

REGIONAL DISTRICT OF NANAIMO

BOARD MEETING
TUESDAY, JUNE 8, 2004
7:00 PM

(RDN Board Chambers)

A G E N D A

PAGES	
1.	CALL TO ORDER
2.	DELEGATIONS
12	Louis Lapi , re Amalgamation of Electoral Areas C & D.
13	Maureen Young , re Amalgamation of Electoral Areas C & D.
14	Cheryl Teller , re Amalgamation of Electoral Areas C & D.
15	Robert Jepson , re Amalgamation of Electoral Areas C & D.
3.	BOARD MINUTES
16-27	Minutes of the Board meeting held on May 11, 2004.
4.	BUSINESS ARISING FROM THE MINUTES
5.	COMMUNICATIONS/CORRESPONDENCE
28	Cori Lynn Carlson, Greater Nanaimo Chamber of Commerce , re Congratulations to HandyDART Service on Winning a Sterling Community Award.
29	Dr. James Lunney, M.P. Nanaimo Alberni , re Congratulations to HandyDART Service on Winning a Sterling Community Award.
30	Judith Reid, MLA, Nanaimo-Parksville , re Congratulations to HandyDART Service on Winning a Sterling Community Award.
31-32	Geoff Plant, Attorney General , re Civil Liability Law.
33	C. Kuun & S. B. Grace , re Development Permit Application No. 60424 – Fern Road Consulting Ltd., on behalf of Barbon Construction – Gainsberg Road – Area H.

- 34-37 **G. Taylor, Deep Bay Planning and Environmental Association, re Proposed Noise Bylaw – Area H.**
- 38-39 **Murray Hamilton, Horne Lake Recreation Management Ltd., re Development Permit No. 60415 – Morton – 2870 Sunset Terrace – Area H.**

7. **UNFINISHED BUSINESS**

From the Board meeting held May 11, 2004.

DEVELOPMENT PERMIT APPLICATION

Development Permit No. 60415 – Morton – 2870 Sunset Terrace – Area H.
(Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DP Application No. 60415.

That Development Permit Application No. 60415, submitted by the property owners Tod Morton and Veronica Morton for the subject property legally described as Strata Lot 226, District Lot 251, Alberni District, Strata Plan VIS5160, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V requesting to relax the maximum height requirements from 3.0 metres to 3.84 metres in order to accommodate the construction of a new accessory building be approved subject to the conditions outlined in Schedules No. 1, 2 and 3 and subject to the notification requirements pursuant to the Local Government Act.

UTILITIES

San Pareil Water Supply Local Service Area Rates and Regulations Amendment Bylaw No. 1172.03 – Area G.

(All Directors – Weighted)

1. *That the user rate structure for San Pareil be amended commencing May 15, 2004 to reflect a decrease in the minimum water rate to \$0.82/day and the water rates for the five steps be increased to \$1.06, \$1.37, \$1.68, \$2.27 and \$2.86 per m³ per day respectively (Alternative 1).*
2. *That "Regional District of Nanaimo San Pareil Water Supply Local Service Area Rates and Regulations Amendment Bylaw No. 1172.03, 2004" be introduced and read three times.*

(All Directors – 2/3)

3. *That "Regional District of Nanaimo San Pareil Water Supply Local Service Area Rates and Regulations Amendment Bylaw No. 1172.03, 2004" be adopted.*

BYLAWS

For Adoption.

Bylaw No. 897.04 – District 69 Community Bus Transit Services Amendment Bylaw. (All Directors – One Vote)

Bylaw No. 908.05 - District 69 Custom Transit & Paratransit Local Services Amendment Bylaw. (All Directors - One Vote)

40-42

Bylaw No. 500.297 – Land Use & Subdivision Amendment Bylaw – Amendment Application ZA0312 – Tower Fence Products – 1882 Fielding Road – Area A. (Electoral Area Directors except EA ‘B’ - One Vote)

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

7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE

43-46

Minutes of the Electoral Area Planning Committee meeting held May 25, 2004. (for information)

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60418 – Gunning – 1733 Admiral Tryon Boulevard – Area G. (Electoral Area Directors except EA ‘B’ – One Vote)

Delegations wishing to speak to DP Application No. 60418.

That Development Permit Application No. 60418 to vary the minimum setback from 8.0 metres to 1.1 metres to recognize the siting of the existing concrete retaining wall and to permit the construction of a rip rap retaining wall sited a maximum of 1 metre below the natural boundary of the sea, within the Watercourse Protection Development Permit Area on the property legally described as Lot 30, District Lot 28, Nanoose District, Plan VIP62528, be approved subject to the requirements outlined in Schedules No. 1, 2, 3 and 4 and subject to notification requirements pursuant to the Local Government Act.

Development Permit Application No. 60422 – Johnstone – Surfside Drive – Area G. (Electoral Area Directors except EA ‘B’ – One Vote)

Delegations wishing to speak to DP Application No. 60422.

That Development Permit Application No. 60422, submitted by Bruce and Jeannette Johnstone to legalize the addition of two raised decks and a porch addition for a dwelling unit and to facilitate the renovation of the seawall located within the Environmentally Sensitive Areas and Hazard Lands Areas Development Permit Areas for the subject property legally described as Lot 5, District Lots 9 and 110, Newcastle District, Plan 15370 be approved, subject to the requirements outlined in Schedules No. 1 and 23.

Development Permit Application No. 60424 – Fern Road Consulting Ltd., on behalf of Barbon Construction – Gainsberg Road – Area H. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DP Application No. 60424.

1. *That Development Permit Application No. 60424 submitted by Fern Road Consulting Ltd., on behalf of Barbon Construction for the property legally described as Lot 1, District Lots 1 and 86, Newcastle District, Plan VIP70719, be approved, subject to the conditions outlined in Schedule Nos. 1, 2, 3 and 4 of the corresponding staff report and to the notification procedure subject to the Local Government Act with respect to the proposed variances to Bylaw No. 500, 1987.*
2. *That the following words be added under the heading "Storm Water Drainage Plan" of Schedule 1 to DP Application No. 60424:*

"Applicant to obtain a Section 9 approval from Land and Water BC in consultation with the Ministry of Water, Land and Air Protection prior to realignment of the lower 50 metres of Hemsbrough Ditch."

Development Permit Application No. 60427 – Smith/Vectis Ventures – 3645 Dolphin Drive – Area E. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DP Application No. 60427.

That Development Permit Application No. 60427, submitted by Tim Ram of Vectis Ventures on behalf of Dan and Christina Smith for the installation of a terraced retaining wall and removal of an illegal structure for the property legally described as Lot B, District Lot 78, Nanoose Land District, Plan 44229, be approved as submitted subject to Schedules No. 1, 2 and 3.

Development Permit Application No. 60428 – 43052 BC Ltd./Quest Homes – Garrod Road – Area H. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DP Application No. 60428.

That Development Permit Application No. 60428 submitted by Quest Homes for the property legally described as Lot A, District Lot 36 and part of the bed of the Strait of Georgia, Newcastle District, Plan VIP54987, be approved, subject to the conditions outlined in Schedule Nos. 1, 2, 3, 4 and 5 of the corresponding staff report and the notification procedure subject to the Local Government Act with respect to the proposed variances to Bylaw No. 500, 1987.

Development Permit Application No. 60429 – Bev & Gerd Voigt, on behalf of 642703 BC Ltd. – off Kaye Road and the Island Highway – Area E. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DP Application No. 60429.

That the request, submitted by Bev and Gerd Voigt, on behalf of 642703 BC Ltd. to create new parcels and dedicate and construct a road as part of a 6-lot subdivision proposal within a Farm Land Protection Development Permit Area and to relax the minimum setback requirement for an existing barn building from 30.0 metres to 13.0 metres from the proposed new lot line as shown on the plan of subdivision of District Lot 44, Nanoose District Except Parts in Plan 39893, 3132 RW, be referred back to staff for further assessment of road access and effects on the Sensitive Ecosystem Protection Development Permit Area.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90406 – Peake – 6235 West Island Highway – Area H. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DVP Application No. 90406.

That Development Variance Permit Application No. 90406, submitted by Helen Sims of Fern Road Consulting Ltd. on behalf of W. Stephen Peake, to legalize the existing dwelling unit, over height fence and accessory buildings within the Residential 2 (RS2) zone by varying the minimum permitted setbacks from lot lines and from a watercourse (Nash Creek) for the property legally described as Lot A, District Lot 21, Newcastle District and Part Formerly the Bed of the Strait of Georgia, Nanaimo District, Plan VIP67028, be approved subject to Schedules No. 1, 2 and 3 and subject to the notification procedures pursuant to the Local Government Act.

Development Variance Permit Application No. 90409 – C & J Ennals, on behalf of Mitchell – 1478 Northwest Bay Road – Area G. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DVP Application No. 90409.

That Development Variance Permit Application No. 90409, submitted by Charles and Jill Ennals on behalf of Avis Mitchell, to legalize the siting of the existing dwelling within the Resource Management 1 (RM1) zone by varying the minimum setback requirement from 20.0 metres to 16.3 metres for the property legally described as District Lot 132, Nanoose Land District be approved as submitted subject to Schedules No. 1 and 2 and subject to the notification procedures pursuant to the Local Government Act.

Development Variance Permit Application No. 90410 – Skollsberg – 3584 Outrigger Road – Area E. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DVP Application No. 90410:

That Development Variance Permit Application No. 90410, submitted by the property owners Jan-Wilhelm Skollsberg and Anne-Christine Skollsberg for the property legally described as Lot 7, District Lot 78, Nanoose District, Plan 19688 to relax the maximum permitted height to allow for the architectural style and construction of the proposed accessory building and to relax the front lot line setback requirements of an existing accessory building in order to legalize its siting be approved subject to the conditions outlined in Schedules No. 1, 2 and 3 and subject to the notification requirements pursuant to the Local Government Act.

Development Variance Application No. 90411 – Walsh/Collins – 1524 Haida Way – Area E. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DVP Application No. 90411.

That Development Variance Permit Application No. 90411 to vary the minimum setback from the front lot line from 8.0 metres to 0.9 metres to permit the construction of an addition, and to vary the minimum setback from the side lot line from 2.0 metres to 1.7 metres to legalize the siting of an existing dwelling unit, on the property legally described as Lot 30, District Lot 52, Nanoose District, Plan 15921 be approved subject to the requirements outlined in Schedule Nos. 1, 2, 3 and 4 and subject to notification requirements pursuant to the Local Government Act.

OTHER

Request for Relaxation of the Minimum 10% Frontage Requirement – Koers & Associates on behalf of Fairwinds Development – Bonnington Drive, Fairwinds (Phase 9B) – Area E. (Electoral Area Directors except EA 'B' – One Vote)

That the request from Koers & Associates, on behalf of 3170497 Canada Inc., commonly known as Fairwinds Development, to relax the minimum 10% perimeter frontage requirement for Proposed Lots 7, 9, 10, 11 and 12 as shown on the Plan of Proposed Subdivision of Phase 9B be approved.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

47-52 Minutes of the regular Committee of the Whole meeting held May 25, 2004. (for information)

COMMUNICATIONS/CORRESPONDENCE

K.B. Miller, Private Managed Forest Land Council, re Forest Land Reserve Changes. (All Directors – One Vote)

That the correspondence from the Private Managed Forest Land Council with respect to changes to the Forest Land Reserve and the Managed Forest program, be received.

CORPORATE SERVICES

ADMINISTRATION

Asset Disposal Policy A2.12 Amendment. (All Directors – Weighted Vote)

That Asset Disposal Policy A2.12 be amended to enable the Regional District to donate computer and computer related equipment that has been replaced under our 6 year replacement schedule to Literacy Nanaimo or to School Districts 68 & 69 for educational purposes.

FINANCE

2003 Financial Information Report. (All Directors – Weighted Vote)

That the 2003 Financial Information Act report be received and approved.

FIRE PROTECTION

Coombs-Hilliers Fire Protection Service Area Boundary Amendment Bylaw No. 1022.04 & Coombs-Hilliers Fire Protection Service Area Capital Charge Bylaw No. 1387. (All Directors – One Vote)

- 1. That "Coombs-Hilliers Fire Protection Service Area Boundary Amendment Bylaw No. 1022.04, 2004" be introduced for first three readings.*
- 2. That "Coombs-Hilliers Fire Protection Service Area Capital Charge Bylaw No. 1387, 2004" be introduced for first three readings.*

ENVIRONMENTAL SERVICES

LIQUID WASTE

Pump and Haul Local Service Area Bylaw No. 975.35 –P. & V. Wild – 261 Cheddar Road – Area G. (All Directors – One Vote)

- 1. That the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include Lot 1, District Lot 80, Newcastle Land District, Plan 49865. (Cheddar Road, Area G)*
- 2. That "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.35, 2004" be read three times and forwarded to the Inspector of Municipalities for approval.*

SOLID WASTE

Landfill and Transfer Station Yard Waste Composting Quote Results. (All Directors – Weighted Vote)

That Qualicum Farms Limited be awarded the contract for composting yard waste from the Regional Landfill and the contract for composting yard waste from Church Road Transfer Station for \$36.50 and \$28.50 per tonne respectively.

Non-Profit Organizations – Solid Waste Tipping Fee Waivers. (All Directors – One Vote)

That the Board support a policy of granting waste disposal fee relief only for illegal dumping clean-up and to non-profit organizations that incorporate waste reduction as a core function. Other organizations, such as thrift store operations, may not qualify for fee relief pending discussions with thrift operators on proper recycling practices..

That the Board direct staff to prepare a bylaw for Board consideration that incorporates a policy of waste disposal fee relief for illegal dumping clean-up and to non-profit organizations that incorporate waste reduction as a core function.

That staff be directed to meet with the thrift store operators to help identify recycling opportunities and to direct recyclable waste and improve recycling practices.

New and Emerging Residual Waste Management Technologies Update. (All Directors – One Vote)

That the Board receive the interim update report on New and Emerging Residual Waste Management Technologies Update for information.

UTILITIES

Nanoose Bay Water Supply Service Area – Dolphin Drive Watermain Replacement Contract Award. (All Directors – Weighted Vote)

That the Regional District of Nanaimo award the Dolphin Drive Watermain Replacement project to Knappett Industries Ltd. for the tendered amount of \$128,129.94.

Englishman River Community Water Supply Service Area Rates & Regulations Bylaw No. 1383 and Englishman River Community Water Supply Service Area Water Use Restrictions Bylaw No. 1384. (All Directors – 2/3)

- 1. That "Englishman River Community Water Supply Service Area Rates and Regulations Bylaw No. 1383, 2004" be introduced for first three readings.*
- 2. That "Englishman River Community Water Supply Service Area Rates and Regulations Bylaw No. 1383, 2004" having received three readings, be adopted.*
- 3. That "Englishman River Community Water Supply Service Area Water Use Restrictions Bylaw No. 1384, 2004" be introduced for first three readings.*
- 4. That "Englishman River Community Water Supply Service Area Water Use Restrictions Bylaw No. 1384, 2004" having received three readings, be adopted.*

COMMISSION, ADVISORY & SELECT COMMITTEE

Electoral Area 'A' Parks and Green Spaces Advisory Committee. (All Directors – One Vote)

That the minutes of the Electoral Area 'A' Parks and Green Spaces Advisory Committee meeting held March 18, 2004 be received for information.

Electoral Area 'B' Parks and Open Space Advisory Committee. (All Directors – One Vote)

That the minutes of the Electoral Area 'B' Parks and Open Space Advisory Committee meeting held March 8, 2004 be received for information.

Landfill Site Liaison Committee. (All Directors – One Vote)

That the minutes of the Landfill Site Liaison Committee meeting held March 31, 2004 be received for information.

Regional Growth Monitoring Advisory Committee/State of Sustainability Project. (All Directors – One Vote)

That the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held May 5, 2004 be received for information.

Grants-in-Aid Committee.

(All Directors – One Vote)

That the minutes of the Grants-in-Aid Committee meeting held May 6, 2004 be received for information.

That the following grants be approved:

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

School District 68:

<i>Cedar School & Community Enhancement Society</i>	<i>\$</i>	<i>880</i>
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(Parksville, Qualicum Beach, EA's E, F, G, H - Weighted Vote)

School District 69:

<i>District 69 Family Resource Association</i>	<i>\$</i>	<i>2,054</i>
<i>Lighthouse Country Business Association</i>	<i>\$</i>	<i>500</i>
<i>Pacific Vocal Institute</i>	<i>\$</i>	<i>2,100</i>
<i>Parksville Meeting Place</i>	<i>\$</i>	<i>705</i>

District 69 Recreation Commission.

(All Directors – One Vote)

That the minutes of the District 69 Recreation Commission meeting held May 13, 2004 be received for information.

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

That the following grants be approved:

Community Grants:

Arrowsmith Cricket & Sports Association	\$	400
Arrowsmith Search & Rescue Society	\$	2,500
Building Learning Together – Teaching from the Heart	\$	280
Building Learning Together – Words on Wheels Bus	\$	1,700
Mid Vanc. Island Habitat Enhance. Soc.–Jr. Stream Keepers	\$	700
Moorecroft Camp Society	\$	1,720
Nanoose Place Landscaping Project	\$	1,750
Qualicum Beach Family Day	\$	750
Ravensong Aquatic Club	\$	1,250

Youth Grants:

<i>Ballenas Stunt and Cheer Squad</i>	\$	1,000
<i>Erik Goetzinger BMX Club</i>	\$	2,500
<i>District 69 Family Resource Association – Outreach Program</i>	\$	2,000
<i>Kidfest – Youth Activity</i>	\$	1,075
<i>Nanoose Bay Parent Advisory – Adventure Camp</i>	\$	1,000
<i>Oceanside Arts Council – Children's Theatre</i>	\$	700

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Restructure Committee – Remainder of Electoral Area 'D':

53-92 Results of the Public Consultation Regarding the Amalgamation of Electoral Areas C & D. (All Directors – One Vote)

93-95 Minutes from the Restructure Committee – Remainder of Electoral Area 'D' meetings held January 19 and February 25, 2004. (All Directors – One Vote)

WHEREAS geographically, Electoral Areas 'C' and 'D' are separate and distinct and do not have shared roads other than the Inland Island Highway to connect their communities;

AND WHEREAS Electoral Area 'C' is already comprised of a number of fragmented communities with few connecting roadways and the addition of the communities in Electoral Area 'D' will increase the dispersed nature of the electoral area;

AND WHEREAS the Pleasant Valley and East Wellington communities in Electoral Area 'D' have already felt themselves represented as minority interest within Electoral Area 'D';

AND WHEREAS the remainder of Electoral Area 'D' is more developed and in an urban setting than Electoral Area 'C' which has a rural and agricultural setting;

AND WHEREAS for the reasons outlined above, it will be extremely difficult for these two diverse electoral areas to be represented by a single Area Director;

AND WHEREAS Electoral Area 'C' has existed for many years as an independently represented area despite its small population base and Electoral Area 'D' now has a population base similar to Electoral Area 'C';

THEREFORE BE IT RESOLVED that the Board of the Regional District of Nanaimo request the Province of BC to amend the letters patent dated April 3, 2003 to allow Electoral Area 'D' to remain as an independent Electoral Area following the Local Government Elections in November 2005.

8. ADMINISTRATOR'S REPORTS

- 96-98 Regional Landfill Geogrid Toe Berm Tender Award. (All Directors – Weighted Vote)
- 99-101 Water Conservation - RDN Water Service Area Water Use Restrictions. (All Directors – One Vote)
- 102-103 Noise Control Establishing Bylaw No. 1374 – Alternative Approval Process (Counter Petition). (All Directors – One Vote)
- 104-105 UBCM Community Excellence Awards – Website. (All Directors – One Vote)

9. ADDENDUM

10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

11. NEW BUSINESS

12. BOARD INFORMATION (Separate enclosure on blue paper)

13. ADJOURNMENT

14. IN CAMERA

That pursuant to section 242.2(1)(e) & (h) of the Community Charter the Board proceed to an In Camera meeting to consider acquisition of land and legal matters.

RECEIVED

MAR 05 2004

REGIONAL DISTRICT
of NANAIMO

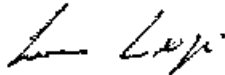
March 5, 2004
Louis Lapi
3550 Galloway Rd.
P.O. Box 29
Cassidy B.C. V0R 1H0

Regional District of Nanaimo
6300 Hammond Bay Rd.
P.O. Box 40
Lantzville B.C. v0R 2H0

Dear Sir or Madam,

I would like to speak at the Regional District meeting on March 23, 2004 about the proposed amalgamation of Area C and Area D.

Thank you



Louis Lapi

May 26, 2004

Dear: Mrs. Burgoyne

I would like to request an opportunity to address the Regional District of Nanaimo Board meeting on June 8, 2004. I would like to voice my opinion in opposition to the amalgamation of Area C and Area D.

Thank you
Yours truly

Maureen Young
2335 Godfrey Road
Nanaimo, B.C. V9X 1E7
754-5896

TO MAUREEN PEARSE

PLEASE ADD ME TO THE
AGENDA FOR JUNE 8

BOARD MTG TO MAKE
A PRESENTATION ON AREA

C-D ISSUE.

THANKS CHERYL TELLIER

Home 753-1079

2092
NANAIMO

V9X 1E8

FAX 753-1238

Burgoyne, Linda

From: robert jepson [robert-jepson@SHAW.CA]

Sent: Monday, May 31, 2004 2:31 PM

To: Burgoyne, Linda

Subject: area C D amalgamation

To the Chair and board of the R.D.N.

I wish to appear before the Board on June 8, 2004 to address the future amalgamation of area C and D.

Robert N. Jepson
7095 Vipond Road
Nanaimo B.C.

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE REGULAR MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, MAY 11, 2004, AT 7:00 PM IN THE
RDN BOARD CHAMBERS

Present:

Director J. Stanhope	Chairperson
Director H. Kreiherg	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. Westbroek	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director G. Korpan	City of Nanaimo
Director R. Cantelon	City of Nanaimo
Director T. Krall	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director L. Sherry	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

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

LATE DELEGATION

MOVED Director Westbroek, SECONDED Director Bibby, that Mr. Bowerman be permitted to address the Board as a late delegation.

Ken Bowerman, re Development Permit Application No. 60417 (Quality Foods). CARRIED

Mr. Bowerman outlined ways that Quality Foods intends to address noise concerns brought forward with respect to their proposal to locate additional coolers at the supermarket.

BOARD MINUTES

MOVED Director Sherry, SECONDED Director Bartram, that the minutes of the Board meeting held April 13, 2004 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Deana Grinnell, Planning Institute of BC, re 2004 PIBC Awards of Excellence.

MOVED Director Krall, SECONDED Director Bibby, that the correspondence from the Planning Institute of BC with respect to the 2004 Planning Institute of BC's Awards of Excellence program, be received.

CARRIED

Murray Hamilton, Horne Lake Recreation Management Ltd., re Development Permit Application No. 60414 – Bales – 2632 East Side Road – Area H.

MOVED Director Krall, SECONDED Director Bibby, that the correspondence from the Horne Lake Recreation Management Ltd. with respect to Development Permit Application No. 60414, be received.

CARRIED

S. Srdanovic, re Development Permit Application No. 60417 – Zychlinski (Quality Foods) – 2443 Collins Crescent – Area E.

MOVED Director Krall, SECONDED Director Bibby, that the correspondence from S. Srdanovic with respect to Development Permit Application No. 60417, be received.

CARRIED

D. O'Brien, re Development Permit Application No. 60417 – Zychlinski (Quality Foods) – 2443 Collins Crescent – Area E.

MOVED Director Krall, SECONDED Director Bibby, that the correspondence from D. O'Brien with respect to Development Permit Application No. 60417, be received.

CARRIED

P. & D. Kimpton, re Development Permit Application No. 60417 – Zychlinski (Quality Foods) – 2443 Collins Crescent – Area E.

MOVED Director Krall, SECONDED Director Bibby, that the correspondence from P. & D. Kimpton with respect to Development Permit Application No. 60417, be received.

CARRIED

UNFINISHED BUSINESS

BYLAWS

For Adoption.

Bylaw No. 1096.02.

MOVED Director Kreiberg, SECONDED Director Hamilton, that "Decourcey Water Supply Service Area Requisition Amendment Bylaw No. 1096.02, 2004" be adopted.

Bylaw No. 500.298.

CARRIED

MOVED Director Bibby, SECONDED Director Hamilton, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.298, 2004" be adopted.

CARRIED

Public Hearing.

Report of the Public Hearing held April 28, 2004 with Respect to Land Use and Subdivision Amendment Bylaw No. 500.299 – WR Colclough on behalf of BCBC – 1329 Kipp Road – Area A.

MOVED Director Kreiberg, SECONDED Director Bartram, that the Report of Public Hearing containing the Summary of Minutes and Submissions of the Public Hearing held on April 28, 2004 as a result of public notification "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.299, 2004" be received.

CARRIED

MOVED Director Hamilton, SECONDED Director Kreiberg, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.299, 2004" be given 3rd reading and be referred to the Ministry of Transportation for approval pursuant to the *Highway Act*.

CARRIED

MOVED Director Hamilton, SECONDED Director Kreiberg, that the conditions as outlined in Schedule No. 1 be secured and/or completed by the applicant to the satisfaction of the Regional District prior to consideration of adoption of Bylaw No. 500.299, 2004.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

MOVED Director D, Haime, SECONDED Director Bartram, that the minutes of the Electoral Area Planning Committee meeting held April 27, 2004 be received for information.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Kathy Minard & Fred Karlzen, re Difference of Boundary Effecting Properties: Parcel A (DD387518-1) of Lot 2, Salvation Army Lots, Plan 1115, Nanoose District and Parcel B (DD26358-W) of Lot 2, Salvation Army Lots, Plan 1115, Nanoose District – Area F.

MOVED Director Bartram, SECONDED Director Kreiberg, that the correspondence from Kathy Minard and Fred Karlzen with respect to a difference in the commercial/multi-residential zoning boundaries effecting their individual properties, be received.

CARRIED

David Bowie, re DP Application No. 60407 – Heck – 1885 & 1879 Widgeon Road – Area H.

MOVED Director Bartram, SECONDED Director Kreiberg, that the correspondence from David Bowie with respect to Development Permit Application No. 60407 be received for information.

CARRIED

Scott Keenlyside, Eaglestar Golf Inc., re DP Application No. 60416 – Fairway Pointe Properties Ltd. (Quail's Landing) – 730 Barclay Crescent – Area G.

MOVED Director Bartram, SECONDED Director Kreiberg, that the correspondence from Eaglestar Golf Inc. with respect to Development Permit Application No. 60416 be received for information.

CARRIED

Nick Vandermolen, Ministry of Transportation, re DP Application No. 60416 – Fairway Pointe Properties Ltd. (Quail's Landing) – 730 Barclay Crescent – Area G.

MOVED Director Bartram, SECONDED Director Kreiberg, that the correspondence from the Ministry of Transportation with respect to Development Permit Application No. 60416 be received for information.

PLANNING

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60407 – Heck – 1885 & 1879 Widgeon Road – Area H.

MOVED Director Hamilton, SECONDED Director Bartram, that Development Permit Application No. 60407, submitted by the applicants Brian and Camilla Heck to permit the construction of a gazebo and attached deck within the Hazard Lands Development Permit Area on the subject property legally described as Strata Lot 1, District Lot 89, Newcastle District, Strata Plan 1253, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 be approved, subject to the Conditions of Approval outlined in Schedules No. 1, 2 and 3.

Development Permit Application No. 60412 – Davies – 3855 Charleton Drive – Area H.

CARRIED

MOVED Director Hamilton, SECONDED Director Bartram, that Development Permit Application No. 60412 submitted by Keith Davies to permit land alteration works within the 30.0 metre watercourse protection development permit area that consist of removing organic and non-organic debris, and vegetation from a man made depression and then filling the depression with clean pit run, soils and native and non-native vegetation on the property legally described as Lot 10, District Lot 22, Newcastle District, Plan 30558, be approved subject to the requirements outlined in Schedule Nos. 1, 2 and 3.

CARRIED

Development Permit Application No. 60414 – Bales – 2632 East Side Road – Area H.

MOVED Director Hamilton, SECONDED Director Bartram, that Development Permit Application No. 60414, submitted by the property owners Donald Bales and Elizabeth Bales for the subject property legally described as Strata Lot 284, District Lot 251, Alberni District, Strata Plan VIS5160, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V requesting to relax the minimum setback requirements from the top of bank of the watercourse that is located on adjacent common property from 15.0 metres to 3.7 metres in order to facilitate the raising of an existing cabin which is proposed to include the partial demolition of a portion of the existing cabin and the construction of main floor and loft addition and the legalization of the siting of an existing shed be approved subject to the conditions outlined in Schedules No. 1, 2 and 3 and subject to the notification requirements pursuant to the Local Government Act.

Development Permit Application No. 60415 – Morton – 2870 Sunset Terrace – Area H.

This application has been deferred to the next meeting.

Development Permit Application No. 60416 – Fairway Pointe Properties Ltd. (Quail's Landing) – 730 Barclay Crescent – Area G.

MOVED Director Hamilton, SECONDED Director Kreiberg, that Development Permit No. 60416, submitted by Fairway Pointe Properties Ltd. (Quail's Landing) for the property legally described as Lot 1, District Lot 126, Nanoose District, Plan VIP76030, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report and the notification procedure subject to the Local Government Act with respect to the proposed variances.

CARRIED

Development Permit Application No. 60417 – Zychlinski (Quality Foods) – 2443 Collins Crescent – Area E.

MOVED Director Hamilton, SECONDED Director Bibby, that Development Permit Application No. 60417 submitted by Ken Bowerman of Quality Foods Ltd. on behalf of Hans Zychlinski and Irmgard Zychlinski with a variance to relax the minimum other lot line setback requirement from 5.0 metres to 1.7 metres for the property legally described as Lot 1, District Lot 6, Nanoose District, Plan VIP55964 to facilitate the addition of two prefabricated coolers to an existing supermarket, be approved subject to Schedules No. 1, 2 and 3 and the notification requirements pursuant to the Local Government Act.

CARRIED

Amendment to DP Application No. 9713 – B & W Land Corporation – Robertson Boulevard – Area G.

MOVED Director Hamilton, SECONDED Director Bartram, that the request to modify Development Permit No. 9713 in association with the property legally described as Lot C, District Lots 29 and 126, Nanoose District, Plan 49145 with Exceptions, by changing the approving triplex in Phase 10 to a duplex in Phase 10, be approved.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS**DVP Application No. 90408– Heung – 2023 Seahaven Road – Area E.**

MOVED Director Hamilton, SECONDED Director Bibby, that Development Variance Permit Application No. 90408, submitted by Terry and Raymond Heung, to facilitate the development of a two storey dwelling unit and vary the maximum permitted dwelling unit height within the Residential 1 zone from 8.0 metres to 8.82 metres for the property legally described as Lot C, District Lot 51, Nanoose Land District, Plan 7705, be approved as submitted subject to Schedules No. 1, 2 and 3 and subject to the notification procedures pursuant to the *Local Government Act*.

CARRIED

OTHER**Request for Relaxation of the Minimum 10% Perimeter Requirement – WR Hutchinson, BCLS on Behalf of BJ & ML Carr – 5735 Takala Road – Area C.**

MOVED Director Hamilton, SECONDED Director Kreiberg, that the request from WR Hutchinson, BCLS, on behalf of JD and ML Carr, to relax the minimum 10% frontage requirement for proposed Lots 1 and the Remainder of Lot A, as shown on the plan of subdivision of Lot A, District Lot 19, Bright District, Plan VIP58785, be approved subject to Schedules No. 1 and 2.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**Electoral Area F Land Use and Subdivision Bylaw.**

MOVED Director Hamilton, SECONDED Director Biggemann, that Amendment Application No. 0408, to amend the zone boundary on the properties legally described as Lot A (DD387518 D) and Lot B (DD26358 W) of Lot 2, Salvation Army Lots, Plan 1115, Nanoose District be advanced to a Public Hearing.

CARRIED

MOVED Director Hamilton, SECONDED Director Biggemann, that “Regional District of Nanaimo Zoning and Subdivision Bylaw Amendment Bylaw No. 1285.04, 2004” be given 1st and 2nd reading and proceed to Public Hearing.

CARRIED

MOVED Director Hamilton, SECONDED Director Bigemann, that the Public Hearing on "Regional District of Nanaimo Zoning and Subdivision Amendment Bylaw No. 1285.04, 2004" be delegated to Director Biggemann or his alternate.

CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

MOVED Director Sherry, SECONDED Director Holdom that the minutes of the regular Committee of the Whole meeting held April 27, 2004 be received for information.

CARRIED

COMMUNITY SERVICES

RECREATION & PARKS

Regional Parks Plan Review – Terms of Reference.

MOVED Director Holdom, SECONDED Director Bartram,:

1. That the Terms of Reference for the Regional Parks Plan Review be approved; and
2. That staff be directed to issue a Request for Proposal for a Project Consultant for the Review; and
3. That two Electoral Area Directors and one Municipal Director be appointed by the Chairperson to participate as members of the Regional Parks Plan Review Select Committee.

CARRIED

Application to Ministry of Transportation to Develop the El Verano Beach Access – Area B.

MOVED Director Lund, SECONDED Director D. Haima, that the Regional District apply to the Ministry of Transportation for a permit to develop and use the El Verano beach access in Electoral Area 'B'.

CARRIED

CORPORATE SERVICES

FINANCE

Reserve Fund Bylaw Approvals – Administration Computer Equipment Reserve Fund Expenditure Bylaw; Northern Community Sewer LSA Development Cost Charge Reserve Fund Expenditure Bylaw; School District 68 E-911 Reserve Fund Establishment Bylaw No. 1380.

MOVED Director Krall, SECONDED Director Cantelon, that "Administration Computer Equipment (2004) Reserve Fund Expenditure Bylaw No. 1377, 2004" be introduced for first three readings.

CARRIED

MOVED Director Krall, SECONDED Director McNabb, that "Administration Computer Equipment (2004) Reserve Fund Equipment Bylaw No. 1377, 2004" having received three readings be adopted.

CARRIED

MOVED Director Krall, SECONDED Director McNabb, that "Northern Community Sewer Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1379, 2004" be introduced for first three readings.

CARRIED

MOVED Director Krall, SECONDED Director Kreiberg, that "Northern Community Sewer Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1379, 2004" having received three readings be adopted.

CARRIED

MOVED Director Krall, SECONDED Director Longmuir, that "School District 68 E-911 Reserve Fund Establishment Bylaw No. 1380, 2004" be introduced for first three readings.

CARRIED

MOVED Director Krall, SECONDED Director Longmuir, that "School District 68 E-911 Reserve Fund Establishment Bylaw No. 1380, 2004" having received three readings be adopted.

CARRIED

Operating Results to March 31, 2004.

MOVED Director Cantelon, SECONDED Director Bibby, that the summary report of financial results from operations to March 31, 2004 be received for information.

CARRIED

Accounting Treatment of Liability Insurance Premiums.

MOVED Director Cantelon, SECONDED Director Longmuir, that the report on accounting treatment of liability insurance premiums be received for information.

CARRIED

Initiative to Request Wireless Telephone Providers to Collect 911 Levy for Local Government Call Answer Center.

MOVED Director Kreiberg, SECONDED Director C. Haime, that correspondence in the form attached to the staff report be forwarded to the three wireless service providers, Telus Mobility, Bell Mobility and Rogers Wireless, seeking their cooperation in acting as a collection agent for the 911 call answer levy in a manner consistent with the collection agreement in place with Telus as a landline service provider.

CARRIED

DEVELOPMENT SERVICES

BYLAW ENFORCEMENT

Request to Amend Liquor – Primary License for Morningstar Golf Club – 525 Lowry's Road – Area G.

MOVED Director McNabb, SECONDED Director Cantelon, that the application for a structural change to the current liquor-primary license for the Morningstar Golf Club located at 525 Lowry's Road and legally described as Lot A, District Lots 81 and 126, Nanoose District, Plan 49145, With Exceptions, to allow the reallocation of seating to permit liquor-primary license on the recently constructed outdoor deck, be supported.

CARRIED

ENVIRONMENTAL SERVICES

LIQUID WASTE

Pump and Haul Local Service Area Bylaw No. 975.34 – 653 South Road – Area B.

MOVED Director Lund, SECONDED Director Sherry, that the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include Lot 75, Section 13, Gabriola Island, Nanaimo District, Plan 21531, 653 South Road, Gabriola Island, Area B.

CARRIED

MOVED Director Lund, SECONDED Director Sherry, that "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.34, 2004" be read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

Waste Management Permit Fee Increase.

MOVED Director Sherry, SECONDED Director Westbrook,:

That the staff report be received for information.

That the Board direct staff to forward a letter to the Minister of Water, Land and Air Protection (copy to UBCM) that expresses the RDN's concern with the Waste Management Permit Fee Regulation amendments consultation process and requesting explanation as to what value the RDN will receive for the large increase in fees.

SOLID WASTE

CARRIED

Waste Stream Management Licensing Bylaw.

MOVED Director Sherry, SECONDED Director Westbrook, that the Board direct staff to proceed to public consultation on the final draft of the proposed Waste Stream Management Licensing bylaw.

CARRIED

Solid Waste Management Plan.

MOVED Director Sherry, SECONDED Director Westbrook, that the Board direct staff to proceed to public consultation on the final draft of the updated Solid Waste Management Plan.

CARRIED

UTILITIES

San Pareil Water Supply Local Service Area Rates and Regulations Amendment Bylaw No. 1172.03 – Area G.

MOVED Director Sherry, SECONDED Director Westbrook, that this item be deferred to the next meeting.

CARRIED

Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.05 – Subdivision between Wembley Road and Arrowsmith Way – Area G.

MOVED Director Westbrook, SECONDED Director Sherry, that Rem. Lot 2, Plan 41955, DL 29, Nanoose LD and Lot A, Plan VIP72574, DL 29, Nanoose LD be brought into the Morningstar Streetlighting Local Service Area.

CARRIED

MOVED Director Westbrook, SECONDED Director Sherry, that "Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.05, 2004" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

West Bay Estates Water LSA Amendment Bylaw No. 929.03 – Nanoose Place – 2925 Northwest Bay Road – Area E.

MOVED Director Bibby, SECONDED Director Kreiberg, that "West Bay Estates Water Local Service Area Amendment Bylaw No. 929.03, 2004" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Regional Growth Monitoring Advisory Committee/State of Sustainability Project.

MOVED Director Holdom, SECONDED Director Bartram, that the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meetings held March 17, 2004 and April 2, 2004 be received for information.

CARRIED

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Biggemann, that the minutes of the District 69 Recreation Commission meeting held April 15, 2004 be received for information.

CARRIED

Transit Business Plan Update Select Committee.

MOVED Director Krall, SECONDED Director Holdom, that the minutes of the Transit Business Plan Update Select Committee meeting held April 15, 2004 be received for information.

CARRIED

MOVED Director Krall, SECONDED Director Holdom, that the Hybrid Bus report be received.

CARRIED

MOVED Director Krall, SECONDED Director Holdom, that the Annual Operating Agreement (AOA) with BC Transit be approved.

CARRIED

MOVED Director Krall, SECONDED Director Holdom, that BC Transit be requested to review the administration fee for the Regional District of Nanaimo in context with its review of the service delivery model in member communities.

CARRIED

ADMINISTRATOR'S REPORTS

Solid Waste Management Plan – Alternate Dates for Public Meetings & Reduction in Packaging to Landfills.

MOVED Director Sherry, SECONDED Director D. Haimc.:

That the alternate dates of June 15 and 17, 2004 for public meetings on the draft Solid Waste Management Plan be received for information.

That staff prepare a report on the status of the provincial stewardship business plan as well as federal initiatives directed at reducing packaging waste, prior to re-confirming Board support for these on-going programs.

CARRIED

Resolution to Incorporate Bow Horn Bay Fire Improvement District as a Regional District Service Area.

MOVED Director Bartram, SECONDED Director Holdom, that the Regional District of Nanaimo resolves as follows:

That given the unavailability of liability insurance coverage for the Bow Horn Bay Fire Improvement District, the Regional District of Nanaimo agrees to accept a transfer of responsibilities, assets and liabilities from the Bow Horn Bay Fire Improvement District and will create a Regional District fire protection service area in its place.

That the Province exempt the Regional District of Nanaimo from the electoral consent provisions of the *Local Government Act* for establishing new services in this instance, in order to expedite the transfer of responsibilities and ensure that the volunteer fire department can operate with appropriate liability coverage as soon as possible.

CARRIED

MOVED Director Bartram, SECONDED Director Longmuir, that the "Bow Horn Bay Fire Protection Service Area Establishing Bylaw No. 1385, 2004" be introduced for first three readings and be forwarded to the Ministry of Community, Aboriginal and Women's Services.

CARRIED

NEW BUSINESS

Joint and Several Liability.

Director Westbroek advised the Board of a recent announcement from Honourable Geoff Plant advising that the Province will not be reviewing the legislation on joint and several liability for local governments.

MOVED Director Korpan, SECONDED Director Westbroek, that a letter be written to the Premier asking for reconsideration of the decision not to review the legislation as it poses a risk to all taxpayers.

CARRIED

Funding Opportunities.

Director Bartram noted that there are five new funding opportunities for local governments and requested that staff investigate these opportunities.

IN CAMERA

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

CARRIED

ADJOURNMENT

MOVED Director Sherry, SECONDED Director Krall, that this meeting adjourn to allow for an in camera session.

CARRIED

TIME: 7:30 PM

The meeting reconvened at 8:00 PM

COMMUNITY SERVICES

RECREATION & PARKS

Nature Trust of BC – Craig Creek Property Acquisition Proposal – Area E.

MOVED Director McNabb, SECONDED Director Cantelon, that the Regional District participate in the Nature Trust's initiative to acquire a portion of a parcel along Craig Creek to be subdivided under the *Land Title Act* on the condition that any fees or costs incurred by the Regional District be reimbursed by the Nature Trust.

CARRIED

Oceanside Place Acoustics.

MOVED Director McNabb, SECONDED Director Cantelon, that the 2004 Annual Budget be adjusted and the Five Year Financial Plan be amended to provide for acoustical treatment estimated at \$60,000 in the Howie Meeker Arena for 2004, funded from the prior year surplus, and the Victor Kraatz Arena acoustical treatment estimated at \$50,000 be deferred and considered as part of the 2005 annual budget process.

CARRIED

MOVED Director Bibby, SECONDED Director Bartram,:

That the District 69 Recreation Commission factor in the increased capital costs in their annual review of fees and charges for Oceanside Place that will take place during May and June for approval by the Regional Board.

That increases in fees and charges for Oceanside Place shall be used:

- a) to replenish the surplus of \$60,000 used to fund the Howie Meeker Arena acoustic treatment for 2004;
- b) to meet the capital costs of acoustic treatment for the Victor Kraatz Arena;
- c) thereafter to increase general revenue for the arena.

CARRIED

CORPORATE SERVICES

FINANCE

Levesque – Unpaid Utility Charges Account.

MOVED Director Bibby, SECONDED Director Cantelon,

That the property owner(s) be notified that the Board requires Mr. Levesque to pay the full bill of \$2,603.36.

That if the property owner refuses to pay the bill by December 31, 2004, the outstanding balance be transferred to taxes as provided for in the *Local Government Act*.

CARRIED

ADMINISTRATOR'S REPORT

Contravention of Unsightly Premises Regulatory Bylaw No. 1073 – Juneau/Muldoon – 2533 East Island Highway – Area E.

MOVED Director Korpan, SECONDED Director Krall, that should the property maintenance concerns not be rectified by May 11, 2004 pursuant to the "Unsightly Premises Regulatory Bylaw No. 1073, 1996", the Board directs the owners of the above property to remove from the premises, those items as set out in the attached resolution within fourteen (14) days, or the work will be undertaken by the Regional District's agents at the owner's cost.

CARRIED

ADJOURNMENT

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

TIME: 8:05 PM

CARRIED

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES



Greater Nanaimo Chamber of Commerce

SUITE E, 777 POPLAR STREET
NANAIMO, BRITISH COLUMBIA V9S 2H7
Internet: <http://www.nanaimochamber.bc.ca>

TELEPHONE (250) 753-1191
FAXLINE (250) 754-5186
Email: info@nanaimochamber.bc.ca

May 21, 2004

Mike Donnelly
Handy DART Service
6300 Hammond Bay Rd.
Nanaimo, BC V9T 6N2

Dear Mr. Donnelly:

On behalf of the Greater Nanaimo Chamber of Commerce I would like to take this opportunity to congratulate you on winning a Sterling Community Award.

The goal of the Sterling Community Awards is to provide a recognized stage for the celebration of the community achievements of local business and frontline service providers. The awards ceremony is the only one of its kind combining the recognition of efforts of both the employers and employees.

Your nomination indicates a strong commitment to the level of service to our community. We applaud you for that.

Enclosed please find your photograph and a pictorial, which celebrates the evening. Once again, congratulations and best wishes for continued success.

Sincerely,


Cori Lynn Carlson
Executive Director



RECEIVED

MAY 27 2004

REGIONAL DISTRICT
of NANAIMO

Dr. James Lunney, M.P.

Nanaimo - Alberni

May 19, 2004

Handy Dart Service
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Mike Donnelly and staff,

Congratulations for being recognized for Automotive or Transport Business Excellence at the 2004 Sterling Community Awards. Handy Dart provides a valuable and necessary service for the many people in our area who have mobility difficulties and we are appreciative of the excellent care you provide your clients. Best wishes in the future for continued success!

Sincerely,

Dr. James Lunney, M.P.
Nanaimo-Alberni

JL/jc



Province of British Columbia
Legislative Assembly

Judith Reid, M.L.A.
Nanaimo-Parksville

Constituency Office:
101-191 Jensen Avenue East
PO Box 1356
Parksville BC V9P 2H3
Telephone: 250 951-6021
Facsimile: 250 951-6025
e-mail: judith.reid.mla@leg.bc.ca

RECEIVED

MAY 28 2004

REGIONAL DISTRICT
of NANAIMO

May 26, 2004

Regional District of Nanaimo
Handy DART Service
6300 Hammond Bay Road
Nanaimo BC V9T 6N2

Congratulations to the staff of the Handy DART Service on being recognized by the Greater Nanaimo Chamber of Commerce as a Stirling award winner for 2004.

Being acknowledged as outstanding in your endeavors is an honour and certainly deserved. Our growing economic prosperity in Nanaimo and increasing attractiveness as a city to live in, is due to committed people such as yourself who do so much through their own attitude to enhance our positive reputation.

Wishing you continued success in 2005.

Sincerely,

Judith Reid, MLA
Nanaimo-Parksville



REGIONAL DISTRICT OF NANAIMO	
MAY 27 2004	
CHAIR	GMCFS
CAO	GMDS
GMCOS	GMES
Bed Corres ✓	

MAY 20 2004

Joe Stanhope
Chairperson
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo BC V9T 6N2

Dear Joe Stanhope:

In November 2001, I commenced a public discussion about whether a need existed to consider reform in some areas of civil liability law, to help ensure that principles of liability are both fair and balanced.

In 2002, the Ministry of Attorney General issued a public discussion paper and invited submissions in response to a series of questions on specific issues of liability law. The ideas on the table included *Limitation Act* reform, joint and several liability law reform, legislative reforms to the special branch of vicarious liability called the non-delegable duty doctrine and the rules relating to costs in the *Class Proceedings Act*.

We received a number of diverse responses to our questions. We heard from municipal governments and the building industry, including architects, engineers and contractors who advocated for reform. We also heard from victims groups, from the plaintiffs' bar and from groups concerned about issues like leaky condos who argued that no case was made out for reform.

Government carefully considered all of the issues and perspectives. We also considered the experience in other jurisdictions. In the end result, government has decided not to proceed with law reform in these areas at this time.

.../2

Attorney General and
Minister Responsible for
Treaty Negotiations

Mailing Address:
PO BOX 9044 STN PROV GOVT
VICTORIA BC V8W 8E2

Joe Stanhope
Page 2

I appreciate the effort and contribution of those who participated in this process, all of whom helped inform a lively and useful public discussion about law reform.

Yours truly,

A handwritten signature in black ink that reads "Geoff Plant". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

Geoff Plant
Attorney General

R.D.M.

SUSAN CORMIE
(SENIOR PLANNER)

RE: DEVELOPMENT PERMIT
APPLICATION - 6 MAY 2004
509209 B.C. LTD.
(DEEP BAY JOINT VENTURE)

RELAXATION OF SETBACK
UNIT-10A FROM 10 METERS
TO 6 METERS

- AGAINST CHANGE

CHRISTO KUNY + 5276 Kuribung

+ Bruce
5280 Kuribung Rd

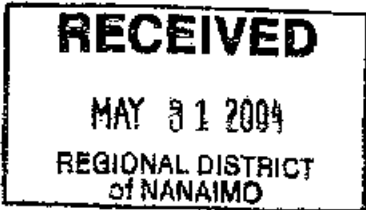
PLANNING DEPT

-05-27 2004

RECEIVED

DEEP BAY PLANNING AND ENVIRONMENTAL ASSOCIATION

RR1 Site 156-C8,
Bowser, 1G0
Tel/Fax 757 8909
Email: gptaylor@shaw.ca



May 17th 2004

To Mr. Jo Stanhope, Chairman,
Regional District of Nanaimo,
6300 Hammond Bay Road,
Nanaimo, B.C. V9T 6N2

Dear Mr. Stanhope and Members of the Board,

Re: Proposed Noise Regulatory Bylaw 1374 - within a portion of Area H

The members of this Association together with the undersigned residents within that portion of Area H for which this proposed Bylaw is applicable, respectfully request that section #4 of Schedule #2 - Prohibition of Time - be amended to read 7.00 p.m. to 7.00 a.m instead of 11.00 p.m. to 6.00 a.m.

The overwhelming reason and feeling for this change is that residents should be able to enjoy their evening leisure hours free from the noise of compressors, power saws, bull dozers and such like equipment and that twelve hours per day is a sufficient amount of time for work to be carried out involving this type of equipment.

We trust that you will give your full consideration to this application to amend the proposed Noise Regulatory bylaw #1374 - within a portion of Area H, and will agree to this request.

Yours truly,

NAME (Please Print)	ADDRESS	POSTAL CODE	SIGNATURE
RON SKIBER	5373 Deep Bay Drive	VOR 1G0	[Signature]
LOW WESCH	5391 DEEP BAY DR	"	[Signature]
Poo Tinga	5305 Deep Bay Dr	✓	[Signature]
Virginia Culbard	5439 Deep Bay Drive	VOR 1B0	[Signature]
Bill Robertson	5457 " " "		[Signature]
Colleen Murphy	5489 Deep Bay Drive	VOR 1B0	[Signature]
Chuck Gorbie	5508 Deep Bay Drive	VOR 1G0	[Signature]
MARISTO KUON	5280 GAINSBURG RD	VOR 1G0	[Signature]
Lice Antuelli	78 Jamieson Rd Bowser	VOR 1G0	[Signature]

NAME (Please Print)	ADDRESS	POSTAL CODE	SIGNATURE
Dianna Lee	5058 Longview Bousier	VOR 160	Dianna Lee
D. MANNES	5513 DEEP BAY DR	VOR 160	Dianna Lee
PAUL UPTONALE	5525 " " "	"	Dianna Lee
M. J. MORRY	5540 DEEP BAY DR.	VOR 160	Paul Uptonale
V. A. MORRY	" " " "	" "	M. J. MORRY
M. STRUTHERS	5536 " " "	VOR-160	M. J. MORRY
W. DEARS	5505 " " "	VOR 160	M. J. MORRY
RAY ALLAN	5453 DEEP BAY DR	VOR 160	W. DEARS
D. SLARKS	5359 " " "	" "	RAY ALLAN
G. SLARKS	5369 DEEP BAY DR	VOR 160	D. SLARKS
Jean Mitchell	266 HAMBROUGH RD.	VOR 160	G. SLARKS
Rebecca Mitchell	269 HAMBROUGH	VOR 160	Jean Mitchell
Majorie TANNETT	72 Bald Eagle Crescent (Bousier)	VOR 160	Rebecca Mitchell
AND ANIAL	70 JAMIESON RD	VOR 160	Majorie TANNETT
JETTY NIET	56 Bald Eagle	VOR 160	AND ANIAL
KATHY GRAHAM	3030 Raymer Pl QB	V9 K2N9	JETTY NIET
Mark Sommerfeld	175 Jamieson Rd. Bousier	VOR 160	KATHY GRAHAM
HELEN UNOWA	84 Bald Eagle Bousier	VOR 160	Mark Sommerfeld
R Seline	146 Bald Eagle Cr	VOR 160	HELEN UNOWA
R Wilson	150 BALD EAGLE CR	VOR 160	R Seline
Nelson Riddy	5058 LONGVIEW DR BOUSIER	VOR 160	R Wilson
ES MITCHELL	5187 BAINSBURG DEEP BAY	VOR 160	Nelson Riddy
ANU JAECKEL	224 Hambrough Rd.	VOR 160	ES MITCHELL
SUSAN UNACKEL	6684 156 Deep Bay BC	VOR 160	ANU JAECKEL
A. Jodel	" " "	" "	SUSAN UNACKEL
			A. Jodel

NAME (Please Print)	ADDRESS	POSTAL CODE	SIGNATURE
E. LEMBOSKI	5533 Deep Bay Drive	VOR 160	E. Lemboski
F. O. HUNT	5516 Deep Bay Drive	VOR 160	F. O. Hunt
M. DUSSAULT	5327 GAINSBURG RD	"	M. Dussault
G. DUSSAULT	" " "	"	G. Dussault
J. Grabher	5339 " "	"	J. Grabher
A. Grabher	5339 " "	"	A. Grabher
T. DESMEULES	5359 " "	"	T. Desmeules
D. HEALEY	200 CRANE PT RD	VOR 160	D. Healey
SUSAN GRACE	5280 Gainsburg Rd	VOR 160	Susan Grace
J. Mills-Cockell	210 Hembrough	VOR 160	J. Mills-Cockell
ED MORMAN	5018 W. THOMPSON CREEK DR.	VOR 160	E. D. Morman
V. Wylie	5040 SEAVIEW DR	VOR 160	V. Wylie
P. Wylie	5040 Seaview Dr.	VOR 160	P. Wylie
S. Petrie	5049 Seaview Dr	VOR 160	S. Petrie
R. M. PETRIE	5049 SEAVIEW DR.	VOR 160	R. M. Petrie
G. TAYLOR	244 HEMBROUGH RD	VOR 160	G. Taylor
P. W. TAYLOR	244 HEMBROUGH RD	VOR 160	P. W. Taylor
Anne B. Capras	5087 Seaview Dr.	VOR 160	Anne B. Capras
B. KORUMAN	5076 " "	VOR 150	B. Koruman
A. KORUMAN	5076 " "	VOR 150	A. Koruman
L. Wiercher	5090 Longview Dr.	VOR 160	L. Wiercher
Sandra Wahlgen	5082 Longview Drive	VOR 160	S. Wahlgen
Richard Wahlgen	5082 Longview Drive	VOR 160	R. Wahlgen
Pick Furbentor	5078 Longview	VOR 160	Pick Furbentor
Maria Furbentor	"	"	Maria Furbentor

NAME (Please Print)	ADDRESS	POSTAL CODE	SIGNATURE
J. WILLIAMSON	261 Hambrough Rd	VOR-160	J. Williamson
G. WILLIAMSON	261 Hambrough Rd	VOR 160	G. Williamson

Owners of Strata Plan – VIS 5160

c/o Horne Lake Recreation Management Ltd.
719 Newcastle Ave.,
Parksville, B.C. V9P 1G1
250-951-0877 Fax: 250-951-0878

May 20, 2004

Regional District of Nanaimo,
Planning Department,
6300 Hammond Bay Rd.,
Nanaimo, B.C.
V9T 2N2

Attention: Blaine Russell, Planner

Dear Sir:

Re: Notice of Variance to Development Permit Application No. 60415

The Strata Council met on Monday, May 17, 2004 and considered the application of Todd and Veronica Morton, Strata Lot 226, to the Regional District of Nanaimo for a variance to alter the height of an accessory building. The Strata Council does not support this request. The Strata Council does however, want to resolve the outstanding issue with the Regional District of Nanaimo regarding water towers and fire wood storage shelters.

In support of the Strata Council's decision, the following motions were passed at the May 17, 2004 Strata Council Meeting:

Bylaws and Approvals

The owners of Lot 226 have applied to the Regional District of Nanaimo for a variance with regard to the height of an accessory building on their lot, which will contain water tanks under the roof, and which exceeds the permissible 3 metre height.

MOTION: Moved by Shawn Flynn, seconded by Earl Billingsley to support the variance application by the owners of lot 226 to vary the height of their accessory building.

DEFEATED

Accessory Buildings

MOTION: Moved by Shawn Flynn, seconded by Don Lane that the Bylaws Committee explore alternatives regarding the building of woodsheds and water towers, and consider applying for an amendment to the Zoning Bylaw.

CARRIED

If you have any questions, please don't hesitate to contact me.

Yours truly,
Bylaws and Approvals Committee,
Owners of Strata Plan VIS 5160



Per: Murray Hamilton



REGIONAL DISTRICT OF NANAIMO	
JUN - 1 2004	
CHAIR	GMOs
CAO	GMDS
GMCS	GMES
<i>Board</i>	

MEMORANDUM

TO: Robert Lapham
General Manager, Development Services

DATE: June 1, 2004

FROM: Susan Cormie
Senior Planner

FILE: 3360 30 0312

SUBJECT: Amendment Application ZA0312 - Tower Fence Products - Bylaw No. 500.297, 2003
Electoral Area 'A' - 1882 Fielding Road

PURPOSE

To consider Bylaw 500.297 for adoption.

BACKGROUND

Bylaw No. 500.297, 2003 was introduced and given 1st and 2nd reading on November 18, 2003. This was followed by a Public Hearing held on December 4, 2003. The Board granted 3rd reading for the bylaw on December 9, 2003 and referred the bylaw to the Ministry of Transportation for its consideration of approval.

The purpose of this amendment bylaw is to rezone the property legally described as Lot A, Section 14, Range 6, Cranberry District, Plan 7057 and located at 1882 Fielding Road in the South Wellington area of Electoral Area 'A' to an Industrial 1 (IN1) zone Subdivision District 'Z' (no further subdivision) to allow the existing fence assembling, manufacturing, and sales use, which has been permitted under Temporary Industrial Use Permit No. 0108, to continue. This temporary use permit expired in December 2003.

As part of the development proposal, the applicant is in concurrence to meet a negotiated condition of development, which is to enter into a development permit prior to consideration of 4th reading of the corresponding bylaw. The applicant has now made application for this development permit and it is anticipated that the development permit will be issued by delegation authority at the time of adoption of amendment Bylaw No. 500.297.

ALTERNATIVES

1. To adopt Bylaw No. 500.297.
2. To not adopt Bylaw No. 500.297.

MINISTRY OF TRANSPORTATION REFERRAL

As the subject property is within 800 metres of a controlled access intersection pursuant to the *Highway Act*, Bylaw No. 500.297, 2003 was forwarded to the Ministry of Transportation for approval. This approval was granted on December 22, 2003.

VOTING

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

SUMMARY

"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.297, 2003" was considered by the Board and given 1st and 2nd reading on November 18, 2003. Subsequent to that, a public hearing was held on December 4, 2003 and the Board granted 3rd reading on December 9, 2003. Approval pursuant to the *Highway Act* was received from the Ministry of Transportation on December 22, 2003. It is anticipated that the corresponding development permit will be in place prior to the consideration of this bylaw for adoption. As approval from the Ministry of Transportation has been received, this bylaw may now be considered for adoption.

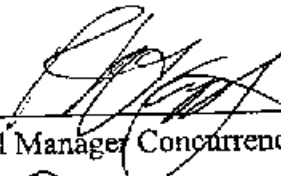
The following recommendation is provided for consideration by the Board.

RECOMMENDATION

That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.297, 2003", be adopted.



Report Writer



General Manager Concurrence

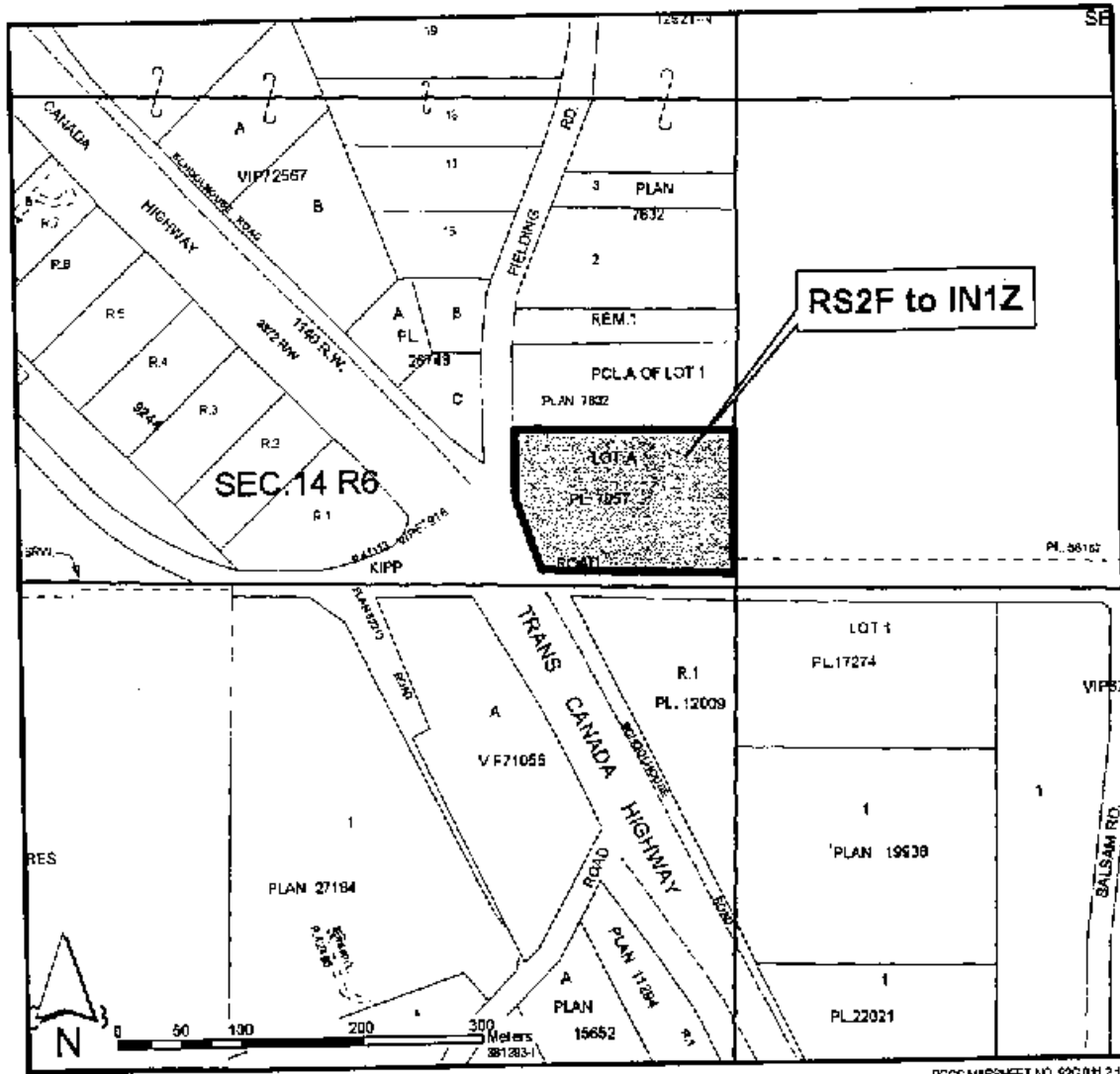


CAO Concurrence

COMMENTS:

devs/reports/2004/ZA3360 30 0312 in brd Tower Fence adopt

ATTACHMENT No. 1
Location of Subject Property



BOGS MAPSHEET NO. 520.011.2.1

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, MAY 25, 2004, AT 6:30 PM
IN THE RDN BOARD CHAMBERS

Present:

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

Also in Attendance:

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

LATE DELEGATIONS

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

CARRIED

Adele McKillop, re DP Application No. 60429 – Bev & Gerd Voigt, on behalf of 642703 BC Ltd. – off Kaye Road and the Island Highway – Area E.

Ms. McKillop provided a verbal and written overview and history of the area and raised her concerns with the application process with respect to DP Application No. 60429. Ms. McKillop requested that the Board defer the application until such time as all required information is submitted by the applicant.

John Barnum, re DP Application No. 60429 – Bev & Gerd Voigt, on behalf of 642703 BC Ltd. – off Kaye Road and the Island Highway – Area E.

Mr. Barnum noted the importance of water to the neighbouring lots and asked that the Board consider the effect any development would have on water tables in the area.

Bev Voigt, re DP Application No. 60429 – Bev & Gerd Voigt, on behalf of 642703 BC Ltd. – off Kaye Road and the Island Highway – Area E.

Ms. Voigt provided an overview of their development permit application, noting that the property contains 2nd growth trees, which they will attempt to avoid disturbing, and that there will be a covenant attached to the application which will not allow any development for a minimum of 30 metres from Craig Creek. Ms. Voigt requested that the Board not defer their application.

Gerd Voigt, re DP Application No. 60429 – Bev & Gerd Voigt, on behalf of 642703 BC Ltd. – off Kay Road and the Island Highway – Area E.

Mr. Voigt declined his opportunity to speak at this time.

MINUTES

MOVED Director Stanhope, SECONDED Director Bibby, that the minutes of the Electoral Area Planning Committee meeting held April 27, 2004 be adopted.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60418 – Gunning – 1733 Admiral Tryon Boulevard – Area G.

MOVED Director Stanhope, SECONDED Director Bartram, that Development Permit Application No. 60418 to vary the minimum setback from 8.0 metres to 1.1 metres to recognize the siting of the existing concrete retaining wall and to permit the construction of a rip rap retaining wall sited a maximum of 1 metre below the natural boundary of the sea, within the Watercourse Protection Development Permit Area on the property legally described as Lot 30, District Lot 28, Nanoose District, Plan VIP62528, be approved subject to the requirements outlined in Schedules No. 1, 2, 3 and 4 and subject to notification requirements pursuant to the *Local Government Act*.

CARRIED

Development Permit Application No. 60422 – Johnstone– Surfside Drive – Area G.

MOVED Director Stanhope, SECONDED Director Biggemann, that Development Permit Application No. 60422, submitted by Bruce and Jeannette Johnstone to legalize the addition of two raised decks and a porch addition for a dwelling unit and to facilitate the renovation of the seawall located within the Environmentally Sensitive Areas and Hazard Lands Areas Development Permit Areas for the subject property legally described as Lot 5, District Lots 9 and 110, Newcastle District, Plan 15370 be approved, subject to the requirements outlined in Schedules No. 1 and 23.

CARRIED

Development Permit Application No. 60424 – Fern Road Consulting Ltd., on behalf of Barbon Construction – Gainsberg Road – Area H.

MOVED Director Bartram, SECONDED Director Stanhope,:

1. That Development Permit Application No. 60424 submitted by Fern Road Consulting Ltd., on behalf of Barbon Construction for the property legally described as Lot 1, District Lots 1 and 86, Newcastle District, Plan VIP70719, be approved, subject to the conditions outlined in Schedule Nos. 1, 2, 3 and 4 of the corresponding staff report and to the notification procedure subject to the *Local Government Act* with respect to the proposed variances to Bylaw No. 500, 1987.
2. That the following words be added under the heading "Storm Water Drainage Plan" of Schedule 1 to DP Application No. 60424:

"Applicant to obtain a Section 9 approval from Land and Water BC in consultation with the Ministry of Water, Land and Air Protection prior to realignment of the lower 50 metres of Hemsbrough Ditch."

CARRIED

Development Permit Application No. 60427 – Smith/Vectis Ventures – 3645 Dolphin Drive – Area E.

MOVED Director Bibby, SECONDED Director Biggemann, that Development Permit Application No. 60427, submitted by Tim Ram of Vectis Ventures on behalf of Dan and Christina Smith for the installation of a terraced retaining wall and removal of an illegal structure for the property legally described as Lot B, District Lot 78, Nanoose Land District, Plan 44229, be approved as submitted subject to Schedules No. 1, 2 and 3.

CARRIED

Development Permit Application No. 60428 – 43052 BC Ltd./Quest Homes – Garrod Road – Area H.

MOVED Director Bartram, SECONDED Director D. Haime, that Development Permit Application No. 60428 submitted by Quest Homes for the property legally described as Lot A, District Lot 36 and part of the bed of the Strait of Georgia, Newcastle District, Plan VIP54987, be approved, subject to the conditions outlined in Schedule Nos. 1, 2, 3, 4 and 5 of the corresponding staff report and the notification procedure subject to the *Local Government Act* with respect to the proposed variances to Bylaw No. 500, 1987.

CARRIED

Development Permit Application No. 60429 – Bev & Gerd Voigt, on behalf of 642703 BC Ltd. – off Kaye Road and the Island Highway – Area E.

MOVED Director Bibby, SECONDED Director Stanhope, that the request, submitted by Bev and Gerd Voigt, on behalf of 642703 BC Ltd. to create new parcels and dedicate and construct a road as part of a 6-lot subdivision proposal within a Farm Land Protection Development Permit Area and to relax the minimum setback requirement for an existing barn building from 30.0 metres to 13.0 metres from the proposed new lot line as shown on the plan of subdivision of District Lot 44, Nanoose District Except Parts in Plans 39893, 3132 RW, be referred back to staff for further assessment of road access and effects on the Sensitive Ecosystem Protection Development Permit Area.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90406 – Peake – 6235 West Island Highway – Area H.

MOVED Director Bartram, SECONDED Director D. Haime, that Development Variance Permit Application No. 90406, submitted by Helen Sims of Fern Road Consulting Ltd. on behalf of W. Stephen Peake, to legalize the existing dwelling unit, over height fence and accessory buildings within the Residential 2 (RS2) zone by varying the minimum permitted setbacks from lot lines and from a watercourse (Nash Creek) for the property legally described as Lot A, District Lot 21, Newcastle District and Part Formerly the Bed of the Strait of Georgia, Nanaimo District, Plan VIP67028, be approved subject to Schedules No. 1, 2 and 3 and subject to the notification procedures pursuant to the *Local Government Act*.

CARRIED

Development Variance Permit Application No. 90409 – C & J Ennals, on behalf of Mitchell – 1478 Northwest Bay Road – Area G.

MOVED Director Stanhope, SECONDED Director Bibby, that Development Variance Permit Application No. 90409, submitted by Charles and Jill Ennals on behalf of Avis Mitchell, to legalize the siting of the existing dwelling within the Resource Management 1 (RM1) zone by varying the minimum setback requirement from 20.0 metres to 16.3 metres for the property legally described as District Lot 132, Nanoose Land District be approved as submitted subject to Schedules No. 1 and 2 and subject to the notification procedures pursuant to the *Local Government Act*.

CARRIED

Development Variance Permit Application No. 90410 – Skollsberg – 3584 Outrigger Road – Area E.

MOVED Director Bibby, SECONDED Director Bartram, that Development Variance Permit Application No. 90410, submitted by the property owners Jan-Wilhelm Skollsberg and Anne-Christine Skollsberg for the property legally described as Lot 7, District Lot 78, Nanoose District, Plan 19688 to relax the maximum permitted height to allow for the architectural style and construction of the proposed accessory building and to relax the front lot line setback requirements of an existing accessory building in order to legalize its siting be approved subject to the conditions outlined in Schedules No. 1, 2 and 3 and subject to the notification requirements pursuant to the *Local Government Act*.

CARRIED

Development Variance Application No. 90411 – Walsh/Collins – 1524 Haida Way – Area E.

MOVED Director Bibby, SECONDED Director Biggemann, that Development Variance Permit Application No. 90411 to vary the minimum setback from the front lot line from 8.0 metres to 0.9 metres to permit the construction of an addition, and to vary the minimum setback from the side lot line from 2.0 metres to 1.7 metres to legalize the siting of an existing dwelling unit, on the property legally described as Lot 30, District Lot 52, Nanoose District, Plan 15921 be approved subject to the requirements outlined in Schedule Nos. 1, 2, 3 and 4 and subject to notification requirements pursuant to the *Local Government Act*.

CARRIED

OTHER

Request for Relaxation of the Minimum 10% Frontage Requirement – Koers & Associates on behalf of Fairwinds Development – Bonnington Drive, Fairwinds (Phase 9B) – Area E.

MOVED Director Bibby, SECONDED Director Bartram, that the request from Koers & Associates, on behalf of 3170497 Canada Inc., commonly known as Fairwinds Development, to relax the minimum 10% perimeter frontage requirement for Proposed Lots 7, 9, 10, 11 and 12 as shown on the Plan of Proposed Subdivision of Phase 9B be approved.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:11 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON TUESDAY, MAY 25, 2004, AT 7:11 PM IN THE RDN BOARD CHAMBERS

Present:

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

Also in Attendance:

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

DELEGATIONS

Hugh Sinnott, Parksville & District Chamber of Commerce, re Financial Support.

Mr. Sinnott provided a verbal and written overview of the Parksville and District Chamber of Commerce's mandate and requested that the Board approve an annual financial commitment in the amount of \$17,550 through an establishing bylaw which would meet the applicable Electoral Area portion of funds required to operate the Parksville & District Chamber of Commerce.

Jo-ann Chase, re Sumar Lane Subdivision – Area G.

Ms. Chase raised her concerns and those of a number of owners and residents in the vicinity of the Sumar Lane Development with respect to zoning changes which would allow for other than single family residential zoning and an increase in the population density of the Sumar Lane proposed subdivision.

MOVED Director Cantelon, SECONDED Director Holdom, that Adele McKillop and John Barnum be permitted to address the Committee.

CARRIED

Adele McKillop, re Englishman River Community Water Supply Service Area Rates & Regulations Bylaw No. 1383 and Englishman River Community Water Supply Service Area Water Use Restrictions Bylaw No. 1384.

Ms. McKillop noted that when asked to consider a proposal to include District Lot 44 into the Englishman River Community Water Service Area, the Board also take into consideration that the Regional Growth Strategy Policy 7B does not support provision of community water to land designated as resource lands to accommodate growth and development.

John Barnum, re Englishman River Community Water Supply Service Area Rates & Regulations Bylaw No. 1383 and Englishman River Community Water Supply Service Area Water Use Restrictions Bylaw No. 1384.

Mr. Barnum raised his concerns with residential property development and the impact of production wells on District Lot 44.

MINUTES

MOVED Director Sherry, SECONDED Director Bartram, that the minutes of the regular Committee of the Whole meeting held April 27, 2004 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

K.B. Miller, Private Managed Forest Land Council, re Forest Land Reserve Changes.

MOVED Director Cantelon, SECONDED Director McNabb, that the correspondence from the Private Managed Forest Land Council with respect to changes to the Forest Land Reserve and the Managed Forest program, be received.

CARRIED

CORPORATE SERVICES

ADMINISTRATION

Asset Disposal Policy A2.12 Amendment.

MOVED Director McNabb, SECONDED Director Cantelon, that Asset Disposal Policy A2.12 be amended to enable the Regional District to donate computer and computer related equipment that has been replaced under our 6 year replacement schedule to Literacy Nanaimo or to School Districts 68 & 69 for educational purposes.

CARRIED

FINANCE

2003 Financial Information Report.

MOVED Director Holdom, SECONDED Director Bartram, that the 2003 *Financial Information Act* report be received and approved.

CARRIED

FIRE PROTECTION

Coombs-Hilliers Fire Protection Service Area Boundary Amendment Bylaw No. 1022.04 & Coombs-Hilliers Fire Protection Service Area Capital Charge Bylaw No. 1387.

MOVED Director Biggemann, SECONDED Director McNabb,;

1. That "Coombs-Hilliers Fire Protection Service Area Boundary Amendment Bylaw No. 1022.04, 2004" be introduced for first three readings.

2. That "Coombs-Hilliers Fire Protection Service Area Capital Charge Bylaw No. 1387, 2004" be introduced for first three readings.

CARRIED

ENVIRONMENTAL SERVICES

LIQUID WASTE

Pump and Haul Local Service Area Bylaw No. 975.35 –P. & V. Wild – 261 Cheddar Road – Area G.

MOVED Director Sherry, SECONDED Director McNabb,:

1. That the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include Lot 1, District Lot 80, Newcastle Land District, Plan 49865. (Cheddar Road, Area G)
2. That "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.35, 2004" be read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

SOLID WASTE

Landfill and Transfer Station Yard Waste Composting Quote Results.

MOVED Director Sherry, SECONDED Director Bartram, that Qualicum Farms Limited be awarded the contract for composting yard waste from the Regional Landfill and the contract for composting yard waste from Church Road Transfer Station for \$36.50 and \$28.50 per tonne respectively.

CARRIED

Non-Profit Organizations – Solid Waste Tipping Fee Waivers.

MOVED Director Sherry, SECONDED Director McNabb,:

1. That the Board support a policy of granting waste disposal fee relief only for illegal dumping clean-up and to non-profit organizations that incorporate waste reduction as a core function. Other organizations, such as thrift store operations, would not qualify for fee relief.
2. That the Board direct staff to prepare a bylaw for Board consideration that incorporates a policy of waste disposal fee relief for illegal dumping clean-up and to non-profit organizations that incorporate waste reduction as a core function.

MOVED Director Westbrook, SECONDED Director Sherry, that the motion be amended to include the following:

3. That staff be directed to meet with the thrift store operators to help identify recycling opportunities and to direct recyclable waste and improve recycling practices.

CARRIED

MOVED Director Holdom, SECONDED Director D. Haime, that Recommendation No. 1 be amended by replacing the word "would" with the word "may" and that the words "pending discussions with thrift operators on proper recycling practices" be added after the word "relief".

CARRIED

The question was called on the main motion as amended.

The motion CARRIED.

New and Emerging Residual Waste Management Technologies Update.

MOVED Director Sherry, SECONDED Director McNabb, that the Board receive the interim update report on New and Emerging Residual Waste Management Technologies Update for information.

CARRIED

UTILITIES

Nanoose Bay Water Supply Service Area – Dolphin Drive Watermain Replacement Contract Award.

MOVED Director Sherry, SECONDED Director Holdom, that the Regional District of Nanaimo award the Dolphin Drive Watermain Replacement project to Knappett Industries Ltd. for the tendered amount of \$128,129.94.

CARRIED

Englishman River Community Water Supply Service Area Rates & Regulations Bylaw No. 1383 and Englishman River Community Water Supply Service Area Water Use Restrictions Bylaw No. 1384.

MOVED Director Sherry, SECONDED Director Biggemann, that “Englishman River Community Water Supply Service Area Rates and Regulations Bylaw No. 1383, 2004” be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Biggemann, that “Englishman River Community Water Supply Service Area Rates and Regulations Bylaw No. 1383, 2004” having received three readings, be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director Biggemann, that “Englishman River Community Water Supply Service Area Water Use Restrictions Bylaw No. 1384, 2004” be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Biggemann, that “Englishman River Community Water Supply Service Area Water Use Restrictions Bylaw No. 1384, 2004” having received three readings, be adopted.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Electoral Area ‘A’ Parks and Green Spaces Advisory Committee.

MOVED Director Kreiberg, SECONDED Director Biggemann, that the minutes of the Electoral Area ‘A’ Parks and Green Spaces Advisory Committee meeting held March 18, 2004 be received for information.

CARRIED

Electoral Area ‘B’ Parks and Open Space Advisory Committee.

MOVED Director Lund, SECONDED Director Cantelon, that the minutes of the Electoral Area ‘B’ Parks and Open Space Advisory Committee meeting held March 8, 2004 be received for information.

CARRIED

Landfill Site Liaison Committee.

MOVED Director Sherry, SECONDED Director Cantelon, that the minutes of the Landfill Site Liaison Committee meeting held March 31, 2004 be received for information.

CARRIED

Regional Growth Monitoring Advisory Committee/State of Sustainability Project.

MOVED Director Bartram, SECONDED Director Holdom, that the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held May 5, 2004 be received for information.

CARRIED

Grants-in-Aid Committee.

MOVED Director Hamilton, SECONDED Director Sherry, that the minutes of the Grants-in-Aid Committee meeting held May 6, 2004 be received for information.

CARRIED

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

School District 68:

Cedar School & Community Enhancement Society	\$	880
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School District 69:

District 69 Family Resource Association	\$	2,054
Lighthouse Country Business Association	\$	500
Pacific Vocal Institute	\$	2,100
Parksville Meeting Place	\$	705

CARRIED

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Longmuir, that the minutes of the District 69 Recreation Commission meeting held May 13, 2004 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Longmuir, that the following grants be approved:

Community Grants:

Arrowsmith Cricket & Sports Association	\$	400
Arrowsmith Search & Rescue Society	\$	2,500
Building Learning Together – Teaching from the Heart	\$	280
Building Learning Together – Words on Wheels Bus	\$	1,700
Mid Vancouver Island Habitat Enhance. Soc. – Jr. Stream Keepers	\$	700
Moorecroft Camp Society	\$	1,720
Nanoose Place Landscaping Project	\$	1,750
Qualicum Beach Family Day	\$	750
Ravensong Aquatic Club	\$	1,250

Youth Grants:

Ballenas Stunt and Cheer Squad	\$	1,000
Erik Goetzinger BMX Club	\$	2,500
District 69 Family Resource Association – Outreach Program	\$	2,000
Kidfest – Youth Activity	\$	1,075
Nanoose Bay Parent Advisory – Adventure Camp	\$	1,000
Oceanside Arts Council – Children’s Theatre	\$	700

CARRIED

IN CAMERA

MOVED Director Sherry, SECONDED Director McNabb, that pursuant to Section 90(1)(e) and (g) of the *Community Charter* the Board proceed to an In Camera meeting to consider items relating to property acquisition and legal matters.

ADJOURNMENT

CARRIED

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

TIME: 8:14 PM

CARRIED

CHAIRPERSON

MAY 31 2004

CHAIR		GMCrs	
CAO		GMDs	
GMCrs		GMS	

MEMORANDUM

TO: C. Mason
General Manager, Corporate Services

Bed
DATE:

May 31, 2004

FROM: N. Avery
Manager, Financial Services

FILE:

SUBJECT: Report on the Results of the Public Consultation Regarding the Amalgamation of Electoral Areas C and D

PURPOSE:

To summarize the results of public information meetings held regarding the future amalgamation of Electoral Areas 'C' and 'D'.

BACKGROUND:

In correspondence dated February 27th, 2003 Minister George Abbott recommended that Electoral Area 'C' and the remainder of Electoral Area 'D' be combined primarily as a consequence of the small population base of Electoral Area 'D' following the incorporation of the District of Lantzville. The Minister asked for the Board's views regarding combining the two Electoral Areas. However, in Supplementary Letters Patent issued on April 3rd, 2003 the Province of B.C. specified a redefinition of Electoral Area boundaries, specifically that Electoral Area 'D' will be "dissolved immediately before the first Monday after December 1, 2005 or when the director for the newly defined Electoral Area 'C' takes office, whichever is later." The Regional District received no other correspondence from the Province prior to the Supplementary Letters Patent.

A small committee made up of the Electoral Area Directors, four public members at large and staff met several times between March and May 2003, following which a report was presented to the Board in June outlining the financial and administrative results which would follow an amalgamation of the two Electoral Areas. At that meeting the Board passed the following motions:

"That two public meetings be held, one in each Electoral Area, and that a newsletter be sent out to the residents of Electoral Areas 'C' and 'D' for the purpose of obtaining the residents' opinions on the option of either combining Electoral Areas 'C' and 'D', or of retaining separate Electoral Areas, and that funds from the Public Consultation budget be used for this purpose."

"That the Regional District of Nanaimo seek financial support from the Ministry of Community, Aboriginal and Women's Services for costs incurred during the public consultation process."

Two information meetings were held, one in Electoral Area 'C' and one in Electoral Area 'D'. Approximately 40 people attended each meeting. Subsequent to the meetings a number of residents sent correspondence to the Regional Board and copies are attached to this report. The Restructure Committee met on February 25th, 2004 to review the results of the meetings.

ALTERNATIVES:

1. Receive this report for information.
2. Recommend additional consultation on this matter.

FINANCIAL IMPLICATIONS:

The financial implications were reported earlier. In broad terms, the incorporation of the District of Lantzville has a greater impact on property taxes to the remaining Electoral Areas than the effect of amalgamation. There will be a slight increase in property tax rates in Electoral Area 'C' and a fairly substantial reduction for property owners in Electoral Area 'D'. There are no additional financial implications at this time.

CITIZEN IMPLICATIONS:

Written and verbally expressed concerns from the meetings and in the correspondence received regarding the potential amalgamation of the two Electoral Areas included the following:

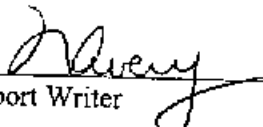
- Concern over lack of meaningful consultation by the Province.
- Differences between communities – Electoral Area 'D' is more developed and urban, Electoral Area 'C' is more rural and agricultural, both have distinct histories and development goals.
- A single Electoral Area Director will have difficulty representing widely dispersed and very diverse communities.
- Loss of identity for Electoral Area 'D'.
- Distance between communities – no direct roads or links between Electoral Area 'C' and 'D'.

SUMMARY/CONCLUSIONS:

Pursuant to the Board's direction a newsletter and two public information meetings were held to solicit the views of residents in Electoral Area 'C' and 'D', regarding the recommended amalgamation of the two Electoral Areas after local government elections are held in November 2005. At the meetings and in correspondence received subsequent to the meetings residents expressed their concerns about the amalgamation. Copies of the correspondence have been attached to this report. The Restructure Committee met on February 25th, 2004 and the minutes and recommendation from the committee have been submitted.

RECOMMENDATION:

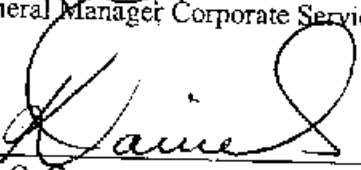
That this report be received for information.



Report Writer



General Manager Corporate Services



C.A.O. Concurrence

COMMENTS:

6931 Doumont Road
Nanaimo, B.C.
V9T 6G9

March 23, 2004

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

Attention: RDN Restructure Advisory Committee

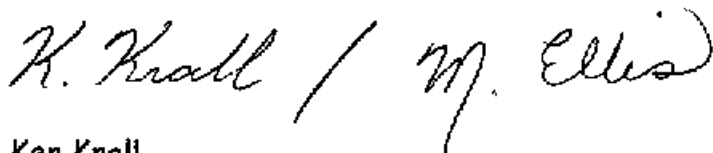
To the Chairman and Directors of the Regional District of Nanaimo:

As long-term land owners in Area "D" (35 yrs.), we are opposed to the proposed amalgamation of areas "D" and "C".

The East Wellington/Pleasant Valley areas are experiencing steady growth and should easily reach the necessary population requirements within a very few years.

We have always been pleased with our directors' representation on local issues and we would like to see this representation continue as is.

Sincerely,

Handwritten signature of Ken Krall and Margaret Ellis, written in cursive script.

Ken Krall,
Margaret Ellis.

Board of Directors
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, B.C.

We have resided in Area "C" for 33 years . We are totally against your decision to amalgamate Area "C" and "D". Our area is a rural area and we do not feel it is fair play that we are forced to amalgamate with an area that is basically in the City of Nanaimo.

To maintain and represent our rural lifestyle we must have our own Director as we have had since the inception of the RDN.

Any meetings and decisions made by the Board should be held only when our elected Director Elaine Hamilton can personally attend.

George and Karen Aitken
2085 Seanel Road
Nanaimo, B.C
V9X 1E8

2092 Scannel Road,
Nanaimo, B.C.,
V9X 1E8
February 25, 2004

Regional District of Nanaimo
6300 Hammond Bay
Nanaimo, B.C.

Dear Board of Directors:

I have lived in Extension (Area C) for eighty-two years and my father was born here in 1891. Having been a very active member of the community, in past days, the last sixty years in fact. I am now wondering why this Government feels it necessary to disrupt Area C and D. I never thought I'd see the day that a Government would stoop to this level.

When Regional Districts were formed we were given a seat on it – this area covers a very large area, with many pockets of people living miles apart, and our own Regional representative, who we do not intend giving up.

Area C & D are by road miles apart, and a mountain stands between us. Area C alone has a river between communities.

One Regional District Representative between us would spend all their time on the road not attending to business, with time only for their own district: this is why each area must have their own representative.

I thought governments were elected to help the citizens, not just to see how much they could take from them.

I do want Area C to be left as it now is: i.e. separate from Area D with our own representative on Regional District Board and the people of Area D deserve their own representative.

Elaine Tellier

Elaine Tellier

cc E. Hamilton, Director Area C
Board of Directors

LORNE WRIGHT
2931 RIDGEWAY RD.
NANAIMO, B.C.
V9R 6W8
753-8774

To R.D.N.

I live in East Wellington, Area "D". Up until Lantzville decided to go it on its own we were mainly represented by someone from Lantzville. Although they did their best for us, the issues were not the same. Lantzville has very little in common with East Wellington District.

The proposal now is to lump area "C" in with area "D". Although area "C" is a great area, it too has very little in common with East Wellington, other than it is rural in most of its area.

If this happens East Wellington will ~~be~~ not be represented properly. Many houses are being built in Area "B" and alot people are moving to this area.

It is my understanding that we already have some different by-laws in Area "D" than are in Area "C". For example, the Jameson Rock Quarry is a big issue here.

Another issue is the fact that East Wellington does not have any green spaces (in parks) other than Mountain View School fields. There are no parks for children to play in. There is not even a tennis court in the whole area of East Wellington.

These are just two issues that need to be addressed. I urge the RDN to lay the message to the Minister that East Wellington (AREA "D") ~~is~~ needs its own representative to take care of us that are unique to the area!

Thank You,

Jarne Wright

one other point as to why East Wellington should have its own representative and possibly the point is:

In terms of roads we are not parallel ected in any way and in terms of services we are not parallel

March 5, 2004

Regional District of Nanaimo
6300 Hammond Bay Rd. Nanaimo B.C.

Dear Madams/Sirs.

I am totally opposed to the proposed
amalgamation of Areas C + D by the
provincial government for many reasons!
The population centres of Area D

Pleasant Valley and East Wellington
are located north of Nanaimo, while
population centres of Area C Extension
South Fork and Spruiston Rd are
located south of Nanaimo.

although the areas touch boundaries
the population areas are not connected
by roads, except by the Island
Highway.

3 Area D is more urbanised and being located North of Nanaimo, has more in common with Areas North of Nanaimo. Not with Area C which has a more diffuse population and does not face the overpopulation which exist in the North end.

4 Area C is already difficult to represent, and adding Area D would be an untenable stretch.

5 Area C has been an independent electoral area if the residents are to be fairly represented.

6 I can not see any advantage of ~~the~~ amalgamation for the residents of Area C. None what so ever.

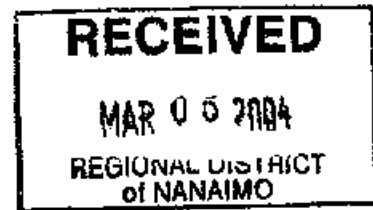
- 3 -

I urge you to strongly
oppose the proposed
amalgamation by the
Provincial Government.

Kate Kham 1125 Limber Road
Cassidy B.C. V0V 1H0

March 03, 2004

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, B.C.





Dear Sirs/Madams,

We are opposed to the proposed amalgamation of areas C and D by the Provincial Government for the following reasons:

1. The community values and long term aspirations will not be unified nor collaborated.
2. The two areas have distinct histories that may not be respected as nodal communities.
3. The geographic distance between both populated areas will not bare equal representation nor respect of values.
4. Whereas one area may lobby for enhanced services not desirable in the other both would absorb the financial burden.
5. If there is a goal to encourage cooperation among jurisdictions this planned amalgamation will have areas C and D fighting like the "Hatfields and McCoys".
6. Policies protecting rural integrity and the natural environment may be altered or discarded. Area C(Extension, South Forks and Spruston Road) has struggled to cease and desist the use of ALR lands off Spruston Road as a race track/-go cart recreational facility. (Known as Cassidy Speedway). Blending the two areas may lead to a revisit of the current status. Which could have the Cassidy residents once again submitted to: noise, refuse, hours of operation, traffic density, unlawful social practices.
7. Noise control, animal control will not be treated as equal problems.
8. Open range issues will come into conflict as Pleasant Valley is situated much closer to major populated areas.
9. We enjoy and embrace the moderate pressures of growth and change, whereas Area D has grown significantly since the last census. This growth will dominate decision making processes if the areas are combined.

10. One regional director could not fairly and adequately represent the already stretched jurisdiction afforded the present regional representative.
11. This area C, contains the Nanaimo and Englishman Rivers which are the Regional District's largest and most important freshwater sources. Both originating in the mountains and groundwater springs. These water resources must be protected and managed with infinite care. One director who would be representing these major watercourses and two regional population groups is not adequate.
12. Representation between the city council and the regional directors, if an amalgamation were to occur, likely will have the city with majority representation.
13. The use of Nanaimo's pools and arenas is deemed small by area C. which has kept our taxes down. If this basis of function is still used as a taxation measure in 2006 and the areas C and D are amalgamated area C will be absorbing costs for nonuse. Or the consequence of the increase population of area D will drive the use of function resulting in increased taxation.
14. And don't forget about our Marmots...they are under enough pressure without endangering their representation.

For these reasons we urge you to oppose the proposed amalgamation by the Provincial Government.

Ruth English Matson & Allan Matson


2940 Riverbend Road
Cassidy, B.C. V0R 1H0

Cc.MLA

RECEIVED

MAR 05 2004

REGIONAL DISTRICT
of NANAIMO

March 3, 2004

3510 Galloway Rd.
P.O. Box 67
Cassidy, B.C. V0R 1H0

Regional District of Nanaimo
Attn: Chairman

I am writing to object to the potential amalgamation of Areas C and D of the Regional District of Nanaimo.

If one of the reasons for the Regional District system in B.C. is to retain a closer contact between citizens and their elected representatives then had previously existed, the proposed amalgamation would fail this criteria. There is virtually no relationship between Areas C and D except a tenuous geographical connection. In fact, Area D is far removed from Area C by highway and even farther removed by tradition, growth, urbanism, and "culture".

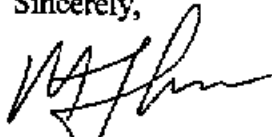
The contact between these two areas are superficial, and pushing them together would satisfy no democratic or representative ideal.

I understand that the mere thought of this approach was only as the result of the creation of the municipality of Lantzville. Because this was created does not mean that the remainder of the Lantzville area has anything to do with Area C, either on a representative democratic sense or geographically.

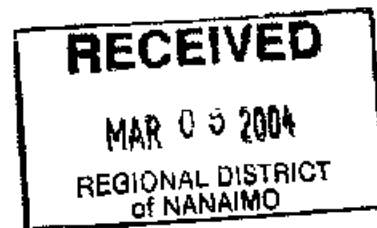
I hope the representatives or the RDN from Nanaimo and other municipalities do not see this as an opportunity to "sieve" total control of the regional district. Since they already control "the purse strings" when it comes to spending taxpayers money through the weighted voting system, they should not also *ipso facto* control decisions that affect the concepts of zoning, land use, and the other issues in the surrounding rural areas. This would not reflect favourably on the Regional District concept in B.C. and would clearly create the potential for the abuse of the majority.

While taxation issues have been addressed in this proposal, I consider them of little consequence when looking at the broader ramifications of the proposed amalgamation.

Sincerely,



R.A. Johnson



March 3, 2004

**Regional District of Nanaimo
Board Members**

Re: Proposed Amalgamation of Areas C and Area D

Dear Members:

I was born and raised in Electoral Area C and have witnessed the careful and thoughtful representation of our unique area by our representative Elaine Hamilton over the years. I am certain that the amalgamation of Area C with Area D will effectively destroy any true representation we have enjoyed. The two areas have little to do with each other. Indeed, Area C has a much closer connection with Area A (Cedar).

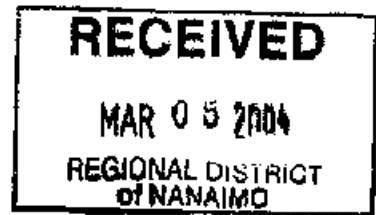
I sincerely hope that the members of the Regional Board from Nanaimo would not use this amalgamation, potentially forced on us by Victoria, to strengthen their urban hold on our (and other) rural electoral grids. I believe stewardship of our lands and issues is much better left in local hands.

Please register my complete opposition to the proposed amalgamation.

Sincerely,

Anna Vander Haeghe BSc.OT

**3510 Galloway Rd.
Cassidy, B.C.**



3510 Galloway Road
P.O. Box 67
Cassidy, B.C.

March 2, 2004

Regional District of Nanaimo
Members of the Board

Re: Amalgamation of Areas C and D

Dear Chairman:

When we moved to this area thirty five years ago, one our our first visitors was Mr. Scotty Sutherland, the Regional District of Nanaimo representative from our area. We were barely aware of it's existence, but Scotty and later Elaine Hamilton educated us in the structure of rural government and we have always felt a close connection to our local representative.

This, of course, would be impossible in the proposed combining of Areas C and D by the RDN. There is no connection between the rural/agriculture/forestry lands of Area C and the far more urban and growth oriented Area D.

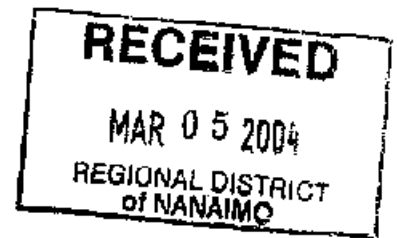
Please register my total objection to this proposal and do not take away one of our important connections to rural democracy.

Yours truly,



Gail M. Johnson

3505 Galloway Road
Cassidy Post Office
Cassidy BC



Regional District of Nanaimo
Hammond Bay Road
Nanaimo

Attention: Chairman

Dear Sir:

RE: Amalgamation of Areas C and D

I am a longtime resident and property owner of Area C.

I am writing to object to the amalgamation of Area C and Area D. I understand that although the Letters Patent have been amended by legislation, the Province has indicated that this was done without consultation, as an interim measure in order to facilitate the Lantzville incorporation.

It seems therefore that the RDN is bound to report to the Province the views of the affected residents and to recommend ways to best represent the voters.

In doing so the RDN should take into account that one of the purposes of the area representation system is to effectively represent the views of distinct areas.

The choice to merge these two areas was clearly based on a superficial view of a map and an assumption that they had something in common. In fact the population of Area C is entirely on the other side of Nanaimo from Area D.

The population of the two areas is indeed smaller than other areas but retaining a representative for each area will not result in overrepresentation because all the important voting on money issues and on region-wide issues is based on weighted votes. The principle of representation by area is that distinct areas must have representation on planning and land use issues. The representation by area is one strength of the Regional District system of government as it is presently constituted.

If areas are to be amalgamated they should be amalgamated based on what the areas have in common. Area C for example has much more in common with Area A (another rural area remote from the influence of north end Nanaimo growth) than it has with Area D, which is very close to the development at the north end of Nanaimo and has much more urban values and land valuations and potential land uses. It would be most difficult for one representative to adequately represent both areas. There is now a long history of Area C representatives and the values and interests which they have represented and this tradition should not be lightly changed.

The financial and taxation issues raised by the proposed amalgamation are not significant. Analysis presented to public meetings might have led residents to conclude that Area C taxes would go up and Area D taxes would go down as a result of the amalgamation. In fact if there are small changes they are a result of the incorporation of Lantzville and not as a result of the amalgamation—and these changes will affect all of the Regional District. So there are no significant financial consequences to the amalgamation.

City of Nanaimo and town representatives to the Regional District should not consider this potential amalgamation an opportunity to increase their voting power or to save money. Instead they should look to the logic of fair representation of interests within the region and take the opportunity to point out to the Province that this change was made without consultation and is not consistent with the kind of representative government which the Regional District is intended to serve.

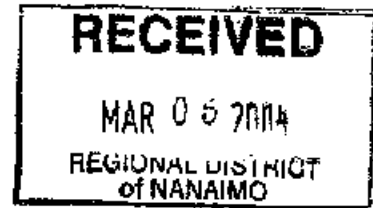
Yours truly,



Jon Lampman

March 1, 2004

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, B.C.



Dear Sirs/Madams,

We are opposed to the proposed amalgamation of areas C and D by the Provincial Government for the following reasons:

1. The population centres of area D (Pleasant Valley and East Wellington) are located north of Nanaimo, while the population centres of area C (Extension, South forks and Spruston Rd) are located south of Nanaimo.
2. Although the areas touch boundaries the population centres of area D and area C are not connected by roads except by the Island Highway. So the population centres are not contiguous.
3. Area D is more urbanised and being located north of Nanaimo has more in common with areas north of Nanaimo not with area C which has a more diffuse population and does not face the problems of urbanisation that has occurred in the north end.
4. Area C, with its diffuse population base is already difficult to represent; adding area D would be an untenable stretch.
5. Area C has been an independent electoral area of the Regional District since conception. Area D with a similar population base should remain an independent electoral area if the residents are to be fairly represented.
6. What are the advantages of amalgamation for the residents of area C? As far as we can see there are none.

For these reasons we urge you to oppose the proposed amalgamation by the Provincial Government.

Louis Lapi & Gail Hudson
3550 Galloway Rd.
Cassidy, B. C. V0R1H0

A handwritten signature in black ink, appearing to read "L. Lapi + Gail Hudson". The signature is written in a cursive, somewhat stylized script.

cc Graham Bruce MLA, Judith Reid MLA

RECEIVED

MAR 05 2004

REGIONAL DISTRICT
of NANAIMO

1170 Spruston Road,
Nanaimo, B.C; V0R 1X9

March 3, 2004

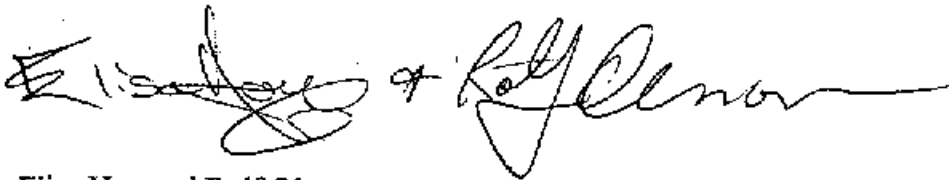
Dear Elaine Hamilton,

We oppose the amalgamation of Areas C and D in the Nanaimo Regional District. We are concerned because although the areas are geographically adjacent, they are functionally disconnected.

We have had good representation here and have grave concerns that the northern area is separate and has very different issues from our area. We do not want to be grouped together because of convenience. We do not want to loose our voice.

Please keep our area distinct and intact.

Yours truly,

Handwritten signatures of Elise Hoy and Rolf Olsson. The signature of Elise Hoy is on the left and Rolf Olsson is on the right, with a small asterisk between them.

Elise Hoy and Rolf Olsson

c.c. Mike Hunter, MHA

RECEIVED

MARCH 05.04

MAR 05 2004

REGIONAL DISTRICT
OF NANAIMO

RE: PROPOSED AMALGAMATION OF CASPIDY & E. WELLINGTON.

I WANT TO LET YOU KNOW THAT MY HUSBAND AND I ARE LONG TIME RESIDENTS AND WE ARE AGAINST THIS PROPOSAL.

WE FEEL THAT E. WELLINGTON HAS MORE VOTERS THAN US AND WE WOULD LOSE ELAINE AS A REPRESENTATIVE, AND END UP AS NANAIMO'S DUMPING GROUND. WE SPENT 15 YEARS WITH ELAINE'S LEADERSHIP FIGHTING THE RACE TRACK. WE SPEAK FROM BITTER EXPERIENCE.

I GUESS WHAT I'M SAYING IS WE DON'T WANT TO BE CONTROLLED BY VOTERS WHO DON'T UNDERSTAND OUR NEEDS ANY BETTER THAN WE UNDERSTAND THEIRS.

Norm & Judi SMITH
Spruston Rd
Cassidy.

REGIONAL DISTRICT OF NANAIMO			
MAR - 5 2004			
CHAIR	✓	GMCrS	✓
CAO		GMDS	
GMCrS	✓	GMES	
<i>Dir. Daudtee ✓</i>			
<i>Hainch ✓</i>			

To Chairman and Members of RDN,

I wish to state my opposition to the proposal by our provincial government to amalgamate Area C and Area D of our regional district.

These areas have traditionally had their own unique characters, and it is important that the identities remain intact and undiluted. Furthermore, they are geographically quite separated, and issues could easily arise whereby a single representative of such a large area would be placed in a conflict of interest.

Population statistics will dramatically change in the foreseeable future, making each area viable on its own terms. It will be even more important, in time, to have these areas properly and distinctly recognized.

I believe that these are reasons enough to rescind a decision made by bureaucracy, who apparently see this amalgamation as a mere convenience.

Yours truly,
Dr. Ron Watson

Mason, Carol

From: Burgoyne, Linda
Sent: Friday, February 06, 2004 8:55 AM
To: Daniels, Kelly; Mason, Carol
Subject: FW: Amalgamation Area C and D...

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

From: Linda Addison [mailto:lindaaddison@shaw.ca]
Sent: Thursday, February 05, 2004 6:05 PM
To: mehamilton@shaw.ca
Cc: denisehaime@shaw.ca
Subject: Amalgamation Area C and D...

Dear Elaine,

We wish to voice our concerns about the Amalgamation of Areas C and D. We are **strongly opposed** to this proposal. For many years we have had 1 Director for Area C and it has created a strong sense of community. Area D has a larger number of residents and will be able to out-vote us. We need to have a strong voice from our area as our area grows and expands.

The amalgamation of the two areas has no benefit for Area C.

We have always had our representative and wish that to continue.

We, as residents, and property owners of Area C, DO NOT want to be joined to Area D !!!

Please send that message to the Provincial Government!

Thank you.

Chuck & Linda Addison
2691 McLean's d.
Nanaimo, B.C.

Mason, Carol

From: Burgoyne, Linda
Sent: Monday, February 02, 2004 11:34 AM
To: Mason, Carol
Subject: FW: C/D Amalgamation

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

From: Richard Littlemore [mailto:richardlittlemore@shaw.ca]
Sent: Monday, February 02, 2004 11:13 AM
To: Burgoyne, Linda
Subject: C/D Amalgamation

To whom, etc.,

I am decidedly in favour of the amalgamation for three reasons:

1. A 40-per-cent property tax saving is always a good idea. I suspect that Electoral Area D residents would accept a phasing-in period, as well, (i.e., dropping, say, to \$83.00 in year 1) to defray the first-year increase faced by our neighbours in Area C.
2. We will wind up with fewer representatives at the RDN board table, but the remaining director will speak with more authority. And given the similarity of the issues we face, that should be a plus for everyone.
3. If D does not join with C, the population increase in the Jingle Pot Valley and the gathering pressure of urbanization will, undoubtedly, inspire the City of Nanaimo to ingest us at some not-very-distant point in the future. In our current incarnation, we are bite-sized and, arguably, a functional part of that municipality. Casting our lot with the larger Regional District will help protect our semi-rural and agricultural status (particularly if the RDN stops approving subdivision and development on the urban fringe).

FYI: I was a GVRD Director (for Bowen Island, 1996-99) and am familiar with many of the issues. If you are looking for committee or subcommittee representation, I would be happy to consider a position.
Thank you.

Richard Littlemore
3718 Jingle Pot Road
Nanaimo, B.C.
V9R 6X4
250-756-9616 vox
250-756-0421 fax
richardlittlemore@shaw.ca

05-Feb-04

Mason, Carol

From: Burgoyne, Linda
Sent: Friday, February 06, 2004 4:04 PM
To: Mason, Carol
Subject: FW: Amalgamate C & D

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

From: Fisher, Brian [mailto:Brian.Fisher@bchydro.bc.ca]
Sent: Friday, February 06, 2004 3:52 PM
To: Burgoyne, Linda
Subject: Amalgamate C & D

While I think most folk will be okay with the amalgamation of C & D, the "big" angst is likely to be about representation. Many of us already feel that the City of Nanaimo should have their representation on the Regional District Council drastically reduced. They already have Nanaimo City Council, but, use RDN to place desirable amenities within Nanaimo City boundaries (Theatres, Parks etc.) and allow undesirable developments (quarries, gravelpits dumps etc.) outside the boundaries.

If Nanaimo City representation on the NRD council was reduced to 2, there would be no issue.

While it is true that Nanaimo has the population base for more representation, they also have Nanaimo City Council. If this amalgamation blows up, this will be why. Brian Fisher 3649 Jinglepot Road, Nanaimo, B.C.

V9R 6X1

Sevencats@shaw.ca

Elaine Hamilton

From: "Linda Addison"
To: <mehamilton@shaw.ca>
Cc: <denisehaime@shaw.ca>
Sent: February 5, 2004 6:04 PM
Subject: Amalgamation Area C and D...
Dear Elaine,

We wish to voice our concerns about the Amalgamation of Areas C and D. We are **strongly opposed** to this proposal. For many years we have had 1 Director for Area C and it has created a strong sense of community. Area D has a larger number of residents and will be able to out-vote us. We need to have a strong voice from our area as our area grows and expands.

The amalgamation of the two areas has no benefit for Area C.

We have always had our representative and wish that to continue.

We, as residents, and property owners of Area C, DO NOT want to be joined to Area D !!!

Please send that message to the Provincial Government!

Thank you.

Chuck & Linda Addison
2691 McLean's d.
Nanaimo, B.C.

07/02/2004

February 6, 2004

To the Chairman and the Directors

Attention Regional District Directors
Attention Nancy Avery
Re: Amalgamation of Area C and D

I am requesting full disclosure of all base sources of tax for each area C & D individually. Including the Forestry Tax Revenue collected from our Area C and their Area D.

I am also requesting a full list of services Area D has and a full list of services Area C has. From Fire Service to Handy Dart to Street Lights (if this has a cost that is covered by taxes).

I want it known that my husband and myself do not support the amalgamation at all. It can not possibly help South Nanaimo in its bid to stay alive. It will only further feed the "North End Nanaimo prospers in the death of the South End of Nanaimo" and now its surrounding areas. By the words of Mr. Picken they are expanding rapidly, I believe he said "a house is being built every ten minutes", which tells us that the next year or two instead of being 200 some odd people more it will be more like 500 - 700 more than us and we will have to subsidize them even more in their bid for urbanization and again South Nanaimo ends up with even less.

The sugar cube size of Area D with the growth pattern that is happening now tells us that it will not be long before North End Nanaimo including Area D will not have anything left to expand to. Sooner or later we will be the only Direction that you have left to go. You should be supporting South End Nanaimo and surrounding areas in the same way you do the North. Not stealing our Forestry Tax Base that affects our area only, not theirs, subsidizes their Taxes and Services and increases ours which gives us less in our area.

We also do not support going down to 1 Director from the present 2 Directors in our areas. It would not only Geographically not work but also if Area D is growing as fast as they say, their Director is going to have a hard time keeping up with all their demands never mind taking in the Foothills and the Mountain Areas on the other side of the Mountain that they know nothing about. We have our own desperate needs out here for a Fire Hall not only for Fire Protection for our area and for back up to Extension area as well but from your mouths directly at the meeting it is a crucial fixation point for the Emergency Preparedness Program which we obviously do not have. We have a lot of needs out in our Regional District which are not even close to being met but the RDN seems to be more concerned about the more Urban Areas that

have all these needs met. Our Regional District should be looking after the "Region" not just the Urban. This proposal does not do that and 1 Director could not possibly put full focus or energy into two such diverse Areas as D and C and be a benefit to anybody.

Sincerely yours,

Jeanette Pongratz-Doyle
B D

Jeanette Pongratz-Doyle
Brian Doyle
2710 South Forks Road
Nanaimo, B.C.
V9X 1E9

CAS 3107 March 4/04.

Regional District

Nanaimo.



Dear Ladies and Gentlemen,

We are very much opposed to the Provincial government's plan to amalgamate our area C with area D.

Our area is very rural, peaceful with a slow population increase over the years, and an excellent representation for many years.

Why should it be amalgamated with a more urban area, while there is even a mountain in between C and D.

We foresee that this amalgamation will only create mountainous frontiers for the people of area C as

well as of Mrs D.

We sure hope you will stand behind us
and oppose the government's plan
of amalgamation

Sincerely,

Yeter van Kesteren

Arneke van Kesteren.

2335 Godfrey Road
Nanaimo, B.C.
V9X 1E7
February 5, 2004

ATTN: RDN Restructure Advisory Committee

As a resident of Area C, I have many comments and questions in regards to the proposed amalgamation of Area C and Area D.

To begin with, in answer to the Advisory Committees, query of what our opinion would be to the B.C. Provincial governments proposal to have one elected director to represent the views of Electoral Areas C and D; I feel that each area should have their own elected director, to assure the residents in each area are able to have a voice to express their opinions and viewpoints.

The similarities between Area C and Area D is that we are both rural communities; our borders do touch geographically but the actual driving time to reach Area D's border would be at least 20 minutes.

At the present time Area C and Area D have no mutual services that we share because of our driving distances. But the Extension Fire Department in Area C does participate in a mutual aid agreement with the following fire departments because of their close driving proximity: the Chase River Fire Department (which is in the City of Nanaimo), the South Wellington Fire Department, (Area A) and the North Oyster Fire Department (Area A and C and Cowichan Regional District). This mutual aid agreement is possible only because of the geographical closeness by road of the four fire departments.

Can you tell us with the proposed amalgamation of Area C and D, what the benefits would be to both areas?

What would the population have to be in Area C and Area D, individually or combined before they would qualify to each have a regional director to represent their own community and have their own voice and viewpoints known?

What are the differences in services between Area C and D, at the present time and do either area have new services forth coming in the near future?

Would each area have their own Official Community Plan?

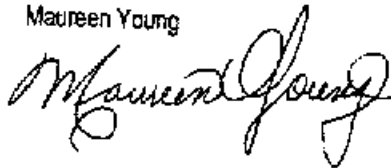
Could Area C's taxes be affected by property assessments or improvements in Area D?

Will the residents of Area C and Area D be given a chance to vote on whether they would like to amalgamate?

Thank you, for the opportunity to have my comments and questions, known.

Yours truly,

Maureen Young



REGIONAL DISTRICT OF NANAIMO

PROVINCIAL PROPOSAL
TO AMALGAMATE
ELECTORAL AREAS C & D

COMMENT SHEET

If you have any comments regarding the proposed amalgamation of Electoral Areas C & D, please include your comments below. We will be summarizing residents' comments in a report to the Board following the conclusion of the Public Information Meetings being held on February 5th and February 11th. Thank you.

I AM STRONGLY OPPOSED TO ANY POTENTIAL
AMALGAMATION OF AREAS 'C' & 'D'. I AM A
PROPERTY OWNER AND LIFELONG RESIDENT
IN AREA 'D'. THE RESIDENTS OF AREA 'D'
WOULD LIKELY LOSE SOME "IDENTITY", AND
A LOCAL VOICE, THROUGH AMALGAMATION.

OUR COMMUNITIES, THOUGH BORDERING, ON
A PLAN VIEW, ARE GEOGRAPHICALLY MILES
APART. WHOSE INTERESTS WOULD BE
BETTER SERVED BY AMALGAMATION?

I DON'T FEEL IT WOULD BE ANY
OF THE RESIDENTS

THANK YOU,

RICK HEIKKILA

6694 DOUMONT RD.

NANAIMO, B.C. '85

1120 177

REGIONAL DISTRICT OF NANAIMO

PROVINCIAL PROPOSAL
TO AMALGAMATE
ELECTORAL AREAS C & D

COMMENT SHEET

If you have any comments regarding the proposed amalgamation of Electoral Areas C & D, please include your comments below. We will be summarizing residents' comments in a report to the Board following the conclusion of the Public Information Meetings being held on February 5th and February 11th. Thank you.

If the Area D is not Amalgamated
I will it (Area D) eventually, (5 years
from now) be annexed by the city
of Nanaimo? Also how will the Agreement
Treaty affect the Area D & C Amalgamation
Records
Diane Alexander 758-9730

REGIONAL DISTRICT OF NANAIMO

PROVINCIAL PROPOSAL
TO AMALGAMATE
ELECTORAL AREAS C & D

COMMENT SHEET

If you have any comments regarding the proposed amalgamation of Electoral Areas C & D, please include your comments below. We will be summarizing residents' comments in a report to the Board following the conclusion of the Public Information Meetings being held on February 5th and February 11th. Thank you.

I, Ruth Matson of 2940 Riverbend Rd.
am absolutely against the amalgamation
of Area C into Area D.

- lack of representation
- move in common in Area A Cedar
- not in favour of infrastructure costs of area D - absorbed by C
- we get (C) minimal services AND by uniqueness of culture want more

- Dense population of "D" will over ride sparse population of "C"
- no representation

- who's fire department will serve me

"on site" representation we want an invested representative.

(ABSENTEE LAND LORD)

REGIONAL DISTRICT OF NANAIMO

PROVINCIAL PROPOSAL
TO AMALGAMATE
ELECTORAL AREAS C & D

COMMENT SHEET

If you have any comments regarding the proposed amalgamation of Electoral Areas C & D, please include your comments below. We will be summarizing residents' comments in a report to the Board following the conclusion of the Public Information Meetings being held on February 5th and February 11th. Thank you.

WHY WOULD I WANT TO PAY MORE TAXES WHEN
WE DO NOT RECEIVE ANY FURTHER SERVICES
TO OUR AREA WHILE YOU ARE GIVING THE
MORE SERVICED AREA (IE. FIRE PROTECTION &
HANDY DART) A \$55 BREAK.

WE ARE NOT GETTING FULL SERVICES FOR THE
MONEY WE PAY NOW (ROAD SERVICE, GARBAGE),
AND YOU WANT US TO PAY MORE?

I WANT MORE INFO ABOUT THE TAX BASE MONEY
FROM THE FOREST COMPANIES & WHAT PORTION WILL
GO TO ELECT D. FROM OURS.

WE DO NOT SUPPORT AMALGAMATION WITH
C OR THE TAX INCREASE.

JEANETTE PONGRATZ-DOYLE / BRIAN DOYLE
7588U0002

REGIONAL DISTRICT OF NANAIMO

PROVINCIAL PROPOSAL
TO AMALGAMATE
ELECTORAL AREAS C & D

COMMENT SHEET

If you have any comments regarding the proposed amalgamation of Electoral Areas C & D, please include your comments below. We will be summarizing residents' comments in a report to the Board following the conclusion of the Public Information Meetings being held on February 5th and February 11th. Thank you.

*I would like to see more of
everything for the money that we
now have to pay.*

Recently meetings were held in Area C and D regarding the proposed amalgamation of these areas by the Provincial Government. There was a strong feeling at these meetings that the Areas of C and D would like to retain their own identity and remain separate with their own directors. We the under-signed support this position strongly.

Name

Address

Name	Address
Philip Jones	2519 Myles Lake Road
Bill Murray	2587 Myles Lk Rd.
John Murray	2587 Myles Lake Rd.
L. Laparo	2519 Myles Lake Rd
Stephen Lewis	2525 MYLES LAKE RD.
W. Caldwell	2525 MYLES LAKE RD.
Bey Jones	2535 Myles Lake Rd.
S. K. Jones	2535 MYLES LAKE RD
W. A. Grose	2530 MYLES LAKE RD.
Betty Gray	2530 Myles Lake Rd.
Hannah Dinn	2545 Myles Lake RD
Martine Dinn	2545 Myles Lake RD
Hugh B. D.	2580 Myles Lk Rd
Deborah Baird	2580 Myles Lk Rd
Kris & Cheryl Johnson	2521 Myles Lk Rd
Bruce & Tina THOMPSON	2515 Myles Lk Rd

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE MEETING OF THE RESTRUCTURE COMMITTEE -
REMAINDER OF ELECTORAL AREA 'D' HELD ON MONDAY,
JANUARY 19, 2004, AT 10:00 AM IN THE REGIONAL
DISTRICT OF NANAIMO COMMITTEE ROOM**

Present:

Director E. Hamilton	Electoral Area C
Director D. Haime	Electoral Area D
L. Lapi	Electoral Area C
B. Jepson	Electoral Area D
C. Tellier	Electoral Area D

Also in Attendance:

C. Mason	Gen. Mgr. of Corporate Services
N. Avery	Manager, Financial Services
M. Assaf	Communications Consultant

DISCUSSION

Review of Newsletter for Distribution.

The Committee discussed the content in the newsletter and gave direction for distribution to residents in Electoral Areas 'C' and 'D'.

Format for Public Information Meetings.

It was decided that the Public Information meetings will be held in a meeting format with a brief presentation by staff and then a question and answer period. Meetings are scheduled for Thursday, February 5, 2004 at 7:00 pm at the Extension Hall and Wednesday, February 11, 2004 at 7:00 pm at the Pleasant Valley Hall.

ADJOURNMENT

MOVED L. Lapi, SECONDED Director Hamilton, that this meeting terminate.

TIME: 12:35 PM

CARRIED

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE MEETING OF THE RESTRUCTURE COMMITTEE -
REMAINDER OF ELECTORAL AREA 'D' HELD ON WEDNESDAY,
FEBRUARY 25, 2004, AT 5:00 PM IN THE REGIONAL
DISTRICT OF NANAIMO COMMITTEE ROOM

Present:

Director E. Hamilton
Director D. Haimé
L. Lapi
C. Tellier

Chairperson
Electoral Area D
Electoral Area C
Electoral Area D

Also in Attendance:

C. Mason
N. Avery

Gen. Mgr. of Corporate Services
Manager, Financial Services

ADMINISTRATION

Electoral Area 'D' Boundaries.

The Committee reviewed written correspondence which had been received following two open houses.

MOVED C. Tellier, SECONDED L. Lapi, that the following resolution be forwarded to the Regional District Board:

WHEREAS geographically, Electoral Areas 'C' and 'D' are separate and distinct and do not have shared roads other than the Inland Island Highway to connect their communities;

AND WHEREAS Electoral Area 'C' is already comprised of a number of fragmented communities with few connecting roadways and the addition of the communities in Electoral Area 'D' will increase the dispersed nature of the electoral area;

AND WHEREAS the Pleasant Valley and East Wellington communities in Electoral Area 'D' have already felt themselves represented as minority interest within Electoral Area 'D';

AND WHEREAS the remainder of Electoral Area 'D' is more developed and in an urban setting than Electoral Area 'C' which has a rural and agricultural setting;

AND WHEREAS for the reasons outlined above, it will be extremely difficult for these two diverse electoral areas to be represented by a single Area Director;

AND WHEREAS Electoral Area 'C' has existed for many years as an independently represented area despite its small population base and Electoral Area 'D' now has a population base similar to Electoral Area 'C';

THEREFORE BE IT RESOLVED that the Board of the Regional District of Nanaimo request the Province of BC to amend the letters patent dated April 3, 2003 to allow Electoral Area 'D' to remain as an independent Electoral Area following the Local Government Elections in November 2005.

ADJOURNMENT

CARRIED

MOVED C. Tellier, SECONDED Director: Haime, that this meeting terminate.

TIME: 6:30 PM

CARRIED

CHAIRPERSON



REGIONAL DISTRICT OF NANAIMO			
JUN - 2 2004			
CHAIR		GMCrS	
CAO		GMDS	
GOCMS		GMES	

MEMORANDUM

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

DATE: May 28, 2004

FROM: Carey McIver
Manager Solid Waste

FILE: 5360-44

SUBJECT: Regional Landfill Geogrid Toe Berm Tender Award

PURPOSE

To consider the tenders for the construction of a geogrid reinforced toe berm on the south side of the Regional Landfill.

BACKGROUND

In April 2004 the Board approved proceeding to tender for the construction of a geogrid reinforced toe berm on the south side of the Regional Landfill. In early May staff issued a tender document which included the construction of the south geogrid berm, liner and leachate collection system as a mandatory work item. The tender also included an optional work program to design a more reliable leachate containment and removal system in the southeast toe berm area.

This optional work program responded to the discovery in February of a minor leachate spill at the southeast toe of the landfill. A forensic investigation of the cause of the spill revealed that leachate was overtopping the existing liner system. As well, during the investigation several small tears were discovered in the liner. It is suspected that these tears occurred accidentally during filling operations at the landfill toe. Although repairs have been undertaken, staff do not consider the work done provides a permanent solution. Consequently, to take advantage of possible cost savings associated with a single large project, RDN staff and the project consultant decided to incorporate permanent remedial works on the southeast toe of the landfill as an optional work element in the geogrid berm tender.

Given that the optional work program was not included in the 2004 annual budget, the tender documents clearly stated that this work would only be awarded if there were sufficient funds available in the 2004 budget and if the optional work program was approved by the Board. The tender documents also stated that if the Board did choose to proceed with the optional work program in 2004, then the low bid tenderer for the mandatory work and optional work combined would be selected. However, if the Board chose not to proceed with the optional work program in 2004, then the low bidder for the mandatory work program only would be selected.

On May 26, 2004 the following bidders submitted tenders for both the mandatory and optional work program:

Bidder	Mandatory Work Bid Price	Optional Work Bid Price	Complete Work Bid Price
Bel Contracting	\$3,779,764	\$840,948	\$4,620,712
Western Industrial Contractors	\$3,617,445	\$739,701	\$4,357,146
Hazelwood Construction	\$3,210,856	\$765,183	\$3,976,039
JJM Construction	\$3,167,436	\$922,564	\$4,090,000

Our project consultant has evaluated the tenders and the proper documentation has been verified. The low bidder for the mandatory work program is JJM Construction at a cost of \$3,167,436. Our project consultants also recommend JJM Construction as the compliant low bidder for the complete work program. The Hazelwood Construction bid was non-compliant with the project schedule, in that the bid indicated construction of the optional work program would be completed in January rather than October as stipulated in the tender documents.

ALTERNATIVES

1. Award the contract for the mandatory work program to JJM Construction for the tendered price of \$3,167,436.
2. Award the contract for the mandatory and optional work program to JJM Construction for the tendered price of \$4,090,000.
3. Not award the contract.

FINANCIAL IMPLICATIONS

Alternative 1:

The 2004 budget for solid waste management includes \$3,542,000 for the Phase 1 geogrid berm. In April 2004 staff advised the Board that the pre-tender estimate had increased to \$3,843,130 due to design changes as well as recent increases in construction costs on Vancouver Island. Staff also advised in April that GST may not be a cost component if the Federal Government officially passes legislation exempting municipalities from GST this year. This is now the case. Consequently, based on the detailed design and final tender amounts the total cost of the project is as follows:

	Pre-Design Estimate	Pre-Tender Estimate	Final Cost Estimate
Engineering	\$288,000	\$315,000	\$315,000
Construction	\$2,878,000	\$3,086,000	\$3,167,436
Sub-Total	\$3,166,000	\$3,401,000	\$3,482,436
GST	\$94,980	\$102,030	\$0
Contingency	\$281,020	340,100	\$348,244
Total	\$3,542,000	\$3,843,130	\$3,830,680

The 2004 capital plan anticipates that this project will be funded from the reserve fund which stands at about \$7,400,000. Using existing reserves for this capital purpose avoids debt financing at this time. A bylaw authorizing the release of reserve funds for construction of the geogrid toe berm will be presented to the Board in July.

Alternative 2:

Unfortunately all the bids received for the optional work element are in excess of the funds available in the 2004 budget. Consequently the optional work program cannot proceed this year. Instead staff will direct our consultants to consider a lower-cost design solution and prepare a pre-design cost estimate for review and approval in the 2005 annual budget. If approved by the Board, a revised project would be tendered for construction in the summer of 2005.

SUMMARY

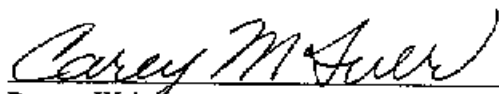
In April 2004 the Board approved proceeding to tender for the construction of a geogrid reinforced toe berm on the south side of the Regional Landfill. In early May staff issued a tender document which included the construction of the south geogrid berm, liner and leachate collection system as a mandatory work item. The tender also included an optional work program to design a more reliable leachate containment and removal system in the southeast toe berm area. This optional work program responded to the discovery in February of a minor leachate spill at the southeast toe of the landfill. Although we have undertaken repairs to address the problem, staff do not consider this to be permanent solution.

The bids received for the optional work element are in excess of the funds available in the 2004 budget. Consequently the optional work program cannot proceed this year. Instead staff will direct our consultants to consider a lower-cost design solution and prepare a pre-design cost estimate for review and approval the 2005 budget. If approved by the Board, a revised project would be tendered for the summer of 2005.

JJM Construction submitted the low tender for the construction of a geogrid reinforced toe berm, liner and leachate collection system on the south side of the Regional Landfill at a cost of \$3,167,436. Our project consultants recommend the award of the project to JJM Construction. Staff supports this recommendation. There are adequate funds in the 2004 budget for this project.

RECOMMENDATION


1. That the Regional District of Nanaimo award the construction of a geogrid reinforced toe berm, liner and leachate collection system on the south side of the Regional Landfill to JJM Construction for the tendered amount of \$3,167,436.



Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO	
MAY 31 2004	
CHAIR	GMCrS
CAO	GMDS
GmCms	GMES
Jed ✓	

MEMORANDUM

TO: Kelly Daniels
Chief Administrative Officer

DATE: May 31, 2004

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

FILE: 5500-22-23

SUBJECT: Water Conservation
RDN Water Service Area Water Use Restrictions

PURPOSE

To inform the Board of an intended approach to 2004 water use restrictions in RDN Water Service Areas.

BACKGROUND

RDN operates water distribution systems in Electoral Areas A, E and G. All water service areas have water use restriction bylaws that govern the use of water within the service area. Stage 1 watering restrictions are automatically in effect from May 15 to September 30 each year. Stage 1 allows the use of a sprinkler to water a lawn or garden every other day. The setting of restrictions beyond Stage 1 is determined by RDN and established by decree from the General Manager of Environmental Services. Stage 2 allows the use of a sprinkler to water a lawn or garden on specified days twice per week. Stage 3 allows the use of a sprinkler to water a lawn or garden once per week on specified days and further restricts washing of driveways and sidewalks. Stage 4 restrictions do not allow watering of lawns and provide further restrictions on washing driveways, washing vehicles and watering trees, flowers and vegetables other than by hand or by drip irrigation.

Stage 1 & 2 restrictions are considered to provide for sufficient supply to adequately maintain domestic and outdoor needs. Even Stage 3, which allows lawn and garden sprinkling once per week, will provide sufficient water for properly installed and maintained lawns. Supplemental watering of gardens, flowers and shrubs by hand or using drip irrigation is provided for in the bylaws. RDN has not moved beyond Stage 2 restrictions other than for the Decourcey water service area in 2003. Stage 2 restrictions were imposed in all water service areas (Stage 4 in Decourcey), with the exception of Madrona, in August 2003.

RDN staff monitor water supply trends and well levels within our water service areas, all of which are on groundwater supply. So far in 2004, available information does not indicate we are experiencing problems, although our systems are currently operating below about 70% capacity. Our experiences with recent dry, hot summers increases concerns about our water supplies. Water conservation is an important factor to assist water purveyors in maintaining supply for everyone's basic needs.

This situation is not unique to RDN or Vancouver Island – hot, dry conditions are being experienced province wide and indeed world wide, and increasing the concerns about global warming. Drought conditions, coupled with low winter snow packs, are expected to affect ground water and surface water

supplies in many areas. In response, many jurisdictions are instituting increased water use restrictions. Even in cases where water supply capacity may not be a concern for the local jurisdiction, restrictions are still being imposed as a general principle of water conservation, i.e. its the right thing to do to protect and conserve the water resource.

GVRD and CRD both restrict lawn watering to twice per week. CVRD restricts sprinkling to a three hour period every second day. Chemainus currently prohibits all lawn sprinkling. Ladysmith restricts sprinkling to one hour every second day. Many other jurisdictions are currently at our Stage 1 restrictions, i.e. every other day, but are considering imposing increased restrictions.

Staff have concerns that low precipitation, warmer weather and increased demands over the summer will stress our system supplies. As a precautionary principle, and as a general principle of water conservation and protection of the resource, staff propose to impose Stage 2 water use restrictions in all RDN water service areas on or about July 1, 2004. Residents would be notified in advance of this decree. Need to advance to higher stage restrictions (Stages 3 & 4) would be determined on an individual service area basis.

In the interim, focus will be placed on water conservation awareness and practice. Information on the importance of water conservation, including water wise tips and suggestions, will be disseminated to water service area residents through electoral area newsletters, Perspectives, the RDN website, advertisements and possibly media advertising. Communication with other water user communities will be considered and employed where resources allow. The intent is not to raise unnecessary concern but rather to inform residents of conservation protocols and increase awareness that water is a limited and our most precious resource.

FINANCIAL IMPLICATIONS

The Board has supported a conservation based rate structure approach to water user fees. This structure provides for higher costs for increased increments of consumption so that high water consumers pay more for the extra quantities of water they use. Although water utility rates have already been amended to some degree to reflect this philosophy, staff propose to review the rates annually and progressively increase the higher use rate categories. This means that if residents wish to use disproportionately high amounts of water, they will pay more for that privilege. Staff propose to present a subsequent report on this matter to the Board in early 2005.

With regard to the water conservation education and awareness initiative, staff expect to support existing resources with summer student assistance and communications support within the limits of existing budgets. Some of the experience from the Zero Waste initiative of the solid waste program may be applicable to water conservation.

CITIZENS/PUBLIC RELATIONS IMPLICATIONS

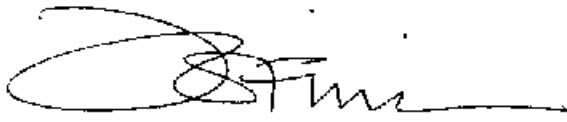
Staff suggest there is broad support at the community level for water conservation. It is believed that most residents would identify water conservation as a very high priority but may not always effectively practice it because of a lack of awareness or diligence about water wastage and conservation techniques. With the current focus on climatic trends and local dry, hot conditions, staff believe that increased water restrictions coupled with some level of education and awareness, will be well received, and supported, by the majority of RDN water service area residents.

Although the focus of this water conservation initiative is the RDN water service area residents in Electoral Areas A, E & G, the education and awareness information would be accessible and beneficial to all residents of the regional district.

This approach to water use restrictions and water conservation has been discussed with the Electoral Area A, E & G Directors.

RECOMMENDATION

1. That the report on water conservation and RDN Water Service Area Water Use Restrictions be received for information.



Report Writer



CAO Concurrence

COMMENTS:



REGIONAL DISTRICT
OF NANAIMO

JUN - 2 2004

CHAIR		GMCrS	
CAO		GMDS	
GMCrS		GMES	
<i>Baud</i>			

MEMORANDUM

TO: Carol Mason
General Manager of Corporate Services

DATE: June 2, 2004

FROM: Maureen Pearse
Manager of Administrative Services

FILE:

SUBJECT: Noise Control Establishing Bylaw No. 1374
Alternative Approval Process (Counter Petition)

PURPOSE

To report the results of the alternative approval process (counter petition) for the proposed "RDN Portion of Electoral Area H Noise Control Service Establishment Bylaw No. 1374, 2004".

BACKGROUND

At its regular meeting held April 13, 2004 the Board introduced "RDN Portion of Electoral Area H Noise Control Service Establishment Bylaw No. 1374, 2004" for first three readings. In accordance with the *Local Government Act* the Board chose to seek the assent of the electors through the alternative approval process.

Bylaw No. 1374 is proposing to establish a noise control service area in a portion of Electoral Area H. In order to receive the assent of the electors, the number of elector response forms received could not exceed 10% of the electors for the proposed participating area. Section 86 of the Act states:

"that approval of the electors by alternative approval process is obtained if at the end of the time for receiving elector responses, the number of elector responses received is less than 10% of the number of electors of the area to which the approval process applies."

For the purpose of conducting the alternative approval process, the number of eligible electors in the service area was determined to be 1547 electors. In order for the bylaw to receive the assent of the electors less than 10% or 154 elector response forms must have been received by the deadline of May 31, 2004. The total number of elector response forms received by May 31, 2004 was 422. This number exceeds the 10% maximum which would have been needed in order for the Board to receive the assent of the electors. The only option for the Board to proceed with Bylaw No. 1374 is to seek the assent of the electors through a referendum process.

ALTERNATIVES

1. That the Board abandon "RDN Portion of Electoral Area H Noise Control Service Establishment Bylaw No. 1374, 2004" as a result of the alternative approval process.
2. That the Board proceed to seek the assent of the electors for "RDN Portion of Electoral Area H Noise Control Service Establishment Bylaw No. 1374, 2004" through referendum.

FINANCIAL IMPLICATIONS

1. There are no financial implications.
2. If the Board chooses alternative no. 2 the cost to proceed with a referendum will be approximately \$10,000.

SUMMARY/CONCLUSIONS

At the April 13, 2004 Board meeting, the "RDN Portion of Electoral Area H Noise Control Service Establishment Bylaw No. 1374, 2004" received first three readings. The Board sought the assent of the electors through the alternative approval process. In order to receive the assent of the electors, the number of elector response forms received could not exceed 10% (154) of the electors for the proposed participating area. The total number of counter petitions received by the deadline of May 31, 2004 was 422. This number exceeds the 10% maximum. The Board has only two options: to abandon the bylaw as presented or to proceed with the bylaw and seek the assent of the electors through a referendum process. As a result of comments received from residents submitting counter petitions, staff are recommending that the Board not proceed with the Electoral Area H noise control function at this time.

RECOMMENDATION

That the Board abandon "RDN Portion of Electoral Area H Noise Control Service Establishment Bylaw No. 1374, 2004" as a result of the alternative approval process.


Report Writer


General Manager Concurrence


CAO Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO	
JUN - 2 2004	
CHAIR	GMCRS
CAO	GMDS
CMGRS	GMES

MEMORANDUM

TO: Carol Mason
General Manager of Corporate Services

DATE: June 2, 2004

FROM: Maureen Pearse
Manager of Administrative Services

FILE:

SUBJECT: UBCM Community Excellence Awards - Website

PURPOSE

To obtain a Board resolution for the Regional District of Nanaimo to make application to UBCM Community Excellence Awards (Best Practices - Website).

BACKGROUND

In 2001, following a redesign of the RDN website, staff submitted an application to the UBCM Local Government Awareness Committee and were awarded the 2001 Best Local Government Website award for a medium sized municipality. Over the last few months staff have been working on a website redesign which includes a new content management system for updating information, along with an interactive online map program. The new site was launched this week and staff are recommending that the Regional District make an application to UBCM in the Best Practices category for websites. This category recognizes local governments in BC that have improved or revised an existing program or service in their municipality or regional district. As part of the submission, the Board must endorse a resolution to make the application.

ALTERNATIVES


1. That the Board endorse a resolution for the RDN to make application to UBCM Community Excellence Awards (Best Practices - Website).
2. That the Board not proceed with an application at this time.


SUMMARY/CONCLUSIONS


This week the redesigned RDN website was launched and staff are recommending the submission of an application to UBCM in the Best Practices category - website. As part of the submission, the Board must endorse a resolution supporting the application.

RECOMMENDATION

That the Regional District of Nanaimo submit an application to UBCM Community Excellence Awards based on the newly designed RDN website, to be considered under the category of "Best Practices – Website".


Report Writer


General Manager Concurrence


CAO Concurrence

COMMENTS: