

REGIONAL DISTRICT OF NANAIMO

**BOARD MEETING
TUESDAY, SEPTEMBER 9, 2003
7:00 PM**

(RDN Board Chambers)

A G E N D A

PAGES

1. **CALL TO ORDER**
2. **DELEGATIONS**
3. **BOARD MINUTES**
- 9-19 Minutes of the Board meeting held on August 12, 2003.
4. **BUSINESS ARISING FROM THE MINUTES**
5. **COMMUNICATIONS/CORRESPONDENCE**
6. **UNFINISHED BUSINESS**
 - BYLAWS**
 - For Adoption.**
 - Bylaw No. 791.08** – Rural Streetlighting LSA Boundary Amendment – Lot 1 & 2, VIP61866, DI.28, Island Highway – Area G. (All Directors – One Vote)
 - Bylaw No. 921.02** – Official Regional Park Plan Designation Amendment Bylaw. (All Directors - One Vote)
 - Bylaw No. 975.29** – Pump & Haul LSA Amendment Bylaw - Douglas & Elinor Motta - 3037 Park Place – Area E. (All Directors One Vote)
7. **STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**
- 7.1 **ELECTORAL AREA PLANNING STANDING COMMITTEE**
- 20-22 Minutes of the Electoral Area Planning Committee meeting held August 26, 2003. (for information)

PLANNING

AMENDMENT APPLICATIONS

ZA0309 – Culverden Holdings (Arbutus Meadows) – 1515 E. Island Highway – Area E. (Electoral Area Directors except EA 'B' One Vote)

1. *That the minutes from the Public Information Meeting be received.*
2. *That Amendment Application No. 0309 submitted by Robert Bau on behalf of Samuel Bau to amend a Restrictive Covenant for the property legally described as District Lot 56, Nanoose District, Except Parts in Plans 466R, 950R, 351RW, 6761, 22727, 25734 and 39893 to permit the expansion of the existing public assembly use to include non-equestrian related events proceed to Public Hearing.*
3. *That the Public Hearing on the proposed Covenant amendment be delegated to Director Bibby or her alternate.*
4. *That any approval to permit expanded public assembly events be approved subject to the conditions outlined in Schedule No. 1 and subject to public notification pursuant to the Local Government Act.*

DEVELOPMENT PERMIT APPLICATIONS

DP Application No. 60338 – Griffin – Strata Lot 3, Miller Road – Area G. (Electoral Area Directors except EA 'B' One Vote)

That Development Permit Application No. 60338 submitted by Henry and Heather Griffin, to construct a single bay garage in a Sensitive Lands Development Permit Area pursuant to the "Regional District of Nanaimo French Creek Official Community Plan Bylaw No. 1115, 1998" and to vary the maximum permitted height for an accessory building from 6.0 metres to 8.2 metres for the property legally described as Strata Lot 3, District Lot 28, Nanoose District, Plan VIS4363 be approved, subject to the conditions outlined in Schedule Nos. 1 to 5 of the corresponding staff report and notification requirements pursuant to the Local Government Act.

DP Application No. 60339 – Thompson – Lot 21, Miller Road – Area G. (Electoral Area Directors except EA 'B' One Vote)

That Development Permit Application No. 60339, submitted by K.G. Kyler, Agent, on behalf of Audrey Thompson and Dale Thompson, to facilitate the development of a single dwelling unit, accessory building and retaining wall, and vary the maximum height of buildings and minimum setback requirements within the Residential 1 (RS1) zone as set out in Schedule Nos. 1, 2 and 3 of this staff report, for the property legally described as Lot 21, District Lot 28, Nanoose District, Plan 26472, be approved as submitted subject to the notification requirements of the Local Government Act.

DP Application No. 60340 – Astrakan/Kyler & Myrfield – Widgeon Road – Area H. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 60340 submitted by Kyler & Myrfield Geomatics Ltd., on behalf of Y & L Astrakhan for a 2-lot subdivision within the Environmentally Sensitive Areas and Hazard Lands Development Permit Areas on the property legally described as Lot 4, District Lot 89, Newcastle District, Plan 1884, be approved, subject to the conditions outlined in Schedules No. 1, 2 and 3 of the corresponding staff report.

DP No. 60341 – BC Conservation Foundation – Little Qualicum River Regional Park – Area F. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 60341, submitted by the BC Conservation Foundation, to construct fish habitat enhancement structures on the property legally described as Lot 1, Block 359, Newcastle Land District, Plan VIP69346, be issued subject to the requirements outlined in Schedules No. 1, 2, 3 and 4.

That the RDN enter into an agreement with the BC Conservation Foundation which grants the Association access over the RDN Little Qualicum River Regional Park to construct structures in six separate locations on the Little Qualicum River to improve fish habitat, subject to obtaining the necessary approvals and ensuring that the long-term viability of the structures is maintained and that any liability associated with the failure of these structures is not attributed to the RDN.

DP Application No. 60342 – Sokol – 1558 Madrona Drive – Area E. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 60342, submitted by Al Benwell, Agent, on behalf of Scott Sokol and Carol Sokol, to legalize an existing deck structure and recognize the siting of the legal non-conforming dwelling unit and accessory building, and vary the minimum setback requirements for a coastal watercourse within the Residential 1 (RS1) zone for the property legally described as Lot 52, District Lot 68, Nanoose District, Plan 26680, be approved as submitted subject the requirements of Schedule Nos. 1 and 2 and to notification requirements pursuant to the Local Government Act.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

DVP Application No. 90316 – Ballance – 2830 Benson View Road – Area D. (Electoral Area Directors except EA 'B' - One Vote)

Delegations with to speak to Application No. 90316.

That Development Variance Permit Application No. 90316 by Stanley Neville Ballance to amend Development Variance Permit No. 0306 to allow for modifications to the design of the garage/loft to facilitate the inclusion of a balcony, sliding glass door and 4 attic dormers for the proposed garage/loft for the property legally described as Lot 8, Sections 9 and 10, Range 4, Mountain District, Plan 36191 be approved, subject to Schedules No. 1, 2 and 3 and to the notification requirements pursuant to the Local Government Act.

7.2 **COMMITTEE OF THE WHOLE STANDING COMMITTEE**

23-29 Minutes of the regular Committee of the Whole meeting held August 26, 2003.
(for information)

COMMUNICATIONS/CORRESPONDENCE

Sandra Keddy, Town of Qualicum Beach, re Proposed Boundary Extension.
(All Directors – One Vote)

That the correspondence from the Town of Qualicum Beach with respect to a proposed boundary extension for Qualicum Beach, be received.

Jack Peake, AVICC President & Chief Alphonse, Cowichan Tribes, re Formation of the Vancouver Island Foundation. (All Directors – One Vote)

That the correspondence from AVICC and the Cowichan Tribes with respect to the formation of the Vancouver Island Foundation, be received.

Lanny Seaton, Acting Mayor, District of Langford, re Vancouver Island Foundation/E & N. (All Directors – One Vote)

That the correspondence from the District of Langford with respect to the formation of the Vancouver Island Foundation, be received.

Shirley Hine, City of Parksville, re Vancouver Island Railway. (All Directors – One Vote)

That the correspondence from the City of Parksville with respect to the establishment of a local government controlled foundation to own the E & N Railway and corridor, be received.

COMMUNITY SERVICES

REGIONAL GROWTH

Implementation Agreements – Urban Containment & Rural Protection. (All Directors except EA 'B' – One Vote)

That the Terms of Reference for the Urban Containment Implementation Agreement Update and the Rural Protection Implementation Agreement be approved.

That the Terms of Reference be amended to allow for public input in the proposed agreement after Stage 4.

That staff be instructed to investigate the possibility of differentiating between rural containment areas internally contained compared to rural containment areas which border on municipal jurisdiction.

Regional Growth Strategy Implementation Progress Report 2001/2002. (All Directors except EA 'B' – One Vote)

That the report regarding Regional Growth Strategy Implementation Progress for 2001 and 2002 be received.

RECREATION & PARKS

Cranberry Fire Department's Request for Regional Park Land Use. (All Directors – One Vote)

That the Regional District grant permission to the Cranberry District Fire Department to develop a water well and associated structures, as described at Nanaimo River Regional Park subject to the CDFD entering into an agreement with the Regional District and meeting all regulations.

CORPORATE SERVICES

ADMINISTRATION

Vancouver Island Railway. (All Directors – One Vote)

1. *That the Board approve an amount of \$6,139.12 as the Regional District of Nanaimo's share of the consultant's report. The source of funding to be general administration.*
2. *That the Board approve in principle the creation of a Foundation to own and manage the railway corridor on Vancouver Island.*
3. *That the Board participate in the next phase of discussions with the understanding that:*
 - (i) *any further consultant or study costs be brought to the Board for approval.*
 - (ii) *any final decision on our participation in the Foundation would be made upon receipt of the final Foundation documents, appraisals and environmental studies, and the business plan.*
4. *That the Chairperson appoint a representative from the Board to work on the creation of the Foundation.*

FINANCE

Operating Results to June 30, 2003. (All Directors - One Vote)

That the Transit budget items be referred to the Transit Business Plan Select Committee with a report to come forward to the September Committee of the Whole meeting.

That the summary report of financial results from operations to June 30th, 2003 be received for information.

DEVELOPMENT SERVICES

BUILDING INSPECTION

Section 700 Filings. (All Directors – One Vote)

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 20, Gabriola Island, Nanaimo Land District, Plan 26041, 510 South Road, Electoral Area 'B', owned by Lockinvar Enterprises Inc.;*
- (b) Lot 8, Section 18, Gabriola Island, Nanaimo Land District, Plan VIP51655, 573 Horseshoe Road, Electoral Area 'B', owned by G. and H. Marsh;*

PLANNING

Closure of Victoria Land Title Office. (All Directors – One Vote)

- 1. That the staff report on the closure of the Victoria Land Title Office be received for information.*
- 2. That staff be directed to write a letter to the Honourable Stan Hagan, Minister of Sustainable Resource Management, requesting that the decision to close the Land Title Office in Victoria be reconsidered due to the importance of this office to local governments, the development community and the citizens of Vancouver Island.*

ENVIRONMENTAL SERVICES

LIQUID WASTE

Pump & Haul Amendment Bylaw No. 975.30. (All Directors – One Vote)

- 1. That the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include Area 'G'.*
- 2. That the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include 796 Miller Road, Parksville (Weldon).*
- 3. That the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include 1169 McGillvary Avenue, Gabriola Island (Labelle).*
- 4. That the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include Lot 3, Seaview Drive, Bowser (Melvyn).*
- 5. That "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.30, 2003" be read three times and forwarded to the Inspector of Municipalities for approval.*

SOLID WASTE

Waste Stream Management Licensing - Progress Report. (All Directors – One Vote)

That the Board receive the staff report on development of a Waste Stream Management Licensing system for information.

Product Stewardship Developments. (All Directors – One Vote)

That the Board send a letter to the BC Premier, copied to the Minister of Water, Land and Air Protection and UBCM supporting the four principles of the product stewardship business plan emphasizing the principle that the revised regulation support the producer and consumer as the responsible parties for product stewardship materials, and rejecting the shared responsibility model.

Dairy Industry Product Stewardship Proposal. (All Directors – One Vote)

That the Board send a letter to the BC Premier, copied to the Minister of Water, Land and Air Protection, BC Dairy Council, UBCM and all regional districts supporting the Regional District of Kootenay Boundary position that milk containers be included in the deposit refund system and that the Board request all RDN municipalities to send similar letters.

COMMISSION, ADVISORY & SELECT COMMITTEE

Regional Waste Advisory Committee. (All Directors – One Vote)

That the minutes of the Regional Waste Advisory Committee meeting held July 3, 2003 be received for information.

Regional Library Board. (All Directors – One Vote)

That the Board endorse the Vancouver Island Regional Library Board's recommendations as a way of responding to the UBCM Library Task Force's request for input into the Strategic Plan for BC Public Libraries.

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Mount Benson Property. (All Directors – One Vote)

That staff be directed to prepare a report with respect to Nanaimo Area Land Trust's request for financial support to carry out professional timber and real estate appraisals for the 523 acre property at the top of Mount Benson.

Town of Qualicum Beach Proposed Boundary Extension. (All Directors – One Vote)

That staff be directed to prepare a report on Qualicum Beach's proposed boundary extension for the next Committee of the Whole meeting.

Ethical Purchasing Policies. (All Directors – One Vote)

That staff be instructed to prepare a report respecting ethical purchasing and that staff prepare a statement of principle for purchasing.

NEW BUSINESS

Director Lund, re Bill C-325 – An Act to Amend the Income Tax Act. (All Directors - One Vote)

That correspondence be sent to all Members of Parliament in the region and to Member of Parliament, R. Casson, supporting Bill C-325.

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

8. ADMINISTRATOR'S REPORT

30-37 Descanso Bay Emergency Wharf - Gabriola Island Update Report. (All Directors - One Vote)

38-41 Request for Funding to Develop Strategy for the Management of Invasive Plants. (All Directors - One Vote)

42-44 Nanaimo Arca Land Trust Request for Funding.

45-51 Town of Qualicum Beach Municipal Boundary Extension to Include Four Electoral Area 'G' Properties in Town.

52-54 Public Consultation on Financial Plan.

- 2004-2008 Financial Plan Review Process – Presentation.

9. ADDENDUM

10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

11. NEW BUSINESS

12. BOARD INFORMATION (Separate enclosure on blue paper)

13. ADJOURNMENT

14. IN CAMERA

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

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, AUGUST 12, 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
Alternate	
Director H. Webster	Electoral Area E
Director I. Biggemann	Electoral Area F
Director R. Longmuir	City of Parksville
Alternate	
Director A. Kruyt	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director G. Korpan	City of Nanaimo
Alternate	
Director D. Brennan	City of Nanaimo
Director T. Krall	City of Nanaimo
Director I. Sherry	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

K. Daniels	Chief Administrative Officer
J. Finnie	Gen. Mgr. of Environmental Services
B. Lapham	Gen. Mgr. of Development Services
N. Connelly	Gen. Mgr. of Community Services
M. Pearse	Manager of Administrative Services
N. Tonn	Recording Secretary

LATE DELEGATIONS

MOVED Director D. Haime, SECONDED Director Kruyt, that Mr. Moore be permitted to address the Board as a late delegation.

CARRIED

John Moore, re Bulk Water Development Cost Charges.

Mr. Moore raised his concerns with the bulk water development cost charge requirements associated with the development of his property.

BOARD MINUTES

MOVED Director Sherry, SECONDED Director Holdom, that the minutes of the regular Board meeting held on July 8, 2003 be adopted, as amended.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Hans Larsen, re Request by the City of Nanaimo for Extension of the Urban Containment Boundary.

MOVED Director Sherry, SECONDED Director McNabb, that the correspondence received from Hans Larsen with respect to a request by the City of Nanaimo for extension of the urban containment boundary and the modification of the Regional Context Statement, be received.

CARRIED

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

MOVED Director Sherry, SECONDED Director McNabb, that the correspondence received from Connie Heringa with respect to Development Permit application No. 60307, be received.

CARRIED

UNFINISHED BUSINESS

From the June 10, 2003 Board Meeting.

Section 700 Filings.

MOVED Director Kreiberg, SECONDED Director McNabb, that a notice be filed against the title of the property listed, pursuant to Section 700 of the Local Government Act and that if the infractions are not rectified within ninety (90) days, legal action may be pursued after a further referral by the Board with an opportunity of representation by the property owner:

Lot 1, Section 1, Range 6, Plan VIP68894, Cedar Land District, 3460 Whiting Way, Electoral Area 'A', owned by Pieter Van Westen.

CARRIED

BYLAWS

Bylaw No. 1353.

MOVED Director McNabb, SECONDED Director Kruyt, that "Englishman River Community Streetlighting Service Area Establishment Bylaw No. 1353, 2003" be adopted.

CARRIED

Bylaw No. 500.293.

MOVED Director Hamilton, SECONDED Director Biggemann, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.293, 2003" be adopted.

CARRIED

ELECTORAL AREA PLANNING STANDING COMMITTEE

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

CARRIED

PLANNING

Request for Temporary Commercial Use Permit Application No. 0301 – Michael Rosen & Associates on behalf of Englishman River Land Corporation – Kaye Road – Area G.

MOVED Director Hamilton, SECONDED Director Kreiberg, that Temporary Commercial Use Permit No. 0301, submitted by Michael Rosen & Associates on behalf of Englishman River Land Corporation for the property legally described as Lot A, Block 564, Nanoose District, Plan VIP75278, to allow a temporary realty sales office use be approved subject to the conditions outlined in Schedules No. 1 and 2 and the notification requirements pursuant to the Local Government Act.

CARRIED

Request for Park Land Dedication – Peter Mason, BCLS on behalf of G. Greer & K. Blutchko – Davenham Road & Dolphin Drive – Area E.

MOVED Director Hamilton, SECONDED Director Webster, that the request, submitted by Peter Mason, BCLS, on behalf of George Greer and Kathleen Blutchko, to dedicate park land be refused and the applicants be required to provide cash in-lieu-of park land dedication as part of the five-lot subdivision proposal of Lot 3, District Lot 137, Nanoose District, Plan 31921.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

DP Application No. 60307a – Heringa – Strata Lot 1, 799 Miller Road – Area G.

MOVED Director Hamilton, SECONDED Director D. Haine, that Development Application No. 60307a, to legalize the drainage works within the Watercourse Protection and Sensitive Lands Development Permit Areas on the property legally described as Strata Lot 1, District Lot 28, Nanoose District, Plan VIS4363, be approved subject to the conditions outlined in Schedules No. 1 and 2.

CARRIED

DP Application No. 60329 – 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. 60329, submitted by Friesen's Rentals and Hardware on behalf of Ming's Stores Ltd. Inc., to construct an addition to the principal building and allow for signage on a parcel located within the Cedar Village and Cedar Commercial/Industrial Properties Development Permit Area No. 3 for Lot A, Section 15 and 16, Range 8, Cranberry District, Plan VIP71569 be approved, subject to the conditions outlined in Schedule Nos. 1, 2, 3 and 4 of the corresponding staff report and to the notification requirements of the Local Government Act.

CARRIED

DP Application No. 60335 – Janes – 2353 Higginson Road – Area E.

MOVED Director Hamilton, SECONDED Director Webster, that Development Permit Application No. 60335 to construct a shoreline protection device in the form of a retaining wall for the property legally described as Lot 12, District Lot 102, Nanoose District, Plan 21022 be approved, subject to the conditions outlined in Scheduled Nos. 1, 2, 3 and 4 of the corresponding staff report and to the notification requirements pursuant to the Local Government Act.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

DVP Application No. 90314 – Shaw – 3531 Vera Way – Area D.

MOVED Director Hamilton, SECONDED Director D. Haime,:

1. That Development Variance Permit Application No. 90314 to vary the minimum setback from a watercourse from 15.0 metres to 4.0 metres to legalize the siting of a recently constructed 5.5 m² pump house on the property legally described as Lot B, Section 17, Range 4, Mountain District, Plan 24600 be approved subject to the requirements outlined in Schedules No. 1, 2, 3 and 4 and subject to notification requirements pursuant to the Local Government Act.
2. That staff be directed to include the issue of exemptions from setbacks in the technical review of Bylaw No. 500.

CARRIED

DVP Application No. 90315 – Clan Oil Inc. – 1025 Qualicum Road – Area G.

MOVED Director Hamilton, SECONDED Director D. Haime, that Development Variance Permit Application No. 90315 to vary the minimum setback from a watercourse from 15.0 metres to 0.0 metres to facilitate the construction of two pump houses on the property legally described as Remainder of Lot 1, Sections 3 and 4, District Lots 42 and 78, Newcastle District, and District Lot 144, Nanoose District, Plan 11091 Except Plan 38048 and 42931 be approved subject to the requirements outlined in Schedules No. 1, 2 and 3 and subject to notification requirements pursuant to the Local Government Act.

CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

MOVED Director Sherry, SECONDED Director Krall, that the minutes of the regular Committee of the Whole meeting held July 22, 2003 be received for information.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Jim Abram, Chair, Comox-Strathcona Regional District, re Bill 48 – Agriculture Food & Fisheries Statutes Amendment Act.

MOVED Director Holdom, SECONDED Director Longmuir, that the correspondence from Comox Strathcona Regional District with respect to the Agriculture Food & Fisheries Statutes Amendment Act, be received.

CARRIED

Bill Mills, Nanaimo Port Authority, re Election of Board Chairman.

MOVED Director Holdom, SECONDED Director Longmuir, that the correspondence from the Nanaimo Port Authority with respect to the appointment of Dave Bakes as Chairperson of the Board, be received.

CARRIED

Derek Appleton, Alberni-Clayoquot Regional District, re BC Hydro Heritage Contract.

MOVED Director Holdom, SECONDED Director Longmuir, that the correspondence from the Alberni-Clayoquot Regional District with respect to BC Hydro's Heritage Contract proposal to the British Columbia Utilities Commission, be received.

CARRIED

CORPORATE SERVICES

ADMINISTRATION

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

MOVED Director Kreiberg, SECONDED Director Hamilton, that the Board has no objection to the Cassidy Inn's request for a temporary change to their Liquor Licence to provide for an extended patio area for their Show 'n Shine event scheduled for September 7, 2003.

CARRIED

DEVELOPMENT SERVICES

BUILDING INSPECTION

Section 700 Filings.

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

- (a) Parcel F (DD 4013781) of Section 21, Gabriola Island, Nanaimo Land District, 371 Berry Point Road, Electoral Area 'B', owned by B & K Shopping Centre.

CARRIED

PLANNING

Permanent Change to a Liquor Licence – Hours of Liquor Sales – Frontiersman Neighbourhood Pub & Restaurant – Area F.

MOVED Director Biggemann, SECONDED Director Krall, that the application for a permanent change in a liquor licence for the purpose of amending the hours of liquor sales, as submitted by the Frontiersman Neighbourhood Pub and Restaurant, legally described as Lot A, Salvation Army Lots, Nanoose District, Plan VIP60993, be supported.

CARRIED

Power Generation for Vancouver Island.

MOVED Director Krall, SECONDED Director McNabb, that the staff report on power options for Vancouver Island be received for information.

CARRIED

ENVIRONMENTAL SERVICES

LIQUID WASTE

2003 Local Government Grant Program – Infrastructure Planning (Study) Grants.

MOVED Director Sherry, SECONDED Director McNabb, that staff be directed to make application to the Ministry of Community, Aboriginal & Women's Services for a planning grant of \$5,000 to evaluate potential groundwater contamination of Site #57 on Gabriola Island.

CARRIED

2002 Annual Report on the Liquid Waste Management Plan.

MOVED Director Sherry, SECONDED Director McNabb, that the 2002 Annual Report on the Liquid Waste Management Plan be received.

CARRIED

Greater Nanaimo Pollution Control Centre Boiler Building Upgrade – Boiler Supply Tender Award and Construction Project Tender Award.

MOVED Director Sherry, SECONDED Director McNabb, that the Regional District of Nanaimo award the contract to supply boilers for the GNPCC boiler building upgrade to Cleaver Brooks for the tendered price of \$206,995.39 and award the construction contract for the boiler building upgrade to Knappett Construction for the tendered price of \$2,654,411.90.

CARRIED

Greater Nanaimo Pollution Control Centre – Sludge Heating & Boiler Building Upgrade Construction Services.

MOVED Director Sherry, SECONDED Director McNabb, that the Board direct staff to award the construction services consulting project for the GNPCC Sludge Heating and Boiler Upgrade to Associated Engineering Ltd.

CARRIED

Southern Community LSA Wastewater Treatment System & Facilities Reserve Fund Expenditure Bylaw No. 1356 – Greater Nanaimo Pollution Control Centre Boiler Building Upgrade – Release of Reserve Funds.

MOVED Director Sherry, SECONDED Director Holdom, that “Southern Community Local Service Area Wastewater Treatment System and Facilities Reserve Fund Expenditure Bylaw No. 1356, 2003” be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Holdom, that “Southern Community Local Service Area Wastewater Treatment System and Facilities Fund Expenditure Bylaw No. 1356, 2003” having received three readings be adopted.

CARRIED

UTILITIES

Rural Streetlighting LSA Boundary Amendment Bylaw No. 791.08 – Area G.

MOVED Director Sherry, SECONDED Director Longmuir, that “Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.08, 2003” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

COMMISSION, ADVISORY AND SELECT COMMITTEES

Municipal Insurance Association.

MOVED Director Korpan, SECONDED Director Biggemann, that a letter be sent to Honourable Geoff Plant, Attorney General, requesting that the Ministry reform its laws on joint and several liability for local government.

CARRIED

NEW BUSINESS

Protection of Eagle Trees.

MOVED Director D. Haime, SECONDED Director Holdom, that staff be directed to report back to the Committee with respect to establishing development permit areas and guidelines to protect eagle trees within all electoral areas of the Regional District of Nanaimo except Electoral Area ‘B’.

CARRIED

Director Kreiberg requested that staff also investigate the possibility of tax relief for nesting tree encumbrances and that staff consult with habitat technicians from the Department of Fisheries and Oceans and the Ministry of Air, Land and Water Protection for input on the siting of development permit boundaries. The Chairperson also requested that staff contact Ron Speller from the BC Wildlife Federation for input.

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

BOARD SELECTION COMMITTEE

Regional Growth Management Advisory Committee – State of Sustainability Project.

MOVED Director Hamilton, SECONDED Director Krall, that Gordon Buckingham, Betty Collins and Ross Peterson be appointed to the RGMAC State of Sustainability Project Committee as a General Public (Environment) representative.

CARRIED

MOVED Director Hamilton, SECONDED Director Krall, that Brian Anderson, Douglas Anderson and Adele McKillop be appointed to the RGMAC State of Sustainability Project Committee as a General Public (Economy) representative.

CARRIED

MOVED Director Hamilton, SECONDED Director Krall, that Janet Farooq, Sylvia Neden and Sharon Thomson be appointed to the RGMAC State of Sustainability Project Committee as a General Public (Social/Human Sector) representative.

CARRIED

Board of Variance.

MOVED Director Hamilton, SECONDED Director Krall, that John Little be appointed to the Board of Variance for a term ending September 12, 2006.

CARRIED

Intergovernmental Advisory Committee.

MOVED Director Sherry, SECONDED Director McNabb, that the minutes of the Intergovernmental Advisory Committee meeting held July 30, 2003, be received for information.

CARRIED

Community Policing Select Committee.

MOVED Director McNabb, SECONDED Director D. Haime, that the minutes of the Community Policing Select Committee meeting held July 31, 2003, be received for information.

CARRIED

Policing Services.

MOVED Director D. Haime, SECONDED Director Hamilton, that the following resolution be forwarded to the UBCM, the Minister of Public Safety and Solicitor General and the Minister of Community, Aboriginal and Women's Services by August 13, 2003:

WHEREAS policing services are delivered to unincorporated areas and to municipalities of less than 5,000 by the RCMP and are under the direct jurisdiction of the Provincial and Federal Governments, where regional districts have no role in the provision of this service;

AND WHEREAS the Province of BC has determined that rural areas and municipalities under 5,000 will contribute 50% towards the cost of rural police financing beginning in 2004;

AND WHEREAS the Province of BC has also determined that the Rural Area Tax will remain at the current level and will not be reduced and they are proposing that the new policing tax will be levied as a Regional District Tax in which regional districts will collect from electoral areas and municipalities under 5,000 and remit these funds to the Province;

THEREFORE BE IT RESOLVED that any tax to be implemented by the Provincial Government to recover policing costs be identified as a Provincial Tax and not as a Regional District Tax for the purpose of collection, and that information be provided to the public and to local government explaining why there are different levels of contribution based upon the size of a jurisdiction;

AND FURTHER, that any formula implemented to recover policing costs be established on the principle of fairness and equity, in which all regional districts are treated equally and contribute to policing by paying their share based upon the service provided, and not through the provincially proposed 'ability to pay' formula; and that the Province provide information to regional districts and to their taxpayers explaining why the Rural Area Tax is increasing for rural road maintenance and provide the cost breakdown for this service.

AND FURTHER, that if the Province wishes to assist local governments who do have greater financial challenges than other local governments, that it do so through another mechanism including revisiting the issue of reimbursement of fire revenues.

CARRIED

Police Financing Position Paper.

MOVED Director Hamilton, SECONDED Director D. Haime, that the Police Financing Position Paper attached to the report be approved as amended.

CARRIED

MOVED Director Hamilton, SECONDED Director Biggemann, that the entire issue of regional policing services and cost sharing be referred to the current phase 2 of the Regional Services Review of the Regional District of Nanaimo.

CARRIED

ADMINISTRATOR'S REPORT

Gabriola Island Emergency Evacuation Wharf Counter Petition Results – Bylaw No. 1352.

MOVED Director Lund, SECONDED Director Korpan, that the "Descanso Bay Wharf Service Bylaw No. 1352, 2003" be referred to the September 9, 2003 Board meeting to determine whether to proceed to referendum or to abandon the bylaw.

CARRIED

Director Lund reported that the Federal Government will not be divesting of the Green Landing Wharf.

City of Nanaimo Urban Containment Boundary and Regional Context Statement Change Proposal.

MOVED Director D. Haime, SECONDED Director Brennan, that this item be deferred to the next Committee of the Whole meeting.

A recorded vote was requested.

The motion was DEFEATED with Directors Stanhope, Brennan, Webster, C. Haime, Holdom, D. Haime and Hamilton voting in the affirmative and Directors Krall, Biggemann, Korpan, Kreiberg, McNabb, Longmuir, Kruyt and Sherry voting in the negative.

MOVED Director Krall, SECONDED Director McNabb, that the report "Urban Containment Boundary Change Request: City of Nanaimo: Jeffs and Cattrall Properties" be received.

CARRIED

MOVED Director Krall, SECONDED Director McNabb, that the City of Nanaimo proposal to include inside the Urban Containment Boundary the property legally described as Lot 2, District Lot 26, Wellington District, Plan 37425, Except Part in Plan VIP70172 (referred to as the Jeffs property) and a triangular portion of property legally described as Lot A, District Lot 26, Wellington District, Plan 12781, Except Part in Plan VIP62700 (referred to as the Cattrall property) and to amend their regional context statement, be supported subject to the following conditions, to mitigate any potential impacts and establish a gradual transition from urban to rural land uses:

- a) designating the Cattrall property as within the City of Nanaimo DPA 22 (Nanaimo Parkway) and DPA 21 (Commercial, Industrial, Institutional, Multiple Family Residential, and Mixed Commercial/Residential Development), and designating the Jeffs property as within the City of Nanaimo DPA 21 (Commercial, Industrial, Institutional, Multiple Family Residential, and Mixed Commercial/Residential Development), to ensure the form and character of any future urban development is complementary to adjacent properties (both urban and rural);
- b) respecting the existing Lantzville Official Community Plan policies for land in the Gateway Lands designation for any future development of the Cattrall and Jeffs properties;
- c) respecting the existing Lantzville Official Community Plan policies regarding road networking as a part of any future development of the Cattrall and Jeffs properties;
- d) securing a commitment from the developer of the Jeffs property to improve the traffic network in the Dover and Dickenson Road area by contributing the property necessary to establish a connection between Dover and Lantzville Roads and constructing this road;
- e) addressing that the issues and concerns as described in the May 28, 2003 letter from Mr. Brian Mehaffey, City of Nanaimo, General Manager of Development Services, to RDN Electoral Area 'D' Director Denise Haime;
- f) the landscape buffering and road construction requirements for the development of the Jeffs property may be located on the property legally described as Lot 1, District Lot 26, Wellington District, Plan 37425, Except part in Plan VIP70172 (the Mor Courage property), located adjacent to the Jeffs property;
- g) in the case of the development of the Jeffs property, securing the buffering and road construction requirements through a mutually agreeable mechanism, such as an agreement or covenant.

A recorded vote was requested.

The motion CARRIED with Directors Stanhope, Krall, Biggemann, Korpan, Kreiberg, McNabb, C. Haime, Longmuir, Holdom, Kruyt and Sherry voting in the affirmative and Directors Brunnan, Webster, D. Haime and Hamilton voting in the negative.

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Bulk Water Development Cost Charges – French Creek Estates.

MOVED Director Hamilton, SECONDED Director McNabb, that staff be instructed to bring forward a detailed report with respect to the request by French Creek Estates for a reduction in the cost of the development cost charges for Phase II and the options available.

CARRIED

IN CAMERA

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

CARRIED

TIME: 7:50 PM

The meeting reconvened at 8:25 PM.

ENVIRONMENTAL SERVICES

Residual Solid Waste Disposal Options.

MOVED Director Korpan, SECONDED Director Longmuir,:

That as a short term measure the Board support the option to optimize the capacity of the existing landfill by constructing a geogrid toe berm on the south and southeast sides of the landfill and continuing the current arrangement for partial waste export;

That the Board direct staff to regularly review waste export options prior to future export contract renewals;

That the Board direct staff to include capacity optimization at the existing landfill in the public consultation for the Stage 3 SWMP amendment process;

That the Board direct staff to prepare a strategy to secure a suitable transfer site;

That the Board direct staff to continue to review emerging residual waste management technologies and discuss potential cooperative strategies with adjacent regional districts, and that the Board reconsider regional solid waste disposal options no later than December 31, 2006; and,

That the entire issue of residual solid waste disposal options and costing be referred to the current phase 2 of the Regional Services Review of the Regional District of Nanaimo.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 8:28 PM

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, AUGUST 26, 2003, AT 6:30 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 Alternate	Electoral Area G
Director D. Heenan Alternate	Electoral Area H
Director F. Demmon	City of Parksville

Also in Attendance:

B. Iapham	General Manager, Development Services
P. Shaw	Manager of Community Planning
N. Tomn	Recording Secretary

LATE DELEGATIONS

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

CARRIED

Rob Bau, re ZA0309 – Culverden Holdings (Arbutus Meadows) – 1515 E Island Highway – Area E.

Mr. Bau raised his concerns with respect to requirements noted in Schedules 1 and 2 of the Amendment application No. ZA0309 staff report.

Ken Kyler, re DP No. 30339 – Thompson – Lot 21, Miller Road – Area G.

Mr. Kyler provided further information with respect to the application to vary the maximum height of the building to conform to flood plain regulations.

Ken Kyler, re DP No. 60340 – Astrakan/Kyler & Myrfield – Widgeon Road – Area H.

Mr. Kyler noted that the applicant is in full agreement with the terms listed in Schedules 1, 2 and 3 of the staff report, and made himself available for any questions from the Committee members.

MINUTES

MOVED Director Stanhope, SECONDED Director Bibby, that the minutes of the Electoral Area Planning Committee meeting held July 22, 2003 be adopted.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

ZA0309 – Culverden Holdings (Arbutus Meadows) – 1515 E. Island Highway – Area E.

MOVED Director Bibby, SECONDED Director Stanhope,:

1. That the minutes from the Public Information Meeting be received.
2. That Amendment Application No. 0309 submitted by Robert Bau on behalf of Samuel Bau to amend a Restrictive Covenant for the property legally described as District Lot 56, Nanoose District, Except Parts in Plans 466R, 950R, 351RW, 6761, 22727, 25734 and 39893 to permit the expansion of the existing public assembly use to include non-equestrian related events proceed to Public Hearing.
3. That the Public Hearing on the proposed Covenant amendment be delegated to Director Bibby or her alternate.
4. That any approval to permit expanded public assembly events be approved subject to the conditions outlined in Schedule No. 1 and subject to public notification pursuant to the *Local Government Act*.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

DP Application No. 60338 – Griffin – Strata Lot 3, Miller Road – Area G.

MOVED Director Stanhope, SECONDED Director Biggemann, that Development Permit Application No. 60338 submitted by Henry and Heather Griffin, to construct a single bay garage in a Sensitive Lands Development Permit Area pursuant to the "Regional District of Nanaimo French Creek Official Community Plan Bylaw No. 1115, 1998" and to vary the maximum permitted height for an accessory building from 6.0 metres to 8.2 metres for the property legally described as Strata Lot 3, District Lot 28, Nanoose District, Plan VIS4363 be approved, subject to the conditions outlined in Schedule Nos. 1 to 5 of the corresponding staff report and notification requirements pursuant to the *Local Government Act*.

CARRIED

DP Application No. 60339 – Thompson – Lot 21, Miller Road – Area G.

MOVED Director Stanhope, SECONDED Director Haime, that Development Permit Application No. 60339, submitted by K.G. Kyler, Agent, on behalf of Audrey Thompson and Dale Thompson, to facilitate the development of a single dwelling unit, accessory building and retaining wall, and vary the maximum height of buildings and minimum setback requirements within the Residential 1 (RS1) zone as set out in Schedule Nos. 1, 2 and 3 of this staff report, for the property legally described as Lot 21, District Lot 28, Nanoose District, Plan 26472, be approved as submitted subject to the notification requirements of the *Local Government Act*.

CARRIED

DP Application No. 60340 – Astrakan/Kyler & Myrfield – Widgeon Road – Area H.

MOVED Director Hecnan, SECONDED Director Biggemann, that Development Permit Application No. 60340 submitted by Kyler & Myrfield Geomatics Ltd., on behalf of Y & L Astrakhan for a 2-lot subdivision within the Environmentally Sensitive Areas and Hazard Lands Development Permit Areas on the property legally described as Lot 4, District Lot 89, Newcastle District, Plan 1884, be approved, subject to the conditions outlined in Schedules No. 1, 2 and 3 of the corresponding staff report.

CARRIED

DP No. 60341 – BC Conservation Foundation – Little Qualicum River Regional Park – Area F.

MOVED Director Biggemann, SECONDED Director Kreiberg, that Development Permit Application No. 60341, submitted by the BC Conservation Foundation, to construct fish habitat enhancement structures on the property legally described as Lot 1, Block 359, Newcastle Land District, Plan VIP69346, be issued subject to the requirements outlined in Schedules No. 1, 2, 3 and 4.

CARRIED

MOVED Director Biggemann, SECONDED Director Kreiberg, that the RDN enter into an agreement with the BC Conservation Foundation which grants the Association access over the RDN Little Qualicum River Regional Park to construct structures in six separate locations on the Little Qualicum River to improve fish habitat, subject to obtaining the necessary approvals and ensuring that the long-term viability of the structures is maintained and that any liability associated with the failure of these structures is not attributed to the RDN.

CARRIED

DP Application No. 60342 – Sokol – 1558 Madrona Drive – Area E.

MOVED Director Bibby, SECONDED Director Haime, that Development Permit Application No. 60342, submitted by Al Benwell, Agent, on behalf of Scott Sokol and Carol Sokol, to legalize an existing deck structure and recognize the siting of the legal non-conforming dwelling unit and accessory building, and vary the minimum setback requirements for a coastal watercourse within the Residential 1 (RS1) zone for the property legally described as Lot 52, District Lot 68, Nanoose District, Plan 26680, be approved as submitted subject the requirements of Schedule Nos. 1 and 2 and to notification requirements pursuant to the *Local Government Act*.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

DVP Application No. 90316 – Ballance – 2830 Benson View Road – Area D.

MOVED Director Haime, SECONDED Director Bibby, that Development Variance Permit Application No. 90316 by Stanley Neville Balance to amend Development Variance Permit No. 0306 to allow for modifications to the design of the garage/loft to facilitate the inclusion of a balcony, sliding glass door and 4 attic dormers for the proposed garage/loft for the property legally described as Lot 8, Sections 9 and 10, Range 4, Mountain District, Plan 36191 be approved, subject to Schedules No. 1, 2 and 3 and to the notification requirements pursuant to the *Local Government Act*.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 6:54 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, AUGUST 26, 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
Alternate	
Director D. Heenan	Electoral Area H
Alternate	
Director F. Demmon	City of Parksville
Director T. Westbroek	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 G. Korpan	City of Nanaimo
Director T. Krall	City of Nanaimo
Alternate	
Director D. Brennan	City of Nanaimo

Also in Attendance:

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

LATE DELEGATIONS

MOVED Director Cantelon, SECONDED Director Biggemann, that the following delegations be permitted to address the Committee.

CARRIED

Gail Adrienne & Mike Mann, Nanaimo Area Land Trust, re Mt. Benson.

Ms. Adrienne and Mr. Mann advised the Board of the Nanaimo Area Land Trust's interest in property located at the summit of Mount Benson and requested financial support from the Board to have an appraisal done on the property.

Melissa Lacroix, Nanaimo, Duncan & District Labour Council, re Ethical Purchasing Policies.

Ms. Lacroix asked the Regional District's support for the Canadian Labour Congress' campaign for full public disclosure and commitment to a no sweatshop policy. Ms. Lacroix urged the Board to amend the RDN Purchasing Policy to ensure that goods and services purchased by the RDN are from responsible manufacturers that provide quality products.

MINUTES

MOVED Director Sherry, SECONDED Director Krall, that the minutes of the regular Committee of the Whole meeting held July 22, 2003, be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Sandra Keddy, Town of Qualicum Beach, re Proposed Boundary Extension.

MOVED Director Sherry, SECONDED Director Krall, that the correspondence from the Town of Qualicum Beach with respect to a proposed boundary extension for Qualicum Beach, be received.

CARRIED

Jack Peake, AVICC President & Chief Alphonse, Cowichan Tribes, re Formation of the Vancouver Island Foundation.

MOVED Director Sherry, SECONDED Director Krall, that the correspondence from AVICC and the Cowichan Tribes with respect to the formation of the Vancouver Island Foundation, be received.

CARRIED

Lanny Seaton, Acting Mayor, District of Langford, re Vancouver Island Foundation/E & N.

MOVED Director Sherry, SECONDED Director Krall, that the correspondence from the District of Langford with respect to the formation of the Vancouver Island Foundation, be received.

CARRIED

Shirley Hine, City of Parksville, re Vancouver Island Railway.

MOVED Director Sherry, SECONDED Director Krall, that the correspondence from the City of Parksville with respect to the establishment of a local government controlled foundation to own the E & N Railway and corridor, be received.

CARRIED

COMMUNITY SERVICES

REGIONAL GROWTH

Implementation Agreements – Urban Containment & Rural Protection.

MOVED Director Westbrook, SECONDED Director Kreiberg, that the Terms of Reference for the Urban Containment Implementation Agreement Update and the Rural Protection Implementation Agreement be approved.

MOVED Director Bibby, SECONDED Director D. Haime, that the Terms of Reference be amended to allow for public input in the proposed agreement after Stage 4.

CARRIED

The question was called on the main motion as amended.

The motion CARRIED

MOVED Director Korpan, SECONDED Director Westbrook, that staff be instructed to investigate the possibility of differentiating between rural containment areas internally contained compared to rural containment areas which border on municipal jurisdiction.

CARRIED

Regional Growth Strategy Implementation Progress Report 2001/2002.

MOVED Director Westbrook, SECONDED Director Sherry, that the report regarding Regional Growth Strategy Implementation Progress for 2001 and 2002 be received.

CARRIED

RECREATION & PARKS

Cranberry Fire Department's Request for Regional Park Land Use.

MOVED Director Kreiberg, SECONDED Director Hamilton, that the Regional District grant permission to the Cranberry District Fire Department to develop a water well and associated structures, as described at Nanaimo River Regional Park subject to the CDFD entering into an agreement with the Regional District and meeting all regulations.

CARRIED

CORPORATE SERVICES

ADMINISTRATION

Vancouver Island Railway.

MOVED Director Cantelon, SECONDED Director Brennan,:

1. That the Board approve an amount of \$6,139.12 as the Regional District of Nanaimo's share of the consultant's report. The source of funding to be general administration.
2. That the Board approve in principle the creation of a Foundation to own and manage the railway corridor on Vancouver Island.
3. That the Board participate in the next phase of discussions with the understanding that:
 - (i) any further consultant or study costs be brought to the Board for approval.
 - (ii) any final decision on our participation in the Foundation would be made upon receipt of the final Foundation documents, appraisals and environmental studies, and the business plan.
4. That the Chairperson appoint a representative from the Board to work on the creation of the Foundation.

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

4. That the Board appoint an elected representative to work on the creation of the Foundation.

DEFEATED

The question was called on the main motion.

The motion CARRIED.

FINANCE

Operating Results to June 30, 2003.

MOVED Director Krall, SECONDED Director D. Haime, that the Transit budget items be referred to the Transit Business Plan Select Committee with a report to come forward to the September Committee of the Whole meeting.

CARRIED

MOVED Director Krall, SECONDED Director Cantelon, that the summary report of financial results from operations to June 30th, 2003 be received for information.

CARRIED

DEVELOPMENT SERVICES

BUILDING INSPECTION

Section 700 Filings.

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

Mr. Marsh requested a thirty day deferral of the Section 700 filing against his property to allow a new building contractor the opportunity to address any outstanding infractions.

MOVED Director Korpan, SECONDED Director Krall, 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 20, Gabriola Island, Nanaimo Land District, Plan 26041, 510 South Road, Electoral Area 'B', owned by Lockinvar Enterprises Inc.;
- (b) Lot 8, Section 18, Gabriola Island, Nanaimo Land District, Plan VIP51655, 573 Horseshoe Road, Electoral Area 'B', owned by G. and H. Marsh;

CARRIED

It was noted that the following property is located in the District of Lantzville and will be forwarded to the District's Council.

- (a) Lot 16, District Lot 66, Nanoose District, Plan 22899, 7657 Superior Road, Electoral Area 'D', owned by B. Brown.

PLANNING

Closure of Victoria Land Title Office.

MOVED Director McNabb, SECONDED Director Cantelon,:

1. That the staff report on the closure of the Victoria Land Title Office be received for information.
2. That staff be directed to write a letter to the Honourable Stan Hagan, Minister of Sustainable Resource Management, requesting that the decision to close the Land Title Office in Victoria be reconsidered due to the importance of this office to local governments, the development community and the citizens of Vancouver Island.

CARRIED

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ENVIRONMENTAL SERVICES

DRINKING WATER PROTECTION

Drinking Water Protection.

MOVED Director Westbrook, SECONDED Director C. Haime,:

1. That the Board direct staff to organize a workshop that will assist the RDN in defining its role in drinking water protection.
2. 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.
3. That the Drinking Water Protection Workshop Terms of Reference be approved.
4. That, after the workshop, staff report back to the Board on the results of the workshop and with recommendations regarding a drinking water protection strategy for the Regional District.

MOVED Director Krall, SECONDED Director Heenan, that this item be deferred to the September Committee of the Whole meeting.

CARRIED

LIQUID WASTE

Pump & Haul Amendment Bylaw No. 975.30.

MOVED Director Sherry, SECONDED Director McNabb,:

1. That the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include Area 'G'.
2. That the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include 796 Miller Road, Parksville (Weldon).

CARRIED

MOVED Director Sherry, SECONDED Director Krall,:

1. That the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include 1169 McGillvary Avenue, Gabriola Island (Labelle).
2. That the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include Lot 3, Seaview Drive, Bowser (Melvyn).
3. That "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.30, 2003" be read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

SOLID WASTE

Waste Stream Management Licensing – Progress Report.

MOVED Director Sherry, SECONDED Director Westbrook, that the Board receive the staff report on development of a Waste Stream Management Licensing system for information.

CARRIED

Product Stewardship Developments.

MOVED Director Sherry, SECONDED Director Korpan, that the Board send a letter to the BC Premier, copied to the Minister of Water, Land and Air Protection and UBCM supporting the four principles of the product stewardship business plan emphasizing the principle that the revised regulation support the producer and consumer as the responsible parties for product stewardship materials, and rejecting the shared responsibility model.

CARRIED

Dairy Industry Product Stewardship Proposal.

MOVED Director Sherry, SECONDED Director Korpan, that the Board send a letter to the BC Premier, copied to the Minister of Water, Land and Air Protection, BC Dairy Council, UBCM and all regional districts supporting the Regional District of Kootenay Boundary position that milk containers be included in the deposit refund system and that the Board request all RDN municipalities to send similar letters.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Regional Waste Advisory Committee.

MOVED Director Sherry, SECONDED Director McNabb, that the minutes of the Regional Waste Advisory Committee meeting held July 3, 2003 be received for information.

CARRIED

Regional Library Board

MOVED Director Bibby, SECONDED Director Krall, that the Board endorse the Vancouver Island Regional Library Board's recommendations as a way of responding to the UBCM Library Task Force's request for input into the Strategic Plan for BC Public Libraries.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Mount Benson Property.

MOVED Director Cantelon, SECONDED Director Hamilton, that staff be directed to prepare a report with respect to Nanaimo Area Land Trust's request for financial support to carry out professional timber and real estate appraisals for the 523 acre property at the top of Mount Benson.

CARRIED

Town of Qualicum Beach Proposed Boundary Extension.

MOVED Director Hamilton, SECONDED Director Cantelon, that staff be directed to prepare a report on Qualicum Beach's proposed boundary extension for the next Committee of the Whole meeting.

CARRIED

Ethical Purchasing Policies.

MOVED Director Brennan, SECONDED Director Westbrook,:

That the purchasing policy of the Regional District of Nanaimo be amended in order to ensure that, when the RDN procures apparel and textile goods and services or licenses its trademarks, the RDN does not contract with sweatshops; and

That staff be directed to draft a procedure that ensures adequate information is obtained to allow ethical purchasing decision making.

DEFEATED

MOVED Director Krall, SECONDED Director Korpan, that staff be instructed to prepare a report respecting ethical purchasing and that staff prepare a statement of principle for purchasing.

CARRIED

NEW BUSINESS

Director Lund, re Bill C-325 – An Act to Amend the Income Tax Act.

MOVED Director Lund, SECONDED Director Westbroek, that correspondence be sent to all Members of Parliament in the region and to Member of Parliament, R. Casson, supporting Bill C-325.

CARRIED

IN CAMERA

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

CARRIED

TIME: 8:32 PM

CHAIRPERSON



REGIONAL DISTRICT OF NANAIMO			
AUG 29 2003			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
		<i>Red</i>	<i>✓</i>

MEMORANDUM

TO: Neil Connelly
General Manager, Community Services

DATE: August 29, 2003

FROM: Mike Donnelly
Manager, Transportation Services

FILE: 8700-20-DESBAY

SUBJECT: Descanso Bay Emergency Wharf - Gabriola Island
Update Report

PURPOSE

To update the Board on the Descanso Bay Emergency Wharf project and to provide for advancing the Bylaw and the initiative to referendum.

BACKGROUND

At the August 12, 2003 Board meeting the following resolution was passed in response to the outcome of the counter petition process for the Descanso Bay Emergency Wharf Service Bylaw.

That the "Descanso Bay Wharf Service Bylaw No. 1352, 2003" be referred to the September 9, 2003 Board meeting to determine whether to proceed to referendum or to abandon the bylaw.

The establishment of an emergency evacuation wharf under this bylaw was seen by some residents of Gabriola Island to conflict with their desire to see a continuation of the after hours service provided by BC Ferries. Further discussions were held between the RDN, the BC Ambulance Service and BC Ferries with respect to this option. During those discussions it was noted by BC Ferries that regardless of the outcome there is still a need to have an emergency evacuation wharf in place, as a back up facility should the ferry be out of service.

This position is strongly supported by both the BC Ambulance Service and the Gabriola Island Fire Department who have consistently spoken in favour of the development of this facility. The Islands Trust also support the concept and have moved forward under their own initiative to ensure the required zoning is in place to allow for this use.

BC Ferries have now stated their position regarding the provision of after hour's service for emergency evacuations (see Attachment 1). The letter dated August 13, 2003 from Captain Trafford Taylor, Vice President, Inter Island and Northern Services, notes that "BC Ferries should no longer be considered among the options available when planning the removal of persons for emergency reasons from Gabriola after normal BC Ferries service hours".

With BC Ferries having now clarified their position it will be important to revisit the issue with the residents of Gabriola Island. In order to do so a referendum is required under Section 172.7 of the *Local Government Act*. November 1, 2003 is the first available date.

The *Descanso Bay Wharf Service Bylaw No. 1352, 2003* brought forward in the counter petition process will be abandoned. A new bylaw, *Descanso Bay Wharf Service Bylaw No. 1357, 2003* is being proposed for the establishment of an emergency evacuation wharf facility. As well, this new bylaw allows for the capital expenditures and cost recoveries in the first year with a reduction in the tax requisition in subsequent years equal to that required for ongoing maintenance and operation of the facility. This change was made in response to concerns by some residents that the tax requisition level in the Bylaw was higher than it needed to be once the capital costs of constructing the facility had been covered.

The Regional District, BC Ferries, BC Ambulance Service and the Gabriola Fire Department will work together to develop an information pamphlet for residents of Gabriola Island prior to the referendum. As well local advertisements and a Public Information session will be held on the Island as part of a referendum communications strategy.

If the proposed referendum is successful then the final engineering design will be completed and the project put out to tender prior to the end of 2003. Construction would be underway in the early part of 2004 with an estimated completion in late March. Any works within the tidal zone must be completed by February 15, 2004, as there is a Fisheries closure after that date.

ALTERNATIVES

1. That the Gabriola Emergency Wharf initiative proceed to referendum.
 - a) That this information update report on the Descanso Bay Emergency Wharf be received for information.
 - b) That the "Regional District of Nanaimo Bylaw No. 1357, 2003" be introduced, given three readings and proceed to referendum on November 1, 2003 to obtain voter assent.
 - c) That the following question be brought forward to the electorate:

"Are you in favour of the Regional District of Nanaimo adopting:

Descanso Bay Wharf Service Bylaw No. 1357, 2003, which would:

- Create a service for the establishment, construction, operation and maintenance of wharf facilities in Electoral Area 'B' (Gabriola Island); and
- Impose an annual tax requisition within the Service Area as follows:
 - i) in the first year following the establishment of the service, the greater of \$70,515 or 15.2 cents per \$1,000 of assessment applied to the net taxable value of land and improvements; and
 - ii) in the second and subsequent years after adoption of the Bylaw the greater of \$7,900 or 1.7 cents per \$1,000 of assessment applied to the net taxable value of land and improvements?"

- d) That C. Mason be appointed as Chief Elections Officer and M. Pearce as Deputy Elections Officer for the referendum.

2. To abandon Bylaw No. 1352, 2003 and not proceed with the development of this service.

FINANCIAL IMPLICATIONS

Costs associated with this project total \$70,515 in the first year and are related to the construction of the facility at \$53,215, the recovery of the \$7,000 feasibility fund expenditures, counter petition costs of \$300 and estimated referendum costs of \$10,000. The majority of construction costs for the facility are:

Pier, pilings and lighting\$29,500

The remaining costs include:

Relocation of the wharf and purchase of the ramp \$ 8,500

Miscellaneous items such as signage and fencing \$ 2,000

Contingency, engineering fees and GST.....\$12,911.

These are preliminary estimates but we anticipate the competitive bid process will result in equal or lower costs.

In subsequent years an estimate of approximately \$7,880 in annual maintenance and operational costs has been projected. These costs include annual safety checks, power costs and general maintenance.

The estimated cost impact with respect to taxes would be \$15.20 per \$100,000 of residential assessment value for the first year and \$1.70 per \$100,000 of residential assessment value in subsequent years.

CITIZEN IMPLICATIONS

Residents of Gabriola Island are concerned about the lack of an effective and reliable medical emergency evacuation facility for use after the regular operating hours of BC Ferries. The counter petition for the establishment of such a facility failed as many residents saw an opportunity to continue with the past practice of having BC Ferries provide that service. BC Ferries has now stated their position and will not be providing such a service.

Residents of Gabriola Island will want the ability to voice their position on the proposal now that this position has been clearly outlined by BC Ferries. Information will be provided to the residents outlining the bylaw and wharf facility project.

SUMMARY/CONCLUSIONS

The counter petition results for the establishment of the Descanso Bay Wharf Service in July did not provide for the necessary electoral consent. This failure to obtain the consent of the electorate was largely due to the residents' desire to see the continuation, in some form, of the emergency evacuation services provided by BC Ferries in the past.

BC Ferries has now stated their position on this matter and have said that they will not be providing such a service in the future. As a result the electorate may once again be approached to gain approval for this facility. To accomplish this a referendum is proposed for November 1, 2003.

A revised bylaw is being proposed to allow for the establishment of this service. While essentially the same as the previous bylaw brought forward under the counter petition process the new bylaw allows for a tax requisition level in the first year that will accommodate the capital costs of the project and cost recoveries for the expenditure of feasibility funds, the counter petition process and the costs for the referendum. In subsequent years the tax requisition amount will be limited to estimated costs for annual maintenance and operating costs.

RECOMMENDATIONS

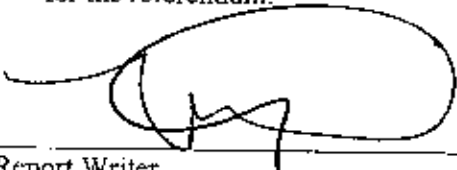
1. That this information update report on the Gabriola Emergency Wharf initiative be received.
2. That the "Regional District of Nanaimo Bylaw No. 1357, 2003" be introduced, given three readings and proceed to referendum on November 1, 2003 to obtain voter assent.
3. That the following question be brought forward to the electorate:


"Are you in favour of the Regional District of Nanaimo adopting:

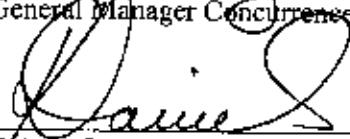
Descanso Bay Wharf Service Bylaw No. 1357, 2003, which would:

- Create a service for the establishment, construction, operation and maintenance of wharf facilities in Electoral Area 'B' (Gabriola Island); and
- Impose an annual tax requisition within the Service Area as follows:
 - i) in the first year following the establishment of the service, the greater of \$70,515 or 15.2 cents per \$1,000 of assessment applied to the net taxable value of land and improvements; and
 - iii) in the second and subsequent years after adoption of the Bylaw the greater of \$7,880 or 1.7 cents per \$1,000 of assessment applied to the net taxable value of land and improvements?"

4. That C. Mason be appointed as Chief Elections Officer and M. Pearce as Deputy Elections Officer for the referendum.


Report Writer

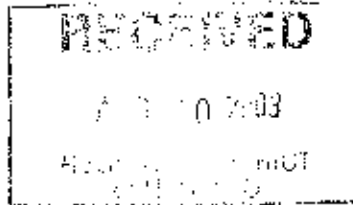

General Manager Concurrence


C.A.O. Concurrence

COMMENTS:

British Columbia Ferry Services
Inter Island & Northern Service
1112 Fort Street
Victoria, BC V8V 4V2
Tel (250) 978-1378
Fax (250) 361-0901
www.bcferries.com

August 13, 2003



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

Attention: Mr. Kelly Daniels, Chief Administrative Officer

Dear Sirs;


Subject: After Hours Emergency Lift-off - Gabriola Island

For many years BC Ferries and its staff have carried emergency patients off Gabriola Island after normal ferry service hours. Participation in this service on the part of our employees has been entirely voluntary. Recent demographic changes combined with changing residential patterns of our employees have resulted in the current situation where BC Ferries can not reliably muster the crew legally required to operate the vessel. We have worked with the community, the ambulance service, the first responders on Gabriola and our own staff to try and identify solutions to this problem which would permit BC Ferries to fulfill the role it has in the past. Regrettably, we have been unable to identify a solution that will provide the degree of reliability you require for your ambulance service.

I am therefore writing to advise you formally that BC Ferries should no longer be considered among the options available when planning the removal of persons for emergency reasons from Gabriola after normal BC Ferries service hours. BC Ferries is committed to working with you and the BCAS as you work to put an alternative ambulance service plan in place. Please contact me directly if I can be of any assistance as you proceed with your planning. In the meantime, I have asked my Communications Coordinator, Ann Carpenter, to work with your staff to develop and implement a communications plan to ensure island residents understand the reasons why the emergency service has to be reorganized.

I trust that this letter makes BC Ferries position clear. If I can offer further clarification please do not hesitate to contact me.

Yours truly,



Captain Trafford Taylor
Vice President
Inter Island and Northern Services

- cc: Gail Lund, Area Director
John McKinstry, BCAS
Captain Ratch Wallace, Marine Supt, IIS South
Captain Elgin McKillop, Senior Master, Gabriola
Gary Leitch, Manager, Stakeholder Relations & Consultation
Ann Carpenter, Communications Officer
✓ Neil Connelly, RD
Siona Rounis, Mike Hunter's office

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1357

A BYLAW TO ESTABLISH THE DESCANSO BAY WHARF SERVICE

WHEREAS under Section 796 of the *Local Government Act* a Regional District may operate any service the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to establish a service for the purpose of establishing and operating a wharf;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained under Section 801 of the *Local Government Act*;

AND WHEREAS the approval of the electors in the participating area has been obtained under Section 801.2 of the *Local Government Act*;

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

1. This bylaw may be cited for all purposes as the "Descanso Bay Wharf Service Bylaw No. 1357, 2003".
2. The service established by this bylaw is the Descanso Bay Wharf Service (the "Service") for the purpose of establishing, constructing, operating and maintaining wharf facilities in the Service Area.
3. The boundaries of the Service Area are the boundaries of Electoral Area 'B' (the "Service Area").
4. The sole participating area (the "Participating Area") is Electoral Area 'B'.
5. As provided in Section 803 of the *Local Government Act*, the annual cost of providing the Service shall be recovered by one or more of the following:
 - (a) property value taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
 - (b) fees and charges imposed under Section 797.2 of the *Local Government Act*;
 - (c) revenues raised by other means authorized by the *Local Government Act* or another Act;
 - (d) revenues received by way of agreement, enterprises, gift, grant or otherwise

6. In accordance with Section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the Service:
- (a) In the first year following the establishment of the Service, will be the greater of:
 - i) Seventy Thousand, Five Hundred and Fifteen (\$70,515.00) dollars; or
 - ii) a property value tax rate of \$0.152 cents per thousand (\$1,000) dollars of assessment that, when applied to the new taxable value of land and improvements in the Service Area, will yield the maximum amount.
 - (b) In the second and subsequent years following the establishment of the Service, will be the greater of:
 - i) Seven Thousand Eight Hundred and Eighty (\$7,880.00) dollars; or
 - ii) a property value tax rate of \$0.017 cents per thousand (\$1,000) dollars of assessment that, when applied to the new taxable value of land and improvements in the Service Area, will yield the maximum amount.

Introduced and read three times this 9th day of September, 2003

Received the approval of the Inspector of Municipalities this ___ day of _____, 2003.

Obtained the assent of Electors this ___ day of _____, 2003.

Adopted this ___ day of _____, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES



REGIONAL DISTRICT OF NANAIMO	
AUG 26 2003	
CHAIR	GMCrS
CAO	GMDS
GMCS	GMES

MEMORANDUM

TO: C. Mason
General Manager, Corporate Services

FROM: N. Avery
Manager, Financial Services

Bud ✓
DATE: August 22, 2003

FILE:

SUBJECT: Request for funding to develop strategy for the management of invasive plants

PURPOSE:

To respond to a request for funding assistance from the Fraser Basin Council, to develop a province-wide strategy for the management of invasive plants.

BACKGROUND:

At its meeting held July 8th, the Board received the attached correspondence from the Cariboo Regional District regarding their support for the Fraser Basin Council to develop a province wide strategy for the management of invasive plants. A similar letter has now been received by our Regional District, requesting financial support in the amount of \$1,500 for the Council to complete work on this initiative.

The Council is raising approximately \$100,000 from the federal, provincial and local government levels for this project. The first stage, which is partially complete will develop a "governance" structure for the management of invasive plants. The second stage will focus on the specific actions that may be applicable in the various regions of the Province.

ALTERNATIVES:

Provide \$1,500 to the Fraser Basin Council for the development of an invasive plant management control strategy and use funds from the General Administration budget.

Decline to provide \$1,500 to the Fraser Basin Council for the development of an invasive plant management control strategy.

FINANCIAL IMPLICATIONS:

Alternative 1

The funding request has been directed only to Regional Districts so there is no duplication of effort with regards to municipalities. Should all Regional District's respond the Council would raise \$40,500 for this purpose. The final strategy document will be of value to municipalities and rural areas alike. While there is no specific funding source within the Administration budget for this request, there is budget room available to make this expenditure.

Alternative 2

The Council will seek other sources of funding if the Regional District contribution is less than anticipated, including seeking further funding from the federal and provincial levels or even other interest groups which are affected by this issue.

SUMMARY/CONCLUSIONS:

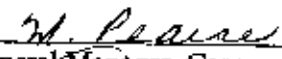
The Fraser Basin Council has sent a request to all Regional Districts seeking financial support to develop a province wide strategy for the management of invasive plants. They have requested \$1,500 from each Regional District, which would, if all Regional District's participated, raise about \$40,500 for this purpose. The final strategy document will be of value to municipalities and rural areas alike. While there is no specific funding source within the Administration budget for this request, there is budget room available to make this expenditure.

RECOMMENDATION:

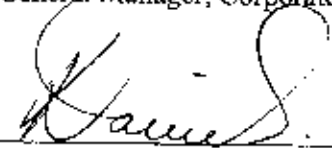
That the Regional District of Nanaimo provide \$1,500 to the Fraser Basin Council to assist in the development of a province wide strategy for the management of invasive plants.



Report Writer



Acting General Manager, Corporate Services



C.A.O. Concurrence

COMMENTS:



Fraser Basin Council

1st Floor, 470 Granville Street Vancouver, BC V6C 1V5
tel: (604) 488-5350 fax: (604) 488-5351
www.fraserbasin.bc.ca email: info@fraserbasin.bc.ca

REGIONAL DISTRICT OF NANAIMO		
JUL 22 2003		
CHAIR	GMCrs	<input checked="" type="checkbox"/>
CAO	GMDS	<input checked="" type="checkbox"/>
GMS	GMES	<input checked="" type="checkbox"/>

*Carol - report
+ recommendations
for BC
Aug Committee.*

July 15, 2003

Mr. Kelly Daniels
Chief Administrative Officer
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Chief Administrative Officer,

Invasive or non-native plant species – also known as noxious weeds – are taking over large tracts of land throughout British Columbia! Without natural enemies to control their populations, these plants have a competitive advantage over native plants making them very difficult to control.

Invasive plants are a growing concern because of their widespread impacts on ecosystems. This, in turn, affects the natural resource-based economy of local communities and businesses.

Invasive plants adversely affect crop yields, reduce range productivity because many weeds are non-palatable or injurious to domestic livestock, reduce wildlife forage and recreational values, and impact conifer regeneration efforts. Annual economic losses from invasive plants in BC are in the tens of millions of dollars.

As a follow up to the *Weeds Know No Boundaries* symposium that the Fraser Basin Council co-hosted in Williams Lake in June 2002, work is now underway to develop a province-wide strategy for the management of invasive plants. The main purpose of the strategy is to help ensure that relevant organizations are working collaboratively to minimize the impact of invasive plants on local economies and community viability.

Development of the strategy has progressed through two multi-stakeholder workshops, one in Richmond and one just recently in Kamloops. Representation at these workshops has included public and private sector interests from throughout the province. The goal is to finalize the strategy by this Fall to ensure that federal, provincial and local government budgeting processes for 2004 can accommodate and support a collaborative approach that addresses this very significant problem before it causes even greater environmental and economic impacts!

In order to complete the preparation of the strategy and to obtain substantial “buy-in” for its contents and implementation plan, the Fraser Basin Council, on behalf of all those interests involved in the drafting of the strategy, is exploring all possible avenues for financial assistance. Such assistance would complement existing core support for the Council provided by its funding partners.

PAGE
40

Recognizing that the invasive plant issue is common to most, if not all, regional districts in BC we are asking each regional district to contribute \$1500.00 to this initiative. Although it is understood that some regional districts do not actively participate in the control of invasive plants, most people would agree that these plants have a direct impact on us all. A province-wide strategy will be the first united effort to tackle this problem head on throughout British Columbia before it is too late to do so! A contribution of this modest amount from each regional district will provide significant funding to proceed with the development of the strategy.

I will contact you within the next two weeks to further discuss this funding request with you. In the interim, please do not hesitate to contact me at 604-889-7455 if you have any questions or require additional information on this initiative.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'David Marshall', written in a cursive style.

David Marshall
Executive Director
Fraser Basin Council



OF NANAIMO			
SEP - 3 2003			
CHAIR		GMOFS	
CAO		GMDS	
GMCmS		GMES	
		<i>Bud</i>	<input checked="" type="checkbox"/>

MEMORANDUM

TO: Kelly Daniels
Chief Administrative Officer

DATE: September 3, 2003

FROM: Neil Connelly
General Manager, Community Services

FILE: 0230-20-NALT

SUBJECT: Nanaimo Area Land Trust Request for Funding

PURPOSE

To consider the Nanaimo Area Land Trust request for funding for appraisals of a property on Mount Benson.

BACKGROUND

At the August 26, 2003 Committee of the Whole meeting representatives from the Nanaimo Area Land Trust (NALT) appeared as a delegation. They advised the Board of their interest in property at the summit of Mt. Benson and requested financial support from the Regional District to have an appraisal done on the property. The Committee passed the following resolution:

"That staff be directed to prepare a report with respect to the NALT request for financial support to carry out professional timber and real estate appraisals for the 523 acre property at the top of Mount Benson."

On September 3, 2003 a letter was received from NALT, which confirmed their interest to complete the appraisals in a timely manner, and specified that they had received written cost estimates for the work at \$5,545. It is comprised of \$3,545 for a timber appraisal and \$2,000 for a real estate appraisal. Their letter is attached.

Mount Benson is outlined in the 1995 Regional Parks System Plan as a site that has been identified by the public as significant to the Regional District's parks, outdoor recreation and open space mosaic. The Regional Parks Acquisition Program Update (2003-05) also recognized it as an area of interest given that Electoral Area 'C' does not currently have a regional park.

ALTERNATIVES

1. That \$5,545 be provided to NALT to fund their appraisal of property on Mount Benson.
2. That \$2,773 be provided to NALT to cover one-half of their appraisal costs.
3. That the Regional District decline the request from NALT to cover appraisal costs.

FINANCIAL IMPLICATIONS

Funding may be achieved from the regional parks budget, transfer from reserve fund account. As reported to the Board in June, with an annual acquisition fund of \$150,000 and with payments of \$357,500 committed to four regional park acquisitions in 2003, the balance remaining at the end of the year, without further expenditures, is estimated to be down to \$52,020.

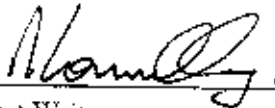
SUMMARY

The Nanaimo Area Land Trust has requested that the Regional District contribute \$5,545 to cover their costs of having appraisals completed for property on Mount Benson. It will assist in their efforts to work towards potentially acquiring the land for park and recreation purposes.

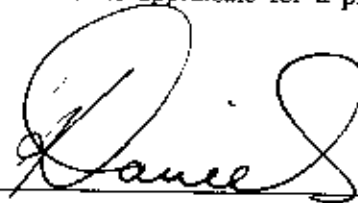
The Regional Parks Acquisition Strategy provides for priority consideration for a regional park opportunity in Electoral Area 'C' given that it does not currently have a regional park. However, it also recognizes funding constraints given various other park commitments and the need to work with partner groups such as NAIT to allow for such initiatives to be advanced over time.

RECOMMENDATION

That the Regional District provide \$5,545 to the Nanaimo Area Land Trust to respond to their request for financial support to carry out professional timber and real estate appraisals for a property on Mount Benson.



Report Writer



CAO Concurrance

COMMENTS:



Nanaimo Area Land Trust

#8 - 140 Wallace Street, Nanaimo, BC V9R 5B1
Phone/Fax: 250-714-1990 Phone: 250-758-5490 Email: admin@nalt.bc.ca

September 2, 2003

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo BC

REGIONAL DISTRICT OF NANAIMO			
SEP - 3 2003			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
Beal Comm. ✓			

Attention: RDN Board of Directors, c/o Kelly Daniels, RDN Administrator

Dear Chairman Stanhope and RDN Directors:

Again, we would like to thank you for receiving the NALT delegation at your Board meeting on August 26th. We understand that the RDN Board referred our request to staff, and will receive a report at your next Board meeting on September 9th.

We would like to forward some additional information to you that may be useful in your deliberations. We have received a written estimate of a timber appraisal from Dave Robinson who is a Registered Professional Forester and familiar with the property. His quote is \$3545 – slightly below the \$4,000 verbal estimate we received earlier. The cost of a real estate appraisal, to be carried out after the timber appraisal, remains at \$2,000. This would put the total cost for both appraisals at \$5545.

At this time, we are requesting that the RDN contribute the sum of \$5545 to cover these appraisals. We also request that, if at all possible, the decision to contribute this amount be made at your meeting on September 9th, so that we can move forward and carry out these appraisals as soon as possible. We have requested a further extension from the owners of the property until October 15th – to allow time to carry out these steps, and then to determine if/how NALT and partners can proceed with acquisition of the property. However, it is important that we move quickly on this, so decisions can be made while the dry weather holds and the ban on logging is still in effect.

Thank you for your interest in this issue. We await your response.

Yours sincerely,

Mike Mann, NALT Treasurer

Gail Adrienne, NALT Executive Director



OF NANAIMO			
SEP - 4 2003			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
		<i>Bed</i>	<i>✓</i>

MEMORANDUM

TO: Neil Connelly
General Manager, Community Services DATE: September 3, 2003

FROM: Christina Thomas
Senior Planner, Community Services FILE: 6550-20-QB

SUBJECT: TOWN OF QUALICUM BEACH MUNICIPAL BOUNDARY EXTENSION TO
INCLUDE FOUR ELECTORAL AREA 'G' PROPERTIES IN TOWN

PURPOSE

The purpose of this report is to consider the Town of Qualicum Beach request for RDN comments about the Town's proposal to the Province to include four Electoral Area 'G' properties in the Town.

BACKGROUND

The RDN received a request from the Town of Qualicum Beach for the RDN to provide comments about the Town's proposal to include four Electoral Area 'G' properties in the Town (see Attachment #1). The request was included in the August 26, 2003 Committee of the Whole Agenda in the Communications/Correspondence section, and the Committee of the Whole directed staff to prepare a report for consideration by the Board.

The Town of Qualicum Beach previously submitted a referral directed to staff in December 2002 that resulted in a request, pursuant to the Urban Containment and Fringe Area Management Implementation Agreement (UCFAMIA), for additional information from the Town with respect to the proposed use for the land. The response from the Town provided the additional information as noted below. Chairperson Stanhope, as Director of Electoral Area 'G', also requested a meeting with Mayor Westbrook and other representatives of Qualicum Beach to discuss how the Town would consult with residents of Electoral Area 'G' with respect to the proposal and how the Town proposed to recognize the policies contained in the French Creek Official Community Plan if the lands were incorporated. The Town indicated that they would proceed with consultation according to the incorporation process and as part of any proposed community plan or land use bylaw amendment. The request for referral comments has now been referred back to the RDN as part of the consultation process.

Town of Qualicum Beach Proposal

The Town of Qualicum Beach is requesting that the RDN provide comments about the Town's proposal to include four Electoral Area 'G' properties in the Town, legally described as:

1. Lot B, DL 88, Nanoose District, Plan VIP71580;
2. Lot 1, Block 20, District Lot 78, Nanoose Land District, Plan 1694, PP VIP56175;
3. Lot 2, Block 20, District Lot 78, Nanoose Land District, Plan 1694, PP VIP56175; and
4. Lot 3, Block 20, District Lot 78, Nanoose Land District, Plan 1694

and hereafter referred to as Subject Properties 1, 2, 3 and 4 (see Attachment #2).

The Town's reasons for including these properties in its municipal boundaries, and the proposed use of each property are outlined in the table below:

Subject Property	Reason for Inclusion	Proposed Use
1	Owned by Town	No immediate plans. Possible future site for school bus garage.
2	Owned by Town	Former landfill site in midst of closure process pursuant to provincial government regulations.
3	Owned by Town	As above.
4	Owned by Town	No development planned. Affected by Subject Properties 2 & 3.

Legislation Applicable to Proposal

Municipal boundaries may be extended to include land not in a municipality in accordance with the provisions of section 20 of the *Local Government Act*. Municipalities are the lead party in municipal boundary extension proposals and are consequently responsible for ensuring that all obligations regarding the boundary extension process are fulfilled. The Province is responsible for ensuring that the legislative requirements for boundary extensions are met and for making decisions about the approval of boundary extensions. Regional districts are participants in the boundary extension process as they have an opportunity to review and provide comments about boundary extension proposals and participate in any discussions to resolve issues raised in the review. The primary role of regional districts is to identify issues in relation to services provided by the regional district, and to participate in discussions to resolve these issues. Regional districts do not have the authority to approve or reject a boundary extension, nor do they have the authority to veto a boundary extension decision. However, electoral area residents may wish to state their position about boundary extensions through electoral area representatives.

The Province generally takes into account the following criteria in its decisions about municipal boundaries:

- a) The land should be contiguous with the existing municipal boundary, except in special exceptions
- b) With a few exceptions, the proposed municipal boundary should not divide legal parcels.
- c) The inclusion of the land into the municipality should not compromise efficiency in relation to local road maintenance jurisdiction.
- d) Land to be included should form a logical block of parcels, rather than a number of incremental extensions over time to include the same area. Common ways of defining a block include a local road network, local service area boundaries, and natural features.

The Urban Containment and Fringe Area Management Implementation Agreement (UCFAMIA), an agreement between the RDN, the City of Nanaimo, the City of Parksville, the Town of Qualicum Beach, and the District of Lantzville (through its Letters Patent), provides some additional direction regarding municipal boundary changes, in light of the fact that there is a regional growth strategy for the region to manage future growth and development more sustainably. Specifically, the UCFAMIA establishes additional criteria that the Minister *may take into consideration at their discretion* in decisions about boundary extension proposals (over and above the criteria described above). However, the agreement also recognizes that a municipality may choose to submit a proposal to the Minister to extend a municipal boundary for any reason or reasons that the municipality determines to be in the municipality's interest.

The additional criteria are:

- a) Range of provincial, regional district, municipal, first nation, owner and resident interests; Regional Growth Strategy and implementation agreements;
- b) Other RDN plans: Liquid Waste, Solid Waste, Parks, Capital Works Program;

- c) Servicing considerations including service areas, improvement districts and water utilities;
- d) Municipal and electoral area official community plans and bylaw which regulate and make requirements with respect to the use and development of land;
- e) The views of all neighbouring local government and service area jurisdictions;
- f) The views of First Nations representatives;
- g) Land owner and resident views;
- h) Public opinion;
- i) Electoral opinion, including the results of a referendum pursuant to section 20 of the *Local Government Act*;
- j) Provincial land use and servicing interests, such as resource management (including the view of the LRC and FLC), and transportation (services and road networks);
- k) Provincial fiscal interests; and
- l) Local property taxation, service fees, and charges.

Request for Servicing

The RDN recently received a request from the Town of Qualicum Beach for support regarding the provision of community sewer service to six properties outside the Urban Containment Boundary, including Subject Property #1, under the Regional Growth Strategy provisions to service property outside the UCB to address an environmental or public health threat. A report about this matter is scheduled to be considered at the September 30, 2003 Committee of the Whole meeting.

ALTERNATIVES

1. Provide the comments as listed in Schedule No. 1 to the Town of Qualicum Beach to be forwarded to the Minister with respect to the proposal to include four subject properties into the Town.
2. Inform the Town of Qualicum Beach that the RDN has no comments with respect to the proposal.
3. Inform the Town of Qualicum Beach that the RDN has alternative comments as identified by the Board.

FINANCIAL IMPLICATIONS

The incorporation of the four Electoral Area G properties into the Town of Qualicum Beach will result in a reduction in the number of properties supporting Electoral Area 'G' services. Staff suggests that incremental boundary expansions to incorporate land from Electoral Area 'G' into adjacent municipalities may ultimately compromise the ability of the Regional District to provide services in a cost effective manner. In addition, some lands proposed for incorporation may have a specific value to the Electoral Area with respect to providing resources or other land use benefits.

REGIONAL GROWTH STRATEGY IMPLICATIONS

All of the subject properties are designated by the Regional Growth Strategy as Resource Lands and Open Space. The RGS does not intend for the properties to be serviced to facilitate development. It only supports the provision of services to the properties to address environmental or public health threats, as determined by the RDN and member municipalities in partnership.

OFFICIAL COMMUNITY PLAN IMPLICATIONS

All of the subject properties are designated for Rural uses by the French Creek Official Community Plan and are zoned for Rural use by the zoning bylaw. The possible proposed use of the Ravensbourne Lane

property (Subject Property 1) for a school bus storage yard would require an amendment to the French Creek Official Community Plan and an amendment to the zoning bylaw. As a part of the development of the French Creek Official Community Plan residents indicated that they have concerns regarding the expansion of industrial uses in and adjacent to the Qualicum Beach airport.

PUBLIC CONSULTATION IMPLICATIONS

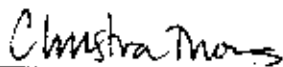
The subject properties are all owned, or soon to be owned, by the Town of Qualicum Beach; consequently there are no issues regarding the property owners support of the proposal. Other residents of Electoral Area 'G' may have concerns regarding the incorporation of the lands if the Town intends to use or develop the lands at variance to the current French Creek Official Community Plan.

SUMMARY

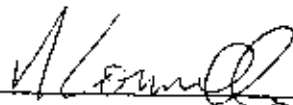
The Regional District received a referral from the Town of Qualicum Beach to provide comments on the proposed incorporation of four properties currently within Electoral Area 'G'. The subject properties are all owned by the Town; however, the Town has not declared a specific future use for these lands. Three of the four properties are proposed to be incorporated because of implications related to the former use as a landfill site or due to possible long-term implications related to this use. One of the properties is immediately adjacent to the Qualicum Airport and while the Town has not indicated any immediate future plans it has been identified as a possible future site for a school bus garage. The primary concern related to the proposed incorporation of land adjacent to the Qualicum Airport is that it may be considered for a future use that would require an amendment to the French Creek Official Community Plan and zoning regulations. Residents of Electoral Area 'G' previously expressed concerns about the future use of this land as part of the preparation of the Official Community Plan. Therefore, staff recommends that this concern be forwarded to the Town of Qualicum Beach as outlined in the comments included in Schedule No. 1 of the staff report.

RECOMMENDATION

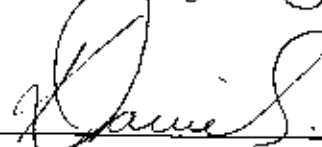
That the comments listed in Schedule No. 1, regarding the Town of Qualicum Beach proposal to incorporate four properties currently within Electoral Area 'G' into the Town, be forwarded to the Town and to the Minister of Community, Aboriginal and Womens' and Services.



Report Writer



General Manager Concurrence



CAO Concurrence

**SCHEDULE NO. 1
REGIONAL DISTRICT OF NANAIMO COMMENTS ABOUT THE TOWN OF
QUALICUM BEACH PROPOSAL TO INCLUDE FOUR ELECTORAL AREA 'G'
PROPERTIES IN THE TOWN**

All of the properties are designated for Rural uses by the French Creek Official Community Plan and are zoned for Rural use by the zoning bylaw. The possible proposed use of the Ravensbourne Lane property for a school bus storage yard would require an amendment to the French Creek Official Community Plan and an amendment to the zoning bylaw. It should be noted that, as a part of the development of the French Creek Official Community Plan, residents indicated that they have concerns regarding the expansion of industrial uses in and adjacent to the Qualicum Beach Airport. These concerns should be addressed as a part of any proposal to establish different uses than currently supported on the subject properties

ATTACHMENT #1
TOWN OF QUALICUM BEACH REQUEST



301 - 660 Pirbright St.
P.O. Box 130
Qualicum Beach, B.C.
V9K 1S7

TOWN OF QUALICUM BEACH
INCORPORATED 1941

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

August 8, 2003

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

Attention: Mr. Joe Stanhope, Chair & Board of Directors

Dear Members of the Board

**Re: Proposed Boundary Extension -
Lot B, District Lot 88, Nanoose District, Plan VIP 71580, Ravensbourne Lane.**

**Lots 1 & 2, Block 20, District Lot 78, Nanoose Land District, Plan 1694, PP VIP 56175 and
Lot 3, Block 20, District Lot 78, Nanoose Land District, Plan 1694, View Road.**

At the beginning of December 2002 correspondence was forwarded to Mr. Bob Lapham, Development Services, beginning the process for a proposed boundary extension for Qualicum Beach.

Mr. Lapham had some questions regarding the proposed extension, to which we replied on January 9, 2003. Since that time the proposed extension has been placed on hold for a variety of reasons. Council of the Town of Qualicum Beach has now instructed staff to continue with the boundary extension process.

As it is the policy of the Ministry of Community, Aboriginal and Women's Services that the affected regional district be consulted on municipal boundary extension proposals, and subsequent to additional information provided to Mr. Lapham, we are respectfully requesting your favourable consideration of the proposed boundary extension.

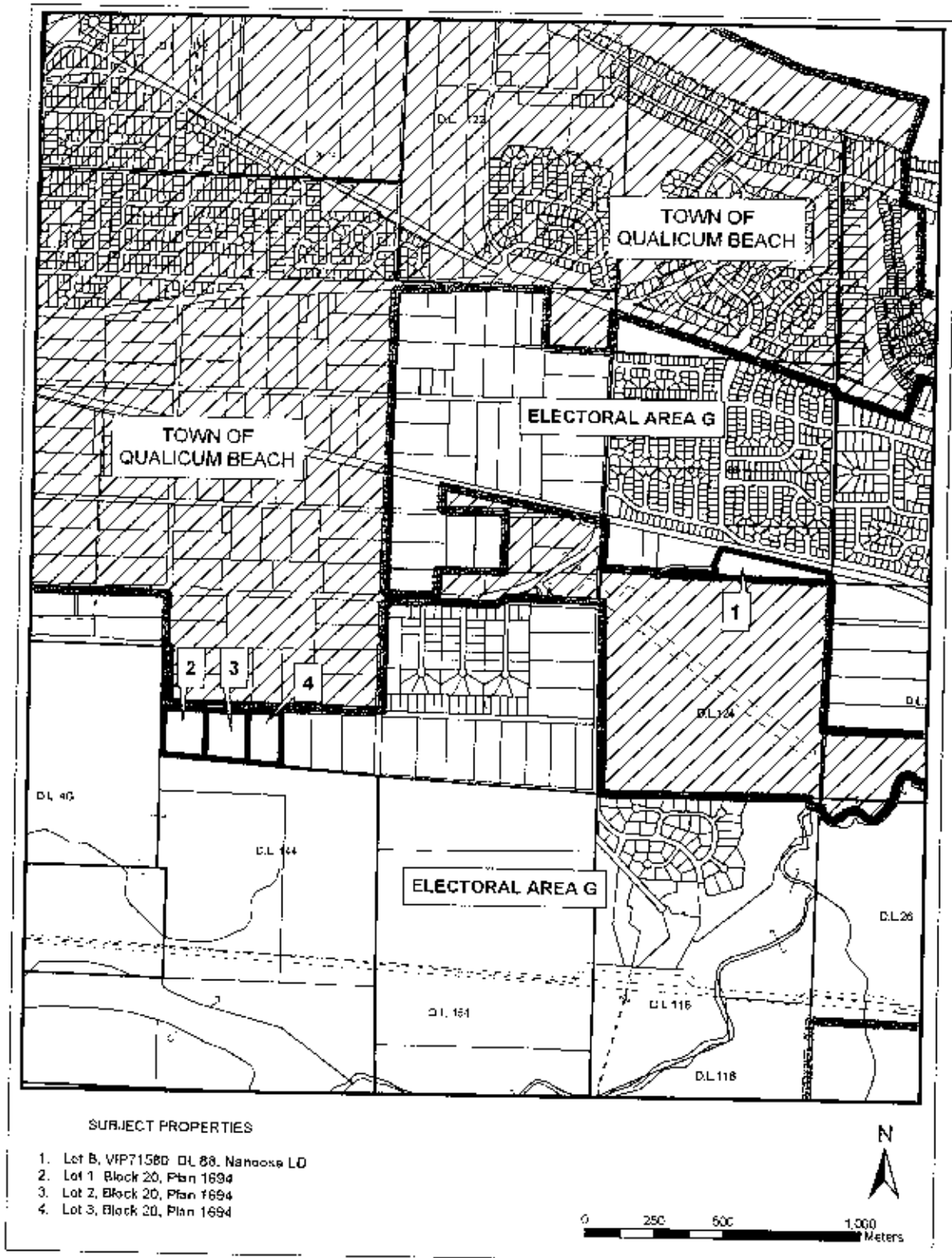
Thank you for your attention to this matter.

Yours truly

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

File: 6550-20-ravelind
✓ MDB/PTB

**ATTACHMENT #2
SUBJECT PROPERTIES**



SEP - 4 2003

MEMORANDUM

CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	

TO: C. Mason
General Manager, Corporate Services

DATE: September 3, 2003

FROM: N. Avery
Manager, Financial Services

FILE:

SUBJECT: To discuss options for public consultation on the financial plan

PURPOSE:

To obtain Board approval of the approach to presenting and approving the financial plan.

BACKGROUND:

Section 816 of the Local Government Act requires that a Board undertake a process of public consultation regarding the financial plan, before it is adopted. The form of consultation is at the discretion of the local government and is therefore, intended to meet the objectives of the Board regarding how to inform their constituents about the contents of the financial plan. This report considers alternatives which will meet the intent of the Act for our Regional District.

At this time, staff expect to be making the first presentation on the financial plan at the November Committee of the Whole meeting. This presentation will cover an overview of the summarized financial plan and highlights of new or changed initiatives for 2004. The presentation is intended to make the Board familiar with the structure of the budget and the expected property tax implications at a preliminary stage, before final 2003 operating results are complete.

Operating results for 2003 will be finalized by late January. A recommended 2004 budget and updated financial plan would be presented at the February Committee of the Whole meeting. The Board has two further opportunities to make changes to the financial plan in March, at either of the Board or Committee of the Whole meetings. The financial plan must be adopted by March 31st, 2004.

ALTERNATIVES:

1. Hold public information meetings at selected locations throughout the Regional District.
2. Hold public information meetings at the Regional District offices.
3. Invite the public to attend the committee and Board meetings considering the financial plan by placing notices on the website, at all Regional District office locations and in the primary newspapers circulated in the Regional District.

FINANCIAL IMPLICATIONS:

Alternative 1

Two meetings could be held, one in the south and one in the north. Costs to be incurred will include hall rentals and advertising. A rough estimate of costs would be \$700 to \$800. Based on feedback from other local governments who have held public budget information meetings, attendance has been very lackluster.

Alternative 2

Using the Regional District Board chambers to host budget information meetings would result in a lower cost than using rented halls. A rough cost estimate for advertising would be \$300 - \$500. Again, staff suspect that attendance will be low.

Alternative 3

This alternative is favored by a cross section of local governments on Vancouver Island. Under this alternative, the public would attend the meetings during which the Board will discuss and make recommendations on the financial plan. Summary budget information would be made available as handouts at the meeting for those in public attendance. The advantage to this alternative is that members of the public can address the Board as a delegation if they have a specific item to bring to the Board's attention. Advertising costs are estimated at \$300 - \$500.

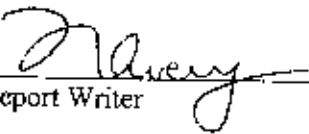
SUMMARY/CONCLUSIONS:


The Local Government Act requires that some form of public consultation be undertaken on the financial plan prior to its adoption. The alternatives which could be considered include information meetings held outside of the regular committee meeting schedule, either at rented halls or in the Board chambers, or alternatively, increasing the profile of the regular budget committee meetings using more extensive advertising of the timetable for the meetings. The advantage of the last alternative is that members of the public can address the Board as a delegation if they have a specific item to bring to the Board's attention whereas, the experience of other local governments using public information meetings is that attendance has been very poor. The Board can choose an alternative form of consultation at any time, so adopting a particular approach now, does not limit options for the future.

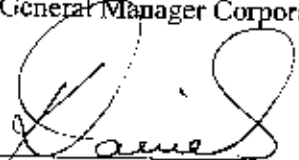
Given the feedback from other local governments on the Island, staff recommend that public budget meetings remain as part of the regular meeting schedule and that the timetable for these meetings be widely advertised to encourage public attendance.

RECOMMENDATION:

1. That the 2004 annual budget and five year financial plan be considered at regularly constituted public meetings of the Board and/or Committee of the Whole.
2. That the budget meeting timetable be prominently displayed on the Regional District website, at Regional District office locations and advertised two weeks in advance in the primary newspapers circulated in the Regional District.


Report Writer


General Manager Corporate Services


C.A.O. Concurrency

COMMENTS: