

**REGIONAL DISTRICT OF NANAIMO**

**BOARD MEETING  
TUESDAY, JUNE 10, 2003  
7:30 PM**

*(RDN Board Chambers)*

**A G E N D A**

**PAGES**

1. **CALL TO ORDER**
2. **DELEGATIONS**
3. **BOARD MINUTES**  
9-22 Minutes of the Board meeting held on Tuesday, May 13, 2003.
4. **BUSINESS ARISING FROM THE MINUTES**
5. **COMMUNICATIONS/CORRESPONDENCE**
6. **UNFINISHED BUSINESS**  
**BYLAWS**  
**Public Hearing.**  
23-52 Report of the Public Hearing held April 29 & 30, 2003 with respect to Regional Growth Strategy Bylaw No. 1309. (All Directors except EA 'B' – One Vote)  
**For Adoption.**  
53-56 **Bylaw No. 814.98 & 500.291** – Englishman River OCP Bylaw Amendment and Subdivision Bylaw Amendment – Michael Rosen & Associates, on behalf of Englishman River Land Holdings Ltd. – Kaye Road – Area G. (Electoral Directors except EA 'B' – One Vote)  
57-59 **Bylaw No. 1333** – Park Land Exchange Bylaw – Fern Road Consulting Ltd. on behalf of R. & L. Todsén & McKay Holdings Ltd. – off Hawthorne Rise & White Pine Way – Area G. (All Directors except EA 'B' – One Vote)
7. **STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**  
7.1 **ELECTORAL AREA PLANNING STANDING COMMITTEE**  
60-62 Minutes of the Electoral Area Planning Committee meeting held Tuesday, May 13, 2003. (for information)

## PLANNING

### AMENDMENT APPLICATIONS

**Zoning Amendment Application No. ZA0305 – Sarkozy – Wembley Road – Area G – Land Use & Subdivision Amendment Bylaw No. 500.293.** (Electoral Area Directors except EA 'B' – One Vote)

1. *That the summary of the Public Information Meeting on Amendment Application No. 0305, submitted by Fern Road Consulting Ltd. on behalf of Paul Sarkozy be received.*
2. *That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.293, 2003" be given 1<sup>st</sup> and 2<sup>nd</sup> reading.*
3. *That Amendment Application No. 0305, submitted by Fern Road Consulting Ltd. on behalf of Paul Sarkozy, to rezone the subject property legally described as Lot B, District Lot 29, Nanoose District, Plan VIP74062, from Residential 1 (RS1) to Residential 2.1 (RS2.1) be advanced to a public hearing subject to the conditions outlined in Schedule No. 1.*
4. *That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.293, 2003" be delegated to Director Stanhope or his alternate.*

### DEVELOPMENT PERMIT APPLICATIONS

**DP Application No. 60324 – Weldon/Kyler – 796 Miller Road – Area G.** (Electoral Area Directors except EA 'B' – One Vote)

*That Development Permit No. 60324, submitted by Ken Kyler, BCLS on behalf of Vivian Isabel Weldon to permit the construction of a dwelling unit within a Sensitive Lands Development Permit Area on the property legally described as Lot 28, District Lot 28, Nanoose District, Plan 26472 be approved, subject to the conditions outlined in Schedule No. 1 and 2, and subject to a geotechnical report.*

### DEVELOPMENT VARIANCE PERMIT APPLICATIONS

**DVP Application No. 90310 – Raines – 2424 Ainsley Place – Area E.** (Electoral Area Directors except EA 'B' – One Vote)

**Delegations wishing to speak to Application No. 90310.**

*That Development Variance Permit Application No. 90310, submitted by Fern Road Consulting Ltd. on behalf of Derek Raines and Janet Raines, to facilitate the development of a two storey dwelling unit and vary the maximum permitted dwelling unit height within the Residential 1 zone from 8.0 metres to 9.2 metres for the property legally described as Lot 40, District Lot 78, Nanoose Land District, Plan VIP68559, proceed to public notification as submitted subject to the notification procedures pursuant to the Local Government Act.*

**DVP Application No. 90311 – Fern Road Consulting Ltd. on behalf of R. & L. Todsén & McTay Holdings Ltd. – Off Hawthorne Rise & White Pine Way – Area G. (Electoral Area Directors except EA 'B' – One Vote)**

**Delegations wishing to speak to Application No. 90311.**

*That Development Variance Permit Application No. 90311, submitted by Fern Road Consulting on behalf of Richard and Linda Todsén and McTay Holdings Ltd., to relax the minimum setback requirements for proposed Lots 2, 3, and 4 to 9.0 metres horizontal distance from the adjacent watercourse and for proposed Lots 7, 8, 9, and 10 to 6.0 metres horizontal distance from the adjacent watercourse/pond in order to facilitate future building site for these parcels in conjunction with the subdivision of The Remainder of Lot 1, District Lot 49, Nanoose, Plan 19351, be approved subject to Schedules No. 1 and 2 and the notification requirements pursuant to the Local Government Act.*

**DVP Application No. 90312 & Request for Relaxation of the Minimum 10% Frontage Requirement –K. & B. Sorenson on behalf of Kristoff Enterprises – Hodge's & Lowry's Roads – Area G. (Electoral Area Directors except EA 'B' – One Vote)**

**Delegations wishing to speak to Application No. 90312.**

*That the request, submitted by K & B Sorensen, on behalf of Kristoff Enterprises to relax the Minimum 10% frontage requirement for the Proposed Remainder of Lot A as shown on the plan of subdivision of Lot A, District Lots 19 & 81, Nanoose District, Plan 13475 and to relax the minimum interior lot line setback requirement from 8.0 metres to 2.5 metres for the accessory building and from 30.0 metres to 23.0 metres for the agricultural building housing livestock, be approved, subject to Schedules No. 1 and the notification requirements pursuant to the Local Government Act.*

## **OTHER**

**Aquaculture – Official Community Plan & Zoning Amendments Issues & Public Consultation Framework. (Electoral Area Directors except EA 'B' – One Vote)**

*That the staff report on Aquaculture and potential amendments to Regional District of Nanaimo bylaws be received for information.*

*That staff be directed to proceed with the Public Consultation Strategy as outlined in Attachment No. 1, with the addition of Odyssey Shellfish Ltd. to the referral listing, and clarification in the Terms of Reference that potential conflicts might result from land use activities adjacent to aquaculture operations.*

**Terms of Reference & Public Consultation Strategy for a 'Finetuning' Exercise for the Electoral Area 'F' Zoning & Subdivision Bylaw No. 1285. (Electoral Area Directors except EA 'B' – One Vote)**

*That the staff report on the Electoral Area 'F' Zoning Bylaw Finetuning Project be received.*

*That Electoral Area 'F' Zoning Bylaw Finetuning Project Terms of Reference and Consultation Strategy (Attachment No. 1) be endorsed by the Board.*

## 7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

63-69 Minutes of the regular Committee of the Whole meeting held May 13, 2003. (for information)

### COMMUNICATIONS/CORRESPONDENCE

**George Abbott, Minister of Community, Aboriginal & Women's Services, re Board of Variance Appointments.** (All Directors – One Vote)

*That the correspondence re Board of Variance appointments from Minister George Abbott be received.*

### COMMUNITY SERVICES

**Intergovernmental Advisory Committee – District of Lantzville Representation.** (All Directors – One Vote)

*That the Regional District of Nanaimo Board invite the District of Lantzville Council to appoint a representative to the Intergovernmental Advisory Committee to represent the District.*

**Descanso Bay Wharf Service Bylaw No. 1352.** (All Directors – One Vote)

- 1. That the report on the facility proposal for a new wharf function and for emergency medical evacuations for Gabriola Island be received.*
- 2. That "Descanso Bay Wharf Service Bylaw No. 1352, 2003", be given 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings and proceed to counter petition pursuant to section 801.3 of the Local Government Act.*
- 3. That the Counter Petition deadline of July 25, 2003 be established for "Descanso Bay Wharf Service Bylaw No. 1352, 2003".*

### RECREATION AND PARKS

**Terms of Reference for the Descanso Bay Regional Park and Nanaimo River Regional Park Management Plans.** (All Directors – One Vote)

*That the Terms of Reference for the Descanso Bay Regional Park and Nanaimo River Regional Park Management Plans be approved.*

### TRANSIT

**Pets on Board Program – Conventional Transit.** (Electoral Areas 'A', 'C', 'D', 'E', 'G', 'H', Nanaimo, Parksville, Qualicum Beach – Weighted Vote)

*That the Master Joint Operating Agreement with BC Transit be amended to allow for Pets-On-Board Program.*

*That once the agreement is amended the proposed Pets-on-Board Program run for a trial period of six months.*

## **CORPORATE SERVICES**

### **ADMINISTRATION**

**Application for a Temporary Change to a Liquor Licence – Cassidy Inn – Area A.** (All Directors – One Vote)

*That the Board has no objection to the Cassidy Inn's request for a temporary change to their Liquor Licence to provide for an extended patio area for their Show 'n Shine event scheduled for June 22, 2003.*

### **FINANCE**

**Nanoose Bay Bulk Water Supply Security Issuing Bylaw No. 1239.** (All Directors – Weighted Vote)

*That "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1239, 2001" be forwarded to the Municipal Finance Authority to complete the borrowing for the Northwest Bay Road transmission line.*

### **FIRE DEPARTMENTS**

**Firefighting Vehicle Upgrades for the Nanoose Bay Fire Protection Society.**

(All Directors – Weighted Vote)

- 1. That the Regional District of Nanaimo advise the Nanoose Bay Fire Protection Society that the adjustments to its budget for the purposes of upgrades to trucks #12 and #13 are approved.*
- 2. That "Regional District of Nanaimo Financial Plan (2003 to 2008) Amendment Bylaw 1337.01, 2003" be introduced for first three readings.*

(All Directors – 2/3)

- 3. That "Regional District of Nanaimo Financial Plan (2003 to 2008) Amendment Bylaw 1337.01, 2003" having received three readings be adopted.*

(All Directors – Weighted - 2/3)

- 4. That "Nanoose Fire Protection Function Reserve Fund Expenditure Bylaw No. 1351, 2003" be introduced for first three readings.*
- 5. That "Nanoose Fire Protection Function Reserve Fund Expenditure Bylaw No. 1351, 2003" having received three readings be adopted.*

### **DEVELOPMENT SERVICES**

**Nanaimo Airport Master Plan – Implications for Regional District of Nanaimo – Area A.** (All Directors – One Vote)

- 1. That the staff report on 'Nanaimo Airport Master Plan – Implications for the Regional District of Nanaimo' be received for information.*
- 2. That the Chair of the Board select a Committee to work with Nanaimo Airport Commission to consider issues related to future land use at the Nanaimo Airport*

*and direct staff to prepare amendments to the OCP policy and zoning for the airport lands that will harmonize proposed airport land use and development with the Electoral Area 'A' Official Community Plan and Regional Growth Management policies.*

## **BUILDING INSPECTION**

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

*That a notice be filed against the title of Lot 1, Section 1, Range 6, Plan VIP68894, Cedar Land District, 3460 Whiting Way, Electoral Area 'A', owned by Pieter Van Westen, pursuant to Section 700 of the Local Government Act and that if the infractions are not rectified within ninety (90) days, legal action may be pursued.*

## **ENVIRONMENTAL SERVICES**

### **LIQUID WASTE**

#### **Licence Agreement with City of Nanaimo for a Portion of Regional District of Nanaimo Land at Chase River Pumping Station for Trail Network. (All Directors – Weighted Vote)**

*That the Licence Agreement that permits the City of Nanaimo to use the Regional District of Nanaimo lands at 1174 Island Highway South for extension of the Chase River Park trail network be approved and executed.*

#### **Pump and Haul LSA Amendment Bylaw No. 975.28. (All Directors – One Vote)**

*That "Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.28, 2003" be read three times and forwarded to the Inspector of Municipalities for approval.*

## **UTILITIES**

#### **Rural Streetlighting LSA Boundary Amendment Bylaw No. 791.07. (All Directors – One Vote)**

*That 'Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.07, 2003' be introduced, read three times and forwarded to the Inspector of Municipalities for approval.*

#### **Electoral Area 'A' (MacMillan Road School Site) Sewer LSA Rates & Regulations Amendment Bylaw No. 1237.02.**

(All Directors – One Vote)

- 1. That "Electoral Area 'A' (MacMillan Road School Site) Sewer Local Service Area Rates and Regulations Amendment Bylaw No. 1237.02, 2003" be introduced for three readings.*

(All Directors – 2/3)

2. That "Electoral Area 'A' (MacMillan Road School Site) Sewer Local Service Area Rates and Regulations Amendment Bylaw No. 1237.02, 2003" having received three readings, be adopted.

**Morningstar Streetlighting LSA Boundary Amendment Bylaw No. 869.04.** (All Directors – One Vote)

*That 'Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.04, 2003' be introduced, read three times and forwarded to the Inspector of Municipalities for approval.*

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

**Electoral Area 'A' Parks & Open Space Advisory Committee.** (All Directors – One Vote)

*That the minutes of the Electoral Area 'A' Parks & Open Space Advisory Committee meeting held April 17, 2003, be received for information.*

**Grants-in-Aid Committee.**

(All Directors – One Vote)

*That the minutes of the Grants-in-Aid Committee meeting held May 15, 2003 be received for information.*

(EA's A, B, C, D, Nanaimo - Weighted Vote)

*That the following grants be awarded in District 68:*

<i>Cedar School &amp; Community Enhancement Society</i>	<i>\$ 260</i>
<i>1<sup>st</sup> Lantzville Scouts</i>	<i>2,250</i>
<i>Nanaimo Search &amp; Rescue Society</i>	<i>1,300</i>

(Parksville, Qualicum Beach, EA's E, F, G, H - Weighted Vote)

*That the following grants be awarded in District 69:*

<i>District 69 Historical Society</i>	<i>\$ 2,500</i>
<i>Forward House Community Society</i>	<i>1,000</i>
<i>Oceanside Community Policing Offices</i>	<i>900</i>
<i>Parksville Special Olympics</i>	<i>200</i>
<i>Vancouver Island Palaeontology Museum Society</i>	<i>1,100</i>

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

*That the minutes of the Lantzville Parks & Open Space Advisory Committee meetings held March 3 and April 7, 2003, 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 May 8, 2003, be received for information.*

*That the Guidelines for Regional District Role in Ministry of Transportation Water Accesses in Area 'E' be accepted.*

**Regional Waste Advisory Committee.** (All Directors - One Vote)

*That the minutes from the Regional Waste Advisory Committee meetings (previously named Regional Environmental Advisory Committee) held April 24 and May 15, 2003 be received for information.*

**Transit Business Plan Update Select Committee.** (All Directors - One Vote)

*That the minutes of the Transit Business Plan Update Select Committee meeting held May 15, 2003, be received for information.*

**Haslam Creek Suspension Bridge.** (All Directors - One Vote)

*That the Board congratulate Regional District Staff on the successful completion of the Haslam Creek Suspension Bridge.*

**7.3 EXECUTIVE STANDING COMMITTEE**

**7.4 COMMISSIONS**

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

Vancouver Island Generation Project Committee - Verbal Update - Gail Lund.

**8. ADMINISTRATOR'S REPORT**

70-72 Landfill Gas Collection System Expansion - Tender Award. (All Directors - Weighted Vote)

73-75 Results of the Electoral Area 'A' By-Election. (All Directors - One Vote)

76-79 Board Procedure Amendment Bylaw No. 1268.03. (All Directors - 2/3)

**9. ADDENDUM**

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

**11. NEW BUSINESS**

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

**13. ADJOURNMENT**

**14. IN CAMERA**

*That pursuant to section 242.2(1)(h) of the Local Government Act the Board proceed to an In Camera meeting to consider legal matters.*



**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE REGULAR MEETING OF THE BOARD  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY, MAY 13, 2003, AT 7:30 PM IN THE  
RDN BOARD CHAMBERS**

**Present:**

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

**Also in Attendance:**

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

The Chairperson welcomed Alternate Directors Kreiberg, Webster, Demmon and Tyndall to the meeting.

**DELEGATIONS**

**Melvin Howard, Chairman & CEO, Centurion Health Corporation, re Community Hospital for District 69.**

Mr. Howard explained his Company's role in providing health financing options to communities interested in entering into public private partnerships for health care facilities.

**Rich Mennie, District 69 Hospice Society, re National Hospice Palliative Care Month.**

Ms. Betsy Christian provided information with respect to the Hospice Palliative Care program in District 69.

**Steve Atkinson, re DP No. 60318 – Steven & Janet Atkinson – Jameson Road – Area D.**

Mr. Atkinson requested the Board amend the conditions contained in the staff report to be consistent with the covenant outlining the setbacks from the creek and with the creek crossing conditions from the Ministry of Water, Land and Air Protection.

## LATE DELEGATIONS

MOVED Director Krall, SECONDED Director Cantelon, that the late delegations be permitted to speak.

CARRIED

**Victoria Storrie, re DP Application 60317 - Fern Road consulting Ltd., on behalf of Seascape Properties Ltd., G & R Basaraba, & D & J Barwise - Flamingo Drive & Kinkade Road - Area G.**

Ms. Storrie voiced her concerns with respect to DP Application 60317 as it related to water, sewer and possible runoff.

**Brian & Maureen Irwin, re DVP Application No. 90307 - Irwin - 771 Mariner Way, and DVP Application No. 90309 - Homes by Kimberly on Behalf of Walsh - 777 Mariner Way - Area G.**

Mr. Irwin reviewed his house extension proposal and requested the Board to approve the request.

Mr. Irwin spoke in opposition of DVP Application 90309 for the accessory building proposed on the property next door.

## BOARD MINUTES

MOVED Director Sherry, SECONDED Director Krall, that the minutes of the special Board meeting held on March 25, 2003 and the regular Board meeting held on April 8, 2003 be adopted.

CARRIED

## COMMUNICATIONS/CORRESPONDENCE

**Gabriel Hadrovic, re French Creek Water System.**

MOVED Director Cantelon, SECONDED Director Westbrook, that the correspondence from Gabriel Hadrovic with respect to the French Creek water system, be received.

CARRIED

**Lois Trudeau Pennell, re DP No. 60301 - Juthans/Murphy - 5489 Deep Bay Drive - Area H.**

MOVED Director Cantelon, SECONDED Director Westbrook, that the correspondence from Lois Trudeau Pennell with respect to Development Permit application No. 60301, be received.

CARRIED

**W. Katerenchuk, re DP No. 60319 - Fairway Pointe Properties Ltd. - 730 Barclay Crescent - Area G.**

MOVED Director Cantelon, SECONDED Director Westbrook, that the correspondence from W. Katerenchuk with respect to Development Permit application No. 60319, be received.

CARRIED

**A. H. Knappett, re DP Application No. 60301 - Juthans/Murphy - 5489 Deep Bay Drive - Area H.**

MOVED Director Cantelon, SECONDED Director Westbrook, that the correspondence from A. H. Knappett with respect to DP Application No. 60301 be received.

CARRIED

**Glen & Lona Dennis, re DP Application No. 60315 - Wiseman - Strata Lot 387, South Lake Road - Area H.**

MOVED Director Cantelon, SECONDED Director Westbrook, that the correspondence from Glen and Lona Dennis with respect to DP Application No. 60315 be received.

CARRIED

PAGE  
10

**Peter & Shawn Koronko, re DVP Application No. 0304 – Melvyn – Seaview Drive – Area H.**

MOVED Director Cantelon, SECONDED Director Westbrook, that the correspondence from Peter & Shawn Koronko with respect to DVP Application No. 0304 be received.

CARRIED

**Lorraine Davis & Mrs. M. Mathews, re DVP Application No. 90309 – Homes by Kimberly on behalf of Walsh – 777 Mariner Way – Area E.**

MOVED Director Cantelon, SECONDED Director Westbrook, that the correspondence from Lorraine Davis and Mrs. M. Mathews with respect to DVP Application No. 90308 be received.

CARRIED

**Bob & Sharon Honeyman, re DVP Application No. 90309 – Homes by Kimberly on behalf of Walsh – 777 Mariner Way – Area G.**

MOVED Director Cantelon, SECONDED Director Westbrook, that the correspondence from Bob and Sharon Honeyman with respect to DVP Application No. 90309 be received.

CARRIED

**Alan & Elizabeth Campbell, re DVP Application No. 90309 – Homes by Kimberly on Behalf of Walsh – 777 Mariner Way – Area G.**

MOVED Director Cantelon, SECONDED Director Westbrook, that the correspondence from Alan and Elizabeth Campbell with respect to DVP Application No. 90309 be received.

CARRIED

#### **UNFINISHED BUSINESS**

#### **BYLAWS**

**Bylaw No. 500.288 – Northern Star Developments Ltd. – Anderson Avenue – Area H.**

MOVED Director Bartram, SECONDED Director Haime, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.288, 2002” be adopted.

CARRIED

**Report of the Public Hearing held May 1, 2003 with Respect to Bylaw No. 841.08 & 500.291 – Michael Rosen & Associates on Behalf of Englishman River Land Corporation – off Kay Road – Area G.**

MOVED Director Hamilton, SECONDED Director Haime, that the Report of Public Hearing containing the Summary of Minutes and Submissions of the Public Hearing held on May 1, 2003 as a result of public notification of “Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.08, 2003” and “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.291, 2003” be received.

CARRIED

MOVED Director Hamilton, SECONDED Director Bartram, that “Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.03, 2003” and “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.291, 2003” as amended, be given 3<sup>rd</sup> reading and be referred to the Ministry of Community, Aboriginal, and Women’s Services and the Ministry of Transportation for approvals.

CARRIED

MOVED Director Hamilton, SECONDED Director Haime, that staff be directed to secure the conditions as outlined in Schedule No. 1 prior to consideration of adoption.

CARRIED

**PAGE**  
**11**

**ELECTORAL AREA PLANNING STANDING COMMITTEE**

MOVED Director Hamilton, SECONDED Director Bartram, that the minutes of the Electoral Area Planning Committee meeting held April 22, 2003 be received for information.

CARRIED

**PLANNING****DEVELOPMENT PERMIT APPLICATIONS****DP Application No. 60301 – Juthans/Murphy – 5489 Deep Bay Drive – Area H.**

MOVED Director Hamilton, SECONDED Director Bartram, that Development Permit Application No. 60301, submitted by Sven Juthans and Colleen Murphy, for the property legally described as Lot 39, District Lot 1, Newcastle District, Plan 20442, requesting to:

1. Vary the minimum setback for the front lot line:
  - (a) From 8.0 metres to 2.8 metres to accommodate the existing garage and courtyard.
  - (b) From 8.0 metres to 0.0 metres to accommodate the existing woodshed.
2. Vary the eastern interior lot line setback:
  - (a) From 2.0 metres to 0.7 metres to accommodate the existing workshop at the rear of the parcel.
  - (b) From 2.0 metres to 0.0 metres to accommodate the existing woodshed.
3. Vary the minimum setback requirement from the natural boundary:
  - (a) From 15 metres to 6.9 metres to accommodate the existing workshop at the rear of the parcel.
  - (b) From 15 metres to 4.5 metres to accommodate the existing retaining wall.
  - (c) From 15 metres to 9.6 metres to allow for the placement of a hot tub structure within the development permit area.

be approved subject to the conditions outlined in Schedules No. 1, 2 and 3 and subject to the notification requirements pursuant to the Local Government Act.

CARRIED

**DP Application No. 60310 – Schulze – 7922 Allison Road – Area D.**

MOVED Director Hamilton, SECONDED Director Haime, that Development Permit Application No. 60310, by Fritz Schulze and Ludmilla Schulze with variance to relax the minimum 'water course' setback requirement from 15.0 metres horizontal distance to 10.0 metres horizontal distance for the property legally described as Lot 1, Nanoose Indian Reserve, Nanoose District, Plan 39482 and situated at 7922 Allison Road to accommodate an addition to a garage be approved subject to Schedules No. 1, 2, 3 and 4 and the notification requirements pursuant to the Local Government Act.

CARRIED

**DP Application No. 60315 – Wiseman – Strata Lot 387, South Lake Road – Area H.**

MOVED Director Hamilton, SECONDED Director Bartram, that Development Permit Application No. 60315 submitted by Bruce Wiseman to vary the minimum setback to an adjacent watercourse from 15 metres to 8 metres and to permit the construction of a new recreational residence and structural deck within the Environmentally Sensitive and Hazard Lands Development Permit Areas on the property legally described as Strata Lot 26, District Lot 251, Alberni District, Plan VIS5160, be approved subject to the requirements outlined in Schedules No. 1, 2 and 3 and the notification requirements pursuant to the Local Government Act.

CARRIED

**PAGE**  
12

**DP Application No. 60317 – Fern Road Consulting Ltd., on behalf of Seascope Properties Ltd., G & R Basaraba, & D & J Barwise – Flamingo Drive & Kinkade Road – Area G.**

MOVED Director Hamilton, SECONDED Director Bartram, that Development Permit Application No. 60317, submitted by Fern Road Consulting on behalf of Seascope Properties Limited, G & R Basaraba, & D & J Barwise for the properties legally described as Lots 1 to 6, District Lot 10, Newcastle District, Plan VIP73563 to facilitate future construction of six dwelling units with variances as well as the construction of permitted accessory buildings including garages and landscape features be approved, subject to the conditions outlined in Schedules No. 1, 2 and 3 of the staff report and subject to the notification requirements pursuant to the Local Government Act.

CARRIED

**DP Application No. 60318 – Steven & Janet Atkinson – Jameson Road – Area D.**

MOVED Director Haime, SECONDED Director Bartram, that Development Permit Application No. 60318 submitted by Steven and Janet Atkinson, to allow for a 4-lot subdivision designated within the Environmentally Sensitive Areas Development Permit Area pursuant to the "Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Bylaw No. 1055, 1997" on the property legally described as Lot B, Block 2, Section 12, Ranges 3 & 4, Mountain District, Plan VIP68030 be approved, subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report, and the amendment to Schedule No. 1 condition 3a to permit buildings and structures to be located a minimum of 15.0m from the top of the bank/18.0m from the center line of the watercourse and the amendment to condition 2a/2b to read: (a) there shall be no additional crossings of Fleming Creek, including culverts or bridging, without prior approval of the Ministry of Air, Land and Water and (b) there shall be no crossings of Fleming Creek for the purposes of providing any service pipes or lines including domestic water or septic disposal pipes or lines, without prior approval of the Ministry of Air, Land and Water.

CARRIED

**DP Application No. 60319 – Fairway Pointe Properties Ltd. – 730 Barclay Crescent – Area G.**

MOVED Director Hamilton, SECONDED Director Bartram, that Development Permit Application No. 60319 submitted by Fairway Pointe Properties Ltd. For the property legally described as Lot D, District Lot 126, Nanoose District, Plan 49145, be approved, subject to the conditions outlined in Schedules No. 1, 2, 3, 4 and 5 of the corresponding staff report and to the notification procedure subject to the Local Government Act with respect to the proposed variances to Bylaw No. 500, 1987 subject to the requested variance included as item no. 2 in Schedule No. 2 being withdrawn.

CARRIED

**DP Application No. 60320 – Roy/Sims – 3371 Blueback Drive – Area E.**

MOVED Director Hamilton, SECONDED Director Webster, that Development Permit Application No. 60320, submitted by Fern Road Consulting/Roy to legalize a retaining wall sited a minimum of 8.2 m from the natural boundary with the Nanoose Bay Official Community Plan Bylaw No. 1118, 1998 Watercourse Protection Development Permit Area on the property legally described as Lot 28, District Lot 78, Nanoose District, Plan 15983, be approved subject to the requirements outlined in Schedules No. 1, 2 and 3.

CARRIED

**DP Application No. 60322 – Intracorp Developments Ltd./Fairwinds – Andover Road/Goodrich Road – Area E.**

MOVED Director Hamilton, SECONDED Director Webster, that Development Permit Application No. 60322 by Intracorp Development Ltd. for the property legally described as Lot 27, District Lots 8 and 78, Nanoose District, Plan VIP 73214 be approved subject to the conditions outlined in Schedules No. 1, 2, 3, 4 and 5 of the corresponding staff report and to the notification requirements pursuant to the Local Government Act with respect to the proposed variances to Bylaw No. 500, 1987.

CARRIED

PAGE  
13

## DEVELOPMENT VARIANCE PERMIT APPLICATIONS

### DVP Application No. 0304 – Melvyn – Seaview Drive – Area H.

MOVED Director Hamilton, SECONDED Director Bartram, that Development Variance Permit Application No. 0304, submitted by Fern Road Consulting, Agent, on behalf of Anthony Melvyn, to facilitate the development of a single dwelling unit and to legalize the existing rip rap retaining wall within a Residential 2 (RS2) zone by varying the minimum permitted setback to an interior side lot line from 2.0 metres to 0.0 metres, and to a watercourse from 18.0 metres horizontal distance from a stream centerline to 0.0 metres for the retaining wall and 10.5 metres for the dwelling unit, and to vary the maximum permitted height of a dwelling unit from 8.0 metres to 4.572 metres as measured from the existing fill grade, for the property legally described as Lot 3, District Lot 28, Newcastle District, Plan 22249, be approved, subject to notification procedures pursuant to the Local Government Act and subject to the conditions outlined in Schedule No. 1.

CARRIED

### DVP Application No. 90307 – Irwin – 771 Mariner Way – Area G.

MOVED Director Hamilton, SECONDED Director Biggemann, that Development Variance Permit Application No. 90307, submitted by Maureen Irwin, to vary the minimum permitted setback within the Residential 1 (RS1) zone from 2.0 metres to 1.1 metres for the interior side lot line in order to facilitate the construction of a single-storey addition to an existing dwelling unit for the property legally described as Lot C, District Lot 181, Nanoose District and Part of the Bed of the Strait of Georgia, Plan VIP72454 be approved subject to Schedules No. 1, 2 and 3 of the staff report and the notification requirements pursuant to the Local Government Act.

CARRIED

### DVP Application No. 90308 – Neale – 3495 Bluebill Place – Area E.

MOVED Director Hamilton, SECONDED Director Haime, that Development Variance Permit Application No. 90308 to relax the 'interior side lot line' setback requirement from 2.0 metres to 0.5 metres for the siting and construction of an attached garage and to relax the minimum 'interior side lot line' setback requirement from 2.0 metres to 0.0 metres to legalize the siting of an existing accessory building for the property legally described as Lot 53, District Lot 78, Nanoose District, Plan 15983 be approved, subject to Schedules No. 1, 2, and 3 and to the notification requirements pursuant to the Local Government Act.

CARRIED

### DVP Application No. 90309 – Homes by Kimberly on Behalf of Walsh – 777 Mariner Way – Area G.

Ms. Sharon Honeyman stated that she was not in support of this application.

MOVED Director Hamilton, SECONDED Director Haime, that Development Variance Permit Application No. 90309, to relax the minimum interior side lot line setback requirement from 2.0 metres to 0.5 metres to accommodate the siting of an accessory building for the property legally described as Lot E, District Lot 181, Nanoose District and Part of the Bed of the Strait of Georgia Plan VIP72668 be denied.

CARRIED

## FRONTAGE RELAXATION

### Request for Relaxation of the Minimum 10% Frontage Requirement – Leo Smith & Marilyn Rae Smith – Hobson's Road – Area D.

MOVED Director Hamilton, SECONDED Director Haime, that the request, submitted by Leo Smith and Marilyn Rae Smith to relax the minimum 10% frontage requirement for proposed Lot 2, as shown on the plan of subdivision of Lot 1, District Lot 161, Nanoose District, Plan VIP65475 Except That Part in Plan VIP73924, be approved, subject to the large arbutus tree being protected.

PAGE  
14

MOVED Director Haime, SECONDED Director Hamilton, that the motion be amended to remove the words: "subject to the large arbutus tree being protected".

CARRIED

The motion was called on the main motion, as amended.

The motion CARRIED.

**Request for Relaxation of the Minimum 10% Frontage Requirement – Leigh Millan, BCLS on Behalf of Lois Dahl Holmgren – Cedar Road – Area A.**

MOVED Director Haime, SECONDED Director Kreiberg, that the request, submitted by Leigh Millan, BCLS, on behalf of Lois Dahl Holmgren, to relax the minimum 10% frontage requirement for the Proposed Remainder of Section 7, Range 1, Cedar District as shown on the plan of subdivision of the Remainder of Section 7 with Exceptions and That Part of Section 8 Lying to the East of the Nanaimo River with Exceptions, Both of Range 1, Cedar District, be approved.

CARRIED

**Request for Relaxation of the Minimum 10% Frontage Requirement – Keith & Linda Jack/CO Smythies – 2375 Hemer Road – Area A.**

MOVED Director Hamilton, SECONDED Director Kreiberg, that the request, submitted by CO Smythies, BCLS, on behalf of Keith Douglas Jack & Linda Jeanette Taylor Jack, to relax the minimum 10% perimeter frontage requirement for proposed Lot 2, as shown on the plan of subdivision of Lot 5, Section 13, Range 2, Cedar District, Plan 40406, be approved subject to the applicant registering a Section 219 covenant on proposed Lot 2 restricting further subdivision, including all forms of strata subdivisions.

CARRIED

**COMMITTEE OF THE WHOLE STANDING COMMITTEE**

MOVED Director Sherry, SECONDED Director Cantelon, that the minutes of the regular Committee of the Whole meetings held April 22, 2003 be received for information.

CARRIED

**COMMUNITY SERVICES**

**Green's Landing Wharf – Lease Extension – Area B.**

MOVED Director Lund, SECONDED Director Haime, that the Public Works and Government Services Canada's offer to extend the short term lease of Green's Wharf Landing from April 1, 2003 to September 30, 2003 to the Regional District of Nanaimo be accepted.

CARRIED

MOVED Director Lund, SECONDED Director Bartram, that Public Works and Government Services Canada be encouraged to work with the residents of Gabriola and Mudge Islands and the Regional District of Nanaimo to reach a satisfactory resolution to the future use of the Green's Landing Wharf facility.

CARRIED

**RECREATION AND PARKS**

**Purchase of Old Errington School – Area F.**

MOVED Director Biggemann, SECONDED Director Westbroek, that the report regarding the state of the old Errington School and the estimated cost of work required to fix the identified deficiencies be received for information.

CARRIED

MOVED Director Hamilton, SECONDED Director Krall, that the Regional District of Nanaimo Board reconsider the January 8, 2002 Regional District of Nanaimo Board Resolution "that the Regional District complete the purchase arrangements with School District 69 for the acquisition of the old Errington School for \$150,000 under payment terms outlined in the staff report".

CARRIED

MOVED Director Biggemann, SECONDED Director Hamilton, that the Regional District complete the purchase arrangements with School District 69 for the acquisition of the old Errington School for \$150,000 under payment terms outlined in the staff report.

DEFEATED

**Surcharge Policy for Non-Tax Contributing Users of the Ravensong Aquatic Centre.**

Director Westbrook made a motion that this item be referred to the Regional Services Review Phase II. The motion failed due to lack of a seconder.

MOVED Director Demmon, SECONDED Director Westbrook, that:

The report on the Surcharge Policy for Non-Tax Contributing Users of the Ravensong Aquatic Centre be received as information.

That the Regional District of Nanaimo Board approve the two recommendations put forward by the District 69 Recreation Commission:

1. That the non-resident pool surcharge be removed from the Ravensong Aquatic Centre.
2. That the Electoral Area E Director be approached to consider Electoral Area E contributing a fair and reasonable amount to the Ravensong Aquatic Centre.

DEFEATED

**TRANSIT**

**Southern Community Transit Services Area Amendment Bylaw No. 1230.01.**

MOVED Director Krall, SECONDED Director Cantelon, that "Southern Community Transit Service Area Amendment Bylaw No. 1230.01, 2003" be introduced for first three readings and be forwarded to the Ministry of Community, Aboriginal and Women's Services for approval.

CARRIED

**CORPORATE SERVICES**

**ADMINISTRATION**

**Adoption of the 2003-2005 Board Strategic Plan.**

MOVED Director Westbrook, SECONDED Director McNabb, that the 2003-2005 Board Strategic Directions Plan for the Regional District of Nanaimo be approved.

CARRIED

**FINANCE**

**Operating Results to March 31, 2003.**

MOVED Director Krall, SECONDED Director Cantelon, that the summary report of financial results from operations to March 31, 2003 be received for information.

CARRIED



**Driftwood Water Supply Security Issuing Bylaw No. 1301.**

MOVED Director Sherry, SECONDED Director Westbrook, that "Regional District of Nanaimo Driftwood Water Supply Security Issuing Bylaw No. 1301, 2003" be introduced for first three readings and be forwarded to the Inspector of Municipalities for approval.

**Morningstar Streetlighting LSA Requisition Limit Amendment Bylaw No. 869.03.** CARRIED

MOVED Director Westbrook, SECONDED Director Sherry, that "Morningstar Streetlighting Local Service Area Requisition Limit Amendment Bylaw No. 869.03, 2003" be introduced for first three readings and be forwarded to the Ministry of Community, Aboriginal and Women's Services for approval.

**FIRE DEPARTMENTS** CARRIED

**Fire Protection Services Agreement for Yellowpoint Fire Service Area.**

MOVED Director Kreiberg, SECONDED Director Sherry, that the Chairperson and General Manager, Corporate Services be authorized to sign a five year agreement (2003 to 2008) for fire protection services for the Yellowpoint Fire service area, with the Cowichan Valley Regional District.

CARRIED

MOVED Director Kreiberg, SECONDED Director Krall, that staff undertake a review of a fire season burning bylaw in consultation with the Electoral Area Director and the service area constituents.

CARRIED

**DEVELOPMENT SERVICES**

**BUILDING INSPECTION**

**Section 700 Filings.**

The Chairperson listed the filings and asked that if the property owners were in the audience and wished to address the Board, to come forward when their name was called.

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

- (a) Lot 2, Section 12, Range 5, Cedar Land District, Plan VIP57855, 2030 Pace Road, Electoral Area 'A', owned by T. Hawthornthwaite;
- (b) Lot B, Section 15, Range 3, Mountain Land District, Plan VIS5259, 3390 Westview Acres Road, Electoral Area 'D', owned by G. Doumont.

**ENVIRONMENTAL SERVICES** CARRIED

**LIQUID WASTE**

**Odour Management Plan - Greater Nanaimo Pollution Control Centre.**

MOVED Director Sherry, SECONDED Director Krall, that the Board approve implementation of the Odour Management Plan for the Greater Nanaimo Pollution Control Centre.

CARRIED

**Engineering Services Contract – Liquid Waste Department.**

MOVED Director Sherry, SECONDED Director McNabb, that staff be directed to prepare a consulting services contract with Associated Engineering (BC) Ltd. for wastewater engineering advice for a three-year term with the option of renewing for an additional two-year term.

**SOLID WASTE**

CARRIED

**Garbage and Recyclable Materials Collection Amendment Bylaw No. 1009.06.**

MOVED Director Sherry, SECONDED Director Krall, that "Regional District of Nanaimo Garbage and Recyclable Materials Collection Amendment Bylaw No. 1009.06, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Krall, that "Regional District of Nanaimo Garbage and Recyclable Materials Collection Amendment Bylaw No. 1009.06, 2003" having received three readings be adopted.

CARRIED

**UTILITIES**

**Driftwood Water Supply Service Area Rates & Regulations Bylaw No. 1334.**

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo Driftwood Water Supply Service Area Rates and Regulations Bylaw No. 1334, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo Driftwood Water Supply Service Area Rates and Regulations Bylaw No. 1334, 2003" having received three readings be adopted.

CARRIED

**Water LSA Rates & Regulations Bylaws No. 524.12, 619.08, 700.09, 726.09, 727.09, 764.12, 815.07, 886.06 and 1097.04.**

**Bylaw No. 524.12.**

MOVED Director Sherry, SECONDED Director Cantelon, that "Regional District of Nanaimo Nanoose Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 524.12, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Cantelon, that "Regional District of Nanaimo Nanoose Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 524.12, 2003" having received three readings be adopted.

CARRIED

**Bylaw No. 619.08.**

MOVED Director Sherry, SECONDED Director Cantelon, that "Regional District of Nanaimo French Creek Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 619.08, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Cantelon, that "Regional District of Nanaimo French Creek Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 619.08, 2003" having received three readings be adopted.

CARRIED

**Bylaw No. 700.09.**

MOVED Director Sherry, SECONDED Director Cantelon, that "Regional District of Nanaimo Surfside Properties Specified Area Water Regulations and Rates Amendment Bylaw No. 700.09, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo Surfside Properties Specified Area Water Regulations and Rates Amendment Bylaw No. 700.09, 2003" having received three readings be adopted.

CARRIED

**Bylaw No. 726.09.**

MOVED Director Sherry, SECONDED Director Cantelon, that "Regional District of Nanaimo Arbutus Park Estates Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 726.09, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo Arbutus Park Estates Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 726.09, 2003" having received three readings be adopted.

CARRIED

**Bylaw No. 727.09.**

MOVED Director Sherry, SECONDED Director Krall, that "Regional District of Nanaimo Madrona Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 727.09, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Cantelon, that "Regional District of Nanaimo Madrona Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 727.09, 2003" having received three readings be adopted.

CARRIED

**Bylaw No. 764.12.**

MOVED Director Sherry, SECONDED Director Cantelon, that "Regional District of Nanaimo Fairwinds Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 764.12, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo Fairwinds Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 764.12, 2003" having received three readings be adopted.

CARRIED

**Bylaw No. 815.07.**

MOVED Director Sherry, SECONDED Director Cantelon, that "Regional District of Nanaimo West Bay Estates Water Local Service Area Regulations and Rates Amendment Bylaw No. 815.07, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Cantelon, that "Regional District of Nanaimo West Bay Estates Water Local Service Area Regulations and Rates Amendment Bylaw No. 815.07, 2003" having received three readings be adopted.

CARRIED

**Bylaw No. 886.06.**

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo Wall Beach Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 886.06, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Cantelon, that "Regional District of Nanaimo Wall Beach Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 886.06, 2003" having received three readings be adopted.

CARRIED

**Bylaw No. 1097.04.**

MOVED Director Sherry, SECONDED Director Kreiberg, that "Regional District of Nanaimo Decourcey Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1097.04, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Kreiberg, that "Regional District of Nanaimo Decourcey Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1097.04, 2003" having received three readings be adopted.

CARRIED

**French Creek Water Local Service Area – Water Supply & Quality Issues.**

MOVED Director Sherry, SECONDED Director Haime, that the report on the French Creek Water Local Service Area water supply and quality issues be received for information.

CARRIED

**French Creek Water Local Service Area – Resident Committee Options.**

MOVED Director Sherry, SECONDED Director McNabb, that the Board advise the French Creek Residents' Association that the RDN does not support the creation of a "water board" (or equivalent committee or commission) for the French Creek Water Local Service Area with the authority to create and manage the budget, and determine the efficiency and proficiency of RDN staff assigned to the operation of the Chartwell/Sandpiper water system.

CARRIED

MOVED Director Hamilton, SECONDED Director Westbroek, that the Board support the formation of a Board-appointed FCWLSA advisory committee comprised of representatives from the Chartwell and Sandpiper subdivisions and recognize this committee as the liaison between RDN and the FCWLSA residents, and that the membership of the Advisory Committee include representation from the French Creek Residents Association and the Chartwell Residents Association, and that these Associations be invited to submit names for consideration by the Board.

CARRIED

MOVED Director Sherry, SECONDED Director Cantelon, that the Board direct staff to advertise for membership on the committee for Board review and selection and that staff prepare a terms of reference for the committee's mandate and responsibilities.

CARRIED

## COMMISSION, ADVISORY AND SELECT COMMITTEES

### District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Biggemann, that the minutes of the District 69 Recreation Commission meetings held April 10 and May 8, 2003, be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Demmon, that the shortlist of names recommended by the Naming Committee and approved by the Commission (the Brant Centre, Arrowsmith Centre, Oceanside Centre, Chinook Centre and Orca Centre) be presented to the Board with the recommended name for the new Multiplex Arena being Oceanside Place.

CARRIED

MOVED Director Bartram, SECONDED Director Westbrook, that the recommendations from the District 69 Recreation Commission Grants Committee be approved as follows:

That the Board endorses the following Youth Grants:

Ballenas Cheer & Stunt Squad – competition fees and travel	\$ 2,615
Ravensong Breakers Aquatic Club – fundraising costs/advertising	2,700
Kidfest – activity for older youth	1,500
Mid-Island Habitat Enhancement Society – Jr. Stream Keepers	966
Oceanside Community Arts Council – youth theatre	800
Oceanside Track and Field Club – curbing track	3,560
Oceanside Track and Field – cinder for track	3,100
Royal Baseball Club – Blast Ball program	700

That the Board endorses the following Community Grants:

Arrowsmith Search and Rescue – Hug a Tree program	\$ 850
Building Learning Together – Teaching from the Heart	960
Building Learning Together – Traveling Tales	1,520
Errington War Memorial Hall Association – kitchen upgrade	2,500
Errington War Memorial Hall Association – main hall washroom	3,000
Lighthouse Floor Curlers – program cost shortfall	230
Oceanside Floor Curlers – equipment	1,300
Island Ryders Wakeboard Club – boat insurance, training, equip	2,600
Lighthouse Recreation – cost of rentals and program supplies	1,250
Qualicum Beach Family Day – event costs	1,000
Oceanside Lyric Ensemble (OLE) – set construction, hall rental, props	2,500

CARRIED

### Transit Business Plan Update Select Committee.

MOVED Director Krall, SECONDED Director Holdom, that the minutes of the Transit Business Plan Update Select Committee meetings held April 10 and 15, 2003, be received for information.

CARRIED

MOVED Director Krall, SECONDED Director Holdom, that the report on the Parksville/Qualicum Beach Community Bus Proposal be received for information and be forwarded to the Plan Update 2003-2005 public consultation process.

CARRIED

MOVED Director Krall, SECONDED Director Holdom, that the proposed District 68 Transit service adjustments for June 29, 2003 and seasonal service reductions be approved and forwarded to the public consultation process for the Transit Business Plan Update.

CARRIED

PAGE  
21

MOVED Director Krall, SECONDED Director Holdom, that the 2003/2004 Annual Operating Agreement (AOA) with BC Transit (BCT) be approved and that BCT allow for the full expenditure of their cost sharing commitment as outlined in the AOA.

CARRIED

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

**Gabriola Island Parks & Open Space Advisory Committee.**

MOVED Director Lund, SECONDED Director Hamilton, that Ms. Jacqueline Cecil Sears be appointed to the Gabriola Island Parks & Open Space Advisory Committee for a term ending December 31, 2004.

CARRIED

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

MOVED Director Haime, SECONDED Director Westbrook, that Mr. Roy L. Taylor be appointed to the Lantzville Parks & Open Space Advisory Committee.

CARRIED

**IN CAMERA**

MOVED Director Sherry, SECONDED Director Krall, that pursuant to Section 242.2(h) of the *Local Government Act* the Board proceed to an In Camera meeting to consider items pertaining to litigation affecting the Regional District.

CARRIED

**ADJOURNMENT**

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

CARRIED

TIME: 9:20 PM

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CHAIRPERSON

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GENERAL MANAGER, CORPORATE SERVICES



REGIONAL DISTRICT OF NANAIMO	
JUN - 2 2003	
CHAIR	GMCrS
CAO	GMDS
GACrS	GMES
Board	
DATE:	
FILE:	

MEMORANDUM

TO: Neil Connelly  
General Manager, Community Services

FROM: Christina Thomas  
Senior Planner, Community Services

SUBJECT: **GROWTH MANAGEMENT PLAN REVIEW UPDATE  
REGIONAL GROWTH STRATEGY BYLAW 1309  
SUMMARY OF PROCEEDINGS OF PUBLIC HEARING**

DATE: June 2, 2003

FILE: 6780 30

PURPOSE

The purposes of this report are:

- to receive the Summary of Proceedings for the Public Hearing conducted about "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309" (hereafter referred to as "the Bylaw") as the Report for the Public Hearing;
- to receive the responses to the RDN May 1, 2003 referral of the Bylaw;
- to consider the Bylaw for 3<sup>rd</sup> reading and adoption.

BACKGROUND

The RDN Board granted the Bylaw 1<sup>st</sup> and 2<sup>nd</sup> reading on April 8, 2003 (Attachment 8).

Notice of the public hearing for the Bylaw was published in local newspapers in accordance with the Local Government Act. In addition to the legal notification requirements, information about the Bylaw and the Notice of Public Hearing was mailed to members of the Project Mailing List on April 9<sup>th</sup>, and the Bylaw and Notice were made available on the RDN web site and at the RDN offices from April 9<sup>th</sup> onwards. Information sessions about the Bylaw were also conducted on April 23<sup>rd</sup> and 24<sup>th</sup> to provide an additional opportunity for the public to learn about, obtain a copy of, and ask staff questions about, the Bylaw. Three people attended the April 23<sup>rd</sup> session, and approximately 30 people attended the April 24<sup>th</sup> session.

Directors McNabb, Hamilton and Bartram, as a delegation of the Board, conducted the first half of the public hearing for the Bylaw on Tuesday, April 29, 2003, in the RDN Board Room, and the second half on Wednesday, April 30, 2003, at St. Columba Church Hall in French Creek. On April 29<sup>th</sup> there were approximately six people in attendance, and three people delivered verbal submissions. On April 30<sup>th</sup> there were 30 people in attendance, and seven people delivered verbal submissions. Six written submissions to the public hearing about the Bylaw were received. A Summary of Proceedings of the public hearing, which includes a summary of the verbal submissions and complete copies of written submissions, is provided for the Board's consideration of receipt (see Attachment 1).

The Bylaw was formally referred by letter from RDN Chair, Director Stanhope, to the mayors of the RDN member municipalities and the chairs of the adjacent regional districts on May 1, 2003, for consideration of acceptance, in accordance with the Local Government Act. The RDN Board cannot adopt the Bylaw until each of the local governments has accepted the Bylaw by resolution. The jurisdictions were requested to provide a response to the referral by the end of May, 2003, so that the RDN Board could consider adoption of the Bylaw on June 10, 2003. Responses to the referral are provided for the Board's information and receipt (see Attachments 2-7). The following table summarizes the referral responses:

Local Government	Response
City of Nanaimo	Accepted on May 26, 2003.
City of Parksville	Accepted on May 5, 2003.
Town of Qualicum Beach	Acceptance to be considered on June 9, 2003.
Cowichan Valley RD	Accepted on May 28, 2003.
Comox Strathcona RD	Accepted on May 26, 2003.
Alberni-Clayoquot RD	Accepted on May 28, 2003.

The Bylaw was also referred to Honourable George Abbott, the Minister of Community, Aboriginal and Women's Services, as required, on May 1, 2003. The Minister's acceptance of the Bylaw is not required.

### ALTERNATIVES

1. To receive the Summary of Proceedings of the Public Hearing conducted for the Bylaw as the Report for the Public Hearing, to receive the referral responses, and to grant the Bylaw 3<sup>rd</sup> reading and adopt it.
2. To receive the Summary of Proceedings of the Public Hearing conducted for the Bylaw as the Report for the Public Hearing, to receive the referral responses, and to provide direction to staff to bring forward changes to the Bylaw to address specific issues identified by the Board.

### FINANCIAL IMPLICATIONS

The Community Services 2003 Budget provides for the budgetary requirements to complete the project as outlined in the Terms of Reference for the project approved by the Board in March of 2003.

### LEGAL IMPLICATIONS

All of the steps completed thus far in regard to "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002," are in compliance with the *Local Government Act* requirements for the consideration and adoption of a regional growth strategy bylaw. If the Board wished to make a change to the Bylaw at this point, it would need to repeal 1<sup>st</sup> and 2<sup>nd</sup> reading, make the change to the Bylaw, grant the changed Bylaw 1<sup>st</sup> and 2<sup>nd</sup> reading, advance it to public hearing, and refer it to the member municipalities and adjacent regional districts for acceptance again. It would take a minimum of three or four months to complete this.

### PUBLIC CONSULTATION IMPLICATIONS

The public hearing for the Bylaw was a final opportunity for individuals to make their views known regarding the Bylaw prior to the RDN Board's consideration of the Bylaw for adoption. (It is one of the numerous public input components of a comprehensive five-phase public consultation program conducted since January of 2001 that included newsletters, questionnaires, a public forum, and three series of public workshops). In staff's assessment, the results of the public hearing indicate that there is general support for the Bylaw.

### VOTING

All Directors but Electoral Area 'B' Director, one vote.

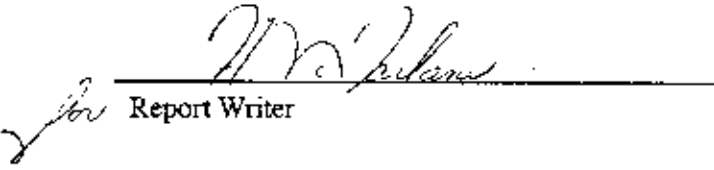


**SUMMARY**


The RDN Board may now consider "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309 for 3<sup>rd</sup> reading and adoption as the public hearing has been conducted for the Bylaw, the three member municipalities have accepted or are scheduled to consider acceptance of the bylaw, and the three adjacent regional districts have accepted the Bylaw.

**RECOMMENDATIONS**

1. That the Summary of Proceedings of the Public Hearing conducted for "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309", as the Report for the Public Hearing, be received.
2. That the responses to the Regional District referral of "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309" be received.
3. That "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309" be granted 3<sup>rd</sup> reading.
4. That "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309" be adopted.

  
Report Writer

  
General Manager Concurrence

  
CAO Concurrence

**ATTACHMENT 1**  
**SUMMARY OF PROCEEDINGS FOR PUBLIC HEARING**

**SUMMARY OF PROCEEDINGS  
OF A PUBLIC HEARING  
HELD**

**TUESDAY, APRIL 29, 2003 AT 7:00 PM  
IN THE REGIONAL DISTRICT OF NANAIMO BOARD ROOM  
LOCATED IN NANAIMO, BC  
AND  
WEDNESDAY, APRIL 30, 2003, AT 7:00 PM  
IN THE ST. COLUMBA CHURCH HALL  
LOCATED AT FRENCH CREEK, BC**

**TO CONSIDER "REGIONAL DISTRICT OF NANAIMO REGIONAL GROWTH STRATEGY  
BYLAW NO. 1309, 2002"**

**April 29, 2003:**

Director McNabb called the Hearing to order at 7:00 PM, welcomed those in attendance, and introduced those present at the Head Table.

The Public Hearing was co-chaired by Directors Larry McNabb (City of Nanaimo), Elaine Hamilton (Electoral Area C), and Dave Bartram (Electoral Area H), as a delegation of the RDN Board.

Other Board members in attendance were: Directors Joe Stanhope (Electoral Area G); Lou Biggemann (Electoral Area F), Randy Longmuir (City of Parksville), Teunis Westbrook (Town of Qualicum Beach), Tom Krall (City of Nanaimo), and Mable Klee (Alternate, Electoral Area G).

RDN staff in attendance were: Neil Connelly (General Manager, Community Services), and Christina Thomas (Senior Planner, Community Services).

Director Hamilton outlined the procedures for the Hearing.

There were approximately 6 people in attendance in the audience.

The Senior Planner introduced Bylaw No. 1309.

Director Bartram called for submissions.

**Art Cowie, 5747 MacKenzie Street, Vancouver, on behalf of Sonny Wosk of Electoral Area G,** stated that he had first appeared before the Board two years ago regarding an application to the Agricultural Land Commission to exclude the Wosk property from the Agriculture Land Reserve (ALR). Mr. Cowie stated that the land should be designated for urban development because it is surrounded by the City of Parksville, residential uses are adjacent to the parcel, most of the surrounding property owners support the residential development of the property, and the property needs to be serviced from the City of Parksville. Mr. Cowie stated that the Agricultural Land Commission turned down his application to exclude the Wosk land from the ALR because of the RDN policy of not making recommendations about ALR exclusion applications. Mr. Cowie stated that a study prepared by Mr. Alan Artibise, a North America-wide recognized planner, recommends that the Wosk land be in the City of Parksville. Mr. Cowie stated that the City of Parksville supports residential development on the Wosk property in the

Summary of Proceedings for the Public Hearing on  
"Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002"  
Page 2

long term. Mr. Cowie stated that he had written an article about the Wosk ALR exclusion application, that he had posted the article on his web site, and that he had distributed the article to Provincial Cabinet ministers. Mr. Cowie indicated that the Chair of the Agricultural Land Commission had stated that he had not seen a better ALR exclusion application than the Wosk one. Mr. Cowie stated that there are no suitable agricultural uses for the Wosk property, that water is not available for agricultural uses, and the residential development of the land requires the support of the RDN because it is in Electoral Area G, even though it is effectively part of the City of Parksville.

Director McNabb stated that the RDN is not standing in the way of an application to exclude land from the Agricultural Land Commission because it is not taking a position about such applications.

Brian Smith, on behalf of the Nanaimo Airport Commission, stated the Nanaimo Airport Commission was in the process of completing a master plan for the airport regarding future airport growth, and that it had recently approached the RDN to obtain its comments about the master plan. Mr. Smith stated that the Commission is completely supportive of the overall thrust of the regional growth strategy, but is concerned that the implementation of the strategy might be detrimental to the airport. Mr. Smith explained that the airport needs to raise its own funds due to limited governmental funding, and as such needs to ensure that the airport lands have sufficient development opportunities to generate revenue. Mr. Smith stated that the Commission is concerned that the regional growth strategy does not recognize the airport as a regional significant transportation facility. Mr. Smith stated that the Electoral Area A Official Community Plan designates the airport as Industrial and restricts the use of the airport lands to aviation related uses. Mr. Smith stated that the Commission intends to submit an application to change the zoning and official community plan land use designations and policy applicable to the airport lands soon. Mr. Smith requested that the regional growth strategy be amended to recognize the airport as a regionally significant transportation node through land use designation and policy.

Gerry Lewkowich, on behalf of the Oceanside Development and Construction Association (ODCA), stated that the Association commends the RDN on the shortening of the regional growth strategy and supports the policy regarding Agriculture Land Reserve exclusion applications. Mr. Lewkowich stated that more time should have been provided between the public information sessions and public hearing given the length and complexity of the review. Mr. Lewkowich stated that the ODCA is concerned that the regional growth strategy is based on the development of a higher proportion of multi-family residential dwellings than the market will support, and that potential residents will move elsewhere if they cannot purchase a single family dwelling in the region. Mr. Lewkowich stated that the ODCA recommends that the Urban Containment Boundary be deleted, and that official community plans be used to establish flexible containment boundaries. Mr. Lewkowich stated that the ODCA is concerned that the designated village nodes may not be capable of development due to servicing limitations. Mr. Lewkowich stated that the regional growth strategy should enable the consideration of major residential developments that might facilitate the development of nodes. Mr. Lewkowich stated that the regional growth strategy does not include employment projections as required by the Local Government Act. Mr. Lewkowich stated that the ODCA supports Policy 6A, and that the District 69 municipalities and electoral areas should jointly provide a regional economic development officer.

Director McNabb called for further submissions a first time.

Director McNabb called for submissions a second time.

Director McNabb called for submissions a third time.

Summary of Proceedings for the Public Hearing on  
"Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002"  
Page 3

There being no further submissions, at 7:30 PM Director McNabb adjourned the Hearing until 7:00 PM, April 30, 2003 at the St. Columba Church Hall in French Creek.

April 30, 2003

At 7:00 PM, on April 30, 2003, at the St. Columba Church Hall in French Creek, Director McNabb reconvened the Hearing, welcomed those in attendance, and introduced those present at the Head Table.

The Public Hearing was co-chaired by Directors Larry McNabb (City of Nanaimo), Elaine Hamilton (Electoral Area C), and Dave Bartram (Electoral Area H), as a delegation of the RDN Board.

Other Board members in attendance were: Directors Joe Stanhope (Electoral Area G), Pauline Bibby (Electoral Area E), Randy Longmuir (City of Parksville), and Teunis Westbrook (Town of Qualicum Beach).

RDN staff in attendance were: Neil Connelly (General Manager, Community Services) and Christina Thomas (Senior Planner, Community Services).

There were approximately 30 people in attendance in the audience.

Director Bartram outlined the procedures for the Hearing.

The Senior Planner introduced Bylaw No. 1309.

Director Hamilton called for submissions.

**Thomas McArthur, on behalf of the French Creek Residents Association (FCRA),** stated that the FCRA is concerned by the amount of change proposed by the new regional growth strategy, citing that the length of the document has been shortened from 111 to 23 text pages and the fact that the changes are being proposed for a 25 year strategy after only 3 years of the strategy being in place. Mr. McArthur stated that 2 major issues have not been addressed in either the existing or proposed regional growth strategy: the ability of the area to supply a sustainable supply of water for domestic and fire fighting purposes for the existing and projected population, and the provision of health care facilities for the existing and projected population. Mr. McArthur stated that although the FCRA has repeatedly requested that these two issues be addressed they have not been adequately addressed to date. Mr. McArthur stated that the RDN has a responsibility to protect quality of life, and as such, should provide the necessary safeguards. Mr. McArthur requested that the RDN Board direct staff to revisit the regional growth strategy, particularly in light of the FCRA concerns.

**Michael Jessen, on behalf of Arrowsmith Watersheds Coalition Society (AWCS),** stated that the AWCS is concerned about the amount of change proposed by the new regional growth strategy, citing that the length of the document has been shortened from approximately 100 to 25 pages and the fact that the changes are being proposed for a 20-25 year strategy after only 3 years of the strategy being in place. Mr. Jessen stated that a comparison chart that delineates each change to the regional growth strategy should have been prepared for review by the public so that the public could easily compare the existing and proposed regional growth strategies. Mr. Jessen stated that the regional growth strategy should be worded like a contract so that it is enforceable (i.e. specify the specific obligations that each party *shall* do as opposed to actions a party is *encouraged* to do, should *consider*, or *may* do). Mr. Jessen stated Policies 4D is an example of a policy that that the AWCS is concerned about because of the RDN's role in protecting watercourses and the number of variances the RDN Board grants to zoning regulations. Mr.

Summary of Proceedings for the Public Hearing on  
"Regional District of Nanaimo Regional Growth Strategy Bylaw No.1309, 2002"  
Page 4

Jessen stated that Policy 7D is another example of a policy that the AWCS is concerned about in light of a sewage disposal permit appeal in the Church Road industrial area and the fact that the policy specifies that the RDN *may* support the provision of services to industrial areas. Mr. Jessen requested that the RDN Board direct staff to rewrite the regional growth strategy bylaw like a contract, and that the rewrite be accompanied with a chart that compares the existing bylaw to the new one, for easy comparison.

**Janet Farooq, 1470 Madrona, Nanoose Bay,** stated that she is a director of the Northwest Nanoose Residents Association and has a policy background. Ms. Farooq stated that the new regional growth strategy includes a fairly consistent set of policies, and that she supports the shortness of the strategy because it is clearer and more understandable. Ms. Farooq stated a desire to see official community plans be made consistent with the new regional growth strategy. Ms. Farooq stated a desire to see the regional growth strategy implemented, and for implementation progress to be monitored. Ms. Farooq suggested that the regional growth strategy include provisions related to its monitoring and review, so that amendments could be made to the strategy at a later date.

**Frank Horner, 400 West First Ave, Qualicum Beach,** stated that the regional growth strategy is based on fallacy. Mr. Horner stated that the regional growth strategy should be based on documentation regarding how many people the region can support while at the same time protecting regional quality of life. Mr. Horner stated that the changes proposed in the regional growth strategy are cosmetic, and that the modifications do not result in much increased protection for the region. Mr. Horner stated that it would be better to have a "regional growth *management plan*" as opposed to "regional growth *strategy*" because a plan is more prescriptive. Mr. Horner stated that the regional growth strategy should include more prescriptive requirements instead of suggested and recommended actions. Mr. Horner listed a series of developments that have occurred in the region since the adoption of the strategy as examples that the strategy is not achieving its desired effect.

**Charles Brucker, 2780 Powderpoint Road, Nanoose Bay,** stated that he is concerned that changes are made to bylaws for big developers like the Texada Land Corporation and Fairwinds and not for residents of an area. Mr. Brucker stated that he had understood that community sewer service would be provided to his property, but that the official community plan had been changed to exclude his property from the sewer service area. Mr. Brucker stated that there is a need for affordable housing for young families in the region. Mr. Brucker stated that it makes more sense to infill smaller properties rather than create large new developments.

**Eric Smith, 2420 Nanoose Road, Nanoose Bay,** stated that he is concerned about monitoring progress towards regional growth strategy goal attainment. Mr. Smith stated that he is concerned that insufficient action has been taken to reduce development pressures on the coast, citing the possibility of new towns as a potential solution for this issue.

**Brian Coath, 1654 Admiral Tryon, French Creek,** stated that the regional growth strategy review is a waste of time if the new bylaw is essentially a condensed version of the existing one. Mr. Coath stated that he is concerned about the role of staff versus elected officials in the regional growth strategy review.

The Senior Planner stated that written comments about the Bylaw had been received from the following people or organizations (in order received):

1. Nanaimo Airport Commission (Brian Smith)
2. Oceanside Development and Construction Association (Manley Lafoy, Rob Hill, Michelle Jones, Helen Sims)
3. French Creek Residents Association (Thomas McArthur)
4. Arrowsmith Watersheds Coalition Society (Michael C. Jessen)

Summary of Proceedings for the Public Hearing on  
"Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002"  
Page 5

5. Charles Brucker.

A written submission was also received by fax prior to the close of the hearing from Dave Scott.

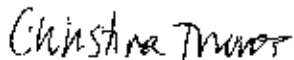
These written submissions are provided in Appendix A of the Summary of Proceedings of the Public Hearing.

The Chair called for further submissions for a first time.

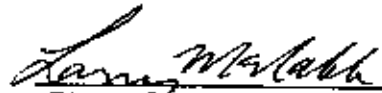
The Chair called for further submissions for second time.

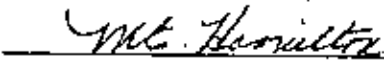
The Chair called for further submissions for a third and final time.

There being no further submissions, the Chair adjourned the Hearing at 7:40 PM.

  
\_\_\_\_\_  
Christina Thomas, Senior Planner  
Recording Secretary

  
\_\_\_\_\_  
Director David Bartram, Chair  
Electoral Area H

  
\_\_\_\_\_  
Director Larry McNabb, Chair  
City of Nanaimo

  
\_\_\_\_\_  
Director Elaine Hamilton, Chair  
Electoral Area C

Summary of Proceedings for the Public Hearing on  
"Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002"  
Page 6

**APPENDIX A**  
**WRITTEN SUBMISSIONS TO PUBLIC HEARING ON**  
**REGIONAL DISTRICT OF NANAIMO REGIONAL GROWTH STRATEGY BYLAW NO. 1309**



P.O. Box 149, 3350 Spitfire Road  
Cassidy, BC, V0R 1H0  
Tel: (250) 245-4191 • Fax: (250) 245-4308  
web site: [www.nanaimo-airport.com](http://www.nanaimo-airport.com)  
email: [apm@nanaimo-airport.com](mailto:apm@nanaimo-airport.com)

April 20, 2003

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

Ladies and Gentlemen:

**Re: Bylaw No. 1309 Regional Growth Strategy**

This submission, which provides the Nanaimo Airport Commission's comments with respect to the proposed new Regional Growth Strategy, is presented as part of the public hearing process on Bylaw 1309.

While the Commission is supportive of the overall thrust of the Growth Strategy it is very concerned that the implementation of the Strategy, without amendment, would be very prejudicial to the long-term development of Nanaimo Airport.

Nanaimo Airport is the key regional airport serving mid Vancouver Island and has a service area extending from south of Mill Bay to north of Qualicum Beach. The Airport is the only airport north of Victoria that has been able to retain an Air Canada service. The Airport is owned and operated by the Nanaimo Airport Commission, a not-for-profit authority which acts in the best interests of all residents and businesses in the central Vancouver Island area. The Airport receives no funding from any level of government, apart from some very specific grants from Transport Canada which are directly related to safety matters. As a result, any moneys required by the Airport Commission for major capital projects such as an instrument landing system, runway extension or terminal building expansion must be raised by the Commission itself.

The basis of the Commission's concern with the proposed Regional Growth Strategy is that the Strategy does not acknowledge the uniqueness of Nanaimo Airport as a key regional transportation facility nor the full development potential of the lands managed by the Airport Commission. Specifically, the Airport is viewed very much as an industrial area with further restrictions being set out in the Electoral Area 'A' Official Community Plan which limit land uses on Airport property to those which are directly "aviation related". Based on our reading of the Growth Strategy document and on our discussions with your staff, we are given to understand that this situation would continue to prevail were the Growth Strategy to be approved in its present form.



Summary of Proceedings for the Public Hearing on  
"Regional District of Nanaimo Regional Growth Strategy Bylaw No.1309, 2002"  
Page 7

The Commission is in the process of finalizing the Airport's first Master Plan which is intended to guide the development of the Airport over the next twenty years. One of the key recommendations made by our planning consultant is that the policies of the Official Community Plan dealing with the Airport be amended to permit a broader range of uses more in keeping with those considered by Transport Canada as being "airport compatible". It is the Commission's intention to pursue this recommendation with the Regional District of Nanaimo later this year once our Master Plan has been finalized. Our objective in this regard is to provide a basis for a high quality industrial/business park on our landside property, much as has happened in other regional airports throughout the rest of Canada. This would enable us to attract a wide range of uses that are appropriate at an airport, including services such as a hotel, offices and other commercial/industrial development. Not only does development of this nature represent the highest and best use for lands forming part of a regionally significant airport but the lease revenues generated from such development are critical if the Commission is to finance the major capital projects that our Master Plan has identified as being required in the coming years. These capital improvements are essential if the Nanaimo region is to remain economically competitive in the Vancouver Island context.

The Nanaimo Airport Commission would respectfully request that the Regional District of Nanaimo amend its proposed Growth Management Strategy to acknowledge Nanaimo Airport as a regionally significant transport node and to include policies in the Strategy that would allow the Commission to attract the full range of land uses considered by Transport Canada as being "airport compatible". We believe that an amendment of this nature would be consistent with other goals and policies in the Growth Strategy, particularly those dealing with Improved Mobility and the maintenance of a Vibrant and Sustainable Economy. For its part, the Nanaimo Airport Commission will ensure that development that takes place on Airport property, particularly that adjacent to the Trans Canada Highway, incorporates high design standards and is a fitting addition to our growing region.

Thank you very much for providing this opportunity to bring our serious concerns to your attention.

Yours truly,

  
Brian Smith  
Chairman  
Nanaimo Airport Commission

Summary of Proceedings for the Public Hearing on  
"Regional District of Nanaimo Regional Growth Strategy Bylaw No.1309, 2002"  
Page 8



Oceanside Development & Construction Association  
P.O. Box 638, Parksville, BC V9P 2G7  
E-mail: odca@island.net

April 29, 2003

Board of Directors  
Regional District of Nanaimo  
6300 Hammond Bay Rd.  
Nanaimo, BC V9T 6N2

Dear Regional Board of Directors,

**RE: Regional Growth Strategy Bylaw No. 1309**

Our Association has the following comments:

1. We commend you on revisions to reduce the document in volume to 30 pages.
2. We support the policy regarding Agricultural Land Reserve exclusion applications.
3. Given the length of time this review has taken and the complexity of it, we feel that the public should have been given more than 1 week between the Public Information Session and the Public Hearing to study the revised Bylaw.
4. ODCA is very concerned that the projections for housing types are weighted far too heavily in favour of condominiums and apartments. Respondents to a Chamber of Commerce poll of families moving to the Parksville - Qualicum area show approximately 76% desire single-family homes, 18% desire condominiums and 6% desire apartments. Lands presently designated for single-family housing may be quickly consumed. The result will be an increased demand for single family housing in the rural areas (since it will not be available in the nodal areas), which is a contradiction to the goal of controlling urban sprawl. Otherwise, potential new residents will simply move to another area seriously impacting the economic base of our communities.

We recommend the deletion of the hard and fast Urban Containment Boundaries from the RGS. Permit the OCP's to develop containment boundaries with the flexibility to adjust for the demand of the various housing types.

5. The RGS designates several village nodes, such as Hilliers, Errington, Coombs, Bowser, Qualicum Bay and Dunsmuir. There appears to be little consideration of how these areas could possibly develop, since a node must be fully serviced before it

Summary of Proceedings for the Public Hearing on  
"Regional District of Nanaimo Regional Growth Strategy Bylaw No.1309, 2002"  
Page 9

can evolve with the housing types and densities envisioned. Without the provision for a major residential development in these areas, the high costs of bringing sewer to these remote areas may preclude them from ever developing into functional nodes.

If it is the intention to develop these areas into functional nodes, consider the opportunity to have a major residential development as part of these areas to provide the required capital for services. Again, this can only happen if the RGS has flexible containment boundaries to permit the local OCP to consider such a development.

6. Section 850 (2) (b) of the Local Government Act states "A Regional Growth Strategy... must include the following:  
b) population and employment projections of the period covered by the Regional Growth Strategy".

We do not see employment projections in this Bylaw.

7. We support Policy 6B. The municipalities of Qualicum Beach and Parksville, as well as the RDN Electoral Areas E, F, G & H are surrounded by communities and Regional Districts that employ an Economic Development Officer. We suggest Qualicum Beach, Parksville and RDN jointly provide an Economic Development Officer for this area.

The members of the Oceanside Development & Construction Association are a key component to the economic prosperity of our Oceanside area. We encourage the Board to adopt a Bylaw that will permit flexibility to capitalize on opportunities while protecting the environment and the investment of our residents.

Sincerely,



Manley Lafoy  
President

Rob Hill  
Past President

Michelle Jones  
Secretary/Treasurer

Helen Sims  
RDN Committee

Summary of Proceedings for the Public Hearing on  
"Regional District of Nanaimo Regional Growth Strategy Bylaw No.1309, 2002"  
Page 10

I

April 30, 2003

Public Hearing

**TO THE REGIONAL DISTRICT OF NANAIMO  
BOARD OF DIRECTORS**

**Re: Regional District of Nanaimo Regional Growth Strategy  
Bylaw No. 1309, 2002**

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**BRIEF**

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Presented by the

**FRENCH CREEK RESIDENTS' ASSOCIATION  
BOARD OF DIRECTORS  
1596 MARINE CIRCLE  
PARKSVILLE, BC, V9P 1Y7  
TELEPHONE: 250 752 8430**

**PAGE**

**3/4**

April 30, 2003

Public Hearing

**TO THE REGIONAL DISTRICT OF NANAIMO  
BOARD OF DIRECTORS**

**Re: Regional District of Nanaimo Regional Growth Strategy  
Bylaw 1309, 2002**

**BRIEF**

Nature of Proceedings

1. Regional District of Nanaimo Regional Growth Management Plan Bylaw No. 985.01, 1999 to be repealed.
2. Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002 given 1<sup>st</sup> and 2<sup>nd</sup> reading prior to Public Hearing.
3. Public information meeting held April 23 and 24, 2003.
4. Public Hearing April 29 and 30, 2003.
5. RDN Staff has recommended that after the Public Hearing on Bylaw 1309, the Bylaw will be referred to the member Municipalities and adjacent regional districts for consideration of acceptance. Once the parties have accepted the Bylaw, the Board may consider it for 3<sup>rd</sup> reading and adoption

Position of the Board of the French Creek Residents Association (FCRA)

It is noted that this procedure is not a review of Regional Growth Management Plan Bylaw No. 985.01, 1999 but a replacement of the Bylaw with Regional Growth Strategy Bylaw No. 1309, 2002. It appears unseemly, to the FCRA Board, that Bylaw No. 985.01, 1999, a Bylaw adopted for a proposed 25 years, should be repealed in 3 years. It also appears perplexing to the FCRA Board, that Bylaw No. 985.01 could be dwindled down from 111 text pages to 23 text pages in Bylaw No. 1309 and still carry the same intent. The removal of 79.3 % of the text of a Bylaw is a major undertaking, especially when a line by line comparison can not be performed.

There are two major issues that you as a Board of Directors of the RDN must address, which were not addressed in either the RGMP Bylaw 985.01 or RGS Bylaw 1309 and those issues are;

1. The ability of the Area to supply sufficient sustainable drinkable, domestic and fire protection water for the population and industry predicted and to protect the sources of supply.

3

2. **The ability of the Area to supply sufficient healthcare workers, equipment, hospital beds and senior long-term-care facilities for the population and industry predicted.**

Although the FCRA Board of Directors has repeatedly asked for a close examination of these two issues as they are intrinsically locked together with the well being, protection and lifestyle of the existing and predicted population the RDN Staff has refused to do so leaving two serious health and safety issues unresolved.

This Bylaw should be, primarily, a document with the clearly defined purpose to protect and enhance the quality of life and lifestyle of the people to carry out their daily lives in this area. It should provide for all the necessary safeguards needed to make this a better place in which to live and attract people to come here to visit and to live.

Water alone has received unprecedented attention through legislation enacted by both the Federal and Provincial Governments over the past 2 years. Even you have adopted drinking water protection initiatives, yet policies on water and healthcare are conspicuous by their absence from this document.

The elected members of the Board of Directors of the Regional District of Nanaimo are charged with the responsibility to protect, defend and support the residents of the Regional District and to that end we respectfully request that the Board of Directors have the Staff of the RDN re-evaluate the proposed Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002 in light of the issues the FCRA Board has presented.

Respectfully Submitted by the

French Creek Residents' Association  
Board of Directors

Per:

  
Thomas McArthur, President

Summary of Proceedings for the Public Hearing on  
"Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002"  
Page 13

1

April 30, 2003

Public Hearing

**TO THE REGIONAL DISTRICT OF NANAIMO  
BOARD OF DIRECTORS**

**Re: Regional District of Nanaimo Regional Growth Strategy  
Bylaw No. 1309, 2002**

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**BRIEF**

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**Presented by the**

**ARROWSMITH WATERSHEDS COALITION SOCIETY**

**C/O 1266 JUKES PALCE  
PARKSVILLE, BC, V9P 1W5  
TELEPHONE: 250 752 4579**

**PAGE**

**89**

April 30, 2003

Public Hearing

**TO THE REGIONAL DISTRICT OF NANAIMO  
BOARD OF DIRECTORS**

**Re: Regional District of Nanaimo Regional Growth Strategy  
Bylaw 1309, 2002**

**BRIEF**

**Nature of Proceedings**

1. **Regional District of Nanaimo Regional Growth Management Plan Bylaw No. 985.01, 1999 to be repealed.**
2. **Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002 given 1<sup>st</sup> and 2<sup>nd</sup> reading prior to Public Hearing.**
3. **Public information meeting held April 23 and 24, 2003.**
4. **Public Hearing April 29 and 30, 2003.**
5. **RDN Staff has recommended that after the Public Hearing on Bylaw 1309, the Bylaw will be referred to the member Municipalities and adjacent regional districts for consideration of acceptance. Once the parties have accepted the Bylaw, the Board may consider it for 3<sup>rd</sup> reading and adoption**

**Comments from Arrowsmith Watersheds Coalition Society (AWCS)**

The AWCS appreciates the opportunity to comment on the Regional Growth Strategy. We are dismayed that after only a few years of existence it was found necessary to revisit the Growth Management Plan, a plan that was intended to guide development and growth in our community for a period of 20 to 25 years. Are we to believe that the Growth Plan was a big mistake or is there an ulterior motive for revising it so soon?

Secondly, we are very disturbed that a document of over 100 pages has now been distilled down to approximately 25 pages. What has been left out?

Those of us with experience in negotiating revisions to contracts are accustomed to seeing comparison charts. The parties considering the revisions often find it useful to show in columnar format the old and new wording, the deletions and the additions. Why are we, the ultimate judges of legislation, expected to search the new document to find the "Easter eggs" or the "land mines"?



Summary of Proceedings for the Public Hearing on  
"Regional District of Nanaimo Regional Growth Strategy Bylaw No.1309, 2002"  
Page 15

3

The AWCS wants to focus on Goal 4 Environmental Protection and Goal 7 Efficient Services. We will limit our comments to only a couple of specifics but our views might also apply to the approach used in constructing the other goals.

First of all, with respect to these and other goals we are mystified as to how this document rates consideration as a bylaw. It would be our belief as laymen that bylaws set down enforceable requirements. Why then is the document liberally peppered with words like "encourage", "consider" and "may" – and virtually devoid of the word "shall".

Let us look at two examples. Policy 4D states "the RDN and member municipalities encourage the federal and provincial governments to support development and implementation of measures to protect streams and streamside areas". Minister Joyce Murray told us at a meeting on January 20, 2003 that the regional districts have all the powers needed from the Local Government Act to protect watercourses. If senior governments are reluctant to provide assistance maybe it could be due to the number of variances granted by the regional boards with respect to their own development and building bylaws.

An examination of Goal 7D is also instructive. We have been involved with an appeal of a sewage disposal permit in the new Church Road industrial area. Four parties, including the RDN participated in the appeal. Even in the face of the existing concern over what could happen in a newly created industrial park, the strongest language this bylaw could muster is "...the RDN and member municipalities MAY support the provision of services....". There is no suggestion as to what specific services are to be provided.

We humbly request that the RDN Board of Directors request the Staff to rewrite the document so that it reads like an instruction, specification or contract rather than a plea. We would also ask that when the bylaw is resubmitted it be accompanied by a comparison chart so that we can easily see what has been changed, deleted and added.

Respectfully submitted on behalf of  
Arrowsmith Watersheds Coalition Society

Per. Michael C. Jessen, P.Eng. Director

PAGE  
41

Summary of Proceedings for the Public Hearing on  
"Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002"  
Page 16

2780 Powder Point Road  
Nanoose Bay, BC  
V9P 9E9  
April 29, 2003

Mr. K. Daniels and RDN Staff  
The Regional District of Nanaimo  
6300 Hammond Bay Rd.  
Nanaimo, BC  
V9T 6N2

Dear Mr. Daniels and RDN Staff,

We would like to take this opportunity to once again request that the RDN re-examine the Official Community Plan regarding the future plans for sewer and our property at 2780 Powder Point Road.

The RDN's recent decision to "fast-track" discussion of the development of the Englishman River property owned by the Texada Land Corporation, as well as your attempts to develop parts of the Notch last year, lead us to believe that the OCP can be revised when corporations or companies with larger budgets than ours request modifications. We understand that much of the company that owns Fairwinds is in fact owned by the Ontario Teachers' Pension Plan. The Texada Land Corporation is not a local company either. But when Nanoose Bay residents ask you to review your decision or provide the rationale, we are told that it doesn't fit the community's plan allow us to develop four lots. As we indicated earlier, when we visited the RDN office to examine the plan for our neighbourhood several years ago, the clerk said our house was included in the plans to receive sewer service in the future. We were never notified of your plans to change that decision, or we would have been far more involved in the initial drafts of the Nanoose OCP and GMP.

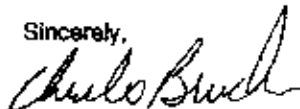
We believe that Nanoose needs affordable lots for young families. Our school has declining enrollment, in part due to the prohibitive cost of lots in our area. There are perhaps a dozen or so residents in similar positions to ours, who live in residential neighbourhoods serviced by water and roads at the present time. It makes sense that we be allowed to "in-fill" existing land before large corporations are allowed to develop forested lands.

My wife and I have submitted our suggestions for change when the RDN asked for input for the Growth Management Plan. We spent hours studying the GMP, attending meetings and submitting our ideas. The RDN's position continues to baffle us. We believe we should be able enjoy the same standard of usage as our neighbours on Powder Point, Ashcraft and the rest of the Garry Oaks subdivision.

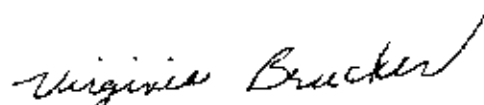
We cannot help but feel that there is one set of rules for large developers and another for small landowners like us who have lived here for many years contributing to our community. We cannot understand why the RDN is willing to revise the OCP and Growth Management Plan at the request of large developers, but fails to respond with meaningful dialogue to our own modest requests.

Thank you for considering this matter again. We look forward to your response.

Sincerely,



Charles Brucker



Virginia Brucker

Copies to: Nanoose Property Owners Association, All of the RDN Directors  
Paulline Bibbey

Summary of Proceedings for the Public Hearing on  
"Regional District of Nanaimo Regional Growth Strategy Bylaw No.1309, 2002"  
Page 17

04/30/2003 16:36 FAX 250 488 9840

FAIRWINDS

\* RDN - PLANNING

002

Dave Scott  
6898 Harwood Drive  
Lantzville, B.C.  
V0R 2H0

April 30, 2002

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

Attention: Board of Directors

**Re: Bylaw 1309 - Regional Growth Strategy**

First, I would like to commend the Board and RDN Staff on what I believe is a much more workable document than the existing Regional Growth Management Plan (RGMP). The new plan is much more concise and appears to allow for more flexibility in land use.

Secondly, I still have concerns regarding the lack of proposed Industrial Land within the plan. This area of the plan still needs a significant amount of work. As previously presented to the Board, I believe that a significant Industrial Park of 200-500 acres should be created near the intersection of the Island Highway and the Duke Point Exit. This particular location would have minimal impact on residential development (no land use conflicts) and has excellent access to transportation routes. The site has good access to the Airport, Highways, Rail, Ferries, Deep Sea Dock and Container Facilities. The site would allow some industry that usually requires waterfront sites, the opportunity to not use valuable waterfront as there would be excellent access to the water provided by the Duke Point Connector.

The RGMP is primarily a land use document that indicates through policies, how our area should develop. The plan appears to concentrate more on where residential development will and commercial growth will take place. I believe that there is not enough emphasis in the plan put on Primary Industry. In conjunction with the plan, an economic strategy on Industry, Manufacturing and Distribution needs to be developed to determine the appropriate amount, location and servicing requirements of this type of use. The strategy needs to determine what type (in a broad sense) of Industry we want to attract and how can government and the private sector create an environment that meets the need of those Industries.

In summary, I believe that for Primary Industry there is not sufficient land designated in appropriate locations and that an Economic Strategy needs to be developed in conjunction with the RGMP to attract Primary Industry to the area.

Yours truly,



Dave Scott

PAGE  
43

**ATTACHMENTS 2 - 7**  
**LETTERS OF SUPPORT FROM THE THREE MEMBER MUNICIPALITIES**  
**AND THE THREE ADJACENT REGIONAL DISTRICTS**



# CITY OF NANAIMO

VANCOUVER ISLAND • BRITISH COLUMBIA

2003-May-28

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

File: 0470-30-R01-05

Attention: Christina Thomas

SUBJECT: GROWTH MANAGEMENT PLAN BYLAW NO. 1309

At the Council meeting of 2003-May-26, Council approved a resolution to support the proposed amendment to the Regional Growth Management Plan Bylaw No. 1309.

Sincerely,

Sharon Fletcher, Manager  
Community Planning

po Jim Bowden, Sr. Manager, Corporate Administration

g:\commplan\mgr\rdn\gmplb\approve 1309



## City of PARKSVILLE

PO Box 1390, 100 E. Jensen Avenue, Parksville, BC, V9P 2H3  
Telephone: (250) 248-6144 Fax: (250) 248-6650  
www.city.parksville.bc.ca

May 8, 2003

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

Attention: Director Joe Stanhope, Chair, RDN Board.

Dear Director Stanhope:

Re: Regional Growth Strategy Bylaw 1309 Formal Referral.

At the regular meeting of Council held on Monday, May 5, 2003, the Regional Growth Strategy Bylaw No. 1309 formal referral was considered and, in this regard, the following resolution was passed:

03-150      That the report from the Director of Community Planning, dated April 28, 2003 entitled "Regional Growth Strategy Review" and the correspondence from the Regional District of Nanaimo, dated May 1, 2003, be received;  
And That the Regional District of Nanaimo be advised Council accepts the "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309".

Yours very truly,

A handwritten signature in cursive script that reads "Shirley E. Hine".

SHIRLEY E. HINE, CMC  
Director of Administrative Services

:dbm

PAGE  
44



**TOWN OF QUALICUM BEACH**  
INCORPORATED 1982

201 - 660 Primrose St.  
P.O. Box 130  
Qualicum Beach, B.C.  
V9K 1S7

Telephone: (250) 752-6921  
FAX: (250) 752-1243  
E-mail: qtown@qualicumbeach.com  
Website: www.qualicumbeach.com

June 2, 2003

Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC V9T 8N2

**Attention: Florence McFarlane**

Dear Ms. McFarlane

**Re: Regional Services Review**

Further to our telephone conversation of this morning, and your request, please be advised of the following motion ratified by Council at the May 28, 2003 Committee of the Whole Meeting.

**MOVED** Councillor Avis, **SECONDED** Councillor Tanner that Council accept the "Regional District of Nanaimo Growth Strategy Bylaw No. 1309", but recommend that in order to portray the appropriate message in regard to the general philosophy of the Bylaw and in keeping with the name of the current Bylaw, the title be changed to "Regional District of Nanaimo Growth Management Bylaw No. 1309".

**CARRIED**

As discussed, Paul Butler, Director of Planning for the Town of Qualicum Beach, may have additional information he wishes to be brought forward at the Board meeting. However, as Paul is not available today and as you require the above motion today, please contact Paul prior to the Board meeting.

Yours truly

**S.J. (Sandra) Keddy**  
Corporate Administrator  
Town of Qualicum Beach

File: 6530-80  
C PTB  
F: Letter#03/rdn.sjk



**ALBERNI-CLAYOQUOT  
REGIONAL DISTRICT**

3008 Fifth Avenue, Port Alberni, B.C. CANADA V9Y 2E3 Telephone (250) 720-2700 FAX: (250) 723-1327

May 29, 2003


Christina Thomas  
Nanaimo Regional District  
6300 Hammond Bay Road  
Nanaimo, B.C.  
V9T 6B2

**Re: Regional Growth Strategy Bylaw 1309 Formal Referral**

Dear Ms. Thomas:

The Alberni-Clayoquot Regional District Board met on May 28, 2003 and reviewed your formal referral on the Regional Growth Strategy Bylaw 1309. The Board passed a resolution accepting the Regional District of Nanaimo Growth Strategy.

Yours truly,



Mike Irg  
Planner





June 2/03

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

Attention: Neil Connelly

Dear Neil Connelly:

Please be advised that, at its regular meeting of May 28, 2003, the Regional Board made the following resolution:

*"That the Nanaimo Regional District be advised that the CVRD accepts the Nanaimo Regional District Growth Strategy Bylaw No. 1309."*

If you require further clarification, do not hesitate to contact the undersigned, at your convenience.

Yours truly,

Catherine Johnnie  
Long Range Planner  
Development Services Department

CJ/akt

---

COWICHAN VALLEY REGIONAL DISTRICT



MAILING ADDRESS  
137 Evans Street  
Duncan, BC  
V9L 1P5

ADMINISTRATION  
Phone: (250) 748-2500  
Fax: (250) 748-2412  
Email: [cvr@cvrd.bc.ca](mailto:cvr@cvrd.bc.ca)

DEVELOPMENT SERVICES  
Phone: (250) 748-2830  
Fax: (250) 748-4136  
Email: [dev@cvrd.bc.ca](mailto:dev@cvrd.bc.ca)

ENGINEERING SERVICES  
Phone: (250) 748-2830  
Fax: (250) 748-6879  
Email: [es@cvrd.bc.ca](mailto:es@cvrd.bc.ca)

TOLL FREE  
1-800-665-3995  
WEBSITE  
[www.cvr.bc.ca](http://www.cvr.bc.ca)

PAGE  
49

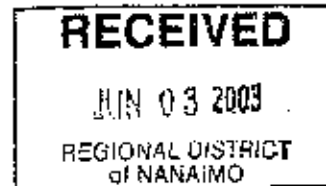


**Comox-Strathcona**

**Community Planning Services**  
**LAND USE AND ENVIRONMENTAL PLANNING**

May 30, 2003

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



Attn: Christina Thomas

*Christina*  
Dear Ms. Thomas:

**Re: RDN Regional Growth Strategy**

This letter is to advise you that the Board of the Regional District of Comox-Strathcona adopted the following motion at their May 26, 2003 regarding the Regional District of Nanaimo Regional Growth Strategy.

*THAT the Regional District of Nanaimo be advised that the Regional District of Comox-Strathcona's interests are unaffected by the proposed amendments to the Regional District of Nanaimo's Growth Management Plan.*

Should you have any questions regarding above please do not hesitate to contact me.

Your truly,

Rob Milne  
Planner

g:\planning\letters\rob\administrative\nanaimo.gms.doc

600 Comox Road, Courtenay, BC V9N 3P6  
Telephone (250) 334-6000 • Fax (250) 334-8156  
Toll Free in Area Code (250) 1-800-331-6007  
e-mail: [planning@rdcs.bc.ca](mailto:planning@rdcs.bc.ca)  
[www.rdcs.bc.ca](http://www.rdcs.bc.ca)

**PAGE**  
**50**

**Regional District of Nanaimo**

**Bylaw No. 1309**

**A Bylaw to Adopt a Regional Growth Strategy  
for the Regional District of Nanaimo**

**WHEREAS** the Local Government Act provides for a regional district to undertake the development, adoption, implementation, monitoring and review of a regional growth strategy under Part 25,

**AND WHEREAS** a review of "Regional District of Nanaimo Growth Management Plan Bylaw No. 985.01, 1999" was initiated by resolution, pursuant to Part 25, section 854 of the Local Government Act;

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

1. "Regional District of Nanaimo Growth Management Plan Bylaw No. 985.01, 1999" is hereby repealed.
2. Schedule "A" attached to and forming part of this Bylaw is hereby designated as the "Regional Growth Strategy for the Regional District of Nanaimo".
3. This Bylaw may be cited as "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002".

The regional growth strategy bylaw was introduced and read two times the 9<sup>th</sup> day of **July, 2002**.

First and second reading was rescinded and the bylaw was amended on the 13<sup>th</sup> day of **August, 2002**.

The regional growth strategy bylaw was read two times as amended on the 13<sup>th</sup> of **August, 2002**.

The Board conducted a public hearing on the regional growth strategy bylaw on the 11<sup>th</sup> and 12<sup>th</sup> days of **September, 2002**.

The regional growth strategy bylaw was accepted, by resolution, by the City of Nanaimo Council on the 7<sup>th</sup> day of **October, 2002**, the Comox Strathcona Regional District Board on the 30<sup>th</sup> day of **September, 2002**, the Alberni-Clayquot Regional District Board on the 2<sup>nd</sup> day of **October, 2002**, and the Cowichan Valley Regional District Board on the 9<sup>th</sup> day of **October, 2002**. The City of Parksville refused the regional growth strategy bylaw on the 7<sup>th</sup> of **October, 2002**, and the Town of Qualicum Beach considered the bylaw on the 7<sup>th</sup> and 21<sup>st</sup> days of **October, 2002**, but did not accept or refuse the bylaw.

First and second reading was rescinded on the 8<sup>th</sup> day of **October, 2002**.

The regional growth strategy bylaw was amended and read two times on the 8<sup>th</sup> day of **April, 2003**.

The Board conducted a public hearing on the regional growth strategy bylaw on the 29th and 30th days of April, 2003.

The regional growth strategy bylaw was accepted, by resolution, by the City of Nanaimo Council on the 26th day of May, 2003, the City of Parksville Council on the 5th day of May, 2003, the Town of Qualicum Council on the \_\_\_ day of \_\_\_, \_\_\_, the Comox-Strathcona Regional District Board on the 26th day of May, 2003, the Alberni-Clayoquot Regional District Board on the 28th day of May, 2003, and the Cowichan Valley Regional District Board on the 28th day of May, 2003.

Read a third time this \_\_\_ day of \_\_\_, \_\_\_.

Adopted this \_\_\_ day of \_\_\_, \_\_\_.

---

CHAIRPERSON

---

GENERAL MANAGER, CORPORATE SERVICES

THOMSON  
62

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**TO:** Robert Lapham  
General Manager, Development Services

**DATE:** May 30, 2003

**FROM:** Susan Cormie  
Senior Planner

**FILE:** 6480 00 0304

**SUBJECT:** Amendment Bylaws No. 814.98 & 500.291 / Michael Rosen & Associates, on behalf of Englishman River Land Holdings Ltd.  
Electoral Area 'G' - Kaye Road

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**PURPOSE**

To consider the "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.08, 2003" and "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.291, 2003" for adoption.

**BACKGROUND**

Bylaws No. 814.08, 2003 and 500.291, 2003 were introduced and given 1<sup>st</sup> and 2<sup>nd</sup> reading on April 8, 2003 and forwarded to public hearing. The corresponding public hearing was held on May 1, 2003. The Board granted 3rd reading for these bylaws on May 13, 2003 and referred the OCP Amendment Bylaw No. 814.08, 2003 to the Ministry of Community, Aboriginal and Women's Services and the Zoning Amendment Bylaw No. 500.291, 2003 to the Ministry of Transportation for consideration of approval.

This amendment application was submitted, on behalf of Englishman River Land Holdings Ltd., to amend the official community plan and the land use from Resource Management 1 Subdivision District 'B' (RM1B) to Comprehensive Development 14 (CD14) for the purposes of developing the Remainder of Block 564, Nanoose District as a rural residential development comprised of 158 parcels a minimum of 1.0 ha in size and providing approximately 21.4 ha of land for regional park purposes. Areas proposed for regional park purposes includes the Craig Creek corridor that crosses the south portion of the property, a greenway and unnamed wetland corridor providing connections between the Craig Creek Corridor and the Englishman River, and those lands adjacent to the Island Highway corridor (*see Attachment No. 1 for location of property*).

In addition, the applicant has entered into an agreement with The Nature Trust of British Columbia to transfer approximately 92.1 ha of the entire subject property to the Trust. These lands include the Englishman River Valley, lands located adjacent to the Island Highway, and lands adjacent to and including Craig Creek located in the north area of the Remainder of Block 564.

**ALTERNATIVES**

1. To adopt "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.08, 2003" and "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.291, 2003".
2. To not adopt Bylaws No. 814.08, 2003 and 500.291, 2003.

## GOVERNMENT AGENCY REFERRALS

Pursuant to the provisions of the *Local Government Act*, Bylaw No. 814.08, 2003 was forwarded to the Intergovernmental Relations and Planning Division of the Ministry of Community, Aboriginal & Women's Services for statutory approval. This approval was granted on May 26, 2003.

As the subject property is within 800 metres of a controlled access intersection pursuant to the *Highway Act*, Bylaw No. 500.291, 2003 was forwarded to the Ministry of Transportation for approval. This approval was granted on May 15, 2003.

## LEGAL IMPLICATIONS

As part of the development proposal, the applicant is in concurrence to meet a number of conditions of development, which are recommended to be secured prior to consideration of adoption of the bylaws. These conditions include the preparation of covenants for securing access to the Englishman River valley, the provision of a community water system and a storm water management system, restrictions on the construction and maintenance of septic disposal systems, protection of steep slopes from development by a geotechnical covenant which includes an indemnity clause, vegetation retention and enhancement areas as well as placing restrictions on land uses and setbacks to watercourses. These covenant documents have now been prepared and the applicant has provided a legal undertaking to register them at Land Title Office, Victoria. It is expected that these documents will be registered by the date of the June Board meeting.

With respect to the Nature Trust lands being transferred as part of this development proposal, the Trust has entered into an agreement with the Regional District which provides for future statutory rights-of-way for access and distribution of domestic water supply and committing to the Regional District's participation on a management committee for the management of the lands and trail development.

## VOTING

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


## SUMMARY

The "Regional District of Nanaimo Englishman River Official Community Plan Bylaw No. 814.08, 2003" and "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.291, 2003" was considered by the Board and given 1<sup>st</sup> and 2<sup>nd</sup> reading on April 8, 2003. Subsequent to that, a public hearing was held on May 1, 2003, and the Board granted 3<sup>rd</sup> reading on May 13, 2003. Approval pursuant to the *Highway Act* was received from the Ministry of Transportation well the Ministry of Community, Aboriginal and Women's Services granted statutory approval to OCP Amendment Bylaw No. 814.08, 2003. The applicant's solicitor has supplied an undertaking to register required covenants at Land Title Office. It is expected that these covenant documents will be registered prior to the June 2003 Board meeting. The Nature Trust has entered into an agreement with the Regional District with respect to providing statutory rights-of-way for access and distribution of the water supply and is committed to the Regional District participating on a management committee for establishing recreational trails in the River Valley. As the conditions of approval have been completed and the approvals from the appropriate referral agencies have been received, these bylaws may now be considered for adoption.

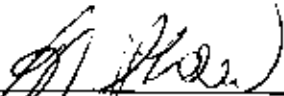
The following recommendations are provided for the Board's consideration.


**RECOMMENDATIONS**

1. That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.08, 2003" be adopted.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.291, 2003" be adopted.

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

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

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

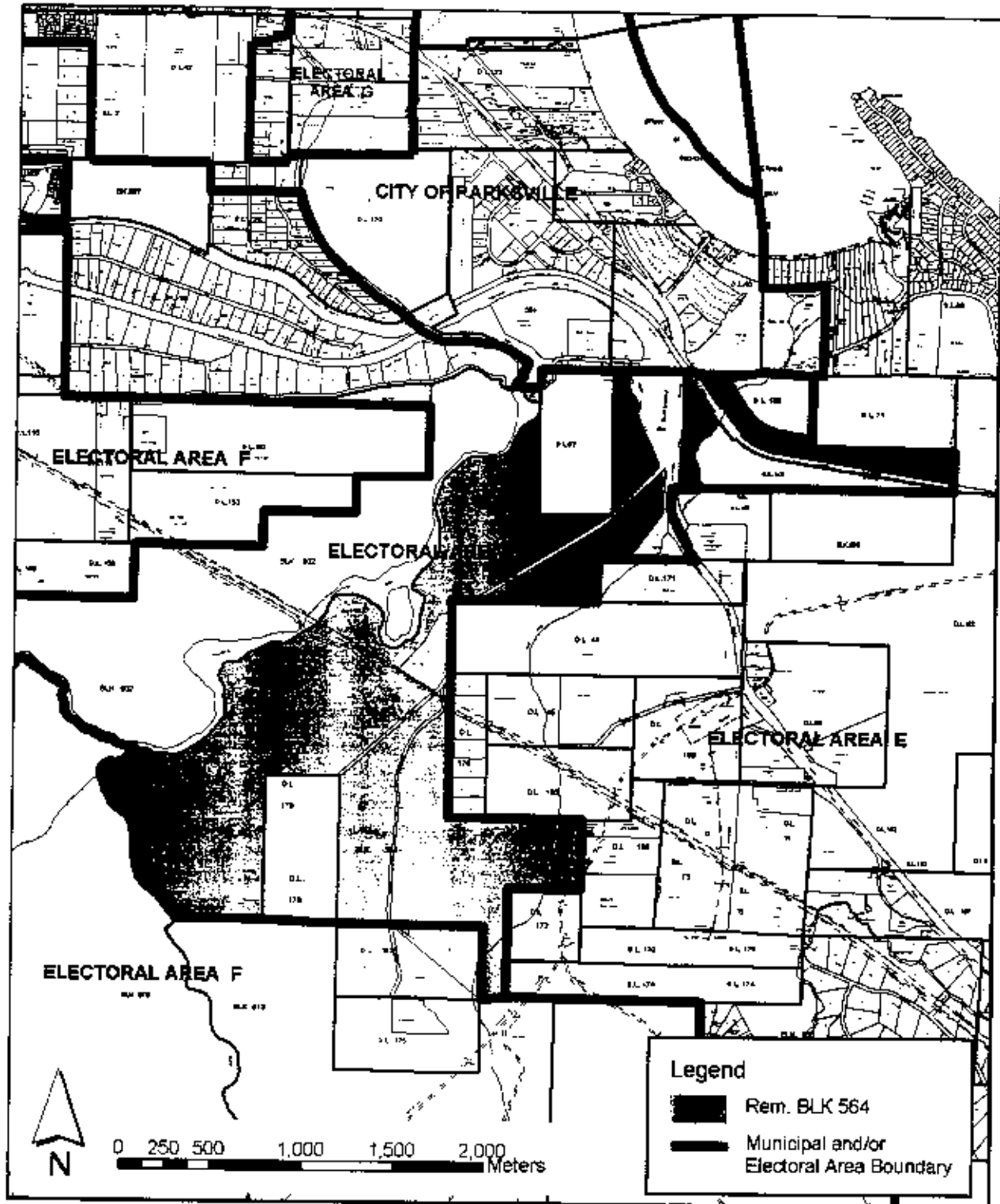
  
\_\_\_\_\_  
CAO Concurrence

**COMMENTS:**

*devsys/reports/2002/6410 0304 ju brd Block 564 OCP 500.291 Adopt*

ATTACHMENT NO. 1

LOCATION OF SUBJECT PROPERTY





---

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

**DATE:** May 30, 2003

**FROM:** Susan Cormie  
Senior Planner

**FILE:** 3320 30 14994

**SUBJECT:** Park Land Exchange Bylaw No. 1333, 2003 - Fern Road Consulting Ltd. on behalf of R. & L. Todsen & McTay Holdings Ltd. Electoral Area 'G' - Off Hawthorne Rise and White Pine Way

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**PURPOSE**

To consider "Regional District of Nanaimo Park Land Exchange Bylaw No. 1333, 2003" for adoption.

**BACKGROUND**

The Board, at its regular meeting held on March 25, 2003, gave 3 readings to the "Regional District of Nanaimo Park Land Exchange Bylaw No. 1333, 2003" and forwarded the bylaw to counter petition (*see Attachment No. 1 for proposed park land exchange*). The counter petition was then advertised in the April 1 and 4, 2003 editions of The News as well as being available on the RDN Web site. The deadline to respond to the petition was established as May 5<sup>th</sup>, 2003.

**ALTERNATIVES**

1. To give "Regional District of Nanaimo Park Land Exchange Bylaw No. 1333, 2003" for adoption.
2. To not adopt "Regional District of Nanaimo Park Land Exchange Bylaw No. 1333, 2003".

**PUBLIC CONSULTATION IMPLICATIONS**

If the counter petition was certified as having been signed by at least 5% of the electors of Area 'G', the local government cannot proceed with the bylaw unless it otherwise receives the assent of the electors. If the counter petition was certified as not having been signed by 5% of the electors, the electors are deemed to have approved the bylaw and the Board may proceed with considering the bylaw for adoption. In this case, no petitions were received during the counter petition process and therefore the Board may now consider the bylaw for adoption.

**VOTING**

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

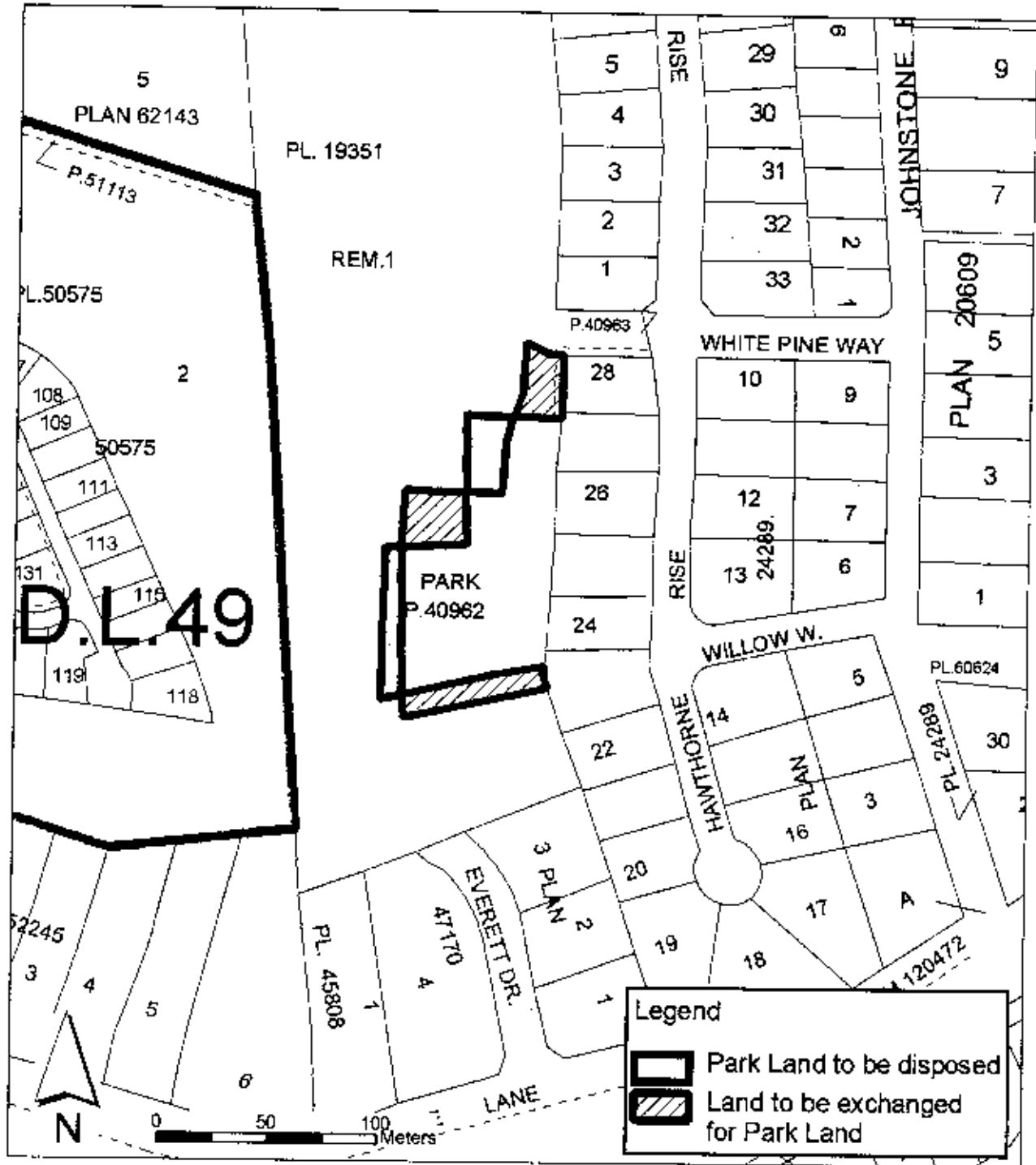
**SUMMARY**

This is a bylaw for a park land exchange in the French Creek area of Electoral Area 'G'. The bylaw was given 3 readings on March 25, 2003 and proceeded to counter petition. As no counter petitions were received by the May 5<sup>th</sup>, 2003 deadline, the bylaw is considered to have the assent of the voters.



ATTACHMENT NO. 1

PARK LAND EXCHANGE BYLAW NO. 1333, 2003



REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE  
MEETING HELD ON TUESDAY, MAY 27, 2003, AT 7:00 PM  
IN THE RDN BOARD CHAMBERS

**Present:**

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

**Also in Attendance:**

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

**LATE DELEGATIONS**

MOVED Director Bibby, SECONDED Director Kreiberg, that Mr. Ken Kyler address the Board as a late delegation.

CARRIED

Mr. Ken Kyler requested that the Board consider amending the French Creek Official Community Plan to allow staff to waive the requirement for development permits for proposals that meet the flood plain and other environmental criteria within the sensitive lands development permit area.

**MINUTES**

MOVED Director Haime, SECONDED Director Bartram, that the minutes of the Electoral Area Planning Committee meeting held April 22, 2003 be adopted.

CARRIED

**PLANNING**

**AMENDMENT APPLICATIONS**

**Zoning Amendment Application No. ZA0305 – Sarkozy – Wembley Road – Area G – Land Use & Subdivision Amendment Bylaw No. 500.293.**

MOVED Director Klee, SECONDED Director Haime, that the summary of the Public Information Meeting on Amendment Application No. 0305, submitted by Fern Road Consulting Ltd. on behalf of Paul Sarkozy be received.

CARRIED

MOVED Director Klee, SECONDED Director Bartram, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.293, 2003” be given 1<sup>st</sup> and 2<sup>nd</sup> reading.

CARRIED

MOVED Director Klee, SECONDED Director Haime, that Amendment Application No. 0305, submitted by Fern Road Consulting Ltd. on behalf of Paul Sarkozy, to rezone the subject property legally described

as Lot B, District Lot 29, Nanoose District, Plan VIP74062, from Residential 1 (RS1) to Residential 2.1 (RS2.1) be advanced to a public hearing subject to the conditions outlined in Schedule No. 1.

CARRIED

MOVED Director Klee, SECONDED Director Bartram, that the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.293, 2003" be delegated to Director Stanhope or his alternate.

CARRIED

#### DEVELOPMENT PERMIT APPLICATIONS

**DP Application No. 60324 – Weldon/Kyler – 796 Miller Road – Area G.**

MOVED Director Klee, SECONDED Director Bartram, that Development Permit No. 60324, submitted by Ken Kyler, BCLS on behalf of Vivian Isabel Weldon to permit the construction of a dwelling unit within a Sensitive Lands Development Permit Area on the property legally described as Lot 28, District Lot 28, Nanoose District, Plan 26472 be approved, subject to the conditions outlined in Schedule No. 1 and 2, and subject to a geotechnical report.

CARRIED

#### DEVELOPMENT VARIANCE PERMIT APPLICATIONS

**DVP Application No. 90310 – Raines – 2424 Ainsley Place – Area E.**

MOVED Director Bibby, SECONDED Director Haime, that Development Variance Permit Application No. 90310, submitted by Fern Road Consulting Ltd. on behalf of Derek Raines and Janet Raines, to facilitate the development of a two storey dwelling unit and vary the maximum permitted dwelling unit height within the Residential 1 zone from 8.0 metres to 9.2 metres for the property legally described as Lot 40, District Lot 78, Nanoose Land District, Plan VIP68559, proceed to public notification as submitted subject to the notification procedures pursuant to the *Local Government Act*.

CARRIED

**DVP Application No. 90311 – Fern Road Consulting Ltd. on behalf of R. & L. Todsen & McTay Holdings Ltd. – Off Hawthorne Rise & White Pine Way – Area G.**

MOVED Director Klee, SECONDED Director Biggemann, that Development Variance Permit Application No. 90311, submitted by Fern Road Consulting on behalf of Richard and Linda Todsen and McTay Holdings Ltd., to relax the minimum setback requirements for proposed Lots 2, 3, and 4 to 9.0 metres horizontal distance from the adjacent watercourse and for proposed Lots 7, 8, 9, and 10 to 6.0 metres horizontal distance from the adjacent watercourse/pond in order to facilitate future building site for these parcels in conjunction with the subdivision of The Remainder of Lot 1, District Lot 49, Nanoose, Plan 19351, be approved subject to Schedules No. 1 and 2 and the notification requirements pursuant to the *Local Government Act*.

CARRIED

**DVP Application No. 90312 & Request for Relaxation of the Minimum 10% Frontage Requirement – K. & B. Sorenson on behalf of Kristoff Enterprises – Hodge's & Lowry's Roads – Area G.**

MOVED Director Klee, SECONDED Director Biggemann, that the request, submitted by K & B Sorenson, on behalf of Kristoff Enterprises to relax the Minimum 10% frontage requirement for the Proposed Remainder of Lot A as shown on the plan of subdivision of Lot A, District Lots 19 & 81, Nanoose District, Plan 13475 and to relax the minimum interior lot line setback requirement from 8.0 metres to 2.5 metres for the accessory building and from 30.0 metres to 23.0 metres for the agricultural

FILED  
MAY 27 2003  
11

building housing livestock, be approved, subject to Schedules No. 1 and the notification requirements pursuant to the *Local Government Act*.

CARRIED

**OTHER**

**Aquaculture - Official Community Plan & Zoning Amendments Issues & Public Consultation Framework.**

MOVED Director Bartram, SECONDED Director Bibby, that the staff report on Aquaculture and potential amendments to Regional District of Nanaimo bylaws be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Bibby, that staff be directed to proceed with the Public Consultation Strategy as outlined in Attachment No. 1, with the addition of Odyssey Shellfish Ltd. to the referral listing, and clarification in the Terms of Reference that potential conflicts might result from land use activities adjacent to aquaculture operations.

CARRIED

**Terms of Reference & Public Consultation Strategy for a 'Finetuning' Exercise for the Electoral Area 'F' Zoning & Subdivision Bylaw No. 1285.**

MOVED Director Biggemann, SECONDED Director Haime, that the staff report on the Electoral Area 'F' Zoning Bylaw Finetuning Project be received.

CARRIED

MOVED Director Biggemann, SECONDED Director Bartram, that Electoral Area 'F' Zoning Bylaw Finetuning Project Terms of Reference and Consultation Strategy (*Attachment No. 1*) be endorsed by the Board.

CARRIED

**ADJOURNMENT**

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

CARRIED

TIME: 7:25 PM

---

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE  
MEETING HELD ON TUESDAY, MAY 27, 2003, AT 7:30 PM  
IN THE RDN BOARD CHAMBERS

**Present:**

Director E. Hamilton Alternate	Chairperson
Director H. Kreiberg	Electoral Area A
Director G. Lund	Electoral Area B
Director D. Haime	Electoral Area D
Director P. Bibby	Electoral Area E
Director L. Biggemann Alternate	Electoral Area F
Director M. Klee	Electoral Area G
Director D. Bartram	Electoral Area H
Director R. Longmuir	City of Parksville
Director T. Westbrook	Town of Qualicum Beach
Director L. Sherry	City of Nanaimo
Director R. Cantelon Alternate	City of Nanaimo
Director D. Brennan	City of Nanaimo
Director G. Korpan Alternate	City of Nanaimo
Director J. Manhas	City of Nanaimo
Director B. Holdom	City of Nanaimo

**Also in Attendance:**

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

The Chief Administration Officer called the meeting to order and requested nominations for Chairperson of this meeting, due to the absence of the Chairperson and the Deputy Chairperson.

**Nomination of Chairperson.**

MOVED Director Bartram, SECONDED Director Haime, that the Committee appoint Director Hamilton to Chair the meeting.

CARRIED

**MINUTES**

MOVED Director Sherry, SECONDED Director Bartram, that the minutes of the special and regular Committee of the Whole meetings held April 22, 2003, be adopted.

CARRIED

PAGE  
1/2

**COMMUNICATIONS/CORRESPONDENCE**

**George Abbott, Minister of Community, Aboriginal & Women's Services, re Board of Variance Appointments.**

MOVED Director Cantelon, SECONDED Director Bibby, that the correspondence re Board of Variance appointments from Minister George Abbott be received.

CARRIED

**COMMUNITY SERVICES**

**Intergovernmental Advisory Committee – District of Lantzville Representation.**

MOVED Director Holdom, SECONDED Director Bartram, that the Regional District of Nanaimo Board invite the District of Lantzville Council to appoint a representative to the Intergovernmental Advisory Committee to represent the District.

CARRIED

**Descanso Bay Wharf Service Bylaw No. 1352.**

MOVED Director Lund, SECONDED Director Westbrook, that the report on the facility proposal for a new wharf function and for emergency medical evacuations for Gabriola Island be received.

CARRIED

MOVED Director Lund, SECONDED Director Sherry, that "Descanso Bay Wharf Service Bylaw No. 1352, 2003", be given 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings and proceed to counter petition pursuant to section 801.3 of the *Local Government Act*.

CARRIED

MOVED Director Lund, SECONDED Director Holdom, that the Counter Petition deadline of July 25, 2003 be established for "Descanso Bay Wharf Service Bylaw No. 1352, 2003".

CARRIED

**RECREATION AND PARKS**

**Terms of Reference for the Descanso Bay Regional Park and Nanaimo River Regional Park Management Plans.**

MOVED Director Sherry, SECONDED Director Kreiberg, that the Terms of Reference for the Descanso Bay Regional Park and Nanaimo River Regional Park Management Plans be approved.

CARRIED

**TRANSIT**

**Pets on Board Program – Conventional Transit.**

MOVED Director Westbrook, SECONDED Director Holdom, that the Master Joint Operating Agreement with BC Transit be amended to allow for Pets-On-Board Program.

CARRIED

MOVED Director Westbrook, SECONDED Director Sherry, that once the agreement was amended the proposed Pets-on-Board Program run for a trial period of six months.

CARRIED

11  
PAGE 2



**CORPORATE SERVICES**

**ADMINISTRATION**

**Application for a Temporary Change to a Liquor Licence – Cassidy Inn – Area A.**

MOVED Director Kreiberg, SECONDED Director Sherry, that the Board has no objection to the Cassidy Inn's request for a temporary change to their Liquor Licence to provide for an extended patio area for their Show 'n Shine event scheduled for June 22, 2003.

CARRIED

**FINANCE**

**Nanoose Bay Bulk Water Supply Security Issuing Bylaw No. 1239.**

MOVED Director Bibby, SECONDED Director Cantelon, that "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1239, 2001" be forwarded to the Municipal Finance Authority to complete the borrowing for the Northwest Bay Road transmission line.

CARRIED

**FIRE DEPARTMENTS**

**Firefighting Vehicle Upgrades for the Nanoose Bay Fire Protection Society.**

MOVED Director Bibby, SECONDED Director Sherry,:

1. That the Regional District of Nanaimo advise the Nanoose Bay Fire Protection Society that the adjustments to its budget for the purposes of upgrades to trucks #12 and #13 are approved.
2. That "Regional District of Nanaimo Financial Plan (2003 to 2008) Amendment Bylaw 1337.01, 2003" be introduced for first three readings.
3. That "Regional District of Nanaimo Financial Plan (2003 to 2008) Amendment Bylaw 1337.01, 2003" having received three readings be adopted.
4. That "Nanoose Fire Protection Function Reserve Fund Expenditure Bylaw No. 1351, 2003" be introduced for first three readings.
5. That "Nanoose Fire Protection Function Reserve Fund Expenditure Bylaw No. 1351, 2003" having received three readings be adopted.

CARRIED

**Coombs Hilliers Fire Protection.**

Director Westbrook requested that discussions be held to determine if the properties surrounding Cameron Lake Resort can be included in the Coombs Hilliers Fire Protection Local Service Area. Director Biggemann noted that discussions were already underway.

**DEVELOPMENT SERVICES**

**Nanaimo Airport Master Plan – Implications for Regional District of Nanaimo – Area A.**

MOVED Director Cantelon, SECONDED Director Manhas,

1. That the staff report on 'Nanaimo Airport Master Plan – Implications for the Regional District of Nanaimo' be received for information.
2. That the Chair of the Board select a Committee to work with Nanaimo Airport Commission to consider issues related to future land use at the Nanaimo Airport and direct staff to prepare amendments to the OCP policy and zoning for the airport lands that will harmonize proposed airport land use and development with the Electoral Area 'A' Official Community Plan and Regional Growth Management policies.

CARRIED

**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.

The Chairperson noted that the filing for 1765 Claudet Road has been withdrawn.

Mr. Pieter Van Western advised the Board that he is continuing to work towards rectifying the building deficiencies.

MOVED Director Cantelon, SECONDED Director Kreiberg, that a notice be filed against the title of Lot 1, Section 1, Range 6, Plan VIP68894, Cedar Land District, 3460 Whiting Way, Electoral Area 'A', owned by Pieter Van Westen, pursuant to Section 700 of the *Local Government Act* and that if the infractions are not rectified within ninety (90) days, legal action may be pursued.

CARRIED

**ENVIRONMENTAL SERVICES**

**LIQUID WASTE**

**Licence Agreement with City of Nanaimo for a Portion of Regional District of Nanaimo Land at Chase River Pumping Station for Trail Network.**

MOVED Director Sherry, SECONDED Director Haime, that the Licence Agreement that permits the City of Nanaimo to use the Regional District of Nanaimo lands at 1174 Island Highway South for extension of the Chase River Park trail network be approved and executed.

CARRIED

**Pump and Haul LSA Amendment Bylaw No. 975.28.**

MOVED Director Sherry, SECONDED Director Bartram, that "Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.28, 2003" be read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

**UTILITIES**

**Rural Streetlighting LSA Boundary Amendment Bylaw No. 791.07.**

MOVED Director Westbrook, SECONDED Director Sherry, that 'Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.07, 2003' be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

**Electoral Area 'A' (MacMillan Road School Site) Sewer LSA Rates & Regulations Amendment Bylaw No. 1237.02.**

MOVED Director, Sherry, SECONDED Director Kreiberg,:

1. That "Electoral Area 'A' (MacMillan Road School Site) Sewer Local Service Area Rates and Regulations Amendment Bylaw No. 1237.02, 2003" be introduced for three readings.
2. That "Electoral Area 'A' (MacMillan Road School Site) Sewer Local Service Area Rates and Regulations Amendment Bylaw No. 1237.02, 2003" having received three readings, be adopted.

CARRIED

**Morningstar Streetlighting LSA Boundary Amendment Bylaw No. 869.04.**

MOVED Director Westbrook, SECONDED Director Klee, that 'Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.04, 2003' be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

**COMMISSION, ADVISORY & SELECT COMMITTEE**

**Electoral Area 'A' Parks & Open Space Advisory Committee.**

MOVED Director Kreiberg, SECONDED Director Korpan, that the minutes of the Electoral Area 'A' Parks & Open Space Advisory Committee meeting held April 17, 2003, be received for information.

CARRIED

**Grants-in-Aid Committee.**

MOVED Director Haime, SECONDED Director Longmuir, that the minutes of the Grants-in-Aid Committee meeting held May 15, 2003 be received for information.

CARRIED

MOVED Director Haime, SECONDED Director Sherry, that the following grants be awarded:

**School District 68:**

Cedar School & Community Enhancement Society	\$	260
1 <sup>st</sup> Lantzville Scouts		2,250
Nanaimo Search & Rescue Society		1,300

CARRIED

11:03 AM  
MAY 27 2003

MOVED Director Bartram, SECONDED Director Longmuir, that the following grants be awarded:

**School District 69:**

District 69 Historical Society	\$	2,500
Forward House Community Society		1,000
Oceanside Community Policing Offices		900
Parksville Special Olympics		200
Vancouver Island Palaeontology Museum Society		1,100

CARRIED

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

MOVED Director Haine, SECONDED Director Westbrook, that the minutes of the Lantzville Parks & Open Space Advisory Committee meetings held March 3 and April 7, 2003, be received for information.

CARRIED

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

MOVED Director Bibby, SECONDED Director Cantelon, that the minutes of the Nanoose Bay Parks & Open Space Advisory Committee meeting held May 8, 2003, be received for information.

CARRIED

MOVED Director Bibby, SECONDED Director Westbrook, that the Guidelines for Regional District Role in Ministry of Transportation Water Accesses in Area 'E' be accepted.

CARRIED

**Regional Waste Advisory Committee.**

MOVED Director Sherry, SECONDED Director Longmuir, that the minutes from the Regional Waste Advisory Committee meetings (previously named Regional Environmental Advisory Committee) held April 24 and May 15, 2003 be received for information.

CARRIED

**Transit Business Plan Update Select Committee.**

MOVED Director Holdom, SECONDED Director Sherry, that the minutes of the Transit Business Plan Update Select Committee meeting held May 15, 2003, be received for information.

CARRIED

**Verbal Reports.**

**Regional Waste Advisory Committee.**

Director Sherry gave a verbal account of his attendance at the Kyoto conference in Regina, and challenged the City of Parksville and the Town of Qualicum Beach to become members in the FCM Partners for Climate Protection Program.

**Vancouver Island Regional Library Board.**

Director Bibby gave an overview of the March meeting to the Committee Members.

**Mt. Arrowsmith Biosphere Foundation.**

Director Bibby gave a verbal report addressing the role of the Mt. Arrowsmith Biosphere Foundation, and referred to the development of their five-year plan.



MAY 30 2003

**MEMORANDUM**

CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	

**TO:** John Finnie, P. Eng.  
General Manager of Environmental Services

**DATE:** May 27, 2003

**FROM:** Carey McIver  
Manager Solid Waste

**FILE:** 5360-43

**SUBJECT:** Landfill Gas Collection System Expansion – Tender Award

**PURPOSE**

To consider the tenders for the construction of a landfill gas collection and flare system at the Regional Landfill.

**BACKGROUND**

In October 2002 the Board accepted a conditional grant of up to 50% of eligible costs from the Federation of Canadian Municipalities (FCM) Green Municipal Funds to expand the landfill gas (LFG) collection system at the Regional Landfill.

On May 16, 2003 the RDN received three bids for the construction of this expanded system. The work involves the installation of 22 new vertical LFG collection wells, a new header system and a new relocated blower/flare station. The collection system will be controlled by a PLC (programmable logic controller), which will monitor critical system parameters such as methane and oxygen concentrations.

The following bidders submitted tenders:

<b>Bidder</b>	<b>Bid Price (excluding GST)</b>
Chew Construction Ltd.	\$764,377.65
JJM Construction Ltd.	\$914,275.00
Chet Construction Ltd.	\$990,725.00

Our consultant has evaluated the tenders and the proper documentation had been verified. The low bidder for the project is Chew Construction Ltd. at a cost of \$764,377.65 exclusive of taxes.

The pre-design estimate for this project was \$815,000.00 which included \$706,450.00 for capital equipment and construction. This estimate was prepared for the FCM grant application submitted in July 2002 and is included in the 2003 annual budget. Based on detailed design work completed in April 2003, the engineer's pre-tender estimate for capital and construction increased to \$727,700.00

The difference between the estimates is due largely to higher oil prices. This has caused a significant increase in the cost of PVC (polyvinyl chloride) and HDPE (high density polyethylene) materials which has resulted in an estimated 10 to 30 percent increase in material costs associated with the vertical well assemblies, HDPE well vaults, HDPE pipe, and the blower/flare station facility.

**ALTERNATIVES**

1. Not award the contract.
2. Award the contract to Chew Construction Ltd. for the tendered price of \$764,377.65 exclusive of taxes.

**FINANCIAL IMPLICATIONS**

The 2003 annual budget for solid waste management includes \$815,000 for design and construction of the expanded LFG collection system. Based on the detailed design and final tender amounts the total cost of the project (exclusive of taxes) has increased as follows:

	Pre-Design Estimate	Final Cost Estimate
Engineering	\$108,550	\$124,130
Capital/Construction	\$706,450	\$764,380
Sub-Total	\$815,000	\$888,510
Contingency	0	\$80,000
Total	\$815,000	\$968,510
FCM Funding (50%)	(\$407,500)	(\$484,255)
RDN Net Cost	\$407,500	\$484,255

The net cost change for the Regional District is \$76,755.00. This difference can be accommodated by reducing the current year's budgeted closure reserve contribution. These changes will not have a material impact on the projections for funding closure costs and staff recommend that the project proceed.

The expanded LFG collection and flare system is a highly technical facility and staff estimates that approximately 0.5 FTE will be required to effectively operate, monitor and maintain the infrastructure.

**CITIZENS/PUBLIC RELATIONS IMPLICATIONS**

Expanding the LFG collection system will provide improvements in odour control to the neighbourhood adjacent to the landfill.

**PAGE**  
 2

**ENVIRONMENTAL IMPLICATIONS**

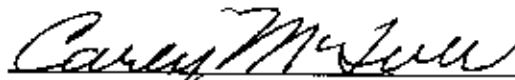
LFG is a harmful greenhouse gas (GHG) when released into the atmosphere. Collection and combustion, prevents a number of adverse effects, such as gas migration, foul odours and the potential for explosion as well as reducing the factors contributing to climate change.

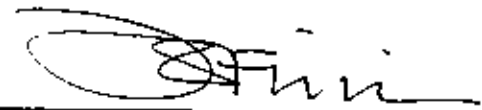
**SUMMARY/CONCLUSIONS**

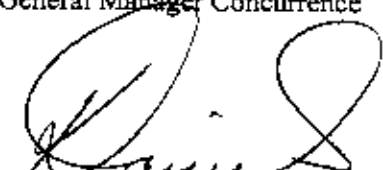
On May 16, 2003 the RDN received three bids for the construction of a landfill gas collection and flare system at the Regional Landfill. The work involves the installation of 22 new vertical LFG collection wells, a new header system and a new relocated blower/flare station. The collection system will be controlled by a PLC (programmable logic controller), which will monitor critical system parameters such as methane and oxygen concentrations. Chew Construction Ltd. submitted the low tender for the amount of \$764,377.65 excluding taxes. Our consultants recommend the award of the project to Chew Construction Ltd. Staff supports this recommendation. There are adequate funds in the 2003 budget for this project.

**RECOMMENDATION**

1. That the Regional District of Nanaimo award the construction of a landfill gas collection and flare system at the Regional Landfill to Chew Construction Ltd. for the tendered amount of \$764,377.65.

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

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

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

COMMENTS:



JUN - 3 2003

**MEMORANDUM**

CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	

**TO:** C. Mason  
General Manager, Corporate Services

**DATE:**

June 3, 2003

**FROM:** M. Pearse  
Manager, Administrative Services

**FILE:**

**SUBJECT:** Results of the Electoral Area 'A' By-Election

**PURPOSE:**

To provide the results of the By-Election held on Saturday, May 31, 2003.

**BACKGROUND:**

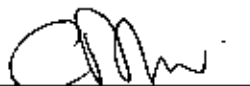
A By-Election was held on Saturday, May 31, 2003 to elect an Area Director for Electoral Area 'A' to fill the vacancy due to the passing of Director Laurence Elliott in February.

The final vote, including advance voting opportunities on May 21 and 28, 2003, resulted in 155 electors (89.6%) voting for Henrik Krieger and 18 electors (10.4%) voting for Patti Grand. A copy of the Official Election Results is attached for your information.

**RECOMMENDATION:**

That the official results of the Electoral Area 'A' By-Election be received for information.

  
Report Writer

  
G.M. Concurrence

  
C.A.O. Concurrence

Attachment

**PAGE**  
13

REGIONAL DISTRICT OF NANAIMO  
DECLARATION OF OFFICIAL ELECTION RESULTS BY VOTING  
ELECTORAL AREA 'A' BY-ELECTION - 2003

Pursuant to s. 136 of the *Local Government Act*, the following official election results are hereby declared:

*Electoral Area A*

DECLARED elected for a term ending December 2005, for receiving the highest number of valid votes for the office of Director – Electoral Area 'A':

Henrik Kreiberg

DATED at Nanaimo, BC, this 3rd day of June, 2003.

  
\_\_\_\_\_  
CHIEF ELECTION OFFICER

Regional District of Nanaimo

Electoral Area A  
 Regional District Director  
 Official Declaration of Results

Voting Place:	Grand, Patti	Kreiberg, Henrik	Total Ballots Cast
Advance Voting Opportunity - RDN Office: May 21/03 & May 28/03	2	4	6
Waterloo School: May 31/03	4	12	
North Cedar Intermediate School: May 31/03	12	139	151
<b>Total Number of Valid Votes Cast</b>	<b>18</b>	<b>155</b>	<b>173</b>
<b>% of Vote</b>	<b>10.4%</b>	<b>89.6%</b>	
<b>Number of Rejected Ballots without objection (blank/overvoted ballots)</b>	<b>0</b>		
<b>Number of Spoiled Ballots that were replaced</b>	<b>0</b>		
<b>Total Number of Ballots Used</b>	<b>173</b>		
<b>Total Number on Voters List (not including Instant Registrations)</b>	<b>3,949</b>		
<b>Instant Registrations</b>	<b>10</b>		
<b>Total Number on Voters List</b>	<b>3,959</b>		
<b>Voter Turnout</b>	<b>4.4%</b>		

This determination of official election results was made by the Chief Election Officer on Tuesday June 3, 2003 at 3:00 pm and is based on ballot accounts as amended or prepared by the Chief Election Officer.



Chief Election Officer



REGIONAL  
DISTRICT  
OF NANAIMO

REGIONAL DISTRICT OF NANAIMO		
JUN - 3 2003		
CHAIR		GMCrS
CAO		GMDS
GMCMS		GMES

MEMORANDUM

TO: K. Daniels  
Chief Administrative Officer

DATE: \_\_\_\_\_

FROM: C. Mason  
General Manager, Corporate Services

FILE: \_\_\_\_\_

SUBJECT: Board Procedure Amendment Bylaw No. 1268.03

June 3, 2003

**PURPOSE:**

To consider an amendment to "Board Procedure Bylaw No. 1268" which would change the commencement time for Regular Board Meetings and also delegate authority to the Chairperson to appoint Board members to Select Committees.

**BACKGROUND:**

At the May 6, 2003 Ideas & Updates Meeting staff were directed to bring forward a report providing options for an earlier start time for Board Meetings and Committee of the Whole Meetings. The Board indicated support for considering a 7:00 p.m. start time for both Board and Committee of the Whole meetings. It was alternatively suggested that only Board meetings be changed to 7:00 p.m. but that no changes be made to start times for Committee of the Whole and Electoral Area Planning Committee meetings. These two alternatives for start time are presented below for the Board's consideration.

A second amendment to the Procedure Bylaw is being brought forward which proposes to delegate authority to the Chairperson to make appointments to Select Committees. Currently, the Chairperson has the authority to make appointments to Standing Committees, but the full Board must make appointments to Select Committees.

Select Committees are those established by the Board to consider or inquire into matters and report findings and opinions back to the Board. While the Board establishes Select Committees to investigate matters and report back to the Board, it requires a second Board meeting to formally make these appointments. The *Local Government Act* enables the Board the option of delegating this authority to the Chairperson. Delegating this authority will enable Select Committees to undertake their work without requiring a second Board appointment resolution. The Board maintains its authority to establish Select Committees.

**ALTERNATIVES:**

1. That the Board approve "Board Procedure Bylaw No. 1268.03, 2003" with the proposed start time of Board Meetings and Committee of the Whole meetings commencing at 7:00 p.m. and Electoral Area Planning Committee Meetings commencing at 6:30 p.m.; and that the Chairperson be delegated with the authority to make appointments to Select Committees.
2. That the Board approve "Board Procedure Bylaw No. 1268.03, 2003" with the proposed start time of Board Meetings and Committee of the Whole meetings commencing at 7:00 p.m. and Electoral Area

PAGE  
76

Planning Committee Meetings commencing at 6:30 p.m.; and that the Chairperson be delegated with the authority to make appointments to Select Committees.

3. That the Board make no changes to "Board Procedure Bylaw No. 1268, 2003".

**FINANCIAL IMPLICATIONS:**

There will be minimal financial impact, with some advertising costs to notify the public of the new start times.

**SUMMARY:**

At the last Ideas & Updates Meeting the Board indicated support for moving to a 7:00 p.m. start time for both regular Board meetings and Committee of the Whole meetings, with Electoral Area Planning Committee meetings beginning at 6:30 p.m. A bylaw amendment has been prepared that includes these changes. The Board may also wish to only change Board meeting start times, but continue with Committee of the Whole meetings at 7:30 p.m.

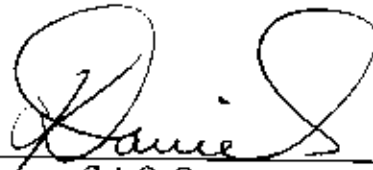
A change is also being proposed to delegate the authority to the Chairperson to make appointments to Select Committees. The Board would continue to have the authority to establish these Committees. Staff are recommending alternative one for the Board's consideration.

**RECOMMENDATION:**

1. That the commencement time for Board meetings and Committee of the Whole Meetings be changed to 7:00 p.m., and Electoral Area Planning Committee meetings be changed to 6:30 p.m.
2. That the Chairperson be delegated with the authority to make appointments to Select Committees.
3. That "Board Procedure Bylaw No. 1268.03, 2003" be introduced and read three times;
4. That "Board Procedure Bylaw No. 1268.03, 2003" be adopted.



Report Writer



C.A.O. Concurrence

Rpt re board procedure amendment bylaw no. 1268-03 (June 2003).doc

**COMMENTS:**

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1268.02

A BYLAW TO AMEND THE BOARD  
PROCEDURE BYLAW WITH RESPECT TO  
THE TIME OF REGULAR BOARD MEETINGS AND  
THE AUTHORITY FOR APPOINTING SELECT COMMITTEES

WHEREAS under Section 794(1) of the *Local Government Act* the Board must establish the procedures to be followed for the conduct of its business;

AND WHEREAS the Board wishes to amend the start time for the commencement of regular meetings of the Board and to delegate authority to the Chairperson for making appointments to Select Committees;

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

1. **Section 2 – Interpretation.** The definition of “Select Committee” is amended by deleting the words “by the Board” between the words “appointed” and “under” to read as follows:

“**Select Committee**” means a Select Committee appointed under Section 795(4) of the *Local Government Act* comprised solely of Board members.

2. **Section 7(2) – Location and Time of Regular Board Meetings.** This section is amended by deleting the words “commencing at 7:30 p.m.” and replacing with “commencing at 7:00 p.m.” to read as follows:

(2) Regular meetings of the Board must be held on the second Tuesday of each month commencing at 7:00 p.m.

3. **Section 30(4) – Select Committees.** This section is amended by adding the words “established and” between the words “those” and “appointed” and renumbering this paragraph (4)(a) to read as follows:

(a) **Select Committees** are those established and appointed by the Board and made up of Board members to consider or inquire into any matter and report its finding and opinions to the Board. Select Committees’ minutes shall be forwarded to the Board for information and included under Section 14(3) of the Board Meeting Order of Business.

4. **Section 30(4) – Select Committees.** A new sub-section (b) is added to Section 30(4) to read as follows:

(b) The Board delegates to the Chair the power to appoint a Select Committee.

5. This bylaw may be cited as the "Board Procedure Amendment Bylaw No. 1268.02, 2003".

Introduced and read three times this 10th day of June, 2003.

Adopted this 10th day of June, 2003.

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CHAIRPERSON

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GENERAL MANAGER, CORPORATE SERVICES