

REGIONAL DISTRICT OF NANAIMO

**BOARD MEETING
TUESDAY, MAY 13, 2003
7:30 PM**

(RDN Board Chambers)

A G E N D A

PAGES

1. **CALL TO ORDER**
2. **DELEGATIONS**
 - 14-16 **Rich Mennie, District 69 Hospice Society**, re National Hospice Palliative Care Month.
 - 17 **Melvin Howard, Chairman & CEO, Centurion Health Corporation**, re Community Hospital for District 69.
 - 18-22 **Steve Atkinson**, re DP No. 60318 – Steven & Janet Atkinson – Jameson Road – Area D.
3. **BOARD MINUTES**
 - 23-34 Minutes of the Board meeting held on Tuesday, April 8, 2003.
4. **BUSINESS ARISING FROM THE MINUTES**
5. **COMMUNICATIONS/CORRESPONDENCE**
 - 35-39 **Gabriel Hadrovic**, re French Creek Water System.
 - 40 **Lois Trudeau Pennell**, re DP No. 60301 – Juthans/Murphy – 5489 Deep Bay Drive – Area H.
 - 41 **W. Katerenchuk**, re DP No. 60319 – Fairway Pointe Properties Ltd. – 730 Barclay Crescent – Area G.
6. **UNFINISHED BUSINESS**
 - BYLAWS**
 - For Adoption.**
 - 42-44 **Bylaw No. 500.288** – Northern Star Developments Ltd. – Anderson Avenue – Area H. (Electoral Area Directors except EA 'B' – One Vote)

Public Hearing.

45-83

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 Kaye Road - Area G. (Electoral Area Directors except EA 'B' - One Vote)

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

7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE

84-88

Minutes of the Electoral Area Planning Committee meeting held Tuesday, April 22, 2003. (for information)

PLANNING**DEVELOPMENT PERMIT APPLICATIONS**

DP Application No. 60301 - Juthans/Murphy - 5489 Deep Bay Drive - Area H.
(Electoral Area Directors except EA 'B' - One Vote)

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.

DP Application No. 60310 – Schulze – 7922 Alison Road – Area D. (Electoral Area Directors except EA 'B' – One Vote)

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 Alison 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.

DP Application No. 60315 – Wiseman – Strata Lot 387, South Lake Road – Area H. (Electoral Area Directors except EA 'B' – One Vote)

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.

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. (Electoral Area Directors except EA 'B' – One Vote)

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.

DP Application No. 60318 – Steven & Janet Atkinson – Jameson Road – Area D. (Electoral Area Directors except EA 'B' – One Vote)

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 18.0m from the top of the bank.

DP Application No. 60319 – Fairway Pointe Properties Ltd. – 730 Barclay Crescent – Area G. (Electoral Area Directors except EA 'B' – One Vote)

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.

DP Application No. 60320 – Roy/Sims – 3371 Blueback Drive – Area E. (Electoral Area Directors except EA 'B' – One Vote)

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.

DP Application No. 60322 – Intracorp Developments Ltd./Fairwinds – Andover Road/Goodrich Road – Area E. (Electoral Area Directors except EA 'B' – One Vote)

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.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

DVP Application No. 0304 – Melvyn – Seaview Drive – Area H. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to Application No. 0304.

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.

DVP Application No. 90307 – Irwin – 771 Mariner Way – Area G. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to Application No. 90307.

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.

DVP Application No. 90308 – Neale – 3495 Bluebill Place – Area E. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to Application No. 90308.

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.

DVP Application No. 90309 – Homes by Kimberly on Behalf of Walsh – 777 Mariner Way – Area G. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to Application No. 90309.

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

FRONTAGE RELAXATION

Request for Relaxation of the Minimum 10% Frontage Requirement – Leo Smith & Marilyn Rae Smith – Hobson's Road – Area D. (Electoral Area Directors except EA 'B' – One Vote)

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.

Request for Relaxation of the Minimum 10% Frontage Requirement – Leigh Millan, BCLS on Behalf of Lols Dahl Holmgren – Cedar Road – Area A. (Electoral Area Directors except FA 'B' – One Vote)

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.

Request for Relaxation of the Minimum 10% Frontage Requirement – Keith & Linda Jack/CO Smythies – 2375 Hemer Road – Area A. (Electoral Area Directors except FA 'B' – One Vote)

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.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

89-96

Minutes of the regular Committee of the Whole meeting held April 22, 2003.
(for information)

COMMUNITY SERVICES

Green's Landing Wharf – Lease Extension – Area B. (All Directors – Weighted Vote)

1. *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.*
2. *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.*

RECREATION AND PARKS

Purchase of Old Errington School – Area F.

(All Directors – One Vote)

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.

(All Directors – 2/3)

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".

(All Directors – One Vote)

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.

Surcharge Policy for Non-Tax Contributing Users of the Ravensong Aquatic Centre. (Parksville, Qualicum Beach, EA F, G & H - Weighted Vote)

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.*

TRANSIT

Southern Community Transit Services Area Amendment Bylaw No. 1230.01. (All Directors – One Vote)

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.

CORPORATE SERVICES

ADMINISTRATION

Adoption of the 2003-2005 Board Strategic Plan. (All Directors – One Vote)

That the 2003-2005 Board Strategic Directions Plan for the Regional District of Nanaimo be approved.

FINANCE

Operating Results to March 31, 2003. (All Directors – One Vote)

That the summary report of financial results from operations to March 31, 2003 be received for information.

Driftwood Water Supply Security Issuing Bylaw No. 1301. (All Directors – Weighted Vote)

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. (All Directors – One Vote)

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

Fire Protection Services Agreement for Yellowpoint Fire Service Area.

(All Directors – Weighted Vote)

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.

(All Directors – One Vote)

That staff undertake a review of a fire season burning bylaw in consultation with the Electoral Area Director and the service area constituents.

DEVELOPMENT SERVICES

BUILDING INSPECTION

Section 700 Filings. (All Directors – One Vote)

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

Delegations wishing to speak to filings.

- (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

LIQUID WASTE

Odour Management Plan – Greater Nanaimo Pollution Control Centre.
(Nanaimo, EA's A & D – Weighted Vote)

That the Board approve implementation of the Odour Management Plan for the Greater Nanaimo Pollution Control Centre.

Engineering Services Contract – Liquid Waste Department. (All Directors – Weighted Vote)

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

Garbage and Recyclable Materials Collection Amendment Bylaw No. 1009.06.

(All Directors – Weighted Vote)

That “Regional District of Nanaimo Garbage and Recyclable Materials Collection Amendment Bylaw No. 1009.06, 2003” be introduced for first three readings.

(All Directors – 2/3)

That “Regional District of Nanaimo Garbage and Recyclable Materials Collection Amendment Bylaw No. 1009.06, 2003” having received three readings be adopted.

UTILITIES

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

(All Directors – One Vote)

That “Regional District of Nanaimo Driftwood Water Supply Service Area Rates and Regulations Bylaw No. 1334, 2003” be introduced for first three readings.

(All Directors – 2/3)

That “Regional District of Nanaimo Driftwood Water Supply Service Area Rates and Regulations Bylaw No. 1334, 2003” having received three readings be adopted.

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.

1. Bylaw No. 524.12. (All Directors – One Vote)

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.

(All Directors – 2/3)

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.

2. Bylaw No. 619.08. (All Directors – One Vote)

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.

(All Directors – 2/3)

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.

3. Bylaw No. 700.09. (All Directors – One Vote)

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.

(All Directors – 2/3)

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.

4. Bylaw No. 726.09. (All Directors – One Vote)

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.

(All Directors – 2/3)

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.

5. **Bylaw No. 727.09.** (All Directors – One Vote)

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.

(All Directors – 2/3)

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.

6. **Bylaw No. 764.12.** (All Directors – One Vote)

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.

(All Directors – 2/3)

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.

7. **Bylaw No. 815.07.** (All Directors – One Vote)

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.

(All Directors – 2/3)

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.

8. **Bylaw No. 886.06.** (All Directors – One Vote)

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.

(All Directors – 2/3)

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.

9. **Bylaw No. 1097.04.** (All Directors – One Vote)

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.

(All Directors – 2/3)

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.

French Creek Water Local Service Area – Water Supply & Quality Issues. (All Directors – One Vote)

That the report on the French Creek Water Local Service Area water supply and quality issues be received for information.

French Creek Water Local Service Area – Resident Committee Options. (All Directors – One Vote)

- 1. 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.*
- 2. 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.*
- 3. 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.*

COMMISSION, ADVISORY & SELECT COMMITTEE

District 69 Recreation Commission. (All Directors – One Vote)

That the minutes of the District 69 Recreation Commission meeting held April 10, 2003, be received for information.

That the minutes of the District 69 Recreation Commission meeting held May 8, 2003, be received for information. (Minutes to be circulated)

Transit Business Plan Update Select Committee.

(All Directors – One Vote)

That the minutes of the Transit Business Plan Update Select Committee meetings held April 10 and 15, 2003, be received for information.

(Nanaimo, Parksville, Qualicum Beach, EA's A, D, G, H – Weighted Vote)

- 1. 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.*

2. *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.*

(All Directors – Weighted Vote)

3. *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.*

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Gabriola Island Parks & Open Space Advisory Committee. (All Directors – One Vote)

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

8. ADMINISTRATOR'S REPORT

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(h) of the Local Government Act the Committee proceed to an In Camera meeting to consider items pertaining to litigation affecting the municipality.



District 69 HOSPICE SOCIETY

Serving Parksville, Qualicum Beach, Nanaimo Bay, Deep Bay, Bowser, Qualicum Bay, Errington, Coombs, Hilliers and Whiskey Creek.

March 25, 2003

Mr. Joe Stanhope
Board Chair
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, B.C. V9T6N2

REGIONAL DISTRICT OF NANAIMO			
APR - 1 2003			
CHAIR	<input checked="" type="checkbox"/>	GMCS	
CAO	<input checked="" type="checkbox"/>	GMDS	
GMCS		GMES	
<i>Judd</i>			<input checked="" type="checkbox"/>
<i>For agenda</i>			

Dear Mr. Stanhope:

May is National Hospice Palliative Care Month, with the week of May 5th-May 11th recognized as Hospice Palliative Care Week. We request the Regional District of Nanaimo acknowledge this by way of recognition at a Board Meeting. Our Board would also appreciate the opportunity of making a short presentation to the Regional Board, perhaps at the first meeting in May.

We have attached our brochure which gives a brief description of the services we provide to all residents of District 69. We are a community based, volunteer driven charitable organization. All our services are provided free of charge to our clients.

We look forward to the opportunity to explain a little more about our organization to your council.

Sincerely,

Rich Mennie
Executive Director

It's a path we'll all walk someday. Let's share the journey...

210 Crescent Road West, Qualicum Beach, BC V9K 1J9
(250)752-6227 fax 752-6257 email hospic69@nanaimo.ark.com
www.distinct69hospice.org

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HOSPICE PROGRAMS

- ▼ **Grief Counselling**
Grief Counselling with a professional grief counsellor to discuss loss and receive practical and emotional support. There is no charge for up to three sessions and arrangements can be made for further support.
- ▼ **One to One Client Service Volunteers**
Volunteers visit with ailing and or grieving clients in the home, hospital or care facility and build a relationship of trust and caring. They can also assist the family by providing emotional support and information.
- ▼ **Grief Support Groups**
Individuals who have lost a loved one come together with a professional grief counsellor for six to eight weeks in a safe, confidential environment where they can share, explore and connect with others who are experiencing loss.
- ▼ **Grief Walking Group**
Anyone who has experienced a loss may participate in fresh air, exercise and receive support from the group and/or volunteers. People are referred to this group after seeing the grief counsellor, having one to one support or having participated in a grief group.
- ▼ **Coffee/Lunch/Potluck Group**
A social group coordinated by volunteers for widow and widowers wishing to connect with others who understand their loss and can appreciate the difficulties of adjustment surrounding the death of a spouse.

EQUIPMENT LOAN SERVICE

All equipment is loaned, free of charge to our palliative clients. It is delivered and set up by Hospice volunteers.

- ▼ **ELECTRIC SINGLE BEDS**
Fully electric, hospital type beds with guard rails and new mattress covers for each client are available to assist families and health care providers caring for your loved one at home.
- ▼ **BEDSIDE TABLES**
- ▼ **WASHABLE SHEEPSKINS**
- ▼ **SPECIAL COMFORT MATTRESSES**
- ▼ **SPECIAL AIR PRESSURE CUSHIONS.**
- ▼ **FOLDING WOODEN SCREEN**
- ▼ **WHEELCHAIRS**
- ▼ **WALKERS**
- ▼ **COMMODES**
- ▼ **RAISED TOILET SEATS**
- ▼ **BATH SEATS**
- ▼ **BATH BENCHES**
- ▼ **CANES**
- ▼ **A SET OF CRUTCHES**
- ▼ **MOTORIZED E-Z LIFT RECLINERS**

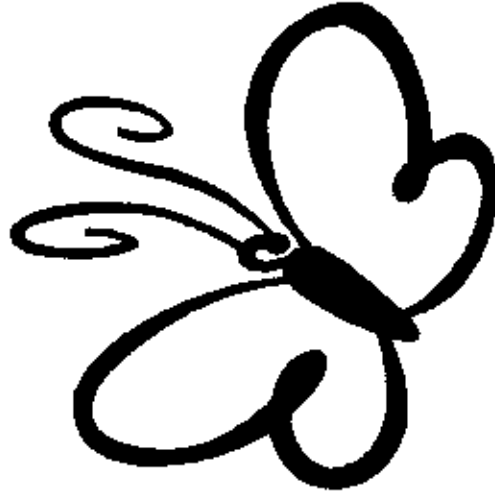
Although there is no charge for this service, donations of money and/or equipment are gratefully accepted and are used to update, maintain and store the equipment.

Please call us at (250)752-6227 and ask for the Palliative Care Coordinator to inquire about available equipment for yourself or your loved one.

A note of appreciation and gratitude to those people in our community who have donated equipment & money to District #9 Hospice Society. "A gift that continues to make a difference in the quality of life to individuals in our community".

District 69 HOSPICE SOCIETY

Serving Parksville, Qualicum Beach, Nanoose Bay, Deep Bay, Bowser, Qualicum Bay, Erington, Coombs, Millers and Whiskey Creek



210 Crescent Road West
Qualicum Beach, BC V9K 1J9

Phone: (250)752-6227

Fax: (250)752-6257

Email: hospic69@nanaimo.ark.com

Office Hours

10:00 am to 3:00 pm

It's a path we'll all walk someday.
Let's share the journey...

HOSPICE PALLIATIVE CARE PROGRAM

Hospice is a "philosophy of care". It is the active, expert, compassionate care of people with serious, progressive illness when cure is not expected. Those who are dying are travelling a special journey and hospice care provides these "travellers" with companionship and loving care for the final journey of life. At some time, in some way, we must all face the end of life.

Through a caregiving team of family, friends, healthcare professionals and volunteers, the clients needs and choices are sensitively met. Hospice palliative care is about living to the very end of life with dignity and comfort whether that be at home, in hospital, in a care facility or in a special Hospice facility if there is one available.

Hospice strives to meet the physical, psychological, social and spiritual needs of clients and their families. Our compassionate, caring volunteers work in conjunction with Continuing Community Care (Home Care Nursing & Home Support) as well as Family and Palliative Physicians and the Nanaimo Hospice Palliative Care Program at the Nanaimo Regional General Hospital and local Care Facilities.

Dying is an integral part of life, as natural and predictable as being born.

Elizabeth Kubler-Ross

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DISTRICT 69 HOSPICE SOCIETY VOLUNTEERS

Volunteers are the "heart and hands" of District 69 Hospice Society. They have completed a comprehensive orientation program, signed a confidentiality agreement and undergone an RCMP Clearance before working with clients and families to provide friendly, helpful services that vary according to individual needs.

Client Service Volunteers can:

- ♥ give friendship and companionship
- ♥ emotional and spiritual support for all loved ones
- ♥ provide helpful information related to death, dying and bereavement
- ♥ practical assistance in the way of running errands, shopping, reading, listening, hand & foot massage
- ♥ be there to give caregivers time out
- ♥ help put together memory books, tapes & photo albums
- ♥ sit vigils at the bedside of a loved one at the end of life
- ♥ somebody to talk to about what matters
- ♥ visit in the home, long term care facility or Palliative Care Unit at Nanaimo Regional General Hospital

Support Services Volunteers:

- ♥ help us with fundraising like our golf tournament and garage sales, activities like raffles, bingo's, gardening and BBQ

Board Members:

- ♥ our Hospice board is made up of volunteers
- They are your friends, neighbors & relatives in our community who have some time to spare and a caring heart that wants to reach out to those in need during very trying times.

WHAT IS GRIEF?

Grief is the combination of sorrow, strong emotion, and the resulting confusion that comes from losing someone important to you. Not only do you mourn the loss of that person, but you mourn for yourself.

Grief can feel like many things. Just after a death has occurred, it is very common for you to feel numb and as if you were in shock. This is how your body instinctively reacts to pain. You may experience some of the following physical sensations: Tightness in the chest or throat, difficulty breathing, lack of energy or trouble eating and sleeping. This is a good time to check with your own physician, especially if any of these conditions seem overwhelming or persist.

Bereavement is the process of grieving. This process is different for each person, although every person will experience similar states. The time that it takes to progress through bereavement is unique to each person. It is common for intensive bereavement to last anywhere from 6 months to 2 years. Your life will never be the same, but you will find a new inner strength identity — just give yourself time.

Like a bird

Singing in the rain

Let grateful memories

Survive in time of sorrow

Robert Louis Stevenson

----- Original Message -----

From: Melvin J. Howard
To: corpsrv@rdn.bc.ca
Cc: David Scammells ; AkaGrimson@aol.com
Sent: Tuesday, April 29, 2003 3:11 PM
Subject: Community Hospital for District 69

Linda I am writing to confirm our Presentation to the RDN Board for May 13th 2003. I will be speaking Melvin J. Howard Chairman and CEO I will be accompanied by some of my Board Members as well as our in-house legal counsel. Who will be available for questions at the end of my presentation.

MELVIN J. HOWARD

CENTURION
HEALTH CORPORATION

Phone: 917-210-8095 Fax: 917-210-8096
Toll Free: (866) 248-7673 ext 5747
E-mail: healthfinance@fastmail.fm

110 Park Avenue, 15th Floor #2111 park, New York, New York, 10022

Steve Atkinson

2910 Jameson Road
Nanaimo BC V9R 6W8
250-755-4077 fax 250-755-4027

May 6, 2003

Regional District of Nanaimo
Attention: Bob Lapham
6300 Hammond Bay Road
PO Box 40
Lantzville BC V0R 2H0

Dear Bob:

RE: Development Permit Application 60318- Proposed Subdivision of Lot B, Section 12, Ranges 3 & 4; Mountain District, Plan VIP68030, Except part in Plan 68072. Ministry of Transportation File # 06 002 21288.

Further to our discussions in your office I am writing to clarify my request for a development permit for the subdivision of my property. In my letter to you, dated March 5, 2003, I requested that the RDN revise the conditions for support of my subdivision application to allow the current 18 metre setback to suffice as protection for the creek. In my development permit application I made the same request.

In the staff report to the board, as amended at the development services committee meeting, you have supported the request to limit the covenant area, however you have recommended additional conditions to the development permit. I would request that my wishes be conveyed to the board, that a development permit be granted with only the following conditions:

1. Existing Covenants

- a) Covenant documents EM108710 and Em108708 shall be registered on the titles of all future parcels.

2. Future Buildings and Structures

- a) All future buildings and structures be located a minimum of 18.0m from the centre line of Fleming Creek and/or 15m from top of bank.

I feel that the issue of creek crossings is not an issue to be addressed in this development permit, however, if staff feels that they must include this issue I would ask that the condition read:

Creek Crossings

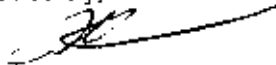
- a) ***There shall be no additional crossings of Fleming Creek, including culverts or bridging, without prior approval of the Ministry of Air, Land and Water.***
- b) ***There shall be no crossings of Fleming Creek for the purposes of providing any service pipes or lines including domestic water or septic disposal pipes or lines, without prior approval of the Ministry of Air, Land and Water.***

May 6, 2003

I attach my letter to the Ministry of Air, Land and Water, and the response of M. Hennigman. I contend that the staff report mischaracterizes the position of that ministry in regards to further creek crossings. I specifically asked that "no covenant or restriction be registered against these lots to forbid further crossings.... that further crossings be left to the application process required for such". This request has been honored by the Ministry of Air, Land and Water.

I would ask that I be permitted to address the board on this issue.

Sincerely,



Steve Atkinson

Cc Denise Haime
Encl.

Steve Atkinson

2910 Jameson Road
Nanaimo BC V9A 6W8
250-755-4077 fax 250-755-4027

March 5, 2003

Ministry of Water, Land and Air Protection
Attention: M.E. Henigman
2080 -A Labieux Road
Nanaimo BC V9t 6J9

Dear Margaret:

RE: Proposed Subdivision of Lob B, Section 12, Ranges 3 & 4; Mountain District, Plan VIP68030, Except part in Plan 68072. Ministry of Transportation File # 06 002 21288.

I am writing at this time to ask that you would revisit the report prepared by yourself on February 18, 1999, in relation to the above noted subdivision application.

As you are aware this property is adjacent to the Jameson Quarry which has received a mines act permit to operate a gravel mine, subsequent to your report. At the time of my application, and the report by your office, we were under the understanding that Jameson Quarry would not be granted a permit unless zoning amendments were sought and obtained on their behalf. Events have since transpired and a permit has been issued. These events have greatly affected the use and potential use of our property.

On April 8, 1999 a PLA was issued for my subdivision. Work was put on hold when notice was received by me that the mines act application was proceeding. I am now at the point where I must progress on my subdivision.

At a meeting in the Ministry of Environment offices a number of concessions were negotiated in order to gain your consent to the subdivision. I would ask for a reconsideration of two of these items. Namely:

a) It was agreed that there would be a limit to only two creek crossings to serve the four lots. These crossings have been installed. I would ask that no covenant or restriction be registered against these lots to forbid further crossings. I am prepared to register easements that would allow for these crossings to each serve two lots, as agreed, but would ask that further crossings be left to the application process required for such.

b) It was agreed that a covenant would be registered against Lots 1, 2, & 3, in favor of the Approving Officer of MOT, that would restrict building upon that portion of the lots between Jameson Road and the most northerly boundary of Fleming Creek.

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May 6, 2003

I would ask that these restrictions be waived and that you allow the current 15 metre setback, which is now protected by covenant, to suffice. I feel that this is reasonable as Fleming Creek, which is the water course in question, is a seasonal creek that bears no fish. Both your investigations and DFO have recorded this fact. What is being protected is downstream habitat and the 15 metre restriction is adequate to do this.

While I did not strongly disagree to this requirement at the original application, the presence of the Quarry now makes this concession onerous to me. I am in full agreement on the need to protect watercourses and fish habitat. I feel that can be accomplished with the current covenanted setbacks.

Thank you for your consideration of this matter.

Sincerely,

COPY

Steve Atkinson

CC: Ministry of Transportation

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FAX SHEET

Date: Wednesday March 19, 2003 # of pages (including this sheet) 1

To: Debbie O'Brien Fax # (250) 390-6297

Office: MOT Phone # (250) 390-6100

From: Maggie Henigman Phone # 250 751-3214

WLAP, Nanaimo Fax # 250 751-3103

Re: Atkinson Subdivision - #21288, Jamieson Rd, Mountain District #06-002-21288

CC: Steve Atkinson, 755-4027
Susan Cormie, RDN Planning, 390-7511

Further to my discussion with Bob Wylie on March 17, and the letter from Steve Atkinson of March 5, 2003 forwarded to you, I have discussed the terms of the existing PLA with Steve and have reviewed the covenants prepared for the subject property.

An 18 m restrictive covenant has been registered for the property August 18, 1998. This setback was measured from the centerline of Fleming Ck, and is in favor of the Fish and Wildlife Branch (Environmental Stewardship Program). Although the wording of this document is not typical of the covenants we normally see, it does specify that no disturbance of vegetation should occur within the setback distance. It is unknown if this distance will extend beyond the high bank on the north side of the Fleming Ck channel, however we do not anticipate any conflicts with the downstream fisheries resource as a result of this agreement. A second covenant has been registered to address flood protection, in favor of both the Ministry and the Regional District of Nanaimo, and is measured 15 m upland of the Natural Boundary.

We understand that two culvert crossings are now in place on the creek and Mr Atkinson has indicated to me that he will not require additional crossings to service the four lots.

Mr Atkinson has requested that restrictions to building on the south portions of these lots be lifted. Development on these narrow strips will depend on the presence of suitable building envelopes, as established by your Ministry, the Ministry of Health and any restrictions imposed by the RDN, in respect of the existing 15m setback. Note however that the building envelopes should include suitable access to septic fields and wells on the south side of the creek, to ensure no additional crossings of the creek will be required in future.

M.E. Henigman
 Urban Habitat Protection Officer
 Environmental Stewardship, Nanaimo

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, APRIL 8, 2003, AT 7:30 PM IN THE
RDN BOARDROOM**

Present:

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

Also in Attendance:

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

The Chairperson welcomed Alternate Directors Krieberg and Sperling and commended staff on the completion of the new Boardroom.

BOARD MINUTES

MOVED Director Sherry, SECONDED Director Krall, that the minutes of the regular Board meeting held on March 11, 2003 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Al Litynsky, Telus, re Local Calling Area Expansion.

MOVED Director Sherry, SECONDED Director Hamilton, that the correspondence from Telus with respect to the expansion of the local calling area within the Regional District of Nanaimo, be received.

CARRIED

Jan Thomas, re French Creek Residents' Association Delegations.

MOVED Director Sherry, SECONDED Director Hamilton, that the correspondence from Jan Thomas with respect to the French Creek Residents' Association delegation at the March 25, 2003 special Board meeting, be received.

CARRIED

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Alberto S. De Feo, Township of Langley, re Farm Property Classifications Within Residential Areas.

MOVED Director Sherry, SECONDED Director Hamilton, that the correspondence from the Township of Langley with respect to the 1995 UBCM resolution B36 on the Assessment Act Farm Classification, be received.

CARRIED

MOVED Director Korpan, SECONDED Director Krall, that the Board support and agree with Langley's position on UBCM Resolution B36 Assessment Act -- Farm Classification.

CARRIED

UNFINISHED BUSINESS

From the Board meeting held March 11, 2003.

FRONTAGE RELAXATION

Request for Cash in Lieu of Park Land Dedication & Relaxation of the Minimum 10% Frontage Requirement -- WR Hutchinson, BCLS on behalf of A. Cochran & J. Radzuil -- Grieve Road -- Area A.

MOVED Director Kreiberg, SECONDED Director Hamilton, that the requests, submitted by WR Hutchinson, BCLS, on behalf of James Radzuil and Agnes Cochran, for cash in-lieu of park land dedication be accepted and to relax the minimum 10% frontage requirement for proposed Lots 5, 6, 7 and 13, as shown on the plan of subdivision of Lots 7 & 8, Section 12, Range 2, Cedar District, Plan VP53334, be approved.

CARRIED

BYLAWS

Report of Public Hearing held March 26, 2003 with Respect to Bylaw No. 500.290 Haylock Bros/Sims -- Melrose Road -- Area G.

MOVED Director Hamilton, SECONDED Director Bartram, that the Report of the Public Hearing containing the Summary of the Minutes and Submissions of the Public Hearing held March 26, 2003 on "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500.290, 2003", be received.

CARRIED

MOVED Director Hamilton, SECONDED Director Haime, that "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500.290, 2003" amending the zoning from Rural 1 (RU1) to Resource Management 1 (RM1) be given 3rd reading and adopted for the property legally described as Block 232, Newcastle District, containing 602 acres more or less except that part outlined in red on Plan 514 RW and except in Plan VIP 67313.

CARRIED

ELECTORAL AREA PLANNING STANDING COMMITTEE

MOVED Director Haime, SECONDED Director Hamilton, that the minutes of the Electoral Area Planning Committee meeting held March 25, 2003 be received for information.

CARRIED

PLANNING**AMENDMENT APPLICATIONS**

Proposed OCP & Zoning Amendment Application No. AA0304 – Michael Rosen & Associates on behalf of Englishman River Land Holdings Ltd. – Kaye Road – Area G.

MOVED Director Hamilton, SECONDED Director Biggemann, that the proposed public consultation strategy for the proposed amendment to the Englishman River Official Community Plan and Bylaw No. 500, 1987 for the Remainder of Block 564, Nanoose District, be approved with amendments as follows:

- to recognize consideration of 1st and 2nd reading at the April 8, 2003 Board meeting.
- notice of the Public Hearing to proceed in mid April.
- a Public Hearing to be held in late April or early May.
- consideration of 3rd reading in May.
- application forwarded to the Ministries of Transportation and Community, Aboriginal and Women's Services in May.
- consideration of adoptions following completion of the conditions of approval.

CARRIED

MOVED Director Hamilton, SECONDED Director Bartram, That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.08, 2003" amending the land use designation for a portion of the Remainder of Block 564 Nanoose District from Resource Management to Rural Residential, be given 1st and 2nd reading and referred to agencies in accordance with the Local Government Act.

CARRIED

MOVED Director Hamilton, SECONDED Director Biggemann, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.291, 2003" be given 1st and 2nd reading, subject to the completion of the conditions and undertaking outlined in Schedule No. 1 of the staff report.

CARRIED

MOVED Director Hamilton, SECONDED Director Bartram, that May 1, 2003 be set as the date for the public hearing and Director Stanhope, or his alternate, be appointed to Chair the hearing.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

DP Application No. 60307 – Heringa – Lot 1, Miller Road – Area G.

MOVED Director Hamilton, SECONDED Director Bibby, that Development Permit Application No. 60307 by Connie and Hans Heringa, to construct a dwelling unit in a Sensitive Lands Development Permit Area pursuant to the "Regional District of Nanaimo French Creek Official Community Plan Bylaw No. 1115, 1998" on the property legally described as Strata Lot 1, District Lot 28, Nanoose District, Plan VIS4363 be approved, subject to the conditions outlined in Schedule Nos. 1 to 3 of the corresponding staff report.

CARRIED

DP Application No. 60308 – Palleson/Allen – 931 McFeely Drive – Area G.

MOVED Director Hamilton, SECONDED Director Kreiberg, that Development Permit Application No. 60308, submitted by Walter Allen on behalf of Palleson to vary the maximum building height for a proposed dwelling unit from 8.0 metres to 8.3 metres on the subject property legally described as Lot 6, District Lot 9, Newcastle District, Plan VIP69413 be approved, subject to the requirements outlined in Schedule Nos. 1, 2, 3 and 4 and subject to notification requirements pursuant to the Local Government Act.

CARRIED

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DP Application No. 60312 - Guy (Pecora Holdings/Coast Distributors) - 6855 Mart Road - Area D.

MOVED Director Hamilton, SECONDED Director Bibby, that Development Permit Application No. 60312 by Jack Anderson of Anderson Greenplan on behalf of Pecora Holdings - Coast Distributor Ltd. with a variance to relax the minimum 'other lot lines' setback requirement from 5.0 metres to 0 metres for the property legally described as Lot 11, District Lot 44, Wellington District, (situated in Nanoose District), Plan 15245 to accommodate an addition to a warehouse, be approved subject to Schedule Nos. 1 and 2 and the notification requirements pursuant to the Local Government Act.

CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

MOVED Director Sherry, SECONDED Director Cantelon, that the minutes of the special and regular Committee of the Whole meetings held March 25, 2003 be received for information.

CARRIED

COMMUNITY SERVICES

RECREATION AND PARKS

Horne Lake Regional Park - Draft Management Plan.

MOVED Director Bartram, SECONDED Director Holdom,:

1. That the Horne Lake Regional Park Draft Management Plan be endorsed subject to the following amendments:
 - (a) That the required liability coverage be reduced from \$5,000,000 to \$2,000,000.
 - (b) That items 'B' and 'C', Section 5 of Schedule 4 be deleted.
2. That staff be directed to negotiate a five year operating contract with the Horne Lake Strata Corporation, pursuant to their option to operate the Park, or if declined, to advertise a request for proposal to operate the Park.

CARRIED

CORPORATE SERVICES

FINANCE

2002 Audited Financial Statements.

MOVED Director Cantelon, SECONDED Director Hamilton, that the report on the audited financial statements for the year ended December 31, 2002 be received.

CARRIED

2002 Directors Remuneration and Expenses.

MOVED Director Hamilton, SECONDED Director Sherry, that the 2002 report on remuneration and expenses for Board and committee members be received.

CARRIED

HOSPITAL

2002 Audited Financial Statements.

MOVED Director Krall, SECONDED Director Holdom, that the report on the 2002 audited financial statements of the Nanaimo Regional Hospital District be received.

CARRIED

DEVELOPMENT SERVICES

BUILDING INSPECTION

Section 700 Filings.

The Chairperson advised that the following filing has been resolved:

Lot 1, Section 1, Nanaimo Land District, Gabriola Island, Plan 42198, 2010 Price Road, Electoral Area 'B', owned by E. Willoughby;

MOVED Director Cantelon, SECONDED Director Westbroek, 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 13, District Lot 181, Nanoose Land District, Plan 15551, 830 Mariner Way, Electoral Area 'G', owned by H. and B. Osenjak,
- (b) Lot 11, Block 8, District Lot 11, Newcastle Land District, Plan 1223, 1129 Centre Road, Electoral Area 'G', owned by G. and P. Fissler.

CARRIED

BYLAW ENFORCEMENT

Contravention of Unsightly Premises Regulatory Bylaw No. 1073 – Richard Beaven – 3030 Barnes Road – Area A.

Mr. Tim Beerman, the tenant on the property, questioned what would happen to the items once they were removed. The Board directed that he talk with staff with respect to his items.

MOVED Director Krall, SECONDED Director Cantelon, that should the property maintenance concerns not be rectified by April 8, 2003, pursuant to the "Unsightly Premises Regulatory Bylaw No. 1073, 1996", the Board direct the owner of the property legally described as Lot 12, Section 18, Range 5, Cedar Land District, Plan 15220, to remove from the premises, those items as set out in the resolution attached to the staff report within fourteen (14) days, or the work will be undertaken by the Regional District's agents at the owner's cost.

CARRIED

PLANNING

Road Name Change Concerning Ingram Road and Ingram Road East – Area A.

MOVED Director Kreiberg, SECONDED Director Hamilton,:

- 1. That this report be received for information.
- 2. That Ingram Road residents be encouraged to proceed with their application to the Ministry of Transportation to change the name of Ingram Road.

CARRIED

ENVIRONMENTAL SERVICES

LIQUID WASTE

Malaspina University-College – GNPCC Biosolids Composting Update.

MOVED Director Sherry, SECONDED Director Bibby, that the Board receive the report on the update of the Greater Nanaimo Pollution Control Centre's biosolids composting contract with Malaspina University-College for information.

CARRIED

SOLID WASTE

Landfill & Transfer Station Yard Waste Composting – Tender Award.

MOVED Director Sherry, SECONDED Director McNabb, that Meadowlark Construction be awarded the contract for composting yard waste from the Regional Landfill and that Qualicum Farms be awarded the contract for composting yard waste from Church Road Transfer Station for \$38.50 and \$29.93 per tonne respectively.

CARRIED

UTILITIES

Nanoose Water Service Area – Enos Creek Watermain Construction – Tender Award.

MOVED Director Sherry, SECONDED Director Bibby, that the Regional District of Nanaimo award the Enos Creek Watermain project to Chikangus Enterprises for the tendered amount of \$116,583.87.

CARRIED

French Creek Sewer LSA Capital Charge Bylaw No. 1330.

MOVED Director Cantelon, SECONDED Director Westbrook, that “French Creek Sewer Local Service Area Capital Charge Bylaw No. 1330, 2003” be introduced for first three readings.

CARRIED

MOVED Director Krall, SECONDED Director Westbrook, that “French Creek Sewer Local Service Area Capital Charge Bylaw No. 1330, 2003” having received three readings be adopted.

CARRIED

Northern Community Sewer LSA Capital Charge Bylaw No. 1331.

MOVED Director Westbrook, SECONDED Director Bartram, that “Northern Community Sewer Local Service Area Capital Charge Bylaw No. 1331, 2003” be introduced for first three readings.

CARRIED

MOVED Director Westbrook, SECONDED Director Cantelon, that “Northern Community Sewer Local Service Area Capital Charge Bylaw No. 1331, 2003” having received three readings be adopted.

CARRIED

COMMISSION, ADVISORY AND SELECT COMMITTEES

Lantzville Parks & Open Space Advisory Committee.

MOVED Director Haime, SECONDED Director Westbrook, that the minutes of the Lantzville Parks & Open Space Advisory Committee meeting held February 3, 2003, be received for information.

CARRIED

Electoral Area ‘G’ Parks & Open Space Advisory Committee.

MOVED Director Westbrook, SECONDED Director Holdom, that the minutes of the Electoral Area ‘G’ Parks & Open Space Advisory Committee meeting held March 5, 2003, be received for information.

CARRIED

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Longmuir, that the minutes of the District 69 Recreation Commission meeting held March 13, 2003, be received for information.

CARRIED

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS**Intergovernmental Advisory Committee.**

MOVED Director Sherry, SECONDED Director Westbrook, that the minutes of the Intergovernmental Advisory Committee meetings held January 9, February 6, February 12, March 14, March 20 and March 27, 2003 be received for information.

CARRIED

Board Selection Committee.**REGIONAL ENVIRONMENTAL ADVISORY COMMITTEE*****Business Community.***

MOVED Director Hamilton, SECONDED Director Westbrook, that Mr. Mike Gallo be appointed to the Regional Environmental Advisory Committee as the business community representative for a term ending December 31, 2005.

CARRIED

Environmental Community.

MOVED Director Hamilton, SECONDED Director Westbrook, that Mr. Norman Abbey be appointed to the Regional Environmental Advisory Committee as the environmental community representative for a term ending December 31, 2005.

CARRIED

General Public – District 68.

MOVED Director Hamilton, SECONDED Director Westbrook, that Mr. Gordon Proctor be appointed to the Regional Environmental Advisory Committee as the D68 general public representative for a term ending December 31, 2005.

CARRIED

General Public – District 69.

MOVED Director Hamilton, SECONDED Director Westbrook, that Mr. Clive Jones be appointed to the Regional Environmental Advisory Committee as the District 69 general public representative for a term ending December 31, 2005.

CARRIED

Waste Management – Private Sector.

MOVED Director Hamilton, SECONDED Director Westbrook, that Mr. John Beute be appointed to the Regional Environmental Advisory Committee as the waste management private sector representative for a term ending December 31, 2005.

CARRIED

Waste Management – Non-Profit.

MOVED Director Hamilton, SECONDED Director Westbrook, that Mr. Michael Schellinik be appointed to the Regional Environmental Advisory Committee as the waste management non-profit representative for a term ending December 31, 2005.

CARRIED

GABRIOLA ISLAND PARKS & OPEN SPACE ADVISORY COMMITTEE

MOVED Director Hamilton, SECONDED Director Westbrook, that Carol Boyce, Ron Holmes, Kerry Marcus and Randy Young be appointed to the Gabriola Island Parks & Open Space Advisory Committee for a term ending December 31, 2005 and that Michael McCrae and Don McLaughlin be appointed to the Gabriola Island Parks & Open Space Advisory Committee for a term ending December 31, 2004.

CARRIED

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ADMINISTRATOR'S REPORT**Fairwinds Well No. 3 Construction – Tender Award.**

MOVED Director Westbrook, SECONDED Director Sherry, that the Regional District of Nanaimo award the Fairwinds Well No. 3 project to J. Milner Trucking for the tendered amount of \$114,052.93.

CARRIED

Sewer User Rate Amendments – French Creek Sewer Regulations & Rates Amendment Bylaw No. 422.12, Fairwinds Sewerage Facilities Specified Area Rates Bylaw No. 765.10 and Surfside Sewer Regulations & Rates Amendment Bylaw No. 1241.02.

MOVED Director Krall, SECONDED Director Cantelon, that “Regional District of Nanaimo “French Creek Sewer Regulations and Rates Amendment Bylaw No. 422.12, 2003” be introduced for first three readings.

CARRIED

MOVED Director Krall, SECONDED Director Hamilton, that “Regional District of Nanaimo French Creek Sewer Regulations and Rates Amendment Bylaw No. 422.12, 2003” having received three readings, be adopted.

CARRIED

MOVED Director Krall, SECONDED Director Sherry, that “Regional District of Nanaimo Fairwinds Sewerage Facilities Specified Area Rates Amendment Bylaw No. 765.10, 2003” be introduced for first three readings.

CARRIED

MOVED Director Krall, SECONDED Director Sherry, that “Regional District of Nanaimo Fairwinds Sewerage Facilities Specified Area Rates Amendment Bylaw No. 765.10, 2003” having received three readings be adopted.

CARRIED

MOVED Director Krall, SECONDED Director Hamilton, that “Regional District of Nanaimo Surfside Sewer Regulations and Rates Amendment Bylaw No. 1241.02, 2003” be introduced for first three readings.

CARRIED

MOVED Director Krall, SECONDED Director Hamilton, that “Regional District of Nanaimo Surfside Sewer Regulations and Rates Amendment Bylaw No. 1241.02, 2003” having received three readings be adopted.

CARRIED

Parcel Tax Rate Bylaws No. 1180.03, 1181.03, 1182.03, 1183.02, 1184.03, 1185.03, 1186.03, 1187.03, 1188.03, 1189.03, 1190.02, 1191.03, 1192.03, 1193.03, 1194.03, 1206.02 and 1136.

Bylaw No. 1180.03.

MOVED Director Holdom, SECONDED Director Bibby, that “Arbutus Park Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1180.03, 2003” be introduced and read three times.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that “Arbutus Park Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1180.03, 2003” having received three readings be adopted.

CARRIED

Bylaw No. 1181.03.

MOVED Director Holdom, SECONDED Director Bibby, that "Decourcey Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1181.03, 2003" be introduced and read three times.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that "Decourcey Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1181.03, 2003" having received three readings be adopted.

CARRIED

Bylaw No. 1182.03.

MOVED Director Holdom, SECONDED Director Bibby, that "Fairwinds Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1182.03, 2003" be introduced and read three times.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that "Fairwinds Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1182.03, 2003" having received three readings be adopted.

CARRIED

Bylaw No. 1183.02.

MOVED Director Holdom, SECONDED Director Bibby, that "Fairwinds Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1183.02, 2003" be introduced and read three times.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that "Fairwinds Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1183.02, 2003" having received three readings be adopted.

CARRIED

Bylaw No. 1184.03.

MOVED Director Holdom, SECONDED Director Bibby, that "French Creek Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1184.03, 2003" be introduced and read three times.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that "French Creek Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1184.03, 2003" having received three readings be adopted.

CARRIED

Bylaw No. 1185.03.

MOVED Director Holdom, SECONDED Director Bibby, that "French Creek Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1185.03, 2003" be introduced and read three times.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that "French Creek Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1185, 2003" having received three readings be adopted.

CARRIED

Bylaw No. 1186.03.

MOVED Director Holdom, SECONDED Director Bibby, that "French Creek Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1186.03, 2003" be introduced and read three times.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that "French Creek Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1186.03, 2003" having received three readings be adopted.

CARRIED

Bylaw No. 1187.03.

MOVED Director Holdom, SECONDED Director Bibby, that "Madrona Point Water Local Service Area Parcel Tax Amendment Bylaw No. 1187.03, 2003" be introduced and read three times.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that "Madrona Point Water Local Service Area Parcel Tax Amendment Bylaw No. 1187.03, 2003" having received three readings be adopted.

CARRIED

Bylaw No. 1188.03.

MOVED Director Holdom, SECONDED Director Bibby, that "Nanoose Bay Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1188.03, 2003" be introduced and read three times.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that "Nanoose Bay Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1188.03, 2003" having received three readings be adopted.

CARRIED

Bylaw No. 1189.03.

MOVED Director Holdom, SECONDED Director Bibby, that "Nanoose Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1189.03, 2003" be introduced and read three times.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that "Nanoose Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1189.03, 2003" having received three readings be adopted.

CARRIED

Bylaw No. 1190.02.

MOVED Director Holdom, SECONDED Director Bibby, that "Pacific Shores Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1190.02, 2003" be introduced and read three times.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, "Pacific Shores Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1190.02, 2003" having received three readings be adopted.

CARRIED

Bylaw No. 1191.03.

MOVED Director Holdom, SECONDED Director Bibby, that "San Pareil Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1191.03, 2003" be introduced and read three times.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that "San Pareil Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1191.03, 2003" having received three readings be adopted.

CARRIED

Bylaw No. 1192.03.

MOVED Director Holdom, SECONDED Director Bibby, that "Surfside Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1192.03, 2003" be introduced and read three times.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that "Surfside Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1192.03, 2003" having received three readings be adopted.

CARRIED

Bylaw No. 1193.03.

MOVED Director Holdom, SECONDED Director Bibby, that "Surfside Properties Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1193.03, 2003" be introduced and read three times.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that "Surfside Properties Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1193.03, 2003" having received three readings be adopted.

CARRIED

Bylaw No. 1194.03.

MOVED Director Holdom, SECONDED Director Bibby, that "West Bay Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1194.03, 2003" be introduced and read three times.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that "West Bay Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1194.03, 2003" having received three readings be adopted.

CARRIED

Bylaw No. 1206.02.

MOVED Director Holdom, SECONDED Director Bibby, that "Morningstar Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1206.02, 2003" be introduced and read three times.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that "Morningstar Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1206, 2003" having received three readings be adopted.

CARRIED

Bylaw No. 1336.

MOVED Director Holdom, SECONDED Director Bibby, that "Driftwood Water Supply Service Area Parcel Tax Rate Bylaw No. 1336, 2003" be introduced for first three readings.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that "Driftwood Water Supply Service Area Parcel Tax Rate Bylaw No. 1336, 2003" having received three readings be adopted.

CARRIED

Growth Management Plan Review Update – Regional Growth Strategy Bylaw No. 1309.

MOVED Director McNabb, SECONDED Director Sherry, that "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002", as amended, be received.

CARRIED

MOVED Director McNabb, SECONDED Director Hamilton, that "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" be granted 1st and 2nd reading.

CARRIED

MOVED Director McNabb, SECONDED Director Hamilton, that "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" proceed to public hearing.

CARRIED

MOVED Director McNabb, SECONDED Director Hamilton, that the holding of the public hearing with respect to "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" be delegated to the Board Deputy Chair Director Larry McNabb, Electoral Area Planning Committee Chair Director Elaine Hamilton and Electoral Area Director Dave Bartram, or their alternates.

NEW BUSINESS

CARRIED

Greater Nanaimo Chamber of Commerce Awards Ceremony.

The Chairperson advised the Board and offered congratulations to transit employees Cedric Bastarache and Bill Paugh for being chosen as winners of the Sterling Customer Service Award.

IN CAMERA

MOVED Director Sherry, SECONDED Director Cantelon, that pursuant to Section 242.2 2(1) of the *Local Government Act* the Board proceed to an In Camera meeting to consider items pertaining to personnel issues.

ADJOURNMENT

CARRIED

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

CARRIED

TIME: 7:55 PM

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

Gabriel Hadrović
1160 Wellington drive
Qualicum Beach, BC V9K 2H6
Phone: 250-752-9843

*see: E. Daniels, Lee
Gayton
Tessera*

April 15, 2003

Mr. Joe Stanhope
Director, Electoral Area G
& Chairman Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Mr. Stanhope:

Re: Problems with French Creek Water System.

About five years ago I attended a meeting of French Creek Resident Association at which you were present with six members of RDN staff, including Mr. Daniels. After a presentation of good things in store for the future of our area, an elderly lady from Chertwell subdivision expressed her concern, in somewhat angry mode, about quality and pressure of water in her home. Instead of assurance that someone will come to see her and address her problems, she was in essence told there are no problems with water in French Creek Water system.

The next meeting of FCRA I attended, was three weeks ago. At that meeting there were many angry people expressing their concern about quality, quantity and pressure of water in our water system and the lack of response of RDN to resolve these problems. Following the meeting, and in order to increase my own understanding of these water problems, I began gathering and reading various RDN data, drawings and plans and came with the attached summary.

Please note that my major concern is: **WHERE IS THE MONEY?** Why has not part of the revenue from the water system been placed in a Reserve Fund to be used to build storage tank and iron/manganese removal equipment, rather than spending it on high administrative costs and various studies. An annual payment of about \$70,000 will easily support \$1,000,000 debenture amortized over 25 years. If French Creek Water system is prudently managed, current revenues can generate surplus funds of \$70,000 annually. **There is no need to increase water rate or parcel tax, rather there is need for prudent management of current revenues.**

Another of my concerns brings forth the credibility of those who have introduced the Motion at the Board of RDN to stop any construction of homes on existing lots because of the shortage of water, when it is obvious that capacity of wells exceeds two times the consumption of water even during the high demands of Summer.

I sincerely hope that RDN will stop studying these problems and start fixing them. I also respectfully ask that this letter and attachments be presented to the entire RDN Board at you next meeting.

Sincerely yours

Gabriel Hadrović

FRENCH CREEK WATER SYSTEM FIASCO

QUANTITY OF WATER:

Report prepared for Regional District of Nanaimo by Koers & Associates Engineering Ltd., dated November 5, 2002, shows that:

- Total capacity of 6 wells in French Creek Water System is 2,944 cubic meters per day or about 4.2 cubic meters per residence.

Information provided by Regional District of Nanaimo shows that:

- Daily water consumption per residence during fall, winter and spring of 2001/2002 was 0.64 cubic meters which was only 15% of available water per residence.
- Daily water consumption during summer of 2002 was 1.47 cubic meters which was only 35% of available water per residence.

If data provided by RDN shows that water supply of French Creek Water system far exceeds demand, then the Motion before RDN Board, asking that all future construction of homes be stopped because of shortage of water, lacks any credibility.

QUALITY OF WATER:

Water Tests performed for RDN by North Island Labs on each of the six wells in French Creek Water system, dated November 14, 2000, show that:

- Average concentration of iron in wells #2, 4 & 7 is 0.15ppm.
- Average concentration of iron in wells #1, 5 & 6 is 0.76ppm. Five times the iron in wells #2, 4 & 7.

Canadian Drinking Water guidelines limits the iron to 0.3ppm

- Average concentration of Manganese in Wells #2, 4 & 7 is 0.136ppm
- Average concentration of Manganese in wells #1, 5 & 6 is 0.252. This is twice the Manganese in wells #2, 4 and 7.

Canadian Drinking water guidelines limits the Manganese to 0.05ppm

Wells #2, 4 & 7 are substantially lower in Iron and Manganese than other wells, and they produce 1,328 cubic meters of water per day. By using only these wells during September to May, when daily water consumption is only 448 cubic meters, will bring Iron and Manganese concentration to almost acceptable levels, and minimize the damage currently inflicted on us.

It appears from the enclosed plan that aquifers are running east - west. It can also be seen that wells #1, 5 and 6, which are feeding from North aquifer have much higher concentration of Iron and manganese than wells #2, 4 and 7. Drilling another well (or two) in Boltbee Park may produce the same quality of water as wells #2, 4 & 7 which may substantially reduce Iron and Manganese problem in our water. Cost of new well and connection to supply main should cost less than \$150,000.

There are also on the market pre-packaged Iron/Manganese removal units which have been successively used in other parts of Canada. One of these units may cost about \$300,000.

Water storage tanks: During the past 22 years number of homes in Sandpiper - Chartwell subdivisions have increased 700%, while capacity of water storage tanks has remained the same. Additional storage capacity should have been added at least 10 years ago, which would have averted current crisis.

Why has that not been done? French Creek Water System currently generates sufficient revenue - provided it is prudently managed - to carry \$1,000,000 debenture which is sufficient to build additional storage tank and Iron/Manganese removal system.

70 2486402 P.02

PRESSURE:

It's being said that low pressure is caused by pipes being too small, distance too far from the storage tanks and/or shortage of water.

Water distribution systems are designed by Professional Engineers to the standards of RDN. I am certain that these standards are used throughout BC and Canada.

Distances and elevations of our water system are substantially smaller than are in Qualicum Beach, or just about any system in our area, and those systems do not experience as overwhelming problems as we do.

There is plenty of water; therefore shortage of water cannot be the problem.

Let's assume that water from all the wells is pumped directly into the storage tanks, and from storage tanks into the system. In this case, the volume of the supply pump is either too small to keep the pressure up, or the discharge pressure is set too low. Increasing the discharge pressure to satisfy the needs of the home at highest elevation or installing larger pumps should eliminate pressure problem.

Whatever the problem is go and Fix it, don't study it for seven years!

REVENUES AND EXPENSES:

According to RDN documents, revenues collected from French Creek Water system during 1996 to 2002, (the period that we have been represented by Mr. Stanhope) were \$1,268,000. This entire amount was spent on administrative cost and wages, including \$94,000 spent on various studies. Nothing was spent on improvements to the water system or any any money placed in a Reserve Fund.

QUESTIONS:

1. Where is the MONEY?
2. Why has not at least one third of annual revenue been used to resolve water storage and iron/manganese problem?
3. Where is Development Cost Contribution of some \$2,700 per lot from developers of Chartwell Subdivision, why is this money not used to resolve storage problem?
4. Why is there disinformation about quantity of water?
5. Why has not the quality of water been resolved during the past seven years?
6. Why has not the water pressure been resolved during the past seven years?
7. For what purpose has \$94,000 been spent on various studies during the past seven years?

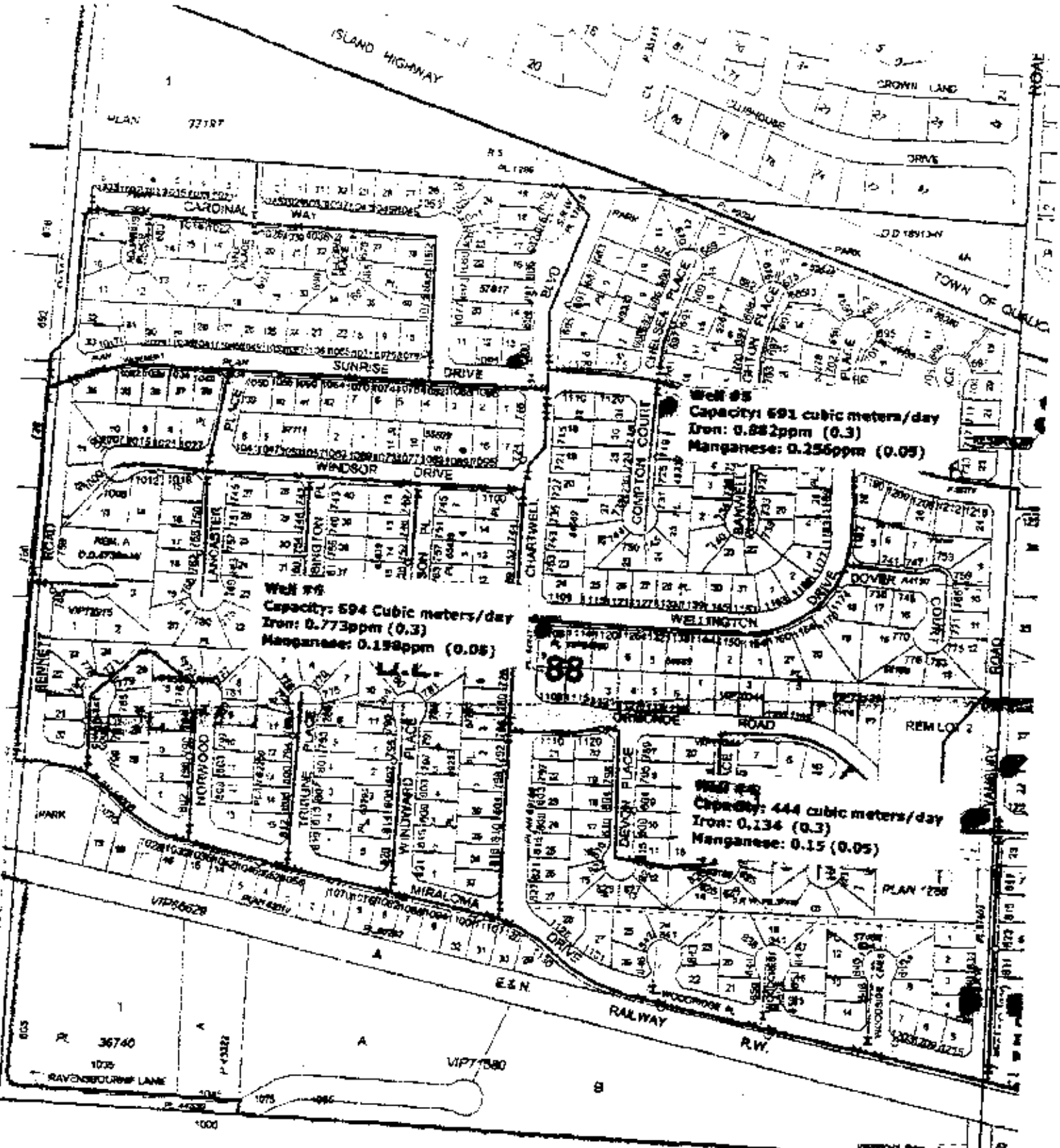
Gabriel Hadrović.

April 15, 2003

G. Hadrović is a retired builder living in Chartwell. His company has built numerous major projects throughout Vancouver Island such as: Eagle Park Extended Care facility in Qualicum Beach; Chemainus Hospital and Extended Care Centre in Chemainus; Ambulatory Care building at Nanaimo Regional Hospital; addition to Glacier View Lodge in Comox - just to mention some. He has also build several pumping stations and water storage tanks such as Duke Point Water Pressure Reducing Station at Duke point in Nanaimo, a joint project of RDN and City of Nanaimo.

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Well #5
 Capacity: 691 cubic meters/day
 Iron: 0.882ppm (0.3)
 Manganese: 0.256ppm (0.05)

Well #6
 Capacity: 594 Cubic meters/day
 Iron: 0.773ppm (0.3)
 Manganese: 0.198ppm (0.05)

Well #4
 Capacity: 444 cubic meters/day
 Iron: 0.134 (0.3)
 Manganese: 0.15 (0.05)

OIC NO. 759 AUGUST 9, 2001

Gabriel Hadrovic
1160 Wellington Drive
Qualicum Beach, BC V9K 2H6

D.L. 49

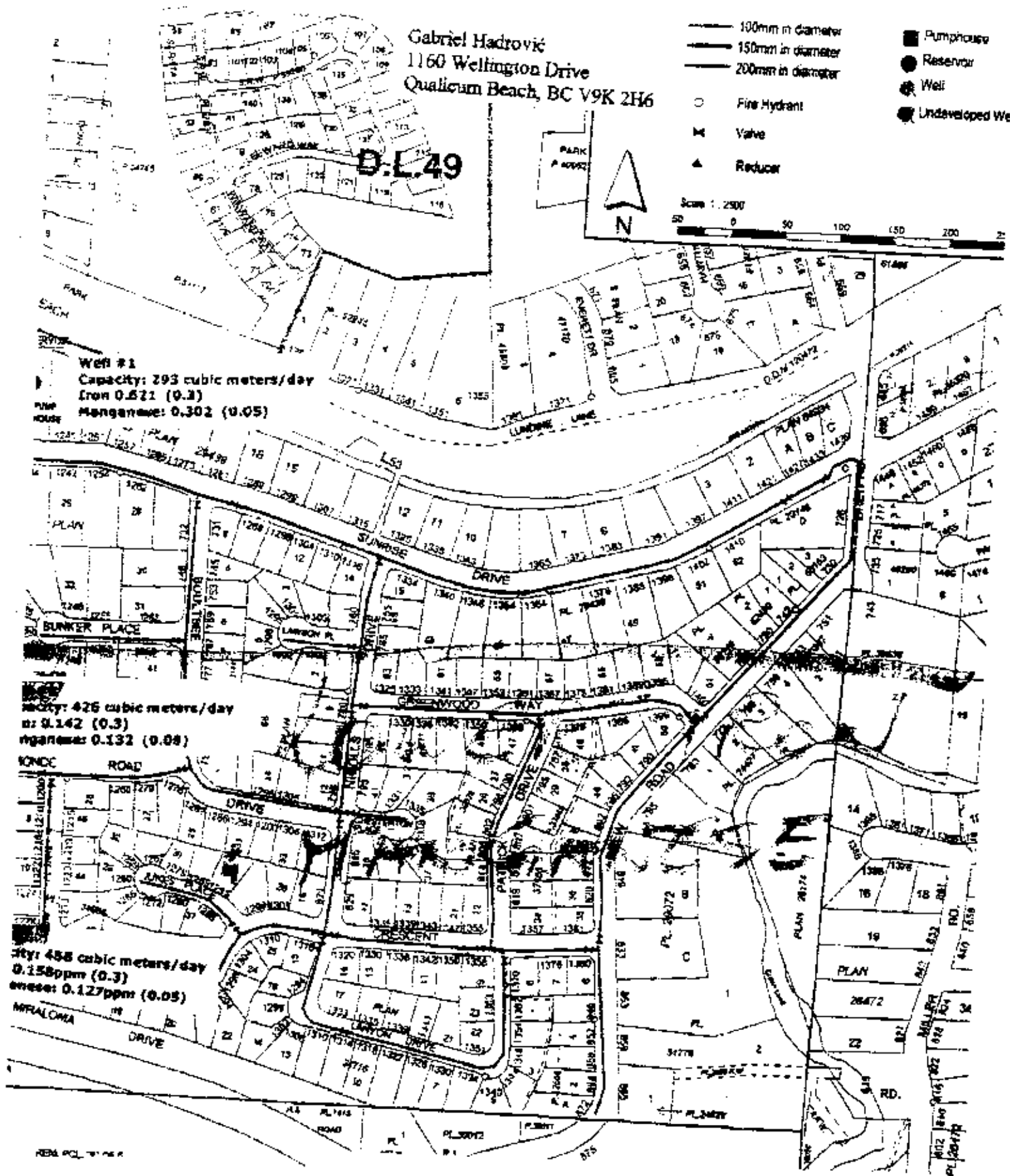
- 100mm in diameter
- 150mm in diameter
- 200mm in diameter
- Fire Hydrant
- ⊗ Valve
- ▲ Reducer
- Pumphouse
- Reservoir
- ⊙ Well
- ⊙ Undeveloped Well



Well #1
Capacity: 293 cubic meters/day
Iron 0.521 (0.3)
Manganese: 0.302 (0.05)

Capacity: 425 cubic meters/day
Iron 0.142 (0.3)
Manganese: 0.132 (0.08)

Capacity: 458 cubic meters/day
Iron 0.158ppm (0.3)
Manganese: 0.127ppm (0.05)



LOIS TRUDEAU PENNELL

656 Southborough Drive, West Vancouver, B.C. V7S 1M8
Tel/FAX (604)926-4624

LETTER BY FAX TO:

May 4, 2003

REGIONAL DISTRICT OF NANAIMO PLANNING DEPT.

6300 Hammond Bay Road

Nanaimo, B.C.

V9T 6N2

RE: VARIANCE TO DEVELOPMENT PERMIT APPLICATION NO. 60301

JUTHANS/MURPHY

Lot 39, District Lot 1, Newcastle District, Plan 20442

I refer to your notice of Meeting of the Regional District of Nanaimo on Tuesday, May 13, 2003.

I will be unable to attend the above-noted meeting, and I am therefore voicing my approval of the application in this FAX.

SIGNED: Lois Trudeau Pennell

Lois H. Trudeau Pennell, Owner

5481 Deep Bay Drive, Lot #37, PL 20 442 DL 1 Newcastle

PAGE

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International Development - Consulting - Construction - Project Management
May 5, 2003

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

FAXED LETTER

Attention: Susan Cormie

Re: Lot D, District Lot 26, Nanoose District, Plan 49145
Fairway Pointe Properties Ltd.

Thank you for the call re a citizens concern in respect to setback issues. As we wish to address any and all issues before the project is presented to Council we appreciate the opportunity to discuss the issues that may be so raised.

In this respect, we have received a communiqué from and had discussions with the representative of Morningstar in reference to setbacks. In the discussion we have been told in no uncertain manner that unless we comply with a minimum set back of 10 metres on all buildings adjacent to the course, they will make strong representation at Council to block the development. I respect their concerns and will comply.

As you are aware, we are doing all we can to cooperate and address the concerns of the community and the citizens in general. In this respect in order not to create dissension, I have advised our Architects to move all the buildings adjacent to the Golf Course to insure a mandatory 10 metre setback.

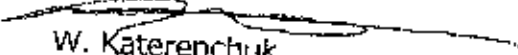
I hope that you do not have to change the Notice of Variance and just make presentation to Council at the hearing that Variance No 2 pertaining to the setback on the Golf Course has been removed and that we are providing a 10-metre setback.

The project in general is proceeding well with the land now cleared and the under ground service and Building Permit drawings well underway.

I also advised Patricia Campbell of DMG Landscape Architects to contact you to insure we comply with your bylaws in reference to landscaping.

Thank you again for your assistance and cooperation in bringing this project to fruition.

Yours truly;


W. Katerenchuk
President.

WK/jc



REGIONAL DISTRICT OF NANAIMO	
MAY - 2 2003	
CHAIR	GMCrs
CAO	GMS
GMCrs	GMS
<i>David</i>	
DATE:	
FILE:	

MEMORANDUM

TO: Pamela Shaw
Manager, Community Planning

FROM: Deborah Jensen
Planner

SUBJECT: Bylaw No. 500.288 – Northern Star Developments Ltd.
Lot 10, District Lot 109, Newcastle District, Plan 30254
Electoral Area 'H' – Anderson Avenue

PURPOSE

To consider Bylaw No. 500.288 for adoption.

BACKGROUND

Bylaw No. 500.288 was considered by the Board and given 1st and 2nd reading on September 10, 2002. A public hearing was held on October 3, 2002, and the Board granted the Bylaw 3rd reading on November 5, 2002.

Bylaw No. 500.288 would change the subdivision district of the above noted property from Subdivision District 'A' (minimum parcel size 20.0 ha) to Subdivision District 'D' (minimum parcel size 2.0 ha), as shown on Schedule No. 1, for the purpose of facilitating the subdivision of the property into two parcels of 2.9 ha each and allowing for one dwelling unit per parcel.

The applicant was required to enter into a restrictive covenant to limit development to one dwelling unit per parcel. As this covenant has now been completed, the Bylaw may be considered for adoption by the Regional Board.

ALTERNATIVES

1. To adopt Bylaw 500.288.
2. To not adopt Bylaw 500.288, and to give further direction to staff.

VOTING

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


SUMMARY/CONCLUSIONS

"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.288, 2002" was given 1st and 2nd reading on September 10, 2002. A Public Hearing was held on October 3, 2002, and the Bylaw was given 3rd reading on November 5, 2002. As the conditions for adoption have been completed, the Bylaw can now be considered for adoption.

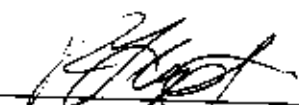
The following recommendation is provided for consideration by the Board.

RECOMMENDATION

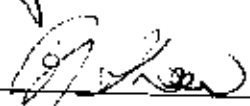
That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.288, 2002" be adopted.




Report Writer



General Manager Concurrence



Manager Concurrence

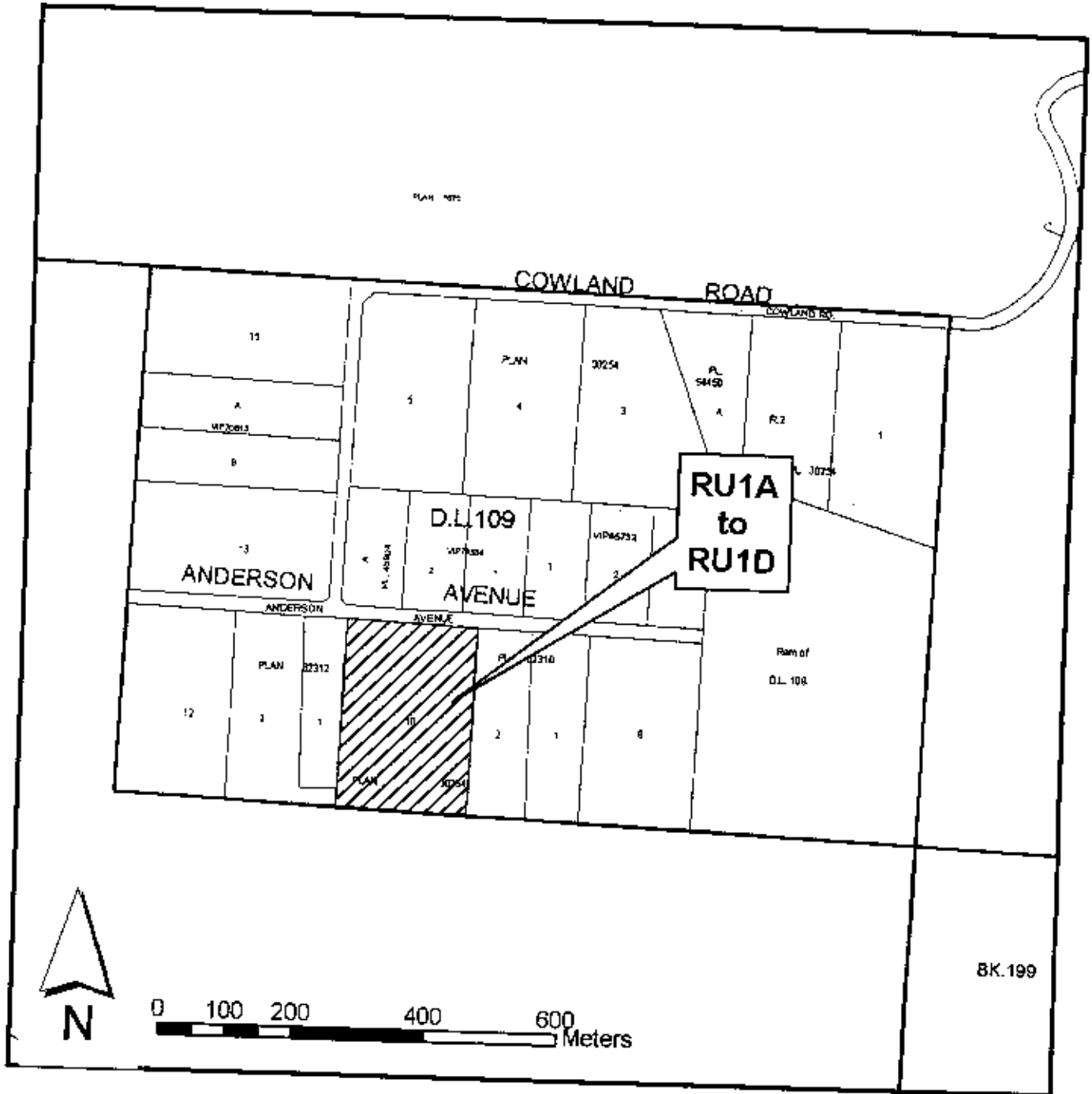


CAO Concurrence

COMMENTS:

3360 30 0207 ma brd Northern Star adpt.doc

Schedule No. 1
Change of Subdivision District
Subject Property Map



BCGS Map Sheet No. 92F.047.1.4



REGIONAL DISTRICT OF NANAIMO	
MAY - 6 2003	
CHAIR	G/MCrS
CAO	GMDS
G/CrS	GMES

MEMORANDUM

TO: Robert Lapham
General Manager, Development Services

DATE: May 6, 2003

FROM: Susan Cormie
Senior Planner

FILE: 3360 30 AA0304

SUBJECT: Bylaw Amendment Bylaws No. 841.08 & 500.291 – Michael Rosen & Associates on behalf of Englishman River Land Corporation
Electoral Area 'G', Off Kaye Road

PURPOSE

To receive the Report of the Public Hearing containing the Summary of the Minutes and Submissions of the Public Hearing held on Thursday, May 1, 2003, and further, to consider Bylaws No. 814.08, 2003 and 500.291, 2003 for 3rd reading.

BACKGROUND

Bylaws No. 814.08, 2003 and 500.291, 2003 were introduced and given 1st and 2nd reading on April 8, 2003. This was followed by a Public Hearing held on May 1, 2003. The summary of the minutes and submissions is attached for the Board's consideration (*see Attachment No. 3*).

The purpose of these amendment bylaws are to develop 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.

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.

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 by covenant prior to consideration of adoption of the bylaws. These conditions are outlined in Schedule No. 1 of this report (*see Schedule No. 1*).

ALTERNATIVES

1. To receive the Report of the Public Hearing, give 3rd reading to "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" and refer the bylaws to the Ministry of Community, Aboriginal, and Women's Services and the Ministry Transportation for approval.

2. To receive the Report of the Public Hearing and deny "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".

INTERGOVERNMENTAL IMPLICATIONS

Referrals were sent to the Ministry of Health, Ministry of Transportation, Ministry of Water, Land and Air Protection, School District 69, City of Parksville, Provincial Planning Branch, Agricultural Land Commission, the Oceanside Development and Construction Association, Nanoose 1st Nation, and Nanoose Fire Department.

Comments received to date include:

Ministry of Health - support community water service for development. On-site sewage disposal systems would be subject to approval at the time of subdivision application.

School District 69 (Qualicum) - no issues or concerns.

Ministry of Transportation - verbally indicated that issues including access to lands beyond, suitable building sites, compliance with the *Local Government Act*, public access to body of water, and road design would be conditions of approval at time of subdivision application.

Land Reserve Commission - no issues with OCP amendment bylaw, indicated suggestion for increased parcel coverage for greenhouse buildings in ALR lands.

Nanoose Volunteer Fire Department - raised 3 issues including water supply for fire fighting, secondary or emergency access, and possible future satellite fire hall land. The proposed community water supply would provide fire flows in accordance with Bylaw No. 500 with fire hydrants every 300 metres. If the application proceeds, secondary access requirements would be determined by the Ministry of Transportation at time of subdivision. A future site for a satellite fire hall may be considered to be placed on the regional park land that is being transferred to the Regional District.

Ministry of Water, Land, and Air Protection - generally support the proposal, however, recommended additional restrictive covenant conditions for parcels at the top of the bank adjacent to the Englishman River. In addition to the covenant restrictions for setbacks and vegetation removal, additional restrictions on the alteration of land and discard of any material or substance have been added to the proposed covenant conditions. (*see Schedule No. 1*). The Ministry also recommended that careful planning be completed prior to establishing trails through the Englishman River Valley. The Regional District will be working with The Nature Trust in the establishment of a trail system at a future date.

City of Parksville - The City has commented that they will only support the application if the City has a right-of-way to the Englishman River for a water intake or other activity associated with Arrowsmith Water System, there is reasonable public access to the River, a tree retention covenant is placed on buffer areas fronting the Island Highway, and a land exchange between the City and Nature Trust is considered for lands in the vicinity of Craig Creek.

Staff has also contacted Federal Fisheries staff, and they have no objection to the proposal.

In addition to the above-noted referrals, if the Bylaws are granted 3rd reading, OCP Amendment Bylaw No. 814.08, 2003 would then be forwarded to the Ministry of Community, Aboriginal and Women's Services pursuant to Section 882 of the *Local Government Act* prior to being considered for adoption.

As the subject property is within 800 metres of a controlled access intersection pursuant to the *Highway Act*, Zoning Amendment Bylaw No. 500.291, 2003 is required to be forwarded to the Ministry of Transportation for its approval. Upon these Ministries' approvals, the Board would be able to consider the Bylaw for adoption.

PUBLIC CONSULTATION IMPLICATIONS / DEVELOPMENT IMPLICATIONS

Written submissions and verbal comments obtained at the Public Hearing raised a number of issues. Generally, while it would appear that the protection of the environmentally sensitive lands throughout the Remainder of Block 564 are supported, there are concerns with respect to overall drainage of the site, assurances that the method of sewage disposal will be adequate, and the need for additional community water supply.

As a result of public input received at the Public Hearing and in order to clarify the technical specifications for the proposed development that are included in both the zoning bylaw and proposed restrictive covenants, the following minor amendments to the Comprehensive Development I4 (CD14) zone are recommended (*see Schedule No. 2*):

1. For the purposes of the CD14 zone, the design population to be used in calculating water demand be amended from 380 persons to 553 persons (a design population equivalent of 3.5 persons per parcel). This does not change the water supply requirement of 100 imperial gallons per minute that is set out in the bylaw;
2. For the purposes of the CD14 zone, the reservoir size for water storage be amended from 100,000 imperial gallons to 150,000 imperial gallons; and
3. Clarification that additional lands for storm water retention areas be dedicated together with the greenway corridor.

In addition to the minor changes to the CD14 zone, changes to the covenant conditions with respect to storm management of the site, additional sewage disposal maintenance criteria, and increased community water supply are included in Schedule No. 1 - Conditions of Approval.

The applicant is in concurrence with both the amendments to the CD14 zone and the additional covenant restrictions.

LEGAL IMPLICATIONS

Staff has reviewed the proposed amendments to the zoning amendment bylaw and the covenant agreement with the RDN solicitor who has indicated that these amendments meet the provisions of the *Local Government Act* with respect to bylaw consultation and adoption procedures.

VOTING

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

SUMMARY

The purpose of Bylaws No. 814.08, 2003 and 500.291, 2003 are to develop The Remainder of Block 564 Nanoose District as a rural residential development comprised of 158 parcels a minimum of 1.0 ha in size with community water service. The bylaws were introduced and given 1st and 2nd reading on April 8, 2003 and proceeded to Public Hearing on May 1, 2003.

In response to concerns raised at the Public Hearing, minor changes to the CD14 zone as well as amendments to the Conditions of Approval as set out in Schedule No. 1 are recommended. The recommended amendments include an increase in the design population for the calculation for required water supply and additional storm water management, sewage disposal, and environmental protection conditions. The applicant is in concurrence with these amendments.

The requirements set out in the Conditions of Approval will be secured by a restrictive covenant, which will be registered on title prior to the Board's consideration of the bylaws for adoption.

Staff recommends that Bylaws No. 814.08 and 500.291 be considered for 3rd reading as amended and subject to the conditions to be secured by restrictive covenant.

RECOMMENDATIONS

1. 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.
2. That "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" as amended, be given 3rd reading and be referred to the Ministry of Community, Aboriginal, and Women's Services and the Ministry Transportation for approvals.
3. That staff be directed to secure the conditions as outlined in Schedule No. 1 prior to consideration of adoption.



Report Writer



General Manager Concurrence



Manager Concurrence

CAO Concurrence

COMMENTS:

devsvs/reports/2003/3360 30 aa0304 ma brd englishman river hldgs 3rd.doc

SCHEDULE NO. 1

Application AA0304

Bylaw Amendment Bylaws No. 814.08, 2003 & 500.291, 2003

Englishman River Land Corporation

Conditions for Approval (consolidated for convenience)

The applicant has agreed to enter into this agreement securing all conditions listed below and to register it against the title to the Land as a covenant and indemnity under section 219 of the *Land Title Act* prior to the consideration of the adoption of Bylaws No. 814.08, 2003 and 500.291, 2003.

DEVELOPMENT COVENANTS

The applicant agrees that all requirements set out in these conditions must be fulfilled prior to final approval of subdivision of any portion of the land. All covenants are to be prepared and registered by the applicant to the satisfaction of the Regional District.

Park Land

1. The applicant will transfer, as a fee simple parcel(s), the following lands as regional park land within Block 564, Nanoose District, Except That Part Shown Outlined in Red on Plan 613-R and Except Parts in Plans 360RW, 3132RW, 31833, 39893, 42873, VIP66068, VIP67422, VIP69511 and VIP71158 (The Remainder of Block 564, Nanoose District) as shown on Attachment No. 1.
 - a) Craig Creek Corridor including the Bed of the Creek up to and including 30.0 metres as measured from the top of the bank and that part of the land east and south of Craig Creek to the boundary of the lands, as generally shown on the conceptual plan of subdivision; and
 - b) The greenway and unnamed wetland corridor providing connections to the Craig Creek Corridor (both portions in the southern area of parcel) and the Englishman River as shown on the conceptual plan of subdivision. The greenway shall be a minimum of 15.0 metres in width and shall include additional lands that will serve as storm water retention areas.

2. The applicant will transfer, as a fee simple parcel(s), the following lands as regional park land within Block 564, Nanoose District, Except That Part Shown Outlined in Red on Plan 613-R and Except Parts in Plans 360RW, 3132RW, 31833, 39893, 42873, VIP66068, VIP67422, VIP69511 and VIP71158 (The Remainder of Block 564, Nanoose District) as shown on Attachment No. 2:
 - a) That portion of land located between DL 57 Nanoose District and the Island Highway that includes all of the area 200 metres south of the Remainder of DL 40 Nanoose District;
 - b) That portion of land located between the west boundary of DL 57, Nanoose District and the top of the bank of the Englishman River Valley;
 - c) A 30.0-metre wide strip of land located adjacent to the west side of the Island Highway up to Kaye Road; and

- d) A 30.0 metre wide strip of land located west of that portion of Lot 1, Block 564 and DL 171 Nanoose District Plan VIP71158 that fronts the Island Highway.

Englishman River Access

3. The applicant will dedicate as regional park land (*one 20-metre access for every 400 metres of frontage on the Englishman River and South Englishman River*) provided such access is accepted as access in lieu of the *Land Title Act* requirements for access to water. These accesses may be combined to provide constructable access and avoid locations where there are hazardous slopes.

Community Water and Fire Protection

4. The applicant will provide proof of a potable water source to serve the development in a quality and quantity to the satisfaction of the RDN. Proof of the water source and required works include, but are not limited to the following:
- a) An engineer's report prepared by a professional engineer with expertise in hydrogeology confirming that the assumptions and conclusion of the hydrogeology report dated January 2003 remains valid;
 - b) Performing aquifer pump tests to meet Bylaw No. 500, 1987 Community Water System Standards and/or the standards as specified in the CD14 zone for design population of 553 persons (3.5 persons per parcel);
 - c) Analyzing water samples to determine water quality meets the health and aesthetic guidelines as set out in the current Guidelines for Canadian Drinking Water Quality as published by the Government of Canada or as acceptable to the Environmental Health Officer of the Vancouver Island Regional Health Board.
5. The applicant will construct a community water system including the collection system, reservoir, distribution system and service connections to all proposed parcels less than 8.0 ha in size within the development. The system is to be built to meet Bylaw 500, 1987 Community Water System Standards and/or the standards as specified in the CD14 zone to the satisfaction of the RDN including but not limited to the following:
- a) A groundwater supply source(s) capable of providing a minimum of 100 imperial gallons per minute with no individual well producing less than 30 imperial gallons per minute complete with a well head protection areas and works to the satisfaction of the RDN;
 - b) A minimum of 150,000 imperial gallon water storage reservoir to be sited at an elevation capable of providing gravity service to the lands and accessible by a minimum 6.0 metre access route, with a secured site, electrical service and works to the satisfaction of the RDN;
 - c) Fire hydrants shall be spaced such that the maximum distance from a hydrant to the centroid of any parcel measured along the centreline of the highway and perpendicular to a highway is 300 metres.

Septic Disposal

6. The applicant will meet all conditions with respect to sewage disposal, as set out by the Vancouver Island Regional Health Board, and further will comply with the Standards for Approving Sewage Disposal Systems as published by the Central Vancouver Island Health Unit of the Vancouver Island Regional Health Board.

Storm Water Management

7. The applicant will provide an engineered storm water management system and storm water retention area for the subject property to be situated and contained within an additional area that will form part of the greenway corridor, to be dedicated as part of the Regional Park Land.
8. The applicant will construct storm water management works within the storm water retention area to the satisfaction of the RDN subject to the following:
 - a) That the storm water retention area will be designed to reasonably limit the accumulation of water to within the period of seasonal storm events and be of sufficient land area to reasonably limit the possibility of sedimentation from restricting the percolation rate required to serve the development;
 - b) Ensuring through good engineering practice that no accumulated storm water drainage is to be directed over the Englishman River banks nor is it to negatively impact the stability of the Englishman River banks as determined by a registered BC professional engineer experienced in geotechnical engineering.
 - c) Ensuring that the management of storm water is integral in the water balance for the aquifer and maintains adequate base flows in the Englishman River and Craig Creek systems;
 - d) Ensuring that the storm water management system takes maximum advantage of the ability of the granular soils exposed on site to infiltrate storm water and maintain the base flows in the Englishman River and Craig Creek; and,
 - e) Providing interim sediment control works during the period of construction to prevent siltation or erosion within the storm water management system.

COVENANTS RUNNING WITH THE LAND

The applicant agrees that all requirements set out in these conditions must be fulfilled prior to final approval of subdivision of any portion of the land. All covenants are to be prepared and registered by the applicant to the satisfaction of the Regional District.

Septic Disposal on Private Parcels

1. The applicant will register a section 219 Covenant on all parcels that will be less than 8.0 ha in size, restricting the use of septic systems for the disposal of effluent and requiring the sewage to be pumped and hauled to an approved sewage disposal facility, unless the system is inspected and upgraded as required to ensure good working order at a minimum of every 3 years.
2. Evidence as certified by a professional engineer or qualified professional acceptable to the Vancouver Island Regional Health Board, that the septic disposal system has been inspected and is functioning according to the specifications of the design to ensure the adequate treatment of effluent as set out in the Standards for Approving Sewage Disposal Systems as published by the Central Vancouver Island Health Unit of the Vancouver Island Regional Health Board must be provided to the Regional District of Nanaimo every 3 years.

Geotechnical Requirements

3. The applicant will enter into a section 219 covenant establishing a minimum 15.0-metre setback distance from the top (crest) of the slope except where the top of the bank adjacent to a watercourse within 30.0 m of the natural boundary of the watercourse; then the covenant area shall be extended to 30.0 metres. The following uses and activities shall be restricted within the covenant area:

- a) The placement of buildings and/or structures, including fences unless a request for a relaxation is based on detailed investigation for site specific parcels as determined by a registered BC professional engineer experienced in geotechnical engineering, with the exception of site E as set out in the geotechnical report prepared by EBA Engineering Consultants Ltd., dated November 18, 2002;
- b) The removal of any vegetation or the alteration of land, except for the removal of hazardous trees or pruning limbs so as not to damage the health of a tree or negatively affect the stability of the land in accordance with the geotechnical reports provided written permission from the Regional District has been received prior to works commencing; and,
- c) The alteration of land, deposit of fill or placement or discard of any material or substance within the covenant area other than the maintenance or enhancement of native vegetation.

Indemnity

4. The applicant will enter into a covenant and agree to indemnify and save harmless the Regional District from any and all claims, causes of action, suits, demands, expenses, costs and legal fees whatsoever that anyone might have as an owner, occupier or user of the Land, or by a person who has an interest in or comes onto the Land, or by anyone who suffers loss of life or injury to his person or property, that arises out of erosion, land slip, rock falls or subsidence for all proposed parcels adjacent to the Englishman River or the South Englishman River.

Land Uses on Individual Parcels

5. The applicant is to enter into a section 219 covenant for all parcels within the development restricting:
 - a) any drainage discharge from any source from being directed over any portion of the bank of the Englishman River;
 - b) the drilling or digging of any groundwater wells except wells that are owned and operated by the RDN; and
 - c) inclusion into the provincial Agricultural Land Reserve.

Protection of Vegetation and Storage or Deposit within Proposed Private Parcels

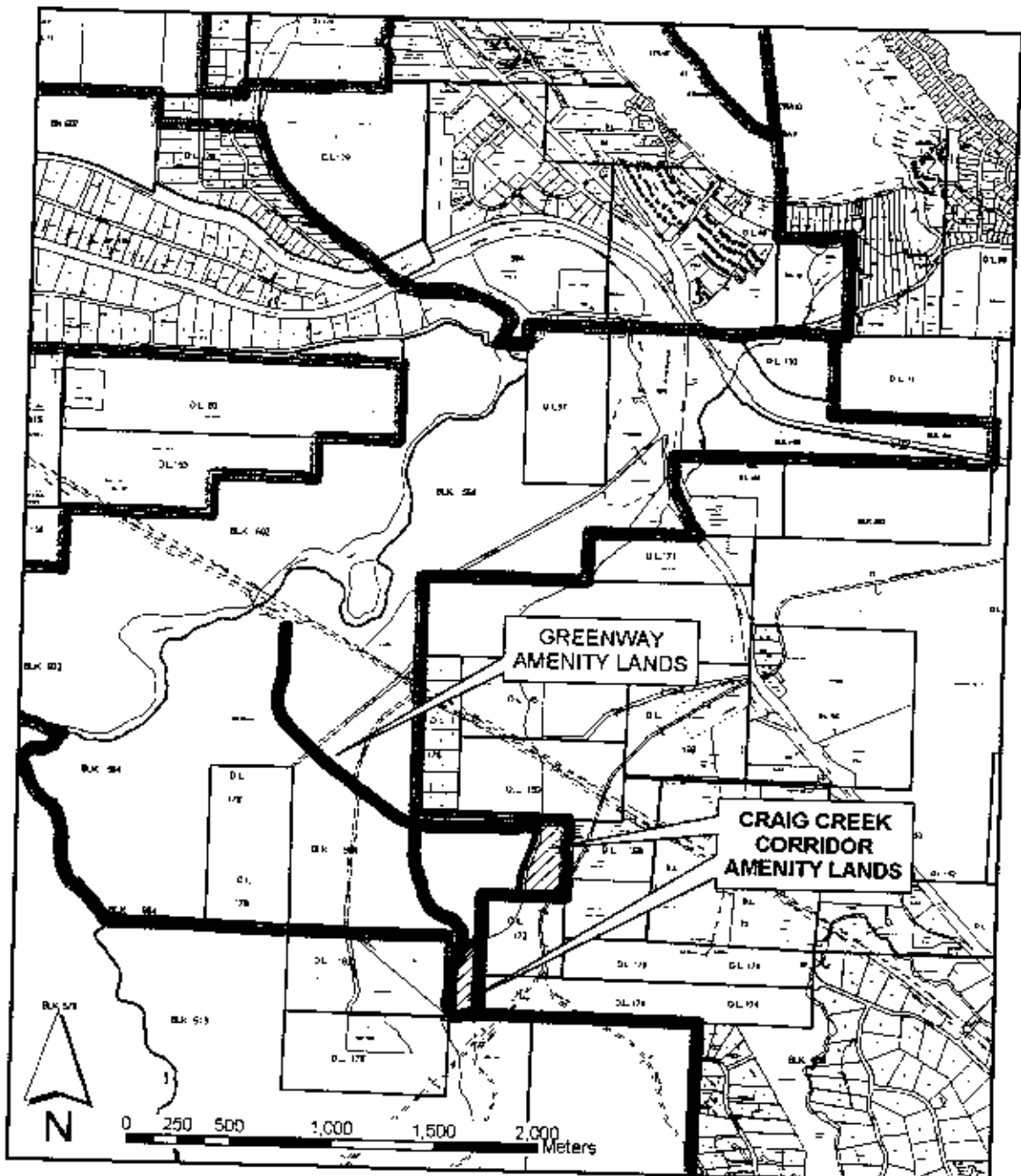
6. The applicant is to enter into a section 219 covenant that prior to any application for subdivision for the Remainder of Block 564 Nanoose District, the owner will provide a vegetation assessment of the parcel to determine the areas of possible vegetation retention and enhancement. This assessment is to be at the owner's expense and to the satisfaction of the Regional District of Nanaimo.
7. The areas of vegetation retention and enhancement to be protected by section 219 covenant prior to final approval of subdivision and will include the following restrictions:
 - a) the removal of any vegetation or the alternation of land, except for the removal of hazardous trees or pruning limbs so as not to damage the health of a tree or negatively affect the integrity of the natural environment; and
 - b) the alternation of land, deposit of fill or placement or discard of any material or substance within the covenant areas other than the maintenance or enhancement of native vegetation.

ATTACHMENT NO. 1 (as part of Schedule No. 1)

Application AA0304

Bylaw Amendment Bylaws No. 814.08, 2003 & 500.291, 2003

Englishman River Land Corporation

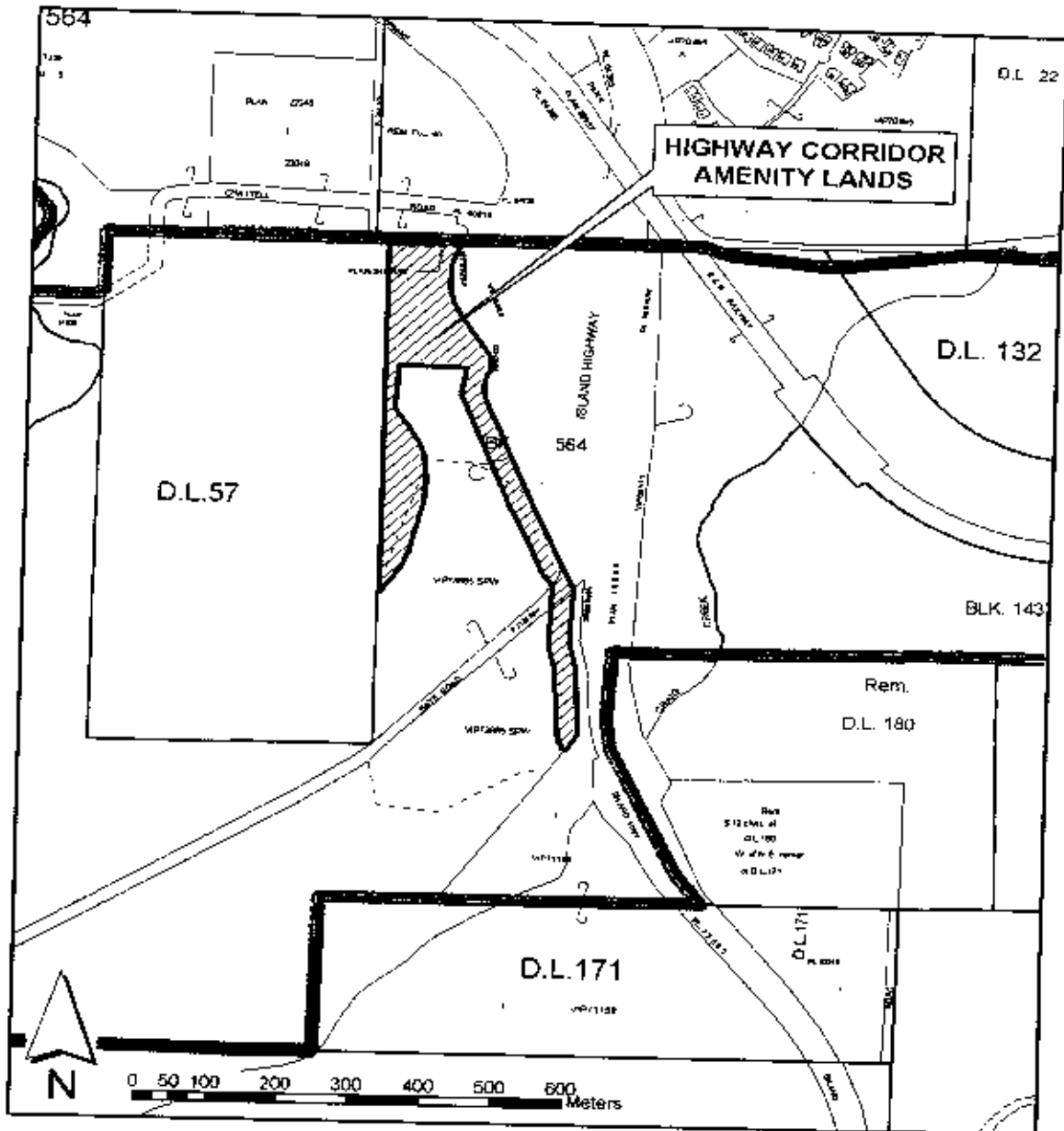


ATTACHMENT NO. 2 (as part of Schedule No. 1)

Application AA0304

Bylaw Amendment Bylaws No. 814.08, 2003 & 500.291, 2003

Englishman River Land Corporation



SCHEDULE NO. 2

Application AA0304

Bylaw Amendment Bylaws No. 814.08, 2003 & 500.291, 2003

Englishman River Land Corporation Amended Comprehensive Development 14 (CD14) Zone

Section 3.4.112

**ENGLISHMAN RIVER (BLOCK 564)
COMPREHENSIVE DEVELOPMENT ZONE 14**

CD14

3.4.112.1 Permitted Uses, Density, and Park Amenity**Permitted Uses**

- a) Residential Use
- b) Home Based Business Use
- c) Agriculture use, within that part of the zone within the ALR

Density and Park Amenity

- a) The maximum number of parcels that may be created by subdivision within the area as shown outlined on Schedule No. 2 of the CD 14 zone shall be:
 - i) 158 where the Regional Park amenity referred to in section b) of Section 3.4.112.1 is provided to the Regional District; or
 - ii) 36 parcels where the Regional Park has not been provided.

- b) The Regional Park amenity is the transfer of the following portions of the lands legally described as the Remainder of Block 564, Nanoose District, Except That Part Shown Outlined in Red on Plan 613-R and Except Parts in Plans 360RW, 3132RW, 31833, 39893, 42873, VIP66068, VIP67422, VIP69511 and VIP71158 (The Remainder of Block 564, Nanoose District) for Regional Park:
 - i) A greenway corridor not less than 15.0 metres in width linking a minimum of one (1) accessible location from the top of the bank of the Englishman River to the two (2) locations where Craig Creek crosses the lands and to the location of the unnamed wetland located near the south boundary of the lands and shall include additional lands that will serve as storm water retention areas;
 - ii) The Craig Creek Corridor and that part of the land east and south of Craig Creek situated west of the Island Highway, including the Bed of the Creek and a minimum 30.0 metres as measured from the top of the bank of the Creek;
 - iii) That portion of land located between DL 57, Nanoose District and the Island Highway that includes all of the area 200 metres south of the Remainder of DL 40 Nanoose District;
 - iv) That portion of land located between the east boundary of DL 57, Nanoose District and the top of the bank of the Englishman River Valley;
 - v) A 30.0-metre wide strip of land located adjacent to the west side of the Island Highway from the south boundary of the Remainder of DL 40, Nanoose District to Kaye Road; and
 - vi) A 30.0 metre wide strip of land located west of that portion of Lot 1, Block 564 and DL 171 Nanoose District Plan VIP71158 that fronts the Island Highway.

3.4.112.2 Maximum Number and Size of Buildings and Structures

Accessory buildings	Combined floor area 400 m ²
Dwelling units/parcel	1
Height of buildings	9.0 m
Parcel coverage	10%

3.4.112.3 Minimum Setback Requirements

Watercourse	30.0 metres
Top of the bank adjacent to a watercourse	15.0 metres
All other lot lines	8.0 metres

Where the top of the bank adjacent to a watercourse is within 30.0 metres of the natural boundary of a watercourse then the setback shall be a minimum of 30.0 metres from the natural boundary of the watercourse or 15.0 metres from the top of the bank, whichever is greater.

3.4.112.4 Minimum Parcel Size

Despite sections 4.1 and 4.4.4 of this Bylaw, the following subdivision regulations apply:

- a) for a parcel with a connection to a community water system 1.0 ha
- b) for a parcel without a connection to a community water system or community sewer system 8.0 ha

3.4.112.5 Other Regulations

For the purpose of this zone:

- a) Where land in this zone is not within the ALR, the keeping of animals, as set out in section 3.3.5 of this bylaw is further restricted to a maximum of 2 livestock animals that may be kept on a parcel at the same time except that no livestock shall be kept on those parcels that front the public lands adjacent to the Englishman River and South Englishman River.
- b) Home Based Business Use - the regulations set out in section 3.3.12 applicable to the Rural 5 zone apply to this zone.

3.4.112.6 Community Water System Standards Applicable to this zone.

For the purpose of this zone:

- a) The design population to be used in calculating water demand as referred to in section 2.3 of Schedule 4C of this bylaw shall be 553 persons.
- b) The water supply quality as referred to in section 2.5 of Schedule 4C of this bylaw shall meet or exceed both potable and aesthetic standards according to the current Canadian Drinking Water Standard.
- c) The ground water supply source as referred to in section 2.6 of Schedule 4C of this bylaw shall provide for a minimum demand of 100 imperial gallons per minute developed in accordance with the specifications and testing procedures of Schedule 4C of this bylaw.
- d) The reservoir size for water storage as referred to in section 2.7 (1) of Schedule 4C of this bylaw shall be a minimum of 150,000 imperial gallons and may be located outside the CD14 zone provided the site area of the reservoir and access to the site is secured by statutory right-of-way.
- e) The standard for fire hydrant distribution, as referred to in section 2.10 of Schedule 4C of this bylaw, shall be the spacing of fire hydrants such that the maximum distance from a hydrant to the centroid of any parcel measured along the centreline of the highway and perpendicular to a highway, is 300 metres.
- f) No community wells shall produce less than 30 imperial gallons per minute

ATTACHMENT NO. 3

REGIONAL DISTRICT OF NANAIMO

REPORT OF THE PUBLIC HEARING
HELD THURSDAY, MAY 1, 2003 AT 7:00 PM
IN THE SPRINGWOOD MIDDLE SCHOOL MULTI PURPOSE ROOM
450 DESPARD AVENUE, PARKSVILLE, BC
TO CONSIDER BYLAWS NO. 814.08, 2003 & 500.291, 2003

SUMMARY OF THE MINUTES AND SUBMISSIONS

Note that these minutes are not a verbatim recording of the proceedings, but summarize the comments of those in attendance at the Public Hearing.

PRESENT:

Joe Stanhope	Chairperson, Director, Electoral Area 'G'
Pauline Bibby	Director, Electoral Area 'E'
Lou Biggemann	Director, Electoral Area 'F'
Teunis Westbroek	Director, Town of Qualicum Beach
Randy Longmuir	Director, City of Parksville
Bob Lapham	General Manager, Development Services
Susan Cormie	Senior Planner

There were approximately 40 persons in attendance.

The Chairperson called the Hearing to order at 7:04 p.m., introduced those present at the head table as well as the Board members in the audience, and outlined the procedures to be followed during the Hearing.

The Senior Planner provided an outline of the Bylaws including the background and a summary of the contents of the Bylaws and associated development covenants.

The Chairperson called for formal submissions with respect to Bylaws No 814.08, 2003 and 500.291, 2003.

Frank Horner, 400 West First Avenue, Qualicum Beach, stated that his concerns were 2-fold. Firstly, Mr. Horner stated that he heard that this proposal is the better of 2 alternatives and asked why aren't we going for a third alternative? Mr. Horner referred to the environmental protection section of the Regional Growth Management Plan stating that the development should be in keeping with the Plan and not be outside the strategy. Mr. Horner stated that the Englishman River is the domestic water supply for a number of communities and the first priority is the protection of the Englishman River. Mr. Horner stated that his second concern was the character of the company involved in the development proposal. Mr. Horner concluded by asking the Regional Board to reject the proposal and follow the principles in the growth Management Plan.

Charles Seamone, 726 Lancaster Place, Qualicum Beach, spoke on behalf of the French Creek Residents' Association and read the Association's submission (attached) that outlined 2 areas of concern

– community water and fire protection and septic disposal and recommended that the Board of Directors have staff re-evaluate the water and sewer provisions for the development.

Richard Dean, 530 Meadow Drive, Electoral Area 'G' read his submission (attached) which outlined concerns with on-site septic disposal and recommended a number of additional covenants be used to ensure septic disposal systems are working correctly.

David Elkins, 1355 Saturna Drive, Parksville stated that he welcomed the idea of a park on the Englishman River and the greenway corridors, but he shared the concerns of the previous speakers. Mr. Elkins asked if 380 persons is a realistic number for determining water supply and wondered if there will be more people, more traffic, etc. than originally thought. Mr. Elkins asked if 1.0 ha means no more subdivision and if no drainage over the river bank means drainage can be piped under the bank? Mr. Elkins also stated that there are not clear statements about storm water management and used Craig Creek as an example. Mr. Elkins also noted that nothing suggests that fisheries have been consulted.

Adele McKillop, 278 Cedar Street, Parksville stated that she was speaking on behalf of the landowners of DL 44 and DL 45, which is mostly in the ALR and is operating as a farm. Ms. McKillop stated that she has concerns with drainage and storm water management and she felt the required covenants are not strong enough to control the drainage as it relates to her property. Ms. McKillop also noted that she was concerned that flooding would increase onto her property with the development. Ms. McKillop stated that her family's property is designated farm land not flood land. Ms. McKillop stated that she do not see any evidence that the RDN communicated with the Land Commission office with respect to adjacent lands. Ms. McKillop concluded by urging the RDN to reconsider wording on storm water management in order to protect her family's property from further flooding in the future.

James Craig, 1040 Forgotten Drive, Parksville stated that the Englishman River has recently been deemed the second most endangered river in BC and that he is involved with the Englishman River Watershed Recovery Plan. Mr. Craig stated that it is more costly to restore habitat than it is to protect an existing habitat. Mr. Craig urged the RDN to protect the fishery.

Ross Harvey, 865 Seashell Place, San Pareil, stated that he is in favour of the proposal and that it has a very low density. Mr. Harvey stated that he felt the applicants made an effort to protect the river and address the concerns of the RDN and other agencies.

Barbara Smith, Burgoyne Road, Coombs, stated that she was representing the horse community and that horse people will be attracted to this area. Ms. Smith stated that the horse community looks for greenways, but felt that the greenways will not be accessible to people. Ms. Smith asked that two corridors to the River be kept open – the Clay Bank corridor and the Hydro lines corridor.

Mike Davis, 1013 Sabine Road, San Pareil, stated that he was President of the Shorewood San Pareil Owners and Residents Association and they are concerned with the Englishman River as a fish habitat and felt that the storm water management was not completely dealt with. Mr. Davis also stated that they were concerned with protecting the San Pareil water supply. Mr. Davis noted that there was in the original proposal a reference to an ecotourism facility on the River and asked if this still being considered?

The Chairperson called for further submissions a first time.

Michael Rosen, applicant's agent stated that his client is aware of the protection of the Englishman River and that is their first priority. Mr. Rosen noted that if the property was subdivided into 20 acre parcels, the river valley would private. Mr. Rosen spoke of the balance between public and private

interests and he felt that the proposal was a good compromise and that putting in a community sewer system would put this balance off. Mr. Rosen stated that concerns about storm water management, sewage disposal, and community water were addressed by the numerous studies the client completed. Mr. Rosen noted that the requirement for septic disposal checks is leading edge. Mr. Rosen also noted that the greenways would cross the property both north to south and east to west and be up to 100 metres in width. Mr. Rosen stated that that proposed ecotourism element is not included the bylaw and therefore is not being considered. Mr. Rosen concluded by stating there are a whole set of additional approvals still required as part of this application through the subdivision process including issues raised here tonight such as geotechnical, water supply, and storm water management.

The Chairperson asked that the submissions received be read into the minutes.

The Senior Planner read the submissions into the minutes.

Thomas McArthur, 1596 Marine Circle, questioned the water supply being based on the number of persons when in the summer time the households increase in the number of person living there and this is the peak water usage time. Mr. McArthur felt that this unique situation should be taken into account when reviewing the water supply.

Hau Heringa, Peterson Road, stated that the drainage of Peterson Road needs to be addressed. Mr. Heringa also states that a number of industrial trucks use Kaye Road and he was concerned that people will complain about the truck traffic in the future.

The Chairperson called for further submissions a second time.

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

There being no further submissions, the Chairperson adjourned the Hearing at 8:04 p.m.

Certified true and accurate this 5th day May 2003.



Susan Cormie
Recording Secretary

Director Joe Stanhope
Chairperson, Electoral Area 'G'

Submissions

May 1, 2003

Public Hearing

To:

THE REGIONAL DISTRICT OF NANAIMO
BOARD OF DIRECTORS

Re:

Regional District of Nanaimo Englishman River Official Community Plan Bylaw
Amendment Bylaw No. 814.08, 2003
&
Regional District of Nanaimo Land Use Subdivision Bylaw Amendment Bylaw No.
500.291, 2003

Amendment Application No. AA0304, Block 564, Nanoose District

BRIEF

Presented by the

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

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May 1, 2003

Public Hearing

TO: THE REGIONAL DISTRICT OF NANAIMO BOARD OF DIRECTORS

RE: Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.08, 2003; and Land Use Subdivision Bylaw Amendment Bylaw No. 500.291,2003; Amendment Application No. AA0304, Block 584, Nanoose District

BRIEF:

Intent and Purpose

The intent and purpose of "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.08, 2003" and "Regional District of Nanaimo Land Use Subdivision Bylaw Amendment Bylaw No. 500.291,2003" is to develop the land in Amendment Application No. AA0304, Block 584, 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.

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

The documentation that has been made available to the FCRA raises two areas of concern that we would like to address. These are mentioned in two RDN staff reports dated March 17, 2003: Schedule Nos. 1 and 2 "Conditions for Approval for OCP & Zoning Amendment Application No. AA0304, Englishman River Land Corporation".

1. Community Water and Fire Protection

- Schedule 1 requires: *"The applicant will provide proof of a potable water source to serve the development in a quality and quantity to the satisfaction of the RDN"* for the 158 land parcels to be serviced by a community water system. Schedule 2, Clause 3.4.112.6, Community Water Standards Applicable to this zone sub-paragraph a) states: *"The design population to be used in calculating water demand as referred to in Section 4C of this bylaw shall be 380 persons"*.
- This works out to a total population based on 2.4 persons per parcel (lot) which is hardly adequate for properties of the size and intended use in this proposed development. It is inconceivable to think that a three bedroom house would be restricted to accommodating so few people and surely the residences that will be constructed on these lots will contain at least three bedrooms. There is also the possibility of additional people living in guest or extended family accommodation on these lots.
- RDN Bylaw No. 500 requires community water to be provided on the basis of strict rules, such as 30 persons per hectare. Why is the Water Bylaw 500, Section 7D not being applied to this development? Bylaws are for the protection of the communities' residents and public as a whole. Bylaw 500, in particular, governs the built environment with the purpose of ensuring protection standards for the health and safety of all residents.
- Adequate water for domestic and fire protection purposes should be uppermost in the minds of the RDN and the developers of these properties. We feel that supplying water based on 2.4 persons per parcel will ultimately prove to be inadequate.

2. Septic Disposal

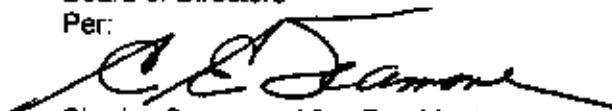
- Schedule 1 requires the applicant to meet: " all conditions with respect to sewage disposal, as set out by the Vancouver Island Regional Health Board, and further will comply with the Standards of Approving Sewage Disposal Systems as published by the Central Vancouver Island Health Unit of the Vancouver Island Regional Health Board".
- We understand what is intended for use here is on-site septic disposal systems. We have been told of the intention of having them "inspected and upgraded as required to ensure good working order at a minimum of every 3 years" but we question this as we know of no such inspection procedure being carried out or enforced by any local authority at present or being planned for in the future.
- Developments of this size in such an environmentally sensitive area as the Englishman River should be serviced with sewage disposal systems that afford the highest possible levels of protection to groundwater, surface water, the environment and residents as a whole.
- The Intended water supply will come from aquifers whose containment is questionable. We were given to understand at a previous Public Information session on the development that there are two aquifers – one deep and one perched – and that the deep one will be the source of water. How are these aquifers protected and what are the possible effects that on-site sewage systems might have on them and those neighbouring properties which are now, or will in the future be, taking water from the perched aquifer?
- We are also very concerned over the integrity of the Englishman River, the source of Bulk Water for the entire Parksville/Qualicum Beach/Nanoose area. Protection of this water source from sewage disposal systems, storm water run-off and other possible land-use contaminants is of prime importance.

Recommendation:

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 RDN staff re-evaluate the water and sewer provisions for this development.

Respectfully Submitted by the
French Creek Residents' Association
Board of Directors

Per:



Charles Seamone, Vice-President



Northwest Nanoose Residents Association

P.O. Box 216 . Nanoose Bay, B.C. V9P 9J9

May 1, 2003

Regional District of Nanaimo;

Re: Public Hearing of Proposed Block 564, Englishman River Development.

The Northwest Nanoose Residents Association (NNRA) has received a reply from RDN staff addressing our concerns about sewage disposal, potable water protection, environmental protection, and surface water management.

Although we are somewhat comforted by the proposed development covenants, we have several questions regarding the implementation of those covenants.

1. What is the meaning of a "Section 219 Covenant"? Does this designation convey any particular responsibility to the developer or to RDN?
2. What is the enforcement mechanism for those covenants running with the land? We are aware of the all-to-common abandonment of enforcement of covenants in other situations, and would like your reassurance that there is a long-term mechanism that guarantees the effectiveness of the proposed covenants.
3. Are some of the covenant requirements to be enforced by neighbors reporting on neighbors; perhaps in the case of vegetation removal?
4. What will be the role of RDN in enforcement? Will this role involve the hiring of bylaw enforcement officers? Will this work be undertaken by existing staff? With either alternative, how will this involvement be financed; through general taxation, or levies specific to the development? It is NNRA's opinion that covenant inspection and enforcement should be self-financing – that is, paid for by the property owners of the development.
5. What penalties are envisaged for infractions of the proposed covenants?
6. Does the reference to "Registered BC Professional Engineer experienced in geotechnical engineering" (in addressing our concerns about storm water management) mean the engagement of outside consulting services in addition to, or in place of those already engaged by the development corporation?
7. With respect to the protection of the potable water supply from the area's aquifer, is it the RDN's view that septic disposal systems, properly maintained through the proposed inspection and enforcement mechanisms of the covenants, will pose no threat to the quality of water in the underlying aquifer? Or, will this require more field study of the soils and groundwater regimes of the development site?
8. Will RDN request that the developer investigate alternate sewage treatment and disposal systems; in cases for example where soils percolation tests do not support conventional septic disposal?

Respectfully submitted,

Ross Peterson, President

 vice president

Preserve ... the quiet, clean and peaceful atmosphere of our neighbourhood

May 1, 2003

Public Hearing

To: The Regional District of Nanaimo Board of Directors

From: Richard Dean

Re: Proposed OCP Zoning Amendment Application No. AA034, Block 564 Nanoose District

Brief:

I am a resident of Area G and wish to express my concerns of the proposed 158 onsite septic disposal fields.

I owned and operated a residential septic system for 23 years and I am well aware of the consequences of failure and the importance but lack of inspection and maintenance.

In a March 17, 2003 memorandum RDN staff report that a hydrogeological assessment was done by the applicants' consultants and indicates "the development of septic systems for the proposed development is not anticipated to detrimentally effect water quality in the Englishman River." Also, "that the maximum parameters used by VIHA within their policy for onsite sewage disposal and onsite sewage disposal standards for subdivision be secured as part of the application." The problem with maximum parameters is that VIHA sets minimum standards for site and design requirements and offers only advice concerning inspection and maintenance. I quote from the VIHA Subdivision Assessment Standards November 2002 "These guidelines are considered to be minimum standards for the Authorities; however local municipalities including the Islands Trust may have additional requirements."

At the public information meeting numerous residents raised concerns of the sewage disposal capability. RDN staff has responded with what I consider to be two unacceptable covenants. These are:

1. The applicant will meet all conditions with respect to sewage disposal as set out by VIHA.
2. Septic disposal systems are inspected and upgraded as required to ensure good working order at a minimum every 3 years.

Bearing in mind that the "applicant is proposing to protect the environmentally sensitive features on the site", the existence of wetlands, and the 10% parcel coverage (a possible 1000m² building), I suggest the following covenants and/or bylaws be added if individual septic systems are used.

1. Septic systems should be inspected annually by the VIHA and paid for by the owner. (Ministry of Health leaflet 21A states that septic tanks should be inspected every year and usually need servicing every two to three years).
2. A VIHA approved builder should carry out construction of the septic system. (Not a homeowner option).
3. The subdivision application must be reviewed during the wet winter months. (Not may be)
4. Problem preventions listed in leaflet 21A should be prioritized and made mandatory. (e.g. paints, solvents, and toxic chemicals should not be flushed down the toilet)
5. Sludge and surface oils should be pumped out every year prior to the annual inspection.

I wish to conclude that I am disappointed that the applicant has not explored the feasibility of a community sewer system. When asked at the public information meeting about this, the applicants' agent replied that the "community sewers are not an option."

Policy 7B of the proposed regional growth strategy bylaw states that the RDN and member municipalities will develop criteria to use as a strategy to assess the financial impacts of providing services to lands threatened by waste water management. The RDN and the City of Parksville have a golden opportunity to demonstrate how this strategy can be turned into an action plan. Every relevant sewer system should be investigated and considered before a decision is made. Hopefully, this subdivision will then be served by a state of the art system that it deserves.

Hans Heringa, P.Eng.
1080-B Industrial Way
Parksville, B.C. V9P 2W8
Phone 250-248-8155 Fax 250-248-4894

May 1, 2003

Joe Stanhope
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Re: **Block 564 OCP Amendment**

Dear Sir:

We still have some legitimate concerns here, with the proposed OCP Amendment here.

1. There are still adequate lands available for development elsewhere, everywhere.
2. This property, only recently acquired, is obviously getting preferential treatment in regard to a rezoning. What is wrong with the status quo on Resource lands? Alternatively, why not allow the subdivision of 20 acre parcels, as zoned and as permitted. 20 acre parcels would only mean 30 more septic fields, and not 158 more septic fields.
3. The Project has not yet properly addressed the historical drainage issue and problems that exist around the Kaye Road, Rascal Lane, Petersen Road intersections. How will this development address and resolve this issue?
4. The proposed development and 158 new residences, and 500 new residents could adversely affect the legal stump dump presently being operated on open zoned lands, and the use of Kaye Road, Petersen Road by H&F Ventures Ltd./Rascal Trucking Ltd. It won't be long, and 500 residents will be complaining about trucks, noise, dust, reduced property values, nuisance, etc.
5. Kaye Road and Petersen Road ought to remain as an Industrial Road for local industrial and resource traffic in perpetuity, to service the existing stump dump at Petersen, the proposed Natural Aggregates Gravel Pit, the existing Rascal gravel pit at Rascal Lane, the MOTH gravel pit at Kaye Road, the Emil Anderson gravel pit at Kaye Road, and the McKillop gravel pit and farm at Kaye Road, the Nuttal property at the end of Kaye Road, and also the balance of the Weyerhaeuser and Timber West lands.
6. It seems odd and unusual that the RDN would support, encourage and allow 158 more septic fields, when failing septic fields are already a concern and also an Environmental Hazard, in the French Creek area, Madrona area, San Paniel area, Beachcomber area, etc. and through out the RDN. Why not a proper Sanitary Sewer? Sanitary Sewer exists at Craig Bay.
7. There is nothing wrong with keeping the existing present zoning, and using the land for 20 acre lots, or as a woodlot. Either one is a better use, and better conforms to RDN Bylaw 1309, only recently adopted.
8. 895 Acres – 285 Acre Park and setbacks for Environmental reasons = 610 Acres left to develop.

PAGE
46

610 Acres for development, divided by 20 Acres x .9 (10% for roads) = 27 parcels
27 parcels with home sites, is acceptable, and would have much less impact on the environment.

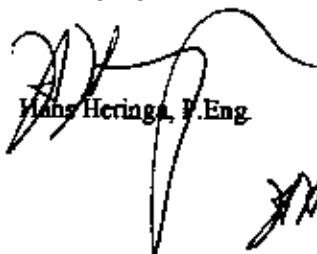
- 9. The OCP/rezoning plan leaves out the Nutall property and the McKillop property, and the Emil Anderson property and the MOTH gravel pit. What should be considered instead is an overall and complete and comprehensive rezoning and an OCP Amendment for all of the large lands, and this should not on a preferential, ~~for~~ piece meal basis.
- 10. It is a waste of the land, and it's not the best long term use of the land. It would/could be more appropriate to have high density condos, and housing on the banks of the Englishman River, on both sewer and water one day. This could be better than 158 more residences and 158 septic fields scattered throughout, along the Englishman River watershed.
This alternative of a high density use with more services has not been considered.
- 11. Is there a commitment being made by the Developers to pave Kaye Road and Rascal Lane and Petersen Road as part of the proposed development and OCP Amendment? This is important, and should be a condition of any rezoning. MOTH had previously indicated to Rascal Trucking Ltd. that Rascal Lane would be seal coated, after residences were built. Residences were built on 5/7 lots over 10 years ago, and yet the Rascal Lane road has still not been seal coated due to budget constraints, and other MOTH spending priorities.
- 12. This proposed project competes unfairly with other long term Property Owners, also waiting to develop their lands, and unfairly creates a further 158 new home sites, based on a preference.
- 13. This OCP Amendment offends ~~by~~ the RDN Bylaw No. 1309, in various ways as highlighted. (See attached)

The Amendment does not appear to conform to 4/7 clauses of the Vision statement. It defeats 5/8 Goals. The OCP Amendment brazenly offends Policies 1A, 1C, 3B, 3C, 3D, 3E, 4D, 4E, 4I, and Goal 5 and Policy 7B. (See the attached, highlighted in pink)

The proposed OCP Amendment also contradicts nearly everything that Bylaw 1309 says about resource lands and open space, and it also offends what Bylaw 1309 says about rural residential land.

Please reject the OCP Amendment at this time, and allow 5 more years to go by. There is ^{no} urgency here. There is nothing wrong with Resource lands at the edge of a town.

Thank you,


Hans Heringa, F.Eng.

HH:amRDN/

AA Correction + Attachment.

Highlighted in pink

The population of the Regional District of Nanaimo increased from 77,624 residents in 1981 to 127,016 residents in 2001, as illustrated in Table 1. This means the population in the region increased 64% during that time, at a rate of approximately 3% per year, on average.

Table 1: Population, Regional District of Nanaimo, 1981-2001

shown in brackets

<u>Year</u>	<u>Population</u>
[]	[]

THE STRATEGY

The regional growth strategy for the Regional District of Nanaimo is comprised of vision statement, eight goals, 40 policies, and two land use designation maps.

VISION STATEMENT

The vision statement describes the future desired for the region. It frames the goals for the region and sets the basic direction for planning, policies and action.

The vision statement for the region is:

The region will be recognized for its **outstanding quality of urban and rural life** and for its commitment to **environmental protection**. We have committed to working with interested organizations, together achieving:

- **quality residential development** – in safe neighbourhoods with well planned access to nearby workplaces, services, recreation opportunities, and natural areas;
- **a strong and sustainable economy** based on our resource assets, our natural appeal to tourists, and the footloose industries and activities of the information age;
- **contained urban development**, surrounded by contiguous corridors of open space, protected rural integrity and an end to sprawl;
- **reduced dependency on the automobile as mobility options expand;**
- **high standards of environmental protection** – that preserves habitat, enhances ecological diversity, and maintains air and water quality;
- **efficient, state-of-the-art servicing, infrastructure and resource utilization;**

.... **vibrant rural and urban communities in a natural paradise!**

Goal 1: Strong Urban Containment: To limit sprawl and focus development within well defined urban containment boundaries.

Goal 2: Nodal Structure: To encourage mixed-use communities that includes places to live, work, learn, play, shop and access services.

Goal 3: Rural Integrity: To protect and strengthen the region's rural economy and lifestyle.

Goal 4: Environmental Protection: To protect the environment and minimize ecological damage related to growth and development.

Goal 5: Improved Mobility: To improve and diversify mobility options within the region - increasing transportation efficiency and reducing dependency on the automobile.

Goal 6: Vibrant and Sustainable Economy: To support strategic economic development and to link commercial and industrial strategies to the land use and rural and environmental protection priorities of the region.

Goal 7: Efficient Services: To provide cost efficient services and infrastructure where urban development is intended, and to provide services in other areas where the service is needed to address environmental or public health issues and the provision of the service will not result in additional development.

Policy 1A: The RDN and member municipalities agree to designate Urban Containment Boundaries (UCBs) consistent with the Regional Growth Strategy in their official community plans for the purpose of defining urban and rural areas.

Policy 1B: The RDN and member municipalities agree to approve new urban development only on land designated Urban Area inside Urban Containment Boundaries or on land designated as Sub-Urban Area. Urban development on land designated Urban Area inside Urban Containment Boundaries includes residential development at a density greater than 1 unit per hectare, commercial uses, and institutional uses. Land that is designated as Sub-Urban Area may only be used for residential development to a maximum density of 7.5 units per hectare, consistent with the official community plan in place at the date of adoption of this Regional Growth Strategy.

Policy 1C: The RDN and member municipalities agree that Urban Containment Boundaries (UCBs) should only be amended every five years in conjunction with a review of the regional growth strategy, or at an interval specified in an official community plan. The RDN and member municipalities agree that all UCB changes should be considered according to the process and criteria of the Urban Containment and Fringe Area Management Implementation Agreement.

... designated as Resource Lands and Open Space.

Policy 3B: The RDN and member municipalities agree to encourage forestry uses on land designated as Resource Lands and Open Space, particularly on land in the Forest Land Reserve (FLR). The RDN and member municipalities support the retention of land in the FLR, but

recognize that there may be some land in the FLR that is not suitable for forestry.] The RDN authorizes applications to exclude land in the electoral areas from the FLR to proceed to the Province, irrespective of whether the application requires an amendment to an official community plan or zoning bylaw, and requests the Province to make a decision on the application in the absence of an RDN position on the applications. The RDN requests that the Province make its decision on these applications based on whether the land is needed for forestry in the long term and whether the land is suitable for forestry, and leave the consideration of community and land use planning issues to the RDN. Should the Province remove land from the FLR, the appropriate use of the property will be determined by the RDN through the official community plan and zoning bylaw.

X Policy 3C: The RDN and member municipalities agree to encourage agricultural uses on land designated as Resource Lands and Open Space, particularly on land in the Agriculture Land Reserve. The RDN and member municipalities support the retention of land in the ALR, but recognize that there may be some land in the ALR that is not suitable for agriculture.] The RDN authorizes applications to exclude land in the electoral areas from the ALR to proceed to the Province, irrespective of whether the application requires an amendment to an official community plan or zoning bylaw, and requests the Province to make a decision on the application in the absence of an RDN position on the applications. The RDN requests that the Province make its decision on these applications based on whether the land is needed for agriculture in the long term and whether the land is suitable for agriculture, and leave the consideration of community and land use planning issues to the RDN. Should the Province remove land from the ALR, the appropriate use of the property will be determined by the RDN through the official community plan and zoning bylaw.

Policy 3D: The RDN and member municipalities agree that development on land designated Urban Area and Sub-Urban Area should be designed to minimize the impact on rural uses on lands designated Rural Residential and Resource Lands and Open Space.

Policy 3E: The RDN and member municipalities agree to develop an implementation agreement to address issues regarding development on rural land and to better coordinate between jurisdictions rural land use and development outside the Urban Containment Boundary.

Policy 4D: The RDN and member municipalities agree to protect streams and streamside areas in accordance with applicable provincial and federal legislation. The RDN and member municipalities encourage the federal and provincial government to support the development and implementation of measures to protect streams and streamside areas at the local government level.

Policy 4E: The RDN and member municipalities agree to protect the supply and quality of surface water resources and aquatic habitat through participation in integrated stormwater management projects.

Policy 4F: The RDN and member municipalities agree to take measures to identify and protect the groundwater resources in the region.

Policy 4G: The RDN and member municipalities agree to preserve or protect remaining natural segments of the coastal zone by promoting greater public awareness of the importance and sensitivity of coastal areas through information bulletins and public meetings.

Policy 4H: The RDN agrees to pursue an solid waste management approach that concentrates on creating less waste, with the ultimate long term goal of eliminating the need for waste disposal (i.e. a "Zero Waste" approach).

Policy 4I: The RDN and member municipalities agree to promote measures to maintain good air quality in the region by increasing the opportunities for more environmentally friendly modes of transportation (e.g. walking, cycling, transit); reducing the need for automobile travel, and encouraging the Province to provide regular reports about air quality.

- Informing the public about the potential environmental, economic and social impacts of automobile travel;
- Providing information about alternatives to automobile travel and the benefits of these alternatives; and
- Exploring other methods of reducing the need for automobile travel.

Policy 7B: The RDN and member municipalities do not support the provision of community water or community sewer services to land designated as Rural Residential or to land designated Resource Lands and Open Spaces to accommodate future growth and development. However, the RDN and member municipalities recognize that public health or the environment may be threatened by the present domestic water supply or wastewater management method used on land in these designations. Consequently, the RDN and member municipalities permit the provision of community water and community sewer services to land in these designations, provided the service provision does not result in a higher level of development than supported on the land by Policy 3A of this Regional Growth Strategy and the full cost is paid by the landowners. The RDN and member municipalities will, in partnership, develop criteria to use in the identification of these lands as well as a strategy to assess the financial impacts of providing services to these lands (i.e. capital planning implications, proximity of property to existing service lines, etc.).

development could occur without affecting the rural character or environmental quality.

The minimum parcel size of lands designated as Rural Residential will not be reduced below the minimum parcel size established in official community plans in place at the date of the adoption of this regional growth strategy, which is generally 1 hectare, except where the land is currently in a community water service area at the date of adoption of this regional growth strategy, subdivision may be permitted to the minimum parcel size presently allowed by the zoning bylaw with community water service and no community sewer service.

SUB-URBAN AREA

URBAN CONTAINMENT BOUNDARY

The Urban Containment Boundary is a line that defines urban versus rural areas. The Urban Containment Boundary is intended to control urban sprawl and to encourage the development of compact, complete communities. The intention is not necessarily to develop all land inside the Urban Containment Boundary; it is also important to retain areas of green space inside the Urban Containment Boundary. The Urban Containment and Fringe Area Management Implementation Agreement provides a process and criteria for the RDN Board to make adjustments to the Urban Containment Boundary at variance to the Regional Growth Strategy, in between Regional Growth Strategy reviews.



May 1, 2003

Robert Lapham
General Manager, Development Services
Regional District Of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

RE: Application for Sub-division and Re-zoning of Block 564

Dear Robert Lapham:

The purpose of this letter is to confirm The Nature Trust of British Columbia's support for the proposed sub-division and re-zoning of portions of Block 564. The Nature Trust and its conservation partners remain committed to protecting the outstanding riparian ecology features of the subject property including fishery, wildlife, and associated water quality values within this portion of the Englishman River.

We have worked carefully with the property owner to maximize the conservation aspects of this innovative real estate proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Hope".

Jim Hope
BC Conservation Land Manager

The Nature Trust
of British Columbia
30 - 1000 Roosevelt Crescent
Vancouver, B.C. V7P 1M3
Phone: (604) 924-9771 or
1-866-288-7878
Fax: (604) 924-9771
Email: info@naturetrust.bc.ca
www.naturetrust.bc.ca

Preserving BC's Natural Legacy



GREATER GEORGIA BASIN

STEELHEAD Recovery Plan

www.SteelheadRecoveryPlan.ca

May 1, 2003

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

Re: Development of Block 564, Englishman River, by Englishman River Land Corp.

Having followed the initial development planning for Block 564 in the Englishman River, I would like to voice two concerns and inquire about the potential for cooperation between the landowner and stakeholders on a third item.

1. I would like to know that regardless of who eventually owns the riparian portion of the Block, accesses to the river corridor will be available for the purpose of future fish habitat restoration on the mainstem Englishman River and its primary tributary, the South Englishman River.
2. According to the most recent PQB News article, proposed development restrictions include "no untreated discharge into river". What treatment technologies will be required by the RDN, and what will be the worst rate and level of contaminants acceptable?

As part of the Greater Georgia Basin Steelhead Recovery Plan and the Englishman River Watershed Recovery Plan, fish habitat restoration is planned for the mainstem Englishman River and some of its tributaries. Key components of this work are the large whole trees incorporated into the artificial habitat structures. We require green coniferous trees with rootwads attached and bole diameters 0.5 m and larger. Boles with rootwads and branches best simulate mother nature's fish habitat. Obtaining such trees is always a tremendous challenge, and having to transport them long distances (i.e., from outside a watershed) is logistically and economically unreasonable.

I would therefore like to see the RDN support a request of the landowner to dedicate a portion of whatever large trees that will have to be removed *during their development of the upslope areas* to fish habitat restoration purposes.

Yours Truly,

James Craig
Fisheries Technician

cc: C. Wightman, Steelhead Biologist, MWLAP, Nanaimo
M. Sheng, Habitat Restoration Biologist, Fisheries & Oceans Canada, Nanaimo
J. Bordian, Englishman River Land Corp

From: Richard Arnold [arnold@MALA,BC.CA]
Sent: Thursday, May 01, 2003 3:32 PM
To: Beetstra, Marion
Subject: ERLC public meeting

Dear RDN Board/Planning Dept:

Since I will be unable to attend tonight's meeting regarding the proposal of Englishman River Land Corporation to develop 800 plus acres along the river, I would like to submit my personal opinion.

First, I would like this development proposal to be scrutinized very carefully regarding its environmental impact, particularly on the riparian ecosystem. If allowed to proceed, it should be done with MINIMAL impact on the environment.

Second, if there are wolverines, bears, cougars, wolves, etc (as reported in the newspaper) present, then I don't know why we should be allowing a development there.

Finally, the mayor of Parksville states that "this is not what we had in mind for this area, but it's the next-best thing."

Why compromise? Why not stick to what is the best thing--i.e., no development at all?

Thank you.

*Richard Arnold
Errington
248-8876*

From: Henigman, Margaret WLAP:EX [Margaret.Henigman@gems3.gov.bc.ca]
Sent: Thursday, May 01, 2003 9:16 AM
To: Feduk, Michael WLAP:EX
Cc: Cornie, Susan
Subject: RE: Englishman R Subdivision

Thanks Mike!

Susan: Along with the response from Mike below concerning proving up the wells and potential effects to surrounding wells we have the following comments:

Generally speaking the plan appears sound and I can appreciate that considerable effort and sacrifice have gone into securing the areas along the Englishman, Craig and the unnamed wetland for conservation. I've reviewed the package with Tim Clermont at TNT re: conservation land issues and Bob Cook from SRM concerning water supply. I'm sorry I don't know if Environmental Management saw the package and I haven't been able to raise anybody this morning.

Park Land

We have some concern with the establishment of pedestrian access to the river corridor. I realize that they have to provide river access this for subdivision however Tim and I are concerned about the potential for unauthorized trail building into TNT lands once these are secured. I gather some trail bike activity has already been identified in the lower floodplain areas and careful planning will be necessary to avoid further impacts to this area and the WMA.

Tim is also concerned about lot placement relative to the top of bank. In order to effectively prevent waste dumping or tree and vegetation removal within the conservation corridor we recommend that the rear lot boundaries be placed 15 m upland of the top of bank. An additional 5 or 10 m should then be added as a covenant/buffer zone inside the lots as this is where impacts will occur. Tim feels this will be the only way to minimize problems on the crest of the bank and public complaints in the future.

We concur with the environmental consultant that further raptor nest surveys should be undertaken. It is recommended that this be done soon while any prescribed birds may still be nesting.

The stormwater planning looks promising however I think they will find that the old gravel pit area may not provide adequate infiltration. This is the location where we and MOT have experienced problems in the past with stormwater accumulating and flooding back across Kaye Rd towards the Englishman (not to mention community feuds over ditch and dyke building). From EBA's cross section map it appears this gravel pit area may be underlain by a layer of clay (Cross Section 'A'). We recommend that the project Engineer consult with Chapter 6 of the BC Stormwater Guide: <http://wlapwww.gov.bc.ca/epd/epdpa/mpp/stormwater/stormwater.html> <<http://wlapwww.gov.bc.ca/epd/epdpa/mpp/stormwater/stormwater.html>> as this will be helpful in establishing methods for addressing appropriate infiltration across the site. As noted their summary, "a more detailed storm water management plan will be required as part of the subdivision process" (EBA 2003). Design of wet detention adjacent to Craig Ck will need to consider exclusion of fish access and ongoing maintenance activities that may affect fish habitat. Please note that Coho and cutthroat have been recorded to at least the southern boundary of the Seven Springs Campground i.e. well upstream of the Island Highway (DFO -1997) and would therefore be at high risk from development activities and flow regime changes from the subject property.

As Older Forest ecosystems only represented 4% of the original SEI study

area, it is recommended that these polygons be provided with suitable buffers consistent with the Sensitive Ecosystem Inventory, Conservation Manual <http://srnwww.gov.bc.ca/cdc/sei/index.htm> <http://srnwww.gov.bc.ca/cdc/sei/index.htm> . This will assist in avoiding the effects of windthrow, invasive species colonization, and increased access. A minimum of 1 1/2 tree lengths is recommended.

Hope this helps Susan. Let me know if you have any problems deciphering it!

Maggie

> -----Original Message-----

> From: Feduk, Michael WLAP:EX
> Sent: April 30, 2003 5:17 PM
> To: Henigman, Margaret WLAP:EX
> Subject: Englishman R Subdivision

>

> Hi Maggie

> Here are some comments.

>

> 1). I read 'Community Water and Fire Protection' in the proposed covenants
> and noted the reference to 'performing pumping tests to meet bylaw No
> 500.' I'm not familiar with this bylaw and also I'm not sure how the
> community system is to be approved (ie just by the RDN?). However, our
> Ministry has a very good guidebook for Water Utilities entitled
> 'Evaluating Long-term Well Capacity for a Certificate of Public
> Convenience and Necessity'. A copy can be found at this web site

>

> (http://wlapwww.gov.bc.ca/wat/gws/gwdocs/eval_well/toc.html
> http://wlapwww.gov.bc.ca/wat/gws/gwdocs/eval_well/toc.html)

>

> The guidelines are meant to achieve two objectives:

> - ensure the well is tested properly to provide a reasonable estimate of
> the long-term supply and
> -ensure that other wells in the area are assessed with respect to any
> likely impacts from development of that well supply.

>

> This guidebook would provide the steps for the next phase in developing
> the water supply.

>

> 2). The conclusion concerning the proposed drawdown of 1 to 3.5 meters in
> existing domestic wells is reasonable based on this preliminary study.
> Confirmation of this preliminary conclusion should be done when the well
> capacity is evaluated as stated in 1) above. As part of the assessment, at
> that time they would measure actual drawdown in the field and also do a
> survey to confirm that all private wells have been found and accounted
> for.

>

> The previous comment I made about pump testing at driest times of the year
> does not apply here - that is only for bedrock aquifers.

>

>

> Mike Feduk

> Ministry of Water, Land and Air Protection

> Nanaimo, BC

> Telephone: (250) 751-3149

> Fax: (250) 751-3103

>



Oceanside Development & Construction Association
P.O. Box 616, Parksville, BC V9P 2G7
E-mail: odca@island.net

April 29, 2003

Mr. Robert Lapham, General Manager, Development Services
Regional District of Nanaimo
6380 Hammond Bay Rd.
Nanaimo, BC V9T 6N2

Via fax: 390-4163
Original to follow

Dear Robert Lapham,

RE: Referral of Amendment Application No. AA0304 (Block 564)

Thank you for referring the Amendment Application No. AA0304 (Block 564) to our Association for review prior to the staff report submission to the Regional Board of Directors.

The policy of the Oceanside Development and Construction Association prohibits review and comment on the merits of individual projects.

We would however like to comment on the development process for this project. It is noted that this project does not seem to conform with the guidelines of the Growth Management Plan and yet staff is recommending approval based upon the merits of the project and the benefits to the community to protect a significant resource (Englishman River). We agree with this principle and applaud the RDN for using this approach of evaluating projects based their impact on the community and expect that the same evaluation process will be utilized on all projects regardless of the scale of the project.

Our Association remains available to you for referrals on development and planning policy issues. We look forward to working with the Regional District of Nanaimo in this manner.

Sincerely,

Manley Lafoy
President

Rob Hill
Past President

Michelle Jones
Secretary/Treasurer

Helen Sims
RDN Committee

c.c. Mr. Joe Stanhope, Board Chair
RDN Board of Directors

From: Lapham, Bob
Sent: Thursday, May 01, 2003 8:29 AM
To: Cormie, Susan
cc: Beetsra, Marion
subject: FW: englishmen river development plan

Hearing submission.

-----Original Message-----

From: J Stanhope [mailto:jstanhope@shaw.ca]
Sent: Wednesday, April 30, 2003 8:33 PM
To: Lapham, Bob
Subject: Fw: englishmen river development plan

For inclusion in correspondence re the above.

Joe Stanhope

----- Original Message -----

From: "John Daniels" <jgmdaniels@hotmail.com>
To: <jstanhope@shaw.ca>
Sent: Wednesday, April 30, 2003 7:00 PM
Subject: englishmen river development plan

> Dear Sir,
> I am a non-resident property owner who intends to retire in
> area
> G. Regarding the proposed residential development along the englishmen
> river, I believe that the district should request that a larger area be
> at
> forth as a park in exchange for allowing the developer to create higher
> density development. Perhaps the district should allow the developer to
> create 1/3 acre lots in exchange for 500 acres of parkland . This might
> result in the development of upscale estates and a give the area a
> "village"
> feel. Large Lot sub-urban development may also result in the price
> appreciation of properties within the electoral area benefitting the
> entire
> community.
>
> yours,
> Dr. John Daniels
>
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SCHOOL DISTRICT No. 69 (QUALICUM)

April 28, 2003



Susan Cormie
Senior Planner
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, B.C.
V9T 6N2

Dear Susan Cormie:

**Re: Application No. AA0304 to Amend "RDN Englishman
River Official Community Plan Bylaw No. 814, 1990"
Location: Off Kaye Road, Electoral Area 'G'
RDN Maps Reference No. 92F.029-4-1, 4-3 & 4-4**

In response to your letter of April 9th regarding the above-noted application to amend "RDN Englishman River Official Community Plan Bylaw No. 814, 1990", I wish to confirm that there are no issues or concerns from the school district's perspective regarding the application.

Yours truly,

Dan Whiting
Secretary Treasurer

c: Earl Billingsley, Operations & Maintenance Manager
Tom Watson, Superintendent of Schools

File: 0450-20-06

Cornie, Susan

From: Beetstra, Marion
Sent: Friday, April 25, 2003 4:32 PM
To: Cornie, Susan
Subject: FW: Block 564 proposed amendments

-----Original Message-----

From: Cheetham, Roger LRC:EX [mailto:Roger.Cheetham@gems9.gov.bc.ca]
Sent: Friday, April 25, 2003 4:17 PM
To: Beetstra, Marion
Cc: Haddow, Wayne AGP:EX
Subject: Block 564 proposed amendments

ATT. S Cornie

Hi Susan, with reference to our telephone conversation today I have reviewed the proposed bylaw amendments and am pleased to note that agricultural uses are permitted in those areas falling within the ALR. My only comment is that the coverage for agricultural buildings within the ALR is significantly lower, particularly for greenhouses, than the standards suggested in the MAFF Guide for Bylaw Development in Farming Areas. I therefore suggest that it be increased to a more appropriate figure. For greenhouses the guide recommends 75% and for other uses either 35% or 25%.

Cheers

Roger



CENTRAL
VANCOUVER ISLAND
HEALTH REGION

ENVIRONMENTAL HEALTH PROGRAM

April 25, 2003

Susan Cormie
Senior Planner
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo BC V9T 6N2

Dear Ms. Cormie:

Re: Block 564, Nanoose Land District, Requiring Application

Further to my letter of January 28, 2003, the following comments are provided for your information.

We have received only summary information regarding the proposal to rezone a portion of Area "G" from a RM 1 zone to a Comprehensive Development zone.

Sewage Disposal

As the development will require individual on-site sewage disposal systems, we have conducted a preliminary review of on-site sewage system capability. A one-hectare minimum lot size should be sufficient to allow individual systems on most of the proposed parcels. A more detailed review will take place at the time of subdivision.

Water Supply

- We understand that a community water system is planned for this development. However, we would not be supportive of a private utility owning and operating the system. The system should be owned and operated by the RDN.
- Of course, the water system would have to be approved under the Safe Drinking Water Regulations.
- Treatment may be required.
- Disinfection may be required.

Although potential drawdown in the lower aquifer to the north is shown to be low, groundwater users (such as the RDN's local service area of San Periel) should be informed of any potential change in aquifer levels as this may affect those wells. Once production wells are drilled into the lower aquifer, this will provide new, site specific information and the conclusions of the report should be reassessed.

Until we receive more detailed reports, the above summarizes some key issues and gaps in the information that will need to be addressed during the subdivision phase.

Yours truly,

David G. Coombe, C.P.H.I.(C)
Chief Environmental Health Officer

DGC/tt

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, APRIL 22, 2003, AT 7:00 PM
IN THE RDN BOARD ROOM

Present:

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

Also in Attendance:

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

LATE DELEGATIONS

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

The Chairperson noted that the Mr. Atkinson was not in attendance.

MINUTES

MOVED Director Bartram, SECONDED Director Haime, that the minutes of the Electoral Area Planning Committee meeting held March 25, 2003 be adopted.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

DP Application No. 60301 – Juthans/Murphy – 5489 Deep Bay Drive – Area H.

MOVED Director Bartram, SECONDED Director Biggemann, that Development Permit Application No. 60301, submitted by Sven Juthans and Colleen Murphy, for the property legally described as Lot 39, District Lot1, 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*.

DP Application No. 60310 – Schulze – 7922 Alison Road – Area D.

CARRIED

MOVED Director Haime, SECONDED Director Bartram, 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 Alison 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 Bartram, SECONDED Director Biggemann, 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

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 Stanhope, SECONDED Director Biggemann, 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 Bibby, 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 18.0m from the top of the bank.

CARRIED

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

MOVED Director Stanhope, SECONDED Director Bibby, 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.

CARRIED

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

MOVED Director Bibby, SECONDED Director Bartram, 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 Bibby, SECONDED Director Stanhope, 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

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

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

MOVED Director Bartram, SECONDED Director Haime, 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 Stanhope, 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 Bibby, SECONDED Director Bartram, 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.

MOVED Director Stanhope, 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 approved, subject to Schedules No. 1, 2 and 3 and the notification requirements pursuant to the *Local Government Act*.

CARRIED

FRONTAGE RELAXATION

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

MOVED Director Haime, SECONDED Director Stanhope, 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.

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 Kreiberg, SECONDED Director Stanhope, 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 Kreiberg, SECONDED Director Haime, 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

ADJOURNMENT

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

TIME: 7:18 PM

CARRIED

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON TUESDAY, APRIL 22, 2003, AT 7:30 PM IN THE RDN BOARD ROOM

Present:

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

Also in Attendance:

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

DELEGATIONS

Peter Wainwright & Ivo Van Bastaelere, re Proposed Nanoose Sewage Treatment System.

Mr. Wainwright and Mr. Bastaelere gave a presentation outlining the proposed Snaw-naw-as (Nanoose) First Nations advanced sewage treatment system and marine outfall.

Jan Thomas, Chartwell Residents' Association, re French Creek Water System.

Ms. Thomas, Director of the Chartwell Residents Association, gave a presentation concerning the Management of the French Creek Water Local Service Area.

MINUTES

MOVED Director Sherry, SECONDED Director Westbrook, that the minutes of the special and regular Committee of the Whole meetings held March 25, 2003, be adopted.

CARRIED

COMMUNITY SERVICES

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

MOVED Director Korpan, SECONDED Director Cantelon,:

1. 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.
2. 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 Krall, 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 Westbrook, SECONDED Director Biggemann, 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 Westbrook, SECONDED Director Biggemann, 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.

MOVED Director Bartram, SECONDED Director Longmuir, that the report on the Surcharge Policy for Non-Tax Contributing Users of the Ravensong Aquatic Centre be received as information.

CARRIED

MOVED Director Westbrook, SECONDED Director Longmuir, 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.

CARRIED

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 McNabb, SECONDED Director Bartram, 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 Hamilton, 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.

CARRIED

Morningstar Streetlighting LSA Requisition Limit Amendment Bylaw No. 869.03.

MOVED Director Hamilton, 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.

CARRIED

FIRE DEPARTMENTS

Fire Protection Services Agreement for Yellowpoint Fire Service Area.

MOVED Director McNabb, SECONDED Director Krall,:

1. 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.
2. That staff undertake a review of a fire season burning bylaw in consultation with the Electoral Area Director and the service area constituents.

CARRIED

SPECIAL EVENT/SPECIAL OCCASION APPLICATIONS

Status Reports.

MOVED Director Krall, SECONDED Director Westbrook, that the special event/special occasion application reports be received for information.

CARRIED

DEVELOPMENT SERVICES

BUILDING INSPECTION

Section 700 Filings.

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

MOVED Director Sherry, SECONDED Director Hamilton, 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.

CARRIED

ENVIRONMENTAL SERVICES

LIQUID WASTE

Odour Management Plan – Greater Nanaimo Pollution Control Centre.

MOVED Director Korpan, SECONDED Director Cantelon, 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 Krall, 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.

CARRIED

SOLID WASTE

Garbage and Recycling Collection User Fees.

MOVED Director Sherry, SECONDED Director Cantelon, 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 Cantelon, 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 Bibby, SECONDED Director Sherry, 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 Bibby, SECONDED Director Sherry, 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.

MOVED Director Sherry, SECONDED Director Hamilton, 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 Hamilton, 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

MOVED Director Sherry, SECONDED Director Hamilton, 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 Hamilton, 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

MOVED Director Sherry, SECONDED Director Hamilton, 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 Hamilton, 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

MOVED Director Sherry, SECONDED Director Hamilton, 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 Hamilton, 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

MOVED Director Sherry, SECONDED Director Hamilton, 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 Hamilton, 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

MOVED Director Sherry, SECONDED Director Hamilton, 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 Hamilton, 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

MOVED Director Sherry, SECONDED Director Hamilton, 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 Hamilton, 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

MOVED Director Sherry, SECONDED Director Hamilton, 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 Hamilton, 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

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

CARRIED

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French Creek Water Local Service Area – Resident Committee Options.

MOVED Director Korpan, SECONDED Director Westbrook:

1. 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.
2. 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.
3. 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 & SELECT COMMITTEE

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Korpan, that the minutes of the District 69 Recreation Commission meeting held April 10, 2003, be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Westbrook, that the selection of the official name for the District 69 Arena Multiplex be sent back to the District 69 Recreation Commission for further discussion.

CARRIED

Transit Business Plan Update Select Committee.

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

CARRIED

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

CARRIED

MOVED Director Krall, SECONDED Director Cantelon, 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

MOVED Director Krall, SECONDED Director Cantelon, 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

ADJOURNMENT

MOVED Director Sherry, SECONDED Director Cantelon, that this meeting adjourn to allow for an In Camera meeting.

CARRIED

TIME: 8:30 PM

CHAIRPERSON