

REGIONAL DISTRICT OF NANAIMO

**COMMITTEE OF THE WHOLE
TUESDAY, JANUARY 28, 2003
7:30 PM**

(Nanaimo City Council Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

- 4 **Trevor Wicks, Arrowsmith Watershed Stewardship Team**, re Community Water Supply.
- 5 **Germain Dufour**, re Biophysical and Economic Assessment Proposal of Mount Benson and Surrounding Ecosystems. (Additional information included as separate enclosure)
- Gail Adrienne, Nanaimo Area Land Trust**, re Mount Benson.

MINUTES

- 6-16 Minutes of the Committee of the Whole meetings held on Tuesday, October 15, 2002 and Tuesday, October 22, 2002.

BUSINESS ARISING FROM THE MINUTES

COMMUNICATION/CORRESPONDENCE

- 17-18 **Ron Creber, Land & Water British Columbia Inc.**, re Little Mountain and Morrison Creek.
- 19 **Gordon Smail, Land and Water British Columbia Inc.**, re Replacement Lease, Community Park, Nanoose Road.

COMMUNITY SERVICES

RECREATION AND PARKS

- 20-30 **District 69 Recreation Grants Program & Recreation Program Assistants Report.**
- 31-35 **Gabriola Island Parks & Open Space Advisory Committee Proposal.**

REGIONAL GROWTH MANAGEMENT

- 36-38 **Regional Development Services 2003 Program.**

- 39-53 Regional Growth Strategies Monitoring Program – State of Sustainability Project & Committee.

TRANSIT

- 54-58 BC Transit Act Regulation Changes – Phase 1 – Funding & Services Strategies Review.
- 59-76 BC Transit Funding & Service Strategy Review – Phase 2 – Transit Funding & Governance Models.
- 77-80 Transit Business Plan Update 2003-2005 – Terms of Reference.
- 81-83 Evaluation Report – Take 5 Express – Malaspina University College/Downtown Nanaimo.

CORPORATE SERVICES

ADMINISTRATION

- 84-88 Public Consultation & Communication Committee – Terms of Reference.
- 89-90 Rogers Wireless Inc. Communications Tower Proposal.
- 91-99 Legal Services Contract Extension.
- 100-101 Resolution to Create Expanded Local Telephone Calling Area.

FINANCE

- 102-103 Update Banking Resolutions for Changes in Board Membership.
- 104-106 San Pareil Water Supply LSA Amendment Bylaw 1170.03.

FIRE DEPARTMENTS

- 107-109 Errington Fire Protection Function Reserve Fund Expenditure Bylaw No. 1324.
- 110-123 License of Use (Coombs-Hilliers Firehall #2) Arrowsmith Search & Rescue Society.

DEVELOPMENT SERVICES

BUILDING INSPECTION

- 124-125 Section 700 Filings.

ENVIRONMENTAL SERVICES

- 126-130 Regional Environmental Advisory Committee - Terms of Reference.
- 131-133 Climate Change Standing Committee - Terms of Reference.

LIQUID WASTE

- 134-143 Pump & Haul LSA Amendment Bylaw No. 975.27:
- 1655 Whalebone Drive – Gallagher - Area B.
- 3371 Blueback Drive – Andrews - Area E.
- 3480 Tyee Crescent – Dance – Area E.

SOLID WASTE

- 144-146 Illegal Dumping Prevention Program Surveillance & Evidence Gathering Contract.

UTILITIES

- 147-151 Flood Hazard Management.
- 152-155 Rural Streetlighting LSA Boundary Amendment Bylaw No. 791.06 – Columbia Drive - Area G.
- 156-158 Water Systems – Cross-Connection Control Program.

COMMISSION, ADVISORY & SELECT COMMITTEE

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

BOARD INFORMATION (Separate enclosure on blue paper)

ADJOURNMENT

IN CAMERA

Burgoyne, Linda

From: Pacific Rainforest Adventure Tours Inc. [mailto:rainforestnaturehikes.com]
Sent: Monday, December 09, 2002 8:33 AM
To: Burgoyne, Linda
Subject: Presentation request

207 Stanford Ave

Parksville, B.C. V9P 1M4

December 9, 2002

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

To: Linda Burgoyne

Please accept this letter as a request to be on the agenda of the Regional District of Nanaimo board meeting on January 28, 2003.

Trevor Wicks, on behalf of the Arrowsmith Watershed Stewardship Team, is requesting the board's support regarding community health and the protection of our community water supply.

Sincerely,
Ronda Murdock
Watershed Stewardship Team
Contact # 248-3667

Burgoyne, Linda

From: Germain Dufour [gdufour@globalcommunitywebnet.com]
Sent: Tuesday, January 14, 2003 10:54 AM
To: Burgoyne, Linda
Subject: Linda Burgoyne: registration of delegation

Earth Community Organization (ECO)
Unit 201, 59 Nicol Street, Nanaimo, British Columbia, V9R 4S7, Canada
Phone (message only): (250) 753-1188
email: gdufour@globalcommunitywebnet.com

Tuesday, January 14, 2003

Linda Burgoyne
Board
Regional District of Nanaimo (RDN)
Email: corpsrv@rdn.bc

Dear Linda:

As a follow up to our telephone conversation this morning, Christina Thomas in Community Services (GMP) suggested that I register myself as a delegation for a ten minutes speech to present my proposal to the Regional District of Nanaimo. I will present the same proposal to the City of Nanaimo Advisory Committee on the Environment (ACE) this afternoon at 4:30 pm in the Training Room, 238 Franklyn St. I believe Bridge, RDN Environmental expert, might be there. My proposal was sent in the form of an email letter to Joe Stanhope, Director and Chair, Board of RDN. A copy of the letter is included here.

My proposal has several sections:

1. Conducting a Biophysical and Economic Assessment of Mount Benson and Surrounding Ecosystems in the context of a Vancouver Island Urban and Rural Development Master Plan.
2. A follow up to the Vision of the Millstone River Greenway Vision and the RDN Growth Management Plan, and to include this time the remaining section of the RD of Nanaimo in the follow up. The follow up would be done by a newly formed Nanaimo Society.
3. Making Westwood Ridge a city park protected as an ecosystem reserve along with Mount Benson.
4. Participation of the City of Nanaimo and RDN in Global Dialogue 2004 to be held in the RDN on August 2004. Global Dialogue 2004 is concerned with economic and social issues of the RDN.
5. We are asking the City of Nanaimo and the RD of Nanaimo to help support our campaign to save Mount Benson and surrounding ecosystems from further development and logging. Help is needed in terms of petition package and brochure, signs, creation of the new Society, investigation expenses for the assessment, and obtaining reports and maps already published by RDN. Help is needed in the purchasing of land to convert it to an ecological reserve or protected area.
6. Allowing civil society participation in the growth of Nanaimo and of the Regional District of Nanaimo. We propose the creation of an advisory committee made of environmental groups, and the civil society in the RD of Nanaimo.

Please register me as a delegation and let me know of the agenda. Thank you.

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REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, OCTOBER 15, 2002, AT 7:00 PM
IN THE CITY OF NANAIMO COUNCIL CHAMBERS,
455 WALLACE STREET, NANAIMO, BC

Present:

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

Also in Attendance:

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

PRESENTATION

The Chief Administrative Officer opened the meeting with an overview of the Budget Summary Binder.

2003 Provisional Community Services Budget

The General Manager of Community Services presented a visual and verbal summary of the District 69 Arena, Ravensong Aquatic Centre, Community Parks, Regional Parks, Transit and Regional Development budgets.

MOVED Director Westbrook, SECONDED Director Macdonald that information be brought forward at the next budget meeting examining the options of providing an increase in the 2003 tax requisition to reduce the debt financing costs on the Arena Multiplex Facility.

CARRIED

2003 Provisional Corporate Services Budget

The General Manager of Corporate Services presented a visual and verbal summary of the Administration, Fire Departments and Protective Services budgets.

Director Quittenton requested that staff provide a comprehensive report detailing the costs associated with information services for all departments.

ADJOURNMENT

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

CARRIED

TIME: 8:45 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, OCTOBER 22, 2002, AT 7:38 PM
IN THE CITY OF NANAIMO COUNCIL CHAMBERS,
455 WALLACE STREET, NANAIMO, BC

Present:

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

Also in Attendance:

K. Daniels	Chief Administrative Officer
C. Mason	General Manager of Corporate Services
J. Finnie	General Manager of Environmental Services
N. Connelly	General Manager of Community Services
B. Lapham	General Manager of Development Services
P. Shaw	Manager of Community Planning
N. Avery	Manager of Financial Services
W. Moorman	Manager of Engineering and Utilities
D. Trudeau	Manager of Liquid Waste
N. Tonn	Recording Secretary

DELEGATIONS

Brian Senini, re Pump and Haul Amendment Bylaw No. 975.26.

Mr. Senini, nor his representative, Tim Peligren were in attendance.

MINUTES

MOVED Director Sherry SECONDED Director McLean, that the minutes of the Committee of the Whole meeting held on Tuesday, October 1, 2002 be adopted.

CARRIED

COMMUNICATION/CORRESPONDENCE

Patricia Wallace, President, UBCM, re Response to Discussion Paper on Civil Liability.

MOVED Director Sherry, SECONDED Director Westbrook, that the correspondence received from UBCM with respect to the UBCM discussion paper on civil liability be received.

CARRIED

Government of British Columbia News Release, re new Legislation Protects Drinking Water.

MOVED Director Sherry, SECONDED Director Westbrook, that the new release from the Government of British Columbia with respect to the introduction of new legislation to improve drinking water protection be received.

CARRIED

Brian Senini, re Pump and Haul Amendment Bylaw No. 975.26.

MOVED Director Westbrook, SECONDED Director Haime, that the correspondence received from Brian Senini with respect to Pump and Haul Amendment Bylaw No. 975.26 be received.

CARRIED

COMMUNITY SERVICES

RECREATION AND PARKS

Area F Park Land Acquisition Reserve Fund Expenditure Bylaw No. 1326.

MOVED Director McLean, SECONDED Director Rispin,:

1. That "Electoral Area 'F' Park Land Acquisition Reserve Fund Expenditure Bylaw No. 1326, 2002" be introduced and given three readings.
2. That "Electoral Area 'F' Park Land Acquisition Reserve Fund Expenditure Bylaw No. 1326, 2002" having received three readings, be adopted.

CARRIED

Old Errington School – Community Consultation on Facility Management Options.

MOVED Director McLean, SECONDED Director Westbrook, that the Regional District advertise and consult with the community on local facility management interest and options for the old Errington School and that a Parks and Facilities Committee be appointed.

CARRIED

Parksville Curling Club Memorandum of Understanding.

MOVED Director Westbrook, SECONDED Director McLean, that this item be deferred to allow the District 69 Recreation Commission to review the proposed Memorandum of Understanding.

CARRIED

Park Development.

MOVED Director Holme, SECONDED Director Westbrook, that this report be received for information and that a letter be sent to the delegations advising of the information noted.

CARRIED

Crown Land Lease Offer for Community Park in Nanoose Bay.

MOVED Director Holme, SECONDED Director Sherry, that the Regional District request that a two-year lease term be provided for Lots 3, 4, 5 and 6 that comprise the Community Park on Nanoose Road in Electoral Area 'E' to allow for further discussion with the Regional Office of Land and Water BC Inc. on options for the future disposition of the lands.

CARRIED

District 69 Arena Multiplex Design/Build Agreement.

MOVED Director Holme, SECONDED Director Macdonald, that the Design/Build Contract with RG Construction Ltd. for the construction of the Arena Multiplex in accordance with the design and performance specifications and other items included in the agreement, as amended at the District 69 Director's meeting held October 22, 2002, be approved.

CARRIED

District 69 Arena Multiplex Land Transfer Agreement.

MOVED Director Macdonald, SECONDED Director Pipes, that the Land Transfer Agreement with Parkville Properties Corporation for the Arena Multiplex be approved.

CARRIED

REGIONAL GROWTH MANAGEMENT

Regional Growth Strategy Bylaw No. 1309 -- Public Consultation Process.

MOVED Director Holme, SECONDED Director Macdonald, that the submission from the Northwest Nanoose Residents Association, regarding the public consultation process associated with Regional Growth Strategy Bylaw No. 1309, be received and that a response be provided that refers to the Board's October 8, 2002 resolutions to rescind the Bylaw and refer it back to staff to allow for further public consultation.

CARRIED

TRANSIT

Proposed Transit Fare Increase.

MOVED Director Sherry, SECONDED Director Rispin, that Transit fares be increased in accordance with the fare schedule attached to the staff report entitled "Proposed Transit Fares Effective January 1st, 2003".

CARRIED

DEVELOPMENT SERVICES

BUILDING INSPECTION

Section 700 Filings.

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

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

- (a) Strata Lot C, Sections 4 and 5, Range 5, Cedar District, Strata Plan VIS3160 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1, 2781 Yellow Point Road, Electoral Area 'A', owned by L. and G. Foxcroft;

- (b) Lot 31A, Nanoose Land District, except part in Plans 8514, 20737, 21281, 21799, 22619, 27139, 29437, 35911, 41797 and VIP62661, 7995 Superior Road, Electoral Area 'D', owned by L. and S. Doumont;
- (c) Lot 7, District Lot 52, Plan VIP53395, Nanoose District, 1609 Clayton Crescent, Electoral Area 'E', owned by J. and M. Hess.

CARRIED

PLANNING

ALR Regulation Amendment – Aquaculture Implications for RDN.

MOVED Director Haime, SECONDED Director Sherry, that the staff report be received for information.

CARRIED

MOVED Director McLean, SECONDED Director Westbrook, that MAFF, MSRM and LWBC be requested to consult with the RDN concerning proposed amendments with respect to aquaculture regulations including proposed amendments to the ALR boundaries as they pertain to aquaculture.

CARRIED

Director Krall joined the meeting.

ENVIRONMENTAL SERVICES

LIQUID WASTE

Pump and Haul LSA Amendment Bylaw No. 975.26.

MOVED Director McLean, SECONDED Director Westbrook, that the applications for inclusion in the pump and haul local service area be denied.

CARRIED

MOVED Director McLean, SECONDED Director Westbrook, that staff prepare a report on the amendment of the RDN pump and haul bylaw to prohibit pump and haul approval for new multi-property developments including subdivision.

DEFEATED

UTILITIES

Nanoose Bay Bulk Water Supply LSA Capital Improvement Charge Bylaw No. 1323.

MOVED Director Holme, SECONDED Director Westbrook, that "Nanoose Bay Bulk Water Supply Local Service Area Capital Improvement Charge Bylaw No. 1323, 2002" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

Nanoose Bay Bulk Water LSA Bylaw No. 1049.02 and Nanoose Bay Bulk Water Development Cost Charge Bylaw No. 1088.02.

MOVED Director Holme, SECONDED Director Sherry,:

1. That "Nanoose Bay Bulk Water Supply Local Service Area Boundary Amendment Bylaw No. 1049.02, 2002" be granted first three readings and forwarded to the Inspector of Municipalities.

2. That "Nanoose Bay Bulk Water Local Service Area Development Cost Charge Boundary Amendment Bylaw No. 1088.02, 2002" be granted first three readings and forwarded to the Inspector of Municipalities.

CARRIED

Fairwinds Streetlighting LSA Bylaw No. 789.02.

MOVED Director Holme, SECONDED Director Sherry, that "Fairwinds Streetlighting Local Service Amendment Bylaw No. 789.02, 2002" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

Barclay Crescent Sewer Initiative.

MOVED Director Holme, SECONDED Director Westbrook,:

1. That the current Provincial Local Government Grant for Barclay Crescent to Drew Road Area Sewers, Project No. S001153 for \$820,117.00 be relinquished; and
2. That staff be directed to apply for a Canada-BC Infrastructure Grant for 2/3 of the estimated construction cost to sewer the Barclay Crescent (South) area of French Creek.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Lantzville Parks & Open Space Advisory Committee.

MOVED Director Holme, SECONDED Director Rispin, that the minutes as amended, of the Lantzville Parks & Open Space Advisory Committee meetings held July 8, 2002 and September 16, 2002 be received for information.

CARRIED

District 69 Recreation Commission.

MOVED Director Pipes, SECONDED Director Westbrook, that the minutes of the District 69 Recreation Commission meeting held October 10, 2002, be received for information.

CARRIED

MOVED Director Westbrook, SECONDED Director Macdonald, that the following Youth Grants be approved:

Beacon Christian School – field improvements	\$	2,500
Coombs Halloween Candy Walk	\$	1,000
Coombs Hilliers Recreation Community Org. – play structure	\$	2,500
District 69 Minor Softball – pitching machine	\$	2,000
Oceanside Junior Cheer & Stunt Squad	\$	\$2,000
Parksville Qualicum Youth Ski Group	\$	1,500
Youth Breakdance Project	\$	1,200

CARRIED

MOVED Director Westbrook, SECONDED Director Macdonald, that the following Community Grants be approved:

Arrowsmith Mountain Bike Society - epic race event	\$	1,000	
Coombs Hilliers Recreation Community Org. - bldg addition	\$	4,000	
Errington War Memorial Hall Association - field fencing	\$	1,000	
Mid-Island Wheelchair Sport Club - wheelchair	\$	3,715	
Parksville Royals Baseball Club - clay bricks for mounds	\$	750	
Parksville Royal Baseball Club - batting cage	\$	500	
Parksville Royals Baseball Club - cinder for infield	\$	600	
			CARRIED

MOVED Director Westbrook, SECONDED Director Macdonald, that the Community Grant application from the Arrowview Elementary School PAC in the amount of \$4,660 be approved.

CARRIED

Grants-in-Aid Committee.

MOVED Director Krall, SECONDED Director Hamilton, that the minutes of the Grants-in-Aid Committee meeting held October 11, 2002 be received for information.

CARRIED

MOVED Director Hamilton, SECONDED Director Krall, that the following grant be awarded in District 68:

Nanaimo Search and Rescue Society	\$	1,128.65	
			CARRIED

MOVED Director Hamilton, SECONDED Director Krall, that the remaining funds in the District 68 Grants-in-Aid budget be carried over to the 2003 budget.

CARRIED

MOVED Director Hamilton, SECONDED Director Krall, that the following grants be awarded in District 69:

Caregivers Support Program	\$	350	
District 69 Volunteer Association		750	
Navy League of Canada - Parksville Branch		1,100	
Oceanside Community Kitchens Society		500	
Parksville Meeting Place Society		250	
Parksville/Qualicum Project Literacy		500	
Vicious Vacant Productions - PUMEX		750	
			CARRIED

MOVED Director Hamilton, SECONDED Director Krall, that the remaining funds in the District 69 Grants-in-Aid budget be carried over to the 2003 budget.

CARRIED

MOVED Director Hamilton, SECONDED Director Westbrook, that the Grants-in-Aid criteria be amended as follows:

1. Grants-in-Aid are provided to non-profit organizations for social programs and services in the Regional District of Nanaimo.

2. The organization must provide a social enrichment service to the community and must demonstrate that the service provided does fill a need in the community, and that there is no overlapping with services already existing.
3. The organization must be local in nature, in that the grant requested is for a specific service to the residents of the Regional District of Nanaimo.
4. The organization must be a non profit organization and provide a current year budget and full financial statements for its operation, noting any other sources of funds. The organization must state specifically the use for the grant requested from the Regional District and the breakdown of expenses for its use.

The following services/functions will not be funded:

- (a) annual operating expenses
 - (b) remuneration (wages, salaries, fees)
 - (c) leasehold improvements
5. Applications falling under the umbrella of the City of Nanaimo will be returned to the applicant with an explanation.
 6. Late submissions will not be accepted.
 7. Applications that do not meet the criteria will not be accepted.

CARRIED

Director McNabb joined the meeting.

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Foreshore Protection.

MOVED Director Westbrook, SECONDED Director Holdom, that staff prepare a report on the protection and control of the foreshore through the zoning bylaw process.

CARRIED

Civil Liability Discussion Paper.

MOVED Director Holdom, SECONDED Director Westbrook, that a letter be sent to the Attorney General in support of the recommendations endorsed at the 2002 UBCM Convention with respect to the Civil Liability discussion paper.

CARRIED

BOARD INFORMATION

Police Financing Discussion Paper.

Director McLean requested that all Board members make an effort to complete the police financing survey and return it to UBCM.

Special Board Meeting.

The Special Board meeting scheduled for October 29, 2002 will be re-scheduled for November 5, 2002.



UNFINISHED BUSINESS

2003 Provisional Corporate Services Budget.

The General Manager of Corporate Services presented a visual report on the computer capital and operating budgets for 2003.

2003 Provisional Community Services Budget.

The General Manager of Corporate Services presented a visual breakdown of the District 69 Arena Multiplex financing options and noted that a report will be forwarded to the Board with respect to these options.

PRESENTATION

2003 Provisional Development Services Budget.

The General Manager of Development Services provided a visual and verbal overview of the Building Inspection, Bylaw Enforcement and Community Planning departments including their services provided, budget highlights and key actions.

MOVED Director Westbrook, SECONDED Director McLean, that based on recent practices which reflect a growing tendency toward the indirect and direct downloading of functions formerly controlled by the provincial government, a letter be forwarded to the appropriate ministries reflecting the Board's dissatisfaction with this practice and that in cases where downloading is unavoidable, funds be allocated to local governments to alleviate the additional financial burden.

CARRIED

MOVED Director Krall, SECONDED Director Westbrook, that the Development Services 2003 provisional budget be approved.

CARRIED

2003 Provisional Environmental Services Budget.

The General Manager of Environmental Services presented a visual and verbal overview of the liquid waste, solid waste, zero waste and solid waste planning, garbage collection and recycling and the engineering and utilities functions of the Environmental Services area including their services provided, budget highlights and key actions.

MOVED Director Westbrook, SECONDED Director Rispin, that the Environmental Services 2003 provisional budget be approved.

CARRIED

2003 Corporate Services Budget.

MOVED Director Holme, SECONDED Director Holdom, that the Corporate Services 2003 provisional budget be approved as amended to reflect a donation to the Lantzville legion of \$100 from the Electoral Areas administration budget.

CARRIED

2003 Community Services Budget.

The Chairperson requested that the Vice Chairperson assume the Chair to allow him to present motions to the floor.

MOVED Director Holme, SECONDED Director Holdom, that the Community Services 2003 provisional budget be approved.

MOVED Director Holme, SECONDED Director Stanhope, that the Electoral Area 'E' Community Parks tax requisition be reduced to \$50,000.

CARRIED

MOVED Director Stanhope, SECONDED Director Holme, that the District 69 Recreation Commission Grant Program be reduced by \$40,000 as reflected in the 2001 budget, and that the tax requisition be reduced by \$40,000 to reflect this change.

CARRIED

MOVED Director Stanhope, SECONDED Director Westbrook, that the Regional Parks requisition be reduced from \$400,000 to \$350,000, to be phased back in to \$400,000 in 2004.

MOVED Director Westbrook, SECONDED Director Holme, that this item be referred to staff and a report be prepared for the Board which reflects the effect of this budget reduction on all electoral areas and municipalities.

CARRIED

The question was called on the main motion as amended.

The motion CARRIED.

ADJOURNMENT

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

CARRIED

TIME: 10:01 PM

CHAIRPERSON

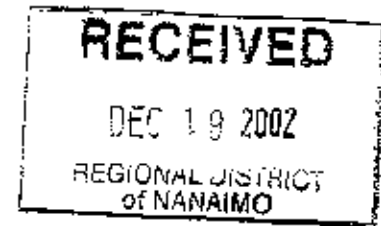
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*Land and Water
British Columbia Inc.*

A corporation of the government of British Columbia



December 17, 2002

File: 1408627

Neil Connelly
General Manager Community Services
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo BC V9T 6N2

Dear Neil Connelly:

Peter Norman has forwarded me your letter regarding Little Mountain and Morrison Creek, dated November 17, 2002.

In his letter of May 8, 2001, Max Nock, Regional Manager for British Columbia Assets and Lands Corporation (BCAL) advised that the offer of a 20-year Licence of Occupation for park purposes had been recorded as not accepted. The issues of a long term lease and Crown grant were discussed at the Inter Agency Management Committee. However, the First Nations consultation, which is required where Crown land is being Crown granted or leased, was not undertaken because of the restructuring of both the Ministry of Environment, Lands & Parks and BCAL.

We have recently received instructions that Land and Water British Columbia Inc. (LWBC) can no longer issue free Crown grants for Park purposes. Treasury Board is also reviewing the policy of issuing nominal rent tenures for park purposes. Unless the Regional District wishes to pay market value for the land and timber, LWBC can only offer a two-year Licence of Occupation at the prepaid nominal rental of \$1.00. Please note that upon expiry, the replacement tenure may require payment of a market rent.

If you would like to pursue the two-year Licence option, please provide us with a Certified Board Resolution and reinstatement fee of \$107.00. The conditions of the new offer would be the same as those of our offer of January 12, 2001.

.../2

If you require additional information, please call Keith Anderson, Section Head,
Land and Water Allocation, at (250) 741-5666.

Yours truly



Ron Creber
Land and Water Manager



*Land and Water
British Columbia Inc.*

A corporation of the government of British Columbia

January 9, 2003

File: 0334087

Neil Connelly
Community Services
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo BC V9T 6N2

Dear Neil Connelly:

Re: Replacement Lease, Community Park, Nanoose Road

I have been asked to respond to your letter of November 18, 2002, about our offer of a replacement lease. The offer was restricted to just Lot 6, as this appeared to be the only portion of the original park tenure that was developed with the children's play equipment. We have asked your staff, since June 2000, for a development plan to support the replacement tenure and to date have not received it. We have also been asked to explore ways of raising revenues in support of provincial programs that may go towards development in local communities. Our marketing section is looking at the possibility for residential sales in this area. At this time we are only prepared to offer a short-term lease, on the developed lot, while our program policy for local governments is finalized and our marketing section has completed their review of their needs.

If you have any further questions on this decision, please contact Mark Harvey, Land and Water Licensed Officer at (250) 741-5659.

Yours truly,

A handwritten signature in black ink, appearing to read "Gordon Smaill", written over a horizontal line.

Gordon Smaill, P.Ag.
Land and Water Licensed Officer

pc: Peter Norman, Land and Water British Columbia Inc, Victoria



REGIONAL DISTRICT OF NANAIMO		
JAN 17 2003		
CHAIR		SMGRS
CAO		GMDS
		SMES

MEMORANDUM

TO: Tom Osborne
Manager of Recreation and Parks

DATE: January 17, 2003

FROM: Dan Porteous
Recreation Program Supervisor

FILE: 1855-03

SUBJECT: District 69 Recreation Grants Program and
Recreation Program Assistants Reports

PURPOSE

To provide information regarding two deferred reports, *District 69 Recreation Grants Program Funding Amendments* and *Recreation Program Assistants (Roving Leaders) Status*, for consideration by the Board.

BACKGROUND

Board Resolutions

At a special meeting of the Regional Board on November 26, 2002, the Board considered two reports titled *District 69 Recreation Grants Program Funding Amendments* and *Recreation Program Assistants (Roving Leaders) Status*. The Board passed the following two resolutions:

"That the District 69 Commission recommendation with respect to funding for the Recreation and Parks Grant Program be deferred to the new Board for consideration."

"That the District 69 Commission recommendation with respect to the temporary part-time Recreation Program Assistant positions be deferred to the new Board for consideration."

District 69 Recreation Commission Recommendations

The Board also received the following District 69 Recreation Commission recommendations at the November meeting related to the two reports referenced above:

"That the funding for the Recreation and Parks Grant Program be modified to allocate 50% of the annual funding available to the Community Grants program and 50% to the Youth Grants program."

"That the two, temporary, part-time Recreation Program Assistant positions be terminated and the program be dissolved, and that the \$48,700 allocated in the 2003 Provisional Budget for wages be transferred to the Youth Grants Program."

These recommendations were initiated at a District 69 Recreation Commission meeting dated November 14, 2002, after reviewing the two reports and discussing the Board's decision to reduce the grant funding by \$40,000 as part of the approval of the 2003 Provisional Budget for the recreation coordinating function. The Board's resolution provided "*for the grant program to be reduced by \$40,000 as reflected in the 2001 budget, and that the tax requisition be reduced by \$40,000 to reflect this change.*"

The Commissioners also sent a delegation to the November Board meeting to present their perspective, informing the Board of the importance and value of maintaining both programs rather than making any cuts at all.

Also reflected in the Grants Program Commission recommendation, the Commission would prefer that the criteria for maximum grant funding be open-ended and left to the discretion of the Commission rather than establishing a ceiling as reflected in the staff report recommendation noted below.

Staff Recommendations

The two staff reports previously referenced included two recommendations for the Board's consideration.

1. ***District 69 Recreation Grants Program Funding Amendment*** - "That the funding for the Recreation and Parks Grant Program be reapportioned to include an annual total of \$21,250 for Community Grants and \$21,250 for Youth Grants, and that the maximum funding limit, per application, be established at \$2,500."

This report was based on the Board's approval of the 2003 Provisional Budget that included a \$40,000 reduction of funding allocated for the District 69 Recreation Grants Program. The focus of the report was to reapportion the funding equitably between the two grant streams due to the change in the total of funding available.

2. ***Recreation Program Assistants (Roving Leaders) Status*** - "That the two temporary, part-time Recreation Program Assistant positions, involved in youth services, be reclassified as one permanent, full-time position."

This report focused on the operational considerations with respect to the benefits of one full-time position versus two part-time positions, and the need to consider permanency of the position. The positions have been continually extended on a temporary basis for the past two and a half years. Youth services will continue to be a focus area for the Department; therefore, the issue of permanency has been raised. Funding has been approved in the 2003 Provisional Budget and equates to one full-time employee working with youth.

The Board needs to consider each of the two staff recommendations outlined above in relation to each report (Appendices I and II), as well as the District 69 Recreation Commission's recommendations as outlined above.

ALTERNATIVES

1. Approve the District 69 Recreation Commission recommendations as follows:
 - That the funding for the Recreation and Parks Grant Program be modified to allocate 50% of the annual funding available to the Community Grants program and 50% to the Youth Grants Program.
 - That the two, temporary, part-time Recreation Program Assistant positions be terminated and the Program be dissolved, and that the \$48,700 allocated in the 2003 Provisional Budget for wages be transferred to the Youth Grants Program.
2. Approve the staff recommendations as follows:
 - That the funding for the Recreation and Parks Grant Program be reapportioned to include an annual total of \$21,250 for Community Grants and \$21,250 for Youth Grants, and that the maximum funding limit, per application, be established at \$2,500.
 - That the two temporary, part-time Recreation Program Assistant positions, involved in youth services, be reclassified as one permanent, full-time position.

FINANCIAL / PROGRAM IMPLICATIONS

1. Based on the District 69 Recreation Commission's recommendations the funding envelope approved by the Board in the 2003 Provisional Budget would not change overall by transferring \$48,700 to the Youth Grants Program. A budget provided at the 2002 level would go a long way in disbursing funds to a wide variety and large number of beneficial and well deserving community based recreational opportunities that would be initiated at a grass roots level. The total funding would then be split equitably within the Grants Program. Consequently, funding allocated to staffing resources associated with the Roving Leader Program and direct services to youth will be depleted, greatly reducing the Department's ability to move forward with the direct provision of youth services and initiatives, either recently established or for future development.
2. Staff recommendations with respect to funding would see no change and are in line with Board approval of the 2003 Provisional Budget. Grant funding would be apportioned equitably between the two Grant streams as outlined and include a maximum grant award, although the Commission may, at their discretion, recommend greater amounts over \$2,500 if applications are deemed appropriate and funding is available.

Funding for staff resources working directly with youth would be maintained, equivalent to a FTE (full-time employee) as approved in the 2003 Provisional Budget. Roving Leaders have been instrumental in the promotion of the Youth Grants and in assisting youth and associated youth groups in their application processes for funding. Establishing permanency with one full-time position would establish an ongoing commitment to the Department's Youth Services program, maintain the success of the Roving Leader Program and provide for a number of administrative and operational benefits as outlined in the *Recreation Program Assistants (Roving Leaders) Status* report (Appendix II).

SUMMARY/CONCLUSION

In November of 2002 the Board deferred recommendations based on two reports to the new Board for 2003. The District 69 Recreation Commission had also presented a recommendation to the Board regarding both reports that reflected concerns about the reduction of funding in the District 69 Recreation Grants Program. The Board will need to consider both staff reports and the Commission's recommendation. Since the staff position has not changed with respect to the two initial reports, the following recommendations from each report are presented for Board approval.

RECOMMENDATIONS

1. That the funding for the Recreation and Parks Grant Program be reapportioned to include an annual total of \$21,250 for Community Grants and \$21,250 for Youth Grants, and that the maximum funding limit, per application, be established at \$2,500.
2. That the two temporary, part-time Recreation Program Assistant positions involved in youth services be reclassified as one permanent full-time position.

for H. McParlane
Report Writer

for H. McParlane
Manager Concurrence

 V. Hannelly
General Manager Concurrence

 D. Daniels
CAO Concurrence

COMMENTS:

MEMORANDUM

TO: Tom Osborne
Manager of Recreation and Parks

DATE: November 5, 2002

FROM: Dan Porteous
Recreation Program Supervisor

FILE:

SUBJECT: District 69 Recreation Grants Program Funding Amendments

PURPOSE

To provide information and a recommendation regarding changes to the apportionment of funding allocated for the Recreation and Parks Grant Program.

BACKGROUND

At the November 5th, 2002 Regional District Board meeting the following resolution was adopted:

"That the District 69 Recreation Commission Grant Program be reduced by \$40,000 as reflected in the 2001 budget, and that the tax requisition be reduced by \$40,000 to reflect this change."

In the 2001 budget, the District 69 Recreation Grant Program totaled \$42,500 and included four grant streams, Electoral Area Grants, Community Grants, Youth Grants and Youth Agreements. However, in the 2002 Provisional Budget, the Grant Program was increased to \$82,500 and the Program was amended to include only two grant streams, Community Grants and Youth Grants, with the funding apportioned equally between the two. Now that the Board has reduced the funding, as per the November 5th resolution, the apportionment of funding needs to be readdressed.

ALTERNATIVES

1. Reapportion funding to reflect an equal share between Community Grants and Youth Grants as outlined in the table below (Option 1).
2. Reapportion funding to reflect 1/3 and 2/3 respectively between Community Grants and Youth Grants as outlined in the table below (Option 2).
3. Reapportion funding to reflect 2001 levels as outlined in the table below (Option 3).

ADMINISTRATIVE IMPLICATIONS

The reduction in funding will not have an impact on the administration revisions that were established with the new Program. However, in the past Community Grants were offered to a maximum of \$500 and Youth Grants to a maximum of \$1,500. Under the revised guidelines the new criteria include grant awards to a maximum of \$10,000. The higher ceiling was based on the substantial increase of available funding to be disbursed in 2002. If the higher ceiling is maintained it may substantially limit the number of grants approved; therefore, it may be prudent to lower the maximum limit now that the Grant Program has been reduced. However, the Commission would still be able to consider applications requesting greater amounts and recommend certain applications for approval if deemed appropriate.

