

REGIONAL DISTRICT OF NANAIMO

**BOARD MEETING
TUESDAY, NOVEMBER 18, 2003
7:00 PM**

(RDN Board Chambers)

A G E N D A

PAGES

1. **CALL TO ORDER**
2. **DELEGATIONS**
 - 8 **Randy O'Donnell**, re Zoning Inconsistencies - Area D.
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3. **BOARD MINUTES**
 - 10-20 Minutes of the Board meeting held on October 14, 2003.
4. **BUSINESS ARISING FROM THE MINUTES**
5. **COMMUNICATIONS/CORRESPONDENCE**
 - 21 **Donna & Bernd Mason** re DP Application No. 60354 – French Creek Estates Ltd. – Columbia Drive – Area G.
6. **UNFINISHED BUSINESS**
 - Public Hearing.**
 - 22-36 Report of the Public Hearing held October 29, 2003 with respect to Electoral Area 'F' Zoning & Subdivision Bylaw No. 1285.03 – Green Choice Energy Ltd./Fern Road Consulting Ltd. – 2570 Peterson Road – Area F. (Electoral Area Directors except EA 'B' – One Vote)
7. **STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**
 - 7.1 **ELECTORAL AREA PLANNING STANDING COMMITTEE**
 - 37-40 Minutes of the Electoral Area Planning Committee meeting held October 28, 2003. (for information)

PLANNING

AMENDMENT APPLICATIONS

Zoning Amendment Application No. ZA0312 – Richard Irwin on behalf of Tower Fence Products – 1882 Fielding Road – Area A. (Electoral Area Directors except EA'B' – One Vote)

1. *That the minutes from the Public Information Meeting held on October 15, 2003 be received.*
2. *That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.297, 2003" be given 1st and 2nd reading.*
3. *That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.297, 2003" proceed to public hearing.*
4. *That the public hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.297, 2003" be delegated to Director Kreiberg or his alternate.*

DEVELOPMENT PERMIT APPLICATIONS

DP Application No. 60351 – Hawthorne & Anscombe – 816 Flamingo Drive – Area G. (Electoral Area Directors except EA'B' – One Vote)

That Development Permit Application No. 60351, submitted by Fern Road Consulting, Agent, on behalf of Robert Hawthorne and Lorna Anscombe, for property legally described as Lot 4, District Lot 10, Newcastle District, Plan VIP73563, to vary the maximum accessory building height within the Residential 2 (RS2) zone from 6.0 metres to allow for construction of a detached garage at 9.7 metres GSC be approved subject to the conditions outlined in Schedules No. 1, 2, 3 and 4 of the staff report and subject to the notification requirements pursuant to the Local Government Act.

DP Application No. 60352 – Fern Road Consulting Ltd./Pepler – 3395 Blueback Drive – Area E. (Electoral Area Directors except EA'B' – One Vote)

That Development Permit Application No. 60352, submitted by Fern Road Consulting Ltd., on behalf of William Richard Pepler, for the property legally described as Lot 33, District Lot 78, Nanoose District, Plan 15983 requesting to:

1. *Relax the minimum setback requirement for the inland top of slope of 30% or greater adjacent the sea from 8.0 metres to 4.0 metres in order to accommodate the siting of two terraced riprap retaining walls;*
2. *Relax the minimum setback requirements for both interior side lot lines from 2.0 metres to 0.0 metres in order to accommodate the siting of two terraced riprap retaining walls;*
3. *Relax the maximum dwelling unit height from 8.0 metres to 9.5 metres in order to accommodate the siting of the dwelling unit*

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

DP Application No. 60354 – French Creek Estates Ltd. – Columbia Drive – Area G. (Electoral Area Directors except EA'B' – One Vote)

That Development Permit Application No. 60354, submitted by W.R. Colclough, Agent, on behalf of French Creek Estates, to relax the minimum setback requirement for four corner lots within a Residential 5 (RS5) zone as set out in Schedule No. 3 of the corresponding staff report, for the property legally described as Lots 1 and 2, District Lot 28, Nanoose District, Plan VIP62528, be approved subject to the conditions outlined in Schedules No. 1, 2, and 3 and subject to the notification requirements pursuant to the Local Government Act.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

DVP Application No. 9623 Addendum – Gerald Rupp – 1570 Fawcett Road – Area A. (Electoral Area Directors except EA'B' – One Vote)

Delegations wishing to speak to Application No. 9623.

That Development Variance Permit No. 9623, issued to Gerald Rupp, to vary the minimum setback requirements for a rear lot line from 2.0 metres to 1.0 metres and for a side lot line from 2.0 metres to 1.0 metres for the property legally described as Lot 13, Plan 3779, Section 17, Range 4, Cedar Land District be re-issued, subject to the notification requirements pursuant to the Local Government Act and subject to the conditions as outlined in Schedule No. 1.

DVP Application No. 90321 – RG Fuller & Associates on behalf of Land & Water BC – Alberni Highway – Area F. (Electoral Area Directors except EA'B' – One Vote)

Delegations wishing to speak to Application No. 90321.

That Development Variance Permit Application No. 90321, submitted by RG Fuller & Associates Ltd. on behalf of Land & Water BC, to allow the creation of a non-contiguous lot in conjunction with the proposed subdivision of District Lot 104 and Lot 1, DL 94, Plan 12937, Except Part in Plan VIP61775, Both of Nanoose District, be approved as shown on Schedule No. 1 subject to notification procedures pursuant to the Local Government Act.

OTHER

Building Strata Conversion Application – Fern Road Consulting Ltd. on behalf of Ocean Place Holdings Ltd. – 1600 Stroulger Road – Area E. (Electoral Area Directors except EA'B' – One Vote)

That the request from Fern Road Consulting Ltd., on behalf of Ocean Place Holdings Ltd. for the commercial building strata conversion of 5 units as shown on the Phased Strata Plan of Lot A, Plan VIP51529, DL 22, Nanoose District and DL 2000 Nanaimo District, be approved.

Technical Review Planning Project – Bylaw No. 500 – Public Consultation Framework. (Electoral Area Directors except EA'B' – One Vote)

- 1. That the staff report on the Bylaw No. 500 Planning Project be received.*
- 2. That the Public Consultation Framework as set out in Attachment No. 1 of the staff report be endorsed by the Board.*

Aquaculture – OCP and Zoning Amendments Issues & Public Consultation Framework. (Electoral Area Directors except EA 'B' – One Vote)

That this item be referred back to staff for further information prior to going to the Board.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

41-46 Minutes of the regular Committee of the Whole meeting held October 28, 2003.
(for information)

COMMUNITY SERVICES

Nanaimo Area Land Trust Update on Mount Benson. (All Directors -- One Vote)

That the update report on Mount Benson and the efforts of the Nanaimo Area Land Trust be received for information.

CORPORATE SERVICES

ADMINISTRATION

Policy A1.2 – Distribution of Agendas. (All Directors – One Vote)

That the Board approve an amendment to Policy A1.2 Distribution of Agendas circulation list to receive full agendas, to include the District of Lantzville Administrator.

Regional Services Review – Terms of Reference. (All Directors – One Vote)

That this item be referred to a Board workshop to allow Directors an opportunity to review and comment on the terms of reference prior to approval.

FINANCE

Financing Alternatives for Oceanside Place. (Electoral Area's E, F, G, H & City of Parksville, Town of Qualicum Beach – Weighted Vote)

That short term financing for the multiplex project be used as long as possible and that long term debt be secured at a target rate between 6.3% and 6.8%; and further that the Town of Qualicum Beach be approached to act as a lender or be permitted to pre-pay their share of costs at the time of securing long term funds.

DEVELOPMENT SERVICES

BUILDING INSPECTION

Section 700 Filings. (All Directors – One Vote)

Delegations wishing to speak.

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 may be pursued.

- (a) *That part of Lot 3, Sections 11 and 12, Range 7, Cranberry Land District, Plan 3153, lying within said Section 11, except that part in Plan 11018 and Plan 3372W, 2180 South Wellington Road, Electoral Area 'A', owned by R. Soderstrom;*
- (b) *Lot 1, Section 14, Range 4, Cedar Land District, Plan 26045, 1841 Shasta Road, Electoral Area 'A', owned by Estevan Engineering Ltd.;*

ENVIRONMENTAL SERVICES

LIQUID WASTE

Greater Nanaimo Pollution Control Centre Dewatering Upgrade. (All Directors – Weighted Vote)

That the Regional District of Nanaimo award supply of a centrifuge for the GNPCC Dewatering upgrade for the tendered amount of \$322,070 to Alfa Laval.

SOLID WASTE

Notice of Intent to Issue Landfill Operational Certificate No. MR-01714. (All Directors – Weighted Vote)

- 1. That the Board accept the attached Operational Certificate as drafted by the Regional Waste Manager and publish the Notice of Intent; and*
- 2. That the Board approve the establishment of a new Environmental Technician position for the Solid Waste Department to inspect, maintain and operate the environmental protection systems required in the Operational Certificate.*

COMMISSION, ADVISORY & SELECT COMMITTEE

Grants-In-Aid Committee.

(All Directors – One Vote)

That the minutes of the Grants-in-Aid Committee meeting held October 20, 2003 be received for information.

That the following grants be approved:

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

School District 68:

<i>Cedar Community Association</i>	<i>\$ 2,632</i>
<i>Cedar School & Community Enhancement Society</i>	<i>\$ 879</i>
<i>The Hope Centre</i>	<i>\$ 565</i>
<i>Nanaimo Search & Rescue Society</i>	<i>\$ 750</i>
	<i>\$ <u>4,826</u></i>

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

School District 69:

<i>District 69 Society of Allied Support Groups</i>	\$ 500
<i>District 69 Volunteer Association</i>	\$ 2,690
<i>Lighthouse Country Marine Rescue Society</i>	\$ 2,500
<i>Mount Arrowsmith Elder Abuse Prevention Comm.</i>	\$ 310
<i>Oceanside Community Arts Council</i>	\$ 1,000
<i>Parksville Qualicum Beach & District BCSPCA</i>	\$ 500
<i>RCMP Auxiliary</i>	\$ 500
<i>TOTAMS – Time Out for Tots & Moms</i>	\$ 450
	<u>\$ 8,450</u>

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Proposed Liquid Natural Gas Facility on Vancouver Island. (All Directors – One Vote)

That the Regional District of Nanaimo indicate to Terasen Gas that the Board is willing to consider location of the Liquefied Natural Gas storage facility proposed for Vancouver Island within the regional boundaries subject to resolution of any technical issues related to fire and seismic safety, aesthetics, structural considerations and other issues including the environmental impact.

Nanaimo Area Land Trust Core Funding Support. (All Directors -- One Vote)

That the request from the Nanaimo Area Land Trust for core funding be referred to the 2004 budget process.

NEW BUSINESS

Mines Act Permit Amendment Application – Copcan Contracting Limited - Jameson Road. (All Directors – One Vote)

That a letter be sent to the Chief Inspector of Mines stating that the Regional District of Nanaimo does not support the amendment, stating clearly that crushing/processing is against our zoning and land use bylaws, the community's OCP and is in contradiction of the public consultation process the RDN was part of in 1999/2000.

That the Board reaffirm to the residents that if crushing/processing takes place on the Jameson Road property the Regional District of Nanaimo will take action if its bylaws are contravened.

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Intergovernmental Advisory Committee.

Regional Growth Monitoring Advisory Committee/State of Sustainability Project.

- 50-53 Minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meetings held October 21 & November 4, 2003. (for information)

Area 'B' Parks & Open Space Advisory Committee.

- 54-59 Minutes of the Area 'B' Parks & Open Space Advisory Committee meeting held September 8, 2003. (for information)

8. ADMINISTRATOR'S REPORT

- 60-61 Results of the Emergency Wharf Referendum (Bylaw No. 1357) – Area B. (All Directors – One Vote)

- 62 French Creek Water LSA – Proposed Advisory Committee. (All Directors – One Vote)

Financing Alternatives for Oceanside Place. (Report to be circulated)

9. ADDENDUM

10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

11. NEW BUSINESS

12. BOARD INFORMATION (Separate enclosure on blue paper)

13. ADJOURNMENT

14. IN CAMERA

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

Burgoyne, Linda

From: ROD [randy0d@shaw.ca]
Sent: Wednesday, November 05, 2003 7:50 PM
To: Burgoyne, Linda
Subject: Item for Board Meeting

Dear Ms. Burgoyne;

Thank you for returning my call. Would you please put me on the agenda for the next RDN Board Meeting. I'd like to address the Board regarding inconsistencies in which zoning and by-laws are applied to two differing property owners in what was formerly Area 'D'.

Thank you.

Regards
Randy J. O'Donnell

SOUTHGATE MEDICAL CLINIC

1151 Lawlor Road
 Nanaimo, B.C.
 V9R 5K1
 (250) 754-3218
 Fax: (250) 754-3852

B. Macleod M.D.*
 G.C. Joly M.D.*
 S. da Silva M.D.*
 D. Poteryko M.D.*
 T. van der Goes M.D.*
 W.H. Colborne M.D.*

November 7, 2003

attn Linda
 RDN Head Office
 6300 Hammond Bay Rd
 Nanaimo, BC
 fax 390-4163.

re Jameson Quarry in RDN. Area D.

As discussed - I would like to present to
 the RDN Board on November 18th -
 my talk will be entitled "The Ministry of
 Energy and Mines is Hazardous to our
 Health." I will call to confirm to see if
 you received this fax.

Thanks,

Debra Poteryko, MD.

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, OCTOBER 14, 2003, AT 7:00 PM IN THE
RDN BOARD CHAMBERS**

Present:

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

Also in Attendance:

K. Daniels	Chief Administrative Officer
D. Trudeau	Manager of Liquid Waste
B. Lapham	Gen. Mgr. of Development Services
N. Connelly	Gen. Mgr. of Community Services
C. Mason	Gen. Mgr. of Corporate Services
M. Pearse	Manager of Administrative Services

CALL TO ORDER

The Chairperson welcomed Alternate Directors Sperling and Neden to the meeting.

BOARD MINUTES

MOVED Director Sherry, SECONDED Director Krall, that the minutes of the Board meeting held on September 9, 2003 and the Special Board meeting held September 30, 2003 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

M. Brown, Town of Qualicum Beach, re Glengarry Golf Links.

MOVED Director Westbroek, SECONDED Director McNabb, that the correspondence from Mr. M. Brown with respect to the Glengarry Golf Links application to the ALC be received.

CARRIED

UNFINISHED BUSINESS

Director Bartram advised that the pump and haul application for Lot 3, Seaview Drive, Bowser (Melvyn) that was deferred for one month in the September 9, 2003 Board Minutes would be held in abeyance until further notice and until issues with respect to the development variance permit are resolved.

Public Hearing.

Report of the Public Hearing held October 7, 2003 with respect to the Covenant Amendment Proposal for Culverden Holdings (Arbutus Meadows) – 1515 Island Highway East – Area E.

MOVED Director Bibby, SECONDED Director Hamilton, that the report of the Public Hearing containing the Summary of Minutes and Submissions of the Public Hearing held on October 7, 2003 be received.

CARRIED

MOVED Director Bibby, SECONDED Director Hamilton, that the proposal to amend the Land Use Covenant in order to facilitate expanded public assembly events on the subject property be approved subject to the conditions outlined in Schedules No. 1 and 2.

CARRIED

MOVED Director Bibby, SECONDED Director D. Haime, that staff be directed to secure the conditions as outlined in Schedule No. 1 prior to final approval by the RDN Board.

CARRIED

BYLAWS

For Adoption.

Bylaw No. 1125.01.

MOVED Director Bibby, SECONDED Director Longmuir, that Morningstar Creek Water Local Service Area Amendment Bylaw No. 1125.01, 2003" be adopted.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

MOVED Director Hamilton, SECONDED Director Bartram, that the minutes of the Electoral Area Planning Committee meeting held September 30, 2003 be received for information.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Helen Sims, re ZA0310 – Green Choice Energy Limited – Peterson Road – Area F.

MOVED Director Cantelon, SECONDED Director Longmuir, that the correspondence from Helen Sims with respect to Zoning Amendment Application 0310, be received.

CARRIED

Eric Pattison, re DP No. 60347 – Oughtred/Sims – McFeely Drive – Area G.

MOVED Director Hamilton, SECONDED Director D. Haime, that the correspondence from Eric Pattison with respect to Development Permit Application No. 60347, be received.

CARRIED

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PLANNING

AMENDMENT APPLICATIONS

Amendment Application ZA0310 – Green Choice Energy Limited – Peterson Road – Area F.

MOVED Director Hamilton, SECONDED Director Neden, that the minutes from the Public Information Meeting be received.

CARRIED

MOVED Director Hamilton, SECONDED Director Neden, that "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.03, 2003" submitted by Fern Road Consulting Ltd. on behalf of H. & F. Ventures and Green Choice Energy Ltd. to rezone the 21.1 ha property legally described as Lot A, District Lot 182, Nanoose District, Plan VIP65017 from A-1 (Agricultural 1) to Comprehensive Development 14 - 2570 Peterson Road, be approved subject to the conditions as outlined in amended Schedule 1, Schedules 2, 3 and 4 and that the bylaw be given 1st and 2nd reading.

CARRIED

MOVED Director Hamilton, SECONDED Director Neden, that "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.03, 2003" proceed to Public Hearing.

CARRIED

MOVED Director Hamilton, SECONDED Director Bibby, that the Public Hearing on "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.03, 2003" be delegated to Director Biggemann or his alternate.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

DP Application No. 60344 – Sullivan – Maxey & Newfield Roads – Area D.

MOVED Director Hamilton, SECONDED Director D. Haime, that Development Permit Application No. 60344 as submitted by Larry Sullivan and legally described as that Part of Lot 2 lying south of Maxey Road, Plan 6930, Section 17, Range 5, Mountain Land District to permit the placement of fill, to facilitate the establishment of a building envelope a minimum of 15.0 metres from the natural boundary, and to permit the siting of a well a minimum of 14.0 metres from the natural boundary of the Millstone River within the Natural Hazard Development Permit Area, be approved subject to the conditions as outlined in Schedule Nos. 1, 2 and 3.

CARRIED

DP Application No. 60346 – D. Friesen on behalf of Ming's Stores Ltd. Inc. – 1694 Cedar Road – Area A.

MOVED Director Hamilton, SECONDED Director Kreiberg, that Development Permit Application No. 60346, submitted by Friesen's Rentals and Hardware on behalf of Ming's Stores Ltd. Inc., to recognize the siting of the recently constructed addition by relaxing the minimum setback requirement from the other lot line from 5.0 metres to 4.8 metres within the Cedar Village and Cedar Commercial/Industrial Properties Development Permit Area No. 3 for Lot A, Sections 15 and 16, Range 8, Cranberry District, Plan VIP71569, be approved subject to the conditions outlined in Schedule Nos. 1, 2 and 3 of the corresponding staff report and to the notification requirements of the Local Government Act.

CARRIED

DP Application No. 60347 – Oughtred/Sims – McFeely Drive – Area G.

MOVED Director Hamilton, SECONDED Director Bibby, that Development Permit Application No. 60347, submitted by Helen Sims of Fern Road Consulting Ltd. on behalf of Robert and Adele Oughtred to permit the construction of a dwelling unit and detached garage within the 'Environmentally Sensitive Areas and Hazard Lands' Development Permit Areas and to vary the maximum dwelling unit height from 8.0 metres to 8.6 metres on the subject property legally described as Lot 3, District Lot 9, Newcastle District, Plan VIP69413 be approved, subject to the requirements outlined in Schedule Nos. 1, 2, 3 and 4 and subject to notification requirements pursuant to the Local Government Act.

CARRIED

DP Application No. 60348 – Symington – 857 Flamingo Drive – Area G.

MOVED Director Hamilton, SECONDED Director Bibby, that Development Permit Application No. 60348, submitted by Fern Road Consulting, Agent, on behalf of Wilfred Symington and Alan Symington, to facilitate the removal of an existing dwelling unit and construction of a new dwelling unit, and to vary the maximum dwelling unit height within the Residential 2 (RS2) zone from 8.0 metres to 9.0 metres for the property legally described as Lot 15, District Lot 10, Newcastle District, Plan 10115, be approved subject to the conditions outlined in Schedule No. 1 and subject to the notification requirements pursuant to the Local Government Act.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS**DVP Application No. 90317 & Request for Relaxation of the Minimum 10% Frontage Requirement – RK Brown & Associates on behalf of W. Roine – Farrar, Yellow Point and McQuarrie Roads – Area A.**

MOVED Director Hamilton, SECONDED Director Kreiberg, that the request, submitted by RK Brown, on behalf of Wayne Roine to relax the minimum 10% frontage requirement for the Proposed Lots 2, 3 and 4, as shown on the plan of subdivision of The East 20 Chains of Section 5, Range 5, Cedar District, Except Parcel C (DD2340N) and Except That Part in Plan 8609 and to relax the minimum setback requirement from 8.0 metres to 5.3 metres to allow the siting of an existing dwelling unit from a lot line (adjacent to Farrar Road) proposed to be created by subdivision, be approved subject to Schedule No. 1 and the notification requirements pursuant to the Local Government Act.

CARRIED

DVP Application No. 90318 – Kehoe & Adams Freeman – 3475 Cambridge Road – Area E.

MOVED Director Hamilton, SECONDED Director Bibby, that Development Variance Permit Application No. 90318 to vary the minimum setback requirements of the Residential 1 (RS1) zone from 8.0 metres to 0.0 metres for the front lot line and from 5.0 metres to 0.0 metres from the other lot line to legalize the siting of a recently constructed retaining wall on the property legally described as Lot 31, District Lot 78, Nanoose District, Plan VIP51603 be approved, subject to the requirements outlined in Schedule Nos. 1, 2 and 3 and subject to notification requirements pursuant to the Local Government Act.

CARRIED

DVP No. 90319 – Smith & Tomei – 2476 Nuttal Drive – Area E.

MOVED Director Hamilton, SECONDED Director Bibby, that Development Variance Permit Application No. 90319 submitted by Anthony Smith, to vary the minimum setback of 15.0 metres from the natural boundary of the retention pond and from the natural boundary of the drainage ditch to 5.0 metres and to approve a building envelope to facilitate the construction of a dwelling unit and attached garage on the property legally described as Lot 8, District Lot 52, Nanoose District, Plan VIS4626 be approved subject to the requirements outlined in Schedule Nos. 1, 2 3 and 4 and subject to notification requirements pursuant to the Local Government Act.

CARRIED

FRONTAGE RELAXATION

Request for Acceptance of Cash in-lieu-of Park Land Dedication & Relaxation of the Minimum 10% Frontage Requirement – Fern Road Consulting Ltd. on behalf of Windward Development (2002) Ltd. Inc. No. 640334 – Arrowsmith Way & Wembley Road – Area G.

MOVED Director Hamilton, SECONDED Director D. Haime, that the request, submitted by Fern Road Consulting Ltd., on behalf of Windward Development (2002) Ltd. Inc. No. 640334 for cash in-lieu-of park land dedication be accepted.

CARRIED

MOVED Director Hamilton, SECONDED Director D. Haime, that the request, submitted by Fern Road Consulting Ltd., on behalf of Windward Development (2002) Ltd. Inc. No. 640334 to relax the minimum 10% frontage requirement for proposed Lots 6 and 8, as shown on the plan of subdivision of Lot 2, District 29, Nanoose District, Plan 41955, Except Part in VIP72574, be approved.

CARRIED

Request for Acceptance of Park Land Dedication & Relaxation of the Minimum 10% Frontage Requirement – Koers & Associates on behalf of 3170497 Canada Inc., commonly known as Fairwinds Development – Carmichael Road – Area E.

MOVED Director Hamilton, SECONDED Director Bibby, that the request from Koers & Associates, on behalf of 3170497 Canada Inc., commonly known as Fairwinds Development, to relax the minimum 10% perimeter frontage requirement for Proposed Lots 2, 3, 4, 6 and 7 as shown on the Plan of Proposed Subdivision of Phase 9A be approved and the offer to dedicate park land in the location and amount as shown on the Plan of Proposed Subdivision of Phase 9A be accepted subject to Schedule No. 1 of the corresponding staff report.

CARRIED

Request for Relaxation of the Minimum 10% Frontage Requirement – K. vanWesten – Whiting Way – Area A.

MOVED Director Hamilton, SECONDED Director Kreiberg, that the request, submitted by K. vanWesten to relax the minimum 10% frontage requirement for proposed Lot 1 of the proposed subdivision of the Remainder of Lot 1, Section 1, Range 6, Cedar District, Plan VIP68894 as shown on the plan of subdivision be approved.

CARRIED

OTHER**Eagle Nest Tree Development Permit Areas.**

MOVED Director Hamilton, SECONDED Director D. Haime,:

That the staff report to establish development permit areas and guidelines to protect eagle nest trees and possibly the nesting trees of other endangered birds by proceeding with a Public Consultation Strategy, be received for information.

That staff be directed to proceed with the Public Consultation Strategy as outlined in Attachment No. 1. to the corresponding staff report.

That the Regional Board request that the Minister of Water, Land and Air Protection consider amendments to the Wildlife Act to include a buffer area around eagle nest trees and added protection for other endangered species.

That the Regional Board request that the Minister of Agriculture consider amendments to the Right to Farm Act or the incorporation of policies to provide buffer protection for eagle nest trees.

That the Regional Board encourage each member municipality to begin a public consultation process to introduce a regional standard of bylaw to protect eagle nest trees and a buffer around the trees.

That staff prepare a report on the feasibility and value of providing site specific Development Permit Areas based on qualified bird experts' advice, as an option to the minimum-standard specifications under current legislation.

COMMITTEE OF THE WHOLE STANDING COMMITTEE

CARRIED

MOVED Director Sherry, SECONDED Director Krall, that the minutes of the regular Committee of the Whole meeting held September 30, 2003 be received for information.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Alastair Kenning, City of Nanaimo, re RDN Drinking Water Initiative.

MOVED Director Krall, SECONDED Director Holdom, that the correspondence from the City of Nanaimo with respect to the RDN's drinking water initiative, be received.

CARRIED

Gillian Trumper, MLA, re West Coast General Hospital.

MOVED Director Holdom, SECONDED Director Westbroek, that the correspondence from Gillian Trumper, MLA, with respect to the Local Governments meeting held September 15, 2003, be received.

CARRIED

UNFINISHED BUSINESS

From the Committee of the Whole meeting held August 26, 2003.

Drinking Water Protection.

MOVED Director Bartram, SECONDED Director Hairnc, that the Board direct staff to organize a workshop that will assist the RDN in defining its role in drinking water protection.

CARRIED

MOVED Director Bartram, SECONDED Director Krall, that the Board direct staff to make application for a Local Government Infrastructure Planning Grant or a Smart Development Partnership to cover or offset the costs of a workshop.

CARRIED

MOVED Director Bartram, SECONDED Director D. Haine, that the Drinking Water Protection Workshop Terms of Reference be approved.

CARRIED

MOVED Director Bartram, SECONDED Director Krall, that, after the workshop, staff report back to the Board on the results of the workshop and with recommendations and specific cost implications and allocations regarding a drinking water protection strategy for the Regional District.

CARRIED

MOVED Director Holdom, SECONDED Director Westbroek, that any Regional District function arising from this initiative is to be funded by the participating and benefiting members only.

CARRIED

COMMUNITY SERVICES

REGIONAL GROWTH MANAGEMENT

Intergovernmental Advisory Committee Terms of Reference.

MOVED Director Krall, SECONDED Director Bartram, that the "Intergovernmental Advisory Committee Terms of Reference Update 2003" be approved.

CARRIED

Town of Qualicum Beach Request to Extend Community Sewer Service to Six Properties – Environmental or Public Health Reasons.

MOVED Director Westbrook, SECONDED Director Cantelon, that the Town of Qualicum Beach request for community sewer services for six properties for environmental or public health reasons be approved for:

- a) Subject Properties 1, 2, 3 and 4 (Lot 5, DL 112, Nanoose District, Plan 2663; Lot 6, DL 112, Nanoose District, Plan 2663; Lot B, DL 112, Nanoose District, Plan 68732; and Lot 1, DL 112, Nanoose District, Plan 42665), subject to the owners of the properties paying their share of the full capital, operating and connection costs for community sewer service and the registration of restrictive covenants on the properties to limit the development of the properties to the maximum level specified for land designated by the Regional Growth Strategy as Rural Residential in Policy 3A of the Regional Growth Strategy;
- b) Subject Property 5 (Lot A, DL 124, Nanoose District, Plan 42665), subject to the owner of the property paying their share of the full capital and operating and connection costs for community sewer service to the Regional Growth Strategy Industrial designated property;
- c) Subject Property 6 (Lot B, DL 88, Nanoose District, Plan VIP71580), subject to the approval of the incorporation of the property into the Town of Qualicum Beach, the owner of the property paying their share of the full capital, operating and connection costs for community sewer service, and the registration of a restrictive covenant on the property to limit the development of the property to the maximum level specified for land designated by the Regional Growth Strategy as Resource Lands and Open Space in Policy 3A of the Regional Growth Strategy.

CARRIED

MOVED Director Westbrook, SECONDED Director Cantelon, that staff be directed to bring forward a report and amendments to the Northern Community Sewer Local Service Area Development Cost Charge Area Bylaw and the Municipal Benefiting Area Bylaw to include the Subject Properties.

CARRIED

CORPORATE SERVICES

FINANCE

District 69 Ice Arena Conversion Bylaw No. 1358.

MOVED Director Bartram, SECONDED Director Bibby, that the Ice Arena conversion bylaw incorporate taxation limits as the greater of \$1,292,050 or a tax rate of \$0.35 per \$1,000 of assessment.

CARRIED

MOVED Director Bartram, SECONDED Director Longmuir, that "Regional District of Nanaimo District 69 Ice Arena Conversion Bylaw No. 1358, 2003", as amended, be introduced for first three readings and be forwarded to the Ministry of Community, Aboriginal and Women's Services for approval.

CARRIED

DEVELOPMENT SERVICES

BUILDING INSPECTION

Section 700 Filings.

MOVED Director Cantelon, SECONDED Director Kreiberg, 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 may be pursued:

- a) Lot 2, Section 12, Range 5, Cedar Land District, Plan VIP57855, 2030 Pace Road, Electoral Area 'A', owned by T. Hawthornthwaite;
- b) Parcel E (DD4013781) of Section 21, Gabriola Island, Nanaimo Land District, 371 Berry Point Road, Electoral Area 'B', owned by B & K Shopping Centre.

CARRIED

ENVIRONMENTAL SERVICES

LIQUID WASTE

Environmental Management Systems Implementation Plan.

MOVED Director Sherry, SECONDED Director Krall,:

That the Environmental Management Systems Implementation Plan for the Liquid Waste Department be approved.

That staff be directed to apply for funding assistance opportunities under the Green Municipal Enabling Fund and Local Government Infrastructure Planning Grant programs.

CARRIED

SOLID WASTE

Terms of Reference for the Regional Landfill Site Liaison Committee.

MOVED Director Sherry, SECONDED Director McNabb,:

That the terms of reference dated September 2003 for the Regional Landfill Site Liaison Committee be approved.

That the terms of reference be amended to increase the number of residents to be appointed to the Regional Landfill Site Liaison Committee from two to three.

CARRIED

UTILITIES

Reserve Fund Establishing Bylaws – Surfside Water Service Area Reserve Fund Bylaw No. 1360 and Arbutus Park Estates Water Service Area Reserve Fund Bylaw No. 1359.

MOVED Director Westbrook, SECONDED Director Hamilton, that "Surfside Water Service Area Reserve Fund Bylaw No. 1360, 2003" be introduced for first three readings.

CARRIED

MOVED Director Westbrook, SECONDED Director Hamilton, that "Surfside Water Service Area Reserve Fund Bylaw No. 1360, 2003" having received three readings be adopted.

CARRIED

MOVED Director Westbrook, SECONDED Director Hamilton, that "Arbutus Park Estates Water Service Area Reserve Fund Bylaw No. 1359, 2003" be introduced for first three readings.

CARRIED

MOVED Director Westbrook, SECONDED Director Hamilton, that "Arbutus Park Estates Water Service Area Reserve Fund Bylaw No. 1359, 2003" having received three readings be adopted.

CARRIED

Rural Streetlighting LSA Boundary Amendment Bylaw No. 791.09.

MOVED Director Sherry, SECONDED Director McNabb, that "Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.09, 2003" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Electoral Area 'A' Parks and Open Space Advisory Committee.

MOVED Director Kreiberg, SECONDED Director Longmuir, that the minutes of the Electoral Area 'A' Parks and Open Space Advisory Committee meeting held June 19, 2003 be received for information.

CARRIED

Nanoose Bay Parks & Open Space Advisory Committee.

MOVED Director Bibby, SECONDED Director Krall, that the minutes of the Nanoose Bay Parks & Open Space Advisory Committee meetings held June 23 and September 8, 2003 be received for information.

CARRIED

Transit Business Plan Update Select Committee.

MOVED Director Krall, SECONDED Director Westbrook,:

That the minutes of the Transit Business Plan Update Select Committee meeting held September 10, 2003 be received for information.

That Community Services staff be authorized to meet with representatives of School Districts 68 and 69 to discuss areas of possible service integration and that the CUPE Union locals representing both employee groups be invited to be present in those discussions.

CARRIED

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Longmuir, that the minutes of the District 69 Recreation Commission meeting held September 11, 2003 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Westbrook, that the Regional District of Nanaimo approve the Sublease with the Parksville Curling Club Society for the use of the District 69 Arena for the term of October 1, 2003 to March 31, 2008.

CARRIED

Regional Waste Advisory Committee.

MOVED Director Sherry, SECONDED Director McNabb, that the minutes of the Regional Waste Advisory Committee meeting held September 11, 2003 be received for information.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

West Coast General Hospital.

MOVED Director Krall, SECONDED Director D. Haime, that the Regional District of Nanaimo write to the Vancouver Island Health Association to request that the proposed bed closures at the West Coast General Hospital be reconsidered until further consultation is undertaken.

CARRIED

NEW BUSINESS

Interface Forest Fires.

MOVED Director Bartram, SECONDED Director Hamilton, that with a view towards the protection of life, property and the environment from interface forest fires in the RDN, staff be directed to prepare a report on interface fire mitigation techniques and make recommendations that, if approved by the Board, would be included in the Regional Growth Management Strategy and Official Community Plans as part of the RDN's future land development strategy; and further that a copy of all information with respect to interface fire mitigation techniques be forwarded to the Emergency Planning Committee for their information and input.

CARRIED

EXECUTIVE STANDING COMMITTEE

COMMISSIONS

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Intergovernmental Advisory Committee.

MOVED Director Sherry, SECONDED Director Cantelon, that the minutes of the Intergovernmental Advisory Committee meeting held September 17, 2003 be received for information.

CARRIED

Regional Growth Monitoring Advisory Committee/State of Sustainability Project.

MOVED Director Sherry, SECONDED Director Bartram, that the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held September 16, 2003 be received for information.

CARRIED

Health Capital Finance Select Committee.

MOVED Director Krall, SECONDED Director Hamilton, that the minutes of the Health Capital Finance Select Committee meeting held September 16, 2003 be received for information.

CARRIED

Community Bonds Select Committee.

MOVED Director Westbrook, SECONDED Director Cantelon, that the minutes of the Community Bonds Select Committee meeting held September 18, 2003 be received for information.

CARRIED

MOVED Director Westbrook, SECONDED Director Longmuir, that the Board abandon a community bond initiative and consider other alternatives which could reduce overall borrowing costs including using short term MFA financing and the proposal from the Town of Qualicum Beach to prepay or loan their portion of the project to the RDN.

CARRIED

ADMINISTRATOR'S REPORT

RDN Structure Removal Bylaw No. 1362 – 4025 West Island Highway – Area G.

MOVED Director Sherry, SECONDED Director Cantelon, that "Regional District of Nanaimo Structure Removal Bylaw No. 1362, 2003" be introduced and given three (3) readings.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Structure Removal Bylaw No. 1362, 2003", having received three (3) readings, be adopted.

CARRIED

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

CARRIED

NEW BUSINESS

Director Holdom asked whether an information report on Mt. Benson was coming forward to the next meeting. Staff indicated that they would prepare a follow up report.

Director Westbroek enquired about the letter sent to Chartwell residents and asked whether the letter was intended to be a joint communication between the Region and the Town. There appeared to be a misunderstanding on this issue.

BOARD INFORMATION

Comox Strathcona Regional District re Flood Hazard Management Responsibilities (p. 3-5)

MOVED Director Holdom, SECONDED Director Sherry, that the Board write a letter of support for the position of the Comox Strathcona Regional District and reaffirm the RDN's position with respect to Flood Hazard Management.

CARRIED

IN CAMERA

MOVED Director Sherry, SECONDED Director C. Haime, that pursuant to section 242.2(1)(e) of the Local Government Act the Board proceed to an In Camera meeting to consider the acquisition of land.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:38 PM

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

Burgoyne, Linda

From: Beetstra, Marion
Sent: Wednesday, November 12, 2003 10:54 AM
To: Burgoyne, Linda
Subject: Appl.#60354 - French Creek Estates

Development Permit submission for November 18th Board

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

From: Bernie Mason [mailto:berniemason@bcsupernet.com]
Sent: November 11, 2003 2:54 PM
To: Beetstra, Marion
Subject: Appl.#60354

Re: Variance Application No. 60354

We don't have any objection to the proposed changes of the setbacks since they are the same for setbacks for side and rear, backing onto park land. However, please be advised that the eagle tree nest shown in Attachment No. 2 seems to have been abandoned and the eagles have build a new nest in a tree approx. 10 meters to the east. This nest is clearly visible from Juan de Fuca Blvd. and could change the rear setbacks of lots 58 to 60.

Sincerely,
Donna & Bernd Mason
1633 Marine Circle
Lot 89

11/12/2003

PAGE
21



REGIONAL DISTRICT OF NANAIMO			
NOV 12 2003			
CHAIR		GMCrS	
CAO		GMDS	
GMCms		GMES	
		<i>Bill</i>	<input checked="" type="checkbox"/>
		DATE:	

MEMORANDUM

TO: Pamela Shaw
Manager of Community Planning

FROM: Keeva Kehler
Planner

SUBJECT: Zoning Amendment Application ZA 0310
Bylaw No. 1285.03, 2003 – GreenChoice Energy Ltd./ Fern Road Consulting Ltd.
Electoral Area 'F', Lot A, District Lot 182, Nanoose District, Plan VIP65017
2570 Peterson Road

DATE: November 7, 2003

FILE: 3360 30 0310

PURPOSE

To receive the Report of the Public Hearing containing the Summary of the Minutes and Submissions of the Public Hearing held October 29, 2003 with respect to Bylaw No. 1285.03, and further, to consider Bylaw 1285.03 for 3rd reading.

BACKGROUND

Bylaw No. 1285.03 was considered by the Board and given 1st and 2nd reading on October 14, 2003. Bylaw 1285.03 is the result of an amendment application submitted by Fern Road Consulting on behalf of GreenChoice Energy Ltd to rezone the 21.1 ha property legally described as Lot A, District lot 182, Nanoose District, Plan VIP65017 from A-1 (Agriculture-1) 1 to CD-14 2570 Peterson Road (see Attachment No. 3). The purpose of the application is to facilitate a commercial greenhouse operation on the subject property.

The subject property is located within the Provincial Agricultural Land Reserve and the proposed development is considered a 'farm use' permitted outright on ALR lands. The RDN cannot prohibit greenhouse development on ALR properties, but the current A-1 zone regulates parcel coverage restricting the scale of development. The applicants are requesting the amendment to the zoning to facilitate the development of 10 greenhouse ranges, a manager's residence, accessory office space and a hog fuel storage facility to a maximum parcel coverage of 50%. The A-1 zone limits parcel coverage to a maximum of 10% and does not provide an exemption for greenhouse development.

The Public Hearing concerning the proposed bylaw amendment was held Wednesday October 29, 2003. A summary of the proceedings is attached for the Board's consideration. (see Attachment No. 1)

ALTERNATIVES

1. To receive the Report of the Public Hearing on Zoning Amendment Application No. 0310, then give 3rd reading to Bylaw No. 1285.03.
2. To receive the Report of the Public Hearing on Zoning Amendment Application No. 0310 and abandon Bylaw No. 1285.03.

INTERGOVERNMENTAL IMPLICATIONS

Formal referrals with respect to this application were sent to the Vancouver Island Health Authority, Ministry of Transportation, Ministry of Water, Land and Air Protection, Ministry of Agriculture, Food and Fisheries, all RDN member municipalities, the Agricultural Land Commission, and the Nanoose Bay Fire Department for their review and comments. The following responses have been received:

Agricultural Land Commission (ALC) – the ALC fully supports the amendment application and recommends that the parcel coverage for the A-1 zone in Electoral Area 'F' be reviewed and increased to a higher number to allow for a variety of farm uses. 50% was considered to be an appropriate coverage for A-1 parcels.

Ministry of Agriculture, Food and Fisheries (MAFF) – MAFF concurred with the ALC's position and supports the amendment application to increase the parcel coverage from 10% to 50%.

Ministry of Transportation (MOT) – MOT stated that Peterson Road will have to be upgraded to Ministry standards and hard-surfaced with asphalt or chip seal and the storm retention pond will have to be designed and constructed for the 100-year return period to prevent impacts on downstream properties. MOT will not issue a commercial access permit until the road upgrades have been completed.

Vancouver Island Health Authority (VIHA) – The VIHA requires more details on future sewage disposal systems and requires an approved waterworks system prior to final adoption of the Bylaw.

City of Parksville – the City stated that its interest is ensuring that development does not adversely impact air quality, surface and ground water quality or have any adverse environmental impacts. Impacts on adjacent properties from lights, noise, chemicals, access, traffic and the hog fuel storage should be a consideration. Staff at the City had concerns about the volume of technical information submitted for an application of this nature. The proximity to a recently approved residential estate raises numerous concerns and inconsistencies.

PUBLIC CONSULTATION IMPLICATIONS

Pursuant to the notification requirements outlined in the *Local Government Act*, a public information meeting was held on August 27, 2003 and a public hearing was held on October 29, 2003. The summary of the Minutes and Submissions from the Public Hearing are attached (*see Attachment No. 1*). There were ten people in attendance at the Public Hearing and no presentations or comments were made during the Hearing. As mentioned in the Intergovernmental Implications, a number of agency referral comments were received prior to the Hearing and these are attached as Submissions (*see Attachment No. 2*).

VOTING

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

SUMMARY

The applicant is requesting consideration of a zoning amendment in order to facilitate the development of 10 greenhouse ranges with an area of 0.8 ha each, a manager's residence, accessory office space and a hog fuel storage facility to a maximum lot coverage of 50%. The Public Hearing was held on October 29, 2003 and the summary of the minutes and submissions are attached. Given the site location, OCI Policies that support the proposed agricultural use, and conditions to be secured by Restrictive Covenants

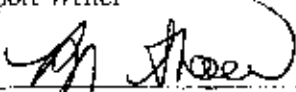
staff is of the opinion that relevant issues have been addressed and recommend that the Board consider this bylaw for 3rd reading. It is recommended that the applicants be required to meet the conditions of approval as outlined in Schedule No. 1 prior to the Board's consideration of 4th reading for Bylaw No. 1285.03, 2003.

RECOMMENDATIONS

1. That the Report of the Public Hearing containing the Summary of the Minutes and Submissions of the Public Hearing held October 29, 2003 on "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285.03, 2003", be received.
2. That "Regional District of Nanaimo Zoning and Subdivision Bylaw No. 1285.03, 2003" amending the zoning from A-1 (Agriculture-1) to CD-14 2570 Peterson Road be given 3rd reading for the property legally described as Lot A, District lot 182, Nanoose District, Plan VIP65017.
3. That the applicants be required to meet the Conditions of Approval as outlined in Schedule No. 1 prior to the Board's consideration of adoption.



Report Writer



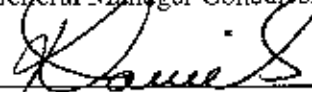
Manager Concurrence

COMMENTS:

devs/reports/2003/Nov 3360 30 0310 GreenChoice 3rd Reading.doc



General Manager Concurrence



CAO Concurrence

Schedule No. 1
Zoning Amendment Application No. ZA 3360 30 0310
Conditions of Approval

1. Air Quality

- a) The hog fuel/ clean wood waste burned in the gasifiers shall not contain more than 0.5% salt content and only clean hog fuel shall be used in the gasifiers.
- b) The emissions from the gasifiers shall not exceed 168mg/m³ of particulate matter (level indicated by applicants for straw) and 20% opacity.
- c) Spent fuel (ash) shall be disposed of in a manner approved by the Vancouver Island Health Authority and the Ministry of Water, Land and Air Protection.
- d) There shall be no onsite burning of plastic, paper, cardboard or solid wastes resulting from the greenhouse operation.

2. Water Quality

- a) A storm water detention pond designed by a Professional Engineer will be installed as shown on the site plan submitted by the applicants to detain runoff water from the greenhouses and prevent discharge onto adjacent properties in levels that exceed pre-development flows. The design is to include provisions for the facility to be used for fire protection with a suitable access, pipe and fire pump. The final design plan together with a report on the drainage implications shall be submitted to the Regional District of Nanaimo or secured by Restrictive Covenant prior to final adoption of the zoning amendment.
- b) The storm water detention pond will be properly maintained to prevent failure during severe storm events.
- c) Nutrient laden water flushed from the greenhouses will be adequately sterilized, filtered and directed into a separate detention/ evaporation pond. This pond shall also be lined to prevent seepage or leachate. No nutrient laden water shall be discharged into the storm water detention pond or permitted to flow into adjacent watercourses or groundwater systems. Acceptable sterilization methods include ozone treatment, heat treatment, ultraviolet light radiation treatment, membrane filtration or low-velocity sand filtration.
- d) Chlorine solutions used to clean tanks, irrigation lines and other equipment will not be discharged into the septic system without approval from the Vancouver Island Health Authority. Chlorine solutions shall not be permitted to discharge into the adjacent watercourses or into the groundwater/ aquifer.
- e) Collected irrigation leachate shall be recycled to reduce pressure on the aquifer by decreasing demand for water.
- f) No additional wells shall be drilled/ dug on the subject property without the written approval of the RDN.

3. Storage Facilities

- a) The storage of hog fuel or other wood waste shall be accessory to the agricultural use and the handling and storage of the hog fuel/ wood waste must not result in the leaching or seepage of contaminants into the soil or surface water.
- b) Fertilizers shall be stored in a dry, cool, well-ventilated area with a concrete (impervious) containment area where spills can be easily cleaned. Fertilizer packaging shall not be burned.

4. Noise Management

- a) The noise generated by the fans and dehumidifier equipment and ventilation systems shall not exceed 65 decibels at the property lines.
- b) In order to reduce the potential for noise impacts on adjacent landowners, all equipment used in the greenhouse operation will be regularly maintained.
- c) Activities that generate noise shall be restricted to regular working hours (i.e. Monday to Friday from 7am to 6 pm), except for the occasional operation of fans or other mechanical equipment necessary during periods of excessive heat or cold.

5. Vegetation Management

- a) A vegetated landscaped buffer with a width of 3.5 metres shall be installed and maintained along the northern boundary of the subject property.
- b) Landscaping shall be totally comprised of biologically diverse and drought resistant native vegetation. Individual plants to be used in the landscaping shall have normal, well developed branches and vigorous, fibrous root systems; such plants shall be healthy, vigorous and free from defects, decay, disfiguring roots, sunscald, injuries, abrasions of the bark, plant diseases, insect pests' eggs, borers and all forms of infestation or objectionable disfigurements
- c) Retention of existing vegetation is encouraged where possible.
- d) There shall be no removal of vegetation from the Covenant Area (VIP65018 and VIP65019) adjacent to Craig Creek.

6. Operating Conditions

- a) The existing stump dump activity will cease when the property is conveyed. The existing wood waste is to be removed within 30 days of conveyance.
- b) The operators of the greenhouse facility will obtain the necessary quota approval from the BC Vegetable Marketing Commission for any regulated commodities that may be grown on the site.
- c) The RDN will require ongoing monitoring of the storm water systems to ensure that there are no deleterious affects arising from the activities on the subject property. This monitoring will be done in accordance with 'Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002 Section 2.5 Runoff Control Standards.
- d) The RDN will require ongoing monitoring of the air quality and particulate emissions generated by the gasifiers by requiring annual reports on the emission levels for the first 5 years, and subsequently requiring reports every 3 years.
- e) The sewage disposal and septic system will be maintained in good working order to prevent any pollution of the surrounding area.
- f) All equipment and machinery associated with the greenhouse operation will be maintained in good working order as recommended by the manufacturers to prevent any negative impacts on adjacent landowners due to noise, smoke or other emissions.

7. Parking/ Access

- a) 114 parking spaces shall be provided as indicated on the site plan submitted by the applicant and shown in Schedule No. 4.
- b) Of the parking spaces provided, at least 2 handicapped parking spaces shall be provided. Each handicapped parking space shall be at least 3.7 metres wide and be clearly identified for its restricted usage by a sign incorporating the universal handicapped logo. The handicapped spaces shall be located as close as possible to a main accessible building entrance.
- c) All parking spaces shall be 5.2 metres in length and 3.0 metres in width.
- d) Peterson Road shall be upgraded to a minimum chip seal standard or other standard as required by the Ministry of Transportation.

7. Vancouver Island Health Authority

- a) The methods for sewage disposal for the manager's residence and the employees of the greenhouses shall be approved by the Vancouver Island Health Authority.
- b) The recommendations included in the reports prepared by Lewkowich Geotechnical Engineering Ltd. dated July 24, 2003 and August 7, 2003 will be followed, subject to VIHA approval.
- c) Applicant to obtain a Construction Permit from the VIHA for waterworks on the property prior to final adoption of the proposed Bylaw.

8. Access Permit

- a) A commercial access permit shall be obtained from the Ministry of Transportation prior to final adoption of the zoning amendment.

COVENANTS RUNNING WITH THE LAND

The applicants agree that all requirements set out in these conditions must be fulfilled prior to final adoption of the zoning amendment. All covenants are to be prepared and registered by the applicant to the satisfaction of the Regional District.

Groundwater Protection

The applicants will register a Section 219 Covenant stating that there will be no activities occurring on the property that will cause the leaching of deleterious substances into the aquifer or into surface watercourses. Further the applicants will agree that there will be no additional wells drilled or established on the subject property.

Air Quality

The applicants will register a Section 219 Covenant stating that the emissions from the gasifiers will not exceed 168mg/ m³ (value provided by applicants for straw combustion) and that ambient air quality will not be adversely affected by the greenhouse operation.

Ongoing maintenance of operating systems

The applicants will register a Covenant on the property agreeing that the storm water management system, septic disposal system, nutrient detention ponds and all other equipment will be maintained in optimal working order to ensure environmental protection of the property and surrounding areas. To

protect the aquifer and prevent excessive draw down on adjacent wells, there shall be no additional wells placed on the property.

**ATTACHMENT NO. 1
REGIONAL DISTRICT OF NANAIMO**

**REPORT OF THE PUBLIC HEARING HELD WEDNESDAY, OCTOBER 29, 2003 AT 7:00 PM
AT NANOOSE PLACE, 2925 NORTHWEST BAY ROAD, NANOOSE BAY, BC
TO CONSIDER REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1285.03, 2003**

SUMMARY OF THE MINUTES AND SUBMISSIONS

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

Present for the Regional District of Nanaimo:

Lou Biggemann	Chair, Director, Electoral Area 'F'
Joe Stanhope	Director, Electoral Area 'G'
Pauline Bibby	Director, Electoral Area 'E'
Robert Lapham	General Manager, Development Services
Keeva Kehler	Planner

There were 10 people in attendance at the Public Hearing.

There were no written submissions received during the Public Hearing. No comments or presentations were made during the Public Hearing.

The Chair, Director Biggemann opened the meeting at 7:00 pm, introduced those attending the meeting from the RDN.

The Chair stated the purpose of the Public Hearing and requested that staff explain the bylaw that was the subject of the Public Hearing.

The Planner provided a description of the Bylaw.

The Chair outlined the public hearing procedures invited submissions with respect to the proposed bylaw from the audience.

The Chair asked if there were any other comments or submissions.

The Chair asked for a second time if there were any other comments or submissions.

The Chair asked for a third time if there were any other comments or submissions.

Hearing none, the Chair thanked those in attendance and announced that the Public Hearing was closed. The Chair indicated that the Board of the Regional District would consider Bylaw No. 1285.03, 2003 at their Regular Board meeting to be held Tuesday, November 18, 2003 in the Board Chambers located at 6300 Hammond Bay Road in Nanaimo.

The meeting concluded at 7.10pm

Keeva Kehler

Keeva Kehler
Recording Secretary

ATTACHMENT NO. 2
SUBMISSIONS RECEIVED PRIOR TO THE PUBLIC HEARING
(Page 1 of 5)



VIA FACSIMILE
380-7511

October 27, 2003

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

Your file: 3360 30 ZA 310
Our file: 01-002-25403

Attention: Robert Lapham, General Manager
Development Services

Dear Sir:

RE: Application No. ZA 0310 to Amend "RDN Zoning and Subdivision Bylaw No.
1285, 2002" for Lot A District Lot 82, Nanoose District, Plan VIP65017-
Peterson Road

Thank you for your referral letter dated October 17, 2003, regarding the above-noted rezoning application. The Ministry of Transportation has reviewed this proposal, and advise we have no objection, subject to the following conditions:

1. Peterson Road is to be upgraded to current Ministry standards, and hard-surfaced with asphalt or chip seal.
2. The Ministry has received an application for commercial access at five (5) locations on Peterson Road. A commercial access permit will not be issued until the road upgrades have been completed to our satisfaction.
3. The storm retention pond is to be designed and constructed for the 100-year return period to protect potential impact to downstream properties.

If you have any questions, or require additional information, please do not hesitate to call me at (250) 751-3259, or e-mail me at Debbie.O'Brien@gems9.gov.bc.ca.

Yours truly,

A handwritten signature in cursive script that reads "D. O'Brien".

Debbie O'Brien
District Development Technician
Vancouver Island District

DLO/ved/25403.doc

Ministry of
Transportation

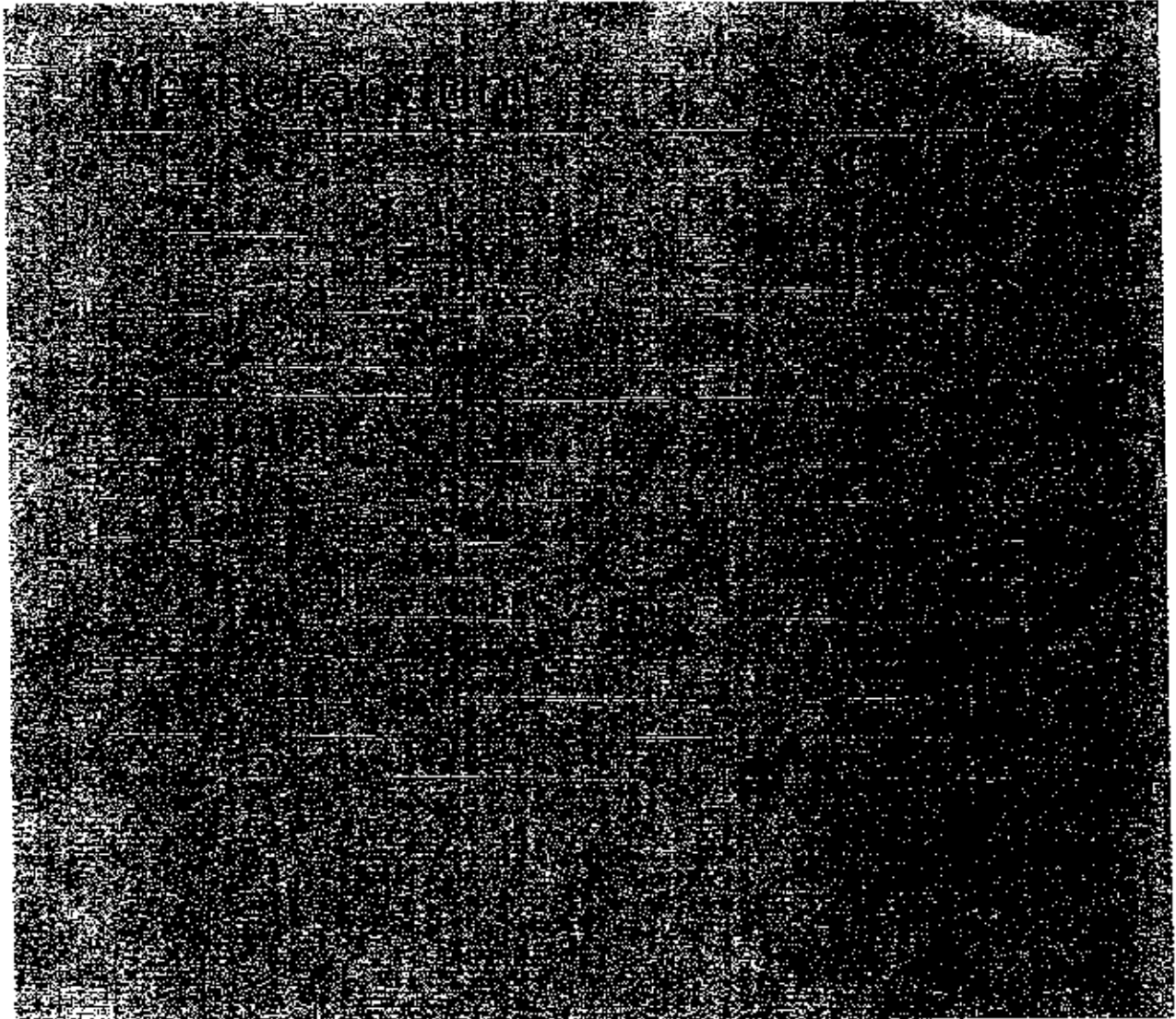
Vancouver Island District
South Coast Region

Mailing Address:
Third Floor
2100 Labien Road
Nanaimo BC V9T 6E9

Telephone: (250) 751-3246
Facsimile: (250) 751-3250

Web Address:
www.gov.bc.ca/iran

(Page 2 of 5)



(Page 3 of 5)



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

October 28, 2003

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

VIA FAX: (250) 390-7511

PAGE 1 OF 1

**ATTENTION: ROBERT LAPHAM,
GENERAL MANAGER, DEVELOPMENT SERVICES**

Dear Sirs:

SUBJECT: APPLICATION NO. ZA0310 [GREEN CHOICE ENERGY]

We are unable to have this referral in front of Council and still meet your statutory deadline; therefore, we shall provide you with some general staff comments.

In general, the City supports the economic use of agricultural lands.

On a site-specific basis however, the City's interest would be that the development not adversely impact air quality, surface water quality (Englishman River) and groundwater quality or have any adverse environmental impacts. Impacts on adjacent properties from lights, noise, chemicals, access, traffic and the hog fuel should also be a consideration.

At the staff level, we do not perceive that the application has sufficient technical information for an application of this nature. However, we may not be aware of the full information that you have received. Likewise, at the staff level, we note the need to work through interface conditions. The proximity to a recently approved residential estate development raises numerous concerns and inconsistencies.

On a further note, we would kindly request that your office give the City adequate time to respond to these referrals. The referral was received via fax on October 20, 2003 with comments requested no later than October 29, 2003. This is inadequate and we would suggest a minimum of 30-day response time in order to allow staff to submit a report to Council.

Yours truly,

GAYLE A. JACKSON
Director of Community Planning

GAJ/sh

G:\0480-RDN\Lapham-6

pc R. D. Roycroft, MCIP, City Manager

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(Page 4 of 5)

Kehler, Keeva

From: Cheetham, Roger LRC:EX [Roger.Cheetham@gems9.gov.bc.ca]
Sent: Thursday, October 23, 2003 3:14 PM
To: Kehler, Keeva
Cc: Haddow, Wayne AGF:EX; Hatfield, Jill AGF:EX
Subject: RE: application No.. ZA0310 - Your letter dated 17th October



34048m1.doc

In reply to the letter from the Regional District dated 17th October and further to our discussion on 23rd October 2003 we note that the intention of the amendment is to increase the coverage for greenhouses to 50%. We fully support this amendment and draw to your attention to the comments made in our letter dated 15th May 2002, copy attached, wherein we expressed reservations with regard to the 10% coverage proposed for Electoral Area F A-1 zone. Accordingly we take this opportunity of suggesting once again that consideration be given to increasing the coverage in the A-1 zone as a whole to a much higher figure - to be consistent with the current amendment we suggest that this might appropriately be 50% .

Roger Cheetham, Planning Officer

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Kehler, Keeva

From: Haddow, Wayne AGF:EX [Wayne.Haddow@gems3.gov.bc.ca]
Sent: Friday, October 24, 2003 4:35 PM
To: Kehler, Keeva
Cc: Hatfield, Jill AGF:EX; Cheetham, Roger LRC:EX
Subject: RE: application No.. ZA0310 - Your letter dated 17th October

I am in agreement with Roger Cheetham's' comments from the Agricultural Land Commission. Likely MAFF should have encouraged the allowance for a larger lot coverage than 10% specified within the A1 zone. Up to the time of this particular greenhouse proposal it was felt that this area of the Island was not a primary site for the location of greenhouse facilities. Most of the south east coast of the Island is relatively well suited to greenhouse production, however the key areas for sunshine hours are recognized as Saanich, Mill Bay/Cobble Hill and Comox.

With regards to this particular application(ZA0310), MAFF is in support of the rezoning application to increase lot coverage from 10 to 50%. As identified by the Regional District the issues of storm water management, waste water management, water supply and access appear to be adequately addresses by the applicant.

Wayne Haddow
Regional Agrologist
BC Ministry of Agriculture, Food and Fisheries
5785 Duncan street, Duncan B.C.
V9L 5G2
250-746-1210

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ATTACHMENT NO. 3
Zoning Amendment Application No. 3360 30 0310
Proposed Bylaw CD-14 2570 Peterson Road

CD-14 2570 Peterson Road	Section 4.37
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4.37.1 Permitted Principal Uses

- a) Dwelling Unit
- b) Farm Use

4.37.2 Permitted Accessory Uses

- a) Accessory Buildings and Structures
- b) Farm Business
- c) Home Based Business

Notwithstanding the Permitted Principal Uses listed above, any use designated or permitted to be a farm use by the Agricultural Land Commission or the Ministry of Agriculture, Food and Fisheries is permitted within this zone.

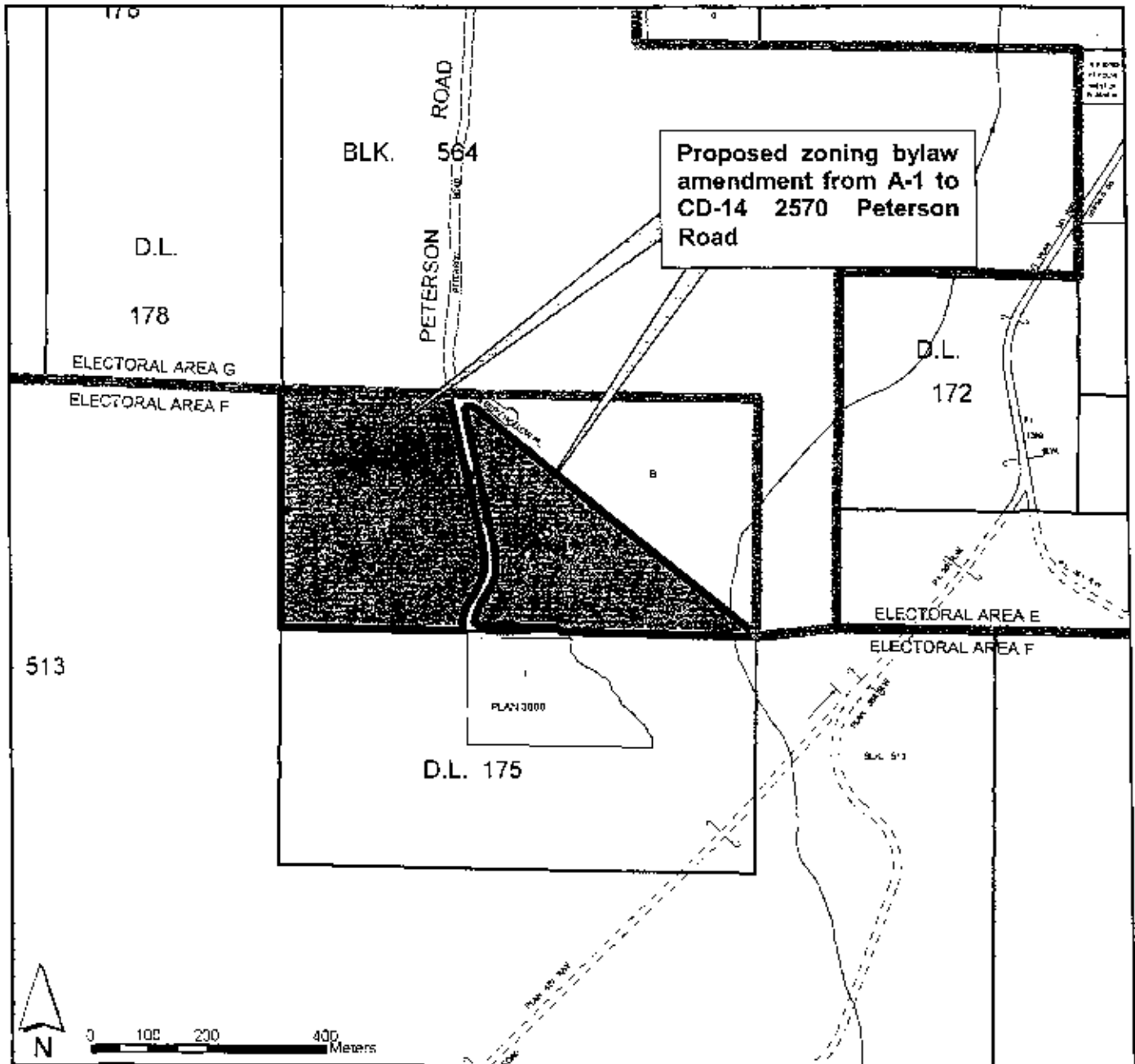
4.37.3 Regulations Table

Category	Requirements
a) Maximum Density	2 Dwelling Units per lot, provided that one Dwelling Unit is a Manufactured Home.
b) Minimum Lot Size	20 ha
c) Minimum Lot Frontage	100 metres
d) Maximum Lot Coverage	50%
e) Maximum Building and Structure Height	10 metres
f) Minimum Setback from	
i) Front and Exterior Side Lot Lines	4.5 metres
ii) All Other Lot Lines	4.5 metres
g) Minimum Setback of all buildings or structures housing livestock or manure from all lot lines and/ or watercourses	30 metres
h) Runoff Control Standards	As outlined in Section 2.5
i) General Regulations	Refer to Section 2 – General Regulations
j) Parking Regulations	114 spaces, 2 of which shall be designated as handicapped spaces

4.37.4 Regulations

- a) The maximum lot coverage of 50% is intended to allow for a **greenhouse facility** and accessory structures only. If the property is being used for purposes other than a greenhouse facility, the maximum lot coverage shall be limited to 10%

ATTACHMENT NO. 4
Location of Subject Property
Lot A, District lot 182, Nanoose District, Plan VIP65017



REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, OCTOBER 28, 2003, AT 6:35 PM
IN THE RDN BOARD CHAMBERS

Present:

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

Also in Attendance:

B. Lapham	General Manager, Development Services
N. Tonn	Recording Secretary

LATE DELEGATION

MOVED Director Kreiberg, SECONDED Director D. Haime, that a late delegation be permitted to address the Committee.

CARRIED

Gerald James Rupp, re DVP No. 9623 – 1570 Fawcett Road – Area A.

Mr. Rupp provided additional information with respect to his development permit application and asked that the Committee approve the siting variances and permit the construction of an accessory building.

MINUTES

MOVED Director Stanhope, SECONDED Director Bibby, that the minutes of the Electoral Area Planning Committee meeting held September 30, 2003 be adopted.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Zoning Amendment Application No. ZA0312 – Richard Irwin on behalf of Tower Fence Products – 1882 Fielding Road – Area A.

MOVED Director Kreiberg, SECONDED Director Bibby,:

1. That the minutes from the Public Information Meeting held on October 15, 2003 be received.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.297, 2003" be given 1st and 2nd reading.
3. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.297, 2003" proceed to public hearing.
4. That the public hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.297, 2003" be delegated to Director Kreiberg or his alternate.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

DP Application No. 60351 – Hawthorne & Anscombe – 816 Flamingo Drive – Area G.

MOVED Director Stanhope, SECONDED Director Bibby, that Development Permit Application No. 60351, submitted by Fern Road Consulting, Agent, on behalf of Robert Hawthorne and Lorna Anscombe, for property legally described as Lot 4, District Lot 10, Newcastle District, Plan VIP73563, to vary the maximum accessory building height within the Residential 2 (RS2) zone from 6.0 metres to allow for construction of a detached garage at 9.7 metres GSC be approved subject to the conditions outlined in Schedules No. 1, 2, 3 and 4 of the staff report and subject to the notification requirements pursuant to the *Local Government Act*.

CARRIED

DP Application No. 60352 – Fern Road Consulting Ltd./Pepler – 3395 Blueback Drive – Area E.

MOVED Director Bibby, SECONDED Director Biggemann, that Development Permit Application No. 60352, submitted by Fern Road Consulting Ltd., on behalf of William Richard Pepler, for the property legally described as Lot 33, District Lot 78, Nanoose District, Plan 15983 requesting to:

1. Relax the minimum setback requirement for the inland top of slope of 30% or greater adjacent the sea from 8.0 metres to 4.0 metres in order to accommodate the siting of two terraced riprap retaining walls;
2. Relax the minimum setback requirements for both interior side lot lines from 2.0 metres to 0.0 metres in order to accommodate the siting of two terraced riprap retaining walls;
3. Relax the maximum dwelling unit height from 8.0 metres to 9.5 metres in order to accommodate the siting of the dwelling unit

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

CARRIED

DP Application No. 60354 – French Creek Estates Ltd. – Columbia Drive – Area G.

MOVED Director Stanhope, SECONDED Director Bibby, that Development Permit Application No. 60354, submitted by W.R. Colclough, Agent, on behalf of French Creek Estates, to relax the minimum setback requirement for four corner lots within a Residential 5 (RS5) zone as set out in Schedule No. 3 of the corresponding staff report, for the property legally described as Lots 1 and 2, District Lot 28, Nanoose District, Plan VIP62528, be approved subject to the conditions outlined in Schedules No. 1, 2, and 3 and subject to the notification requirements pursuant to the *Local Government Act*.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

DVP Application No. 9623 Addendum – Gerald Rupp – 1570 Fawcett Road – Area A.

MOVED Director Kreiberg, SECONDED Director Biggemann, that Development Variance Permit No. 9623, issued to Gerald Rupp, to vary the minimum setback requirements for a rear lot line from 2.0 metres to 1.0 metres and for a side lot line from 2.0 metres to 1.0 metres for the property legally described as Lot 13, Plan 3779, Section 17, Range 4, Cedar Land District be re-issued, subject to the notification requirements pursuant to the *Local Government Act* and subject to the conditions as outlined in Schedule No. 1.

CARRIED

DVP Application No. 90321 – RG Fuller & Associates on behalf of Land & Water BC – Alberni Highway – Area F.

MOVED Director Biggemann, SECONDED Director D. Haine, that Development Variance Permit Application No. 90321, submitted by RG Fuller & Associates Ltd. on behalf of Land & Water BC, to allow the creation of a non-contiguous lot in conjunction with the proposed subdivision of District Lot 104 and Lot 1, DL 94, Plan 12937, Except Part in Plan VIP61775, Both of Nanoose District, be approved as shown on Schedule No. 1 subject to notification procedures pursuant to the *Local Government Act*.

CARRIED

OTHER

Building Strata Conversion Application – Fern Road Consulting Ltd. on behalf of Ocean Place Holdings Ltd. – 1600 Stroulger Road – Area E.

MOVED Director Bibby, SECONDED Director Stanhope, that the request from Fern Road Consulting Ltd., on behalf of Ocean Place Holdings Ltd. for the commercial building strata conversion of 5 units as shown on the Phased Strata Plan of Lot A, Plan VIP51529, DL 22, Nanoose District and DL 2000 Nanaimo District, be approved.

CARRIED

Technical Review Planning Project – Bylaw No. 500 – Public Consultation Framework.

MOVED Director Stanhope, SECONDED Director Bibby,:

1. That the staff report on the Bylaw No. 500 Planning Project be received.
2. That the Public Consultation Framework as set out in Attachment No. 1 of the staff report be endorsed by the Board.

CARRIED

Aquaculture – OCP and Zoning Amendments Issues & Public Consultation Framework.

MOVED Director Bibby, SECONDED Director Kreiberg,:

1. That the staff report on Aquaculture be received.
2. That the Board approve the proposed direction outlined in the report and direct staff to prepare draft bylaws and OCP policies for its review and referral to appropriate agencies.
3. That the Board direct staff to investigate entering into an agreement with LWBC to ensure that the RDN receives referrals on new lease applications and expansions.

MOVED Director Barram, SECONDED Director Stanhope, that this item be referred back to staff for further information prior to going to the Board.

CARRIED

ADJOURNMENT

MOVED Director D. Haimc, SECONDED Director Bibby, that this meeting terminate.

CARRIED

TIME: 6:59 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, OCTOBER 28, 2003, AT 7:00 PM
IN THE RDN BOARD CHAMBERS**

Present:

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

Also in Attendance:

K. Daniels	Chief Administrative Officer
C. Mason	General Manager of Corporate Services
B. Lapham	General Manager of Development Services
N. Connelly	General Manager of Community Services
J. Finnie	General Manager of Environmental Services
N. Avery	Manager of Financial Services
C. McIver	Manager of Solid Waste
N. Tonn	Recording Secretary

DELEGATIONS

Sherry Sheffman & Dave Bennett, Terasen, re Proposed Liquid Natural Gas Facility on Vancouver Island.

Ms. Sheffman, Manager, Communications and Mr. Bennett, Manager, Planning & Business Development provided a visual and verbal overview of the proposed liquefied natural gas facility on Vancouver Island. Printed material was also distributed to all Committee members. A request was made to the Committee to support construction of an LNG storage facility on Vancouver Island and to assist in sourcing out potential suitable sites for a LNG facility within the boundaries of the RDN.

Gail Adrienne, Nanaimo Area Land Trust, re Core Funding Support.

Members of the Nanaimo Area Land Trust provided a visual and verbal presentation highlighting a number of NALT past projects as well as future plans and requested core funding support from the RDN in the amount of \$16,000.

LATE DELEGATION

MOVED Director Krall, SECONDED Director Cantelon, that a late delegation be permitted to address the Committee.

CARRIED

Glen Thornton, re Proposed Liquid Natural Gas Facility on Vancouver Island.

Mr. Thornton raised his concerns as well as those of members of the Nanoose Property Owners and Residents Association with respect to the existing gas pipeline which currently passes through Nanoose Bay and any possible hazard it may cause to Nanoose residents.

MINUTES

MOVED Director Sherry, SECONDED Director McNabb, that the minutes of the regular Committee of the Whole meeting held September 30, 2003 be adopted.

CARRIED

COMMUNITY SERVICES

Nanaimo Area Land Trust Update on Mount Benson.

MOVED Director Cantelon, SECONDED Director Krall, that the update report on Mount Benson and the efforts of the Nanaimo Area Land Trust be received for information.

CARRIED

CORPORATE SERVICES

ADMINISTRATION

Policy A1.2 – Distribution of Agendas.

MOVED Director Bibby, SECONDED Director Sherry, that the Board approve proposed amendments to Policy A1.2 Distribution of Agendas to provide full agendas, excluding in camera agendas, to all alternate directors and to the District of Lantzville Administrator.

DEFEATED

MOVED Director C. Haime, SECONDED Director McNabb, that the Board approve an amendment to Policy A1.2 Distribution of Agendas circulation list to receive full agendas, to include the District of Lantzville Administrator.

CARRIED

Regional Services Review – Terms of Reference.

MOVED Director Sherry, SECONDED Director Krall,:

1. That the Board approve the Terms of Reference as presented.
2. That a contingency of \$60,000 be included in the 2004 General Administration Budget to cover the potential cost of referendums next year.

MOVED Director D. Haime, SECONDED Director Hamilton, that this item be referred to a Board workshop to allow Directors an opportunity to review and comment on the terms of reference prior to approval.

CARRIED

FINANCE

Financing Alternatives for Oceanside Place.

MOVED Director Westbrook, SECONDED Director C. Haime,:

1. That short term financing for the multiplex project be used as long as possible and that long term debt be secured at a target rate between 6.3% and 6.8%.
2. That the proposal by the Town of Qualicum Beach to act either as a short term lender or to immediately prepay its share of the capital costs be accepted.
3. That if the Town of Qualicum Beach chooses to act as a short term lender, that it do so under the same terms and conditions as if the funds were borrowed from the Municipal Finance Authority and that its funds remain as a prepayment when long term debt is secured.

MOVED Director Westbrook, SECONDED Director Sherry, that the motion be amended to read as follows:

That short term financing for the multiplex project be used as long as possible and that long term debt be secured at a target rate between 6.3% and 6.8%; and further that the Town of Qualicum Beach be approached to act as a lender or be permitted to pre-pay their share of costs at the time of securing long term funds.

CARRIED

The question was called on the motion as amended.

The motion CARRIED.

DEVELOPMENT SERVICES

BUILDING INSPECTION

Section 700 Filings.

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

It was noted that the following filing has been resolved:

Lot A, District Lot 1, Nanoose Land District, Plan VIP66765, 981 Maple Lane, Electoral Area 'G', owned by D. Powers.

MOVED Director Krall, SECONDED Director Kreiberg, 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 may be pursued:

- (a) That part of Lot 3, Sections 11 and 12, Range 7, Cranberry Land District, Plan 3153, Lying within said Section 11, except that part in Plan 11018 and Plan 3372W, 2180 South Wellington Road, Electoral Area 'A', owned by R. Soderstrom;
- (b) Lot 1, Section 14, Range 4, Cedar Land District, Plan 26045, 1841 Shasta Road, Electoral Area 'A', owned by Estevan Engineering Ltd.;

CARRIED

ENVIRONMENTAL SERVICES

LIQUID WASTE

Greater Nanaimo Pollution Control Centre Dewatering Upgrade.

MOVED Director McNabb, SECONDED Director Sherry, that the Regional District of Nanaimo award supply of a centrifuge for the GNPCC Dewatering upgrade for the tendered amount of \$322,070 to Alfa Laval.

CARRIED

SOLID WASTE

Notice of Intent to Issue Landfill Operational Certificate No. MR-01714.

MOVED Director Sherry, SECONDED Director McNabb,:

1. That the Board accept the attached Operational Certificate as drafted by the Regional Waste Manager and publish the Notice of Intent; and
2. That the Board approve the establishment of a new Environmental Technician position for the Solid Waste Department to inspect, maintain and operate the environmental protection systems required in the Operational Certificate.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Grants-In-Aid Committee.

MOVED Director Hamilton, SECONDED Director McNabb, that the minutes of the Grants-in-Aid Committee meeting held October 20, 2003 be received for information.

CARRIED

MOVED Director Hamilton, SECONDED Director McNabb, that the following grants be approved:

School District 68:

Cedar Community Association	\$ 2,632
Cedar School & Community Enhancement Society	\$ 879
The Hope Centre	\$ 565
Nanaimo Search & Rescue Society	\$ 750
	<u>\$ 4,826</u>

School District 69:

District 69 Society of Allied Support Groups	\$ 500
District 69 Volunteer Association	\$ 2,690
Lighthouse Country Marine Rescue Society	\$ 2,500
Mount Arrowsmith Elder Abuse Prevention Comm.	\$ 310
Oceanside Community Arts Council	\$ 1,000
Parksville Qualicum Beach & District BCSPCA	\$ 500
RCMP Auxiliary	\$ 500
TOTAMS – Time Out for Tots & Moms	\$ 450
	<u>\$ 8,450</u>

CARRIED

Regional Library Board.

Director Bibby provided a verbal update with respect to the Regional Library Board's 2003/04 budget

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Proposed Liquid Natural Gas Facility on Vancouver Island.

MOVED Director Krall, SECONDED Director Westbrook, that the Regional District of Nanaimo indicate to Terasen Gas that the Board is willing to consider location of the Liquefied Natural Gas storage facility proposed for Vancouver Island within the regional boundaries subject to resolution of any technical issues related to fire and seismic safety, aesthetics, structural considerations and other issues including the environmental impact.

CARRIED

Nanaimo Area Land Trust Core Funding Support.

MOVED Director Krall, SECONDED Director Cantelon, that the request from the Nanaimo Area Land Trust for core funding be referred to the 2004 budget process.

CARRIED

NEW BUSINESS

Mines Act Permit Amendment Application – Copcan Contracting Limited - Jameson Road.

MOVED Director D. Haime, SECONDED Director McNabb, that a letter be sent to the Chief Inspector of Mines stating that the Regional District of Nanaimo does not support the amendment, stating clearly that crushing/processing is against our zoning and land use bylaws, the community's OCP and is in contradiction of the public consultation process the RDN was part of in 1999/2000.

CARRIED

MOVED Director D. Haime, SECONDED Director McNabb, that the Board reaffirm to the residents that if crushing/processing takes place on the Jameson Road property the Regional District of Nanaimo will take action if its bylaws are contravened.

CARRIED

Financing Alternatives for Oceanside Place.

Director Bartram requested more information prior to the next Board meeting on options to finance Oceanside Place.

IN CAMERA

MOVED Director Sherry, SECONDED Director Cantelon, that pursuant to Section 242.2(1)(h) of the *Local Government Act* the Board proceed to an In Camera meeting to consider legal matters.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 8:42 PM

CHAIRPERSON

**Minutes for the Meeting held:
Wednesday, October 29, 2003 @ 1:30 PM
Regional District of Nanaimo – Committee Room
6300 Hammond Bay Road, Nanaimo, BC**

Present:

Neil Connelly, RDN
Christina Thomas, RDN
David Coombe, VIHA
Cheryl Wirsz, Parksville

Bob Lapham, RDN
Ian Howatt, Lantzville
Wayne Moorman, RDN

Regrets:

Brian Mehaffey, Nanaimo
Paul Butler, Qualicum Beach

Item

1. Call to order.

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

2. Minutes from the Last Meeting (Sept. 17, 2003)

The minutes were approved as presented.

3. Old Business – Quick Updates

a) IAC Terms of Reference

C. Thomas updated the Committee about the status of the IAC Terms of Reference. It was noted that the draft IAC Terms of Reference considered at the Sept.17/03 IAC meeting had been amended to reflect the IAC suggestion that provision be made for an annual meeting of the entire IAC ('core' and 'resource' members), and that the RDN Board approved the amended Terms of Reference on Oct.14/03.

b) Town of Qualicum Beach Request for Community Sewer Service for 6 Properties for Environmental or Public Health Reasons

C. Thomas updated the Committee about the status of the Town of Qualicum Beach Request for community sewer service for 6 properties for environmental or public health reasons. It was noted that the RDN staff report to the Board reflected the Committee's support for the proposal and the suggestion that the provision of services to the property that is presently located outside of the Town be conditional upon its inclusion in the Town. It was also noted that on Oct.14/03 the RDN Board approved the Town's request, with specified conditions to ensure compliance with the Regional Growth Strategy. It was noted that steps will now be taken to amend the necessary development cost charge area and municipal benefiting area bylaws and to determine the appropriate capital, operating, connection and development cost charges for providing the services to the properties.

c) Meeting of Highway Liaison Committee to discuss Vancouver Island Highway Implementation Agreement

C. Thomas noted that a meeting of the Highway Liaison Committee has been set for Wed. Nov. 12/03 at the RDN Administration Office at 12:00 PM. It was noted that Mike Proudfoot (Ministry of Highways), Dave Edgar (Ministry of Highways), Allan Le Fevre (Ministry of Community, Aboriginal and Womens Services), Brian Mehaffey (City of Nanaimo), Gayle Jackson and Cheryl Wirsz (City of Parksville), Ian Howatt (District of Lantzville), and Paul Butler (Town of Qualicum Beach) will be attending.

Beach) and C. Thomas (RDN) had confirmed their attendance at the meeting. It was noted that the agenda for the meeting would be circulated to the participants approximately one week in advance of the meeting.

d) *Drinking Water Protection Workshop*

C. Thomas noted that on Oct. 14/04 the RDN Board approved Terms of Reference and a Consultation Plan for a Drinking Water Protection Workshop, and that the Ministry of Health Planning has committed to funding the projected \$14,000 hard costs associated with the event. It was noted that the timeframe for the initiative would be adjusted to reflect the later than anticipated start date, and that it is anticipated that the workshop will take place in Feb. or March of 2004. Committee ideas and comments regarding the workshop discussion paper and the workshop were invited.

D. Coombe provided an update regarding the new Drinking Water Protection Act (DWPA) and its implementation in the region. It was noted that the Vancouver Island Health Region is in the process of hiring a Drinking Water Protection Officer (DWPO) and an additional public health engineer, using new funding of approximately \$300,000 provided by the Province for drinking water protection work. It was noted that the DWPA is geared towards community water systems and not wells, that the DWPO will primarily provide a coordination and reporting function as it relates to drinking water protection, that the DWPA requires the preparation of emergency response plans, and that the DWPA enables the DWPO to require specific identified areas to prepare drinking water protection plans.

There was general discussion regarding issues related to the operation of small water systems (e.g. emergency response plans, liability, insurance, responsibilities, meeting specified standards, financing, etc.).

4. **New Business**

a) *Report to IAC re: Provision of Community Water and Community Sewer Service to Land Designated by the Regional Growth Strategy as Rural Residential or Resource Lands and Open Space for Environmental or Public Health Reasons*

C. Thomas provided an overview of the approach proposed in the report regarding decision making about what land should be provided community water and or community sewer service to address environmental or public health problems, as well as a historical overview of the Regional Growth Strategy servicing policy and the reasons for the more flexible servicing policy approach in the recently adopted Regional Growth Strategy. The approach proposed reflects discussion with the Vancouver Island Health Authority and the Ministry of Water, Land and Air Protection, as well as discussion about the topic at previous IAC meetings. The approach involves each municipality and electoral area conducting a planning process to identify lands which it deems potentially in need of community water and or community sewer service to address an environmental or public health problem. Criteria are provided for each municipality and electoral area to take into consideration, at their discretion, in the identification exercise. It was noted that the report proposes that staff develop a draft implementation agreement based on the approach contained in the report and provide it for further discussion at a future IAC meeting. Committee perspectives were invited.

R. Lapham indicated that there is an urgency to adopt an approach to decision making about what properties are provided community water and community sewer service for environmental or public health reasons given that the RDN is in receipt of several requests for servicing for these reasons and a decision had been made recently regarding the provision of services for these reasons for property in the Town of Qualicum Beach.

R. Lapham suggested that agreement be reached regarding what constitutes a "greater level" or "additional" development in the context of decisions to provide services for environmental or public health threats, and that consideration be given to excluding water utilities from the definition of a "community water service" to ensure that the RGS is implemented as intended.

J. Howatt indicated that he wanted to ensure the approach taken would not be overly prescriptive as it relates to the Lantzville OCP which is scheduled to be reviewed soon.

N. Connelly indicated that RDN staff would contact the Nanaimo and Qualicum Beach representatives to solicit their perspectives about the approach.

The idea of adopting an interim board policy position on the matter, to be used until the implementation agreement is completed, was discussed.

b) Report to IAC re: Regional Context Statements Content and Format

C. Thomas provided an overview of the approach proposed for developing the content of Regional Context Statements (RCS), as well as background information regarding the new Regional Growth Strategy (RGS) requirement for electoral area OCPs to include a RCS as well as municipal OCPs. It was noted that the approach proposes that each OCP RCS answer a set of questions that have been developed to identify consistencies and inconsistencies between the RGS and the OCP. Committee perspectives were invited. The Committee concurred with the approach proposed regarding RCS content.

C. Thomas noted that RDN staff would bring forward a report to a future IAC meeting regarding the process for developing and reviewing RCSs, for IAC comment and discussion.

5. **Next Meeting.**

The next meeting was scheduled for **Wed., Dec.3/03 @ 1:30 PM** at the RDN Administration office in the Committee Room. Topics scheduled for discussion include: a draft implementation agreement regarding the provision of community water and community sewer Service to land designated by the Regional Growth Strategy as Rural Residential or Resource Lands and Open Space for environmental or public health reasons – based on the approach discussed at the Oct.29/03 meeting – for further discussion, the process for developing and reviewing Regional Context Statements, and the review of the Urban Containment and Fringe Area Management Implementation Agreement to create agreements regarding urban containment and rural protection.

6. **Other Business**

No other business was raised.

7. **Adjournment.**

N. Connelly adjourned the meeting at approximately 3:30 PM.

Chair, Neil Connelly

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE
REGIONAL GROWTH MONITORING ADVISORY COMMITTEE /
STATE OF SUSTAINABILITY PROJECT MEETING
HELD ON TUESDAY, OCTOBER 21, 2003 AT 7:00 PM
IN THE RDN COMMITTEE ROOM**

Present:

Director B. Holdom	Chairperson
Director D. Bartram	Deputy Chairperson
Douglas Anderson	
Gordon Buckingham	
Betty Collins	
Janet Farooq	
Adele McKillop	
Ross Peterson	
Sylvia Neden	
Sharon Thompson	

Also in Attendance:

Christina Thomas	Senior Planner, Community Services
Neil Connelly	General Manager, Community Services

Absent:

Brian Anderson

CALL TO ORDER

Director Holdom called the meeting to order at approximately 7:15 PM, and outlined issues that had been raised by Committee members via e-mail since the last meeting. Issues raised included the chairmanship of the Committee by a Board member as opposed to resident member of the Committee, population growth rates in rural versus urban areas, the name of the Committee, and the sequence of events in the approval of Committee meeting minutes.

C. Thomas clarified that the name of the Committee is the Regional Growth Monitoring Advisory Committee, and that the Committee's responsibilities are as described in the State of Sustainability Project Citizen Committee Terms of Reference.

MINUTES

The minutes of the previous meeting (September 16, 2003) were received as presented.

In response to a Committee member query, C. Thomas noted that meeting minutes would be brief and provide a record of key Committee actions and decisions, like the RDN Board and Committee of the Whole minutes, rather than provide a more detailed or verbatim report of all Committee meeting discussion. Staff will make note of key discussion items for reference purposes.

OLD BUSINESS

C. Thomas distributed articles about regional districts and sustainability monitoring to Committee members for reference purposes.

The Committee identified and staff noted a range of items for further consideration as a part of the Project.

The Committee requested staff to provide information about the indicators that the Regional District of Nanaimo has used to report on progress towards the attainment of the Regional Growth Strategy vision. C. Thomas proposed that this information be provided to the Committee at its December 2, 2003 meeting.

NEW BUSINESS

The Committee reviewed the October 15, 2003 staff report "State of Sustainability Project: Public Event #1 Proposal". The Committee received the report, supported the proposal for the public event with specific identified amendments, and requested staff to bring forward the proposal with the specified amendments and additional information about possible speakers, facilitators and invitees for discussion at the next meetings. The Committee members agreed to provide ideas regarding possible speakers, facilitators and invitees for discussion at the next meetings.

OTHER BUSINESS

The idea of each Committee member providing biographical information about themselves for dissemination to other Committee members for the purpose of enabling the Committee members to get to know each other was raised. It was suggested that Committee members forward brief biographical information to C. Thomas for compilation and circulation to the Committee members.

NEXT MEETING

The next meetings were set for November 4, 2003 and December 2, 2003.

ADJOURNMENT

Director Holdom adjourned the meeting at approximately 9:00 PM.



Chair, Director Bill Holdom

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE
REGIONAL GROWTH MONITORING ADVISORY COMMITTEE /
STATE OF SUSTAINABILITY PROJECT MEETING
HELD ON TUESDAY, NOVEMBER 4, 2003 AT 7:00 PM
IN THE RDN COMMITTEE ROOM**

Present:

Director B. Holdom	Chairperson
Director D. Bartram	Deputy Chairperson
Brian Anderson	
Douglas Anderson	
Gordon Buckingham	
Betty Collins	
Sylvia Neden	
Ross Peterson	
Sharon Thompson	

Also in attendance:

Christina Thomas	Senior Planner, Community Services
Neil Connelly	General Manager, Community Services

Absent:

Janet Farooq
Adele McKillop

CALL TO ORDER

Director Holdom called the meeting to order at approximately 7:00 PM.

MINUTES

Director Holdom explained that the Committee would operate on a consensus decision making model and, consequently, that the Committee meeting minutes would record areas of agreement instead of resolutions passed by the Committee.

The minutes from the previous meeting (Oct 21/03) were received as presented.

OLD BUSINESS

a) Public Event #1 Proposal - Update

The Committee reviewed the October 30, 2003 staff report "State of Sustainability Project Public Event #1 Proposal – Update". C. Thomas described the amendments made to the proposal in response to Committee October 21, 2003 meeting discussion. The Committee received the report, supported the proposal for the public event to be conducted in March or April of 2004 with some specific identified amendments, and requested staff to bring forward further amendments to the proposal as event planning progresses. The Committee also requested staff to discuss with Director Lund, the Electoral Area B Board

representative, the participation of the Electoral Area in the event, given that the Electoral Area is no longer a funding participant in the regional growth strategy function.

b) *Committee member biographical information update*

C. Thomas updated the Committee about the collection of biographical information. Committee members were requested to provide to staff biographical information about themselves for the purpose of sharing with the other Committee members.

NEW BUSINESS

a) *Public Event #1 – Draft List of Invitees*

The Committee reviewed the staff report, "State of Sustainability Project – Public Event #1 – Possible Invitees". C. Thomas indicated that the rationale for inviting a wide range of organizations to the event was to attract participation at the event from a wide variety of people with social, economic and or environmental interests, and that invitees were not intended to specifically represent any organization that they are affiliated with. The Committee received the report, and supported the list of invitees with specific identified amendments. Committee assistance in providing current contact information for invitees was requested, and several Committee members volunteered to provide contact information for specific organizations. The concept of having only specific identified participants at the event, versus providing an opportunity for any interested individuals to participate at the event was discussed.

b) *Public Event #1 – Committee member suggestions regarding possible facilitators for staff to research*

The Committee suggested that staff contact a variety of organizations and individuals to identify possible facilitators for the event.

c) *Public Event #1 – Committee member suggestions regarding possible speakers for staff to research*

The Committee suggested that staff contact a variety of organizations and individuals to identify possible speakers for the event, such as Bill Rees, Simon Fraser University, the University of BC, Malaspina University College, the Fraser Basin Council, UBCM, and the organizations responsible for the Seattle and Calgary sustainability monitoring initiatives.

OTHER BUSINESS

The Committee suggested that the event invitation include background information that would enhance event participants' ability to participate at the event.

NEXT MEETING

The next meeting was set for December 2, 2003 @ 6:00 PM. The anticipated topics of discussion include the current set of indicators used to monitor regional growth strategy vision attainment, and ideas regarding event speakers and facilitators.

ADJOURNMENT

Director Holdom adjourned the meeting at approximately 9:30 PM.

Chair, Director Holdom

Minutes of the Area 'B' Parks and Open Space Advisory Committee
Regular Meeting held on Monday, September 8, 2003 at 7:00 pm
Women's Institute Hall, Gabriola Island

Attendance

Carol Boyce
Don McLaughlin
Gail Lund

Ron Holmes
Jacqueline Cecil Sears

Kerry Marcus
Randy Young

Absent:

Mike McCrae

Staff:

Joan Michel, Jonathan Lobb

Observer:

Caroline Maplesden, Ocean Grove, Victoria, Australia

J. Michel called the meeting to order at 7:00 pm. Pending the election of a Chairperson and Recording Secretary, J. Michel assumed the Chair.

INTRODUCTIONS

Committee members, staff and observer introduced themselves.

APPROVAL OF AGENDA

Item 9(e) Disk Golf Proposal was removed from agenda; to be put on next meeting's agenda when Committee member Michael McCrae is present.

MOVED K. Marcus, SECONDED G. Lund, that Item 9(e) be put on the next meeting's agenda when Committee member Michael McCrae is present. CARRIED

MOVED C. Boyce, SECONDED G. Lund, that Item 10(b) New Business, Potential Park, be added to the agenda. CARRIED

MOVED C. Boyce, SECONDED D. McLaughlin, that the Amended Agenda be adopted. CARRIED

ELECTION OF CHAIRPERSON AND RECORDING SECRETARY

J. Michel opened nominations for Chairperson. G. Lund nominated R. Holmes for Chairperson. J. Michel agreed to fill in if R. Holmes is absent. No other nominations were put forward.

MOVED C. Boyce, SECONDED G. Lund, that R. Holmes be elected as Chairperson. CARRIED

R. Holmes nominated K. Marcus for Recording Secretary. J. Michel agreed to fill in if K. Marcus is absent. No other nominations were put forward.

MOVED C. Boyce, SECONDED J. Cecil Sears, that K. Marcus be elected as Recording Secretary. CARRIED

R. Holmes assumed the Chair.

DELEGATIONS AND PRESENTATIONS

How delegations and presentations might take place was discussed. It was agreed: that J. Michel will place community notices regarding upcoming POSAC meetings in both *The Sounder* and *The Shingle*, and on the Gabriola web site.

APPROVAL OF MINUTES

MOVED G. Lund, SECONDED R. Young, that the Minutes of the June 16, 2003 Area 'B' Parks and Open Space Advisory Committee (POSAC) be approved as presented.

CARRIED

BUSINESS ARISING FROM MINUTES

- (a) J. Michel reported that three copies of the RDN's 2000 Gabriola beach access inventory were deposited in July at the Gabriola library. The library is interested in providing display space regarding POSAC business and Island parks and trails. J. Michel will follow-up with the new reference librarian.
- (b) J. Michel reviewed the 2003 Area 'B' Community Parks Budget along with a preliminary 10-year budget forecast. A healthy surplus now exists however, the \$15,000 in capital development funding seen in the 2003 Budget cannot be sustained over the long-term given the rising cost of servicing the new Community Park debt. In rough terms, it should be possible to look at \$15,000 in capital development for a few years, with the amount trailing down to \$10,000 and then \$8,000 per year over the ten-year time horizon, without going into a deficit situation.

COMMUNICATIONS AND CORRESPONDENCE

- (a) The RDN's current fire and smoking ban (posted on the RDN web site) was tabled.
- (b) The letter dated July 8, 2003 from Director Lund to District Manager, Ministry of Transportation (MoT) concerning beach access encroachments was tabled (attached).
- (c) The RDN's Parks and Trails Summer 2003 Review (posted on the RDN web site) was tabled for information.

BUSINESS ARISING FROM DELEGATIONS, COMMUNICATIONS & CORRESPONDENCE

(a) Beach Accesses

J. Lobb reviewed the work that has been carried out on Gabriola beach accesses, beginning with the 2000 Inventory report. Work was completed at Decorsey, Tinson Road and Malaspina Galleries at a cost of about \$3,000, with about \$6,000 in donated materials and volunteer labour. The current work plan now proposes improvements at Descanso Bay Road and Bells Landing at the Strand. Discussion followed on the nature of required improvements. It was agreed that:

- (i) creating a viewpoint at the top of a beach access, with a bench for seniors and the disabled, is as important as developing trail or other access down to a beach; and
- (ii) J. Lobb will reconfirm the proposed work with the neighbour at Bells Landing. Discussion turned to beach access encroachment and the proposed priority beach access improvements identified in Director Lund's July 2003 letter to MoT regarding El Verano boat launch, Easthom Road and Rowan Way. It was agreed: that improving the El Verano boat launch is

top priority. Discussion moved to the general matter of beach access encroachments and what can be done about them. It was agreed:

- (a) that the RDN and Director Lund will continue to work with the MoT on encroaching neighbours and communicating the public's right to access the road allowances to the ocean, and
- (b) that a POSAC-led volunteer working group be formed to go out and help RDN staff update the 2000 inventory and mark beach accesses. R. Young agreed to lead the beach access working group. Issues to be addressed: are the need for formal surveys to confirm the location of road allowances and a system of markers to identify all beach accesses.

REPORTS

- (a) Director's Update
Director Lund had to leave the POSAC meeting early and will provide a report at the next meeting.
- (b) Descanso Bay Regional Park Management Plan
J. Michel advised that the second Open House would be held mid- to late October, that a draft plan would be circulated to all POSAC members, and that POSAC members should provide feedback via the Open House.
- (c) Skatepark Proposal
J. Michel updated the Committee on the proposal, tentatively to be sited at Rollo McLay Park. Agreed: J. Michel to invite the Skatepark Proposal group to make a presentation at the next POSAC meeting.
- (d) Trail development in the new community park: J. Michel reviewed plans to cross the wetland as part of the development of a park entrance off River Place. Further to a site review by the Ministry of Water, Land and Air Protection staff, boardwalk will be installed rather than culvert. R. Holmes' suggestion to use the clutch of large downed cedars at the site for stringers and decking will be acted on as well. Committee members, particularly R. Young, R. Holmes and D. McLaughlin, were invited to provide names of Gabriola contractors for the milling, excavating and other work involved.

NEW BUSINESS

- (a) Naming New Community Park on Taylor Bay Road
J. Michel encouraged the Committee to consult the community and prepare to recommend a name to the RDN Board. R. Young has consulted the Ratepayers' Association. The RDN naming policy was circulated to POSAC members during the summer. C. Boyce said she would investigate First Nation name possibilities. Names put forward to date for consideration include: Taylor Bay Road Community Park, McConvey Community Park, YOGI Community Park and Upper Descanso Bay Community Park.
- (b) Potential Park
R. Holmes circulated an information sheet (attached) on a 21-acre south-side property overlooking False Narrows that he proposes should be pursued as parkland because of high ecological, aesthetic and recreational values. It was agreed to: table for discussion at next POSAC meeting.

COMMITTEE ROUND TABLE

Due to time restraints, there will be no round table this meeting.

NEXT MEETING

The next meeting will be held on Monday, November 3, 2003, 7:00 – 9:00 pm, Women's Institute Hall.

ADJOURNMENT

MOVED D. McLaughlin, SECONDED R. Holmes, that the meeting be adjourned at 9:05 pm.

CARRIED

Ron Holmes, Chair

ATTACHMENT 1

Potential Park Acquisition Property on Gabriola Island.

September/2003

The property under consideration is owned by Clyde Coates and is located on the south side of the island overlooking False Narrows and is about 21 acres in size. The owner's asking price when it was listed in 2002 was \$250,000.

It is the last remaining undeveloped property encompassing the unique south-side bluff of the island, an area with no current representation in the island's parks. It has similarities to Bodega Ridge on Galiano Island and is a northern continuation of the same geological ridge formation. The property merits serious consideration as a park reserve as it has very high values ecologically, aesthetically and recreationally.

Ecologically the property contains an important heron rookery; a raven nesting site on the bluff face; a mature bluff-zone forest of Arbutus, Carry oak and Fir containing numerous eagle perches; and a riparian area with a small pond frequented by hooded mergansers and other ducks. It is also a heavily used deer wintering area connecting with the largest comparatively intact forest area on the island. Particularly significant is the heron rookery currently containing 15 nests. The site is adjacent to, and overlooks, a major heron feeding area in the extensive shallows and tidal currents of False Narrows. The site also provides an excellent viewing area overlooking a second heron rookery of similar size below the bluffs on the adjacent property. The ability to view the heron nests, as well as the flight path and feeding area, make the site educationally valuable.

Aesthetically, it has expansive views over the entire southern Gulf Island region from Saturna Island to Nanaimo Harbour. The sandstone buff has a sheer face of about 150' and stands about 300' vertical feet above tidewater at False Narrows. In addition there are also three petroglyph sites in close proximity that could potentially be connected by a walking trail system.

Recreationally it offers one of the best and most varied forested walks on the island. Legally attached to the property's northeastern corner is a private road easement of about 750 meters that is a vital connection in a proposed cross island trail system and provides access to Garland Drive, the closest public roadway. The property also connects on its southwest corner, via a steep but usable trail, with Mussel Heights Drive at the foot of the bluff.

Another privately owned undeveloped parcel adjoining the above on its west boundary is a future consideration, if it became available for purchase. It is a long narrow parcel that runs from the False Narrows seashore to the buff area, containing the second heron rookery that is overlooked from the bluff site, and would provide a wonderful connecting access.

ATTACHMENT 2



REGIONAL
DISTRICT
OF NANAIMO

July 8, 2003

Mr. Mike Proudfoot
District Manager
Ministry of Transportation
3rd Floor, 6475 Metrol Drive
Nanaimo, BC
V9T 2E9

Dear Mr. Proudfoot:

Subject: Encroachments on Access to Water Sites - Gabriola Island

As part of an overall review of beach accesses on Gabriola Island by the Regional District of Nanaimo we have noted significant encroachments by adjacent property owners on at least three sites. The Board of the Regional District of Nanaimo subsequently has passed a motion requesting that the Ministry of Transportation deal with the encroachments noted as Numbers 27, 38 and 52 on the attached Access to Water Sites map.

Thank you for your prompt attention to this issue.

Sincerely,

Gail Lund
Director, Electoral Area 'B'

c.c. K. Daniels, CAO
N. Cornelly, General Manager Community Services

6300 Hammond Bay Rd.
Nanaimo, B.C.
V9T 6N7

Fax: (250) 290-4111
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Fpo: (250) 390-4163

RDN Website: www.rdn.bc.ca



REGIONAL DISTRICT OF NANAIMO			
NOV - 7 2003			
CHAIR		GMCrS	
CAO		GMDS	
GMCmS		GMES	

MEMORANDUM

TO: Carol Mason
General Manager, Corporate Services

DATE: November 5, 2003

FROM: Maureen Pearce
Manager, Administrative Services

FILE:

SUBJECT: Results of the Emergency Wharf Referendum (Bylaw No. 1357) – Area B

PURPOSE

To provide the results of the Electoral Area 'B' Emergency Wharf Referendum held on Saturday, November 1, 2003.

BACKGROUND

The Electoral Area 'B' Emergency Wharf Referendum was held on Saturday, November 1, 2003 to obtain elector consent to Bylaw No. 1357 which proposed to create a service for the establishment, construction and maintenance of emergency evacuation wharf facilities at Descanso Bay in Electoral Area 'B'.

The final vote, including advance voting opportunities on October 22 and 29, 2003, resulted in 767 electors (76%) voting 'Yes' to the question and 242 electors (24%) voting 'No' to the question. A copy of the Official Election Results is attached for your information.

RECOMMENDATION

1. That the official results of the Electoral Area 'B' Emergency Wharf Referendum be received for information.
2. That "Descanso Bay Wharf Service Bylaw No. 1357, 2003", be adopted.

M. Pearce
Report Writer

[Signature]
G.M. Concurrence


[Signature]
C.A.O. Concurrence

Regional District of Nanaimo

Electoral Area B
 Descanso Bay Emergency Wharf Referendum
 Official Declaration of Results

Voting Place:	YES	NO	Total Ballots Cast
Advance Voting Opportunity - Gabriola School Library: Oct 22/03 & Oct 29/03	64	44	108
Gabriola Elementary School: Nov 1/03	703	198	901
Total Number of Valid Votes Cast	767	242	1009
% of Vote	76.0%	24.0%	
Number of Rejected Ballots without objection (blank/overvoted ballots)	2		
Number of Spoiled Ballots that were replaced	1		
Total Number of Ballots Used	1012		
Total Number on Voters List (not including Instant Registrations)	2,598		
Instant Registrations	156		
Total Number on Voters List	2,754		
Voter Turnout	36.7%		

This determination of official election results was made by the Chief Election Officer on Tuesday November 4, 2003 at 4:30 pm and is based on ballot accounts as amended or prepared by the Chief Election Officer.



 Chief Election Officer



REGIONAL DISTRICT OF NANAIMO	
NOV - 7 2003	
CHAIR	GMCrs
CAO	GMDS
CMs	SMEE

MEMORANDUM

TO: Wayne Moorman, P.Eng. *Bea* DATE: November 7, 2003
 Manager of Engineering & Utilities

FROM: Deb Churko, AScT FILE: 5500-22-FC-01
 Engineering Technologist

SUBJECT: Utilities
 French Creek Water Local Service Area - Proposed Advisory Committee

PURPOSE

To advise the Board on the progress of establishing the French Creek Water Local Service Area Advisory Committee.

BACKGROUND

The Terms of Reference for the French Creek Water Local Service Area Advisory Committee were approved by the Board on July 8, 2003. RDN staff subsequently advertised for applications for membership on the committee. Four applications were received, out of a possible seven positions available.

Since the Committee is to be comprised of residents of the French Creek Water Local Service Area, with representation from Chartwell and Sandpiper, the possibility of the Chartwell subdivision incorporating into the Town of Qualicum Beach affects Committee membership. Staff recommends that the appointments to the Advisory Committee be held in abeyance until the Chartwell incorporation matter has been resolved.

ALTERNATIVES

1. Continue with appointments to the Advisory Committee.
2. Hold appointments to the Advisory Committee in abeyance until the Chartwell incorporation matter has been resolved.

FINANCIAL IMPLICATIONS

There are no financial implications to creating the Advisory Committee.

RECOMMENDATION

1. That the appointments to the French Creek Water Local Service Area Advisory Committee be held in abeyance until the Chartwell incorporation matter has been resolved.

Deb Churko
 Report Writer

Wayne Moorman
 Manager Concurrence

[Signature]
 General Manager Concurrence

[Signature]
 CAO Concurrence

COMMENTS: