP) and Zoning Amendment Bylaws for the E&N Railway corridor.

BACKGROUND

The Board gave 1<sup>st</sup> reading and referred the Electoral Area 'A', Arrowsmith Benson-Cranberry Bright, Lantzville, Nanoose Bay, Englishman River, French Creek, and the Shaw Hill Deep Bay OCP Amendment Bylaws to the public and agencies for consultation at their Regular Meeting held March 12, 2002. The Board received a summary of the input received during the public consultation phase and gave 2<sup>nd</sup> reading to the OCP Amendment Bylaws and referred these bylaws to public hearing at their Regular Meeting held May 14, 2002. In addition, at the March 12, 2002 Meeting the Board gave two readings to Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.283, 2002 and referred the bylaw to public hearing.

A public hearing was held pursuant to the *Local Government Act* for both the OCP and Zoning Amendment Bylaws on May 29, 2002. The Board gave 3<sup>rd</sup> reading to the Bylaws and referred the OCP Amendment Bylaws to the Ministry of Community, Aboriginal and Women's Services and the Land Reserve Commission and the Zoning Amendment Bylaw to the Ministry of Transportation for consideration of approval at their Regular Meeting May 14, 2002.

In accordance with the *Local Government Act*, the Board may now consider the adoption of the proposed OCP and Zoning Amendment Bylaws for the E&N Railway corridor.

ALTERNATIVES

1. To adopt the OCP and Zoning Amendment Bylaws for the E&N Railway corridor.
2. To not adopt the OCP and Zoning Amendment Bylaws for the E&N Railway corridor.

GOVERNMENT AGENCY REFERRAL

Section 882(4) of the *Local Government Act* requires that OCP amendments be referred to the Ministry of Community, Aboriginal and Women's Services (MCAWS) for approval. Further, the *Local Government Act* requires that where OCP amendments impact land located in the Agricultural or Forest Land Reserve that the amendments be referred to the Land Reserve Commission (LRC) for comment. The OCP Amendment Bylaws were referred and subsequently approved by MCAWS and the LRC (see Attachment No. 1). Section 54(2) of the *Highway Act* requires that zoning bylaw amendments that have an impact on a controlled access intersection be referred to the Ministry of Transportation for approval. Bylaw No. 500.283 was referred and subsequently approved by the Ministry of Transportation in Nanaimo (see Attachment No. 2).

## LEGAL IMPLICATIONS

The process to draft and adopt proposed OCP and Zoning Bylaw Amendments is consistent with the requirements of the *Local Government Act*.

## VOTING

All Directors – one vote except Electoral Area 'B' with respect to the proposed amendments to the Official Community Plans.

Electoral Area Directors only – one vote except Electoral Area 'B' with respect to the proposed amendments to the Zoning Bylaw.

## SUMMARY

The Board of the Regional District of Nanaimo gave 3<sup>rd</sup> reading to Official Community Plan and Zoning Amendment Bylaws for the E&N Railway corridor at its regular meeting on May 14, 2002. Following 3<sup>rd</sup> reading the Official Community Plan Amendment Bylaws were referred to the Ministry of Community, Aboriginal and Women's Services and the Zoning Amendment Bylaw was referred to the Ministry of Transportation for approval. Given the level of public and stakeholder consultation, and having received approval from the appropriate referral agencies, staff is of the opinion that the OCP and Zoning Amendment Bylaws for the E&N Railway corridor may now be considered for adoption.

## RECOMMENDATIONS

1. That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw Amendment Bylaw No. 1240.01, 2002" be adopted.
2. That "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.02, 2002" be adopted.
3. That "Regional District of Nanaimo Lantzville Official Community Plan Bylaw Amendment Bylaw No. 974.02, 2002" be adopted.
4. That "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw Amendment Bylaw No. 1118.03, 2002" be adopted.
5. That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.07, 2002" be adopted.
6. That "Regional District of Nanaimo French Creek Official Community Plan Bylaw Amendment Bylaw No. 1115.02, 2002" be adopted.
7. That "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan Bylaw Amendment Bylaw No. 1007.03, 2002" be adopted.
8. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.283, 2002" be adopted.

Report Writer

General Manager Concurrence

Manager Concurrence

CAO Concurrence

## COMMENTS:

devsr/reports/2002/6410 00 RAIL au brd E&N ZB OCP Adopt

Attachment No. '1'  
OCP Amendment Bylaw Approvals

07/12/02 14:51 250 387 7972 PLANNING BRANCH 001



July 12, 2002

Carol Mason  
Corporate Administrator  
Regional District Of Nanaimo  
6300 Hammond Bay Rd  
Nanaimo BC V8T 6N2

Dear Carol Mason:

Re: Bylaw Approval

Please find enclosed one copy of the below noted bylaw(s) approved by the Minister of Community, Aboriginal and Women's Services pursuant to section(s) 882 of the *Local Government Act*.

<u>BYLAW</u>	<u>APPROVED</u>	<u>APPROVAL NUMBER</u>
814.07, 2002	July 11, 2002	2002105
974.02, 2002	July 11, 2002	2002106
1007.03, 2002	July 11, 2002	2002107
1115.02, 2002	July 11, 2002	2002108
1118.03, 2002	July 11, 2002	2002109
1240.01, 2002	July 11, 2002	2002110
1148.02, 2002	July 11, 2002	2002111

.../2

Ministry of  
Community, Aboriginal  
and Women's Services

Planning Branch

Mailing Address:  
PO Box 9490 5th Flay Govt  
Victoria BC V8W 9N7  
Tel: (250) 387-4038  
Fax: (250) 387-7972

Location:  
800 Johnson St  
Victoria BC  
Website:  
<http://www.gov.bc.ca/sect/PLANNING>

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26

07/12/02 14:51 250 387 7972

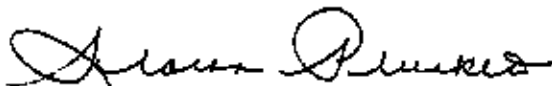
PLANNING BRANCH

002

Carol Mason  
Page 2

Please note that the Ministry has not reviewed the bylaw for the purpose of determining if it is valid or lawful and the Minister's approval does not represent or guarantee the legal certainty of the bylaw, nor the process under which it may be adopted, and does not validate or otherwise make legal any provision of the bylaw.

Sincerely,



Sharon Plunkett  
Director's Secretary

Enclosure(s)

Our File: Bylaw 814.07, 974.02, 1007.03, 1115.02, 1118.03, 1240.01, 1148.02 RD18 36.02

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**Land Reserve Commission**  
*Working Farms, Working Forests*



July 17, 2002

Reply to the attention of Roger Cheetham

Geoff Garbutt, Senior Planner  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2

Dear Sir:

~~Re: Amendments to Electoral Area OCP's and Zoning Bylaws relating to the  
E&N Railway Corridor~~

Our Ref: S - 32291

With reference to your letter dated 13<sup>th</sup> March 2002 the Commission, in terms of Resolution Number 290/2002, has no objection to the proposed amendments to the OCP and zoning bylaw.

Yours truly,

LAND RESERVE COMMISSION

PER: 

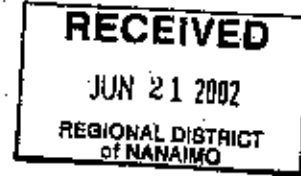
K. B. Miller, Chief Executive Officer

~~Cc: Wayne Haddow, Regional Agriologist, Duncan~~

RC/v

**PAGE**  
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Attachment No. '2'  
Bylaw No. 500.283 Approval



File: 08 002 24543

June 19, 2002

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

Attention: Geoff Garbutt  
Senior Planner

**Re: RDN Land Use and Subdivision Bylaw, Amendment Bylaw #500.283**

Please find herewith, signed copies of the aforementioned bylaw as requested.

Should you have any questions, please do not hesitate to contact me at 390-6291.

Yours truly,

A handwritten signature in cursive script that reads "R. Wylie".

R. (Bob) Wylie  
Sr. District Development Technician

RNTWAW24543  
Enclosure

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE  
MEETING HELD ON TUESDAY, JULY 23, 2002, AT 7:00 PM .  
IN THE CITY OF NANAIMO COUNCIL CHAMBERS,  
455 WALLACE STREET, NANAIMO, BC

**Present:**

Director E. Hamilton	Chairperson
Director L. Elliott	Electoral Area A
Director D. Haime	Electoral Area D
Director G. Holme	Electoral Area E
Director J. McLean	Electoral Area F
Director J. Stanhope	Electoral Area G
Director R. Quittenton	Electoral Area H
Director J. Macdonald	City of Parksville

**Also in Attendance:**

B. Lapham	General Manager, Development Services
P. Shaw	Manager of Community Planning
N. Tonn	Recording Secretary
M. Burton	Receptionist Clerk

**DELEGATIONS**

**David Brosz & Jean Gibson, re DP Application No. 0243 – Horne Lake Caves Road – Area H.**

Mr. Brosz presented an overview of his Development Permit Application No. 0243, noting the difficulty in re-situating the cabin.

**LATE DELEGATIONS**

MOVED Director Stanhope, SECONDED Director Quittenton, that the following delegation be permitted to address the Committee.

**Peter Thomson, re DP Application No. 0240 – Hunt – 2399 Andover Road – Area E.**

Mr. Thomson presented an overview of Development Permit Application No. 0240 on behalf of G. & B. Hunt.

MOVED Director Holme, SECONDED Director Stanhope, that the delegations be received.

CARRIED

**MINUTES**

MOVED Director Holme, SECONDED Director Stanhope, that the minutes of the Electoral Area Planning Committee meeting held Tuesday, June 25, 2002 be adopted.

CARRIED

**PAGE**  
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**PLANNING**

**DEVELOPMENT PERMIT APPLICATIONS**

**DP Application No. 0239 – Thompson – 4619 Maple Guard Drive – Area H.**

MOVED Director Quittenton, SECONDED Director Holme, that Development Permit Application No. 0239, to construct a dwelling unit and to recognize the siting of existing retaining works, accessory building and septic system and to convert an existing cabin to an accessory building within the Hazard Lands Development Permit Area pursuant to the Shaw Hill-Deep Bay Official Community Plan Bylaw No. 1007, 1996, for the property legally described as Lot 35, District Lot 40, Newcastle District, Plan 16121, submitted by David and Sandra Thompson, be approved subject to the conditions and variances outlined in Schedules Nos. 1, 2, 3 & 4 and subject to notification requirements pursuant to the *Local Government Act*.

CARRIED

**DP Application No. 0240 – PG Thomson on behalf of Hunt – 2399 Andover Road – Area E.**

MOVED Director Holme, SECONDED Director Stanhope, that Development Permit Application No. 0240 submitted by PG Thomson, on behalf of G. and B. Hunt, to construct a portion of a new dwelling unit, attached deck, and landscape works within a Watercourse Protection Development Permit Area on the property legally described as Lot 55, District Lot 78, Nanoose District, Plan 47638, be approved, subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

**DP Application No. 0242 – Stesco – 3478 Grilse Road – Area E.**

MOVED Director Holme, SECONDED Director Stanhope, that Development Permit Application No. 0242, submitted by Steven Stesco and Roberta Stesco, to legalize the existing stairway and deck structure within a Watercourse Protection Development Permit Area, and vary the minimum permitted setback from the top of a slope from 8.0 metres to 0.0 metres for the property legally described as Lot 69, District Lot 78, Nanoose District, Plan 15983, be approved, subject to the conditions as outlined in Schedule Nos. 1, 2 and 3 and subject to notification requirements pursuant to the *Local Government Act*.

CARRIED

**DP Application No. 0243 – Gibson & Brosz – Horne Lake Caves Road – Area H.**

MOVED Director Quittenton, SECONDED Director McLean, that Development Permit Application No. 0243 to vary the minimum setback requirements of the Comprehensive Development 9 (CD9) zone of 8 metres from the natural boundary of Horne Lake to a minimum of 0 metres for the stairs, and a minimum of 2.0 metres for the deck and recreational residence, to legalize the location of an existing recreational residence and other existing and proposed construction within an Environmentally Sensitive Areas Development Permit Area on the property legally described as Strata Lot 60, District Lot 251, Alberni District, Plan VIS5160, be approved and that the application be referred back to staff to develop conditions of approval.

CARRIED

**DP Application No. 0230 – Ryan – Horne Lake Caves Road – Area H.**

MOVED Director Quittenton, SECONDED Director Stanhope, that Development Permit Application No. 0230, submitted by Dennis and Florence Ryan, to vary the maximum floor area of the main floor of the recreational residence from 70 m<sup>2</sup> to 78 m<sup>2</sup> pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987, to permit the structural alteration to construct a permanent foundation of an existing recreational residence and deck within the Environmentally Sensitive Areas Development Permit Area on the property legally described as Strata Lot 93, District Lot 251, Alberni District, Plan VIS5160, be approved, subject to the requirements outlined in Schedules No. 1, 2 and 3.

CARRIED

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**DEVELOPMENT VARIANCE PERMIT APPLICATIONS**

**Development Variance Permit Application No. 0215 – Mengual – 2955 Anchor Way – Area E.**

MOVED Director Holme, SECONDED Director Elliott, that Development Variance Permit Application No. 0215, to relax the minimum rear lot line setback requirements from 2.0 metres to 0.0 metres to accommodate the construction of a retaining wall and to relax the minimum front lot line setback requirement from 8.0 metres to 0.0 metres to accommodate the construction of two driveway entrance pillars, as shown on Attachment No. 1 be approved, subject to the conditions outlined in Schedule Nos. 1, 2 and 3 and the notification requirements pursuant to the *Local Government Act*.

CARRIED

**Development Variance Permit Application No. 0216 – Buffie – 6293 West Island Highway – Area H.**

MOVED Director Quittenton, SECONDED Director Holme, that Development Variance Permit Application No. 0216 to vary the minimum setback requirement from 18.0 metres horizontal distance from the stream centerline of the back channel of Nash Creek to a minimum of 8.7 metres and to vary the minimum setback distance from 18.0 metres horizontal distance from the stream centerline of the main channel of Nash Creek to 16.9 metres for a building envelope to locate a dwelling unit for the property legally described as Lot 10, District Lot 21, Newcastle District, Plan 11567 be approved as outlined in Option B of the staff report subject to the requirements outlined in Schedules No. 1, 2 and 3.

CARRIED

**OTHER**

**Notification Distance for Development Applications.**

MOVED Director Holme, SECONDED Director Stanhope, that this item be referred back to staff to allow for consultation with Electoral Area Directors.

CARRIED

**ADJOURNMENT**

MOVED Director McLean, SECONDED Director Haime, that this meeting terminate.

CARRIED

**TIME: 7:28 PM**

---

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE  
MEETING HELD ON TUESDAY, JULY 23, 2002, AT 7:30 PM  
IN THE CITY OF NANAIMO COUNCIL CHAMBERS,  
455 WALLACE STREET, NANAIMO, BC

**Present:**

Director J. Stanhope	Chairperson
Director L. Elliott	Electoral Area A
Director B. Sperling	Electoral Area B
Director E. Hamilton	Electoral Area C
Director D. Haime	Electoral Area D
Director G. Holme	Electoral Area E
Director J. McLean	Electoral Area F
Director R. Quittenton	Electoral Area H
Director J. Macdonald	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director G. Korpan	City of Nanaimo
Director D. Rispin	City of Nanaimo
Director T. Krall	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director L. McNabb	City of Nanaimo

**Also in Attendance:**

K. Daniels	Chief Administrative Officer
C. Mason	General Manager of Corporate Services
J. Finnie	General Manager of Environmental Services
B. Lapham	General Manager of Development Services
P. Shaw	Manager of Community Planning
S. Schopp	Manager of Inspection and Enforcement
T. Osborne	Manager of Recreation and Parks
M. Donnelly	Manager of Transportation Services
N. Tonn	Recording Secretary
M. Burton	Receptionist Clerk

**DELEGATIONS**

**Jerry Bordian, Texada Land Corporation, re Concept Plan, Block 564.**

Mr. Bordian and Mr. Michael Rosen presented an overview of Texada Land Corporation's concept plan for Block 564 in the Englishman River Valley and made themselves available for questions.

**Vern Fraser, re District 69 Recreation & Parks, Seniors Rates and Discounts.**

Mr. Fraser spoke in opposition to the proposed elimination of discount rates for seniors at the Parksville Arena and Ravensong Aquatic Centre. A copy of Mr. Fraser's presentation was distributed to Committee members for information.

**Bob Swail, re District 69 Recreation & Parks, Seniors Rates and Discounts.**

Mr. Swail, representing the Parksville Panthers Hockey Association, spoke in opposition of the withdrawal of senior's discounts at the RDN recreational facilities. Mr. Swail distributed a copy of his presentation to Committee members for information.

**LATE DELEGATIONS**

MOVED Director Quittenton, SECONDED Director Holme, that Mr. Harvey be permitted to address the Committee as a late delegation.

CARRIED

**Mr. Harvey, re Community Identification Sign – Qualicum River Estates – Corcan Road – Electoral Area F.**

Mr. Harvey presented a short overview of the Qualicum River Estates' proposal to relocate the existing community identification sign to the road right-of-way and made himself available for any questions.

**MINUTES**

MOVED Director Krall, SECONDED Director Quittenton, that the minutes of the Committee of the Whole meeting held on Tuesday, June 25, 2002 be adopted.

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

**Gerald Berry, City of Nanaimo, re Firefighting Coverage for Properties Outside of Municipal Boundaries.**

MOVED Director Krall, SECONDED Director Westbrook, that the correspondence received from the City of Nanaimo with respect to firefighting coverage for properties located outside Municipal boundaries, be received.

CARRIED

**Rob Roycroft, City of Parksville, re Port Theatre.**

MOVED Director Krall, SECONDED Director Westbrook, that the correspondence received from the City of Parksville with respect to the Port Theatre's funding request, be received.

CARRIED

**Sandra Keddy, Town of Qualicum Beach, re Port Theatre.**

MOVED Director Krall, SECONDED Director Westbrook, that the correspondence received from the Town of Qualicum Beach with respect to the Port Theatre's funding request, be received.

CARRIED

**DEVELOPMENT SERVICES**

**BUILDING INSPECTION**

**Section 700 Filings.**

The Chairperson listed each filing and asked that any property owner in the audience wishing to address the Committee come forward when their name was called.

MOVED Director Holme, SECONDED Director Elliott, that a notice be filed against the title of the property listed, pursuant to Section 700 of the *Local Government Act* and that if the infractions are not rectified within ninety (90) days, legal action will be pursued:

FILE  
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**Malaspina College/Downtown Nanaimo Transit Linkage.**

MOVED Director Krall, SECONDED Director Rispin,:

1. That Nanaimo Regional Transit provide a shuttle between downtown Nanaimo and Malaspina University College from August 16<sup>th</sup> to December 20<sup>th</sup> 2002.
2. That the marketing costs for the development of this shuttle will primarily be the responsibility of the Downtown Nanaimo Partnership.

**OTHER**

CARRIED

**Green's Landing Wharf – Lease Extension**

MOVED Director Sperling, SECONDED Director McNabb, that the Regional District of Nanaimo requests from Public Works & Government Services Canada an extension of the temporary lease of the Green's Landing Wharf from September 30, 2002 to March 31, 2003.

**CORPORATE SERVICES**

CARRIED

**HOSPITAL**

**Request to Cost Share in Capital Equipment.**

MOVED Director Hamilton, SECONDED Director Holdom,:

1. That cost sharing in the amount of \$316,800 for equipment costing more than \$100,000 pursuant to the request from the Vancouver Island Health Authority, be approved.
2. That "Nanaimo Regional Hospital District Capital Equipment (2002) Borrowing Bylaw No. 133, 2002" be introduced for the first three readings.
3. That "Nanaimo Regional Hospital District Capital Equipment (2002) Borrowing Bylaw No. 133, 2002" having received three readings be adopted and be forwarded to the Province for approval.

**ADMINISTRATION**

CARRIED

**2002 Local Government Elections – Appointment of CEO & DCEO.**

MOVED Director McNabb, SECONDED Director Quittenton, that Carol Mason, General Manager, Corporate Services, be appointed as the Chief Election Officer and Maureen Pearce, Deputy General Manager, Corporate Services, be appointed as the Deputy Chief Election Officer for the purpose of conducting the November 16, 2002 local government elections and referendums.

**SPECIAL EVENT/SPECIAL OCCASION APPLICATIONS**

CARRIED

**Status Reports (for information).**

MOVED Director Quittenton, SECONDED Director Hamilton, that the Special Event/Special Occasion Applications Status Reports be received for information.

CARRIED

**ENVIRONMENTAL SERVICES**

**COMMISSION, ADVISORY & SELECT COMMITTEE**

**District 69 Recreation Commission.**

MOVED Director Westbrook, SECONDED Director Holme, that the minutes of the District 69 Recreation Commission meeting held July 11, 2002, be received for information.

CARRIED

MOVED Director Westbrook, SECONDED Director Holme, that the recommendations stated in the Recreation and Parks 2003 Fees and Charges report be referred back to staff to investigate a phasing in option in consultation with the Parksville Golden Oldies Sports Association.

CARRIED

MOVED Director Quittenton, SECONDED Director Holme, that all recommendations brought forward from the District 69 Recreation Commission's meeting of July 11, 2002, be referred back to staff.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Concept Plan Proposal – Block 564 - Texada Land Corporation.**

MOVED Director Holme, SECONDED Director Macdonald, that staff be directed to bring forward a report to the next Board meeting (August 13, 2002) outlining the necessary amendments to the Growth Management Plan to consider a proposal submitted by Texada Land Corporation for Block 564.

CARRIED

**IN CAMERA**

MOVED Director Holme, SECONDED Director Westbrook, that pursuant to Section 242.2(1)(a), (e) and (j) of the *Local Government Act* the Committee proceed to an In Camera meeting to consider matters concerning a personnel issue, disposition of land issue, and information that is prohibited from disclosure under Section 16 of the *Freedom of Information and Protection of Privacy Act*.

CARRIED

**ADJOURNMENT**

MOVED Director Holme, SECONDED Director Westbrook, that this meeting adjourn to allow for an In Camera meeting.

CARRIED

TIME: 8:59 PM

The meeting reconvened at 10:20 PM.

**Proposed Amendments to Board Remuneration.**

MOVED Director Holme, SECONDED Director Rispin, that the report with respect to proposed amendments to Board Remuneration be received and that the following recommendations of the Board Remuneration Committee with respect to Bylaw 1078 be approved:

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*Bylaw 1078*

**Base Remuneration**

- (a) That the base remuneration be defined as remuneration for up to 5 meetings per month.
- (b) That the base rate of remuneration remain at \$7,940 for the next three years.
- (c) That the Chairperson's allowance be adjusted by 2% for 2003, and by the Vancouver CPI as at November 30<sup>th</sup> (effective in December) in 2004 and 2005.

**Mileage Reimbursements**

- (d) That Section 5(b)(vi) be amended to read: *Attendance at meetings pursuant to a request from Regional District staff when the meeting occurs outside the member's jurisdiction.*

**Meeting Per diems**

- (e) That a rate of \$100 be established for "Other Business" meetings which last more than half a day.
- (f) That the definition of Committee Chair for the purposes of Scheduled Standing Committee per diem rates include the Chairperson of a Public Hearing or Public Information Meeting.

**Travel Per diems**

- (g) That a flat daily per diem allowance of \$60 be paid for attendance at UBCM, AVICC and FCM. No meal per diems will be paid for these conference attendances.

CARRIED

**ADJOURNMENT**

MOVED Director Holme, SECONDED Director Rispin, that this meeting terminate.

CARRIED

TIME: 10:21 PM

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CHAIRPERSON



REGIONAL DISTRICT OF NANAIMO			
JUL 17 2002			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
	cow		✓

**MEMORANDUM**

**TO:** Board Members **DATE:** July 8, 2002

**FROM:** Board Remuneration Committee **FILE:**

**SUBJECT:** Proposed Amendments to Board Remuneration

**PURPOSE:**

To provide direction on remuneration rates and to propose "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits (All Directors) Amendment Bylaw No. 1078.04, 2002"; and "Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Bylaw No. 1317, 2002" for adoption.

**BACKGROUND:**

The Board Remuneration Committee (2002) has completed its review of current remuneration rates in accordance with its Terms of Reference. The Committee met four times and reviewed a number of comparative summaries with other jurisdictions, which were helpful in assessing the reasonableness of current remuneration rates. The Committee surveyed Board members, seeking members' thoughts on the structure of the remuneration package and finally, the Committee requested that any Director who wished, address the Committee directly with their concerns - one Director was subsequently interviewed.

The current remuneration structure is briefly summarized below:

- All Directors receive a base rate of remuneration to recognize regional responsibilities and functions
- The Chairperson receives an additional allowance for this position
- Electoral Area Directors receive a supplemental allowance in recognition of additional constituency roles and responsibilities (Municipal Directors receive a similar stipend from their municipal jurisdiction)

Bylaw No. 1078.03 contains the following remuneration rates covering the years 1999 to 2002:

	Dec 1999/00	Dec 2000/01	Dec 2001/02
All Directors	\$7,709	\$7,823	\$7,940
Chairperson Allowance	\$10,445	\$10,602	\$10,761
Electoral Area Director Allowance	\$1,697	\$1,894	\$2,090

In addition, the following rates are paid for attendance at various other meetings:

Vice Chair of the Board	\$150 per meeting chaired
Committee Chairperson	\$100 per meeting chaired

Public Hearing	\$ 60 per meeting attended
Public Information Meeting	\$ 60 per meeting attended
Other Meetings	\$ 60 per meeting for Directors appointed by the Board to represent the Regional District at other business meetings

In order to review the benchmarks for current remuneration levels, a survey was conducted among a recognized peer group of 6 Regional Districts. The compiled survey information showed the following (details are attached on Schedule A):

	Peer Group	RDN (2001)	Variance
Chairperson	\$18,640	\$18,701	0.3% above
Electoral Area Director	9,908	9,717	1.9% below
Municipal Director	5,804	7,823	35 % above

The variances between RDN rates and the peer group have changed as follows:

Position	1999 variance to Peer Group	2001 variance to Peer Group
Chairperson	(4%) below	0.3% above
Electoral Area Directors	(5%) below	(1.9%) below
Municipal Directors	18% above	35% above

The Committee notes that it is getting more difficult to make direct comparisons of remuneration rates. In the intervening three year period since 1999, 4 of the 6 jurisdictions made changes to the structure of their remuneration packages. For instance the Cowichan Valley no longer pays for extra committee work. Rather the Cowichan Valley has established an all-in remuneration base, making their rate look much higher than the base rates for the peer group. Three of the six jurisdictions lowered the amounts paid to municipal Directors, but now have relatively larger per diem rates for Board meetings than the Regional District of Nanaimo.

The Remuneration Committee carefully reviewed the comparative information provided and the Board survey results, to determine whether changes are needed for the upcoming three-year term, specifically in the following eight areas:

1. Annual Remuneration – what meetings should it cover
2. Mileage reimbursements
3. Additional meeting rates as identified in the bylaw
4. Non-Committee (Ad-hoc) Meeting Remuneration
5. Travel per diem rates
6. Individual Director Concerns
7. Supply, operation and maintenance of communication equipment (fax machines and computers)
8. Regional Allowance – Electoral Area Directors

The Committee concluded that the current remuneration structure and reimbursement practices work well and presents the following discussion on the above noted topics.



Schedule B attached to this report summarizes responses received from eight Board members who responded to the Committee's survey. Responses were received from four municipal and four electoral area Directors.

### 1. Annual Remuneration

In overall terms the Committee is not recommending any changes to the structure of remuneration among the different positions held by Board members. That is, they continue to support a base remuneration rate for all Directors, with additional allowances paid to the Chair and Electoral Area directors.

In addressing the question however, of what meetings the base remuneration should cover the Committee was apprised of the following information. Until December 2001, four meetings per month were regularly scheduled to conduct Regional District business – three Standing committees and one Board meeting. In months with an extra Tuesday (approximately 4 months per year), the Board met in a seminar format to review topics of current and future interest for the Regional District. The Board now meets twice per month for regular business and will continue to meet in seminar format on "extra" Tuesdays as they occur. The Committee felt the change in schedule should not require extra meeting per diems for meetings times which had been previously covered in the base remuneration.

**Recommendation:** That the remuneration bylaw clarify that the base remuneration covers up to 5 meetings per month, matching the historical meeting schedule.

The Committee was concerned at the growing gap between municipal Director remuneration in the Regional District of Nanaimo and in the peer group and accordingly recommends:

**Recommendation:** That the base rate of pay remain at its current level of \$7,940 for the next three years.

The Committee concluded that the Chair's remuneration package closely matched the peer group benchmark and therefore recommends that the Chairperson allowance be adjusted by a cost of living factor over the next three years.

**Recommendation:** That the Chairperson's allowance be adjusted by the Vancouver CPI as at November 30<sup>th</sup> (to be effective December each year).

### 2. Mileage Reimbursements

Board members', through their survey responses demonstrated a high correlation between their expectations for mileage reimbursements and the provisions of the remuneration bylaw. Survey responses supported mileage being reimbursed for attendance at public or Board initiated meetings, but not for attending meetings or ceremonies within a members' jurisdiction. The Committee felt that there is a lack of clarity around reimbursements for mileage in one regard:

Section 5(b)(vi) provides mileage reimbursement for: *attendance at meetings pursuant to a request from Regional District staff*

The intent of this section was to cover mileage when Directors attended at Regional District offices for meetings with staff. Sometimes meetings are held with a Director in their jurisdiction. Site visits or other specific Electoral Area issues may be need to discussed with the member in their jurisdiction. Survey responses suggested that mileage for these meetings should not be reimbursed – that this mileage is covered by the tax exempt portion of the remuneration package.

*Recommendation:* That Section 5(b)(vi) be clarified to read: Attendance at meetings pursuant to a request from Regional District staff *when the meeting occurs outside the member's jurisdiction.*

### 3. Additional meeting rates (Scheduled Standing Committee Remuneration)

Scheduled Standing Committees are external organizations to which the Board appoints a single representative. The Committee concluded that the current per diems for attending other committee meetings as listed in the bylaw is adequate. Most extra meeting attendances are paid at \$60 per meeting.

Board members' survey responses did indicate support for members to be paid a per diem if they are attending sub-committees of an organization to which they have been appointed. The example cited is the Regional Library Board which has used sub-committees as part of its budget development process. The Committee concurs with this suggestion.

Secondly, the Committee recommends including the Chair of a Public Hearing or Public Information meeting within the definition of "Committee Chairperson". Chairs of such public meetings would receive a \$100 meeting per diem, rather than \$60.

Finally, the Committee was apprised of an instance where a member was requested by the Chair, due to a schedule conflict, to attend a meeting in Vancouver organized by UBCM. The meeting lasted a day and a half day, including travel time. The member suggested and the Committee agreed that the standard meeting per diem of \$60 for attending an "Other Business" meeting which lasts more than half a day, is too low for this type of circumstance.

*Recommendation:* That attendance at sub-committees of Scheduled Standing Committees be paid at \$60 per meeting.

*Recommendation:* That the definition of Committee Chair for the purposes of Scheduled Standing Committee per diem rates include the Chairperson of a Public Hearing or Public Information Meeting.

*Recommendation:* That the bylaw include a rate of \$100 for "Other Business" meetings which last more than half a day.

### 4. Non-Committee (Ad Hoc) Meeting Remuneration

The Committee considered whether remuneration should be paid for other possibly, public meetings which are not initiated by the Board. Examples of these meetings include ad-hoc or exploratory meetings, which may or may not lead to formally recognized Standing, Advisory, or Select committees. Another example includes meetings organized by Provincial or Federal ministries or agencies which invite the Regional District to attend as a provider of public input. Staff regularly advise members of such meetings for their interest.

While the Remuneration Committee agreed that these kinds of meetings may have a direct interest for the Board member and involve time and effort to attend, they felt that remuneration should be restricted to formally recognised Standing, Advisory, Select or other public meetings initiated by the Board, or to those representatives appointed by the Board to attend meetings on their behalf. The Board survey responses and the Committee concur that no per diem should be paid for a Director attending a meeting in these circumstances.

#### 5. Travel Per Diem rates

The Remuneration Committee reviewed the rates and items reimbursed as out of pocket expenses, including meal per diems and mileage rates. With one exception the rates were considered satisfactory.

Recognizing the increasing cost of meals and miscellaneous expenses associated with attending the annual UBCM, FCM and AVICC conferences, the Committee recommends establishing a flat daily \$60 per diem. The per diem would be payable whether or not meals are provided at the conference. Directors would not make any further claim for a meal per diem in addition to the daily per diem.

**Recommendation:** That a flat daily per diem allowance of \$60 be paid for attendances at UBCM, AVICC and FCM. No meal per diems will be paid for these conference attendances.

#### 6. Supply, operation and maintenance of communication equipment (Fax machines and computers)

The Committee discussed at length what components should be covered by the Regional Allowance. Staff provided information about expense reimbursements and the practice of providing and maintaining computers and fax machines for individual Directors. Expenses are covered as following:

- ◆ the costs of supplies to operate fax machines and computers (ie. paper, toner, printer cartridges) – reimbursed upon submission of receipts
- ◆ repairs and maintenance – fax machines upon receipt of receipts/computers contracted for directly by the Regional District
- ◆ dedicated telephone lines and internet service – reimbursed monthly without receipts based on standard rates
- ◆ purchase and replacement of equipment – by Regional District directly

The Committee sought Board members' opinions on whether the Electoral Area allowance should be increased to cover some or all of the costs for purchasing, operating and maintaining equipment, with the intent of permitting more choice to Directors on what equipment they preferred and to streamline the administration of expense reimbursements.

A majority of survey responders supported the current method of having the RDN purchase and maintain computers, printers and fax machines.

A majority of survey responders supported the current method of reimbursing for the actual cost of dedicated telephone lines and internet service.

Half of the survey responders supported the current method of separately reimbursing operating supplies and half supported a lump sum allowance for the purchase of all operating supplies.

Given the above general consensus the Committee recommends that no changes be made to the supply and reimbursement practices for computers and fax machines. The Committee is aware that one fax machine has been provided to a municipal Director and recommends equipment be supplied and maintained only for Electoral Area Directors.

**Recommendation:** Clarify that the policy on the supply of fax machines applies to Electoral Area Directors only.

**7. Regional Allowance – Electoral Area Directors only**

All survey responders supported a definition of the Regional Allowance for Electoral Area Directors as remuneration which is paid in recognition of the additional roles and responsibilities of these Directors.

The Committee then explored options and rationale for adjusting the Regional Allowance in its current form. The Committee was made aware during its review, that Electoral Area demands may be different in different parts of the District. Areas which receive relatively more direct Regional District services, in particular water and sewer services, seem to require more intense interaction from the area Director. Areas which have larger populations also tend to have relatively more activity requiring the Director's attention. The Committee studied two alternatives for the Electoral Area Regional allowance:

1. An adjustment of \$200 for 2002/3 which would increase the total base remuneration package by 2%, plus;  
 a further adjustment of 0.45 cents per capita for populations exceeding 5,000
2. A cost of living increase only (\$41.80)

Alternative 1 would result in the following amounts paid for the Regional Allowance in 2003:

Area	Population	Current allowance	Base rate adjustment	Population adjustment	Regional Allowance 2003
A	6,423	\$2,090	\$ 200	\$ 640	\$2,930
B	3,522	\$2,090	\$ 200		\$2,290
C	1,000	\$2,090	\$ 200		\$2,290
D	4,656	\$2,090	\$ 200		\$2,290
E	4,820	*			
F	5,546	\$2,090	\$ 200	\$ 246	\$2,536
G	7,041	\$2,090	\$ 200	\$ 918	\$3,208
H	3,108	\$2,090	\$ 200		\$2,290

\* arbitrary assumption that an Electoral Area Director is the Chairperson

Alternative 2 would result in the following amounts paid in 2003:

Area	Current allowance	Cost of Living Adjustment	Regional Allowance 2003
A	\$2,090	\$ 42	\$2,132
B	\$2,090	\$ 42	\$2,132
C	\$2,090	\$ 42	\$2,132
D	\$2,090	\$ 42	\$2,132
E			
F	\$2,090	\$ 42	\$2,132
G	\$2,090	\$ 42	\$2,132
H	\$2,090	\$ 42	\$2,132

Under either alternative the Committee recommends that the base Regional Allowance be adjusted by the Vancouver CPI index as at November 30<sup>th</sup> (to be effective from the inaugural Board meeting), in each of the subsequent two years.

The Electoral Area Regional allowance and the above noted expense reimbursements are funded solely by the Electoral Areas. Staff have been advised that it is preferable to include these allowances and expense reimbursements in a separate bylaw. The bylaw containing provisions covering Electoral Area Directors is voted upon pursuant to Section 791(4) of the Local Government Act as a weighted participant vote.

**ALTERNATIVES:**

1. Accept the recommendations of the Board Remuneration Committee and introduce Bylaw 1078.04 (All Directors) and Bylaw 1317 (Electoral Areas only) for three readings and adoption.
2. Request reconsideration of specific items from the Board Remuneration Committee prior to considering introduction and adoption of the bylaws.
3. Make no changes to the current rates.

**FINANCIAL IMPLICATIONS:**

Most of the amendments are of a miscellaneous nature and do not have a significant financial impact. However, as outlined above the Committee reviewed two options for adjusting annual remuneration rates.

**Alternative 1**

The base rate of remuneration would be unchanged at \$7,940 for all Directors.

The Chairperson allowance would be adjusted by a CPI factor of 2% for 2003.

Electoral Area Directors would receive a one time adjustment to the Regional allowance of \$200 in 2003 and a further adjustment of .45 cents per capita, for Electoral Areas with populations over 5,000. The per capita adjustment would be fixed until the next census.

The table below summarizes the results:

	All Directors	Chairperson Allowance	Regional Allowance	Electoral Area Per Capita	Total Overall/Change from prior year
Up to Dec 2003	\$7,940	\$10,976	\$2,290	Area A - \$640 Area F- \$246 Area G- \$918	
<b>Total Year 1</b>	<b>\$127,040</b>	<b>\$10,976</b>	<b>\$16,030</b>	<b>\$ 1,804</b>	<b>\$155,850 / 2.2%</b>
Up to Dec 2004	\$7,940	\$11,196*	\$2,336*	Area A - \$640 Area F- \$246 Area G- \$918	
<b>Total Year 2</b>	<b>\$127,040</b>	<b>\$11,196</b>	<b>\$16,352</b>	<b>\$ 1,804</b>	<b>\$156,392 / 3%</b>
Up to Dec 2005	\$7,940	\$11,419*	\$2,382*	Area A - \$640 Area F- \$246 Area E- \$918	
<b>Total Year 3</b>	<b>\$127,040</b>	<b>\$11,419</b>	<b>\$16,674</b>	<b>\$ 1,804</b>	<b>\$156,937 / 3%</b>

- ◆ Assumes the Chairperson is an Electoral Area Director.
- ◆ The Chairperson and Electoral Area allowances would be adjusted by the Vancouver CPI as at November 30\* (effective in December) in 2003 and 2004.
- ◆ Assumes CPI at 2%

Alternative 2

All amounts except the base remuneration amount are adjusted by 2% and the Vancouver CPI in the two subsequent years :

	All Directors	Chairperson Allowance	Electoral Area Regional Allowance	Total Overall/Change from Prior Year
Up to Dec 2003	\$7,940	\$10,976	\$2,132	
<b>Total Year 1</b>	<b>\$127,040</b>	<b>\$10,976</b>	<b>\$14,924</b>	<b>\$152,940 / 3%</b>
Up to Dec 2004	\$7,940	\$11,196*	\$2,175*	
<b>Total Year 2</b>	<b>\$127,040</b>	<b>\$11,196</b>	<b>\$15,225</b>	<b>\$153,461 / 3%</b>
Up to Dec 2005	\$7,940	\$11,419*	\$2,218*	
<b>Total Year 3</b>	<b>\$127,040</b>	<b>\$11,419</b>	<b>\$15,526</b>	<b>\$153,985 / 3%</b>

**CONCLUSIONS:**

The Board Remuneration Committee reviewed prior Committee notes, analysed other jurisdiction remuneration rates, reviewed staff issues and met with elected members to hear individual concerns. The Remuneration Committee has concluded from this research and discussion that the roles of Regional District of Nanaimo Board members have not changed significantly in character since 1999 – although business volume, pace and complexity have all increased.

In particular the Committee wishes to address the remuneration paid to Electoral Area Directors who represent larger jurisdictions. The recommendations proposed herein would, in the Committee's opinion, better recognize the additional demands experienced in areas with larger constituent bases. The Committee supports a separate bylaw covering the Regional Allowance component of the remuneration package to align the approval of changes in those rates with those members of the Board who contribute financially to the cost. Many of the remaining recommendations are minor in nature and are provided for the purposes of clarifying the application of the current bylaw.

**RECOMMENDATIONS:**

1. That the following recommendations of the Board Remuneration Committee with respect to Bylaw 1078 be approved as presented:

**Bylaw 1078**

**Base Remuneration**

- (a) That the base remuneration be defined as remuneration for up to 5 meetings per month.
- (b) That the base rate of remuneration remain at \$7,940 for the next three years.
- (c) That the Chairperson's allowance be adjusted by 2% for 2003, and by the Vancouver CPI as at November 30<sup>th</sup> (effective in December) in 2004 and 2005

**Mileage reimbursements**

- (d) That Section 5(b)(vi) be amended to read : *Attendance at meetings pursuant to a request from Regional District staff when the meeting occurs outside the member's jurisdiction*

**Meeting Per diems**

- (e) That a rate of \$100 be established for "Other Business" meetings which last more than half a day.
- (f) That the definition of Committee Chair for the purposes of Scheduled Standing Committee per diem rates include the Chairperson of a Public Hearing or Public Information Meeting.

**Travel per diems:**

- (g) That a flat daily per diem allowance of \$60 be paid for attendances at UBCM, AVICC and FCM. No meal per diems will be paid for these conference attendances.

2. That the following recommendations of the Board Remuneration Committee with respect to Bylaw 1317 be approved as presented:

*Bylaw 1317*

**Regional Allowance**

- (a) That the base allowance be increased by \$200 for 2002/3.
  - (b) That the base allowance be adjusted by the Vancouver CPI as at November 30<sup>th</sup> (effective in December) in 2003/4 and 2004/5.
  - (c) That a rate of .45 per capita be calculated for populations exceeding 5,000 and that the per capita adjustment be fixed until the next census
3. That the "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits (All Directors) Amendment Bylaw No. 1078.04, 2002" be introduced for first three readings.
  4. That the "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits (All Directors) Amendment Bylaw No. 1078.04, 2002" having received three readings be adopted.
  5. That "Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Bylaw No. 1317, 2002 be introduced for first three readings.
  6. That "Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Bylaw No. 1317, 2002 having received three readings be adopted.

Respectfully submitted,

On behalf of Ruth Loomis  
On behalf of Jack Collins  
On behalf of Mike Jiggins



**BOARD REMUNERATION COMMITTEE  
COMPARISON OF NANAIMO RD TO SURVEY GROUP  
MINIMUM REMUNERATION LEVELS  
RATES AS AT JUNE 2001 (UPDATED TO MAY 27, 2002)**

Survey Group	CHAIR	E.A. DIRECTOR	MUNICIPAL DIRECTOR	Notes
Nanaimo Comox Strathcona	18,701 30,071	9,717 14,004	7,823 7,113	(Note: E.A. Includes \$2,060 extra allowance) (Note: E.A. Includes \$6,892 extra allowance) (Note: Hospital Chair \$3,600) (\$150 per Board, \$100 EA committees, all others \$50) (Note: Chair remuneration includes acting as Hospital Chair) (Note: \$60 for additional committees)
Cowichan Valley	24,360	17,357	11,571	
East Kootenay Kootenay Boundary	8,134 14,352	4,331 6,876	3,247 5,376	(Note: \$138.40 per Board meeting, \$71.80 per Committee meeting in ad (Note: \$60 for Board and \$40 for additional committees) (Note: Hospital Chair \$1,200 per annum) (Note: RD Deputy Chair \$3,600 in addition to EA or Municipal & Hospital (Note: \$102 per RD meeting, \$50 per Hospital meeting)
Okanagan Similkameen	22,824	9,684	4,164	
North Okanagan	12,036	5,287	1,331	(Note: \$117.10 per Board & additional meeting (Note: RD Deputy Chair \$1,331 per annum)
Survey group average Nanaimo - % higher(lower)	18,640 0.3%	9,908 -1.9%	5,804 34.8%	
Survey group excl highest and lowest Nanaimo - % higher(lower)	18,455 1.3%	9,534 1.8%	5,545 41.1%	
<b>Other Jurisdictions (from UBCM Survey)</b>				
Central Kootenay	27,108	9,038	5,148	(Note: \$188 per Board meeting, \$99 per Committee meeting) (Note: Chair includes EA Director pay)
Central Okanagan Thompson Nicola - If Electoral Area - If Municipal	36,674 26,000 23,000	16,440 \$10,200-\$12,180	12,646 \$6,640-\$7,940	(Note: EA Directors receive additional \$110.66 per full day committee me (Note: RD Deputy Chair \$2,360 plus \$40 per meeting chaired) (Note: Hospital Chair \$1,511 (EA) \$6,267 (Mun)) (Note: Hospital Chair \$1,046 additional) (Note: Committee Chairperson - \$1,046 additional) (Note: No municipal remuneration rate shown)
Fraser Valley - If Electoral Area - If Municipal	21,404 16,160	10,485	5,221	
Sunshine Coast	19,200	6,408	6,400	(Note: RD Chair \$150 per meeting, Directors \$50 per meeting) (Note: RD Deputy Chair \$8,000, plus EA, plus \$50 per meeting chaired) (Note: Committee Chairs \$1,000 + Directors + \$50 per meeting) (Note: Directors \$50 per meeting) (Note: \$60 per outside org committee meeting up to five hours, \$180 ove (Note: no additional meeting per item for Board, Standing etc) (Note: \$130 per Board meeting, \$75 per Committee)
Powell River	12,960	7,920	6,480	
Squamish-Lillooet Capital Region	16,000 16,780	7,500 13,878	3,800 7,315	
Overall average Nanaimo - % higher(lower)	20,374 -9.2%	10,080 -3.6%	6,285 24.6%	
Survey group excl highest and lowest Nanaimo - % higher(lower)	23,858 -21.8%	10,032 -3.1%	6,177 26.7%	

**BOARD REMUNERATION COMMITTEE  
2002 SURVEY ON REMUNERATION METHODS AND RATES**

**Base Remuneration – Attendance at Core Meetings:**

a) Any consecutive Board, Special Board, Select Committee, Standing Committee or Board Seminar meetings held on up to two (2) Tuesday evenings per month?  
(meetings held on Tuesdays other than Committee of the Whole or Regular Board evenings would receive an additional per diem)

OR:

b) Any consecutive Board, Special Board, Select Committee, Standing Committee or Board Seminar meetings held on up to four (4) Tuesday evenings per month?  
(i.e., Ideas & Updates Seminars or Special Board meetings held on the 5<sup>th</sup> Tuesday would receive an additional per diem)

OR:

c) Any consecutive Board, Special Board, Select Committee, Standing Committee or Board Seminar meetings held on up to five (5) Tuesday evenings per month?

**1.2 Mileage Included with Base Remuneration**

Should the base remuneration be increased to include an additional amount for mileage to attend the core meetings defined above?  
(Directors must currently file a report and make a claim to be reimbursed based on their individual location)

**1.3 Base Remuneration Amount**

Should the base remuneration for Directors for the term 2003 to 2006:  
(Choose one only – a, b or c)

**Term: 2003 - 2006:**

a) Remain at the current 2002 level?

OR:

b) Increase by a cost of living factor?

OR:

c) Increase or decrease by another factor or amount?

Please specify: \_\_\_\_\_

Board Members		Committee Members	
Yes	No	Yes	No
3			
1		1	
3		1	
4	4	1	1
8		2	

**BOARD REMUNERATION COMMITTEE  
2002 SURVEY ON REMUNERATION METHODS AND RATES**

**2.0 Additional Meeting Attendance – All Directors**

Should an additional meeting per diem be paid to Directors to attend the following meetings:

***Organized by or requested by Regional District staff:***

OCP/Zoning Bylaw Public Information Meetings or Open Houses?

Board Members		Committee Members	
Yes	No	Yes	No

7	1	1	1
---	---	---	---

Regional Growth/Liquid Waste/Solid Waste Plans Public Information Meetings or Open Houses?

7	1	2	
---	---	---	--

Electoral Area Specific Issue Information Meetings or Open Houses?

5	2	1	1
---	---	---	---

Resident's Association Meetings where staff and Electoral Area Director attend?

3	4		2
---	---	--	---

Other Public Information Meetings or Open Houses of regional significance? (i.e., Regional Services Review)

5	1	1	1
---	---	---	---

Attendance at Official Ceremonies? (i.e., Park/Trail dedication, openings)

	7		2
--	---	--	---

Sub-Committee Work of External Committees? (i.e., Treaty, MFA; Library, etc.)

4	1	2	
---	---	---	--

Meetings with staff at RDN Administration Office?

1	6	1	1
---	---	---	---

Meetings between Director & staff within the Director's jurisdiction? (ie. staff requested)

2	5		2
---	---	--	---

Meetings with constituents at RDN Administration Office? (ie. in possible Chair/Director office space)

1	6	1	1
---	---	---	---

***Provincial/Federal Meetings/Other Local Government:***

Workshops, Information Meetings or Seminars offered by another local government, or provincial or federal agency? (ie. attendance is optional or by open invitation to all Board members)

2	5	2	
---	---	---	--

***Individual Director Meetings:***

***(no staff in attendance or staff attendance requested by Director)***

Meetings between Director & local constituents within the Director's jurisdiction?

	7		2
--	---	--	---

Meetings between Director & staff within the Director's jurisdiction?

1	6		2
---	---	--	---

Attendance at Resident's Association meetings within the Director's jurisdiction?

	7		2
--	---	--	---

**BOARD REMUNERATION COMMITTEE  
2002 SURVEY ON REMUNERATION METHODS AND RATES**

**2.2 Additional Meeting Per Diem Rates**

Should the meeting per diem rate for Directors for the term 2003 to 2006 (currently \$60):

(Choose one only – a, b or c)

**Term: 2003 - 2006:**

a) Remain at the current 2002 level?

OR:

b) Increase by a cost of living factor? (ie. 2% annually resulting in \$61.20, \$62.40, \$63.70 over three years)

OR:

c) Be fixed for the term at a different amount? (ie. \$70)

Please specify:     \$70    

**3.0 Mileage**

Mileage for attending Resident's Association meetings?

Mileage for attending meetings with constituents?

Mileage for attending meetings with staff in the member's jurisdiction? (ie. site visits)

Mileage for attending special ceremonies (park openings, trail dedications, etc.)?

**4.0 Supplemental Allowance – Electoral Area Directors**

**4.1 Computers, Printers & Fax Machines**

Should the Regional District:

a) Continue to separately provide & maintain computers, printers & fax machines?

OR:

b) Provide a separate one time allowance in year one of the Director's term for purchasing, replacing or upgrading and maintaining their own equipment? (estimated at \$2,000 once every three years)

**4.2 Internet & Fax Machine Telephone Line Service**

Should the Regional District:

a) Continue to separately reimburse actual expenses for internet and fax machine telephone line service?

OR:

b) Provide a separate annual allowance for Directors to pay for their own internet and fax machine telephone line service? (estimated at approx. \$975 annually)

	Board Members		Committee Members	
	Yes	No	Yes	No
a) Remain at the current 2002 level?	2		1	
b) Increase by a cost of living factor? (ie. 2% annually resulting in \$61.20, \$62.40, \$63.70 over three years)	5		1	
c) Be fixed for the term at a different amount? (ie. \$70)	1			
Mileage for attending Resident's Association meetings?	1	7		2
Mileage for attending meetings with constituents?	1	7		2
Mileage for attending meetings with staff in the member's jurisdiction? (ie. site visits)	3	5	1	1
Mileage for attending special ceremonies (park openings, trail dedications, etc.)?	2	6		2
a) Continue to separately provide & maintain computers, printers & fax machines?	5			
b) Provide a separate one time allowance in year one of the Director's term for purchasing, replacing or upgrading and maintaining their own equipment? (estimated at \$2,000 once every three years)	3		2	
a) Continue to separately reimburse actual expenses for internet and fax machine telephone line service?	6			
b) Provide a separate annual allowance for Directors to pay for their own internet and fax machine telephone line service? (estimated at approx. \$975 annually)	2		2	

**BOARD REMUNERATION COMMITTEE  
2002 SURVEY ON REMUNERATION METHODS AND RATES**

**4.3 Office Equipment Stationary & Supplies**

Should the Regional District:

a) Continue to separately reimburse actual expenses based upon receipts for stationary, ink cartridges and related supplies?

**OR:**

b) Provide a separate annual allowance for Directors to purchase their own stationary, ink cartridges and related supplies? (estimated at approx. \$1,650 annually)

**4.4 Definition of Supplemental Allowance**

Based on your responses to the above should the Supplemental Allowance be defined as:

Should the supplemental allowance provided to Electoral Area Directors be an amount that covers the additional time and responsibilities of a Director?

**OR:**

Should the supplemental allowance provided to Electoral Area Directors be an amount which covers both additional time and expenses?

**4.5 Supplemental Allowance Rate**

Based on your responses above, should the Supplemental Allowance for the term 2003 to 2006:

(Choose one only -- a, b or c)

**Term: 2003 - 2006:**

a) Remain at the current 2002 level?

**OR:**

b) Increase by a cost of living factor? (ie. 2% annually resulting in \$2,130, \$2,175, \$2,220 over three years)

**OR:**

c) Be fixed for the term at a different amount?

Please specify: \_\_\_\_\_

	Board Members		Committee Members	
	Yes	No	Yes	No
a) Continue to separately reimburse actual expenses based upon receipts for stationary, ink cartridges and related supplies?	4			
b) Provide a separate annual allowance for Directors to purchase their own stationary, ink cartridges and related supplies? (estimated at approx. \$1,650 annually)	4		2	
Should the supplemental allowance provided to Electoral Area Directors be an amount that covers the additional time and responsibilities of a Director?	3			
Should the supplemental allowance provided to Electoral Area Directors be an amount which covers both additional time and expenses?	4		2	
a) Remain at the current 2002 level?	2			
b) Increase by a cost of living factor? (ie. 2% annually resulting in \$2,130, \$2,175, \$2,220 over three years)	6		2	

## REGIONAL DISTRICT OF NANAIMO

### BYLAW NO. 1317

#### A BYLAW TO AUTHORIZE THE PAYMENT OF SUPPLEMENTAL REMUNERATION AND EXPENSES TO ELECTORAL AREA DIRECTORS

**WHEREAS** Section 788 of the Local Government Act provides that a Board may by bylaw, provide for the remuneration, expenses and benefits of directors;

**NOW THEREFORE**, the Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as "Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Bylaw No. 1317, 2002".

2. In this bylaw unless the context otherwise requires:

"Act" means the Local Government Act;

"Electoral Area Director" means a person appointed or elected to the Board as a Director from an unincorporated Electoral Area but does not include an Alternate Director.

"Alternate Director" means a person appointed as an Alternate Director to an Electoral Area Director pursuant to this bylaw and the Local Government Act.

"Regional Allowance" means an amount paid to an Electoral Area Director in addition to amounts authorized under "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No.1078".

1. The rate for the Regional Allowance for Electoral Area Directors is established according to Schedule 'A' to this bylaw
2. One third of all remuneration paid pursuant to Section 1 shall be considered to be an allowance for expenses incidental to the discharge of the duties of office.
3. In addition to the remuneration paid in Section 1, the following expenditures made or expenses incurred by an Electoral Area Director will be paid by the Regional District, at cost, including applicable taxes, unless otherwise specified, for:
  - a) Operating costs for fax machines and computer equipment, including, but not limited to paper supplies, printer cartridges and toner
  - b) Installation and repair costs for fax machines and computer equipment

- c) Dedicated telephone lines for fax machines
  - d) Internet service for the purposes of establishing e-mail accounts, such service to be the minimum required to establish a reasonable communications link with the Regional District of Nanaimo
4. The provisions of Sections 3 shall be administered by the Manager of Financial Services of the Regional District of Nanaimo who shall be responsible for the application of its provisions and the review and adjudication of expense claims submitted. In the event of a conflict of interpretation, the matter shall be referred to an Administrative Committee comprised of the Manager of Financial Services, the Administrator and the Chairperson of the Board. Where this Committee is unable to resolve the conflict to the satisfaction of the Electoral Area Director, the matter shall be referred to the Board for adjudication.
10. Schedule 'A' is a part of and enforceable in the same manner as this bylaw.

Introduced and read three times this 13<sup>th</sup> day of August, 2002

Adopted this 13<sup>th</sup> day of August, 2002

---

CHAIRPERSON

---

GENERAL MANAGER CORPORATE SERVICES

---

Chairperson

---

General Manager Corporate Services

### SCHEDULE 'A'

1. Rates effective commencing the pay period following the Inaugural Board Meeting in each year shall be as follows:

	<u>Dec. 2002</u>	<u>Dec. 2003</u>	<u>Dec. 2004</u>
Regional Allowance - Electoral Areas only	\$ 2,290	See 1(a)	See 1(a)

- a) the Regional Allowance shall be adjusted by the Vancouver CPI as published at November 30<sup>th</sup>, to be effective in accordance herein.
2. There shall be paid in addition to the rate established in (1) above an amount equal to forty five (.45) cents per capita where the population in an Electoral Area as established by a census, exceeds 5,000. The amount resulting from the per capita adjustment shall be fixed until the next census and shall be effective in the pay period following the Inaugural Board Meeting in each year.
  3. The rates above shall be reviewed by a Committee appointed by the Board in the year of Local Government elections and any changes shall be effective commencing the pay period following the Inaugural Board meeting of that year.



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1078.04

A BYLAW TO AMEND REMUNERATION RATES  
FOR BOARD DIRECTORS

WHEREAS the Board of the Regional District of Nanaimo by bylaw, cited as "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No. 1078, 1997", and subsequent amendments thereto, provided for the remuneration rates and reimbursement of expenses incurred by Directors and Alternate Directors;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to amend remuneration rates and certain text within the bylaw;

NOW THEREFORE the Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

1. Mileage reimbursements Section 5(b)(vi) – Definition is hereby amended as follows:  
  
5(b)(vi) "attendance at meetings **outside of the members jurisdiction** pursuant to a request from Regional District staff."
2. Mileage reimbursements Section 5(b)(vii) is amended as follows:  
  
5(b)(vii) "attendance at public meetings arranged by the AVICC, UBCM, LGMA or other levels of Government."
3. Schedule 'A' attached to Bylaw 1078.03 is hereby repealed and replaced with Schedule 'A' attached hereto.
4. Schedule 'B' attached to Bylaw 1078.03 is hereby repealed and replaced with Schedule 'B' attached hereto.
5. This bylaw may be cited as "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits (All Directors) Amendment Bylaw No. 1078.04, 2002".

Introduced and read three times this 13th day of August, 2002.

Adopted this 13th day of August, 2002.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
General Manager, Corporate Services

**SCHEDULE 'A'**

1. Remuneration rates effective commencing the pay period following the Inaugural Board Meeting in each year shall be as follows:

	<u>Dec. 2002</u>	<u>Dec. 2003</u>	<u>Dec. 2004</u>
All Directors (See 1(a))	\$7,940	\$7,940	\$7,940
Chairperson - allowance (See 1(b) and (c))	\$10,976	See 1(b)	See 1(b)

- (a) The base remuneration shall cover up to five Tuesday meetings per month.
- (b) The Chairperson allowance shall be adjusted by the Vancouver CPI as published at November 30<sup>th</sup>, to be effective with the first Board meeting in December.
- (c) The member elected as Chairperson shall receive no additional remuneration beyond the Chairperson's allowance.
2. In addition to the annual remuneration rates shown at (1) above, there shall be paid the following rates:

Vice Chairperson of the Board	\$150 per meeting when acting as Chairperson of the Board
Committee Chairperson (Standing, Select, Advisory, Public Hearing or Public Information Meeting)	\$100 per meeting chaired
Committee Vice Chairperson (has the same meaning as Committee Chairperson)	\$60 per meeting chaired
Alternate Directors	\$75 per meeting when attending in the regular Director's place
Select Committees	\$60 per meeting attended
Scheduled Standing Committees	\$60 per meeting attended
Advisory Standing Committees	\$60 per meeting attended
Public Hearings	\$60 per meeting attended
Public Information Meeting	\$60 per meeting attended
Other meetings	\$60 per meeting for Directors appointed by the Board to represent the Regional District at other

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(a) Where a Committee meeting, Public Hearing, Public Information meeting or Other Business meeting, exceeds half a day or four hours in length, the per diem shall be \$100.

3. The rates above shall be reviewed by a Committee appointed by the Board in the year of Local Government elections and any changes shall be effective commencing the pay period following the December Inaugural Board meeting of that year.

---

Chairperson

---

General Manager, Corporate Services

## SCHEDULE 'B'

### 1. Meal Expenses

These rates apply with in all cases with the exception of UBCM, AVICC, LGMA or FCM (See 2. below:

- a) Breakfast to a maximum of \$10.00 without a receipt
- b) Lunch to a maximum of \$15.00 without a receipt
- c) Dinner to a maximum of \$25.00 without a receipt
- d) If a receipt is submitted, the actual cost will be reimbursed provided that:
  - (i) the cost of the meal including taxes but not including a gratuity does not exceed the maximum cost per person under a), b) or c); and,
  - (ii) the gratuity if any, does not exceed 15% of the total meal cost including taxes.
- e) Where travel occurs outside of Canada the meal expense maximums shall be converted at prevailing exchange rates.
- f) There will be no reimbursement for alcoholic beverages.

### 2. Travel to UBCM, AVICC, LGMA and FCM Annual Conferences

A daily per diem of \$60 shall be paid to cover all costs of meals, gratuities and incidentals. This per diem shall be paid in lieu of the standard meal per diems above and receipts are not required.

### 3. Mileage

The mileage rate will be increased or decreased effective from September 1<sup>st</sup> each year to be consistent with the rate paid by the Province of British Columbia as at August 31<sup>st</sup> in each year.

UBCM

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REGIONAL DISTRICT OF NANAIMO		
AUG - 7 2002		
CHAIR		GMCrS
CAO		GMDS
GMCmS		GMES

MEMORANDUM

TO: N. Avery  
Manager of Financial Services

DATE: July 31, 2002

FROM: W. Thexton  
Senior Accountant

FILE:

SUBJECT: Operating Results to June 30, 2002

PURPOSE

To present a summary of the operating results for the period ending June 30th, 2002.

BACKGROUND

As part of the Regional District's commitment to accountability, staff prepare quarterly operating statements. The statement attached to this report covers the period January 1 to June 30, 2002. The statements are prepared primarily on an as paid basis except for debt and property taxes, which are accrued monthly.

The relative proportion of revenues and expenditures to date should be approximately 50% of the budgeted amounts for the year. The actual results show earned revenues at 55% of budget and expenditures at 41% of budget. Revenues are slightly ahead of target because most annual user fees have been billed. Expenditures typically vary considerably throughout the year, with some significant costs often paid later in the fiscal period. For example, capital expenses and professional fees may be in the commitment stage but will not be paid until later in the year. Also, reserve fund contributions and transfers to other governments/agencies generally occur in late summer after the receipt of property tax funds.

On an overall basis the attached statement shows that wages (52%), administration costs (50%), and debt financing costs (50%) are approximately equal to the semi annual benchmark. Professional fees (33%), building operations and maintenance (28%), program costs (20%) and capital expenditures (21%) are lower due to the timing issues noted above.

Corporate Services

Overall Corporate Services budgets are within the expected range for revenues and expenditures. Grant and operating revenues are at 49% of budget. Professional fees (13%), building operations and maintenance (13%), capital expenditures (40%) and other operating costs are below the 50% benchmark due to the typical annual expenditure profile for these items. Transfers to the reserve fund (0%) will be made in August. As a result, total expenses for Corporate Services to date are 39% of budget.

Community Services

Overall Community Services budgets are within the expected range for revenues (50%)and expenditures (46%). Overall operating and grant revenues for Transit are 51% of budget, while those for the D69 Arena, D69 Recreation Coordination and the Ravensong Aquatic Center are 45%, 54% and 58% respectively.

Recreation program costs (20%), capital expenditures (17%), and transfers to other agencies (9%) will be incurred later in the year. Professional fees (68%) are higher than the benchmark due mostly to completed tasks for the Growth Management Plan review and consulting for the Arena expansion project. The preliminary consulting and legal costs for the arena-twinning project are slightly higher than originally anticipated.

*Development Services*

Development Services revenues are higher than budget expectations at 83%, partly a result of receiving certain planning grants earlier in the year. Also, Building Inspection permit fees (87%), Planning permit fees (113%) and subdivision application fees (106%) are well above budget due to increased construction activity in the Regional District.

Total expenses for Development Services to date are 43% of budget, with professional fees (33%), equipment operating (16%) and capital expenditures (18%) lower than the benchmark due to timing.

*Environmental Services*

Overall operating/grant revenues are at 58% of budget for Environmental Services. Year to date revenues now reflect the annual billings for sewer, garbage collection and recycling services, as well as the semi annual billing for water services. Solid waste tipping fee revenue is 52% of budget. Wastewater treatment septage receiving fees are at 56% of budget for the Southern Community and 37% for the Northern Community.

Total expenses for Environmental Services are 37% of budget with capital costs (20%), professional fees (35%), building (26%) and vehicle operations and maintenance (33%), being somewhat lower than the semi annual benchmark, once again due to timing.

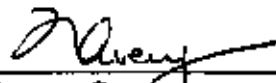
**SUMMARY/CONCLUSIONS**

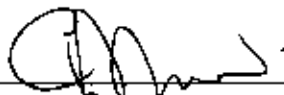
The attached summary includes operating activities recorded up to June 30, 2002. Overall, the Regional District has collected 58% of total budgeted revenues, including 55% of grants and operating revenues, and has incurred 41% of the annual budgeted expenditures. The lower expenditures reflect the seasonal and project related timing for professional fees, community grants, recreation program costs, capital expenditures and transfers to reserves.


**RECOMMENDATION**

That the summary report of financial results from operations to June 30, 2002 be received for information.

  
\_\_\_\_\_  
Report Writer

  
\_\_\_\_\_  
Manager Concurrence

  
\_\_\_\_\_  
General Manager Concurrence

  
\_\_\_\_\_  
C.A.O. Concurrence

**COMMENTS:**

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# REGIONAL DISTRICT OF NANAIMO

## GENERAL REVENUE FUND

June 30, 2002

	CORPORATE SERVICES			COMMUNITY SERVICES			DEVELOPMENT SERVICES			ENVIRONMENTAL SERVICES			TOTAL REVENUE FUND		
	AV 2002	BV 2002	% VAR	AV 2002	BV 2002	% VAR	AV 2002	BV 2002	% VAR	AV 2002	BV 2002	% VAR	AV 2002	BV 2002	% VAR
<b>REVENUES</b>															
TAX ACQUISITION	\$1,811,454	\$3,622,894	50%	\$3,228,036	\$6,456,047	50%	\$576,012	\$1,151,985	50%	\$4,619,581	\$9,238,676	50%	\$10,235,083	\$20,469,604	50%
GRANTS/OPERATING/OTHER	1,044,072	2,148,405	49%	\$3,879,508	\$7,829,019	50%	591,799	710,500	83%	4,981,281	8,543,498	58%	\$10,496,660	\$19,231,422	55%
RETAINED EARNINGS	977,957	977,946	100%	\$1,088,614	\$1,088,590	100%	811,302	811,290	100%	3,012,189	3,012,095	100%	\$5,890,062	\$5,889,921	100%
<b>TOTAL REVENUES</b>	3,833,483	6,749,245	57%	8,196,158	15,373,656	53%	1,979,113	2,873,775	74%	12,613,051	20,794,271	61%	26,621,805	45,580,947	58%
<b>EXPENSES</b>															
ADMINISTRATION	\$271,419	\$587,915	46%	\$871,720	\$1,657,950	53%	\$144,525	\$337,840	43%	\$508,257	\$982,725	51%	\$1,795,921	\$3,576,430	50%
COMMUNITY GRANTS	93,355	66,197	14%	54,408	97,740	56%	0	0	0	0	0	0	\$63,753	\$163,937	38%
LEGISLATIVE	93,676	248,585	38%	0	0	0	0	0	0	0	0	0	\$93,676	\$248,585	38%
PROFESSIONAL FEES	39,265	311,240	13%	112,560	165,030	68%	116,758	355,255	33%	167,498	479,960	35%	\$436,071	\$1,311,465	33%
BUILDING OPS & MAINT	48,225	378,255	13%	180,475	431,985	42%	15,549	42,000	37%	92,844	355,781	28%	\$337,093	\$1,208,021	28%
VEH & EQUIP OPS & MAINT	54,940	87,511	63%	1,002,064	1,876,110	53%	12,175	17,400	70%	331,571	991,425	33%	\$1,400,750	\$2,974,446	47%
EQUIP OPS & MAINT	25,045	68,360	37%	20,112	57,032	35%	2,146	13,780	16%	0	0	0	\$47,303	\$139,172	34%
OTHER OPERATING COSTS	6,174	17,305	36%	177,273	366,450	48%	47,434	120,810	39%	0	0	0	\$230,881	\$504,565	46%
WAGES & BENEFITS	716,098	1,446,716	48%	3,938,358	7,423,763	53%	668,715	1,383,248	48%	1,727,874	3,383,059	51%	\$7,051,043	\$13,636,786	52%
OPERATIONAL COSTS	0	0	0	0	0	0	0	0	0	0	0	0	\$2,329,727	\$6,070,019	38%
PROGRAM COSTS	0	0	0	42,918	213,471	20%	0	0	0	0	0	0	\$42,918	\$213,471	20%
CAPITAL EXPENDITURES	173,566	438,275	40%	136,815	815,450	17%	16,366	89,750	18%	605,622	3,074,187	20%	\$932,369	\$4,417,662	21%
DEBT FINANCING-INTEREST	1,950	3,900	50%	168,248	353,370	48%	0	0	0	894,854	1,789,315	50%	\$1,064,852	\$2,146,585	50%
DEBT FINANCING-PRINCIPAL	906	1,815	50%	88,766	137,535	50%	0	0	0	668,508	1,337,025	50%	\$738,180	\$1,476,375	50%
DEBT FINANCING-EXCHANGE	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0	0
CONTINGENCY	0	0	0	0	0	0	(190)	0	0	0	0	0	(\$190)	\$0	0
CONTR. TO RESERVE FUND	0	152,126	0	0	241,500	0	0	0	0	0	1,168,720	0	\$0	\$1,562,346	0
CONTR. FROM RESERVE FUND	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0	0
TFR TO OTHER GOVT/AGENCIES	988,228	2,400,726	41%	94,000	1,008,787	9%	0	0	0	0	0	0	\$1,082,228	\$3,409,513	32%
<b>TOTAL EXPENDITURES</b>	\$2,428,847	\$6,206,926	39%	\$6,867,705	\$14,848,173	46%	\$1,023,478	\$2,380,083	43%	\$7,328,555	\$19,642,216	37%	\$17,646,585	\$43,057,398	41%
<b>OPERATING SURPLUS (DEFICIT)</b>	\$1,404,636	\$542,319		\$1,328,453	\$525,483		\$955,635	\$313,692		\$5,286,496	\$1,152,055		\$8,975,220	\$2,533,549	



REGIONAL DISTRICT OF NANAIMO			
AUG - 1 2002			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
<i>Brd</i>			

**MEMORANDUM**

**TO:** Stan Schopp  
Manager of Inspection and Enforcement

**DATE:** August 2, 2002

**FROM:** Maude Mackey  
Bylaw Enforcement Officer

**FILE:** 4020 20 02B031

**SUBJECT:** Contravention of Unsightly Premises Regulatory Bylaw No. 1073, 1996 - Pitre Electoral Area 'B' - 661 Gallagher Way, Gabriola Island

**PURPOSE**

To obtain the Board's direction regarding an ongoing property maintenance contravention on the above property.

**BACKGROUND**

**Property:** 661 Gallagher Way

**Legal Description:** Lot 26, Section 18, Gabriola Island, Nanaimo District, Plan 21586

**Property Owner:** Roxane L. Pitre  
1718 Tashtego Cres.  
Gabriola Island, B.C. V0R1X5

A complaint regarding 'maintenance' issues on this property was received on February 18, 2002. A site inspection followed confirming the presence of years of accumulated discarded, disused materials and unlicensed vehicles and trailers. Two constructed buildings were also evident. These structures were later determined to have been erected without benefit of a building permit. A closer inspection of these buildings concluded that there is no possibility that either could be brought up to building code minimum standards. Correspondence followed to the property owner on February 28th directing the buildings be removed. A recent inspection confirmed the demolition work is nearly complete on the 'residence' but has yet to start on the workshop. Building Inspection staff are now proceeding with a Notice on the title of the property concerning the remaining illegal construction.

Ms. Pitre's partner, Mr. Youngman, has been overseeing the demolition work and property clean up. He has indicated personal difficulties have impeded this progress. There is still a considerable amount of work required on the property and staff are concerned that given the 4 months that has now passed, these 'difficulties' will preclude resolution of these concerns in a timely fashion.



### ALTERNATIVES

1. The owner not be directed to remove the identified items from the property.
2. The owner be directed to remove the identified items from the property.

### FINANCIAL IMPLICATIONS

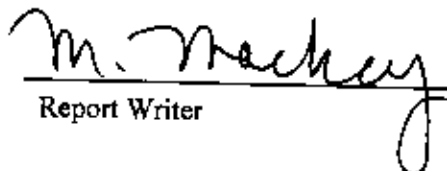
If the Board directs the property owner to remove the identified items from the property, any costs incurred by the Regional District or its agent with respect to the removal, shall be recovered from the property owner.

### SUMMARY/CONCLUSIONS

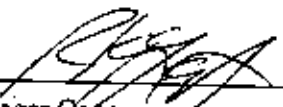
This property is subject to a Property Maintenance Bylaw and the discarded, disused materials and derelict vehicles/trailers stored on site would be in contravention of this regulation. A representative of the property owner is continuing to work on the property clean up; however, reported personal difficulties have impeded this progress. The clean up effort has been underway for over 4 months; however, there is still a considerable amount of work required to bring the property into compliance with Bylaw No. 1073.

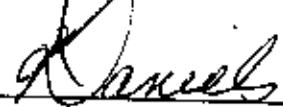
### RECOMMENDATION

That should the property maintenance concerns not be rectified by August 13, 2002 pursuant to the "Unightly Premises Regulatory Bylaw No. 1073, 1996", that the Board direct the owner of the above property to remove from the premises, those items as set out in the attached resolution within fourteen (14) days, or the work will be undertaken by the Regional District's agents at the owners cost.

  
\_\_\_\_\_  
Report Writer

  
\_\_\_\_\_  
General Manager Concurrence

  
\_\_\_\_\_  
Manager Concurrence

  
\_\_\_\_\_  
CAO Concurrence

COMMENTS:

**REGIONAL DISTRICT OF NANAIMO**

**RESOLUTION**

***UNSIGHTLY PREMISES REGULATORY BYLAW NO. 1073, 1996***

MOVED \_\_\_\_\_, SECONDED \_\_\_\_\_, that pursuant to the provisions of the *Unsightly Premises Regulatory Bylaw No. 1073, 1996* and amendments thereto, IT IS HEREBY RESOLVED that the owner(s)/occupier(s) of the respective premises set forth below be notified to remove the accumulation of the materials indicated and to take such remedial measures as are specified:

PROPERTY DESCRIPTION: Lot 26, Plan 21586, Section 18, Nanaimo Land District, Gabriola Island

LOCATION: 661 Gallagher Way

OWNER(S): Roxane L. Pitre  
1718 Tashtego Cres.  
Gabriola Island, V0R 1X5

UNSIGHTLY ACCUMULATION: Derelicts vehicles/trailers, household debris and discarded, disused materials.

REMEDIAL MEASURES: To remove the accumulation of derelict vehicles/trailers, discarded, disused materials and household debris, leaving the property clean and tidy.

AND BE FURTHER RESOLVED that the Bylaw Enforcement Officer of the Regional District of Nanaimo BE AND IS HEREBY AUTHORIZED in default of such removal or remedial measures being undertaken by the owner(s) or occupier(s), within fourteen (14) days of receipt of notice to do so, to carry out or have such work carried out and the expense charged to the owner(s)/occupier(s). If unpaid by December 31<sup>st</sup> in the year in which the work is done, the expenses shall be added to and form part of the taxes payable on that real property as taxes in arrears.

I hereby certify the foregoing to be a true and correct copy of the resolution passed by the Board at its regular meeting, held August 13, 2002.

DATED at Nanaimo, B.C. )

this \_\_\_\_ day of \_\_\_\_, 2002)



REGIONAL DISTRICT OF NANAIMO	
AUG - 2 2002	
CHAIR	GMCrS
CAC	GMDS
EMCS	GMES
Brid	
DATE:	

MEMORANDUM

**TO:** Pam Shaw  
Manager of Community Planning

**DATE:** August 2, 2002

**FROM:** Brigid Reynolds  
Planner

**FILE:** 3060 30 0243

**SUBJECT:** Development Permit Application No. 0243 - Gibson and Brosz  
Electoral Area 'H' - Horne Lake Caves Road

PURPOSE

To consider the issuance of a development permit with variances to legalize an existing recreational residence, deck, and set of stairs within an Environmentally Sensitive Areas Development Permit Area pursuant to the Regional District of Nanaimo Shaw Hill - Deep Bay Official Community Plan Bylaw No. 1007, 1996.

BACKGROUND

The subject property, legally described as Strata Lot 60, District Lot 251, Alberni District, Plan VIS5160, is located on Horne Lake Caves Road at Horne Lake in Electoral Area 'H' (see Attachment No. 1).

This application was reviewed by the Electoral Area Planning Committee at the July 23, 2002 meeting. Staff recommended that the variance request not be approved (see Attachment No. 2 for a copy of the original report). The applicants made a submission to the committee and the motion was made to approve the variance and refer the application back to staff to develop conditions of approval. The Committee resolution is as follows:

*That Development Permit No. 0243 to vary the minimum setback requirement of the Comprehensive Development 9 (CD9) zone of 8.0 metres from the natural boundary of Horne Lake to a minimum of 0.0 metres for the stairs, and a minimum of 2.0 metres for the deck and recreational residence, to legalize the location of an existing recreational residence and other existing and proposed construction within an Environmentally Sensitive Areas Development Permit Area on the property legally described as Strata Lot 60, District Lot 251, Alberni District, Plan VIS5160, be approved and that the application be referred back to staff to develop conditions of approval.*

**CARRIED**

Staff has met with the applicants to develop the conditions of approval (see Schedule No. 1).

The conditions of approval are required to bring the maximum permitted footprint of the recreational residence, deck, landscape deck and stairs into compliance with Bylaw No. 500 and to address the development permit area guidelines. The current overall footprint exceeds the maximum of 93 m<sup>2</sup> by approximately 20 m<sup>2</sup> and this provision of the zoning regulations cannot be varied.

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A Land Use Covenant was a condition of the subdivision and rezoning process at Horne Lake and is registered on title of each strata lot. This was not outlined in the previous report and the relevant clause is as follows:

*The Transferor must not construct or permit the construction or placement of a building on the Lands:*

- (a) *Within fifteen metres of the natural boundary of a watercourse other than Horne Lake as defined in the Zoning Bylaw;*
- (b) *Within eight metres of the natural boundary of Horne Lake;*

*Unless the Transferor has first provided to the Transferee a site survey prepared by a professional land surveyor licensed to practice in British Columbia demonstrating that the proposed construction complies with the Zoning Bylaw setback requirements and Development Permit guidelines of the Shaw Hill – Deep Bay Official Community Plan. This section applies to the placement of a building or the construction or addition of any alteration to a building other than a permitted minor addition after the date of this Section 219 Covenant.*

Approval of the proposed variances and development permit would have the effect of bringing the construction into compliance with the zoning bylaw setback requirements and development permit guidelines as provided for in the covenant.

Notification has been undertaken pursuant to the *Local Government Act*. At the time of writing the report no comments have been received from surrounding parcels receiving the notice.

#### **ALTERNATIVES**

1. To approve the requested variance and development permit subject to the conditions outlined in Schedule Nos. 1, 2, and 3.
2. To deny the requested variance and development permit.

#### **DEVELOPMENT IMPLICATIONS**

The land use and environmental implications are discussed in the previous staff report (*see Attachment No. 2*).

The Land Use covenant registered on title does not prevent the Board from approving the variances. This approval makes the recreational residence, deck, and stairs conform to Bylaw No. 500 and therefore, in compliance with the covenant.

#### **VOTING**

Electoral Area Directors – one vote, except Electoral Area 'B'.

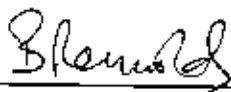
### SUMMARY/CONCLUSIONS

This is an application to vary the minimum setback requirement from the natural boundary of Home Lake of the Comprehensive Development 9 (CD9) zone to legalize the siting of an existing recreational residence, deck and stairs and to permit the undertaking of structural works to replace the rear exterior wall and add a 10 m<sup>2</sup> minor addition, extend the walls vertically to create a loft, and replace the existing roof, within a Development Permit Area.

Upon Committee direction, staff has met with the applicants to develop the conditions of approval as set out Schedule No. 1. The applicants are in concurrence with the conditions.

### RECOMMENDATION

That Development Permit Application No. 0243 to vary the minimum requirements of the Comprehensive Development 9 (CD9) zone of 8.0 metres from the natural boundary of Home Lake to a minimum of 0.0 metres for the stairs, and a minimum of 2.0 metres for the deck and recreational residence, to legalize the location of an existing recreational residence and other existing and proposed construction within an Environmentally Sensitive Areas Development Permit Area on the property legally described as Strata Lot 60, District Lot 251, Alberni District, Plan VIS5160 be approved, subject to the requirements outlined in Schedule Nos. 1, 2, and 3.



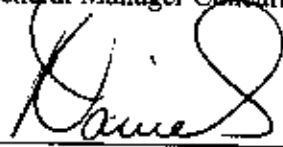
Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

### COMMENTS:

devsvs/reports/2002/dp aw brd 3060 30 0243 gibson brosz

**Schedule No. 1  
Conditions of Approval  
Development Permit No. 0243**

**Development Permit No. 0120**

1. Works shall be undertaken in accordance with Development Permit No. 0210.

**Site Survey**

2. A legal site survey completed by a BCLS confirming the siting of all buildings and structures on the lot must be submitted to the Regional District of Nanaimo once the works have been completed.

**Removal of Outhouse and Decking**

3. The footprint must be reduced in size to 93 m<sup>2</sup> by removing the wooden walkway and interlock brick walkway. This must be verified by site survey.
4. The outhouse must be removed once the pump and haul system has been connected to the RDN Pump and Haul Service.

**Replanting**

5. Replant the foreshore the length of the parcel and bank in front of the cabin with vegetation native to the area and suitable to the site conditions including sunlight, soil type and soil moisture.

**Sediment and Erosion Control**

6. No removal of vegetation within the development permit area.
7. Sediment and erosion control measures must be utilized to control sediment during construction and to stabilize the site after construction is complete. These measures must include:
  - (a) Exposed soils must be seeded as soon as possible to reduce erosion during rain events;
  - (b) Tarps, sand bags, poly plastic sheeting and/or filter fabric are required to be onsite during the works;
  - (c) Cover temporary fill or soil stockpiles with polyethylene or tarps.

**Retaining Wall**

8. No alteration of the existing seawall without a bioengineering assessment.



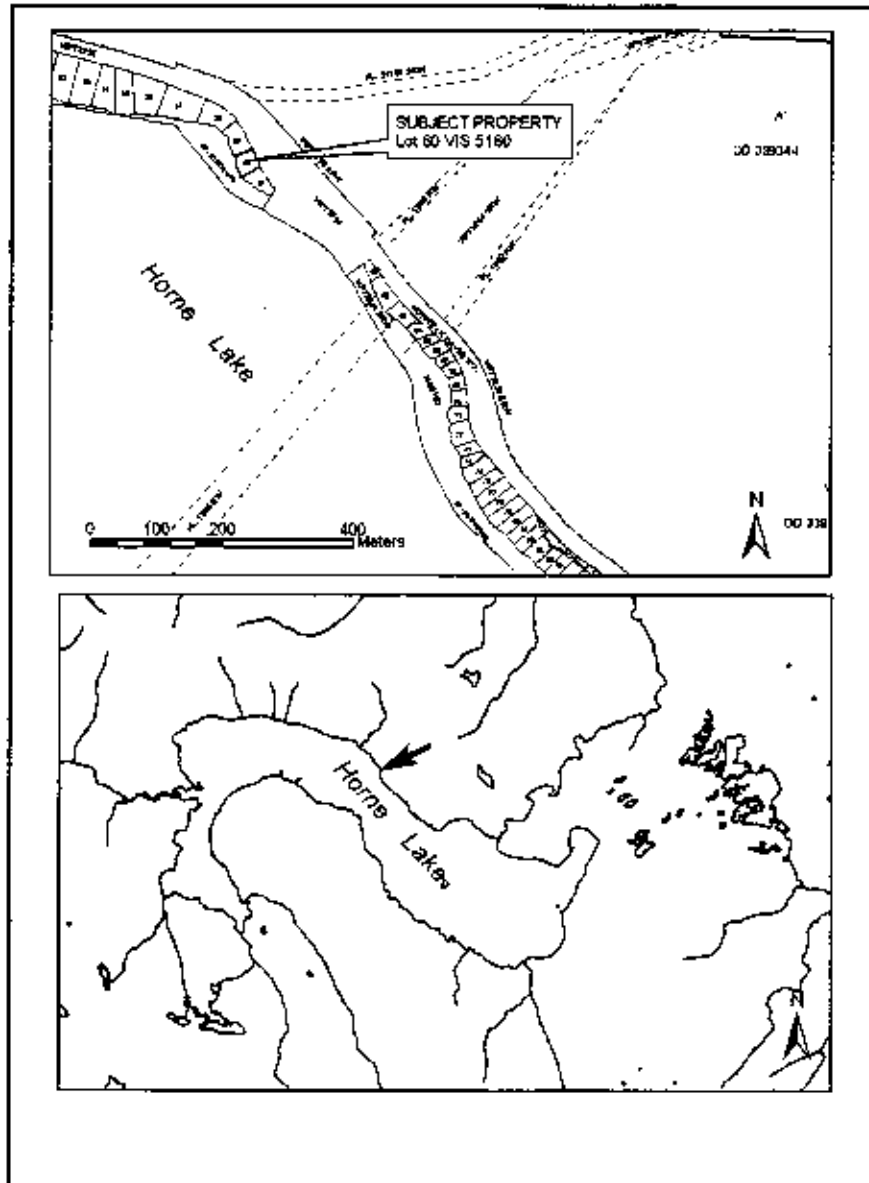
**Schedule No. 3  
Requested Variances  
Development Permit No. 0243**

With respect to the lands, the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987, the following variances are proposed:

1. Section 3.4.107.4 Minimum Setback Requirements – Home Lake is varied from 8.0 metres from the natural boundary of Home Lake to a minimum of:
  - (a) 0.0 metres for the stairs and
  - (b) 2.0 metres for a deck and recreational residence.



**Attachment No. 1**  
**Subject Property**  
**Development Permit No. 0243**



Attachment No. 2  
Original Staff Report  
Development Permit No. 0243



MEMORANDUM

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**TO:** Pamela Shaw  
Manager, Community Planning

**DATE:** July 12, 2002

**FROM:** Brigid Reynolds  
Planner

**FILE:** 3060 30 0243

**SUBJECT:** Development Permit Application No. 0243 - Gibson and Brosz  
Electoral Area 'H' - Horne Lake Caves Road

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**PURPOSE**

This is an application to vary the setback from the natural boundary of Horne Lake from 8.0 metres to 2 metres to legalize an existing recreational residence and deck, and to vary the setback from 8.0 metres to 0 metres to legalize an existing set of stairs within an Environmentally Sensitive Areas Development Permit Area pursuant to the Regional District of Nanaimo Shaw Hill - Deep Bay Official Community Plan Bylaw No. 1007, 1996.

**BACKGROUND**

The subject property, legally described as Strata Lot 60, District Lot 251, Alberni District, Plan VIS5160, is located on Horne Lake Caves Road at Horne Lake in Electoral Area 'H'. (see Attachment No. 1).

The subject property is zoned Comprehensive Development 9 (CD9) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987." The bylaw states the minimum setback requirement from the natural boundary of Horne Lake is 8.0 metres. The recreational residence and deck are located a minimum of 3.0 metres from the natural boundary and the stairs are located 0.0 metres from the natural boundary. The maximum permitted footprint within the 15-metre development permit area is 93 m<sup>2</sup>, pursuant to Bylaw No. 500. The current overall footprint of the recreational residence, deck, landscape deck and stairs exceeds this by approximately 20 m<sup>2</sup>.

The original recreational residence was constructed in the 1920's and subsequent additions have been made over the years including the construction of the deck and stairs. The recreational residence meets the flood construction elevation required by the Flood Protection Covenant that was registered on title at the time of subdivision.

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As the Board will recall, in October 2001, "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.275" was adopted. This Bylaw created a new CD9 zone and rezoned the land surrounding Home Lake from Resource Management 1 (RM1) to Comprehensive Development 9 (CD9) for the creation of a maximum of 400 Bare Land Strata lots. As part of the rezoning and subdivision, existing buildings and structures that do not conform to Bylaw No. 500 were permitted to remain in their current location and state, but were not granted nonconforming status. Therefore, when any structural alteration is proposed to an existing illegally sited recreational residence, the owner is required to make the non-conforming buildings and structures conform to Bylaw No. 500 by physically moving the illegally sited building and/or structure or making an application for a site specific variance.

The applicant is requesting to undertake structural works to replace the rear exterior wall and add a 10 m<sup>2</sup> minor addition, extend the walls vertically to create a loft and replace the existing roof. All the proposed works would be undertaken within the 15 metres Environmentally Sensitive Areas Development Permit Area pursuant to Shaw Hill - Deep Bay Official Community Plan Bylaw No. 1007, 1996.

The Environmentally Sensitive Areas Development Permit Area was established to protect the natural environment. The Development Permit Area is measured 15.0 metres from the natural boundary of Home Lake and other watercourses. The proposed minor addition will be constructed within the development permit area.

#### **ALTERNATIVES**

3. To approve the requested variance and development permit and refer the application back to staff to develop conditions of approval.
4. To deny the requested variance and development permit.

#### **LAND USE AND DEVELOPMENT IMPLICATIONS**

Undertaking structural repairs or alterations to an illegally sited recreational residence such as the works proposed in this application triggers the requirement to conform to Bylaw No. 500. The recreational residence is illegally sited therefore, granting the variance for the recreational residence and deck to remain in the current location would remove the only opportunity for this recreational residence to move outside the 8 metre zoning setback.

The deck for the recreational residence on the adjacent lot (Lot 61) is sited a minimum of 2 metre from the natural boundary and the recreational residence is sited a minimum of 4 metre from the natural boundary. Lot 61 has similar site constraints. The adjacent lots west of the subject property are sited more than 8 metres from the natural boundary. These lots are in the process of being developed to accommodate recreational residence that had to be relocated due to a geotechnical hazard in their existing location.

The property owners indicate that they prefer to remain in the current location. The lot has several constraints limiting alternative building sites. The lot is shallow, between 26 metres and 30 metres, and an access easement for two adjacent lots bisects the lot reducing potential building sites. However, there

is a buildable site area behind the 8 metres zoning setback where the recreational residence and deck could be relocated.

The application includes undertaking structural works to replace the rear exterior wall and add a 10 m<sup>2</sup> minor addition, extend the walls vertically to create a loft and replace the existing roof. However, when the roof is removed the remaining frame and structure may be found to be unstructurally sound and would require more extensive renovations than requested as part of this application.

The overall footprint of the recreational residence, deck, patio and shed is over 113 m<sup>2</sup>. This footprint is in excess of the footprint of 93 m<sup>2</sup> that is permitted in the Comprehensive Development 9 (CD9) zone pursuant to Bylaw No. 500. This footprint would need to be reduced.

Granting the variance permitting the recreational residence and deck to remain in its current location will set a precedent for other potential variance applications around Horne Lake. There are many recreational residences around Horne Lake that are illegally sited and setting this precedent where there is an alternative buildable site area could comprise the long term goal of achieving broad compliance with Bylaw No. 500.

Should the Board grant this variance, staff recommends that the application be referred back to staff so that staff could work with the applicants to develop conditions for the development permit.

#### **ENVIRONMENTAL IMPLICATIONS**

The recreational residence and deck is sited a minimum of 2 metres from the natural boundary of Horne Lake. The Environmentally Sensitive Areas Development Permit Area was established to protect the natural environment. The current location of the recreational residence and decks comprises the long-term viability for regeneration of the riparian vegetation.

While moving the recreational residence and deck behind the 8 metre zoning setback will have a short term impact on the natural environment, the long term result will ensure the features and functions of riparian areas surrounding Horne Lake will continue to play an important role in maintaining biodiversity and erosion protection.

The portion of the foreshore on this lot that is not located behind the retaining wall is being undercut because the vegetation has been removed.

#### **VOTING**

Electoral Area Directors – one vote, except Electoral Area 'B'.

#### **SUMMARY/CONCLUSIONS**

This is an application to vary the minimum setback requirement from the natural boundary of Horne Lake of the Comprehensive Development 9 (CD9) zone to legalize the siting of an existing recreational residence, deck and stairs and to permit the undertaking of structural works to replace the rear exterior

wall and add a 10 m<sup>2</sup> minor addition, extend the walls vertically to create a loft and replace the existing roof, within a Development Permit Area.

While moving the recreational residence and deck behind the 8 metre zoning setback will have a short term impact on the natural environment, the long term result will ensure the features and functions of riparian areas surrounding Horne Lake will continue to play an important role in maintaining biodiversity and erosion protection.

Should the Board grant this variance, staff recommends that the application be referred back to staff so that staff could work with the applicants to develop conditions for the development.

From staff's assessment of this application, the request to vary the setback to legalize the location of an existing recreational residence should not be supported. While there are site constraints, there is an alternative building site behind the 8 metre zoning setback. Granting this variance would set a precedent for other applications, which could compromise the long-term goal of achieving compliance to Bylaw No. 500.

#### RECOMMENDATION

That Development Permit Application No. 0243 to vary the minimum setback requirements of the Comprehensive Development 9 (CD9) zone of 8 metres from the natural boundary of Horne Lake to a minimum of 0 metres for the stairs, and a minimum of 2.0 metres for the deck and recreational residence, to legalize the location of an existing recreational residence and other existing and proposed construction within an Environmentally Sensitive Areas Development Permit Area on the property legally described as Strata Lot 60, District Lot 251, Alberni District, Plan VIS5160, be denied.

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Report Writer

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General Manager Concurrence

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Manager Concurrence

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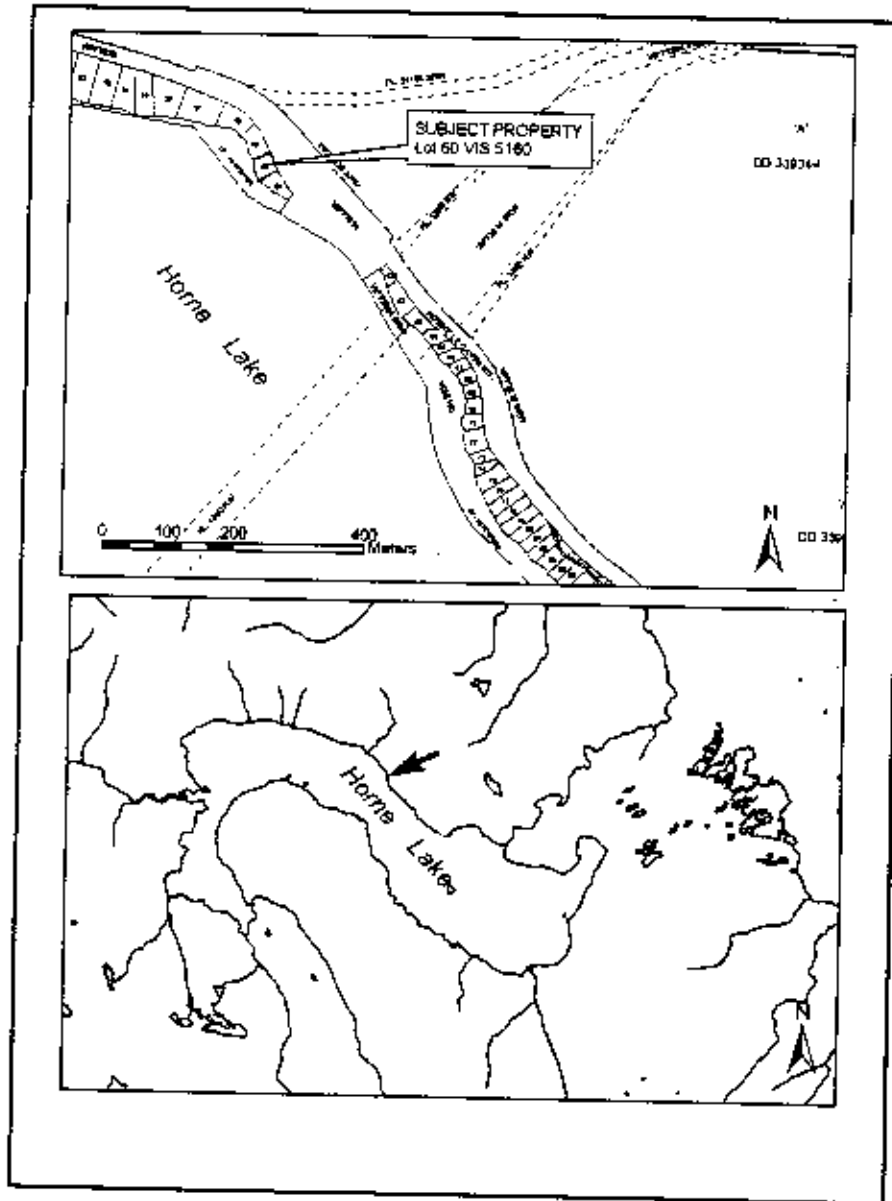
CAO Concurrence

#### COMMENTS:

*devsvs/reports/2002/dp\_ju\_3060\_30\_0243\_gibson\_bross*



**Subject Property**  
**Development Permit No. 0243**





REGIONAL DISTRICT OF NANAIMO			
AUG - 9 2002			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
		<i>BRP</i>	✓

## MEMORANDUM

**TO:** Pamela Shaw  
Manager, Community Planning

**DATE:** August 2, 2002

**FROM:** Susan Cormie  
Senior Planner

**FILE:** 6640 01 NA AI

**SUBJECT:** Approach Path Zoning for the Nanaimo Airport  
Electoral Area 'A'

### PURPOSE

To consider a request from the Nanaimo Airport Commission to formally begin participation in the approach path zoning bylaw process.

### BACKGROUND

The Regional District has received correspondence from the Nanaimo Airport Commission requesting support for the concept of approach path zoning for the Nanaimo Airport and to begin the bylaw process to establish such zoning (*see Attachment No. 1*).

The purpose of approach path zoning is to:

1. prevent lands adjacent to or in the vicinity of an airport site from being used or developed in a manner that is incompatible with the operation of an airport;
2. prevent lands adjacent to or in the vicinity of an airport site from being used or developed in a manner that is incompatible with the safe operation of an airport or aircraft; and
3. prevent lands adjacent to or in the vicinity of facilities used to provide services relating to aeronautics from being used or developed in a manner that would cause interference with signals or communications to and from aircraft or to and from those facilities.

The establishment of this zoning would bring the recommended Federal regulations pertaining to airspace surrounding an airport into effect. It is noted that the approach path zoning would be applicable to the air space surrounding the airport and not over the airport itself. Under federal regulations, the airport lands are already subject to limiting the obstacles within their lands.

In addition, the Commission requires that this zoning be in place as part of a prerequisite for the establishment of an instrument landing system.



The process involved in establishing approach path zoning is twofold. Along with an approach path zoning bylaw being prepared and presented to the public, an agreement made pursuant to Section 176 of the *Local Government Act* is required. Section 176 provides that a local government may enter into agreements with public authorities for the operation and enforcement related to the public authority's service, in this case, Transport Canada.

The Nanaimo Airport is located adjacent to the south boundary of the Regional District of Nanaimo and is situated partially in Electoral Area 'A' and in the Cowichan Valley Regional District. Currently, while the airport has legal non-conforming status with respect to zoning, there are some outstanding issues related to some existing land uses. It is noted that the Nanaimo Airport Commission is currently developing a Master Land Use Development Plan. Upon completion of that Plan, new zoning will need to be considered by the Regional Board.

As this request involves the zoning of airspace surrounding the airport, the request for approach path zoning may be considered independently of future zoning on the airport lands.

#### **ALTERNATIVES**

1. To proceed with the approach path zoning bylaw initiative for the Nanaimo Airport.
2. To proceed with the approach path zoning bylaw initiative subject to legal, advertising, and other related costs in the preparation of the agreement and bylaw being borne by the Nanaimo Airport Commission.
3. To advise the Nanaimo Airport Commission that the RDN does not wish to participate in the approach path zoning bylaw initiative.

#### **LAND USE / OFFICIAL COMMUNITY PLAN IMPLICATIONS**

The Electoral Area 'A' Official Community Plan Bylaw No. 1240, 2001 recognizes the airport and its related uses as an economic and transportation hub for not only the Regional District, but also Vancouver Island. Therefore, the OCP supports this initiative.

The majority of the land uses surrounding the Nanaimo Airport are rural and it is anticipated that the proposed approach path zoning will have little impact on additional restrictions with respect to the height and placement of buildings and structures.

#### **INTERGOVERNMENTAL IMPLICATIONS**

The Airport Commission has also made a request to the Cowichan Valley Regional District to establish approach path zoning by bylaw. District staff has verbally indicated that the proposal has merit, although the request has yet to be considered by the CVRD Board of Directors.

## **PUBLIC CONSULTATION IMPLICATIONS**

This proposed bylaw would be considered in the same manner as any other zoning amendment bylaw. A full public consultation process would be conducted to ensure members of the public are informed of the proposal and are given every opportunity for input. Airport staff has indicated that they will participate in all public events. At a minimum, a public information meeting and public hearing would be held as part of the bylaw process.

## **FINANCIAL IMPLICATIONS**

While the Nanaimo Airport Commission is subject to the application fees for a bylaw amendment, the Commission is also prepared to pay for the costs associated with any legal fees in the preparation of the agreement with Transport Canada and subsequent bylaw. The application fee will cover the costs of hall rentals, staff time, notification procedures, and public consultation.

## **VOTING**

Electoral Area Directors – one vote, except Electoral Area 'B'

## **SUMMARY**


The Nanaimo Airport Commission has requested the support of the Regional District to establish approach path zoning for the Nanaimo Airport by local government bylaw pursuant to Section 176 of the *Local Government Act*. Section 176 provides authority for a local government to enter into an agreement with a public authority for the operation and enforcement related to the public authority's service.

The establishment of this zoning would bring the recommended Federal regulations pertaining to airspace surrounding an airport into effect. The Airport Commission staff has indicated that the Commission will undertake the majority of work leading up to the establishment of the bylaw, including surveying and legal costs. The zoning amendment fee will cover other expenses associated with the public process such as rental of halls, notification, and staff time. The Cowichan Valley Regional District (CVRD) has also been requested by the Nanaimo Airport Commission to establish approach path zoning and District staff has indicated that the proposal has merit to proceed to the CVRD Board.

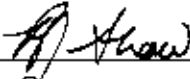
As the financial costs associated with the agreement, bylaw and public process will be covered by the Nanaimo Airport Commission, and as the public will have an opportunity to provide comments with respect to the proposed approach path zoning, staff supports Alternative No. 2 to proceed with the approach path zoning bylaw initiative subject to legal, advertising, and other related costs in the preparation of the bylaw being borne by the Nanaimo Airport Commission.

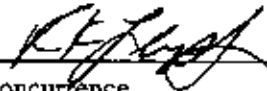
**RECOMMENDATION**

That the Regional District participate in the establishment of an approach path zoning initiative with the Nanaimo Airport Commission, subject to all related costs, including legal costs associated with the preparation of the agreement with Transport Canada, and the subsequent bylaw and all public meetings and hearing costs, being borne by the Nanaimo Airport Commission.

  
\_\_\_\_\_  
Report Writer

  
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General Manager Concurrence

  
\_\_\_\_\_  
Manager Concurrence

  
\_\_\_\_\_  
A/CAO Concurrence

COMMENTS:  
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 Tel: (250) 245-4191 • Fax: (250) 245-4308  
 web site: www.nanaimo-airport.com  
 email: apm@nanaimo-airport.com

July 9, 2002

Mr. George Holme  
 Chairman, Nanaimo Regional District  
 6300 Hammond Bay Road  
 Nanaimo, B.C. V9T 6N2

Dear Mr. Holme:

Re: Approach Path Zoning for Nanaimo Airport

REGIONAL DISTRICT OF NANAIMO			
JUL 15 2002			
CHAIR	<input checked="" type="checkbox"/>	GMCrs	
CAO	<input checked="" type="checkbox"/>	GMDS	<input checked="" type="checkbox"/>
GMCms		GMES	
<i>Bob report</i>			
<i>and recommendations</i>			
<i>for Area B &amp; C</i>			
<i>Advisory Report</i>			

*Ludo - BF*

I am writing to you to request the support of the Regional District of Nanaimo in establishing approach path zoning for the Nanaimo Airport. This zoning is vital to the long-term protection of the Airport from a land use point of view. In addition, it is a prerequisite for the instrument landing system which the Airport Commission is endeavoring to establish as a matter of high priority.

Transport Canada's approach to creating approach path zoning around airports is to do so by means of what is known as the municipal process. This process is provided for by Section 176 of the B.C. Municipal Act whereby municipalities are empowered to enter into agreements with public authorities, including the Government of Canada. In the case of the Nanaimo Airport, the process would lead to the Regional District of Nanaimo (and Cowichan Valley Regional District) entering into a legal agreement with Transport Canada which would permit the Districts to adopt a federal airport zoning regulation pursuant to the provisions of the Aeronautics Act.

I would like to emphasize that the Nanaimo Airport Commission will undertake the great bulk of the work leading up to the establishment of the regulation, including all the required surveying and, in consultation with Transport Canada and your own staff, preparation of the actual regulation to be adopted.

Representatives of the Airport Commission have met with Laurence Elliott who is supportive of this initiative and is willing to see work proceed in this regard.

I would very much appreciate confirmation that the Regional District of Nanaimo is willing to work with us on this important and necessary project. I would also appreciate your designating a member of your staff to sit as a member of the technical team (along with Airport staff and representatives of Transport Canada) to oversee the work being done on the project.

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email: [apm@nanaimo-airport.com](mailto:apm@nanaimo-airport.com)

For your information, I have addressed a separate but similar letter to Mr. Tom Walker,  
Chairman of the Cowichan Valley Regional District.

Yours truly,

Brian Smith  
Chairman  
Nanaimo Airport Commission

cc. Laurence Elliott  
Director, Electoral Area A, RDN

PAGE  
8/2



REGIONAL DISTRICT OF NANAIMO

AUG - 9 2002

CHAIR		GMCrS	
CAO		GMDS	
GMCm8		GMES	
		<i>BLO</i>	✓

MEMORANDUM

TO: Robert Lapham  
General Manager, Development Services

DATE: August 6, 2002

FROM: Pamela Shaw  
Manager of Community Planning

FILE: 0510 20 BCHYDRO

SUBJECT: Vancouver Island Generation Project and Environmental Assessment Review  
All Electoral Areas

PURPOSE

To provide information on the Environmental Assessment Office's Review Committee for BC Hydro's proposed Vancouver Island Generation Project.

BACKGROUND

BC Hydro is proposing to construct a gas-fired electricity plant (referred to as the Vancouver Island Generation Project or VIGP) at Duke Point within the City of Nanaimo (the proponents of the project presented the proposal to the July 2002 Committee of the Whole, and a recent summary of the project is attached for information- see Attachment 1).

As required under the Environmental Assessment Act, the Environmental Assessment Office (EAO) has screened the project and accepted it for review. The Regional District of Nanaimo, along with Snuneymuxw First Nation and other local, provincial, and federal agencies, have been invited to participate in the assessment of this application (see Attachment 2 'Project Committee Operating Procedures'). Each agency generally has one official project committee member (who may be accompanied by technical advisors). A list of project committee members (supplied by the EAO) is attached for the Board's information (see Attachment 3).

The first meeting of the VIGP Review Committee was held July 30, 2002. Given the proximity of the proposed facility to Electoral Area 'A', the Chair requested that Director Laurence Elliott attend for the RDN (it is noted that the Islands Trust has appointed Director Gail Lund to participate on the committee in recognition of the potential impacts of the facility on Gabriola Island, and the City of Nanaimo has appointed Councillor Bill Holdom). It is anticipated that the Committee will meet approximately five times to discuss public responses and comment on the EAO's project report. Additional meetings may be scheduled for sub-committees or on-site tours. It is anticipated that the committee's mandate will be completed by November 2002.

ALTERNATIVES

1. To appoint Director Laurence Elliott to the Environmental Assessment Office's Project Review Committee for the Vancouver Island Generation Project.
2. To not participate in the review committee.

## PARTICIPATION IMPLICATIONS

While the proposed facility is within the City of Nanaimo, RDN residents have expressed concerns to Area Directors, in the media, and at the public events on potential health/environmental impacts, the location of the facility, the technology being considered, privatization of aspects of the project, and on the associated requirement for a new gas line crossing the Georgia Strait. It would likely be important to area residents to have a representative directly participating on the committee.

It should be emphasized that not all the above noted issues will be considered in the EAO's review of the proposal. While the EAO will consider the proponent's public consultation activities and all permit requirements, the EAO has indicated that recommendations on alternate technologies, marketing and pricing are beyond the mandate of the EAO and the Project Review Committee.

Documentation from the EAO notes that any agency participating on the committee is free to make recommendations or comments separate from the recommendations of the committee. Membership on the committee does not in any way bind any agency to supporting the recommendations of the committee.

## VOTING


All Directors – one vote each.

## SUMMARY/CONCLUSIONS

BC Hydro is proposing the construction of a new Vancouver Island facility and the RDN has been invited to participate in the Environmental Assessment Office's review of the project. Given the proximity of the proposed facility to Electoral Area 'A' and given that Islands Trust and the City of Nanaimo have provided representation, it is recommended that Director Laurence Elliott represent the RDN on this committee. Participation on the committee will require attendance at approximately five meetings, and the review is anticipated to be completed by November 2002. Staff will offer technical support to Director Elliott and attend meetings as required.

## RECOMMENDATION

That the RDN appoint Laurence Elliott, Director for Electoral Area 'A' to the BC Environmental Assessment Office Review Committee for the Vancouver Island Generation Project.

  
\_\_\_\_\_  
Report Writer

  
\_\_\_\_\_  
General Manager Concurrence

  
\_\_\_\_\_  
CAO Concurrence

## COMMENTS:

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## Vancouver Island Generation Project Project Update

BC Hydro has filed an application with the British Columbia Environmental Assessment Office (BCEAO) for a Project Approval Certificate. This certificate is required to construct and operate the Vancouver Island Generation Project, a 265-megawatt combined cycle gas-fired electricity generation facility on a site adjacent to the Harmac Mill in the Duke Point area of Nanaimo.

"The generation facility is required to help meet the growing electricity needs of Vancouver Island," said BC Hydro's Executive Vice President for Generation Gary Rodford. "For economic, reliability and security reasons it's better to build the facility where the need is and not elsewhere in the province."

"If we want to avoid compromising system reliability on the Island, this facility needs to be up and running by the winter of 2004/05," Rodford added.

If approved by the BCEAO, the facility is expected to begin operation in November 2004.

The VIGP will be reviewed under the terms of the *BC Environmental Assessment Act* (BCEAA). The Environmental Assessment Office (EAO) administers the review process. Additional information on the EAO and BCEAA is available on the EAO web-site at [www.eao.gov.bc.ca](http://www.eao.gov.bc.ca) or by contacting the EAO directly.

Copies of the Application will be available for review locally as well as on the EAO website. The availability of the Application will be advertised locally.

### VIGP Study Highlights

The studies submitted in the BCEAO Application include the project's environmental, socio-economic, health, cultural and heritage, and First Nations effects.

#### Key study findings to date indicate that:

- VIGP will meet or exceed (or better than) provincial and federal air quality standards.
- VIGP will have negligible effects on health in the Nanaimo area.
- Water use by VIGP will not negatively impact the Nanaimo River.
- VIGP will not use ground water.
- Wastewater from the VIGP will have no notable impact on receiving waters.
- VIGP will not be heard above existing noise levels in the areas surrounding the site.
- Locating the VIGP at the Harmac Mill site minimizes environmental effects.
- VIGP will create approximately 239 person years (PY) of direct construction employment, 400 (PY) years of indirect and induced construction employment, 20 high paying operation jobs, and contribute significantly to the City's tax base.
- VIGP will use land currently zoned for heavy industry.



# Vancouver Island Generation Project

## **Will VIGP affect air quality in the Nanaimo area?**

VIGP will be one of the cleanest and most efficient plants in North America. The plant will utilize state of the art technology and will burn only natural gas. Detailed studies have been completed on the worst-case effects of emissions from VIGP on air quality in the region. These studies used hourly regional meteorology data for a two-year period and assumed conservatively that VIGP was operating continuously at its peak power output. The analysis shows that emissions from VIGP will have a very low to negligible effect on air quality in the region.

Emissions to the atmosphere from the proposed power plant will be at or below the emission criteria set by the BC Ministry of Water, Land, and Air Protection for discharges from natural gas fired turbines having a capacity exceeding 25 MW. It is proposed that Nitrogen Oxide (NOx) emissions from the plant will be controlled to low levels by use of a dry low-NOx gas turbine followed by selective catalytic reduction (SCR) equipment. A SCR reduces NOx emissions by selectively reacting this contaminant with ammonia (NH<sub>3</sub>) over a catalyst while the gases are within a suitable temperature range. This approach will minimize NOx emissions from the stack originating from the gas turbine and the duct burners. This NOx concentration is 60% less than the current BC emission criteria for gas turbines.

The particulate matter PM2.5 concentration from VIGP was found to be very low in the region, at less than 1% of the current ambient concentration. When combined with the ambient value, the maximum PM2.5 concentration remained at less than 45% of the stringent Canada ambient air quality standard. Further, the analysis shows that addition of emissions from VIGP to other major sources in the region results in no change to the maximum predicted concentrations of the main pollutants.

## **Will the VIGP affect health in the Nanaimo area?**

Overall, a health impact assessment determined that in comparison with other risks that an individual is faced with daily, the estimated incremental public health impact of the VIGP is negligible.

Detailed air quality studies and a health impact assessment have been undertaken for the VIGP. Regarding particulate, our preliminary results indicate that the combined and incremental effect of VIGP emissions on total particulate matter concentrations (PM10 and PM2.5) in all areas, including Nanaimo, Cedar, Gabriola Island and elsewhere, will have negligible health impacts. This conclusion is based on a worst case scenario of the plant emitting maximum particle levels 365 days per year at peak output.

## **Will the plant emit any odours?**

No. There will be no odour associated with the emissions from the plant.

## **How will Greenhouse Gas (GHG) emissions from the VIGP be dealt with?**

BC Hydro has committed to offset 50% of the GHG emissions generated by the VIGP through the year 2010. A GHG offset is a reduction in greenhouse gas emissions in one area that compensates for greenhouse gas emissions in another area. BC Hydro plans to source as many offsets within BC as is commercially reasonable, with the balance coming from the rest of Canada and elsewhere. Climate change is a global issue. Greenhouse gas offsets in an area are as environmentally beneficial as are offsets undertaken locally. The Kyoto Protocol recognizes off-sets as an acceptable way to deal with greenhouse gas emissions.

## **Will the plant be noisy?**

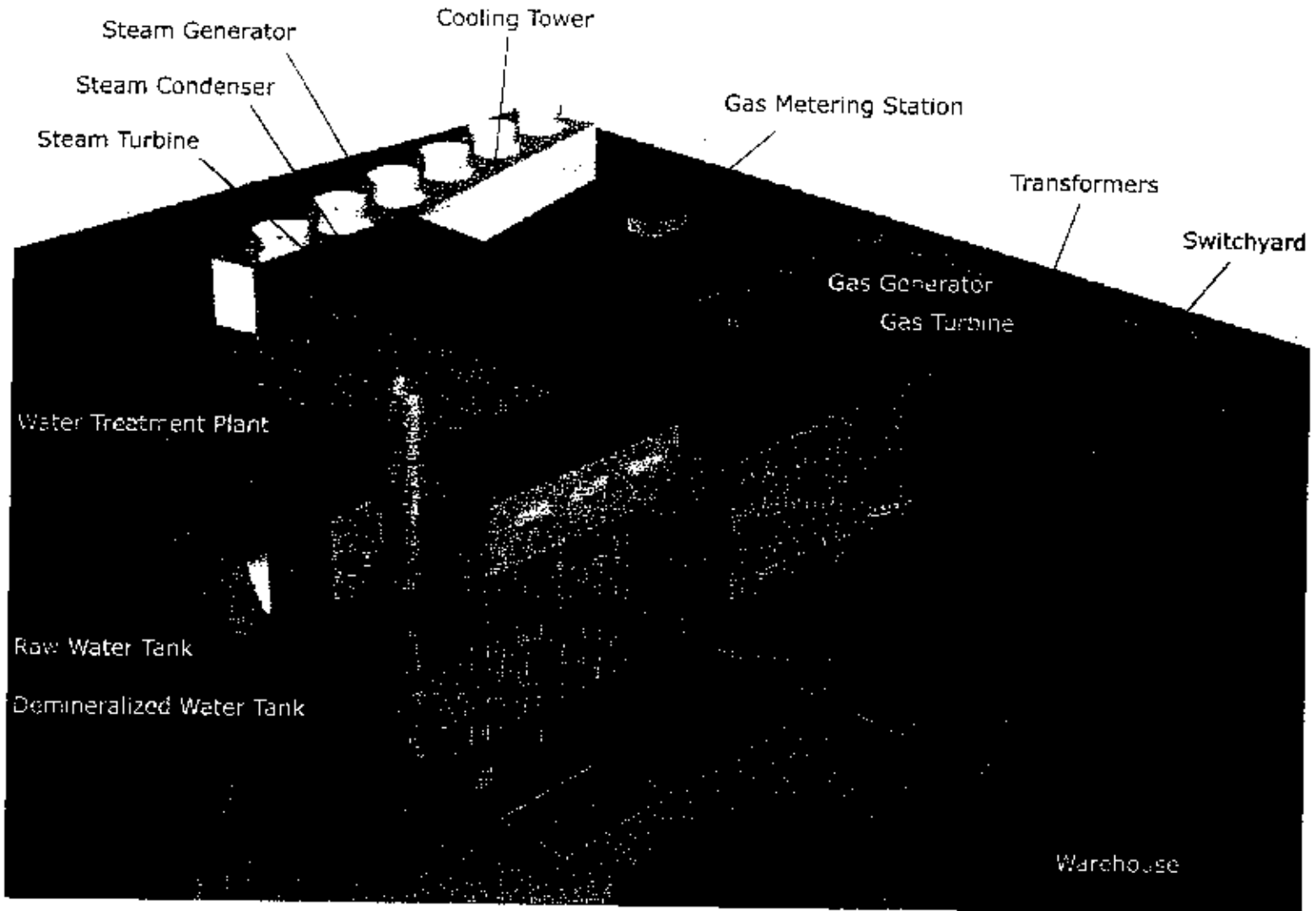
No. VIGP will enclose the turbines in structures that will be housed inside the facility buildings to reduce noise. Plant noise during normal operations will not be heard above existing noise levels in the residential areas closest to the project site and low frequency noise output will be below levels that generate concern. VIGP will also undertake noise mitigation measures during operations (if required) to maintain the level identified in the project studies.

## How much water will the plant use and where will it come from?

The VIGP will use an average of 1000 US gallons per minute (US GPM) of water with a peaking capacity of 1600 US GPM. Water supply will be drawn under Harmac's existing water license. Water will be reused to the extent possible to reduce water use and wastewater discharge.

## Will wastewater be created and how will it be treated?

Wastewater discharge will average about 110 US GPM and will include cooling water blowdown, boiler blowdown, neutralized minerals removed from the warm raw water, and periodic wash water from equipment and building areas. Wastewater will be treated in the Harmac treatment system prior to being released into the environment.



The project includes generation facility equipment, a natural gas pipeline, water and wastewater connections on the project site and on adjacent Pope and Talbot lands; and, a transmission line upgrade.

The transmission line from Harewood substation to Duke Point will be upgraded within the existing right-of-way by adding a second 138kv circuit. The existing wooden poles will be replaced with single steel poles capable of carrying both circuits.

PA 8/81

## How will the project be reviewed?

The VIGP will be reviewed under the terms of the BC Environmental Assessment Act (BCEAA). BCEAA requires an integrated assessment of a project's environmental, social, economic, health, cultural and heritage and First Nations effects. The Environmental Assessment Office (EAO) administers the review process. Additional information on the EAO and BCEAA is available on the EAO web-site at [www.eao.gov.bc.ca](http://www.eao.gov.bc.ca) or by contacting the EAO directly.

## Why not focus on Power Smart, and green and alternative energy projects?

BC Hydro is committed to becoming a leading sustainable energy company and the following initiatives show how this goal will be reached.

Power Smart is part of a corporate Demand Side Management strategy to acquire energy savings through energy conservation. Power Smart is Hydro's preeminent energy-saving initiative and is a key component in a long-term sustainability strategy. Since its inception in 1990, Power Smart savings have averaged 2500 GWh in annual energy savings valued at over \$1 billion. BC Hydro is committed to spending another \$600 million over the next ten years to save an additional 3500 GW/h of electricity. This is enough energy to power the equivalent of the Fraser Valley.

Power Smart Solutions find energy/dollar savings for institutional, commercial and business customers across the province. To date, the Power Smart Partners program has partnered with over 40 schools, universities, colleges and hospitals and has helped save approximately \$800,000 in electricity costs.

As part of Power Smart Solutions, Hydro offers a series of programs to help homeowners save money. The Comox Valley was recently selected to be one of the first Power Smart communities in the province. These programs will soon be phased in across the province. The Power Smart Home Energy Learning Program (h.e.l.p.) was implemented to assist customers in identifying energy saving opportunities in their homes.

In January 2000, BC Hydro set a voluntary commitment to meet 10% of new demand through 2010 with new green energy sources at no additional cost to customers. Based on

successes to date, BC Hydro will not only meet this commitment, but plans to continue increasing the green content of its portfolio.

In June 2001, BC Hydro announced the first phase of a 20MW Green Energy Demonstration Project to secure new green energy on the Island. Wind (10MW), micro hydro (6-8MW), and wave energy (3-4MW) were selected based on the findings of Vancouver Island Green Energy Resources Study. Hydro has signed or is finalizing electricity purchase agreements with independent power producers for projects on the Island.

Starting in September 2002, BC Hydro will offer customers 100 per cent, made-in-B.C. green electricity at a premium price on a pilot basis for up to two years. A similar offer will be made to the export market through BC Hydro's subsidiary, Powerex.

Green energy development is feasible. However, green energy alone cannot meet Vancouver Island's needs because of the intermittent nature of most green energy resources, constraints around development, the amount of time needed to develop the resource, and the development and interconnection costs involved. Energy efficiency is only part of the long-term solution. It is also reliant on customer behavior, such as turning the lights off, and on customer ability to afford energy efficient products.

## How can I learn more about the project?

If you have questions or comments or would like to learn more about the VIGP, please contact us by:

**Phone: 1-800-663-1377**

**Fax: 1-250-755-7120**

**E-mail: [vigp@bchydro.com](mailto:vigp@bchydro.com)**

**Internet: [www.bchydro.com/vigp](http://www.bchydro.com/vigp)**

**Mail:**

**Ted Olynyk**

**Consultation & Communication Task Manager**

**BC Hydro**

**400 Madsen Road**

**Nanaimo, B.C.**

**V9R 5M3**

**BC Hydro**  
VIGP

## Appendix V            Standard Environmental Assessment Project Committee Operating Procedures<sup>1</sup>

### a) Role of project committees

In general, the role of a project committee is to:

- contribute to effective and efficient project reviews in conformance with all of the purposes and requirements of the *Environmental Assessment Act* (Act) and regulations;
- focus information requirements and resulting analysis at a level that establishes, with reasonable confidence, whether or not potential adverse effects can be prevented or reduced to acceptable levels;
- contribute to strategic-level project decisions, as opposed to permit-level project decisions;
- ensure project reviews reflect relevant federal-provincial, inter-provincial and international agreements; and
- provide project assessment advice and recommendations to the Executive Director in the formulation of recommendations to Ministers.

### b) Role of the Chair

Project committees are chaired by the Environmental Assessment Office (EAO) Project Assessment Director who has been delegated authority for the project review by the Executive Director.

Project Committee Chairs are responsible for directing all project committee responsibilities with a view to ensuring that project reviews are performed in accordance with the provisions of the Act, regulations and EAO policies and procedures.

### c) Member's role, representation and accountability

The EA process is intended to provide an assessment of proposed project effects through an open and an accountable process for their assessment. Project committee members identify issues of concern related to their mandate. In reviewing an application or a project report, project committee members and review agencies are responsible for reviewing documents and submitting agency comments (Guidelines for Submission of Agencies / First Nations comments provided in Appendix VII and VIII).

<sup>1</sup>The standard EA project committee operating procedures replace previous direction stated in the "EAO Project Committee Backgrounder" (July 1995). Individual committees may establish additional procedures as needed.

Project committee members are accountable to the mandate, established policies, procedures and performance standards of their agency or organization. Where member agencies have entered into inter-agency agreements with the EAO on project committee representation and accountability, members are expected to comply with the terms of the agreement. First Nations may have wide-ranging interests that include and go beyond, the mandated specific interests of, for example, Ministry of Highways, Ministry of Environment Lands and Parks, or Ministry of Fisheries.

Each project committee member is expected to provide the primary source of policy, technical expertise and review advice to the Chair regarding issues within that member's agency expertise, responsibility and/or policy/legal mandate. The advice should be in keeping with existing government standards, guidelines and policies generally applied to developments outside of EA reviews (i.e. EA reviews should not be subject to higher information standards than other project reviews).

Members are expected to:

- review a proponent's submission with respect to identification and assessment of potential effects of a proposed project and the adequacy of proposed impact prevention or mitigation strategies as they pertain to the member's agency mandate;
- assess the adequacy of the proponent's consultation programs and provide recommendations to the EAO;
- co-ordinate their agency's input into the review in accordance with the agency's mandate and the time limits established for the review;
- analyze input received from the public, government agencies and First Nations in response to invitations to comment at various stages of a project review and consider advice and recommendations of the public advisory committee, if one is established for a project review;
- ensure that policy (or other) positions, including requests for information from proponents, put forward by agency reviewers have support at senior levels in their agency and are within the scope of the agency's mandate;
- advise the chair if there is uncertainty about a ministry position, preferably prior to submission of agency comments to obtain practical closure within the review time limits;
- ensure that their respective agency's executive body is kept informed of the status of the review and issues as necessary; and
- work with other members, the chair and the proponent regarding issues of overlapping mandates or interests, and advise the chair on the progress of issue resolution with a view towards achieving agreement on the preferred advice to address the issue.

**d) Membership status:**

Government agencies and First Nations may, in response to an EAO invitation to participate on a project committee, elect to represent their interests as either members on the project committee or as document review agencies (review agencies). They may also decline to participate.

Participation in project reviews may be as follows:

*(i) Members of a project committee*

- Local, provincial and federal government agencies normally participate as members where a project proposal raises significant policy / program, regulatory, and / or financial implications for the agency / organization.
- First Nation organizations may participate as regular members where their traditional territory includes the site of the project or is in the vicinity of the project.
- Project committee members receive all project review documentation and are invited to sign-off on review recommendations of the project committee.
- Each agency has one official project committee member unless additional membership has been requested or approved by the EAO. Technical advisors may accompany the member to meetings.
- Members are requested to participate in all project committee meetings in person or via teleconference or videoconference. However, if it is not possible for members to attend all meetings, the member may participate by correspondence or identify an alternate.

*(ii) Document review agencies (review agencies)*

- Government agencies normally participate as review agencies where a project proposal raises less significant implications for an agency, but the agency wishes to monitor the project review.
- Review agencies do not receive all project documentation; they may request copies of draft recommendations and final recommendations.
- Review agencies may elect to become project committee members during the course of the review based on relevant agency issues that arise.

*(iii) First Nations who elect review status or decline to participate*

Where a First Nation chooses reviewer status or declines an EAO invitation to be a project committee member, the following consultative procedures are followed:

- the EAO offers to discuss alternative arrangements for participation of the First Nation in the project review;
- the First Nation is sent full project review documentation throughout the review (i.e., the same documents that are provided to regular project committee members); and

- the First Nation is invited to advise the project committee chair of any issues respecting potential impacts on the First Nation, including advice on:
  - the adequacy of the a proponent's consultations with the First Nation;
  - the potential impacts of the project on the exercise of aboriginal or treaty rights;
  - the adequacy of measures being considered to prevent or mitigate impacts on aboriginal or treaty rights;
  - draft specifications for project reports; and
  - draft conclusions and recommendations being prepared by the project committee.

**e) Technical advisors**

Project committee members may be supported by technical advisors as defined below:

- Technical advisors are representatives of an agency or organization, or consultants hired by an agency or organization, who supply technical expertise on particular assessment topics to the project committee member with whom he / she is associated. (could include First Nations elders and traditional land users).
- Technical advisors are not project committee members; however, members may wish to have technical advisors attend project committee or sub-committees meetings with them to speak to particular technical matters.
- Project committee members ensure that the input of technical advisors focuses on technical matters pertaining to their area of expertise, and that advice and recommendations from technical advisors are consistent with the agency's policies and standards. Advice and recommendations from technical advisors are provided to the project committee via the regular agency project committee member.

**f) Support to project committees**

The EAO provides administrative and process support to project committee operations through the assignment of a project assessment coordinator (PACS) and aboriginal relations coordinator (ARCS) to individual project reviews.

Primary duties of PACs in providing support to project committees include:

- arranging and co-ordinating project committee meetings, document distribution and records of meetings;
- compiling and updating issue tracking documents;
- providing advice to the proponent, project committee members and the public on the review process, and liaising with the parties, as necessary, to facilitate the review process;
- contributing to project committees, sub-committees and working group proceedings, as appropriate; and
- compiling draft and final project report specifications, project committee reports and project approval documents at the direction of the Chair.

Primary duties of ARCs are, working closely with the EAO Director responsible for aboriginal issues, to:

- undertake consultation with potentially affected First Nations on behalf of government; and
- provide advice and guidance to project proponents as to how best to discharge their obligations under the Act.

**g) Sub-committees of the project committee**

The chair, in consultation with the project committee, may establish sub-committees to address particular policy or technical issues that arise during the review as required.

Sub-committees may be comprised of:

- project committee members whose agency has a mandated responsibility for the issue at hand;
- other project committee members who have a major interest in a particular issue or who can contribute to a resolution of the issue; and
- technical advisors to project committee members.

Sub-committees are normally chaired by an EAO representative to ensure that appropriate direction is available for the resolution of the issues within the context of the EA review. Project committee members, their technical advisors and, proponent are to be invited to participate as needed. Members of the public are not invited to sit on sub-committees; however, the project committee may make arrangements for special meetings where part of the meeting may be open for the public to express their concerns or for workshops which involve public participation.

Sub-committees should report their action items and conclusions to the project committee so a record of action items and decisions may be captured in the project committee minutes and issue tracking document.

Technical advisors who participate on sub-committees provide their advice through the project committee member they are supporting.

**h) Working groups / workshops**

The chair, in consultation with the project committee, may establish technical working groups or workshops to address particular issues. These forums may involve members of the public and would normally be associated with a specific task or stage of the review.

**i) Record of meetings**

Project committees maintain a record of key deliberations regarding consultation assessments, issue identification and issue resolution status. Minutes are a concise record of action items and decisions, together with a summary of discussions sufficient to provide context for the recorded action item and / or decision. Minutes are not a detailed or verbatim



transcript of proceedings. It is not normal operating practice to have the meetings of project committees tape-recorded or transcribed.

A record of issue identification and resolution is maintained for each project review using the issue tracking document (see section 6.2 (a) Issues identification and documentation).

Minutes are finalized as quickly as time permits. Minutes are circulated to meeting participants in draft form. Meeting participants submit proposed corrections (if any) to the EAO. The minutes are revised as necessary and placed on the registry and satellite repositories, and circulated to project committee members, review agencies, interested third parties and other meeting attendees as appropriate. Minutes for the last meeting of the project committee are not generally placed on the registry until after the ministers have made a decision on project certification.

**j) Registry filing**

The EAO Project Registry provides public access to review documentation. Project documents are filed on the registry in Victoria, and satellite repositories are established closer to the location of the project, usually in public libraries. Project documents can also be accessed electronically from the EAO website ([www.eao.gov.bc.ca](http://www.eao.gov.bc.ca)).

All documents that are required by section 62(2) of the Act to be filed on the registry are authorised for placement on the registry by the chair. These include, for example: the application for a project approval certificate, notification of the public comment period, evaluation of a proponent's public consultation program, public comments, the final comments of agencies on an application and project report, proponent responses to agency or public submissions, letters to the proponent, and draft and final project report specifications.

Also placed on the registry is other documentation to assist in providing a coherent public record of project review proceedings. These include:

- finalized versions of project committee meeting minutes;
- issue tracking documents;
- other relevant correspondence as determined by the chair to and from project committee members, the proponent or the EAO (including e-mails); and
- relevant impact assessment / mitigation studies that reside outside an application or project report (if any).

The chair will consult with registry staff on the establishment of satellite repositories in convenient locations. The chair is ultimately responsible for determining which documents to file on the registry, satellite repositories and the EAO website.

**k) Project committee liaison with the proponent, public and public advisory committee (if any)**

The project committee may (although not required under legislation) establish operational procedures in respect to liaison with the proponent / public / media.

**Proponent**

At the discretion of the chair, the proponent attends portions of project committee meetings to describe and answer questions about the project.

**Public**

Project committee and sub-committee meetings are, as a rule, closed to the public.

Special project committee meetings or sub-committee meetings may be called allowing for a portion of the meeting to be open to public concerns / issues. Special public meetings may necessitate a later meeting time to accommodate the working public. The project committee will provide adequate notification of special meetings and invite the proponent to attend.

Issues and concerns that are raised by the public, interest groups and the media at special project committee meetings are recorded in the minutes and project issues tracking document. In order to ensure accurate consideration of issues / concerns within the review timelines, the public are encouraged to submit the issues / concerns they raise at public meetings in writing by a certain date. It is helpful if a comment sheet is provided at special project committee meetings to track oral comments.

In some cases, technical issues may be referred to a working group / workshop which includes members of the public. These forums could include project committee members, technical advisors and others as deemed appropriate.

**Public Advisory Committee (if any)**

Where a public advisory committee is established, the project committee as a whole and / or individual project committee members will schedule meeting times, as necessary, to discuss project issues and receive advice and recommendations.

**1) Workplans and time limits**

Project committee chairs in consultation with key agencies, develop preliminary workplans (see Appendix III - Environmental Assessment Project Review Workplan) to ensure that:

- all necessary activities for completing the steps of a review are completed within the regulated time limits;
- review participants have a clear understanding of key dates and expectations; and
- for joint federal/provincial reviews, review times are set within the time limits by agreement with the federal government.

Beginning at the pre-application stage and throughout the review, the chair continuously monitors workplans to ensure progress on issue resolution within the legislated time limits.

In achieving the time limits for each review step, it is important that the chair focus the review of information on EA level issues and that the review not extend into information assessment which is required for permit level or statutory approval decisions. Based on this monitoring, the chair consults with project committee members and the proponent to identify

options and actions to expedite issue resolution so that regulated time limits are consistently met.

In most instances, with the cooperation of the proponent and agencies represented on the project committee, it is possible to work within the time limits. In exceptional cases, a time limit extension may be necessary for situations where the necessary information is not available from the proponent or new or unforeseen issues have been identified that require further attention. Extensions of time limits require ministerial approval; every effort will be made to avoid seeking such approvals.

#### **m) Meeting schedules, agendas and information sharing**

Where feasible, project committee meeting dates are tentatively established for each stage of a review prior to acceptance of either the application or project report. The dates are established by the chair following discussions with key provincial / federal agencies and noted on the workplan. These tentative dates might be adjusted once the project committee is established and other member's availability is known.

When setting the date for a meeting, the chair must check the meeting schedule for other EAO project committees meeting schedule in setting meeting dates in order to avoid having two project committee meetings for different project reviews on the same day. Where there is overlap in membership this is especially important. It also enables the efficient scheduling of meetings so that two project committees with similar membership can meet in the same location on consecutive days.

Agenda items for upcoming meetings are discussed before the close of each project committee meeting. Agendas are finalized by the Chair and circulated to project committee members, along with relevant information for discussion, well in advance of project committee meetings. Last minute changes to agendas or meeting schedules should be avoided.

Agendas for sub-committee meetings are prepared by the sub-committee chair and are also circulated in advance of the meetings. It may be efficient for sub-committees to meet immediately prior to or after a project committee meeting.

Documents are distributed to project committee members, corresponding reviewers and interested First Nations using mail, e-mail, facsimile and courier, as appropriate.

#### **n) Meeting locations**

Project committees and sub-committees set meeting locations in consideration of:

- the project location;
- cost-effectiveness and convenience to the majority of members;
- providing opportunities, as appropriate, for local residents, interest groups, and First Nations to access the project committee; and
- providing opportunities, as appropriate, for members to participate in field trips to the proposed project site / vicinity.

Project committee or sub-committee members are encouraged to hold meetings by video conferencing or telephone conferencing.

**o) Media contact**

The project committee chair is responsible for communicating with the media on aspects relating to the project review process. Individual project committee members should advise the chair and use discretion when communicating with the media on policy or technical matters concerning their agency's / organization's mandate or interests.

As well, members are expected to follow their individual agency's protocol respecting media contact.

**Attachment 3**  
**Vancouver Island Generation Project – Project Committee Members<sup>1</sup>**

Daphne Stancil (Chair)	Environmental Assessment Office
Steve Acheson	Ministry of Sustainable Resource Management - Archaeology
Garry Alexander	Environmental Assessment Office
Dr. Carl Alleyne	Health Canada
John Balogh	Treaty Negotiation Office
Dave Carter	Fisheries and Oceans Canada
Cynthia Hawksworth	Ministry of Community, Aboriginal and Women's Services
Bill Holdom	City of Nanaimo
Kathleen Johnnie	Snuneymuxw First Nation
Mike Kent	Ministry of Transportation
Gail Land	Islands Trust
Roger McLaughlin	Ministry of Energy and Mines
Dr. Fred Rockwell	Central Vancouver Island Health Region
Linda Sullivan	Canadian Environmental Assessment Agency
Barry Wenger	Washington State Department of Ecology
<i>Proposed-</i> Laurence Elliott	Regional District of Nanaimo

**REVIEW**

Ron Creber	Land and Water British Columbia
Terry Feesey	Ministry of Human Resources
David Fishwick	Ministry of Health Services
Iannick Lamirande	Natural Resources Canada
Bob Rerie	British Columbia Utilities Commission
Dale Thomas	Indian and Northern Affairs Canada
Lisa Walls	Environment Canada

<sup>1</sup> It is noted that many of the Project Committee Members are supported by technical staff and/or other members of their respective organizations at the Committee Meetings.



REGIONAL DISTRICT OF NANAIMO			
AUG - 7 2002			
CHAIR		GMCrS	
CAO		GMDS	
GMCmS		GMES	
		<i>BRD</i>	<input checked="" type="checkbox"/>

**MEMORANDUM**

**TO:** Kelly Daniels  
Chief Administrative Officer **DATE:** August 7, 2002

**FROM:** Robert Lapham  
General Manager, Development Services **FILE:** 6780 30 RGS

**SUBJECT:** REGIONAL GROWTH STRATEGY BYLAW NO. 1309  
TEXADA LAND CORPORATION BLOCK 564 DEVELOPMENT PROPOSAL

**PURPOSE**

To consider the implications of amending Regional Growth Strategy Bylaw No. 1309 to allow for further consideration of the Texada Land Corporation proposal for Block 564, Nanoose Land District.

**BACKGROUND**

On July 23, 2002 the Committee of the Whole directed staff to bring forward a report to the August 13, 2002 Board meeting that outlines the amendments to Regional Growth Strategy Bylaw No. 1309 that would be necessary to allow for the further consideration of the Texada Land Corporation proposal for Block 564, Nanoose Land District. A resolution to this effect was passed as a result of Committee discussion about the Texada Land Corporation delegation's presentation of its concept plan for the block of land at the July 23<sup>rd</sup> Committee of the Whole Meeting.

*Property Information*

Block 564, Nanoose Land District is an approximately 350 hectare (860 acre) parcel adjacent to the Englishman River, near the intersection of the Island Highway and the Parksville Bypass, in Electoral Area G (see Attachment 1). The holding is bordered by land in the Forest Land Reserve (FLR), and an approximately 33 hectare (82 acre) portion of the property is within the Agriculture Land Reserve (ALR) (see Attachment 2).

Block 564 is designated Resource Management by Englishman River Official Community Plan Bylaw No. 814. Land within this designation is to have a minimum parcel size of 8 hectares. Permitted uses in the designation are generally to be limited to those activities associated with natural resource harvesting or extraction and outdoor recreation. The Englishman River OCP has not yet been amended to designate the portion of the Englishman River within the OCP area as a development permit area for the purpose of protecting the natural environment, its ecosystems or biological diversity. Consequently, riparian areas and sensitive ecosystems are vulnerable to development.

The property is zoned Resource Management Subdivision District B (RM1B) by Land Use and Subdivision Bylaw No. 500. Permitted uses on property with this zoning are the following: agriculture, aquaculture, extraction use, home based business, log storage and sorting yard, primary processing, residential use, and silvaculture. The RM1 zoning permits a maximum of one dwelling unit per parcel that is 8 hectares or less, and two dwelling units per parcel on parcels greater than 8 hectares. Subdivision District B permits a minimum parcel size of 8 hectares (approximately 20 acres), regardless of the level of servicing provided to the land. Based on the 350 hectare (860 acre) approximate size of Block 564

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approximately 43 eight hectare (approximately 20 acre) parcels could be permitted. Parkland dedication, or payment in lieu of parkland, would not be required should the parcel be divided into 8 hectare parcels.

Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309 (granted 1<sup>st</sup> and 2<sup>nd</sup> reading on July 9, 2002) designates the property as Resource Lands and Open Space, and facilitates the protection of the property's rural integrity by limiting the level of development to that specified in the applicable official community plan.

Block 564 is not in community water or community sewer service areas, but is in the Nanoose Fire Protection Area. The Block 564 area of Electoral Area G is not a participant in the Arrowsmith Bulk Water Supply System.

The Parks System Plan (approved in July of 1995) identifies the Englishman River corridor and estuary as a significant site at the provincial, regional and community levels. Various interest groups and residents expressed interest in the protection of the area in the Parks System Planning process. The area was deemed significant because of its importance as a spawning habitat, its outdoor recreation potential, the presence of petroglyphs, and regional water supply system role.

#### ***Texada Land Corporation Proposal for Block 564***

Texada Land Corporation is proposing a 178 unit rural residential development on Block 564 (*see Attachment No. 3, as presented by Texada Land Corporation delegation at July 23<sup>rd</sup> Committee of the Whole meeting*). The developer proposes to allocate the 178 units as follows:

- 134 residential parcels with an average lot size of 3 acres (1.2 hectares);
- 4 residential parcels with an average lot size of 27 acres (10.9 hectares); and
- 40 residential parcels with an average lot size of 2.5 acres (1 hectare).

The proponent suggests that the development of one unit per five acres is compatible with rural residential development: Block 564 divided into 5 acre (2 hectare) lots would equal approximately 178 parcels. In exchange for a zoning change that would allow for this increased development potential (178 versus 43 parcels) the developer proposes to dedicate approximately 102 hectares (252 acres) (or 29%) of the property as public open space, which is substantially greater than the 5% that could be required if the property already had zoning that permitted that level of development. The developer also proposes to prohibit currently permitted uses that may be detrimental to the Englishman River watershed (such as gravel extraction and processing), and to register a covenant on the property to limit the amount of trees and vegetation removed from the land.

#### ***Large Land Holdings Study Recommendations***

The Large Land Holdings Study, completed and received by the Board in 2000 and referred to the 5 year Growth Strategy review. It provides an approach that could be used in the assessment of the best use of specific large land holdings in the region. The Study focused on the 16 large land holding areas and classified them into four categories according to the level of ownership consolidation, potential significance of the parcel in achieving regional growth strategy vision and goals, ability to deal with the parcel in the OCP process, degree of existing policy commitments for specific uses on holdings and other circumstances. The Study recommended a method of analysis to determine the appropriate use of each category of large land holding. In the case of Block 564 it recommends that the use of these lands be assessed through a four step process, as outlined in the table below:

Step	Components
Authorization process	Determine study area Agree to general nature of alternatives to be considered Define study details
Develop and evaluate alternatives at conceptual level	Evaluate alternatives at big picture level based on financial performance, customer service, planning policy, environment, economic development and social
Decision process	Decision only needs to be made about the broader, more regional planning oriented issues
Plan and application process	Developer prepares and submits OCP and zoning amendment application materials Detailed assessment of proposal

It should be noted that the Large Land Holdings Study recommended that the zoning of large land holdings be changed, at least in the interim while an appropriate long term use of the land is determined, where the present zoning of the holding would allow for a level of subdivision or type of development that is inconsistent with the regional growth strategy. The Board has previously indicated that it was not willing to undertake the "downzoning" necessary to achieve this.

***Large Land Holding Study Recommendations Applied to Block 564***

The requirements of Step 1 have largely been met with the July 23<sup>rd</sup> Committee of the Whole discussion and decision.

Alternative concepts for consideration in Step 2 of the process include the following:

Alternative Concepts	Key Elements of Alternative Concepts
1. Allow for further consideration of the development as proposed by amending the Regional Growth Strategy.	<ul style="list-style-type: none"> <li>▪ 178 residential parcels, allocated as follows: 134 residential parcels with an average lot size of 3 acres (1.2 hectares); 4 residential parcels with an average lot size of 27 acres (10.9 hectares); and 40 residential parcels with an average lot size of 2.5 acres (1 hectare).</li> <li>▪ 102 hectares of park land to be dedicated</li> <li>▪ To prohibit uses that could potentially damage integrity of Englishman River watershed (i.e. primary processing and riparian vegetation)</li> <li>▪ To register a covenant on the property to require the retention of a proportion of the trees and vegetation on the residential parcels</li> <li>▪ Further negotiations regarding the protection of additional lands and environmentally sensitive areas</li> </ul>
2. Allow development to proceed according to current Official Community Plan and zoning bylaw.	<ul style="list-style-type: none"> <li>▪ 43 parcels of 8 hectares (approximately 20 acres) or other combination of other parcels and residential development (possibility of up to 80 residential units)</li> <li>▪ No parkland dedication required, river frontage would remain in private ownership.</li> <li>▪ Possible gravel extraction, timber harvesting and other resource uses.</li> <li>▪ No development permit required.</li> <li>▪ No provision to require protection of Englishman River watershed.</li> </ul>
3. Encourage alternative proposals elsewhere in the region that would protect the significant features of the site.	<ul style="list-style-type: none"> <li>▪ Possible dedication, protection or acquisition of regionally significant features on the site by other means.</li> <li>▪ Use of rezoning, density transfer, land exchange or acquisition to protect regionally significant features and to maintain the resource lands and open space land use designation.</li> <li>▪ Negotiation for protection of Englishman River watershed, regional park interests and regional water supply.</li> </ul>

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4. Encourage alternative proposals for the site that are consistent with the direction of the Regional Growth Strategy	<ul style="list-style-type: none"><li>▪ A combination of up to 43 parcels that could be clustered together or held as larger acreages to allow a combination of uses.</li><li>▪ Resource or extraction and timber harvesting and agricultural uses are consistent with Regional Growth Strategy, OCP and zoning although could potentially impact the Englishman River watershed.</li><li>▪ Encouraging the possible development of a destination resort is consistent with the Regional Growth Strategy however is subject to OCP and zoning changes and may not be viable.</li></ul>
--	--

The decision before the Board now is largely the Step 3 decision. Should the Board decide that the Block 564 development proposal is worthy of further consideration, a formal application to amend the Englishman River Official Community Plan and the Land Use and Subdivision Bylaw would need to be submitted to the RDN for consideration as a part of Step 4 of the process. Additional information would be required and specific aspects of the development proposal would have to be negotiated.

#### ***Possible Amendments to Regional Growth Strategy Bylaw 1309***

Should the RDN Board wish to allow for further consideration of Texada Land Corporation's proposal for Block 564 the following amendments to Regional Growth Strategy Bylaw No. 1309 would be required:

- Change the land use designation from Resource Lands and Open Space to Rural Residential; and
- Change Policy 3A to establish an exception for the minimum parcel size permitted on Block 564, to allow for parcels smaller than 8 hectares.

The specific amendments required are provided in Schedule '1' (see Attached).

#### **ALTERNATIVES**

1. To receive the report for information and take no further action.
2. To receive the report for information, amend Regional Growth Strategy Bylaw No. 1309 as outlined in Schedule '1', grant 1<sup>st</sup> and 2<sup>nd</sup> reading to amended Bylaw No. 1309, and advance amended Bylaw No. 1309 to public hearing.

#### **FINANCIAL IMPLICATIONS**

The development that could be made possible by the amendment would not result in any direct financial implications for the RDN. However the possible acquisition or protection of regionally significant features as identified in the Sensitive Ecosystem Inventory, Regional Park System Plan and conceptual design of the Arrowsmith Water Service would benefit the region. In addition, future property assessment growth would also benefit regional and local services. The capital cost for the development of local roads and any other community services would be borne by the developer, and the operation and maintenance of services would be borne by owners of property in the new residential development, through property taxation.

The other alternative concepts would not result in any direct financial implications for the RDN other than the potential loss of opportunity to protect the sites regionally significant features without a direct financial cost.

## **DEVELOPMENT IMPLICATIONS**

If the Regional Growth Strategy is amended to consider the proposal, the Englishman River Official Community Plan could be amended to allow for a maximum of 178 rural residential parcels, subject to the provisions of the policy outlined in Schedule 1. Additional information and possible conditions for approval would be secured as part of the application to amend the Englishman River Official Community Plan and rezone the property.

To date the applicant has provided the following:

A hydrogeological assessment of the proposed subdivision completed by EBA Engineering. The study indicates that the proposed subdivision can be developed on the site within the current parameters of existing legislation and regulations governing sewage disposal. The study concludes that the development of septic systems for the proposed development is not anticipated to detrimentally effect water quality in the Englishman River. It is recommended that the maximum parameters used by the Vancouver Island Health Authority within their policy for on-site sewage disposal and on-site-sewage disposal standards for subdivision be secured as part of the application.

The applicant has offered to dedicate approximately 252 acres of land for the protection of the Englishman River valley and public open space. In addition the proposal offers to covenant additional areas over the proposed rural residential lots to limit vegetation and tree removal. Further negotiation on the protection of other environmentally sensitive areas and open space may result from input obtained in the OCP and rezoning application review process.

With respect to future uses, the applicant has offered to covenant against future commercial gravel extraction that might harm the Englishman River and supports a covenant against tree removal from the areas proposed to be dedicated.

The proposal as submitted by the applicant is to provide individual wells for the proposed parcels however as the property is currently located within a fire protection area and individual wells have not been proven, a community water system may be explored to allow the RDN to better manage any potential impacts on ground water supply.

## **PUBLIC CONSULTATION IMPLICATIONS**

To date, public consultation on the revised Regional Growth Strategy has been based on possible policy options to respond to issues identified in the current plan. As part of this process, the Board decided which specific requests for change would be accommodated as part of the revised Regional Growth Strategy. The request submitted by Texada Land Corporation has now been evaluated according to recommended method of analysis included in the Large Land Holdings study, which is the preferred process for evaluating possible amendments to the Regional Growth Strategy for the subject proposal.

The Regional Growth Strategy was given 1<sup>st</sup> and 2<sup>nd</sup> reading on July 9<sup>th</sup>, 2002 and was referred to a public hearing. If the bylaw is amended as outlined in Schedule No. 1 to potentially accommodate the proposal, subsequent applications to amend the Englishman River Official Community Plan and zoning regulations for the property will also be subject to public consultation and a public hearing.

## VOTING

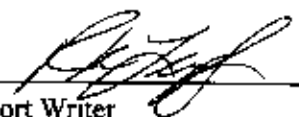
All Directors - one vote, except Electoral Area 'B'.


## SUMMARY

In order to allow for further consideration of the proposal submitted by Texada Land Corporation for Block 564, Nanoose District, two changes to the Regional Growth Strategy Bylaw No. 1309 would be required [1] the land use designation of Block 564 would need to be changed from Resource Lands and Open Space to Rural Residential; and [2] Policy 3A would need to be changed to establish an additional exception to the minimum parcel size provisions established for land designated Resource Lands and Open Space and Rural Residential in official community plans. If these amendments proceed, the revised Growth Strategy would allow an application to amend the Englishman River Official Community Plan and Bylaw 500 to be submitted by the applicant for public review and further consideration. As a result of the review of conceptual alternatives for the development of the property based on the approach included in the Large Land Holdings study, staff recommend that the Regional Growth Strategy Bylaw No. 1309 be amended as outlined in Schedule '1', to allow for the further consideration of the Texada Land Corporation proposal for Block 564.

## RECOMMENDATIONS

1. That the report about Regional Growth Strategy Bylaw 1309 and the Texada Land Corporation Block 564 Proposal be received.
2. That 1<sup>st</sup> and 2<sup>nd</sup> reading for "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" be rescinded.
3. That "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" be amended as described in Schedule 1.
4. That "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.
5. That "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" proceed to public hearing.
6. That the holding of the public hearing with respect to "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" as amended be delegated to Board Chair Director George Holme, Board Deputy Chair Director Larry McNabb, Committee of the Whole Chair Director Stanhope, or their alternates.

  
Report Writer

  
A/CAO Concurrence

**SCHEDULE 1**  
**AMENDMENTS TO REGIONAL GROWTH STRATEGY BYLAW NO. 1309**

1. Change the land use designation of Block 564 Nanoose Land District from Resource Lands and Open Spaces to Rural Residential.
2. Change Policy 3A from:

Policy 3A: The RDN and member municipalities agree to promote and encourage the retention of large rural holdings on land designated as Resource Lands and Open Space and lands designated as Rural Residential. To this end, the RDN and member municipalities agree that the minimum parcel size of lands designated as Rural Residential and Resource Lands and Open Space will not be reduced below the minimum parcel size established in official community plans in place at the date of the adoption of this regional growth strategy, except where the land is in a Community Water Service Area at the date of adoption of this Regional Growth Strategy, subdivision may be permitted to the minimum parcel size allowed by the zoning bylaw with community water service at the date of adoption of the Regional Growth Strategy. Further, the RDN and member municipalities agree to investigate the ideal and practical minimum parcel sizes for resource uses on lands designated as Resource Lands and Open Space.

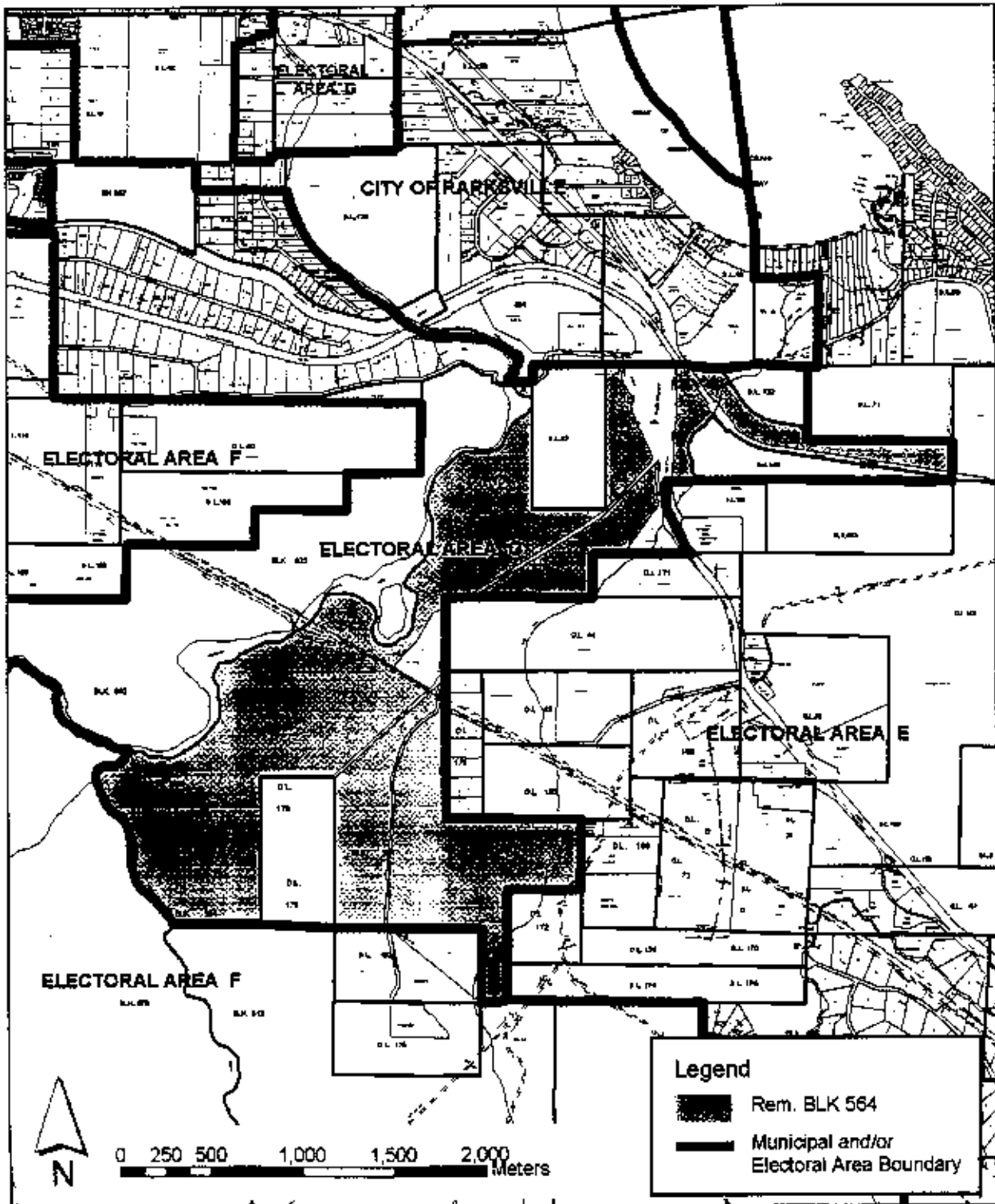
to (new part in bold type):

Policy 3A: The RDN and member municipalities agree to promote and encourage the retention of large rural holdings on land designated as Resource Lands and Open Space and lands designated as Rural Residential. To this end, the RDN and member municipalities agree that the minimum parcel size of lands designated as Rural Residential and Resource Lands and Open Space will not be reduced below the minimum parcel size established in official community plans in place at the date of the adoption of this regional growth strategy:

- except where the land is in a Community Water Service Area at the date of adoption of this Regional Growth Strategy, subdivision may be permitted to the minimum parcel size allowed by the zoning bylaw with community water service at the date of adoption of the Regional Growth Strategy; and
- **except for Block 564, Nanoose Land District, an amendment to the official community plan may be considered to allow for the development of a maximum of 178 rural residential parcels provided that sufficient areas of open space and vegetation are protected to ensure that the rural character and other features of the area are preserved, that the lands comprising the Englishman River Valley and a greenway corridor or other areas are dedicated to the RDN, and that the proposed use and development of the land does not affect the water quality of the Englishman River.**

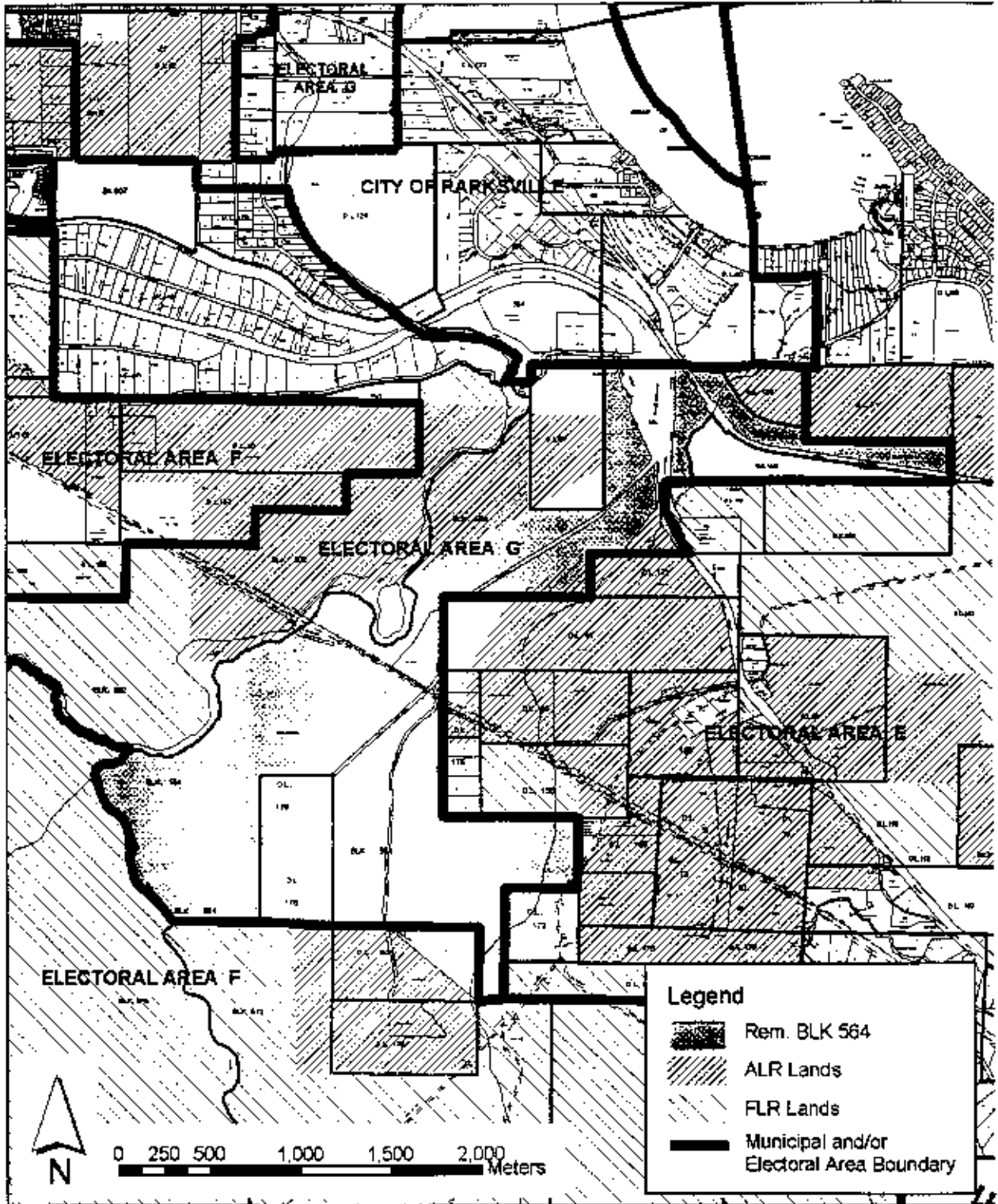
Further, the RDN and member municipalities agree to investigate the ideal and practical minimum parcel sizes for resource uses on lands designated as Resource Lands and Open Space.

**ATTACHMENT 1**  
**LOCATION OF BLOCK 564 IN RELATION TO SURROUNDING JURISDICTIONS**



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**ATTACHMENT 2**  
**LOCATION OF BLOCK 564 IN RELATION TO AGRICULTURE AND FOREST LAND RESERVES**



ATTACHMENT 3  
SUMMARY OF PRELIMINARY CONCEPT PLAN



**TEXADA LAND CORPORATION**

11th Floor, 938 Howe Street, Vancouver, B.C. V6Z 1N9  
Telephone: (604) 331-6018 • Facsimile: (604) 331-6048

July 15, 2002

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

Attention: **Members of the Regional Board**

Dear Board Members:

Re: **Delegation – Committee of the Whole (July 23, 2002)**  
**Summary of Preliminary Concept Plan – Block 564 (Englishman River)**

Thank you for providing us with the opportunity to appear as a delegation at the Committee of the Whole meeting on 23 July 2002. We know that there is not much time for the presentation and follow up discussion, so we have prepared the attached material for Board members to review in advance of the meeting.

Board members may be aware that we met with Director Joe Stanhope, Mr. Kelly Daniels, and Mr. Bob Lapham on 4 July 2002. The meeting was very productive as it provided us with additional insight on the various issues related to our land holdings.

Clearly the central focus of our proposal is to provide an opportunity for the Regional District or some other organization such as the Nature Trust to gain ownership and control over the Englishman River Valley. In exchange for offering this amenity, we are seeking the ability to develop the property for a rural recreational community.

We recognize that this is a complicated project involving a number of complex issues, one of them being sewage disposal. At the meeting we intend to present a report from our soil engineer that will speak to this issue particularly in relation to the Englishman River.

To advance our proposal further, it is important that we gain an understanding that the Regional District is clearly interested in pursuing the process. On this basis, we respectfully request that the Regional Board instruct staff to work with us in an attempt to shape the project such that it satisfies the interests of both the Regional District and ourselves.

We look forward to meeting with Board members on July 23<sup>rd</sup>.

Yours truly,  
TEXADA LAND CORPORATION

Jerry Bordian

cc: Kelly Daniels – Chief Administrative Officer  
Bob Lapham – General Manager / Development Services  
Michael Rosen – Planning Consultant

**PRESENTATION**  
  
to  
  
**REGIONAL DISTRICT OF NANAIMO**  
  
**Committee of the Whole**

*Block 564*  
*Englishman River: A Rural Residential Community*

**Presented by:**  
  
**Texada Land Corporation**

**July 23, 2002**

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## PLANNING APPROACH FOR BLOCK 564

### Vision:

To create a rural community that has the open spaces of the Englishman River Valley at its central unifying feature

### Principles:

- Preserve and protect the Englishman River Valley
- Protect the water quality in the Englishman River
- Protect the green gateway entrance to the City of Parksville
- Ensure that effluent from sewage disposal systems will not impact water supply
- Eliminate commercial gravel extraction activities
- Protect land in the Agricultural Land Reserve
- Utilize the natural environment as the recreational focus of the community
- Provide greenway connections to the river valley
- Retain the rural character of the area
- Avoid low density urban development
- Create a unique recreational community through comprehensive planning
- Provide for a variety of lot sizes to meet market demand
- Minimize the need for local government services
- Utilize the existing road network where possible
- Provide buffers along the edges of the property that abut existing lots

### Development Objectives:

- Seek to find a balance of community and developer interests
- Create a development plan that will be marketable, bankable, and approvable
- Be positioned in the marketplace so that all the lots can be sold in a short time frame, that being 6-12 months
- Avoid strata subdivision where possible

**Highlights of the Preliminary Concept Plan:**

- Approximately 30% (250 acres) of the entire holdings (895 acres) would be dedicated as public open space, that being the river valley and the major greenway corridor.
- Covenanted private green space would enhance the rural character.
- A site along the river has been selected as a potential commercial eco-tourism opportunity
- Lands along the highway would be held as large acreages.
- A total of 178 lots would be created which equates to an average lot size of 1 lot per 5 acres.
- Green space has been used to define the sub areas within the area designated Enclaves, with a minimum lot size of 2.5 acres.
- The Cluster area would accommodate houses on 1 acre lots with the remaining lands be retained in a natural state to respect the creek corridor and wetland area.

**Land Use Summary:**

	Area (acres)	# of Lots	Avg. Lot Size (acres)
<b>Public Open Space</b>			
Englishman River Valley	225.0		
Greenspace Corridor	<u>27.0</u>		
<b>TOTAL</b>	<b>252.0 (28%)</b>		
<b>Rural Recreational Areas</b>			
Enclaves	408.0	134	3.0
Acreages	108.0	4	27.0
Cluster <sup>1</sup>	<u>102.0</u>	<u>40</u>	<u>2.5</u>
<b>TOTAL</b>	<b>616.0 (69%)</b>	<b>178</b>	<b>3.5</b>
<b>Roads</b>			
New Right of Way	25.5		
Unconstructed	<u>1.5</u>		
<b>TOTAL</b>	<b>27.0 (3%)</b>		
<b>TOTAL</b>	<b>895.0</b>	<b>178</b>	<b>5.0</b>

Note: (1) Bare land Strata Subdivision with a minimum parcel size of 1.0 acre  
 (2) All calculations are approximate only and are based upon Preliminary Concept Plan

