

REGIONAL DISTRICT OF NANAIMO

**REGULAR BOARD MEETING
TUESDAY, NOVEMBER 13, 2001
7:30 PM**

(Nanaimo City Council Chambers)

A G E N D A

PAGES

1. **CALL TO ORDER**
2. **DELEGATIONS**
 - 6 **Gunter Yost**, re Development Permit No. 0121 - Carman Fine Cars - 7193 Lantzville Road - Area D.
3. **BOARD MINUTES**
 - 7-19 Minutes of the regular Board meeting held on Tuesday, October 9, 2001 and the Special Board Meeting held October 30, 2001.
4. **BUSINESS ARISING FROM THE MINUTES**
5. **COMMUNICATIONS/CORRESPONDENCE**
 - 20-26 **Michael Begg**, and RDN response re Proposed Snuneymuxw Interim Measure - Beach Protection.
 - 27 **Brock Williamson, Board of Variance**, re Appointment of Douglas Lees.
 - 28-37 **Harriet Permut, UBCM**, re Agreement on Internal Trade and Local Procurement.
6. **UNFINISHED BUSINESS**
 - From the Development Services Committee Meeting held October 16, 2001.*
 - BUILDING INSPECTION**
 - 38-39 **Section 700 Filings**. (All Directors - One Vote)
For Adoption.
 - 40-41 **Bylaw No. 500.270** - Land Use and Subdivision Bylaw Amendment (Home Based Business) (All Directors except EA 'B' - One Vote)
Bylaw No. 500.272 - Land Use and Subdivision Bylaw Amendment (Accessory Building Size Provisions) (All Directors except EA 'B' - One Vote)

Bylaw No. 1255 - Driftwood Water Supply Service Area Establishment Bylaw.
(All Directors - One Vote)

Bylaw No. 1256 - Driftwood Water Supply Service Area Loan Authorization
Bylaw. (All Directors - One Vote)

Public Hearing.

42-46 Minutes of the Public Hearing held November 7, 2001 with respect to Bylaw No.
500.278 - Valentim - 2651 Trans Canada Highway - Area A. (All Directors
except EA 'B' - One Vote)

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

7.(I) DEVELOPMENT SERVICES STANDING COMMITTEE

47-50 Minutes of the regular Development Services Committee meeting held October
16, 2001. (for information)

OTHER

**Request for Acceptance of Cash-in-Lieu of Park Land and Relaxation of the
Minimum 10% Perimeter Requirement – WR Hutchinson - Woobank, Morland
& Storey Roads – Area A.** (All Directors - One Vote)

*That the requests, submitted by WR Hutchinson, BCLS, on behalf of Dragonwyke
Enterprises Ltd. And 426187 BC Ltd., for cash-in-lieu of park land dedication be
accepted and to relax the minimum 10% frontage requirement for proposed Lots
7 and 8, as shown on the plan of subdivision of Lot 2, Section 12, Range 2, Cedar
District, Plan VIP53334, Except Part in Plan VIP64754, be approved.*

School Sites Acquisition Agreement Amendment – School District No. 69. (All
Directors - Weighted Vote)

*That the Regional District of Nanaimo accept the revised School District No. 69
Eligible School Sites Proposal as submitted.*

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

**Application No. 0121 – Carman Fine Cars/Yost – 7193 Lantzville Road –
Area D.** (Electoral Area Directors except EA 'B' - One Vote)

*That Development Permit No. 0121, submitted by Gunter Yost, on behalf of
Carman Fine Cars (formerly Lantzville Auto Services), be approved, subject to
the notification requirements pursuant to the Local Government Act and
conditions set out in Schedule No. 2 with the following amendments:*

1. That a changeable copy sign not be permitted as a building fascia sign.

2. *That a maximum of one freestanding sign shall be permitted with the maximum sign face area to be increased by one foot in additional height beyond the existing sign area to allow for fuel pricing.*
3. *That no sandwich board signage be permitted.*

7.(II) ENVIRONMENTAL SERVICES STANDING COMMITTEE

51-52 Minutes of the regular Environmental Services Committee meeting held October 23, 2001. (for information)

LIQUID WASTE/UTILITIES

Engineering Services Contract Extension. (All Directors - Weighted Vote)

That the Board renew its engineering services agreement with Associated Engineering in the area of wastewater engineering services for a two year term expiring May 2003.

Surfside Sewer Rates and Regulation Bylaw No. 1241.

(All Directors - One Vote)

1. *That "Surfside Sewer Rates and Regulation Bylaw No. 1241, 2001" be introduced for first three readings.*

(All Directors - 2/3)

2. *That "Surfside Sewer Rates and Regulation Bylaw No. 1241, 2001" having received three readings be adopted.*

Municipal Benefitting Area Amendment Bylaw No. 1216.01 – City of Nanaimo.
(All Directors - One Vote)

That "Municipal Benefitting Area Amendment Bylaw No. 1216.01, 2001" be introduced for first three readings and be forwarded to the City of Nanaimo for consent.

SOLID WASTE

Residual Solid Waste Management Plan Update. (All Directors - One Vote)

That the Board receive the update on the status of the Residual Solid Waste Management Plan Amendment Process.

7.(III) CORPORATE & COMMUNITY SERVICES STANDING COMMITTEE

7.(IV) EXECUTIVE STANDING COMMITTEE

7.(V) COMMISSION

7.(VI) SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE

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

53-54 Minutes of the Area A Parks, Recreation and Greenspaces Advisory Committee meeting held September 20, 2001. (for information)

Intergovernmental Advisory Committee. (All Directors - One Vote)

55-58 Minutes of the Intergovernmental Advisory Committee meeting held October 18, 2001. (for information)

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

59-60 Minutes of the District 69 Recreation Commission meeting held October 25, 2001. (for information)

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

1. *That the Commission recommend to the Board the approval of the following:*

Community Grants-in-Aid:

<i>Beacon Christian School</i>	\$ 180
<i>Errington Coop Preschool</i>	400
<i>Lighthouse Community Centre Society</i>	400

Youth Grants-in-Aid:

<i>BMX Club</i>	\$1,500
<i>Safe Schools Safe Communities</i>	650
<i>Beacon Christian School</i>	687
<i>Shorewood/San Paniel & Residents Association</i>	1,500
<i>Coombs Halloween Candy Walk</i>	250

2. *That the Commission recommend to the Board that a letter be sent to Centra Gas and the two municipalities which provide water service to the Ravensong Aquatic Centre and the District 69 Arena requesting a reduction in rates.*
3. *That the Commission recommend to the Board that staff be directed to prepare an amendment to the arena rental fees to be based on prime and non-prime time rates for implementation in 2002.*

Grants-in-Aid Committee: (All Directors - One Vote)

61-62 Minutes from the Grants-in-Aid Committee meeting held October 30, 2001. (for information)

School District 68 (EA's A, B, C, D, Nanaimo - Weighted Vote)

That the following grants be awarded:

<i>Cedar Community Association</i>	\$ 1,321
<i>First Lantzville Scouts</i>	1,000
<i>Nanaimo Bantam "A"s Fastball Team</i>	300

School District 69 (EA's E, F, G, H, Parksville, Qualicum Beach - Weighted Vote)

That the following grants be awarded:

<i>Forward House Community Society</i>	\$ 1,000
<i>Janus Theatre Society of Parksville</i>	375
<i>Navy League of Canada - Parksville Branch</i>	1,200
<i>Oceanside Community Kitchens</i>	1,000
<i>Parksville-Qualicum Pony Club</i>	400
<i>RCMP Auxiliary Constables</i>	1,000

8. ADMINISTRATOR'S REPORT

- 63-65 Community Policing Funding. (All Directors - One Vote)
- 66-75 Fire Services Agreement with the Nanoose Bay Fire Protection Society. (All Directors - Weighted Vote)
- 76-79 2002 Arrowsmith Water Service Provisional Budget. (EA 'E' & 'G' - One Vote)
- 80-83 Crown Land Tenure Offer - Errington Community Park. (All Directors - Weighted Vote)
- 84-85 Minister's Request for Board Support of Area F Incorporation Study. (All Directors - One Vote)
- 86-89 Third Quarter Operating Results for 2001. (All Directors - One Vote)
- 2002 Provisional Budget. (Verbal presentation - K. Daniels, C. Mason)

9. ADDENDUM

10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

11. NEW BUSINESS

Area F Restructure Study - Director McLean.

- 90 *That the RDN Board support the Area F Restructure Study Committee application to the Ministry of Community, Aboriginal and Women's Services for a grant to complete the Restructure Study for Incorporation.*

12. BOARD INFORMATION (Separate enclosure on blue paper)

13. ADJOURNMENT

14. IN CAMERA

That pursuant to Section 242.2 1(e) of the Local Government Act the Board proceed to an In Camera meeting to consider matters related to land acquisition.

Carman Fine Cars
7193 Lantzville Road
Lantzville BC

Regional District of Nanaimo
Fax 390-4163

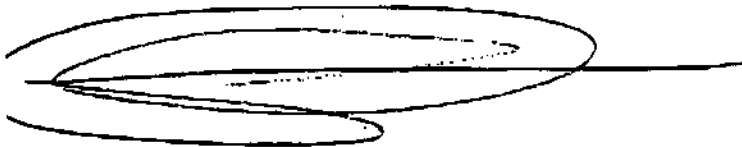
Attention> Ms Maureen Pearse

Re: Variances to Development Permit re 0120

**The Owner of Carman Fine Cars; Mr. Corneliu Poama and or
Representative Mr. Gunter Yost kindly request permission to
address the Board of the hearing on November 13/01 at 455
Wallice Street Nanaimo.**

Thank you, for your assistance.

Yours truly,



Gunter Yost

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE REGULAR MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, OCTOBER 9, 2001, AT 7:30 PM IN THE
NANAIMO CITY COUNCIL CHAMBERS

Present:

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

Also in Attendance:

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

DELEGATIONS

Jan Crossley, re Structure Removal Bylaw – 3154 DeCourcy Drive – Area A.

Ms. Crossley was not in attendance.

Jim Champoux, re Soil Conservation Permit Application No. 0104 – 3230 Palmer Road – Area F.

Mr. Champoux requested the Board's reconsideration of the restrictions placed on his application with respect to the requirement that all the removed sand and gravel from his property is to be used in the construction of the road.

The Chairperson indicated that the request for reconsideration would be referred to the next Development Services Committee.

Ms. Crossley joined the meeting.

BOARD MINUTES

MOVED Director Sherry, SECONDED Director Stanhope, that the minutes of the regular Board meeting held on Tuesday, September 11, 2001 be adopted.

CARRIED

Jan Crossley, re Structure Removal Bylaw – 3154 DeCourcy Drive – Area A.

Ms. Crossley reviewed her concerns with respect to the infractions on her property.

COMMUNICATIONS/CORRESPONDENCE

John Burret, FCM, re Call for Resolutions.

MOVED Director Sherry, SECONDED Director Krall, that the correspondence from the Federation of Canadian Municipalities with a call for resolutions for consideration in December 2001 be received.

CARRIED

UNFINISHED BUSINESS

Horne Lake License Holders Association on behalf of Texada Land Corporation – Area H.

MOVED Director Quittenton, SECONDED Director Sherry, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.275, 2001” be adopted.

CARRIED

MOVED Director Quittenton, SECONDED Director Sherry, that Development Permit Application No. 0120 be approved with variances subject to the guidelines and conditions set out in Schedule No. 2.

CARRIED

MOVED Director Quittenton, SECONDED Director Sherry, that “Horne Lake Pump and Haul Service Establishment Bylaw No. 1217, 2001” be introduced, read three times and referred to the Inspector of Municipalities for approval.

CARRIED

MOVED Director Quittenton, SECONDED Director Sherry, that “Horne Lake Service Area Sewage Disposal Regulation Bylaw No. 1218, 2001” be introduced, read three times and referred to the Provincial Health Officer for approval.

CARRIED

MOVED Director Quittenton, SECONDED Director Westbroek, that the Board of the Regional District of Nanaimo request that the Province of British Columbia proclaim the ‘Horne Lake Trail’ currently established by Gazette dated June 8, 1911 and in part now held by the Regional District of Nanaimo as Regional Park Statutory right-of-way, as an ‘Historic Trail’, similar to the historic Barkerville Wagon Trail and Alexander McKenzie Voyager Route.

CARRIED

BYLAWS

Bylaw No. 964.03.

MOVED Director Stanhope, SECONDED Director McLean, that “Dashwood Fire Protection Local Service Area Boundary Amendment Bylaw No. 964.03, 2001” be adopted.

CARRIED

Bylaw No. 975.23.

MOVED Director Rispin, SECONDED Director McLean, that "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.23, 2001" be adopted.

CARRIED

Bylaw No. 1239.

MOVED Director Westbrook, SECONDED Director Macdonald, that "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1239, 2001" be adopted.

CARRIED

Bylaw No. 1242.

MOVED Director Stanhope, SECONDED Director Westbrook, that "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1242, 2001" be adopted.

CARRIED

Bylaw No. 1243.

MOVED Director Stanhope, SECONDED Director Krall, that "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1243, 2001" be adopted.

CARRIED

Bylaw No. 1244.

MOVED Director Westbrook, SECONDED Director Rispin, that "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1244, 2001" be adopted.

CARRIED

Bylaw No. 1245.

MOVED Director Sherry, SECONDED Director Holdom, that "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1245, 2001" be adopted.

CARRIED

Bylaw No. 1246.

MOVED Director Stanhope, SECONDED Director McNabb, that "Regional District of Nanaimo (French Creek Bulk Water Supply) Security Issuing Bylaw No. 1246, 2001" be adopted.

CARRIED

Bylaw No. 1247.

MOVED Director Stanhope, SECONDED Director Westbrook, that "Regional District of Nanaimo (French Creek Bulk Water Supply) Security Issuing Bylaw No. 1247, 2001" be adopted.

CARRIED

Bylaw No. 1248.

MOVED Director Stanhope, SECONDED Director Macdonald, that "Regional District of Nanaimo (French Creek Bulk Water Supply) Security Issuing Bylaw No. 1248, 2001" be adopted.

CARRIED

Bylaw No. 1249.

MOVED Director Stanhope, SECONDED Director Sherry, that "Regional District of Nanaimo (French Creek Bulk Water Supply) Security Issuing Bylaw No. 1249, 2001" be adopted.

CARRIED

ADDENDUM

BYLAWS

Bylaw No. 975.24.

MOVED Director Stanhope, SECONDED Director McLean, that "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.24, 2001" be adopted.

CARRIED

Bylaw No. 1037.01.

MOVED Director Elliott, SECONDED Director Krall, that "Electoral Area 'A' Cultural Centre Contribution Local Service Amendment Bylaw No. 1037.01, 2001" be adopted.

CARRIED

Bylaw No. 1038.01.

MOVED Director Sperling, SECONDED Director Haime, that "Electoral Area 'B' Cultural Centre Contribution Local Service Amendment Bylaw No. 1038.01, 2001" be adopted.

CARRIED

Bylaw No. 1039.01.

MOVED Director Hamilton, SECONDED Director Korpan, that "Electoral Area 'C' Cultural Centre Contribution Local Service Amendment Bylaw No. 1039.01, 2001" be adopted.

CARRIED

Bylaw No. 1040.01.

MOVED Director Haime, SECONDED Director Elliott, that "Electoral Area 'D' Cultural Centre Contribution Local Service Amendment Bylaw No. 1040.01, 2001" be adopted.

CARRIED

Bylaw No. 1041.01.

MOVED Director Stanhope, SECONDED Director Haime, that "Electoral Area 'E' Cultural Centre Contribution Local Service Amendment Bylaw No. 1041.01, 2001" be adopted.

CARRIED

Bylaw No. 813.26.

MOVED Director Stanhope, SECONDED Director Rispin, that "French Creek Sewerage Facilities Local Service Area Amendment Bylaw No. 813.26, 2001" be adopted.

CARRIED

Bylaw No. 889.18.

MOVED Director Stanhope, SECONDED Director McLean, that "Regional District of Nanaimo Northern Community Sewer Local Service Area Amendment Bylaw No. 889.18, 2001" be adopted.

CARRIED

Public Hearing.

Minutes of the Public Hearing held September 5, 2001 with respect to Home Based Business Review - Amendment Bylaws No. 500.270 & 500.272 - Areas A, C, D, E, G & H.

MOVED Director Haime, SECONDED Director Sherry, that the Summary of Proceedings of the Public Hearing held September 5th, 2001 as a result of public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.270, 2001" and "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.272, 2001", be received.

CARRIED

MOVED Director Hamilton, SECONDED Director Haime, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.270, 2001" (amendment to home-based business regulations) be given 3rd reading, subject to the amendments listed in 'Schedule No. 1'.

CARRIED

MOVED Director Macdonald, SECONDED Director Haime, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.272, 2001" (amendments to accessory building size) be given 3rd reading.

CARRIED

MOVED Director Haime, SECONDED Director Macdonald, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.270, 2001" (amendments to home-based business regulations) be forwarded to the Ministry of Transportation pursuant to Section 54(2) of the *Highways Act*.

CARRIED

MOVED Director Haime, SECONDED Director Quittenton, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.272, 2001" (amendments to accessory building size) be forwarded to the Ministry of Transportation pursuant to Section 54(2) of the *Highways Act*.

CARRIED

DEVELOPMENT SERVICES STANDING COMMITTEE

MOVED Director Hamilton, SECONDED Director Korpan, that the minutes of the regular Development Services Committee meeting held September 18, 2001, be received for information.

CARRIED

CORRESPONDENCE/COMMUNICATIONS

Oceanside Development & Construction Association, re Bylaw No. 500.268 - Amendments to Subdivision Districts - Area E.

MOVED Director Hamilton, SECONDED Director Korpan, that the correspondence received from Oceanside Development & Construction Association with respect to clarification of the status of Bylaw No. 500.268, be received for information.

CARRIED

BUILDING INSPECTION

Section 700 Filings.

The Chairperson advised that the following infractions have been resolved:

- a) Lot 3, Section 11, Range 7, Plan 3163, Cranberry Land District, 2180 South Wellington Road, Electoral Area 'A', owned by R. Soderstrom;
- b) Lot B, Section 19, Plan 33183, Gabriola Island, Nanaimo Land District, 900 Bertha Avenue, Electoral Area 'B', owned by C. and D. Guest;
- c) That part of Lot 1, Block 4, District Lot 27G (formerly known as District Lot 27), Plan 6756, Lying to the south of a boundary extending at right angles to the easterly boundary of said lot, from a point in the said easterly boundary distant 140 feet from the north easterly corner of said Lot 1, except that part in Plan 7960, Wellington Land District, 7022 Lavender Road, Electoral Area 'D', owned by M. and K. Monteiro.

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

MOVED Director Hamilton, SECONDED Director Macdonald, 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:

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- a) Lot 5, Section 16, Range 3, Plan 30151, Mountain Land District, 3126 West Road, Electoral Area 'D', owned by R. and L. Easthom.

CARRIED

PLANNING

DEVELOPMENT VARIANCE PERMIT

Application No. 0107– Pearce and Doricich – 2945 Ingram Road – Area A.

MOVED Director Hamilton, SECONDED Director Elliott, that Development Variance Permit Application No. 0107, submitted by David Pearce and Lesley Doricich, to facilitate the development of a two-car detached garage and vary the minimum setback requirement for a building or structure within a Rural 4 zone from 8.0 metres (26.3 feet) to 6.0 metres (19.7 feet) for the exterior side lot line located along Ingram Road, and from 8.0 metres (26.3 feet) to 2.0 metres (6.6 feet) for the rear lot line located along the south boundary of the subject property for the property legally described as Lot B, Section 10, Range 4, Cedar District, Plan VIP66286, be approved as submitted subject to the notification requirements pursuant to the Local Government Act.

CARRIED

OTHER

Application No. FLR 0105 – McGarrigle – Munroe Road – Area D.

MOVED Director Hamilton, SECONDED Director Haime,:

That the Board of the Regional District of Nanaimo support the application for inclusion into the Forest Land Reserve for the property legally described as The West 20 Acres of Section 15, Range 5, Mountain District, the East 20 Acres of the West 40 Acres of Section 15, Range 5, Mountain District, Parcel B (DD 8669N) of Section 15, Range 5, Mountain District.

That the application be referred to the Growth Management Review Process as a potential amendment for consideration subject to the approval of the inclusion by the Land Reserve Commission.

CARRIED

Zoning Amendment – Valentim – 2651 Island Highway – Area A.

MOVED Director Hamilton, SECONDED Director Elliott, that Amendment Application No. 0105 submitted by John and Rhonda Valentim, to rezone the subject property legally described as Lot 3, Section 6, Range 7, Cranberry District, Plan 10423 Except Parcel A (DDG95323), from Rural 4 (RU4) to Comprehensive Development 10 (CD10) be advanced to a public hearing subject to the conditions outlined in Schedule No. 1.

CARRIED

MOVED Director Hamilton, SECONDED Director McLean, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.278, 2001" be given 1st and 2nd reading and proceed to Public Hearing.

CARRIED

MOVED Director Hamilton, SECONDED Director Quittenton, that the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.278, 2001" be delegated to Director Elliott or his alternate.

CARRIED

MOVED Director Hamilton, SECONDED Director McLean, that Schedule No. 4, Section 6.4.108.5, item 3 be amended to allow for the placement of "For Sale" signs in vehicles to distinguish them from repair vehicles.

CARRIED

Manufactured Homes in RS1 Zone – Columbia Beach – Area G.

MOVED Director Hamilton, SECONDED Director Stanhope, that the staff report outlining options with respect to restricting the siting of mobile homes or manufactured dwelling units in the Columbia Beach neighbourhood of Electoral Area 'G', be received for information and that the RS1 zoning regulations not be amended.

CARRIED

Liquor License Increased Occupancy Capacity Applications – Areas A & G.

MOVED Director Hamilton, SECONDED Director Stanhope, that the Board of the Regional District of Nanaimo recommend that the applications for increases in occupancy capacity, as submitted by Timberland Pub, legally described as R. 1, Plan 29967, District Lot 15, Bright Land District Except that Part in Plan 38105, and French Creek House Resort, legally described as Lot 1, Plan 58358, District Lot 28, Nanoose Land District, be supported, subject to the applicants meeting all zoning, building inspection and official community plan bylaw requirements.

CARRIED

ADMINISTRATOR'S REPORT

Green's Landing Wharf – Gabriola Island.

MOVED Director Hamilton, SECONDED Director Holdom, that given the community's interests in the Green's Landing Wharf and the dire ramification to residents on Gabriola Island and Mudge Island if the Federal Government proceeds with plans for wharf demolition after the expiry of the Regional District's current short term lease at the end of September, Public and Government Services Canada and BC Assets and Lands Corporation be urged to complete a transfer or long term lease arrangement for Green's Landing Wharf with the Regional District of Nanaimo.

CARRIED

CORPORATE & COMMUNITY SERVICES STANDING COMMITTEE

MOVED Director Stanhope, SECONDED Director Sherry, that the minutes of the regular Corporate & Community Services Committee meeting held October 2, 2001 be received for information.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Gary Korpan, re Treaty Negotiations.

MOVED Director Stanhope, SECONDED Director Macdonald, that the correspondence received from Mayor Gary Korpan with respect to treaty negotiations, be received.

CARRIED

Reed Elley, re Treaty Negotiations.

MOVED Director Stanhope, SECONDED Director Rispin, that the correspondence received from Reed Elley, MP, with respect to treaty negotiations, be received.

CARRIED

ADMINISTRATION

Local Telephone Calling Area Expansions.

MOVED Director Stanhope, SECONDED Director Macdonald, that staff correspond to the CRTC supporting the following principles related to the expansion of local calling areas:

- Local government authority to initiate and determine the size of the local calling area
- Where costs to residential customers will exceed \$1.00 per month, that an opportunity to vote on the proposal be required and be managed by the telephone service provider through a mail-in ballot sent with the telephone subscriber bill
- That the expansion of a local calling area be revenue neutral to the telephone service provider

CARRIED

MOVED Director Stanhope, SECONDED Director Krall, that staff correspond with our neighbouring municipalities and Regional Districts (Cowichan Valley and Alberni-Clayoquot) to encourage them to individually correspond to the CRTC supporting the above noted principles for the expansion of local calling areas.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

District 69 Recreation Commission.

MOVED Director Quittenton, SECONDED Director Stanhope, that the minutes of the District 69 Recreation Commission meeting held September 20, 2001 be received for information.

CARRIED

Gabriola Island Recreation Commission.

MOVED Director Stanhope, SECONDED Director Sperling, that the minutes of the Gabriola Island Recreation Commission meeting held September 17, 2001 be received for information.

CARRIED

MOVED Director Stanhope, SECONDED Director Sperling, that the following Grants-in-Aid applications and subsequent amounts be approved:

Gabriola Community Arts Council – Kids Art Day	\$ 300
Gabriola Shotokan Karate-Do	500
Gabriola Fire Department – Fireworks	500
Youth Art – Music Club	640
People for a Healthy Community – The Gathering Place	1,800
Youth Art – Art Club	2,364
Huxley Park Sports Association	3,400
Gabriola Islander Days	<u>500</u>
	<u>\$10,004</u>

CARRIED

REGIONAL GROWTH MANAGEMENT

Growth Management Plan Review – Discussion Paper – Preparation and Public Process Update.

MOVED Director Stanhope, SECONDED Director Krall, that the Growth Management Plan Review – Discussion Paper Preparation and Public Process Update report be received for information.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

AVICC TAC Meeting at UBCM.

MOVED Director Stanhope, SECONDED Director Sperling, that Director Hamilton's verbal report on the AVICC TAC meeting be received.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Treaty Negotiations.

MOVED Director Stanhope, SECONDED Director Holdom, that, in light of Mr. Elley's correspondence to the Honourable Robert Nault, a letter be sent to Mr. Nault requesting that the proposed meeting with the City of Nanaimo also be attended by Islands Trust and the Regional District of Nanaimo.

CARRIED

MOVED Director Sherry, SECONDED Director Westbrook, that the Chairperson appoint a Select Committee of Board members to represent the Regional District at the meeting.

CARRIED

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE

Intergovernmental Advisory Committee.

MOVED Director Stanhope, SECONDED Director Sherry, that the minutes from the Intergovernmental Advisory Committee meeting held September 13, 2001 be received for information.

CARRIED

Building Addition Committee.

MOVED Director Sherry, SECONDED Director Rispin, that the minutes of the Building Addition Committee meeting held October 2, 2001 be received for information.

CARRIED

MOVED Director Westbrook, SECONDED Director Stanhope, that the Board approve the construction of an addition to the RDN Administration Building which includes a Board Room with a seating capacity for an audience of 50 persons and direct staff to prepare the necessary tenders to undertake this project.

CARRIED

MOVED Director Westbrook, SECONDED Director McLean, that staff be directed to prepare the reserve fund expenditure bylaws to approve the release of funds from the Building Addition Reserve Fund to proceed with this project.

CARRIED

Administration Building Reserve Fund Expenditure Bylaw No. 1263.

MOVED Director Holdom, SECONDED Director Sherry, that "Administration Building Reserve Fund Expenditure Bylaw No. 1263, 2001" be introduced and read three times.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Administration Building Reserve Fund Expenditure Bylaw No. 1263, 2001" be adopted.

CARRIED

Selection Committee

MOVED Director Elliott, SECONDED Director McLean, that Michelle Honeyman be appointed to the EA 'A' Parks, Recreation & Greenspace Advisory Committee for a term ending December 31, 2002.
CARRIED

ADMINISTRATOR'S REPORT

Structural Removal Bylaw No. 1262 – Crossley – 3154 DeCourcy Drive – Area A.

MOVED Director Elliott, SECONDED Director Sherry, that “Regional District of Nanaimo Structure Removal Bylaw No. 1262, 2001” be introduced and given three (3) readings.
CARRIED

MOVED Director Elliott, SECONDED Director Sherry, that “Regional District of Nanaimo Structure Removal Bylaw No. 1262, 2001”, having received three (3) readings, be adopted.
CARRIED

MOVED Director Elliott, SECONDED Director Sherry, that staff be authorized to proceed with legal action if necessary to ensure compliance.
CARRIED

Amendment to Apportionment Formula for the Northern Community Sewer Local Service Area Bylaw No. 889.19.

MOVED Director Sherry, SECONDED Director McNabb, that “Regional District of Nanaimo Northern Community Sewer Local Service Area Amendment Bylaw No. 889.19, 2001” be introduced for three readings and be forwarded to the Inspector of Municipalities for approval.
CARRIED

French Creek Pollution Control Centre Biosolids Composting Contract Award.

MOVED Director Sherry, SECONDED Director McLean, that Evansdale Farms Ltd. be awarded the contract for composting biosolids from FCPC for \$59.99 per tonne.

MOVED Director McLean, SECONDED Director Westbrook, that the resolution be amended to add “and that the contract be retendered at the termination of the contract”.
CARRIED

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

The motion CARRIED.

Garbage Collection and Recycling Program Contract Award.

MOVED Director Sherry, SECONDED Director Stanhope, that the Board award a five year contract for region wide collection of garbage and recyclables with additional plastics collection to Salish Disposal.
CARRIED

Landfill and Transfer Station Yard Waste Composting Contract Award.

MOVED Director Sherry, SECONDED Director Stanhope, that Evansdale Farms Ltd. Be awarded the contract for composting yard waste from the Regional Landfill and Church Road Transfer Station for \$42.50 and \$32.50 per tonne respectively.

MOVED Director McLean, SECONDED Director Westbrook, that the resolution be amended to add “and that the contract be retendered at the termination of the contract”.

CARRIED

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

The motion CARRIED.

NEW BUSINESS

Sewage Treatment.

MOVED Director Quittenton, SECONDED Director Krall, that the Chairperson of the Regional District of Nanaimo write to the President of UBCM suggesting that an emphasis be placed on sewage treatment at the Whistler meeting and that preference be given to vendors of sewage treatment processes and equipment for exhibition booth space at the Whistler meeting.

CARRIED

IN CAMERA

MOVED Director Sherry, SECONDED Director Rispin, that pursuant to Section 242.2 1(e) and (h) of the *Local Government Act* the Board proceed to an In Camera meeting to consider matters related to land acquisition and potential litigation.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 8:25 PM

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE SPECIAL MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, OCTOBER 30, 2001, AT 7:30 PM IN THE
NANAIMO CITY COUNCIL CHAMBERS**

Present:

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

Also in Attendance:

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

AREA F ZONING BYLAW

Resolutions from the Development Services Committee meeting held October 16, 2001.

Area F Zoning and Subdivision Bylaw No. 1155.

MOVED Director Sherry, SECONDED Director Hamilton, that the staff report and supporting documentation to Electoral Area F Zoning and Subdivision bylaw be received. CARRIED

MOVED Director Sherry, SECONDED Director Krall, that "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1155, 2001" be introduced for first reading. CARRIED

MOVED Director Sherry, SECONDED Director Westbrook, that a Select Committee of Regional Board Directors be appointed to investigate issue areas. CARRIED

MOVED Director Westbrook, SECONDED Director Macdonald, that the Select Committee hold Public Information Meetings in Electoral Area 'F' with all recommendations to come forward in a report to the Board. CARRIED

MOVED Director Sherry, SECONDED Director Westbroek, that Directors Hamilton, Holme, Stanhope, Quittenton and McLean be appointed to the Electoral Area F Zoning Select Committee.

CARRIED

MOVED Director Hamilton, SECONDED Director Krall, that a Public Information Meeting be held in Electoral Area 'F' on November 21, 2001.

CARRIED

IN CAMERA

MOVED Director Holdom, SECONDED Director Sherry, that pursuant to Sections 242.2(I)(e) and (h) of the Local Government Act the Committee proceed to an In Camera Ideas and Updates Meeting to consider a matter concerning the acquisition, disposition or expropriation of land or improvements and a matter of litigation or potential litigation affecting the Local Government.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:42 PM

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES



*British Columbia
Assets & Land Corporation*

REGIONAL DISTRICT OF NANAIMO	
OCT 15 2001	
CHAIR	GMCrs
CAO	GMDS
GMCrs	GMS

facsimile transmittal

Please call to discuss once you've had a chance to review

To: Kelly Daniels
Administrator
Regional District of Nanaimo - Tel - (250) 390-4111

From: Michael Begg
Manager, Treaty Support and Interim Measures
British Columbia Assets and Land Corporation
4th floor, 609 Broughton Street, PO Box 9475 Stn Prov Govt
Victoria BC V8W 9W6 Tel - (250) 356-6628

Date: October 12, 2001

Fax: 387-2021

Re: Proposed Snuneymuxw Interim Measure - beach protection **Pages: 5**

Urgent For Review Please Comment Please Reply For Information

Material contained in this fax transmission is confidential, and should be delivered only to the addressee. If all pages are not received, please call: Beth at (250) 387-1736.

Dear Mr. Daniels:

As we discussed on the telephone this morning, Kelly, the sites marked in grey on the attached two maps are those over which BCAL is considering a *Land Act* "reserve" as an Interim Measure, in response to a proposal from the Snuneymuxw First Nation.

These reserves would withdraw the sites marked from *Land Act* tenure to any party for any purpose. In the result, BCAL would not authorise any uses on those sites, and they would remain in their current state, accessible to the public or to both aboriginal and non-aboriginal wild shellfish harvesters. In other words, the status quo is maintained.

I should add that we have not completed our status work on these sites, so their exact boundaries may change should we find that any existing *Land Act* reserves or tenures overlap with the areas marked on the maps. To ensure the fax is legible, I am faxing the original two maps, along with a copy of the same pair of maps, on which I have thickly outlined the sites proposed for withdrawal from tenure.

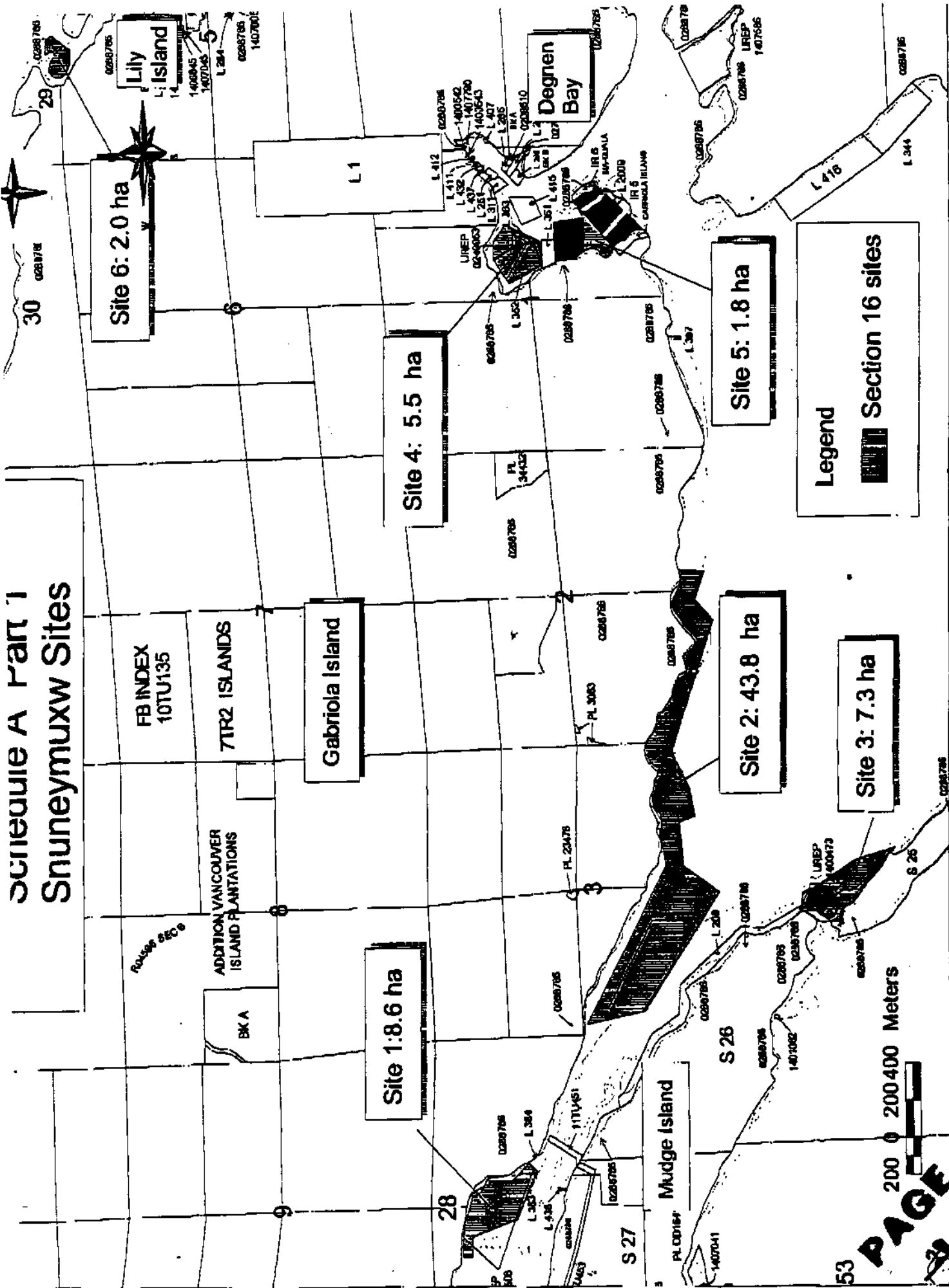
Please call me to advise whether the Regional District of Nanaimo has any comments or concerns about this Interim Measure.

Yours truly,

Michael Begg

PAGE 2

Screevue A Part 1 Shuneymuxw Sites

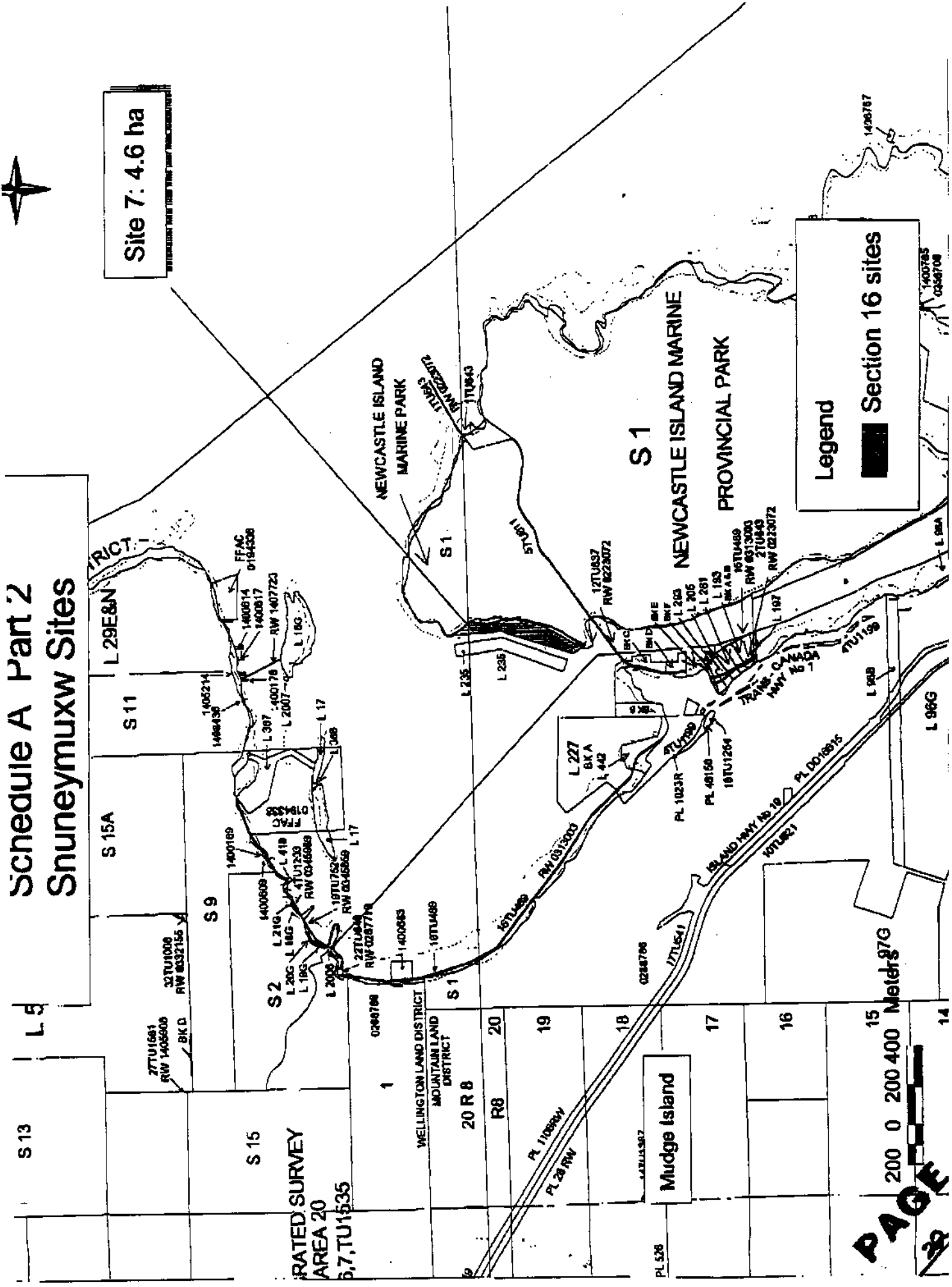




Schedule A Part 2 Snuneymuxw Sites

Site 7: 4.6 ha

Legend
Section 16 sites




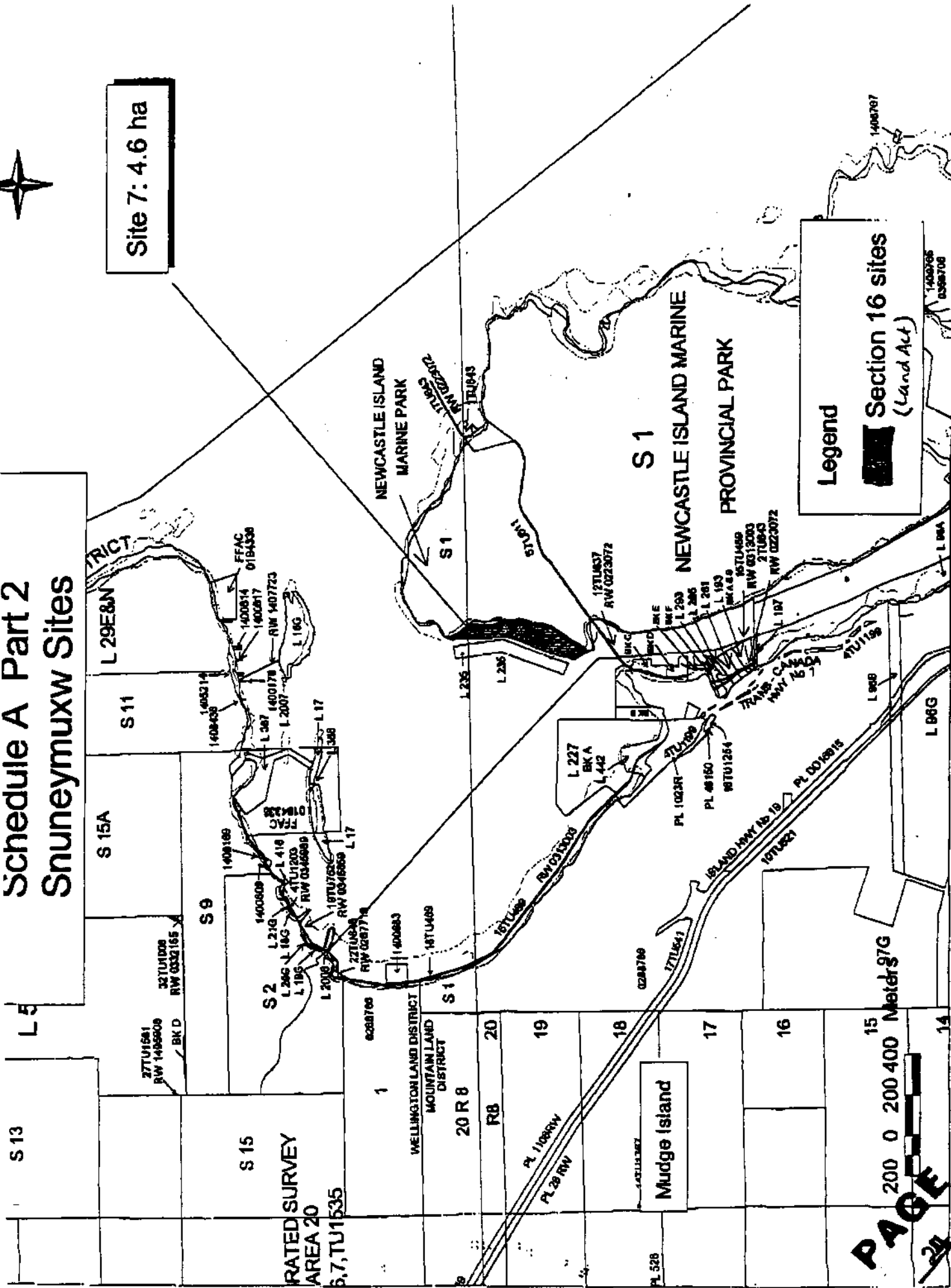


Schedule A Part 2 Snuneymuxw Sites

Site 7: 4.6 ha

Legend

 Section 16 sites
(Land Act)



200 0 200 400 Meters

PAGE 24



REGIONAL
DISTRICT
OF NANAIMO

October 22, 2001

Mr. Michael Begg
Manager, Treaty Support and Interim Measures
British Columbia Assets and Land Corporation
P O Box 9475 Stn Prov Govt
Victoria, BC
V8W 9W6

Dear Mr. Begg:

Subject: Interim Measure for Shellfish Harvesting - Nanaimo First Nation

Thank you for the opportunity to comment on the proposed Interim Measure for Shellfish Harvesting submitted by the Nanaimo First Nations. The Board of the Regional District of Nanaimo will be receiving the request for comment on November 13, 2001, but I can provide the following preliminary comments after consultation with the Area Director for Gabriola Island and the Area Director responsible for Treaty liaison.

- We have a general concern that once an area has been identified in an Interim Measure the expectation of the First Nations will be that the area identified will be eventually included in Treaty. That being said the following concerns are more specific.
- On preliminary review it would appear to us that the area identified encompasses all or most of the desirable shellfish harvesting areas in the vicinity. This being the case we believe the area is far too large and should be reduced significantly to represent a more balanced proportion of the interests in the area.
- The Regional District of Nanaimo is currently in discussions with the Provincial and Federal Governments on the disposition of Green Landings Wharf. There is a possibility that the structure may not be able to remain in its current location in the future. Because of the critical nature of this wharf to the people on Gabriola Island, and in particular to those who live on Mudge Island, it is imperative that the wharf be replaced. One of the only plausible sites for relocation may be in an area commonly referred to as "The Maples" which we believe is in an area proposed as part of the Interim Measure. Because of the photocopy quality of the maps provided it is difficult to confirm if the area is actually included. A general description is - near the boundary of Section 2 and 3, where the SW 1/4 of Section 3 touches the high water mark.

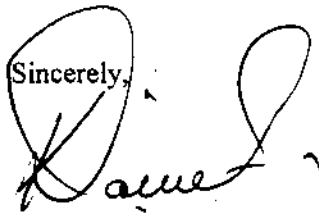
6300 Hammond Bay Rd.
Nanaimo, B.C.
V9T 6N2

Ph: (250)390-4111
Toll Free: 1-877-607-4111
Fax: (250)390-4163

DN Website: www.rdn.bc.ca

PAGE
25

Please take these comments into consideration and advise us of any final decisions made on this initiative.

Sincerely,


Kelly D. Daniels
Administrator

c.c. Elaine Hamilton, Director, Electoral Area C
Berni Sperling, Director, Electoral Area B
Kim Benson, Chairperson, Local Trust Committee, Gabriola Island
Gordon McIntosh, Executive Director, Islands Trust
Brian Mehaffey, General Manager, Community Services, City of Nanaimo
Trevor Proverbs, Chief Negotiator



REGIONAL
DISTRICT
OF NANAIMO

2001-October-10

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

Dear Sirs:

Re: Board of Variance Appointment – Mr. Douglas Lees

Please be advised that at their meeting of 2001-October-10th, the Regional District of Nanaimo Board of Variance appointed Mr. Douglas Lees to a second three year term to the Board of Variance. This term is to expire 2004-October-31.

I trust this information is of assistance. Please do not hesitate to contact me for clarification.

Sincerely,

Mr. Brock Williamson,
Chairman,
Regional District of Nanaimo Board of Variance.

bw/mep
a/applet

300 Hammond Bay Rd.
Nanaimo, B.C.
V9T 6N2

Ph: (250)390-4111
| Free: 1-877-607-4111
Fax: (250)390-4163

| Website: www.rdn.bc.ca

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REGIONAL DISTRICT OF NANAIMO			
OCT 17 2001			
CHAIR	<input checked="" type="checkbox"/>	GMCrs	<input checked="" type="checkbox"/>
CAO	<input checked="" type="checkbox"/>	GMDS	
GMCms	<input checked="" type="checkbox"/>	GMES	

*Carol - please
confirm with H. Permut
D. [unclear]
C. [unclear]*

DATE: October 10, 2001

Please copy and distribute ASAP

Mayor and Council / Chair and Regional Board
Administrators and Staff responsible for Purchasing
Harriet Permut, Senior Policy Analyst

ON OF
TISH
UMBLA
MICIPALITIES

RE: **AGREEMENT ON INTERNAL TRADE AND LOCAL
PROCUREMENT**

12 60
1 Shellbridge Way
mond
sh Columbia
ada V6X 2W9
1 270-8226
(604) 270-9116
n@civicnet.gov.bc.ca

On July 18, 2001, the provincial Cabinet decided as part of its initiative on open tendering, to also extend the procurement provisions of the Agreement on Internal Trade (AIT) to cover the so-called MASH sector entities, which include local governments. BC local governments had previously been exempted from these provisions, a position which had been supported by UBCM and FCM when the AIT was signed in 1994.

A letter from Minister Abbott is attached which explains the government decision and also includes a "plain language" version of the procurement obligations that local governments will be required to undertake under the AIT, effective March 31, 2002.

UBCM agreed to undertake a consultation with local governments and to advise the Minister of any implementation concerns raised by members.

As this is time sensitive, please have your staff review the documents attached and forward any comments, concerns or issues relating to implementation, to me at the UBCM office, or by e-mail at hpermut@civicnet.gov.bc.ca. We will compile these comments and share them with the Ministers involved. We need to receive these comments by mid-November.

For those interested, the transcript of the July 18th open Cabinet meeting where this decision was taken may be accessed on the internet at <http://www.gov.bc.ca/prem/popt/cabinet/default.htm>.

An overview of the Agreement on Internal Trade is available at <http://www.intrasec.mb.ca/overview.htm>. The text of the "MASH Annex" may be found at <http://www.intrasec.mb.ca/eng/3protoco.htm>.

Attachment
125.007 Trade.AIT:AIT Dec/Mem

PAGE
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SEP 17 2001

SEP 13 2001

Jim Abram
President
Union of British Columbia Municipalities
Suite 60 10551 Shellbridge Way
Richmond BC V6X 2W9

Dear Jim Abram:

Thank you for your letter of June 11, 2001, regarding consultations on the Agreement on Internal Trade. I sincerely apologize for not responding sooner.

As part of the government of British Columbia's action plan to renew economic prosperity in British Columbia, at its July 18, 2001 meeting, Cabinet decided to restore open tendering on government contracts. This commitment includes extending the procurement provisions of the Agreement on Internal Trade (AIT) to Crown Corporations, and municipalities, municipal organizations including regional districts, school boards, and publicly funded academic, health and social service entities (MASH).

In addition, on August 1, 2001, the Honourable Gordon Campbell, Premier, wrote to First Ministers and other responsible provincial and federal ministers, advising that British Columbia has set March 31, 2002, as the deadline for meeting this commitment. A copy of this letter is attached for your information.

I recognize that some local governments may find this to be an ambitious commitment, and that some concerns have already been raised. Further, I understand the Union of British Columbia Municipalities plans to consult with its members, and will advise me of any further implementation concerns. For your information other MASH sector organizations are also being consulted on their implementation issues.

.../2

Jim Abram

Page 2

As requested by your staff, I am attaching an unofficial "plain language" version of the AIT's MASH procurement annex to assist in your discussions. If, in the course of consultations, you would like to call on government staff to meet your members, I would be pleased to make my staff available. Internal Trade and Purchasing Commission staff from the Ministry of Competition, Science and Enterprise, and Ministry of Management Services respectively will also be available to address any concerns your members might have, and to otherwise assist with implementation.

I am confident that the administrative simplicity, cost savings, and increased value for taxpayers on all major government purchases will be supported by all local governments. I look forward to working with you and your members to implement this important initiative.

Yours truly,



George Abbott
Minster

Attachment

pc: Honourable Gordon Campbell
Premier

Honourable Rick Thorpe
Minister of Competition, Science and Enterprise

Honourable Sandy Santori
Minister of Management Services

Honourable Greg Halsey-Brandt
Minister of State for Intergovernmental Relations



FILE COPY

MINISTER'S OFFICE
COMPETITION, SCIENCE AND ENTERPRISE
RECEIVED

AUG 10 2001

DRAFT REPLY FILE FYI REPLY DIRECT

ROUTE TO _____

TRACKING # 20091

August 1, 2001

Dear Premier Klein:

As part of my government's action plan to renew economic prosperity in British Columbia, we committed during our election campaign to work actively to eliminate inter-provincial trade barriers that are hampering growth, investment and job creation across Canada.

The Agreement on Internal Trade is an excellent opportunity for all of us to do just that.

There are a number of areas where British Columbia has previously resisted or not met the requirements of the agreement, the most prominent of these being:

- Not agreeing to cover British Columbia municipal governments, academic institutions, social services entities and health care entities (the "MASSH" sector) under procurement obligations;
- Excluding British Columbia Crown Corporations from the procurement obligations;
- Not appointing procurement panellists, dispute settlement panellists and the British Columbia screener;
- Not completing reviews of a) non-conforming procurement policies and programs, and b) regional economic development programs;
- Not making notifications regarding natural resource processing chapter and regarding regional development programs; and
- Not submitting several annual reports required under various chapters.

My government is committed to meeting these requirements in a timely manner. Specifically, my Cabinet has set March 31, 2002 as our province's deadline for complying with the Agreement on Internal Trade's procurement provisions for the MASSH sector.

... 2

Office of the
PremierMailing Address:
PO Box 9041 Stn Prev Govt
Victoria BC V8W 9E1Location:
Parliament Buildings
VictoriaPAGE
21

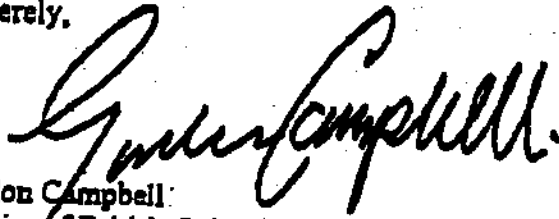
2

Furthermore, we have already initiated actions to bring British Columbia into compliance on a number of other items listed above, and will ensure complete compliance on all items by March 31, 2002, if not sooner. Specific actions we are currently undertaking include:

- Initiating consultations with the MASSH sector on implementation of the Agreement's procurement obligations;
- Identifying nominees to serve as procurement panellists, dispute settlement panellists and the British Columbia screener; and
- Working on several outstanding annual reports.

My government is committed to taking an active role in advancing the Agreement on Internal Trade; and in working together with you to create new economic and trade opportunities for all Canadians.

Sincerely,



Gordon Campbell
Premier of British Columbia

pc
Premiers of Canada
Rt. Hon. Jean Chrétien, Prime Minister of Canada
Hon. Stéphane Dion, federal Minister of Intergovernmental Affairs
Hon. Brian Tobin, federal Minister of Industry
Hon. Rick Thorpe, B.C. Minister of Competition, Science and Enterprise
Hon. Sandy Santori, B.C. Minister of Management Services

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MASH Annex 502.4

Procurement Obligations – The Plain Language Version

Please note that this is not an official version of the MASH Annex 502.4. These notes should be read in conjunction with the original text of the Annex. The text of the Annex is available at www.intrasec.mb.ca.

1. **Scope and Coverage:**

Covers all municipalities, regional districts, municipal organizations, school boards, universities, colleges, health and social service entities as well as those corporations or entities owned by these entities.

Procurement over the thresholds (\$100,000 for goods and services, \$250,000 for construction), must be made in compliance with all the provisions of the Annex including the requirement to advertise nationally (see fifth paragraph of #5 below). Procurement under the thresholds is encouraged to respect the spirit of the Annex.
2. **Non-Discrimination**

The Province may not instruct an entity to restrict its purchase to suppliers in a limited geographic area.

An entity may not restrict its purchase to suppliers in a limited geographic area within Canada.

Discriminatory practices are listed in Appendix B of Annex 502.4.
3. **Transparency**

Entities must ensure that legislation, regulations, policies and procedures associated with procurement and any notices of award of contract, are made accessible to anyone who makes a request for them.
4. **Legitimate Objectives**

Procurements of goods, services or construction of a listed legitimate objective may be removed from the provisions of the MASH Annex provided that it can be demonstrated that the four tests are met.
5. **Fair Acquisition Process**

All methods of procurement are covered by the Annex.

Existing methods of procurement may be continued provided they are consistent with the Annex.

Long term contracts are permitted provided they are established in a manner which is consistent with the Annex. For example, a 5 year contract over \$100,000 total estimated value for the life of the contract, must be competed openly.

MASH entities must ensure that their acquisition processes are fair, competitive, efficient, effective, non-discriminatory, and transparent.

MASH entities must use an electronic tendering system to advertise their procurement opportunities over the identified thresholds and contract award information. The Province will provide access to BC Bid, its procurement opportunity web site, for MASH entities to use to meet this requirement. There is no charge for this service. Alternatively, a MASH entity may choose to establish its own site.

The basic information items that must be provided in a procurement opportunity notice must be identified.

Entities may take into consideration a wide variety of evaluation criteria. However, they must identify these criteria in the solicitation document and also include the method of weighting and evaluating these criteria.

Entities may establish a list of pre-qualified vendors, if this process is undertaken and completed prior to the close of the related solicitation.

6. Buying Groups

Buying groups' activities are included in the coverage by the Annex. For example, 4 municipalities buying a commodity through 1 solicitation with a total value greater than \$100,000 must tender nationally.

7. Exceptions

Procurements which fall into one of the categories in Appendix C (e.g., unforeseen emergency, goods or consulting services of a confidential nature, etc.) may be excluded from the provisions of the Annex, provided that this is not done in order to avoid competition between suppliers or in order to discriminate against suppliers of any other province.

Procurements which fall into one of the categories in Appendix D (e.g., compatibility with existing products, sole source supplier, etc.) procurement may be excluded from the provisions of the Annex, provided that this is not done in order to avoid competition between suppliers or in order to discriminate against suppliers of any other province.

8. Canadian Content

Entities may include a Canadian value-added preference of up to 10% in their solicitations. They may also limit their tendering to Canadian goods or suppliers provided there is sufficient competition in Canada and the good can be qualified as a Canadian good.

9. Regional Economic Development

An entity may, under exceptional circumstances, exclude a procurement for regional economic development purposes provided that approval is given by the Province, and provided that notice is given to the other provinces, prior to the procurement being issued.

10. Non-Application

In addition to Appendices C and D, a list is provided of types of procurements that are not subject to the provisions of the Annex (e.g., procurement of goods intended for resale to the public, purchases on behalf of an entity not covered by the Annex, etc.).

11. Dispute Resolution

Entities must document their internal complaint process and provide this to a supplier or a Province upon request.

Suppliers from other jurisdictions must be provided with the same opportunity and process for dispute resolution as local suppliers.

If a dispute is not resolved, the supplier may register a complaint with the Province in which the entity is located. If there are recurring complaints, or that Province feels that the supplier's complaint is valid, that Province may contact the Province in which the entity resides with an objective of resolving the supplier complaint.

If the dispute remains unresolved, a Province may request that the complaint be considered by a panel of experts (number to be agreed between Provinces). This panel's report will be made public and will be provided to both Provinces. Provinces shall then consult on a mutually acceptable settlement based on the report.

Provinces are responsible for paying all costs associated with the panel.

The dispute resolution process cannot delay the awarding of a contract.

A Province may withhold equivalent benefits under the Annex (i.e., procurement opportunities) from the suppliers of the non-complying Province until such time as a mutually acceptable settlement is achieved.

12. Language

An entity may specify the language in which it chooses to do business.

13. Confidentiality

The Annex does not require an entity to breach confidentiality provisions imposed by law or to compromise security or commercially sensitive or proprietary information identified by a supplier in its bid response.

14 Review of Provisions and Future Negotiations

Entities may report to their Province any problems or concerns they have with the Annex, and the Internal Trade Secretariat will report them to the Committee of Ministers of Internal Trade.

The Annex may be reviewed annually by the Committee of Ministers of Internal Trade. The exclusion for licensed professionals will be part of that review.

The Province is required to establish a process and guidelines for standardization and harmonization of the terms and conditions and complaint processes used by entities in their jurisdiction. All provinces are to establish a working group to review this work with a view to harmonization and the working group is to report to the Secretariat and to the Committee of Ministers of Internal Trade. (This initiative has not been undertaken by any Province and a report has not been submitted.)

Provinces are to review the sections on Canadian Content and Regional Economic Development with a view to removing them from the Annex if they are no longer required. (This has not been done.)

Provinces are to review the section on Dispute Resolution following the review for standardization of procedures for complaint processes. Provinces are also to review the section to ensure it provides adequate access for private parties to the process. (This has not been done.)

15. Relationship to Other Agreements

Provinces can enter into other agreements covering procurement by entities covered by the Annex provided that they are more trade liberalizing. Other Provinces can join these agreements provided they accept the terms.

16. **Implementation**

Each Province is responsible for the compliance of its entities covered by the Annex.

17. **Definitions**

The definitions in Articles 200 and 518 of the original text of the Agreement on Internal Trade apply to the Annex. The only exception is the definition of legitimate objective which has been redefined in the Legitimate Objective section of the Annex.



REGIONAL DISTRICT OF NANAIMO			
OCT 9 2001			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
		DSC	✓

MEMORANDUM

TO: Stan Schopp
 Manager, Building Inspection Services

DATE: October 5, 2001

FROM: Allan Dick
 Senior Building Inspector

FILE: 3810-20

SUBJECT: Local Government Act - Section 700 - Contravention of Bylaw
 Meeting Date - October 18, 2001

PURPOSE

To provide for the Committee's review, proposed Section 700 filings on properties which have outstanding occupancy or safety issues that contravene Building Bylaw No. 1250.

BACKGROUND

The individual area inspectors have worked closely with the property owners to resolve outstanding issues prior to the sending of letters. A minimum of two letters addressing deficiencies has been sent to the registered property owners. Where required, the Manager and/or the Senior Building Inspector have been involved with proposed resolutions. At this time we are unable to approve construction at the indicated addresses.

SUMMARY OF INDIVIDUAL INFRACTIONS


Electoral Area 'A'


- Owners Name: Edward and Diane Howe
 Legal Description: Lot 8, Section 11, Range 2, Cedar District, Plan 26222
 Street Address: 2108 Grieve Road
 Summary of Infraction: July 31, 2001 - Notice posted; building permit required
 August 2, 2001 - letter sent certified mail; permit required
 August 9, 2001 - verification of certified mail received
 August 20, 2001 - contacted Mrs. Howe by phone informing her permit is required for construction of deck. She stated they will not apply for a permit
 August 20, 2001 - second notice sent certified mail
 August 31, 2001 - verification of certified mail received
 September 10, 2001 - no response from owners
 October 4, 2001 - owners refuse to apply for a permit

2. Owners Name: Ken Dyck and Nichole Robertson
Legal Description: Lot 4, Section 15, Range 8, Cranberry District, Plan 23666
Street Address: 1716 Cedar Road
Summary of Infraction: February 2, 2000 – letter sent; occupancy required
May 9, 2001 – left phone message for owner to contact office; SFD occupied without an occupancy permit
May 25, 2001 – letter sent; occupancy required
June 11, 2001 – left phone message for owner to contact office
June 13, 2001 – no response from owner
June 22, 2001 – letter sent informing owner of potential enforcement action
July 23, 2001 – house for sale (foreclosure)
September 6, 2001 – contacted agent; new owner will apply for permit to complete after transfer of ownership
September 21, 2001 – ownership transferred; agent informed new owner of permit requirements
October 4, 2001 – owners not responding to phone calls.
3. Owners Name: Darlene Dorman
Legal Description: Lot 1, Section 10, Range 2, Cedar District, Plan 26245
Street Address: 2220 Cedar Road
Summary of Infraction: August 21, 2001 – building permit application received to locate mobile home
September 7, 2001 – Senior inspector informed owner that property is too small for second dwelling. Owner proceeds with locating mobile.
September 20, 2001 – Stop Work Order posted
September 27, 2001 – letter sent certified mail re stop work
October 5, 2001 – no response by owner

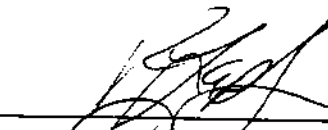
RECOMMENDATION

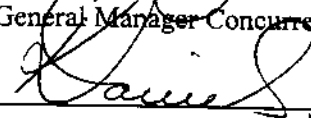
That a notice be filed against the titles of the properties listed, pursuant to Section 700 of the *Local Government Act* and that if the infractions are not rectified within ninety (90) days, legal action will be pursued.



Report Writer


Manager Concurrence



General Manager Concurrence


C.A.O. Concurrence

COMMENTS:
devsvs/reports/2001/3810-20-Section700October.doc



REGIONAL DISTRICT OF NANAIMO		
NOV - 5 2001		
CHAIR		GMCrS
CAO		GMDS
GMCrS		GMES

MEMORANDUM

TO: Robert Lapham
General Manager, Development Services

FROM: Pamela Shaw
Manager of Community Planning

SUBJECT: Home Based Business (HBB) Review – RDN Land Use and Subdivision Bylaw Amendment Bylaw No. 500.270, 2001 and Accessory Building Size Provisions – RDN Land Use and Subdivision Bylaw Amendment Bylaw No. 500.272, 2001 Electoral Areas 'A, C, D, E, G & H'

DATE: November 2, 2001

FILE: 3360 30 9617

PURPOSE

To consider Bylaw Nos. 500.270 and 500.272 for adoption.

BACKGROUND

Bylaw Nos. 500.270 and 500.272 were considered by the Board and given 1st and 2nd reading on July 10th, 2001.

The Public Hearing concerning the proposed amendments was held on September 5, 2001. The Bylaws were given 3rd reading on October 9th, 2001. Subsequent to 3rd reading, and pursuant to Section 54(2) of the Highway Act, the Bylaws were forwarded to the Ministry of Transportation, as the Ministry's statutory approval is required prior to the amendment bylaws being considered for adoption.

As this approval has now been received, the Regional Board may now consider the Bylaws for adoption.

ALTERNATIVES

1. To adopt Bylaw No. 500.270 (Home Based Business) and Bylaw No. 500.272 (Accessory Building Size Provisions).
2. To not adopt Bylaw 500.270 (Home Based Business) and Bylaw No. 500.272 (Accessory Building Size Provisions).

VOTING

All directors except Electoral Area 'B' – one vote.

INTERGOVERNMENTAL IMPLICATIONS

Pursuant to the *Local Government Act*, Bylaw No. 500.270 and Bylaw No. 500.272 were forwarded to the Ministry of Transportation for their review on October 10th, 2001. Comments received October 24th, 2001 from MOT indicate the Ministry has no objection to the proposed amendments.

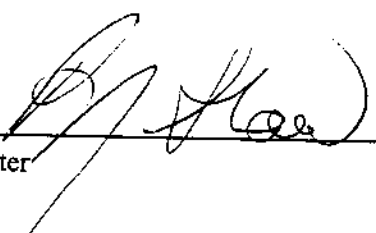
SUMMARY/CONCLUSIONS

"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.270, 2001" and "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.272, 2000" were given 1st and 2nd reading on July 10th, 2001. A Public Hearing with respect to these Bylaws was conducted on September 5th, 2001. The Bylaw was given 3rd reading on October 9th, 2001. As Ministry of Transportation approval has been received, the Bylaws may now be considered for adoption.

The following recommendations are provided for consideration by the Board.

RECOMMENDATION

1. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.270, 2001" (amendments to home-based business regulations) be adopted.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.272, 2001" (amendments to accessory building size) be adopted.



Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:

reports/devsvs/2001/3360 30 9617 no brd HBB Acc Bldgs adopt.doc



REGIONAL DISTRICT OF NANAIMO			
NOV - 8 2001			
CHAIR		GMCrS	
CAO		GMDS	
GMCrrS		GMES	

MEMORANDUM

TO: Pamela Shaw
 Manager of Community Planning

DATE: November 8, 2001

FROM: Deborah Jensen
 Planner

FILE: 3360 30 0105

SUBJECT: Bylaw No. 500.278 - Valentim
 Lot 3, Section 6, Range 7, Cranberry District, Plan 10423 Except Parcel A (DD G95323), and Except Part in Plan 3590RW
 Electoral Area 'A' - 2651 Trans Canada Highway

PURPOSE

To consider the minutes of the Public Hearing held November 7, 2001 with respect to Bylaw No. 500.278, and further, to consider Bylaw 500.278 for 3rd reading.

BACKGROUND

Bylaw No. 500.278 was considered by the Board and given 1st and 2nd reading on October 9, 2001.

Bylaw 500.278 is a result of an amendment application submitted by John Valentim and Rhonda Valentim to rezone the above noted property from Rural 4 (RU4) to South Wellington Comprehensive Development 10 (CD10) to allow for continued operation of an autobody facility on the property (see Attachment No. 1).

The Public Hearing concerning the proposed amendment was held November 7, 2001. A summary of the proceedings is attached for the Board's consideration (see Schedule No. 2).

ALTERNATIVES

- To grant 3rd reading to Bylaw No. 500.278 and, upon completion of the conditions outlined in Schedule I, to consider Bylaw No. 500.278 for adoption.
- To deny Bylaw 500.278.

INTERGOVERNMENTAL IMPLICATIONS

Should the Bylaw be granted 3rd reading, it would need to be forwarded to the Ministry of Transportation pursuant to the Highways Act, and to the Land Reserve Commission pursuant to the Agriculture Land Reserve Act prior to the Bylaw being considered by the Board for adoption.

PUBLIC CONSULTATION IMPLICATIONS

No written submissions or verbal comments were received throughout the rezoning process, and no written submissions or verbal comments were received at the Public Hearing.

VOTING

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

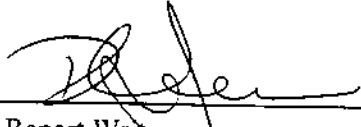
SUMMARY/CONCLUSIONS

The "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.278, 2001" was given 1st and 2nd reading on October 9, 2001. A Public Hearing with respect to this Bylaw was conducted on November 7, 2001.

The following recommendations are provided for consideration by the Board.

RECOMMENDATIONS

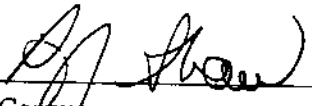
1. That the Summary of Proceedings of the Public Hearing held November 7, 2001 as a result of public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.278, 2001" be received.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.278, 2001", be given 3rd reading.
3. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.278, 2001" be referred to the Ministry of Transportation for confirmation of access prior to 4th reading.
4. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.278, 2001" be referred to the Land Reserve Commission for confirmation of use prior to 4th reading.



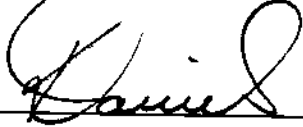
Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

COMMENTS:

devsvs/reports/2001/3360 30 0105 no brd Valentim 3rd.doc

Schedule No. 1
Conditions of Approval
Zoning Amendment Application No. 0105
Valentim

1. Land Reserve Commission approval of one 4.5 m² (48 ft²) indirect illuminated sign, with dimensions of 1.8 metres (6 feet) by 2.4 metres (8.0 feet) prior to replacement of existing sign and installation of new sign as specified.
2. For waste disposal, applicant to confirm installation or designation of a suitable containment pad to collect any spills or prevent the possibility of any seepage of lubricants, fuels, solvents, and other chemicals etc.

Schedule No. 2
Minutes of Public Hearing
REGIONAL DISTRICT OF NANAIMO

SUMMARY OF PROCEEDINGS OF A PUBLIC HEARING
HELD WEDNESDAY, NOVEMBER 7, 2001 AT 7:00 PM
AT CEDAR COMMUNITY HALL
TO CONSIDER BYLAW NO. 500.278, 2001

Director Elliott	Director, Electoral Area 'A'
Director Stanhope	Director, Electoral Area 'G'
Director Westbroek	Director, Mayor, Town of Qualicum Beach
Deborah Jensen	Planner

There were 3 people in attendance.

The Director of Electoral Area 'A' called the Hearing to order at 7:00 p.m., introduced those present at the head table, and outlined the procedures to be followed during the Hearing.

The Planner provided a summary of the Bylaw.

The Director of Electoral Area 'A' called for formal submissions with respect to Bylaw No. 500.278.

No submissions were received.

The Chairperson called for further submissions.

The Chairperson called for further submissions a second time.

The Chairperson called for further submissions a third time.

There being no further submissions, the Chairperson adjourned the Hearing at 7:07 p.m.

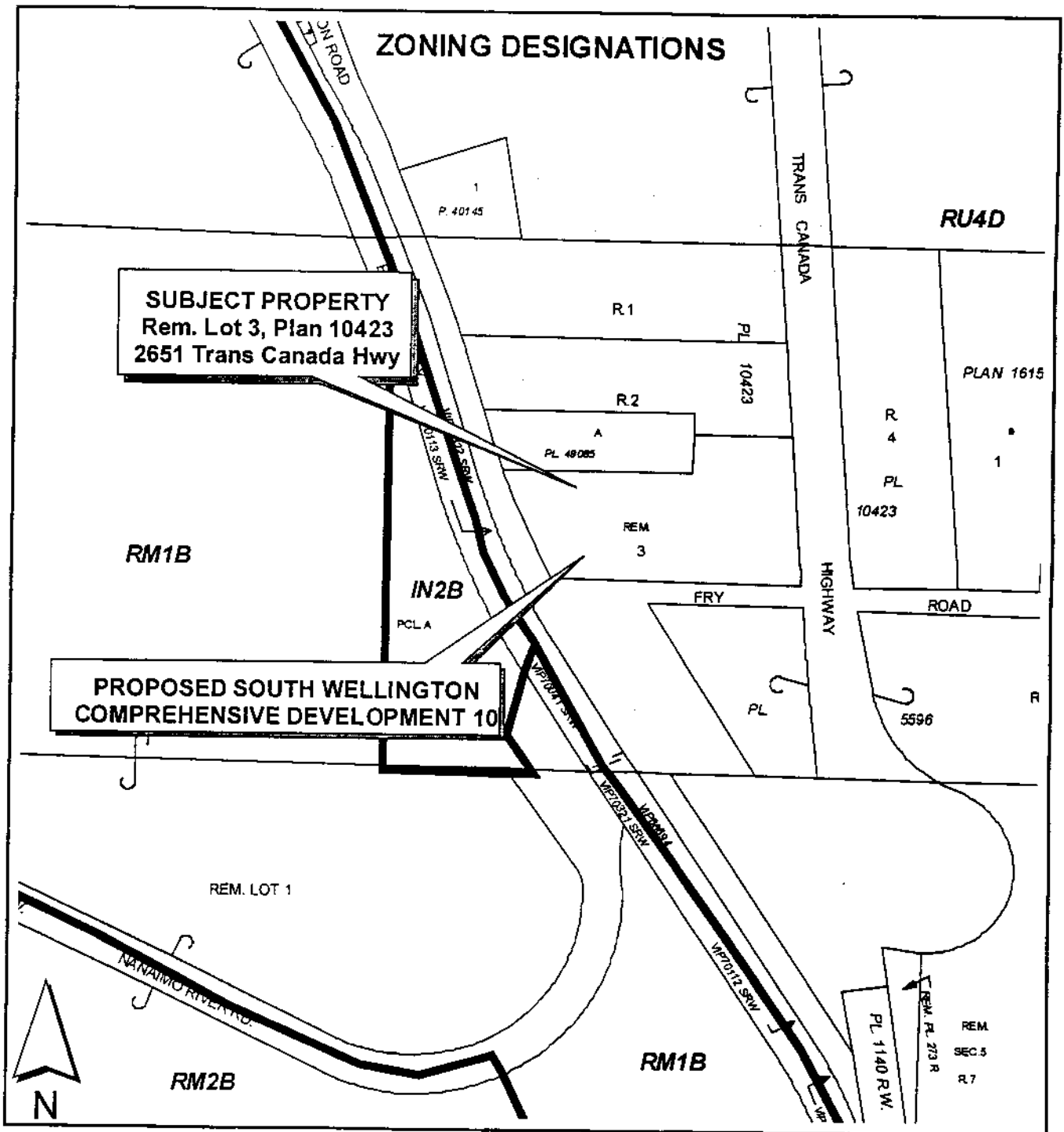
Certified true and correct this 7th day November, 2001.

Deborah Jensen
Recording Secretary

Director Laurence Elliott
Electoral Area 'A'

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Attachment No. 1
Subject Property Map



REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE DEVELOPMENT SERVICES COMMITTEE
MEETING HELD ON TUESDAY, OCTOBER 16, 2001, AT 7:30 PM
IN THE CITY OF NANAIMO COUNCIL CHAMBERS,
455 WALLACE STREET, NANAIMO, BC

Present:

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

Also in Attendance:

K. Daniels	Chief Administrative Officer
B. Lapham	General Manager of Development Services
P. Shaw	Manager of Community Planning
S. Schopp	Manager of Inspection & Enforcement
G. Garbutt	Senior Planner
N. Tonn	Recording Secretary

DELEGATIONS

Neil Christensen, re Area F Zoning Bylaw.

Chris Christensen, speaking for her husband, raised their concerns with respect to fecal contamination of the area's groundwater, public safety risks from increased industrial traffic, health risks due to airborne pollutants, increased industrial noise and decreased property values.

Ray Farmer, re Area F Zoning Bylaw.

Peter Ramsey, speaking on behalf of Mr. Farmer, spoke in opposition to the rezoning of Mr. Farmer's property from a C3 zoning designation in the first draft of the Area F zoning bylaw to a CD3 designation, noting that a number of other properties with comparable business enterprises have been zoned C3. Mr. Ramsay requested that the Board not zone this business location non-conforming and requested that at least 3 of the lots facing the Island Highway be designated C3.

Development Services Committee Minutes

October 16, 2001

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LATE DELEGATIONS

MOVED Director Stanhope, SECONDED Director Holme, that late delegations noted on the Addendum be permitted to address the Committee.

CARRIED

Jim Champoux, re Soil Conservation Permit Application No. 0104 – 3230 Palmer Road – Area F.

Mr. Champoux made himself available for any questions by the Committee.

Ross Harvey, Wicklow West Holdings Ltd., re Area F Zoning Bylaw.

Mr. Harvey raised his concerns with the proposed zoning designation for the Qualicum River Estates subdivision and requested that the Board consider a zoning designation which would allow the placement of 2 dwellings on the lots.

Dave Munro, re Area F Zoning Bylaw.

Mr. Munro spoke in opposition to the present zoning designation given his property under the proposed RDN zoning bylaw and noted that he has approached the ALR, who are reportedly willing to remove 2.5 acres of the property from the ALR to allow it to be zoned for commercial use.

Julian Fell, re Area F Zoning Bylaw.

Mr. Fell noted that residents of Electoral Area 'F' are not against zoning if it meets the needs of its residents and requested that the Board support a more public process which would allow for public information meetings and thereby accepting more public input.

MOVED Director McLean, SECONDED Director Stanhope, that an additional delegation be permitted to address the Committee

CARRIED

Red Williams, re Area F Zoning Bylaw.

Mr. Williams raised his concerns with respect to the constant changes to the zoning maps, the distribution of the proposed zoning bylaws to municipalities prior to community review and the lack of community input in the zoning bylaw process.

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

CARRIED

MINUTES

MOVED Director Sherry, SECONDED Director Rispin, that the minutes of the regular Development Services Committee meeting held September 18, 2001, be adopted.

CARRIED

UNFINISHED BUSINESS

Soil Conservation Permit Application No. 0104 – Allan Stewart/Champoux – 3230 Palmer Road – Area F.

MOVED Director Westbroek, SECONDED Director Macdonald, that the resolutions of September 11, 2001 regarding the Soil Conservation Permit Application No. 0104 be reconsidered.

DEFEATED

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BUILDING INSPECTION

Section 700 Filings.

MOVED Director Holme, SECONDED Director Stanhope, that the Section 700 Filings staff report be referred to the next Board meeting.

CARRIED

OTHER

Request for Acceptance of Cash-in-Lieu of Park Land and Relaxation of the Minimum 10% Perimeter Requirement – WR Hutchinson - Woobank, Morland & Storey Roads – Area A.

MOVED Director Elliott, SECONDED Director Stanhope, that the requests, submitted by WR Hutchinson, BCLS, on behalf of Dragonwyke Enterprises Ltd. And 426187 BC Ltd., for cash-in-lieu of park land dedication be accepted and to relax the minimum 10% frontage requirement for proposed Lots 7 and 8, as shown on the plan of subdivision of Lot 2, Section 12, Range 2, Cedar District, Plan VIP53334, Except Part in Plan VIP64754, be approved.

CARRIED

School Sites Acquisition Agreement Amendment – School District No. 69.

MOVED Director McLean, SECONDED Director Macdonald, that the Regional District of Nanaimo accept the revised School District No. 69 Eligible School Sites Proposal as submitted.

CARRIED

MOVED Director Westbrook, SECONDED Director McLean, that the Board seek to expand the charge to include other school site development.

MOVED Director McLean, SECONDED Director Westbrook, that the motion be referred back to staff for further consultation.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Application No. 0121 – Carman Fine Cars/Yost – 7193 Lantzville Road – Area D.

MOVED Director Haime, SECONDED Director Stanhope, that Development Permit No. 0121, submitted by Gunter Yost, on behalf of Carman Fine Cars (formerly Lantzville Auto Services), be approved, subject to the notification requirements pursuant to the *Local Government Act* and conditions set out in Schedule No. 2 with the following amendments:

1. That a changeable copy sign not be permitted as a building fascia sign.
2. That a maximum of one freestanding sign shall be permitted with the maximum sign face area to be increased by one foot in additional height beyond the existing sign area to allow for fuel pricing.
3. That no sandwich board signage be permitted.

CARRIED

OTHER

Area F Zoning Bylaw 1155, 2001.

The General Manager of Development Services presented a visual overview with respect to the Electoral Area 'F' zoning and subdivision bylaw process.

Development Services Committee Minutes

October 16, 2001

Page 4

MOVED Director McLean, SECONDED Director Pipes, that the Electoral Area 'F' Zoning and Subdivision Bylaw be received and that it be referred back to staff with direction to prepare a comprehensive consultation strategy and report back with detailed recommendations on approaches to improve the Draft Bylaw.

DEFEATED

MOVED Director Sherry, SECONDED Director McLean,:

1. That the staff report and supporting documentation to Electoral Area F Zoning and Subdivision bylaw be received.
2. That "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1155, 2001" be introduced for first reading.
3. That a Select Committee of Regional Board Directors be appointed to investigate issue areas.
4. That the Select Committee hold a Public Information Meeting in Electoral Area 'F' with all recommendations to come forward in a report to the Board.

ADJOURNMENT

CARRIED

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

TIME: 10:21 PM

CARRIED

CHAIRPERSON

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REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ENVIRONMENTAL SERVICES COMMITTEE MEETING
HELD ON TUESDAY, OCTOBER 23, 2001, AT 7:30 P.M. IN THE
COUNCIL CHAMBERS OF THE CITY OF NANAIMO
455 WALLACE STREET, NANAIMO, B.C.

Present:

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

Also in Attendance:

J. Finnie	General Manager of Environmental Services
D. Trudeau	Manager of Liquid Waste
C. McIver	Manager of Solid Waste
N. Tonn	Recording Secretary

MINUTES

MOVED Director Krall, SECONDED Director McLean, that the minutes of the Environmental Services Committee meeting held on Tuesday, August 28, 2001 be adopted.

CARRIED

LIQUID WASTE/UTILITIES

Engineering Services Contract Extension.

MOVED Director Stanhope, SECONDED Director McNabb, that the Board renew its engineering service's agreement with Associated Engineering in the area of wastewater engineering services for a two year term expiring May 2003.

CARRIED

Surfside Sewer Rates and Regulation Bylaw No. 1241.

MOVED Director Stanhope, SECONDED Director Krall,:

1. That "Surfside Sewer Rates and Regulation Bylaw No. 1241, 2001" be introduced for first three readings.

2. That "Surfside Sewer Rates and Regulation Bylaw No. 1241, 2001" having received three readings be adopted.

CARRIED

Municipal Benefitting Area Amendment Bylaw No. 1216.01 – City of Nanaimo.

MOVED Director Holdom, SECONDED Director Macdonald, that "Municipal Benefitting Area Amendment Bylaw No. 1216.01, 2001" be introduced for first three readings and be forwarded to the City of Nanaimo for consent.

CARRIED

SOLID WASTE

Residual Solid Waste Management Plan Update.

MOVED Director Krall, SECONDED Director Westbroek, that the Board receive the update on the status of the Residual Solid Waste Management Plan Amendment Process.

CARRIED

Household Yard and Garden Waste Collection.

MOVED Director Macdonald, SECONDED Director McNabb, that this item be referred back to staff to allow for consultation with the City of Nanaimo.

CARRIED

IN CAMERA

MOVED Director Holme, SECONDED Director McLean, that pursuant to Section 242.2(1)(e) of the *Local Government Act* the Committee proceed to an In Camera Meeting to consider items related to the acquisition of land.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:47 PM

CHAIRPERSON

Minutes
Area A Parks, Recreation and Greenspaces Advisory Committee
Thursday, September 20, 2001
Cedar United Church, Cedar Rd.

Attendance: Dave Williamson (Chair), Judy Burgess (acting Secretary), Laurence Elliott (Area A Director), Margaret Johnson

Apologies: Gay Cunningham, Lynnette Aldcroft, Frank Garnish

Staff: None

Guests: Vicky Suddaby, Shelagh Gourlay

Meeting convened at 7:40 pm

Agenda

MOVED J Burgess, SECONDED D. Williamson, that the Agenda be accepted.

CARRIED

Guests:

a. Vicky Suddaby – Skateboard Park.

300-400 local residents have signed a petition in support of establishing a skate park facility in the Cedar area. Location and funding are not resolved. The assistance of staff will be requested at the next meeting.

b. Shelagh Gourlay – Play equipment for Cedar Heritage Centre.

Following a presentation of play equipment options for the Cedar Heritage Centre location, the Cedar Community and Enhancement Society (CCES) requested a letter of support from the Committee which would be included in a funding application to the Regional District. The amount in question for the desired “off the shelf” play structure is in the vicinity of \$14,387. The Committee discussed suitability of different play equipment, site restrictions, volunteer involvement, RDN Area A budget, and site preparation.

MOVED J. Burgess, SECONDED M. Johnson, that the Committee write a letter in support of the Heritage Centre’s application for funding for new play-ground equipment.

CARRIED

Adoption of minutes

MOVED M. Johnson, SECONDED L. Elliott, that the minutes of the June 13, 2001 regular meeting be adopted.

CARRIED

Business arising from minutes

• **Morden Colliery Trail sub-committee**

Judy Burgess has spoken with some local residents and interested trail users about a volunteer trail clean-up day. It will take place on October 20th between 10.00am and 3.00pm at the Morden Rd. to Nanaimo River trail section. Regional District staff have been asked to assist.

Reports

• Director's Report:

- Laurence Elliott reported that the Province has not yet made a decision with regards to granting the Regional District tenure of Thelma Griffiths Park in South Wellington.
- A meeting was held at the San Salvador (Nanaimo River, Cedar Rd) property owned by the Ministry of Transportation. The meeting was attended by Ministry staff, Tom Osborne (RDN), and himself and Dave Williamson. The Ministry is aware of the community's desire to have access to the property but is unable to transfer tenure at this time due to ongoing First Nation treaty negotiations. An annual review will be undertaken. Director Elliott thanked the Chairman for his work in setting up the meeting.
- The Director advised that Quennel Lake area residents are experiencing problems with jet-ski users at the lake. Regional District and Ministry of Transportation staff are working toward some solutions.
- The draft Official Community Plan (OCP) has been amended with respect to the stream-side management issues. The OCP is due for 4th reading prior to being sent to Victoria for Provincial approval.

• Chair:

- Dave Williamson reiterated the previous discussion regarding San Salvador.
- The Chairman is intending to meet with Gary Yon, a neighbour of the Morden Colliery Trail, to discuss the development of that portion of the trail right-of-way which bisects Mr. Yon's farm.
- The posters and advertising of the need for Committee members has resulted in two expressions of interest.

Discussion Period:

Nothing to report.

Announcements:

Director Elliott announced that Frank Garnish (previous Electoral Area 'A' director, and Committee member) is recovering in hospital from a heart attack. The Committee members expressed their concern and wished him a speedy recovery to full health.

Date of next meeting:

October 18, 7:30 pm at the United Church, Cedar Road.

Adjournment:

MOVED J. Burgess that the meeting be adjourned at 9.05 pm.

CARRIED


Chair


Secretary

**Minutes for the Meeting held:
Thursday, October 18, 2001 @ 1:30 PM
Regional District of Nanaimo Administration Building
6300 Hammond Bay Road, Nanaimo, BC**

Present:

Bob Lapham, RDN
Brigid Reynolds, RDN
Christina Thomas, RDN
Cynthia Hawksworth, MCWAS
Dan Biggs, MF
David Coombe, CVIHR
John Finnie, RDN
Neil Connelly, RDN

Paul Butler, Qualicum Beach
Rob Lawrance, Nanaimo
Roger Cheetham, LRC
Sharon Erickson, MWLAP
Terry Pollock, MT
Ted Hall, MEM
Wayne Haddow, MA

Regrets:

Bill Huot, MCWAS
Gayle Jackson, Parksville
Sharon Fletcher, Nanaimo

Guest Presenter:

Harriet Rueggeberg, Lanarc

Item

1. Call to order

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

2. Minutes from the Meeting of September 13, 2001

The minutes for the meeting were approved as presented.

3. Growth Management Plan Review 2001-2002

Assessment of the Environmental Protection Goal of the Growth Management Plan

Harriet Rueggeberg, Lanarc Consultants, provided an overview of the report prepared for the Growth Management Plan Review regarding new information and initiatives that can enhance the Regional District of Nanaimo's achievement of the Plan goal of environmental protection. The report provides a review of new legislation that has been passed and new programs initiated since the Plan was adopted that pertain to environmental protection efforts in the region, provides information about two workshops held with governmental and non-governmental agencies regarding the role of the RDN in environmental protection, and it provides conclusions and recommendations regarding revisions to the environmental protection goal and its policies to enhance environmental protection under the Growth Management Plan.

Committee comments included the following:

- It was noted that workshop participants had expressed an interest in the RDN playing a role in providing education about environmental protection.
- It was noted that it is particularly important to gain the support of ALR and FLR land owners for environmental protection measures that affect these lands, that more emphasis should be placed on working with land owners to achieve environmental protection, and that many landowners are sympathetic to environmental protection.
- It was noted that there are examples of initiatives that have been undertaken to achieve

- environmental protection that are mutually beneficial for the land owner and the general public (e.g. in Delta resources have been provided to maintain lands for waterfowl).
- Development permits for the purpose of environmental protection are not required for land within the ALR if the activity being undertaken is considered part of a "normal farm practice".
 - Perhaps the "10-Point Action Plan" regarding environmental protection and agriculture should be highlighted because it examines these issues.
 - A level of agreement has been reached between the farming community and environmental protection regulators/policy makers regarding ditch maintenance on ALR properties.
 - Development permits for the purpose of protecting development from hazardous conditions are required for land in the ALR, even if the activity is considered part of a "normal farm practice".
 - Development permit area "leave strips" greater than 10 metres can be a concern for the Ministry of Agriculture.
 - Does the Growth Management Plan support the use of new and innovative environmental protection? Perhaps the Plan should more explicitly support these.
 - It would be beneficial to provide some clarification within the Growth Management Plan policies regarding the roles of the various levels of government in implementing the policies.
 - The legislation pertaining to drinking water protection has been amended to delete the amendments passed by the previous provincial government this year, as well as some other provisions, so it would appear that the provincial government's approach is to become less prescriptive regarding drinking water protection.
 - Knowledge about groundwater resources is vital to determining the amount of development and population that can be supported in the region. If this knowledge is not available at this point then the Growth Management Plan should identify who is responsible for obtaining this information and when information about groundwater impacts should be obtained (i.e. in connection with development applications, as a part of the development of zoning bylaws or official community plans, etc.).
 - Given the nature of groundwater it is unlikely that the amount of groundwater could be definitively determined, even though it is finite resource. New groundwater sources continue to be discovered despite the fact that studies undertaken indicated that the groundwater supply will ultimately run out. A bulk water system was developed for the northern part of the region to provide some insurance regarding water supply, given the uncertainties of groundwater supply.
 - Good information about groundwater resources was obtained as a part of the Electoral Area F zoning bylaw development process. This information helped to alleviate the City of Parksville's concerns about the bylaw. Similar investigations regarding groundwater resources should be undertaken as a part of other land use decisions.
 - It should be noted that groundwater is not something that lends itself to site-specific examination (i.e. single property). Groundwater is something that needs to be examined on a larger scale (i.e. a significant area of land).
 - Aquifers could be considered for inclusion as a layer of information in the Sensitive Ecosystems Inventory Atlas.
 - The Electoral Area F zoning bylaw currently being considered sets a higher level of groundwater protection than provided by other zoning bylaws.
 - It would be good to provide more linkages within the various sections of the Growth Management Plan to the other applicable goals of the Plan.
 - The fact that there is some opposition to environmental protection measures, such as the designation of development permit areas, needs to be recognized.
 - Regulations are often "one size fits all" which can mean that a strict standards, which may not be necessary for particular developments, apply. "One size fits all" regulations are often created

- because regulators do not have the resources available to determine an appropriate level of regulation for each application.
- It would appear that regulations designed to protect the environment are sometimes blamed for the lack of development success, even though there are many other potential causes for the lack of success.
 - There is a lack of understanding about the flexibility of development permit area provisions. Development permit area provisions related to environmental protection do not prohibit development, they provide conditions for the development to occur in an environmentally sensitive way on the site.
 - There is a lack of understanding regarding what types of development that development permit area provisions apply to.
 - An implementation agreement should be considered for stormwater management to identify the agencies involved in stormwater management, the activities that each agency will commit to undertake, the schedule for these activities, and the means of assessing progress towards fulfilling agreement provisions. Such an agreement would establish an overall manageable framework for stormwater management planning initiatives, unlike the development of a stormwater management plan where the onus for implementation could fall on the agency responsible for plan preparation.
 - The RDN has some responsibility for stormwater management, but not for watersheds on an overall basis.
 - Policy statements regarding environmental protection (as well as the other goals of the Plan) should be tied to implementation.

An Examination of the Compatibility Between the Growth Management Plan Land Use and Servicing Strategies for the Regional District of Nanaimo

C. Thomas provided an overview of the report prepared for the Growth Management Plan Review regarding the compatibility of the Plan's land use and servicing strategies. The report describes the Growth Management Plan's land use and servicing strategies, describes the current provision of waste water management and domestic water services in the region, describes the planning framework for wastewater management and domestic water service in the region, and identifies a number of issues experienced in the implementation of the Growth Management Plan's land use and servicing strategies.

Committee comments included the following:

- The use of clustered development in connection with the provision of servicing was discussed. It was noted that this type of development had been undertaken in Deep Bay, in connection with a building strata subdivision. It was suggested that this type of development might be more difficult to achieve in connection with fee simple lots.
- The provisions of the Liquid Waste Management Plan related to package treatment plants (i.e. the provisions about the RDN being the holder of permits or operational certificates for package treatment plants process by the Ministry of Land, Water and Air Protection) are being implemented in a slightly different way than suggested in the Plan (i.e. through the zoning bylaw definition of 'community sewer service').
- The 'community water service' definition used in the RDN includes water services operated by private water utilities and improvement districts, as well as those operated by a local government.
- The Regional District could require the owners of properties with malfunctioning septic systems

to connect to a community sewer system, and the Central Vancouver Island Health Region could require such properties owners to either fix the system or connect to a community sewer system if one is available and the Regional District supports such a connection.

- The primary reason for septic system malfunction is not improper maintenance, it is the fact that the septic system is located in an area with poor ground conditions.
- The Town of Qualicum Beach would like to see services ultimately provided to its airport.
- Another issue that should be addressed is the fact that in some cases, septic system and disposal fields are being established properties adjacent to the subject development where they cannot be established on the subject property. This doesn't happen often, but it is legal. It can be an expensive way to service land since legal right of ways need to be registered on property titles and service lines extended over long distances.

Committee members were invited to submit any additional comments to the Regional District by the end of the day on November 22nd so that changes can be made and the report placed on the RDN web site.

Growth Management Plan Review Public Workshops

C. Thomas distributed copies of the newsletter about the Growth Management Plan Review recently distributed to every household in the region. C. Thomas also distributed copies of the discussion paper developed by the RETHINK GROUP to be used to structure input at the October 24th, 25th, November 1st and 3rd workshops. It was noted that the discussion paper had been distributed to all of the members of the project mailing list, including everyone that had participated at any of the project events thus far.

IAC Member Input Process to the Growth Management Plan Review

C. Thomas indicated that IAC members should indicate their intention to submit a suggested change to the Growth Management Plan as soon as possible, and submit to the Regional District by November 9, 2001 a written report that describes the suggested change and the rationale for the suggested change. The submissions will be circulated to all IAC members in advance of the next meeting scheduled for November 19th. Regional District staff will prepare a report to the Regional Board by November 23rd regarding the suggested changes, for consideration at a December Regional Board meeting.

5 Next Meeting


The next meeting will be on November 19, 2001 and may require a full day. The topics to be addressed at the next meeting include:

- Suggested changes to the Growth Management Plan brought forward by IAC members;
- Suggested changes to the Growth Management Plan submitted by members of the public; and
- Public input received during the Growth Management Plan Review Phase 2 public workshops.

Ken Balmer from the RETHINK GROUP will be in attendance to review the public input received from the workshops with the Committee.

6 Adjournment

N. Connelly adjourned the meeting at 4:15 PM.



N. Connelly, Chair

**Minutes of the District 69 Recreation Commission Regular Meeting
Held on Thursday, October 25, 2001, at 7:00 p.m.
Qualicum Beach Civic Centre, Qualicum Beach, BC**

Attendance: Barbara Terry - Chair
Frank Van Eynde
Richard Quittenton
Fred Demmon
Reg Nosworthy
Craig Young
Scott Tanner
Jack Pipes

Staff: Tom Osborne
Neil Connelly

Chair Terry called the meeting to order at 7:01 p.m. and welcomed members and staff.

Minutes

MOVED Commissioner Van Eynde, SECONDED Commissioner Young that the minutes of the District 69 Recreation Commission regular meeting held on September 20, 2001 be approved. CARRIED

MOVED Commissioner Pipes, SECONDED Commissioner Van Eynde that the minutes of the District 69 Arena Committee meeting held on September 20, 2001, be approved. CARRIED

MOVED Commissioner Demmon, SECONDED Commissioner Young that the minutes of the District 69 Arena Committee meeting held on October 10, 2001, be approved. CARRIED

MOVED Commissioner Tanner, SECONDED Commissioner Nosworthy that the minutes of the District 69 Grants-in-Aid Committee meeting held on October 3, 2001 be approved. CARRIED

Reports

a) Grants-in-Aid – T. Osborne

T. Osborne reviewed the recommendations from the District 69 Grants-in-Aid Committee outlined in the minutes of October 3, 2001.

MOVED Commissioner Van Eynde, SECONDED Commissioner Pipes that the Commission recommend to the Board the approval of the following Community Grants-in-Aid: Beacon Christian School - \$180, Errington Co-op Preschool - \$400, Lighthouse Community Centre Society - \$400. CARRIED

MOVED Commissioner Nosworthy, SECONDED Commissioner Tanner that the Commission recommend to the Board the approval of the following Youth Grants-in-Aid: BMX Club - \$1,500, Safe Schools Safe Communities - \$650, Beacon Christian School - \$687, Shorewood / San Paniel and Residents Association - \$1,500, Coombs Halloween Candy Walk - \$250. CARRIED

b) 2002 District 69 Recreation Provisional Budgets -- T. Osborne

T. Osborne reviewed the report and presented the 2002 provisional budgets as prepared by staff and received by the Corporate Planning Committee and answered questions from members of the Commission. Commission recommendations specific to the approval of the provisional budgets will be made at the November 15, 2001 regular Commission meeting.

MOVED Commissioner Demmon, SECONDED Commissioner Van Eynde that the Commission recommend to the Board that a letter be sent to Centra Gas and the two municipalities which provide water service to the Ravensong Aquatic Centre and the District 69 Arena requesting a reduction in rates. CARRIED

MOVED Commissioner Tanner, SECONDED Commissioner Van Eynde that the Commission recommend to the Board that staff be directed to prepare an amendment to the arena rental fees to be based on prime and non-prime time rates for implementation in 2002. CARRIED

MOVED Commissioner Demmon, SECONDED Commissioner Van Eynde that the 2002 District 69 Recreation provisional budget staff report be received. CARRIED

c) Staff Reports – T. Osborne

Staff reports for District 69 Arena, Ravensong Aquatic Centre, District 69 Recreation Coordinating, and Community and Regional Parks were circulated at the meeting but not received by the commission.

New Business

Second Ice Sheet Review Update – T. Osborne

T. Osborne informed the Commission of the recent progress on the Twinned Arena Project. 145 People attended the 2nd open house on October 18, 2001. In a survey that was completed by attendees, 69% supported a 7.5 million dollar project, 23% supported at 7 million dollar project, 5% supported 6.5 million dollars and 3% supported 6 million dollars. When asked the question "should the leisure ice sheet be included in the design?", 63% strongly agreed it should be included, 21% agreed it should be included, 3% had no opinion, 7% disagreed the leisure ice should be included and 6% strongly disagreed the leisure ice sheet should be included.

The Arena Committee met on October 25, 2001 to discuss the open house and had further discussion on the project. The next Arena Committee meeting will be held on November 8, 2001 where they will receive a staff report and recommendations on the project. Resolutions from the Committee will then be received by the Commission on November 15, 2001 and forwarded to the Regional Board's Corporate and Community Services Committee on December 4, 2001.

Commissioner Roundtable

Commissioners Young and Van Eynde toured Lot 602 along the Englishman River with the Regional Trails Coordinator, Joan Michel.

Commissioner Van Eynde informed the Commission that the Nanoose Bay Parks and Open Spaces Committee held its first meeting on October 1, 2001.

Adjournment

MOVED Commissioner Van Eynde the meeting be adjourned at 9:58 p.m.

Next meeting – 6:30 p.m., Thursday, November 15, 2001 at the Qualicum Beach Civic Centre .

Chairperson

REGIONAL DISTRICT OF NANAIMO

MINUTES OF A MEETING OF THE GRANTS-IN-AID
COMMITTEE HELD ON TUESDAY, OCTOBER 30, 2001
AT 10:00 AM IN THE REGIONAL DISTRICT OFFICES

Present:

E. Hamilton	Chairperson
F. Van Eynde	Citizen Advisory Group
K. Burgoyne	Citizen Advisory Group
H. Sproule	Citizen Advisory Group
M. Pearse	Mgr., Administrative Services
L. Burgoyne	Secretary

SCHOOL DISTRICT 68

Funds available: \$ 2,621

MOVED K. Burgoyne, SECONDED F. Van Eynde, that the following grants be awarded:

Name of Organization	Amount Requested	Amount Recommended
Boys & Girls Club of Lantzville	\$1,250.00	Denied
Cedar Community Association	2,000.00	\$ 1,321
Cedar School & Community Enhancement Society	422.94	Denied
First Lantzville Scouts	1,925.43	1,000
Lantzville Parks & Open Space Advisory Committee	3,500.00	Denied
Nanaimo Bantam "A"s Fastball Team	300.00	300
Nanaimo Motocross Association	5,000.00	Denied
Nanaimo Search & Rescue	<u>2,500.00</u>	<u>Denied</u>
	<u>\$16,898.37</u>	<u>\$ 2,621</u>

CARRIED

Boys & Girls Club of Lantzville - grant request was denied at this time. The Committee noted that the Boys & Girls Club is based in the City of Nanaimo and requested that they consider setting up separate accounts for revenue which are accessible only to the Lantzville Boys and Girls Club.

Cedar Community Association - grant to be used towards the upgrade of the electrical panel and outlets in the Community Hall.

Cedar School & Community Enhancement Society - grant request was denied as this group received funding in the Spring towards the purchase of a door for the handicapped.

First Lantzville Scouts - grant to be used towards the purchase of safety equipment for canoes and kayaks, and for camping equipment.

Lantzville Parks & Open Space Advisory Committee - grant request was denied. Request to be referred to the Community Services Department for consideration under the Electoral Area D Parks budget.

Nanaimo Bantam "A"s Fastball Team - grant to be used to help pay for travel expenses when they attended the Western Canadian Fastball Tournament.

Nanaimo Motocross Association - grant request was denied. The Committee noted that the Association has sufficient funds on hand and also has the opportunity to raise funds through revenue.

Nanaimo Search & Rescue - grant request was denied as this group received funding in the Spring for use towards the purchase of antennas for their mobile operations centre.

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SCHOOL DISTRICT 69

Funds available: \$5,951

MOVED H. Sproule, SECONDED F. Van Eynde, that the following grants be awarded:

Name of Organization	Amount Requested	Amount Recommended
Forward House Community Society	\$ 1,000	\$ 1,000
Janus Theatre Society of Parksville	750	375
Navy League of Canada - Parksville Branch	2,000	1,200
Oceanside Community Arts Council	1,400	Denied
Oceanside Community Kitchens	500	1,000
Parksville-Qualicum Pony Club	400	400
RCMP Auxiliary Constables	500	1,000
	<u>\$ 6,550</u>	<u>\$ 4,975</u>

CARRIED

The Committee agreed that the following comments be conveyed to:

Forward House Community Society - grant to be used towards the purchase of kitchen supplies, foods and for community interaction activities.

Theatre Society of Parksville - grant to be used towards the rental of rehearsal facilities.

Navy League of Canada - Parksville Branch - grant to be used towards the purchase of a photocopy machine.

Oceanside Community Arts Council - grant request was denied. The Committee recommended that the stakeholders become involved in fund raising to become self-sufficient.

Oceanside Community Kitchens - grant to be used towards establishing a community kitchen groups in District 69.

Parksville-Qualicum Pony Club - grant to be used towards a dressage clinic.

RCMP Auxiliary Constables - grant to be used towards kit, training and equipment.

ADJOURNMENT

The meeting adjourned at 11:00 am.

CHAIRPERSON



REGIONAL DISTRICT OF NANAIMO		
OCT 30 2001		
CHAIR	GMCrs	
CAO	GMDS	
GMCrs	GMES	
	<i>Bid</i>	<input checked="" type="checkbox"/>

MEMORANDUM

TO: C. Mason
General Manager, Corporate Services

DATE:

October 30, 2001

FROM: M. Pearse
Manager, Administrative Services

FILE:

SUBJECT: Community Policing Funding

PURPOSE

To consider alternative means of providing funding support for community policing initiatives.

BACKGROUND

At its regular meeting held May 8, 2001, the Board abandoned the "Crime Prevention & Community Justice Support Service Establishment Bylaw No. 1233". This bylaw proposed to create a crime prevention function to provide ongoing funding (\$20,000) to community policing organizations within the Electoral Areas of the Regional District of Nanaimo. Following the abandonment of the bylaw, the Board endorsed the following motion:

That staff prepare a report on alternative means of providing funding support for community policing initiatives.

To date, requests from community policing organizations have been referred to the Grants-in-Aid Committee with the exception of the year 2000 where an additional one time amount of \$5,000 was raised to provide a \$5,000 grant to the Restorative Justice Initiative in District 69.

Grants-in-Aid Function.

The Regional District's grants-in-aid function raises a total of \$42,500 annually from the 8 electoral areas and the 3 municipalities. A total of \$27,649 is raised in District 68 and a total of \$14,581 is raised in District 69.

In District 68, \$21,400 is returned to the City of Nanaimo on an annual basis for their own grants-in-aid program, which is intended to provide funding to city-based organizations who also provide services to the outlying electoral areas. The remaining funds are distributed to community organizations within the Electoral Areas through the Regional District's grants-in-aid process.

In District 69, the \$14,581 raised between the four Electoral Areas and the two Municipalities and is distributed to community organizations in both the municipal and electoral areas through the grants-in-aid process. Currently, the criteria for grants-in-aid only provides funding for pilot projects, capital equipment and training – it does not include grants for operating costs, such as building rentals or wages.

Over the last 5 years the Board has provided grants to the following community-based policing organizations:

Organization	1997	1998	1999	2000	2001 (to date)	Total
Cedar Community Policing Office			\$1,000		\$1,000	\$2,000
District 69 COPS	\$ 691					\$691
RCMP Auxiliary Constables	\$ 691					\$691
Crimestoppers	\$ 691	\$ 500	\$1,920		\$1,000	\$4,111
Community Policing	\$1,691		\$916			\$2,607
Victim Services		\$ 800				\$800
Arrowsmith Community Justice Society		\$2,000		\$5,000 (separate GIA function)	\$1,000	\$8,000
TOTALS	\$3,764	\$3,300	\$3,836	\$5,000	\$3,000	

As an alternative to establishing a separate function, individual electoral directors may wish to continue using grants-in-aid as a funding mechanism and request that an additional amount of grant-in-aid money be raised within their electoral area to provide direct funding to community-based crime prevention/community policing organizations. Similar to the Restorative Justice contribution in 2000, grants could be raised annually by individual Electoral Areas through a separate requisition outside of the current grant-in-aid function. Each Electoral Area could decide individually as to whether they wished to raise an additional amount for this purpose.

Under this approach the criteria for a grants-in-aid may also be considered for amendment to include consideration of operating costs in grant requests.

ALTERNATIVES

1. That all community policing requests continue to be referred to the Grants-in-Aid Committee.
2. That those Electoral Areas wishing to fund community policing initiatives establish a separate grant-in-aid budget for implementation in 2002 and apply criteria which would allow organizations to include operating costs in grant requests.
3. That those Electoral Areas wishing to fund community policing initiatives proceed to referendum in the fall of 2002 to obtain electoral assent to establish a separate grant-in-aid function within their Electoral Area.

FINANCIAL IMPLICATIONS

Alternative #1. The first alternative would continue to refer all grant applications to the Grants-in-Aid Committee. There are no financial implications to this option.

Alternative #2. Under the second alternative, separate budgets would be established for those Electoral Areas approving separate grant-in-aid requisitions for their areas. The financial implications of this alternative depend upon the amount contributed by each Electoral Area. While requisitions could vary between Electoral Areas, staff would recommend that the same requisition amount be raised in each area that participates. Staff would also recommend that under this alternative the existing Grant-in-Aid

Committee take on the responsibility of evaluating funding requests in conjunction with their current duties.

As an example of a contribution level that could be considered, the grant-in-aid requisition that was approved in 2000 raised a minimum of \$1,250 in each Electoral Area in District 69 for contribution to the Restorative Justice program. Under the *Local Government Act* the Board has the ability to establish this funding without proceeding to referendum or counter-petition. The minimum limit on funding through grants-in-aid is \$0.10 per \$1,000 of assessed value.

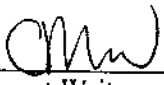
Alternative #3. Under the third alternative, individual Directors may wish to proceed to referendum to determine if the public supports raising funds through grants-in-aid for community policing initiatives within their areas. The cost of undertaking a referendum for this purpose, if it coincides with general elections, would be approximately \$5,500 per Electoral Area.

CONCLUSIONS


At the May 8th Board meeting staff were requested to report back to the Board advising of the alternatives methods of funding community policing initiatives. With the rejection of establishing a separate function to fund community policing initiatives within Electoral Areas, grants-in-aid is the only other method that could raise funds for these types of services. Under the *Local Government Act*, establishing a grants-in-aid function for each Electoral Area does not require of voter assent. If the Board wishes to proceed to referendum for an Electoral Area, the cost to proceed to referendum would be approximately \$5,500 per area.

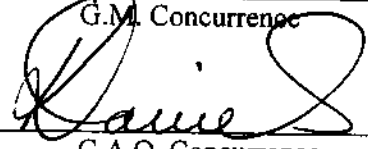
RECOMMENDATION

That the report on alternative means of funding community initiatives be received.



fr. Report Writer



G.M. Concurrence


C.A.O. Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO			
OCT 30 2001			
CHAIR		GMCrS	
CAO		GMDS	
GMCrS		GMES	
			DATE
			FILE:

MEMORANDUM

TO: C. Mason
General Manager, Corporate Services

October 26, 2001

FROM: N. Avery
Manager, Financial Services

SUBJECT: Fire Services Agreement with the Nanoose Bay Fire Protection Society

PURPOSE:

To obtain approval to renew the fire services agreement with the Nanoose Bay Fire Protection Society for a five year period ending February 28th, 2006.

BACKGROUND:

The Board has service agreements with its five operating volunteer fire departments of which the Nanoose Bay Fire Department is one. This agreement, which expired in February 2001, provides for operational and capital funding from the Regional District and fire fighting and emergency response services from the Nanoose Bay Fire Protection Society. The Society had a number of items to pursue with regard to the accounting processes and as these have now been resolved, the Board of the Society has indicated that they wish to conclude a renewal agreement.

The agreement includes budgeting and accounting requirements, which ensure that the public funds are segregated by the fire department and that regular reports are submitted in support of quarterly transfers of taxation funds raised for these purposes. The agreement further acknowledges the Society's interest in ensuring that all firefighting assets purchased or donated for the purpose of supporting the fire department remain in perpetuity within the boundaries of the service area to be used for the exclusive benefit of property owners in the service area.

ALTERNATIVES:

1. Approve the fire services agreement and enter into a renewal period for five years ending on February 28th, 2006.
2. Decline to approve the agreement and seek alternative arrangements for fire fighting services in the Service Area.

FINANCIAL IMPLICATIONS:

There are no changes to the current financial arrangements with the Regional District. Annual budgets will be prepared by the fire department and will come before the Regional Board for approval as part of the overall Regional District budget process. Staff supports a renewal of the agreement.


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SUMMARY/CONCLUSIONS:


A five year services agreement was signed with the Nanoose Bay Fire Protection Society (Society) in 1996 which expired on February 28th, 2001. Staff and the department have reviewed the terms of the agreement and mutually support the terms and conditions. The department has met all of its obligations under the agreement to a high standard and staff support renewing the agreement for a further five year period ending February 28th, 2006.

RECOMMENDATION:


1. That the Chairperson and General Manager, Corporate Services be authorized to execute a service agreement with the Nanoose Bay Fire Protection Society for a five year period ending February 28th, 2006.



Report Writer



General Manager Concurrence



C.A.O. Concurrence

COMMENTS:

AGREEMENT

This Agreement made this ____ day of _____, 2001

BETWEEN:

REGIONAL DISTRICT OF NANAIMO
6300 Hammond Bay Road
Nanaimo, B.C.
V9R 6N2

(hereinafter called the "District")

OF THE FIRST PART

AND:

NANOOSE FIRE PROTECTION SOCIETY
2471 Nanoose Rd.
Nanoose Bay, B.C.
V9P 9E6

(hereinafter called the "Society")

OF THE SECOND PART

- A. WHEREAS the District did, by Bylaw No. 991 and subsequent amendments, converted to a local service the Nanoose Fire Protection Specified Area (the "Local Service Area") and did within that Local Service Area authorize the District to undertake and carry out or cause to be carried out and provide for fire protection services and responses to other classes of emergencies in and for the Local Service Area as may be amended from time to time;
- B. AND WHEREAS the District under Section 797(1) of the Local Government Act is empowered to exercise the powers contained in Division 3(Fire Protection) of Part 15 of the Local Government Act within a Local Service Area;
- C. AND WHEREAS Section 176(1)(a) of the Municipal Act provides that the Board may make agreements for the operation of services;
- D. AND WHEREAS the Society was incorporated on the 27th day of February, 1985 and the objects of the Society are to provide fire protection for the Fire Protection District of Nanoose Bay, British Columbia;
- E. AND WHEREAS the Society is authorized to enforce the Fire Services Regulatory Bylaws within the Nanoose Fire Protection Local Service Area;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises, the terms and conditions hereinafter contained (the receipt and sufficiency of which is hereby acknowledged) the parties hereto covenant and agree each with the other as follows:

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INTERPRETATION

1. In this Agreement the following terms have the following meanings:

“Services” means the services set out in Schedule ‘A’ to this Agreement.

TERM

2. The term of this Agreement will be for a period of five years commencing on the 1st day of March, 2001 and terminating on the 28th day of February, 2006 unless otherwise terminated as provided in this Agreement.

CAPITAL ASSETS

3. The parties to this Agreement acknowledge that all firefighting equipment, protective clothing and all other related lands, buildings, furniture and equipment wherever situated within the Local Service Area and utilized by the Society, will remain the property of the District free and clear of any claim by the Society.
4. During the term of this Agreement and subject to the terms of this Agreement, the Society, shall have possession at all times of the firehall, the firefighting equipment, protective clothing and all other related land, buildings, furniture and equipment, wherever situated within the Local Service Area and utilized by the Society for the purpose of providing the Services within and for the Local Service Area, or within and for any other area in accordance with the terms of a mutual aid agreement.
5. The parties acknowledge and agree that all firefighting equipment, protective clothing and all other related lands, buildings, furniture and equipment wherever situated within the Service Area and utilized by the Society for the purposes of providing the Services within the Service Area, or within and for any other area in accordance with the terms of a mutual aid agreement, shall be retained by the Regional District within the boundaries of the Service Area, to be used for the exclusive benefit of property owners within the Service Area. This section shall survive the termination of this Agreement.

SERVICE AREA

6. The Society will, under the terms hereof and subject to any applicable bylaw of the District and any Federal or Provincial enactment, provide the Services in and for the Local Service Area, and for any other area in accordance with the terms of a mutual aid agreement.

COST

7. It is acknowledged, understood and agreed that the cost of providing for establishing and equipping the Society for the purpose of carrying out the Services within and for the Local Service Area shall be borne by the owners of land within the Local Service Area. The Department agrees that it will include in its annual budget funds to provide for the maintenance of fire hydrants located at the intersection of Sanders and Northwest Bay Rd., at 2610 Northwest Bay Rd. and at Claudet Rd. (not to exceed \$150 per hydrant for the term of this agreement) This paragraph shall not be interpreted as impairing the Society’s ability to raise money from sources other than the Regional District for the purposes of this Agreement.

BUDGET

8. The Society will prepare, in a form first approved by the Treasurer of the District, a projected budget for the purpose of providing the Society with the funds to operate, maintain and improve the buildings, equipment and other facilities and chattels utilized by the Society for the purpose of providing and carrying out the Services within and for the Local Service Area by the Society.
9. A budget shall be presented to the Treasurer of the District on or before the day specified by the Treasurer as may be necessary to prepare the District's overall budget for the following calendar year.
10. The District will review the budget and may either approve the budget or return the budget for amendment by the Society, which will return the budget as amended to the District for its approval on or before the day specified by the Treasurer for the purposes of completing the District's overall budget for the calendar year.
11. The budget prepared by the Society shall list all expenditures proposed for the calendar year. Any accumulated surplus or deficit from the prior year as recorded in the Society's records, must be carried forward and be applied to the next year's budget in accordance with accounting rules established for Regional Districts in the Province of British Columbia.
12. The Society will not expend or contract for or otherwise commit the Society to any expenditure in any calendar year except one that has first been approved in a budget by the District as above provided and will not incur any liability in any year beyond the amount of the funds to be paid to the Society by the District as provided for in the Society budget adopted for that year by the Board of the District.
12. The Society shall administer the funds in accordance with the budget approved by the District in its annual budget.

INSURANCE

13. The District as owner, shall insure and keep insured the vehicles, firehall, and any and all chattels and equipment owned by the District and the Society and maintained and utilized by the Society to provide the Services under this Agreement. The cost of providing the insurance will be included in the budget prepared by the Society for the purposes of this Agreement.
14. The District has been advised by its insurer that the members of the Society and volunteer firefighters and other persons required under an enactment to provide assistance in an emergency are insured with respect to its policy of insurance from the Municipal Insurance Association of BC while providing the Services under the provisions of a District bylaw or under this Agreement or under the terms of a mutual aid agreement.
15. The Society may, at its cost, take out and maintain insurance for the personal effects of the volunteer firefighters and Directors and Officers of the Society.
16. The District may request that the Society take out and maintain a policy of liability insurance in an amount specified by the District with respect to activities of the Society that fall outside this Agreement or that are not covered by the Municipal Insurance Association of BC and the Society shall do so promptly and provide the District with a copy of the policy. This paragraph shall not be interpreted as creating a duty on the part of the District to the Society or to any third party to require the Society to obtain insurance.

MAINTENANCE

17. The Society will, to the satisfaction of the District, maintain the firehall, the grounds around the firehall, the fire equipment, and any chattels belonging to the District as provided in this Agreement, in a good working condition so that the equipment and facilities are available at all times for the purpose of providing the Services.

OPERATION

18. The Society will operate the equipment and in all other ways provide the Services without negligence and in accordance with standards of operation maintained by other volunteer fire departments of similar size and facilities, or operational guidelines as may be established by the Regional District in consultation with the Society.
19. The Society shall comply with the District's purchasing policy A2.9 (a copy of which is attached to this Agreement) as amended from time to time with respect to the acquisition of capital assets costing \$50,000 or more. Compliance will be interpreted in a reasonable manner and in context with the circumstances prevailing at the time of purchase.

COMPLIANCE WITH LAWS

20. The Society will comply with all enactments as defined in the *Interpretation Act* and all orders and requirements under an enactment including orders and requirements of the Workers' Compensation Board.
21. The Society shall provide annually to the District a copy of the Society's annual report and evidence that a copy has been appropriately filed with the Registrar of Companies under the Societies Act.

FIRE CHIEF

22. The Society will, in the month of December in every year, appoint or reappoint a Fire Chief who shall be the Fire Chief of the Volunteer Fire Department. The Fire Chief or designate may be appointed a Local Assistant under the *Fire Services Act*.

DIRECTORS

23. At all times, while this Agreement is in force, a representative of the District nominated by the District shall be entitled to attend all meetings of the Board of Directors of the Society.

FINANCIAL RECORDS

24. The Society may at its option choose to have the District perform all financial record keeping for the Society including without limiting the generality of the foregoing, recording of revenues and expenditures in accordance with accepted accounting standards, issuing cheques for expenditures and depositing funds received for the purposes of providing the Services, recording amounts for payroll purposes and making remittances required for payroll and Workers' Compensation Board purposes. Records of the fire department's public funds shall remain with the District and shall in turn be a part of the District's annual financial audit. All invoices submitted for payment to the District shall be signed by a Director appointed by the Society.

25. The Society may at its option choose to perform all financial record keeping for the Society including without limiting the generality of the foregoing, recording of revenues and expenditures in accordance with accepted accounting standards, issuing cheques for expenditures and depositing funds received for the purposes of providing the Services, recording amounts for payroll purposes and making remittances required for payroll and Workers' Compensation Board purposes, in which case Paragraphs 26 through 34 will apply.

PAYMENTS

26. Pursuant to Paragraph 24. during each year in the term of this Agreement, the District will pay to the Society, upon presentation of a quarterly financial statement, in equal quarterly installments the amount for the costs of the Services in the final budget adopted by the District Board for the current year, less any amounts budgeted to be paid directly by or to be held by the District, including but not limited to capital expenditures, debt or lease payments, insurance, administration fees and reserve funds. Administration costs shall not exceed \$125 per year for the length of this agreement.
27. The first quarterly payment shall be made on or before January 10th of each calendar year.
28. At the time of the first quarterly payment, the District may:
- a) deduct from the payment the amount of or part of any surplus accumulated by the Society during the previous calendar year; or
 - b) add to the amount of the payment an amount from the budget to reimburse the Society for any deficit incurred by the Society during the previous calendar year.
30. The amount of any surplus held by the Society at year end will be applied to the following year's annual budget as described in Section 10.

SEPARATE FUNDS AND FINANCIAL STATEMENTS

31. The books of account of the Society shall be kept in such manner and provide such detail as may be required from time to time by the Treasurer of the District and the Provincial Ministry of Municipal Affairs.
32. The public funds provided under Paragraph 26 and any other funds of the Society shall be separated in its books of account.
33. The Society will prepare or have prepared by an auditor as defined under Section 331 of the *Municipal Act*, at each year end, audited financial statements containing particulars of assets and liabilities, and a statement of revenue and expenditures for the year for the public funds provided under Paragraph 26.
34. The Society will file a copy of the audited financial statements with the District by February 15th following each fiscal year end. The District's auditors may rely on the Society's audit report, but in any case may require and shall have access to the working papers of the Society's auditor for examination during the fiscal year end audit of the District.

TERMINATION

35. Either party may terminate this Agreement at any time by giving written notice of termination to the other party, and the agreement shall terminate on the 31st day of December of the year following receipt of such notice by the other party, **PROVIDED HOWEVER** that, in any event, the Agreement shall terminate not later than **28th day of February, 2006.**

EARLY TERMINATION

37. Notwithstanding any other provision herein, the District may terminate this Agreement upon giving the Society 90 days notice of its intention to so terminate:
- a) should the Society fail to file its annual report or otherwise no longer be in good standing with the Registrar of Companies under the *Societies Act*;
 - b) should the Society default in any term or condition of this Agreement or fail to perform any covenant herein required to be performed by the Society;
 - c) should the Society, in the opinion of the District, fail to adequately provide the Services in and for the Local Service Area.
38. Notwithstanding any other provision in this Agreement, the District may terminate this Agreement on thirty (30) days notice where, in the opinion of the District, the Society is unable to provide the Services or the Society or one of its members has been grossly negligent.
39. Notwithstanding any other provision herein, the District may terminate this Agreement upon giving the Society six (6) months notice of its intention to so terminate should the District or any successor to the District provide alternate fire prevention and suppression services within the Local Service Area.
40. The Society may terminate this Agreement at any time by giving not less than ninety (90) days written notice of its intention to so terminate in the event of breach by the District of a material term of this Agreement.
41. The parties acknowledge and agree that all firefighting equipment, protective clothing and all other related lands, buildings, furniture and equipment wherever situated within the Service Area and utilized by the Society for the purposes of providing the Services within the Service Area, or within and for any other area in accordance with the terms of a mutual aid agreement, shall be retained by the Regional District within the boundaries of the Service Area, to be used for the exclusive benefit of property owners within the Service Area. This section shall survive the termination of this Agreement.
42. This Agreement shall enure to the benefit of, and be binding upon, the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the parties to this Agreement have set their hands and seals as of the day and year first above written.

The Corporate Seal of the
REGIONAL DISTRICT OF NANAIMO
was affixed in the presence of:

)
)
)
)
)
)
)
)
)
)
)

(seal)

The Corporate Seal of the
NANOOSE FIRE PROTECTION SOCIETY
was affixed in the presence of:

)
)
)
)
)
)
)
)
)
)

(seal)

SCHEDULE 'A'
SERVICES TO BE PROVIDED

"Services" means:

- (1) fire prevention and suppression, including, without limiting the generality of the foregoing, training of volunteer firefighters, inspections, enforcement of enactments relating to fire prevention and suppression, elimination of fire hazards and attending at fires for the purpose of containing and extinguishing the fires and to provide assistance to persons and animals;
- (2) providing assistance in response to medical emergencies arising from other classes of emergency as follows:
 - (a) explosion;
 - (b) flood, tempest, earthquake, landslide, tidal wave or other natural event;
 - (c) building collapse or motor vehicle or other accident;
 - (d) spill, release or leak of a substance capable of injuring property or the health or safety of a person;
 - (e) risk of explosion as declared under section 798.1 of the *Local Government Act* or under the *Emergency Program Act*;
 - (f) rescue operations;
 - (g) First Responder services as amended from time to time

and further provided that the Society's obligation to provide the Services set out in subsection (2) is subject to the availability of qualified personnel and equipment.



REGIONAL DISTRICT OF NANAIMO			
NOV - 2 2001			
CHAIR		GMCrs	
CAO		GMDS	
GMCrs		GMES	

MEMORANDUM

TO: Kelly Daniels
Chief Administrative Officer

DATE:

November 2, 2001

FROM: John Finnie, P.Eng.
General Manager Environmental Services

FILE:

5620-01-AWS

SUBJECT: Bulk Water
AWS Year 2002 Budget

PURPOSE

To present the 2002 Arrowsmith Water Service (AWS) Provisional Budget.

BACKGROUND

The AWS Joint Venture between the City of Parksville, the Town of Qualicum Beach and the Regional District of Nanaimo was formed to construct, own, operate and maintain the Bulk Water Supply Facilities. The current Joint Venture Agreement requires that the AWS Management Committee recommend to the Joint Venturers a budget by February 15 of each fiscal year.

On October 31, 2001 the AWS Management Committee met to discuss the proposed 2002 Provisional Budget. The Provisional Budget for 2002 indicates total revenues of \$195,500 and total expenditures of \$195,500.00. The budget proposes a Capital Planning expenditure of \$37,500 to be supplemented by a provincial planning grant of \$10,000 for capital planning of future phases of the bulk water system.

The 2002 Provisional Budget as proposed is shown in the Table 2 (attached). Compared to 2001, the administration budget has increased due to increased license and insurance fees. The capital budget has increased to reflect the shared purchase of a vehicle required for dam inspection and maintenance. The transfer to reserve for 2002 is consistent with the 2001 budget. Other expenditures remain consistent with the 2001 budget. Overall the 2002 provisional budget reflects a reduction of \$10,000 compared to the 2001 budget. Adjustments may be required at final budget depending on resolution of an outstanding item regarding some facility repairs at the dam.

At the AWS Management Committee meeting on October 31, 2001 a motion "That the Arrowsmith Water Service Management Committee recommend that the 2002 Provisional Budget shown on Table 2, dated October 29, 2001 be adopted by the Joint Venturers", carried.

ALTERNATIVES

1. Approve the Y2002 AWS Budget.
2. Do not approve the Y2002 AWS Budget and refer back to the AWS Management Committee.

FINANCIAL IMPLICATIONS

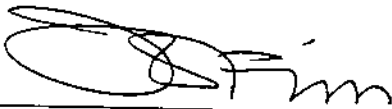
The 2002 Provisional Budget includes \$37,500.00 for capital planning and includes a \$10,000 grant from the provincial government. RDN's share of the overall budget is \$45,652. Funding for the RDN's share will be from Parcel Tax as collected through the French Creek and Nanoose Bulk Water functions. The RDN's share of the AWS budget will be apportioned into the 2002 RDN bulk water budgets for Nanoose and French Creek.

SUMMARY/CONCLUSIONS

The Arrowsmith Water Service was established by the City of Parksville, the Town of Qualicum Beach and the Regional District of Nanaimo to construct, own, operate and maintain the Arrowsmith Bulk Water facilities. The project is managed by AWS. The AWS Joint Venture Agreement requires the AWS Management Committee to recommend the annual provisional budget for consideration of the three Joint Venturers. On October 29, 2001, the AWS Management Committee recommended that the 2002 Provisional Budget be adopted by the Joint Venturers. The RDN's share of the 2002 budget is \$45,652, and will be apportioned into the 2002 RDN bulk water budgets for Nanoose and French Creek

RECOMMENDATION

That the AWS 2002 Provisional Budget, as approved by the AWS Management Committee on October 29, 2001, be approved by the Regional District of Nanaimo Board.



Report Writer



CAO Concurrence

COMMENTS:

28-Oct-01

TABLE 2
ARROWSMITH WATER SERVICE
YEAR 2002 PROVISIONAL OPERATING BUDGET (\$)

	2000	2001	2002	Variance
	Provisional	Provisional	Provisional	2001-2002

REVENUE

Operating				
Parksville Requisition (63.9%)	91,058	83,390	89,141	5,751
RDN Requisition (22.4%)	31,920	29,232	31,248	2,016
Qualicum Requisition (13.7%)	19,523	17,879	19,112	1,233
Total Operating	142,500	130,500	139,500	9,000

Capital				
Parksville Requisition	42,174	23,963	17,932	-6,031
RDN Requisition	14,784	8,400	14,404	6,004
Qualicum Requisition	9,042	5,138	13,665	8,527
Capital Planning Grant ¹		37,500	10,000	-27,500
Total Capital	66,000	75,000	56,000	-19,000

TOTAL REVENUE	208,500	205,500	195,500	-10,000
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EXPENDITURES

Operating				
Administration				
Labour	3,500	3,500	3,500	0
General	1,000	1,000	1,000	0
Licences and Insurance	11,000	11,000	20,000	9,000
Legal and Audit	10,000	10,000	10,000	0
Total Administration	25,500	25,500	34,500	9,000

Operations and Maintenance				
Equipment	5,000	5,000	5,000	0
Labour	20,000	20,000	20,000	0
Telephone	12,000	0	0	0
Road Maintenance	10,000	10,000	10,000	0
Consulting	10,000	10,000	10,000	0
Contract	25,000	25,000	25,000	0
Materials and Supplies	5,000	5,000	5,000	0
Total Operations & Maintenance	87,000	75,000	75,000	0

Transfer to Reserves	30,000	30,000	30,000	0
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Total Operating	142,500	130,500	139,500	9,000
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Capital				
Based on Original Formula				
Dam Completion	66,000			0
Capital Planning		37,500		-37,500
Truck			8,500	8,500
Based on Equal Sharing				
Capital Planning			37,500	37,500
Grants				
Capital Planning Grant ¹		37,500	10,000	-27,500
Total Capital	66,000	75,000	56,000	-19,000
TOTAL EXPENDITURES	208,500	205,500	195,500	-10,000

¹ \$10,000 Infrastructure Planning Program grant approved under Local Government Grants Act - commitment expires March 31, 2003.
 \$37,500 Grant reflected in 2001 budget was not approved.



REGIONAL DISTRICT OF NANAIMO			
NOV - 7 2001			
CHAIR		GMCrS	
CAO		GMDS	
GMCrS		GMES	
		<i>Bud</i>	<i>c</i>

MEMORANDUM

TO: K. Daniels
Chief Administrative Officer

DATE: October 30, 2001

FROM: N. Connelly
General Manager of Community Services

FILE: 6140-20-AREA F

SUBJECT: Crown Land Tenure Offer
Errington Community Park

PURPOSE

To consider a crown land tenure offer of a 30 year lease for the property referred to as the Errington Community Park.

BACKGROUND

In 1995, the Regional Board made a Crown Grant application to the Ministry of Environment, Lands and Parks for the 5 acre parcel of land in Electoral Area F bounded by Errington, Veterans and Memorial Roads and commonly referred to as the Errington Community Park.

The BC Assets and Lands Corporation in mid September forwarded an offer of a 30 year lease for community park purposes for the property to the Regional District. A sketch map of the parcel, which is legally described as *Lot 31, Block 46, District Lot 139 E & N, Nanoose District, Plan 1989*, is attached.

The property has been utilized as a park by the community for many years and in 1944, a Provincial Order in Council reserved it for recreation and the enjoyment of the public. Currently, the park supports many community amenities including a picnic shelter, nature/walking trails, farmer market stalls, and a ball diamond. Issues discussed in 1995 at the time of the Regional District's application included the role of a farmers' market in a community park, the placement of an upgraded septic system on the site for the War Memorial Hall located adjacent to the property, and parking on adjacent roadways in conjunction with the farmers' market. If the Regional District were to assume the lease, appropriate agreements would need to be developed in conjunction with current property users to address the conditions under which they utilize the property. A main contact would be the Errington War Memorial Hall Association, which has traditionally served as the informal manager of the park. This group or another organization could potentially assume a role through a sub-lease arrangement. The lease documents from the BC Assets and Lands Corporation reference however the requirement for the Regional District to obtain provincial approval for any sub-lease.

PAGE
80

ALTERNATIVES

1. That the Regional District accept the 30 year lease offer and pursue the development of the appropriate agreements to provide for the use of the park.
2. That the Regional District decline the lease offer and reiterate its request of a free Crown Grant from the province.
3. That a longer term lease offer or an alternative tenure arrangement be pursued with the province.

FINANCIAL IMPLICATIONS

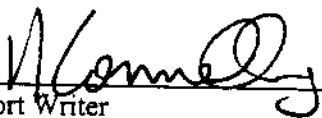
Acceptance of the lease offer would require a one time \$268.57 payment to the province. These and any other costs associated with the property would be funded by the Area F Community Parks function.

CONCLUSION


The province, after six years, has responded to the Regional District request for a free Crown Grant for the 5 acre property in Electoral Area F referred to as the Errington Community Park with a 30 year lease offer. If accepted, the Regional District would need to consult with the community and current users of the property, to develop the appropriate agreements for their use of the park.

RECOMMENDATIONS

1. That the Regional District accept the offer from the province for a 30 year lease for community park purposes for the parcel referred to as the Errington Community Park, legally described as *Lot 31, Block 46, District Lot 139 E & N, Nanoose District, Plan 1989*.
2. That staff consult with the community and develop the appropriate agreements, if required, to address the terms for the use of the park property by existing user groups.

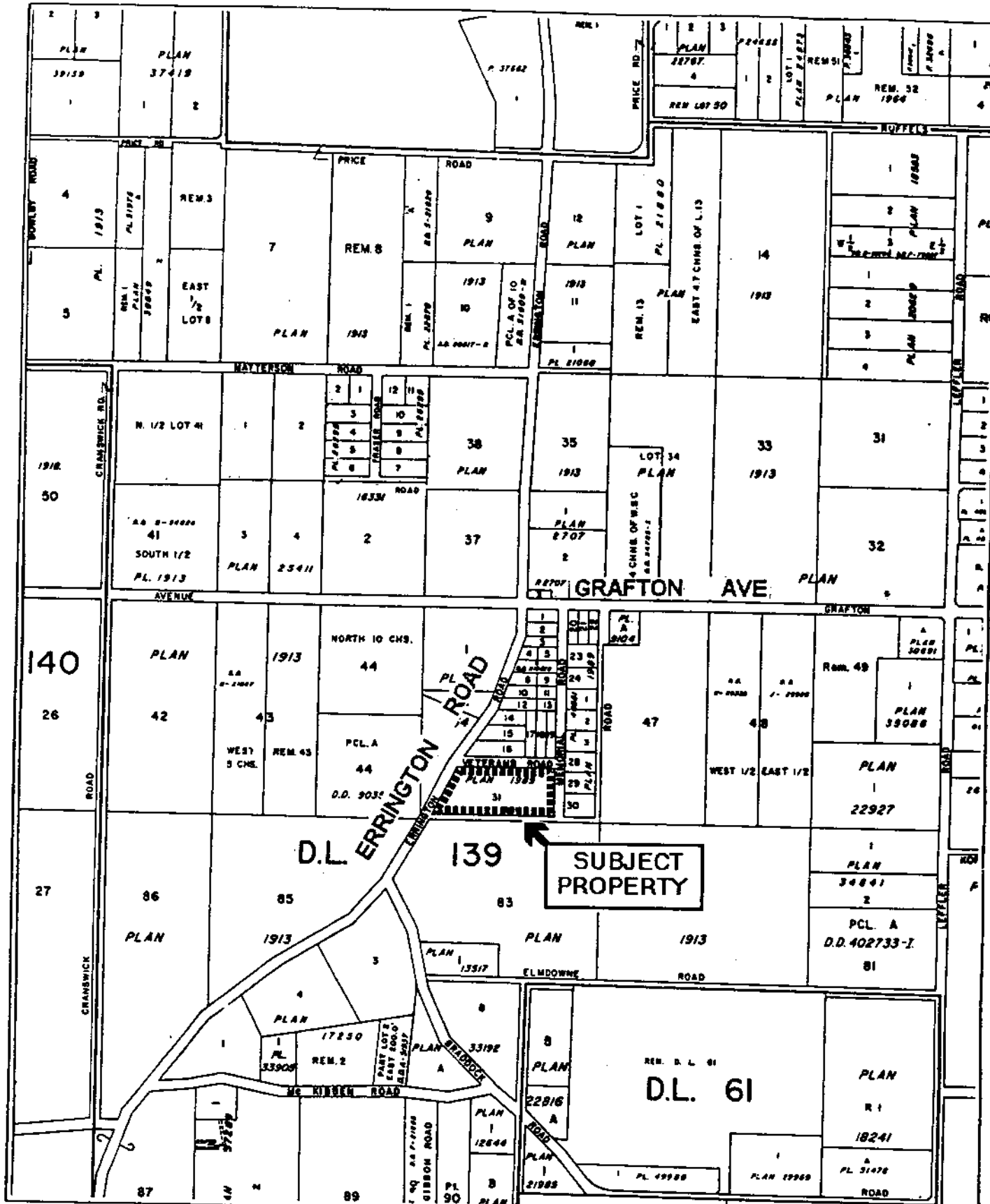


Report Writer

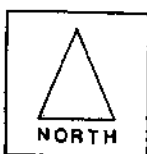


CAO Concurrence

COMMENTS:

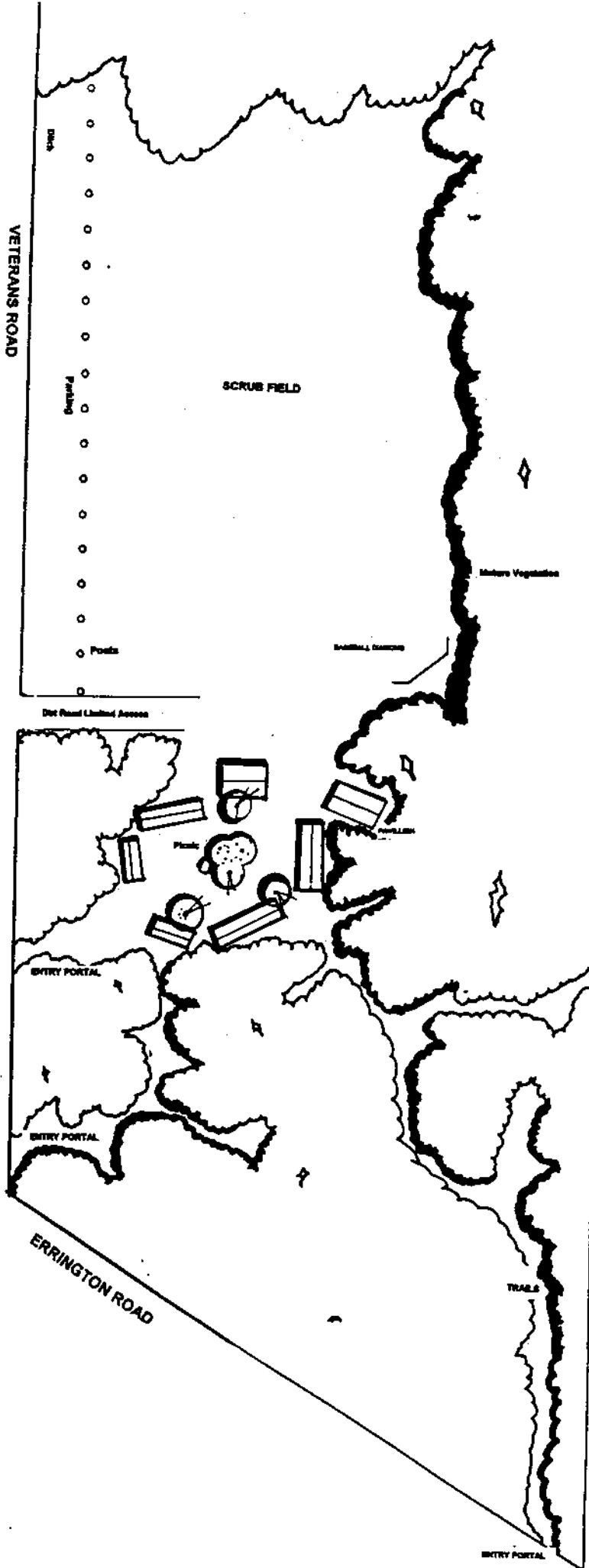


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The Regional District of Nanaimo

PAGE 82



SITE PLAN	
ERRINGTON COMMUNITY PARK	
Scale: NTS Date: April 24, 1985	PAGE 2/37

REGIONAL DISTRICT OF NANAIMO			
NOV - 8 2001			
CHAIR		GMCS	
CAO		GMDS	
GMCS		GMES	
<i>Bid</i>			
		DATE:	November 7, 2001
		FILE:	

TO: Board of Directors

FROM: K. D. Daniels
Administrator

SUBJECT: Minister's Request for Board Support of Area F Incorporation Study

Purpose

To consider a request for support of Area F's Incorporation Study.

Background

Director Jack McLean met with George Abbott, Minister of Community, Aboriginal and Women's Services, during this year's UBCM Conference on the subject of Area F Incorporation Study. The subsequent follow-up letter (see attached) has requested Board support for the incorporation study proposal put forward by Director McLean. Area F has received funding earlier for a first phase incorporation review. At the conclusion of this work the Ministry indicated to the Incorporation Committee that any further reviews would not be supported until after the completion of the Official Community Plan and a zoning bylaw. It is expected the zoning bylaw will be adopted by the Board in Spring 2002.

Alternatives

1. To support the Area F Incorporation Study request.
2. To not support the Area F Incorporation Study request.
3. To not oppose the Area F Incorporation Study request.

Financial Implications

There are no direct financial costs to the RDN for an Incorporation Study. The Province funds the cost of the Study entirely. There are indirect costs however in that the Province requires the RDN to administer the funds through our accounting department.

Intergovernmental Implications

Area F borders on four electoral areas and is significantly close to Parksville and Qualicum Beach. For an incorporation review of this magnitude it is reasonable, and often required, to conduct a boundary study to ensure the preferred area for incorporation is clearly identified and that neighbouring jurisdictions that may be affected by an incorporation have an opportunity to identify their interests and have input on boundary issues.

Staff from the Ministry advise me that decisions on funding for incorporations will likely not be made until Spring 2002 at the earliest. The letter from the Minister suggests that the first step would be to get a statement of support from the RDN Board on the incorporation request. The letter also makes it clear that "there are a large number of restructure projects in line for a declining amount of funding. Your proposal will need to be considered in the context of priorities and available funding for the coming year." This was confirmed in discussions with Ministry staff who indicated that there are a number of policy changes such as policing costs that are currently being reviewed and that might affect the cost implications of incorporation.

From our past experience, it is an unusual situation for the Province to request a position from the Board on an incorporation review. We were not asked to provide such a position for Lantzville, Gabriola Island or the initial study in Area F. More typically our experience is that an incorporation study is a determination between the Province and the requesting body, whether it is a citizens group or an Electoral Area Director supported by a number of residents. Without a Provincial context on how incorporation studies are determined it is difficult for Regional Districts to establish a position that would result in a consistent framework across the Province. It is reasonable, in my opinion, for a Board to "not oppose" a review and let the Province determine the rationale and priority for funding such endeavours. The Province has indicated that they would accept such a position by the Board.

A position of not opposing a study would be taken as a positive indication by the Province but still register a position that the final decision is really that of the Province in the context of their policies. *

Summary/Conclusions


The Minister has requested that Director McLean pursue a resolution of support from the Board on his request for an incorporation study. This request is unusual in that it was not made directly to the Board, has never been required before, and is not made in the context of how other areas of the Province evaluate the need for an incorporation study to ensure consistency and equity across the Province.

Public Implications

It is difficult, at this point, to determine the degree of support or interest for the incorporation of Area F. It is reasonable however to suggest that there may be significant differences of support among the various communities in Area F, i.e. residents of Errington may have different feelings of incorporation than Coombs residents. It is therefore reasonable for a boundary study to be undertaken as part of any review.

Recommendation

1. That the Board of the Regional District of Nanaimo advise Director McLean that the Board does not oppose an incorporation study.
2. That if a study proceeds, a comprehensive impartial boundary study be undertaken that would recognize the interests of all jurisdictions.



K. Daniels, C.A.O.



REGIONAL DISTRICT OF NANAIMO			
NOV -7 2001			
CHAIR		GMCrs	
CAO		GMDS	
GMCntS		GMES	
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MEMORANDUM

TO: N. Avery
Manager of Financial Services

DATE: October 23, 2001

FROM: W. Thexton
Senior Accountant

FILE:

SUBJECT: Third Quarter Operating Results for 2001

PURPOSE

To present a summary of the operating results for the period ending September 30th, 2001.

BACKGROUND

A summary of the financial results from operations is presented to the Board quarterly throughout the year to show the general trend in revenues and expenditures of the District in comparison to the approved budget.

Assuming an even distribution of revenues and expenditures, the current results should approximate 75% of the budget amounts for the year. The actual third quarter results show total revenues to be 78% and total expenditures to be 65% of budget. Certain expenditures and revenues tend to vary considerably throughout the year. For example, capital expenses and professional fees may be committed but not paid until later in the year. Overall, wages (73%), administration costs (73%), and vehicle and equipment operating costs (69%) are approximately equal to the third quarter benchmark. Professional fees (38%) and capital expenses (23%) are below the benchmark for the reasons noted above.

Corporate Services

Corporate Services budgets are within the expected range for revenues and expenditures as of the completion of this quarter. The total grant and operating revenues are at 77% of budget. Both professional fees (24%) and capital expenditures (49%) are below the quarterly benchmark. This reflects expenditures not yet recorded for the Administration building HVAC system. This project is substantially complete and will be paid for in the final quarter. Other Operating Expenses (42%) are less than budgeted because some firefighting allowances are paid only in the final quarter. Total expenses for Corporate Services to date are 70% of budget.

Community Services

Overall the Community Services budget is within the expected range for revenues (77%) and expenditures (73%) for the third quarter of the year. Operating and grant revenues are 77% of budget for transit services, 91% for D69 Recreation Coordination, 72% for the D69 Arena and 71% for the Ravensong Aquatic Center. Professional Fee expenditures for this service area are 53% of budget to date much of which will be recorded as further activities related to the Growth Management Plan review are completed. A deficit is projected for the Regional Development budget for 2001, due primarily to the timing of recording and receiving certain grant funds that will occur in 2002 (\$80,000 from the Province; \$30,000 from the Real Estate Foundation). Program Costs (41%) are lower due in part to lower than projected development costs for both regional (20%) and community (18%) park properties. Some park and trail development projects will be deferred to 2002 pending provincial approval of the District's tenure requests.

Development Services

The overall performance of Development Services continues to be within budget expectations. Total operating and grant revenues (83%) are above the budget benchmark due mainly to Building Inspection permit fees that are currently at 108% of budget. Planning grant revenues (41%) are low because a number of grants will not be claimed until 2002, including the Area F OCP implementation and zoning grant (\$39,000). Study expenses related to grants approved for the Cedar & Extension Villages sewer servicing strategies (\$17,500) will not be incurred or claimed until 2002.

Total Expenditures to date for Development Services are at 59% of budget. Professional Fees (42%) remain below the quarterly benchmark because budgeted amounts for legal costs (28%) and various study initiatives (49%) in both the Planning and Building Inspection departments have not been fully drawn down. Staff in these areas expect to incur costs in the final quarter for legal services. Budgeted capital costs (10%) for vehicles, office equipment and computers are expected to be substantially expended by yearend.

Environmental Services

Overall operating/grant revenues are at 74% of budget. Operating revenue (91%) is higher than the benchmark as most of the user fee revenues for the year are reflected in the financial results. Yet to be received is two thirds of the Green Municipal Enabling Fund study grant (\$29,000) for Solid Waste.


Total Expenditures for Environmental Services are at 59% of budget. Capital (15%) and Professional Fee (39%) expenditures are low as several major projects and initiatives are either currently in process or will be delayed until next year. The Southern Community Liquid Wastewater function has several capital initiatives that will be carried over to 2002, in particular an upgrade to the Biogas handling system. The septage receiving facility construction project at the Chase River pump station has been completed and came in under budget at \$170,000 (budget \$240,000). Solid Waste Operational Costs are 61% of budget and are expected to be within budget for the year. With regard to Solid Waste projects, approximately \$275,000 for the landfill gas collection system expansion and upgrade project will be carried over to the new year and \$185,000 of the landfill site closure project's \$500,000 budget will be available to transfer to reserves to offset future costs.

SUMMARY/CONCLUSIONS


The attached summaries include all financial activities recorded up to September 30, 2001. Overall, the statement reflects that 78% of revenues have been collected, including 75% of grants and operating revenues, and 65% of expenditures have been incurred. The lower expenditures reflect the fact that some budgeted professional fees and capital expenditures will either be incurred later in the year or will be deferred until next year.

RECOMMENDATION

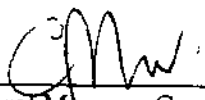
That the third quarter summary report of financial results from operations to September 30th, 2001 be received for information.



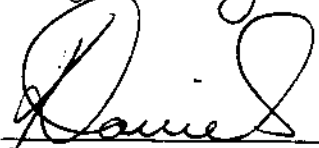
Report Writer



Manager Concurrence



General Manager Concurrence



C.A.O. Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO
GENERAL REVENUE FUND
September 30, 2001

	CORPORATE SERVICES			COMMUNITY SERVICES			DEVELOPMENT SERVICES			ENVIRONMENTAL SERVICES			TOTAL REVENUE FUND		
	AV 2001	BV 2001	% VAR	AV 2001	BV 2001	% VAR	AV 2001	BV 2001	% VAR	AV 2001	BV 2001	% VAR	AV 2001	BV 2001	% VAR
REVENUES															
TAX REQUISITION	\$2,691,207	\$3,588,268	75%	\$4,427,550	\$5,903,411	75%	\$901,638	\$1,202,197	75%	\$6,704,658	\$8,939,504	75%	\$14,725,053	\$19,633,380	75%
GRANTS/OPERATING/OTHER	1,509,016	1,968,428	77%	\$5,251,149	\$6,925,562	76%	551,813	667,100	83%	6,354,634	8,552,338	74%	\$13,666,612	\$18,113,428	75%
RETAINED EARNINGS	733,543	733,542	100%	\$1,107,729	\$1,107,729	100%	873,039	873,039	100%	2,269,877	2,269,876	100%	\$4,984,188	\$4,984,186	100%
TOTAL REVENUES	4,933,766	6,290,238	78%	10,786,428	13,936,702	77%	2,326,490	2,742,336	85%	15,329,169	19,761,718	78%	33,375,853	42,730,994	78%
EXPENSES															
ADMINISTRATION	\$395,728	\$572,351	69%	\$1,167,312	\$1,532,567	76%	\$282,740	\$444,642	64%	\$673,524	\$901,199	75%	\$2,519,304	\$3,450,759	73%
COMMUNITY GRANTS	106,453	137,906	77%	6,281	5,000	126%	0	0	0	0	0	0	\$112,734	\$142,906	79%
LEGISLATIVE	132,952	213,565	62%	0	0	0	0	0	0	0	0	0	\$132,952	\$213,565	62%
PROFESSIONAL FEES	98,256	404,575	24%	140,148	266,270	53%	172,781	414,720	42%	299,733	775,754	39%	\$710,918	\$1,861,319	38%
BUILDING OPS & MAINT	73,093	138,435	53%	271,712	403,326	67%	29,866	46,000	65%	147,266	258,450	57%	\$521,937	\$846,211	62%
VEH & EQUIP OPS & MAINT	66,651	100,841	66%	1,309,605	1,743,520	75%	12,908	16,600	78%	576,156	977,690	59%	\$1,965,320	\$2,838,651	69%
EQUIP OPS & MAINT	54,526	96,191	57%	33,584	53,221	63%	6,270	12,930	48%	0	0	0	\$94,380	\$162,342	58%
OTHER OPERATING COSTS	29,419	70,130	42%	219,500	279,515	79%	84,372	111,805	75%	0	0	0	\$333,291	\$461,450	72%
WAGES & BENEFITS	978,623	1,355,796	72%	5,129,523	6,802,946	75%	867,117	1,321,731	66%	2,372,681	3,280,904	72%	\$9,347,944	\$12,761,377	73%
OPERATIONAL COSTS	0	0	0	0	0	0	0	0	0	0	0	0	\$3,621,082	\$5,949,219	61%
PROGRAM COSTS	0	0	0	111,573	269,695	41%	0	0	0	0	0	0	\$111,573	\$269,695	41%
CAPITAL EXPENDITURES	191,204	392,237	49%	197,256	278,610	71%	0	0	0	382,464	2,624,835	15%	\$783,937	\$3,424,182	23%
DEBT FINANCING-INTEREST	5,022	6,690	75%	253,834	338,595	75%	13,013	128,500	10%	1,326,609	1,770,415	75%	\$1,585,465	\$2,115,700	75%
DEBT FINANCING-PRINCIPAL	1,359	1,815	75%	143,149	177,535	81%	0	0	0	929,871	1,239,845	75%	\$1,074,379	\$1,419,195	76%
DEBT FINANCING-EXCHANGE	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$15,000	0
CONTINGENCY	0	0	0	0	124,000	0	0	0	0	(1,501)	0	0	(\$1,501)	\$124,000	-1%
CONTR. TO RESERVE FUND	221,639	254,639	87%	0	387,000	0	0	0	0	322,780	322,780	100%	\$544,419	\$964,419	56%
CONTR. FROM RESERVE FUND	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0	0
TFR TO OTHER GOVT/AGENCIES	1,789,455	2,163,850	83%	735,834	735,834	100%	0	0	0	0	30,000	0	\$2,525,289	\$2,929,684	86%
TOTAL EXPENDITURES	\$4,144,380	\$5,909,021	70%	\$9,719,311	\$13,397,634	73%	\$1,469,067	\$2,496,928	59%	\$10,650,665	\$18,146,091	59%	\$25,983,423	\$39,949,674	65%
OPERATING SURPLUS (DEFICIT)	\$789,386	\$381,217		\$1,067,117	\$539,068		\$857,423	\$245,408		\$4,678,504	\$1,615,627		\$7,392,430	\$2,781,320	

Notice of Motion for the RDN Board Meeting on November 13, 2001

MOTION, by Area F Director, Jack McLean:

“That the RDN Board support the Area F Restructure Study Committee application to the Ministry of Community, Aboriginal and Women’s Services for a grant to complete the Restructure Study for Incorporation.”

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