

**REGIONAL DISTRICT OF NANAIMO**

**COMMITTEE OF THE WHOLE**

**TUESDAY, MAY 27, 2003**

**7:30 PM**

*(RDN Board Chambers)*

**A G E N D A**

**PAGES**

**CALL TO ORDER**

**DELEGATIONS**

**MINUTES**

- 5-12 Minutes of the special and regular Committee of the Whole meetings held on Tuesday, April 22, 2003.

**BUSINESS ARISING FROM THE MINUTES**

**COMMUNICATION/CORRESPONDENCE**

- 13 George Abbott, Minister of Community, Aboriginal & Women's Services, re Board of Variance appointments.

**UNFINISHED BUSINESS**

**COMMUNITY SERVICES**

- 14-15 Intergovernmental Advisory Committee – District of Lantzville Representation.  
16-24 Descanso Bay Wharf Service Bylaw No. 1352.

**RECREATION AND PARKS**

- 25-37 Terms of Reference for the Descanso Bay Regional Park and Nanaimo River Regional Park Management Plans.

**TRANSIT**

- 38-39 Pets on Board Program – Conventional Transit.

**CORPORATE SERVICES**

**ADMINISTRATION**

- 40-49 Application for a Temporary Change to a Liquor Licence – Cassidy Inn – Area A.

**FINANCE**

50-55 Nanoose Bay Bulk Water Supply Security Issuing Bylaw No. 1239.

**FIRE DEPARTMENTS**

56-61 Firefighting Vehicle Upgrades for the Nanoose Bay Fire Protection Society.

**DEVELOPMENT SERVICES**

62-69 Nanaimo Airport Master Plan – Implications for RDN – Area A. (Plan included as separate enclosure. A colour copy is available for viewing in the Planning Department.)

**BUILDING INSPECTION**

70-71 Section 700 Filings.

**ENVIRONMENTAL SERVICES**

**LIQUID WASTE**

72-81 License Agreement with City of Nanaimo for a Portion of RDN Land at Chase River Pumping Station for Trail Network.

82-90 Pump & Haul LSA Amendment Bylaw No. 975.28.

**UTILITIES**

91-94 Rural Streetlighting LSA Boundary Amendment Bylaw No. 791.07.

95-98 Electoral Area 'A' (MacMillan Road School Site) Sewer LSA Rates & Regulations Amendment Bylaw No. 1237.02.

99-101 Morningstar Streetlighting LSA Boundary Amendment Bylaw No. 869.04.

**COMMISSION, ADVISORY & SELECT COMMITTEE**

**Electoral Area 'A' Parks & Open Space Advisory Committee.**

102-103 Minutes from the Electoral Area 'A' Parks & Open Space Advisory Committee meeting held April 17, 2003. (for information)

**Grants-in-Aid Committee.**

104-105 Minutes from the Grants-in-Aid Committee meeting held May 15, 2003. (for information)

*School District 68:*

<i>Cedar School &amp; Community Enhancement Society</i>	<i>\$</i>	<i>260</i>
<i>1<sup>st</sup> Lantzville Scouts</i>		<i>2,250</i>
<i>Nanaimo Search &amp; Rescue Society</i>		<i>1,300</i>

*School District 69:*

<i>District 69 Historical Society</i>	\$ 2,500
<i>Forward House Community Society</i>	1,000
<i>Oceanside Community Policing Offices</i>	900
<i>Parksville Special Olympics</i>	200
<i>Vancouver Island Palaeontology Museum Society</i>	1,100

**Lantzville Parks & Open Space Advisory Committee.**

106-109 Minutes from the Lantzville Parks & Open Space Advisory Committee meetings held March 3, 2003 and April 7, 2003. (for information)

**Nanoose Bay Parks & Open Space Advisory Committee.**

110-115 Minutes from the Nanoose Bay Parks & Open Space Advisory Committee meeting held May 8, 2003. (for information)

*That the Guidelines for Regional District role in Ministry of Transportation Water Accesses in Area 'E' be accepted.*

**Regional Waste Advisory Committee.**

116-122 Minutes from the Regional Waste Advisory Committee meeting (previously named Regional Environmental Advisory Committee) held April 24, 2003 and May 15, 2003. (for information)

**Transit Business Plan Update Select Committee.**

123-124 Minutes from the Transit Business Plan Update Select Committee meeting held May 15, 2003. (for information)

***Verbal Reports As Available:***

Municipal Finance Authority  
Deep Bay Harbour Authority  
Regional Library Board  
Treaty Advisory Committee  
North Island 911 Corporation  
Municipal Insurance Association  
Mt. Arrowsmith Biosphere Foundation  
Vancouver Island Generation Project Committee  
Vancouver Island Health Authority – Project Building Committee  
Vancouver Island Health Authority – Joint Capital Planning Committee  
Vancouver Island Regional Transportation Advisory Committee

**ADDENDUM**

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**NEW BUSINESS**

**BOARD INFORMATION** (Separate enclosure on blue paper)

**ADJOURNMENT**

**IN CAMERA**

REGIONAL DISTRICT OF NANAIMO

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

**Present:**

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

**Also in Attendance:**

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

**DELEGATIONS**

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

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

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

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

**MINUTES**

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

CARRIED

**COMMUNITY SERVICES**

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

MOVED Director Korpan, SECONDED Director Cantelon,:

1. That the Public Works and Government Services Canada's offer to extend the short term lease of Green's Wharf Landing from April 1, 2003 to September 30, 2003 to the Regional District of Nanaimo be accepted.
2. That Public Works and Government Services Canada be encouraged to work with the residents of Gabriola and Mudge Islands and the Regional District of Nanaimo to reach a satisfactory resolution to the future use of the Green's Landing Wharf facility.

CARRIED

**RECREATION AND PARKS**

**Purchase of Old Errington School – Area F.**

MOVED Director Biggemann, SECONDED Director Krall, that the report regarding the state of the old Errington School and the estimated cost of work required to fix the identified deficiencies be received for information.

CARRIED

MOVED Director Westbrook, SECONDED Director Biggemann, that the Regional District of Nanaimo Board reconsider the January 8, 2002 Regional District of Nanaimo Board Resolution "that the Regional District complete the purchase arrangements with School District 69 for the acquisition of the old Errington School for \$150,000 under payment terms outlined in the staff report".

CARRIED

MOVED Director Westbrook, SECONDED Director Biggemann, that the Regional District complete the purchase arrangements with School District 69 for the acquisition of the old Errington School for \$150,000 under payment terms outlined in the staff report.

DEFEATED

**Surcharge Policy for Non-Tax Contributing Users of the Ravensong Aquatic Centre.**

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

CARRIED

MOVED Director Westbrook, SECONDED Director Longmuir, that the Regional District of Nanaimo Board approve the two recommendations put forward by the District 69 Recreation Commission,:

1. That the non-resident pool surcharge be removed from the Ravensong Aquatic Centre.
2. That the Electoral Area E Director be approached to consider Electoral Area E contributing a fair and reasonable amount to the Ravensong Aquatic Centre.

CARRIED

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## TRANSIT

### **Southern Community Transit Services Area Amendment Bylaw No. 1230.01.**

MOVED Director Krall, SECONDED Director Cantelon, that "Southern Community Transit Service Area Amendment Bylaw No. 1230.01, 2003" be introduced for first three readings and be forwarded to the Ministry of Community, Aboriginal and Women's Services for approval.

CARRIED

## **CORPORATE SERVICES**

## ADMINISTRATION

### **Adoption of the 2003-2005 Board Strategic Plan.**

MOVED Director McNabb, SECONDED Director Bartram, that the 2003-2005 Board Strategic Directions Plan for the Regional District of Nanaimo be approved.

CARRIED

## FINANCE

### **Operating Results to March 31, 2003.**

MOVED Director Krall, SECONDED Director Cantelon, that the summary report of financial results from operations to March 31, 2003 be received for information.

CARRIED

### **Driftwood Water Supply Security Issuing Bylaw No. 1301.**

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Driftwood Water Supply Security Issuing Bylaw No. 1301, 2003" be introduced for first three readings and be forwarded to the Inspector of Municipalities for approval.

CARRIED

### **Morningstar Streetlighting LSA Requisition Limit Amendment Bylaw No. 869.03.**

MOVED Director Hamilton, SECONDED Director Sherry, that "Morningstar Streetlighting Local Service Area Requisition Limit Amendment Bylaw No. 869.03, 2003" be introduced for first three readings and be forwarded to the Ministry of Community, Aboriginal and Women's Services for approval.

CARRIED

## FIRE DEPARTMENTS

### **Fire Protection Services Agreement for Yellowpoint Fire Service Area.**

MOVED Director McNabb, SECONDED Director Krall,:

1. That the Chairperson and General Manager, Corporate Services be authorized to sign a five year agreement (2003 to 2008) for fire protection services for the Yellowpoint Fire service area, with the Cowichan Valley Regional District.
2. That staff undertake a review of a fire season burning bylaw in consultation with the Electoral Area Director and the service area constituents.

CARRIED

## **SPECIAL EVENT/SPECIAL OCCASION APPLICATIONS**

### **Status Reports.**

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

CARRIED

## **DEVELOPMENT SERVICES**

### **BUILDING INSPECTION**

#### **Section 700 Filings.**

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

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

- (a) Lot 2, Section 12, Range 5, Cedar Land District, Plan VIP57855, 2030 Pace Road, Electoral Area 'A', owned by T. Hawthornthwaite;
- (b) Lot B, Section 15, Range 3, Mountain Land District, Plan VIS5259, 3390 Westview Acres Road, Electoral Area 'D', owned by G. Doumont.

CARRIED

## **ENVIRONMENTAL SERVICES**

### **LIQUID WASTE**

#### **Odour Management Plan – Greater Nanaimo Pollution Control Centre.**

MOVED Director Korpan, SECONDED Director Cantelon, that the Board approve implementation of the Odour Management Plan for the Greater Nanaimo Pollution Control Centre.

CARRIED

#### **Engineering Services Contract – Liquid Waste Department.**

MOVED Director Sherry, SECONDED Director Krall, that staff be directed to prepare a consulting services contract with Associated Engineering (BC) Ltd. for wastewater engineering advice for a three-year term with the option of renewing for an additional two-year term.

CARRIED

### **SOLID WASTE**

#### **Garbage and Recycling Collection User Fees.**

MOVED Director Sherry, SECONDED Director Cantelon, that "Regional District of Nanaimo Garbage and Recyclable Materials Collection Amendment Bylaw No. 1009.06, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Cantelon, that "Regional District of Nanaimo Garbage and Recyclable Materials Collection Amendment Bylaw No. 1009.06, 2003" having received three readings be adopted.

CARRIED

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## UTILITIES

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

MOVED Director Bibby, SECONDED Director Sherry, that "Regional District of Nanaimo Driftwood Water Supply Service Area Rates and Regulations Bylaw No. 1334, 2003" be introduced for first three readings.

CARRIED

MOVED Director Bibby, SECONDED Director Sherry, that "Regional District of Nanaimo Driftwood Water Supply Service Area Rates and Regulations Bylaw No. 1334, 2003" having received three readings be adopted.

CARRIED

### **Water LSA Rates & Regulations Bylaws No. 524.12, 619.08, 700.09, 726.09, 727.09, 764.12, 815.07, 886.06 and 1097.04.**

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Nanoose Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 524.12, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Nanoose Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 524.12, 2003" having received three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo French Creek Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 619.08, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo French Creek Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 619.08, 2003" having received three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Surfside Properties Specified Area Water Regulations and Rates Amendment Bylaw No. 700.09, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Surfside Properties Specified Area Water Regulations and Rates Amendment Bylaw No. 700.09, 2003" having received three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Arbutus Park Estates Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 726.09, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Arbutus Park Estates Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 726.09, 2003" having received three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Madrona Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 727.09, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Madrona Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 727.09, 2003" having received three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Fairwinds Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 764.12, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Fairwinds Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 764.12, 2003" having received three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo West Bay Estates Water Local Service Area Regulations and Rates Amendment Bylaw No. 815.07, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo West Bay Estates Water Local Service Area Regulations and Rates Amendment Bylaw No. 815.07, 2003" having received three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Wall Beach Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 886.06, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Wall Beach Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 886.06, 2003" having received three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Decourcey Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1097.04, 2003" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Decourcey Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1097.04, 2003" having received three readings be adopted.

CARRIED

**French Creek Water Local Service Area – Water Supply & Quality Issues.**

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

CARRIED

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**French Creek Water Local Service Area – Resident Committee Options.**

MOVED Director Korpan, SECONDED Director Westbrook,:

1. That the Board advise the French Creek Residents' Association that the RDN does not support the creation of a "water board" (or equivalent committee or commission) for the French Creek Water Local Service Area with the authority to create and manage the budget, and determine the efficiency and proficiency of RDN staff assigned to the operation of the Chartwell/Sandpiper water system.
2. That the Board support the formation of a Board-appointed FCWLSA advisory committee comprised of representatives from the Chartwell and Sandpiper subdivisions and recognize this committee as the liaison between RDN and the FCWLSA residents.
3. That the Board direct staff to advertise for membership on the committee for Board review and selection and that staff prepare a terms of reference for the committee's mandate and responsibilities.

CARRIED

**COMMISSION, ADVISORY & SELECT COMMITTEE**

**District 69 Recreation Commission.**

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

CARRIED

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

CARRIED

**Transit Business Plan Update Select Committee.**

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

CARRIED

MOVED Director Krall, SECONDED Director Cantelon, that the report on the Parkville/Qualicum Beach Community Bus Proposal be received for information and be forwarded to the Plan Update 2003-2005 public consultation process.

CARRIED

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

CARRIED

MOVED Director Krall, SECONDED Director Cantelon, that the proposed District 68 Transit service adjustments for June 29, 2003 and seasonal service reductions be approved and forwarded to the public consultation process for the Transit Business Plan Update.

CARRIED

MOVED Director Krall, SECONDED Director Cantelon, that the 2003/2004 Annual Operating Agreement (AOA with BC Transit (BCT) be approved and that BCT allow for the full expenditure of their cost sharing commitment as outlined in the AOA.

CARRIED

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**ADJOURNMENT**

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

CARRIED

TIME: 8:30 PM

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CHAIRPERSON



REGIONAL DISTRICT OF NANAIMO			
MAY - 9 2003			
CHAIR		GMCrs	<input checked="" type="checkbox"/>
CAO		GMDS	<input checked="" type="checkbox"/>
GMCms		GMES	<input checked="" type="checkbox"/>
			Ref: 95611
C. D. M. I.			

May 7, 2003

Joe Stanhope, Chair, and Board  
Regional District of Nanaimo  
6300 Hamond Bay Rd  
Nanaimo BC V9T 6N2

Dear Chair Stanhope and Board:

I am pleased to advise you that through recent legislative amendments contained in the *Community, Aboriginal and Women's Services Statutes Amendment Act*, the provincial government has empowered local governments to appoint their own Boards of Variance. Bill 22 amends Section 899 of the *Local Government Act*, enabling local governments to make all Board of Variance appointments. In addition, two or more local governments may jointly establish a board of variance.

Where provincial appointments were in progress, local governments should now proceed with appointments to those positions. All members of a board who held office at the time the new legislation came into force on March 27, 2003, continue to be members of the Board until the end of their terms or until the local government rescinds their appointments.

If you have any questions concerning these changes, please direct them to Jeri Covay 250 387-4034 or June Hicklin 250 387-4024.

Sincerely,

George Abbott  
Minister

pc: Richard Taylor, Executive Director,  
Union of British Columbia Municipalities

Delena Patterson, Office Manager,  
Local Government Management Association of BC



REGIONAL DISTRICT OF NANAIMO	
MAY 16 2003	
CHAIR	GMCrs
CAO	GMDS
GMCms	GMES
Callie	
DATE:	

**MEMORANDUM**

**TO:** Neil Connelly  
General Manager, Community Services

**DATE:** May 14, 2003

**FROM:** Christina Thomas  
Senior Planner, Community Services

**FILE:** 6780 20 IAC

**SUBJECT:** INTERGOVERNMENTAL ADVISORY COMMITTEE (IAC)  
DISTRICT OF LANTZVILLE REPRESENTATION

**PURPOSE**

To report on the need for the Regional District of Nanaimo to request representation from the District of Lantzville on the IAC.

**BACKGROUND**

The RDN is obligated to seek a representative of the District of Lantzville for the IAC with the incorporation of the District in June of 2003.

Pursuant to the *Local Government Act*, the IAC is the Board-appointed Committee that is responsible for providing advice regarding the development and implementation of the regional growth strategy, and facilitating the coordination of Provincial and local government actions, policies and programs as they relate to the development and implementation of the regional growth strategy.

The *Local Government Act* specifies that membership of the IAC is to include:

- The planning director of the RDN, or another official appointed by the Board;
- The planning director, or another official appointed by the applicable Council, of each municipality (all or part of which is included in the regional district); and
- Senior representatives of the Provincial government and Provincial government agencies and corporations, determined by the minister in consultation with the Board.

The IAC presently includes staff representation from the RDN, the City of Nanaimo, the City of Parksville, the Town of Qualicum Beach, the Ministry of Community, Aboriginal and Women's Services, the Ministry of Water, Land and Air Protection, the Vancouver Island Health Authority, the Ministry of Forests, the Ministry of Energy and Mines, and the Ministry of Highways.

**ALTERNATIVES**

There are no alternatives. The Board has an obligation to appoint a District of Lantzville representative to the IAC.

**FINANCIAL IMPLICATIONS**

There are no financial implications. Costs of administering the IAC are accounted for in the Community Services budget for the Regional Growth Strategy Program.

**REGIONAL GROWTH STRATEGY IMPLICATIONS**

District of Lantzville representation on the IAC will assist in the coordination of regional growth strategy initiatives, and ensure that the municipality's perspectives are considered in the Committee's work.

**SUMMARY**

The RDN needs to invite the new District of Lantzville to recommend an appointment to the IAC, the Board appointed Committee that provides advice and helps coordinate the development, review and implementation of the regional growth strategy.

**RECOMMENDATION**

That the Regional District of Nanaimo Board invite the District of Lantzville Council to appoint a representative to the Intergovernmental Advisory Committee to represent the District.

C. Mons

Report Writer

M. Connelly

General Manager Concurrence

D. Davis

CAO Concurrence



REGIONAL DISTRICT OF NANAIMO	
MAY 16 2003	
CHAIR	GMCrs
CAO	GMDS
GMCmS	GMES
	<i>Call</i>

# MEMORANDUM

**TO:** Neil Connelly  
General Manager - Community Services **DATE:** May 15, 2003

**FROM:** Mike Donnelly  
Manager of Transportation Services **FILE:** 8700-20-DESBAY

**SUBJECT:** Gabriola Emergency Evacuation Wharf  
Bylaw to Establish the Descanso Bay Wharf Service

## PURPOSE

To consider the establishment of a bylaw, "Descanso Bay Wharf Service Bylaw No. 1352, 2003", to establish a new wharf function to allow for the construction and operation of a wharf facility on Gabriola Island for emergency medical evacuations.

## BACKGROUND

### *History*

The residents of Electoral Area B, Gabriola and the Islands, have expressed an interest in developing a medical emergency evacuation system for the island in case of emergencies that occur overnight when the BC Ferry Service is not in operation. In the past, an informal arrangement with BC Ferries would allow the vessel to be staffed in case of an emergency during off-hours. This arrangement is no longer an option; therefore a longer-term, more formalized approach has been requested.

Interested parties met in July of 2002 to discuss options for a long-term solution. As a result of the July meeting, a working group was developed to consider options for emergency evacuations. The working group considered two options for the provision of emergency medical evacuation from Gabriola Island: the development of a dock at Descanso Bay for boat access, and improvements to helicopter access to the island. The dock facility would be utilized by the BC Ambulance Service who are responsible for medical emergency evacuations.

The Gabriola Ferry Advisory Committee met in October of 2002 and at that meeting various options were presented. The Committee considered the options brought forward and passed the following supporting resolution:

*That the Gabriola Ferry Advisory Committee support the Island Trustees and Regional Director moving forward to implement the concept of a pedestrian dock at Descanso Bay to provide emergency medical access for the residents of Gabriola Island.*



In support of that resolution the RDN Board, on November 5, 2002, passed the following resolution:

*That up to \$7,000 be utilized from the General Administration Feasibility Fund for a water lot lease application and associated engineering services related to the establishment of a new local service function for an emergency wharf at Descanso Bay, Gabriola Island.*

### ***Wharf Proposal***

Engineering work was carried out to develop plans for the wharf facility from November, 2002 to February, 2003. Survey works and preliminary design of a wharf facility suitable for a large vessel were carried out along with cost estimates. The Nanaimo Port Authority provided details of their service vessel currently providing medical evacuation services. These details were incorporated into the design of the wharf to ensure safe access. As well, engineering assistance was used in providing the necessary information for an application to BC Land & Water Inc. for a water lot license. The formal application was made to BC Land & Water in March 2003. Approval for the water lot license has been received.

The wharf structure consists of a pier, ramp and floating wharf. The wharf is held in place by steel pilings. The wharf itself is approximately 12 metres by 2.4 meters (40 feet by 8 feet). The Nanaimo Port Authority has made both the ramp and the wharf structures available. The wharf is being donated at no charge and the ramp has been offered for \$4,000 (*see Attachments 1-3 for more details*).

The proposed wharf structure has been reviewed by the BC Ambulance Service and they ensure that it will meet their needs. At this time the BC Ambulance Service contracts with the Nanaimo Port Authority to provide a vessel for medical evacuations from wharfs located on the Coates' property and at Green's Landing Wharf. Both locations are less than ideal with access issues and exposure to weather being the primary concerns. The new wharf will be gated and available only for the BC Ambulance Service.

### ***Legislative Requirements for Bylaw to Establish Wharf Facility***

The *Local Government Act* specifies that a local government, such as the Regional District, may establish and operate a wharf facility service (such as the Descanso Bay Wharf) by adopting a bylaw. Local governments may adopt such a bylaw by granting it three readings, obtaining the approval of the Inspector of Municipalities, and obtaining the approval of the electorate through a counter petition process. As such, the necessary bylaw, Bylaw No. 1352, has been drafted for the Board's consideration (*see Attachment 4*).

The counter petition process provides an opportunity for the electorate to file a counter petition if they oppose the proposed bylaw. If 5% or more of the electorate demonstrate their opposition to the bylaw through the counter petition process, the local government cannot adopt the bylaw. In the case of the subject Bylaw, the RDN Board would not be able to adopt it if 135 of the 2,698<sup>1</sup> eligible voters filed a counter petition to oppose the Bylaw. The electorate is deemed to accept the Bylaw if fewer than 5% of the electorate file a counter petition.

The counter petition process requires that the Regional District post notices in local newspapers to inform the electorate of the Board's consideration of the Bylaw, the method by which the electorate can communicate their opposition of the Bylaw, and the amount of time the electorate has to communicate its

<sup>1</sup> Based on the 2002 Voters List.

opposition to the Bylaw. The notice must be published in two consecutive editions of a local newspaper. The notice must contain a statement that the RDN may proceed with the bylaw unless at least 5% of the electors sign the counter petition forms and submit them to the RDN by the deadline. The RDN must provide a minimum of 30 days after the last advertisement is published for the public to communicate its opposition of the bylaw by submitting a completed counter petition form to the RDN. Should the Board elect to proceed with the Bylaw, staff will make the necessary counter petition forms available on Gabriola Island at the Islands Trust Office, on the RDN web site and at the RDN Administration office.

The following table outlines the key events and their associated timing with respect to this process:

Date	Key Event
June 10, 2003	RDN Board considers Bylaw for first three readings.
June 17 & 24, 2003	RDN posts advertisements in <i>The Gabriola Sounder</i> about the counter petition process.
June 19, 2003	RDN conducts a Public Information Meeting at the Agricultural Hall (3:00 PM - 5:30 PM, 6:30 PM - 8:00 PM)
July 25, 2003	Last day for residents to submit Counter Petition forms to RDN.
August 12, 2003	RDN Board considers results of the counter petition process
	RDN requests Inspector of Municipalities to approve Bylaw if the Bylaw is deemed to have the assent of voters through the counter petition process.
	RDN Board adopts Bylaw once approved by Inspector of Municipalities

### ALTERNATIVES

1. To give "Descanso Bay Wharf Service Bylaw No. 1352, 2003", 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings, and proceed to counter petition pursuant to section 801.3 of the *Local Government Act*.
2. Provide for a public meeting on the proposed wharf service prior to the Board considering next steps and the consideration of the bylaw.
3. Do not proceed with this bylaw.

### FINANCIAL IMPLICATIONS

Costs associated with this project total \$60,300 in the first year and are related to the construction of the facility at \$53,215 and the recovery of the \$7,000 feasibility fund expenditures. In subsequent years an estimate of approximately \$7,880 in annual maintenance and operational costs has been projected. These costs include annual safety checks, power costs and general maintenance. The estimated cost impact with respect to taxes would be \$13.00 per \$100,000 of residential assessment value for the first year and \$1.70 per \$100,000 of residential assessment value in subsequent years.

The majority of construction costs for the facility are for the pier, pilings and lighting (\$29,500). The remaining costs include the relocation of the wharf and purchase of the ramp (\$8,500), miscellaneous items such as signage and fencing (\$2,000) and contingency and engineering fees (\$9,450).

The direct cost for the counter petition process will be for advertising and hall rental. Estimated costs are approximately \$300.

### INTERGOVERNMENTAL/AGENCY IMPLICATIONS

The Islands Trust is moving forward on rezoning the water lot area required for this wharf facility. The bylaw amendment would ensure that the correct zone and zone boundaries are in place to allow for the operation of the wharf. The bylaw amendment is underway with a planned June public hearing and July adoption.

The Gabriola Fire Department is in support of this facility. As responders to some medical evacuations in partnership with the BC Ambulance Service, it is important to have a reliable and safe wharf facility.

### CITIZEN IMPLICATIONS

Residents of Electoral Area 'B' wish to establish a permanent facility that would allow for a medical emergency evacuation for those in need when the BC Ferry system is not in service. The proposed bylaw establishing the service area would allow for the development of the facility.


### SUMMARY/CONCLUSIONS

The RDN has been requested to advance an emergency wharf facility proposal for medical emergency evacuations when the BC Ferries service is not in operation. Preliminary engineering work was carried out to support an application to Land & Water BC for a water lot license. That license has now been granted.

The proposed bylaw will establish a wharf facility emergency evacuation service. The BC Ambulance Service would use the wharf. The bylaw must receive the assent of the electors and the counter petition process is being proposed to gain that assent.

### RECOMMENDATIONS

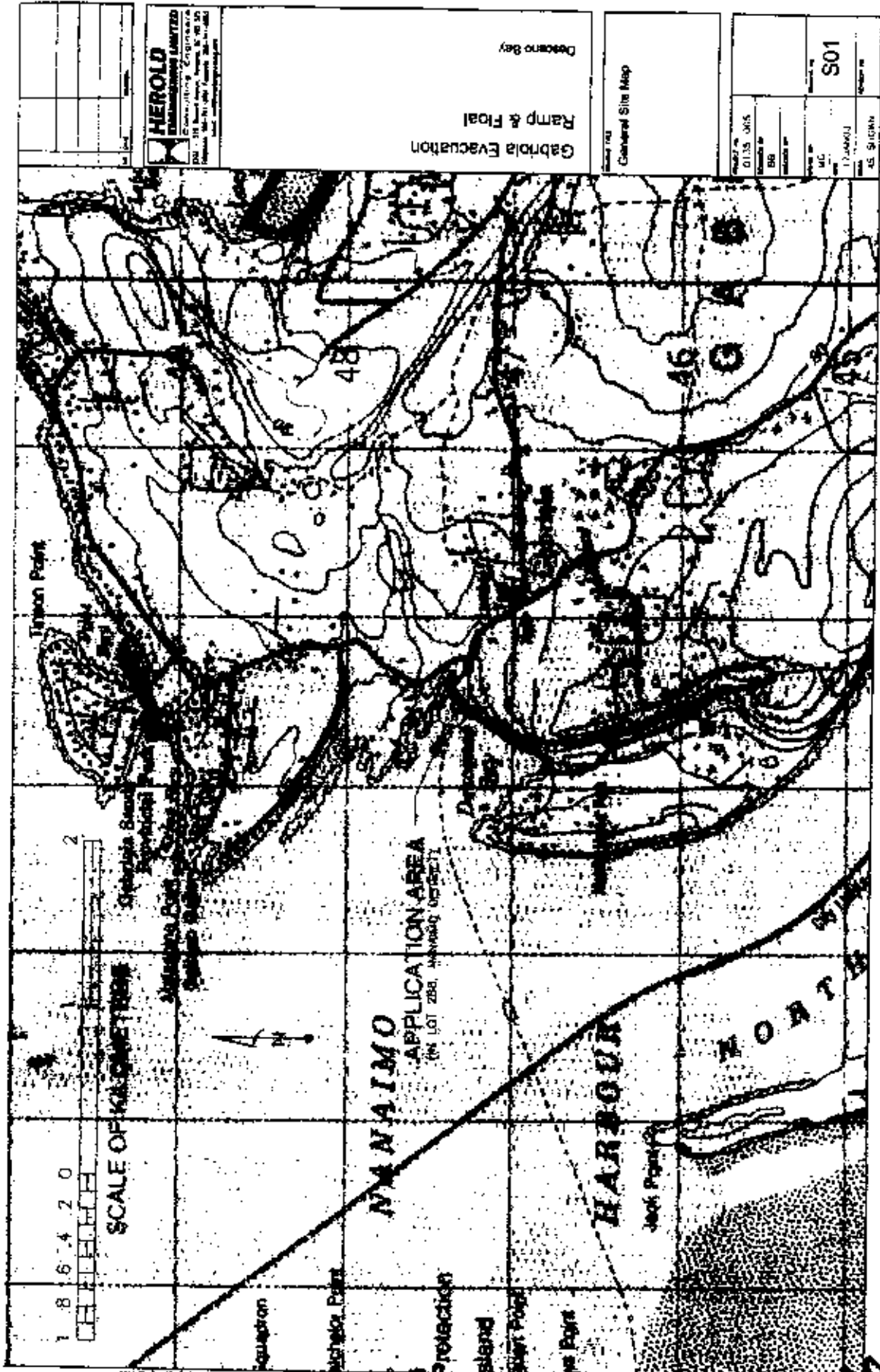
1. That the report on the facility proposal for a new wharf function and for emergency medical evacuations for Gabriola Island be received.
2. That "Descanso Bay Wharf Service Bylaw No. 1352, 2003", be given 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings and proceed to counter petition pursuant to section 801.3 of the *Local Government Act*.
3. That the Counter Petition deadline of July 25, 2003 be established for "Descanso Bay Wharf Service Bylaw No. 1352, 2003".

  
Report Writer

  
General Manager Concurrence

  
C.A.O. Concurrence

COMMENTS:

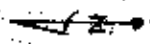


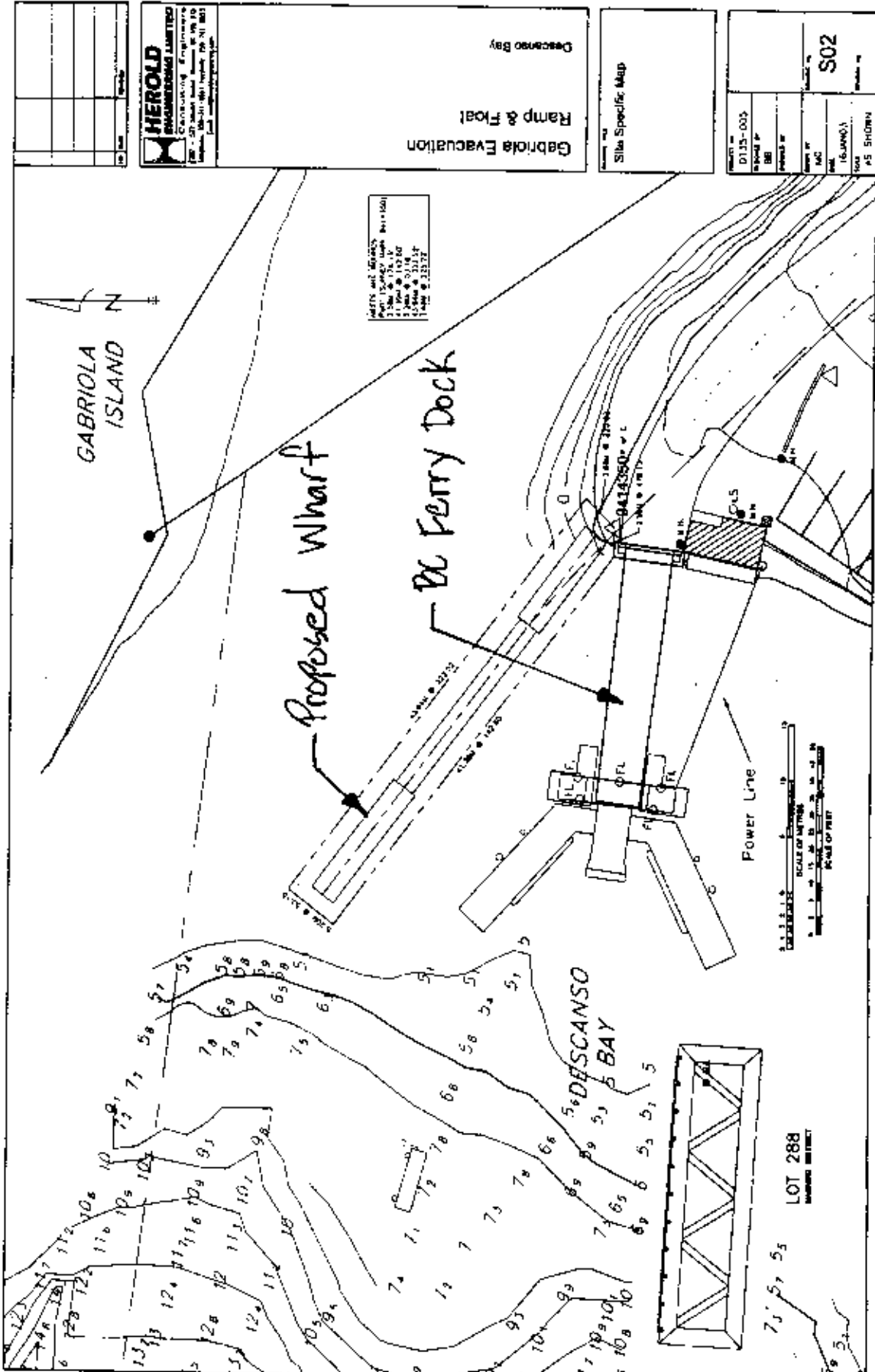
**HEROLD**  
 CONSULTING ENGINEERS  
 200 West 10th Street, Suite 200  
 Vancouver, B.C. V6C 2K8  
 Tel: (604) 681-1111  
 Fax: (604) 681-1112

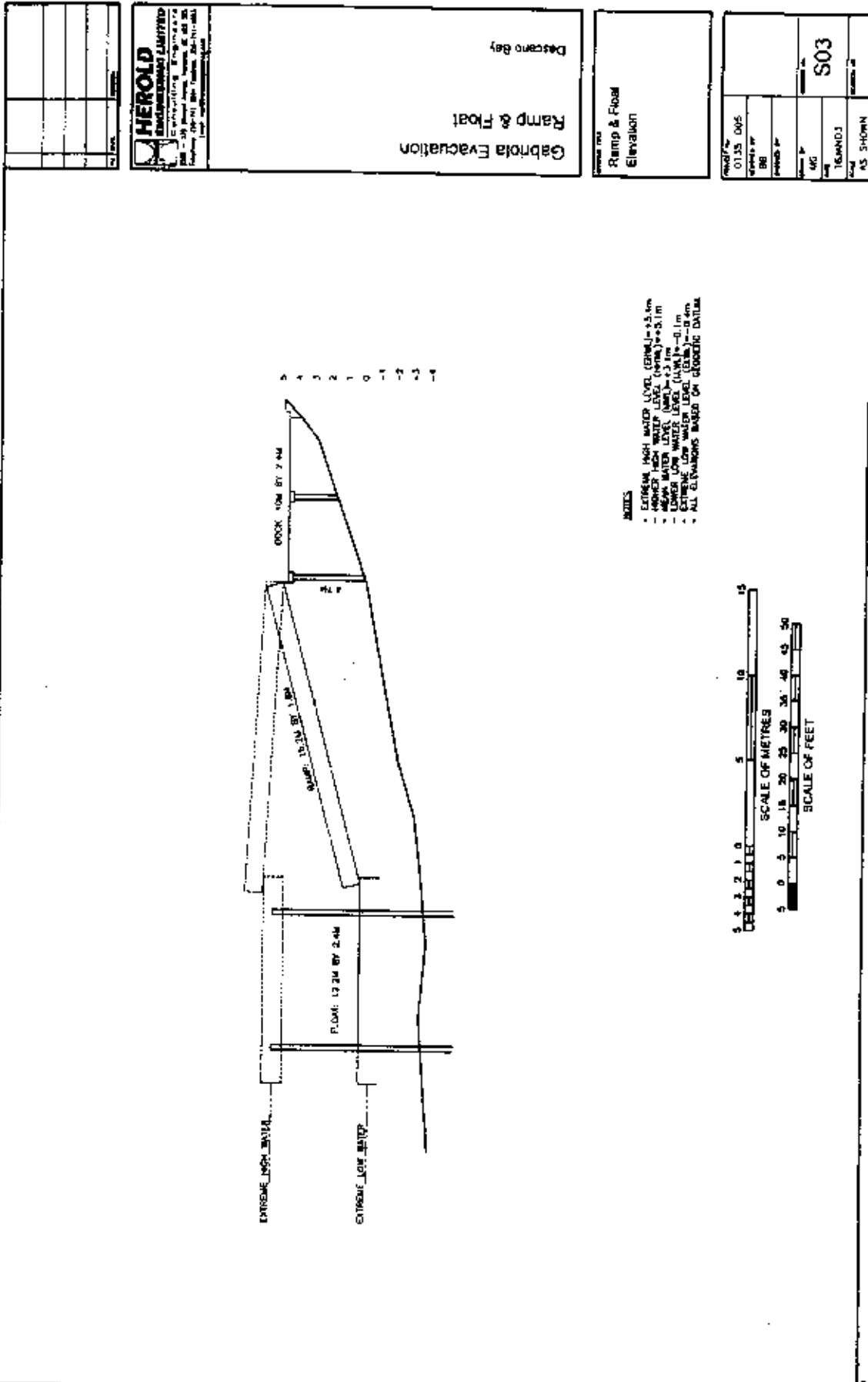
Gabola Evacuation  
 Ramp & Focal  
 Descender Bay

General Site Map

PROJECT NO.	0135 - 0015
DATE	1998
BY	BB
SCALE	AS SHOWN
NO.	S01







Gabriola Evacuation  
Ramp & Float  
Descanso Bay

**HEROLD**  
ENGINEERING LIMITED  
Civil Engineering  
100-1000 10th Street, Suite 100  
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Tel: (604) 271-1111  
Fax: (604) 271-1112  
www.herold-engineering.com

Ramp & Float  
Elevation

Project No.	0133 DWS
Drawn by	BB
Checked by	
Date	
Scale	AS SHOWN
Sheet No.	S03

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1352  
A BYLAW TO ESTABLISH THE  
DESCANSO BAY WHARF SERVICE**

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

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

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

AND WHEREAS the approval of the electors in the participating area has been obtained under Section 801.3 of the *Local Government Act*;

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

1. This bylaw may be cited for all purposes as the "Descanso Bay Wharf Service Bylaw No. 1352, 2003".
2. The service established by this bylaw is the Descanso Bay Wharf Service (the "Service") for the purpose of establishing, constructing, operating and maintaining wharf facilities in the Service Area.
3. The boundaries of the Service Area are the boundaries of Electoral Area 'B' (the "Service Area").
4. The sole participating area (the "Participating Area") is Electoral Area 'B'.
5. As provided in Section 803 of the *Local Government Act*, the annual cost of providing the Service shall be recovered by one or more of the following:
  - (a) property value taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
  - (b) fees and charges imposed under Section 797.2 of the *Local Government Act*;
  - (c) revenues raised by other means authorized by the *Local Government Act* or another Act;
  - (d) revenues received by way of agreement, enterprises, gift, grant or otherwise.

6. In accordance with Section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the Service is the greater of:
- (a) Sixty Thousand Three Hundred Dollars (\$60,300); or
  - (b) a property value tax rate of thirteen cents (\$0.13) per thousand dollars of assessment that, when applied to the net taxable value of land and improvements in Service Area, will yield the maximum amount.

Introduced and read three times this 10th day of June, 2003.

Received the approval of the Inspector of Municipalities this \_\_\_\_ day of \_\_\_\_\_, 2003.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
GENERAL MANAGER, CORPORATE SERVICES





REGIONAL DISTRICT OF NANAIMO	
MAY 16 2003	
CHAIR	GMCrS
CAO	GMDS
GMCmS	GMES
<i>[Signature]</i>	
DATE: May 16, 2003	

## MEMORANDUM

**TO:** Tom Osborne  
Manager of Recreation and Parks

**FROM:** Brigid Reynolds  
Planner

**SUBJECT:** Terms of Reference for the Descanso Bay Regional Park and Nanaimo River Regional Park Management Plans

**FILE:** 6150 20 DBRP  
6150 20 NRRP

### PURPOSE

To consider approval of Terms of Reference for the Descanso Bay Regional Park Management Plan and for the Nanaimo River Regional Park Management Plan.

### BACKGROUND

As part of the 2003 work program, the Recreation and Parks Department is working with Development Services to undertake Management Plans for three Regional Parks - Horne Lake, Descanso Bay and Nanaimo River. As the Board will recall, the Horne Lake Regional Park Management Plan was adopted by the Regional Board at the April 8, 2003 Board meeting and a five year contract was signed with a Park Operator in May 2003. Draft Terms of Reference for the Management Plans for the two outstanding Park Plans (Descanso Bay and Nanaimo River Regional Parks) are enclosed as Attachment Nos. 1 and 2.

The Management Plans are necessary to provide a policy framework that will guide the management and day-to-day operations of each park. In the case of Nanaimo River Regional Park, the development of a Management Plan is also required as part of the lease agreement between the RDN and The Land Conservancy (TLC), the property owner. In the case of the Descanso Bay Regional Park, the Management Plan will guide the day-to-day operations that will be undertaken by a Park and Campground Operator. The Management Plans will also outline the RDN's roles in the administration and overall management of the two Regional Parks, as well as working towards meeting the Regional District's obligations with regards to the Regional Park Function.

A Regional Park Use Bylaw to regulate uses within RDN Regional and Community Parks is being drafted for Board consideration in June. The bylaw will apply to all RDN parks including Descanso Bay and Nanaimo River Regional Parks. It will be necessary to ensure there is consistency between the Management Plans and draft Regional Park Use Bylaw. There is a park use bylaw for Electoral Area 'B' - the Regional District of Nanaimo Electoral Area 'B' Community Parks Bylaw No. 842, 1992 (and amendments), which currently regulates the management and maintenance of Community Parks for the Electoral Area. Bylaw No. 842 will be repealed when the Regional Park Use bylaw is adopted.

### ***Descanso Bay Regional Park***

In May 2002, the RDN acquired a 61.5 ha parcel on the northwest side of Gabriola Island from the Coastal Community Credit Union (CCCU). The land contained the Gabriola Campground that had been operated by the Credit Union since the early 1980s. At the time of purchase, the land was subdivided into three parcels. Two of the parcels, totaling 15.8 ha in size, were purchased using funds from the Regional Park Function and were designated as a Regional Park. The remaining 45.7 ha of land was created as a Community Park and funds to purchase that portion of the property were approved by residents of Electoral Area 'B' in a community parkland acquisition referendum that was held November 24, 2001.

Descanso Bay Regional Park is the first Regional Park on the island and is the only public campground on Gabriola Island. It is a regionally significant waterfront site with a sandstone beachfront and three bays with natural sandy pockets. The Regional Park campground contains 32 campsites that were developed by the Credit Union to similar standards as BC Parks' campgrounds. Near the waterfront is an old summer residence that was used for accommodation and meetings; however, the building has deteriorated and has been closed off to the public for safety reasons. The park also contains large areas for picnic and group type activities, and a car top boat launch that is well used by kayakers. The property also contains extensive natural forest cover.

The Regional Park was managed by the Credit Union until the Fall of 2002. The RDN signed a contract with a Park Operator for the period October 2002 to December 31, 2003. Upon completion of the management plan, staff will begin the request for proposal process to secure a five-year operating contract for managing the Regional Park. The Management Plan will include policies and facility standards to guide the day-to-day operations and the longer-term administrative requirements. The Plan will primarily be focused on the Regional Park; however, the Community Park will be discussed as it relates to the Regional Park.

The development of the Management Plan will be done in consultation with various stakeholders through out the process.

### ***Nanaimo River Regional Park***

The Nanaimo River Regional Park is owned by the Land Conservancy of BC (TLC), a charitable membership based land trust that protects environmentally sensitive areas within BC. The park is comprised of two parcels, totaling 56.5 ha and contains some of the most significant salmon rearing and spawning habitat on the east coast of Vancouver Island. Extensive fundraising was undertaken in order that TLC could purchase the two lots. The RDN contributed \$350,000 towards the acquisition.

In June 2000, the RDN and TLC signed a 99-year lease agreement. The lease requires that the Regional Park be operated as a nature park and that it be managed in accordance with the conservation aims of TLC. The lease specifically states that no improvements shall be built on the south side of Nanaimo River and that parking, trails, picnic and other park uses may be developed on the north side of the river in consultation with TLC. The Management Plan will reflect TLC's goals to protect the environmentally sensitive areas within the park, as well as providing managed passive recreational activities on the less sensitive areas of the park.

The Management Plan will be done in consultation with various stakeholders. Initial discussions will be held with the Land Conservancy, the property owner, to ensure the goals and objectives of the plan are consistent with TLC's mandate.

## ALTERNATIVES

1. To approve the Management Plans Terms of Reference for Descanso Bay and Nanaimo River Regional Parks.
2. To not approve the Management Plans Terms of Reference for Descanso Bay and Nanaimo River Regional Parks.

## FINANCIAL IMPLICATIONS

The preparation of management plans for three Regional Parks – Horne Lake, Descanso Bay, and Nanaimo River was approved as part of the 2003 Community Planning Work Program to be funded by Regional Parks. Ongoing costs relating to these Parks will be considered by the Board as part of the annual RDN Budget planning process. It should be noted that funding for Descanso Bay Regional Park will also be realized through the collection of camping fees (camping is not available at Nanaimo River Regional Park).

## PUBLIC CONSULTATION IMPLICATIONS

The public consultation process has been outlined in the terms of reference for the development of both management plans. RDN Planning and Recreation and Parks staff will be working together on the development of these two plans.

Key stakeholders for the Descanso Bay Regional Park Management Plan include:

- the Gabriola Recreation Society
- the recently formed Electoral Area 'B' Parks and Open Space Advisory Committee
- Ministry of Water, Land and Air Protection (MWALP), Federal Fisheries and Oceans (DFO), Ministry of Forests (MoF), BC Parks
- Gabriola Island Volunteer Fire Department
- Vancouver Island Health Region
- Gabriola Local Trust Committee
- Gabriola Island Chamber of Commerce
- Tourism Nanaimo and the local tourism and business community
- Electoral Area 'B' Director Gail Lund
- Islands Trust, and
- the current campground operator.

Key stakeholders for the Nanaimo River Regional Park Management Plan process includes: The Land Conservancy; Electoral Area 'A' Parks and Open Space Advisory Committee; Nanaimo Area Land Trust and other local stewardship groups; the Nanaimo River Hatchery; DFO; MWALP; MoF; charge holders (such as the Nanaimo Airport Commission and Harmac Pacific Inc.); and adjacent landowners. For the Nanaimo River Regional Park Management Plan, TLC will be consulted early in the process to ascertain their goals and objectives for the park property.

Two open houses will be held for both projects. The first open house will introduce the project and solicit initial input. The second open house will be held once a draft plan has been completed to provide feedback as to how initial input was incorporated into the Plan and also to receive feedback from community members with regards to the draft document. The draft documents will also be referred to key stakeholders for their input, prior to being forwarded to the Committee of the Whole.

In addition, the RDN website and RDN Perspectives will be used to introduce the projects and inform readers of the projects progress.

While the Committee of the Whole and Regional Board are adopting the terms of reference for the Management Plans for both Regional Parks at the same time, the projects will commence at different times. Descanso Bay Regional Park Management Plan will begin in June 2003 with a public open house. It is anticipated that the draft Management Plan will be completed by November 2003 in order that staff can begin the request for proposal process to secure a five-year contract with a park operator for the period January 1, 2004 to December 31, 2008. Some initial consultation will begin in June 2003, however the first public open house will not be held until September 2003. It is anticipated that draft plan will be completed by the end of December 2003.

## **PLANNING IMPLICATIONS**

The Regional Board adopted the Horne Lake Regional Park Management Plan on April 8, 2003. This document will be used as a template for the Descanso Bay and Nanaimo River Regional Parks Management Plans. For example, in order to maintain consistency between the Regional Park Management Plans, the categories used in the Horne Lake Regional Park Plan are anticipated to form the policy structure for both plans. However, through the consultation process these categories may be modified. In addition, the policies and discussions will reflect the specifics found in each Park. Below are the proposed categories:

- Accessibility
- Safety and Security
- Environment
- Park Use
- Standards
- Operations and Administration
- Economic Development
- Cooperation

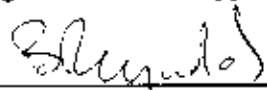
## **SUMMARY**


Management Plans for Descanso Bay and Nanaimo River Regional Parks are necessary to provide the policy framework that will guide the management and day-to-day operations of each park. Both Descanso Bay and Nanaimo River Regional Parks are large properties, 15.8 ha and 56.5 ha respectively, and are comprised of varied landscapes. Descanso Bay Regional Park is located on the marine foreshore

and contains a campground, picnic and open areas, car top boat launch and is well used by residents of Gabriola Island and visitors to the Gulf Islands. The Nanaimo River Regional Park is a nature park and protecting the environmentally sensitive features within the park will be a primary goal for the Management Plan; however, passive recreational activities including walking trails, swimming, and fishing, is undertaken here. Both parks offer different recreational opportunities and the individual Management Plans will reflect the individual characteristics of each park and the opportunities and constraints for recreational activities within each Park. The Descanso Bay Regional Park Management Plan will be used to guide the management of the park by a private contractor. The Nanaimo River Regional Park Management Plan is required as a condition of the lease between TLC and the RDN and will also guide the management of the park. The Management Plans will also outline the RDN's roles in the administration and overall management of the two Regional Parks, as well as working towards meeting the Regional District's obligations with regards to the Regional Park Function.

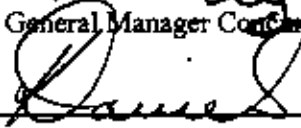
### RECOMMENDATION

That the Terms of Reference for the Descanso Bay Regional Park and Nanaimo River Regional Park Management Plans be approved.

  
 \_\_\_\_\_  
 Report Writer

  
 \_\_\_\_\_  
 Manager Concurrence *per Jm*

  
 \_\_\_\_\_  
 General Manager Concurrence

  
 \_\_\_\_\_  
 CAO Concurrence

### COMMENTS:

6150 20 DBRP and NRRP Management Plans Terms of Reference

PAID  
 29

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**Attachment No. 1****DRAFT  
Terms of Reference  
Descanso Bay Regional Park  
Management Plan****Purpose**

To develop a management plan for the Descanso Bay Regional Park that includes an operating plan, capital plan, and capital budget. The Management Plan will be used to provide policy direction for the longer term and day-to-day management of the Regional Park. The operating plan will be used to secure a five-year operating contract and to guide future park operations. This process will also identify who is responsible for what issues, tasks and capital projects.

A private contractor is currently managing the Descanso Bay Regional Park for the period October 2002 to December 31, 2003. Once the Management Plan has been completed staff will undertake a request for proposal process to secure a 5-year management contract for the Regional Park.

**Management Plan**

The Descanso Bay Regional Park Management Plan is the second plan for a park with a campground to be completed by the RDN. The Horne Lake Regional Park Management Plan was the first plan and was adopted by the Regional Board on April 8, 2003. In order to maintain consistency, the categories used in the Horne Lake Regional Park Plan are anticipated to form the policy structure for the Descanso Bay Regional Park Management Plan. However, through the consultation process these categories may be modified. Below are the proposed categories and a brief discussion:

- **Accessibility:** As a Regional Park it is necessary that the park be open to the general public all year round and that the facilities are made accessible for people with different abilities.
- **Safety and Security:** The natural and man-made hazards associated with the parkland need to be identified and managed.
- **Environment:** Being adjacent to the marine foreshore the parkland is within an environmentally sensitive area. This must be recognized and any negative impacts associated with the land use and future development must be mitigated.
- **Park Use:** In addition to the current uses, other uses (acceptable and unacceptable) need to be identified and managed.
- **Standards:** The current facilities at Descanso Bay Regional Park are adequate, but require some upgrading. Any upgrading of the facilities or the development of future facilities needs to be undertaken to an acceptable standard. In addition, the park will be managed by a private contractor therefore an acceptable definition of maintenance standards is required.
- **Operations and Administration:** It is anticipated that the Regional Park will be self supporting, run by a private contractor, and administered by RDN.
- **Economic Development:** Potential spin off economic and tourism opportunities resulting from the development of the regional and community parks for Gabriola Island and adjacent islands need to be recognized.
- **Cooperation:** Adjacent landowners, senior agencies, and other stakeholders need to be recognized in the planning, management, and operations of Descanso Bay Regional Park.

The Management Plan will discuss the adjacent Community Park as it relates to the Regional Park. There is a park use bylaw for Electoral Area 'B' - the Regional District of Nanaimo Electoral Area 'B' Community Parks Bylaw No. 842, 1992 (and amendments) currently regulates the management and maintenance of Community Parks for the Electoral Area. A Regional Park Use bylaw to regulate uses within RDN Regional and Community Parks is being drafted. The bylaw will apply to all RDN parks including Descanso Bay Regional Park. It will be necessary to ensure there is consistency between the Management Plan and draft Regional Park Use Bylaw. Bylaw No. 842 will be repealed when the Regional Park Use bylaw is adopted.

### **Background**

In May 2002, the Regional District of Nanaimo acquired a 61.5 ha parcel of land from the Coastal Community Credit Union (CCCU). The land contained the Gabriola Campground that had been operated by the Credit Union since the early 1980s. At the time of purchase, the land was subdivided into three parcels. Two of the parcels, totaling 15.8 ha in size, were purchased using funds from the Regional Park Function and were designated as a Regional Park. The remaining 45.7 ha of land was created as a Community Park and funds to purchase that portion of the property were approved by residents of Electoral Area 'B' in a community parkland acquisition referendum that was held November 24, 2001.

The Regional Park is located adjacent to Descanso Bay on the northwest side of Gabriola Island. Descanso Bay Regional Park is the first regional park on the island and is the only public campground on Gabriola Island. It is a regionally significant waterfront site with a sandstone beachfront and three bays with natural sandy pockets. There is abundant bird life and marine mammals around the reefs in the adjacent waters. The car top boat launch at the park is well used by kayakers as it is a good launching point for access to the Northumberland cliffs or Malaspina Galleries located northwest of the park. The Regional Park campground contains 32 campsites that were developed by the Credit Union using standards similar to those found in BC Parks. Near the waterfront is an old summer residence. In the past the lodge was rented out for accommodation and meetings, however the building has deteriorated and has been closed off to the public for safety reasons. The park also contains large areas for picnic and group type activities as well as extensive natural forest cover.

Taylor Bay Road and McConvey Road separate the Regional Park from the Community Park. The Community Park property consists of an irregular shaped forested area 10.5 ha in size and located north of McConvey Road. This portion is within the Agricultural Land Reserve. East of Taylor Bay Road is the balance of the parcel and is 35.2 ha in size and is in a naturally forested state. Refer to Attachment No. 1 for the location of the Regional and Community Parks.

Descanso Bay and Home Lake Regional Parks are the only two regional parks containing campgrounds. The "Official Regional Park Plan Designation Bylaw No. 921, 1994" is the guiding document for the acquisition and management for the existing and potential parks and open space sites in the region, including regional parks. Bylaw No. 921 was amended in March 2002 to recognize the acquisition of the various regional parks including Descanso Bay, Home Lake in Electoral Area 'H', Beachcomber in Electoral Area 'E', Benson Creek Falls above Brannen Lake in Electoral Area 'D', Little Qualicum River in Electoral Area 'F', and Nanaimo River in Electoral Area 'A'. It is anticipated that Bylaw No. 921 will be reviewed within the next two years to reflect the changes that have occurred within the regional park system including the acquisition of parks with campgrounds and the number of regional parks that have been acquired by the RDN.

## Consultation Process

Development of the Management Plan will be done in consultation with various agencies and organizations including the Gabriola Recreation Society, the main provider of recreation services for Electoral Area 'B', Electoral Area 'B' Parks and Open Space Committee, Ministry of Water, Land and Air Protection (MWALP), Federal Fisheries and Oceans (DFO), Ministry of Forests, Gabriola Island Volunteer Fire Department, Gabriola Island Chamber of Commerce, BC Parks, local tourism and business community, Tourism Nanaimo, Vancouver Island Health Region, Gabriola Local Trust Committee, Electoral Area Director Gail Lund, Islands Trust trustees and staff, and the existing park operator. Recreation and Parks staff will be consulted through out the process.

Two public open houses will be held. One at the beginning of the process to get input into vision, objectives and issues for the Descanso Bay Regional Park and another open house will be held once a draft plan has been completed to allow residents to provide feedback as to how initial input was incorporated into the Plan and also to receive feedback from community members with regards to the draft document. As the Committee is in the process of being formed, staff will meet directly with the Gabriola Recreation Society and the Electoral Area 'B' Parks and Open Space Committee prior to the second open house to present the draft plan to receive input from both groups.

In addition, the RDN website will be used to advertise the open houses and to provide information about the projects. Articles will also appear in the RDN Perspectives to introduce the project and to provide ongoing information.

## Time Frame

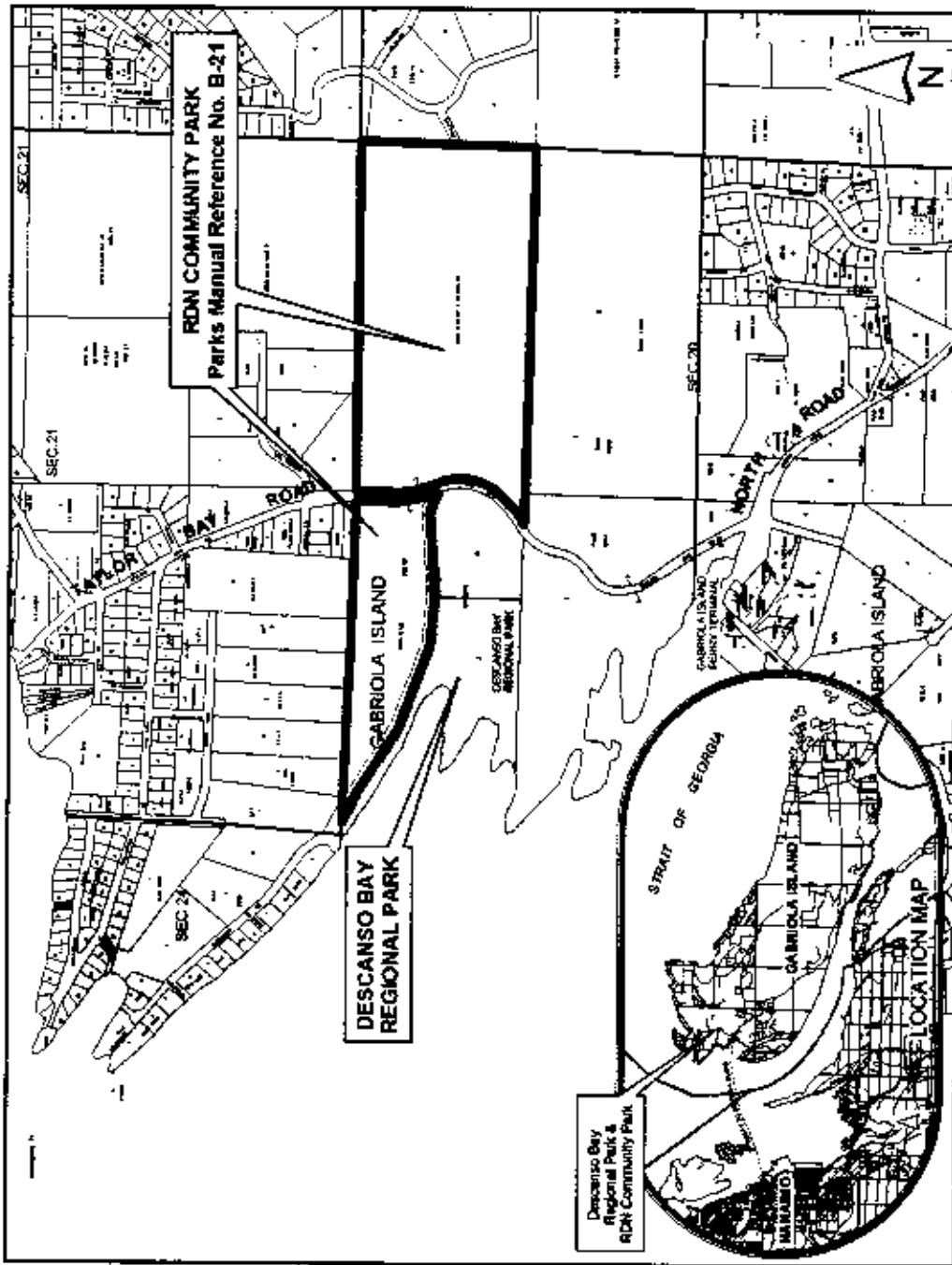
- May 27, 2003 – Management Plan Terms of Reference received by the Committee of the Whole.
- June 10, 2003 – Management Plan Terms of Reference endorsed by the Regional Board.
- June 2003 – Public Open House #1.
- July/August – Development of the Management Plan.
- September 2003 - Meet with Electoral Area 'B' Parks and Open Space Committee and the Gabriola Recreation Society to review the draft Management Plan.
- September 2003 – Public Open House #2.
- September/October 2003 - Refer draft Management Plan to key stakeholders for comment.
- October 2003 – Draft Management Plan received by the Committee of the Whole.
- November 2003 – Draft Management Plan received and adopted by the Regional District Board.
- November 2003 – Undertake request for proposal process to secure a five-year contract with a park operator for the period January 1, 2004 to December 31, 2008.

## Budget

The preparation of management plans for three regional parks - Home Lake, Descanso Bay, and Nanaimo River was approved as part of the 2003 Community Planning Work Program to be funded by Regional Parks.



**Subject Property**  
**Descanso Bay Regional Park**



## **Draft Terms of Reference Nanaimo River Regional Park Management Plan**

### **Purpose**

To develop a management plan for the Nanaimo River Regional Park that includes an operating plan, capital plan and capital budget. The Management Plan will provide the policy direction for the management of the Regional Park. The Management Plan would see the Nanaimo River Regional Park maintained as a nature park with strong emphasis on protection of the valuable fish habitat on the south side of the river. The RDN manages the Regional Park by lease from the Land Conservancy of BC (TLC). The lease requires the Regional Park to be managed in accordance with the conservation aims of the TLC and the lease specifically states that no improvements shall be built on the south side of Nanaimo River and that parking, trails, picnic and other park uses may be developed on the north side of the river in consultation with TLC.

In order to maintain consistency for the management of Regional Parks, the categories used in the Home Lake Regional Park Management Plan are anticipated to form the policy framework for the Nanaimo River Regional Park Management Plan. However, the categories and policies within the Management Plan will need to reflect that conservation is a primary goal for managing the south side of the river and passive recreation is permitted on the north side. The proposed categories are as follows:

- **Accessibility:** As a Regional Park it is intended that portions of the park be open to the general public all year round and that the sensitive areas on the south side remain undisturbed.
- **Safety and Security:** The natural and man-made hazards associated with the parkland need to be identified and managed.
- **Environment:** The properties contain significant fish habitat and intact riparian vegetation. Protection of these sensitive areas is a primary objective for this parkland and must therefore be recognized and any negative impacts associated with the land use and future development must be mitigated.
- **Park Use:** The current acceptable uses on the north side of the river include walking, swimming and fishing. There are other less acceptable uses including ATVs and unregulated camping that have been destructive to some of the sensitive features on the site. The plan must define the acceptable and non-acceptable uses and methods to reduce the non-acceptable uses.
- **Standards:** There are currently no facilities at the Nanaimo River Regional Park. Future facilities will be **limited**, however an acceptable definition of maintenance standards is required.
- **Operations and Administration:** The Regional Park will be managed by the RDN.
- **Economic Development:** Potential spin off economic and tourism opportunities resulting from the development of the regional park for the local area and region need to be considered.
- **Cooperation:** Adjacent landowners, senior agencies, and other stakeholders need to be recognized in the planning, management, and operations of Nanaimo River Regional Park.

### **Background**

The Nanaimo River Regional Park is comprised of two parcels, one of 16 ha (40 ac) and one of 40.5 ha (100 ac) and is located in the southern portion of the Regional District, east of the Island Highway Nanaimo River Bridge. The land was purchased in September 1999 and April 2000 by The Land Conservancy of BC (TLC) and is managed by lease by the Regional District of Nanaimo. The Land

Conservancy (TLC) acquired the site to protect valuable fish habitat on the south side of the Nanaimo River. The park contains mature Douglas fir forest and has some of the most significant salmon rearing and spawning habitat on the east coast of Vancouver Island. Federal Fisheries and Oceans (DFO) fisheries biologists have recognized the importance of this area as being crucial to the survival of Nanaimo River Chinook, Coho, Chum, Steelhead and Cutthroat Trout. Historically, the Nanaimo River was the second best producing steelhead river on the east coast of the island. Steelhead fisheries stocks are now at an extinction level.

On June 26, 2000, a 99-year lease agreement was signed between the RDN and TLC. The lease requires that the Regional Park operates as a nature park and is to be managed in accordance with the conservation aims of the TLC. In particular, for the sensitive areas on the south side of the river it is likely that access will be prohibited. In contrast, there is a well-developed walking trail on the north bank of the river and it is anticipated the Regional Park will provide a hub for future connections to the Trans Canada Trail and the Morden Colliery Trail. The north side of the parkland is also well used for other outdoor activities including popular swimming holes that attract swimmers and picnickers, and recreational fishing. Other less acceptable uses have been identified, for example, overnight camping and parties held after dusk, and will therefore need to be managed or prohibited.

These properties have been designated as Regional Park due to the significant environmentally sensitive areas and valuable fish habitat found here and the potential for managed passive recreational activities on portions of the land. The Official Regional Park Plan Designation Bylaw No. 921, 1994 identifies the Nanaimo River corridor and the Nanaimo Fire Suppression Camp (adjacent to the park land), as significant regional sites as part of the overall Regional District community and regional parks and trails program. As well, the Electoral Area 'A' Community Trail Study was completed in October 2002 and endorsed by the Regional Board in November 2002. The trail study identified various trail opportunities and provided recommendations on the actions required to develop them, including a water trail. This parkland is significant as part of the linear utility corridors that includes the Harmac Pipeline which runs through the parkland.

The "Official Regional Park Plan Designation Bylaw No. 921, 1994" is the guiding document for the acquisition and management for the existing and potential parks and open space sites in the region, including regional parks. Bylaw No. 921 was amended in March 2002 to recognize the acquisition of the various regional parks including the Nanaimo River Regional Park, Descanso Bay in Electoral Area 'B', Home Lake in Electoral Area 'H', Beachcomber in Electoral Area 'E', Benson Creek Falls above Brannen Lake in Electoral Area 'D', and Little Qualicum River in Electoral Area 'F'. It is anticipated that Bylaw No. 921 will be reviewed within the next two years to reflect the changes that have occurred within the regional park system including the acquisition of parks with campgrounds and the number of regional parks that have been acquired by the RDN.

### **Consultation Process**

As the property owner, the Land Conservancy will be consulted throughout the process to ensure objectives and policies are consistent with the organization's conservation mandate. Other key stakeholders include the RDN Electoral Area 'A' Parks, and Open Space Advisory Committee, local area stewardship community, Federal Fisheries and Oceans (DFO), Ministry of Water, Land and Air Protection (MWLAP), Tourism Nanaimo, Charge holders, i.e. Nanaimo Airport Commission and Harmac Pacific Inc.; and adjacent landowners. Recreation and Parks staff will be an integral part of the Management Plan process.

A presentation will be made to the Electoral Area 'A' Parks and Open Space Advisory Committee to introduce the project and receive initial input. Staff anticipates holding two open houses. One to be held at the beginning of the process to get input into vision, objectives and issues for the Nanaimo River Regional Park and another open house will be held once a draft plan has been completed to provide feedback as to how initial input was incorporated into the Plan and also to receive feedback from community members with regards to the draft document.

In addition, the RDN website will be used to advertise the open houses and to provide information about the projects. Articles will also appear in the RDN Perspectives to introduce the project and to provide ongoing information.

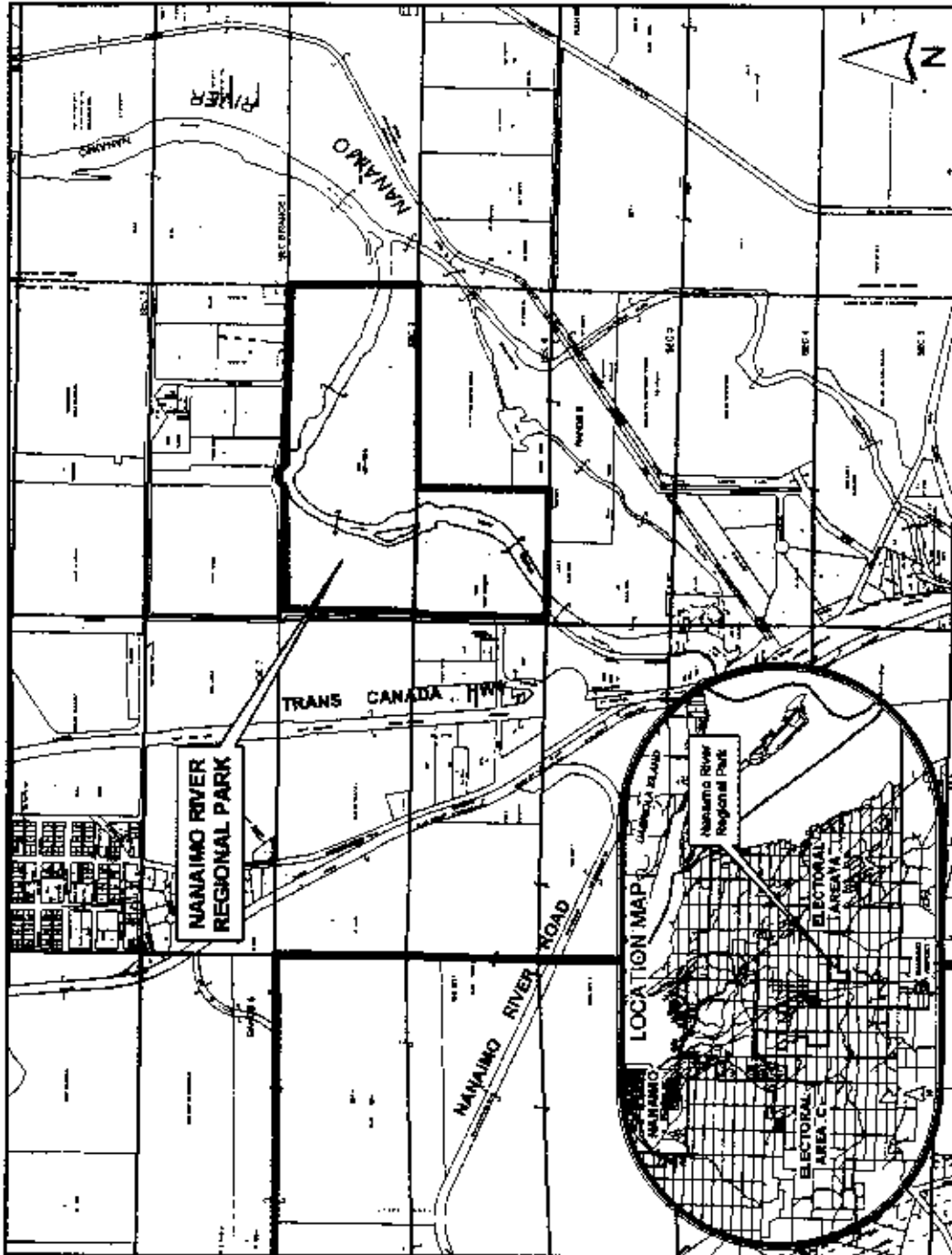
#### **Time Frame**

- May 27, 2003 – Management Plan Terms of Reference received by the Committee of the Whole
- June 10, 2003 – Management Plan Terms of Reference endorsed by the Regional Board.
- June 2003 – Meet with The Land Conservancy and Electoral Area 'A' Parks and Open Space Advisory Committee to discuss the vision and objectives for the Nanaimo River Regional Park.
- September 2003 – Public Open House #1.
- September/October 2003 – Development of Management Plan.
- October 2003 – Meet with The Land Conservancy and Electoral Area 'A' Parks and Open Space Advisory Committee to review the draft Management Plan.
- November 2003 – Public Open House #2.
- November/December 2003 – Refer Draft Management Plan to key stakeholders for comments.
- December 2003 – Draft Management Plan received by the Committee of the Whole.
- January 2004 – Draft Management Plan received and adopted by the Regional District Board.

#### **Budget**

The preparation of management plans for three regional parks – Horne Lake, Descanso Bay, and Nanaimo River was approved as part of the 2003 Community Planning Work Program to be funded by Regional Parks.

**Subject Property**  
**Nanaimo River Regional Park**





MAY 12 2003

CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	

MEMORANDUM

TO: Neil Connelly  
General Manager, Community Services      DATE: May 9, 2003

FROM: Mike Donnelly  
Manager of Transportation Services      FILE: 8500-01

SUBJECT: **Pets-On-Board Program – Conventional Transit**

**PURPOSE**

To provide for the consideration of an amendment to the Master Joint Operating Agreement with BC Transit to allow for a Pets-on-Board Program for Conventional Transit.

**BACKGROUND**

The customer base for the Transit system has requested in the past that pets be permitted on the system. People with pets that do not have another form of transportation find it difficult to get their pets to veterinary appointments and other locations.

The primary concerns with pets on board public transportation have been safety and allergies. Conditions being introduced as part of this program will reduce these concerns considerably. With respect to safety, all animals would be carried in a cage that is small enough to fit on the owner's lap. This would reduce blockage of the aisle ways and would ensure that the pets do not create a disturbance. Allergies caused by animal hair or dander would be easier to control as anyone who had such a condition would be able to move away from the source.

The experience in other communities including the Comox Valley, City of Victoria, Prince Rupert, Vernon and Whistler has been positive with the program being well received. In some of those communities a 6 month trial period was introduced for evaluation purposes however none of the communities has found it necessary to rescind the program.

The Pets-on-Board guidelines established so far in other communities that would be followed are outlined below.

- Only small fur-bearing and feathered pets contained in secure, clean, handheld cages are permitted on the buses.
- The cage should be appropriate to the pet's size.
- The cage must be small enough to fit on the owner's lap.
- One handheld cage per passenger.
- Passengers must hold onto their cages at all times and are responsible for the safety of their pets. If there is room on the bus, you can place the cage beside you on the floor. The cage should not block the aisle or restrict other passengers.
- Your Transit driver may refuse a trip if your pet poses a health or safety risk, or if it misbehaves.
- When the bus is busy, there may not be room for your pet. Call Transit and ask which trips tend to be busy.

These conditions are very specific and the carrying of pets in this manner has minimal impact on Transit drivers and other passengers.

The program would not apply to the handyDART system where allergies and sensitivities may be more prevalent and where smaller vehicles do not have the same ability to create distance between passengers.

The Master Joint Operating Agreement with BC Transit specifies that pets not be permitted on board buses. The only exception is assistance animals such as dogs trained to help people with sight or hearing impairments. In order to allow for this program the five-year Master Joint Operating Agreement with BC Transit must be amended.

Should this amendment be approved the program will be introduced in the upcoming revised edition of the Riders Guide planned for June 29, 2003.

#### ALTERNATIVES

1. Amend the Master Joint Operating with BC Transit to allow for the Pets-on-Board Program.
2. Do not proceed with the Pets-on-Board Program.

#### FINANCIAL IMPLICATIONS

There are no significant financial implications with respect to this introduction of the Pets-on-Board Program.

#### CITIZEN IMPLICATIONS

There have been a number of requests to allow pets, other than assistance animals, on board regional buses. This program will allow some animals on board under certain conditions and should help those people that have asked for this service improvement. This program has been brought into service in a number of communities with positive public response.

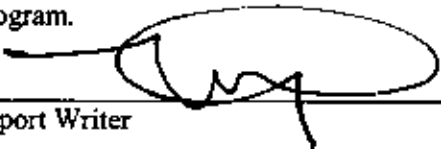
#### SUMMARY/CONCLUSIONS

A Pets-on-Board Program is being proposed for the Conventional Transit service. This new program would allow people to transport pets under certain conditions giving them improved mobility choices. In order to allow this program to proceed, the Master Joint Operating Agreement with BC Transit must be amended.

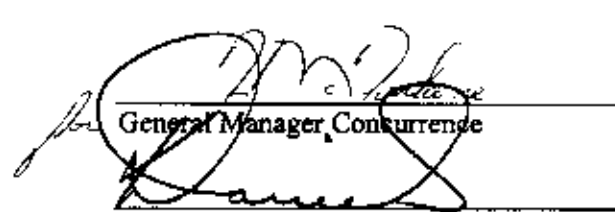
#### RECOMMENDATION

That the Master Joint Operating Agreement with BC Transit be amended to allow for the Pets-On-Board Program.

Report Writer



General Manager, Concurrence



C.A.O. Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO	
MAY 21 2003	
CHAIR	GMCS
CAO	GMDS
CMCS	GMES

**MEMORANDUM**

**TO:** Carol Mason  
General Manager of Corporate Services

**DATE:** May 21, 2003

**FROM:** Maureen Pearse  
Manager, Administrative Services

**FILE:** 4320-50

**SUBJECT:** Application for a Temporary Change to a Liquor Licence  
Cassidy Inn - Area A

**PURPOSE**

To consider a temporary change to the Liquor Licence for the Cassidy Inn.

**BACKGROUND**

The Cassidy Inn has applied to the Provincial Liquor Control and Licencing Branch for a temporary change to their liquor licence.

The Cassidy Inn, located at 2954 Trans Canada Highway in Electoral Area 'A', currently has an Liquor-Primary Licence which authorizes the facility to house 145 patrons in a designated area. The Cassidy Inn is requesting a temporary change to their Liquor Licence to provide for an extension of their licenced area to outside of the patio area. This extension is requested for a one day Show 'n Shine event scheduled for Sunday, June 22, 2003. The event will start at 11:00 am with contests being held for old cars, trucks and bikes.

The Provincial Liquor Licence Regulations requires that the Board consider this request and review the application in terms of the following:

- a) The potential for noise if the application is approved.
- b) The impact on the Community if the application is approved.
- c) Whether the amendment will result in the establishment being operated in a manor that contrary to its primary purpose.
- d) The views of the residents.

The Cassidy Inn has held similar events in the past and no concerns have been raised with respect to any of the foregoing terms. Considering that the temporary change will not increase the Inn's occupant load, staff believe that the proposal will not have any additional impact on the community or nearby residents. Staff are recommending that the Board support the issuance of a *Letter of No Objection* for this application. The Area Director is in support of that recommendation.



**ALTERNATIVES**

1. That the Board has no objection to the Cassidy Inn's request for a temporary change to their Liquor Licence to provide for an extended patio area for a one day event scheduled for June 22, 2003.
2. That the Board not support the Cassidy Inn's request for a temporary change to their Liquor Licence.

**RECOMMENDATION**

That the Board has no objection to the Cassidy Inn's request for a temporary change to their Liquor Licence to provide for an extended patio area for their Show 'n Shine event scheduled for June 22, 2003.

M. Pease  
Report Writer

M. Pease  
General Manager Concurrence

[Signature]  
CAO Concurrence

**RECEIVED**

APR 28 2003

REGIONAL DISTRICT  
of NANAIMO

APRIL 23,03

Att: Maureen Pearse or Carol Mason  
Manager of Administrative  
Services  
From: Sue Hagel  
CASSIDY INN (1989) LTD.

This is a written request for an Extension of Licensed Area for the date of Sunday JUNE 22,03 outside of the Cassidy Inn patio area. We would like to hold a Show and Shine event at the Cassidy Inn, This is a day that starts at 11:00 am with contests being held for old cars, trucks and bikes. Prizes such as trophies will be given to the winners, peoples choice and A.I.M.( Association for Injured Motorcyclist) do the judging, this is an event for all ages, the show provides entertainment for everyone. This event has been going on for years, and is under exceptional supervision. In the past we have had a great response to the show and would like to continue this event.

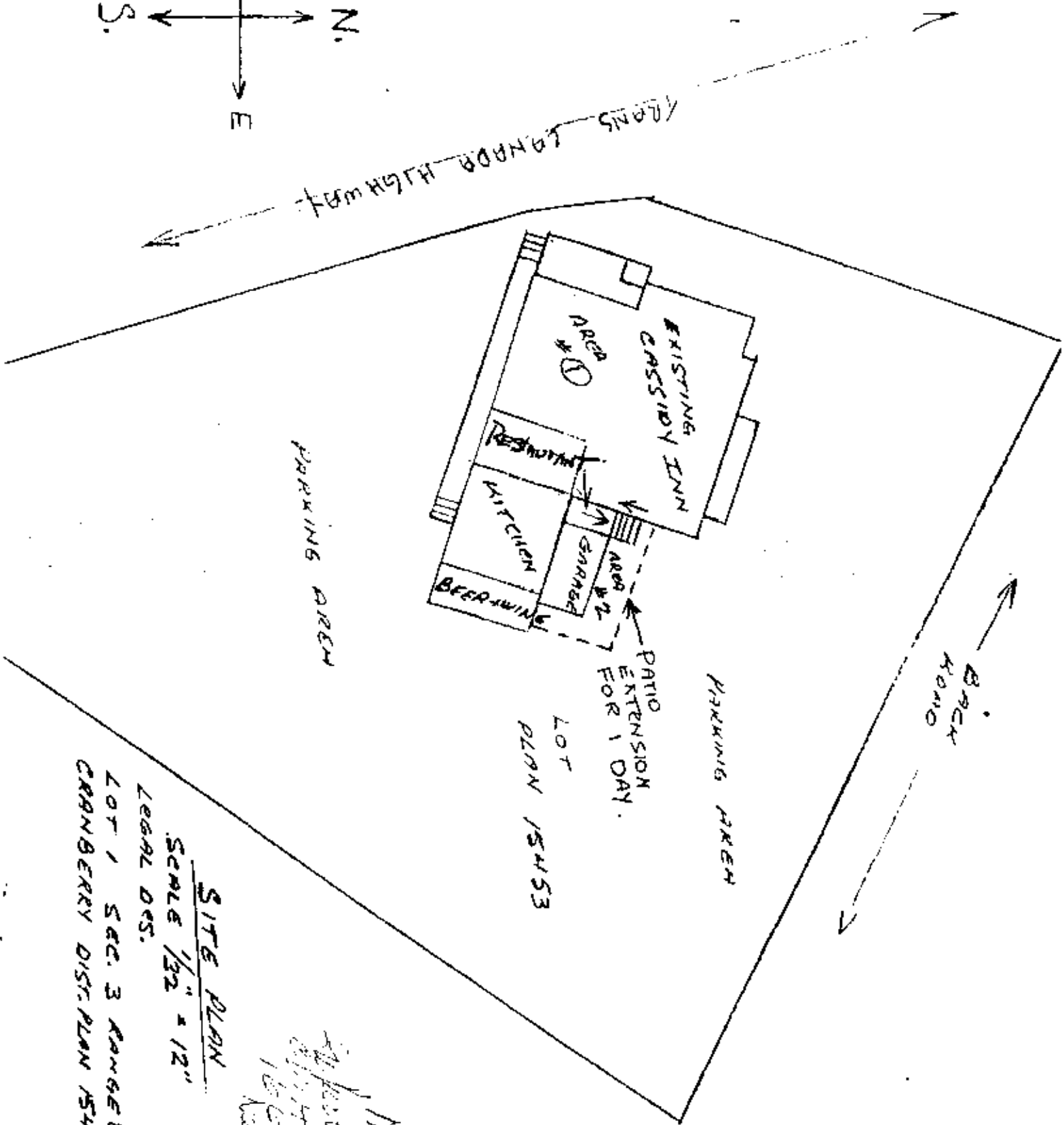
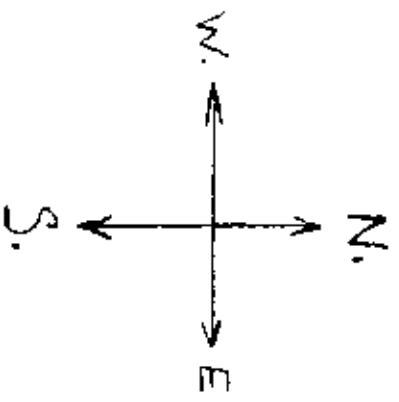
Please review this letter, call Sue Hagel if you have any questions, we hope to hear from you soon, and hope that the Regional District of Nanaimo will once again grant us this extension. Phone # (250) 245-3531.

Thank-you,



Sue Hagel  
General Manager  
Cassidy Inn

**PAGE**  
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SITE PLAN  
SCALE 1/32" = 12"  
LEGAL DTS.  
LOT 1 SEC. 3 RANGE 8  
CRANBERRY DIST. PLAN 15453

*Map 15453*  
*15453*  
*15453*  
*15453*

APRIL 21,03

Att: Maureen Pearse  
Manager of Administrative  
Services  
From: Sue Hagel  
CASSIDY INN (1989) LTD.

This is a written request for an Extension of Licensed Area for the date of Sunday JUNE 22,03 outside of the Cassidy Inn patio area. We would like to hold a Show and Shine event at the Cassidy Inn, This is a day that starts at 11:00 am with contests being held for old cars, trucks and bikes. Prizes such as trophies will be given to the winners, peoples choice and A.I.M.( Association for Injured Motorcyclist) do the judging, this is an event for all ages, the show provides entertainment for everyone. This event has been going on for years, and is under exceptional supervision. In the past we have had a great response to the show and would like to continue this event.

Please review this letter, call Sue Hagel if you have any questions, we hope to hear from you soon, and hope that the Regional District of Nanaimo will once again grant us this extension. Phone # (250) 245-3531.

Thank-you,

A handwritten signature in black ink, appearing to read 'Sue Hagel', written over a large, loopy oval scribble.

Sue Hagel  
General Manager  
Cassidy Inn



Ministry of Public Safety  
and Solicitor General

Liquor Control and  
Licensing Branch

Mailing Address:  
PO Box 9292 Stn Prov Govt  
Victoria BC V8W 9J8  
Telephone: 250 387-1254  
Facsimile: 250 387-9184  
Web: www.pssg.gov.bc.ca

Location:  
Second Floor  
1019 Wharf Street  
Victoria

## TEMPORARY CHANGE TO A LIQUOR LICENCE APPLICATION - Local Government/First Nation Resolution Required

Fee: \$55.00 for one or many temporary change requests made in one application.

**INSTRUCTIONS:** To apply, please complete all applicable fields then submit with payment as outlined in Part 9 of this form. You may complete this form online, then print. If you are completing this form by hand, please print clearly using dark ink.  
• If you have any questions about completing this application, call the branch toll-free at: 1-866-209-2111.  
• LCLB forms and supporting materials referred to in this document can be found at: [www.pssg.gov.bc.ca/lclb/publications](http://www.pssg.gov.bc.ca/lclb/publications)

### LICENSEE INFORMATION

Job No. (C3-LIC) \_\_\_\_\_

Office use only

Licensee name (as shown on licence): CASSIDY INN (1989) LTD.  
Establishment name (as shown on licence): CASSIDY INN HOTEL  
Establishment address: 2954 Trans Can Hwy  
City: Nanaimo Province: BC Postal code: V9X 1T2  
Contact person: (LAST NAME, FIRST, MIDDLE) HAGEL Susan Marie  
Title: General manager Telephone: (250) 245-3531 Facsimile: (250) 245-3546  
Licence number(s) affected: 11646  
Licence class (check one box only):  Liquor-Primary  Liquor-Primary Club  Food-Primary  Winery Endorsement

### 1. TEMPORARY CHANGE TO HOURS OF SALE

Applies to: *Liquor-Primary and Liquor-Primary Club licences, and Winery endorsements - any hours changes*

Applies to: *Food-Primary licences - requests for hours of sale later than midnight*

Licensees may apply for a temporary change in hours of sale for a limited period, subject to any restrictions within the *Liquor Control and Licensing Act, Regulations, branch policies and for original terms and conditions of licensing. This application process requires a resolution from the appropriate local government or First Nation council. See box 6, page 3 for more information on this process.*

Please provide the following information:

Current hours of sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open							
Close							

Explain why a temporary change is needed:

Date(s) from: \_\_\_\_\_ to: \_\_\_\_\_ (Inclusive)

Requested hours of sale: Maximum hours permitted by regulation are between 8:00 am to 4:00 am of the same business day.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open							
Close							

**IMPORTANT:** You must request a local government/First Nation resolution commenting on the application. (Local government must complete box 7 of this form; for further information on local government resolutions read box 6, page 3.)

Also complete boxes 8 and 9

**2.  TEMPORARY EXTENSION OF LICENSED AREA**

*Applies to: Liquor-Primary and Liquor-Primary Club licences*

**3.  WINERY SPECIAL EVENT ENDORSEMENT**

*Applies to: Only wineries with a Lounge and/or Picnic Area Endorsement*

Licensees may apply for a temporary extension of their establishment's licensed areas for a limited period, subject to any restrictions within the *Liquor Control and Licensing Act, Regulations, branch policies and /or original terms and conditions of licensing*. Approval of this temporary change request permits the licensee to operate at the capacity on the face of their current licence plus the capacity of the extension area. This application process requires a resolution from the appropriate local government or First Nation council. See box 6, page 3 for more information on this process.

Please provide the following information and documents:

Current total capacity, including patios (as shown on licence):

Fire/Building Authority occupant load of proposed extension area(s):

OR proposed capacity if an occupant load for the extension area cannot be provided:

Explain why a temporary change is needed:

Date(s) from:

to:

(inclusive)

- Attach a plan of the extended area showing how perimeter is defined, the area's dimensions and its physical relationship to existing licensed areas.
  - All plans must have fire and health approval stamp or acceptable equivalent affixed for all applications except where the extension area is outdoors. Plans must have occupant load marked where the extension is indoors or within a permanent structure.
- Where the extension area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.
- IMPORTANT:** You must request a local government/First Nation resolution commenting on the application. (Local government must complete box 7 of this form; for further information on local government resolutions read box 6, page 3.)

Also complete boxes 8 and 9

**4.  TEMPORARY PATRON PARTICIPATION ENTERTAINMENT ENDORSEMENT**

*Applies to: Food-Primary licences only*

Licensees may apply for a patron participation entertainment endorsement for a limited period, subject to any restrictions within the *Liquor Control and Licensing Act, Regulations, branch policies and /or original terms and conditions of licensing*. This application process requires a resolution from the appropriate local government or First Nation council. See box 6, page 3 for more information on this process.

Explain why a temporary change is needed:

Date(s) from:

to:

(inclusive)

- IMPORTANT:** You must request a local government/First Nation resolution commenting on the application (Local government must complete box 7 of this form; for further information on local government resolutions read box 6, page 3).

There are restrictions related to forms of entertainment, sound systems, etc. If you are uncertain about any of the details of your proposal, please consult with Licensing staff at LCLB in Victoria (see contact information at the top of page one).

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**5. TEMPORARY LOCATION CHANGE** (no increase in patron or person capacity)

Applies to: *Liquor-Primary and Liquor-Primary Club licences*

Licenseses may apply for a temporary change of location of one or more licensed areas in their establishment, to accommodate special events, renovations or structural alterations but this change permits no increase in licensed capacity. Proposed changes must comply with occupant load limitations. This application process requires a resolution from the appropriate local government or First Nation council. See box 6, page 3 for more information on this process

Current area capacities, as shown on licence:

Area #1 116 Area #2 \_\_\_\_\_ Area #3 \_\_\_\_\_ Area #4 \_\_\_\_\_ Area #5 \_\_\_\_\_ Patio: 29

Proposed temporary changes in capacity (no increase in total capacity permitted):

Area #1 100 Area #2 45 Area #3 \_\_\_\_\_ Area #4 \_\_\_\_\_ Area #5 \_\_\_\_\_ Patio: 0

Explain why a temporary change is needed:

*Show shine in area (see floor plan) #2.*

Date(s) from: June 22, 2005 to: June 22, 2005 (inclusive)

- Attach a plan of the extended area showing how perimeter is defined, the area's dimensions and its physical relationship to existing licensed areas.
  - All plans must have fire and health approval stamp or acceptable equivalent affixed for all applications except where the extension area is outdoors. Plans must have occupant load marked where the extension is indoors or within a permanent structure
- Where the extension area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.
- IMPORTANT:** You must request a local government/First Nation resolution commenting on the application (Local government must complete box 7 of this form; for further information on local government resolutions read box 6, page 3).

Also complete boxes 8 and 9

**6. LOCAL GOVERNMENT/FIRST NATION RESOLUTIONS: Information for the Applicant**

All applications for temporary change included on this form require a resolution from your local government or First Nation commenting on the application. The resolution must be received by the LCLB as part of this application.

Licenses Instructions:

1. Request your local government/First Nation to sign and date Box 7 of this form and request that a resolution be provided within 90 days and sent directly to the Liquor Control and Licensing Branch, Victoria Head Office.
2. Provide a photocopy of this form to the local government/First Nation.
3. Send the original application form, signed by you and the local government official, with all required documents and the fee to the Liquor Control and Licensing Branch.
4. The Liquor Control and Licensing Branch will follow up with the local government/First Nation if a resolution has not been received by the branch within 90 days of the local government's receipt of your request.

Your local government/First Nation may decide that it does not wish to provide comment on your request. However, they must still provide a resolution stating this decision and this resolution must be submitted to the Liquor Control and Licensing Branch.

For more information on resolutions regarding B.C. liquor licences, please visit the LCLB Web site publication index to consult the guide 'Role of Local Government and First Nation' at <http://www.pssg.gov.bc.ca/lclb/publications>

## 7. LOCAL GOVERNMENT/FIRST NATION CONFIRMATION OF RECEIPT OF APPLICATION

To be filled out by your local government or First Nation office:

Local government/First Nation (name): \_\_\_\_\_

Date this application was received by the local government/First Nation : \_\_\_\_\_

Name of official (printed): \_\_\_\_\_

Position: \_\_\_\_\_

Signature: \_\_\_\_\_

This application serves as notice from the Liquor Control and Licensing Branch that an application requesting a temporary change to a liquor licence is being made within your community. The Liquor Control and Licensing Branch (LCLB) requests that a resolution commenting on the application be sent to the LCLB Victoria Head Office within 90 days of the above date of receipt. If more than 90 days is required to provide a resolution, please contact the branch to make a request to the general manager for an extension. If the local government/First Nation decides not to provide comment, a resolution indicating this decision must be provided to the branch. Please be advised that if the LCLB does not receive a resolution or a request for an extension within 90 days, the general manager is authorized to review the application without a resolution, considering factors (a) through (d) below, and make a decision about the application.

All of the items outlined below in points (a) through (d) must be addressed in the resolution in order for the resolution to comply with section 53 of the Liquor Control and Licensing Regulation. Any report presented by an advisory body or sub-committee to the council or board may be attached to the resolution.

- (a) The potential for noise if the application is approved (provide comments)
- (b) The impact on the community if the application is approved (provide comments)
- (c) Whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose (provide comments only if the application is from a food primary licence for an extension of hours of service past midnight or the addition of patron participation entertainment)
- (d) The views of residents if the licence amendment may affect nearby residents (describe the views of residents, the method used to gather the views and provide comments and recommendations with respect to the views. If the views of residents were not gathered, provide reasons).

For more information on resolutions regarding B.C. liquor licences, please visit the LCLB Web site publication index to consult the guide 'Role of Local Government and First Nation' at <http://www.pssg.gov.bc.ca/clb/publications>



**PART 8: DECLARATION**

My signature (the licensee's) below indicates I understand and acknowledge:

All of the information given is true and complete to the best of my knowledge. Section 15(2) of the *Liquor Control and Licensing Act* states, "A person applying for the issue, renewal, transfer or amendment of a licence who fails to disclose material fact required by the form of application or makes a false or misleading statement in the form of application, commits an offence".

Signature of applicants (Signature of signing officer of a company or society, sole proprietor or all partners):

Name (printed) HAGEL SUSAN MARIE  
LAST NAME / FIRST NAME / MIDDLE NAME

Position held GENERAL MANAGER

Signature 

Date MM / DD / YY 04/14/03

Name (printed) \_\_\_\_\_  
LAST NAME / FIRST NAME / MIDDLE NAME

Position held \_\_\_\_\_

Signature \_\_\_\_\_

Date MM / DD / YY

Name (printed) \_\_\_\_\_  
LAST NAME / FIRST NAME / MIDDLE NAME

Position held \_\_\_\_\_

Signature \_\_\_\_\_

Date MM / DD / YY

Name (printed) \_\_\_\_\_  
LAST NAME / FIRST NAME / MIDDLE NAME

Position held \_\_\_\_\_

Signature \_\_\_\_\_

Date MM / DD / YY

**PART 9: APPLICATION FEES – Payment Options**

Fees may be paid by cheque, money order, debit or credit card. Debit transactions can only be made in person at the Victoria Head Office. See contact information on page one. Submit the payment with the application form. Do not mail cash.

Enclosed payment is by (check one):

- cheque, payable to the Minister of Finance (a \$20.00 NSF fee will be charged for NSF cheques.).  
 money order, payable to the Minister of Finance.  
 VISA       MasterCard

Credit card number: \_\_\_\_\_ Expiry date: (mm/yy) \_\_\_\_\_

Name of cardholder (as it appears on card): \_\_\_\_\_

Signature of cardholder: \_\_\_\_\_

If paying by credit card, the applicant may MAIL this application form, or TELEPHONE LCLB Head Office directly to provide the credit card number and expiry date.

TOTAL FEE SUBMITTED \$ 55.<sup>00</sup>

**SUBMIT FEE AND APPLICATION FORM TO VICTORIA OFFICE ONLY:**

Mailing address:  
 Liquor Control and Licensing Branch  
 PO Box 9292 Stn Prov Govt  
 Victoria, BC V8W 9J8

Drop off location  
 Liquor Control and Licensing Branch  
 Second Floor, 1019 Wharf Street  
 Victoria, BC V8W 2Y9

**IMPORTANT NOTE:** This information is collected under the authority of the *Liquor Control and Licensing Act* (RSBC 1996, c. 267, s. 15). The information provided will be used only by ministry staff in consideration of your application for a liquor licence amendment. If you have any questions about the collection, use or disclosure of this information, contact the Liquor Control and Licensing Branch.



REGIONAL DISTRICT OF NANAIMO		
MAY 21 2003		
CHAIR		GMCrS
CAO		GMDS
GMCmS		GMES

**MEMORANDUM**

**TO:** C. Mason  
General Manager, Corporate Services

**DATE:** May 17, 2003

**FROM:** N. Avery  
Manager, Financial Services

**FILE:**

**SUBJECT:** Bylaw 1239 (Nanoose Bay Bulk Water) – complete borrowing for costs to construct Northwest Bay Road pipeline

**PURPOSE:**

To obtain Board authorization to release "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1239, 2001" to the Municipal Finance Authority.

**BACKGROUND:**

In 2001 a series of bylaws were adopted in order to secure the remaining borrowing authority for the construction of the bulk water system. This action was necessary because borrowing authorities expire five years after the initial authorization. The bulk water service was intended to cover at least a twenty year horizon for the completion of all of the works.

Security Issuing Bylaw No. 1239 provides funds for the remaining costs of the Northwest Bay Road transmission pipeline. As no further costs are anticipated, it is appropriate to complete the financing for this project.

**ALTERNATIVES:**

1. Endorse forwarding Bylaw No. 1239 to the Municipal Finance Authority to borrow \$176,295 for the Nanoose Bay Bulk Water service.
2. Do not forward the bylaw at this time.

**FINANCIAL IMPLICATIONS:**

Alternative 1

Long term debt repayment will commence in 2004. Expenditures will rise by \$15,900 in 2004, however, there is a prior year surplus available to offset the increase and no change is anticipated in tax revenues. The five year plan includes this new borrowing.

Alternative 2


Long term interest rates are reasonable at this time, therefore, staff do not recommend delaying the borrowing.

**SUMMARY/CONCLUSIONS:**

Bylaw 1239 was adopted in 2001 to provide borrowing authority for the final costs of constructing the Northwest Bay Rd. water transmission line. The project is complete and no further costs are expected. Staff recommend releasing the bylaw to the Municipal Finance Authority to complete the project financing.

**RECOMMENDATION:**

That "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1239, 2001" be forwarded to the Municipal Finance Authority to complete the borrowing for the Northwest Bay Rd. transmission line.

  
Report Writer

  
General Manager Corporate Services

  
C.A.O. Concurrence

**COMMENTS:**

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1239

A BYLAW TO AUTHORIZE THE ENTERING INTO OF AN AGREEMENT RESPECTING FINANCING BETWEEN THE REGIONAL DISTRICT OF NANAIMO (THE "REGIONAL DISTRICT") AND THE MUNICIPAL FINANCE AUTHORITY OF BRITISH COLUMBIA (THE "AUTHORITY")

WHEREAS the Authority may provide financing of capital requirements for regional districts and for their member municipalities by the issue of debentures, or other evidence of indebtedness of the Authority and lending the proceeds therefrom to the Regional District on whose request the financing is undertaken;

AND WHEREAS, pursuant to the provisions of Section 833 of the *Local Government Act*, the amount of borrowing authorized by the following Loan Authorization Bylaw, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder and the amount being issued under the authority thereof by this bylaw is as follows:

Regional District	L/A Bylaw No.	Purpose	Amount Borrowing Authorized	Amount Already Borrowed	Borrowing Authority Remaining	Term of Issue (Yrs.)	Amount of Issue
Nanaimo	1051	Nanoose Bay Bulk Water Supply	\$7,731,000	\$3,059,318.41	\$4,671,681.59	20	\$176,295.00

Total Financing pursuant to Section 833

\$176,295.00

AND WHEREAS the Regional Board, by this bylaw, hereby requests that such financing shall be undertaken through the Authority;

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

1. The Authority is hereby requested and authorized to finance from time to time the aforesaid undertakings at the sole cost and on behalf of the Nanaimo Regional District and its municipalities hereinbefore referred to, in Canadian Dollars or in such other currency or currencies as the Authority shall determine so that the amount realized does not exceed One Hundred and Seventy-Six Thousand, Two Hundred and Ninety-Five Dollars (\$176,295.00) in Canadian Dollars and/or the equivalent thereto and at such interest and with such discounts or premiums and expenses as the Authority may deem consistent with the suitability of the money market for sale of securities of the Authority.
2. Upon completion by the Authority of financing undertaken pursuant hereto, the Chairperson and Manager of Financial Services of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements which said agreement or agreements shall be substantially in the form annexed hereto as Schedule 'A' and made part of the bylaw (such agreement or agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.
3. The Agreement in the form of Schedule 'A' shall be dated and payable in the principal amount or amounts of money in Canadian Dollars or as the Authority shall determine and subject to the Local Government Act, in such other currency or currencies as shall be borrowed by the Authority pursuant to Section 1 and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.
4. The obligations incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority and shall bear interest at a rate to be determined by the Treasurer of the Authority.
5. The Agreement shall be sealed with the seal of the Regional District and shall bear the signatures of the Chairperson and Manager of Financial Services.
6. The obligations incurred under the said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Victoria and at such time or times as shall be determined by the Treasurer of the Authority.
7. If during the currency of the obligations incurred under the said Agreement to secure borrowings in respect of Loan Authorization Bylaw No. 1051, the anticipated revenues accruing to the Regional District from the operation of the said Nanoose Bay Bulk Water Supply Local Service Area Function are at any time insufficient to meet the annual payment of interest and the repayment of principal in any year, there shall be requisitioned an amount sufficient to meet such insufficiency.


8. The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided however that if the sums provided for in the Agreement are not sufficient to meet the obligations of the Authority, and deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional District shall make provision to discharge such liability.
9. At the request of the Treasurer of the Authority and pursuant to Section 15 of the Municipal Finance Authority Act, the Regional District shall pay over to the Authority such sums and execute and deliver such promissory notes as are required pursuant to said Section 15 of the Municipal Finance Authority of British Columbia Act, to form part of the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.
10. This bylaw may be cited as "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1239, 2001".

Introduced and read three times this 14th day of August, 2001.

Received the approval of the Inspector of Municipalities this 14th day of September, 2001.

Adopted this 9thth day of October, 2001.

  
\_\_\_\_\_  
CHAIRPERSON

  
\_\_\_\_\_  
GENERAL MANAGER, CORPORATE SERVICES

[Signature]  
Chairperson

[Signature]  
General Manager, Corporate Services

CANADA  
PROVINCE OF BRITISH COLUMBIA  
AGREEMENT  
REGIONAL DISTRICT OF NANAIMO

The Regional District of Nanaimo (the "Regional District") hereby promises to pay to the Municipal Finance Authority of British Columbia (the "Authority") at its Head Office in Victoria, British Columbia, the sum of \_\_\_\_\_ in lawful money of Canada, together with interest thereon from the \_\_\_\_\_, at varying rates of interest, calculated semi-annually in each and every year during the currency of this Agreement; and payments of principal and interest shall be as specified in the table appearing on the reverse hereof commencing on the \_\_\_\_\_, provided that in the event the payments of principal and interest hereunder are insufficient to satisfy the obligations of the Authority undertaken on behalf of the Regional District, the Regional District shall pay over to the Authority such further sums as are sufficient to discharge the obligations of the Regional District to the Authority.

Dated at \_\_\_\_\_ British Columbia, this \_\_\_\_\_ of \_\_\_\_\_, 20\_\_.

IN TESTIMONY WHEREOF and under the authority of Bylaw No. 1239 cited as "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1239, 2001", this Agreement is sealed with the Corporate Seal of the Regional District and signed by the Chairperson and the Manager of Financial Services thereof.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Manager of Financial Services

Pursuant to the *Local Government Act*, I certify that the within Agreement has been lawfully and validly made and issued and that its validity is not open to question on any ground whatever in any court of the Province of British Columbia.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Inspector of Municipalities of British Columbia



REGIONAL DISTRICT OF NANAIMO	
MAY 20 2003	
CHAIR	GMCrS
CAO	GMDS
GMCmS	GMES
<i>C. Mason</i>	
DATE: May 12, 2003	
FILE:	

# MEMORANDUM

**TO:** C. Mason  
General Manager, Corporate Services

**FROM:** N. Avery  
Manager, Financial Services

**SUBJECT:** Firefighting vehicle upgrades for the Nanoose Bay Fire Protection Society

## PURPOSE:

To obtain approval to proceed with an upgrade to truck #12 to accommodate additional equipment storage (\$25,000) and replacement of the water tank on truck #13 (\$100,000).

## BACKGROUND:

The Nanoose Bay Fire Protection Society recently considered some options for upgrading two vehicles in the firefighting fleet. Truck #12 is used in the First Responder program with equipment carried in the cab alongside responding crew. Over time, the amount of equipment has grown to the point where the department considers it unsafe to be carried inside the crew cab and proposes to install a compartment to separate crew and equipment. The vehicle itself is a 1990 4 x 4 pickup truck and can serve the department for several more years. A custom made equipment compartment has been priced at an estimate of \$25,000 versus removing and replacing the cab with a larger unit, at \$50,000.

Truck #13 is a tanker, purchased in 1993. Unfortunately the steel tank has developed a leak. The department had a similar experience some years ago and found that it was ultimately more cost effective to replace the tank with a stainless steel unit. In 2002 the department purchased an additional tanker with a stainless steel tank and foam system, all of which can be operated by a single firefighter. The department proposes to retrofit truck #13 with a stainless steel tank and foam system, as well as upgrading a pump and making some cab modifications so that the vehicle is a "clone" of the newer unit. Training, maintenance and operating will be simplified for their personnel.

The department proposes to use a combination of 2003 budget funds and capital reserve funds for these two projects. Two bylaws are required – one which authorizes the release of reserve funds and the second which makes housekeeping amendments to the 2003-2008 financial plan.

## ALTERNATIVES:

1. Approve the vehicle upgrades as described.
2. Do not approve the vehicle upgrades at this time.



### FINANCIAL IMPLICATIONS:

The 2003 budget includes \$40,000 as a contribution to the vehicle replacement fund. The department proposes to reduce the reserve fund contribution by \$25,000 to pursue the upgrade to truck #12.


The vehicle reserve fund stands at \$306,000. The department had intended on going forward with the improvements to truck #13 in 2003, however, the information was inadvertently omitted from the financial plan adopted earlier this year. Staff confirm that this item was included in notes received with the budget submission in 2001.


### SUMMARY/CONCLUSIONS:

The Nanoose Bay Fire Protection Society at a recent Board meeting approved recommendations to proceed with upgrades to two firefighting vehicles. One vehicle will have an equipment compartment added and a second vehicle will have a new stainless steel tank and foam system added. The department proposes to amend its 2003 budget by reducing a vehicle reserve contribution by \$25,000 for one vehicle upgrade and wishes to release vehicle reserve funds in the amount of \$100,000 for the larger upgrade. The department has \$306,000 in its reserve fund and projects to continue contributing \$40,000 annually to the fund. Two bylaws are attached - Bylaw 1337.01 amends the financial plan adopted earlier this year to incorporate these adjustments and Bylaw 1351 authorizes an expenditure up to \$100,000 for upgrades to truck #13.

### RECOMMENDATIONS:

1. Advise the Nanoose Bay Fire Protection Society that the adjustments to its budget for the purposes of upgrades to trucks #12 and #13 are approved.
2. That "Regional District of Nanaimo Financial Plan (2003 to 2008) Amendment Bylaw 1337.01, 2003" be introduced for first three readings.
3. That "Regional District of Nanaimo Financial Plan (2003 to 2008) Amendment Bylaw 1337.01, 2003 having received three readings be adopted.
4. That "Nanoose Fire Protection Function Reserve Fund Expenditure Bylaw No.1351, 2003" be introduced for first three readings.
5. That "Nanoose Fire Protection Function Reserve Fund Expenditure Bylaw No.1351, 2003" having received three readings be adopted.

  
Report Writer

  
General Manager Corporate Services

  
C.A.O. Concurrence

COMMENTS:

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1351**

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

WHEREAS the Nanoose Fire Protection Function Reserve Fund was established under Bylaw No. 707;  
AND WHEREAS it is deemed desirable to expend the Reserve Fund monies for the purpose of upgrading  
a firefighting vehicle;

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

1. That the amount of OneHundred Thousand Dollars (\$100,000) is hereby appropriated from the  
Nanoose Fire Protection Function Reserve Fund to be expended on upgrading truck #13.
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 "Nanoose Fire Protection Function Reserve Fund Expenditure Bylaw  
No.1351, 2003".

Introduced and read three times this 10th day of June, 2003.

Adopted this 10th day of June, 2003

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
GENERAL MANAGER, CORPORATE SERVICES

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1337.01**

**A BYLAW TO AMEND THE FINANCIAL PLAN (2003 TO 2008)**

WHEREAS amendments to the financial plan have been approved to account for upgrading of certain firefighting vehicles in 2003;

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

1. Schedule 'A' of Bylaw 1337 is hereby repealed and Schedule 'A' attached to and forming a part of this bylaw is substituted therefore.
2. Schedule 'C' of Bylaw 1337 is hereby repealed and Schedule 'C' attached to and forming a part of this bylaw is substituted therefore.
3. This bylaw may be cited for all purposes as "Regional District of Nanaimo Financial Plan (2003 to 2008) Amendment Bylaw 1337.01, 2003".

Introduced and read three times this 10th day of June, 2003.

Adopted this 10th day of June, 2003.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
GENERAL MANAGER, CORPORATE SERVICES

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Chairperson

Gen Mgr Corporate Services

REGIONAL DISTRICT OF NANAIMO  
FINANCIAL PLAN 2003 TO 2008  
OVERALL SUMMARY

	Budget 2003	Budget 2004	Budget 2005	Budget 2006	Budget 2007	Budget 2008	SubTotal
<b>Revenues</b>							
Property taxes	\$ (19,580,712)	\$ (20,302,639)	\$ (20,894,780)	\$ (21,280,164)	\$ (23,547,865)	\$ (24,004,974)	\$ (129,591,114)
Parcel taxes	(1,761,700)	(1,808,011)	(1,853,301)	(1,898,551)	(1,947,096)	(1,997,218)	(11,265,877)
Municipal agreements	(177,635)	(213,162)	(213,162)	(213,162)	(213,162)	(213,162)	(1,243,445)
Operating revenues	(1,227,899)	(1,237,353)	(1,246,161)	(1,238,576)	(1,242,601)	(1,250,238)	(7,442,828)
Transit fares	(3,145,335)	(3,237,768)	(3,271,866)	(3,275,498)	(3,408,725)	(3,574,235)	(19,914,427)
Landfill tipping fees	(5,755,000)	(6,074,589)	(6,358,394)	(6,643,823)	(6,643,823)	(6,643,823)	(38,129,432)
Recreation revenues	(948,205)	(1,044,333)	(1,101,497)	(1,118,267)	(1,131,314)	(1,146,644)	(6,488,260)
Utility user fees	(2,513,862)	(2,579,988)	(2,681,556)	(2,751,206)	(2,822,864)	(2,896,942)	(16,228,418)
Operating grants	(3,800,236)	(3,427,636)	(3,511,738)	(3,296,152)	(3,297,596)	(3,299,089)	(20,632,425)
Transfer from reserves	(180,410)	0	0	0	0	0	(180,410)
Interest income	(275,000)	(342,000)	(342,000)	(342,000)	(342,000)	(342,000)	(1,985,000)
Interdepartmental recoveries	(2,548,285)	(2,625,840)	(2,690,631)	(2,756,881)	(2,824,013)	(2,892,654)	(16,338,104)
Miscellaneous	(2,642,240)	(2,476,456)	(2,368,458)	(2,168,156)	(1,977,415)	(1,899,798)	(13,530,521)
Prior year surplus(deficit)	(6,945,963)	(3,130,407)	(2,979,813)	(3,327,554)	(4,535,098)	(3,874,558)	(24,793,393)
<b>Total Revenues</b>	<b>\$ (51,492,482)</b>	<b>\$ (48,500,162)</b>	<b>\$ (49,491,333)</b>	<b>\$ (50,307,790)</b>	<b>\$ (53,934,572)</b>	<b>\$ (54,035,315)</b>	<b>\$ (307,761,654)</b>
<b>Expenditures</b>							
Administration	\$ 1,911,618	\$ 1,939,607	\$ 1,949,380	\$ 1,959,222	\$ 1,969,388	\$ 1,979,767	\$ 11,708,972
Community grants	49,012	42,500	42,500	42,500	42,500	42,500	261,512
Legislative	292,370	272,370	337,370	272,370	272,370	272,370	1,719,220
Professional fees	1,373,614	1,146,108	1,106,390	1,103,876	1,109,317	1,114,840	6,954,145
Building Ops	1,668,099	1,703,391	1,614,365	1,825,532	1,636,894	1,648,455	9,894,736
Veh & Equip ops	3,449,256	3,509,697	3,555,597	3,578,626	3,626,354	3,724,544	21,444,074
Operating Costs	8,530,689	8,591,195	8,708,911	8,851,216	11,698,163	11,797,412	58,175,586
Program Costs	262,455	265,721	265,912	266,104	266,297	266,491	1,592,980
Wages & Benefits	14,044,851	14,671,921	14,953,636	15,252,709	15,512,644	15,789,733	90,225,494
Transfer to other govt/org	3,476,580	3,517,360	3,588,260	3,630,399	3,694,535	3,759,276	21,646,390
Debt financing	6,186,390	6,496,851	6,499,234	5,726,485	5,573,306	5,427,159	35,908,405
Contributions to reserve funds	2,632,507	1,689,377	1,858,423	2,960,536	1,969,942	3,635,553	14,748,338
Capital	5,274,179	2,136,398	2,258,278	975,710	3,292,950	324,785	14,262,298
<b>SubTotal</b>	<b>\$ 49,149,600</b>	<b>\$ 45,981,494</b>	<b>\$ 46,718,256</b>	<b>\$ 46,245,265</b>	<b>\$ 50,662,860</b>	<b>\$ 49,782,875</b>	<b>\$ 288,540,150</b>
<b>New debt</b>		292,375	16,543	97,947	7,219	0	414,084
<b>Total expenditures</b>	<b>\$ 49,149,600</b>	<b>\$ 46,273,869</b>	<b>\$ 46,734,799</b>	<b>\$ 46,343,212</b>	<b>\$ 50,669,879</b>	<b>\$ 49,782,875</b>	<b>\$ 288,954,234</b>
<b>(Surplus)/deficit</b>	<b>\$ (2,342,882)</b>	<b>\$ (2,226,293)</b>	<b>\$ (2,756,534)</b>	<b>\$ (3,964,578)</b>	<b>\$ (3,284,693)</b>	<b>\$ (4,252,440)</b>	<b>\$ (18,760,336)</b>
<b>Source and Application of Funds</b>							
<b>Capital Fund</b>							
<b>Source of Funds</b>							
Transfers from Operating	\$ (5,274,179)	\$ (2,136,398)	\$ (2,258,278)	\$ (975,710)	\$ (3,282,950)	\$ (324,785)	\$ (14,262,298)
Transfers from Reserve Funds	(5,872,720)	(897,500)	(2,560,000)	(4,050,000)	(6,623,000)	(615,000)	(20,618,220)
Borrowed Funds	(7,963,330)	(132,230)	(447,230)	(507,230)	(7,230)	0	(8,071,920)
Bylaw funds on hand	0	(55,060)	0	0	0	0	(55,060)
Other sources	(43,813)	0	(217,600)	0	0	0	(281,413)
<b>Total Sources of Funds</b>	<b>\$ (19,234,117)</b>	<b>\$ (3,310,442)</b>	<b>\$ (6,069,983)</b>	<b>\$ (5,122,080)</b>	<b>\$ (9,938,655)</b>	<b>\$ (951,760)</b>	<b>\$ (44,627,037)</b>
<b>Funds Applied</b>							
Operating capital	\$ 11,206,187	\$ 3,049,371	\$ 5,051,353	\$ 5,041,185	\$ 9,931,425	\$ 955,280	\$ 35,234,781
Unexpended capital funds	0	55,060	0	0	0	0	55,060
Loan authorizations	8,043,330	212,230	1,027,230	87,230	7,230	0	9,377,250
<b>Total Funds Applied</b>	<b>\$ 19,234,117</b>	<b>\$ 3,310,442</b>	<b>\$ 6,069,983</b>	<b>\$ 5,122,080</b>	<b>\$ 9,938,655</b>	<b>\$ 951,760</b>	<b>\$ 44,627,037</b>
<b>Reserve Funds</b>							
Transfers from Operating Fund	\$ (2,632,507)	\$ (1,689,377)	\$ (1,858,423)	\$ (2,960,536)	\$ (1,969,942)	\$ (3,635,553)	\$ (14,742,818)
Other sources (DCC's etc)	(616,475)	(555,475)	(555,475)	(545,475)	(545,475)	(545,475)	(3,363,850)
Transfers to Capital Fund	5,872,720	897,500	2,560,000	4,050,000	6,623,000	615,000	20,618,220
Transfers to Operating Fund	0	0	0	0	0	0	0
<b>Reserve Fund Transactions</b>	<b>\$ 2,623,893</b>	<b>\$ (1,347,197)</b>	<b>\$ 146,257</b>	<b>\$ 544,144</b>	<b>\$ 4,107,738</b>	<b>\$ (3,565,873)</b>	<b>\$ 2,512,682</b>

Chairperson

Gen Mgr Corporate Services

REGIONAL DISTRICT OF NANAIMO  
FINANCIAL PLAN 2003 TO 2008  
Corporate Services

	Budget 2003	Budget 2004	Budget 2005	Budget 2006	Budget 2007	Budget 2008	SubTotal
<b>Revenues</b>							
Property taxes	\$ (3,545,349)	\$ (3,603,352)	\$ (3,728,672)	\$ (3,743,082)	\$ (3,804,064)	\$ (3,883,089)	\$ (22,286,518)
Operating revenues	(1,500)	(3,000)	(3,000)	(3,000)	(3,000)	(3,000)	(16,500)
Interest income	(275,000)	(342,000)	(342,000)	(342,000)	(342,000)	(342,000)	(1,985,000)
Planning grants	(20,000)	0	0	0	0	0	(20,000)
Grants in lieu of taxes	(30,350)	(30,350)	(30,350)	(30,350)	(30,350)	(30,350)	(182,100)
Interdepartmental recoveries	(1,913,270)	(1,969,535)	(2,026,926)	(2,085,465)	(2,145,174)	(2,208,077)	(12,348,447)
Transfer from reserves	(15,000)	0	0	0	0	0	(15,000)
Miscellaneous	(2,633,840)	(2,468,156)	(2,358,158)	(2,159,856)	(1,989,115)	(1,891,498)	(13,480,721)
Prior year surplus(deficit)	(1,195,735)	(425,653)	(319,426)	(349,636)	(406,762)	(511,702)	(3,208,934)
<b>Total Revenues</b>	<b>\$ (9,630,144)</b>	<b>\$ (8,842,046)</b>	<b>\$ (8,808,530)</b>	<b>\$ (8,713,398)</b>	<b>\$ (8,701,365)</b>	<b>\$ (8,847,718)</b>	<b>\$ (53,543,220)</b>
<b>Expenditures</b>							
Administration	88,083	88,089	88,092	88,095	88,098	88,101	528,568
Community grants	49,012	42,500	42,500	42,500	42,500	42,500	281,512
Legislative	290,420	270,420	335,420	270,420	270,420	270,420	1,707,520
Professional fees	262,259	225,579	225,579	225,579	225,579	225,579	1,360,154
Building Ops	388,799	389,388	289,635	299,887	290,144	290,406	1,938,259
Veh & Equip ops	202,890	204,330	205,484	182,885	184,085	184,530	1,184,504
Operating Costs	405,455	406,127	406,813	407,512	408,225	408,952	2,443,084
Wages & Benefits	1,503,789	1,533,885	1,564,542	1,595,833	1,627,750	1,660,305	9,488,054
Transfer to other gov/org	2,518,240	2,594,181	2,631,985	2,680,725	2,731,215	2,782,037	15,936,363
Debt financing	2,511,030	2,481,108	2,369,056	2,170,756	1,980,015	1,882,398	13,394,381
Contributions to reserve funds	203,980	214,882	211,908	262,625	298,852	377,963	1,590,190
Capital	836,534	108,100	117,900	69,800	62,800	73,200	1,268,334
<b>SubTotal</b>	<b>\$ 9,258,491</b>	<b>\$ 8,556,547</b>	<b>\$ 8,508,894</b>	<b>\$ 8,306,817</b>	<b>\$ 8,189,683</b>	<b>\$ 8,286,661</b>	<b>\$ 51,126,998</b>
<b>New debt</b>		18,073	0	0	0	0	18,073
<b>Total expenditures</b>	<b>\$ 9,258,491</b>	<b>\$ 8,576,620</b>	<b>\$ 8,508,894</b>	<b>\$ 8,306,817</b>	<b>\$ 8,189,683</b>	<b>\$ 8,286,661</b>	<b>\$ 51,126,998</b>
<b>(Surplus)/deficit</b>	<b>\$ (371,653)</b>	<b>\$ (265,426)</b>	<b>\$ (299,636)</b>	<b>\$ (406,762)</b>	<b>\$ (511,702)</b>	<b>\$ (561,025)</b>	<b>\$ (2,416,224)</b>
<b>Source and Application of Funds</b>							
<b>Capital Fund</b>							
<b>Source of Funds</b>							
Transfers from Operating	\$ (836,534)	\$ (108,100)	\$ (117,900)	\$ (69,800)	\$ (62,800)	\$ (73,200)	\$ (1,268,334)
Transfers from Reserve Funds	(289,810)	(50,000)	(50,000)	0	(610,000)	0	(979,810)
Borrowed Funds	(75,000)	0	0	0	0	0	(75,000)
Unexpended bylaw funds	0	0	0	0	0	0	0
Other sources	(43,813)	0	0	0	0	0	(43,813)
<b>Total Sources of Funds</b>	<b>\$ (1,225,157)</b>	<b>\$ (158,100)</b>	<b>\$ (167,900)</b>	<b>\$ (69,800)</b>	<b>\$ (672,800)</b>	<b>\$ (73,200)</b>	<b>\$ (2,368,957)</b>
<b>Funds Applied</b>							
Operating capital	\$ 1,150,157	\$ 158,100	\$ 167,900	\$ 69,800	\$ 672,800	\$ 73,200	\$ 2,291,957
Unexpended capital funds	0	0	0	0	0	0	0
Loan authorizations	75,000	0	0	0	0	0	75,000
<b>Total Funds Applied</b>	<b>\$ 1,225,157</b>	<b>\$ 158,100</b>	<b>\$ 167,900</b>	<b>\$ 69,800</b>	<b>\$ 672,800</b>	<b>\$ 73,200</b>	<b>\$ 2,368,957</b>
<b>Reserve Funds</b>							
Transfers from Operating Fund	\$ (203,980)	\$ (214,882)	\$ (211,908)	\$ (282,625)	\$ (298,852)	\$ (377,963)	\$ (1,690,190)
Other sources(DCC's etc)							
Transfers to Capital Fund	289,810	50,000	50,000	0	610,000	0	979,810
Transfers to Operating Fund							0
<b>Reserve Fund Transactions</b>	<b>\$ 85,830</b>	<b>\$ (164,882)</b>	<b>\$ (161,908)</b>	<b>\$ (282,625)</b>	<b>\$ 311,148</b>	<b>\$ (377,963)</b>	<b>\$ (610,380)</b>



REGIONAL DISTRICT  
OF NANAIMO  
MAY 21 2003

CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	

MEMORANDUM

TO: Pamela Shaw  
Manager of Community Planning

DATE: May 16, 2003

FROM: Geoff Garbutt  
Senior Planner

FILE: 6640 01 NAAI

SUBJECT: Nanaimo Airport Master Plan – Implications For RDN  
Electoral Area 'A'

PURPOSE

To provide an overview of the Draft Master Plan for the Nanaimo Regional Airport and further to outline implications for the Regional District of Nanaimo from a land use planning and regulatory perspective.

BACKGROUND

The Nanaimo Airport is located on approximately 202 hectares (500 acres) of land, 12 kilometres south of the City of Nanaimo. The airport lands are situated almost entirely within the Regional District of Nanaimo; a small portion at the south end of the property is within the Cowichan Valley Regional District. The federal government acquired the airport lands in 1942, and held superseding land use jurisdiction over all other provincial and municipal authorities, therefore the airport itself and its accessory uses were established while under federal exempt status. In the late 1990's the management of the airport was transferred to the Nanaimo Airport Commission. The airport and its accessory uses are now considered to be equivalent to a legal non-conforming use on the lands.

Until April 1997, the airport property was entirely in the Agricultural Land Reserve (ALR). The airport received approval from the Land Reserve Commission to exclude approximately 50 ha (122 acres) from the ALR to allow for the addition of 'airport related' uses along the portion of the airport adjacent to the Island Highway. The Commission also granted 'special use status' for a 40 ha parcel (approximately 100 acres) for commercial/recreational use (the golf course) to the east of the airport runway.

*Current Zoning*

The subject property is zoned Rural 4 Subdivision District 'D' pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987. The permitted uses in this zone are: agriculture, aquaculture, domestic industry use, extraction use, home occupation use, produce stand, residential use, and silviculture. The minimum parcel size in Subdivision District 'D' is 2.0 ha irrespective of the level of servicing available. The current zoning on the property does not reflect actual land uses, which developed while the airport held federal exempt land status.

*Official Community Plan*

Electoral Area 'A' Official Community Plan Bylaw No. 1240, 2001 was recently reviewed and has detailed policies with respect to the future development of the Airport lands. The OCP designates Lot 1

as Airport Lands and the balance of the airport as Aviation Related Lands (see Attachment No. 1). Land use policy for the Airport Lands focuses on those uses integral to flight operations including air terminal, air traffic control, runways/taxiways, security and policing facilities, aircraft fuelling, outdoor recreational uses and agriculture. The land use policy for the Aviation Related Lands focuses on the development of 'aviation oriented' commercial and light industrial uses that provide services to the airport and air travellers. The OCP policies support a zoning amendment application for the Airport without an amendment to the OCP to develop uses that include:

- aircraft maintenance & detailing;
- aircraft sales;
- flying schools;
- military flight operations;
- aircraft manufacturing and painting;
- aeronautic research and development;
- aviation related vehicle washing/maintenance;
- aviation related vehicle rental operations;
- brokerage facilities;
- aviation related warehousing and storage facilities;
- aviation related shop/retail merchandising;
- airline catering and food services;
- aviation/airport consulting services;
- aircraft hangars;
- corporate aviation;
- government flight operations;
- tanker base - fire/disaster response;
- shuttle bus, taxi, limousine operations;
- vehicle parking and storage;
- aircraft upholstery and avionics operations;
- office/conference/trade show facilities;
- aviation museums and static aircraft display;
- accommodations and restaurant facilities; and
- air cargo and freight couriers.

The Official Community Plan also designates the Nanaimo Regional Airport as Development Permit Area No. 4, which addresses Form and Character of Industrial and Commercial Development as well as Environmentally Sensitive Areas. All future development of Aviation related uses would be subject to the DPA guidelines that focus on managing the character of development on these gateway lands as well as discouraging land uses which would have a negative impact on the quality or quantity of ground and surface water.

#### ***Growth Management Plan***

Reflecting the policies contained in the Electoral Area 'A' OCP, the Regional District of Nanaimo Growth Management Plan designates the majority of the subject property as 'Resource Lands and Open Space', with the balance of the area as Industrial. This designation recognizes the OCP direction and promotes the development of aviation related uses at the airport.

#### ***Draft Nanaimo Airport Master Plan***

Consultants engaged by the Nanaimo Airport Commission have undertaken a review of the existing airport development plan and referred a copy of the new Nanaimo Airport Master Plan to the RDN and other agencies for review. The Master Planning process was guided by the recently completed Nanaimo Airport Strategic Plan. This Master Plan builds on previous planning initiatives and the result of the process is a proposal for significant development of non-aviation related airport lands as well as expansion of the airport services. The stated intent of the Master Plan is to actively pursue new aviation/aerospace businesses and to provide space for other uses that will provide services for travellers, local residents, and other commercial businesses that are 'airport compatible'. The draft Master Plan indicates that, given the location of the airport adjacent to the Island Highway, there is considerable

potential to develop stand-alone commercial, office and retail uses. The draft Master Plan seeks to provide sufficient commercial and industrial lands to financially support the airport.

The Plan identifies a series of 6 land use districts that are intended to guide the Airport Commission in allocating uses on the airport lands. These designations are illustrated in Attachment No. 2 and include the following uses:

<u>Designation</u>	<u>Uses</u>	<u>Designation</u>	<u>Uses</u>
Operational Reserve	<ul style="list-style-type: none"> <li>• Terminal Building</li> <li>• Parking Lot</li> <li>• Combined Services Building</li> <li>• Glycol Catchment Area</li> <li>• Sewage Treatment Facility</li> <li>• Airport Operations</li> </ul>	Airside District	<ul style="list-style-type: none"> <li>• Terminal Building</li> <li>• Parking Lot</li> <li>• Combined Services Building</li> <li>• Glycol Catchment Area</li> <li>• Sewage Treatment Facility</li> <li>• Airport Operations</li> </ul>
Airfield Reserve	<ul style="list-style-type: none"> <li>• Runways/Taxiways</li> <li>• Aprons</li> <li>• Aircraft Viewing Area/Trails</li> </ul>	Landside District	<ul style="list-style-type: none"> <li>• Office Buildings</li> <li>• Light Industrial</li> <li>• Warehousing/Distribution Centres</li> <li>• Hotel/Motel</li> <li>• Gas Station</li> <li>• Car Wash</li> <li>• Retail Sales</li> <li>• Aviation Related Industrial and Commercial Businesses</li> </ul>
Airport Recreation	<ul style="list-style-type: none"> <li>• Driving Range</li> <li>• Golf Course Expansion</li> <li>• Aircraft Viewing Area/Trails</li> <li>• Accessory Golf Course Uses</li> </ul>	Flex District	<ul style="list-style-type: none"> <li>• Future Use</li> <li>• Industrial/Big Box Retail</li> </ul>

Source: Draft Nanaimo Airport Master Plan, March 2003

From a land use and development perspective, the draft Master Plan includes a number of implementation items that are required to put the Plan into action. Central to this is the recommendation that the Airport Commission prepare an OCP and zoning amendment application to redesignate all airport lands to one overall designation with policy and regulations to accommodate the direction and focus of the land use strategy contained in the draft Master Plan.



## ALTERNATIVES

1. Receive the staff report for information.
2. Receive the staff report and that the Chair of the Board select a Committee to work with Nanaimo Airport Commission to address issues related to future land use at the Nanaimo Airport and direct staff to prepare amendments to the OCP policy and zoning for the airport lands.

## LAND USE AND DEVELOPMENT IMPLICATIONS

As the Board may recall, in the spring of 1998 a comprehensive planning process was undertaken to identify an approach and strategy for the future development of the airport lands. At that time, there was considerable public and agency consultation that resulted in an amendment to the existing Official Community Plan Bylaw No. 837. This amendment changed the designation of the airport lands from Rural to the present designation of Airport Lands and Aviation Related Lands. Given the level of consultation around this amendment, the policies contained in Bylaw No. 837 were adopted into the existing OCP for Electoral Area 'A' outlined above and it was the understanding of the Regional District that the Airport Commission would recognize the general direction and objectives of the OCP in future land use planning projects.

The framework for the existing airport OCP policies reflect the view that the expansion of market driven uses across the highway from the Cassidy Village Centre area could possibly result in the airport being developed at cross purposes to the ultimate objectives of the residents of Cassidy. During the planning process in 2001, it was felt that future development at the airport should promote the airport as the hub for air travel and air-related services for Vancouver Island, not focus on local commercial services. While there may be some services that benefit residents in the immediate vicinity of the airport, the community felt that the designation in the OCP should recognize the larger role of the airport and should protect the airport lands for the 'highest and best uses' that would benefit from a location at the airport.

While the majority of the airport operation and airside policies contained within the draft Master Plan for the Nanaimo Regional Airport reflect the intent of the Electoral Area 'A' OCP, the policies and proposed land uses for the Landside District and Flex District do not coincide with the strategic direction of the OCP. In these areas, the Master Plan focuses on stand-alone or destination retail, office, commercial and industrial uses that may be considered airport compatible, they are not aviation related. An application to amend the OCP to accommodate these policies and uses would represent a significant departure from the existing OCP policies and have the potential to direct commercial and industrial growth away from the Cassidy Village Node, the Duke Point Industrial Node and the commercial centres in the City of Nanaimo. Therefore, staff suggest that further consideration needs to be given to these sections of the Master Plan.

## ENVIRONMENTAL IMPLICATIONS

The Nanaimo Airport lies over the Cassidy Aquifer, an extensive source of groundwater supply that provides potable water and satisfies irrigation requirements for local residents and agricultural operations. In the past, concerns have been expressed by residents in the Cassidy area (across the Island Highway from the airport) regarding the impact of expanded industrial and commercial development on

PAGE  
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the aquifer. These concerns also relate to future development at the airport and are recognized in the existing Development Permit designation for the airport lands. Again, the level of development proposed in the Master Plan may not be consistent with the Official Community Plan's objectives on the protection of the aquifer, therefore further consideration of the Master Plan development strategy is required.

## AGENCY/PUBLIC CONSULTATION IMPLICATIONS

As the proposed land use and development policies outlined in the draft Nanaimo Airport Master Plan represent a departure from the existing policy, a concurrent OCP and zoning amendment application would be required should the Board wish to consider these amendments. In keeping with the requirements of the *Local Government Act* and RDN Board policy, a comprehensive public and agency consultation strategy would be required to accommodate the proposal.

There are also cross-jurisdictional issues with the Cowichan Valley Regional District (CVRD) and Ministry of Transportation that would have to be addressed during the bylaw amendment process. The CVRD borders the Nanaimo Airport lands to the south and east and CVRD staff indicated that the Board of the CVRD have issues with the draft Master Plan for the Nanaimo Airport and do not support the land use strategy outlined in the document due to environmental and land use compatibility issues.

## VOTING

All Directors - one vote.

## SUMMARY/CONCLUSIONS

In order to plan for the future development of the Nanaimo Airport, the Nanaimo Airport Commission has engaged consultants to prepare a Master Plan for the airport lands. The stated intent of the Master Plan is to actively pursue new aviation/aerospace businesses and to provide space for other uses that will provide services for travellers, local residents, and other commercial businesses that are 'airport compatible'.

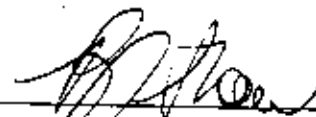
While the majority of the airport operation and airside policies contained within the draft Master Plan for the Nanaimo Regional Airport reflect the intent of the Electoral Area 'A' OCP, the policies and proposed land uses for the Landside District and Flex District do not coincide with the strategic direction adopted in the current Electoral Area 'A' OCP. Given the location, land base and role of the airport as the regional transportation hub, staff is of the opinion that a significant opportunity exists to foster development at the Nanaimo Airport. With additional discussion and consultation staff are of the opinion that revisions to the proposed Airport Master Plan could be considered together with amendments to the Electoral Area 'A' OCP and Zoning Bylaw that are consistent with the general direction of the GMP and OCP. This approach would provide the Airport Commission with the flexibility to meet the needs of the market place, provide development opportunities to support airport operations in conformity with the expectations of area residents and adjacent jurisdictions.

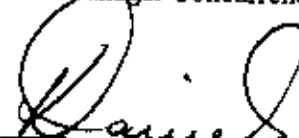
**RECOMMENDATION**

1. That the staff report on 'Nanaimo Airport Master Plan - Implications For the RDN' be received for information
2. That the Chair of the Board select a Committee to work with Nanaimo Airport Commission to consider issues related to future land use at the Nanaimo Airport and direct staff to prepare amendments to the OCP policy and zoning for the airport lands that will harmonize proposed airport land use and development with the Electoral Area 'A' Official Community Plan and Regional Growth Management policies.

  
\_\_\_\_\_  
Report Writer

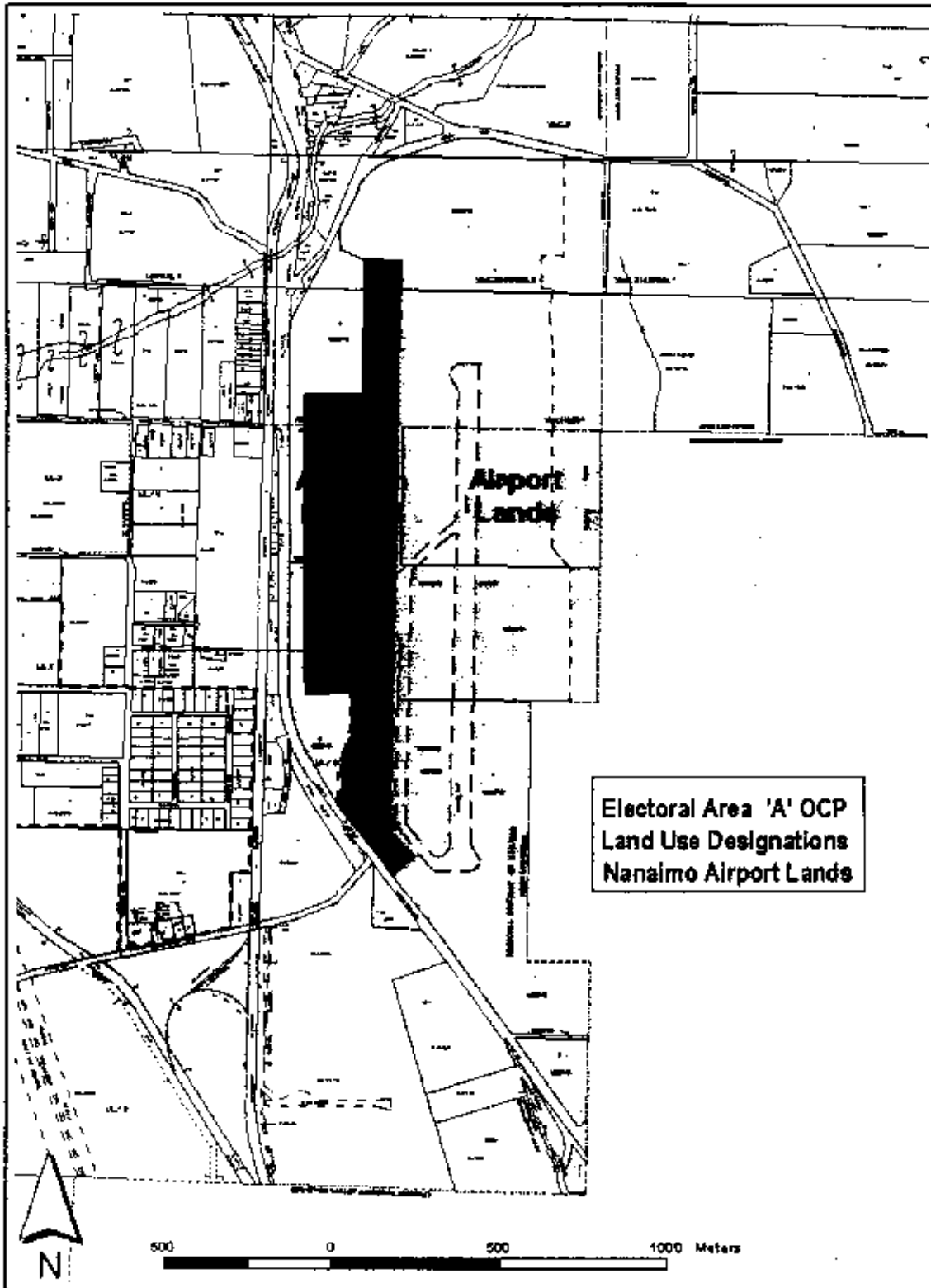
  
\_\_\_\_\_  
General Manager Concurrence

  
\_\_\_\_\_  
Manager Concurrence

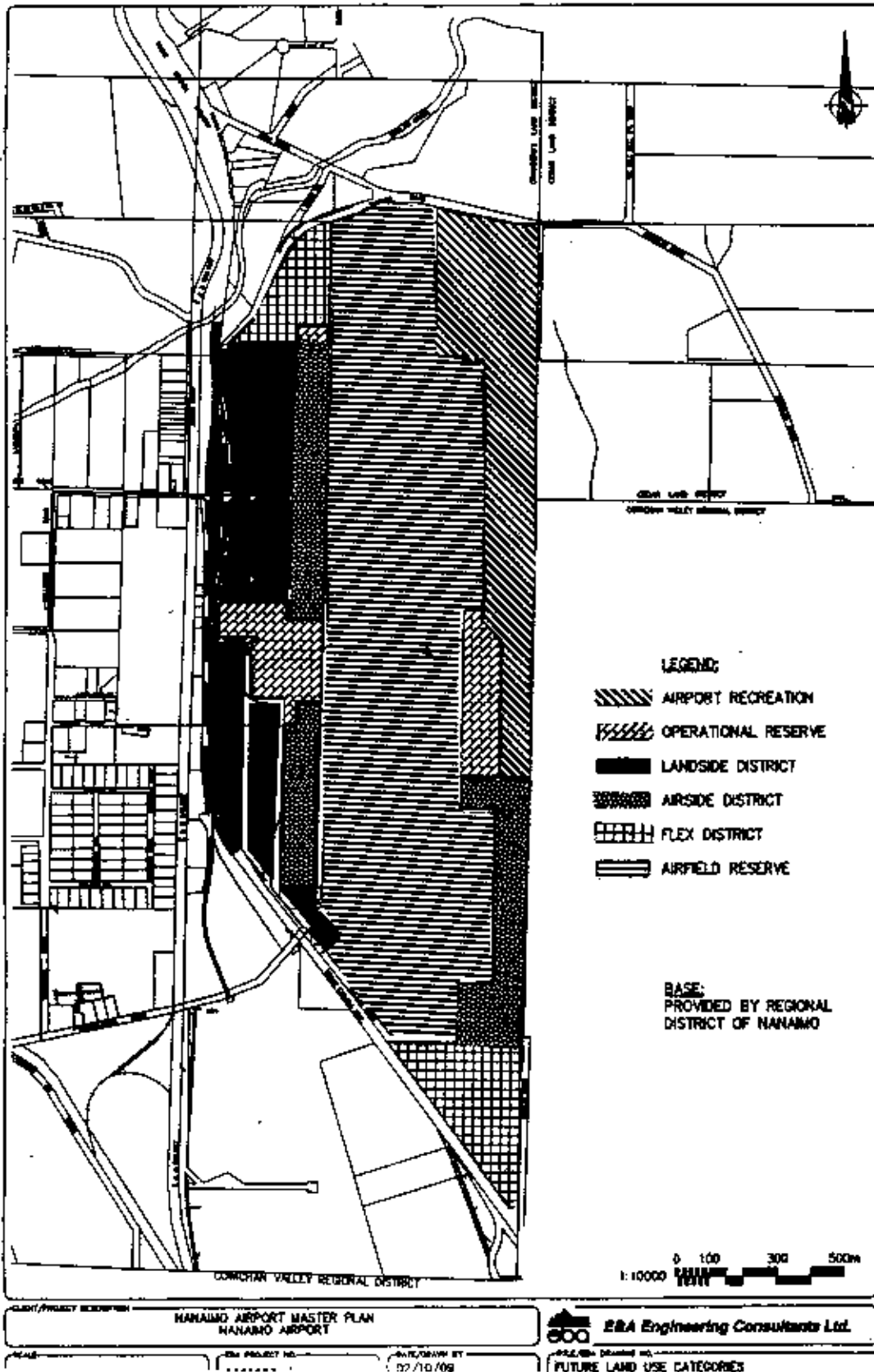
  
\_\_\_\_\_  
CAO Concurrence

COMMENTS:

**ATTACHMENT NO. 1  
ELECTORAL AREA 'A' OFFICIAL COMMUNITY PLAN BYLAW NO. 1240  
LAND USE DESIGNATION EXCERPT MAP**



ATTACHMENT NO. 2  
NANAIMO AIRPORT MASTER PLAN EXCERPT  
FUTURE LAND USE CATEGORIES – FIGURE 15



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REGIONAL DISTRICT OF NANAIMO			
MAY 15 2003			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
<i>Call</i>			

**MEMORANDUM**

**TO:** Stan Schopp  
Manager, Building Inspection Services

**FROM:** Allan Dick  
Senior Building Inspector

**DATE:** May 16, 2003

**FILE:** 3810-20

**SUBJECT:** Local Government Act - Section 700 - Contravention of Bylaw  
Meeting Date - May 27, 2003

**PURPOSE**

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

**BACKGROUND**

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

**SUMMARY OF INDIVIDUAL INFRACTIONS**

*Electoral Area 'A'*

1. Owners Name: Pieter Van Westen  
Legal Description: Lot 1, Section 1, Range 6, Plan VIP68894, Cedar District  
Street Address: 3460 Whiting Way  
**Summary of Infraction:**  
December 30, 1999 - permit application 21015 expired  
March 23, 2000 - Stop Work Order posted for locating trailer and constructing an addition  
August 1, 2000 - status inspection; notice posted stating permit application required for all construction over 10 m2 floor area  
May 4, 2000 - certified mail returned unclaimed  
August 8, 2000 - 700 notification letter couriered  
February 12, 2002 - letter sent; follow up to meeting regarding land use  
April 28, 2003 - site visit with bylaw officer to investigate illegal use of travel trailer on site  
May 6, 2003 - message left with owner to contact Senior Building Inspector regarding the recent site visit  
May 7, 2003 - file forwarded to Manager for 700 filing (construction without building permits/illegal use of travel trailer)

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**Electoral Area 'E'**

1. Owners Name: Blair Duke  
Legal Description: Lot A, District Lot 84, Plan VIP53591, Nanoose Land District  
Street Address: 1765 Claudet Road

**Summary of Infraction:**

January 30, 2003 - status inspection for occupancy  
February 4, 2003 - letter sent; occupancy permit required  
March 24, 2003 - 2nd letter sent certified mail; occupancy required - bond may be forfeit  
April 10, 2003 - no response to letters; forward to Senior Inspector for filing  
April 24, 2003 - certified mail returned unclaimed  
May 7, 2003 - left message with owner to contact Senior Inspector.  
May 7, 2003 - final inspection booked for May 9, 2003.  
May 9, 2003 - final inspection incomplete; proceed with 700 filing

**RECOMMENDATION**

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

Report Writer

Manager Concurrence

General Manager Concurrence

C.A.O. Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO	
MAY 20 2003	
CHAIR	GMCrS
CAO	GMDS
GMCmS	GMES

MEMORANDUM

TO: John Finnie, P. Eng. DATE: May 15, 2003  
 General Manager of Environmental Services

FROM: Dennis Trudeau FILE: 2240-20-CRPSTrail  
 Manager of Liquid Waste

SUBJECT: License Agreement with City of Nanaimo for a Portion of RDN Land at Chase River Pumping Station for Trail Network

PURPOSE

To provide information and recommendations on signing a License Agreement between the Regional District of Nanaimo (RDN) and the City of Nanaimo (CON) for the extension of a Chase River Park trail network onto RDN lands at the Chase River Pump Station.

BACKGROUND

The Regional District holds land at 1174 Island Highway South for use as a major pumping station in the Greater Nanaimo sewage collection system.

Recently RDN staff were approached by the City of Nanaimo to discuss the possibility of developing trails on the subject property in the future to connect with the existing and future trail network at the new Chase River Park. Accordingly, a License Agreement between the RDN and the CON has been identified as the appropriate instrument to permit the City access to the property for park purposes.

The Agreement would permit continued public use of the property for park purposes and allow the CON to manage the lands for park purposes on an ongoing temporary basis provided that the City assumes responsibility for the construction of any improvements, as well as the management, maintenance and liability associated with its use by the public.

The trail network specified in the Agreement permits extended use of the Chase River Park trail network onto the RDN lands and retains a buffer between these trail improvements from the Chase River Pumping Station buildings (Appendix 1).

Accordingly a License Agreement has been drafted for Regional District Board and City of Nanaimo Council approval.

ALTERNATIVES

1. That the Regional District of Nanaimo authorize the License Agreement attached as Appendix 1 that would permit the City of Nanaimo to use the RDN lands at 1174 Island Highway South for extension of the Chase River Park trail network.
2. That the Regional District of Nanaimo not authorize the License Agreement attached as Appendix 1 that would permit the City of Nanaimo to use the RDN lands at 1174 Island Highway South for extension of the Chase River Park trail network.



## FINANCIAL IMPLICATIONS AND TERMS

The City of Nanaimo would be responsible for all trail network costs, assume all liability associated with the trail network and would carry five (5) million dollar liability insurance with the Regional District of Nanaimo as additionally named insured.

The term of the Agreement would be for ten (10) years.

## INTERGOVERNMENTAL IMPLICATIONS

At the May 12, 2003 Nanaimo City Council Meeting, Council authorized the proposed License Agreement (attached as Appendix 1), directed City Staff to prepare and publish the statutory notice required under the *Local Government Act* advising of Council's intention to enter into an Agreement with the Regional District for the extension of the Chase River Park trail network and authorized the Mayor and City Clerk to execute the document necessary to facilitate the License Agreement.

## SUMMARY

The Regional District of Nanaimo holds land at 1174 Island Highway South that is used as a major pumping station for the Greater Nanaimo sewage collection system.

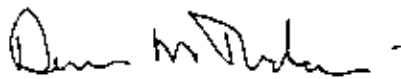
RDN staff were approached by the City to discuss the possibility of developing trails on the subject property in the future to connect with the existing trail network at Chase River Park. Accordingly, a License Agreement between the RDN and the CON has been identified as the appropriate instrument to permit the City access to the property for park purposes.

The Agreement would permit the City to develop a trail network on the Regional District lands at the City's cost in a manner that would not impede the operation of the pumping station. The City would also assume all liability associated with the trail network.

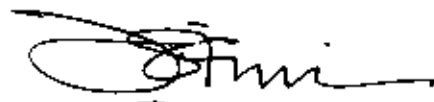
This expansion would greatly enhance the trail network being planned at Chase River Park which will be popular with both City and Regional District residents.

## RECOMMENDATIONS

That the License Agreement that permits the City of Nanaimo to use the Regional District of Nanaimo lands at 1174 Island Highway South for extension of the Chase River Park trail network be approved and executed.



Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:

LICENSE TO USE OR OCCUPY

Appendix I

THIS LICENSE ISSUED the \_\_\_\_\_ day of, \_\_\_\_\_, 2003

File: LD000826

**BETWEEN:**

**REGIONAL DISTRICT OF NANAIMO**  
6300 Hammond Bay Road  
Nanaimo, B.C.  
V9T 6N2

**(the "Regional District")**

**OF THE FIRST PART**

**AND:**

**CITY OF NANAIMO**  
455 Wallace Street  
Nanaimo, B.C.  
V9R 5J6

**(the "City")**

**OF THE SECOND PART**

**WHEREAS:**

The Regional District is the registered owner in fee simple of lands legally described as:

Civic Address: 1174 Island Highway South  
Legal Description: That Part of Section 1, Nanaimo District,  
Shown Outlined in Red on Plan 2163R  
(PID 004-338-316)

**(the "Lands");**

**AND WHEREAS** the City wishes to use and occupy portions of the Lands (the "Park").

**NOW THEREFORE** in consideration of the rents, covenants, agreements and conditions to be performed and observed by the City:

**A. GRANT OF LICENSE**

The Regional District hereby grants the City a license to occupy and use the said Park for the sole purposes of extending a trail network as generally shown on the map attached as 'Schedule A' to this Agreement.

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**B. TERM**

The Regional District grants this license for a period of ten (10) years from and including May 1, 2003 to and including April 30, 2013 (the "Term"), subject to the terms and conditions herein set forth.

**C. RENT AND RESPONSIBILITY FOR EXPENSES**

1. Yielding and paying therefor unto the Regional District upon the execution of this License, the rent of Ten Dollars (\$10.00) for the Term herein granted, the receipt of which is hereby acknowledged.
2. It is intended by the parties that the Park be of no cost or expense to the Regional District during the Term and accordingly the City agrees to pay, whether on its own behalf or on behalf of the Regional District, all costs of every nature and kind relating to the Park and/or any improvements thereon, and the City agrees to indemnify the Regional District from and against any such costs and expenses incurred by the Regional District directly relating to the use of the Park by the City.

**D. INSURANCE MAINTENANCE, RISK AND INDEMNITY**

The City agrees to take out and keep in full force and effect throughout the Term and during such other time as the City occupies or uses the Park or any part thereof at the expense of the City comprehensive general liability insurance, including without limitation non-owned automobile liability insurance, against claims for personal injury, death or property damage or loss upon, in or about the Park or otherwise howsoever rising out of the operations of the City in or around the Park, to the limit as may be reasonably required by the Regional District from time to time but, in any case, of not less than Five Million (\$5,000,000.00) Dollars in respect to injury or death to a single person and in respect of any one accident concerning property damage.

1. The policy of insurance shall contain a clause providing that the insurer will give the Regional District thirty (30) days written notice in the event of cancellation or material change.
2. The Regional District shall be named as an additional insured under such liability policy or policies of insurance.
3. Any buildings, furniture, equipment, machinery, fixtures and improvements placed on, in or about the Park by the City shall be entirely at the risk of the City.
4. The City agrees to maintain the Park and the improvements therein 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 Park.
5. The City shall not permit liquor, beer or any other alcoholic beverages on or in the said Park.

**PAGE**  
**IS**

6. The City shall not construct or place on the Lands any improvements without first obtaining the prior written consent of the Regional District and obtaining all required building or development permits.
7. The City shall report all instances of injury or damage to the Regional District, Manager Parks and Recreation.
8. The City agrees to comply promptly at its expense with all laws, bylaws, regulations, requirements and recommendations, which may be applicable to the manner of use or occupation of the Park, made by any and all federal, provincial, local government and other authorities and all notices in pursuance of same, provided however that the City shall have no liability to make any improvements, alterations or additions to the Park which may be required by authorities or associations unless due to the use or occupation of the Park by the City.
9. The City agrees to indemnify and save harmless the Regional District, its elected and appointed officers and employees, from any and all claims, suits, actions, costs, fees and expenses of any kind whatsoever brought against or incurred by the Regional District or its elected and appointed officers and employees in any way relating to the City's use or occupation of the Park during the Term of this License. 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.

#### **E. QUIET ENJOYMENT**

1. The Regional District covenants with the City for quiet enjoyment, for so long as the City is not in default hereunder.
2. The City shall permit, the Regional District and its employees, servants and agents, at all times, during the Term of this License, to enter the Park 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 City will, within ninety (90) days of the giving of that notice, well and truly repair in accordance with that notice.

#### **F. USE, ASSIGNMENT AND SUBLETTING**

1. The City agrees to not use the Lands for any purpose other than as a park with trail access.
2. They agree that it is the sole responsibility of the City to determine the suitability of the Park for its intended use and occupation.
3. The City shall not permit any other person, group or organization not named in this License to make improvements to or occupy the said Park for other than trail use without written authorization from the Regional District.

## **G. HOLDING OVER**

If the City continues to occupy the Park with the consent of the Regional District after the expiration or other termination of the Term without any further written agreement, the City shall be a monthly licensee subject always to all of the provisions of this License insofar as the same are applicable to a month-to-month tenancy and a tenancy from year to year shall not be created by implication of law; provided that nothing herein contained shall preclude the Regional District from taking action for recovery of possession of the Park.

## **H. APPROVALS**

No provision in this License requiring the Regional District's or the City'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 City 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 License.

## **I. RELATIONSHIP OF PARTIES**

Nothing contained herein shall be deemed or construed by the parties hereto, nor by any third party, as creating the relationship of principal and agent or of partnership or of 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 Licensor and Licensee.

## **J. SOLE AGREEMENT**

This License sets forth all of the warranties, representations, covenants, promises, agreements, conditions and understandings between parties concerning the Lands 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 License.

## **K. REMOVAL OF IMPROVEMENTS**

1. All improvements constructed, owned or installed by the City at the expense of the City on the Park, shall remain the property of the City and may be removed by the City at any time until the end of the Term or earlier termination of this License. The City agrees that it will, at its expense, repair any damage to the Park caused by the construction, installation, existence, use or removal thereof (the "Restoration"). Before removing such property the City 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 City's obligations for the Restoration.

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2. If the City does not remove the property which is removable by the City pursuant to Paragraph K(1) prior to the end of the Term or the sooner termination of this License, such property shall, if the Regional District elects, be deemed to become the Regional District's property and the Regional District may remove the same at the expense of the City, and the cost of such removal will be paid by the City forthwith to the Regional District on demand.

#### **L. DEFAULT AND EARLY TERMINATION**

1. The City further covenants with the Regional District that if the City 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 City shall continue for thirty (30) days after written notice thereof to the City by the Regional District, then by law the Regional District may at its option forthwith re-enter and take possession of the Park immediately and may remove any 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 Park.
2. Either party to this Agreement may terminate the Agreement at any time upon thirty (30) days notice in writing to the other party. If the Regional District exercises this right of termination then it may recover possession of the Park in accordance with paragraph L(1).

#### **M. APPLICABLE LAW, COURT LANGUAGE**

1. This License shall be governed and construed by the laws of the Province of British Columbia.
2. The venue of any proceedings taken in respect of this License shall be at Nanaimo, British Columbia, so long as such venue is permitted by law, and the City shall consent to any applications by the Regional District to change the venue of any proceedings taken elsewhere to Nanaimo, British Columbia.

#### **N. CONSTRUED COVENANT, SEVERABILITY**

All of the provisions of this License are to be construed as covenants and agreements. Should any provision of this License be or become illegal, invalid or not enforceable, it shall be considered separate and severable from this License 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.

#### **O. TIME**

Time shall be of the essence hereof.

#### **P. NOTICE**

1. All notices or payment from the City 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: Manager of Liquid Waste

2. All notices from the Regional District to the City shall be sent to the City at the following address:

City of Nanaimo  
455 Wallace St.  
Nanaimo, BC  
V9R 5J6

Attention: Director, Parks, Recreation and Culture

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

3. 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.
4. 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.
5. 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.

#### **Q. WAIVER**

The failure of either party to insist upon strict performance of any covenant or condition contained in this License 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.

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

THE CORPORATE SEAL OF THE  
**REGIONAL DISTRICT OF NANAIMO** was  
hereunto affixed in the presence of:

\_\_\_\_\_)  
Chairperson  
\_\_\_\_\_)  
General Manager, Corporate Services

*c/s*

THE CORPORATE SEAL OF THE  
**CITY OF NANAIMO** was  
hereunto affixed in the presence of:

\_\_\_\_\_)  
Mayor  
\_\_\_\_\_)  
Senior Manager, Corporate Administration

*c/s*

Attachment: LD000826



Schedule 'A'



PPM FACILITIES



REGIONAL DISTRICT OF NANAIMO			
MAY 16 2003			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
<i>Colt</i> ✓			
			DATE

## MEMORANDUM

**TO:** Dennis Trudeau  
Manager of Liquid Waste

**FROM:** Chris Brown  
Engineering Technologist

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

**FILE:** 4520-20-52/53

**DATE:** May 5, 2003

### PURPOSE

To consider an amendment 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 following conditions must be met: the applicant must have been formally rejected by the Ministry of Health for an on site system; the parcel must be greater than 700 m<sup>2</sup>; the parcel is for existing uses and the disposal system has failed, or the parcel is currently vacant and will only be used for the construction of a single family residence; the parcel cannot be further subdivided or stratified according to existing zoning or a restrictive covenant; a community sewer system is not available; including the parcel will not facilitate development of any additional units on the property; the development conforms to zoning bylaws.

A person wishing to incorporate a property (or properties) into the Pump and Haul Service Area must first apply to the Regional District of Nanaimo to amend the Pump and Haul Bylaw No. 975. 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 with a pump out company with a copy of the current contract always deposited with the Regional District of Nanaimo; the owner of the lot connect to sewers when they become available and the owner shall not subdivide or construct any additional units on the property.

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

1. Lot 2 Plan 2160 District Lot 9 Newcastle Land District  
306 Kinkade Road, Qualicum Beach  
Dennis & Shirley Daniels  
Area H

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Mr. & Mrs. Daniels have petitioned the RDN to include the above-mentioned 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 May 1, 2002 indicated the above property was in violation of sections 12 (a) and 18 (d) of Schedule 2 of the Health Act - Sewage Disposal Regulation 4511/85 and an application for a sewage disposal permit could not be approved. The property is greater than 700 m<sup>2</sup> and conforms to the existing zoning bylaws.

On July 17, 2002 an application was made to the Ministry of Health for a permit to construct a sewage-holding tank that conformed to the policies of the Vancouver Island Health Authority and the bylaws of the Regional District of Nanaimo. A 2200 gallon cement tank was installed and authorized for use on October 02, 2002.

2. Lot 7 Section 18 Nanaimo Land District Plan 17698  
Sealover's Lane, Gabriola Island  
Richard & Irene Lekei  
Area B

Mr. & Mrs. Lekei have petitioned the RDN to include the above-mentioned 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 May 1, 2003 indicated that a sewage disposal permit could not be approved for the above property. The property is greater than 700 m<sup>2</sup> and conforms to the existing zoning bylaws.

A Restrictive Covenant will be registered on both properties requiring that a continuous contract with a pump out company be on file with the Regional District of Nanaimo, that the owner will connect to sewers when they become available and that the owner shall not subdivide or construct any additional units on the property.

#### **ALTERNATIVES**

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

#### **FINANCIAL IMPLICATIONS**


The applicants pay an application fee and an annual user fee. The Pump and Haul program is a user pay service. Currently the applicants have access to the RDN's pollution control facilities, but since they are not included in the Pump and Haul Bylaw, they are subject to a rate of \$0.16/gallon. Including them into the Bylaw would reduce their rate to \$0.01/gallon.


#### **SUMMARY/CONCLUSION**

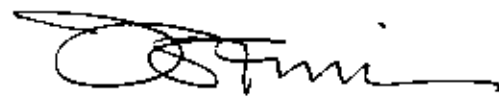
The applications meet all requirements for inclusion into the Pump and Haul function, specifically the parcel sizes are greater than 700m<sup>2</sup>, a community sewer is not available, sewage disposal permits could not be obtained under the Provincial Sewage Disposal Regulation and the properties conform to zoning bylaws. Appropriate Restrictive Covenants have been prepared for the properties and have been approved by Planning and Environmental Services staff.


**RECOMMENDATION**

1. That "Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.28" be read three times and forwarded to the Inspector of Municipalities for approval.

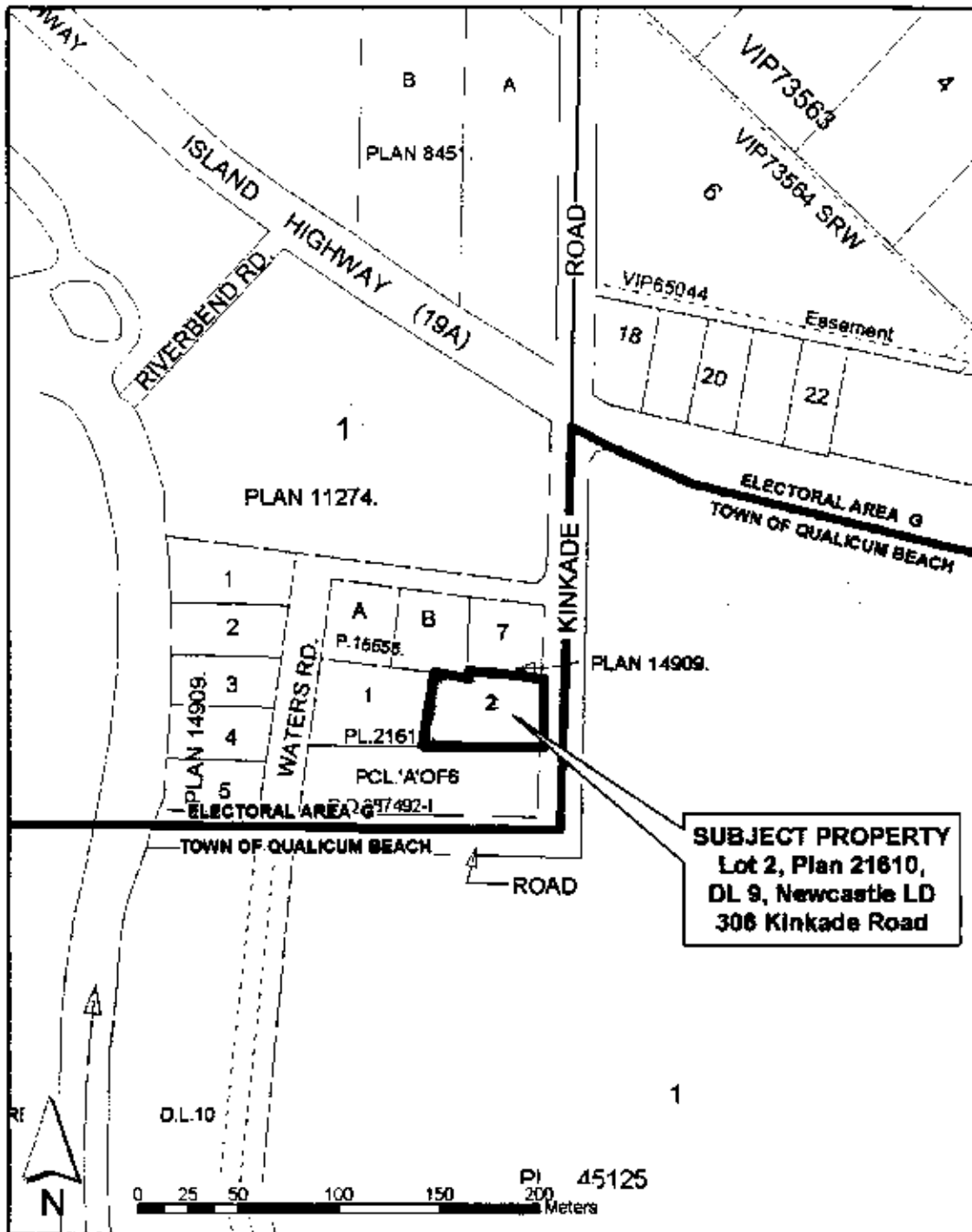
  
\_\_\_\_\_  
Report Writer

  
\_\_\_\_\_  
Manager Concurrence

  
\_\_\_\_\_  
General Manager Concurrence

  
\_\_\_\_\_  
CAO Concurrence

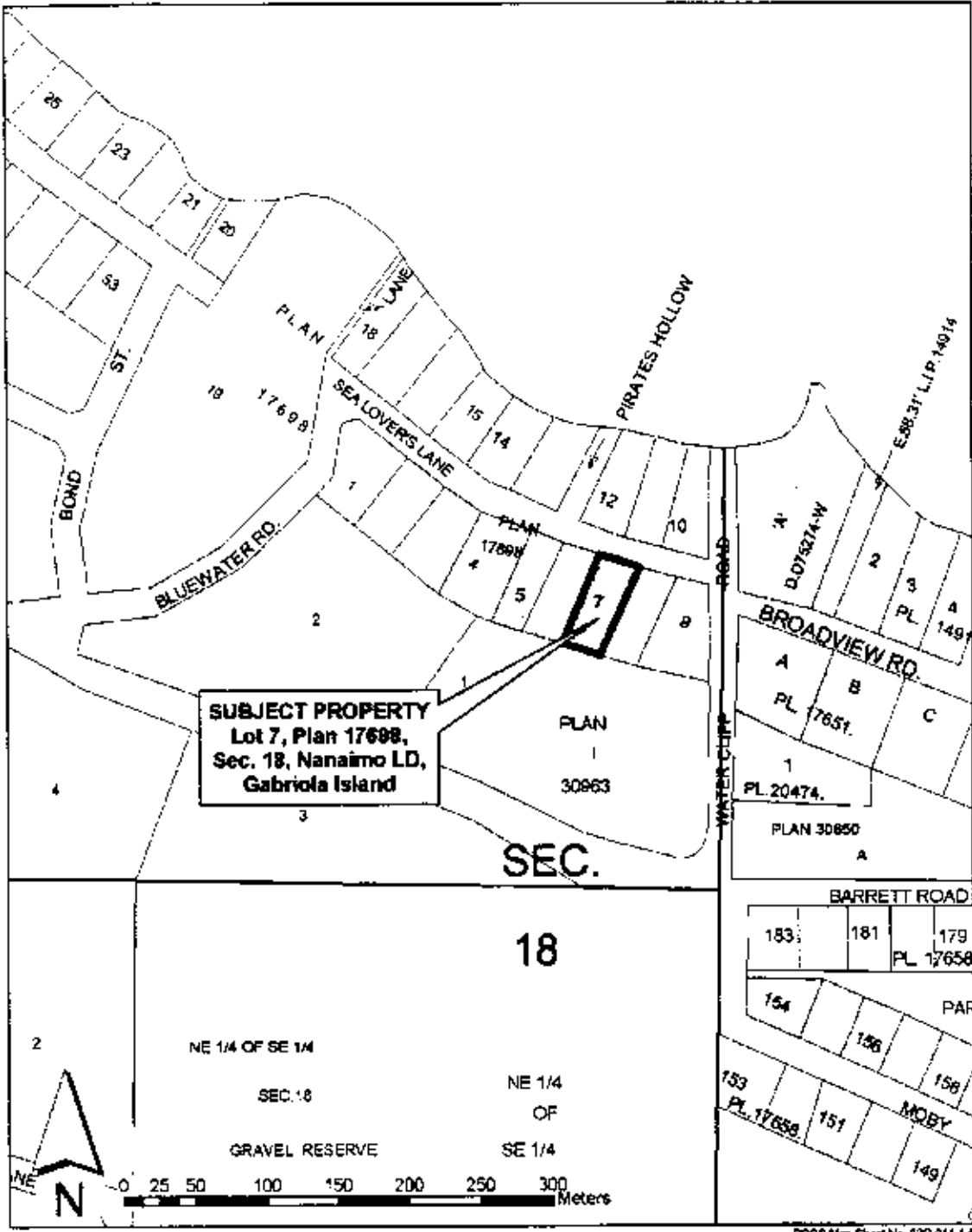
**COMMENTS**



**SUBJECT PROPERTY**  
 Lot 2, Plan 2161,  
 DL 9, Newcastle LD  
 306 Kinkade Road

BCGS MAP SHEET NO. 92F.0384.1

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**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 975.28**

**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. 975.28;

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

Lot 7, Section 18, Gabriola Island, Nanaimo Land District, Plan 17698 (Electoral Area B)

Lot 2, District Lot 9, Newcastle Land District, Plan 2160 (Electoral Area H)

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

1. Schedule 'A' of Bylaw No. 975.27 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. 975.28, 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

**PAGE  
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Schedule 'A' to accompany "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.28, 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.
9. Lot 7, Section 18, Plan 17698, 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.
7. Lot 2, District Lot 9, Plan 2160, Newcastle Land District.

**City of Nanaimo**

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



REGIONAL DISTRICT OF NANAIMO			
MAY 16 2003			
CHAIR		GMCrS	
CAO		GMDS	
GMCmS		GMES	

MEMORANDUM

TO: Wayne Moorman, P.Eng. *Colin* DATE: May 12, 2003  
 Manager of Engineering & Utilities

FROM: Natalie Cielanga, AScT. FILE: 5500-21-Rural  
 Engineering Technologist

SUBJECT: Utilities  
 Rural Streetlighting Local Service Area  
 Boundary Amendment

PURPOSE

To consider a request for a boundary amendment for the Rural Streetlighting Local Service Area (RSLSA) to include Lot 1, Plan 19351, DL 49, Nanoose District.

BACKGROUND

The owner of the above noted property has petitioned the Regional District of Nanaimo to be included in the Rural Streetlighting Local Service area. The property owner is proposing to subdivide the property and wants to include streetlighting in the subdivision.

The property is in French Creek and is in close proximity to the Rural Streetlighting Local Service Area.

ALTERNATIVES

1. Do not amend the boundaries of Rural Streetlighting Local Service Area Bylaw No. 791.
2. Amend the boundaries of Rural Streetlighting Local Service Area Bylaw No. 791.

FINANCIAL IMPLICATIONS

There are no financial implications to the Regional District of Nanaimo. If accepted into the Local Service Area, the streetlights will be installed by the property owner/developer and the energy/maintenance costs will be paid for by the property owner(s).

In 2003 the tax rate for this service for properties already in the RSLSA was approximately \$8.70 per \$100,000 of assessment.

RECOMMENDATION

1. That 'Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.07, 2003' be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

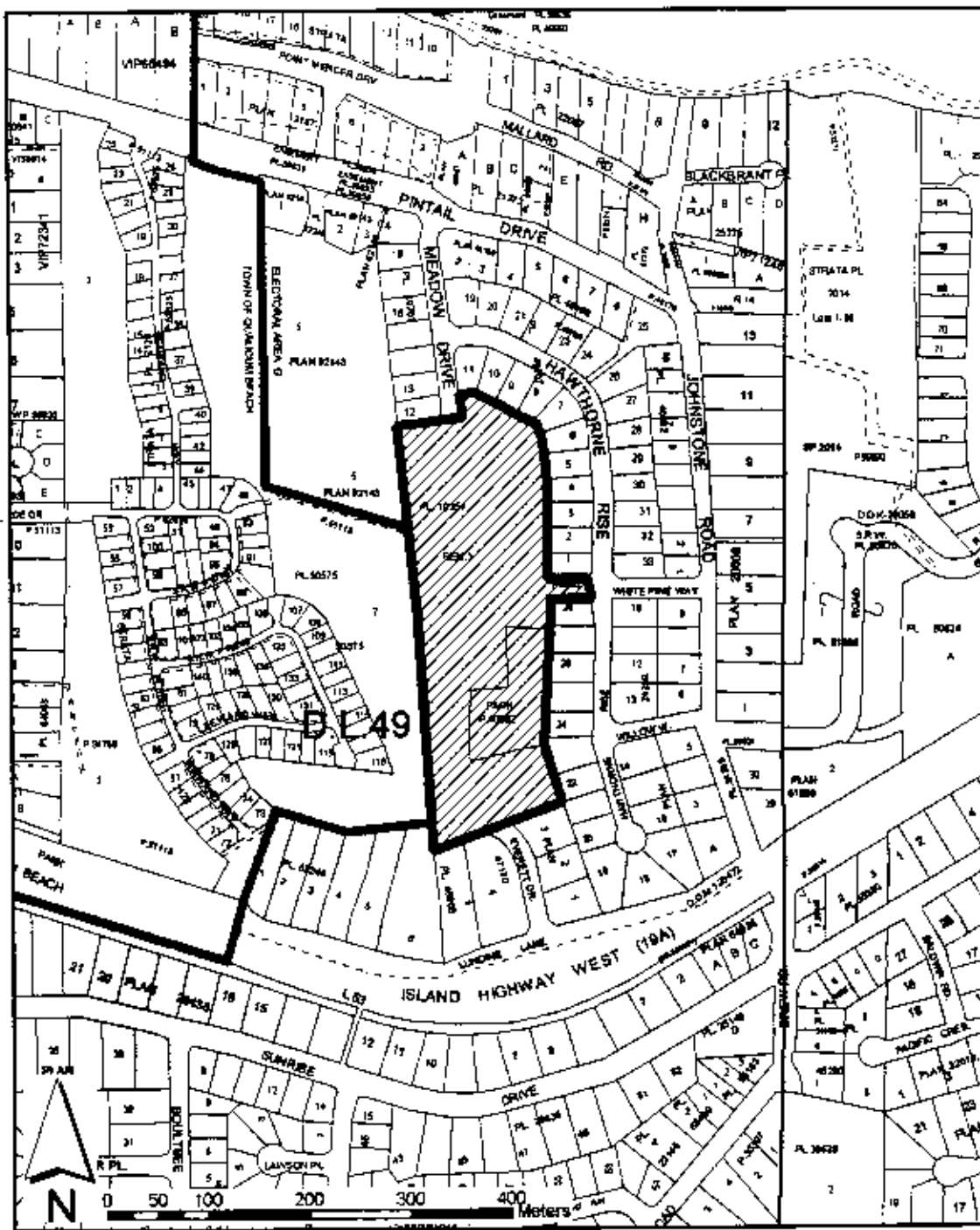
*Natalie Cielanga*  
 Report Writer

*Wayne Moorman*  
 Manager Concurrence

*[Signature]*  
 General Manager Concurrence

*[Signature]*  
 CAO Concurrence

COMMENTS:



BCGS MAPSHEET NO. 92F.039.1.3

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 791.07**

**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. 791.06 is hereby repealed.
4. This bylaw may be cited as "Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.07, 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

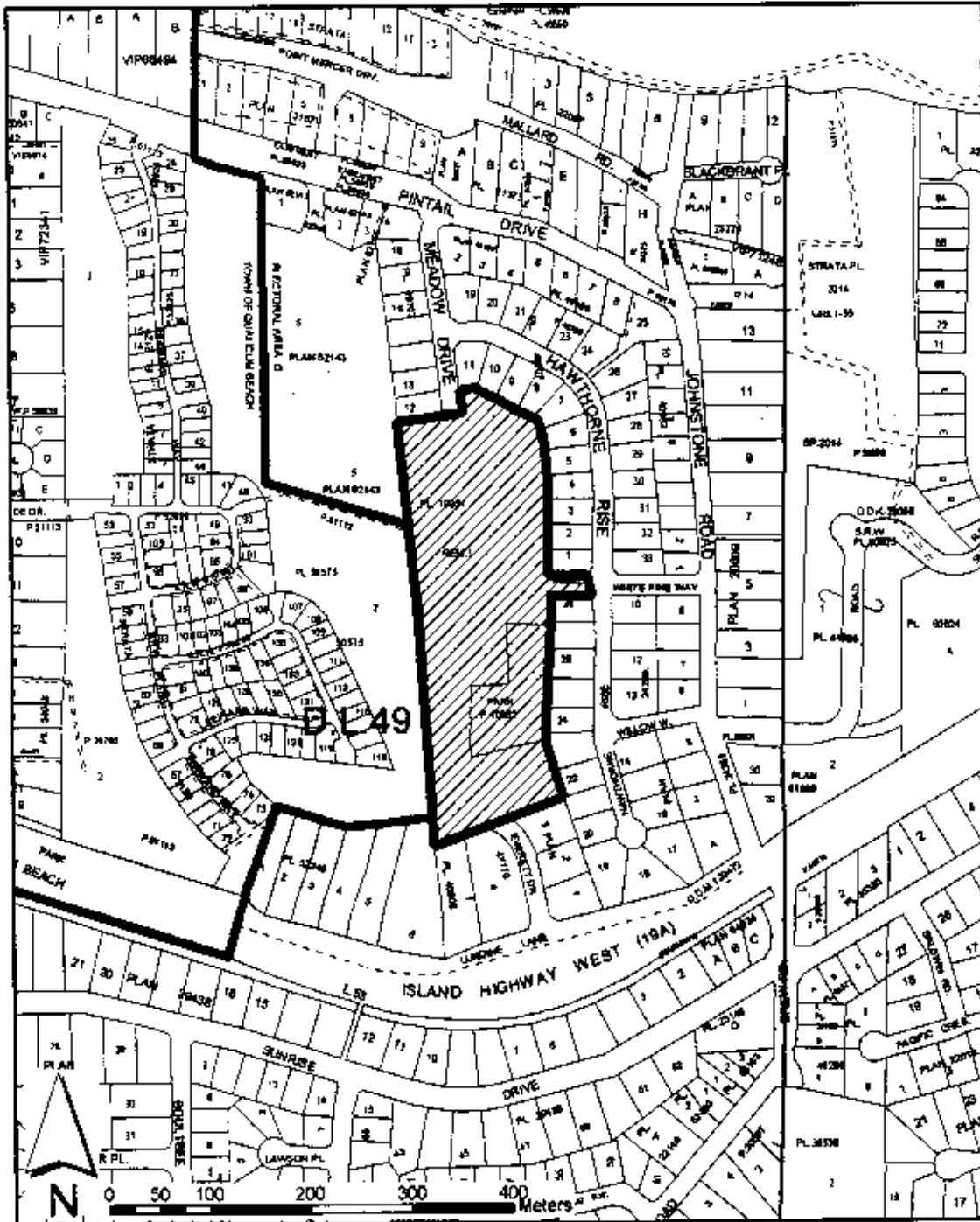
\_\_\_\_\_  
GENERAL MANAGER, CORPORATE SERVICES

AGE  
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Schedule 'A' to accompany "Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.07, 2003"

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
General Manager, Corporate Services



BCGS MAPSHEET NO. 92F.009.13

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REGIONAL DISTRICT OF NANAIMO			
MAY 16 2003			
CHAIR		GMCrs	
CAO		GMDS	
CMCms		GMES	
		DATE:	
		FILE:	

MEMORANDUM

TO: J. Finnie, P. Eng. May 12, 2003  
 General Manager of Environmental Services

FROM: W. Moorman, P. Eng. 5500-20-CSS-01  
 Manager of Engineering & Utilities

SUBJECT: A Bylaw to Amend the Rates for Electoral Area 'A' Sewer Service Area (MacMillan Road School Site)

PURPOSE

To seek approval to amend the rates for sewage treatment by adopting "Electoral Area 'A' (MacMillan Road School Site) Sewer Local Service Area Rates and Regulations Amendment Bylaw No. 1237.02, 2003".

BACKGROUND

The adopted 2003 budget included a 2% increase to sewer and water utility rates. The bylaw amending the rates for this service area was inadvertently omitted from the group of bylaws adopted by the Board on May 6<sup>th</sup>. This service area provides for the disposal and treatment of sewage from the secondary school located at MacMillan Road, in Cedar.

ALTERNATIVES

1. Approve and recommend the bylaw for adoption.
2. Take no action.

FINANCIAL IMPLICATIONS

Sewage from the school site is collected and treated at the Duke Point Treatment Plant, which is within the Duke Point Wastewater Treatment service area. The user rates charged to the School District are credited as revenues to the Duke Point Wastewater Treatment service area. In 2002 the user rates amounted to \$3,017.70- the rate change proposed in the bylaw will increase that amount to \$3,080.70.

SUMMARY/CONCLUSIONS

In conjunction with the approval of the 2003 annual budget a number of user rates have been amended to provide for a 2% increase. The Electoral Area 'A' sewer service area bylaw was inadvertently omitted from the group of bylaws submitted for approval on May 6<sup>th</sup>. Bylaw 1237.02 changes the user rate from \$47.90 per unit to \$48.90 per unit.

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PAGE


**RECOMMENDATION**

That "Electoral Area 'A' (MacMillan Road School Site) Sewer Local Service Area Rates and Regulations Amendment Bylaw No. 1237.02, 2003" be introduced for three readings.

That "Electoral Area 'A' (MacMillan Road School Site) Sewer Local Service Area Rates and Regulations Amendment Bylaw No. 1237.02, 2003" having received three readings be adopted.

  
Report Writer

  
General Manager Concurrence

  
C.A.O. Concurrence

**COMMENTS:**



**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1237.02**

**A BYLAW TO AMEND THE RATES IN ELECTORAL AREA 'A'  
(MACMILLAN ROAD SCHOOL SITE)  
SEWER LOCAL SERVICE AREA  
RATES AND REGULATIONS  
BYLAW NO. 1237**

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

1. Schedule 'B' of Bylaw No. 1237 is hereby repealed and Schedule 'B' attached hereto and forming part of this bylaw, is substituted therefore.
2. This bylaw may be cited for all purposes as the "Electoral Area 'A' (MacMillan Road School Site) Sewer Local Service Area Rates and Regulations Amendment Bylaw No. 1237.02, 2003".

Introduced and read three times this 10th day of June, 2003.

Reconsidered and adopted this 10th day of June, 2003.

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CHAIRPERSON

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GENERAL MANAGER, CORPORATE SERVICES

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
General Manager, Corporate Services

**1. Connection Fees**

Up to 4" Connection \$250.00

**2. Sewer User Rates**

**Classification**

**Annual Rate**

Single Family Dwelling

\$48.90 per unit

Business Premises

\$48.90 per Single Family Dwelling unit equivalent

Institutional Facilities

\$48.90 per Single Family Dwelling unit equivalent



REGIONAL DISTRICT OF NANAIMO			
MAY 20 2003			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
		<i>Call</i>	<input checked="" type="checkbox"/>

MEMORANDUM

TO: Wayne Moorman, P.Eng. DATE: May 12, 2003  
 Manager of Engineering & Utilities

FROM: Natalie Cielanga, AScT. FILE: 5500-21-MS  
 Engineering Technologist

SUBJECT: Utilities  
 Morningstar Streetlighting Local Service Area  
 Boundary Amendment

PURPOSE

To consider a request for a boundary amendment to the Morningstar Streetlighting Local Service Area (MSLSA) to include 53 properties as shown on the attached plan.

BACKGROUND

The noted properties were recently developed and have ornamental streetlights included in the development. The property owners have petitioned the RDN to be included in the Morningstar Streetlighting Local Service Area.

ALTERNATIVES

1. Do not amend the boundaries of the Morningstar Streetlighting Local Service Area Bylaw No. 869.
2. Amend the boundaries of the Morningstar Streetlighting Local Service Area Bylaw No. 869.

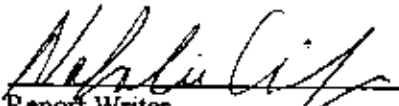
FINANCIAL IMPLICATIONS

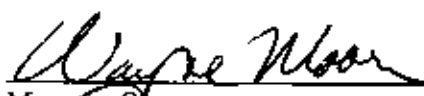
There are no financial implications to the Regional District of Nanaimo. The operating costs of the streetlights are charged to the benefiting properties through taxation. By amending the service area boundaries, all of the property owners that benefit from the streetlighting will pay towards the operation of the streetlights.


In 2003 the tax rate for this service for properties already in the MSLSA was approximately \$20.60 per \$100,000 of assessment.

RECOMMENDATION

1. That 'Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.04, 2003' be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

  
 Report Writer

  
 Manager Concurrence

  
 General Manager Concurrence

  
 CAO Concurrence

COMMENTS:

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 869.04**

**A BYLAW TO AMEND THE BOUNDARIES  
OF THE MORNINGSTAR STREETLIGHTING  
LOCAL SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo created a service of streetlighting by Bylaw 869 and wishes to extend the boundaries of the Morningstar Streetlighting Local Service Area;

AND WHEREAS pursuant to Section 802(1)(b), consent of 2/3 of the participants has been obtained, supporting the amended boundaries;

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

1. The boundaries of the local service area are hereby amended to include those properties outlined in heavy black on Schedule 'A' attached to and forming a part of this bylaw.
2. The amended boundaries of the local service area are hereby shown as outlined on Schedule 'B' attached to and forming a part of this bylaw.
3. This bylaw may be cited as the "Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.04, 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.

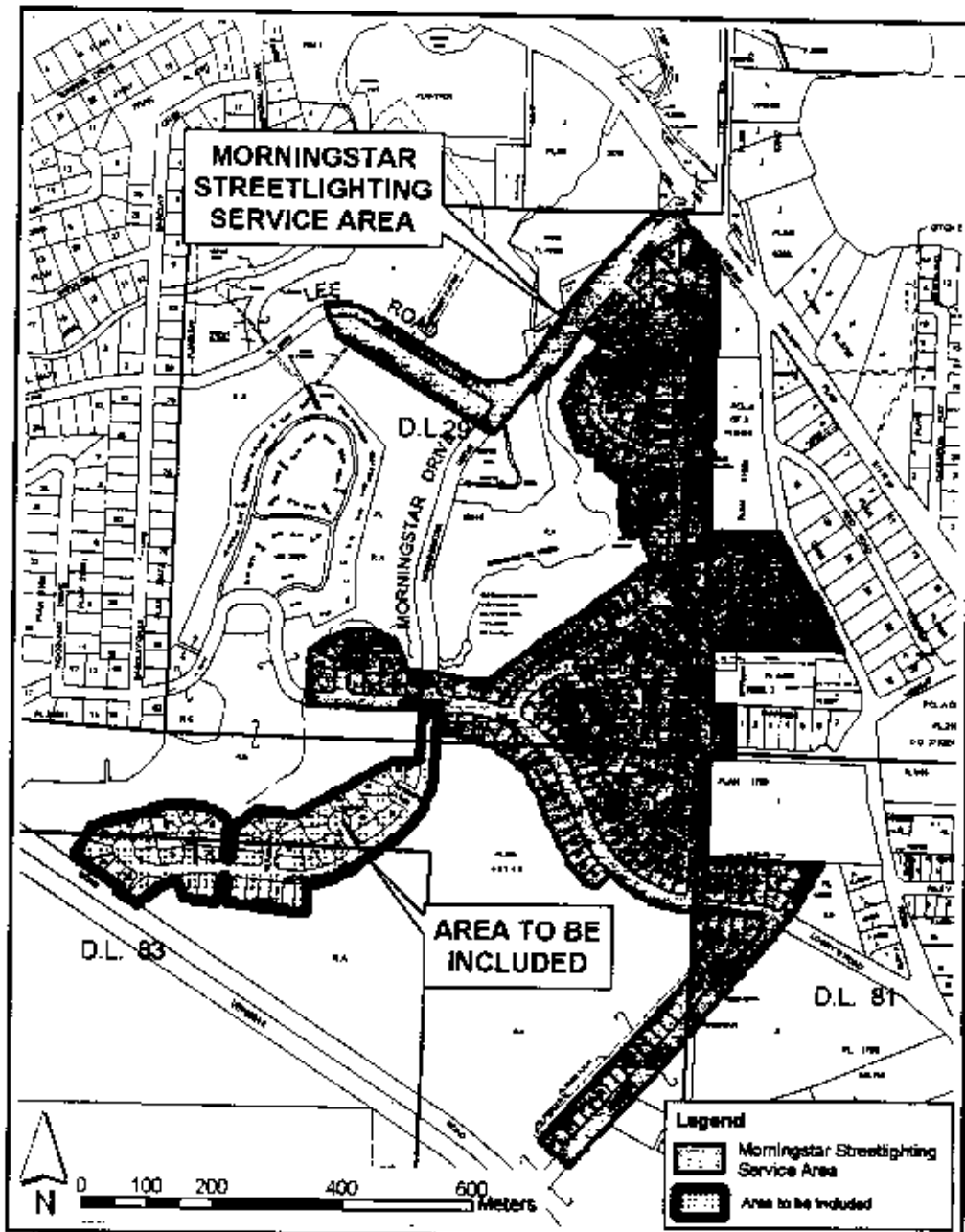
\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
GENERAL MANAGER, CORPORATE SERVICES

Schedule 'A' to accompany "Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.04, 2003"

\_\_\_\_\_  
Chairperson

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General Manager, Corporate Services



## Minutes

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

Thursday April 17, 2003

Cedar Heritage Center, 1644 MacMillan Road, Cedar.

**Attendance:** Lynnette Aldcroft                      Gay Cunningham  
                  Judy Burgess                                Joe Materi  
                  Kerri-Lynne Wilson                      Henrik Kreiberg (Area 'A' Alternate Director)

**Apologies:** Margaret Johnson, Frank Garnish, Jeff Ainge

**Guests:** Karl and Stella Woods

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Meeting was called to order at 7:35 pm

#### AGENDA

MOVED H. Krieberg, SECONDED KL Wilson that the agenda be adopted as amended                      CARRIED

#### DELEGATIONS AND PRESENTATIONS

- Dave Williamson had been scheduled to speak about complaints he had received about state of the MCT trail arising from machine work on the trail, but was unable to attend.

#### APPROVAL OF MINUTES

MOVED G. Cunningham, SECONDED H. Kreiberg that the minutes of the March 13 meeting of the Electoral Area 'A' Parks, Recreation and Greenspaces Advisory Committee be approved.                      CARRIED

#### BUSINESS ARISING FROM MINUTES

- Should the Parks and Green Spaces Committee vet ideas pertaining to the Cedar Heritage Centre. Decided to defer until Frank Garnish was available as this was an issue he had raised and had background on.

MOVED H. Kreiberg SECONDED KL Wilson that we defer this topic until the next meeting                      CARRIED

- Morden Colliery Trail and Park - Concern raised by Joe Materi and Nanaimo Field Naturalists about negative wild-life effects of barbed wire fences being erected and trees being taken down adjacent to the Park and Trail. It is possible there may be land title restrictions or covenants on adjacent properties to the trail and park that restricts landowners from cutting vegetation in a 5m wide buffer zone on their property that abuts the trail. Stella brought up the thought that an informational brochure might be useful to inform landowners about the trail and the MCT and Greenspace committees. A mailout of a brochure and then a personal call to follow-up would inform them of our work and the importance of the trail (and maybe they would want to volunteer?!). The RDN Planning Dept could be approached for a listing of the owners of lands adjoining the trail.

MOVED L. Aldcroft that we produce an informational brochure about the MCT trail in cooperation with the RDN. SECONDED KL Wilson.                      CARRIED

- Purchase of land near trail – Jeff Ainge reminds us in an email that acquisition discussions are done by RDN. If we as a Committee feel it's a desirable property, the Director will talk details with Neil Connelly at the RDN. As to the property near the Morden Provincial Park, Henrik feels we can ask the RDN Planning Department about whether that land is subdividable as a first step. Joe and Kerri-Lynne would like any land acquisition to go for greenspace, not parking lots. Joe thinks that land near the trail head in the Park that is already disturbed can be used as a turnaround for vehicles. Will discuss at a later time.
- Previously approved motion asking RDN to pursue acquisition of Area "A" Provincial Parks in Area "A". Jeff Ainge says via email that the RDN board won't be taking a proactive approach to acquiring more parks. They would prefer to develop existing RDN parks. The committee needs to get clarification from Jeff at the next meeting as to guidelines and conditions determining when we are allowed to acquire land for land as an Area "A" park, or when it's an RDN function to acquire land for a regional park. (When is a park a regional park?)

#### COMMUNICATIONS & CORRESPONDENCE

- Copy of letter from Kerri-Lynne Wilson to Harmac re. current access to pipe-line corridor.
- Copy of Project by Christopher Stevenson of Malaspina University.

#### UNFINISHED BUSINESS & TRAIL STUDY

- Christopher Stevenson project: Interpretive boards at different historical points in Area "A". This could be a self-guiding tour that people could do with the help of brochures with a map. We could adapt this idea to use with our various, as yet unconnected, trail sections. There could be different tour themes such as mining history or natural history. This could tie in to tourist activities like cycling or "Geo-caching" - a new trend (a cross between GPS orienteering and scavenger hunt)
- Need to take suggestion of trail study and prioritize importance or our interest, then make motions and take them to RDN.
- Trail Study:
  1. Pages 25 – 26  
Waterfront access: signage is important to mark access points, however particularly with freshwater lakes, streams, swamps etc. a balance must be struck between access and environmental impact. This is a contentious subject. Local landowners aren't keen to have public know about accesses – especially ocean ones. It was felt we should focus on lakes and rivers for now. Quennell Lake has potential for local park and trail development activity, particularly the McGuire Rd. loop (a trail *and* an access to lake!) Nanaimo River and Holden Lake were rated lower priority.  
Joe brought up Beck Lake. Not mentioned in study but it is used by fisherman and wildlife viewers. SE part has informal access. Could be significant if the E&N railway becomes a trail in the future. Also has historical significance.
  2. Page 27  
Yellowpoint Park is on hold for now. Joe feels that Paravel Place, an undeveloped road, is important as a link to Yellowpoint Park. A trail from Paravel Place would be a northern access to the park. Would need input from CVRD. Might need some trail development in the park in that area.

#### MOTION TO ADJOURN

MOVED KL Wilson SECONDED G. Cunningham that the meeting adjourn at 9.30pm.

CARRIED

#### NEXT SPECIAL MEETING TO DISCUSS TRAIL STUDY

CROW AND GATE, MONDAY, MAY 12<sup>th</sup>, 7:00 pm

#### NEXT REGULAR MEETING

CEDAR HERITAGE CENTER, THURSDAY, MAY 15<sup>th</sup>, 7:30 pm

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REGIONAL DISTRICT OF NANAIMO

MINUTES OF A MEETING OF THE GRANTS-IN-AID COMMITTEE  
HELD ON WEDNESDAY, MAY 15, 2003  
AT 1:00 PM IN THE REGIONAL DISTRICT OFFICES

Present:

E. Hamilton	Chairperson
F. Van Eynde	Citizen Advisory Group
H. Sproule	Citizen Advisory Group
D. Bromley-Anvelt	Citizen Advisory Group
D. Haime	Director, Electoral Area D
L. Burgoyne	Administrative Assistant

SCHOOL DISTRICT 68

Funds available: \$ 5,181.60

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

Name of Organization	Amount Requested	Amount Recommended
Cedar Community Association	\$ 5,000	Denied
Cedar School & Community Enhancement Society	\$ 260	\$ 260
1 <sup>st</sup> Lantzville Scouts	\$ 2,250	\$ 2,250
Nanaimo Search & Rescue Society	\$ 2,600	\$ 1,300
		<u>\$ 3,810</u>

CARRIED

The Committee agreed that the following comments be conveyed to:

**Cedar Community Association** – grant request denied at this time because the application was received after the closing date. The application will be considered at the fall meeting.

**Cedar School & Community Enhancement Society** - grant to be used towards the purchase of a small refrigerator for the entertainment area at the Cedar Heritage Centre.

**1<sup>st</sup> Lantzville Scouts** – grant to be used towards the purchase of five new tents and a utility trailer to transport camping equipment and for winter fundraising activities transporting Christmas trees and firewood.

**Nanaimo Search & Rescue** – grant to be used towards the purchase of two new radios.

SCHOOL DISTRICT 69

Funds available: \$11,079.60

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

Name of Organization	Amount Requested	Amount Recommended
Arrowsmith Search & Rescue	\$ 850	Denied
Bradbrooke Sailing Academy	\$ 2,500	Denied
District 69 Historical Society	\$ 2,500	\$ 2,500
Fanny Bay Salmonid Enhancement Society	\$ 3,000	Denied
Forward House Community Society	\$ 1,000	\$ 1,000
Oceanside Community Policing Offices	\$ 900	\$ 900
Parksville Special Olympics	\$ 200	\$ 200
RCMP Auxiliary	\$ 500	Denied
TOTAMS – Time Out For Tots and Moms	\$ 2,500	Denied
Vancouver Island Palaeontology Museum Society	\$ 1,100	\$ 1,100
		<u>\$ 5,700</u>



The Committee agreed that the following comments be conveyed to:

CARRIED

**Arrowsmith Search & Rescue** – grant request denied. Funding was approved through the District 69 Community Grants.

**Bradbrook Sailing Academy** – grant request denied. This is a private enterprise and does not meet the criteria for grant funding.

**D69 Historical Society** – grant to be used towards the renovation of the Museum building that will create a reception area and office/work room.

**Fanny Bay Salmonid Enhancement Society** – grant request denied. The Committee will reconsider in the fall if more information is provided.

**Forward House Community Society** – grant to be used toward client recreation outings and volunteer recognition.

**Oceanside Community Policing Offices** – grant to be used toward the purchase of a photocopier.

**Parksville Special Olympics** – grant to be used towards the rental of the Ravensong pool for the athletes.

**RCMP Auxiliary** – grant request denied at this time because the application was received after the closing date. The application will be considered at the fall meeting.

**Time Out for Tots & Moms (TOTAMS)** – grant request denied at this time because the application was received after the closing date. The application will be considered at the fall meeting.

**Vancouver Island Palaeontology Museum Society** – grant to be used towards the purchase of a digital camera to photograph & catalogue the museum's fossil collection.

#### ADJOURNMENT

The meeting adjourned at 1:50 pm.

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CHAIRPERSON

LANTZVILLE IMPROVEMENT DISTRICT / REGIONAL DISTRICT OF NANAIMO

**THE LANTZVILLE PARKS &  
OPEN SPACE ADVISORY COMMITTEE MEETING  
MINUTES**

**March 3, 2003 - 7:00 PM**

The Lantzville Recreation Hall, 7192 Lantzville Road

**1. CALL TO ORDER**

Chairperson Harvey called the meeting to order at 7:07 pm.

**2. INTRODUCTIONS**

**Committee Present:** Susan Crayston, Dean Harvey, Peter Law, Brenda McConachie, Anne Thomas

**Committee Absent:** Jerry Blodeau, Denise Haime

**Staff Present:** Jane Ayers, LID Administrator

**3. APPROVAL OF AGENDA**

**MOTION 03:03**

**THAT** the Parks and Open space Advisory Committee approves the agenda as circulated.

**CARRIED**

**4. APPROVAL OF MINUTES OF FEBRUARY 3, 2003 MEETING**

**MOTION 03:04**

**THAT** the Parks and Open space Advisory Committee approves the minutes of the February 3, 2003 meeting as circulated.

**CARRIED**

**5. CURRENT BUSINESS**

**a. Accretion**

This item was tabled to the next meeting.

**b. Household Questionnaire for the Winds Park**

Taylor Booth, a Dover Secondary School student, informed the Committee about his plans to conduct the Winds Park survey. He presented the Committee with a draft brochure to receive input from the Committee. A timetable for the project was developed.

- Obtain Trustee approval.
- LID staff to make copies of the brochure and provide envelopes.
- Taylor will distribute the survey in the Winds area in time to receive replies in April.
- Taylor will tabulate the survey results and prepare a report.
- Taylor will present his report to the Committee at the May 3, 2003 meeting.

**c. 2003 Projects**

The Committee discussed the proposed 2003 parks and open space projects and prioritized them as follows:

1. Huddlestone Beach Access Stairway: A professional should review the design of the stairs and recommend improvements that would prevent damage from high tides and logs.

2. **Sebastion Road Beach Access:** This mini-park should be formally designed for development this summer.
3. **Huddleston Park:** New picnic tables and a cement toilet are to be installed.
4. **Copley Park:** The Seaview School play equipment should be installed this summer.
5. **Sebastion Park:** A park bench should be added along the inside path and a garbage can should be installed.
6. **Elm Park:** A plan for development should be created based on the results of the survey. This park should be developed in 2004.

Note: Development at Rotary Park should be postponed a year due to the vandalism problems.

**d. Woodlot**

The Committee discussed correspondence from Emma Neill, Woodlot Forester concerning the status of the proposed woodlot project. The Committee was interested in helping to "resurrect" the Woodlot Committee and in meeting with Emma in April or May 2003 to facilitate the next step in the process.

**6. NEW BUSINESS**

**a. Foreshore Tours**

After reading the "Your Lantzville Shoreline" brochure, Debbie Baker, a Girl Guide leader, inquired if anyone would be available to accompany and instruct her Girl Guide troop on a foreshore field trip. She would like them to learn more about foreshore stewardship. Brenda McConachie offered to contact Debbie.

**7. REPORTS**

**Lantzville Improvement District:** Susan Crayston updated the Committee on the following matters:

- The Recreation Hall's use in the future is not yet decided. The furnace has not been replaced yet.
- The park bench donation program is being developed. Bench agreements, locations and selection of acceptable bench types are areas that need work. Brenda McConachie will help to identify possible bench locations.

**Regional District of Nanaimo:** Jeff Ainge was away.

**8. CORRESPONDENCE**

The Committee reviewed an inquiry about the state of the Oar Road beach access.

**9. ROUND TABLE**

**10. NEXT MEETING MONDAY, April 7, 2003 at 7:00 PM**

**11. ADJOURNMENT**

The meeting was adjourned at 9:10 p.m.

**APPROVED BY THE COMMITTEE**

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary

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**THE LANTZVILLE PARKS &  
OPEN SPACE ADVISORY COMMITTEE MEETING  
MINUTES**

**APRIL 7, 2003 - 7:00 P.M.**

The Lantzville Recreation Hall, 7192 Lantzville Road

**1. CALL TO ORDER**

Chairperson Harvey called the meeting to order at 7:03 p.m.

**2. INTRODUCTIONS**

**Committee Present:** Susan Crayston, Dean Harvey, Peter Law, Anne Thomas

**Committee Absent:** Denise Haime, Brenda McConachie

**Staff Present:** Jane Ayers, LID Administrator

**Guests:** Bob Milne (Rotary Club), Emma Neill (Forester, South Island Forest District)

**3. APPROVAL OF AGENDA**

**MOTION 03:05**

**THAT** the Parks and Open Space Advisory Committee approves the agenda as amended to add a presentation from Bob Milne of the Rotary Club as the first item of "Current Business".

**CARRIED**

**4. APPROVAL OF MINUTES OF March 3, 2003 MEETING**

**MOTION 03:06**

**THAT** the Parks and Open Space Advisory Committee approves the Minutes of the March 3, 2003 meeting as circulated.

**CARRIED**

**5. CURRENT BUSINESS**

**a. Rotary Club Project Update**

Bob Milne of the Rotary Club reported that the Club is set to go ahead with the Centennial project and has a budget of approximately \$10,000 for this. They were considering the historical wall option, to be located in front of the District Office parking area along Lantzville Road. He requested a schematic of the District Office lot. They will employ the services of an architect to design the project and may need more than \$10,000 to properly complete it. The Club will wait until the municipality is in operation before they approach it for approval and begin a donation campaign for the project, as charitable donation receipts will be available.

**b. Woodlot**

Emma Neill, Woodlot Forester, informed the Committee about the history and objective of the Woodlot Licence program and what she will be initiating over the coming weeks concerning the proposed Lantzville Woodlot. Land and Water BC are considering the sale of forestland for subdivision purposes. Accordingly, a woodlot licence would be a means of preserving some of the 248 acres of forest for recreational, environmental and aquifer protection purposes.

In order to establish the woodlot licence, Emma needs to obtain proposals from foresters. She would like their proposals to address the concerns of the Woodlot Advisory Group. She would like to advertise the woodlot licence soon so that proposals can be developed over the summer with a September 15, 2003 deadline. To accomplish this, Emma recommended a meeting between the old "Woodlot Advisory Group" and the proponents to be held in June of 2003. She would then hold a public meeting in the fall to review the proposals. Emma would like to

maintain a binder with the request for proposal documents at the District Office for public reference.

The Committee discussed the desirability of creating a woodlot subcommittee to deal with woodlot issues. The subcommittee would carry through to report these issues to the new municipality.

**c. Household Questionnaire for the Winds Park**

Peter reported that he had received the questionnaires for circulation. To date, he had delivered the questionnaire to 115 homes. The Dover Bay students are to deliver a further 75, for a total of 190 questionnaires in this survey project.

**d. Accretion**

This item was tabled to the next meeting.

**6. REPORTS**

**Lantzville Improvement District:** Susan Crayston reported that

- The forest management project for the Harby Road well field is in progress.
- Recruiting for the summer student position is underway. The Water Department should replace the Parks truck.
- The LID Trustees had suggested the name of a professional who could redesign the Huddleston beach access stairway.

**Regional District of Nanaimo:** Jeff Ainge was not in attendance.

**7. ROUND TABLE**

**8. NEXT MEETING MONDAY, MAY 5, 2003 AT 7:00 P.M.**

**9. ADJOURNMENT**

The meeting was adjourned at 8:55 p.m.

**APPROVED BY THE COMMITTEE**

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary

**REGIONAL DISTRICT OF NANAIMO**

**MEETING OF THE  
NANOOSE BAY PARKS AND OPEN SPACE ADVISORY COMMITTEE**

**MAY 8, 2003 – 7:00 PM  
NANOOSE PLACE – MULTI PURPOSE ROOM # 2  
NORTHWEST BAY ROAD**

**MINUTES**

**Attendance:** Arthur Lightburn  
Debbie Kuhn  
Elisabeth Bakker  
Paula Young  
Robert Grose  
Pauline Bibby

**Apologies:** Eve Flynn

**Staff:** Jeff Ainge (RDN Parks Coordinator)

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The meeting was called to order at 7:00 pm by Debbie Kuhn, Chairperson.

**DELEGATIONS**

Jeanette Thompson and Diane Pertson introduced themselves as observers representing Nanoose Property Owners & Ratepayers Association (NPORA).

**APPROVAL OF AGENDA**

MOVED A. Lightburn, SECONDED E. Bakker that the agenda be approved. **CARRIED**

**APPROVAL OF MINUTES**

MOVED A. Lightburn, SECONDED D Kuhn that the minutes of the Nanoose Bay Parks and Open Space Advisory Committee meeting held on February 5, 2003 be approved. **CARRIED**

**BUSINESS ARISING FROM MINUTES**

- a) Nanoose Road Community Park, Crown Land Tenure Renewal  
Staff reported they had met with Land and Water BC and apprised them on the local community's interest in retaining the land as park. Land and Water BC suggested the Regional District submit a revised development plan and that they document the history that the community has had with the park. A surveyor has prepared a site plan and a legal plan, and staff will provide the information to Land and Water BC as requested.
- b) DL 137, Stewart Road Crown Land.  
This item was discussed as part of Business Arising from Communications and Correspondence.

**COMMUNICATIONS & CORRESPONDENCE**

MOVED A. Lightburn, SECONDED P. Bibby that the following correspondence related to DL 137 be received. **CARRIED**

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- a) Letter from Neil Connelly (General Manager, RDN Community Services) to Mark Hallam of Land and Water BC Inc. confirming community's interest in protecting Crown Land in DL 137.
- b) Reply from Land and Water BC Inc. to Neil Connelly regarding purchase of the Crown Land by the Regional District.
- c) Letter from Tom Osborne to Nature Conservatory of Canada to inform them of the attributes of the Crown Land in DL 137 and the intention of the Provincial Government to sell it. (Similar letters were also sent to The Land Conservatory of B.C. and The Nature Trust of B.C.)

#### **BUSINESS ARISING FROM DELEGATIONS, COMMUNICATIONS & CORRESPONDENCE**

- a) DL 137, Stewart Rd Crown Land  
Staff advised that The Land Conservancy of BC (TLC) are interested in a partnership and would be visiting the site in the coming week. Much of TLC's conservation work involves partnerships and creative fundraising. Staff and the Director advised that senior Regional District staff and politicians intend to meet with MLAs and the Minister of Sustainable Resource Management to seek clarification of the land's status and ownership, and to express the strong community support for its protection. There continues to be concern expressed by committee members and the public that it is already public land and should not be paid for again.

#### **REPORTS & DISCUSSION ITEMS**

- a) Access to Water Sites  
The Committee reported that it had met twice in March and April as a working group to consider the responses to the mailed out questionnaire. Mr. Lightburn advised that he had met with Ministry of Transportation staff to present the Committee's findings and to seek support for proposed guidelines to assist in managing water site access. Proposed *Guidelines for Regional District Role in Ministry of Transportation Water Accesses in Area 'E'*, along with minutes of the March 19, 2003 meeting with Ministry of Transportation staff, were presented for the Committee's approval.

MOVED P. Bibby, SECONDED E. Bakker that the *Guidelines for Regional District Role in Ministry of Transportation Water Accesses in Area 'E'* be accepted, along with the minutes of the Ministry of Transportation meeting, and that staff be directed to prepare a report for the Regional Board seeking their endorsement of the *Guidelines*. CARRIED

Staff were also requested to prepare an information update regarding the questionnaire results, and to acknowledging the many offers to volunteer, for submission to the community newspaper and the Director's monthly email notice. Compilation of the 2002 inventory work into a binder will be part of the Parks Summer student's work plan.

The Committee will meet again soon as a working group to discuss identifying sites and the means of identification and consultation.

- b) Memorial Benches in Parks  
Director Bibby advised that a resident interested in providing a memorial bench at a suitable location had approached her seeking approval. The Committee offered to consider locations and report to the next meeting.
- c) Harlequin Crescent / Enos Creek Park  
Staff advised that the RDN Utilities water line work was underway in this area but that no bridgework would be undertaken this year due to the difficulty in obtaining working easements from all neighbours.

- d) **Regional Park Update**  
Staff reported that the Home Lake Regional Park operations contract has been awarded to Happy Trails Park Maintenance, and that there will be programmed recreation offered this summer. Descanso Bay Regional Park on Gabriola Island will retain the existing caretaker and the camping season is year round. The Haslam Creek Suspension Bridge is to be officially opened this weekend, May 10<sup>th</sup>.
- e) **Nanoose Place Beautification Proposal**  
After some general discussion about the benefits of beautifying the community centre grounds, a working group was formed, headed up by Committee members Young and Bakker. The involvement of the Nanoose Place Society, Lions Club, Residents Associations and other volunteers will be sought.

#### **COMMITTEE ROUND TABLE**

- a) Staff suggested a tour to visit the various community park properties be considered for an evening in the summer.
- b) Mr. Grose generated some discussion regarding access to Wallis Point (DND property), and the likelihood of it being acquired for park purposes.
- c) Director Bibby requested the item of Claudet Road Community Park be placed on the next general meeting agenda.

#### **NEXT MEETING DATE**

The next general Committee meeting date was tentatively set for Monday June 23, 2003, time and location to be confirmed.

#### **ADJOURNMENT**

MOVED P. Young, SECONDED R. Grose that the meeting be adjourned at 8:55 pm.





REGIONAL DISTRICT  
OF NANAIMO

MAY 16 2003

CHAIR		GMCrS	
CAO		GMDS	
GMCmS		GMES	

MEMORANDUM

**TO:** Tom Osborne  
Manager Recreation and Parks

**DATE:** May 15, 2003

**FROM:** Jeff Ainge  
Parks Coordinator

**FILE:** 6140-01/E

**SUBJECT:** Access to Water Sites in Nanoose Bay, Electoral Area 'E'

**PURPOSE**

To present information compiled from an Electoral Area 'E' community questionnaire, and to seek Regional Board support for water site access guidelines for Electoral Area 'E' (Nanoose Bay).

**BACKGROUND**

During 2002, two members of the Nanoose Bay Parks and Open Space Advisory Committee (POSAC) completed an inventory of the many water-site accesses (beach accesses) of Nanoose Bay. The majority of them are undeveloped Ministry of Transportation sites with several Regional District community park sites being included. Each of the sixty plus sites was visited, photographed and a written description compiled. This work was prompted after residents expressed interest and concern to the POSAC and to the former Nanoose Bay Parks Planning Committee regarding access to the waterfront.

At its October 21, 2002 meeting the POSAC resolved that "staff be requested to draft a beach access questionnaire for mailing to all Electoral Area 'E' households". The questionnaire was completed and in January 2003 was bulk-mailed to 2,300 Nanoose Bay residences. Included with the questionnaire was a business reply envelope (pre-paid and self-addressed) to facilitate an easy response. Over 650 returns were received, along with many additional written comments (a response rate approaching 30%). Members of the POSAC worked with staff to tabulate the responses and record the written comments in a separate computer document.

During March and April the POSAC met to interpret the responses and to prepare a course of action to recommend to the Regional Board. A Committee member also met with Ministry of Transportation staff to discuss the questionnaire's findings and to seek Ministry support for minor access improvements.

The following guidelines were developed as an approach to beach accesses in Nanoose Bay.

Guidelines for Regional District Role in Ministry of Transportation Water Accesses in Area 'E'

- Nanoose Bay residents have the right to access water sites when accesses are suitable, and where any impediments or encroachments restrict use of the access they should be examined and reasonable action considered to allow usage.
- All sites usable and approved by the Ministry of Transportation are to be identified by a low profile marker at access and egress.

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- All sites are to be left in as natural a state as possible.
- Notice will be given to the neighbours of accesses proposed for identification, and local input sought.
- Water sites are to be primarily for neighbours of the accesses and Nanoose residents in general and will not to be viewed as destinations for tourism.
- Stewardship of all accesses, by the access neighbours, will be encouraged.
- Proposed modifications to an access that do not meet the above guidelines of the Ministry of Transportation will require a lease or permit and result in the Regional District assuming liability for that access.

## ALTERNATIVES

1. To receive the report and endorse the "Guidelines for a Regional District Role in Ministry of Transportation Water Accesses in Area 'E'" as presented.
2. To receive the report and request additional information from staff and the Nanoose Bay Parks and Open Space Advisory Committee.

## FINANCIAL IMPLICATIONS

There are costs associated with purchasing and installing markers at each approved water access site. Although no type of marker has been developed, discussions have identified low impact markers such as painted concrete blocks, and either metal or wooden sign posts with small signs attached. Staff estimate costs would range from \$50-\$120 per access for two markers. Staff, or volunteers, or the POSAC could provide installation. The 2003 Electoral Area 'E' Community Parks budget allocated up to \$7,000 for new trail and beach access developments, as well as \$1,500 for volunteer driven maintenance projects.

Staff anticipate markers at some locations would require frequent maintenance and/or replacement, while other locations are likely to be well cared for by neighbours.

## INTERGOVERNMENTAL IMPLICATIONS

The majority of the water accesses in Nanoose Bay are undeveloped parcels owned by the Ministry of Transportation. At a meeting held March 19, 2003, the Ministry staff indicated that marking accesses could be achieved by the POSAC on a signage permit basis without the requirement to transfer liability to the Regional District by adhering to the following guidelines:

- Permits will only be issued at this time for accesses that are presently in use and are not considered by the Ministry to be dangerous.
- Details, including maps of all accesses under consideration for markers, must be submitted to the Ministry for approval and issuance of permits.
- Only simple brush clearing will be permitted, no trail or road building will be considered.
- Neighbours of accesses being considered for markers are to be informed, their input sought, and responses provided to the Ministry as part of the application process.
- The Ministry does not support promotion of the accesses by way of maps or advertising.
- Construction of stairs, access structures, boat ramps and the like go beyond the scope of the sign permit process and will require the Regional District to apply for more formal tenure and to assume liability.

## CITIZEN IMPLICATIONS

Access to the water is an important aspect of life for Nanoose Bay residents as evidenced from the high response rate to the Beach Access questionnaire. The Committee and staff feel that the high response rate provides enough information to make the recommendations outlined in this report.

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Staff and the POSAC feel confident that involving neighbours and seeking community stewardship of accesses will be supported, and should not place an undue strain on the current work plan.

**SUMMARY**

An electoral area wide beach access questionnaire was distributed to 2,300 Nanoose Bay residences in January 2003. Over 650 responses were received, with a wealth of information provided. Guidelines have been developed, in consultation with the Ministry of Transportation, that will allow for appropriate beach access sites requiring minimal improvements to be marked by the Regional District through a Ministry signage approval process. Other sites involving major modifications and the transfer of liability to the Regional District will require more formal lease or permit applications to the Ministry.

**RECOMMENDATION**

That the "Guidelines for a Regional District Role in Ministry of Transportation Water Accesses in Area 'E'" be approved.

\_\_\_\_\_  
Report Writer

  
\_\_\_\_\_  
General Manager Concurrence

\_\_\_\_\_  
Manager

\_\_\_\_\_  
C.A.O. Concurrence

COMMENTS:

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**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE FIRST MEETING OF THE  
REGIONAL ENVIRONMENTAL ADVISORY COMMITTEE HELD ON  
THURSDAY, APRIL 24, 2003, AT 4:00 PM IN THE  
RDN BOARDROOM**

**Present:**

Director L. Biggemann	Deputy Chairperson
Director R. Longmuir	City of Parksville
Mike Gallo	Business Community
Gordon Proctor	General Public (South)
Clive Jones	General Public (North)
John Beute	Waste Management Private Sector
Michael Schellinik	Waste Management Non-Profit
Gary Franssen	City of Nanaimo
Al Leuschen	Water Land and Air Protection
Ed Lai	Environment Canada
David Coombe	CVI Health Unit

**Also in Attendance:**

John Finnie	Gen. Mgr. of Environmental Services
Carey McIver	Manager of Solid Waste
Dennis Trudeau	Manager of Liquid Waste
Alan Stanley	Solid Waste Program Coordinator

**Regrets:**

Loyd Sherry	Chairperson
Norman Abbey	Environmental Community
Scott Crane	City of Nanaimo
Don Alberg	Town of Qualicum Beach
Gary O'Rourke	City of Parksville
Maura Walker	Gartner Lee Limited

The Chairperson called the meeting to order at 4:05 pm. Chairman Biggemann explained that issues dealt with through the once active Liquid Waste Advisory Committee (LWAC) and Solid Waste Advisory Committee (SWAC) will now be addressed by the newly formed Regional Environmental Advisory Committee (REAC). Chairman Biggemann thanked the members for attending and asked for introductions.

**TERMS OF REFERENCE**

Carey McIver discussed the background in developing the committee and the protocol as set out in the Terms of Reference (presentation attached to minutes).

**SOLID WASTE**

A presentation was delivered by Carey and it was noted that Solid Waste would be the primary focus of the first several meetings of the committee. (Presentation attached to minutes.)

**LIQUID WASTE**

Dennis Trudeau distributed copies of the Liquid Waste Management Plan (LWMP) (replacement photocopies attached to minutes) and discussed the committee's role in monitoring the Plan.

## HOUSEKEEPING

Gary Franssen noted that the City of Nanaimo only received one agenda package and requested that a package be directed to both himself and to Scott Crane for all future REAC meetings.

John Finnie raised the issue of the name of the committee. The current name may suggest that the committee address a wide variety of environmental issues whereas the focus of the committee is solid waste and liquid waste. The name change will be revisited at a future meeting; members were invited to consider an alternate name that would better represent the committee.

It was agreed that the committee will meet from 4pm - 6pm in the RDN Boardroom.

Ed Lai stated that Environment Canada cannot commit to every meeting due to resource restrictions and require to be kept informed by email and correspondence.

## UPCOMING MEETING SCHEDULE AND TOPICS

Carey briefly discussed the upcoming meeting schedule and topics as included in the agenda package. (Presentation attached to minutes.)

## CURRENT 3R'S PLAN OVERVIEW

Carey presented an overview of the 3R's plan, which was included in the agenda package. (Presentation attached to minutes.)

## STATUS REPORT OVERVIEW

Al Stanley presented an overview of the original 3R's plan and offered information on where the RDN started out with the plan and where we are now, noting successes to date and ongoing challenges. (Presentation attached to minutes.)

## GENERAL DISCUSSION

Carey noted that there is a company presently planning to build an organics composting facility in Duke Point, although that may take some time to complete. This will be addressed at future meetings.

Al highlighted the Zero Waste program as a program put into place to "re-engage" the public and reinvigorate the message as indications were that the 3R's message was not being heard and it had come to mean only recycling to the public. As the RDN has been so successful with the message of Recycling, Zero Waste emphasizes Reduce and Reuse while continuing to build support for recycling.

Al complimented the City of Nanaimo for its successful garbage and recycling program and the effectiveness in harmonizing program delivery methods with the RDN. The NRE was also credited as being a very valuable component of the RDN program.

Discussion took place around current landfill capacity and how the RDN's efforts in diversion and recycling have resulted in extending the life of the landfill.

Gordon Proctor requested statistics on waste composition. Al responded that the RDN has never produced a detailed study of waste composition and we have used Capital Regional District (CRD) studies in the past; Sperling Hansen has recently completed a very detailed study for CRD and Al will inquire regarding its availability for distribution to the committee.

Gordon Proctor raised a concern regarding multi-family residences not participating in the residential recycling program. As a member of the NRE Board, they have been looking at developing protocol to bring multi-family residences into the program. Gary Franssen noted that since the City of Nanaimo has discontinued their participation in six recycling drop-off centres, several strata residences have employed

contractors to pick up recycling. NRE has seen an increase in recycling drop off at their location since the recycling drop-off locations throughout the city have been reduced; IPI is still providing two facilities for city residents to drop off glass and tin.

Discussion centered around yard waste collection. It was noted that yard waste collection may be seen as being counterproductive, encouraging residents to produce even more if there is a means of collection – and backyard composting may actually decline. Also noted was the stress placed on water systems to maintain pristine yards, which in turn produces excessive yard waste.

A landfill tour will be arranged for June 12<sup>th</sup>, just prior to the REAC meeting of that date - details will be forthcoming. A tour of the liquid waste facilities was also requested and will be arranged.

#### ADJOURNMENT

Chairman Biggemann thanked staff for their presentations. The meeting was adjourned at 5:45 pm. The next meeting will be Thursday, May 15<sup>th</sup> from 4-6 pm in the RDN Boardroom.



DEPUTY CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE REGULAR MEETING OF THE  
REGIONAL WASTE ADVISORY COMMITTEE HELD ON  
THURSDAY, MAY 15, 2003, AT 4:00 PM IN THE  
RDN BOARD CHAMBERS

**Present:**

Loyd Sherry	Chairperson
Denise Haimé	Director, Electoral Area D
Mike Gallo	Business Community
Gordon Proctor	General Public (South)
Clive Jones	General Public (North)
John Beute	Waste Management Private Sector
Gary Franssen	City of Nanaimo
Al Leuschen	Water Land and Air Protection
David Coombe	CVI Health Unit

**Also in Attendance:**

John Finnie	Gen. Mgr. of Environmental Services
Carey McIver	Manager of Solid Waste
Alan Stanley	Solid Waste Program Coordinator
Maura Walker	Gartner Lee Limited

The Chairperson called the meeting to order at 4:15 pm. and asked for introductions.

**MINUTES**

Minutes of the Regional Environmental Advisory Committee meeting of April 24, 2003 were received as amended to reflect that Denise Haimé was not in attendance at the meeting of April 24, 2003.

**NAME AND DECISION MAKING PROTOCOL**

John Finnie offered background information regarding the formation of the Regional Environmental Advisory Committee as a merging of the Liquid Waste Advisory Committee and the Solid Waste Advisory Committee. The original concept of LWAC and SWAC was a technical advisory committee as well as a public advisory committee; these were eventually blended into one LWAC and one SWAC. These were primarily consensus based committees for putting ideas, issues and recommendations on the table for discussion prior to advancing to the board for decision making. Political members on LWAC and SWAC did not vote.

Gary Franssen noted that he has been given direction by the city to participate as a non-voting member only.

Al Leuschen stated that the Solid Waste Management Planning Guide is only a guide and there is flexibility re voting. He noted that he will be representing the Ministry of Water Land and Air Protection on the committee as a non-voting member.

The Chairperson commented that he views the committee as an opportunity for representatives to bring input to the committee, and staff to bring reports to the committee for input. He noted that RDN politicians do not vote at these committees, and that board members sitting on the committee pass information along to the Board.

John Finnie noted that information not supported by all committee members will still go forward to the Board, but it will be documented that the committee has not come to agreement.

The Chairperson suggested that we continue with this format and that votes are not recorded.

Discussion took place regarding the name of the committee as there have been concerns that the term 'Environmental' may suggest that the committee address any number of environmental issues. It was agreed that the committee be referred to as the Regional Waste Advisory Committee (RWAC), better defining the focus of the committee.

#### **WASTE STREAM MANAGEMENT LICENSING (WSML)**

Al Stanley gave a presentation of Waste Stream Management Licensing (Gartner Lee Discussion Paper attached to agenda package – Al's presentation attached to minutes).

Al Leuschen noted that the CVRD has a requirement for licensing as a commitment in their SWMP.

The Chairperson opened the floor to questions and the following points were discussed:

- Land use issues will not be fixed by WSML; to be dealt with by zoning. Maura Walker suggested that application form could ask for zoning compliance. There is a possibility that issues such as aesthetic upgrades may be required but this would be discussed at the time of application.
- Infraction criteria – unsightly premises / odour / what kind of penalties to pay? Have we looked into other licensed municipalities, does anyone else in the province have licensing in place?
- There will be public consultation to address licensing – we can expect approximately five to seven licenses in our area.
- Maura Walker is presently consulting with CVRD and RDN, working on compliance issues and enforcement measures. CVRD and RDN are developing their compliance and enforcement criteria options over the next 2 weeks.
- Diversion protection – materials which have been successfully diverted from the waste stream going back into the waste stream.
- Licensing will allow the RDN to expect licensees to be aware of the disposal bans – licensing may depend on their acceptance of these conditions.
- Anyone dealing with MSW not under stewardship programs would be subject to licensing; the intent is not to license small recycling depots or bottle depots unless they accept non-stewardship materials.
- There would not be licensing for municipal facilities, stewardship depots, and incinerators.
- Existing facilities will require licensing.
- Ad-hoc committees may be struck to deal with specific issues, not individual site licensing issues. It is up to the committee to decide what issues an ad-hoc committee would address.
- An annual renewal would be in place for licensees, however a new application form would be triggered by a change in facility, etc.
- Zoning issues effecting a facility may be addressed at time of renewal.
- Waste Management Act (WMA) restricts what can be included in licensing (eg. noise cannot be included in our bylaw as it is not specified by WMA).
- One of the primary purposes of the licensing process is to stop material abandonment.



## ZERO WASTE PLAN COMPONENTS

Maura Walker gave a presentation of the "long list" of plan components. (Gartner Lee list attached to agenda package – Maura's presentation attached to minutes). Maura will be considering the committee's input to prepare a draft plan that will go to the Board and Ministry for the Zero Waste Plan.

As the presentation took place, the floor was opened to discussion and the following points were discussed:

### Yard Waste

- If yard waste is already being managed by our residents, why would we take it on?
- RDN Survey does not show sufficient support for yard waste collection for the cost.
- Yard Waste drop-off available at landfill and transfer station. As well, there is one private facility in Nanaimo that receives yard waste, but it was noted that that facility may be no longer be available in the future.

### Social Marketing

- Concern for liability issues if the RDN were to supply training for repairs of small appliance as a means to divert such materials from the waste stream. John Finnie stated that RDN staff would not be in the business of offering training.
- E-waste concerns – growing pressures for retailers to accept responsibility.

### Residential Curbside Organics Collection

- Garberators were discussed as an organics disposal option. It was noted that this option was researched by Seattle and they selected curbside collection versus garberators. Gordon Proctor noted that many new homes are equipped with garberators and he has found it to be a very effective method of disposal. Maura Walker noted that this option would merit consideration if the RDN were going to food waste only collection; it would not work with yard waste and food waste.
- Mechanized cart collection may be required in the future due to liability regulations.
- Concern for cost of these units, initial layout for municipal trucks could increase fees and private contractors would need to come up with units, however, amortized over a number of years, equipment costs could be offset by savings in collection and disposal costs.
- Larger containers used in mechanized system are expensive to replace and there is a concern that a larger bin provided to residents may encourage larger amounts of disposables at curbsides. This could be negated by the use of low-volume cart systems and collection frequency changes.

### Multi-Family

- CRD multi-family is subsidized by the regional district – a good incentive system for the CRD. Subsidies are paid for by tipping fees, an option currently not available in the RDN.
- Waste composition study has never been done for area and would be beneficial in identifying priorities.
- Al Leuschen suggested RDN staff meet with private sector groups to see about moving along projects such as composting facility and construction demolition waste facility; SWMP components that have not yet been successfully addressed.
- RDN contract with composting facility is for one year term, giving us flexibility.
- Waste audit would be very important.

- There are small business collection services in place, concern that RDN not take that work away from small contractors despite the fact that many small businesses do not seem to be aware of these services. John Beute to provide list of small business collection services.

General Components

- Plastic bag issue – some places have a tax on plastic bags, some stores charge for plastic bags and some give rebate for bringing in your own bags. It was suggested that we consider approaching corporate sponsors for assistance with cotton bags. Some plastic bags now claim to be “biodegradable” however John Beute stated that some manufacturers’ bags just break down into several pieces.
- Burning bans may not be supported as they are a challenge - particularly in the electoral areas.
- Collection of ‘woody waste’ needs to be addressed – ie. chipping program or pickup to help alleviate the burning problem.

**ADJOURNMENT**

Chairman Sherry thanked the members for attending. The meeting was adjourned at 6:30 pm. The next meeting will be Thursday, June 12<sup>th</sup> from 4-6 pm in the RDN Board Chambers. Arrangements will be forthcoming regarding a landfill tour.

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CHAIRPERSON

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**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE TRANSIT BUSINESS PLAN UPDATE SELECT COMMITTEE  
MEETING HELD ON THURSDAY, MAY 15, 2003, AT 11:45 AM  
IN THE RDN COMMITTEE ROOM**

**Present:**

Director T. Krall	Chairperson
Director J. Stanhope	Electoral Area 'G'
Director R. Cantelon	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director D. Haime	Electoral Area 'D'

**Also in Attendance:**

N. Connelly	General Manager, Community Services
M. Donnelly	Manager, Transportation Services
P. Murray	Planner, BC Transit
A. Kenning	Deputy City Manager, City of Nanaimo

**Regrets:**

Director T. Westbrook	Town of Qualicum Beach
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**MINUTES**

MOVED Director Cantelon, SECONDED Director Holdom, that the minutes of the Transit Business Plan Update Select Committee meeting held April 15, 2003, be approved. CARRIED

**ADMINISTRATION**

**Transit Business Plan –Public Consultation Report**

MOVED Director Holdom, SECONDED Director Stanhope that the Public Consultation report for the Transit Business Plan Update be received for information. CARRIED

**Transit Business Plan – Key Performance Indicators**

MOVED Director Cantelon, SECONDED Director Haime that the updated Key Performance Indicators be approved for incorporation into the Transit Business Plan Update 2003-05. CARRIED

**CORRESPONDENCE**

MOVED Director Cantelon, SECONDED Director Holdom that the correspondence from the BC Transit Chair, Mr. Gregory Slocombe be received. CARRIED

MOVED Director Stanhope, SECONDED Director Cantelon that the correspondence from the Montrose Residents Group be received. CARRIED

**NEW BUSINESS**

There was no new business to be brought forward.

**ADJOURNMENT**

The meeting was adjourned at 12:30 pm.

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T. Krall  
Chair