FINANCIAL IMPLICATIONS

The 2003 Recreation Coordinating Function Provisional Budget contains \$53,000 to be distributed to the District 69 community through the Grant Program, including an annual amount of \$42,500 and a 2002 surplus of approximately \$10,500. The following table outlines the three options in terms of funding allocation. The surplus will be allocated according to the totals in each grant category carried forward from 2002.

Previous Grant Program	2001 Annual Budget	Current Grant Program	2002 Annual	Option 1 2003 Provisional	Option 2 2003 Provisional	Option 3 2003 Provisional
Electoral Area Grants	\$ 5,000	Community Grants	\$41,250	\$21,250	\$15,000	\$7,500
Community Grants	\$ 2,500					
Youth Grants	\$10,000	Youth Grants	\$41,250	\$21,250	\$27,500	\$35,000
Youth Agreements	\$25,000					
Sub-Total	\$42,500	Sub-Total	\$82,500	\$42,500	\$42,500	\$42,500

1. A key consideration in apportioning the funding is establishing a balance between funding for youth initiatives and other community projects. Option 1 maintains the balance between Community Grants and Youth Grants as established with the revisions of the Program in 2002. This option provides for the most equitable approach and would likely be the most beneficial to the whole community. The maximum grant limit could be established at \$2,500 without significant consequence to the Program.
2. Option 2 reflects an opportunity to minimize the impact on Community Grants while maintaining a larger portion of funding in the Youth Grants to maintain the integrity of the Youth Grants initiative as it was implemented in 2000. Favoring Youth Grants would mean a less equitable approach than noted in Option 1; although, funding for Community Grants would be doubled compared to the 2001 funding level. If this approach were to be recommended then the grant streams could have a maximum grant limit of \$1,500 due to a lesser amount available with Community Grants.
3. In Option 3 the funding envelope for the two grant streams would reflect the 2001 level of funding. The key issue would be to ensure that the Community Grants are disbursed proportionally throughout the four Electoral Areas as best as possible while also providing opportunities within the two municipalities. This would be challenging with the limited funding available; although the maximum grant limit awarded for Community Grants could also be reduced to \$500 to reflect the 2001 limit.

Although Youth Grants would be reduced by \$6,250 from the 2002 funding level, this reduction would have minimal impact compared to the reduction in Community Grants; however, to accommodate for the reduction, the maximum grant limit awarded for Youth Grants could be reduced to \$1,500 to reflect the 2001 limit.

CITIZEN IMPLICATIONS

Although the reduction of funding for the Grants Program will have an impact on the number of potentially valuable and successful recreation opportunities provided by the community, there is still sufficient funding to allow for the development of a wide range of community recreation projects. During the past year the number of grant applications and recipients has greatly increased due to the funding available. This growth and greater public awareness will help to sustain the foundation of the program - to continue to support and further the direction of the Department in its goal to embrace and enhance a community development model, helping others help themselves.

SUMMARY

The Regional Board recently approved the reduction of \$40,000 to the Recreation and Parks Grant Program. Due to the reduction, the revised funding envelope of \$42,500, as in 2001, needs to be explored in terms of apportionment.

Three options have been identified in revising the allocation process; splitting the available funds equally between the two grant streams, splitting the funds by 1/3 (Community Grants) and 2/3 (Youth Grants), or reapportioning the funding to 2001 levels. The challenge is to maintain an equitable approach to the funding that has been established with the revisions to the program in 2002, which was not the case in 2001.

The new administration guidelines will not be impacted by the reduction in funding with the exception of the maximum grant limit awarded for each application. The current limit is \$10,000. However, due to the significant reduction of funding staff are recommending that the limit of funding available, per application, also be reduced; although the Commission may recommend larger grant applications for approval if deemed appropriate.

The continuation of the Grant Program, even with reduced levels of funding, will further the mandate of both the Commission and the Department to serve the residents in the provision of recreation services throughout the District.

Based on the revised Grant Program in 2002, it is recommended that the funds be apportioned in the most equitable manner and that the maximum funding limit, per application, be reduced. A surplus of approximately \$10,500 from 2002 will be transferred accordingly to each grant stream in 2003.

RECOMMENDATION

That the funding for the Recreation and Parks Grant Program be reapportioned to include an annual total of \$21,250 for Community Grants and \$21,250 for Youth Grants, and that the maximum funding limit, per application, be established at \$2,500.

Original signed by: D. Porteous

Report Writer

Original signed by: N. Connelly

General Manager Concurrence

Original signed by: T. Osborne

Manager Concurrence

Original signed by: K. Daniels

CAO Concurrence

COMMENTS:

PAGE

2/6

MEMORANDUM

TO: Tom Osborne
Manager of Recreation and Parks

DATE: November 5, 2002

FROM: Dan Porteous
Recreation Program Supervisor

FILE:

SUBJECT: Recreation Program Assistants (Roving Leaders) Status

PURPOSE

To provide updated information and a recommendation regarding the future status of two, temporary, part-time Recreation Program Assistant positions for 2003.

BACKGROUND

In February 2002 the Board adopted the following resolution:

"That the two temporary part-time Recreation Assistant positions involved with the delivery of direct youth recreation services, be extended from April 1 to December 31, 2002."

A staff report to the District 69 Recreation Commission in January 2002 explored alternatives related to temporary versus permanent status, full-time versus part-time, and one position versus two. Upon reviewing the report, the Commission expressed a desire to gain additional information pertaining to the roles and responsibilities of the Roving Leaders. The Commission required more time to further assess the program prior to supporting a recommendation for permanency; thereby, recommending extension to the Board. To this end, the Commission requested monthly reports regarding the program, which it has received since February 2002.

By December 31, 2002 these positions will have been maintained in a temporary capacity for nearly two and a half years since the inception of the program in June 2000. The Commission has continued to support the involvement of these positions within the Recreation and Parks Department based on a recommendation of the Youth Services Plan, established in October 2000. The recommendation called for the provision of staff resources to connect with communities to provide youth recreation services related to hands on leadership, program assistance and community development. Initially, the Department hired two temporary part-time employees, each at twenty hours per week throughout the year on a trial basis. However, due to the success of the program the positions have been retained through extensions.

One of the main challenges observed during the past two years has been the retention of qualified staff to continue in the positions on a long-term basis. Due to the nature of the job, being part-time, two employees have resigned and the current employee is exploring other options. One employee previously involved in the position also worked in other capacities within the Department, as temporary full-time positions came available. This constant turnover of staff has resulted in one employee doing a majority of

the work on three different occasions for a total of seventeen months of the twenty-nine months the program has been implemented. Consequently, the Department has been able to better assess the pros and cons of one worker versus two and further consider the permanency issue. A number of benefits and costs regarding the alternatives are outlined below.

ALTERNATIVES

1. Create one position and reclassify as a permanent, full-time, Recreation Program Assistant.
2. Reclassify the two positions as permanent, part-time, Recreation Program Assistants.
3. Create one position and reclassify as a permanent, part-time, Recreation Program Assistant.
4. Terminate the positions and dissolve the program.

FINANCIAL IMPLICATIONS

1. A permanent full-time position would cost approximately \$43,900 based on a 35-hour workweek. The 2003 Provisional Budget includes approximately \$48,700 in wages for the two temporary part-time positions.
2. Two permanent part-time positions, each working 20 hours per week, would cost approximately \$49,965, and would equate to an additional expenditure of \$1,265 for 2003 based on an additional 4% in benefits for permanent staff. This additional amount has not been allocated in the 2003 Provisional Budget; consequently, the 2003 Provisional surplus would decrease from \$12,375 to \$11,110. The cost of two part-time positions is approximately \$6,000 more than one permanent full-time position.
3. One permanent part-time position of 20 hours per week would cost approximately \$24,980, leaving an additional surplus of approximately \$24,000. This surplus could be targeted for reducing the tax requisition, supplementing or subsidizing the youth program in other ways, or be maintained as a surplus that would carry forward to the next year.
4. By terminating the positions, a cost savings of approximately \$49,000 would need to be considered. The funding could be redirected to other youth program initiatives, or the whole funding or a portion thereof could be used to reduce the tax requisition.

PROGRAM IMPLICATIONS

1. Alternative one will establish an ongoing commitment to the Department's Youth Services program as well as provide more stability and consistency, for the youth, the community and the Recreation Assistant. One full-time employee directly involved in the program provides a number of benefits including potentially less staff turn over resulting in less administrative processes regarding recruitment, training, orientation and supervision; less coordination and confusion, with enhanced communication between relative parties within the Department and the community, as well as decreased costs associated with wages. Although there is a net loss of five hours per week based on one employee versus two, staff have realized that the duplication of service initially considered with two employees is not crucial to maintain the quality and success of the program for the youth of the District.

The Regional District's administrative staff establishment chart included in the 2003 Provisional Budget identifies the equivalency of one full-time employee (FTE) for the position, although two part-time individuals are doing the job.

2. Alternative 2 also supports an ongoing commitment to the Youth Services Program and does provide for a solid base of programs, activities and events. However, it does not resolve the challenges of maintaining qualified staff over the long term. The cost of ongoing training, reorientation and administration processes necessary to administer two staff is a concern, as well as consistency in building relationships and working with the youth:
3. Although Alternative 3 also supports an ongoing commitment to the Youth Services Program, service provision and program development already established would be significantly reduced. Programs, events and projects would continue on a much smaller scale and a part-time employee would be challenged to maintain community contacts and community development efforts while trying to engage and work with youth directly. It may also be difficult to retain staff due once again to the part-time nature of the position.
4. Alternative 4 would jeopardize the Department's commitment to youth services as identified in the Youth Services Plan. The Department's staff complement for youth initiatives would be reduced to one Child and Youth Programmer. Staff would be unable to retain any of the initiatives that have been implemented through the Roving Leader program. However, if excess funds were maintained in the youth service area, due to the demise of the program, the Department would be able to provide a number of low cost opportunities to youth through subsidization.

SUMMARY

In February 2002 the Board approved the employment extension of two temporary part-time Recreation Assistant positions with the Recreation and Parks Department until the end of the year. By December of 2002, these two positions will have been maintained in a temporary part-time capacity for two and a half years.

The Department has seen significant value in the work provided within the program during the past two years, however, one of the key challenges has been the ability to retain qualified staff over the long term. Youth workers involved have been successful in implementing a number of recommendations outlined in the Youth Services Plan, however, one employee rather than a paired team has accomplished much of the work due mainly to staff turnover related to a number of personnel factors. Yet, the quality in the level of service and the successes presented in the projects and initiatives to date support the continuation of this Roving Leader program on a permanent basis. The utilization of at least one full-time staff person in a hands-on role, as identified in the Youth Services Plan (2000), is key to providing services to youth that will help enrich their lives and will continue to augment the youth services already provided to the community by the Child and Youth Programmer.

Based on recommendations in the Youth Recreation Services Plan, the work accomplished by the Recreation Program Assistants to date, staff observations of one worker versus two, and the integral role the program plays in the Department and the community, the Department is recommending that the current positions be reclassified as one permanent full-time position.

RECOMMENDATION

That the two temporary, part-time Recreation Program Assistant positions, involved in youth services, be reclassified as one permanent, full-time position.

Original signed by: D. Porteous

Report Writer

Original signed by: N. Connelly

General Manager Concurrence

Original signed by: T. Osborne

Manager Concurrence

Original signed by: K. Daniels

CAO Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO	
JAN 17 2003	
CHAIR	GM/DrS
GAG	GM/DS
GM/ComD	GM/ES

MEMORANDUM

TO: Kelly Daniels
Chief Administrative Officer

DATE: January 17, 2003

FROM: Neil Connelly
General Manager, Community Services

FILE: 0360-20-GIPR

SUBJECT: Gabriola Island Parks and Open Space Advisory Committee Proposal

PURPOSE

To consider terms of reference and the formation of a Gabriola Island Parks and Open Space Advisory Committee, given the shift to Recreation Society delivery of recreation services and the Bylaw currently in place for the Parks and Recreation Commission.

BACKGROUND

The Regional Board at the April 9, 2002 Regular meeting passed two resolutions related to recreation services on Gabriola Island. They stated:

- “that the RDN enter into an agreement with the Gabriola Recreation Society for the provision of recreation services on the island”, and
- “that staff prepare a report on the options available on the restructure of the Recreation Commission.”

At the May 28, 2002 Committee of the Whole meeting, a staff report on the proposed formation of a Parks Advisory Committee was considered. A resolution was passed that the staff report and recommendation regarding the Advisory Committee proposal be tabled until the next Recreation Commission meeting to be held November 4, 2002.

Given that an agreement and funding has been in place with the Recreation Society since July 2002 and the Recreation Commission did not meet in November 2002 to consider the report, the staff report has been updated for the Board’s consideration at this time.

a) History

The Gabriola Parks and Recreation Commission was established in 1996 through Bylaw No. 1024, 1996. It was formed in conjunction with the establishing bylaw that was developed to create a local service area for the purpose of providing recreation services on Gabriola and that was approved through a referendum in November 1996. The Commission Bylaw specified the role and authority of the Commission, procedures, terms and outlined membership to include the Area Director as well as five members from the community at large.

In March 2000, an updated Parks and Recreation Commission Bylaw No. 1208 was approved by the Regional Board. It provided for membership to be expanded to include two youth members and for the Area Director to act in a resource capacity only and not as a member of the Commission. Clearer

wording on the authority delegated to the Commission was also outlined to specify the group's advisory role and the requirement to bring recommendations on recreation and parks service delivery forward to the Board. Given the extent of the charges, Bylaw No. 1024, 1996 was repealed.

The Commission Bylaw No. 1208 was amended in February 2001 through Bylaw 1208.01 to provide for the Area Director to be a full member of the Commission.

b) Membership

Commission membership, as appointed by the Board, has lapsed with the terms of three members expiring in 2001 and the other two members at the end of 2002.

c) Parks and Open Space Advisory Committee

With the current approach, the Gabriola Recreation Society has taken the lead role in recreation service delivery under the terms of their agreement and funding from the Regional District. This leaves a limited role for the Parks and Recreation Commission in recreation matters, which in the past represented the largest part of their activities.

The advisory role in Community Park matters may best be assumed by the formation of a new committee, as is currently in place in four other electoral areas. They are in Area A (Cedar), Lantzville (Area D), Nanoose Bay (Area E) and Area G (French Creek). A Terms of Reference for a Gabriola Parks and Open Space Advisory Committee is attached. It provides for a nine-member committee, to be appointed by the Board, to meet on a quarterly basis to offer advice to the Area Director and the Board on park related matters. The Committee would allow for parks and trails issues to be discussed at a community level, and provide for community involvement in the implementation of park plans and operational initiatives. It would also allow for liaison with the Islands Trust on land use planning matters that relate to parks and trails.

ALTERNATIVES

1. Approve the Committee Terms of Reference and repeal the Parks and Recreation Commission Bylaw.
2. Not approve the Committee Terms of Reference at this time and provide alternative direction on the revised role to be played by the Parks and Recreation Commission.

FINANCIAL IMPLICATIONS

There are no direct financial implications. Committee costs and staff liaison are included within the Area 'B' Community Parks Function and Budget. Recreation funding has been channeled to the Recreation Society under the terms of the agreement.

CITIZEN IMPLICATIONS

The creation of a new Parks Advisory Committee will help avoid any public confusion regarding the roles of the Parks and Recreation Commission and the Recreation Society. It will provide opportunities for community residents to be more actively involved in park management, and trail initiatives. Parks related community concerns can be forwarded to the Board by way of Committee meeting minutes.

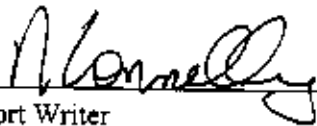
CONCLUSIONS

With the Regional District's agreement and funding for recreation service delivery with the Gabriola Recreation Society, the only role left for the Gabriola Parks and Recreation Commission is primarily

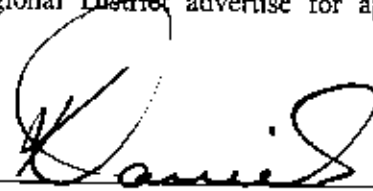
confined to parks matters. The Commission has not met since the Spring of 2002 and all of the terms of the members have lapsed. The Recreation Society has taken on the role of the Commission and is actively engaged in recreation program activities. A change to formally disband the Commission and create a new Parks and Open Space Advisory Committee is recommended to provide clarity between the role to be played by the Society in recreation matters and the community input and advisory role that can be undertaken by the Committee in parks matters. The Area 'B' Community Parks program is an active one, with a number of significant issues related to the completion of the parks plan, trails, beach access improvements, liaison with the Islands Trust and community park improvements and projects that could benefit from the assistance of an Advisory Committee.

RECOMMENDATIONS

1. That "Gabriola Island Parks and Recreation Commission Bylaw No. 1208, 2000" be repealed.
2. That the Terms of Reference for the Gabriola Island (Electoral Area 'B') Parks and Open Space Advisory Committee be approved, and that the Regional District advertise for applications for appointment to the Committee.



Report Writer



CAO Concurrence

COMMENTS:

Gabriola Island (Electoral Area 'B')
Parks and Open Space Advisory
Committee

Terms of Reference

Purpose:

To establish a Parks and Open Space Advisory Committee for Gabriola Island and Electoral Area 'B'. The Committee will advise and provide information to the Regional District of Nanaimo Board regarding parks and open space issues in Electoral Area 'B'.

Membership:

1. The Electoral Area 'B' Parks and Open Space Committee will be appointed by the Regional Board as follows:
 - The Electoral Area 'B' Director or designate.
 - Up to eight Members at Large who will be residents of Electoral Area 'B'.
2. The Committee will consist of a maximum of nine members. The Committee may operate without all positions being occupied. A quorum shall consist of five members.
3. For the first year of operation only, the terms of Committee membership shall be staggered with four members appointed for a two-year term and four members appointed for a one-year term. Beginning in the second year all members will be appointed for a two-year term. The Area 'B' Director will be on the Committee for their three-year tenure as a Board member.

Procedures:

1. The Committee shall elect a Chairperson and Recording Secretary annually at the first meeting of each calendar year.
2. The Committee may meet as required but will structure its activities to meet approximately four times per year.
3. Minutes of Committee meetings will be forwarded to the Regional District Board for information.

Responsibilities:

1. Make recommendations and provide advice to the Regional Board regarding a wide range of parks and public open space issues including:
 - Acquisition of community park sites.
 - Development and maintenance issues for community park sites.
 - Establish priorities for the expenditure of community park operating and reserve funds.

2. Liaise, provide leadership, and work with community and neighbourhood groups on a wide range of parks and open space projects including:
 - Volunteer neighbourhood and community park development projects.
 - Community input regarding park planning and acquisition priorities.
 - Trail system planning and development.
 - Waterfront access.

3. Play a leadership role and provide a focal point for co-operation between community interests and the Regional District on parks and open space issues.

Financial Consideration:

There is currently funding available through the Regional District's Electoral Area 'B' community parks function. The Committee will provide input on an annual basis to the Electoral Area Director and the Regional Board regarding the level of funding and priorities for expenditures from these budgets for parks and open space purposes. The Committee will also have the ability to look at a variety of other funding sources and strategies and make recommendations to the Regional District regarding the collection and use of these funds.

Reporting and Authority:

The Committee has a responsibility to act in the best interests and within the policies and guidelines established by the Regional District in the provision of their services on parks and open space matters within Electoral Area 'B'.



REGIONAL DISTRICT OF NANAIMO		
JAN 16 2003		
CHAIR		GMCrS
CAO		GMDS
CMrS		GMES

MEMORANDUM

TO: Neil Connelly
General Manager, Community Services

DATE: January 14, 2003

FROM: Christina Thomas
Senior Planner, Community Services

FILE: 6780 30

SUBJECT: REGIONAL DEVELOPMENT SERVICES 2003 PROGRAM

PURPOSE

To obtain direction regarding the 2003 program for Regional Development Services.

BACKGROUND

RDN Board direction is required regarding the 2003 program for Regional Development Services, given that the Growth Management Plan Review was not completed in 2002 as anticipated¹. This results in a need to reassess the 2003 program for Regional Development Services.

The budget allocated for the Growth Management Plan Review was completely expended in 2001 and 2002, in accordance with the Terms of Reference approved by the RDN Board for the project. The 2003 Provisional Budget does not include a budgetary allocation to complete the Growth Management Plan Review as it was developed when it was anticipated that the Growth Management Plan Review would be completed in 2002, pursuant to the project terms of reference. Given the budgetary implications of the program, Board direction is required regarding program priorities for Regional Development Services in 2003.

The Regional Development Services program for 2003, as approved in the 2003 Provisional Budget, includes the following:

Work Contingent Upon the Completion of the Growth Management Plan Review:

- The publication and distribution of hard copy and digital on-line versions of the revised regional growth strategy for the public in a format that is attractive and easy to read, to raise public awareness about growth management in the region.
- Coordination of the review and revision of regional context statements (RCSs) for municipal and electoral area official community plans to achieve consistency among RCSs in terms of structure and type of content.

Work to Monitor and Support the Implementation of the Regional Growth Strategy:

- Working with a new citizen committee to examine the sustainability of the region (Sustainability/Regional Growth Strategy Monitoring Initiative).

¹ The Review was not finished in 2002 as the RDN Board passed a resolution on October 8, 2002, to repeal the first and second reading it had granted "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309" (the bylaw that was the product of the Review), and referred it back to staff for further public consultation.

- Researching, writing and distributing a report to the public about the sustainability of the region (Sustainability/Regional Growth Strategy Monitoring Initiative) and report about regional growth strategy implementation.
- Organization, facilitation, and preparation of materials for discussion at regular Intergovernmental Advisory Committee meetings.
- Developing information/fact sheets about topics related to managing growth and development in the region based on Census of Canada and other data.

The component of this program that requires the most staff time and financial resources is the Sustainability/Regional Growth Strategy Monitoring Initiative work.

Since the Growth Management Plan Review was not completed in 2002 there is a need to consider adjustments to the Regional Development Services 2003 program to allow for work to be undertaken to complete the Growth Management Plan Review. Based on Board direction, terms of reference for the completion of the Growth Management Plan Review are scheduled to be provided to the Committee of the Whole for consideration on February 25, 2003.

ALTERNATIVES

1. To make no changes to the 2003 program for Regional Development Services.
2. To adjust the 2003 program for Regional Development Services by reallocating the existing staff time and financial resources to the work program components to provide the necessary resources to the Growth Management Plan Review Completion Project and the Sustainability/Regional Growth Strategy Monitoring Initiative. (Staff recommended this alternative).
3. To adjust the 2003 program for Regional Development Services by supplementing it with additional financial resources in the amount of \$30,000 for the Growth Management Plan Review Completion Project.

FINANCIAL IMPLICATIONS

1. None.
2. Alternative 2 would not require the allocation of additional funds to the 2003 Provisional Budget for the Regional Development Services function. Alternative 2 would require that some of the funds that would have been used for the Sustainability/Regional Growth Strategy Monitoring Initiative would be reallocated to the Growth Management Plan Review Completion Phase Project and that the timeframe for the former project would be extended, from 2 to 3 years. (A Project Description and Terms of Reference for the Sustainability/Regional Growth Strategy Monitoring Initiative are included elsewhere on the agenda for this meeting and are based on Alternative 2, in anticipation of the Board's selection of this alternative).
3. Alternative 3 would require the allocation of an additional \$30,000 to the function for the year.

PUBLIC RELATIONS IMPLICATIONS

It is anticipated that the public is expecting that the Growth Management Plan Review will be completed in 2003, given that the project has been in process since January of 2001 and was to be completed by the end of 2002. It is also anticipated that the Sustainability/Regional Growth Strategy Monitoring Initiative will help build public awareness about what the region can do to advance its sustainability and possibly generate public support for initiatives that will advance the region's sustainability, such as the regional growth strategy. Alternatives 2 and 3 enable the RDN to advance both of these public interests in 2003,

whereas Alternative 1 would enable the RDN to advance only one of these public interests in 2003 (i.e. Sustainability/Regional Growth Strategy Monitoring Initiative) and no work would be undertaken to complete the Growth Management Plan Review.

INTERGOVERNMENTAL IMPLICATIONS

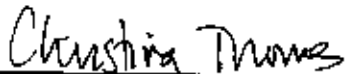
The sustainability/regional growth strategy monitoring component of the 2003 Regional Development Services work program is required to fulfill the RDN's obligations to monitor its progress towards the attainment of regional growth strategy objectives pursuant to section 869 of the *Local Government Act*. All of the alternatives presented for consideration would mean that the RDN would take steps towards fulfilling this obligation in 2003.

SUMMARY

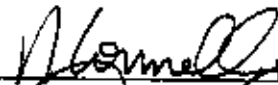
Board direction is required regarding the 2003 work program priorities for Regional Development Services given that the Growth Management Plan Review was not completed as anticipated in 2002 and the work program approved as a part of the provisional budget was based on the assumption that the Growth Management Plan Review would be complete and not require additional work. It is recommended that the 2003 program for Regional Development Services be adjusted by reallocating the existing staff time and financial resources to the work program components to provide the necessary resources to the Growth Management Plan Review Completion Project and the Sustainability/Regional Growth Strategy Monitoring Initiative because no additional financial resources would be required, public interests would be respected, and steps would be taken towards the fulfillment of the RDN's regional growth strategy monitoring responsibilities.

RECOMMENDATION

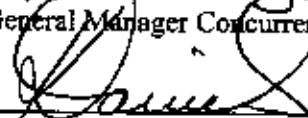
That the 2003 program for Regional Development Services be adjusted by reallocating the existing staff time and financial resources to provide for the Growth Management Plan Review Completion Project and the Sustainability/Regional Growth Strategy Monitoring Initiative.



Report Writer



General Manager Concurrence



CAO Concurrence



REGIONAL DISTRICT OF NANAIMO	
JAN 16 2003	
CHAIR	GMCrs
CAO	GMES
GMCms	GMES
<i>Call</i>	

MEMORANDUM

TO: Neil Connelly
General Manager, Community Services

DATE: January 16, 2003

FROM: Christina Thomas
Senior Planner, Community Services

FILE: 6780 30

**SUBJECT: REGIONAL GROWTH STRATEGY MONITORING PROGRAM
STATE OF SUSTAINABILITY PROJECT & COMMITTEE**

PURPOSE

To obtain direction regarding a project (and associated citizen committee) to be conducted as a part of the Regional Growth Strategy Monitoring Program.

BACKGROUND

The Board considered a report regarding the Regional Growth Strategy Monitoring Program in April of 2002, and directed staff to develop a comprehensive monitoring project and prepare terms of reference for a new committee to be involved in the project. The report on that matter was delayed until now given the attention that was dedicated to completing the Growth Management Plan Review.

A description for a comprehensive monitoring project, called the State of Sustainability Project, is provided for the Board's consideration, along with terms of reference for a new citizen committee, as requested (*see Attachments 1 & 2*).

Governments at all levels have a key role in moving towards a more sustainable future, as they are responsible for setting the vision and associated goals for an area as well as establishing and implementing policy, within their scope of influence, to achieve the vision and goals in their jurisdictions. In the early 1990's the RDN embarked on a process to develop a regional strategy to manage the impacts of population growth and development on a regional basis. The project resulted in the adoption of a regional growth strategy in 1997. The strategy aims to establish a more sustainable pattern of population growth and development in the region by encouraging and directing most new development in the region in designated urban areas, thereby keeping urban settlement compact, protecting the integrity of rural and resource areas, protecting the environment, increasing servicing efficiency, and retaining mobility within the region.

After the regional growth strategy was adopted a program was established to monitor progress towards the attainment of the regional growth strategy vision, goals and objectives. A citizen committee (the Performance Review Committee) was established in 1998, and staff worked with the committee since that time to develop a monitoring program framework. One-time project funding was provided to develop a set of indicators (or measures) of regional growth strategy vision and goal attainment and to obtain the baseline data for the chosen indicators. The first report based on the data for these indicators was developed in conjunction with a citizen committee and submitted to the RDN Board in April of 2001. The Performance Review Committee is no longer in existence as the membership terms of all of the members expired, and no new individuals were appointed to the Committee given the RDN Board

direction in April of 2002 to reconfigure the monitoring work program and develop new terms of reference for a new committee to be involved in the new program.

The Project provided for consideration creates more opportunities for the involvement of RDN residents in the Regional Growth Strategy Monitoring Program, as requested by the Board in April of 2002

The purposes of the Project are to assess the region's progress towards sustainability, primarily using the indicator set that has already been developed, to make residents aware of the region's progress towards sustainability, and to provide more and better opportunities to involve the residents of the region in the assessment of the region's progress towards sustainability. It also provides useful information to monitor progress towards the attainment of the regional growth strategy vision and goals.

The three-year Project provided for the Board's consideration includes five key components:

1. **Public events:** Two public events will be conducted. The purpose of the first public event, to be conducted in the Winter of 2004, is to discuss what sustainability means in the context of the Nanaimo region. The purpose of the second public event, to be conducted in the Winter or Spring of 2005, is to present and discuss the results of the report that documents the state of sustainability of the region. The public events will include interesting, informative speakers as well as opportunities for the public to discuss ideas and contribute feedback about the sustainability of the region. A written report will be prepared to document the findings of each public event. These reports will be made available to the public.
2. **Indicators:** Indicators are measures. The existing, approved indicator set will be reviewed and minor refinements will be considered. An assessment of the data for these indicators will form the basis of the report that documents the state of sustainability in the Nanaimo region.
3. **Public reports about the sustainability of the region:** Two reports will be prepared and disseminated to residents in the region to raise awareness about state of sustainability in the Nanaimo region. The first report, to be prepared in the Fall of 2004, will document the state of sustainability of the Nanaimo region, based on an assessment of data for indicators. The second report, prepared in the Fall of 2005, will provide ideas about how the sustainability of the region can be improved. These reports will be published, either in full or in part, as a part of the RDN Regional Perspectives publication so that the information is shared with every household in the region. The reports will also be made available on the RDN web site to increase their public accessibility.
4. **Awards program:** A Regional Sustainability Awards Program will be developed and implemented to publicly recognize projects/organizations/individuals that have made a significant contribution to the sustainability of the region. The Awards Program will be developed in 2004, and the awards will be presented in the Spring of 2005.
5. **Citizen Committee:** A Citizen Committee is a key component of the Program. The purpose of the Citizen Committee is to provide an opportunity for citizens of the region to contribute their knowledge and opinions about sustainability as it relates to the region. Key Citizen Committee responsibilities include reviewing and providing comments about draft reports, reviewing and providing comments about refinements to the indicator set, providing advice regarding the development of the awards program, and providing advice regarding the public events. The Citizen Committee consists of eleven members: nine residents of the region and two RDN Board Directors. The nine resident members include an equal representation of individuals with knowledge and experience about each of the three dimensions of sustainability (the economy, the environment and society). The two RDN Board Directors appointed to the committee will serve as the committee chair and vice-chair. The committee may meet a maximum of twelve times per year, each year of the three-year project.

Once the three-year project is complete RDN Board direction will be sought again regarding future projects to be conducted as a part of the Regional Growth Strategy Monitoring Program.

ALTERNATIVES

1. To approve the Project and Committee Terms of Reference as presented.
2. To request staff to prepare amendments to specific components of the Project and Committee Terms of Reference to respond to specific identified issues, for the reconsideration of the RDN Board.

FINANCIAL IMPLICATIONS

It is projected that approximately \$6,120 would need to be allocated to the Project in the Community Services (Regional Development Services) 2003 Budget, \$27,540 in 2004 and \$27,540 in 2005. These resources can be accommodated within the current program budget and requisition. The budget required for the Project is lower in 2003 than the other years given that the key focus of the work program (and hence budget) for Regional Development Services in 2003 is anticipated to be the completion of the Growth Management Plan Review.

GROWTH MANAGEMENT IMPLICATIONS

The Project will raise awareness about the role of the regional growth strategy and the RDN in creating a more sustainable future for the region. It will also provide useful information regarding how particular programs and policies could be adjusted to more effectively and efficiently move towards the achievement of the strategy's vision and goals.

PUBLIC CONSULTATION IMPLICATIONS

The Project will provide a greater number and a wider range of different opportunities for the public to learn about and participate in the assessment of the region's sustainability, to the extent they wish. At a minimum, every household in the region will be informed about the sustainability of the region through the receipt of a Regional Perspectives newsletter about the sustainability of the region and information about the RDN's role in achieving a more sustainable region in 2004 and 2005. Residents that wish to become more involved will have an opportunity to participate in annual public events about the topic (in 2004 and 2005). Residents that wish even more direct involvement may seek membership in the Citizen Committee which is anticipated to meet a maximum of 12 times per year, starting in 2003. The Project also provides an opportunity to celebrate the contributions of residents towards the sustainability of the region, through an awards program.

INTERGOVERNMENTAL IMPLICATIONS

The Intergovernmental Advisory Committee (IAC) reviewed a *draft* State of Sustainability Project Description and State of Sustainability Project Citizen Committee Terms of Reference at its meeting on September 5, 2002. The Project Description and Terms of Reference were re-circulated to the IAC on December 3, 2002. The IAC raised no questions or concerns about the Project Description or Terms of Reference.

SUMMARY

The State of Sustainability Project is proposed as a part of the Regional District's Regional Growth Strategy Monitoring Program, to fulfill, in part the RDN's responsibility to monitor progress towards the attainment of regional growth strategy objectives. A Project Description and Terms of Reference for an associated Citizen Committee are provided for the RDN Board's consideration, as requested. The Project will provide information useful to the regional growth strategy, while providing many interesting and meaningful opportunities for the public to be involved in the assessment of the region's sustainability, as per the RDN Board's direction of April 2002.

RECOMMENDATION

That the State of Sustainability Project and Committee Terms of Reference be approved.

CTMWS

Report Writer

[Signature]
General Manager Concurrence

[Signature]
CAO Concurrence

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State of Sustainability
Project Description

Background

Governments at all levels have a key role in moving towards sustainability, as they are responsible for setting the vision and associated goals for an area as well as establishing and implementing policy, within their scope of influence, to achieve the vision and goals within their jurisdictions.

The term 'sustainability' has been defined many different ways¹. Nonetheless, the various definitions of 'sustainability' all appear to recognize that humans have an impact on the earth and that humans should try to ensure that what we do today does not erode our economic, environmental and social capital, so that future generations can meet their own needs. Sustainability is the concept that humans are part of the ecosystem, and that there is a need to integrate the economic and social lives of humans into the environment in ways that maintain and enhance the environment rather than degrade or destroy it.

In the early 1990's the Regional District of Nanaimo (RDN) recognized its responsibility to work towards sustainability, and embarked on a process to develop a regional strategy to manage the impacts of population growth and development on a regional basis within its scope of influence. A regional strategy was deemed appropriate in recognition of the fact that the impacts of growth span the jurisdictional boundaries of individual municipalities and electoral areas, and the fact that while it would be difficult, perhaps impossible, for local governments to stop population growth, it is possible for local governments to mitigate the impacts of population growth through the development and implementation of long range plans and strategies. The project resulted in the adoption of a regional growth strategy for the region in 1997, based on the principles

¹ Examples of some of the various definitions of sustainability are:

- "Sustainable development requires environmental health, economic prosperity and social equity" *Earth Council*
- "Sustainable development involves the simultaneous pursuit of economic prosperity, environmental quality and social equity. Companies aiming for sustainability need to perform not against a single, financial bottom line but against a triple bottom line" *The World Business Council for Sustainable Development*
- "Sustainable development means implementing a process that integrates environmental, economic, and social considerations into decision making" *Environment Canada*
- "Development which ensures that the utilization of resources and the environment today does not damage prospects for their use by future generations" *Canada's National Task Force on Environment and Economy*
- "Living on earth's income rather than eroding its capital. It means keeping consumption of renewable natural resources within the limits of their replenishment. It means handing down to successive generations not only man-made wealth, but also natural wealth, such as clean and adequate water supplies, good arable land, a wealth of wildlife, and ample forests." *United Kingdom's Sustainable Development Strategy*
- "Development that meets the needs of the present generation without precluding the possibility of future generations to meet their own needs" *Brundland Report, Our Common Future*
- "Improving the quality of human life while living within the carrying capacity of supporting ecosystem" *Caring for the Earth*
- "A community is unsustainable if it consumes resources faster than they can be renewed, produces more wastes than natural systems can process or relies upon distant sources for its basic needs" *Sustainable Community Roundtable*.

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State of Sustainability
Project Description
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of sustainability. In essence, the goals of the RDN's regional growth strategy establish the foundation of the RDN's definition of sustainability for the region. The goals of the regional growth strategy are:

1. **Strong Urban Containment:** To limit sprawl and focus development within well defined urban containment boundaries.
2. **Nodal Structure:** To encourage mixed-use development that includes places to live, work, learn, play, shop and access services.
3. **Rural Integrity:** To protect and strengthen the region's rural economy and lifestyle.
4. **Environmental Protection:** To protect the environment and minimize ecological damage related to growth and development.
5. **Improved Mobility:** To improve and diversify mobility options within the region – increasing transportation efficiency and reducing dependency on the automobile.
6. **Vibrant and Sustainable Economy:** To support strategic economic development that respects the rural and environmental protection priorities of the region.
7. **Efficient Services:** To provide cost efficient services and infrastructure where urban development is intended, and to provide services in other areas where the service is needed to address environmental or public health issues and the provision of the service will not result in additional development.
8. **Cooperation Among Jurisdictions:** To facilitate and understanding or and commitment to the goals of growth management among all levels of government, the public, and key private and voluntary sector partners.

In short, the regional growth strategy aims to establish a more sustainable pattern of population growth and development in the region over a twenty-five year period by encouraging and directing most new development in the region in designated urban areas, thereby keeping urban settlement compact, protecting the integrity of rural and resource areas, protecting the environment, increasing servicing efficiency, and retaining mobility within the region.

The *Local Government Act* requires regional districts that have adopted regional growth strategies to establish a program to monitor its implementation and the progress made towards its objectives and actions, and to prepare an annual report on that implementation and progress. Consequently, the RDN initiated the development of such a program after it first adopted a regional growth strategy in 1997. The monitoring program has evolved since that time. The initial monitoring report, published in 1997, was an administrative document that described key projects completed to implement the regional growth strategy. In 1998 and 1999 more detailed reports were prepared with a citizen committee. The 1998 and 1999 reports provided information regarding compliance with each of the policies of the regional growth strategy based primarily on qualitative data. One-time project funding was provided in 2000 to develop a set of indicators (or measures) of regional growth strategy vision and goal attainment (see *Appendix 1*) and to obtain the baseline data for the chosen indicators. The first report based on the data for these indicators was developed in conjunction with a citizen committee and received by the RDN Board in April of 2001. In April of 2002, the RDN Board directed staff to develop the next steps for the monitoring program and terms of reference for an associated citizen committee, with the view to providing a wider range of opportunities for public involvement in the program. The State of Sustainability Project has been designed to satisfy these objectives.

Purpose

The purposes of the State of Sustainability Project are:

- ✓ to assess the region's progress towards sustainability, primarily using the existing indicator set (see *Appendix 1*),
- ✓ to make residents aware of the region's progress towards sustainability, and
- ✓ to provide more and better opportunities to involve residents of the region in the assessment.

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State of Sustainability
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Components and Deliverables

1. A public event to discuss what sustainability means in the context of the Nanaimo region, and a report that documents the findings of the event.
2. Review the existing indicator set (*see Appendix 1*), make minor refinements to it as necessary, and reaffirm it, for use in the development of the report that documents the state of sustainability of the Nanaimo region.
3. A report that documents the state of sustainability of the Nanaimo region, based on selected indicators of sustainability.
4. A public event to discuss the results of the report that documents the state of sustainability of the Nanaimo region, and a report that documents the findings of the event.
5. A report that provides ideas about how the sustainability of the region can be improved.
6. The development and implementation of a Regional Sustainability Awards Program, to publicly recognize projects/organizations/individuals that have made a significant contribution to the sustainability of the region and to raise awareness about regional sustainability.
7. Citizen committee involvement in the above (i.e. approximately 12 meetings per year).

Roles and Responsibilities

Citizen Committee

1. Provide advice regarding public events (i.e. Who should be invited to attend? What speakers should be invited to speak at the event? How should the event be formatted? How should participant feedback about sustainability be obtained at the event? Where should the event be conducted? How should the event be publicized?).
2. Provide comments about the existing indicator set for use in refining the indicator set.
3. Review and provide comments about draft reports about:
 - the state of sustainability in the region;
 - how the sustainability of the region can be improved.
4. Provide advice regarding the development and implementation of the Regional Sustainability Awards Program.
5. Make recommendations regarding the awarding of Regional Sustainability Awards.
6. Attend public events.
7. Attend committee meetings. A maximum of twelve meetings may be conducted each year, concentrated around the development of key project deliverables.

Committee Chair

1. Provide guidance to staff in the development of committee meeting agendas.
2. Approve the minutes of Committee meetings.
3. Present reports to the Board.

ATTACHMENT 1

State of Sustainability
Project Description
Page 4

Staff

1. Research and write reports about:
 - the existing indicator set and recommended refinements;
 - the state of sustainability of the Nanaimo region;
 - how the sustainability of the region can be improved;
 - the public events.

Staff will develop initial drafts of reports, circulate draft reports to the committees as referenced in the applicable sections for comments and discussion, and take the committees' comments into consideration in the finalization of the report.
2. Organize and facilitate public events.
3. Develop the Regional Sustainability Awards Program.
4. Report to the Regional Board about the Project.
5. Develop committee meetings agendas, under the guidance of the Committee Chair.
6. Prepare committee meeting minutes for the approval of the Committee Chair. The minutes will not be a verbatim record of all of the discussion at a meeting. The minutes will record the topics discussed at each meeting and the resolutions passed at each meeting.
7. Ensure that project budget is allocated according to Regional Board direction.
8. Circulate meeting agendas and meeting minutes to the committee.
9. Communicate with the media about reports and events, in consultation with the Committee Chair.

Intergovernmental Advisory Committee (IAC)

1. Provide technical advice regarding indicators to be used in the development of reports about the state of sustainability of the Nanaimo region.
2. Provide data, where applicable, for the indicators and or identify other possible data sources for the indicators.
3. Review and provide technical comments about draft reports about:
 - the state of sustainability of the region;
 - how the sustainability of the region can be improved.
4. Attend public events, where possible.

Regional Board

1. Make decisions regarding the budget for the program.
2. Make decisions regarding reports (i.e. to receive, to take additional action, to change or adopt new RDN policies and regulations, etc.).
3. Make decisions regarding committee appointments.
4. Review and receive the minutes of committee meetings.

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State of Sustainability
 Project Description
 Page 5

5. Make decisions regarding the indicators to be used to develop reports about the state of sustainability of the Nanaimo region.
6. If targets are set for the indicators, make decisions regarding the targets for each indicator.
7. Make decisions regarding the presentation of awards for the Regional Sustainability Awards Program.
8. Attend a meeting of the citizen committee, if deemed appropriate, for the purpose of providing an additional opportunity for dialogue between the committee and the Regional Board regarding progress towards the regional growth strategy goals and a more sustainable region.

Regional Board Chair

1. Appoint one electoral area director and one member municipality director to the committee. One of the appointed directors is to be assigned responsibility to Chair the committee, and one of the appointed directors is to be assigned responsibility to be the Deputy Chair for the committee.

Timeline

1. Citizen committee orientation	Spring 2003 / Summer 2003 / Fall 2003
2. Preparation and planning for public event to discuss what sustainability means in the context of the Nanaimo region	Spring 2003 / Summer 2003 / Fall 2003
3. Conduct public event to discuss what sustainability means in the context of the Nanaimo region.	Winter 2004
4. Review, refine and reaffirm indicator set.	Spring 2004 / Summer 2004
5. Research, write and publish report that documents the state of sustainability in the Nanaimo region.	Fall 2004
6. Develop regional sustainability awards program	Winter 2005 / Spring 2005
7. Preparation and planning for public event to discuss results of the report that documents the state of sustainability of the Nanaimo region.	Winter 2005 / Spring 2005
8. Conduct public event to discuss the results of the report that documents the state of sustainability in the Nanaimo region.	Spring 2005
9. Implement regional sustainability awards program	Spring 2005
10. Research, write and publish report that documents how the sustainability of the Nanaimo region can be improved	Fall 2005

Note: Winter = Jan - March; Spring = March - June; Summer = June - Aug.; Fall = Sept. - Dec.

Budget

The Project budget is allocated as follows:

Public event to discuss what sustainability means in the context of the Nanaimo region (speakers' expenses, rent large facility for ½ or full day, catering as necessary for approximately 200 participants)	\$15,000
Research, write and publish report that documents the state of sustainability in the Nanaimo region (cost of obtaining data [approx. \$3000], designing and publishing reports [approx. \$5000], disseminating report to every household in region as a special edition of Regional Perspectives [approx. \$9000])	\$17,000
Public event to discuss the results of the report that documents the state of sustainability in the Nanaimo region (speakers expenses, rent large facility for ½ or full day, catering as necessary for approximately 200 participants)	\$15,000
Research, write and publish report that documents how the sustainability of the Nanaimo region can be improved.	\$5000
Develop and implement regional sustainability awards program	\$2000
Committee meetings (cost of refreshments, sending agendas via courier, cost of meeting materials/associated office supplies, other miscellaneous expenses)	\$200 per meeting x maximum of 12 meetings per year x 3 years = \$7200
TOTAL	\$81,200 over 3 years

The Project budget is subject to confirmation through the annual formal budget review process each year.

The Project budget does not include staff time.

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State of Sustainability
Project Description
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**APPENDIX 1:
INDICATORS**

1. Population density inside and outside Urban Containment Boundaries
2. Amount of land inside and outside Urban Containment Boundaries
3. Number of applications to change the Urban Containment Boundaries
4. Diversity of housing types in designated nodes.
5. Diversity of amenities in designated nodes.
6. Housing within 400 metres of amenities (retail facilities, services, schools, green space, and bus stops).
7. Actual use of rural land.
8. Resource industry employment by sector.
9. Drinking water: annual number of samples testing positive for fecal coliform.
10. Quality of treated effluent from sewage treatment plants.
11. Number of public bathing site closures.
12. Number of shellfish harvesting closures.
13. Amount of parkland.
14. Percentage of sensitive ecosystems designated as a development permit area for the purpose of protecting the natural environment.
15. Air quality: ground level ozone and particulate matter (PM_{2.5})
16. Percentage of watercourses designated as a development permit area for the purpose of protecting sensitive riparian habitat adjacent to watercourses.
17. Percentage of shoreline having intact adjacent vegetation.
18. Number of bus riders.
19. Mode of transportation to work.
20. Unemployment rate.
21. Educational attainment levels.
22. Type of occupations.
23. Post-secondary specialization.
24. Income distribution.
25. Households spending over 30% of their income on housing.
26. Liquid waste generation.
27. Amount of garbage to landfill and amount recycled per resident.
28. Serviced households per kilometer of sanitary sewer line and per kilometer of water line, inside Urban Containment Boundaries.
29. Narrative description of senior government decisions contrary to official community plans.
30. Narrative description of annual initiatives to support and implement the regional growth strategy involving the RDN.

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ATTACHMENT 2
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State of Sustainability
Citizen Committee
Terms of Reference

Background

The State of Sustainability Project provides a role for a Citizen Committee. Please refer to the State of Sustainability Project Description for information about the Project.

Purpose

- To provide an opportunity for citizens of the Regional District of Nanaimo to contribute their knowledge and opinions about sustainability as it relates to the region.

Responsibilities

1. Provide advice regarding public events (i.e. Who should be invited to attend? What speakers should be invited to speak at the event? How should the event be formatted? How should participant feedback about sustainability be obtained at the event? Where should the event be conducted? How should the event be publicized?).
2. Provide comments about the existing indicator set for use in refining the indicator set.
3. Review and provide comments about draft reports about:
 - the state of sustainability in the region;
 - how the sustainability of the region can be improved.
4. Provide advice regarding the development and implementation of the Regional Sustainability Awards Program.
5. Make recommendations regarding the awarding of Regional Sustainability Awards.
6. Attend public events.
7. Attend committee meetings. A maximum of twelve meetings may be conducted each year, concentrated around the development of key project deliverables.

Membership Composition

1. The Committee shall include a maximum of 11 volunteer members.
2. The Committee membership shall include an equal number of members with experience and knowledge in each of the three 'legs' of sustainability (the economy, the environment, and society). In order to achieve this, the 11 committee members shall be comprised as follows:
 - a) One electoral area director;
 - b) One member municipality director;
 - c) Three residents with experience, knowledge and interest in the environmental component of sustainability that are either employed in an organization or are members of an organization concerned with environmental protection;
 - d) Three residents with experience, knowledge and interest in the economic component of sustainability, allocated as follows:

- one resident that is either employed in an organization or a member of an organization, that represents one of the parts of the goods sector of the economy (i.e. construction, logging and forest products, non-resource based manufacturing, mining and minerals products, utilities, fishing and fish processing);
 - one resident that is either employed in an organization, or a member of an organization, that represents one of the parts of the service sector of the economy (i.e. retail and wholesale trade, health and social services, business services, accommodation and food services, amusement, recreation and personal services, education, finance, insurance and real estate, government services, transportation and storage, communications);
 - one resident that is either employed in an organization or a member of an organization that represents one of the parts of the new economy (i.e. tourism, high technology, emerging industries).
- a) Three residents with experience, knowledge and interest in the social component of sustainability that are either employed in an organization, or are members of an organization concerned with improving the well being of residents.
- f) Committee members appointed pursuant to 2 (c), (d) and (e) are not considered to represent the organization they are affiliated with on the Citizen Committee. Rather, it is expected that committee members will be able to contribute experience and knowledge about either the environment, the economy or social issues because of their involvement in an organization with an environmental, economic or social focus.
3. The Committee membership shall include residents from electoral areas and member municipalities.
 4. Committee members should have experience and knowledge related to sustainability and methods of assessing sustainability. Alternatively, committee members should have an interest and willingness to learn about sustainability and the methods of assessing sustainability.
 5. Committee members shall have a willingness and ability to serve and volunteer the necessary time (i.e. up to a maximum of 12 meetings per year plus attendance at project special events).
 6. Committee members shall have an understanding and appreciation of regional perspectives, in addition to an understanding and appreciation of local community perspectives. Alternatively, committee members should have an interest and willingness to obtain an understanding and appreciation of regional perspectives, in addition to an understanding and appreciation of local community perspectives.
 7. Individuals may apply to fill more than one position on the Committee (e.g. apply to be one of the three residents appointed with experience, knowledge and interest in the social component of sustainability and apply to be one of the three residents appointed with experience, knowledge and interest in the economic component of sustainability); however, an individual may only be appointed to a maximum of one position on the Committee.

Membership Term

The membership term shall be a maximum of three years, or until the completion of the State of Sustainability Project deliverables, whichever is greater.

Membership Application

1. Individuals that wish to become a member of the Committee must submit a completed "State of Sustainability Project Citizen Committee Supplementary Application Form" and a completed "RDN Board Appointments to Advisory Committee/Commission Form" to the Regional District of Nanaimo.
2. The RDN Board is responsible for the review of submitted applications and the appointment of individuals to the Committee.

ATTACHMENT 2



Supplementary Application Form
State of Sustainability Project
Citizen Committee
Supplementary Application Form

Citizen Committee Position

Please specify which position on the State of Sustainability Project Citizen Committee you are applying for:

Environmental representative: a resident that has experience, knowledge and interest in the environmental component of sustainability and is either employed in an organization or is a member of an organization concerned with environmental protection.

Economic representative: a resident that has experience, knowledge and interest in the economic component of sustainability and is either employed in an organization or is a member of an organization concerned with the economy.

Please specify the specific area of the economy that you are involved and could represent:

- Goods sector (e.g. construction, logging, mining, fishing)
- Service sector (e.g. retail, health & social services, finance, education, government)
- New economy (e.g. tourism, high technology)

Social representative: a resident that has experience, knowledge and interest in the social component of sustainability and is either employed in an organization or is a member of an organization concerned with the betterment of society.

Supplementary Information Requested

1. How do you meet the criteria for the membership position that you are applying for?

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ATTACHMENT 2

2. What role does the organization that you are affiliated with have in regards to the sustainability of the region?

3. What skills, experience and knowledge do you have that would help you fulfill the responsibilities of committee membership?



REGIONAL DISTRICT OF NANAIMO			
JAN 16 2003			
CHAIR		GMCRS	
CEO		GMDS	
		EMES	

MEMORANDUM

TO: Neil Connelly
General Manager, Community Services

FROM: Mike Donnelly
Manager of Transportation Services

SUBJECT: BC Transit Act Regulation Changes
Phase 1 - Funding & Services Strategies Review

DATE: January 14, 2003

FILE:

PURPOSE

To bring forward BC Transit's endorsement request for changes to the BC Transit Act Regulation and to provide for a Regional District position.

BACKGROUND

In Phase 1 of the BC Transit Funding and Services Strategy Review three strategies were identified to reduce the cost of Transit service delivery in response to the Provincial Government cap on Transit funding. The November 15, 2002 letter (attached) outlines strategies included reducing costs through greater operating efficiencies, eliminating low priority service and to provide flexibility in the funding formula.

The first two strategies have been acted upon. Maintenance operations were modified where possible to reduce costs and Transit service was reduced by 1.5% in 2002. The remaining strategy calls for a change in the BC Transit Act Regulation pertaining to the cost-sharing formula.

The BC Transit Board of Directors has requested local government service areas to consider changes to the BC Transit Act Regulation allowing municipalities to participate in service delivery costs over and above those cost shared with BC Transit. This regulation change comes from requests made by Transit service communities looking for flexibility in managing impacts from the funding cap.

Under the current legislation, municipalities and regional districts providing Transit service do not have the flexibility to offer and fund services over and above those agreed to for cost-sharing purposes with BC Transit. The proposed changes would allow for additional funds to be provided by service areas should they so choose. BC Transit would prefer that this option be available to local government service areas should they choose to use it.

The RDN works within the cost-sharing funding provided by BC Transit, however, some communities wish to consider the provision of local funds to avoid service reductions.

ALTERNATIVES

1. Endorse the changes to the BC Transit Act Regulation
2. Do not endorse the changes to the BC Transit Act Regulation.

FINANCIAL IMPLICATIONS

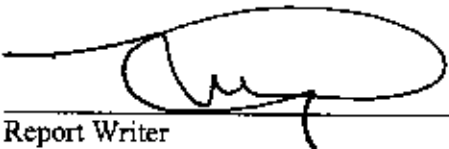
There are no direct financial implications related to this change for the Regional District.

SUMMARY/CONCLUSION

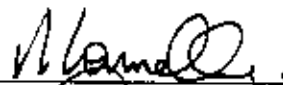
BC Transit has requested an endorsement by our Board for a proposed change to the BC Transit Act Regulation, which would give communities the flexibility to provide and fund additional service outside of the cost-sharing Agreement with BC Transit. This amendment is being developed as part of a general strategy to provide options to respond to capped BC Transit funding.

RECOMMENDATION

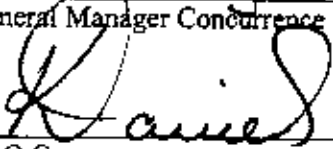
That the Regional District support BC Transit's proposal to amend the BC Transit Act Regulation to provide flexibility in the funding formula with BC Transit as described in Strategy 3 of the Phase 1 Funding and Service Strategy Review.



Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:



November 15, 2002

Chair Holme and Directors
Regional District of Nanaimo
6300 Hammond Bay Road,
Nanaimo, BC V9T 6N2

Dear Chair Holme and Directors:

SUBJECT: BC TRANSIT FUNDING AND SERVICE STRATEGY REVIEW

Further to my letter of October 10, 2002, I am writing to provide further information on the implementation of Phase 1 of the Board of Directors' Funding and Service Strategy Review. I am also writing to seek your endorsement of an amendment to *BC Transit Act* Regulations in order to bring closure to Phase 1 in the shortest possible time.

To recap, Phase 1 of the funding and service strategy review includes interim, urgent measures to address the funding gap in 2003/04. It is imperative for all transit partners to be able to act on the strategy sequence that I described in my October 10th letter, namely:

Strategy 1: Find efficiencies

Strategy 2: Eliminate low priority service

Strategy 3: Provide flexibility in the funding formula

Local government may choose which strategy to pursue in order to bridge the funding gap. While one community may address the funding shortfall entirely through efficiencies, another community may use all three strategies to achieve the same result.

An immediate change is required in the *BC Transit Act* Regulations for this strategy sequence to succeed. If the required cost savings are not achieved in Strategies 1 and 2, then a flexible funding formula is required under Strategy 3 for local governments to fund a higher percentage of costs in order to avoid further service reductions. The draft Regulation amendment and rationale is attached.

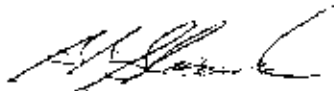
I am asking for your endorsement of the amendment by resolution so that the Board of Directors can request the provincial Cabinet to approve an Order in Council to amend the Regulation in a timely manner. Even if you do not choose Strategy 3, there will be other local governments that will want to. I require your response as soon as possible and absolutely no later than January 24, 2003.

BC Transit staff will work with your staff to develop a 2003/04 funding and service plan. The core plan will include options for all three strategies and assume that the *BC Transit Act* Regulations amendment will be in place for the new transit agreement term (April 1, 2003). A contingency option will also be prepared if the amendment is not approved. The plan will be submitted to you by the end of December, for local approval no later than January 31, 2003.

I will very shortly be sending you a discussion paper on Phase 2 of our funding and service strategy review. The Board's goal for Phase 2 is to present recommendations to the provincial government on sustainable transit funding and governance that reflect the range of community needs in the Municipal Systems Program and in Victoria, build on the strengths of the current transit partnership, improve efficiency and enhance local government control. The Board of Directors and I will be consulting with you on this important next stage in the development of public transit in B.C.

I look forward to our continued dialogue on this matter.

Yours truly,



Gregory A. Slocombe, Chair
BC Transit Board of Directors

Attachment: BC Transit Act Regulation amendment fact sheet
Copy: Local government contact
Operating company contact

BC Transit Act Regulation Draft Amendment Fact Sheet

Draft Amendment

The British Columbia Transit Regulation, B.C. Reg. 30/91 (see <http://www.qp.gov.bc.ca/statreg/>) is proposed to be amended by adding the following new Section 1.1:

Sharing of cost - municipalities

During each year of a municipal transit service agreement,

- (a) the municipality must contribute not less than 53.31% and the authority must contribute not more than 46.69% of the amounts required to defray the classes of expenses prescribed in section 8(1)(a),
- (b) the municipality must contribute not less than 33.31% and the authority must contribute not more than 66.69% of the amounts required to defray the classes of expenses prescribed in section 8(1)(b), and

Sharing of cost - Victoria regional transit service area (existing Section 2) would be repealed and the following substituted:

During a year commencing on April 1, for transit services in the Victoria regional transit service area,

- (a) the Victoria regional transit commission must contribute not less than 68.3% and the authority must contribute not more than 31.7% of the amounts required to defray the classes of expenses described in section 9(1)(a),
- (b) the Victoria regional transit commission must contribute not less than 37.0% and the authority must contribute not more than 63.0% of the amounts required to defray the classes of expenses described in section 9(1)(b), and
- (c) the Victoria regional transit commission must contribute 100% and the authority must contribute 0.00% of the amounts required to defray the classes of expenses described in section 9(1)(d).

Sections 4 to 7 would be repealed.

Draft Amendment Rationale

Sections 1.1 and 2 allow for a higher percentage of local cost-sharing in order to avoid service reductions as described in Strategy 3 of the funding and service strategy review (Phase I).

Sections 4 to 7 are replaced by new Section 1.1 and eliminate the 3-year phase-in period for transit funding in new transit service areas.



REGIONAL DISTRICT
OF NANAIMO
JAN 16 2003

CHAIR		GMCrS	
CAO		GMDS	
GMCmS		GMES	

MEMORANDUM

Collin

TO: Neil Connelly
General Manager - Community Services

DATE: January 14, 2003

FROM: Mike Donnelly
Manager of Transportation Services

FILE:

SUBJECT: BC Transit Funding & Service Strategy Review
Phase 2 - Transit Funding and Governance Models

PURPOSE

To bring forward BC Transit's discussion paper on future Transit Funding and Governance Models and to provide for a Regional District position. The Board of BC Transit is requesting a response to four alternatives for moving forward with changes to funding and governance models.

BACKGROUND

BC Transit funding for the operation of Transit and handyDART systems in the Province was capped in 2002 and will be in place until 2005. During that period no additional cost-sharing funds will be available to address increased operating costs or service expansions.

In Phase 1 of the BC Transit Funding and Service Strategy Review measures to deal with the capped funding included finding efficiencies, eliminating low priority service and providing flexibility in the funding formula. In addition to finding efficiencies and reducing low priority service, the RDN also began discussions with BC Transit regarding their level of administrative costs and to search ways to reduce those costs.

Phase 2, the topic of this report, concentrates on strategies for the long term *funding and governance* of Transit that need to be in place from 2005 onward. BC Transit officials are requesting feedback on these two issues prior to January 31st in order that an overall approach can be developed in time for the Fall sitting of the Legislature.

Funding Models

Currently the Provincial Government provides 36.5 million dollars for Transit in the Province. This is the highest level of Provincial Government funding in Canada. The Phase 2 Strategy identifies future funding sources to replace that funding including property tax, a dedicated province-wide fuel tax and other funding models, including possible taxation utilizing the proposed Community Charter.

One option is to establish a province-wide fuel tax for operational and expansion purposes. There are currently fuel taxes in place in both Vancouver and Victoria for their respective Transit systems. In the rest of the Province there are dedicated fuel taxes in place totaling 11.5 cents / litre. Of these taxes 7 cents go to general revenue, 1.25 cents to the BC Ferries Corporation and 3.25 cents to the Ministry of Transportation for capital projects.

A 1.5 cent allocation within the current fuel tax structure (general revenue portion) to municipal Transit systems would meet funding requirements as of 2005 and would allow for the future expansion of Transit systems in the Province.

Governance Models

As part of the core review for BC Transit the Provincial Government requested that BC Transit review other governance models that may provide more effective service delivery of Transit. This was also identified in Phase 1 of the Funding & Service Strategy Review submissions made by some municipal Transit systems in the Province.

Currently the governance model includes both Provincial (BC Transit) and local governance (municipalities, Regional Districts). Opportunities for change have been identified in both areas.

Provincial Governance

At this time BC Transit's role is to coordinate the delivery of public transportation throughout BC outside of Greater Vancouver. Its mandate includes:

- the oversight of local Transit system development and provision of funding to support provincial objectives;
- the provision of centralized, professional shared services to achieve economies of scale and efficient and effective delivery of service; and,
- the operation of conventional Transit service in Victoria.

Two options are provided in the discussion paper for a change in that governance model. They include a strategic BC Transit Model and the elimination of Provincial governance.

Strategic BC Transit Model

The primary goal of this model would be to separate the operation of Victoria Transit from BC Transit. Transit service in Victoria would be moved to a local authority or Regional Transit Authority, which is discussed later in this report.

This would leave BC Transit largely intact except for Victoria Transit and would continue to operate as a Provincial entity as it does today.

Elimination of Provincial Governance

This option would see BC Transit dissolved and the Province provide grants directly to the member municipalities. As part of such a process there would have to be a review of the assignment of responsibilities between the two remaining parties.

With the dissolution of BC Transit a number of functions that benefit the system would be no longer be carried out. These would include bulk fuel purchasing contracts, planning and marketing services, provision of capital funds and the purchasing of new fleet vehicles. These economies of scale produce significant savings each year to Transit operators throughout the Province.

Local Governance

The current local governance is carried out by the member municipalities, regional districts and, in the case of Victoria, the Victoria Regional Transit Commission. These bodies make decisions on service levels, tariffs and budgets.

Two options have been provided in the discussion paper that would provide alternate local governance models.

Regional Transit Authority (RTA)

This model would be useful in Transit service areas that span more than one regional district. The RTA would have a Board of locally elected representatives appointed by their Councils or Boards. There would be an option for the RTA to contract with BC Transit for administration, planning, marketing and specialized services. Typical areas where this model would have application would be Victoria, the Fraser Valley and the Okanagan.

Community Transit Authority (CTA)

This model would see the Provincial Government delegate its authority to the CTA much as it does for the Municipal Finance Authority or for a more recent example, the BC Ferries Corporation. The CTA could administer provincially granted funding, set performance targets and assume all or part of BC Transit's current strategic services.

Such a structure would allow for improved flexibility in managing funding with respect to the carryover of surpluses and raising funds outside of government. The model would not include Victoria Transit, as that function would be moved to the local level in Victoria.

The CTA model would allow for the continued support in key areas currently provided by BC Transit. These areas include bulk fuel purchasing contracts, planning and marketing services, provision of capital funds and the purchasing of new fleet vehicles. The focusing of key services within a CTA would provide overall savings to Transit systems in the Province.

A significant change in the Board composition would be anticipated with more local representation. The discussion paper suggests local councils according to the representation criteria prescribed by legislation would appoint representatives. Currently the government appoints Board members.

The options noted above for funding and governance changes have been arranged into four options. These options have been developed by the BC Transit Board of Directors for consideration. The Provincial Government has approved none of these options. The BC Transit Board is looking for local government direction on which option or combination of options would work best for them.

ALTERNATIVES

1. Status Quo

This option would continue with funding remaining at the current level with no possible funding increases until 2005 and no guarantee of existing or additional funding after 2005. The member communities would pay for any operational cost increases and new service. Governance would remain the same and a limited re-assignment of responsibilities between BC Transit and member communities could be considered.

This option moves the responsibility of increased costs and service expansions onto local taxpayers. It would also lead to reduced service should adequate provincial funding not be secured after 2005.

2. Local Fuel Tax with Regional Transit Authorities (RTA) Where Appropriate

The Regional Transit Authority concept would not appear to be appropriate for this regional district as there is no overlap of operational authority. The local fuel tax would be applied on a district-by-district basis only.

The application of a local fuel tax has been brought forward in the past. At that time it was felt that a local fuel tax would not be feasible due to the difficulty in collection of the tax and the inequities of having a taxation area that does not recognize actual service areas.

This option would not guarantee future provincial funding and would lead to the same service and funding pressures as outlined in option 1.

3. Dedicated Fuel Tax with a Community Transit Authority (CTA)

With this option a dedicated fuel tax revenue stream would replace provincial funding and replace BC Transit with a Community Transit Authority (CTA). This tax would be applied provincially.

Existing fuel taxes would be dedicated to providing Transit services throughout the Province. The level requested under this scenario would be 1.5 cents per litre. This amount would raise \$40.5 million annually based on forecast sales for 2004/05, which would replace current provincial funding and allow for system expansion. The CTA would be able to carry over any surpluses in fuel tax revenue, which is not possible under the current BC Transit model.

Local governments would continue to cost share as they do now with a combination of property taxes and fares. Governance would be achieved through a partnership with the local government and the CTA. The CTA would provide a core group of key services with additional service packages developed as required. There would be difficulties in developing an equitable funding allocation model, increase the demand for Transit in areas where it is not feasible and will require legislation to create both the CTA and dedicated fuel tax.

This option would allow for secure year-to-year funding, flexibility in the services received from the CTA and allow for stronger local government representation.

4. Local Funding and Governance

Option 4 would see the withdrawal of the Province in direct funding and governance of Transit and replaced with a local fuel tax or annual Provincial grant with local property taxes funding the remaining costs. Governance would be through local governments and or RTA's.

This option allows for strong local control but revisits issues related to local fuel taxation, loses the shared services and professional expertise offered by BC Transit/CTA. A Provincial grant would not necessarily be tied to actual costs and could result in reduced existing cost sharing levels.

FINANCIAL IMPLICATIONS

1. This status-quo option does not address long term funding issues. The risk with this option is that funding levels will not be secured after 2005. The resulting impact on budgets would lead to increased property taxes and or reduced service.

2. There is no information available that would quantify the return on local fuel taxes for the Regional District of Nanaimo. This option also does not guarantee future provincial funding and could still lead to pressure on local taxation and revenue to make up funding shortfalls.
3. This option allows for funding to move to a Province wide fuel tax base thus securing funding for the long term. Local property taxes and fares would continue to form part of the overall funding package but would be under less risk than the other three options.
4. This option includes the withdrawal of Provincial funding entirely. Funding sources would be reduced to local taxation and fares.

SUMMARY/CONCLUSIONS

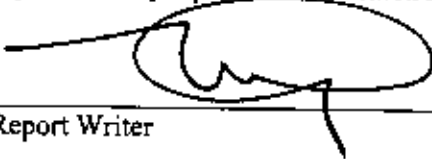
The BC Transit Board of Directors has produced a discussion paper entitled Funding & Service Strategy Review - Phase 2 Sustainable Transit Funding & Governance Models. In this document they outline a number of options with respect to long term funding and governance of BC Transit. Four options have been derived from those options and they have been presented in this report. The BC Transit Board requires the RDN Board's direction on this matter by late January 2003 so that any changes can be prepared for the Fall sitting of the Provincial legislature.

A broad variety of options have been presented. Some options provide less risk than others when considering long-term funding and governance issues. It is in the best interests of the RDN to ensure that a secure funding arrangement is put in place and that the local impact on fares and taxation is minimized.

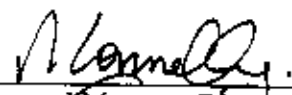
Option 3 provides a funding and governance model that would be most likely to achieve long term funding stability. It proposes a dedicated provincial fuel tax component for Transit and a restructure of BC Transit into a Community Transit Authority.

RECOMMENDATION

That the Regional District of Nanaimo indicate to BC Transit that in response to the Phase 2 Funding & Service Strategies Review it supports, for further discussion, the funding and governance model represented by Option 3, "Dedicated Fuel Tax with a Community Transit Authority (CTA)".



Report Writer



General Manager Concurrence



C.A.O. Concurrence

COMMENTS:



Discussion Paper and Consultation Guide

Funding and Service Strategy Review – Phase 2 Sustainable Transit Funding & Governance Models

INTRODUCTION

The Board of Directors of BC Transit is undertaking a review of the funding and service strategy of the corporation. The ever-increasing demand for transit and the challenge of funding existing and expanded transit services have prompted this review.

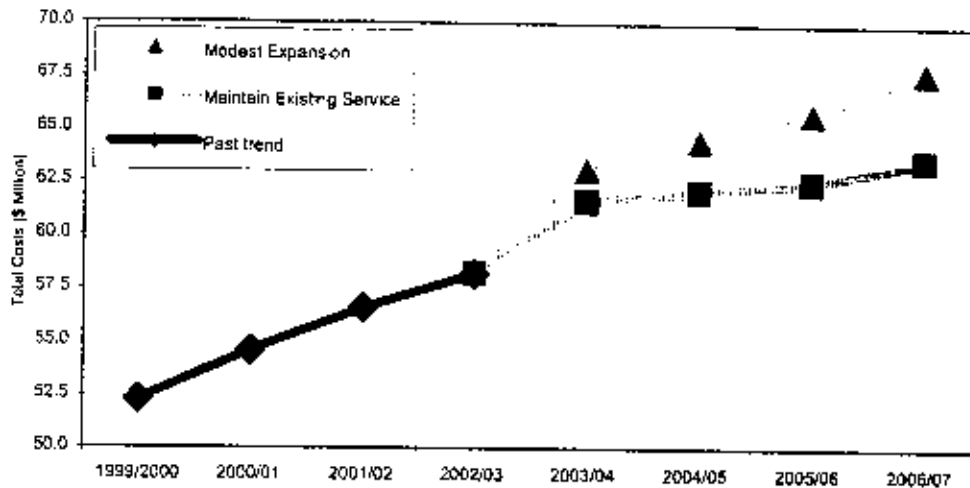
Phase 1 of the review, which focused on the interim action required to meet the challenge of funding existing transit services in 2003/04, is well underway. Phase 2 examines sustainable transit funding and governance models for 2004/05 and beyond. Significant action is required now in order to prepare a new model to address projected budget shortfalls by that time. The Board of Directors is seeking input from local governments on Phase 2. This input will be critical in developing a solution that meets the needs of all local government partners. This discussion paper and consultation guide has been prepared for that purpose.

THE CHALLENGE

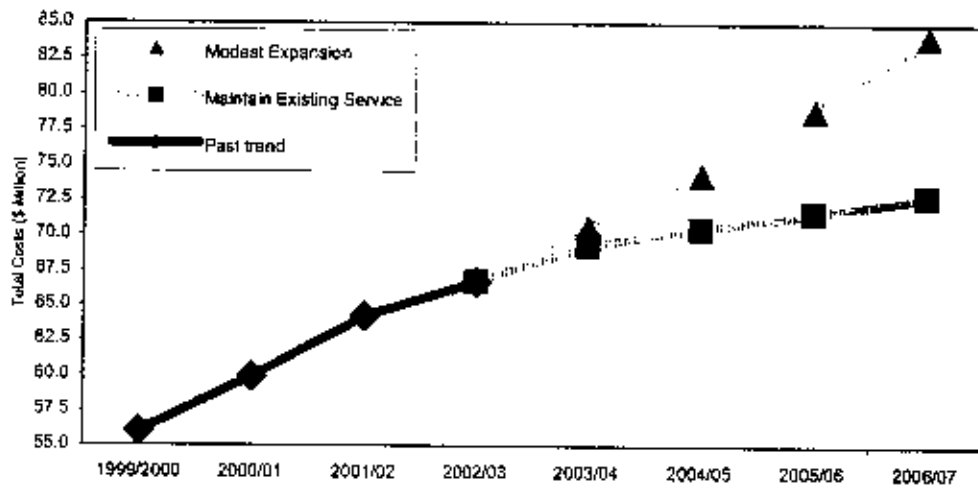
The Province of BC has protected BC Transit annual operating funding at \$44.6 million, of which \$27.5 million is currently allocated to the Municipal Systems Program and \$17.1 million to the Victoria Regional Transit Commission. The Province contributed the equivalent of an additional \$9.0 million towards debt servicing in 2002/03 for a total contribution of \$53.6 million towards total transit program costs of \$125 million. There are no new provincial operating funds to address annual cost increases and transit expansions. Once all possible efficiencies have been made, any shortfall in operating funding must be bridged by an increased local share or services must be reduced.

Another \$11.5 million (9.2%) will be required by 2006/07 simply to maintain the current level of transit service. Current locally-approved plans forecast service expansion that will require another \$14.9 million annually by 2006/07. In total, there is a need for \$26.4 million annually in additional funding by 2006/07 to meet current and projected demand. The following charts illustrate this growth in funding requirements in Victoria and the Municipal Systems.

Total Transit Costs in the Victoria Region



Total Transit Costs in the Municipal Systems



Public transit plays a vital role in local transportation systems. Transit provides a critical mobility option for many people who have no other transportation alternatives available to them. It allows residents to participate more fully in the community by providing access to schools, colleges, shopping and recreation opportunities, as well as health and social services. This is becoming increasingly important in rural areas and small towns as more community services are relocated to regional centres.

As communities grow, transit becomes an increasingly important option for commuters and students. Many communities are promoting land use patterns that will reduce their reliance on automobile travel, and a comprehensive transit system can be an important tool in supporting this goal. By providing improved local and regional access to jobs, transit plays an important economic development role, benefiting both employers and employees. More transit use also leads to lower environmental impacts: compared with driving, a typical transit trip uses much less energy and results in significantly lower production of greenhouse gases and other pollutants. Transit is also very efficient in the use of existing roads and investment in transit can reduce or avoid the need for expensive roadway expansion.

PHASE 1

In Phase 1 of the Funding and Service Strategy Review, a discussion paper and consultation guide was distributed to 50 local government partners. Further consultation with local governments occurred through meetings with partners, regional conference calls, and an Information Exchange & Discussion held at the Union of B.C. Municipalities annual convention. Briefings were also held with the Victoria Regional Transit Commission.

The consultation guide asked for comments in three specific areas and written responses were received from 30 of the 50 local government partners:

- *Transit partnership* – local governments were generally satisfied with this partnership
- *Funding* – partners would like to maintain the current funding and formula. The current shortfall should be addressed by finding efficiencies, not through service reductions or downloading to local government. Alternative funding sources, such as a fuel tax, should be provided.
- *Decision-making and partnership framework* – there was no strong consensus on this.

Based on these responses, a sequence of strategies was developed to address the immediate funding challenge:

1. *Find efficiencies* – this was a major theme in the responses and the immediate strategy is to focus on efficiencies through improvements in key performance indicators and lower costs. This can be pursued through cost containment and reduction, the RFP process, new service delivery options, and service planning to better match service levels to demand.
2. *Eliminate low priority service* – although there is some opposition to this strategy, it is offered as an option to pursue if the cost savings from Strategy 1 are insufficient to meet budget targets.
3. *Provide flexibility in the funding formula* – steps are being taken to amend the funding formula to provide an option for local governments to fund a higher percentage of transit costs if required savings are not achieved through the strategies listed above.

BC Transit staff will work with local government staff to develop 2003/04 funding and service options for local approval no later than January 31, 2003.

PHASE 2

The Board's goal for Phase 2 of the review is to present recommendations to the provincial government on sustainable transit funding and governance that reflect the range of community needs in the Municipal Systems Program and in Victoria, build on the strengths of the current transit partnership, improve efficiency and enhance local government control.

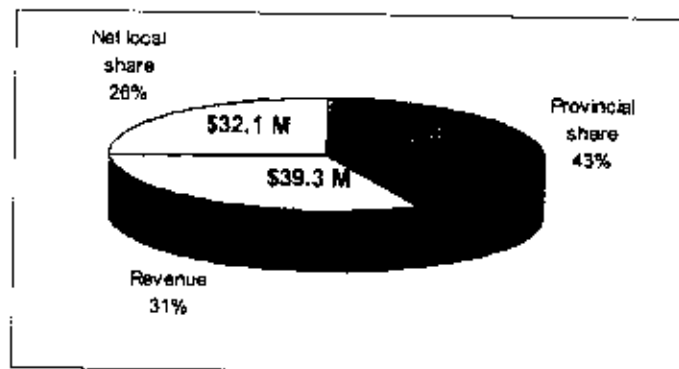
There is an urgent need to present recommendations to the provincial government on Phase 2 early in 2003. New transit systems and expansions in existing transit systems are on hold. There is no guarantee that provincial funding from general revenue will be maintained. A new sustainable funding and governance model is required.

What follows is an overview of funding models, governance models and option packages for consideration.

FUNDING MODELS

Provincial Government Funding

In BC, the provincial government funds 35% of local transit system costs in Greater Victoria and 50% of local transit system costs in the Municipal Systems Program. On average, 43% of operating and capital costs are funded by the province from general revenue (2002/03). The Province also funds debt servicing on SkyTrain in Greater Vancouver.



Elsewhere in Canada, there is a lower level of provincial funding for transit:

There is no provincial funding specifically for transit operating costs, but municipalities do receive an unconditional grant that all, none, or part of which can be used for transit. The province provides a capital grant for transportation of \$60 per capita to all municipalities except Calgary and Edmonton, which receive a transportation grant based on the amount of fuel delivered locally (5¢ per litre). Municipalities determine the split in funding between roads and transit.

There is no provincial funding for transit operating costs. In 2001, the province announced an annual contribution of \$300 million to provide up to one third of the capital costs for transit. The province also announced that it would re-assume full operating and capital funding responsibility for GO rail and bus services in the Greater Toronto Area.

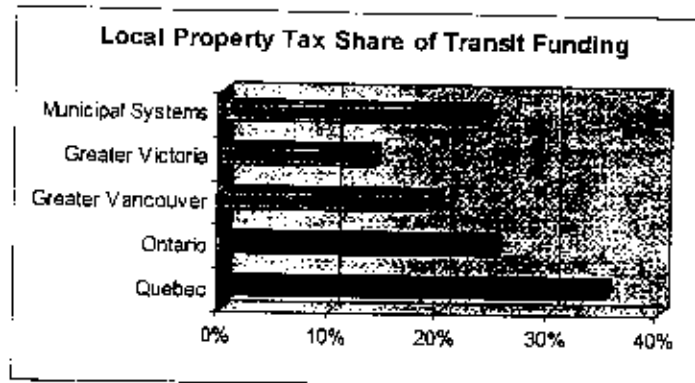
The province provides operating subsidies to smaller municipalities but capital subsidies only to larger municipalities. In the Montreal Region, transit operating costs are funded through a 1.5¢ per litre fuel tax and a \$30 car registration fee as well as local property taxes. The province pays 75% of the cost of custom transit service. Overall, the province pays about 16% of total transit costs.



Prominent local government associations like the Union of BC Municipalities and the Federation of Canadian Municipalities are calling on senior levels of government to support transportation infrastructure investment in BC and Canadian communities. BC is well positioned in this regard.

Local Property Tax

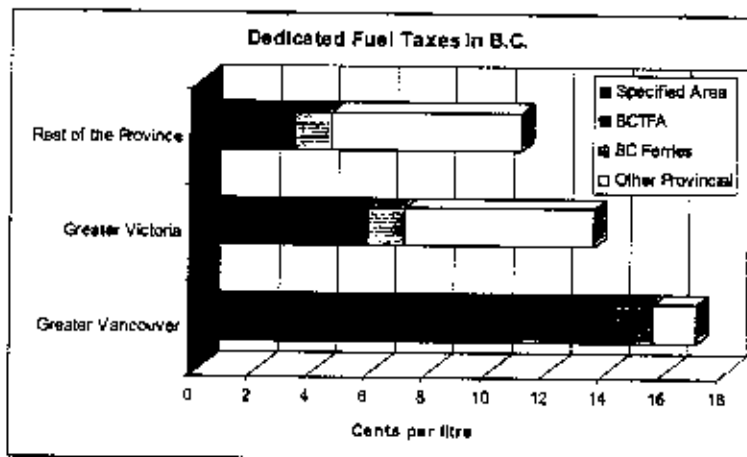
Local property tax is the dominant source of transit funding in Canada. The chart to the right shows the share of transit operating costs that is funded by local property tax in the three transit regions in BC and two other provinces.



Dedicated Fuel Tax

There is a trend toward the use of fuel tax as a secure source of transit funding. In B.C., there is a dedicated fuel tax of 11¢ per litre in Greater Vancouver (for the regional road network and transit) and 2.5 ¢ per litre in Greater Victoria (for transit only). Montreal also has such a dedicated fuel tax, as described above, and Calgary and Edmonton receive funding based on fuel tax amounts.

In B.C., there are also examples of dedicated province-wide fuel taxes for other purposes. BC Ferry Corporation receives 1.25¢ per litre of fuel sold in the province, which goes into the Corporation's general revenue. There is also 3.25¢ per litre in fuel tax that is dedicated to the Ministry of Transportation for funding capital projects (formerly through the B.C. Transportation Financing Authority).



Other Funding Models

There are few other local funding sources in use in Canada; one example is vehicle registration fees in the Montreal Region. In the U.S., there is a greater reliance on federal government funding and on taxes, tolls, and fees levied directly by transit agencies. Capital costs are funded primarily by the federal government (44%) and transit agency taxes (33%), with local governments (13%) and state governments (10%) funding lesser amounts. Operating costs are funded mostly through fares (37%), state governments (22%), local governments (20%), and transit agency taxes (16%). Local sales taxes form a key revenue source for both local governments and transit agencies.

In discussion around BC's proposed Community Charter, several new tax sources are being considered. These taxes are currently used in other jurisdictions, and might be used by local governments in B.C. for a variety of purposes, including transportation investments. They include:

- Road tolls
- Hotel room tax
- Fuel tax
- Local entertainment tax
- Resort tax
- Parking stall tax

If legislated, local governments would be able to decide on an individual basis whether or not to use these new revenue sources, and the tax would be applied within the municipal boundary. This initiative provides policy direction for the funding sources to be considered specifically for transit as part of the review.

The federal government may assume a funding role for local transit in the future. Based on discussion papers and statements made to date, it can be virtually assured, however, that any funding will be directed to infrastructure (capital) investments. These investments will require associated operating funding from local or provincial sources. It is generally viewed that local-provincial transit partnerships will be an asset in securing this new funding but without a sustainable transit funding model in BC, the full potential of federal funding might not be realized.

Funding Allocation Models

An allocation model is required when a funding source is chosen that will be used by more than one transit service area. Since the future source of funding for transit has not yet been determined, it is premature to discuss any change to the current funding allocation model at this time. Any decision on allocation under a different model would be made by the granting body (provincial government) or delegated to another governing body.

GOVERNANCE MODELS

Local Governance

Current Model: Municipal Councils, Regional District Boards or in the case of Victoria, the Victoria Regional Transit Commission, make decisions on service, tariffs and budgets.

Regional Transit Authority (RTA) Model: An enhancement to this model is a Regional Transit Authority (RTA) with a narrow focus on transit only. The RTA model could be useful in transit service areas that span more than one regional district or that span more than one local government where regional district governance is not desirable. Outlined below are the general characteristics of a RTA.

RTA Structure:

- new transit authority
- Board to be comprised of locally elected representatives appointed by their Councils or Boards
- Option for contract with BC Transit or Community Transit Authority (see below) for administration, planning, marketing and specialized services.

Operations:

- contracted or in-house

Role of the Board

- assumes local government responsibilities for transit

Community Transit Authority (CTA) Model: Another alternative to the current model is the delegation of provincial authority to an authority or corporation established with strong local governance. A Community Transit Authority (CTA) could administer the allocation of provincially-granted funding, set performance targets and assume all or part of BC Transit's current strategic services (brokering, economies of scale, specialized professional services) using some or all of the existing BC Transit staff and resources in these areas. The CTA could be modeled much like the Municipal Finance Authority. Outlined below are the general characteristics of a CTA.

CTA Structure:

- new program-wide transit authority or corporation
- Board to be comprised of locally elected representatives appointed by their Councils or Boards according to representation criteria prescribed by legislation
- provides specialized professional services, delivers economies of scale under service contract options to member local governments or RTAs.

Role of the Board

- administers the allocation of program-wide funding
- sets performance targets and evaluates program efficiencies.

Provincial Governance

Current Model: BC Transit is empowered to coordinate the delivery of public transportation throughout British Columbia outside of Greater Vancouver. Its mandate includes planning, funding, constructing, marketing, and operating transit systems – either directly or indirectly – in partnership with local government throughout the province.

There are three principal functions of the current provincial governance model:

1. Oversight of local transit system development and provision of funding to support provincial objectives;
2. Provision of centralized, professional shared services to achieve economies of scale and efficient and effective delivery of service; and
3. Operation of conventional transit service in Victoria.

Strategic BC Transit Model: An alternative model is a strategic role for BC Transit to provide funding to support provincial objectives and provide centralized shared services. The oversight role would be diminished and its operational role in Victoria would be eliminated (transit service in Victoria would be determined by a RTA or similar local body).

Another alternative is to eliminate provincial governance entirely.

The assignment of responsibilities between local (local government/RTA/CTA) and provincial (BC Transit) would be reassessed as part of any governance change.

Summary

Some “building blocks” (models) for sustainable transit funding and governance packages have been identified. They are viewed by the Board of Directors as the most likely components of any future sustainable funding and governance arrangement.

Funding and Governance Models

Funding	Local Governance	Provincial Governance
Provincial Government	Local Government	BC Transit
Local Property Tax	Transit Commission	BC Transit - Strategic
Dedicated Fuel Tax	Regional Transit Authority	None
Other	Community Transit Authority	

TRANSIT FUNDING AND GOVERNANCE STRUCTURES

There is a variety of organizational structures throughout North America for transit operations. The funding and governance structures include everything from a highly centralized state-run organization (New Jersey Transit) to the 20+ very separate transit agencies in the San Francisco Bay area that service local communities. Neither extreme on this spectrum is considered to be a logical choice.

Given the goal of Phase 2 of the Review, the following four structures have been developed by the Board of Directors for consideration. None has been approved by the provincial government. The success of implementing any change will be enhanced by strong local government support.

Package 1. Status Quo:

Phase 1 funding and governance model maintained.

Funding:

- Provincial funding is protected at \$53.6 million through to 2004/05. However, there is no guarantee that this level of funding will continue in the future.
- Local sources would fund a share of existing services plus 100% of annual cost increases and expanded services.

Governance:

- Governance would continue to be a partnership between BC Transit (representing the Province) and local government partners.
- Some limited re-assignment of responsibilities between BC Transit and local government could be considered.

Pros:

- Does not involve any significant change process
- Shared services & professional expertise

Cons:

- Severe restriction on new transit systems and service expansion
- Probable service reductions
- Increase in local property taxes or fares required to maintain or expand service
- Risk of loss of provincial funding

Package 2. Local Fuel Tax with RTAs where appropriate:

Allow local governments to introduce a local fuel tax to partly fund the local share of transit costs.

Funding:

- Provincial funding is protected at \$53.6 million through to 2004/05. However, there is no guarantee that this level of funding will continue in the future.
- Local governments would fund a share of existing services plus 100% of annual cost increases and expanded services using property taxes, fares, and a local fuel tax, if allowed under the proposed Community Charter.
- The local fuel tax would be optional and would apply only in a specified area.

Governance:

- Governance would continue to be a partnership between BC Transit (representing the Province) and local government partners.
- Local government partners would have the option of choosing the package of services they wish to receive from BC Transit.
- Regional Transit Authorities (RTAs) might be established in transit service areas that span more than one regional district or that span more than one local government where regional district governance is not desirable

Pros:

- Fuel tax would relieve pressure on property taxes, especially in communities where transit services are growing
- Fuel tax revenue would stay within the area in which it is collected
- RTAs provide a new governance form that may be more effective in some regions
- Local governments have some choice in the services they receive from BC Transit
- Shared services & professional expertise

Cons:

- Risk of loss of provincial funding
- Local nature of fuel tax may cause business issues at jurisdictional borders, which may also jeopardize the amount of revenue collected
- Numerous local taxes, potentially at varying rates, would be more difficult and inefficient to administer
- Revenue collected in a jurisdiction has no direct relationship to the actual funding requirements for local transit

***Package 3. Dedicated Fuel Tax with a Community Transit Authority (CTA):
Introduce a dedicated fuel tax to replace current provincial funding and replace BC Transit with a Community Transit Authority.***

Funding:

- In Phase 1, it was suggested by some that a province-wide fuel tax (outside Greater Vancouver) could replace the current provincial funding and could be used to cost-share service expansions and new systems. It is estimated that each 1¢ per litre in fuel tax collected outside of Greater Vancouver would result in \$40.5 million annually based on forecast fuel sales for 2004/05. Therefore, 1.5¢ could replace current provincial funding with room for expansion. This, however, would require provincial government approval and legislative amendments.
- Surpluses in this fuel tax revenue could be carried forward for future transit service needs or expansions.
- Local governments would continue to fund a share of transit costs through local property taxes and fare revenue.
- A funding allocation model would be required.

Governance:

- Governance would be through a partnership between the CTA and local government partners.
- Local government partners would choose a package of services they wish to receive from the CTA. There would be certain mandatory core services while the remaining services would be available in optional packages.

- Regional Transit Authorities (RTAs) might be established in transit service areas that span more than one regional district or that span more than one local government where regional district governance is not desirable

Pros:

- Province-wide fuel tax would be a secure funding source for existing service, annual cost increases, and expanded service.
- A province-wide tax can be more efficiently administered
- Local government partners have choice in the services they receive from the CTA
- Funding allocation can be used to support those communities with transit-friendly land use and transportation policies, improving the overall effectiveness of the Program
- Stronger local governance than BC Transit model
- Shared services & professional expertise

Cons:

- Requires legislation to create the CTA and introduce a dedicated fuel tax
- It is difficult to develop an equitable funding allocation model
- Province-wide fuel tax may lead to an increased demand for transit funding in areas where transit is not feasible.

***Package 4. Local Funding and Governance:
Withdrawal of Provincial role in funding and governance of transit.***

Funding:

- Provincial funding would be replaced by a local fuel tax to be applied in a specified area.
- Local property tax and fares would fund the remaining costs for transit.

Governance:

- Governance would be through local governments or Regional Transit Authorities. There would be no Provincial representation.

Pros:

- Strong local control

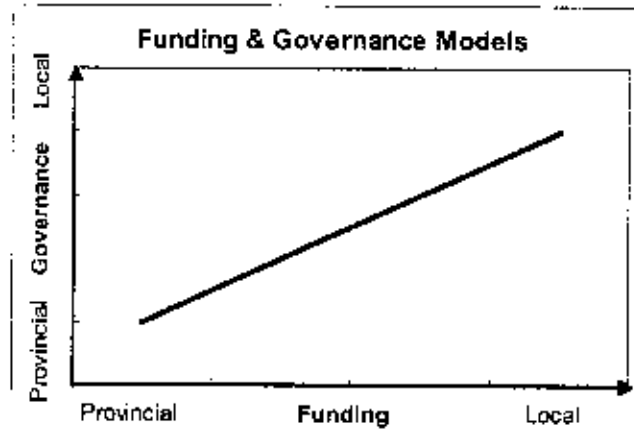
Cons:

- No Provincial funding for transit
- Local nature of fuel tax may cause business issues at jurisdictional borders
- Loss of shared services & professional expertise provided by BC Transit/CTA

The table below summarizes the 4 packages which have been developed:

Package	Funding Model	Governance Model
1.	<ul style="list-style-type: none"> Protected provincial funding of \$53.6 million through 2004/05 Local property tax to fund existing services, annual cost increases and expanded services. 	<ul style="list-style-type: none"> BC Transit. Local government.
2.	<ul style="list-style-type: none"> Protected provincial funding of \$53.6 million through 2004/05 Local fuel tax for transit (specified area) to supplement local property tax. 	<ul style="list-style-type: none"> BC Transit, with service contract options. Local government and RTAs.
3.	<ul style="list-style-type: none"> Designated program-wide fuel tax for transit to replace \$53.6M in provincial general revenue funding and to cost-share service expansions and new systems. Local property tax. 	<ul style="list-style-type: none"> Community Transit Authority, with service contract options. Local government and RTAs
4.	<ul style="list-style-type: none"> Local fuel tax for transit (specified area). Local property tax. 	<ul style="list-style-type: none"> Local government and RTAs.

As the chart to the right illustrates, those options with a higher degree of local funding also tend to have a higher degree of local governance.



There are many variations on the packages provided above. Comments and suggestions on alternate packages are encouraged. In almost every option the activities, staffing and funding of BC Transit and local governments will be impacted. Except for package #1, Provincial Government approval and legislation will be required to implement the changes. Careful management of any change process is required to minimize disruption during the implementation.

The transfer of assets, if required, will also be a factor to consider and a determinant in the speed with which any new organization structure can be implemented.

CONSULTATION

The Board of Directors of BC Transit is seeking input from the Victoria Regional Transit Commission and existing local government partners in the Municipal Systems Program. They are also seeking input from those local governments that have undertaken transit feasibility studies and have made requests for funding to BC Transit.

The Board asks that you respond with your views on the four funding and governance packages presented or present your views on alternatives. This input will be used to develop sustainable transit funding and governance models for consideration by the Board and the provincial government.

The objective of this consultation is to identify the issues and priorities of local government relating to the four packages or variations described in this discussion paper. Please respond by January 31, 2003 to:

Mr. Gregory Slocombe, Chair
BC Transit Board of Directors
c/o BC Transit
520 Gorge Road East, P.O. Box 610
Victoria, BC V8W 2P3
Fax: (250) 995-5643

APPROVAL PROCESS & TIMELINE

The Board of Directors of BC Transit will consider the sustainable transit funding and governance models at its meeting in March 2003. Recommendations for any legislative changes will be made to the provincial government for consideration in the fall sitting of the legislature.

For more information contact:

Steve New
Vice President
Municipal Systems Program
BC Transit
Telephone: (250) 995-5614
Email: steve_new@bcstransit.com

November 2002



REGIONAL DISTRICT OF NANAIMO		
JAN 22 2003		
CHAIR	GMCrs	
CAO	GMDS	
GMCms	GMES	

MEMORANDUM

TO: Neil Connelly
General Manager of Community Services

DATE: January 16 2003

FROM: Mike Donnelly
Manager of Transportation Services

FILE: 8620-30

SUBJECT: Transit Business Plan Update 2003 – 2005
Terms of Reference

PURPOSE

To bring forward the Transit Business Plan Update Terms of Reference for the Board's approval.

BACKGROUND

The Transit Business Plan for the Regional District of Nanaimo was developed in 1997-98 to provide guidance in the development of the system for both Transit and HandyDART. The Plan was developed with the assistance of BC Transit planning staff under the direction of the Transit Committee at that time. It was intended that the Plan should be updated from time-to-time during its lifespan to ensure that any new information on key markets or changes in service trends would be recognized and planned for. The last update and update of the Transit Business Plan took place in 2001.

Since the approval of the Plan in 1998 a number of initiatives have been brought forward that have greatly assisted in providing enhanced service to the public. Response to the changes in service has had a positive impact on the system with a resultant steady growth in ridership. The update will summarize those improvements and their impacts.

This update will work within the context of the funding cap for BC Transit. This funding cap is in place until 2005 and, as such, will impact short-term service delivery in the community. The focus of the update will be concentrated on the impact on the Plan during that period and the outcomes with respect to service adjustments that can be anticipated.

Terms of Reference for the update project are attached. They provide for a Select Committee of the Board to be established to guide the project over the next five months. The Committee will review working papers on a number of topics, establish service priorities and plan directions, assist with the design of the public consultation process and provide perspectives for the development of the final report. Membership on the Committee is proposed to include a selection of Directors from the areas of the region served by Transit, as determined by the Board Chairman.

The timeline includes planning, development and public input stages as part of the process. The Regional District Board will be provided with updates during the process and will be asked to approve the final Transit Business Plan Update in May. Once approved, proposed service changes will be put into place in June of 2003.

Key components of the public input process will include open house sessions, contact with major stakeholders providing the opportunity for input, information via the Transit web site and consultation and updates to municipal councils as required.

ALTERNATIVES

1. Approve the Transit Business Plan Update Terms of Reference.
2. Do not approve the Transit Business Plan Update Terms of Reference.
3. Approve the Transit Business Plan Update Terms of Reference with modifications.

FINANCIAL IMPLICATIONS

There are no direct financial implications with respect to the update. Any service delivery adjustments that come out of the update that are outside of those costs included in the 2003 Provisional Budget will be brought forward to the Board for approval.

CITIZEN IMPLICATIONS


Past calls for public input on Transit issues have been supported by Transit users and non-users alike and we would anticipate a similar level of input in this process. Public meetings to discuss possible service adjustments will be important. They will provide public perspectives that can be taken into account in the final planning for service adjustments.

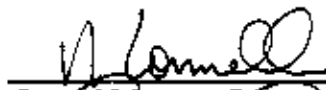

SUMMARY/CONCLUSIONS

The Terms of Reference for the Transit Business Plan Update are attached. The Terms of Reference outline the process by which an update of the Transit Business Plan will take place. They also provide for the formation of a Select Committee of the Board to guide the project. The Committee is proposed to include Board Director representation from the various Transit service areas with final membership appointments to be made by the Board Chairperson. With the approval of the Terms of Reference, staff will move forward on the update over the next five months.

RECOMMENDATIONS

1. That the Terms of Reference for the Transit Business Plan Update - 2003 to 2005 be approved.
2. That appointments to the Select Committee for the Transit Business Plan Update be made by the Board Chairman.


Report Writer


General Manager Concurrence

C.A.O. Concurrence

COMMENTS:

TRANSIT BUSINESS PLAN UPDATE - 2003 TO 2005

TERMS OF REFERENCE

1.0 INTRODUCTION & BACKGROUND

The Transit Business Plan for the Regional District of Nanaimo was developed in 1998 establishing the basis on which Transit and HandyDART services would be provided in the region. The plan was updated in 2001 and some modifications were made to the document at that time. A number of improvements and actions included in that document have been carried out or have been met over the last two years.

The focus will be to review the plans accomplishments, update the key performance indicators and to bring forward suggested service areas that may be subject to adjustments. The review will essentially provide direction for 2003 service delivery adjustments and a general approach to service delivery until 2005 at which time BC Transit intends to have established a new funding formula and governance model.

2.0 OBJECTIVE

To update the Transit Business Plan for the period 2003 to 2005 at which time BC Transit intends to have new Transit funding and governance models in place.

3.0 PLAN APPROACH

The Transit Business Plan update will be focused on the period from 2003 to 2005. It will review the past performance of the Transit system, develop new Key Performance Indicators (KPI's) where necessary and will present scenarios for service adjustments.

The update will be developed as a series of working papers, each addressing a different component of the plan, which will then be incorporated into the Transit Business Plan. The public will be consulted as part of this update through meetings, invitations to participate to key stakeholders, information access and input opportunities provided on the Transit web site and updates to municipal councils.

4.0 PLAN PARTICIPANTS

BC Transit and Regional District Staff

Staff will coordinate the Business Plan Update process and prepare the Plan. BC Transit staff will conduct necessary background research, prepare working papers, and develop the plans. RDN staff will liaise with the Transit Committee and the RDN Board and coordinate the public involvement process. Both BC Transit and the RDN staff will be involved in the detailed planning and scheduling of the service proposals.

Transit Committee

A Board Select Committee, comprised of Directors representing the Transit service areas, will be established to provide direction for the Transit Business Plan update.

The Committee will meet approximately three times between February and May to review working papers on the history of Plan implementation to 2003, the Transit outlook for 2003 to 2005, updates to the key performance indicators, and service adjustment and delivery options. Plan preparation will be guided by the Committee who will also have a role in providing assistance and direction in the development of the public involvement component of the plan process.

Regional District Board

The Regional District Board will be provided with updates during the process and will be asked to approve the final Transit Business Plan Update in May.

5.0 PLAN OUTLINE & PROCESS

Review of the Transit Business Plan Implementation To Date

Implementation of the Transit Business Plan will be reviewed. This will compare the proposals outlined in the Business Plan with those Transit service improvements and supporting strategies, which have been implemented to date. The conceptual plans forwarded to the Board in 2002 for new service in both Gabriola Island and the greater Cedar area will be incorporated into the final document.

Transit Outlook 2003-2005

This activity will focus on the next two years of service delivery. The review will focus on the financial and subsequent service impacts due to the cap in funding.

Update Key Performance Indicators

This review will look at Key Performance Indicator measures for the Regional Transit System. The planned objectives will be reviewed and updated as required.

Develop Service Adjustment Scenarios

A listing of specific service adjustments will be developed. This list will be used in the event that further service adjustments are required as a result of the BC Transit funding cap. Public input on that list will be important in order to gain the users perspective in relation to any service changes.

Alternate Service Options

The provision of service utilizing alternate service delivery models will be discussed in this section. Primarily models that would provide appropriate service at reduced costs will be outlined and areas identified where implementation would benefit the community.

6.0 TIME LINE

February – March 2003	Working papers development and review.
March - April 2003	Public input and review.
May 2003	Board Approval of Transit Business Plan Update
June 2003	Implementation of service adjustments.



REGIONAL DISTRICT OF NANAIMO		
JAN 16 2003		
CHAIR	GMCRS	
SAG	GMDS	
MGES	GMES	
	Call	✓

MEMORANDUM

TO: Neil Connelly
General Manager - Community Services

DATE: January 15, 2003

FROM: Mike Donnelly
Manager of Transportation Services

FILE:

SUBJECT: Evaluation Report - Take 5 Express
Malaspina University-College / Downtown Nanaimo

PURPOSE

To evaluate and provide recommendations on the Fall / 2002 Malaspina University College to downtown Nanaimo Take 5 Express Transit route.

BACKGROUND

At the regular Board meeting of August 13, 2002 the following resolutions were passed.

That Nanaimo Regional Transit provide a shuttle between downtown Nanaimo and Malaspina University-College from August 16th to December 20th 2002.

That the marketing costs for the development of this shuttle will primarily be the responsibility of the Downtown Nanaimo Partnership.

These resolutions were in response to the Downtown Nanaimo Partnership's (DNP) promotion of a more direct Transit linkage to the downtown area from the Malaspina University-College campus. This linkage was seen to be an important component in creating a more livable and vibrant downtown core. The DNP suggested that the increased service should be through the Fitzwilliam Street corridor to achieve the best results. A strong link between the two centres is supported in the Transit Business Plan.

The Take 5 Express was brought into service on September 6, 2002 and has run every Friday between 10 am and 2 pm since that time. The Friday only service ended on December 20, 2002 and then was resumed again on January 10, 2003 and will continue until such time as further Board direction is given. The DNP provided the marketing funds for the Take 5 Express and are willing to continue with marketing support should the service continue.

The evaluation of the Take 5 Express was achieved through ridership counts for each day of service, three on-board surveys, review of the data by RDN and BC Transit staff and on-board interviews with users.

Ridership on the Take 5 Express has averaged at 22.5 rides per hour. This represents a slight increase over the Transit system average of 21.8 rides per hour. Results of questionnaires distributed on three different occasions tell us that users are primarily young students (19-25) who use Transit for most or all

of their transportation needs, utilize direct routes where possible and carry monthly passes. Further conclusions that can be drawn from the questionnaire suggest the following.

- Primary usage was by the student community.
- Users find the service convenient and direct.
- The additional service has not proven to be a significant attractor of additional ridership but rather tends to improve serve to the existing student market.

On-board discussions with users indicate that they see the service as useful in that it is more direct. Students expressed satisfaction with the more direct link between the downtown and Malaspina University College. Students also suggested timing improvements that would help improve the Take 5 Express service. Feedback regarding the existing routing for the Express suggested it was appropriate and did not require any modification.

As discussed in August and in the Fall during the 2003 Provisional Budget development process, arrangements were made to continue the service for the second semester pending the Board's consideration of the evaluation report in January 2003.

ALTERNATIVES

1. Discontinue the Take 5 Express as of April 18, 2003.
2. Continue the Friday only Take 5 Express as part of regular annual service.
3. Expand the Take 5 Express to Monday to Friday beginning in the Spring of 2003.

FINANCIAL IMPLICATIONS

1. The program cost currently runs at \$325 for every day of service. This allows for five hours of staff and equipment time at \$65 per hour. Stopping the service in April would result in a total annual cost (January to April) of \$4,875.
2. The budget impact for 2003 would equal \$16,900. This would allow for service every Friday throughout the year. Due to the service being provided only one day per week it is not possible integrate the runs into the system. There is a resulting inefficiency resulting from down time for operators and equipment. Service adjustments in the Transit system would be explored to mitigate this cost.
3. Expansion of the Take 5 Express to a full 5 days per week would allow for significant improvements in efficiency given that the runs could be scheduled into the overall system. Regional Transit currently operates at an average of 90% efficiency overall. The current method of providing the service on Fridays only is inefficient and as a result more costly. For a full week (Monday to Friday) of service the annual cost would be approximately \$31,600. Service adjustments in the Transit system would be required to mitigate this cost.

CITIZEN IMPLICATIONS

1. The Take 5 Express has proven to be popular with students at Malaspina University College. While initial indications do not show a significant increase in ridership there has been a marked movement

of riders from the other routes to the Take 5 on Fridays. Students have come accustomed to using the service on Fridays as it improves their travel time and provides for more options when making connections between downtown Nanaimo and MUC. The discontinuation of the service would be a setback for those students and would be seen as regressive with respect to our service provision between these two centres.

2. Continuation of the Take 5 Express on Fridays would be seen as a positive move. Students understand the funding difficulties associated with the service and, while making it clear weekly service would be better, they understand funding limitations.
3. The expansion of this program would work very well for students of MUC. The ridership numbers and comments both indicate that the route provides enhanced service for that group. While ridership did not grow significantly during September to December there is confidence that it will grow should the service be secured for either Fridays only or weekly service. This option would require service adjustments in the system to allow for necessary resources to provide this level of service. In order to accommodate this service, modifications to the regular #5 Fairview and #12 Dover Connector will be made. Those changes will focus on under performing runs in those areas that will not impact large numbers of riders.


SUMMARY/CONCLUSIONS

The Take 5 Express between downtown Nanaimo and Malaspina University College has run every Friday from September 6th to December 20, 2002. Ridership per hour has averaged at slightly higher than the system average showing good use. On-board interviews and questionnaires were carried out to determine the effectiveness of the Take 5 Express with the resulting feedback showing that it is well used and appreciated by the student body of MUC. While there was not a significant growth of new users from MUC during that period it was felt that a fully operational link between the two centres would eventually grow ridership.

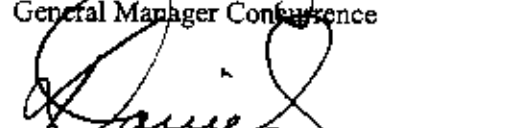
Malaspina University-College holds the highest concentration of committed and potential Transit users in the region. By providing more direct and frequent service between MUC and the downtown, a major Transit destination, ridership has a greater potential for growth. Full annual weekday service utilizing the frequency and routing of the Take 5 Express will work towards that goal.

RECOMMENDATION

That the Take 5 Express be expanded to Monday to Friday beginning in the Spring of 2003 as part of an overall service review and adjustment scheduled for 2003.


Report Writer


General Manager Concurrence


C.A.O. Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO			
JAN 22 2003			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
P. Shaw			
		DATE:	January 20, 2003

MEMORANDUM

TO: Kelly Daniels Administrator

FROM: Pam Shaw Manager, Community Planning

FILE: 0340 00 PUCO

SUBJECT: RDN Public Consultation and Communication Committee- Terms of Reference All Electoral Areas

PURPOSE

To request that the Board appoint a Public Consultation and Communication Committee, and further, to task this Committee to review the RDN's Public Consultation/Communication Framework.

BACKGROUND

The Public Consultation/Communication Framework was adopted by the RDN Board and established as Board Policy in October 2000. In addition to setting out principles and guidelines for communicating or consulting with the public, the Framework commits to periodic reviews to ensure that the recommended approaches remain current with new tools/techniques and with the needs and expectations of residents of the RDN.

In the more than two years since the adoption of the Framework, there have been a number of positive actions taken which have increased the RDN's accountability to the public:

- ✓ Numerous Public Information Meetings have been held and have been well attended by the public
- ✓ An expanded 'Regional Perspectives' newsletter is now more responsive to local residents' interests
- ✓ An improved website offers a wider range of information
- ✓ Board agendas and minutes are also on the web.

While constructive steps have been taken in-house, three issues external to the RDN warrant consideration and may necessitate changes to the Framework. The first issue is recent changes to provincial legislation that increase requirements for some public consultation activities. Specifically, pursuant to Section 879 of the Local Government Act, local governments must now adopt a public consultation plan and demonstrate that adequate opportunities for involvement were available to a wide range of interest groups and agencies for any official community plan process. While this section of the Act does not apply to all RDN public involvement projects, the legislation provides a useful guideline for consultation on any major project, and sets a new standard for public involvement.

A second issue is advances in technologically based opportunities for public involvement. As the Board is aware, use of the web-based technologies is increasing rapidly, and along with that grows the public's expectation for the availability of information. While the RDN's website continues to expand, new

benchmarks are being set by local governments across North America on the speed and depth of information readily available to the public. Further consideration of this issue is necessary to ensure that the approaches used by the RDN remain current with the expectations of residents.

The third issue is that there has been an expressed interest by members of the public for a review of the Board policy and implementation procedures.

This report proposes that a new committee comprised of appointed Directors and members of the public be established by the RDN. This committee would be tasked with the review of the Public Consultation/Communication Framework, and mandated with providing the Board with annual updates on 'new and improved' methods of communicating and consulting with residents of the RDN (*see attachment: Terms of Reference*).

ALTERNATIVES

1. To endorse the attached 'Public Consultation and Communication Committee Terms of Reference' and proceed with advertising for committee membership.
2. To recommend changes to the attached 'Public Consultation and Communication Committee Terms of Reference' and proceed with advertising for committee membership.
3. To refer the attached 'Public Consultation and Communication Committee Terms of Reference' to a Special Committee of the Board for in-depth review.
4. To not proceed with a review of the Public Consultation/Communication Framework or the Committee at this time.

FINANCIAL IMPLICATIONS

There are no immediate financial implications (beyond advertising costs) to creating a new Public Consultation and Communications Committee. Once membership has been established, costs shall be incurred for meeting supplies and the support of the Committee. While these costs are anticipated to be minimal and shall be expensed through existing budget resources, ongoing improved public consultation measures will result in increased costs for mailings, use of technology, hall rentals, staff time, and advertising. It is anticipated that future departmental provisional budgets may request greater resources to cover these new expenses.

PUBLIC CONSULTATION IMPLICATIONS

It is anticipated that this new committee and a review of the Public Consultation/Communication Framework will have positive results for the public and the RDN. Through the ongoing review of public involvement techniques, the public can expect more consistent, thorough and participative consultation on issues under review by the Regional District. The terms of reference allow the committee itself to identify how they will include interested members of the public in the review process.

SUMMARY/CONCLUSIONS

The Public Consultation/Communication Framework was adopted by the Board and established as Board Policy in October 2000. In addition to setting out principles and guidelines for communicating or consulting with the public, the Framework committed to periodic reviews to ensure that the approach remains current with new tools/techniques and with the needs and expectations of residents of the RDN.

This report recommends that the RDN appoint a new Public Consultation and Communications Committee. The committee, comprised of appointed Board Directors and members of the public, will be tasked with annually reporting to the RDN Board with recommendations on public consultation and communication through recommended updates to the Public Consultation/Communication Framework.

RECOMMENDATIONS

1. That the Terms of Reference for a Public Consultation and Communication Committee be approved.


Report Writer


CAO Concurrence

INTRODUCTION

Public consultation is any process or project that involves the public in problem solving or decision-making and uses the results of the consultation to make better decisions. Public communication is more encompassing, and involves everyday, ongoing 'business' of the RDN.

Successful public consultation/communication initiatives improve decision making, facilitate understanding, and bring stakeholders together. The success of any RDN public consultation/communication initiatives will be measured on achieving the following goals:

- Ensuring that the public process meets the needs and expectations of residents.
- Providing meaningful opportunities for public input and participation.
- Making all relevant information readily available to the public.
- Presenting information to the public in a clear, understandable and concise form.
- Meeting and exceeding all required consultation requirements in provincial legislation and Board policies.

The RDN's Public Consultation/Communication Framework provides a flexible yet standardized approach to public consultation and communication (adopted as Board policy in October 2000). This Framework provides a set of "principles" and "guidelines" that ensure consistency in public involvement initiatives. However, the Framework is not intended to be so prescriptive as to stifle creativity or unique solutions to individual projects.

The RDN is committed to reviewing the Framework.

MANDATE OF THE COMMITTEE

The primary mandate of the Committee will be to provide the RDN Board with recommendations on Public Consultation and Communication through recommended revisions to the Public Consultation and Communication Framework.

COMMITTEE ROLES AND RESPONSIBILITIES

Members on the Committee shall:

- Provide recommendations on changes or improvements to the Public Consultation/Communication Framework;
- Provide advice and new ideas on improving consultation and communication with the public;
- Bring new opportunities/techniques for public communication and consultation to the Committee;
- Act as a focus group for evaluating the potential success of new communication/consultation techniques;

- Meet as required to accomplish the objectives of the Committee;
- Report on an annual basis to the RDN Board on the effectiveness of the Public Consultation/ Communications Framework and the role of the Committee;
- To consider and report on the financial impacts of the policy.

MEMBERSHIP CRITERIA

The Committee will be comprised of members of the RDN Board. The Committee may choose to include members of the public in any advisory capacity they see as appropriate to meet their mandate with support provided by RDN staff.

CHAIRPERSON

The Committee shall elect a Chairperson from their membership.



REGIONAL DISTRICT OF NANAIMO			
JAN 20 2003			
CHAIR		GMCrs	
CAC		GMDS	
GMCrsG		GMEB	
<i>Call</i> ✓			
		DATE	

MEMORANDUM

TO: K. Daniels
Chief Administrative Officer

January 20, 2003

FROM: C. Mason
General Manager, Corporate Services

FILE:

SUBJECT: Rogers Wireless Inc. Communications Tower Proposal

PURPOSE:

To consider the proposal put forward by Rogers Wireless Inc. to site a communications tower at the Regional District Administration Building site at 6300 Hammond Bay Road.

BACKGROUND:

Rogers Wireless Inc. have approached the Regional District enquiring about the possibility of locating a communications tower at the Regional District site situated at 6300 Hammond Bay Road. Rogers has identified some signal limitations with its service and has advised that the Hammond Bay location is a suitable option for addressing its coverage needs in this area. Based on rates it is paying to other property owners for similar communications towers, Rogers is proposing an annual fee of \$7,500. It is requesting a five year term effective June 1, 2003 with three extension periods with future rates to be set at the then current market value.

Based on the requirement to obtain a City of Nanaimo development permit, the City of Nanaimo has been consulted to determine which location is most feasible to situate the tower. It has been determined that the most desirable location is to the west of the Hammond Bay Road driveway. The proposed location is a natural clearing and will involve the removal of approximately 3 to 5 trees. The communications site would be situated in a 10 meter x 12 meter area. Rogers is proposing to erect one steel monopole, 42 meters in height, four equipment cabinets (6.1' x 4.3' x 3.1') and one hydro meter cabinet.

In order to locate the tower, Rogers Wireless Inc. requires the Board's permission to locate the tower at the Regional District site and will need to enter into a Statutory Right of Way Agreement with the District. Rogers will also be required to obtain a building permit and a development permit from the City of Nanaimo. As part of the agreement, Rogers will provide the Regional District with the right to locate up to 4 antennas on the tower at no monthly cost.

ALTERNATIVES:

- 1. Approve the Statutory Right-of-Way Agreement with Rogers Wireless Inc. to locate a communications tower on the west side of the Hammond Bay Road driveway.

2. Request that Rogers Wireless Inc. identify a different location on the Hammond Bay Road site for the communications tower.
3. Do not approve the location of a communications tower at 6300 Hammond Bay Road.

FINANCIAL IMPLICATIONS:

There are no financial implications for the Regional District by giving approval for Rogers Wireless Inc. to site the communications tower at the Hammond Bay Road location.

Rogers is offering \$7,500 per year, payable in advance, for use of the land which it notes is commensurate with other Vancouver Island market rates it is currently paying. The annual rate is set by Rogers based on the scope of coverage due to topography and tree density. Over a five year term, the Regional District would receive \$37,500 for permitting the communications tower to be located at the Hammond Bay Road site.

CONCLUSIONS:

The Regional District has been asked for permission to locate a communications tower to the west side of the Hammond Bay Road driveway entrance. In return, they are offering an annual payment of \$7,500. The location chosen would be within an area surrounded by trees, making the tower and accompanying buildings less visible from the road or neighbouring residences. If the Board supports the tower at the location proposed, a Statutory Right of Way Agreement will need to be approved. Rogers Wireless Inc will also be responsible for obtaining a building permit and development permit. Staff have reviewed other locations on the site and believe the one selected would have the least impact on neighbouring uses.

RECOMMENDATION:

That the Board approve the location of the Rogers Wireless Inc communications tower on the site proposed at 6300 Hammond Bay Road and authorize staff to execute the Statutory Right of Way Agreement for this purpose.



Report Writer



C.A.O. Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO		
JAN 20 2003		
CHAIR		GM/CS
CAO		GM/DS
GM/MS		GM/ES
		<i>Call</i> ✓

MEMORANDUM

TO: K. Daniels
Chief Administrative Officer

FROM: C. Mason
General Manager, Corporate Services

SUBJECT: Legal Services Contract Extension

DATE:

January 20, 2003

FILE:

PURPOSE:

To consider extending the current legal services contracts with Staples McDannold Stewart and Harris & Co. for an additional two years.

BACKGROUND:

In February 2000 the Board approved entering into three year agreements with Staples McDannold Stewart to provide municipal law advice and Harris & Co. to provide labour law advice. The Board Policy 1.22 requires the Regional District to proceed to Request for Proposal (RFP) every three years. The Policy also gives the Board the option of renewing contracts with existing service providers for an additional two years without going to RFP if the Board is satisfied with the contract providers performance. The current three year agreements with these firms end in February 2003.

Both law firms have provided excellent service to the Regional District over the last three years and have a good understanding of the issues which are unique to our Regional District. Given the specialized nature of these professional services, there is an advantage to continuing with the current agreements for an additional two years.

ALTERNATIVES:

1. Extend the legal services contracts with Staples McDannold Stewart and Harris & Co. for an additional two years ending in February 2005.
2. Do not renew the legal services contracts and proceed to RFP for these services.

FINANCIAL IMPLICATIONS:

In consultation with both law firms, they have offered to extend their current hourly rates for an additional two years. The majority of legal services costs are within the municipal law section. As part of this contract, Staples McDannold Stewart attends the Regional District offices to meet with staff once every 2 weeks (no charge for travel time), attends up to 4 Board meetings (or Public Hearings) per year without charge for travel time, and presents 2 half day seminars per year at the Regional District's request with only travel expenses incurred. Harris & Co. also presents one seminar per year at the Regional District's request without charge to the District. A summary of annual legal expenses is attached for the Board's information.

CONCLUSIONS:

The current agreements with Staples McDannold Stewart and Harris & Co. will be ending in February 2003. Under Policy 1.22 the Board has the option of renewing these agreements for an additional two years before proceeding to RFP. Staff have been satisfied with the performance of these two law firms and recommend extending these agreements for an additional two years.

RECOMMENDATION:

That the Board extend its legal services agreements with Staples McDannold Stewart in the area of municipal law and Harris & Co. in the area of labour law for an additional two year term expiring February 2005.



Report Writer



C.A.O. Concurrence

COMMENTS:

LEGAL SERVICES COSTS: 1994 - 2002

Department	1994	1995	1996	1997	1998	1999	2000	2001	2002
Community Services	\$4,890	\$9,618	\$3,301	\$5,703	\$8,129	\$9,319	\$18,700	\$16,400	\$28,600
Corporate Services	\$20,945	\$24,772	\$30,534	\$20,188	\$12,950	\$15,345	\$8,000	\$13,500	\$14,800
Development Services	\$65,967	\$39,631	\$48,926	\$61,401	\$77,198	\$72,598	\$55,000	\$75,000	\$62,500
Environmental Services	\$18,760	\$18,547	\$13,005	\$13,562	\$27,660	\$17,235	\$30,000	\$21,300	\$24,800
Totals	\$110,563	\$92,568	\$95,766	\$100,854	\$125,937	\$115,235	\$111,700	\$126,200	\$130,700

Carol Mason
General Manager Corporate Services
Regional District of Nanaimo
6300 Hammond Bay Road,
Nanaimo, B.C.
V9T-6N2

January 13th, 2003

Dear Carol:

**Re: Communications Tower Proposal, Nanaimo, B.C.
Rogers Wireless Inc - File - W1837**

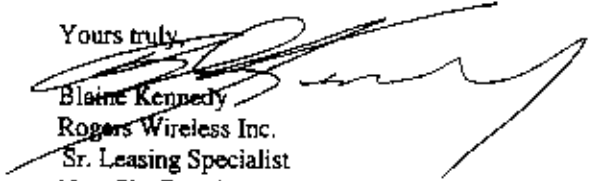
It is understood that the Nanaimo Regional District will be reviewing the Rogers proposal at the board meeting scheduled for February 11th 2003. The terms of the agreement are summarized as follows:

Location:	6300 Hammond Bay Road, Nanaimo, B.C.
Agreement:	Statutory Right of Way ("SRW") - on Lot 1, District Lot 48, Wellington District, Plan 2557, except par in plans 39058 and VIP58168.
Commencement Date:	June 1 st , 2003
Term:	Five (5) year initial term.
Extensions:	Three (3) extension periods of five (5) years each, rates to be set at the then current fair market value for comparable site in similar locations.
Rate:	\$ 7,500.00 per year, payable annually in advance.
Right of Way Area:	The communications site will be situated in a 10 meter x 12 meter area, to the west and half way along the driveway, that enters off Hammond Bay Road. The proposed location is a natural clearing and will involve the removal of approximately 3 to 5 small trees.
Equipment:	One steel monopole 42 meters in height, four (4) equipment cabinets with dimensions (6.1 ft high, 4.3 ft. wide, 3.1 ft. deep) and one hydro meter cabinet, with the layout as shown on the attached sample site plan. The top of the tower will have a pinwheel boom and approximately 12 initial panel antennas and one micro-wave dish. The installation will be enclosed with a chain link fence.
Electrical:	The installation will have it's own separately metered 200 amp, single-phase electrical service that will be run underground up the side of the driveway from Hammond Bay Road. As noted in section 13 (i) of the Rogers SRW, B.C.Hydro will also require their own SRW with the District, in order to authorize the powerline.

- Permits:** Rogers Wireless Inc. will arrange for the necessary building permit and other approvals as need by the City of Nanaimo. All work shall be performed according to current building code regulations and to a good and workmanlike standard.
- Access:** Rogers will require access for ongoing maintenance, which occurs typically 8 to 10 times per year. In the event of emergencies or planned evening work, Rogers requires access 7 days a week, 24 hours per day.
- Co-location:** The District shall have the right to locate up to four (4) antennas on the tower at no monthly cost, for the initial term and subsequent extension periods. It is agreed that this right is not assignable and that the antennas shall be solely for the Regional District of Nanaimo's own communications needs. The District shall provide typical antenna specifications in order that the tower is engineered to accommodate this eventuality. The District shall abide by the terms of the Standard Rogers Co-location Agreement which includes a provision that the Districts antennas will not cause interference.
- Termination:** Once the Statutory Right of Way Agreement has been fully executed by both parties, Rogers shall retain the right to terminate the agreement at any time prior to the Commencement Date. This time period is required to obtain all necessary approvals and to ensure that the site will satisfy the intended coverage objectives.
- Registration:** Rogers shall have the right, at its own cost to register the agreement on the title of the property.

If we are able to finalize arrangements for this installation in February, Rogers will schedule construction over a three week period in May or June 2003.

Yours truly,

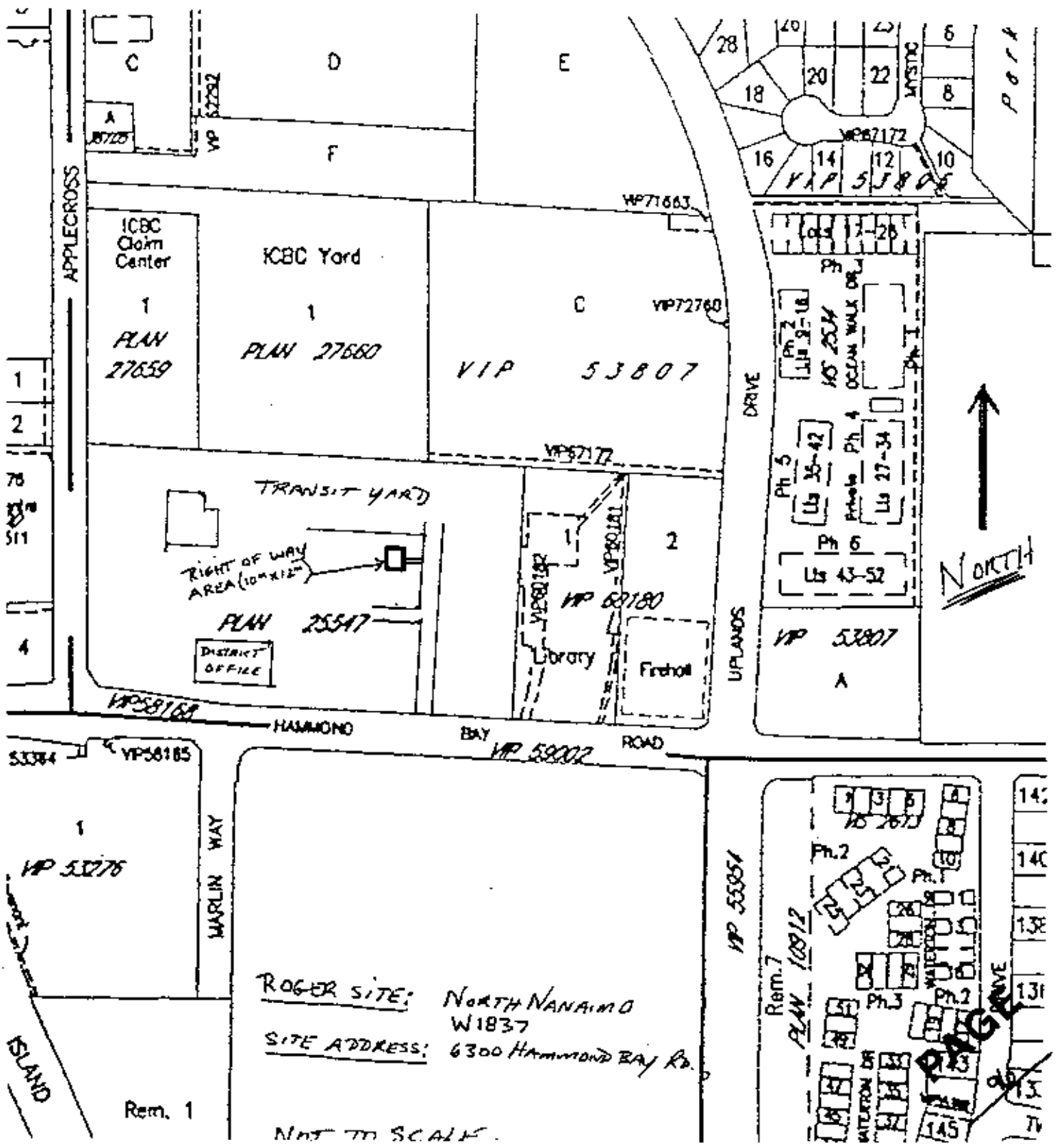


Blaine Kennedy
Rogers Wireless Inc.
Sr. Leasing Specialist
New Site Development
(604) 431-1697

Enclosures:
-Site Plan
-Compound Layout
-Monopole Picture
-SRW Agreement

SITE PLAN

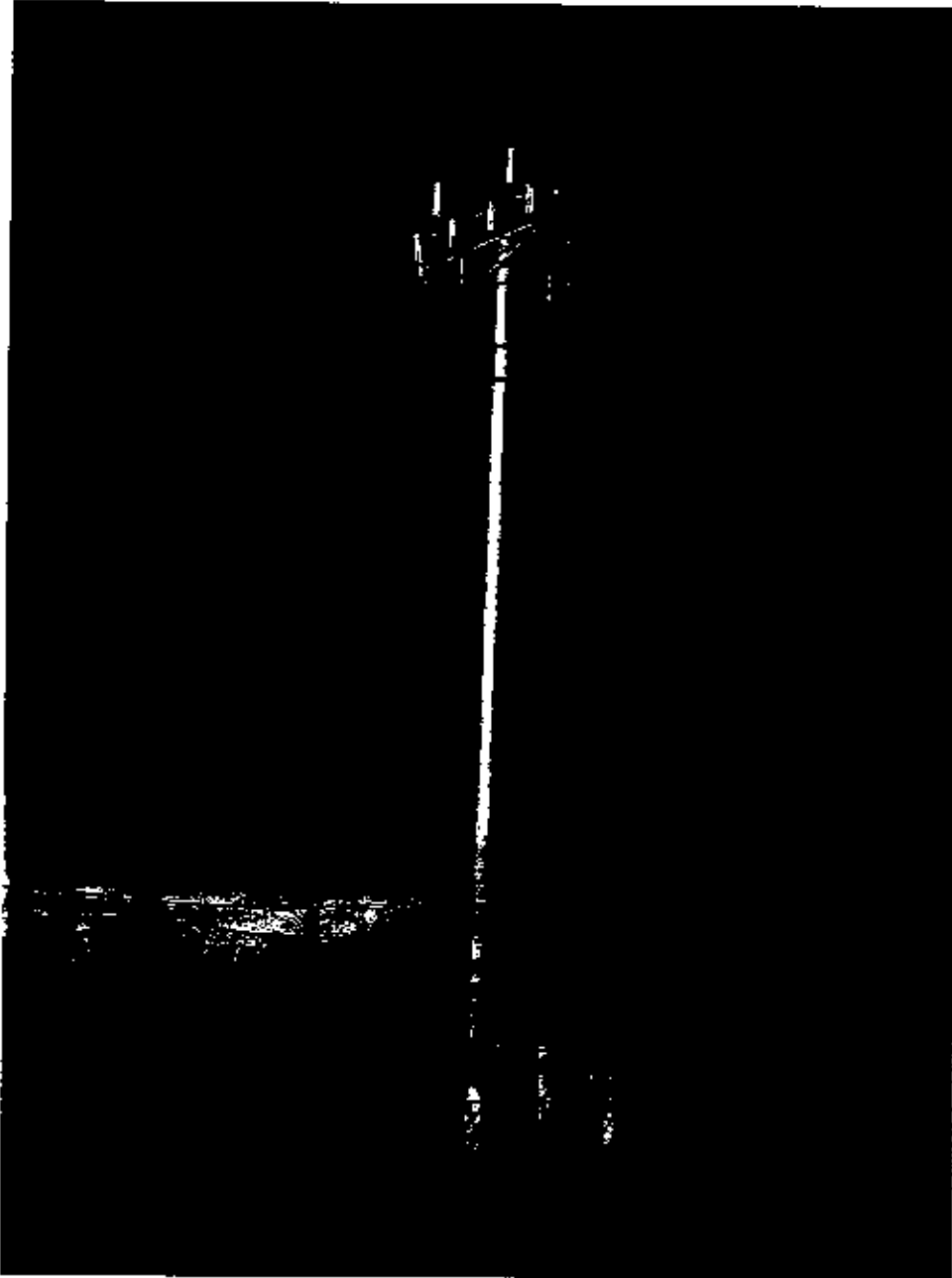
6300 HAMMOND BAY RD., NANAIMO REGIONAL DISTRICT SITE

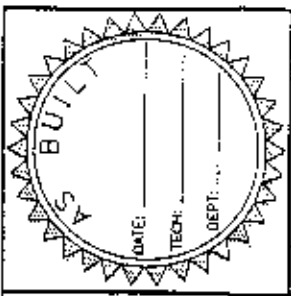


ROGER SITE: NORTH NANAIMO
W1837
SITE ADDRESS: 6300 HAMMOND BAY RD.

NOT TO SCALE.

Nanaimo Regional District Site
6300 Hammond Bay Road, Nanaimo, B.C.
Rogers A.T. & T. Wireless Inc.
Proposed 42 meter monopole.

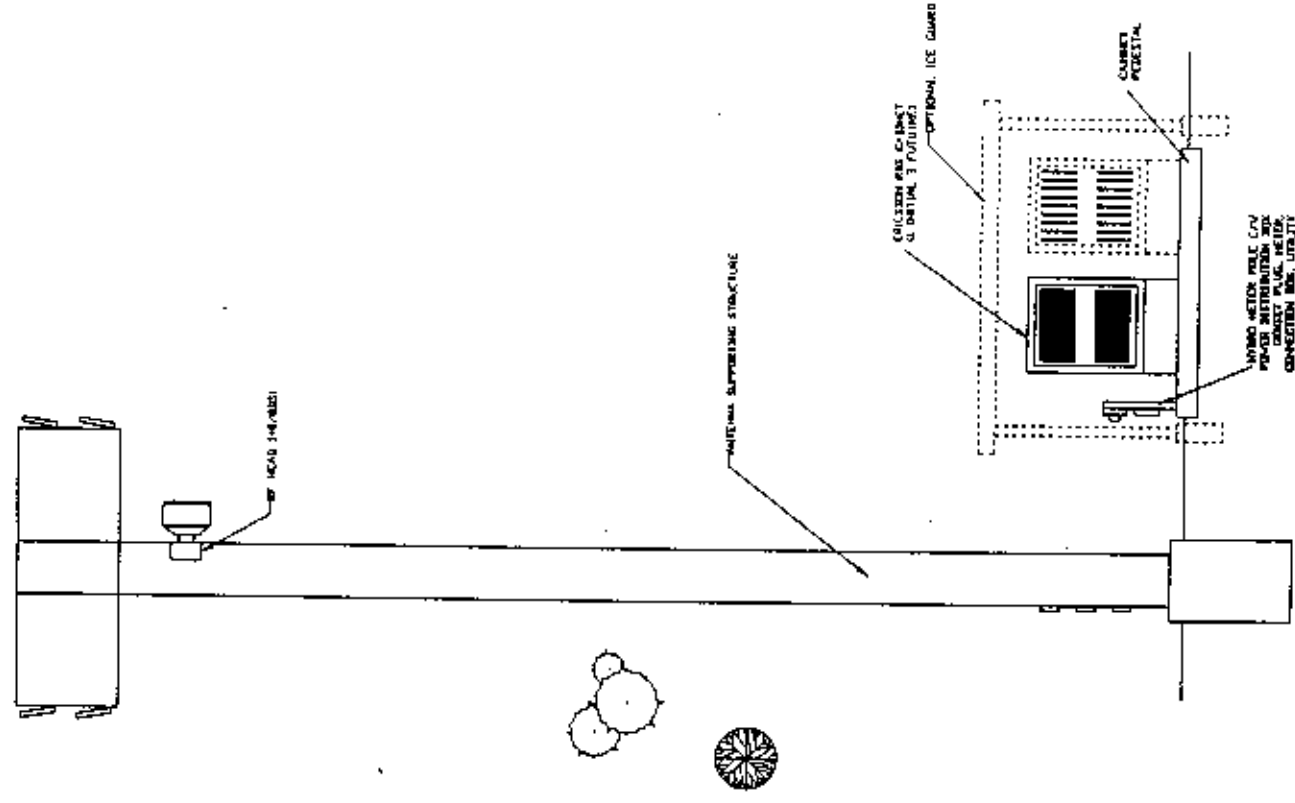




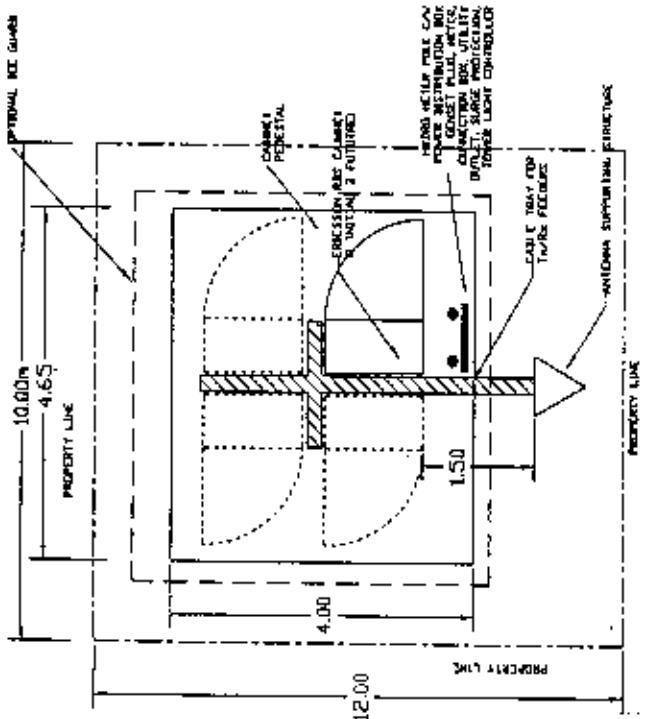
REV. DATE: 2002.12.09
 DESIGN: A VALEAN
 DRAWN: A VALEAN
 PROJECT NO.:
 DESCRIPTION: DWG CREATED.

AFT: CPHD:
 SCALE: AS BUILT TO REV.
 NTS
 PREVIOUS DWG NO. AND SHEET:

SECTIONED TOWER
 LOCATION CODE: ALPHA CODE:
 DRAWING NUMBER:



PROFILE



SITE PLAN VIEW

PAGE 2



6300 Hammond Bay Road



REGIONAL DISTRICT OF NANAIMO		
JAN 20 2003		
CHAIR	GMOPS	
CAO	GMDS	
CMO	GMES	

MEMORANDUM

TO: C. Mason
General Manager, Corporate Services

DATE: December 31, 2002

FROM: N. Avery
Manager, Financial Services

FILE:

SUBJECT: Resolution to create expanded Local Telephone Calling Area

PURPOSE:

To obtain Board support to seek an expanded local telephone calling area.

BACKGROUND:

In October the Board received correspondence from Telus outlining the new criteria established by the CRTC, which are to be followed for local governments wishing to establish expanded local calling areas (LCA). A staff report was requested to discuss the implications of an expanded local calling area.

The first step prescribed by the CTRC requires the local, municipal or regional government to pass a resolution to create an expanded LCA. The resolution is presented to the incumbent local exchange carrier (in our case, Telus) and they undertake an economic analysis. If the local government thereafter approves proceeding with the expanded calling area, an application is made to the CRTC, at which point any interested parties would have an opportunity to comment on the application. Finally, if the proposal is approved by the CRTC then the incumbent exchange carrier carries out a plebiscite – the costs of the plebiscite are paid for by the appropriate local or regional government.

This brief report seeks a resolution stating that the Regional District of Nanaimo wishes to establish an LCA and requesting Telus to carry out the analysis in order for a final decision to be determined.

ALTERNATIVES:

1. Pass a resolution of support for analyzing the implications of an expanded local calling area.
2. Do not proceed further.

FINANCIAL IMPLICATIONS:

There are no financial commitments during the analysis phase. The CTRC decision requires local governments to cover the costs of any plebiscite, however, it is not completely clear how this will work in practice. Under the previous process, the incumbent exchange carrier would add a surcharge to telephone bills to recover the cost. This will be clarified during the analysis phase.

OTHER GOVERNMENT IMPLICATIONS:

Staff have contacted our member municipalities for their interest in moving this initiative forward and have received no negative response.


Additionally, two years ago, during the first set of discussions it appeared that the best-cost profile for establishing an LCA was to include part of the Cowichan Valley Regional District and all of the Regional District of Nanaimo. We have been advised that the previous cost analysis cannot be relied on given the new analytical approach approved by the CRTC. There appears to be no reason however, why we shouldn't encourage as many local governments to support the concept as possible. The elimination of long distance calling charges is generally regarded as an economic stimulator to businesses in adjoining calling areas. At the present time, staff have advised their counterparts in the Cowichan Valley that we will be re-visiting the analysis and will invite representatives to any resulting meetings and discussions.


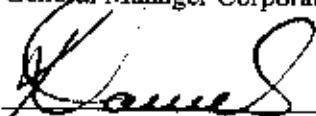
SUMMARY/CONCLUSIONS:

The CRTC has done a formal review of the process for establishing expanded local calling areas and has established new rules to be followed by all telephone service providers and local governments. In order to initiate an economic analysis the local government must present a resolution, supporting an expanded local calling area to the incumbent exchange carrier. As noted above, while this resolution is intended to analyse the implications for the Regional District of Nanaimo, the result may affect parties in the Cowichan Valley Regional District. Accordingly, staff at the Cowichan Valley Regional District will be kept informed of any progress in this regard.

RECOMMENDATION:

That the Board of the Regional District of Nanaimo express its support for an expanded local calling area in the Regional District of Nanaimo and request Telus to undertake an analysis to establish the financial implications of implementing an expanded local calling area.


Report Writer


General Manager Corporate Services

C.A.O. Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO	
JAN - 9 2003	
CHAIR	GMCrs
CAC	GMDS
GMCms	GMES

MEMORANDUM

TO: C. Mason
General Manager, Corporate Services

DATE: January 8, 2003

FROM: N. Avery
Manager, Financial Services

FILE:

SUBJECT: To Update Banking Resolutions for Changes in Board Membership

PURPOSE:

To introduce for adoption a resolution to update the position names for the purposes of bank signing authorities for both the Regional District and the Nanaimo Regional Hospital District.

BACKGROUND:

For the purposes of carrying out day to day banking activities, corporations are required to pass resolutions identifying the official positions and persons who have authority to make deposits, sign cheques and otherwise manage the cash affairs of the corporation. The District's current resolutions are somewhat outdated, both for the names of official positions and for the persons holding the positions of Chair and Deputy Chair. The attached resolution will make the necessary amendments.

ALTERNATIVES:

- 1. Adopt the resolution as presented.
- 2. Make no changes to the resolution on record.

FINANCIAL IMPLICATIONS:

There are no financial implications.

SUMMARY/CONCLUSIONS:

The Regional District's current banking resolution is somewhat outdated due to changes in the names of official positions and the names of the persons holding the positions of Chair and Deputy Chair. The attached resolution will make the necessary amendments and staff recommend adopting it as presented.

RECOMMENDATION:

That the attached banking resolution be adopted.

N. Avery
Report Writer

[Signature]
General Manager Corporate Services

[Signature]
C.A.O. Concurrence

COMMENTS:

BANKING RESOLUTION

BE IT RESOLVED THAT:

For the purposes of conducting the banking affairs of the Regional District of Nanaimo the authorized persons shall be as follows:

For the deposit of funds and receipt of documents or vouchers – all accounts; any ONE of the following:

Chief Administrative Officer
General Manager Corporate Services
Manager Financial Services
Senior Accountant

Signing of Payroll cheques – any TWO of the following:

Chairperson
Deputy Chairperson
Chief Administrative Officer
General Manager Corporate Services
Manager Financial Services
Senior Accountant

Signing of all other cheques – any TWO of the following:

Chairperson
Deputy Chairperson
Chief Administrative Officer
General Manager Corporate Services
Manager Financial Services
Senior Accountant

Transfer of funds between Regional District accounts – any ONE of the following:

Chief Administrative Officer
General Manager Corporate Services
Manager Financial Services
Senior Accountant

AND BE IT FURTHER RESOLVED THAT the foregoing authorities extend to all accounts in the name of the Regional District of Nanaimo and the Nanaimo Regional Hospital District.



REGIONAL DISTRICT OF NANAIMO	
JAN 20 2003	
CHAIR	GMCrS
CAO	GMDS
GMCrS	GMES
	<i>Call</i> ✓

MEMORANDUM

TO: C. Mason
General Manager, Corporate Services

DATE: December 31, 2002

FROM: N. Avery
Manager, Financial Services

FILE:

SUBJECT: Bylaw 1170.03 - a bylaw to increase the requisition limit for the San Pareil Water Supply Service Area

PURPOSE:

To introduce Bylaw 1170.03 which will increase the requisition limit from \$58,050 to \$72,000, for the San Pareil Water Supply Service Area.

BACKGROUND:

At its final budget meeting held November 5th 2002 the Board approved an increase in parcel tax revenues to \$72,000 for 2003 for the San Pareil service area, an amount which exceeds the current establishing bylaw limit of \$58,050.

As reported by staff in November, water supply in the San Pareil service area has not been overly plentiful and residents have been under fairly severe watering restrictions for some time. Additionally, the summer of 2002 was the first period in which metered water rates were applied to properties in the service area. The introduction of metered rates usually results in lower than normal consumption patterns until property owners get a feel for what their normal consumption will cost under the new rate structure. These two circumstances resulted in very low water usage during the summer and revenues, which are substantially lower than required to operate the system.

Water user rates have been amended slightly by introducing a flat minimum consumption rate, but otherwise leaving the recently introduced rates unchanged. The minimum consumption rate will ensure that the service area will meet its budget target even if consumption should be similarly low in 2003.

ALTERNATIVES:

1. Approve the bylaw
2. Do not approve the bylaw and amend the 2003 annual budget to increase usage fees to meet the required revenue target.

FINANCIAL IMPLICATIONS:

Alternative 1

The annual parcel tax rate will rise from about \$136 per property to \$250 per property. In earlier projections prepared during the purchase of the water system, a parcel tax rate of approximately \$186 was predicted for 2003. A parcel tax rate of \$186 was projected for servicing the debt associated with purchasing and upgrading the system. Under Alternative 1, a portion of the new parcel tax rate would offset some of the operating costs and each property bears the same amount from the revenue shortfall.

Alternative 2

Under this alternative staff project that water usage rates would need to rise at least twenty percent from 2002 levels. A sudden large change to rates within a year could potentially exacerbate the consumption patterns and this alternative is not recommended.

SUMMARY/CONCLUSIONS:

As reported during provisional budget discussions, the San Pareil Water Service Area experienced an unexpected revenue shortfall in 2002. The shortfall appears to have resulted from the reaction of property owners to a combination of severe watering restrictions over the last year or so and the introduction of consumption based water rates. The Board approved an increase to the amount collected as parcel taxes as an alternative to making significant changes to the newly introduced usage rate schedule. In order to collect \$72,000 by way of parcel taxes, the establishing bylaw must be amended.

RECOMMENDATION:

1. That "San Pareil Water Supply Local Service Area Amendment Bylaw No. 1170.03, 2003" be introduced for first three readings and be forwarded to the Ministry of Community, Aboriginal and Women's services for approval.



Report Writer



General Manager Corporate Services



C.A.O. Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1170.03

A BYLAW TO AMEND THE LIMITS IN THE
SAN PAREIL WATER SUPPLY LOCAL SERVICE
AREA ESTABLISHMENT BYLAW NO. 1170

WHEREAS "San Pareil Water Supply Local Service Area Establishment Bylaw No. 1170, 1999" established the San Pareil Water Supply Local Service Area;

AND WHEREAS the Board wishes to amend the requisition limits in the bylaw to reflect current operating requirements;

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

1. Section 5 of Bylaw 1170 is hereby deleted and replaced with a new Section 5 as follows:
 5. The maximum amount that may be requisitioned under Section 823 for the annual cost for this service shall be the greater of:
 - (a) the sum of seventy two thousand dollars (\$72,000); or
 - (b) the product obtained by multiplying the net taxable value of land and improvements within the service area by a property tax value rate of \$1,287 per thousand dollars of assessment.
2. This bylaw may be cited for all purposes as "San Pareil Water Supply Local Service Area Amendment Bylaw No. 1170.03, 2003".

Introduced and read three times this 11th day of February, 2003.

Received the approval of the Inspector of Municipalities this _____ day of _____, 20__.

Adopted this _____ day of _____, 20__.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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106



REGIONAL DISTRICT OF NANAIMO			
JAN 20 2003			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		SMES	
<i>Callie</i>			

MEMORANDUM

TO: C. Mason
General Manager, Corporate Services

DATE: January 7, 2003

FROM: N. Avery
Manager, Financial Services

FILE:

SUBJECT: Errington Fire reserve fund expenditure Bylaw 1324

PURPOSE:

To introduce for three readings and adoption "Errington Fire Protection Function Reserve Fund Expenditure Bylaw No. 1324, 2003", which authorizes the expenditure of reserve funds for the acquisition of a firefighting vehicle.

BACKGROUND:

At its meeting held August 14th, 2001 the Board authorized the Errington Fire Department to enter into negotiations with the Province of BC Coastal Fire Center to acquire one of their used firefighting vehicles. The transaction involved the fire department purchasing two new smaller vehicles, converting them to the forest service's standards and trading them for the fire service's existing tanker/foam equipped vehicle. The Board approved a total transaction cost of \$130,000, to be financed through a combination of operating surpluses, proceeds from selling an existing vehicle and \$23,700 from reserve funds.

The department completed the acquisition in mid-summer 2002 at a total cost of \$105,857. The reserve funds required to complete the transaction have been reduced from \$23,700 to \$7,572. Bylaw 1324 authorizes the withdrawal of those funds in accordance with the *Local Government Act*.

ALTERNATIVES:

1. Approve and adopt Bylaw 1324, to authorize the release of the reserve funds.
2. Do not approve the bylaw.

FINANCIAL IMPLICATIONS:

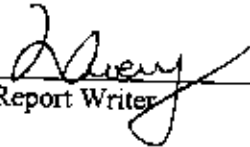
Without the release of the reserve funds the department will incur an operating deficit in 2002. This bylaw follows up the Board's earlier resolution authorizing the transaction to proceed.

SUMMARY/CONCLUSIONS:


The Errington Fire Department has completed a transaction to acquire a tanker/foam equipped firefighting vehicle from the Province of BC Coastal Fire Center. The transaction was completed for less than the authorized maximum budget – at \$105,857 versus \$130,000. The department had estimated that it would need to draw on \$23,700 from its vehicle replacement reserve, however, the amount required is now reduced to \$7,572. Staff have prepared Bylaw 1324 in the amount of \$7,572 in accordance with the requirements of the *Local Government Act*.

RECOMMENDATION:

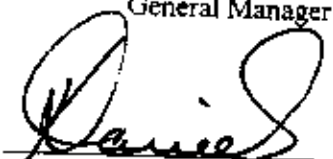
1. That "Errington Fire Protection Function Reserve Fund Expenditure Bylaw No. 1324, 2003" be introduced for first three readings.
2. That "Errington Fire Protection Function Reserve Fund Expenditure Bylaw No. 1324, 2003" having received three readings be adopted.



Report Writer



General Manager Concurrence



C.A.O. Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1324

**A BYLAW TO AUTHORIZE AN EXPENDITURE
OF FUNDS FROM THE ERRINGTON
FIRE PROTECTION RESERVE FUND**

WHEREAS the Errington Fire Protection Function Reserve Fund was established under Bylaw No. 745, 1988;

AND WHEREAS it is necessary to expend reserve fund monies for the purpose of purchasing a fire truck;

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

1. That the amount of Seven Thousand Five Hundred and Seventy Two Dollars (\$7,572) is hereby appropriated from the Errington Fire Protection Function Reserve Fund to be expended for a fire truck.
2. Should any of the above amount remain unexpended, such unexpended balance shall be returned to the credit of the Reserve Fund.
3. This bylaw may be cited as the "Errington Fire Protection Function Reserve Fund Expenditure Bylaw No. 1324, 2003".

Introduced and read three times this 11th day of February, 2003.

Adopted this 11th day of February, 2003.

CHAIRPERSON

GENERAL MANAGER CORPORATE SERVICES

PAGE

109



REGIONAL DISTRICT OF NANAIMO		
JAN 20 2003		
CHAIR		GMCrS
CAD		GMDS
		GMES

MEMORANDUM

TO: C. Mason
General Manager, Corporate Services

DATE: January 20, 2003

FROM: N. Avery
Manager, Financial Services

FILE:

SUBJECT: License of Use (Coombs-Hilliers Firehall #2) – Arrowsmith Search and Rescue Society

PURPOSE:

To obtain Board approval to enter into the attached license of use regarding the construction of an addition to the Coombs-Hilliers firehall #2 by the Arrowsmith Search and Rescue Society.

BACKGROUND:

On April 9th, 2002 the Board approved a resolution from the Coombs-Hilliers Volunteer Fire Department to permit the Arrowsmith Search & Rescue Society (the Society) to construct a two storey addition to the firehall for use as their equipment and training headquarters. The attached License of Use agreement outlines the terms, conditions and responsibilities of the Society for their occupancy and use of a portion of the firehall property.

The agreement contains the following highlights:

- 1.0 & 4.0 The term of the agreement is for 5 years at cost of \$1.00 per term, with four renewal periods at the option of the Society. This provides for up to twenty (20) years occupancy of the property.
- The Society will cover all costs and expenses associated with its occupancy such as electricity, property taxes, insurance etc.
- 5.0 & 6.0 The Society will indemnify the Regional District against any and all claims resulting from its use of the property and will add the Regional District to its policy of insurance (\$2,000,000 general liability) as an additional insured.
- 7.0 The Society shall have all construction approved by the Regional District.
- 19.0 The Society may vacate the property at any time and if it does not remove its property, the Regional District may take ownership at no cost to the Regional District.
- 21.4 Either party may terminate for any reason on 12 months notice. If the Regional District serves notice it agrees to negotiate a fair and equitable compensation to the Society for the Building

The agreement was drafted with the assistance of our solicitors and has been reviewed and accepted by the Society.

ALTERNATIVES:

1. Authorize the Chairperson and General Manager Corporate Services to execute the License of Use between the Regional District of Nanaimo and the Arrowsmith Search & Rescue Society.
2. Amend the terms of the agreement and seek approval of an amended agreement with the Society.

FINANCIAL IMPLICATIONS:


There are no operating costs associated with the agreement. If the Board determines that the property is required solely for firefighting purposes in the future, it is obligated to negotiate compensation for the building addition which the Society will have constructed. Both parties acknowledge that the intent however, is to secure the long term occupancy of the property by the Society.

SUMMARY/CONCLUSIONS:

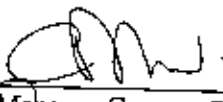
On April 9th, 2002 the Board approved a resolution from the Coombs-Hilliers Volunteer Fire Department to permit the Arrowsmith Search & Rescue Society (the Society) to construct a two storey addition to the firehall for use a their equipment and training headquarters. The attached License of Use agreement outlines the terms, conditions and responsibilities of the Society for their occupancy and use of a portion of the firehall property. The agreement has been reviewed and accepted by the Society and staff recommend executing the agreement as presented.

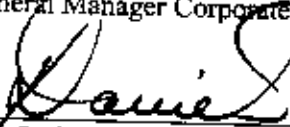
RECOMMENDATION:

That the Chairperson and General Manager Corporate Services be authorized to execute the License of Use agreement with the Arrowsmith Search & Rescue Society, which provides for an initial five year term from January 1, 2003 to January 1, 2008 and four renewal terms of 5 years each.



Report Writer



General Manager Corporate Services


C.A.O. Concurrence

COMMENTS:

**COOMBS-HILLIERS FIRE DEPARTMENT FIREHALL #2
LICENCE OF USE**

THIS AGREEMENT signed on the _____ day of, 2002 and effective the _____ day of _____, 2002.

BETWEEN:

**REGIONAL DISTRICT OF NANAIMO
(on behalf of the Coombs-Hilliers Fire Department)
6300 Hammond Bay Road
Nanaimo, B.C.
V9T 6N2**

(the "Regional District")

OF THE FIRST PART

AND:

**ARROWSMITH SEARCH AND RESCUE SOCIETY
(Incorporation No. S20949)
2204 Grafton Avenue, Box 256,
Coombs, B.C.
V0R 1M0**

(the "Society")

OF THE SECOND PART

WHEREAS:

- A. The Regional District is the registered owner in fee simple of lands and improvements legally described as:
- Lot 1 of Lot 4, Plan 38539
Cameron District
- (the "Lands");
- B. The Regional District owns a fire hall (the "Fire Hall") situated on the Lands;

- C. The Society wishes to construct a building on the Lands at its own expense for use as a vehicle and equipment storage facility, office headquarters, training facility and emergency response centre (the "Building") and the Building shall remain during the term of this Agreement, the property of the Society, its successors and assigns;
- D. The Building is intended to share a common wall with the Fire Hall on that portion of the Lands indicated in heavy outline on the sketch plan attached to this Agreement as Schedule "A";
- E. The parties wish to provide for the use of the Lands by the Society upon the terms and conditions set out herein and also wish to establish their respective positions upon the termination or expiration of the Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSES THAT in consideration of the licence fees, covenants, agreements and conditions hereinafter contained which the Society agrees to pay, keep, observe and perform, the Regional District hereby grants unto the Society a licence to use the Lands, subject to the terms and conditions herein set forth.

1.0 TERM

- 1.1 The term of this Agreement shall be five (5) years commencing on the ___ day of _____ 2002 and terminating on the ___ day of _____, 2007.
- 1.2 This Agreement may be renewed for four (4) additional five (5) year periods upon the written request by the Society, which request must be received at least six (6) months prior to the expiry of any five (5) year period.

2.0 RIGHT TO USE

- 2.1 The Regional District subject to the performance and observance by the Society of the term, conditions, covenants and agreements contained in this Agreement and to earlier termination as provided in this Agreement, grants to the Society a right by way of licence for the Society, its agents, employees and invitees to use the Lands for the purpose of constructing and occupying the Building to be used as set forth in this Agreement and to further use the Lands for the purpose of access to the Building, parking, training exercises and other purposes as set forth in this Agreement or as agreed to in writing by the Regional District, and for no other purpose.

3.0 RESERVATION OF RIGHTS

- 3.1 The Regional District hereby reserves to itself from the grant and the covenants to it by the Society under clause 2.0 above, the right for the Regional District its

agents, employees, contractors and subcontractor, invitees and volunteers to have full and complete access to and use of the Lands to carry out any operations associated with the Regional District's use of the Lands or the Fire Hall thereon.

3.2 The Society shall not in any way interfere or cause interference with the use of the Lands by the Coombs-Hilliers Fire Department.

4.0 LICENCE FEE AND RESPONSIBILITY FOR EXPENSES

4.1 In consideration of the right to use, the Society shall pay to the Regional District the sum of ONE DOLLAR (\$1.00) for the Term herein granted including any renewals thereof, the receipt and sufficiency of which is hereby acknowledged by the Regional District.

4.2 It is intended by the parties that the Building and the Lands occupied and used in conjunction with the Building be of no cost or expense to the Regional District during the Term or any renewal thereof, and accordingly the Society agrees to pay, whether on its own behalf or on behalf of the Regional District, all costs of every nature and kind relating to that part of the Lands occupied by the Building and the Building itself as well as any costs or expenses relating to the Society's use of the Lands generally and the Society agrees to release, discharge, save harmless and indemnify the Regional District from and against any such costs and expenses incurred by the Regional District.

4.3 The Society shall pay all taxes, rates, duties and assessments whatsoever by a federal, provincial, municipal body or otherwise charged upon the Society or the Regional District as a result of the Society's occupation or use of the Lands.

5.0 INDEMNIFICATION

5.1 The Society agrees to indemnify and save harmless the Regional District, its elected and appointed officers and employees, contractors, agents and invitees (the "Indemnitees") from any and all claims, suits, actions, costs, fees and expenses of any kind whatsoever brought against or incurred by the Regional District or the Indemnitees or any of them in any way relating to the Society's use of the Lands or the Building during the Term of this Agreement. Such indemnity shall extend to legal expenses incurred by the Regional District in defending against such liability or alleged liability or in enforcing this right of indemnity.

6.0 INSURANCE

6.1 The Society will take out and maintain during the term of the License a policy of general public liability insurance against claims for bodily injury, death or property damage arising out of the use of the Lands or the use of the Building by the Society in the amount of not less than two million dollars (\$2,000,000) per

single occurrence with such greater amount as the Regional District may from time to time designate, naming the Regional District as an insured party thereto and shall provide the Regional District with a certified copy of such policy or policies.

- 6.2 All policies of insurance shall contain a clause requiring the insurer not to cancel or change the insurance without first giving the Regional District thirty (30) days prior written notice;
- 6.3 The deductible on the policy of the Insurance shall be not more than five thousand (\$5,000) dollars.
- 6.4 Any buildings, furniture, equipment, machinery, fixtures and improvements placed on the Lands by the Society shall be entirely at the risk of the Society.
- 6.5 If the Society does not provide or maintain the Insurance required by this Agreement, the Regional District may take out the necessary insurance and pay the premium for periods of one year at a time and the Society shall pay to the Regional District as additional licence fees the amount of the premium immediately on demand;
- 6.6 If both the Regional District and the Society claims to be indemnified under any insurance required by this Agreement, the indemnity shall be applied first to the settlement of the claim of the Regional District and the balance, if any, to the settlement of the claim of the Society.

7.0 **CONSTRUCTION**

- 7.1 The Society shall not construct or place any buildings or structures or make any improvements on the Lands unless prior to any construction it has obtained the Regional District's approval in writing to the site plans, working drawings, plans, specifications and elevations and obtained all building or development permits and inspections required or requested by the Regional District.
- 7.2 The Society shall at its sole cost, construct and maintain any buildings, structures or improvements constructed or placed on the Lands during the Term by the Society.

8.0 **TREE CUTTING, EXCAVATION AND HAZARDOUS SUBSTANCES**

- 8.1 The Society will not carry on or do or allow to be carried out or done on the Lands any cutting, clearing or removal of trees, bushes or other vegetation or growth or any excavation or disturbance of the surface of the Lands except as required for the construction of the building as approved by the Regional District and shall not bring on to or deposit any soil or fill on the Lands except with the written consent of the Regional District.

8.2 The Society will not bring on, deposit, store, spray, apply or cause or permit to be brought on, deposited, stored, sprayed or applied on the Lands or to any trees, brush or vegetation on the Lands, any chemical fertilizer, herbicide, pesticide or other chemical or petroleum product or any substance which is capable of contaminating the Lands or any water on the Lands.

9.0 MAINTENANCE

9.1 The Society agrees to maintain the Building and those parts of the Lands occupied and surrounding the Building in good repair and in a neat and tidy condition, and to not do or permit any act or neglect which may in any manner directly or indirectly be or become a nuisance or interfere with the comfort of any person occupying land in the vicinity of the Lands.

10.0 COMPLIANCE WITH ALL ENACTMENTS

10.1 The Society agrees to comply promptly at its expense with all laws, bylaws, regulations, requirements and recommendations, which may be applicable to the manner of use of the Lands and/or Building, made by any and all federal, provincial, local government and other authorities or association of insurance underwriters or agents and all notices in pursuance of same.

11.0 QUIET ENJOYMENT

11.1 The Regional District covenants with the Society for quiet enjoyment, for so long as the Society is not in default hereunder.

11.2 The Society shall permit the Regional District and its servants and agents at all reasonable times, upon twenty-four (24) hours' notice in writing, specifying the time of inspection, during the Term of this Agreement or any renewal thereof, to enter the Building and every part thereof to examine the condition thereof, and if any want or repair shall be found on such examination and notice thereof is given, the Society will, within ninety (90) days of the giving of that notice, well and truly repair in accordance with that notice.

12.0 USE, ASSIGNMENT AND SUBLETTING

12.1 The Society agrees that it shall not use the Building or that portion of the Lands occupied by or surrounding the Building for any purpose other than as a vehicle and equipment storage facility, a headquarters building, a training facility and an emergency response facility except as agreed to in writing by the Regional District.

12.2 The Society agrees that it will not assign this Agreement, or suffer or permit the Building or any portion of the Lands to be used by others, by licence or

otherwise, without the prior written consent of the Regional District in each instance.

12.3 In no event shall any assignment, or sub-licensing to which the Regional District may have consented release or relieve the Society from its obligations to fully perform all the terms, covenants and conditions of this Agreement.

12.4 In any sub-licence or assignment between the Society and any assignee or sub- licensee under any assignment or sub-licence consented to by the Regional District, the Society shall require that the sub- licensee or assignee agree to be bound by all of the Society's obligations under this Agreement.

13.0 **HOLDING OVER**

13.1 If the Society continues to occupy the Lands and the Building with the consent of the Regional District after the expiration or other termination of the Term or any renewal thereof, without any renewal as contemplated in section 1.2 of this Agreement, this Agreement, with all its obligations and conditions shall be deemed to continue on a month-to-month basis provided that nothing herein contained shall preclude the Regional District from taking action for recovery of possession of the Lands as may be provided for in this Agreement.

14.0 **APPROVALS**

14.1 No provision in this Agreement requiring the Regional District's or the Society's consent or approval shall be deemed to have been fulfilled or waived unless the written consent or approval of the Regional District or the Society relating to the particular matter or instance has first been obtained and, without limiting the generality of the foregoing, no prior consent or approval and no condoning, excusing or overlooking by the Regional District on previous occasions when such a consent or approval was required shall be taken to operate as a waiver of the necessity of such consent or approval whenever required under this Agreement.

15.0 **RELATIONSHIP OF PARTIES**

15.1 Nothing contained herein shall be deemed or construed by the parties hereto, nor by any third party, as creating the relationship of employer and employee principal and agent partnership or joint venture between the parties hereto, it being understood and agreed that neither the method of commutation of rent nor any other provision contained herein, nor any acts of the parties herein, shall be deemed to create any relationship between the parties other than the relationship of owner and licensee.

16.0 SOLE AGREEMENT

16.1 This Agreement sets forth all of the warranties, representations, covenants, promises, agreements, conditions and understandings between parties concerning the Lands and the Building and there are no warranties, representations, covenants, promises, agreements, conditions or understanding, either oral or written, express or implied, between them other than as set forth in this Agreement.

17.0 BUILDERS LIENS

- 17.1 The Society shall promptly pay as and when the same falls due any and all accounts for work done or material supplied in respect of improvements made to the Lands or the Building, where such improvements are made at the request of and on the credit of, or on behalf of, or with the knowledge or consent of, or for the direct benefit of, the Society. The Society will not cause, suffer or permit any encumbrance (including personal property security agreements of any type, liens or charges), lien or charge to arise or exist or be claimed upon the Lands or Building, provided that should any such claim of lien arise or exist, the Society shall immediately post with the Regional District sufficient security in the form of cash or a bank draft to discharge the same and shall further immediately proceed to a court of competent jurisdiction to cause the validity of such claim of lien to be determined, and shall upon such determination cause the registration of such claim of lien against the title to the Lands or Building to be terminated, and in that regard, shall satisfy the lien if it is found valid.
- 17.2 Should the Society, at any time after the granting of security, fail, upon the request of the Regional District, to provide the Regional District with proof of its diligent pursuit of a determination of the validity of the claim, lien or the discharge thereof, the Regional District may utilize the security provided by the Society to discharge the claim of lien or liens upon five (5) days' notice in writing of its intention.
- 17.3 Should the Society fail to immediately post with the Regional District sufficient security in the form of cash or bank draft to discharge the claim of lien, or should the Society fail to immediately discharge any lien, the Regional District in addition to any right or remedy may, but shall not be obligated to, discharge the claim of lien or liens by paying the amount claimed to be due or the amount due, together with a reasonable amount for costs, and the amount paid by the Regional District shall be paid by the Society to the Regional District forthwith upon demand. In no case shall the Regional District be required to investigate the validity of the claim of lien or liens prior to discharging the same in accordance with this clause.

18.0 ARBITRATION

18.1 In the event of a bona fide dispute arising between the Society and the Regional District as to any matter, question or determination arising or required to be made under this Agreement, the parties shall attempt in good faith to settle the dispute between themselves. Should such efforts fail, then after 14 days from the date that the dispute arose the parties shall engage the services of a mediator to assist in seeking a resolution agreeable to the parties. The costs of mediation shall be borne equally by both parties. If mediation is unsuccessful then, at the request of either party 14 days or more after the date of the first mediation session, the dispute shall immediately be referred to an arbitrator agreed upon by the Society and the Regional District or, in the event that they cannot agree upon such arbitrator, then the question shall be referred to the arbitration of one arbitrator under the *Commercial Arbitration Act* of British Columbia, and amendments thereof, or such other Statute or Statutes of like effect being in force in British Columbia. Such arbitrator, whether agreed upon or appointed under the said Statute shall have access to such records of the parties as may be reasonably necessary and the decision of the arbitrator shall be final and binding upon the parties. Except as otherwise provided for in this Agreement, the costs of the arbitration shall follow the award, unless otherwise determined by the Arbitrator.

19.0 REMOVAL OF IMPROVEMENTS

- 19.1 All improvements and all articles of personal property constructed, owned or installed by the Society at the expense of the Society on the Lands or in the Building shall remain the property of the Society and may be removed by the Society at any time until the end of the Term or earlier termination of this Agreement. The Society agrees that it will, at its expense, repair any damage to the Lands caused by the construction, installation, existence, use or removal thereof (the "Restoration"). Before removing such property the Society shall notify the Regional District of its intention to do so and shall, if required by the Regional District, post a bond in an amount and form satisfactory to the Regional District as security for performance of the Society's obligations for the Restoration.
- 19.2 If the Society does not remove the property which is removable by the Society pursuant to clause 19.1 prior to the end of the Term or the sooner termination of this Agreement, such property shall, if the Regional District elects, be deemed to become the Regional District's property and the Regional District may take the ownership of the property at no cost to the Regional District or the Regional District may remove the same at the expense of the Society, and the cost of such removal will be paid by the Society forthwith to the Regional District on demand.

20.0 EXPROPRIATION

20.1 If the whole of the Lands shall be acquired or expropriated by an authority having the power of such acquisition or expropriation, the Term of this Agreement shall cease from the date of entry by such authority. If only a portion of the Lands shall be so acquired or expropriated, this Agreement shall cease and terminate at the Regional District's option, or at the Society's option. In either event, however, and whether all or only a portion of the Lands shall be so acquired or expropriated, nothing herein contained shall prevent the Regional District or the Society or both from recovering damages from such authority for the value of their respective interest or for such other damages and expenses allowed by law, but in such event neither party shall have an action against the other in respect of any breach of this Agreement caused directly or indirectly by such event.

21.0 DEFAULT AND EARLY TERMINATION

- 21.1 The Society covenants with the Regional District that if the Society shall violate or neglect any covenant, agreement or stipulation herein contained on its part to be kept, performed or observed and any such default on the part of the Society shall continue for thirty (30) days after written notice thereof to the Society by the Regional District, or in case the Building shall be vacated or become vacated or remain unoccupied or unused for ninety (90) days, then by law the Regional District may at its option forthwith re-enter and take possession of the Building immediately and by reasonable force if necessary without any previous notice of intention to re-enter and may remove any persons and property therefrom and may use such force and assistance in making such removal as the Regional District may deem advisable to recover at once, full and exclusive possession of the Lands.
- 21.2 If during the Term hereof or any renewal thereafter, any of the goods or chattels of the Society shall at any time be seized or taken in execution or attachment by any creditor of the Society or if the Society shall make any assignment for the benefit of creditors or commit any other act of bankruptcy or shall become bankrupt or insolvent or shall take the benefit of any bankruptcy or insolvency legislation or if a receiver of any part of the business of the Society be appointed by a court or any person, or in the case that the Building is used by any other person or for any other purpose than is herein provided without the written consent of the Regional District or if any order shall be made for the winding up or dissolution of the Society or it should otherwise cease to exist, or if the purposes of the Society are altered without the prior written consent of the Regional District, then the Term hereof or any renewal thereof shall become forfeit and void, and it shall be lawful for the Regional District any time thereafter to re-enter into or upon the Building or any part thereof and to have again, repossess and enjoy as of its former estate, notwithstanding anything herein contained to the contrary and neither this Agreement nor any interest therein nor any estate hereby created shall pass to or enure to the benefit of any trustee in

bankruptcy or any receiver or any assignee for the benefit of creditors or otherwise by operation of law.

21.3 Either party to this Agreement may terminate the Agreement for cause at any time upon sixty (60) days notice in writing to the other party. If the Regional District exercises this right of termination then it may recover possession of the Lands and the Building in accordance with Section 19.0 and Section 21.0.

21.4 Either party to this Agreement may terminate the Agreement for any other reason, at any time upon twelve (12) months notice. If the Regional District exercises this right of termination then it may recover possession of the Lands and the Building in accordance with Sections 19.0 and 21.0 provided that, the parties agree the Society shall be paid fair and equitable compensation to the Society for the Building, which shall be the subject of separate negotiations in that event. Section 18.0 (Arbitration) shall apply as and where applicable.

22.0 NO COMPENSATION

22.1 The Society shall not be entitled to compensation for any loss or injurious affection or disturbance resulting in any way from the termination of the licence or the loss of the Society's interests in any building, structure or improvement built or placed on the Lands except as provided for in this Agreement.

23.0 APPLICABLE LAW

23.1 This Agreement shall be governed and construed by the laws of the Province of British Columbia.

23.2 The venue of any proceedings taken in respect of this Agreement shall be at Nanaimo, British Columbia, so long as such venue is permitted by law, and the Society shall consent to any applications by the Regional District to change the venue of any proceedings taken elsewhere to Nanaimo, British Columbia.

24.0 SEVERABILITY

24.1 All of the provisions of this Agreement are to be construed as covenants and agreements. Should any provision of this Agreement be or become illegal, invalid or not enforceable, it shall be considered separate and severable from this Agreement and the remaining provisions shall remain in force and be binding upon the parties hereto and be enforceable to the fullest extent of the law.

25.0 TIME

25.1 Time shall be of the essence hereof.

26.0 NOTICE

- 26.1 All notices or payments from the Society to the Regional District shall be sent to the Regional District at the following address:

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, B.C.
V9T 6N2
Attention: General Manager Corporate Services

and all notices or payments from the Regional District to the Society shall be sent to the Society at the following address:

Arrowsmith Search and Rescue
Box 256
Coombs, B.C.
V0R 1M0
Attention: Chairperson

or such other places as the Regional District and the Society may designate from time to time in writing to each other.

- 26.2 Any notice to be given hereunder shall be in writing and may be either delivered personally or sent by prepaid, registered or certified mail and, if so mailed, shall be deemed to have been given three (3) days following the date upon which it was mailed.
- 26.3 Any notice or service required to be given or effected under any statutory provision or rules of court from time to time in effect in the Province of British Columbia shall be sufficiently given or served if mailed or delivered at the addresses as aforesaid.
- 26.4 Any party hereto may at any time give notice in writing to any other of any change of address of the party giving such notice and from and after the second day after the giving of such notice, the address herein specified shall be deemed to be the address of such party for the giving of notices hereunder.

27.0 WAIVER

- 27.1 The failure of either party to insist upon strict performance of any covenant or condition contained in this Agreement or to exercise any right or option hereunder shall not be construed as a waiver or relinquishment for the future of any such covenant, condition, right or option.

27.2 The acceptance by the Regional District of a part payment of any sum required to be paid hereunder shall not constitute waiver or release of the right of the Regional District to payment in full of such sum.

28.0 ENUREMENT

28.1 All rights and liabilities herein given to, or imposed upon, the respective parties hereto shall extend to and bind the several respective heirs, executors, administrators, successors and assigns of the said parties. No rights, however, shall enure to the benefit of any assignee of the Society unless the assignment to such assignee has been first approved by the Regional District in accordance with Article 4.

IN WITNESS WHEREOF the parties hereto have executed this Agreement on the day and year first above written.

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

(c/s)

ARROWSMITH SEARCH AND RESCUE
by its authorized signatories



REGIONAL DISTRICT OF NANAIMO		
JAN 21 2003		
CHAIR		GMCrs
CAC		GMDS
GMCms		GMES

MEMORANDUM

TO: Stan Schopp
Manager, Building Inspection Services

DATE: January 21, 2003

FROM: Allan Dick
Senior Building Inspector

FILE: 3810-20

SUBJECT: Local Government Act - Section 700 - Contravention of Bylaw
Meeting Date - January 28, 2003

PURPOSE

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

BACKGROUND

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

SUMMARY OF INDIVIDUAL INFRACTIONS

Electoral Area 'A'

- Owners Name: Randy Okeley and Jeannie McAdam
 Legal Description: Lot 11, Section 19, Range 2, Cedar District, Plan VIP67150
 Street Address: 1347 Kurtis Crescent
Summary of Infraction:
 October 7, 2002 - Stop Work Order posted
 October 8, 2002 - letter sent certified mail; stop work
 October 31, 2002 - received permit application to construct SFD
 December 10, 2002 - received permit application for temporary living facility (5th wheel)
 January 3, 2003 - owner contacted regarding health approval; now living in 5th wheel without SFD permit issued
 January 15, 2003 - Senior inspector attempted to contact owner; left message on machine

Electoral Area 'D'

- Owners Name: LDM Holdings Ltd.
 Legal Description: Lot 1, Section 16, Range 3, Mountain District, Plan VIP72060
 Street Address: 3409 Jingle Pot Road
Summary of Infraction:
 July 9, 2002 - letter sent; occupancy required
 August 7, 2002 - 2nd letter sent; occupancy required
 August 14, 2002 - occupancy inspection performed; potable water verification outstanding
 November 19, 2002 - owner contacted; having trouble with water quality
 November 21, 2002 - Senior inspector attempted to contact owner; no response
 January 15, 2003 - Senior inspector contacted owner by phone. He will attempt to verify water with MOTH.

Electoral Area 'D' continued

2. Owners Name: Lennard and Sandra Doumont
Legal Description: Lot 31A, Nanoose District, except part in Plans 8514, 20737, 21281, 21788, 22619, 27139, 29437, 35911, 41797 and VIP62661
Street Address: 7995 Superior Road

Summary of Infraction:

May 24, 2002 - application received for greenhouse
May 29, 2002 - site inspection reveals many structures apparently built without valid permits
July 8, 2002 - Senior inspector contacted owner regarding outstanding building issues; consultant working on behalf of owner given time to resolve issues
October 9, 2002 - file forwarded to manager for 700 filing as building issues not resolved
November 13, 2002 - file postponed from November 5th Board meeting
December 31, 2002 - Site inspection indicated 5 dwelling units on the property, 2 permitted by ALC and RDN zoning
January 15, 2003 - Letter to owner requesting building permit application for large woodshed built without a permit and for the removal of 3 dwelling units by February 28, 2003

Electoral Area 'G'


1. Owners Name: Jodi Reeves
Legal Description: Lot 2, District Lots 128 and 129, Nanoose District, Plan 2142
Street Address: 1435 Greig Road


Summary of Infraction:

October 21, 2002 - letter sent certified mail regarding yellow cedar shingles (not an approved product)
October 25, 2002 - verification certified mail received
October 28, 2002 - numerous phone calls to Sintech Red Cedar Inspection Ltd.
November 19, 2002 - forward file to Senior inspector for filing; occupied without an occupancy permit
December 20, 2002 - 2nd letter sent certified mail
January 8, 2003 - verification certified mail received
January 15, 2003 - Senior inspector left message on machine informing owner of 700 filing on property for occupying without an occupancy permit
January 15, 2003 - permit also required for pool built without a valid permit


RECOMMENDATION


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



Report Writer


Manager Concurrence



General Manager Concurrence


C.A.O. Concurrence



**REGIONAL
DISTRICT
OF NANAIMO**

REGIONAL DISTRICT OF NANAIMO		
JAN 21 2003		
CHAIR	GM/CS	
CAO	GMDS	
GM/MS	GMES	
<i>Call</i>		

MEMORANDUM

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

DATE: January 16, 2003

FROM: Carey McIver
Manager Solid Waste

FILE: 0360-20-REAC

SUBJECT: Terms of Reference for Regional Environmental Advisory Committee

PURPOSE

To provide information and a recommendation regarding the terms of reference for the proposed Regional Environmental Advisory Committee (REAC).

BACKGROUND

The Environmental Services Department is responsible for providing sustainable solid waste management, liquid waste management and water supply services that maintain and enhance the quality of life and protect the natural environment in the Region. The Environmental Services Department will also be coordinating RDN efforts to reduce greenhouse gas emissions through the Partners for Climate Protection Program (PCP). A separate Climate Change Standing Committee has been established to facilitate implementation of the PCP program.

For solid and liquid wastes, service delivery is guided by plans required under the Provincial Waste Management Act (WMA). The Province approved the Solid Waste Management Plan (SWMP) in 1988 and amended it in 1997 to include the 3R's Plan. The Liquid Waste Management Plan (LWMP) was approved in 1999. Both these plans must be monitored and reviewed by a multi-stakeholder committee including members of the public on a regular basis.

In 2003, in accordance with the WMA, the 3R's Plan will be reviewed and updated to include both the current waste diversion programs and policies in the RDN and the direction that the RDN will take over the next 5-10 years. The Residual Solid Waste Management Plan will also be finalized and submitted as a plan amendment in 2003. The LWMP will require a review and update in 2004.

Rather than create separate committees to provide advice and monitor progress, staff recommends that one committee be established. The proposed Regional Environmental Advisory Committee, with representation from business, government and the public will provide the Board with advice on these issues to ensure community support and commitment. The proposed terms of reference for this committee are attached.

ALTERNATIVES

1. Approve the proposed terms of reference for the Regional Environmental Advisory Committee.
2. Amend and approve the proposed terms of reference for the Regional Environmental Advisory Committee.

FINANCIAL IMPLICATIONS

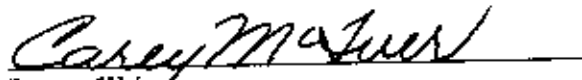
The RDN's Environmental Services Department will provide staff resources to the REAC, including arranging meetings, minute taking, distribution of materials and other administrative functions. Any budget requirements for the committee will be included within the budget of the Environmental Services Department and subject to the normal annual review and approval process by the Board.

SUMMARY/CONCLUSIONS

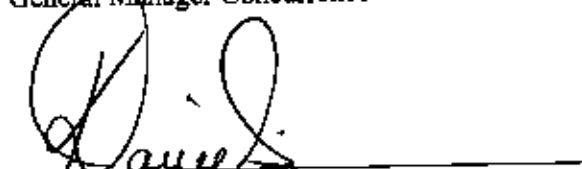
Over the next three years the Board must address several environmental issues related to solid waste, liquid waste, water supply and climate change. The proposed Regional Environmental Advisory Committee, with representation from business, government and the public will provide the Board with advice and recommendations related to the development, implementation and monitoring of plans and policies for our liquid and solid waste initiatives. The terms of reference may be expanded to encompass other initiatives as the need arises or as directed by the Board.

RECOMMENDATION

That the terms of reference dated January 2003 for the Regional Environmental Services Committee be approved.


Report Writer


General Manager Concurrence


CAO Concurrence

COMMENTS:

Terms of Reference

January 2003

Regional Environmental Advisory Committee

Purpose

The primary role of the Regional Environmental Advisory Committee will be:

1. To review and advise the Board on:
 - ◆ Stage 3 of the SWMP Amendment Process including the review of the 3R's Plan (1996) as well as the Stage 2 of the Residual Waste Management Plan (1999);
2. To monitor the implementation of the Solid Waste Management Plan and the Liquid Waste Management Plan.

Committee Roles and Responsibilities

The Regional Environmental Advisory Committee will be both an advisory committee and a monitoring committee.

As an *advisory* committee, the REAC will:

- provide recommendations to the Board regarding programs and policies relating to solid and liquid waste management;
- liaise between their constituents and the RDN; providing feedback to the RDN and increasing awareness of environmental services issues amongst their constituency;
- participate on smaller ad-hoc committees dealing with specific issues or tasks;
- provide advice and feedback on consultation activities with the general public;
- provide input and feedback on technical reports and other documents prepared for the committee's information;
- strive to keep abreast of solid and liquid waste management issues both locally and in a broader context.

As a *monitoring* committee, the REAC will:

- review and become familiar with the RDN's SWMP and LWMP;
- review and become familiar with the existing solid and liquid waste management system in the RDN;
- identify tools and techniques to be employed in the monitoring and evaluation of the SWMP and LWMP and their implementation;
- monitor the implementation of the SWMP and LWMP;
- annually report on the effectiveness of the SWMP/LWMP at achieving objective;
- make recommendations to increase the effectiveness of the SWMP/LWMP;
- review and make recommendations on REAC's advisory and monitoring role.

Membership Criteria/Selection

The committee will consist of 17 members. Members will be selected by the Board through an application process. Membership representation will be as follows:

2 members	Business Community
2 members	Environment Community
2 members	General Public (1 north, 1 south)
1 member	Waste Management – private sector
1 member	Waste Management – non-profit
3 members	RDN Board
3 members	municipal staff (Nanaimo, Parksville and Qualicum)
1 member	Ministry of Water, Land and Air Protection
1 member	Environment Canada
1 member	Central Vancouver Island Health Unit

Membership may be changed as needs or issues arise. The application for committee membership will be promoted through advertisements in local media. Applications must demonstrate the applicant's:

- representation of one of the sectors listed above;
- willingness and ability to commit to volunteering the necessary time to the committee;
- interest in solid waste and liquid waste issues in the RDN;
- willingness and ability to consider issues from all sectors and geographical perspectives within the community;
- experience related to solid waste and liquid waste issues;
- willingness and ability to work towards consensus on issues being addressed by the committee.

Selection of members will attempt to create a committee with a balance of representation:

- geographically;
- demographically; and
- with a variety of interests and perspectives.

Term

Members will be appointed by the RDN Board to a 3-year term. Alternate member appointments will be approved by the Committee as required. No substitute member will be permitted. If a member must resign from the committee, their position will be filled through the application process.

In general there will be 4-6 meetings per year of the committee with the provision for workshops or other presentations at the committee's discretion. In the first year of the committee (2003), it is likely that more meeting than normal will be required so that members can finalize the operating policies of the committee and familiarize themselves with the current solid waste and liquid waste issues.

Members are expected to attend all committee meetings. Members who miss 75% of meetings within one year will have their membership revoked at the discretion of the committee.

Decision Making

Committee recommendations to the RDN Board will be made by consensus whenever possible. If necessary, votes may be taken and minority reports may be submitted to the Board in addition to the majority opinion.

REAC meetings will be open to the public, however non-REAC members will not have speaking or voting privileges. Delegations that wish to address the committee must seek approval from the committee through a written request. Acceptance of a delegate's request to speak to the committee will be at the discretion of the committee.

Chairperson

The chair will be one of the RDN Board members appointed to the Committee in order to provide a direct link between the advisory committee and the Board.



REGIONAL DISTRICT
OF NANAIMO
JAN 16 2003

MEMORANDUM

CHAIR		GMCrs	
CAO		GMDS	
GMCrs		GMS	

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

DATE: *[Signature]*

January 16, 2003

FROM: Carey McIver
Manager Solid Waste

FILE:

5290-04

SUBJECT: Terms of Reference for Climate Change Standing Committee

PURPOSE

To provide information and a recommendation regarding the terms of reference for the Climate Change Standing Committee.

BACKGROUND

In November 2002 the RDN joined the Partners for Climate Protection (PCP) program. The PCP program is a partnership between the Federation of Canadian Municipalities (FCM) and the International Council for Local Environmental Initiatives (ICLEI) that helps municipal governments reduce greenhouse gas emissions. The report recommending participation in PCP is attached for information.

To track progress in reducing emissions, PCP encourages each participating community to commit to achieving the following five milestones: (1) taking stock; (2) setting the reduction target; (3) developing the local action plan; (4) implementing the plan; and, (5) measuring progress. The purpose of the Climate Change Standing Committee (CCSC) is to facilitate the implementation of these PCP milestones and build commitment to reducing greenhouse gas emissions. The proposed terms of reference for this committee are attached.

ALTERNATIVES

1. Approve the proposed terms-of-reference for the Climate Change Standing Committee.
2. Amend and approve the proposed terms-of-reference for the Climate Change Standing Committee.

FINANCIAL IMPLICATIONS

The RDN's Environmental Services Department will provide staff resources to the Climate Change Standing Committee.

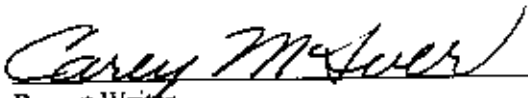
SUMMARY/CONCLUSIONS

In November 2002 the RDN joined the Partners for Climate Protection (PCP) program. The purpose of the Climate Change Standing Committee (CCSC) is to facilitate the implementation of the PCP milestones and build commitment to reducing greenhouse gas emissions.

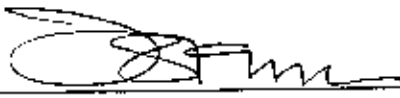
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131

RECOMMENDATION

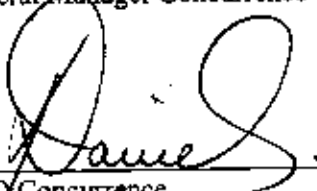
1. That the terms of reference dated January 2003 for the Climate Change Standing Committee be approved.



Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:

Terms of Reference

January 2003

Climate Change Standing Committee

Purpose

The purpose of the Climate Change Standing Committee (CCSC) is to facilitate the implementation of the PCP milestones and build commitment to reducing greenhouse gas emissions.

Committee Roles and Responsibilities

The Committee will provide oversight and direction to the Board in completing the following milestones tasks:

1. Profile energy use and emissions for the base year of 1990 for municipal operations and then for emissions community-wide. Forecast energy use and emissions for 10 or 20 years in the future, and then for emissions community-wide.
2. Establish a reduction target.
3. Develop a local action plan that aims to reduce emissions and energy use in municipal operations, and then expand to reduce emissions in the community. This local action plan will also incorporate public awareness and education campaigns.
4. Insure implementation of the local action plan.
5. Establish a monitoring program to verify and report on greenhouse gas reductions.

Membership

The committee will consist of three Board members. The Board chair will appoint members for one-year terms. The RDN Board Chair will also appoint the chair of the CCSC. The Environmental Services Department will provide staff resources to the Climate Change Standing Committee.

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REGIONAL DISTRICT OF NANAIMO			
JAN 16 2003			
CHAIR		GMCrs	
GAO		GMDS	
EMERGENCY		GMES	
			<i>Call</i>
			DATE

MEMORANDUM

TO: Dennis Trudeau
Manager of Liquid Waste

January 16, 2003

FROM: Chris Brown
Engineering Technologist

FILE: 4520-20-02 / 4520-20-50 /
& 4520-51

SUBJECT: Liquid Waste
Northern and Southern Communities
Pump and Haul Bylaw Amendment

PURPOSE

To consider amendments to Bylaw 975 which established the Regional District of Nanaimo Pump and Haul program.

BACKGROUND

The pump and haul service was established to provide a solution for those properties unable to obtain a permit for an on-site septic disposal system. In order to apply for a permit under this bylaw the applicant must have been formally rejected by the Ministry of Health for an on-site system, the parcel must be greater than 700m², the property must conform to zoning requirements, and a community sewer system must not be available.

A person wishing to incorporate a property (or properties) into, or remove a property from the Pump and Haul Service Area must apply to the Regional District of Nanaimo to amend Pump and Haul Bylaw No. 975. For inclusions, a Restrictive Covenant shall be registered against the title of the land in question in accordance with Section 219 of the Land Title Act. The Restrictive Covenant shall require that the owner of the lot maintain a contract at all times with a pump out company, and ensure that a copy of the current contract is always deposited with the Regional District of Nanaimo.

Requests have been received to include the following properties into the Pump and Haul function:

1. Lot 120, Section 31, Nanaimo District, Plan 17658
1655 Whalebone Drive
Victor Arthur Gallagher
Area B

Victor Gallagher has petitioned the RDN to include the above property into the Regional District of Nanaimo Pump and Haul Local Service Area, Bylaw No. 975. A letter from the Environmental Health officer at the Central Vancouver Island Health Region, dated October 24, 2002, indicated that the above-noted property does not meet the requirements of the Health Act Regulation 411/85 for on-site sewage disposal systems and the application for a sewage disposal permit could not be approved. The property is greater than 700 m², conforms to the existing zoning bylaws and a community sewer system is not available.

2. Lot 28, DL 78, Nanoose Land District, Plan 15983
3371 Blueback Drive, Nanoose
Gloria Helen Andrews
Douglas James Andrews
Area E

Gloria Andrews and Douglas Andrews have petitioned the RDN to include the above property into the Regional District of Nanaimo Pump and Haul Local Service Area, Bylaw No. 975. A letter from the Environmental Health officer at the Vancouver Island Health Region, dated December 13, 2002, indicated that the above-noted property does not meet the requirements of the Health Act Regulation 411/85 for on-site sewage disposal systems and the application for a sewage disposal permit could not be approved. The property is greater than 700 m², and conforms to the existing zoning bylaws.

A request has also been received to have the following property removed from the Pump and Haul Local Service Area:

1. Lot 86, District Lot 78, Nanoose Land District, Plan 15983
3480 Tye Crescent
Derrick R. Dance and Yvonne Y. Dance
Area E

A letter of request dated December 5, 2002 was received from Mr. and Mrs. Dance, the owners of the above property to remove their property from the Pump and Haul Local Service Area.

Bylaw # 975 was adopted December 12, 1995. Since that time the property owners have installed a new innovative sewage package plant, which was approved by the Ministry of Health on December 2, 2002.

ALTERNATIVES

- 1) Do not accept the applications.
- 2) Accept the applications.

FINANCIAL IMPLICATIONS

There are no financial implications. The pump and haul program is a user pay service. The applicant pays an application fee and an annual user fee.

SUMMARY/CONCLUSIONS

Requests have been received to include the properties at 1655 Whalebone Drive, Gabriola Island (Gallagher) and 3371 Blueback Drive, Nanoose (Andrews) into the Pump & Haul Function and to exclude the property at 3480 Tye Crescent, Nanoose (Dance) from the Pump & Haul Function.

The Gallagher and Andrews applications meet all requirements for inclusion into the Pump and Haul Function, specifically the parcel sizes are greater than 700m², a community sewer system is not available, sewage disposal permits could not be obtained under the provincial Sewage Disposal Regulation, and the properties conforms to zoning bylaws.

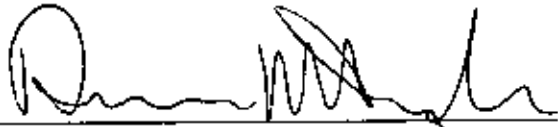
There are no reasons to deny the Dances' request for exclusion from the Pump and Haul Local Service Area. An alternate method of sewage disposal has been installed on the property and approved by the Ministry of Health.

RECOMMENDATION

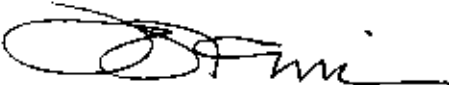
1. That "Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.27, 2003" for the inclusion of 1655 Whalebone Drive, Gabriola Island (Gallagher), the inclusion of 3371 Blueback Drive, Nanoose (Andrews) and the exclusion of 3480 Tyee Crescent, Nanoose (Dance) be read three times and forwarded to the Inspector of Municipalities for approval.




Report Writer



Manager Concurrence

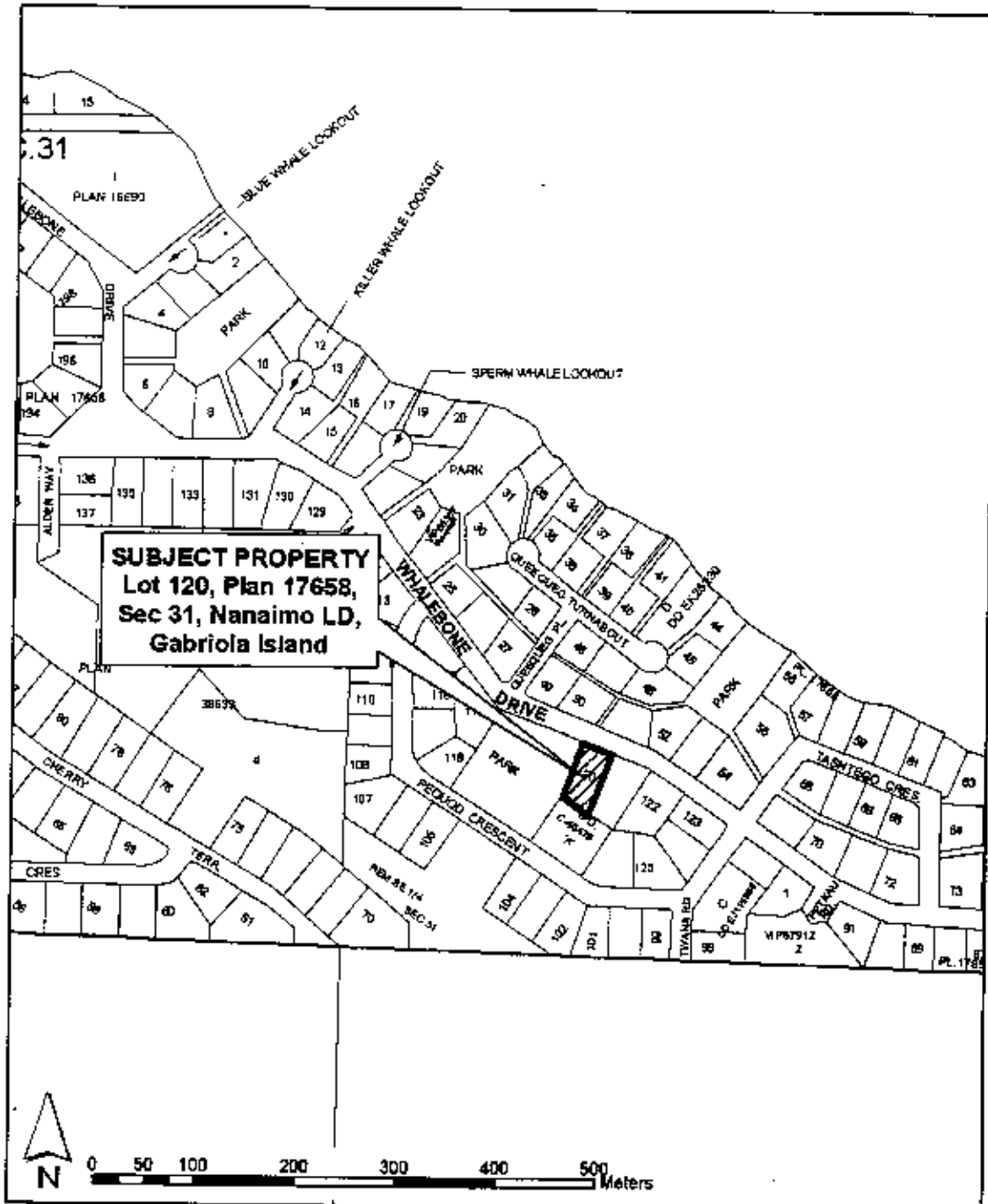


General Manager Concurrence

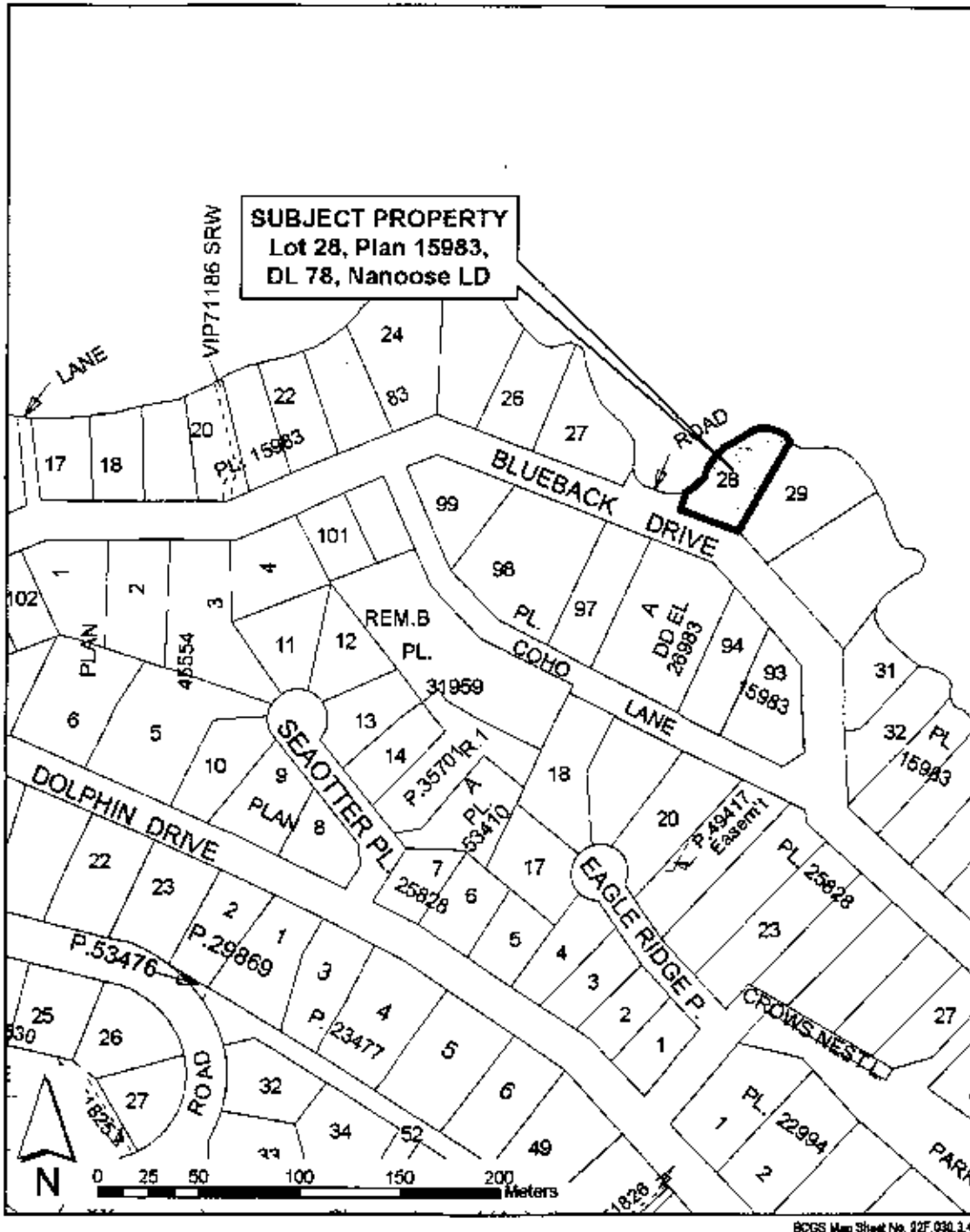


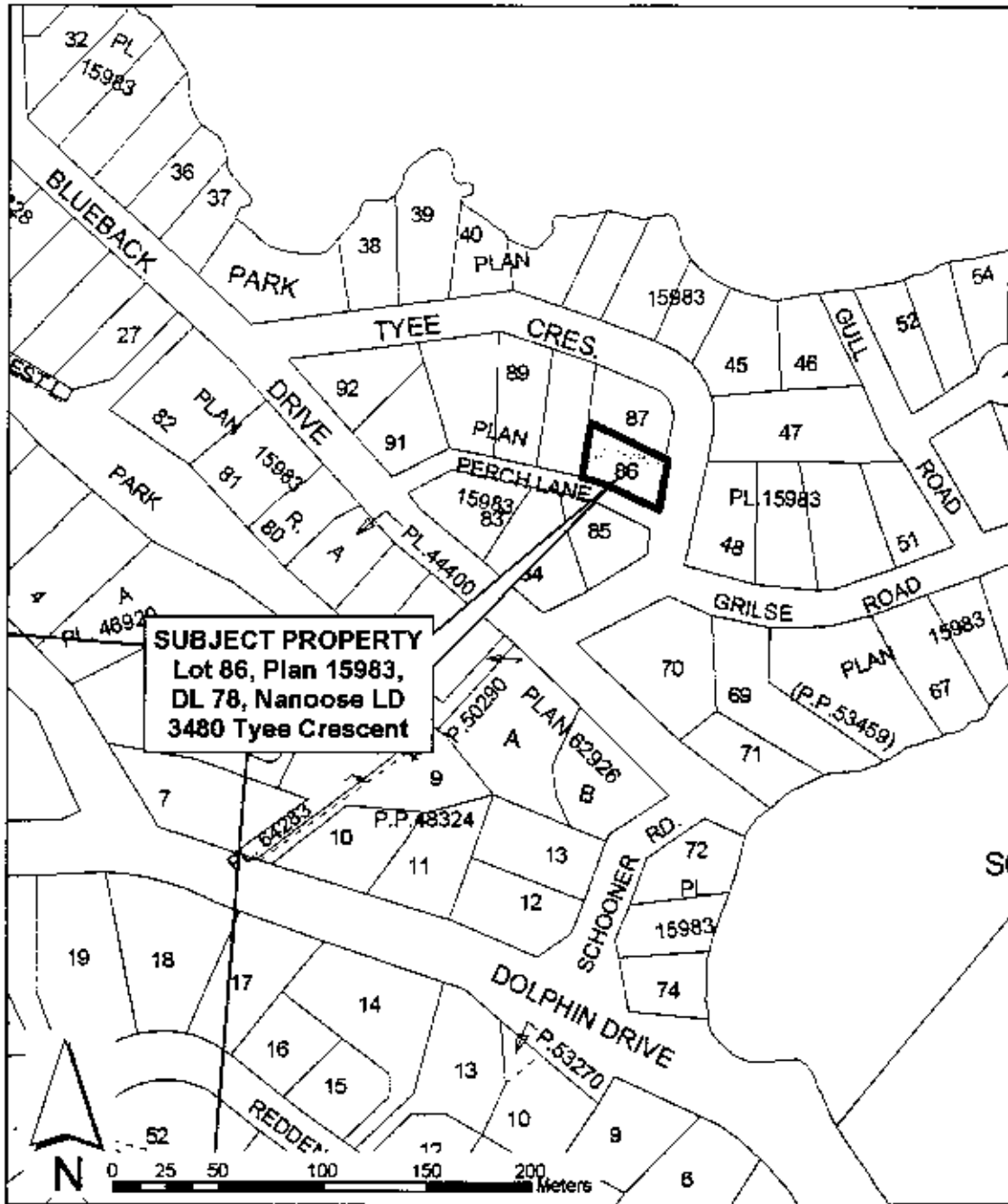
CAO Concurrence

COMMENTS:



BCGS Map Sheet No 92G.01231





REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 975.27

**A BYLAW TO AMEND THE REGIONAL
DISTRICT OF NANAIMO PUMP AND
HAUL LOCAL SERVICE AREA
ESTABLISHMENT BYLAW NO. 975**

WHEREAS Regional District of Nanaimo Pump and Haul Local Service Area Establishment Bylaw No. 975, as amended, established the pump and haul local service area;

AND WHEREAS the Directors of Electoral Areas 'B', 'D', 'E', 'F', and 'H' have consented, in writing, to the adoption of this bylaw;

AND WHEREAS the Council of the City of Nanaimo has consented, by resolution, to the adoption of Bylaw No. 975.26;

AND WHEREAS the Board has been requested to amend the boundaries of the local service area to include the following property:

Lot 120, Section 31, Nanaimo Land District, Plan 17658 (Electoral Area B)

AND WHEREAS the Board has been requested to amend the boundaries of the local service area to exclude the following property:

Lot 86, District Lot 78, Nanoose Land District, Plan 15983 (Electoral Area E)

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

1. Schedule 'A' of Bylaw No. 975.26 is hereby repealed and replaced with Schedule 'A' attached hereto and forming part of this bylaw.
2. This bylaw may be cited for all purposes as "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.27, 2003".

Introduced and read three times this 11th day of February, 2003.

Received the approval of the Inspector of Municipalities this _____ 2003.

Adopted this _____ 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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Schedule 'A' to accompany "Regional
District of Nanaimo Pump and Haul Local
Service Area Amendment Bylaw
No. 975.27, 2003"

Chairperson

General Manager, Corporate Services

BYLAW NO. 975.27

SCHEDULE 'A'

Electoral Area 'B'

1. Lot 108, Section 31, Plan 17658, Nanaimo Land District.
2. Lot 6, Section 18, Plan 17698, Nanaimo Land District.
3. Lot 73, Section 31, Plan 17658, Nanaimo Land District.
4. Lot 24, Section 5, Plan 19972, Nanaimo Land District.
5. Lot 26, Section 12, Plan 23619, Nanaimo Land District.
6. Lot 185, Section 31, Plan 17658, Nanaimo Land District.
7. Lot 177, Section 31, Plan 17658, Nanaimo Land District.
8. Lot 120, Section 31, Plan 17658, Nanaimo Land District.

Electoral Area 'D'

1. Lot 24, District Lot 44, Plan 27557, Wellington Land District.
2. Lot A, District Lot 27G, Plan 29942, Wellington Land District.

Electoral Area 'E'

1. Lot 69, District Lot 68, Plan 30341, Nanoose Land District.
2. Lot 1, District Lot 72, Plan 17681, Nanoose Land District.
3. Lot 2, District Lot 117, Plan 18343, Nanoose Land District.
4. Lot 17, District Lot 78, Plan 14212, Nanoose Land District.
5. Lot 32, District Lot 68, Plan 26680, Nanoose Land District.
6. Lot 13, Block E, District Lot 38, Plan 13054, Nanoose Land District.
7. Lot 5, District Lot 78, Plan 25366, Nanoose Land District.
8. Lot 24, District Lot 68, Plan 30341, Nanoose Land District.
9. Lot 13, District Lot 78, Plan 25828, Nanoose Land District.
10. Lot 58, District Lot 78, Plan 14275, Nanoose Land District.
11. Lot 28, District Lot 78, Plan 15983, Nanoose Land District.

Electoral Area 'F'

1. Lot 22, District Lot 74, Plan 29012, Cameron Land District.
2. Lot 2, District Lot 74, Plan 36425, Cameron Land District.
3. Lot A, Salvation Army Lots, Plan 1115, Except part in Plan 734 RW, Nanoose Land District.
4. Strata Lot 179, Block 526, Strata Plan VIS4673, Cameron Land District.
5. Strata Lot 180, Block 526, Strata Plan VIS4673, Cameron Land District.
6. Strata Lot 181, Block 526, Strata Plan VIS4673, Cameron Land District.
7. Strata Lot 182, Block 526, Strata Plan VIS4673, Cameron Land District.
8. Strata Lot 183, Block 526, Strata Plan VIS4673, Cameron Land District.

Electoral Area 'H'

1. Lot 22, District Lot 16, Plan 13312, Newcastle Land District.
2. Lot 29, District Lot 81, Plan 27238, Newcastle Land District.
3. Lot 46, District Lot 81, Plan 27238, Newcastle Land District.
4. Lot 9, District Lot 28, Plan 24584, Newcastle Land District.
5. Lot 41, District Lot 81, Plan 27238, Newcastle Land District.
6. Lot 20, District Lot 16, Plan 13312, Newcastle Land District.

City of Nanaimo

1. Lot 43, Section 8, Plan 24916, Wellington Land District.



REGIONAL DISTRICT OF NANAIMO			
JAN 22 2003			
CHAIR		GMCrS	
CAO		GMDS	
GMCms		GMES	

MEMORANDUM

TO: Carey McIver
Manager of Solid Waste

DATE:

January 14, 2003

FROM: Alan Stanley
Solid Waste Projects Coordinator

FILE:

5380-10

SUBJECT: **Illegal Dumping Prevention Program Surveillance and Evidence-gathering Contract**

PURPOSE

To consider extending the Illegal Dumping Prevention Program surveillance and evidence-gathering contract with Malaspina University-College (MUC) for an additional two years.

BACKGROUND

The RDN Illegal Dumping Prevention Program consists of surveillance and evidence-gathering, enforcement, site clean up, inter-agency coordination, advertising and public education. In November 2000, the RDN entered into a contract with MUC to carry out the surveillance and evidence-gathering component of the program at an annual cost of \$38,000. This contract expired December 31, 2002 at a total contract cost of \$83,000 over the 26-month term.

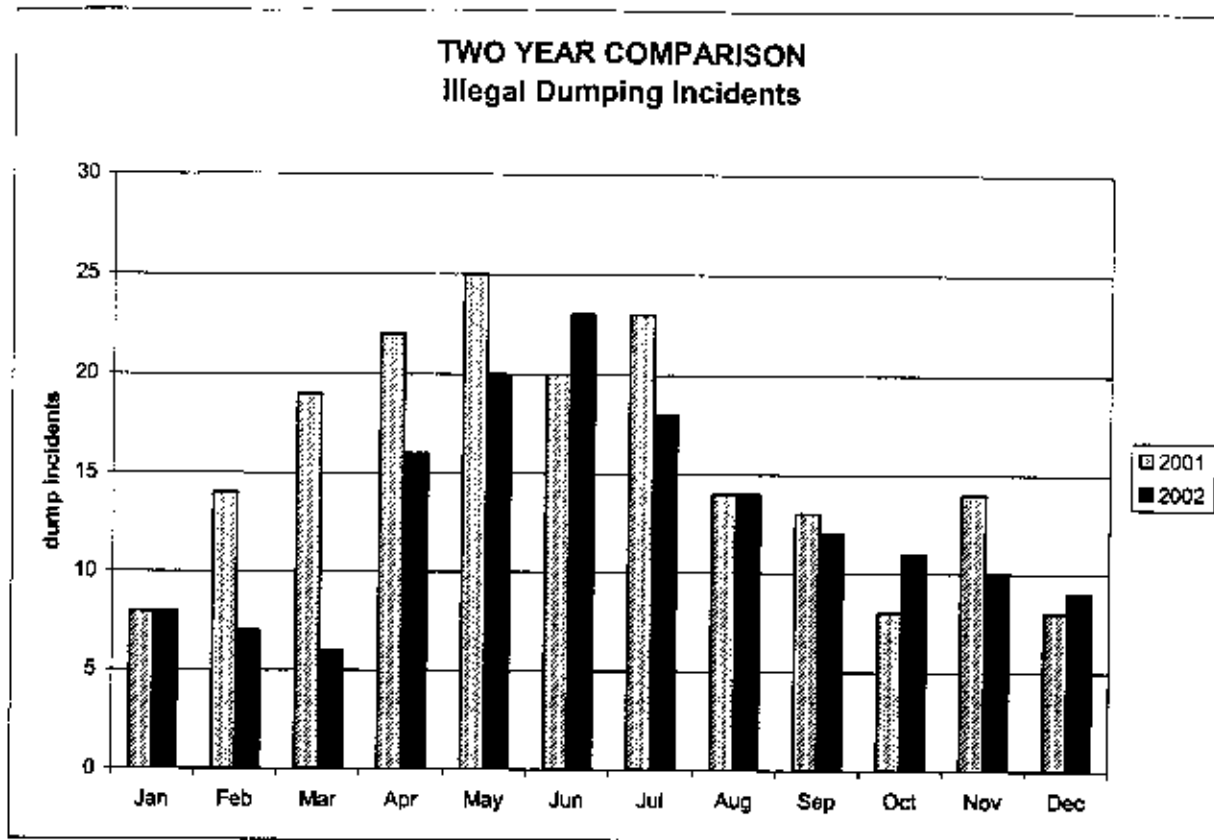
Evaluation of Performance

MUC has provided excellent work on surveillance and evidence-gathering. The MUC team has proven to be effective, well trained and highly responsible in carrying out their duties. The quality of files generated by MUC has been consistently high and played a large part in the success of Ministry of Water Land and Air Protection staff following up on and resolving violations.

Approximately 400 hours per month of surveillance activity has been carried out by MUC. At an annual contract cost of \$38,000, the field surveillance performed by MUC has represented excellent value to the RDN. An additional 20-40 hours per month has been provided for administrative duties which includes, but is not limited to; file preparation, report preparation, inter-agency and public liaison and data analysis.

The following chart suggests that illegal dumping activity is decreasing as a result of the RDN Illegal Dumping Prevention Program. MUC's performance is one of the main factors contributing to this success.

A comparison of dumping incidents in 2001 and 2002 shows that 188 incidents occurred in 2001 and 154 incidents occurred in 2002, an 18% decrease. This data refers to the total number of dumps, which includes dumps reported by the public and all new dumping activity observed by MUC staff. At the beginning of each field patrol by MUC, a sweep of the area is undertaken during which all new dumping activity is recorded. This methodology has proven to be the best way to accurately monitor dumping activity. Dumps in isolated areas are recorded through public reporting and spot patrols.



Continuing the surveillance and enforcement activities undertaken by MUC for another two years will provide additional data to measure program success.

An overview of additional performance indicators are described in the table below:

Performance Indicators	2001	2002
Dumping Incidents	188	154
Incidents where enough evidence to initiate an investigation was found	42	44
Fines levied	10	13
Warnings issued	20	12
Sites cleaned up by violators	N/A	24
Sites cleaned up by RDN	12	25

ALTERNATIVES

1. Extend the MUC contract for two additional years.
2. Do not extend the MUC contract.

FINANCIAL IMPLICATIONS

The 2003 Provisional Annual Budget allocates \$68,000 to the Illegal Dumping Prevention Program. Of this, \$38,000 would be for MUC contract costs with the balance for site clean up and public education. A two-year extension of the MUC contract represents a total commitment to MUC of \$76,000.

SUMMARY/CONCLUSIONS

The RDN Illegal Dumping Prevention Program consists of surveillance and evidence-gathering, enforcement, site clean up, inter-agency coordination, advertising and public education. In November 2000, the RDN entered into a contract with MUC to carry out the surveillance and evidence-gathering component of the program at an annual cost of \$38,000. This contract expired December 31, 2002 at a total contract cost of \$83,000 over a 26-month term.

Analysis of two years of data suggests that illegal dumping activity is decreasing as a result of the RDN prevention program. The excellent work on surveillance and evidence-gathering performed by MUC is one of the main factors contributing to program success. Approximately 400 hours per month of surveillance activity is carried out by MUC. At an annual contract cost of \$38,000, the field surveillance performed by MUC represents excellent value to the RDN. Continuing the surveillance and enforcement activities undertaken by MUC for another two years will provide additional data to measure program success.

RECOMMENDATION

That the Board extend the MUC surveillance and evidence-gathering contract for two additional years.




Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO			
JAN 16 2003			
CHAIR		GMCrs	
		GMDS	
		GMES	
<i>Call</i> ✓			
			DATE

MEMORANDUM

TO: Kelly Daniels
Chief Administrative Officer

DATE: January 15, 2003

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

FILE: 5225-02

SUBJECT: Flood Hazard Management

PROBLEM/ISSUE

The Ministry of Water, Land & Air Protection (WLAP) is proposing a new service model for flood hazard management in the province that would impact on the activities and resources of local governments.

BACKGROUND

WLAP is reviewing the Provincial Flood Hazard Management Program within the framework of the ministry's Service Plan that provides direction to shift the delivery of the provincial flood hazard management program toward increasing local government control over floodplains and dikes. The ministry released a flood hazard management program review discussion paper in August 2002 and held stakeholder consultation workshops in September 2002 to provide opportunity for input to the proposed direction for flood hazard management. The key elements of the proposed model include integration of federal and provincial responsibilities for flood hazard management, floodplain development, structural works, flood response and emergency planning, and orphan dikes.

For floodplain development, the ministry is proposing that local government be given sole responsibility to regulate development on floodplains and for regulating flood proofing standards. The ministry would establish provincial development guidelines for flood proofing and local government could use these guidelines to create bylaws and regulate development. The current legislative requirement whereby the Minister must approve local government bylaws and consent to develop on floodplains would be repealed.

With respect to structural works, the ministry is proposing to transfer the responsibility for the design, construction, operation and maintenance of dikes in accordance with provincial standards to local government/diking authorities. At present, under existing agreements, diking authorities are responsible for minor maintenance of the diking systems and the province has traditionally been involved in major repairs or upgrades. The proposal recognizes that diking authorities have limited resources and expertise and there is a need for ongoing assistance from the province or local government for flood protection.

The proposed model may place increased pressure on local governments to prepare and implement emergency plans to address flood hazard management.

The proposal will also result in discussions between the ministry and local governments about the status of and responsibility for orphan dikes in their area.

Other local governments in the province have raised concerns with the province about the proposed strategy and its technical, legal, liability and economic implications for local government. Locally, the Cowichan Valley Regional District (CVRD) has written to the minister expressing concerns over the floodplain management proposals. CVRD raised particular concerns about the suggestion in the discussion paper that Boards of Variance assume the responsibility from professional ministry staff for floodplain setback and construction level variances, and about the lack of consultation associated with the program review.

ALTERNATIVES

1. Receive this report for information.
2. Receive this report for information and forward a letter to the Minister of Water, Land and Air Protection (copy to UBCM) and a resolution to the Association of Vancouver Island and Coastal Communities (AVICC) expressing concerns about the potential impact of the proposed flood hazard management model on local government resources, and advising that if responsibilities for flood hazard management are transferred to local government, the province must provide ongoing financial assistance to support these responsibilities. The letter to WLAP should also identify support for the position outlined in the letter dated October 22, 2002 to WLAP from the CVRD (copy attached).

FINANCIAL IMPLICATIONS

Financial assistance from the province for flood control measures is an ongoing concern for local government. Current funding mechanisms under the Flood Protection Assistance Program, managed by WLAP, which has provided local government with assistance for diking and flood control measures, is scheduled to end in 2004. Transferring the responsibility for flood plain management to local government would, in the case of regional districts, likely require the establishment of a regional service function and/or local service areas and appropriate taxing levels to support program activities.

INTERDEPARTMENTAL IMPLICATIONS

Specific implications of the proposed strategy for our various departments are not clear at this time but it is expected that all departments would experience an increase in responsibility and accountability. Development Services would likely experience the most significant impact from land use decisions in floodplains and regulating flood proofing standards and bylaws. Environmental Services may experience activity in the establishment, operation and maintenance of flood control works and the need to establish local service areas for this function. Increased flood response and emergency planning activities would impact all departments.

SUMMARY/CONCLUSIONS

The province is proposing a new service model for flood hazard management. The model considers transferring responsibilities for regulating floodplain development and flood proofing standards, and for the design, construction, operation and maintenance of dikes to local government. If implemented, the strategy would impact the activities and resources of local government, and for regional districts, in the absence of provincial government assistance, would likely require the establishment of local service areas and taxation to support program activities. Other than abilities in floodplain mapping and some

emergency preparedness and planning activities, RDN currently has no flood hazard management function or resources allocated to this activity.

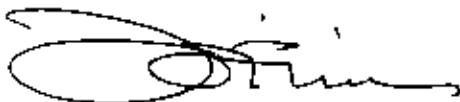
RECOMMENDATION

1. That this report be received for information.
2. That Board direct staff to forward a letter to the Minister of Water, Land and Air Protection with a copy to UBCM expressing concerns about the potential impact of the proposed flood hazard management model on local government resources, advising that if responsibilities for flood hazard management are transferred to local government, the province must provide ongoing financial assistance to local government to support these responsibilities, and supporting the position outlined in the letter dated October 22, 2002 from the CVRD.
3. That the following resolution be forwarded to AVICC:

WHEREAS the province is proposing a new service model for flood hazard management that considers transferring responsibilities for regulating floodplain development and flood proofing standards, and for the design, construction, operation and maintenance of dikes, to local government;

AND WHEREAS this model, if implemented, would impact the activities and resources of local government;

THEREFORE BE IT RESOLVED that the Board of the Regional District of Nanaimo express its concerns about the potential impact of the proposed flood hazard management model on local government resources and that if responsibilities for flood hazard management are transferred to local government, the province must provide ongoing financial assistance to local government to support these responsibilities.



Report Writer



CAO Concurrence

COMMENTS:

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C·V·R·D

October 22, 2002

The Honourable Joyce Murray
Minister of Water Land and Air Protection
PO Box 9047 Stn Prov Gov't
VICTORIA, BC V8W 9E2

Dear Minister:

**Re: Flood Hazard Management Program Review –
Issues and Options Consultation Paper August 13, 2002**

This is to advise you that the Cowichan Valley Regional District Board of Directors, at the meeting of October 9, 2002, and by Resolution No. 02-469, passed the following motion:

"That a letter be forwarded to the Minister of Water, Land and Air Protection expressing concern regarding problems with floodplain management proposals and the Board of Variance being involved in granting floodplain variances; and further that a copy of the letter be forwarded to the UBCM and all BC regional districts."

Probably the most alarming of the proposals in this consultation paper is the suggestion that professional hydrological engineers in the Water Management Branch would no longer be responsible for considering requests for floodplain setback and construction level variances where a local government has a Floodplain Management Bylaw in place. The paper suggests that the Boards of Variance throughout BC should assume this responsibility. We find it alarming that the Province would be prepared to off-load this important task of professional technical review onto groups of well-meaning but non-expert laypeople.

We have consulted with our legal counsel about this program review, and many concerns were highlighted. One of these is the assumption of liability by individual Board of Variance members for floodplain variances, if any were granted. The local governments would of course be next in line up the ladder of liability. With respect, this part of the proposal is not responsible and must not be implemented.

The other flaws in the proposal are numerous. We trust that your staff has reported these to you following the input received at the three information sessions at which the above-noted discussion paper was reviewed by local government officials and professional engineers. If you require more detail regarding these flaws, please feel free to contact Mike Tippett, Deputy Manager of Development Services at the Cowichan Valley Regional District.

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COWICHAN VALLEY REGIONAL DISTRICT

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WEBSITE

The Honourable Joyce Murray
October 22, 2002

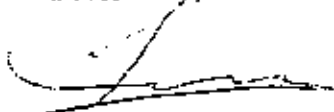
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There is also the matter of consultation, or rather, the lack of it. We understand from the author of the Discussion Paper (since retired) that there was a total of about four weeks following the publishing of the paper for affected parties to comment. Further, this Regional District only became aware of the existence of this paper accidentally, through word-of-mouth. This does not give us confidence that your Ministry made a reasonable effort to assess the impacts of these policy proposals on local governments.

In conclusion, we recommend that you not implement any of the policy proposals until the many concerns raised by those affected have been fully addressed, and further consultations with local governments and professional engineers are made.

Thank you for your attention to this matter.

Yours truly,



Tom Walker
Chair
Cowichan Valley Regional District

MT/mca

cc: Union of BC Municipalities
All BC Regional Districts

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TO: Wayne Moorman
Manager of Engineering and Utilities

DATE: December 16, 2002

FROM: Natalie Cielanga
Engineering Technologist

FILE: 5500-21-01

SUBJECT: Utilities
Rural Streetlighting Local Service Area
Boundary Amendment

PURPOSE

To consider a request to include the following property in the Rural Streetlighting Local Service Area (see attached map).

Lot 1, Plan VIP62528, DL 28

BACKGROUND

The noted property is within the French Creek Sewer Local Service Area. The owner is proposing subdividing the property and has petitioned the RDN to include streetlights in the subdivision. In order to provide for the operating costs of the streetlights, the property needs to be included in the Rural Streetlighting Local Service Area Bylaw 791.

ALTERNATIVES

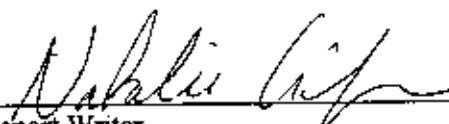
1. Do not amend the boundaries of the Rural Streetlighting Local Service Area Bylaw 791.
2. Amend the boundaries of the Rural Streetlighting Local Service Area Bylaw 791.

FINANCIAL IMPLICATIONS

The operating costs of the streetlights are charged to the benefiting properties through taxation. The cost in 2002 for streetlights in this area was \$9.50 per \$100,000 of assessed value.

RECOMMENDATION

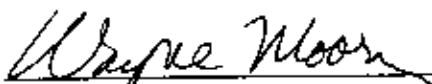
1. That "Rural Streetlighting Service Area Bylaw 791.06, 2003" be introduced, read three times and then forwarded to the Inspector of Municipalities for approval.



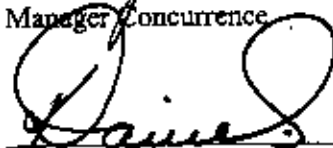
Report Writer



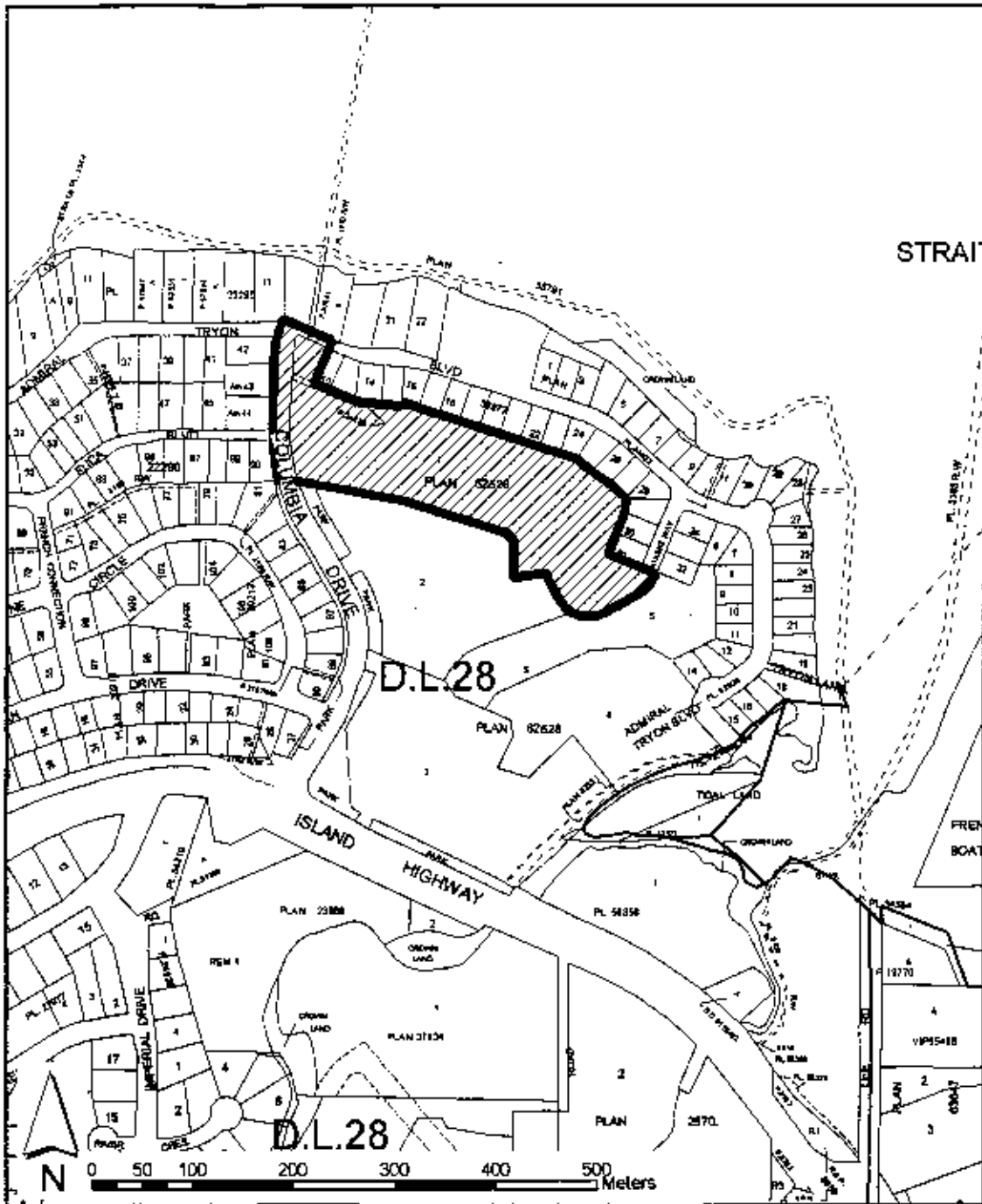
General Manager Concurrence



Manager Concurrence



CAO Concurrence



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 791.06

A BYLAW TO AMEND THE RURAL
STREETLIGHTING LOCAL SERVICE
ESTABLISHMENT BYLAW NO. 791

WHEREAS Regional District of Nanaimo Bylaw No. 791 established the Rural Streetlighting Local Service;

AND WHEREAS the Board wishes to amend the Local Service Area boundaries in accordance with Section 802(1)(b) of the *Local Government Act*;

AND WHEREAS the consent of the Directors of Electoral Areas E and G have been obtained;

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

1. The boundaries of the Rural Streetlighting Local Service Area are hereby revised to include the properties outlined on Schedule 'A' attached hereto and forming part of this bylaw.
2. The amended boundaries of the Rural Streetlighting Local Service Area shall be as shown outlined on Schedules 'B-1' and 'B-2' attached hereto and forming part of this bylaw.
3. Bylaw No. 791.05 is hereby repealed.
4. This bylaw may be cited as "Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.06, 2003".

Introduced and read three times this ____ day of _____, 2003.

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

Adopted this ____ day of _____, 2003.

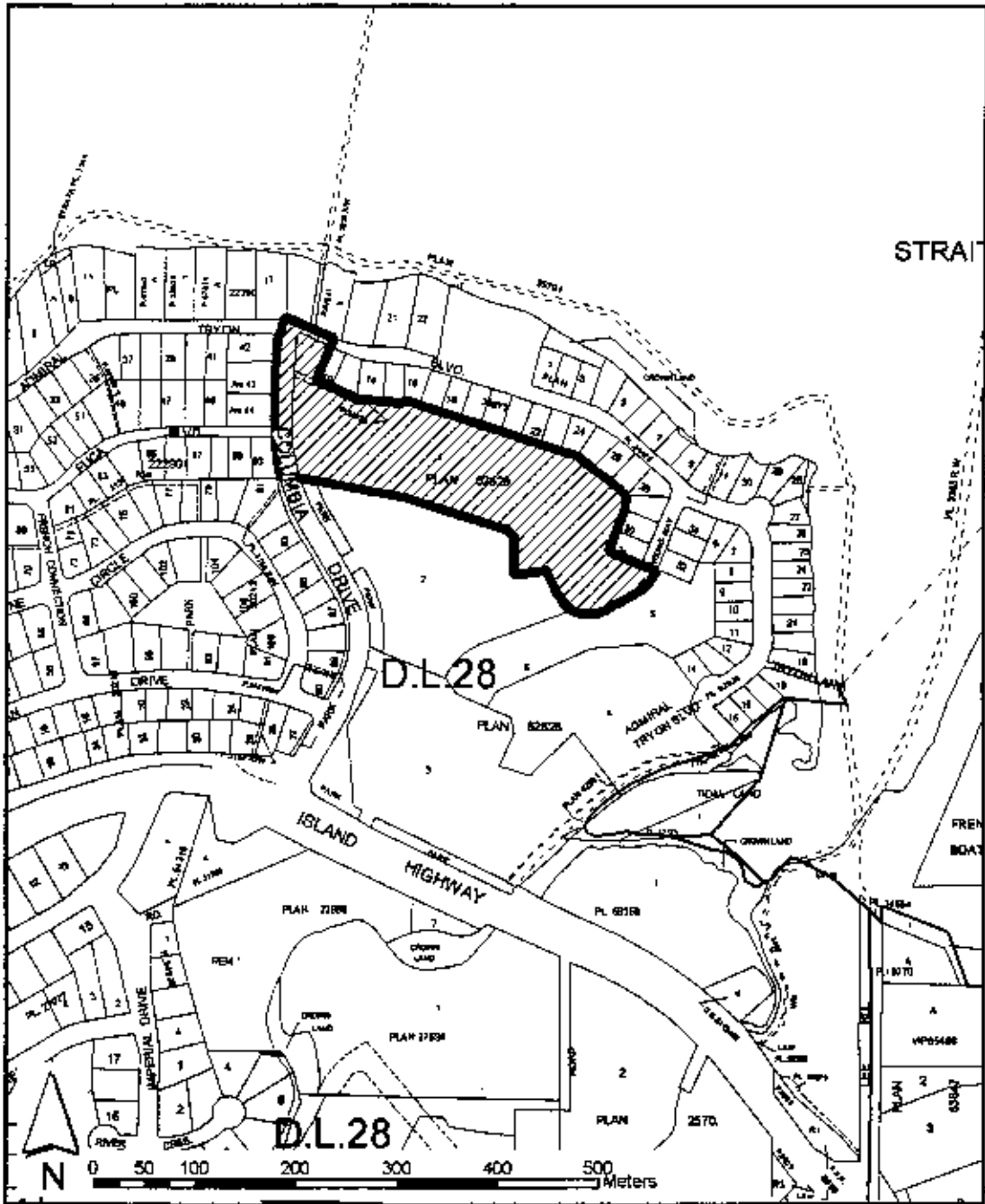
CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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Chairperson

General Manager, Corporate Services





REGIONAL DISTRICT OF NANAIMO	
JAN 14 2003	
CHAIR	GMCS
CAO	GMDS
ComB	GMES

MEMORANDUM

TO: Wayne Moorman, P.Eng. **DATE:** January 3, 2003
 Manager of Engineering and Utilities

FROM: Natalie Cielanga, ASCT **FILE:** 5500-22-00
 Engineering Technologist

**SUBJECT: RDN Water Systems
 Backflow Prevention/Cross-Connection Control**

PURPOSE

To advise the Board about Environmental Services cross-connection control program workplan.

BACKGROUND

The British Columbia Water and Wastewater Association (BCWWA) provides training and education on important aspects of water system operation. This report presents information from BCWWA on cross-connection control.

Backflow Prevention Devices are used to reduce the risk to the public water supply from contamination by cross-connections. A cross-connection could be any physical arrangement whereby a potable water supply is connected, directly or indirectly, with any contaminant which may be conveyed to the potable water supply as a result of backflow. Examples of sources of contamination are sewers, drains, conduits, pools, storage reservoirs, plumbing fixtures or a device which may contain contaminated water, liquid, gases, sewage, or other waste of unknown or unsafe quality. A specific example of a potential cross-connection is a hose left in a sink full of non-potable water in a laboratory. If the potable water supply is not protected with the appropriate backflow prevention device the sink-water could be pulled into the potable water supply system under backflow conditions.

Backflow results from backpressure and is caused by high velocities in pipes, line repair or break that is lower than a service point, lowered main pressure due to high water withdrawal rate such as fire fighting or water main flushing, and reduced supply pressure on the suction side of the booster pump. A variety of backflow prevention devices are available to reduce the risk of cross-connection in the public water supply.

The risk posed to the community water system by a customer's water system is dependent on the probability of occurrence (some equipment or piping arrangements have a higher probability of backflow) and the degree of hazard the substance(s) used by the customer poses to public health. Residential customers are considered low hazard, whereas some non-residential customers, such as drycleaners, medical & dental facilities, sewage treatment plants and food processing operations, are considered high hazard.

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Current RDN Requirements/ Conditions

The RDN currently does not have any requirement for backflow prevention devices in our bylaws. Utilities staff install a dual check valve when they install a water meter on all residential water connections. The dual check valve provides some protection from backflow but it is not a certified backflow preventer. On non-residential services, backflow prevention devices have not been required.

The RDN currently has 48 non-residential water connections and 2,583 residential water connections.

Industry Standard

Most large municipalities in the lower mainland have regulations and requirements for backflow prevention devices. Awareness of the risks from cross-connection is increasing and the number of water purveyors implementing cross-connection control programs is increasing. Legislation on requirements for cross-connection control programs is in place in the South Okanagan Health Authority and other water purveyors, including the RDN, may be required to implement a similar program in the near future. None of the water purveyors within the RDN have cross-connection control programs in place; however, staff from the City of Nanaimo, City of Parksville and Town of Qualicum Beach have expressed an interest in implementing cross-connection control programs for their water systems.

Implementation

The following workplan details the proposed initial program implementation. The first step in implementing this program is to assess which non-residential customers pose the highest risk to the potable water supply. These customers must then be informed on why this program is important and what will be required of them. After receiving feedback and suggestions from these customers, staff will prepare a report to the Board outlining the program implementation plan, any financial implications for RDN water customers and recommended bylaw amendments.

Cross-Connection Control Program Workplan

	Task Description	Completion Date
1.	Assess which RDN water customers pose the highest risk to the potable water supply.	March 2003
2.	Inform the 'high risk' water customers on why this program is important and what may be required of them; receive feedback and suggestions.	April/May 2003
3.	Provide information to residential water customers on the risks associated with cross-connections and how to avoid them.	May/June 2003
4.	Report to the Board detailing feedback from the stakeholders and make recommendations on how to proceed considering the feedback.	July 2003
5.	Implement next phase of program as per staff recommendations and Board direction.	To be determined

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Since low risk customers, such as residential customers, can pose a threat to the water system as well, a component has been included in the workplan for addressing them.

ALTERNATIVES

1. Receive report for information.
2. Do not receive report.

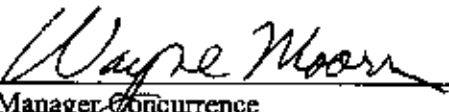
FINANCIAL IMPLICATIONS

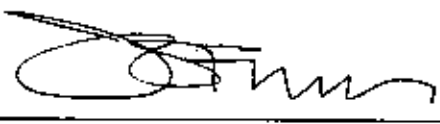
There are no direct financial implications to the RDN in implementing this program. Our non-residential water customers will have financial implications in purchasing and installing the appropriate backflow prevention devices and having them inspected annually. The cost of the devices is site specific and depends on factors such as the size of the service, flow requirements and degree of hazard.

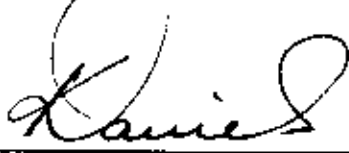
RECOMMENDATION

That the Board receive the report on a cross-connection control program and the 2003 cross-connection control program workplan.


Report Writer


Manager Concurrence


General Manager Concurrence


CAO Concurrence

COMMENTS: