

REGIONAL DISTRICT OF NANAIMO

**BOARD MEETING
TUESDAY, FEBRUARY 11, 2003
7:30 PM**

(City of Nanaimo Council Chambers)

A G E N D A

PAGES

1. **CALL TO ORDER**
2. **DELEGATIONS**
3. **BOARD MINUTES**
11-19 Minutes of the Board meeting held on Tuesday, January 14, 2003 and the Special Board meeting held on Tuesday, January 28, 2003.
4. **BUSINESS ARISING FROM THE MINUTES**
5. **COMMUNICATIONS/CORRESPONDENCE**
20-29 **Jim Abram, BC Citizens for Public Power, re BC Hydro.**
30-35 **Hans Cunningham, UBCM, re Rural/Small Communities Police Costs.**
6. **UNFINISHED BUSINESS**
BYLAWS
For Adoption.
36-37 **Bylaw No. 1224.01 – (Pump & Haul) - Sewage Disposal Regulation Amendment Bylaw. (Electoral Areas 'B', 'D', 'E', 'F', 'H' & City of Nanaimo – Weighted Vote)**
Bylaw No. 500.280 - Land Use and Subdivision Bylaw Amendment - Senini - Dickenson Road - Area D. (Electoral Area Directors except EA 'B' - One Vote)
7. **STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**

7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE

38-41 Minutes of the Electoral Area Planning Committee meeting held Tuesday, January 28, 2003. (for information)

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

DP Application No. 0301 – Juthans/Murphy – 5489 Deep Bay Drive – Area H.
(Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 0301, submitted by Sven Juthans and Colleen Murphy for the property legally described as Lot 39, District Lot 1, Newcastle District, Plan 20442, requesting to:

1. *Vary the minimum setback for the front lot line*
 - a) *From 8.0 metres to 3.3 metres to accommodate the existing garage and courtyard;*
 - b) *From 8.0 metres to 0.0 metres to accommodate the existing woodshed;*
2. *Vary the eastern interior lot line setback*
 - a) *From 2.0 metres to 1.2 metres to accommodate the existing workshop at the rear of the parcel;*
 - b) *From 2.0 metres to 0.0 metres to accommodate the existing woodshed;*
3. *Vary the minimum setback requirement from the natural boundary*
 - a) *From 15 metres to 6.9 metres to accommodate the existing workshop at the rear of the parcel;*
 - b) *From 15 metres to 4.5 metres to accommodate the existing retaining wall;*

be approved, subject to the siting provisions outlined in Schedules No. 1 and 2 excluding location of hot tub structure and subject to the notification requirements pursuant to the Local Government Act.

That the application be referred back to staff to allow for further consideration of the proposed siting of the hot tub structure and to allow for discussion with the property owner(s).

DP Application No. 0302 – Guy (Percora Holdings/Coast Distributors) – 6855 Mart Road – Area D. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 0302 by Alex Guy on behalf of Percora Holdings – Coast Distributor Ltd. with variance to relax the minimum 'other lot lines' setback requirement from 5.0 metres to 0 metres for the property legally described as Lot 11, District Lot 44, Wellington District, (situated in Nanoose District), Plan 15245 to accommodate an addition to a warehouse, be approved subject to Schedules No. 1, 2, 3 and 4 and the notification requirements pursuant to the Local Government Act.

DP Application No. 0303 – Askew – 1465 E. Island Highway – Area E. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit No. 0303, submitted by Gord Bragg, Agent, on behalf of Robert Askew, Grant Armstrong and Danny Curran, to legalize the operations of Hub City RV Ltd. within an Industrial 1 (IN1) zone by varying the minimum permitted setbacks from specified 'other' lot lines from 5.0 metres to 0.0 metres to accommodate on-site parking areas, and to vary the signage requirements on the property legally described as Lot 3, District Lot 56, Nanoose District, Plan 11289, Except That Part Road Only, Plan 39893, be approved subject to notification procedures pursuant to the Local Government Act and subject to the conditions outlined in Schedule 1.

DP Application No. 0304 – Stranaghan Enterprises Ltd. (Riverside Resort) – 3506 West Island Highway – Area G. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 0304 submitted by Stranaghan Enterprises Ltd., to replace an 18-hole mini golf course within the Natural Hazardous Development Permit Area on the property legally described as Lot 1, District Lot 9, Newcastle District, Plan 11274, be approved, subject to the conditions outlined in Schedules No. 1, 2 and 3 of the corresponding staff report and the notification requirements pursuant to the Local Government Act.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

DVP Application No. 0301 – Hilchey/Gauthier – 1348 Leask Road – Area A. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to Application No. 0301.

That Development Variance Permit Application No. 0301 by Gauthier Development Limited on behalf of Hilchey, to legalize a retaining wall with guardrail and decking by varying the 'top of bank' setback requirement from 8.0 metres to 0.6 metres and varying both 'interior side lot line' setbacks from 2.0 metres to 0.0 metres, and further, to vary the setback from the sea and the rear property line to 0 metres to allow for the construction of a stairway from the top of the retaining wall to property line adjacent the sea, for the property legally described as Lot B, Section 19, Range 5, Cedar District, Plan 25757, be approved, subject to Schedules No. 1, 2, 3 and 4 and to the notification requirements pursuant to the Local Government Act.

DVP Application No. 0302 – Kardynal – 1881 Sea Lion Crescent – Area E. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to Application No. 0302.

That Development Variance Permit Application No. 0302, to relax the minimum interior side lot line setback requirement from 2.0 metres to 1.2 metres to legalize an existing accessory garage building, for the property legally described as Lot 10, District Lot 78, Nanoose District, Plan 28202, be approved subject to Schedule No. 1 and the notification requirements pursuant to the Local Government Act.

OTHER

Request for Relaxation of the Minimum Perimeter Frontage Requirement - Fern Road Consulting Ltd. On Behalf of Simone Bibby 1843/1845 Swayne Road - Area F. (Electoral Area Directors except EA 'B' - One Vote)

That the Board reconsider its resolution of May 1996 and allow requests for the minimum 10% perimeter frontage requirements for the subdivision of parcels in Electoral Area 'F' to be considered only where the proposal is consistent with the minimum lot size requirements and permitted land uses provisions of Bylaw No. 1285, 2002 for all proposed lots.

That the request, submitted by Fern Road Consulting Ltd., on behalf of Simone Bibby, to relax the minimum lot frontage requirement for proposed Lot A, as shown on the plan of subdivision of East 5 Chains of Block 30, District Lot 140, Nanoose District, Plan 1918, be approved.

Request for Acceptance of Park Land Cash in Lieu of Park Land - Sims Associates on behalf of Beausoleil Enterprises Ltd. - 2100 & 2130 Errington Road - Area F. (Electoral Area Directors except EA 'B' - One Vote)

That the request, submitted by Sims Associates, BCLS, on behalf of Beausoleil Enterprises Ltd., pursuant to Section 941 of the Local Government Act, offering to dedicate park land in conjunction with the proposed subdivision of Lots 5 and 6, both of District Lot 98, Nanoose District, Plan 31789 be refused and the applicant be required to provide cash in-lieu-of park land dedication.

Protection & Control of Foreshore Development Through Zoning Bylaws. (Electoral Area Directors except EA 'B' - One Vote)

- 1. That the staff report be received for information.*
- 2. That a resolution be prepared for the Association of Vancouver Island and Coastal Communities regarding the issue of local government regulations on aquaculture as outlined in Attachment No. 2.*
- 3. That the staff be directed to report back with a public consultation process to address the issue of aquaculture in the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 21987", "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" and all Official Community Plans.*

That staff investigate the current availability of scientific and mapping information related to the physical capability of the coastline for aquaculture operations which may be acquired from the Province.

Electoral Area 'H' Planning Project - OCP Public Process Design Document - Terms of Reference and Public Consultation Strategy. (Electoral Area Directors except EA 'B' - One Vote)

That the staff report on the Electoral Area 'H' Planning Project be received.

That the Electoral Area 'H' Official Community Plan Public Process Design Document (Attachment No. 1) be endorsed by the Board.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

42-49 Minutes of the Committee of the Whole meeting held January 28, 2003. (for information)

COMMUNICATION/CORRESPONDENCE

Ron Creber, Land & Water British Columbia Inc., re Little Mountain and Morrison Creek. (All Directors – One Vote)

That the correspondence received from Land & Water British Columbia Inc. with respect to the option of a two year Licence of Occupation offered to the RDN by LWBC, be received.

Gordon Smail, Land & Water British Columbia Inc., re Replacement Lease, Community Park, Nanoose Road. (All Directors – One Vote)

That the correspondence received from Land & Water British Columbia with respect to a short-term lease for park property on Gabriola Island be received.

COMMUNITY SERVICES

RECREATION AND PARKS

District 69 Recreation Grants Program & Recreation Program Assistants Report. (Parksville, Qualicum Beach, EA's 'E' 'F', 'G', 'H' – Weighted Vote)

That the 2003 provisional budget be amended to reflect an additional \$20,000 for Community and Youth grants.

That the funding for the Recreation and Parks Grant Program be reapportioned to include an annual total of \$31,250 for Community Grants and \$31,250 for Youth Grants, and that the maximum funding limit, per application, be established as \$2,500.

That the two temporary, part-time Recreation Program Assistant positions involved in youth services be reclassified as one permanent full-time position.

Gabriola Island Parks & Open Space Advisory Committee Proposal.

(All Directors – 2/3)

1. *That "Gabriola Island Parks and Recreation Commission Repeal Bylaw No. 1332, 2003" be introduced and given three readings.*
2. *That "Gabriola Island Parks and Recreation Commission Repeal Bylaw No. 1332, 2003" having received three readings, be adopted.*

(All Directors – One Vote)

3. *That the Terms of Reference for the Gabriola Island (Electoral Area 'B') Parks and Open Space Advisory Committee be approved, and that the Regional District advertise for applications for appointment to the Committee.*

REGIONAL GROWTH MANAGEMENT

Regional Development Services 2003 Program. (All Directors – One Vote)

That the 2003 program for Regional Development Services be adjusted by reallocating the existing staff time and financial resources to provide for the Growth Management Plan Review Completion Project and the Sustainability/Regional Growth Strategy Monitoring Initiative.

Regional Growth Strategies Monitoring Program – State of Sustainability Project and Committee. (All Directors – One Vote)

That the State of Sustainability Project and Committee Terms of Reference be approved.

TRANSIT

BC Transit Act Regulation Changes – Phase 1 – Funding & Services Strategies Review. (All Directors – One Vote)

That the Regional District support BC Transit's proposal to amend the BC Transit Act Regulation to provide flexibility in the funding formula with BC Transit as described in Strategy 3 of the Phase 1 Funding and Service Strategy Review.

BC Transit Funding & Service Strategy Review – Phase 2 – Transit Funding & Governance Models. (All Directors – One Vote)

That the Regional District of Nanaimo indicate to BC Transit that in response to the Phase 2 Funding & Service Strategies Review it supports, for further discussion, the funding and governance model represented by Option 3 "Dedicated Fuel Tax with a Community Transit Authority (CTA)".

Transit Business Plan Update 2003-2005 – Terms of Reference. (All Directors – One Vote)

That the Terms of Reference for the Transit Business Plan Update - 2003 to 2005 be approved.

That appointments to the Select Committee for the Transit Business Plan Update be made by the Board Chairperson.

Evaluation Report – Take 5 Express – Malaspina University College/Downtown Nanaimo. (City of Nanaimo, EA's 'A', 'D' – Weighted Vote)

That the Take 5 Express be expanded to Monday to Friday beginning in the Spring of 2003 as part of an overall service review and adjustment scheduled for 2003.

CORPORATE SERVICES

ADMINISTRATION

Public Consultation & Communication Committee – Terms of Reference. (All Directors – One Vote)

That the Terms of Reference for a Public Consultation and Communication Committee be approved.

Rogers Wireless Inc. Communications Tower Proposal. (All Directors – Weighted Vote)

That the Board approve the location of the Rogers Wireless Inc. communications tower on the site proposed at 6300 Hammond Bay Road and authorize staff to execute the Statutory Right of Way Agreement for this purpose.

Legal Services Contract Extension. (All Directors – Weighted Vote)

That the Board extend its legal services agreements with Staples McDannold Stewart in the area of municipal law and Harris & Co. in the area of labour law for an additional two year term expiring February 2005.

Resolution to Create Expanded Local Telephone Calling Area. (All Directors – One Vote)

That the Board of the Regional District of Nanaimo express its support for an expanded local calling area in the Regional District of Nanaimo and request Telus to undertake an analysis to establish the financial implications of implementing an expanded local calling area.

FINANCE

Update Banking Resolutions for Changes in Board Membership. (All Directors – One Vote)

That the banking resolution attached to the staff report be adopted.

San Pareil Water Supply LSA Amendment Bylaw No. 1170.03. (All Directors – One Vote)

That "San Pareil Water Supply Local Service Area Amendment Bylaw No. 1170.03, 2003" be introduced for first three readings and be forwarded to the Ministry of Community, Aboriginal and Women's Services for approval.

FIRE DEPARTMENTS

Errington Fire Protection Function Reserve Fund Expenditure Bylaw No. 1324. (All Directors – 2/3)

- 1. That "Errington Fire Protection Function Reserve Fund Expenditure Bylaw No. 1324, 2003" be introduced for first three readings.*
- 2. That "Errington Fire Protection Function Reserve Fund Expenditure Bylaw No. 1324, 2003" having received three readings, be adopted.*

License of Use (Coombs-Hilliars Firehall #2) - Arrowsmith Search & Rescue Society. (All Directors - Weighted Vote)

That the Chairperson and General Manager Corporate Services be authorized to execute the License of Use agreement with the Arrowsmith Search & Rescue Society, which provides for an initial five year term from January 1, 2003 to January 1, 2008 and four renewal terms of 5 years each.

DEVELOPMENT SERVICES

BUILDING INSPECTION

Section 700 Filings. (All Directors - One Vote)

That a notice be filed against the title of the properties 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 1, Section 16, Range 3, Mountain District, Plan VIP72060, 3409 Jingle Pot Road, Electoral Area 'D', owned by LDM Holdings Ltd.;*
- (b) Lot 31A, Nanoose District, except part in Plans 8514, 20737, 21281, 21788, 22619, 27139, 29437, 35911, 41797 and VIP;62661, 7995 Superior Road, Electoral Area 'D', owned by L. and S. Doumont;*
- (c) Lot 2, District Lots 128 and 129, Nanoose District, Plan 2142, 1435 Greig Road, Electoral Area 'G', owned by J. Reeves.*

ENVIRONMENTAL SERVICES

Regional Environmental Advisory Committee - Terms of Reference. (All Directors - One Vote)

That the Terms of Reference dated January 2003 for the Regional Environmental Advisory Committee be approved.

Climate Change Standing Committee - Terms of Reference. (All Directors - One Vote)

That the Terms of Reference dated January 2003 for the Climate Change Standing Committee be approved.

LIQUID WASTE

Pump and Haul LSA Amendment Bylaw No. 975.27; 1655 Whalebone Drive - Gallagher - Area B; 3371 Blueback Drive - Andrews - Area E; 3480 Tye Crescent - Dance - Area E. (All Directors - One Vote)

That "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.27, 2003" for the inclusion of 1655 Whalebone Drive, Gabriola Island (Gallagher), the inclusion of 3371 Blueback Drive, Nanoose (Andrews) and the exclusion of 3480 Tye Crescent, Nanoose (Dance) be read three times and forwarded to the Inspector of Municipalities for approval.

SOLID WASTE

Illegal Dumping Prevention Program Surveillance & Evidence Gathering Contract. (All Directors – One Vote)

That the Board extend the MUC surveillance and evidence-gathering contract for two additional years.

UTILITIES

Flood Hazard Management. (All Directors – One Vote)

That the staff report be received for information.

That the Board direct staff to forward a letter to the Minister of Water, Land and Air Protection with a copy to UBCM expressing concerns about the potential impact of the proposed flood hazard management model on local government resources, advising that if responsibilities for flood hazard management are transferred to local government, the province must provide ongoing financial assistance to local government to support these responsibilities, and supporting the position outlined in the letter dated October 22, 2002 from the CVRD.

That the following resolution be forwarded to AVICC:

WHEREAS the province is proposing a new service model for flood hazard management that considers transferring responsibilities for regulating floodplain development and flood proofing standards, and for the design, construction, operation and maintenance of dikes, to local government;

AND WHEREAS this model, if implemented, would impact the activities and resources of local government;

THEREFORE BE IT RESOLVED that the Board of the Regional District of Nanaimo express its concerns about the potential impact of the proposed flood hazard management model on local government resources and that if responsibilities for flood hazard management are transferred to local government, the province must provide ongoing financial assistance to local government to support these responsibilities.

Rural Streetlighting LSA Boundary Amendment Bylaw No. 791.06 – Columbia Drive – Area G. (All Directors – One Vote)

That "Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.06, 2003" be introduced, read three times and then forwarded to the Inspector of Municipalities for approval.

Water Systems – Cross-Connection Control Program. (All Directors – One Vote)

That the Board receive the report on a cross-connection control program and the 2003 cross-connection control program workplan.

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Community Water Supply. (All Directors – One Vote)

That staff bring forward a report providing cost impacts and options for a Drinking Water Protection Plan for the District 69 area once the studies have been completed by E.B.A. on the Arrowsmith aquifers and watersheds.

That staff be directed to prepare a report on the scope of work and cost of a study identifying watersheds in District 68 and areas in District 69 not included in the original E.B.A. study.

Biophysical and Economic Assessment Proposal of Mount Benson. (All Directors – One Vote)

That due to the considerable interest in Mount Benson, that staff bring forward a report to the Board regarding the lands available on Mount Benson and the cost of acquiring these lands.

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

Deep Bay Harbour Commission – Director Bartram. (Verbal update)

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Intergovernmental Advisory Committee. (All Directors – One Vote)

50-53 Minutes from the meeting of the Intergovernmental Advisory Committee held Thursday, January 9, 2003. (for information)

8. ADMINISTRATOR'S REPORT

54-57 Contravention of Unsightly Premises Regulatory Bylaw No. 1073 – Littlewood – 2406 Nanoose Beach Road – Area E. (All Directors – One Vote)

58-59 Award for the Purchase of the Fire Truck – Errington Fire Department. (All Directors – Weighted Vote)

9. ADDENDUM

10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

11. NEW BUSINESS

12. BOARD INFORMATION (Separate enclosure on blue paper)

13. ADJOURNMENT

14. IN CAMERA

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE REGULAR MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, JANUARY 14, 2003, AT 7:30 PM IN THE
NANAIMO CITY COUNCIL CHAMBERS

Present:

Director J. Stanhope Alternate	Chairperson
Director H. Kreiberg	Electoral Area A
Director G. Lund	Electoral Area B
Director E. Hamilton	Electoral Area C
Director D. Haime	Electoral Area D
Director P. Bibby	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director R. Longmuir	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director G. Korpan	City of Nanaimo
Director R. Cantelon	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director T. Krall	City of Nanaimo
Director L. Sherry	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

K. Daniels	Chief Administrative Officer
C. Mason	Gen. Mgr. of Corporate Services
J. Finnie	Gen. Mgr. of Environmental Services
B. Lapham	Gen. Mgr. of Development Services
N. Connelly	Gen. Mgr. of Community Services
N. Tonn	Recording Secretary

DELEGATIONS

Michael Jessen, Citizens for Better Health Care, District 69, re Health Care Services in District 69.

Mr. Jessen noted the need for adequate and appropriate health care services funding, a primary health centre, ambulance service and additional family physicians in the Oceanside area and urged the Board to approach the Vancouver Island Health Authority with these concerns.

Paul Lucas, Malaspina University College, re Bio Solids Open House.

Mr. Lucas addressed some of the concerns of area residents with respect to the use of bio solids in Malaspina University College's forest fertilization project and extended a formal invitation to Board members to attend a Bio Solids Open House to be held January 18, 2002 from 9:00 am to 1:00 pm at the Pleasant Valley Hall.

Norm Evans, re Variance Application - 2980 Matthew Road - Area E.

Mr. Evans provided a short history of his variance application for property at 2980 Matthew Road and asked for information on the Board's past decisions regarding approvals of Development Variance Permit applications which have previously denied by the Board of Variance.

MOVED Director Haime, SECONDED Director Westbrook, that a late delegation be permitted to address the Board.

CARRIED

Carl Westby, re Malaspina Biosolids Project.

Mr. Westby spoke in opposition to an agreement between the RDN and the Malaspina Woodlot to provide biosolids for the Woodlot's forest fertilization project citing concerns with water quality and possible contamination of the watershed which provides water for a number of Lantzville residents.

BOARD MINUTES

MOVED Director Sherry, SECONDED Director Krall, that the minutes of the regular Board meeting held on December 10, 2002 and the special Board meeting held on December 17, 2002 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Shirley Hine, City of Parksville, re District 69 Recreation Commission Appointment.

MOVED Director Sherry, SECONDED Director Krall, that the correspondence from City of Parksville advising of the appointment of Councillor Fred Demmon as the City of Parksville's representative on the District 69 Recreation Commission, be received.

CARRIED

Sandra Keddy, Town of Qualicum Beach, re District 69 Recreation Commission Appointment.

MOVED Director Sherry, SECONDED Director Krall, that the correspondence from the Town of Qualicum Beach advising of the appointment of Councillor Jack Wilson as the Town of Qualicum Beach's representative and Councillor Scott Tanner as alternate on the District 69 Recreation Commission, be received.

CARRIED

Dan Whiting, School District 69, re District 69 Recreation Commission Appointment.

MOVED Director Sherry, SECONDED Director Krall, that the correspondence from School District 69 advising of the appointment of Trustee Eve Flynn as School District 69's representative on the District 69 Recreation Commission, be received.

CARRIED

Shirley Hine, City of Parksville, re Arrowsmith Water Service Management Committee Appointment.

MOVED Director Sherry, SECONDED Director Krall, that the correspondence from the City of Parksville advising of the appointment of Councillor Marc Lefebvre as Parksville's representative on the Arrowsmith Water Service Management Committee, be received.

CARRIED

Patricia Wallace, UBCM, re Flood Hazard Management.

MOVED Director Sherry, SECONDED Director Krall, that the correspondence from the Union of BC Municipalities with respect to flood hazard management, be received.

CARRIED

Hans Cunningham, UBCM, re Restructuring Police Financing.

MOVED Director Sherry, SECONDED Director Krall, that the correspondence from the Union of BC Municipalities with respect to the Province's proposed restructuring of police financing, be received.

CARRIED

Chris Fyfe, Bestwick & Partners, re Interim Audit.

MOVED Director Sherry, SECONDED Director Krall, that the correspondence from Bestwick & Partners with respect to the results of Bestwick & Partner's interim audit of the Regional District of Nanaimo, be received.

UNFINISHED BUSINESS

CARRIED

BYLAWS

Bylaw No. 789.02.

MOVED Director Bibby, SECONDED Director Westbrook, that "Fairwinds Streetlighting Local Service Amendment Bylaw No. 789.02, 2002" be adopted.

Bylaw No. 975.26.

CARRIED

MOVED Director Cantelon, SECONDED Director Biggemann, that "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.26, 2002" be adopted.

Bylaw No. 1049.02.

CARRIED

MOVED Director Bibby, SECONDED Director Westbrook, that "Nanoose Bay Bulk Water Supply Local Service Area Boundary Amendment Bylaw No. 1049.02, 2002" be adopted.

Bylaw No. 1088.02.

CARRIED

MOVED Director Bibby, SECONDED Director Korpan, that "Nanoose Bay Bulk Water Local Service Area Development Cost Charge Boundary Amendment Bylaw No. 1088.02, 2002" be adopted.

CARRIED

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

2003 Board Appointments.

The Chairperson confirmed the following appointments to the Scheduled Standing Committees for the year 2003:

Municipal Finance Authority – J. Stanhope, D. Haime, Alternate.

District 69 Recreation Commission – D. Bartram, L. Biggemann, Alternate.

Deep Bay Harbour Authority – D. Bartram.

Regional Library Board – P. Bibby, L. Elliott, Alternate.

Treaty Advisory Committee – E. Hamilton, L. Elliott, Alternate.

North Island 911 Corporation – J. Stanhope, T. Westbrook, Alternate.

Grants-in-Aid Committee – E. Hamilton.

Municipal Insurance Association (MIA) – L. McNabb.

RDN Emergency Planning Committee – L. Biggemann and P. Bibby.

Mt. Arrowsmith Biosphere Foundation – P. Bibby.

Arrowsmith Water Project Management Committee – J. Stanhope.

Vancouver Island Generation Project Committee – G. Lund, L. Elliott, Alternate.

CVIsland Health Regional Project Building Committee – B. Holdom, J. Stanhope, Alternate.

CVIsland Health Region Joint Capital Planning Committee – T. Krall, E. Hamilton, Alternate.

MOVED Director Sherry, SECONDED Director McNabb, that the Chairperson's appointments to the 2003 Standing and Advisory Committees be received for information.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that the appointments to the Community Bonds Select Committee and Community Policing Select Committee be approved as follows:

Community Bonds Select Committee

Director J. Stanhope
Director R. Longmuir

Director P. Bibby
Director T. Westbrook

Community Policing Select Committee

Director L. McNabb
Director D. Bartram
Director T. Westbrook

Director L. Biggemann
Director D. Haime

CARRIED

City of Nanaimo Parks, Recreation & Culture Commission.

Electoral Area 'A'.

MOVED Director Kreiberg, SECONDED Director McNabb, that Mr. Geoff Baltzer be appointed to the City of Nanaimo Parks, Recreation & Culture Commission for a term ending December 31, 2004.

CARRIED

Electoral Area 'B'.

MOVED Director Lund, SECONDED Director Haime, that Mr. Berni Sperling be appointed to the City of Nanaimo Parks, Recreation & Culture Commission for a term ending December 31, 2004.

CARRIED

Electoral Area 'C'.

MOVED Director Hamilton, SECONDED Director Sherry, that Mr. Allan Young be appointed to the City of Nanaimo Parks, Recreation & Culture Commission for a term ending December 31, 2004.

CARRIED

Electoral Area 'D'.

MOVED Director Haime, SECONDED Director Westbrook, that Mr. James Whiteaker be appointed to the City of Nanaimo Parks, Recreation & Culture Commission for a term ending December 31, 2004.

MOVED Director Korpan, SECONDED Director Westbrook, that the Electoral Area 'D' appointment be deferred until the next Board meeting.

CARRIED

District 69 Recreation Commission.

Electoral Area 'E'.

MOVED Director Bibby, SECONDED Director Westbrook, that Mr. Frank Eynde be appointed to the District 69 Recreation Commission for a term ending January 1, 2006.

CARRIED

Electoral Area 'F'.

MOVED Director Biggemann, SECONDED Director Krall, that Mr. Reg Nosworthy be appointed to the District 69 Recreation Commission for a term ending January 1, 2006.

CARRIED

Electoral Area 'G'.

MOVED Director Hamilton, SECONDED Director Sherry, that Mr. Craig Young be appointed to the District 69 Recreation Commission for a term ending January 1, 2006.

CARRIED

Electoral Area 'H'.

MOVED Director Bartram, SECONDED Director Sherry, that Ms. Patty Biro be appointed to the District 69 Recreation Commission for a term ending January 1, 2006.

CARRIED

Nanoose Bay Parks & Open Space Advisory Committee.

MOVED Director Bibby, SECONDED Director Krall, that Mr. Robert Grose and Ms. Paula Young be appointed to the Nanoose Bay Parks & Open Space Advisory Committee for a term ending December 31, 2004.

CARRIED

Lantzville Parks & Open Space Advisory Committee.

MOVED Director Haime, SECONDED Director Sherry, that Mr. Gerard Bilodeau be appointed to the Lantzville Parks & Open Space Advisory Committee as a Lantzville community representative for a term ending December 31, 2004 and that Ms. Anne Thomas be appointed to the Lantzville Parks & Open Space Advisory Committee as a Lantzville Service Club or Community Organization representative for a term ending December 31, 2004.

CARRIED

Grants-in-Aid Committee.

MOVED Director Hamilton, SECONDED Director Sherry, that Ms. Deborah Bromley-Anvelt, Mr. Hugh Sproule and Mr. Frank Van Eynde be appointed to the Grants-in-Aid Committee for a term ending December 31, 2003.

CARRIED

ADMINISTRATOR'S REPORT

Contravention of Unsightly Premises Regulatory Bylaw No. 1073 – Selinger – 2401 Collins Crescent – Area E.

MOVED Director Westbrook, SECONDED Director Sherry, that should the property maintenance concerns not be rectified by January 14, 2003 pursuant to the "Unsightly Premises Regulatory Bylaw No. 1073, 1996" the Board directs the owners of the property legally described as Lot 65, Plan 23588, District Lot 6, Nanoose District to remove from the premises, those items as set out in the resolution attached to the staff report within fourteen (14) days, or the work will be undertaken by the Regional District's agents at the owners' cost.

CARRIED

Board Procedure Amendment Bylaw No. 1268.02.

MOVED Director Krall, SECONDED Director Sherry, that "Board Procedure Amendment Bylaw No. 1268.02, 2003" be introduced and read three times.

CARRIED

MOVED Director Krall, SECONDED Director Sherry, that "Board Procedure Amendment Bylaw No. 1268.02, 2003" be adopted.

CARRIED

Assessment Roll Preparation Bylaw No. 1329.

MOVED Director Westbrook, SECONDED Director Bartram, that "Regional District of Nanaimo Assessment Roll Preparation Bylaw No. 1329, 2003" be introduced for first three readings.

CARRIED

MOVED Director Westbrook, SECONDED Director Hamilton, that "Regional District of Nanaimo Assessment Roll Preparation Bylaw No. 1329, 2003" having received three readings, be adopted.

CARRIED

Board Member Computer Purchase.

MOVED Director Bartram, SECONDED Director Biggemann, that the Board approve the sale of the computer equipment to the outgoing Board members based on the depreciation formula identified in the staff report.

CARRIED

MOVED Director Korpan, SECONDED Director McNabb, that Board Policy A1.15 be amended to authorize the sale of computer equipment to outgoing Board members based on a depreciation formula which recognizes current market conditions.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Health Care Services in District 69.

MOVED Director Bartram, SECONDED Director Westbrook, that staff prepare a letter for the Chairperson's signature to the Minister of Health Services, Honourable Colin Hansen, Minister of Health Planning, Honourable Sindi Hawkins, MLA for Nanaimo-Parksville, Honourable Judith Reid, MLA for Alberni-Qualicum, Ms. Gillian Trumper, CEO of the VI Health Authority Executive, Mr. Rick Roger and the Chair of the VI Health Authority Board of Directors, Jac Kreut, stating that the RDN fully supports the Oceanside Community proposal for an urgently needed Primary Health Centre in Oceanside and that in due course this facility should include:

1. Multi-disciplinary primary care services – physicians, physiotherapists and dieticians.
2. An urgent care program.
3. In-patient beds for primary medical, observation, sub-acute and convalescence.
4. Specialized outreach services providing education and diagnostic programs.
5. Basic diagnostic, therapeutic and support services.

MOVED Director Korpan, SECONDED Director Haime, that this item be deferred until a meeting between the RDN and the Vancouver Island Health Authority Joint Capital Planning Committee is held.

CARRIED

MOVED Director Bartram, SECONDED Director Westbrook, that staff prepare a letter for the Chairperson's signature to Minister of Health Services, Honourable Colin Hansen, Minister of Health Planning, Honourable Sindi Hawkins, MLA for Nanaimo-Parksville, Honourable Judith Reid and MLA for Alberni-Qualicum, Gillian Trumper, stating that the RDN fully supports the Oceanside Community proposal to improve the ambulance service in Oceanside to a fully manned, 24/7 operation with attendants qualified to Level 2.

CARRIED

Restructuring Police Financing.

MOVED Director Westbrook, SECONDED Director Cantelon, that the correspondence received from UBCM with respect to the restructure of police financing, be referred to the Community Policing Select Committee.

CARRIED

NEW BUSINESS

Regional Services Review.

MOVED Director Westbrook, SECONDED Director Longmuir, that staff prepare a report examining the financial implications of creating a regional community policing function in District 69.

Director Korpan requested that the motion be amended to also include the issues put forward by the City of Nanaimo for consideration as Regional Services Review Phase II, and that these items be referred to the Board Strategic Planning Session for consideration.

CARRIED

Growth Management Plan Review.

MOVED Director McNabb, SECONDED Director Sherry, that staff prepare a report on the status and plans for the Growth Management Plan review and the number of applications which are pending completion of the review.

CARRIED

Notice of Motion.

With respect to the proposed Provincial formation of a Transportation Advisory Committee, Director Korpan advised that he will be recommending that Director Krail be appointed as the RDN Board's representative to this committee, with Director Cantelon as his alternate.

ADJOURNMENT

MOVED Director Westbrook, SECONDED Director Sherry, that this meeting be adjourned to allow for an In Camera meeting.

CARRIED

TIME: 8:28 PM

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

PAGE
17

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE SPECIAL BOARD MEETING
HELD ON TUESDAY, JANUARY 28, 2003, AT 9:05 PM
IN THE CITY OF NANAIMO COUNCIL CHAMBERS,
455 WALLACE STREET, NANAIMO, BC

Present:

Director J. Stanhope	Chairperson
Alternate	
Director H. Kreiberg	Electoral Area A
Director G. Lund	Electoral Area B
Director E. Hamilton	Electoral Area C
Director D. Haime	Electoral Area D
Director P. Bibby	Electoral Area E
Director L. Biggemann	Electoral Area F
Director J. Stanhope	Electoral Area G
Director D. Bartram	Electoral Area H
Director R. Longmuir	City of Parksville
Director T. Westbrook	Town of Qualicum Beach
Director R. Cantelon	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director L. Sherry	City of Nanaimo
Alternate	
Director J. Manhas	City of Nanaimo
Director B. Holdom	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
N. Connelly	General Manager of Community Services
B. Lapham	General Manager of Development Services
P. Shaw	Manager of Community Planning
N. Avery	Manager of Financial Services
S. Schopp	Manager of Inspection and Enforcement
N. Tonn	Recording Secretary

ADMINISTRATOR'S REPORTS

Building Addition Committee.

MOVED Director McNabb, SECONDED Director Sherry, that the minutes from the Building Addition Committee meeting held on January 10, 2003, be received for information.

CARRIED

Building Improvements Report.

MOVED Director McNabb, SECONDED Director Cantelon, that the Board award the renovation project to Windley Contracting Ltd. to undertake improvements to the existing building for a contract price of \$305,000 plus tax.

CARRIED

DIRECTOR AGENDA ITEM

Regional Transportation Advisory Committee Appointment.

MOVED Director Holdom, SECONDED Director Bartram, that Director Krall be appointed as the Board's representative to the Regional Transportation Advisory Committee and that Director Stanhope be appointed as his alternate.

CARRIED

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

2003 Board Appointments.

CITY OF NANAIMO PARKS, RECREATION & CULTURE COMMISSION

Electoral Area 'D'.

MOVED Director Haime, SECONDED Director Hamilton, that Mr. James Whiteaker be appointed to the City of Nanaimo Parks, Recreation & Culture Commission for a term ending December 31, 2004.

CARRIED

ELECTORAL AREA 'A' PARKS & GREENSPACE ADVISORY COMMITTEE

MOVED Director Kreiberg, SECONDED Director McNabb, that Ms. Judy Burgess, Ms. Gay Cunningham, Mr. Frank Garnish and Ms. Kerri-Lynne Wilson be appointed to the Electoral Area 'A' Parks & Greenspace Advisory Committee for a term ending December 31, 2004 and that Ms. Lynnette Aldcroft, Ms. Margaret Johnson and Mr. Joe Materi be appointed to the Electoral Area 'A' Parks & Greenspace Advisory Committee for a term ending December 31, 2003.

CARRIED

NANOOSE BAY PARKS & OPEN SPACE ADVISORY COMMITTEE

MOVED Director Bibby, SECONDED Director Sherry, that Ms. Elisabeth Bakker be appointed to the Nanoose Bay Parks & Open Space Advisory Committee for a term ending December 31, 2004.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 9:10 PM

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

BC CITIZENS FOR
PUBLIC POWER

REGIONAL DISTRICT OF NANAIMO			
JAN 24 2003			
CHAIR	<input checked="" type="checkbox"/>	GMCrS	<input type="checkbox"/>
CAO	<input checked="" type="checkbox"/>	GMS	<input type="checkbox"/>
GMCrS	<input checked="" type="checkbox"/>	GMS	<input type="checkbox"/>
<i>3rd Comm. ✓</i>			

Regional District of Nanaimo
 6300 Hammond Bay Road
 Nanaimo, B.C. V9T 6N2

January 17, 2003

Dear Mayor, Councilors, Chairperson, and Directors:

I would like to first take this opportunity to congratulate each of you on your election, re-election or acclamation in the November elections. As a recently elected Chair of the Regional District of Comox-Strathcona and a past president of UBCM, I know how much of your lives you have committed to your upcoming three-year term.

I am writing to you today with an urgent request for action regarding the future of BC Hydro. As you know, the fate of BC Hydro has been a top concern for British Columbians and a top concern for local governments. At the September 2002 UBCM Convention, as part of the Energy Policy Paper, delegates overwhelmingly supported a motion that:

The UBCM supports the maintenance of a regulated price structure utilizing cost-based, postage-stamp rates that ensure economical electricity to all parts of the province; and that

The UBCM does not support the privatization or sale of BC Hydro electrical generation, transmission or distribution functions, nor does it support the contracting of administrative services to Accenture, and urges the provincial government to recognize BC Hydro as a strategic core public asset to preserve and promote energy advantages for British Columbians.

Over 90 individual local governments have also adopted resolutions opposing rate increases and the break-up and/or privatization of BC Hydro. This remarkable concern by so many local governments is what prompted the UBCM to put forward such a comprehensive and well thought out Policy Paper.

However, the provincial government's energy policy announced in late November promises a number of negative results if enacted, in spite of the UBCM resolutions. The new energy policy guarantees higher rates, privatization of all future power generation, privatization of 1/3 of the employees and operations of BC Hydro to Bermuda based Accenture, and the break-up of BC Hydro into two separately run Crown corporations - one for generation and distribution and one for transmission.

In the coming weeks, the government is set to introduce legislation that will break-up what has been, until now, a very successful public company. This is exactly what was done in Ontario before that government tried to privatize its transmission system. This break-up is unnecessary and potentially very damaging.

BC CITIZENS FOR
PUBLIC POWER

By establishing a separate transmission company and becoming active participants in the newly formed Regional Transmission Organization, key decisions about transmission including infrastructure, investment, rates, and usage will no longer be made by BC Hydro or the new transmission corporation, but by an American led agency called RTO West.

Under the new energy plan, we will lose sovereignty of decisions about the transmission of electricity. We also begin to lose the ability to set electricity rates domestically. As private power producers export to the US, we will need to have our price in BC reflect the American price if we want these private power producers to sell us electricity. Consider the economic impact of a worst case scenario where a mill or smelter realizes they can make more money exporting power than producing pulp or aluminum. Jobs and important investment in communities will be lost. The economic impact of higher rates will be devastating to many communities.

In addition the deal to privatize 1/3 of operations and employees to Accenture has been negotiated in secret and has not been reviewed by the BC Utilities Commission or provincial Auditor to verify claims of costs savings or service benefits. The Ontario Auditor remains extremely concerned about the cost over runs and service provided by Accenture to run the Ontario welfare system. Given concerns like these in other jurisdictions, I think it only reasonable that the deal be reviewed by an independent third party before a terrible mistake is made, one that will be difficult if not impossible to reverse. With trade deals, once legislation is passed and contracts are signed, we will not be able to reverse these decisions.

So, we ask your council to take the following action at your next meeting:

- send a letter to your local MLA's, which is copied to the Premier, Cabinet, UBCM and local media, urging your local MLA's to take a principled stand and vote against any legislation to break-up BC Hydro before a full public consultation can take place.
- reiterate your support for the UBCM resolution calling for a halt to the transfer of one-third of the company's employees to Bermuda-based Accenture;

I would like to take the time to thank all of you for your urgent attention to such an important matter. If you have any questions, concerns or comments, call me directly at 250-285-3355 or contact our coordinator, Mark Veerkamp at 604.681.5939.

Sincerely,



Jim Abram, Director, BC Citizens for Public Power

Ontario auditor responds to Accenture article

Erik Peters
Vancouver Sun

Saturday, January 11, 2003

I am responding to an article that appeared in your paper entitled "The other side of the B.C. Hydro story" (Jan. 2). I take strong exception to the following two paragraphs:

"Accenture critics like to cite the NDP-appointed Ontario provincial auditor who has found fault with a welfare-delivery system the company installed nearly four years ago. But his allegations of high costs and performance failures fly in the face of results of an independent third-party audit of the system that concluded it has delivered \$692 million in savings. It further confirmed projected savings of \$300 million a year over five years.

"What's more, installing the new system was a benefits-based deal, meaning Accenture was paid on performance and measurable savings. No savings, no payment."

Here are key facts to set the record straight:

- I was appointed unanimously by the members of the Legislature of all three parties in 1993.
- There was no "independent third party audit" other than the report tabled by me in the Ontario Legislature. The "independent third party audit" referred to in your article was prepared by a consultant engaged by and paid for by the Ministry.
- The insinuation that savings of \$692 million can be directly attributed to Accenture's system is wrong. While savings were achieved because of a decline in the welfare rolls, the system does not provide the information necessary to assess why welfare roles declined. The much more likely causes for that decline are the improved economy in Ontario and the policy decision to tighten eligibility rules.
- We consider the over \$400-million cost of the new welfare delivery system, of which over a quarter of a billion dollars was paid to Accenture, as substantial, particularly since it will take much more time and many more taxpayer dollars to bring the system up to the state where only eligible welfare recipients are paid in the correct amount. At the time of our audit, the system contained significant flaws.
- The statement that "Accenture was paid on performance and measurable savings. No savings, no payment" reflects the original intent of engaging Accenture, but it is not what actually happened. Accenture was paid millions of dollars before the so-called benefits exceeded costs. In fact, we concluded that the taxpayer took virtually all the financial and performance risks of this project and Accenture reaped a disproportionately large share of the financial rewards.

Erik Peters

Provincial Auditor, Ontario

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NEW ENERGY POLICY GUARANTEES HIGHER RATES, PRIVATIZATION, AND MORE POLLUTION

Contrary to the claims of Liberal energy minister Richard Neufeld, the energy policy released in Victoria on November 25th will not maintain low-cost electricity or promote public power in BC. In fact, it guarantees higher prices, calls for the privatization of all new power and one third of the existing company, and promotes polluting energy sources.

Some of the highlights of the new energy policy:



The government won't allow BC Hydro to build new sources of electricity for British Columbians. By law, only private energy companies will be allowed to create the new power our province needs for the future. This is like saying that all new hospitals will be private ones, and still trying to claim there is a public health care system.



BC Hydro's mandate to ensure secure power supplies will end. If we experience brown-outs, black-outs or rapid price increases, who's to blame? Private energy companies will be accountable to foreign shareholders, not BC taxpayers. On the whole, the private energy sector is in a worse financial position than BC Hydro. The credit rating of many private energy companies including Aquila are at or near junk bond status while BC Hydro's credit rating is AA2. Relying on the private energy sector to produce future supply was the mistake made by Ontario, Alberta, and California where, even as prices rose dramatically, the private sector could not be relied upon to produce future supply. California is embarking on a program of public investment to stabilize their energy supplies and prices.



Electricity prices will go up – first for BC industry, then for the rest of us. We enjoy the third lowest electricity rates in North America right now. Thanks to the introduction of so-called "stepped" rates and higher prices during peak periods, BC residents and industry will no longer enjoy this competitive advantage.

The government claims it will provide consumers with the advantages of low-cost public power for ten years through a so-called "heritage" contract. But since all new power will be provided privately, what the government is really proposing is a "blending" of private and public costs. The government has been silent on what will happen once the 10-year "heritage" contract expires – but we know our bills will rise sharply as "private power" comes on line. Why not make our heritage price our future price by continuing to produce public power at low rates?

BC CITIZENS FOR
PUBLIC POWER



The Liberals have announced a separate company will operate the transmission system. They say the break up of BC Hydro is necessary so that private energy can access the grid. In fact, private companies have been guaranteed non-discriminatory access to the domestic grid for years, following a ruling by the BC Utilities Commission.

The Minister of Energy and Mines claims that the Federal Energy Regulatory Commission (FERC) is forcing the break-up of BC Hydro. FERC is still promoting deregulation in the US and American public utilities are resisting FERC's recommendations. In Canada, Manitoba and Quebec see no need to break-up up their public utilities. Breaking up BC Hydro is really about letting private energy companies use our public transmission system to export power to the United States.



One third of BC Hydro jobs and services will be contracted out to Bermuda based Accenture. This controversial company has been criticized by state and provincial auditors for cost over runs and have been put on a list of companies that the California State Treasurer will not do business with because they locate their multinational head offices in Bermuda. Yet, the Liberals are pressing ahead with a deal to hand over BC Hydro billing, customer service, computer and other strategic internal services.



Instead of environmentally sound Hydro power, the government is promoting new privatized electricity to come from coal. Coal is cheaper and will be the preferred source of energy. This will increase greenhouse gas emissions at precisely the time Canada is searching for ways to reduce its contribution to global warming. Although the government has announced a 50% green portfolio goal, it is a voluntary standard. Currently, there are no environmental standards governing burning coal for electricity. The new energy policy has created the situation where private companies can burn coal in BC to sell in the US. This means that private companies will get the profits, the Americans will get the power, and British Columbians will get the pollution.

There is still time to force the Liberals to back down. They have a plan, but no legislation to back it up yet. Tens of thousands of British Columbians have already signed on to a class action lawsuit to make sure Hydro's advantages are there for future generations.

It's time for all British Columbians to step forward and tell the Liberals to stop. BC Hydro is not broken and the Liberals have no mandate to break it up.

UBCM ENERGY POLICY

INTRODUCTION

This summary provides a consolidation of UBCM's endorsed policy position on energy matters. Energy issues continue to be a concern for UBCM members. Several resolutions were submitted in the years 2001 and 2002. The resolutions formed the basis for an energy policy discussion and the development of UBCM's standing policy on energy.

ENDORSED ENERGY POLICY POSITION FROM 2001 UBCM CONVENTION:

1. UBCM does not support the removal of GST/PST on the utility bills but that the provincial and federal governments consider using these tax revenues to promote energy conservation and alternative energy sources.
2. Request that the utilities, federal and provincial governments provide funding, advice and tax incentives to all energy users who wish to undertake energy efficiency programs.
3. Advise the Provincial Government that the UBCM does not support the deregulation of electricity.
4. Encourage the pursuit of alternative energy sources such as woodwaste, tidal, solar, district energy and geothermal as well as any other economically and environmentally feasible alternatives.
5. Request that consideration be given to rate restructuring / stabilization or some method of rewards and incentives instead of rebates to address the peaks which presently occur.
6. Encourage the federal and provincial governments to work in concert with local governments to develop an energy strategy that would include:
 - . an outline of the energy sources available
 - . alternative energy options to be pursued
 - . a conservation strategy
 - . a statement relating to domestic energy supply and relations with other international governments,
 - . long term energy planning (ensure reliability of the systems) as well as other issues including statements around air quality and greenhouse gas emissions.

ENDORSED ENERGY POLICY POSITION FROM 2002 UBCM CONVENTION:

1. The UBCM supports the maintenance of a regulated price structure utilizing cost-based, postage-stamp rates that ensure economical electricity to all parts of the province.
2. The UBCM supports community-based energy policies and programs.
3. The UBCM does not support the privatization or sale of BC Hydro electrical generation, transmission or distribution functions, nor does it support the contracting of administrative services to Accenture, and urges the provincial government to recognize BC Hydro as a strategic core public asset to preserve and promote energy advantages for British Columbians.
4. The UBCM supports a program that ensures low cost service extensions to provide electrical power to all areas of the province.
5. The UBCM urges the BC Utilities Commission, when considering future policy development, to review and articulate the tax load presently affecting BC electricity rates in order to present the true-cost of electricity in the province.
6. The UBCM recommends the consideration of implications of the Kyoto Protocol and federal legislation that may affect provincial policy.

FOR BACKGROUND AND DISCUSSION

For additional information, the workbooks on Energy policy can be found in the respective Convention Policy Papers; 2001 Convention Policy Book II and 2002 Convention Policy Book I. These are available from UBCM offices. 2002 Convention policy papers can be viewed at www.civicnet.bc.ca.

Office of the President and
Chief Executive Officer

FAXED
18/3/99

March 18, 1999

Honourable Mike Farnworth
Minister of Employment and Investment
and Minister Responsible for BC Hydro
PO Box 9046, Stn Prov Govt
Victoria, BC
V9W 9E2

Dear Minister:

The purpose of this letter is to request, on behalf of the Board of BC Hydro, that the province review and update the current IPP policy. Our rationale for the review, as well as our recommendation supported by the BC Hydro Board, is "to allow BC Hydro to take the lead in future generation investments in partnership with the private sector, where appropriate."

The current policy is based on the IPP Policy Statement issued by the province in October of 1992. This policy requires that BC Hydro provide an opportunity for private sector participation in satisfying BC Hydro's projected generation requirements through submission of IPP project bids under a Request for Proposal (RFP) process. BC Hydro believes that the scope of this policy is too narrow, since it places BC Hydro primarily in the role of a buyer of electricity and IPP's in the role of builder and owner of generation projects.

A review of BC Hydro's IPP acquisitions to date indicates that the effect of limiting BC Hydro's role to that of a buyer has resulted in:

- social or financial benefits to the province, BC Hydro and the ratepayers not being maximized;
- IPP's enjoying the benefits of project ownership, while many or all of the significant risks of ownership are passed to BC Hydro;
- inflexible arrangements with IPP's which reduces the ability to maximize the efficiency of our system;
- IPP profits and value-added jobs often leaving the province;
- IPP projects usually being fully paid off by the end of the EPA term, thus leaving a debt-free project with ten (in the case of thermal projects) or thirty (in the case of hydro projects) or more years of economic life left, in which further revenues can be generated by the owners without any sharing occurring with BC Hydro and its ratepayers.

BC Hydro also believes that requiring proposal calls for all future IPP additions is excessively costly and cumbersome, particularly in the few cases where small commercially viable projects exist and the IPP developer has invested significant time and risk capital to bring such projects to a stage where all licences and approvals are in place and negotiations on an EPA are ready to commence.

BC Hydro would like to work with government to update the policy so that the economic development benefits of specific project alternatives to meet BC Hydro's needs in the future are maximized for the province and BC Hydro's ratepayers. BC Hydro's recommended approach for acquiring additional resources to meet its needs is to proactively seek out new commercially viable generation opportunities. These opportunities should either be developed by BC Hydro itself, or in partnership with the private sector. BC Hydro would share in the upside and would have the ability to maximize B.C. economic development and job creation.

The partnerships with the private sector can bring expertise to such opportunities from which BC Hydro and its ratepayers can benefit. The joint partnership approach (as in the case of Fort Nelson with TransAlta) has the added advantage of sharing costs and risks, optimization of financial structures, and it is not monopolistic in that such approach provides joint private and public participation in energy resources of the province.

Within the context of the above approach, BC Hydro would be careful to develop any project participation structures to maximize their commercial attractiveness while being mindful of the projects risks, and to adequately address any control, oversight and governance issues from the shareholder and regulatory perspectives. Co-venturing will allow BC Hydro internal resources to develop the skills, knowledge, expertise and capability to develop projects rapidly and efficiently. After concentrating efforts on projects within B.C. and acquiring the necessary expertise, BC Hydro would eventually be in a position to seek similar profitable development opportunities outside B.C.

The electricity industry and market in North America has undergone dramatic changes since the current IPP policy was implemented. Utilities and other energy providers are no longer entering into long-term, fixed-price contracts, while at the same time shouldering the risks of ownership and none of the upside.

BC Hydro Board and management are strongly of the view that the policy needs change. With this in mind, BC Hydro staff are fully prepared to work with your staff to make this change. BC Hydro's key contact will be Mr. Kelly Lail at (604) 628-7838, Manager of our Resource Management Group.

Thank you for your attention to this issue. We look forward to your reply.

Yours very truly,



Michael Costello
President and
Chief Executive Officer

c: Brian R.D. Smith, Chair
Blair Trousdell
Kelly Lail

REGIONAL DISTRICT OF NANAIMO			
JAN - 8 2003			
CHAIR	<input checked="" type="checkbox"/>	GMCrs	<input checked="" type="checkbox"/>
CAO	<input checked="" type="checkbox"/>	GMDS	<input checked="" type="checkbox"/>
CLERK	<input type="checkbox"/>	GMES	<input type="checkbox"/>
<i>Brad Campbell</i>			

TO: Mayor and Council
Chair and Regional District Board

FROM: Chair Hans Cunningham
UBCM Police Cost Task Force

DATE: January 8, 2003

RE: RURAL / SMALL COMMUNITIES POLICE COSTS

UNION OF
BRITISH
COLUMBIA
MUNICIPALITIES

Suite 60
10551 Shellbridge Way
Richmond
British Columbia
Canada V6X 2W9
604.270.8226
Fax 604.270.9116
ubcm@civicnet.gov.bc.ca

Since writing you on December 12, 2002 requesting you contact your MLA to come to your aid over the downloading of police costs it has come to UBCM's attention that the provincial government is considering implementing a new police cost formula in rural and small communities perhaps as early as 2003.

UBCM wrote to the Premier and to the Minister of Finance on December 13, 2002. UBCM received a response from the Solicitor General to its October 8, 2002 letter regarding policing costs dated December 18, 2002.

In my letter to the Premier I indicated that the consultation process had been flawed, and requested that the provincial government take no further action, so as to allow other options to be explored (attached). In my letter I raised the following points:

- The conduct of this file has and will place an increased strain on the relations between the provincial government and small communities and rural areas in BC. The unilateral imposition of these costs will further an urban-rural rift.
- The Premier made a particular point of protecting small community grants - which could quite well be wiped out by the increased police costs. This means that there will be no small community protection in actual effect.
- The Finance and Government Services Committee recently highlighted the effects of provincial budget decisions on rural BC and a move to impose police costs on those areas would exacerbate the situation. The Committee pointed out the precarious situation in rural BC and this move would be contrary to their advice.
- Compared to the downloading in 1996 what is contemplated here will be far larger in its impacts on communities. The government in 1996 downloaded some \$110 million on municipalities. They did however protect small communities. They downloaded \$110 million on a population base of over 3,000,000 people. Contrast this with the Solicitor General's proposal to download approximately \$50 million on to about 670,000 people.

On January 2, 2003 the UBCM received a letter from the Solicitor General stating the following (copy attached):

Consultation Process

We cannot provide you with more specific information about the estimated financial impact on residential taxpayers in each jurisdiction across the province beyond the estimates provided in the discussion paper. Once cabinet has made a decision on the preferred option, we will be able to consult with affected jurisdictions on the implementation of the selected option, including anticipated gross tax increases and mitigation criteria and mechanisms.

Options

Although written in 1994, the issues, principles and options outlined in the paper are still relevant to today's situation.

After considering a range of options, the provincial police services tax model and the regional district model were determined to be the fairest options for taxpayers and the most conducive to mitigation for those areas experiencing economic hardship. There are no plans to develop or consider alternative options to police financing.

Mitigation Measures

As promised at the police cost workshop and outlined in the ministry's discussion paper, jurisdictions currently experiencing hardship will be eligible for mitigation. Criteria to determine how jurisdictions will qualify for mitigation are currently being reviewed. Affected jurisdictions will be consulted on mitigation criteria and mechanisms once Cabinet makes a decision on the preferred option.

I have reviewed the response with the Police Cost Task Force and we are very disappointed not only in the content but in the fact that several crucial questions remain unanswered.

I am writing to request your assistance to prevent the downloading of policing costs with no consultation or input into how the process may work.

We are asking you to contact and to write letters to:

- Premier
- Your MLA
- Minister of Finance
- Minister of Public Safety and Solicitor General
- Minister of Community, Aboriginal and Women's Services

We are urging you to do this immediately.

December 13, 2002

UNION OF
BRITISH
COLUMBIA
MUNICIPALITIES

Honourable Gordon Campbell
Premier, Province of British Columbia
Parliament Building
Victoria, BC
V8V 1X4

Dear Premier Campbell:

RE: POLICING COSTS IN SMALL AND RURAL COMMUNITIES

Yesterday, I wrote a letter directed to the small communities and rural areas of British Columbia concerning the Solicitor General's seemingly unwavering resolve to impose approximately \$50 million in added taxes to pay for the transfer of police costs on to their citizens (copy attached).

In the attached letter I made several points, but importantly:

- that any so-called consultation process has been flawed from the outset. The lack of meaningful information in the Discussion Paper has made it impossible for many local governments to respond.
- that the Solicitor General had not responded to my last two letters on matters central to this issue. He has not provided the information that our members and I asked for so they could seriously examine the options and their impacts on their communities. He has not cleared the air about a media report that indicated he was backing off of his plans.

I also made the point in the letter mentioned previously, that the Solicitor General has indicated that he seemingly intends to move ahead regardless of our concerns.

In addition to the points raised in the attached letter I would like you to consider the following:

- The conduct of this file has and will place an increased strain on the relations between the provincial government and small communities and rural areas in BC. The unilateral imposition of these costs will further an urban-rural rift.
- You as Premier made a particular point of protecting small community grants - which could quite well be wiped out by the increased police costs. This means that there will be no small community protection in actual effect.
- The Finance and Government Services Committee recently highlighted the effects of provincial budget decisions on rural BC and a move to impose police costs on those areas would exacerbate the situation. The Committee pointed out the precarious situation in rural BC and this move would be contrary to their advice.

Suite 60
10551 Shelburne Way
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Email: ubcm@gov.bc.ca

President
PATRICIA A. WALLACE
COUNCILOR

Executive Director
RICHARD TANTON



- Compared to the downloading in 1996 what is contemplated here will be far larger in its impacts on communities. The government in 1996 downloaded some \$110 million on municipalities. They did however protect small communities. They downloaded \$110 million on a population base of over 3,000,000 people. Contrast this with the Solicitor General's proposal to download approximately \$50 million on to about 670,000 people.
- We still are not convinced that the direction the Solicitor General is taking is consistent with your direction to him around the issue of municipalities nearing the 5,000 population threshold, nor the approved business plan for his ministry. We have written to the Solicitor General about this in the past.
- The consultation process has not only been flawed with respect to events at and after the UBCM convention it has been flawed from the outset. We have tried repeatedly to cooperate but the process is characterized by missed deadlines and broken commitments. At one meeting last spring the Solicitor General advised me that no action would be taken until 2004. I passed that advice on to our members but now it appears he is moving ahead. Promise after promise to release a discussion paper finally resulted in a report released one week prior to the convention. Enclosed is a chronology of our attempts to seriously engage the Minister for over a year.
- The Minister will not release the information he has that will allow a community to calculate the actual tax impacts on them. For instance, the Ministry has produced a provincial tax rate for policing purposes. The Ministry had to produce this tax rate to come up with the "examples" given in the discussion paper however they refuse to disclose the figure.
- The imposition of any scheme must recognize that municipalities and regional districts are well advanced in their provisional budgets for 2003, and where applicable, they have also begun approvals of their provincially mandated financial plans for the following years.

I feel that there are viable solutions to this issue, however, the process to date has not allowed those solutions to emerge. We need the information we requested and we need a willingness to look at alternatives. In that regard I believe the Minister of Community, Aboriginal and Women's Services could help us to explore those options.

I would urge you to immediately declare that the government will not take action on this matter in 2003.

Sincerely,



Hans Cunningham
Past President
Chair, UBCM Task Force on Police Costs

Enclosures

215.20.P.P-SG

PAGE

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JAN 02 2003

December 18, 2002

Mr. Hans Cunningham
Past president
Union of British Columbia Municipalities
60 - 10551 Shellbridge Way
Richmond BC V6X 2W9

Dear Mr. Cunningham:

Thank you for your letter of October 8, 2002, regarding restructuring police financing in municipalities under 5,000 population and unincorporated areas. I apologize for the delay in responding, although I note that we have spoken on the telephone recently, regarding this issue.

I want to thank you again for organizing and moderating the police cost workshop at the UBCM Annual Convention on September 23, 2002, in Whistler. The session provided an excellent forum to explain our vision for a new police financing structure in small municipalities and rural areas, and to hear the views of local government representatives. I appreciate your taking the time to follow up on this matter and want to respond to the concerns raised in your letter.

Consultation Process

We cannot provide you with more specific information about the estimated financial impact on residential taxpayers in each jurisdiction across the province beyond the estimates provided in the discussion paper. Once Cabinet has made a decision on the preferred option, we will be able to consult with affected jurisdictions on the implementation of the selected option, including anticipated gross tax increases and mitigation criteria and mechanisms.

Options

When developing options for police financing in municipalities under 5,000 population and unincorporated areas, staff from the ministries of Public Safety and Solicitor General, Finance, and Community, Aboriginal and Women's Services reviewed the studies and reports written on this issue in the past 25 years, specifically the discussion paper entitled "Financing Local Police Services in British Columbia," developed by the joint UBCM/Provincial Government Police Costs Committee. Although written in 1994, the issues, principles and options outlined in the paper are still relevant to today's situation.

.../2

Ministry of
Public Safety
and Solicitor General

Office of the Minister

Mailing Address:
PO Box 9053
Stn Prov Govt
Victoria BC V8W 9E2

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Mr. Hans Cunningham

Page 2

After considering a range of options, the provincial police services tax model and the regional district model were determined to be the fairest options for taxpayers and the most conducive to mitigation for those areas experiencing economic hardship. There are no plans to develop or consider alternative options to police financing.

Mitigation Measures

As promised at the police cost workshop and outlined in the ministry's discussion paper, jurisdictions currently experiencing economic hardship will be eligible for mitigation. Criteria to determine how jurisdictions will qualify for mitigation are currently being reviewed. Affected jurisdictions will be consulted on mitigation criteria and mechanisms once Cabinet makes a decision on the preferred option.

I trust the above clarifies the proposed restructuring of police financing in small municipalities and rural areas.

I appreciate your writing.

Sincerely yours,



R. T. (Rich) Coleman
Solicitor General

pc: The Honourable Gordon Campbell
The Honourable George Abbott
The Honourable Gary Collins

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REGIONAL DISTRICT OF NANAIMO	
FEB - 5 2003	
CHAIR	GMCrS
CAO	GMDS
GMCms	GMES
	<i>Sid</i>

MEMORANDUM

TO: Pamela Shaw
 Manager, Community Planning

DATE: February 7, 2003

FROM: Susan Cormie
 Senior Planner

FILE: 3360 30 0107

SUBJECT: Amendment Bylaw No. 500.280, 2001 - Senini
 Electoral Area 'D', Dickinson Road, Lantzville

PURPOSE

To consider Bylaw No. 500.280, 2001" for adoption.

BACKGROUND

"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.280, 2001" was introduced by the Board and given 1st and 2nd reading on February 12, 2002. Following this, a public hearing was held on March 21, 2002, and the Board granted 3rd reading for the bylaw on May 14, 2002 after considering the summary of proceedings of the public hearing.

The Bylaw was then submitted to the Ministry of Transportation and was subsequently approved pursuant to the *Highway Act*, on May 30, 2002.

The amendment application is to amend the zoning and subdivision district from Residential 2 (RS-2) Subdivision District 'D' (2 ha minimum parcel size) to Residential 1 (RS-1) Subdivision District 'F' (1.0 ha minimum parcel size) in order to facilitate the subdivision of the property into 2 parcels and permit 1 dwelling per parcel. As a result, the applicant applied for subdivision approval concurrently with the zoning amendment application.

As part of the zoning amendment, the applicant offered to dedicate a 2.0 metre wide strip of park land adjacent to the west lot line at the time of subdivision. The mylar plan of subdivision has been submitted to the RDN offices for confirmation of the park land dedication prior to being submitted to the Approving Authority for final approval and registration at Land Title Office, Victoria. It is noted that the mylar plan requires RDN signatories recognizing the Regional District as the owner of a charge on the subject property dealing with geotechnical report placed on title at time of building permit. In addition, the applicant was required to provide proof of adequate potable water prior to adoption of the bylaw. Well log reports have been submitted showing adequate water and proof that the water meets drinking water standards is expected to be submitted before the Board meeting. It should also be noted that prior to the Regional District providing written confirmation to the approving authority that all RDN bylaws have been complied with for this application, all other conditions of subdivision, including payment of development cost charges, would have to be met.

ALTERNATIVES

1. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.280, 2001" be adopted.

2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.280, 2001" not be adopted.

VOTING

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

PUBLIC CONSULTATION IMPLICATIONS

As a result of public input, the applicant offered to dedicate a strip of park land along the west lot line of the parent parcel. The park land is shown on the plan of subdivision, which will be forwarded, to the Approving Authority for final approval prior to registration at Land Title Office following the Board's consideration of the amendment bylaw.

INTERGOVERNMENTAL IMPLICATIONS

For this amendment bylaw, pursuant to the *Highway Act*, the Ministry of Transportation's statutory approval is required. This approval was received from the Ministry signed on May 30, 2002.

SUMMARY/CONCLUSIONS


The "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.280, 2001" was given 1st and 2nd reading on February 12, 2002. Subsequent to that, a Public Hearing was held on March 21, 2002, and the Board granted 3rd reading on May 14, 2002 after considering the summary of proceedings of the public hearing. The amendment bylaw received approval pursuant to the *Highway Act* from the Ministry of Transportation and Highways on May 30, 2002. The strip of park land, which the applicant has offered to dedicate, is shown on the submitted mylar plan of subdivision. As the park land has been included on the final plan of subdivision, the bylaw may now be considered for adoption.

Therefore, staff would recommend that Bylaw No. 500.280 be considered for adoption

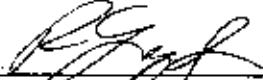
The following recommendations are provided for consideration by the Board.

RECOMMENDATION

That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.280, 2001" be adopted.



Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

COMMENTS:

devsvs/reports/2003/za3360 30 0107 ja Senini adapt.doc

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, JANUARY 28, 2003, AT 7:00 PM
IN THE CITY OF NANAIMO COUNCIL CHAMBERS,
455 WALLACE STREET, NANAIMO, BC

Present:

Director E. Hamilton	Chairperson
Alternate	
Director H. Kreiberg	Electoral Area A
Director D. Haime	Electoral Area D
Director P. Bibby	Electoral Area E
Director L. Biggemann	Electoral Area F
Director J. Stanhope	Electoral Area G
Director D. Bartram	Electoral Area H

Also in Attendance:

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

ELECTION OF DEPUTY CHAIRPERSON

The Chairperson called for nominations for the position of Deputy Chairperson for the year 2003.

Director Stanhope nominated Director Haime.

There being no further nominations, the Chairperson declared Director Haime Deputy Chairperson for the year 2003.

DELEGATIONS

Colleen Murphy & Sven Juthans, re DP Application No. 0301 – Juthans/Murphy – 5489 Deep Bay Drive – Area H.

Ms. Murphy noted her concerns with respect to the alternate location of the hot tub recommended by staff and requested that the original location be approved.

MINUTES

MOVED Director Bartram, SECONDED Director Haime, that the minutes of the Electoral Area Planning Committee meeting held November 26, 2002 be adopted.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

DP Application No. 0301 – Juthans/Murphy – 5489 Deep Bay Drive – Area H.

MOVED Director Bartram, SECONDED Director Haime, that Development Permit Application No. 0301, submitted by Sven Juthans and Colleen Murphy for the property legally described as Lot 39, District Lot 1, Newcastle District, Plan 20442, requesting to:

1. Vary the minimum setback for the front lot line
 - a) From 8.0 metres to 3.3 metres to accommodate the existing garage and courtyard;
 - b) From 8.0 metres to 0.0 metres to accommodate the existing woodshed;

2. Vary the eastern interior lot line setback
 - a) From 2.0 metres to 1.2 metres to accommodate the existing workshop at the rear of the parcel;
 - b) From 2.0 metres to 0.0 metres to accommodate the existing woodshed;
3. Vary the minimum setback requirement from the natural boundary
 - a) From 15 metres to 6.9 metres to accommodate the existing workshop at the rear of the parcel;
 - b) From 15 metres to 4.5 metres to accommodate the existing retaining wall;

be approved, subject to the siting provisions outlined in Schedules No. 1 and 2 excluding location of hot tub structure and subject to the notification requirements pursuant to the *Local Government Act*.

CARRIED

MOVED Director Bartram, SECONDED Director Haime, that the application be referred back to staff to allow for further consideration of the proposed siting of the hot tub structure and to allow for discussion with the property owner(s).

CARRIED

DP Application No. 0302 – Guy (Percora Holdings/Coast Distributors) – 6855 Mart Road – Area D.

MOVED Director Haime, SECONDED Director Stanhope, that Development Permit Application No. 0302 by Alex Guy on behalf of Percora Holdings – Coast Distributor Ltd. with variance to relax the minimum 'other lot lines' setback requirement from 5.0 metres to 0 metres for the property legally described as Lot 11, District Lot 44, Wellington District, (situated in Nanoose District), Plan 15245 to accommodate an addition to a warehouse, be approved subject to Schedules No. 1, 2, 3 and 4 and the notification requirements pursuant to the *Local Government Act*.

CARRIED

DP Application No. 0303 – Askew – 1465 E. Island Highway – Area E.

MOVED Director Bibby, SECONDED Director Haime, that Development Permit No. 0303, submitted by Gord Bragg, Agent, on behalf of Robert Askew, Grant Armstrong and Danny Curran, to legalize the operations of Hub City RV Ltd. within an Industrial 1 (IN1) zone by varying the minimum permitted setbacks from specified 'other' lot lines from 5.0 metres to 0.0 metres to accommodate on-site parking areas, and to vary the signage requirements on the property legally described as Lot 3, District Lot 56, Nanoose District, Plan 11289, Except That Part Road Only, Plan 39893, be approved subject to notification procedures pursuant to the *Local Government Act* and subject to the conditions outlined in Schedule 1.

CARRIED

DP Application No. 0304 – Stranaghan Enterprises Ltd. (Riverside Resort) – 3506 West Island Highway – Area G.

MOVED Director Stanhope, SECONDED Director Bartram, that Development Permit Application No. 0304 submitted by Stranaghan Enterprises Ltd., to replace an 18-hole mini golf course within the Natural Hazardous Development Permit Area on the property legally described as Lot 1, District Lot 9, Newcastle District, Plan 11274, be approved, subject to the conditions outlined in Schedules No. 1, 2 and 3 of the corresponding staff report and the notification requirements pursuant to the *Local Government Act*.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

DVP Application No. 0301 – Hilchey/Gauthier – 1348 Leask Road – Area A.

MOVED Director Kreiberg, SECONDED Director Biggemann, that Development Variance Permit Application No. 0301 by Gauthier Development Limited on behalf of Hilchey, to legalize a retaining wall with guardrail and decking by varying the 'top of bank' setback requirement from 8.0 metres to 0.6 metres and varying both 'interior side lot line' setbacks from 2.0 metres to 0.0 metres, and further, to vary the setback from the sea and the rear property line to 0 metres to allow for the construction of a stairway from the top of the retaining wall to property line adjacent the sea, for the property legally described as Lot B, Section 19, Range 5, Cedar District, Plan 25757, be approved, subject to Schedules No. 1, 2, 3 and 4 and to the notification requirements pursuant to the *Local Government Act*.

CARRIED

DVP Application No. 0302 – Kardynal – 1881 Sea Lion Crescent – Area E.

MOVED Director Bibby, SECONDED Director Bartram, that Development Variance Permit Application No. 0302, to relax the minimum interior side lot line setback requirement from 2.0 metres to 1.2 metres to legalize an existing accessory garage building, for the property legally described as Lot 10, District Lot 78, Nanoose District, Plan 28202, be approved subject to Schedule No. 1 and the notification requirements pursuant to the *Local Government Act*.

CARRIED

OTHER

Request for Relaxation of the Minimum Perimeter Frontage Requirement – Fern Road Consulting Ltd. On Behalf of Simone Bibby 1843/1845 Swayne Road – Area F.

MOVED Director Biggemann, SECONDED Director Bartram, that the Board reconsider its resolution of May 1996 and allow requests for the minimum 10% perimeter frontage requirements for the subdivision of parcels in Electoral Area 'F' to be considered only where the proposal is consistent with the minimum lot size requirements and permitted land uses provisions of Bylaw No. 1285, 2002 for all proposed lots.

CARRIED

MOVED Director Biggemann, SECONDED Director Haime, that the request, submitted by Fern Road Consulting Ltd., on behalf of Simone Bibby, to relax the minimum lot frontage requirement for proposed Lot A, as shown on the plan of subdivision of East 5 Chains of Block 30, District Lot 140, Nanoose District, Plan 1918, be approved.

CARRIED

Request for Acceptance of Park Land Cash in Lieu of Park Land – Sims Associates on behalf of Beausoleil Enterprises Ltd. – 2100 & 2130 Errington Road – Area F.

MOVED Director Biggemann, SECONDED Director Bartram, that the request, submitted by Sims Associates, BCLS, on behalf of Beausoleil Enterprises Ltd., pursuant to Section 941 of the *Local Government Act*, offering to dedicate park land in conjunction with the proposed subdivision of Lots 5 and 6, both of District Lot 98, Nanoose District, Plan 31789 be refused and the applicant be required to provide cash in-lieu-of park land dedication.

CARRIED

Protection & Control of Foreshore Development Through Zoning Bylaws.

MOVED Director Stanhope, SECONDED Director Haime,:

1. That the staff report be received for information.
2. That a resolution be prepared for the Association of Vancouver Island and Coastal Communities regarding the issue of local government regulations on aquaculture as outlined in Attachment No. 2.
3. That the staff be directed to report back with a public consultation process to address the issue of aquaculture in the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 21987", "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" and all Official Community Plans.

CARRIED

MOVED Director Bartram, SECONDED Director Biggemann, that staff investigate the current availability of scientific and mapping information related to the physical capability of the coastline for aquaculture operations which may be acquired from the Province.

CARRIED

Electoral Area 'H' Planning Project – OCP Public Process Design Document – Terms of Reference and Public Consultation Strategy.

MOVED Director Bartram, SECONDED Director Stanhope,:

1. That the staff report on the Electoral Area 'H' Planning Project be received.
2. That the Electoral Area 'H' Official Community Plan Public Process Design Document (Attachment No. 1) be endorsed by the Board.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:24 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, JANUARY 28, 2003, AT 7:30 PM
IN THE CITY OF NANAIMO COUNCIL CHAMBERS,
455 WALLACE STREET, NANAIMO, BC

Present:

Director J. Stanhope	Chairperson
Alternate	
Director H. Kreiberg	Electoral Area A
Director G. Lund	Electoral Area B
Director E. Hamilton	Electoral Area C
Director D. Haime	Electoral Area D
Director P. Bibby	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director R. Longmuir	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director L. Sherry	City of Nanaimo
Director R. Cantelon	City of Nanaimo
Alternate	
Director J. Manhas	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director B. Holdom	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
N. Connelly	General Manager of Community Services
B. Lapham	General Manager of Development Services
P. Shaw	Manager of Community Planning
N. Avery	Manager of Financial Services
S. Schopp	Manager of Inspection and Enforcement
N. Tonn	Recording Secretary

DELEGATIONS

Trevor Wicks, Arrowsmith Watershed Stewardship Team, re Community Water Supply.

Mr. Wicks provided a visual and verbal presentation on the health and protection of the district's community water supply and asked the Board to endorse a resolution recognizing the Arrowsmith Watershed as a drinking supply area.

Germain Dufour, re Biophysical and Economic Assessment Proposal of Mount Benson and Surrounding Ecosystems.

Mr. Dufour requested that the RDN help support the Earth Community Organization's campaign to protect Mount Benson and the surrounding ecosystems from further development and logging.

Gail Adrienne, Nanaimo Area Land Trust, re Mount Benson.

Ms. Adrienne was not in attendance.

MINUTES

MOVED Director Sherry, SECONDED Director Cantelon, that the minutes of the Committee of the Whole meetings held on October 15, 2002 and October 22, 2002, be adopted.

CARRIED

COMMUNICATION/CORRESPONDENCE

Ron Creber, Land & Water British Columbia Inc., re Little Mountain and Morrison Creek.

MOVED Director Cantelon, SECONDED Director McNabb, that the correspondence received from Land & Water British Columbia Inc. with respect to the option of a two year Licence of Occupation offered to the RDN by LWBC, be received.

CARRIED

Gordon Smail, Land & Water British Columbia Inc., re Replacement Lease, Community Park, Nanoose Road.

MOVED Director Cantelon, SECONDED Director McNabb, that the correspondence received from Land & Water British Columbia with respect to a short-term lease for park property on Gabriola Island be received.

CARRIED

COMMUNITY SERVICES

RECREATION AND PARKS

District 69 Recreation Grants Program & Recreation Program Assistants Report.

MOVED Director Westbrook, SECONDED Director Longmuir, that the 2003 provisional budget be amended to reflect an additional \$20,000 for Community and Youth grants.

CARRIED

MOVED Director Westbrook, SECONDED Director Longmuir, that the funding for the Recreation and Parks Grant Program be reapportioned to include an annual total of \$31,250 for Community Grants and \$31,250 for Youth Grants, and that the maximum funding limit, per application, be established as \$2,500.

CARRIED

MOVED Director Westbrook, SECONDED Director Longmuir, that the two temporary, part-time Recreation Program Assistant positions involved in youth services be reclassified as one permanent full-time position.

CARRIED

Gabriola Island Parks & Open Space Advisory Committee Proposal.

MOVED Director Lund, SECONDED Director Sherry, that "Gabriola Island Parks and Recreation Commission Repeal Bylaw No. 1332, 2003" be introduced and given three readings.

CARRIED

MOVED Director Lund, SECONDED Director Sherry, that "Gabriola Island Parks and Recreation Commission Repeal Bylaw No. 1332, 2003" having received three readings, be adopted.

CARRIED

MOVED Director Lund, SECONDED Director Holdom, that the Terms of Reference for the Gabriola Island (Electoral Area 'B') Parks and Open Space Advisory Committee be approved, and that the Regional District advertise for applications for appointment to the Committee.

CARRIED

REGIONAL GROWTH MANAGEMENT

Regional Development Services 2003 Program.

MOVED Director Hamilton, SECONDED Director Sherry, that the 2003 program for Regional Development Services be adjusted by reallocating the existing staff time and financial resources to provide for the Growth Management Plan Review Completion Project and the Sustainability/Regional Growth Strategy Monitoring Initiative.

CARRIED

Regional Growth Strategies Monitoring Program – State of Sustainability Project and Committee.

MOVED Director Holdom, SECONDED Director McNabb, that the State of Sustainability Project and Committee Terms of Reference be approved.

CARRIED

TRANSIT

BC Transit Act Regulation Changes – Phase 1 – Funding & Services Strategies Review.

MOVED Director McNabb, SECONDED Director Westbrook, that the Regional District support BC Transit's proposal to amend the BC Transit Act Regulation to provide flexibility in the funding formula with BC Transit as described in Strategy 3 of the Phase 1 Funding and Service Strategy Review.

CARRIED

BC Transit Funding & Service Strategy Review – Phase 2 – Transit Funding & Governance Models.

MOVED Director Cantelon, SECONDED Director Westbrook, that the Regional District of Nanaimo indicate to BC Transit that in response to the Phase 2 Funding & Service Strategies Review it supports, for further discussion, the funding and governance model represented by Option 3 "*Dedicated Fuel Tax with a Community Transit Authority (CTA)*".

CARRIED

Transit Business Plan Update 2003-2005 – Terms of Reference.

MOVED Director McNabb, SECONDED Director Westbrook,:

1. That the Terms of Reference for the Transit Business Plan Update – 2003 to 2005 be approved.
2. That appointments to the Select Committee for the Transit Business Plan Update be made by the Board Chairperson.

CARRIED

The Chairperson requested Board members to advise him if they wish to sit on this Committee.

Evaluation Report – Take 5 Express – Malaspina University College/Downtown Nanaimo.

MOVED Director McNabb, SECONDED Director Cantelon, that the Take 5 Express be expanded to Monday to Friday beginning in the Spring of 2003 as part of an overall service review and adjustment scheduled for 2003.

CARRIED

CORPORATE SERVICES

ADMINISTRATION

Public Consultation & Communication Committee - Terms of Reference.

MOVED Director Westbrook, SECONDED Director Sherry, that the Terms of Reference for a Public Consultation and Communication Committee be approved.

CARRIED

Rogers Wireless Inc. Communications Tower Proposal.

MOVED Director McNabb, SECONDED Director Holdom, that the Board approve the location of the Rogers Wireless Inc. communications tower on the site proposed at 6300 Hammond Bay Road and authorize staff to execute the Statutory Right of Way Agreement for this purpose.

CARRIED

Legal Services Contract Extension.

MOVED Director Sherry, SECONDED Director Hamilton, that the Board extend its legal services agreements with Staples McDannold Stewart in the area of municipal law and Harris & Co. in the area of labour law for an additional two year term expiring February 2005.

CARRIED

Resolution to Create Expanded Local Telephone Calling Area.

MOVED Director McNabb, SECONDED Director Holdom, that the Board of the Regional District of Nanaimo express its support for an expanded local calling area in the Regional District of Nanaimo and request Telus to undertake an analysis to establish the financial implications of implementing an expanded local calling area.

CARRIED

FINANCE

Update Banking Resolutions for Changes in Board Membership.

MOVED Director Westbrook, SECONDED Director Bartram, that the banking resolution attached to the staff report be adopted.

CARRIED

San Pareil Water Supply LSA Amendment Bylaw No. 1170.03.

MOVED Director Westbrook, SECONDED Director Hamilton, that "San Pareil Water Supply Local Service Area Amendment Bylaw No. 1170.03, 2003" be introduced for first three readings and be forwarded to the Ministry of Community, Aboriginal and Women's Services for approval.

CARRIED

FIRE DEPARTMENTS

Errington Fire Protection Function Reserve Fund Expenditure Bylaw No. 1324.

MOVED Director Biggemann, SECONDED Director Sherry,:

1. That "Errington Fire Protection Function Reserve Fund Expenditure Bylaw No. 1324, 2003" be introduced for first three readings.
2. That "Errington Fire Protection Function Reserve Fund Expenditure Bylaw No. 1324, 2003" having received three readings, be adopted.

CARRIED

License of Use (Coombs-Hilliers Firehall #2) - Arrowsmith Search & Rescue Society.

MOVED Director Westbrook, SECONDED Director Biggemann, that the Chairperson and General Manager Corporate Services be authorized to execute the License of Use agreement with the Arrowsmith Search & Rescue Society, which provides for an initial five year term from January 1, 2003 to January 1, 2008 and four renewal terms of 5 years each.

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.

It was noted that the following filing has been resolved:

Lot 11, Section 19, Range 2, Cedar District, Plan VIP67150, 1347 Kurtis Crescent, Electoral Area 'A', owned by R. Okeley and J. McAdam;

MOVED Director Bartram, SECONDED Director Cantelon, that a notice be filed against the title of the properties 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 1, Section 16, Range 3, Mountain District, Plan VIP72060, 3409 Jingle Pot Road, Electoral Area 'D', owned by LDM Holdings Ltd.;
- (b) Lot 31A, Nanoose District, except part in Plans 8514, 20737, 21281, 21788, 22619, 27139, 29437, 35911, 41797 and VIP:62661, 7995 Superior Road, Electoral Area 'D', owned by L. and S. Doumont;
- (c) Lot 2, District Lots 128 and 129, Nanoose District, Plan 2142, 1435 Greig Road, Electoral Area 'G', owned by J. Reeves.

CARRIED

ENVIRONMENTAL SERVICES

Regional Environmental Advisory Committee – Terms of Reference.

MOVED Director Sherry, SECONDED Director Westbrook, that the Terms of Reference dated January 2003 for the Regional Environmental Advisory Committee be approved.

CARRIED

Climate Change Standing Committee - Terms of Reference.

MOVED Director Sherry, SECONDED Director Westbrook, that the Terms of Reference dated January 2003 for the Climate Change Standing Committee be approved.

CARRIED

LIQUID WASTE

Pump and Haul LSA Amendment Bylaw No. 975.27; 1655 Whalebone Drive – Gallagher – Area B; 3371 Blueback Drive – Andrews – Area E; 3480 Tye Crescent – Dance – Area E.

MOVED Director Bartram, SECONDED Director McNabb, that "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.27, 2003" for the inclusion of 1655 Whalebone Drive, Gabriola Island (Gallagher), the inclusion of 3371 Blueback Drive, Nanoose (Andrews) and the exclusion of 3480 Tye Crescent, Nanoose (Dance) be read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

SOLID WASTE

Illegal Dumping Prevention Program Surveillance & Evidence Gathering Contract.

MOVED Director Westbrook, SECONDED Director Holdom, that the Board extend the MUC surveillance and evidence-gathering contract for two additional years.

CARRIED

UTILITIES

Flood Hazard Management.

MOVED Director Sherry, SECONDED Director Biggemann,:

1. That the staff report be received for information.
2. That the Board direct staff to forward a letter to the Minister of Water, Land and Air Protection with a copy to UBCM expressing concerns about the potential impact of the proposed flood hazard management model on local government resources, advising that if responsibilities for flood hazard management are transferred to local government, the province must provide ongoing financial assistance to local government to support these responsibilities, and supporting the position outlined in the letter dated October 22, 2002 from the CVRD.
3. That the following resolution be forwarded to AVICC:

WHEREAS the province is proposing a new service model for flood hazard management that considers transferring responsibilities for regulating floodplain development and flood proofing standards, and for the design, construction, operation and maintenance of dikes, to local government;

AND WHEREAS this model, if implemented, would impact the activities and resources of local government;

THEREFORE BE IT RESOLVED that the Board of the Regional District of Nanaimo express its concerns about the potential impact of the proposed flood hazard management model on local government resources and that if responsibilities for flood hazard management are transferred to local government, the province must provide ongoing financial assistance to local government to support these responsibilities.

CARRIED

Rural Streetlighting LSA Boundary Amendment Bylaw No. 791.06 – Columbia Drive – Area G.

MOVED Director Westbrook, SECONDED Director Cantelon, that "Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.06, 2003" be introduced, read three times and then forwarded to the Inspector of Municipalities for approval.

CARRIED

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Water Systems – Cross-Connection Control Program.

MOVED Director Sherry, SECONDED Director Bartram, that the Board receive the report on a cross-connection control program and the 2003 cross-connection control program workplan.

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS CARRIED

Community Water Supply.

MOVED Director Bibby, SECONDED Director Westbrook, that staff bring forward a report providing cost impacts and options for a Drinking Water Protection Plan for the District 69 area once the studies have been completed by E.B.A. on the Arrowsmith aquifers and watersheds.

MOVED Director Haime, SECONDED Director Westbrook, that the motion be amended to include watersheds in District 68.

The question was called on the main motion. DEFEATED

The motion CARRIED.

MOVED Director Haime, SECONDED Director Holdom, that staff be directed to prepare a report on the scope of work and cost of a study identifying watersheds in District 68 and areas in District 69 not included in the original E.B.A. study.

Biophysical and Economic Assessment Proposal of Mount Benson. CARRIED

MOVED Director Hamilton, SECONDED Director Sherry, that due to the considerable interest in Mount Benson, that staff bring forward a report to the Board regarding the lands available on Mount Benson and the cost of acquiring these lands.

Arrowsmith Watershed Stewardship. CARRIED

MOVED Director Longmuir, SECONDED Director Westbrook, that:

WHEREAS the people of our area depend upon a safe and sustainable supply of potable water;

AND WHEREAS the surface and subsurface drinking water sources originate within the area's watersheds;

AND WHEREAS protection of the drinking water supply is fundamental to the health of our communities;

THEREFORE BE IT RESOLVED that the Regional District of Nanaimo recognize the area of land within the boundaries of the following watersheds as a 'drinking water supply area':

- (1) Englishman River Watershed
- (2) Romney and Carey Creek Watershed
- (3) French Creek Watershed
- (4) Beach and Grandon Creek Watershed
- (5) The Cameron-Little Qualicum Watershed

MOVED Director Haime, SECONDED Director Westbrook, that motion be amended to include the Harby Creek, Lantzville/Harby Creek and Brannen Lake Basin watersheds.

MOVED Director Sherry, SECONDED Director McNabb, that this item be referred back to staff.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 9:05 PM

CHAIRPERSON

**Minutes for the Meeting held:
Thursday, January 9, 2003
City of Nanaimo, Board Room
455 Wallace Street, Nanaimo, BC**

Present:

Neil Connelly, RDN
Christina Thomas, RDN
Bob Lapham, RDN
Gayle Jackson, Parksville
Sharon Fletcher, Nanaimo

Cynthia Hawsworth, MCWAS
Roger Cheetham, ALC
Ted Hall, MEM
Sharon Erickson, MWLAP

Absent:

Dan Biggs, MF
Wayne Haddow, MA
Paul Butler, Qualicum Beach
David Coorube, VIHA
John Finnie, RDN
Dave Edgar, MT

Item

1. Call to order.

N. Connelly called the meeting to order at approximately 1:30 PM.

2. Minutes from the Last Meeting (Nov. 26, 2002).

The minutes were approved as presented. R. Cheetham noted that the Land Reserve Commission recently changed its name back to the Provincial Agricultural Land Commission.

S. Fletcher requested an update about the status of the idea that an implementation agreement be developed to establish more specific direction regarding the minimum permitted parcel size supported on land outside the Urban Containment Boundary, for the interim period between now and when a revised regional growth strategy bylaw that contains that direction is adopted.

B. Lapham responded that the RDN Board had considered the creation of such an agreement as a part of a recent decision about how to address applications to exclude land from the Agriculture Land Reserve, and decided not to pursue such an agreement at that time. B. Lapham indicated that the idea could be further discussed with the RDN Board as a part of the Board's upcoming strategic planning process.

S. Fletcher indicated that there was an interpretation that the Vancouver Island Highway Implementation Agreement (VIHA) was scheduled to expire in the near future, and that the City has concerns about aspects of the Agreement that it believes might have financial implications for the City.

There was general discussion regarding the obligations placed upon the parties to the VIHA by the VIHA. It was noted that the VIHA is more of a protocol agreement rather than one that binds the parties to particular decisions, projects and expenditures.

C. Thomas stated that the VIHA is not set to expire; rather that it is to be reviewed to consider whether changes are necessary, in conjunction with the current Growth Management Plan Review. C. Thomas noted that, as discussed at the November 26th meeting, the RDN would be arranging a meeting of the IAC to discuss the VIHA early in 2003.

The Committee reconfirmed its interest in discussing the Vancouver Island Highway Implementation Agreement at a meeting in the near future, for the purpose of discussing progress towards the action items established in the Agreement, identifying issues, and developing solutions for any identified issues.

3. **Growth Management Plan Review 2001-2002**

C. Thomas updated the Committee about the status of the Terms of Reference for the Growth Management Plan Review Completion Phase. It was noted that:

- draft Terms of Reference for the project had been distributed to the IAC at the November 26th IAC meeting and discussed in a preliminary way at the meeting;
- that IAC comments are invited about the draft Terms of Reference;
- that the comments received from individual IAC members about the draft Terms of Reference at the November 26, 2002 IAC meeting included the suggestions that:
 - Step #5 (the Council of Council meeting) be broken into two steps, in which the first step would be comprised of a Council of Council meeting where RDN staff would provide an overview of the revised regional growth strategy to the member municipality councils and the Electoral Area Planning Committee, and the second step would involve each member municipality council and the Electoral Area Planning Committee each considering whether it would recommend that the RDN Board grant the revised regional growth strategy bylaw 1st and 2nd reading;
 - the RDN Board consider granting a revised regional growth strategy bylaw 1st and 2nd reading at separate meetings;
- that the Terms of Reference were to be finalized by RDN staff during the next four weeks with the view to submitting them to the RDN Committee of the Whole for consideration at its February 25, 2003 meeting and to the RDN Board for consideration at its March 11, 2003 meeting;
- that RDN staff propose to adjust the project timeframe, in response to a later scheduled RDN Board approval of the project terms of reference and the concerns expressed by individual IAC members, to provide more time to work with the IAC, member municipality staff, member municipality councils and the Electoral Area Planning Committee in the initial stages of developing adjustments to the draft regional growth strategy bylaw to respond to the identified issues. To this effect, a revised draft timetable was distributed to the IAC for comment.

Individual IAC members provided the following comments about the draft Terms of Reference for the Growth Management Plan Review:

- consideration should be given to obtaining the input of the IAC prior to obtaining the input of member municipality staff in steps #1 and #4;
- consideration should be given to meeting with member municipality staff individually and or collectively in steps #1 and #4;
- the proposal to obtain input from the IAC and member municipalities separately, as a part of steps #1 and #4, combined with the review of the draft regional growth strategy bylaw with member municipality councils and the Electoral Area Planning Committee as a part of Step #2, the Council of Councils meeting and decision by individual councils and the electoral area directors regarding their individual council/group recommendations that the revised bylaw is ready for consideration by the RDN Board as a part of Step #5, address concerns regarding the role of the IAC versus the role of member municipality staff in developing the revised regional growth strategy bylaw that were expressed about the process for the first four phases of the Growth Management Plan Review Project;
- improvement districts should be consulted as a part of the Growth Management Plan Review since they are bound to make decisions consistent with regional growth strategies pursuant to the *Local Government Act*;
- the revised timetable provides an appropriate amount of time to discuss and resolve outstanding issues related to the draft regional growth strategy bylaw.

One IAC member asked how the Provincial Agricultural Land Commission's (ALC) concern about the policy position to forward all applications to exclude land from the Agriculture Land Reserve directly to the ALC without a RDN position about the application (as contained in the draft regional

growth strategy) would be addressed. B. Lapham indicated that the RDN Board had recently considered the issue and decided to forward all ALR exclusion and inclusion applications directly to the Province.

C. Thomas requested clarification about the suggestion that 1st and 2nd reading of the revised regional growth strategy bylaw be considered at two separate RDN Board meetings, for the purpose of understanding whether the IAC as a whole felt this was important or whether only one member felt it was important. It was noted that a process in which the RDN Board grants the bylaw 1st reading at one meeting and 2nd reading at another meeting would add an additional month to a process that is already quite lengthy, and that no bylaw changes were anticipated between 1st and 2nd reading given the comprehensive process proposed to develop the bylaw changes prior to the consideration of 1st and 2nd reading. The IAC members in attendance indicated that they had no objection to the revised regional growth strategy bylaw being given 1st and 2nd reading at the same meeting, given that the proposed process in the terms of reference provides for the early resolution of issues pertaining to the draft regional growth strategy bylaw, such that no changes should be required to the bylaw between 1st and 2nd reading. [Given that P. Butler was not in attendance at the January 9, 2003 IAC meeting and had raised the suggestion, C. Thomas requested P. Butler to provide clarification, in a later telephone call, regarding his opinion that the revised regional growth strategy should be granted 1st and 2nd readings at separate meetings of the Board. P. Butler indicated that he felt strongly about the separation of the two readings given that it is the Town's standard operating practice to do so and the fact that the Board might want to make some adjustments to the revised regional growth strategy bylaw in between 1st and 2nd reading.]

4. **IAC Terms of Reference**

C. Thomas provided an overview of the current IAC Terms of Reference and the *Local Government Act* direction regarding IACs. The Committee had a general discussion about the IAC Terms of Reference and there was general agreement that no changes were necessary at this time. It was noted by some IAC members that many of the provisions contained in the draft Terms of Reference for the Growth Management Plan Review Completion Phase (e.g. separate consultation with the IAC and each member municipality early in the bylaw development process) should ensure that the issue that had arisen as a part of the previous phases of Growth Management Plan Review work, regarding the IAC role versus member municipality staff role, would not arise again.

S. Fletcher suggested that the IAC spend more time discussing general topics of importance to managing growth in the region in the future, once the Growth Management Plan Review is complete, such as transportation, nodal development, population, housing, density, and services.

It was noted that staff representatives from other Provincial ministries, the federal government, First Nations and others could be invited to attend IAC meetings at the discretion of the RDN.

5. **Next Meeting.**

The next meeting is **Thursday, February 6, 2003 at 1:30 PM** at the City of Nanaimo offices. The key discussion topic will be the Urban Containment and Fringe Area Management Implementation Agreement. Another meeting will be set for a date after that to discuss the Vancouver Island Highway Implementation Agreement.

Committee members were invited to provide any additional comments they might have about the draft Terms of Reference for the Growth Management Plan Review Completion Phase to C. Thomas before February 14, 2003.

C. Thomas indicated that the terms of reference for the State of Sustainability Project (essentially the Regional Growth Strategy Monitoring Program) and associated citizen committee are scheduled to be considered at the January 28, 2003 Committee of the Whole Meeting. It was noted that the item had been discussed by the IAC at its September 5, 2002 meeting, that the draft project proposal was recirculated in early December of 2002 to solicit any remaining IAC comments, and that any additional IAC comments about the project should be forwarded to C. Thomas by January 15th.

that amendments to the project proposal could be considered prior to forwarding it to the Committee of the Whole and the Board for approval. C. Thomas noted that the timeframe of the project is proposed to be extended from 2 to 3 years given that it is anticipated that the Growth Management Plan Review Completion Project would require most of the Regional Development Services resources and staff time in 2003, and that the focus of the 2003 work program for the citizen committee would be orientation and planning for the first public event that would be conducted in January of 2004.

6. **Adjournment.**

N. Connelly adjourned the meeting at approximately 4:30 PM.

Neil Connelly, Chair



REGIONAL DISTRICT
OF NANAIMO

FEB 3 - 2003

CHAIR		GMCrS	
CAO		GMDS	
GMCmB		GMES	

MEMORANDUM

TO: Stan Schopp
Manager, Building Inspection and Enforcement

DATE: January 31, 2003

FROM: Tom Armet
Bylaw Enforcement Officer

FILE: 3810 20 02E048

SUBJECT: Contravention of Unsightly Premises Regulatory Bylaw No. 1073, 1996 – Littlewood Electoral Area E - 2406 Nanoose Beach Road, Nanoose Bay

PURPOSE

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

BACKGROUND

Property: 2406 Nanoose Beach Road, Nanoose Bay, BC
Legal: Parcel 1 of Lot A, Plan 1460, District Lot 79, Nanoose Land District
Owner: Scott Kilner Littlewood
2406 Nanoose Beach Road
Nanoose Bay, B.C. V9P 9E5
Zoning: Residential 1 (RS1)

The subject property is in a highly visible location, adjacent to the Island Highway in an area of well-maintained residential and commercial properties. Mr. Littlewood has owned the property since 1998, having resided on it for several years prior to going on title.

On February 1, 1995, staff received a complaint regarding the presence of several derelict vehicles on the above noted property. Staff direction resulted in the vehicles being removed and the property brought into compliance.

A complaint regarding the unsightly condition of this property was received on March 24, 1999 and a site inspection confirmed the presence of derelict vehicles, household waste and miscellaneous discarded material. Staff direction and monitoring resulted in sufficient clean up being done by the owner to comply with the bylaw requirements. Additional complaints regarding the unsightly condition of the property were received on December 20, 2000 and January 2, 2001. A site inspection confirmed there was a substantial accumulation of discarded materials, household waste, appliances and a derelict vehicle. The owner was directed verbally and in writing to clean up the property and after considerable staff involvement, the owner cleaned up the property sufficiently to meet the bylaw requirements.

On November 1, 2002, as a result of further neighbourhood complaints, staff inspected the property and directed the owner, in writing, to remove the accumulation of filth, discarded material, rubbish, derelict vehicle, boat and trailer from the property within 14 days. A follow-up inspection confirmed that some clean up had been done, and an extension of time was granted to complete the work. Staff continued to monitor the property and noted that the owner ceased all further efforts to bring the property into

compliance. The writer has issued a further warning and verbal direction to the property owner, which to date, has been ignored. Photographs are available for viewing.

In addition to the numerous property maintenance complaints, the Regional District has had extensive dealings with the owner since 1998 concerning the illegally constructed and sited accessory building. The owner resisted all efforts by staff to gain voluntary compliance and the Board subsequently adopted Structure Removal Bylaw No. 1293 on March 12, 2002. The owner then applied for a Development Variance Permit that was approved by the Board in July 2002, subject to a number of conditions which, to date, Mr Littlewood has failed to meet. Enforcement of the structure removal bylaw had been deferred to allow this process to proceed.

Consequently, on November 1, 2002, the writer issued written direction to the owner to bring the building into compliance with Board direction by November 15, 2002. He was also advised that failure to comply may result in the RDN removing the building as per Bylaw No. 1293. A follow-up inspection confirmed that the owner had begun to remove the encroaching portion of the building; however, all work appears to have ceased as of the end of November 2002. To date, the owner has not applied for a building permit and the status of the illegal construction remains unchanged. The property maintenance and illegal building issues are somewhat interrelated. The owner maintains that a portion of the unused materials on the property is destined for storage or use in the illegal accessory building. It should be noted however, that the bulk of the debris scattered about the property and the adjacent vacant lot is not construction material and could not possibly be stored in the accessory building.

ALTERNATIVES

1. The owner be directed to remove the identified items from the property.
2. The owner not 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 of Nanaimo or its agent with respect to the removal shall be recovered from the property owner.

SUMMARY/CONCLUSIONS

This property is in a highly visible location and is subject to a Property Maintenance Bylaw. The discarded, disused materials and derelict vehicle stored on site would be in contravention of this regulation. Despite having been given more than a reasonable amount of time to do so, the property owner is not complying with staff direction to resolve these contraventions.

RECOMMENDATION

That should the property maintenance concerns not be rectified by February 11, 2003 pursuant to the "Unightly Premises Regulatory Bylaw No. 1073, 1996" the Board directs the owners 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 owner's cost.



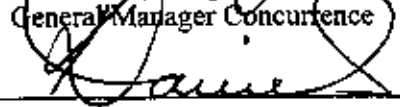
Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

**THE MATTER OF SECTION 725 OF THE LOCAL GOVERNMENT ACT
R.S.B.C. 1996 CHAPTER 323 AND AMENDMENTS**

AND

IN THE MATTER OF Parcel 1 of Lot A, Plan 1460, District Lot 79, Nanoose Land District

TO: Scott Littlewood
2406 Nanoose Beach Rd.,
Nanoose Bay, B.C. V9P 9E5

NOTICE OF HEARING

TAKE NOTICE that the Board of the Regional District of Nanaimo pursuant to Section 725 of the Local Government Act and Unsightly Premises Regulatory Bylaw No. 1073, 1996, will at the hour of 7:30 pm on the 11th day of February, A.D. 2003 in the Council Chambers of the City of Nanaimo, 455 Wallace Street, Nanaimo, British Columbia, hear representation by the General Manager Corporate Services as to whether, with respect to the lands more particularly described above, the owner(s)/ occupier(s) shall be required to remove the accumulation thereon of all discarded and disused items.

AND FURTHER TAKE NOTICE that should the Board require the owner(s)/occupier(s) to remove the described accumulation, and the owner(s)/occupier(s) default, the Board may direct its employees and others to enter and effect the removal at the expense of the person defaulting. The charges for doing so, if unpaid on December 31st in the year in which the Regional District effects the removal, shall be added to and form part of the taxes payable in respect of the real property in question, as taxes in arrears.

AND FURTHER TAKE NOTICE that should you wish to make representation to the Board regarding the lands and premises listed above, you should appear at that time, date and place to make your presentation.

THIS NOTICE is given by the General Manager Corporate Services of the Regional District of Nanaimo this 31st day of January, A.D. 2003.

General Manager Corporate Services

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REGIONAL DISTRICT OF NANAIMO

RESOLUTION

UNSIGHTLY PREMISES REGULATORY BYLAW NO. 1073, 1996

MOVED Director , SECONDED Director , 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: Parcel 1 of Lot A, Plan 1460, District Lot 79 Nanoose Land District

LOCATION: 2406 Nanoose Beach Road, Nanoose Bay, B.C.

OWNER(S): Scott Kilner Littlewood
2406 Nanoose Beach Road
Nanoose Bay, B.C. V9P 9E5

UNSIGHTLY ACCUMULATION: Derelict vehicle/trailer/boat, discarded household appliances, household debris and discarded, disused materials.

REMEDIAL MEASURES: to remove the accumulation of derelict vehicles/trailers/boats, discarded household appliances, household debris and discarded, disused materials., 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 31st 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 February 11, 2003.

DATED at Nanaimo, B.C., this 13th day of February, 2003

General Manager Corporate Services

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FEB - 5 2003

MEMORANDUM

CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMS	

TO: C. Mason
General Manager, Corporate Services

DATE: February 4, 2003

FROM: N. Avery
Manager, Financial Services

FILE:

SUBJECT: Award for the purchase of a firetruck - Errington Fire Department

PURPOSE:

To obtain Board approval to award the purchase of a firetruck by the Errington Fire Department to Island Freightliner Truck Sales Ltd.

BACKGROUND:

In a report dated September 24th, 2002 staff outlined the Errington Fire Department's vehicle acquisition plan over the next two years (2003/2004). The Board of the Errington Fire Department has been renewing its firefighting vehicle inventory and installing additional water tank supplies with a long term goal of obtaining a "Superior Tanker Shuttle Credit" from the Fire Underwriters Survey group. This rating would achieve significant fire insurance premium savings for taxpayers in the fire protection area - estimated at \$100 -\$150 per property annually (a minimum of \$30,000 annually to the entire protection area). To achieve this goal, the department intends on acquiring two sets of identical firefighting vehicles for each of it's firehalls.

The final phase of the plan involves acquiring a second roll on/roll off vehicle and constructing a water tank pod. The budget estimate is \$194,000. To complete the acquisition plan in 2003/2004 the department proposes to increase the tax requisition by 5% for each of 2003 and 2004, returning to a cost of living increase thereafter if required. This will raise the annual requisition by \$18,775 over the next two years at an approximate cost of \$9.60 per \$100,000. This compares favourably with the estimated insurance premium savings of \$100 -\$150 annually, calculated by staff to generate about \$30,000 in savings annually throughout the fire protection district. The department held a public information meeting on October 23rd, 2002 and received generally positive feedback from those in attendance with respect to the upgrading plan and the necessary tax increases. The 2003 provisional budget was prepared and approved with a 5% increase.

The department has obtained quotations for the desired Freightliner roll on/roll off chassis from the Vancouver and Vancouver Island suppliers and is seeking Board approval to purchase the vehicle from the low bidder, Island Freightliner Truck Sales Ltd.

ALTERNATIVES:

1. Approve the award for the supply of a 2003 Freightliner chassis to Island Freightliner Truck Sales Ltd.
2. Do not approve the award.

FINANCIAL IMPLICATIONS:

Two quotations were solicited from the only vendors of this equipment - the results were as follows:

Island Freightliner Truck Sales Ltd.	\$103,900 plus taxes
Freightliner of Vancouver Ltd.	\$105,200 plus taxes

For information purposes staff have included the table from the September 24th report outlining the financing available for this purchase:

	2003	2004
Purchase Roll on/Roll off cab & chassis	\$ 75,000	\$75,000
Construct portable tanker unit	\$ 44,000	Nil
Total transaction cost	\$119,000	\$75,000
Funds provided by:		
Sell Unit 210 equipment or use vehicle replacement reserve funds on hand	(15,000)	Demand loan - \$29,000(2004) \$29,000(2005) \$29,000(2006)
Sell Unit 207 vehicle	(60,000)	
Gaming funds	(44,000)	
	\$119,000	\$75,000

The department may need to enter into the demand loan before the end of 2003, depending on the final delivery date of the vehicle. The impact will only be a matter of timing as the cost of the loan repayments will be fully funded in the 2004 budget. A separate resolution will be requested for the short term borrowing once the delivery date is known.


SUMMARY/CONCLUSIONS:

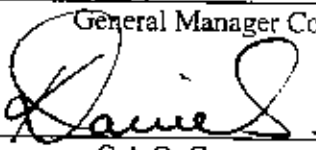
The Errington Fire Department has solicited quotations for the supply of a roll on/roll off chassis in accordance with its planned fleet upgrade. Island Freightliner Truck Sales Ltd. provided the lowest quotation and the department is recommending that the award for the supply be approved accordingly.

RECOMMENDATION:

That the award for the supply of a 2003 Freightliner chassis from Island Freightliner Truck Sales Ltd. in the amount of \$103,900 plus taxes for the Errington Fire Department, be approved


Report Writer


General Manager Concurrence


C.A.O. Concurrence

COMMENTS: