

**REGIONAL DISTRICT OF NANAIMO**

**REGULAR BOARD MEETING**

**TUESDAY, JULY 9, 2002**

**7:30 PM**

*(City of Nanaimo Council Chambers)*

**A G E N D A**

**PAGES**

**1. CALL TO ORDER**

**SPECIAL PRESENTATION**

8-9 Presentation of a Certificate of Commendation to Per Humle by George Holme, Chairperson, on behalf of Her Excellency the Right Honourable Adrienne Clarkson, Governor General.

**2. DELEGATIONS**

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

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

**3. BOARD MINUTES**

12-31 Minutes of the Board meeting held on Tuesday, June 11, 2002 and the Special Board Meeting held on Tuesday, June 25, 2002.

**4. BUSINESS ARISING FROM THE MINUTES**

**5. COMMUNICATIONS/CORRESPONDENCE**

32 **Scott Tanner**, re Community Bonds.

**6. UNFINISHED BUSINESS**

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

33-38 **Development Variance Permit Application No. 0211 - Kosak - 3043 Jameson Road - Area D.** (Electoral Area Directors except EA 'B' - One Vote)

**Delegations wishing to speak to Application No. 0211.**

*That Development Variance Permit Application No. 0211, submitted by Wanda Kosak for the property legally described as Lot 1, Section 12, Range 3, Mountain District, Plan 38230, to vary a lot line from 8.0 metres to 1.89 metres, be approved, subject to notification requirements pursuant to the Local Government Act.*

**Bylaw Adoption.**

39-41                    **Bylaw No. 500.286** - Amendment to Home Based Business Operations -  
Electoral Areas A, C, D, E, G & H. (Electoral Area Directors except EA 'B' -  
One Vote)

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

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

42-44                    Minutes of the regular Electoral Area Planning Committee meeting held June 25,  
2002. (for information)

**PLANNING**

**DEVELOPMENT PERMIT APPLICATIONS**

**DP Application No. 0235 – M. Salmon on Behalf of Wilcox – Strata Lot 59,  
Horne Lake Caves Road – Area H.** (Electoral Area Directors except EA 'B' - One  
Vote)

*That Development Permit Application No. 0235 be approved subject to the  
conditions set out in Schedule Nos. 1 and 2 of the corresponding staff report and  
the notification requirements pursuant to the Local Government Act.*

**DP Application No. 0236 – Roy – 3379 Blueback Drive – Area E.** (Electoral Area  
Directors except EA 'B' - One Vote)

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

**DEVELOPMENT VARIANCE PERMIT APPLICATIONS**

**Development Variance Permit Application No. 0210 – Littlewood – 2406  
Nanoose Beach Road – Area E.** (Electoral Area Directors except EA 'B' - One  
Vote)

**Delegations wishing to speak to Application No. 0210.**

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

**Development Variance Permit Application No. 0213 – Walker – 3652 Dolphin Drive – Area E. (Electoral Area Directors except EA 'B' - One Vote)**

**Delegations wishing to speak to Application No. 0213.**

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

**Development Variance Permit Application No. 0231 – Culverden Holdings Inc./Davey – 1888 Kay Road – Areas E & G. (Electoral Area Directors except EA 'B' - One Vote)**

**Delegations wishing to speak to Application No. 0231.**

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

**Development Variance Permit Application No. 0214 – Intracorp/Fairwinds – Arbutus Hills Development – Area E. (Electoral Area Directors except EA 'B' - One Vote)**

**Delegations wishing to speak to Application No. 0214.**

*That Development Variance Permit Application No. 0214 submitted by Helen Sims, Agent on behalf of 3536696 Canada Inc., to facilitate construction of single dwelling units and retaining walls for the properties legally described as Lots 2-20 and Lots 25 & 26, District Lot 78, Nanoose District, Plan VIP73214, be approved subject to the conditions outlined in Schedules No. 1 and 2 and subject to the notification requirements pursuant to the Local Government Act.*

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

45-49

Minutes of the regular Committee of the Whole Committee meeting held June 25, 2002. (for information)

**COMMUNICATIONS/CORRESPONDENCE**

**Don Sutherland, Ministry of Community, Aboriginal & Women's Services, re Order in Council to Acquire Access to Regional Parks & Trails. (All Directors - One Vote)**

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

## **DEVELOPMENT SERVICES**

### **BUILDING INSPECTION**

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

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

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

### **PLANNING**

#### **ALR Exclusion Application No. 0206 – Dorman – Pirart Road – Area D. (All Directors except EA 'B' - One Vote)**

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

#### **Request for Acceptance of Cash in Lieu of Park Land – Kenyon & Wilson on behalf of Arturo Mendenhall – Smithers & Bellevue Roads – Area F. (All Directors except EA 'B' - One Vote)**

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

**Request for Acceptance of Cash in lieu of Park Land – JE Anderson on behalf of Combined Forest Products Ltd. – Church & Valley Roads – Area F. (All Directors except EA 'B' - One Vote)**

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

**COMMUNITY SERVICES**

**REGIONAL DEVELOPMENT**

**Regional Growth Management Plan Review – Present Status Lands Designation – Bylaw No. 1309. (All Directors - One Vote)**

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

*That given the Luntzville Restructure Committee has applied to the Minister of Community, Aboriginal and Women's Services to request holding a referendum in September with regard to local government structure, no final decision regarding the RGMP review be made until after the referendum to allow the community to decide on their local government structure.*

**Regional Growth Management Plan Review – Watersheds – Bylaw No. 1309. (All Directors - One Vote)**

*That the report on the issue of watersheds, prepared as a part of the Growth Management Plan Review and consideration of Regional Growth Strategy Bylaw 1309, be received for information.*

**TRANSIT**

**Transit Service and Feasibility Reviews – Cedar & Gabriola Island. (All Directors - One Vote)**

*That the Transit Service and Feasibility reports for Cedar and Gabriola be received for information and be brought forward as part of the 2003 Transit Business Plan review.*

**Regional Transit/handyDART – 2001 BC Transit Performance Summary. (All Directors - One Vote)**

*That the Regional Transit/HandyDART 2001 Performance Summary report be received for information.*

**BC Transit – Funding & Service Strategy Review. (All Directors - One Vote)**

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

## **ENVIRONMENTAL SERVICES**

### **SOLID WASTE**

**Contract for Bird Control at Regional Landfill.** (All Directors - Weighted Vote)

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

### **UTILITIES**

**Rural Streetlighting LSA Boundary Amendment Bylaw No. 791.04 – Area G.**  
(All Directors - One Vote)

*That "Rural Streetlighting Local Service Area Boundary Amendment Bylaw 791.04, 2002" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.*

**Driftwood Water Supply Service Area Bylaw No. 1255.01 – Area E.** (All Directors - One Vote)

*That "Driftwood Water Service Area Boundary Amendment Bylaw 1255.01, 2002" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.*

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

**Lantzville Parks & Open Space Advisory Committee.** (All Directors - One Vote)

*That the minutes of the Lantzville Parks & Open Space Advisory Committee meeting held May 6, 2002, be received for information.*

**Area A Parks, Recreation and Greenspaces Advisory Committee.** (All Directors - One Vote)

*That the minutes of the Area A Parks, Recreation and Greenspaces Advisory Committee meeting held May 16, 2002, be received for information.*

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

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

**Nanoose Bay Parks & Open Space Advisory Committee.** (All Directors - One Vote)

*That the minutes of the Nanoose Bay Parks & Open Space Advisory Committee meeting held June 10, 2002, be received for information.*

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

**Canadian Community Monitoring Network.** (All Directors - One Vote)

*That the Board support the Canadian Nature Federation and the Ecological Monitoring and Assessment Network Coordinating Office of Environment Canada's Canadian Community Monitoring Network initiative.*

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

**7.(IV) COMMISSION**

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

**Intergovernmental Advisory Committee. (All Directors - One Vote)**

50-59 Minutes from the meetings of the Intergovernmental Advisory Committee held June 6, June 14, June 19, and June 27, 2002. (for information)

**8. ADMINISTRATOR'S REPORT**

60-65 Regional Growth Strategy Bylaw No. 1309. (Bylaw included as separate enclosure) (All Directors except EA 'B' - One Vote)

**9. ADDENDUM**

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

**11. NEW BUSINESS**

66-67 Arrowsmith Community Justice Society (Director Westbrook - Verbal Report)

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

**13. ADJOURNMENT**

**14. IN CAMERA**

May 29, 2002

Dear Mr. Humie:

On behalf of Her Excellency the Right Honourable Adrienne Clarkson, I am pleased to inform you that a Certificate of Commendation has been awarded to you on the recommendation of the Canadian Decorations Advisory Committee in recognition of your actions following an incident at the Townsite Marina, in Nanaimo, on November 22, 2001.

The Certificate of Commendation was created in 1993 to be issued to those who have made a significant contribution by providing assistance to another person in a selfless manner. It is intended for eligible candidates whose actions are deemed notable by the Committee. The Commendation is not automatic; eligible candidates are selected through a voting process.

Mr. George Holme, Chair of Nanaimo Regional District, has kindly accepted to present you with the certificate on behalf of the Governor General; he will communicate directly with you in due course.

Your selfless actions are an inspiration to others and represent a high form of citizenship of which you can be very proud. The Governor General takes pleasure in extending to you her warmest congratulations, to which I add my own.

Should you have any questions, please do not hesitate to communicate with Mrs. Sylvie Barsalou at 1-800-465-6890.

Yours sincerely,



James C. Gervais  
Lieutenant General (Retd)  
Deputy Secretary  
The Chancellery of Honours

Enclosure

Mr. Per Humie  
7211 Hase Place  
Lantzville BC V0R 2H0

SB\pg

c.c. Mr. George Holme, Chair of Nanaimo Regional District



## STARS SHINE



The B.C. Hockey League's best will be in town when the Nanaimo Clippers host the 2002 All-Star Classic at the Frank Crane Arena in January  
Page B1

## SCHOOL SMELLS

Parents of Princess Royal School children are raising serious questions about the facility's rotten structure and its repugnant bathroom smells

Page A3



## HYMNS

Guess where Ron Klusmeier came up with a new idea on Christmas recordings and local choirs? It was in the shower.  
Page C1

# NANAIMO

# Daily News

Friday, November 23, 2001

Since 1874

(incl. GST) \$1.00



# Local man dives after sinking car

By NELSON BENNETT  
Daily News

A Nanaimo woman and her 13-year-old son were sent to hospital Thursday with minor injuries, after a brake failure sent the car they were in into the harbour at Townsite Marina.

The woman was driving east on Townsite Road from Vancouver Avenue towards Stewart Avenue at around 3:10 p.m.

"They realized when they were still on the other side of Stewart they had no brakes," said Cpl. David Fox of the Nanaimo RCMP.

Police said the woman told her son to jump out of the car, which he did.

The woman stayed in the Chevrolet Chevette, which sped down a steep decline towards Townsite Marina.

The car was traveling so fast by the time it hit the end of the road, it dislodged a huge concrete barrier, and the car did what police described as "a half-gainer" into the harbour.

Per Humle, manager of the Merrill Lynch office at Townsite Marina, was in an office talking to a colleague, Randy Baker, when they saw what happened.

"We looked out the window and we saw this car crash through the barrier and the chum," said Humle, still wet and wrapped in a towel, just minutes



POLICE USE a barge to recover submerged car from the Townsite Marina. (Glenn Olsen/Daily News)

after the accident.

"Randy said, 'we gotta go out there and help them,' so we headed outside. As the car was sinking, no one was coming out."

Humle, an ex-leguad, didn't think twice. He dove into the frigid waters.

"As I was going in, the lady popped out of the water," Humle said. "As the car went under, she came out. She had blood on her face."

Humle helped the woman out of the water and did a basic first aid check on her.

Police say the woman and her son appeared OK, though they were taken to hospital to be checked.

Meanwhile, a spill containment barrier had to be set up to contain the oil leaking from the car. On the way soon on the scene to a towing company retrieved the submerged car.

KEN HUMLE jumped into the waters of the Townsite Marina after a car lost control and plunged into the ocean. (Glenn Olsen/Daily News)

LEGAL SURVEYS  
MUNICIPAL ENGINEERING  
LAND DEVELOPMENT AND MANAGEMENT

*J. E. Anderson and Associates*  
2 - 3411 SHENTON ROAD  
NANAIMO, BC V9T 2H1  
TEL: (250) 758-4631 • FAX: (250) 758-4660  
jeanan@islandnet.com

# Memo

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**To:** Maureen Pearse **File no.:** 84422  
**Of:** Regional District of Nanaimo  
**From:** David Wallace  
**Date:** July 2, 2002  
**Re:** Planning Department File No. 24211 – Corner of Church and Valley Roads

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Please be advised that the registered owners of the above property, Combined Forest Holdings, wish to be added as a delegation to the agenda of the July 9, 2002 Board Meeting.

Thank you.

*delegation - David Flaig*

Regional District of Nanaimo July 2/02  
Attn. Board Members.

I, Phil Robertson, representing homeowners at 2661, 2663, 2665, 2671, 2673, 2675 Andover Rd., Nanoose Bay would like to appear as a delegation before the board with respect to DVP Application 0214.

P. W. Robertson

2663 Andover Rd.  
Nanoose Bay

Phone 468-1613

PLANNING DEPT  
-07-02 2002  
RECEIVED

PAGE  
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REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE REGULAR MEETING OF THE BOARD  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY, JUNE 11, 2002, AT 7:30 PM IN THE  
NANAIMO CITY COUNCIL CHAMBERS

**Present:**

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

**Also in Attendance:**

K. Daniels	Chief Administrative Officer
B. Lapham	Gen. Mgr. of Development Services
N. Connelly	Gen. Mgr. of Community Services
J. Finnie	Gen. Mgr. of Environmental Services
C. Mason	Gen. Mgr. of Corporate Services
M. Pearse	Manager of Administrative Services

**DELEGATIONS**

**Janelle Park, re Public Hearing Notification Requirements.**

Ms. Park spoke of her concerns with respect to the notification requirements and requested that the policy be amended.

**LATE DELEGATIONS**

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

CARRIED

**Tom Boag, Parksville Curling Club, re Proposal to Manage District 69 Arena for Sport Activities.**

Mr. Boag advised the Board that if the arena referendum is successful, the Curling Club intends to pursue using the present District 69 Arena as a Curling Club.

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

Ms. Stalker declined to speak.

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

Mr. Stalker noted the equipment that is on the property at 3043 Jameson Road and questioned if the current use of the property is in violation of Bylaw 500.

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

Ms. Kosak advised that the equipment at 3043 Jameson Road is for use on the property and requested that the Board rule in favour of her application.

**Ian MacDonald, Oceanside Minor Hockey, re District 69 Multiplex Arena.**

Mr. MacDonald spoke in favour of the upcoming arena referendum and urged District 69 Directors to publicly support the project.

**Steve Stesco, re Contravention of Building Bylaw – 3478 Grilse Road – Area E.**

Mr. Stesco described the cedar stairs that are in contravention of the building bylaw and asked for consideration in permitting him more time to try and bring them into conformation.

**Dan and Linda Lee, re Zoning Amendment Application No. 9626 – Rondalyn Resort/Danron Holdings Ltd. – 1350 Timberlands Road – Area C.**

Mr. Lee indicated that they were in the audience if there were any questions with respect to their zoning application.

**Karen Lister, re Public Hearing Notification Requirements.**

Ms. Lister voiced her concerns with respect to the notification requirements.

**BOARD MINUTES**

MOVED Director Krall, SECONDED Director Korpan, that the minutes of the regular Board meeting held on May 14, 2002 and the Special Board meeting held on Tuesday, May 21, 2002 be adopted.

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

**Evelyn Zanatta, re DP Application No. 0222A – Mauriks – 1429 Dorcas Point Road – Area E.**

MOVED Director Rispin, SECONDED Director Korpan, that the correspondence received from Evelyn Zanatta with respect to Development Permit Application No. 0222A be received.

CARRIED

**UNFINISHED BUSINESS**

**BYLAWS**

**Bylaw No. 500.279.**

MOVED Director Elliott, SECONDED Director Haine, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.279, 2001" be adopted.

CARRIED

MOVED Director Elliott, SECONDED Director Hamilton, that Development Permit No. 0125 to address form and character development issues on the site, submitted by Maibach Industries for the property legally described as Lot 1, Section 12, Range 7, Cranberry District, Plan 18166, be approved.

CARRIED

**Bylaw No. 500.282.**

MOVED Director Haime, SECONDED Director Hamilton, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.282, 2002" be adopted.

CARRIED

**Public Hearing.**

**Minutes of the Public Hearing held April 24, 2002 with Respect to Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285.**

The Chairperson advised that this item will be deferred to a June 25<sup>th</sup> Special Board meeting.

**Minutes of the Public Hearing held May 29, 2002 with Respect to the E & N Railway Corridor and Official Community Plan Amendment Bylaws No. 1240.01, 1148.02, 974.02, 1118.03, 814.07, 1115.02, 1007.03, 500.283.**

MOVED Director Westbrook, SECONDED Director Krall, that the Summary of the Minutes and Submissions of the Public Hearing held Wednesday, May 29, 2002 at 7:00 pm, on the Zoning and OCP Amendment Bylaws for the E&N Railway Corridor be received.

CARRIED

MOVED Director Westbrook, SECONDED Director Krall, that "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw Amendment Bylaw No. 1240.01, 2002", be given 3<sup>rd</sup> reading and forwarded to the Ministry of Community, Aboriginal and Women's Services and the Land Reserve Commission for consideration of approval prior to the Board's consideration of adoption of the Bylaw.

CARRIED

MOVED Director Hamilton, SECONDED Director Westbrook, that "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.02, 2002", be given 3<sup>rd</sup> reading and forwarded to the Ministry of Community, Aboriginal and Women's Services and the Land Reserve Commission for consideration of approval prior to the Board's consideration of adoption of the Bylaw.

CARRIED

MOVED Director Haime, SECONDED Director Westbrook, that "Regional District of Nanaimo Lantzville Official Community Plan Bylaw Amendment Bylaw No. 974.02, 2002", be given 3<sup>rd</sup> reading and forwarded to the Ministry of Community, Aboriginal and Women's Services and the Land Reserve Commission for consideration of approval prior to the Board's consideration of adoption of the Bylaw.

CARRIED

MOVED Director McNabb, SECONDED Director Westbrook, that "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw Amendment Bylaw No. 1118.03, 2002", be given 3<sup>rd</sup> reading and forwarded to the Ministry of Community, Aboriginal and Women's Services and the Land Reserve Commission for consideration of approval prior to the Board's consideration of adoption of the Bylaw.

CARRIED

MOVED Director Stanhope, SECONDED Director Krall, that "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.07, 2002", be given 3<sup>rd</sup> reading and forwarded to the Ministry of Community, Aboriginal and Women's Services and the Land Reserve Commission for consideration of approval prior to the Board's consideration of adoption of the Bylaw.

CARRIED

MOVED Director Stanhope, SECONDED Director Macdonald, that "Regional District of Nanaimo French Creek Official Community Plan Bylaw Amendment Bylaw No. 1115.02, 2002", be given 3<sup>rd</sup> reading and forwarded to the Ministry of Community, Aboriginal and Women's Services and the Land Reserve Commission for consideration of approval prior to the Board's consideration of adoption of the Bylaw.

CARRIED

MOVED Director Krall, SECONDED Director Elliott, that "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan Bylaw Amendment Bylaw No. 1007.03, 2002", be given 3<sup>rd</sup> reading and forwarded to the Ministry of Community, Aboriginal and Women's Services and the Land Reserve Commission for consideration of approval prior to the Board's consideration of adoption of the Bylaw.

CARRIED

MOVED Director Stanhope, SECONDED Director Haime, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.283, 2002" be given 3<sup>rd</sup> reading and forwarded to the Ministry of Transportation for consideration of approval prior to the Board's consideration of adoption of the Bylaw.

CARRIED

**Minutes from the Public Hearing held May 30, 2002, with respect to Bylaw No. 500.285 – PRA Holdings Ltd. – Harold Road – Area A.**

MOVED Director Elliott, SECONDED Director Hamilton, that the Summary of Minutes and Submissions of the Public Hearing held on May 30, 2002 as a result of public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.285, 2002" be received.

CARRIED

MOVED Director Elliott, SECONDED Director Hamilton, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.285, 2002", be given 3<sup>rd</sup> reading.

CARRIED

**Minutes from the Public Hearing held May 30, 2002, with respect to Bylaw No. 500.284 – Cedar View Estates – Hemer & Cedar Roads – Area A.**

MOVED Director Hamilton, SECONDED Director Haime, that the Summary of Minutes and Submissions of the Public Hearing held on May 30, 2002 as a result of public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.284, 2002" be received.

CARRIED

MOVED Director McLean, SECONDED Director Elliott, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.284, 2002", be abandoned.

CARRIED

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

**ELECTORAL AREA PLANNING STANDING COMMITTEE.**

MOVED Director Hamilton, SECONDED Director McLean, that the minutes of the regular Electoral Area Planning Committee meeting held May 28, 2002, be received for information.

CARRIED

**PLANNING****AMENDMENT APPLICATIONS**

**Zoning Amendment Application No. 9626 – Rondalyn Resort/Danron Holdings Ltd. – 1350 Timberlands Road – Area C.**

MOVED Director Hamilton, SECONDED Director Stanhope, that Application ZA9626 by Danron Holdings Ltd. to amend "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" for the lands legally described as That Part of Block 87, Bright, Douglas and Cranberry Districts, (Lying Within Said Bright District), Lying to the East of a Straight Boundary Bearing Due South From the Point on the Northerly Boundary of Said Block Distant 19.8 Chains Easterly From the South East Corner of District Lot 8, Bright District, Except Part in Plan VIP54950 by rezoning from Resource Management 9 (RM9) Subdivision District 'B' to Rondalyn Resort Comprehensive Development 13 (CD13) Subdivision District 'Z' that portion of the lands shown outlined on Schedule No. 2, be approved subject to the conditions as outlined in Schedule No. 1.

CARRIED

MOVED Director Hamilton, SECONDED Director Haime, that definitions for **Accessory Recreational Vehicle Storage** and **Seasonal or Periodic Accommodation** be added to Bylaw No. 500 as shown on Schedule No. 4.

CARRIED

MOVED Director Hamilton, SECONDED Director Haime, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.287, 2002" be given 1<sup>st</sup> and 2<sup>nd</sup> reading and proceed to Public Hearing.

CARRIED

MOVED Director Hamilton, SECONDED Director Haime, that the Public Hearing be chaired by the Director for Electoral Area 'C', Director Hamilton or her alternate.

CARRIED

**DEVELOPMENT PERMIT APPLICATIONS**

**DP Application No. 0228 – Baldwin – East Side Road (Horne Lake) – Area H.**

MOVED Director Quittenton, SECONDED Director Hamilton, that Development Permit Application No. 0228 to vary the minimum setback requirements of the Comprehensive Development 9 (CD9) zone of 15 metres from the top of the bank of a watercourse to a minimum of 3.0 metres from the top of the bank pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 to legalize the location of an existing recreational residence and permit the repair and replacement of structural supports and footings; and to permit the construction of a 10 m<sup>2</sup> minor addition, a 6 m<sup>2</sup> deck addition, and the replacement of access stairs to the recreational residence within the Environmentally Sensitive Areas Development Permit Area on the property legally described as Strata Lot 280, District Lot 251, Alberni District, Plan VIS5160, be approved subject to the requirements outlined in Schedule Nos. 1, 2 and 3.

CARRIED

**DEVELOPMENT VARIANCE PERMIT APPLICATIONS**

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

MOVED Director Haime, SECONDED Director Stanhope, that this item be deferred for 30 days.

CARRIED

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**Development Variance Permit Application No. 0212 – Sims/Husson-Fallows – 2825 Sea Blush Drive – Area E.**

MOVED Director Hamilton, SECONDED Director Stanhope, that Development Variance Permit Application No. 0212, submitted by Helen Sims, agent, on behalf of Kerry Husson and Tracey Fallow, to legalize the siting of an accessory building and to vary the minimum side lot line setback from 8.0 metres to 0.7 metres within the Rural 5 (RU5) zone for the property legally described as Lot 25, Block 586, Nanoose District, Plan 29314, be approved as submitted subject to the notification requirements pursuant to the Local Government Act.

CARRIED

**COMMITTEE OF THE WHOLE STANDING COMMITTEE**

MOVED Director Sherry, SECONDED Director Krall, that the minutes of the Committee of the Whole meeting held May 28, 2002, be received for information.

**DEVELOPMENT SERVICES**

**BUILDING INSPECTION**

**Expired Building Permit – Salapura – 2079 Walsh Road – Area A.**

MOVED Director Hamilton, SECONDED Director Elliott, that the permit for the construction of an agricultural building and attached dwelling at 2079 Walsh Road be renewed for an additional two years at the minimum permit fee of \$45.00 and renewal of the temporary living facility permit for \$125.00.

CARRIED

**PLANNING**

**Request for Acceptance of Park Land – Keith Brown Associates Ltd. on behalf of 559500 BC Ltd. – Rowland Road – Area E.**

MOVED Director Hamilton, SECONDED Director Westbrook, that the resolution adopted by the Regional Board of Directors, at its Regular Meeting held on October 11, 1994, with respect to the dedication of park land for Lot B, District Lot 67, Nanoose District, Plan 13476, be rescinded.

CARRIED

MOVED Director Hamilton, SECONDED Director Westbrook, that the request, submitted by Keith Brown and Associates Ltd., on behalf of 559500 BC Ltd., for park land dedication in the location and amount as shown on the proposed plan of subdivision of Lot B, District Lot 67, Nanoose District, Plan 13476, be accepted subject to the applicant registering section 219 covenants protecting the seasonal stream, the pond, the swamp areas outside the park land, and the waterfront portions of the parcel as outlined in Schedule No. 1 of staff report.

CARRIED

Director Holme left the meeting citing a possible conflict of interest with the next item.

Director McNabb assumed the Chair.

**Request for 10% Frontage Relaxation & Request for Provision of a Combination of Park Land and Cash in Lieu of Park Land – JE Anderson & Associates on Behalf of Terry Peterson & Sandra Strote – Woobank Road – Area A.**

MOVED Director Elliott, SECONDED Director Stanhope, that the request, submitted by JE Anderson & Associates, on behalf of Terrance Peterson and Sandra Strote to provide a combination of park land with the balance to be provided as cash in lieu of park land, be denied and the applicant be required to provide 5% cash in lieu of park dedication.

CARRIED

MOVED Director McLean, SECONDED Director Elliott, that the request for a relaxation of the minimum 10% perimeter frontage requirement for proposed Lots 2 & 3, as shown on the proposed plan of subdivision, be approved.

CARRIED

Director Holme returned to the meeting and assumed the Chair.

### **COMMUNITY SERVICES**

### **RECREATION & PARKS**

**Electoral Area B Parkland Acquisition Security Issuing Bylaws No. 1299, 1303, 1304, 1305, 1306 & 1307.**

MOVED Director Stanhope, SECONDED Director Sperling, that "Regional District of Nanaimo Electoral Area B Parkland Acquisition Security Issuing Bylaw No. 1299, 2002" be introduced for three readings and be forwarded for approval to the Inspector of Municipalities.

CARRIED

MOVED Director Stanhope, SECONDED Director Rispin, that "Regional District of Nanaimo Electoral Area B Parkland Acquisition Security Issuing Bylaw No. 1303, 2002" be introduced for three readings and be forwarded for approval to the Inspector of Municipalities.

MOVED Director Stanhope, SECONDED Director Sperling, that "Regional District of Nanaimo Electoral Area B Parkland Acquisition Security Issuing Bylaw No. 1304, 2002" be introduced for three readings and be forwarded for approval to the Inspector of Municipalities.

CARRIED

MOVED Director Sperling, SECONDED Director Stanhope, that "Regional District of Nanaimo Electoral Area B Parkland Acquisition Security Issuing Bylaw No. 1305, 2002" be introduced for three readings and be forwarded for approval to the Inspector of Municipalities.

CARRIED

MOVED Director Sperling, SECONDED Director Stanhope, that "Regional District of Nanaimo Electoral Area B Parkland Acquisition Security Issuing Bylaw No. 1306, 2002" be introduced for three readings and be forwarded for approval to the Inspector of Municipalities.

CARRIED

MOVED Director Stanhope, SECONDED Director Holdom, that "Regional District of Nanaimo Electoral Area B Parkland Acquisition Security Issuing Bylaw No. 1307, 2002" be introduced for three readings and be forwarded for approval to the Inspector of Municipalities.

CARRIED

**Electoral Area B Parkland Acquisition Temporary Borrowing Bylaws No. 1300 & 1302.**

MOVED Director Stanhope, SECONDED Director Sperling, that "Electoral Area B Parkland Acquisition Temporary Borrowing Bylaw No. 1300, 2002" be introduced for three readings.

CARRIED

MOVED Director Sperling, SECONDED Director Holdom, that "Electoral Area B Parkland Acquisition Temporary Borrowing Bylaw No. 1300, 2002" having received three readings be adopted.

CARRIED

MOVED Director Stanhope, SECONDED Director Westbroek, that "Driftwood Water Service Area Temporary Borrowing Bylaw No. 1302, 2002" be introduced for three readings.

CARRIED

MOVED Director Westbrook, SECONDED Director Elliott, that "Driftwood Water Service Area Temporary Borrowing Bylaw No. 1302, 2002" having received three readings be adopted.

CARRIED

**Extension School Field and Playground Rental Agreement.**

MOVED Director Hamilton, SECONDED Director Sherry, that the Regional District enter into the Rental Agreement for the Extension School property with School District 68.

CARRIED

**Cedar Heritage Centre – Funding Request.**

MOVED Director Elliott, SECONDED Director Macdonald, that the Regional District enter into an Agreement with the Cedar School and Community Enhancement Society to provide for \$38,000 in funding as a grant to allow the Society to retire the debts and allow them to finish the project.

CARRIED

**TRANSIT**

**Nanaimo City Centre Transit Exchange – Site Review.**

MOVED Director Stanhope, SECONDED Director McNabb, that the information report on the Nanaimo City Centre Transit Exchange Site Review be accepted.

CARRIED

**CORPORATE SERVICES**

**ADMINISTRATION**

**Administration Computer Equipment Reserve Fund Expenditure Bylaw No. 1308.**

MOVED Director Stanhope, SECONDED Director Westbrook, that "Administration Computer Equipment Reserve Fund Expenditure Bylaw No. 1308, 2002" be introduced for three readings.

CARRIED

MOVED Director Stanhope, SECONDED Director Westbrook, that "Administration Computer Equipment Reserve Fund Expenditure Bylaw No. 1308, 2002" having received three readings be adopted.

CARRIED

**Port Theatre Funding Request.**

MOVED Director Stanhope, SECONDED Director Hamilton, that staff be directed to prepare individual "Port Theatre Local Service Area" establishing bylaws for Electoral Areas A – E based upon a requisition rate of \$2.90 per \$100,000 of assessment for consideration at the September Board meeting and referendum in November 2002.

CARRIED

MOVED Director Stanhope, SECONDED Director Krall, that staff be directed to prepare individual "Port Theatre Local Service Areas" establishing bylaws for Electoral Areas F – H based upon usage for consideration at the September Board meeting and referendum in November 2002.

MOVED Director McLean, SECONDED Director Westbrook, that Area F be excluded.

DEFEATED

The question was called on the main motion.

A recorded vote was requested.

The motion was DEFEATED with Directors Holme, Hamilton, Quittenton, Holdom, McNabb, Krall, Korpan and Rispin voting in the affirmative and Directors Westbrook, Sherry, Haime, Sperling, Macdonald, Elliott, McLean and Stanhope voting in the negative.

MOVED Director Quittenton, SECONDED Director Stanhope, that the Board correspond with the City of Parksville and Town of Qualicum Beach and encourage them to support proceeding to referendum in November 2002 to put forward the Port Theatre's request for funding either on a requisition rate of \$2.90 per \$100,000 of assessment or on the basis of usage.

CARRIED

**FINANCE**

**Operating Results to March 31, 2002.**

MOVED Director Stanhope, SECONDED Director Sherry, that the summary report of financial results from operations to March 31, 2002 be received for information.

CARRIED

**FIRE PROTECTION**

**Firefighting Coverage by City of Nanaimo for Certain Properties Outside Municipal Boundaries.**

MOVED Director Krall, SECONDED Director Rispin, that the Board correspond with the City of Nanaimo seeking support for the provision of fire protection services to the seven properties outside municipal boundaries identified as:

1675 Kelsie Road  
1670/1690 Kelsie Road  
1760 Kelsie Road  
1840 Kelsie Road  
1860 Kelsie Road  
1890 Kelsie Road  
2105/2115 Richardson Road .

CARRIED

**Nanoose Fire Protection Service Area (Buildings) Reserve Fund Bylaw No. 1312.**

MOVED Director Stanhope, SECONDED Director Westbrook, that "Nanoose Fire Protection Service Area Reserve Fund Bylaw No. 1312, 2002" be introduced for first three readings.

CARRIED

MOVED Director Stanhope, SECONDED Director Westbrook, that "Nanoose Fire Protection Service Area Reserve Fund Bylaw No. 1312, 2002" having received three readings be adopted.

CARRIED

**ENVIRONMENTAL SERVICES**

**LIQUID WASTE MANAGEMENT**

**Northern Community Sewer LSA Boundary Amendment Bylaw No. 889.21.**

MOVED Director Sherry, SECONDED Director Westbrook, that "Regional District of Nanaimo Northern Community Sewer Local Service Area Boundary Amendment Bylaw No. 889.21, 2002" be introduced for first three readings and be forwarded to the Inspector of Municipalities for approval.

CARRIED

**Trucked Liquid Waste Disposal Amendment Bylaw No. 988.04.**

MOVED Director Sherry, SECONDED Director Westbrook, that "Regional District of Nanaimo Trucked Liquid Waste Disposal Amendment Bylaw No. 988.04, 2002" be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Westbrook, that "Regional District of Nanaimo Trucked Liquid Waste Disposal Amendment Bylaw No. 988.04, 2002" having received three readings be adopted.

CARRIED

**Sewer User Rates & Regulations Amendment Bylaws – Fairwinds Sewerage Facilities Amendment Bylaw No. 765.09, French Creek Sewer Service Area Amendment Bylaw No. 422.10 and Surfside Sewer Amendment Bylaw No. 1241.01.**

MOVED Director Sherry, SECONDED Director Westbrook, that "Fairwinds Sewerage Facilities Specified Area Rates Amendment Bylaw No. 765.09, 2002" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Westbrook, that "Fairwinds Sewerage Facilities Specified Area Rates Amendment Bylaw No. 765.09, 2002" having received first three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director Stanhope, that "French Creek Sewer Service Area Rates Amendment Bylaw No. 422.10, 2002" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Stanhope, that "French Creek Sewer Service Area Rates Amendment Bylaw No. 422.10, 2002" having received first three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director Stanhope, that "Surfside Sewer Rates and Regulations Amendment Bylaw No. 1241.01, 2002" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Stanhope, that "Surfside Sewer Rates and Regulations Amendment Bylaw No. 1241, 2002" having received first three readings be adopted.

CARRIED

**Fairwinds Sewerage Facilities Reserve Fund Establishment Bylaws No. 1310 and No. 1311.**

MOVED Director Sherry, SECONDED Director Westbrook, that "Fairwinds Sewerage (Treatment) Facilities Service Area Reserve Fund Bylaw No. 1310, 2002" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Westbrook, that "Fairwinds Sewerage (Treatment) Facilities Service Area Reserve Fund Bylaw No. 1310, 2002" having received three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director Westbrook, that "Fairwinds Sewerage (Collector System) Facilities Service Area Reserve Fund Bylaw No. 1311, 2002" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Westbrook, that "Fairwinds Sewerage (Collector System) Facilities Service Area Reserve Fund Bylaw No. 1311, 2002" having received three readings be adopted.

CARRIED

**Transfer of Land – Departure Bay Pump Station.**

MOVED Director Sherry, SECONDED Director Rispin, that the Board approve the transfer of a portion of Lot 1, Section 2, Wellington District, Plan 14047 to the City of Nanaimo for highway improvements.

CARRIED

**GNPCC Biogas System Upgrade – Consulting Services.**

MOVED Director Sherry, SECONDED Director Rispin, that the Board direct staff to award the consulting project for the GNPCC Sludge Heating and Boiler Building upgrade to Associated Engineering Ltd.

CARRIED

**SOLID WASTE****Regional Landfill – Leachate Pre-Treatment System.**

MOVED Director Sherry, SECONDED Director Stanhope, that the Board approve the installation of a leachate pre-treatment system at the Regional Landfill to reduce odours and corrosion at the Cedar Road pumping station.

CARRIED

**Electronic Waste Industry Produce Stewardship Resolution.**

MOVED Director Sherry, SECONDED Director McNabb, that the RDN Board adopt the Local Government Resolution on E-Waste and forward it, with a covering letter to the Minister of Water, Land and Air Protection requesting implementation of an industry operated E-Waste Produce Stewardship program, and further, the correspondence be copied to UBCM and AVICC for information and support.

CARRIED

**UTILITIES****French Creek Bulk Water & Northern Community Sewer Boundary Amendment Bylaws No. 1050.02, 1089.02 and 934.02.**

MOVED Director Sherry, SECONDED Director Stanhope, that “French Creek Bulk Water Supply Local Service Area Boundary Amendment Bylaw No. 1050.02, 2002” be granted first three readings and forwarded to the Inspector of Municipalities.

CARRIED

MOVED Director Sherry, SECONDED Director Stanhope, that “Regional District of Nanaimo French Creek Bulk Water Local Service Area Development Cost Charge Boundary Amendment Bylaw No. 1089.02, 2002” be granted first three readings and forwarded to the Inspector of Municipalities.

CARRIED

MOVED Director Sherry, SECONDED Director Stanhope, that “Regional District of Nanaimo Northern Community Sewer Local Service Area Development Cost Charge Boundary Amendment Bylaw No. 934.02, 2002” be granted first three readings and forwarded to the Inspector of Municipalities.

CARRIED

**Fairwinds Water Supply LSA Regulations & Rates Amendment Bylaw No. 764.11.**

MOVED Director Sherry, SECONDED Director Westbrook, that “Regional District of Nanaimo Fairwinds Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 764.11, 2002” be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Macdonald, that “Regional District of Nanaimo Fairwinds Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 764.11, 2002” having received three readings be adopted.

CARRIED

**French Creek Sewer LSA Regulations & Rates Amendment Bylaw No. 422.11.**

MOVED Director Sherry, SECONDED Director Stanhope, that "Regional District of Nanaimo French Creek Sewer Specified Area Regulation and Rates Amendment Bylaw No. 422.11, 2002" be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Stanhope, that "Regional District of Nanaimo French Creek Sewer Specified Area Regulation and Rates Amendment Bylaw No. 422.11, 2002" having received three readings be adopted.

CARRIED

**COMMISSION, ADVISORY & SELECT COMMITTEE****Area A Parks, Recreation and Greenspaces Advisory Committee.**

MOVED Director Stanhope, SECONDED Director Elliott, that the minutes of the Area A Parks, Recreation and Greenspaces Advisory Committee meeting held March 21, 2002, be received for information.

CARRIED

**Lantzville Parks & Open Space Advisory Committee.**

MOVED Director Haime, SECONDED Director Korpan, that the minutes of the Lantzville Parks & Open Space Advisory Committee meeting held April 1, 2002, be received for information.

CARRIED

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

MOVED Director Stanhope, SECONDED Director Macdonald, that the minutes of the Nanoose Bay Parks & Open Space Advisory Committee meeting held April 22, 2002, be received for information.

CARRIED

**District 69 Recreation Commission.**

MOVED Director Quittenton, SECONDED Director Westbrook, that the minutes of the District 69 Recreation Commission meeting held May 7, 2002, be received for information.

CARRIED

**Grants-in-Aid**

MOVED Director Quittenton, SECONDED Director Westbrook, that the following Community Grants be approved:

Errington War Memorial Hall Association – washroom addition	\$ 4,100
Lighthouse Recreation Commission – program expenses	\$ 1,250
Arrowview Elementary PAC – playground	\$ 2,000
Participaddle Society – paddles	\$ 1,710
Mid-Island Wheelchair Sports Club – backboard extensions	\$ 682
Mid-Island Wheelchair Sports Club – wheelchairs	\$ 3,715
Parksville Seniors Slo-Pitch – dugouts	\$ 3,700
Arrowsmith Cricket & Sports Association – tournament equipment	\$ 690
Arrowsmith Mountain Bike Society – timing equipment	\$ 3,310
Nanoose Bay Recreation and Activities Society – stage	\$ 3,000

CARRIED

MOVED Director Quittenton, SECONDED Director Westbrook, that the following Youth Grants be approved:

Nanoose Bay Recreation and Activities Society – youth dance	\$ 600
Parksville Royals Baseball Club – pitching bullpen	\$ 1,000
Parksville Royals Baseball Club – infield screen	\$ 1,200
Parksville Royals Baseball Club – 2ball program	\$ 350
Qualicum Beach Skateboard Park Committee – expansion	\$ 5,400
Vancouver Island Adrenalin Games – event costs	\$ 1,500
Ballenas Dry Grad – entertainment costs (Velcro Wall/Improv)	\$ 1,250
Ballenas Tennis Club – court improvements	\$ 2,000

CARRIED

**Gabriola Island Parks and Recreation Commission.**

MOVED Director Sperling, SECONDED Director Haime, that the minutes of the Gabriola Island Parks and Recreation Commission meeting held May 13, 2002, be received for information.

CARRIED

**Grants-in-Aid Committee.**

MOVED Director Hamilton, SECONDED Director Sherry, that the minutes of the Grants-in-Aid Committee meeting held May 16, 2002, be received for information.

CARRIED

**School District 68.**

MOVED Director Elliott, SECONDED Director Krall, that the following grants be awarded:

Cedar Community Association	\$ 3,000
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CARRIED

**School District 69.**

MOVED Director Macdonald, SECONDED Director Stanhope, that the following grants be awarded:

Arrowsmith Community Justice Society	\$ 500
Arrowsmith Search & Rescue	\$ 240
Mid Vancouver Island Habitat Enhancement Society	\$ 415
Navy League of Canada – Parksville Branch	\$ 1,000
North Island Wildlife Recovery Association	\$ 1,000
Oceanside Community Arts Council	\$ 500
Oceanside Radio Communications Association	\$ 950
Parksville & District Association for Community Living	\$ 1,000
Parksville Meeting Place Society	\$ 250
Parksville-Qualicum Beach & District SPCA	\$ 500

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**ALR Exclusion – Wosk – 365 Meadow View Place – Area G.**

MOVED Director Stanhope, SECONDED Director Krall, that the Wosk ALR Exclusion application be forwarded directly to the Agricultural Land Commission without a recommendation from the Board.

CARRIED



**NEW BUSINESS**

**Verbal Reports.**

MOVED Director Haime, SECONDED Director Elliott, that when verbal reports are included on agendas, attachments containing background information be circulated to Board members in advance to allow preparation by Directors.

CARRIED

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

**Building Addition Committee.**

MOVED Director McNabb, SECONDED Director Westbrook, that the minutes from the Building Addition Committee meeting held on May 28, 2002 be received for information.

CARRIED

MOVED Director McNabb, SECONDED Director Westbrook, that the RDN Administration Building Expansion Project Development Permit Application plans be approved for submission to the City of Nanaimo Design Review Panel.

CARRIED

**Board Appointment – Treaty Advisory Committee.**

MOVED Director Stanhope, SECONDED Director McNabb, that Director Elliott be appointed to the Treaty Advisory Committee replacing Director Sperling.

CARRIED

**ADMINISTRATOR'S REPORT**

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

**Land Use Contraventions – Unsightly Premises & Building Regulations – Kilner – 7056 Lavender Road – Area D.**

MOVED Director Haime, SECONDED Director Krall, that should the property maintenance concerns not be rectified by June 11, 2002 pursuant to the "Unsightly Premises Regulatory Bylaw No. 1073, 1996", the Board direct the owner of the above property to remove from the premises, those items as set out in the attached resolution within fourteen (14) days, or the work will be undertaken by the Regional District's agents at the owners cost.

CARRIED

MOVED Director Haime, SECONDED Director Krall, that staff be directed to take the legal action necessary to ensure the completion of the required structure inspection.

CARRIED

MOVED Director Haime, SECONDED Director Krall, that if the inspection warrants, that staff be directed to notify the property owner and bring forward the applicable Section 698 bylaw to the next available Board meeting.

CARRIED

Director McNabb returned to the meeting.

**Contravention of Building Regulation Bylaw – Schuerbeke – 1415 Hess Road – Area B.**

MOVED Director Stanhope, SECONDED Director Westbrook, that "Regional District of Nanaimo Construction Repeal Bylaw No. 1316, 2002" be introduced and read three times.

CARRIED

MOVED Director Stanhope, SECONDED Director Westbrook, that "Regional District of Nanaimo Construction Repeal Bylaw No. 1316, 2002" be adopted.

CARRIED

**Contravention of Building Bylaw – Stesco – 3478 Grilse Road – Area E.**

MOVED Director Stanhope, SECONDED Director Rispin, that this item be deferred for one month.

CARRIED

**DP Application No. 0222A – Mauriks – 1429 Dorcas Point Road – Area E.**

MOVED Director Stanhope, SECONDED Director Hamilton, that Development Permit No. 0222A, as submitted by Helen Sims on behalf of Patricia Mauriks to legalize the siting and renovation of an existing dwelling unit within the Watercourse Protection Development Permit Area varying the setbacks to the sea from the top of a slope of 30% or greater from 8.0 metres to 3.2 metres for the property legally described as Lot 5, District Lot 110, Nanoose District, Plan 17536 be approved subject to the notification requirements pursuant to the *Local Government Act*.

CARRIED

**Special Event Application – Transit Services – BC Summer Games.**

MOVED Director McNabb, SECONDED Director Krall, that the Transit Special Events request by the BC Summer Games Committee be approved.

CARRIED

**Regional Growth Management Plan – Information Report.**

MOVED Director McNabb, SECONDED Director Hamilton, that the report on issues associated with the Growth Management Plan Review and Regional Growth Strategy Bylaw 1309 identified by the Board be received for information.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Notification Requirements.**

MOVED Director Stanhope, SECONDED Director Korpan, that staff prepare a report, in consultation with Directors, to review notification requirements on development applications.

CARRIED

**Liquid Waste.**

Director Stanhope asked staff to revisit the procedures followed when a spill occurs.

**Multiplex Arena Referendum.**

Director McLean requested that mail outs be distributed to all residences in the Little Qualicum River Estates area to advise of advance voting opportunities.

**ADJOURNMENT**

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

CARRIED

TIME: 9:00 PM

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CHAIRPERSON

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GENERAL MANAGER, CORPORATE SERVICES

## REGIONAL DISTRICT OF NANAIMO

### MINUTES OF THE SPECIAL BOARD MEETING HELD ON TUESDAY, JUNE 25, 2002, AT 8:21 PM IN THE CITY OF NANAIMO COUNCIL CHAMBERS, 455 WALLACE STREET, NANAIMO, BC

#### Present:

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

#### Also in Attendance:

K. Daniels	Chief Administrative Officer
C. Mason	General Manager of Corporate Services
N. Connelly	General Manager of Community Services
J. Finnie	General Manager of Environmental Services
B. Lapham	General Manager of Development Services
P. Shaw	Manager of Community Planning
S. Schopp	Manager of Inspection & Enforcement
N. Tonn	Recording Secretary

#### LATE DELEGATIONS

MOVED Director Krall, SECONDED Director Hamilton, that the following delegations be permitted to speak as late delegations.

CARRIED

**Ian MacDonald, District 69 Arena Users Group, re District 69 Multiplex Arena.**

Mr. MacDonald thanked the Board and RDN staff for their leadership and response to the need for additional ice in District 69.

**Brian Hagedorn, Oceanside Minor Hockey, re District 69 Multiplex Arena.**

Mr. Hagedorn thanked the RDN staff for their assistance during the period prior to the referendum and provided a short overview of the 'yes' campaign promotion process.

**Peter Kucey, Parksville Golden Oldies Sports Association, re District 69 Multiplex Arena.**

Mr. Kucey commented on the democratic process which allowed the residents to voice their feelings with respect to the development of a new ice facility in District 69 and noted that the Golden Oldies Sports Association would like to be involved in the long term planning process.

**Robynne Shaw, Sandy Shores Figure Skating Club, re District 69 Multiplex Arena.**

Ms. Shaw was not in attendance.

**UNFINISHED BUSINESS**

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

**Area 'F' Zoning and Subdivision Bylaw.**

Director McLean read the Chair's Report of the Public Hearing held April 24, 2002, as submitted.

MOVED Director Korpan, SECONDED Director Rispin, that the motion at the Special Board Meeting on May 21, 2002 receiving the Summary of Minutes and Submissions of the Public Hearing for "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" be rescinded.

A recorded vote was requested.

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

MOVED Director Korpan, SECONDED Director Holdom, that the Summary of the Minutes and Submissions of the Public Hearing held Wednesday, April 24, 2002, on "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" certified by Director McLean on the 25<sup>th</sup> of June, 2002 be received.

CARRIED

MOVED Director Korpan, SECONDED Director Rispin, that the Report of the Public Hearing held Wednesday, April 24, 2002 at 7:00 pm, on "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" from Director McLean, be received.

CARRIED

MOVED Director Korpan, SECONDED Director Rispin, that "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" be adopted.

A recorded vote was requested.

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

MOVED Director Korpan, SECONDED Director Rispin, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.276, 2002" be given 3<sup>rd</sup> reading and adopted.

A recorded vote was requested.

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

MOVED Director Korpan, SECONDED Director Quittenton, that "Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002" be adopted.

A recorded vote was requested.

The motion CARRIED with Directors Holme, Hamilton, Quittenton, Westbrook, Sherry, Haime, Macdonald, Holdom, McNabb, Elliott, Krall, Korpan, Rispin and Stanhope voting in the affirmative and Director McLean voting in the negative.

MOVED Director Korpan, SECONDED Director Rispin, that "Regional District of Nanaimo Board of Variance Bylaw No. 1260, 2002" be adopted.

A recorded vote was requested.

The motion CARRIED with Directors Holme, Hamilton, Quittenton, Westbrook, Sherry, Haime, Macdonald, Holdom, McNabb, Elliott, Krall, Korpan, Rispin and Stanhope voting in the affirmative and Director McLean voting in the negative.

MOVED Director Korpan, SECONDED Director Stanhope, that "Regional District of Nanaimo Development Approval Procedures and Notification Bylaw No. 1261, 2002 be adopted.

A recorded vote was requested.

The motion CARRIED with Directors Holme, Hamilton, Quittenton, Westbrook, Sherry, Haime, Macdonald, Holdom, McNabb, Elliott, Krall, Korpan, Rispin and Stanhope voting in the affirmative and Director McLean voting in the negative.

MOVED Director Korpan, SECONDED Director Rispin, that "Regional District of Nanaimo Impact Assessment Bylaw No. 1165.02, 2002" be adopted.

A recorded vote was requested.

The motion CARRIED with Directors Holme, Hamilton, Quittenton, Westbrook, Sherry, Haime, Macdonald, Holdom, McNabb, Elliott, Krall, Korpan, Rispin and Stanhope voting in the affirmative and Director McLean voting in the negative.

#### **UNFINISHED BUSINESS**

##### **Referendum Results.**

MOVED Director Quittenton, SECONDED Director Macdonald, that the Chief Election Officer Arena Multiplex Referendum Report be received for information.

CARRIED

MOVED Director Westbrook, SECONDED Director Macdonald, that "Regional District of Nanaimo (Multipurpose Facility) Loan Authorization Bylaw No. 1313, 2002" be adopted.

A recorded vote was requested.

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

MOVED Director Quittenton, SECONDED Rispin, that "Regional District of Nanaimo (Multipurpose Facility) Partnering Agreement Bylaw No. 1314, 2002" be adopted.

A recorded vote was requested.

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

**ADJOURNMENT**

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

CARRIED

**TIME: 8:50 PM**

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
GENERAL MANAGER, CORPORATE SERVICES

REGIONAL DISTRICT OF NANAIMO			
JUL - 3 2002			
CHAIR		GMCrS	
CAO		GMDS	
GMCmS		GMES	
Communications			✓
Brd.			

June 30, 2002

Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, British Columbia

**Re: Community Bonds**

Attention: Chairman Mr. George Holme and Regional District of Nanaimo Directors,

Congratulations on the success of the multiplex referendum. The residents of District 69 finally had an opportunity to express their support for this major investment in our future.

How will this multi-million dollar expenditure be financed?

The "Community Bond" is an alternative to conventional debenture borrowing, available to both B.C. municipalities and Regional District governments. The Community Bonds authorization process is identical to the loan authorization process. It requires a bylaw under section 455 of the Local Government Act.

Some of the advantages of Community Bonds:

- The rate of interest is determined by the R.D.N.
- The Community Bond will be paying a higher rate of return than most investment vehicles with a "AAA" credit rating
- The taxpayer and community will pay less in interest than conventional debenture borrowing
- Purchasers can recover some the taxes and user fees they pay to the R.D.N. in the form of interest on their bond holdings
- The redemption term is determined by the R.D.N.
- The nominal bond value (minimum \$1,000) is determined by the R.D.N.
- The interest is not paid to banks and multi-national financial institutions, it is paid to the citizens, taxpayers and businesses who purchase the bonds
- Community Bonds can be purchased by self-administered RRSP's
- Community Bonds are guaranteed by the M.F.A. thus they enjoy the strongest AAA credit rating available
- The R.D.N. may engage a local bank, credit union or an investment firm to sell subscriptions for the Community Bonds and collect the money
- Once the money for the bond issue has been collected, it is transferred to the M.F.A.
- The M.F.A. produces the Community Bonds and issues the paper to the purchaser
- Community Bonds may be bought and sold





JUL - 3 2002

CHAIR		GMCrS	
CAO		GMDS	
GMCmS		GMES	
Debrai			✓

MEMORANDUM

**TO:** Pamela Shaw  
Manager, Community Planning **DATE:** June 28, 2002

**FROM:** Deborah Jensen  
Planner **FILE:** 3090 30 0211

**SUBJECT:** Development Variance Permit Application No. 0211 - Kosak  
Lot 1, Section 12, Range 3, Mountain District, Plan 38230  
Electoral Area 'D' - 3043 Jameson Road

PURPOSE

To consider an application for a Development Variance Permit to vary Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 requirements in order to legalize the siting of an existing accessory building, and further, to provide additional information to the Board subsequent to the staff report submitted at the May 28, 2002 meeting of the Electoral Area Planning Committee.

BACKGROUND

This is an application to legalize an existing accessory building located on a 2.234 ha rural property adjacent to Jameson Road (see Attachment No. 1). The property is zoned Rural 1 (RU1) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987." The minimum setback requirements for buildings and structures in this zone are 8.0 metres for all lot lines, or 30.0 metres for buildings and structures housing livestock or storing manure.

While completing an inspection on an adjacent property in January 2001, RDN Bylaw Enforcement staff became aware of the contravening accessory building on the subject property. Specifically, the accessory building is in contravention of building permit requirements and of setback requirements pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987." As a result of bylaw enforcement action, the applicant is proposing to legalize the subject accessory building through this application for a development variance permit, and is aware that building permit requirements must also be met.

The existing accessory building, currently used for vehicle and miscellaneous storage, was constructed prior to purchase of the property by the current owner, and is sited within setbacks between the subject parcel and the adjacent property to the east. The siting and dimensions of the accessory building is shown on Schedules No. 1 and 2. At the June 11, 2002 regular meeting of the Board, the Regional Board deferred the application for 30 days. Further investigation into this application determined that a variance from 8.0 metres to 1.44 metres is required for the east lot line. The initial survey completed for the property had measured the setback to the foundation of the accessory building rather than the outermost portion of the building. Therefore, the proposed variance has been revised from 1.89 metres to 1.44 metres.

**ALTERNATIVES**

1. To approve Development Variance Permit No. 0211 with a variance from 8.0 metres to 1.44 metres for the east lot line.
2. To deny the requested permit.

**PUBLIC CONSULTATION IMPLICATIONS**

Subsequent to initial notification of property owners within a 50-metre radius, a second notification has been provided to the property owners advising of the revised variance. To date, only one response has been received from the adjacent property owner, who has indicated concern with other activities on the property unrelated to this application for the development variance permit.

**VOTING**

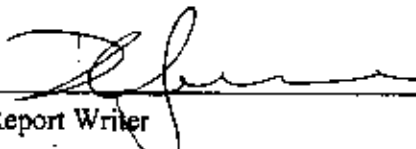
Electoral Area Directors – one vote, except Electoral Area 'B'.

**SUMMARY/CONCLUSIONS**

This is an application for a development variance permit to legalize an existing accessory building. The application includes a request to vary the minimum setback requirements for the east lot line from 8.0 metres to 1.44 metres. Given that the accessory building does not appear to have a significant impact on adjacent properties, staff recommends this application be approved subject to the notification requirements pursuant to the *Local Government Act*.

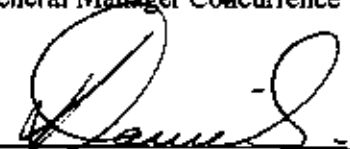
**RECOMMENDATION**

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

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

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

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

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

COMMENTS:

Schedule No. 1  
Survey Plan  
(As Submitted by Applicant)

B.C. LAND SURVEYOR'S CERTIFICATE SKETCH

Chris. C. Everett B.C. Land Surveyor

111-66 Victoria Road, Kamloops B.C. V2H 0M9  
Phone (250)738-3090 - Fax (250)738-0042

LEGAL DESCRIPTION: Lot 1, Section 18, Range 2, Kamloops District, Plan 88230  
CIVIC ADDRESS: 2048 Jameson Road, Kamloops, BC  
PID: 002-018-108  
This survey was completed on April 18th 2002.

© 2002 CHRIS. C. EVERETT, B.C. LAND SURVEYOR. No document is not valid unless properly signed and sealed. All rights reserved. No person may copy, reproduce, transmit or otherwise disseminate in whole or in part without the consent of the signatory.

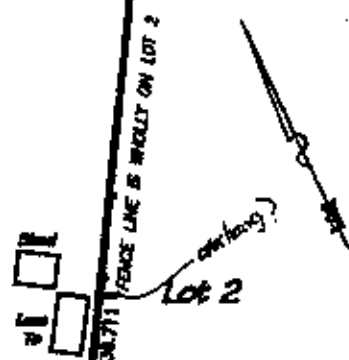
Jameson Road

Lot 7  
Plan 30398

Lot 1  
Plan 38230

NOTES  
Measurements are to  
corners and centres.  
Lot dimensions derived  
from field survey

Scale 1:1000  
0 10 20



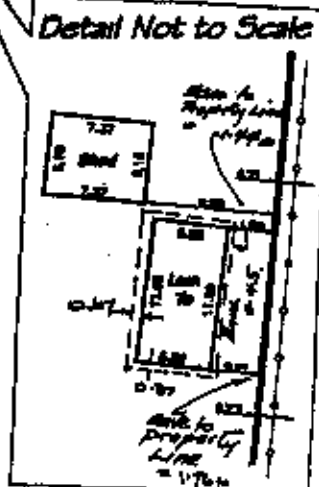
I, CHRISTOPHER CHARLES EVERETT, British Columbia  
Land Surveyor do hereby certify that:

- I certify that the foundation walls of the improvements shown are entirely within the boundaries of the property with plan alterations and appropriate side, front, and rear yard clearances as shown on the sketch below.
- This sketch does not constitute a recodification of the legal boundaries herein described and is not to be used in any manner which would presume that the boundaries have been redefined.

BCLS

1.89 m to foundation  
Less 0.45 m for overhang

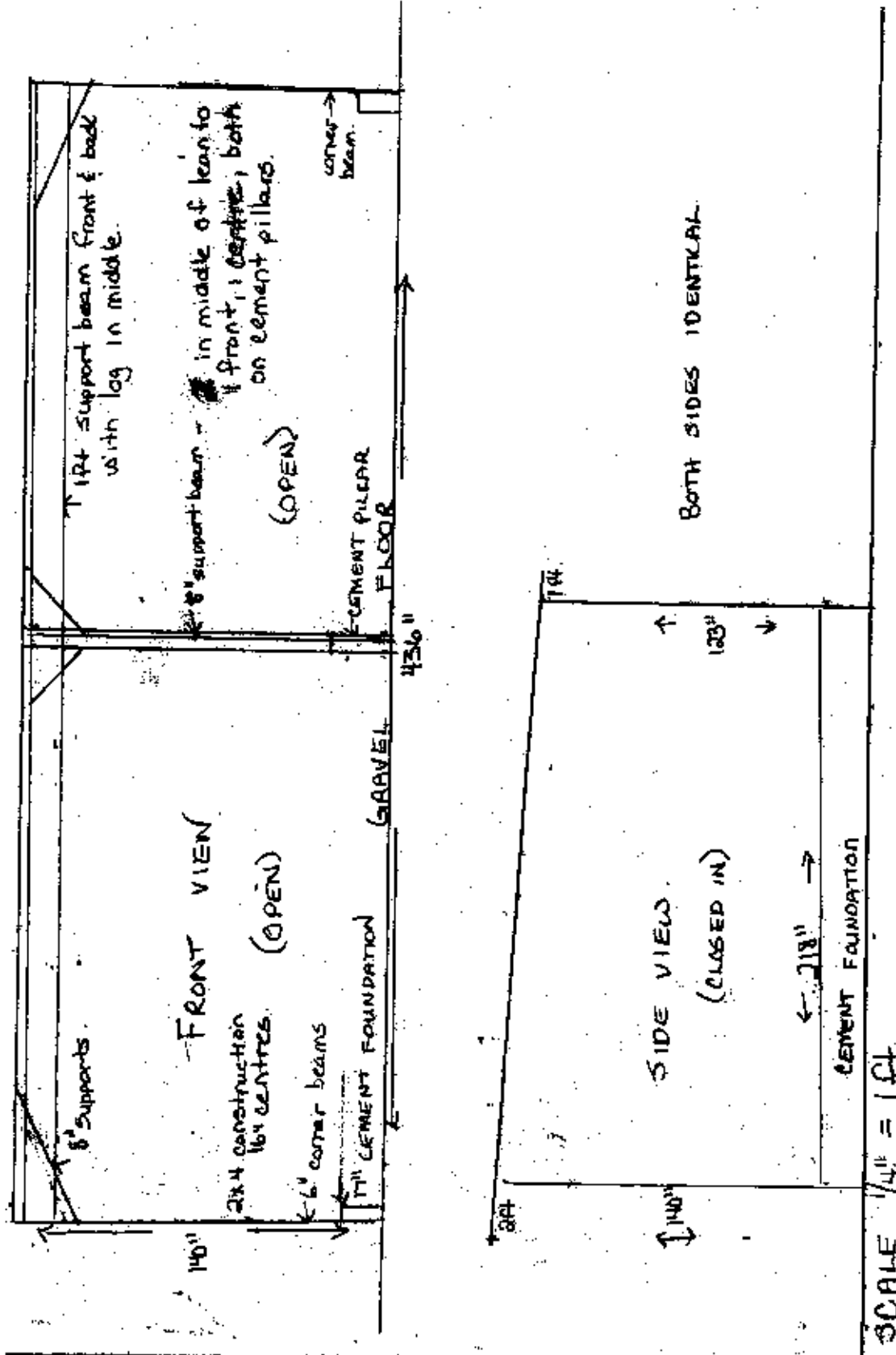
Detail Not to Scale



FILE NO. CE149

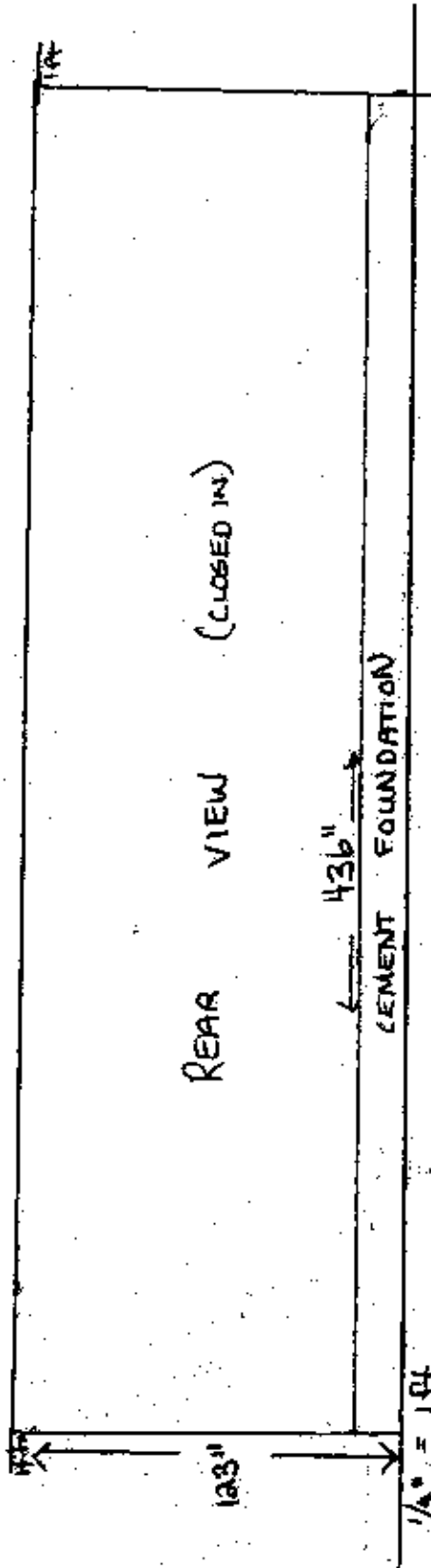
PAGE 35

Schedule No. 2 (Page 1 of 2)  
Building Profile  
(As Submitted by Applicant)

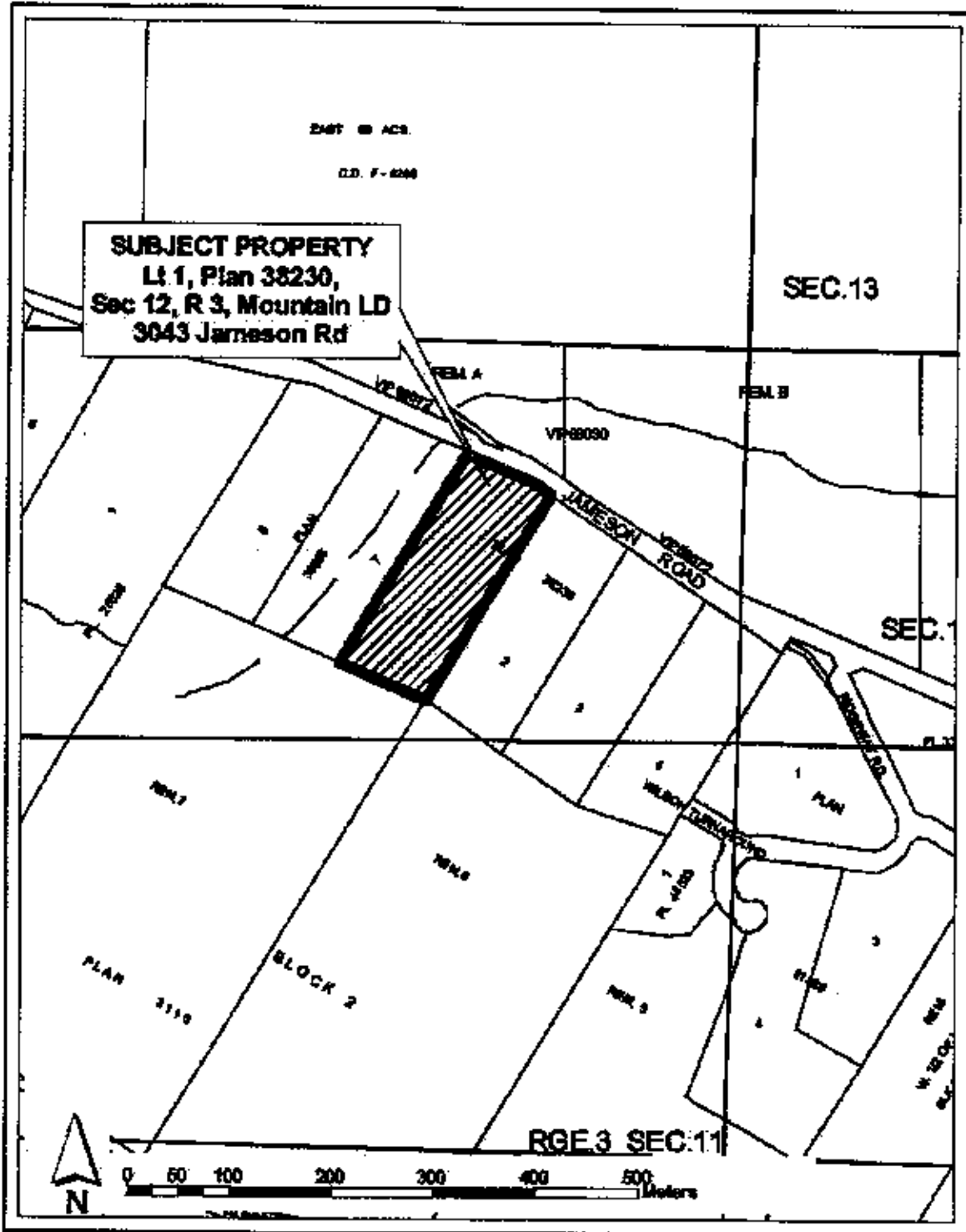


Schedule No. 2 (Page 2 of 2)  
Building Profile  
(As Submitted by Applicant)

PLAN OF OPEN LEAN TO AT 3043 JAMESON RD. APRIL 15/02



Attachment No. 1  
Subject Property Map





REGIONAL DISTRICT OF NANAIMO	
JUL - 3 2002	
CHAIR	GMCrS
CAO	GMDS
GMCmS	GMES
B. Sed	

**MEMORANDUM**

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

**DATE:** June 28, 2002

**FROM:** Deborah Jensen  
Planner

**FILE:** 3360 30 0206

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

**PURPOSE**

To consider the minutes of the Public Hearing held Wednesday, June 19, 2002 with respect to Bylaw No. 500.286, and further, to consider Bylaw 500.286 for 3<sup>rd</sup> reading.

**BACKGROUND**

Bylaw No. 500.286 was considered by the Board and given 1<sup>st</sup> and 2<sup>nd</sup> reading on Tuesday, May 14, 2002.

Bylaw No. 500.286 is a result of complaints received with respect to generation of "fast food outlets" as home based business operations. As the intent of the home based business regulations was never to allow for the operation of fast food outlets or restaurants as a home based business, staff is responding to these complaints with the proposed Bylaw No. 500.286.

This amendment bylaw consists of a text amendment to the above-noted prohibited use concerning food and beverages. This text amendment will revise Section 3.12(b)(xxv) of Bylaw No. 500 by replacing "*sale of food and/or beverages for immediate consumption on the premises, other than breakfast served by a bed and breakfast to the traveling public who have been provided with overnight accommodation*" as a prohibited use with

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

The Public Hearing concerning the proposed amendment was held Wednesday, June 19, 2002. A summary of the proceedings is attached for the Board's consideration, as shown in *Schedule No. 1*.

**ALTERNATIVES**

1. To grant 3<sup>rd</sup> reading to Bylaw 500.286.
2. To deny Bylaw 500.286.

**INTERGOVERNMENTAL IMPLICATIONS**

Should the Bylaw be granted 3<sup>rd</sup> reading, it will be forwarded to the Ministry of Transportation pursuant to the *Highway Act* prior to the Bylaw being considered by the Board for adoption.

**PUBLIC CONSULTATION IMPLICATIONS**

No persons attended the public hearing, and no written or verbal submissions have been received as a result of this amendment.

**VOTING**

Electoral Area Directors – one vote each except Electoral Area ‘B’.

**SUMMARY/CONCLUSIONS**

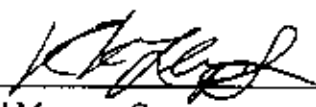
"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.286, 2002" was given 1<sup>st</sup> and 2<sup>nd</sup> reading on Tuesday, May 14, 2002. A Public Hearing with respect to this Bylaw was conducted on Wednesday, June 19, 2002.

The following recommendations are provided for consideration by the Board.

**RECOMMENDATION**

1. That the Minutes of the Public Hearing held Wednesday, June 19, 2002 as a result of public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw 500.286, 2002," be received.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.286, 2002," be given 3<sup>rd</sup> reading and be referred to the Ministry of Transportation for approval.

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

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

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

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

COMMENTS:



**Schedule No. 1  
Minutes of Public Hearing  
Held Wednesday, June 19, 2002**

**REGIONAL DISTRICT OF NANAIMO**

**SUMMARY OF PROCEEDINGS OF A PUBLIC HEARING  
HELD WEDNESDAY, JUNE 19, 2002 AT 7:00 PM  
AT NANOOSE PLACE  
TO CONSIDER BYLAW NO. 500.286, 2002**

George Holme  
Pam Shaw  
Deborah Jensen

Chairperson, Director, Electoral Area 'E'  
Manager, Community Planning  
Planner

There were no people in attendance.

The Director called the Hearing to order at 7:00 pm, introduced those present at the head table, and outlined the procedures to be followed during the Hearing.

The Planner provided a summary of the Bylaw.

The Director called for formal submissions with respect to Bylaw No. 500.286.

The Chairperson called for further submissions.

The Chairperson called for further submissions a second time.

The Chairperson called for further submissions a third time.

There being no further submissions, the Chairperson adjourned the Hearing at 7:05 pm.

Certified true and correct this 19<sup>th</sup> day of June, 2002.

  
Deborah Jensen  
Recording Secretary

\_\_\_\_\_  
Chairperson George Holme  
Electoral Area 'E'

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE  
MEETING HELD ON TUESDAY, JUNE 25, 2002, AT 7:00 PM  
IN THE CITY OF NANAIMO COUNCIL CHAMBERS,  
455 WALLACE STREET, NANAIMO, BC

**Present:**

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

**Also in Attendance:**

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

**MINUTES**

MOVED Director McLean, SECONDED Director Holme, that the minutes of the Electoral Area Planning Committee meeting held Tuesday, May 28, 2002 be adopted.

CARRIED

**PLANNING**

**DEVELOPMENT PERMIT APPLICATIONS**

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

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

CARRIED

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

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

CARRIED

**DEVELOPMENT VARIANCE PERMIT APPLICATIONS**

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

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

CARRIED

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

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

CARRIED

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

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

CARRIED

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

MOVED Director Holme, SECONDED Director Stanhope, that Development Variance Permit Application No. 0214 submitted by Helen Sims, Agent on behalf of 3536696 Canada Inc., to facilitate construction of single dwelling units and retaining walls for the properties legally described as Lots 2-20 and Lots 25 & 26, District Lot 78, Nanoose District, Plan VIP73214, be approved subject to the conditions outlined in Schedules No. 1 and 2 and subject to the notification requirements pursuant to the *Local Government Act*.

CARRIED

**ADJOURNMENT**

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

TIME: 7:09 PM

CARRIED

---

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE  
MEETING HELD ON TUESDAY, JUNE 25, 2002, AT 7:30 PM  
IN THE CITY OF NANAIMO COUNCIL CHAMBERS,  
455 WALLACE STREET, NANAIMO, BC

Present:

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

Also in Attendance:

K. Daniels	Chief Administrative Officer
C. Mason	General Manager of Corporate Services
N. Connelly	General Manager of Community Services
J. Finnie	General Manager of Environmental Services
B. Lapham	General Manager of Development Services
P. Shaw	Manager of Community Planning
S. Schopp	Manager of Inspection and Enforcement
N. Tonn	Recording Secretary

DELEGATIONS

**Tanya Laing, re the Canadian Community Monitoring Network.**

Ms. Laing presented a visual and verbal overview of the Canadian Community Monitoring Network, an initiative of the Canadian Nature Federation and Environment Canada's Ecological Monitoring and Assessment Network Coordinating Office.

MOVED Director Holme, SECONDED Director Westbrook, that the following delegation be permitted to address the Committee.

CARRIED

**Robert Garrett, Hunter Garrett Lobay, re ALR Exclusion Application No. 0206 – Dorman – Pirart Road – Area D.**

Mr. Garrett spoke on behalf of his clients and urged the Board to forward ALR Exclusion Application No. 0206 directly to the Agricultural Land Commission without comment as the land does not seem suitable for farm use.

**MINUTES**

MOVED Director Krall, SECONDED Director Sherry, that the minutes of the Committee of the Whole meeting held on Tuesday, May 28, 2002 be adopted.

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

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

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

CARRIED

**DEVELOPMENT SERVICES**

**BUILDING INSPECTION**

**Section 700 Filings.**

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

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

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

CARRIED

**PLANNING**

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

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

CARRIED

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

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

CARRIED

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

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

CARRIED

**COMMUNITY SERVICES**

**REGIONAL DEVELOPMENT**

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

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

CARRIED

MOVED Director Haime, SECONDED Director McLean, that given the Lantzville Restructure Committee has applied to the Minister of Community, Aboriginal and Women's Services to request holding a referendum in September with regard to local government structure, no final decision regarding the RGMP review be made until after the referendum to allow the community to decide on their local government structure.

CARRIED

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

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

CARRIED

**TRANSIT**

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

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

CARRIED

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

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

CARRIED

**PAGE**  
**47**

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

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

CARRIED

**ENVIRONMENTAL SERVICES**

**SOLID WASTE**

**Contract for Bird Control at Regional Landfill.**

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

CARRIED

**UTILITIES**

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

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

CARRIED

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

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

CARRIED

**COMMISSION, ADVISORY & SELECT COMMITTEE**

**Lantzville Parks & Open Space Advisory Committee.**

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

CARRIED

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

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

CARRIED

**District 69 Recreation Commission.**

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

CARRIED

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

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

CARRIED



**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Canadian Community Monitoring Network.**

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

CARRIED

**ADJOURNMENT**

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

CARRIED

TIME: 8:20 PM

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CHAIRPERSON

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**Minutes for the Meeting held:  
Thursday, June 6, 2002 @ 1:30 PM to 4:30 PM  
Ministry of Water, Land and Air Protection Office - Comox Room  
2080 Labieux Road, Nanaimo, BC**

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**Present:**

Bob Lapham, RDN  
Christina Thomas, RDN  
John Finnie, RDN  
Neil Connelly, RDN  
Sharon Fletcher, Nanaimo

Dave Edgar, MT  
Roger Cheetham, LRC  
Sharon Erickson, MWLAP  
Cynthia Hawkworth, MCWAS

**Absent:**

Dan Biggs, MF  
Ted Hall, MEM  
David Coombe, VHA  
Gayle Jackson, Parksville  
Paul Butler, Qualicum Beach  
Wayne Haddow, MA

**# Item**

**1. Call to order.**

N. Connelly called the meeting to order at 1:50 PM.

**2. Minutes from the Last Meeting (May 1, 2002).**

C. Thomas stated that the minutes for the meeting should indicate that Wayne Haddow of the Ministry of Agriculture was in attendance. The minutes of the meeting were accepted as amended.

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

***a) Update: Planning Process***

C. Thomas updated the Committee about the status of the Growth Management Plan Review Project. It was noted that the Regional Board considered a revised, updated regional growth strategy bylaw (Bylaw 1309) at its meeting on May 14, 2002, and had passed resolutions to include the Extension Mine site inside the Urban Containment Boundary and to defer consideration of the bylaw for 60 days. It was also noted that Regional Board has requested information about the following topics: (1) the Urban Containment Boundary (UCB) in rural areas; (2) servicing (particularly in rural areas, both inside and outside the UCB); (3) the issues raised by delegations at the May 14, 2002 Regional Board meeting (size of regional growth strategy, market demand as it relates to densification, flexibility, amount of industrial land); (4) parcelization of Agriculture Land Reserve (ALR) land; (5) destination resort nodes; (6) watershed planning; (7) results of discussions with large land holding property owners; and (8) the Present Status Lands (Sub-Urban Area) designation in Lantzville. It was noted that information was provided to the Board about the first two topics on May 28, 2002, that information is being provided to the Board about topics 3 through 7 on June 11, 2002, and that information will be provided to the Board about the topics 6 and 8 on June 25, 2002.

There was substantial discussion regarding the overall value of regional growth strategies as a mechanism for different jurisdictions within a region to relate to each other and address issues of mutual concern and relevance.

***b) Review and Discuss "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002"***

C. Thomas summarized Policy 1A. There were no Committee comments or concerns about the policy.

C. Thomas summarized Policy 1B. There was substantial discussion regarding the possibility of expanding the UCB to include the Present Status Lands (Sub-Urban Area) and the impacts this would have on the regional growth strategy. It was noted that such a change would have to be considered in light of regional issues and concerns.

C. Thomas summarized Policy 1C. A committee member suggested that UCB amendments be permitted only once every three years, similar to the approach used in the City of Nanaimo. There was considerable discussion regarding the differences and similarities between the policy direction about the frequency of UCB changes contained in regional growth strategy when it was first adopted (Bylaw 985), the regional growth strategy as it was amended in the 1999 Interim Update (Bylaw 985.01), and the proposed regional growth strategy (Bylaw 1309), and how this policy direction relates to the Urban Containment and Fringe Area Management Implementation Agreement.

C. Thomas summarized Policy 3C. Roger Cheetham of the Land Reserve Commission submitted a letter from the Commission that indicates the Commission would prefer that the policy only support local governments forwarding applications concerning ALR land to the Commission that the local government believes to have merit. The letter also indicates the Commission's wish to receive local government comments and perspectives about each application concerning ALR land.

C. Thomas summarized Policy 4D. The committee suggested that the wording for the policy be adjusted to support the protection of streams and streamside areas by the RDN and member municipalities where there is no provincial or federal regulation that requires such protection.

4. **Next Meeting.**

The next meeting was set for either **Friday, June 14, 2002** or **Tuesday, June 18, 2002**, depending upon the availability of the municipal planning members of the Committee. The purpose of the meeting will be to review and discuss the revised, updated regional growth strategy (Bylaw 1309).

5. **Adjournment.**

C. Thomas adjourned the meeting at 4:30 PM.

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Neil Connelly, Chair

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**Minutes for the Meeting held:  
Friday, June 14, 2002 @ 1:30 PM to 4:30 PM  
Regional District of Nanaimo Administration Office—Conference Room  
6300 Hammond Bay Road, Nanaimo, BC**

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**Present:**

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

Paul Butler, Qualicum Beach  
Cynthia Hawksworth, MCWAS  
Wayne Haddow, MA

**Absent:**

Dan Biggs, MF  
Ted Hall, MEM  
David Coombe, VIHA  
Dave Edgar, MT  
Sharon Erickson, MWLAP  
Roger Cheetham, LRC

**# Item**

**1 Call to order.**

N. Connelly called the meeting to order at 1:45 PM.

**2 Minutes from the Last Meeting (June 6, 2002).**

The minutes from this meeting were not addressed.

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

N. Connelly updated the Committee on the status of the project, and indicated that the purpose of the meeting was to obtain Committee comments on the draft regional growth strategy (Bylaw 1309) that had been circulated to IAC members in early May. It was noted that changes could be made to the draft regional growth strategy prior to the Regional Board's consideration of the bylaw for 1<sup>st</sup> and 2<sup>nd</sup> reading.

There was substantial discussion regarding the process involved in developing a revised regional growth strategy bylaw, particularly as it relates to the roles of the IAC, RDN staff, member municipalities and elected officials, and the timing of the participation of each party.

N. Connelly indicated that RDN staff require an understanding of IAC member's issues with respect to the draft regional growth strategy (Bylaw 1309) prior to determining whether the regional growth strategy could be ready for consideration of 1<sup>st</sup> and 2<sup>nd</sup> reading by the RDN Board in July 2002.

It was noted that members of the IAC had indicated concern regarding an opportunity to comment about the content of the revised regional growth strategy at the IAC meeting on May 1<sup>st</sup>, and consequently, that additional meetings of the IAC had been arranged for June 6<sup>th</sup> and 14<sup>th</sup>. C. Hawksworth indicated that it is her understanding that the provincial members of the IAC do not have any significant issues with the draft revised regional growth strategy.

One member of the IAC indicated that in the member organization's opinion insufficient time is provided to review referred documents (non regional growth strategy related and regional growth strategy related). Another member indicated that from his perspective, representing a provincial agency, more than adequate time and opportunities had been provided for IAC member input into the current Growth Management Plan Review.

One member requested clarification regarding how the IAC's input will be represented to the RDN Board. N. Connelly indicated that the minutes of all IAC meetings are presented to the RDN Board for receipt as a part of the Board Agenda, and that where relevant, staff reports provide information regarding the IAC's perspectives. As an example, it was noted that all of the IAC members concurred at their May 1<sup>st</sup> meeting regarding the need for more specific direction regarding the level of development intended for lands designated as Resource Lands and Open Space, and that, as a result, the revised draft regional growth strategy (Bylaw 1309) included more specific direction in this regard.

The idea of presenting a revised regional growth strategy bylaw to the RDN Board that has the full concurrence of all IAC members was discussed. There was a difference of opinion regarding the ability to achieve this.

The IAC concurred that there is a need to discuss and clarify the IAC's role and how the IAC should operate at a future meeting.

N. Connelly indicated that RDN staff would be reporting to the RDN Board at the July 9, 2002 meeting about the Growth Management Plan Review and the revised regional growth strategy, and that RDN Board direction regarding the next steps for the project would be sought at that time.

C. Hawksworth facilitated a discussion that resulted in a list of issues that members of the Committee wish to discuss further and or obtain additional information about, to be addressed at a further IAC meeting.

4 **Next Meeting.**

The next IAC meeting was set for **Wednesday, June 19, 2002 at 1:00 PM**. The purpose of the meeting will be to review and discuss the revised, updated regional growth strategy (Bylaw 1309), particularly as it relates to the issues identified at the June 14, 2002 meeting.

Also on **Wednesday, June 19, 2002**, prior the IAC meeting, between **10:00 AM and 12:00 PM**, an opportunity will be provided for municipal and regional district engineering and planning staff to discuss the servicing strategy as it relates to the regional growth strategy.

5 **Adjournment.**

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

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Neil Connelly, Chair



**Minutes for the Meeting held:  
Wednesday, June 19, 2002, 10:00 AM to 4:30 PM  
Regional District of Nanaimo Administration Office – Conference Room  
6300 Hammond Bay Road, Nanaimo, BC**

**Present:**

Bob Lapham, RDN  
Christina Thomas, RDN  
John Finnie, RDN  
Neil Connelly, RDN  
Wayne Moorman, RDN (1<sup>st</sup> half)  
Sharon Fletcher, Nanaimo

Paul Butler, Qualicum Beach  
Bob Weir, Qualicum Beach (1<sup>st</sup> half)  
Gayle Jackson, Parksville  
Gary O'Rourke, Parksville (1<sup>st</sup> half)  
Cynthia Hawksworth, MCWAS

**Absent:**

Dan Biggs, MF  
Ted Hall, MEM  
David Coombe, VHA  
Dave Edgar, MT  
Sharon Erickson, MWLAP  
Roger Cheetham, LRC  
Wayne Haddow, MA

**# Item**

**1. Call to order.**

N. Connelly called the meeting to order at 10:00 AM.

**2. Minutes from Previous Meetings (June 6 and June 14, 2002)**

The minutes were approved as presented.

**3. Growth Management Plan Review 2001-2002: Update on Process**

C. Thomas provided an update regarding the status of the project. It was noted that the IAC had generated a list of issues or topics that required further discussion at its meeting on Friday, June 14, 2002, and that the purpose of the June 19<sup>th</sup> meeting is to discuss those issues and topics. C. Thomas distributed written information about the issues and topics for Committee review and discussion.

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

Prior to reviewing and discussing the written information one of the Committee members requested RDN staff to provide an overview of the overall approach to servicing advocated by the regional growth strategy. RDN staff provided the requested overview.

There was substantial discussion regarding the relationship between the amount of development possible in the region, the availability of water to provide for this development, and the method of providing wastewater management services for the projected development. The following points were noted:

- Inadequate information is available regarding the quantity of water available in the region and how this relates to the development potential of the region (i.e. amount of development possible based on current zoning, official community plans or regional growth strategy).
- It is possible that the amount of development that theoretically could occur based on the current zoning in the region could exceed the supply of water available to service development.
- The RDN assumes responsibility for the level of development that could occur on the land designated Urban Area inside a UCB in the electoral areas of the region because it would not permit additional development beyond that permitted by the current zoning unless there is proof that a water supply of a sufficient quantity and quality can be supplied to the land to accommodate the level of development proposed in the new zoning, and that wastewater will be managed appropriately (i.e. by a community sewer system, which RDN Bylaw No. 500 defines as "a system of sewers and sewerage works including sewage treatment facilities owned

- operated and maintained by or on behalf of the Regional District, a municipality or an improvement district”).
- There are more issues associated with the provision of a water supply of sufficient quality and quantity where the water service provider is a private utility, because the Water Utility Act requirements for private water utilities are minimal, the Province regulates private utilities, and it is possible for the Province to make decisions about private water utilities that are inconsistent with the strategy for accommodating population growth in the region.
  - In the past, the RDN Board passed a resolution to not support the creation of new private water utilities by the Province, in an effort to better coordinate the provision of water service with an overall strategy for accommodating growth in the region.
  - The fact that the definition of community water system in RDN Bylaw No. 500 recognizes private water utilities (e.g. Breakwater) as community water systems is an issue. (A ‘community water system’ is defined as “a system of waterworks owned, operated and maintained by or on behalf of the Regional District, a municipality or an improvement district or which is operated by a person required to hold a certificate of public convenience and necessity under the Water Utility Act” by RDN Bylaw No. 500).
  - There was a suggestion that the preparation of a master plan for the provision of water and wastewater management be undertaken. RDN staff noted that this would require the establishment of a regional function for groundwater management, that the approval of each jurisdiction in the region would be required (via referendum, most likely, for the electoral areas) for the establishment of such a function; and that electoral areas would unlikely support such a decision (particularly if it could mean a restriction on development in those areas). With regard to wastewater management, RDN staff noted that community sewer service could be provided to all of the land designated for development, and that it would complete servicing strategies for areas designated for development.
  - There was a suggestion that a moratorium be placed on development outside the municipalities until such time as sufficient information exists regarding water quantity in the region. RDN staff noted that there would likely be a high level of opposition to that.
  - The Arrowsmith Water Service is not intended to solve all the water problems in the region. It is intended to provide a supplementary surface water source (in addition to groundwater) to the Arrowsmith Water Service Joint Venturers. The Arrowsmith Water Service Joint Venturers are the City of Parksville, the Town of Qualicum Beach, and local water service areas in electoral areas G and E of the RDN.
  - The definition of a community water service in the zoning bylaw proposed for Electoral Area F does not recognize private utilities as community water services (unlike the zoning bylaw for the rest of the electoral areas).
  - There was a suggestion that the designation of Urban Areas inside Urban Containment Boundaries in electoral areas sends an inappropriate message regarding the level of development supported, in light of issues surrounding the provision of water service to these areas.
  - It was suggested that rather than designate where you want to develop land and then find a way to provide services to these lands (the current regional growth strategy approach) it would be preferable to identify lands that can be serviced and designate these lands for development. RDN staff indicated that the land identified for development by the regional growth strategy would not be developed until there is sufficient proof that the lands can be serviced effectively. The developers of the lands would be expected to provide proof in this regard. RDN staff also noted that the nodal designations are intended to provide an outlet for development, and that without this outlet a more sprawling form of development would be likely (i.e. there would be more parcels created based solely on the ability to get a well and septic system approved by the Province, and not with the intent of creating a more sustainable land use pattern).
  - There was a suggestion that land designated as Rural Residential by the Growth Management Plan be put into a service area to better manage septic disposal on these lands. As with the idea of establishing a regional groundwater management function, it was noted that electoral area voter consent would be required for this type of new service and that it is unlikely consent

would be granted because of the possibility of development restrictions and added costs resulting from the service.

- A suggestion was made that local governments should proactively lobby the federal government to provide information and resources that would help local governments to better plan for and manage growth in their areas.
- A suggestion was made that the RDN establish higher standards for septic disposal in the electoral areas. RDN staff noted that this is possible, but that a similar initiative to establish RDN standards for well water failed in light of opposition.
- A suggestion was made that community water and community sewer service should only be provided in municipalities. RDN staff noted that given that there are several electoral areas incorporation studies presently underway, and portions of some electoral areas could become municipalities, substantial areas of land presently not incorporated as municipalities would potentially be provided community water and community sewer service using that rationale.
- A suggestion was made to amend Policy 7B to indicate that the provision of services to land designated Resource Lands and Open Space or Rural Residential is not supported, and to include a new policy in Goal 4, the Environmental Protection section, to specify that services can only be provided to land designated Resource Lands and Open Space or Rural Residential to fix environmental or public health problems. It was also suggested that these policies clearly indicate that no new development beyond what is already possible given the current zoning and the current service provision be facilitated with the provision of the additional community service.

C. Thomas provided an overview of the written information about the following issues and topics requiring further information, identified by the Committee at its June 14, 2002 meeting:

- The designation of nodes as it relates to servicing: can the designated nodes be serviced?
- Level of development possible when services provided to land not designated Urban Area inside a Urban Containment Boundary or Sub-Urban Area (Policies 7B/3A)
- Concept of providing services in electoral areas.
- The provision of services to address practical circumstances (Policy 7B)
- The provision of community water service by the Lantzville Improvement District as it relates to the level of development of land in the LID area (Policy 7C)
- Length of History section of Introduction
- Source of revised vision statement and process to revise it.
- Absence of reference to contiguous corridors of open space in vision statement.
- Interval period between changes to UCB specified in Policy 1C.
- The word "particularly" in Policy 2A.
- Terminology for nodes in rural versus urban areas.
- Decision making about applications to exclude land from ALR.
- Wording in the second sentence of Policies 3B & 3C.
- Amount of text in Goal 4 (Environmental Protection ) section.
- Concept of eliminating negative impacts of liquid waste management on surface water in Policies 4E & 4F
- Role of RDN & municipalities in improving mobility
- Role of RDN in economic development activity & funding requirements
- Provision for tourism activities versus destination resort nodes
- Location of Policy 7B (in Goal 4 or ??)
- Amount of text in Goal 8
- Implementation agreements: do they bind electoral areas?
- Status of text about Map of Land Use Designations.
- Text about regional retail nodes in section about Map of Land Use Designations.

The Committee discussed and provided suggestions regarding how these issues and topics could be addressed in a revised draft of the regional growth strategy. The topics related to servicing were addressed during the first half of the meeting, and the remaining topics were addressed in the second



half of the meeting.

C. Thomas indicated that RDN staff would consider and make revisions to the draft regional growth strategy based on the Committee's comments prior to forwarding the draft regional growth strategy to the Board for consideration at the Tuesday, July 9, 2002 meeting. It was noted that a copy of the revised draft regional growth strategy would be e-mailed to Committee members on Monday, June 24, 2002 for information, and that another Committee meeting would be conducted on Thursday, June 27, 2002 should the Committee desire discussion about the revised draft regional growth strategy. It was noted that deadline for including the revised draft regional growth strategy (and the associated staff report) on the July 9, 2002 Board agenda is Tuesday, July 2, 2002.

5 **Adjournment.**

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

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**Minutes for the Meeting held:  
Thursday, June 27, 2002, 1:30 PM -4:30 PM  
City of Nanaimo – Conference Room 1  
Nanaimo, BC**

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**Present:**

Bob Lapham, RDN  
Christina Thomas, RDN  
Neil Connelly, RDN  
Sharon Fletcher, Nanaimo  
Paul Butler, Qualicum Beach  
Gayle Jackson, Parksville

**Absent:**

Cynthia Hawksworth, MCWAS  
Dan Biggs, MF  
Ted Hall, MEM  
David Coombe, VIHA  
Dave Edgar, MT  
Sharon Erickson, MWLAP

Roger Cheetham, LRC  
Wayne Haddow, MA

**# Item**

**1. Call to Order**

N. Connelly called the meeting to order at 2:00 PM.

**2. Minutes from Previous Meetings (June 19, 2002)**

The minutes were approved as presented.

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

N. Connelly updated the Committee about the status of the project. It was noted that the RDN Committee of the Whole passed the following resolution at its meeting on June 25, 2002:

*MOVED Director Haime, SECONDED Director McLean, that given the Lantzville Restructure Committee has applied to the Minister of Community, Aboriginal and Women's Services to request holding a referendum in September with regard to local government structure, no final decision regarding the RGMP review be made until after the referendum to all the community to decide on their local government structure.*

*CARRIED*

It was noted that RDN staff have discussed with Derek Trimmer and Cynthia Hawksworth of the Ministry of Community, Aboriginal and Women's Services the relationship between the Growth Management Plan (Bylaw 985.01), the revised draft Regional Growth Strategy (Bylaw 1309), and the current initiative to consider incorporation in Lantzville. The referendum on the matter of the incorporation of Lantzville is anticipated to be on either September 14<sup>th</sup> or 21<sup>st</sup>, and should the referendum indicate support for the incorporation, a council for the new municipality is proposed to be elected in November of 2002, and an official incorporation date of December 3<sup>rd</sup> is anticipated. If the revised draft Regional Growth Strategy (Bylaw 1309) is not adopted before a municipality is formed in Lantzville, the municipality would be deemed to accept the existing Growth Management Plan (Bylaw 985.01) and the new municipality's acceptance of the revised draft Regional Growth Strategy Bylaw would be required. If the revised draft Regional Growth Strategy (Bylaw 1309) is adopted before a municipality is formed in Lantzville, the municipality would be deemed to accept the new Regional Growth Strategy (Bylaw 1309). In both cases, the new municipality would need to amend its official community plan to include a regional context statement within two years of incorporation. If completion (i.e. adoption) of the revised draft Regional Growth Strategy (Bylaw 1309) is delayed until after a new municipality has had an opportunity to amend its official community plan to include a regional context statement it is likely that the draft revised regional

growth strategy (Bylaw 1309) may be delayed for a further two years.

It was noted that RDN staff had amended the revised regional growth strategy to respond to the issues and comments identified and discussed at three IAC meetings in June of 2002. RDN staff requested the IAC members to identify any remaining issues that need to be addressed prior to forwarding the revised regional growth strategy to the RDN Board for consideration of receipt, 1<sup>st</sup> and 2<sup>nd</sup> reading and advancement to public hearing.

The City of Nanaimo representative indicated that the revised regional growth strategy is now acceptable to City staff and that only minor changes appear to be necessary.

The Town of Qualicum Beach representative suggested that the guidelines for nodal development presently included in the text about the Map of Land Use Designations be more directly linked to a policy statement in the Goal 2 portion of the strategy, and indicated that additional suggested changes would be forwarded to the RDN.

The City of Parksville representative indicated concern regarding the amount of time available to review the changes to the revised regional growth strategy, in light of present staff workloads.

RDN staff noted that the revised regional growth strategy provides certainty regarding the future development of land designated Rural Residential and Resource Lands and Open Space because it specifically recognizes parcel sizes designated in official community plans for these lands. This, combined with the designation of specific nodal development areas to provide an outlet for a development form that is more sustainable, ensures that a sprawling development pattern cannot materialize.

There was discussion regarding methods of addressing the relationship between the possible incorporation of Lantzville with the revised regional growth strategy.

4 **Adjournment.**

N. Connelly adjourned the meeting at 4:00 PM.



REGIONAL DISTRICT OF NANAIMO	
JUL - 3 2002	
CHAIR	GMCrS
CAO	GMDS
GMCmS	GMES
	<i>Bed</i> ✓

**MEMORANDUM**

**TO:** Neil Connelly  
General Manager, Community Services

**DATE:** June 28, 2002

**FROM:** Christina Thomas  
Senior Planner, Community Services

**FILE:** 6780 30

**SUBJECT:** **GROWTH MANAGEMENT PLAN REVIEW  
UPDATED REGIONAL GROWTH STRATEGY - BYLAW 1309  
RE-CONSIDERATION: 1<sup>ST</sup> AND 2<sup>ND</sup> READING AND PUBLIC HEARING**

**PURPOSE**

The purpose of this report is to provide a revised regional growth strategy (Bylaw 1309) for the RDN Board's reconsideration of 1<sup>st</sup> and 2<sup>nd</sup> reading and advancement to public hearing, pursuant to the May 14, 2002 Board resolution to defer consideration of the Bylaw for 60 days.

**BACKGROUND**

A revised regional growth strategy (Bylaw 1309) is provided for the RDN Board's re-consideration of 1<sup>st</sup> and 2<sup>nd</sup> reading and advancement to public hearing, since the 60-day deferral period requested by the Board on May 14, 2002 has elapsed (see separate enclosure).

The RDN Board considered a regional growth strategy (Bylaw 1309) for 1<sup>st</sup> and 2<sup>nd</sup> reading and advancement to public hearing at its meeting on May 14, 2002, and passed the following resolutions:

*MOVED Director Hamilton, SECONDED Director Haime, that the Extension Mine Site be included in the urban containment boundary.*  
**CARRIED**

*MOVED Director Haime, SECONDED Director Stanhope, that the urban containment boundary be amended to match the proposed sub-urban boundary as contained in the staff report.*

*The motion was not voted on.*

*MOVED Director Stanhope, SECONDED Director Macdonald, that this item be deferred for 60 days and that staff prepare a report to discuss the proposed amendments and the implications of the comments by the delegation with respect to Present Status Lands in Lantzville.*  
**CARRIED**

During the 60-day deferral period the Chief Administrative Officer (Kelly Daniels) facilitated a discussion with the RDN Board on May 21, 2002, which resulted in the identification of issues or topics related to the regional growth strategy that the Board requested further information about. The issues identified were: (1) the Urban Containment Boundary (UCB) in rural areas; (2) servicing (particularly in the rural areas, both inside and outside the UCB); (3) the issues raised by delegations at the May 14, 2002 Board meeting (i.e. size of regional growth strategy, market demand as it relates to densification,

flexibility, amount of industrial land); (4) parcelization of Agriculture Land Reserve (ALR) land; (5) destination resort nodes, (6) watershed planning, (7) the results of discussions with large land holding property owners; and (8) the Present Status Lands (Sub-Urban Area) designation. The RDN Board received reports about these topics at the May 28, June 11, and June 25, 2002 meetings.

During the 60-day deferral period staff also further reviewed the strategy with the Intergovernmental Advisory Committee (IAC) at meetings on June 6, 14, 19, and 27, 2002. Minutes for these meetings are elsewhere on the July 9, 2002 Board agenda.

The RDN Committee of the Whole passed the following resolution at the June 25, 2002 meeting:

*MOVED Director Haime, SECONDED Director McLean, that given the Lantzville Restructure Committee has applied to the Minister of Community, Aboriginal and Women's Services to request holding a referendum in September with regard to local government structure, no final decision regarding the RGMP review be made until after the referendum to all the community to decide on their local government structure.*

*CARRIED*

#### ***Relationship Between Regional Growth Strategy and Potential Incorporation of Lantzville***

Ministry of Community, Aboriginal and Women's Services staff (Derek Trimmer and Cynthia Hawksworth) recently provided clarification regarding the relationship between the Growth Management Plan (Bylaw 985.01), the revised draft Regional Growth Strategy (Bylaw 1309), and the current initiative to consider incorporation in Lantzville. They conveyed the following points:

- The referendum on the matter of the incorporation of Lantzville is anticipated to be on either September 14<sup>th</sup> or 21<sup>st</sup>, and should the referendum indicate support for the incorporation, a council for the new municipality is proposed to be elected in November of 2002, and an official incorporation date of December 3<sup>rd</sup> is anticipated.
- If the revised draft Regional Growth Strategy (Bylaw 1309) is not adopted before a municipality is formed in Lantzville, the municipality would be deemed to accept the existing Growth Management Plan (Bylaw 985.01) and the new municipality's acceptance of the revised draft Regional Growth Strategy Bylaw (Bylaw 1309) would be required.
- If the revised draft Regional Growth Strategy (Bylaw 1309) is adopted before a municipality is formed in Lantzville, the municipality would be deemed to accept the new Regional Growth Strategy (Bylaw 1309).
- In both cases, the new municipality would need to amend its official community plan to include a regional context statement within two years of incorporation.
- If completion (i.e. adoption) of the revised draft Regional Growth Strategy (Bylaw 1309) is delayed until after a new municipality has had an opportunity to amend its official community plan to include a regional context statement it is likely that the draft revised regional growth strategy (Bylaw 1309) may be delayed for a further two years.

It should be noted that the revised draft Regional Growth Strategy (Bylaw 1309) has been amended to include a policy that specifically enables an Interim Update of the regional growth strategy in two years, for the purpose of providing for the consideration of amendments to the regional growth strategy in

response to the review of the official community plan and development of a regional context statement by a newly incorporated municipality of Lantzville.

***Changes Made to Draft Regional Growth Strategy***

The revised regional growth strategy presented for the RDN Board's consideration includes changes to respond to comments and concerns, as outlined below:

<b>KEY CHANGES CHANGES MADE TO THE DRAFT REGIONAL GROWTH STRATEGY</b>	
<ul style="list-style-type: none"> <li>→ Included a policy to more directly recognize that development of nodes inside UCBs will only occur where community water and community sewer services are provided.</li> <li>→ Refined policies concerning removal of land from the FLR and ALR, to request the Province to restrict their decisions regarding whether land should be removed from the FLR or ALR based on whether the land is needed and suitable for forestry and agriculture respectively, and to leave the consideration of community and land use planning issues to the local government.</li> <li>→ Clarified that policy direction regarding improved mobility does not propose the establishment of a new RDN function or the allocation of additional budgetary resources.</li> <li>→ Clarified that policy direction regarding economic development does not propose the establishment of a new RDN function or the allocation of additional budgetary resources.</li> <li>→ Clarified that the limited residential development supported in connection with destination resorts is the number of residential uses permitted by the current zoning.</li> <li>→ Clarified that the provision of community sewer and community water services to land designated Rural Residential and to land designated as Resource Lands and Open Space is not for the purpose of facilitating additional development. The provision of services to these lands is only for the purpose of addressing public health or environmental problems.</li> <li>→ Included a policy to allow for an Interim Update of the regional growth strategy in two years, for the purpose of providing for the consideration of amendments to the regional growth strategy in response to the review of the official community plan and development of a regional context statement for Lantzville by a newly incorporated municipality of Lantzville.</li> <li>→ Included a policy to enable the reconsideration of the inclusion of the parcel legally described as Parcel Z (DDK83923), Section 13, Range 1 and Section 12/13, Range 2, inside the Urban Containment Boundary for the Extension Village Centre through an amendment to the Electoral Area C Official Community Plan, provided that the maximum level of development permitted on the property is restricted to 1 unit per hectare or approximately 18 units (instead of the approximate 100 units that would otherwise be permitted on land designated Urban inside a UCB).</li> </ul>	
<b>OTHER CHANGES MADE TO THE REGIONAL GROWTH STRATEGY</b>	
<b>Section</b>	<b>Change</b>
Introduction	<ul style="list-style-type: none"> <li>▪ Shortened – deleted information about previous regional growth strategies and associated planning processes.</li> </ul>
Goal 1: Strong Urban Containment	<ul style="list-style-type: none"> <li>▪ Minor word changes to clarify.</li> </ul>
Goal 2: Nodal Structure	<ul style="list-style-type: none"> <li>▪ Minor word changes to clarify.</li> </ul>
Goal 3: Rural Integrity	<ul style="list-style-type: none"> <li>▪ Minor word changes to clarify.</li> </ul>
Goal 4: Environmental Protection	<ul style="list-style-type: none"> <li>▪ Shortened – deleted action item part of each policy.</li> </ul>
Goal 5: Improved Mobility	<ul style="list-style-type: none"> <li>▪ Shortened -collapsed 5 policies into 1.</li> </ul>

<b>OTHER CHANGES MADE TO THE REGIONAL GROWTH STRATEGY (cont.)</b>	
<b>Section</b>	<b>Change</b>
Goal 6: Vibrant & Sustainable Economy	▪ Shortened - collapsed 9 policies into 5.
Goal 8: Cooperation Among Jurisdictions	▪ Shortened - deleted policies that aren't required because the action identified in the policy is already required due to other legislative direction.
Map of Land Use Designations	▪ Shortened.

### VOTING

All directors except the Electoral Area B Director, one vote.

### ALTERNATIVES

1. To grant Bylaw 1309 1<sup>st</sup> and 2<sup>nd</sup> reading and advance it to public hearing.
2. To direct staff to make amendments to Bylaw 1309 for the Board's consideration, prior to granting the Bylaw 1<sup>st</sup> and 2<sup>nd</sup> reading.

### FINANCIAL IMPLICATIONS

The Community Services budget provides for the budgetary requirements to complete the project as defined by the Terms of Reference for the project endorsed by the Regional Board in January of 2001. Any additional study or public consultation not included in the Terms of Reference would require the allocation of additional resources.

### PUBLIC CONSULTATION IMPLICATIONS

The key public consultation components of the Growth Management Plan Review are in Phase I, II and III of the project. Phase IV of the project primarily focuses on the formal approval of a bylaw, but does include a public hearing for the purpose of providing the public with an opportunity to state their final opinion about the bylaw for the record.

#### *Phases I, II and III*

Public consultation in Phases I, II, and III included the following:

- Every household in the region was sent three Regional Perspectives newsletters over the course of the project to provide information about the project, changes under consideration, public events, and the range of opportunities available to provide feedback about the project and possible changes to the Plan.
- The RDN has maintained a special web site for the project. It includes complete copies of all the technical reports completed, information about public events, Regional Perspectives newsletters about the project, detailed information about policy changes under consideration, and the results of public feedback.
- The RDN established and maintained a project mailing list of individuals wishing to be updated about the project via direct mail. Members of the mailing list have been sent 7 updates regarding the project, as new information became available.

- The RDN conducted public events as a part of each phase of the project. Three specialized workshops were conducted in the first phase, four workshops were conducted in the second phase, and four workshops and a Board Forum were conducted in the third phase.

The revised regional growth strategy bylaw provides a balanced response to public feedback received through the project, Board direction received to date, and technical information obtained in the project.

#### **Phase IV**

Phase IV of the Growth Management Plan Review includes the following public components:

- the Board's consideration of 1<sup>st</sup> and 2<sup>nd</sup> reading;
- the advertisement of the Board's consideration of the bylaw;
- the bylaw will be made available to the public at the RDN offices and through the RDN web site;
- two information sessions will be conducted to present the bylaw to the public and to answer questions the public may have about the bylaw; and
- a public hearing will be conducted to provide the final and 'official' opportunity for the public to register its perspectives regarding the bylaw.

#### **INTERGOVERNMENTAL IMPLICATIONS**

The revised regional growth strategy bylaw has been prepared in consultation with the Intergovernmental Advisory Committee (IAC). The IAC met 14 times since the project was initiated in January of 2001, to review, discuss and provide guidance regarding the preparation of technical reports, to review public feedback, and to review and discuss specific changes to the regional growth strategy.

After a revised regional growth strategy bylaw is granted 1<sup>st</sup> and 2<sup>nd</sup> reading and the public hearing has been conducted for the bylaw, the bylaw must be referred to the 3 adjacent regional districts and the 3 member municipalities for consideration of acceptance. These affected local governments must be provided a maximum of 120 days to respond to the referral. The RDN Board may not consider adoption of the bylaw until all of the affected local governments have accepted the bylaw by resolution, or the 120-day referral period passes and no response is received from the affected local governments. It should also be noted that the RDN must also refer the bylaw to the facilitator, or to the Minister of Community, Aboriginal and Women's services if no facilitator has been designated for the regional growth strategy. Since a facilitator has not been appointed for the RDN, the bylaw would be referred to the Minister.

Should the Board grant the bylaw 1<sup>st</sup> and 2<sup>nd</sup> reading on July 9<sup>th</sup>, a public hearing could be held as early as late July or it could be scheduled for a later date (such as early September). If the public hearing for the bylaw is conducted before the Lantzville incorporation vote, and the referral parties do not require the full 120-day period, the RDN Board could make its 'final' decision on the bylaw (i.e. adoption) after the Lantzville incorporation vote and before the incorporation of the new municipality.

Also of note, the bylaw now includes a policy that allows for an Interim Update of the regional growth strategy in two years, to respond to any changes a newly incorporated municipality of Lantzville may wish to propose after it has had an opportunity to review its official community plan and develop a regional context statement.



## SUMMARY

A revised, updated regional growth strategy bylaw (Bylaw 1309) is provided for the Board's consideration of receipt, 1<sup>st</sup> and 2<sup>nd</sup> reading and advancement to public hearing, as a part of the fourth and final phase of the Growth Management Plan Review Project. The bylaw was prepared as a result of the first three phases of the Project.

The project was undertaken in response to a Local Government Act requirement for Regional Districts with a regional growth strategy to consider whether amendments need to be made to the strategy once every five years. The revised bylaw provided for the Board's consideration for the most part re-affirms the current strategy, with some key refinements.

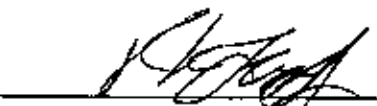
It is recommended that the Regional Board, at a minimum, receive the Bylaw and grant it first and second reading so that an application can be made to the Ministry of Community, Aboriginal, and Women's Services to obtain payment of the approved planning grant of \$80,000. It is also recommended that the Regional Board advance the Bylaw to public hearing, as this action does not constitute a "final decision". After the public hearing the bylaw will be referred to the member municipalities and adjacent regional districts for acceptance. Should Lantzville become an incorporated municipality prior the adoption of the bylaw, the municipality's acceptance of the bylaw would be required prior to its adoption. (In any event, the revised Regional Growth Strategy Bylaw provides for an Interim Update of the Strategy in two years so that changes could be made to the Strategy based on a new incorporated municipality's revised official community plan). Once the required parties accept the bylaw the Regional Board can consider the bylaw for 3<sup>rd</sup> reading and adoption.

## RECOMMENDATIONS

1. That "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" be received.
2. That "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.
3. That "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" proceed to public hearing.
4. That the holding of the public hearing with respect to "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" be delegated to Board Chair Director George Holme, Board Deputy Chair Director Larry McNabb, Committee of the Whole Chair Director Stanhope, or their alternates.



Report Writer

  
General Manager Concurrence

  
CAO Concurrence

# Arrowsmith Community Justice Society

## Statistical Report

as at June 1, 2002

Community Cases Only (SD69 excluded)		Year 1 Mar 1'99 - Feb 28'01	Year 2 Mar 1'00- Feb 28'01	Year 3 Mar 1'01- Feb 28'02	Year 4 Mar 1'02- May 31'02 (3 mos)	TOTAL March 1, 1999- February 28, 2002	
Number of Cases referred (Number of offenders referred)		28 cases (39) offenders	36 cases (47) offenders	56 cases (81) offenders	7 cases (7) offenders	127 cases (174) offenders	
Number of Cases rejected (offenders rejected)		8 cases (9) offenders	3 cases (4) offenders	6 cases (9) offenders	0	17 cases (22) offenders	
Offender Info	Age of Offenders	33 youth 6 adult	28 youth 5 minor 14 adult	60 Youth 2 minor 19 adult	6 youth 1 adult	127 youth 7 minor 40 adult	
	Gender	28 male 11 female	31 male 16 female	51 male 30 female	4 male 3 female	114 male 60 female	
	Part of Group	19	21	44	0	84	
	Repeat Offender			8	1	9	
Victim info	Business	17	21	50	4	92	
	Shoplifting cases	3	13	31	4	51	
	Individual	12	16	24	3	55	
Conference Information							
Number of conferences held						125	
Number of offenders to conference						150	
Number of cases completed						119	
Number of cases incomplete or pending						8	
Volunteer Hours							
Time Line		Average	Average	Average	Average	Short	Long
	Offense - Referral	35	17.4	19.1	19.5	0	131
	Referral - Conference	38	26.8	34.9	35.9	1	102
	Referral - Completion	94	102	98.5	100.7	1	455
Jurisdiction	( 56%) 71 - Parksville, (27%) 35 - Qualicum, (17%) 21 - RDN						
Residence of offenders	(39%) 68 -Parksville; (24%) 42 - Qualicum, (31%) 53 - RDN, (6%) 11 - Other						

# Arrowsmith Community Justice Society

## Statistical Report

as at June 1, 2002

Reasons for Case Rejection	
6	Case not appropriate
5	Offender not appropriate (re-offends before processed)
3	Offender would not participate
2	Victim would not agree to participate
1	Guardian would not agree to participate
1	Offender leaves area
1	Proceeds to Court

Resolutions	
all	verbal apology
120	Essays or letters of explanation
60	Written apology
57	Community Service (20 hrs-80 hrs)
42	Financial (\$10 - \$1300)
39	Personal service (2hrs -80 hrs)
19	Attend self help course or counselling
15	escort in / banned from business
16	personal requirements
7	no future offense requirement

Types of Offenses	
107	Theft under \$5,000 (includes shoplifting)
41	Mischief under \$5,000 (includes vandalism)
16	Break & Enter
14	Assault
11	Causing a disturbance
7	Uttering threats
6	Possession of Stolen Property
7	Motor Vehicle offenses
3	Unlawful entry
3	Possession of weapon
2	Arson
2	Fraud
1	Unlawful use of firearm
1	Theft over \$5,000
1	Mischief over \$5,000
1	Criminal harassment
1	Animal Control
1	Possession of controlled substance