

REGIONAL DISTRICT OF NANAIMO

**COMMITTEE OF THE WHOLE
TUESDAY, SEPTEMBER 14, 2004
(immediately following the Special Board meeting)**

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

- 4 **Gail Adrienne, Nanaimo Area Land Trust, re Status Report & Request Regarding Operational Funding.**

MINUTES

- 5-11 **Minutes of the Committee of the Whole meeting held Tuesday, July 27, 2004.**

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

- 12-16 **Bill Barisoff, Minister, Ministry of Water, Land and Air Protection re Fish Protection Act.**

COMMUNITY SERVICES

- 17-21 **Green Buildings.**

RECREATION & PARKS

- 22-45 **Draft Bylaw No. 1399 to Provide for the Regulation of Park Use in the RDN.**

CORPORATE SERVICES

FIRE PROTECTION

- 46-55 **Financing Bylaws - San Pareil Water Service Security Issuing Bylaw No. 1395 & Coombs-Hilliers Fire Service Security Issuing Bylaw No. 1396.**

DEVELOPMENT SERVICES

BYLAW ENFORCEMENT

- 56-57 **Section 57 of the Community Charter - Contravention of Bylaw.**

ENVIRONMENTAL SERVICES

LIQUID WASTE

58-66 Lasqueti Island Septage.

SOLID WASTE

67-68 Non-Profit Organizations -- Solid Waste Tipping Fee Waivers.

69-72 Status of the Provincial Product Stewardship Business Plan.

UTILITIES

73-81 Melrose Terrace Community Water Supply Service Area Establishment Bylaw No. 1397 & Melrose Terrace Community Water Supply Service Area Loan Authorization Bylaw No. 1398 – Area F.

82-86 French Creek Sewer Local Service Area Bylaw No. 813.29 & Northern Community Sewer Local Service Area Bylaw No. 889.27 – 978 Lee Road – Area G.

87-90 Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.06 – Wembley Road – Area G.

91-98 Surfside Sewer Local Service Area Bylaw No. 1124.03 & Northern Community Sewer Local Service Area Bylaw No. 889.28 – 965 Surfside Drive - Area G.

COMMISSION, ADVISORY & SELECT COMMITTEE

Area B Parks & Open Space Advisory Committee.

99-101 Minutes of the Area B Parks & Open Space Advisory Committee meeting held June 29, 2004. (for information)

Nanoose Bay Parks & Open Space Advisory Committee.

102-107 Minutes of the Nanoose Bay Parks & open Space Advisory Committee meetings held March 22 and July 12, 2004. (for information)

Regional Growth Monitoring Advisory Committee/Status of Sustainability Project.

108-116 Minutes of the Regional Growth Monitoring Advisory Committee/Status of Sustainability Project meetings held July 21, August 18, and September 1, 2004. (for information)

Regional Parks Plan Review Select Committee.

117-118 Minutes of the Regional Parks Plan Review Select Committee meeting held July 5, 2004. (for information)

Verbal Reports As Available:

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

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

BOARD INFORMATION (Separate enclosure on blue paper)

ADJOURNMENT

IN CAMERA

That pursuant to Section 90(1) (g) of the Community Charter the Board proceed to an In Camera meeting to consider items relating to legal matters.

Burgoyne, Linda

From: Nanaimo & Area Land Trust
Sent: Tuesday, August 24, 2004 10:41 AM
To: Burgoyne, Linda
Subject: Request

Hello Linda,

We would like to request that we present to the RDN for the 13th of September. Can you please include NALT on the agenda to present on:

Status Report & request re: operational funding.

Thank you,

Cyndy Jefferies

Nanaimo & Area Land Trust Phone/Fax: 250-714-1990

Drop by our Stewardship Resource Centre at 140 Wallace where you will find a wealth of information on Landowner Stewardship, Biodiversity, Naturescaping, Covenants & much more. Are you a NALT member yet?

Gail Adrienne to attend.

8/24/2004

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, JULY 27, 2004, AT 7:00 PM
IN THE RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director H. Kreiberg	Electoral Area A
Director G. Lund	Electoral Area B
Alternate	
Director M. Young	Electoral Area C
Director D. Haime	Electoral Area D
Director P. Bibby	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director R. Longmuir	City of Parksville
Director T. Westbrook	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director L. Sherry	City of Nanaimo
Director R. Cantelon	City of Nanaimo
Director G. Korpan	City of Nanaimo
Director T. Krall	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
T. Osborne	Manager of Recreation & Parks
J. Finnie	General Manager of Environmental Services
N. Tonn	Recording Secretary

CALL TO ORDER

The Chairperson welcomed Alternate Director Young to the meeting.

DELEGATIONS

Todd Zaborniak, re Mark Zaborniak – Section 57 of the Community Charter – Contravention of Bylaw – 1570 Seacrest Road – Area E.

Mr. Zaborniak read from his submission which was included in the Committee of the Whole Agenda and asked the Board to reconsider its position on registering a filing on the property.

LATE DELEGATIONS

MOVED Director D. Haime, **SECONDED** Director B. Holdom, that Deborah Lang be permitted to address the Committee.

CARRIED

Deborah Lang, re Mark Zaborniak – Section 57 of the Community Charter – Contravention of Bylaw – 1570 Seacrest Road – Area E.

Ms. Lang spoke of the personal hardship that would be created if she and her husband were forced to move from their rental residence at this time, and requested the Board consider a grace period of one year if a contravention notice is placed on the property at 1570 Seacrest Road.

MINUTES

MOVED Director Sherry, SECONDED Director Cantelon, that the minutes of the regular Committee of the Whole meeting held June 22, 2004 be adopted.

CARRIED

COMMUNITY SERVICES

RECREATION

Name for Community Park on Taylor Bay Road, Gabriola Island – Area B.

MOVED Director Lund, SECONDED Director Bartram, that the Board authorize the adoption of the name 'Cox Community Park' for the large Community Park located across from Descanso Bay Regional Park on Gabriola Island.

CARRIED

Renewal of Trail Use Licence for Trans Canada Trail.

MOVED Director Krall, SECONDED Director Holdom, that the Regional District enter into a five-year renewable non-exclusive licence for the Trans Canada Trail located on Weyerhaeuser private land.

CARRIED

Application to the Ministry of Transportation for Permits to Develop Water Accesses Nos. 27, 43 and 52 – Area B.

MOVED Director Lund, SECONDED Director D. Haime, that the Regional Board authorize staff to apply to the Ministry of Transportation for permission to use and develop Electoral Area 'B' beach accesses 27, 43 and 52.

CARRIED

TRANSIT

Nanaimo Safer City Alliance Program – Information Update.

MOVED Director Sherry, SECONDED Director Krall, that the Nanaimo Safer City Alliance Program update report be received for information.

CARRIED

CORPORATE SERVICES

ADMINISTRATION

Corporate Communications Policy.

MOVED Director Bartram, SECONDED Director Bibby, that the Corporate Communications Policy A1.26 be approved.

CARRIED

Update on Aggregate Issues – Meetings with Fraser Valley Regional District.

MOVED Director Westbrook, SECONDED Director D. Haime, that the Board support, in principle, the concept of joint intervener status with the Fraser Valley Regional District subject to a final report from our legal council.

CARRIED

FINANCE

Operating Results to June 30, 2004.

MOVED Director Sherry, SECONDED Director McNabb, that the summary report of financial results from operations to June 30, 2004 be received for information.

CARRIED

Amendment to Purchasing Policy A2.9 to Permit the Use of Purchasing Cards & Introduction of Purchasing Card Policy A2.16.

MOVED Director Westbrook, SECONDED Director McNabb,:

1. That Policy A2.9 be approved as amended to permit the use of purchasing cards.
2. That Policy A2.16 – Purchasing Cards be approved.

CARRIED

Financial Plan (2004-2009) Amendment Bylaw No. 1373.02 – Installation of Acoustical Baffles at Oceanside Place.

MOVED Director Bartram, SECONDED Director Longmuir,:

1. That “Regional District of Nanaimo Financial Plan (2004-2009) Amendment Bylaw No. 1373.02, 2004” be introduced for first three readings.
2. That “Regional District of Nanaimo Financial Plan (2004 to 2009) Amendment Bylaw No. 1373.02, 2004” having received three readings be adopted and forwarded to the Ministry of Community, Aboriginal and Women’s Affairs.

CARRIED

Fees and Charges Amendment Bylaw No. 944.04 – Financial Information.

MOVED Director McNabb, SECONDED Director Cantelon, that “Regional District of Nanaimo Fees and Charges Amendment Bylaw No. 944.04, 2004” be introduced for first three readings.

CARRIED

MOVED Director McNabb SECONDED Director Cantelon, that “Regional District of Nanaimo Fees and Charges Amendment Bylaw No. 944.04, 2004” having received three readings be adopted.

CARRIED

FIRE PROTECTION

Bow Horn Fire Protection Service Area Boundary Extension Amendment Bylaw No. 1385.01.

MOVED Director Bartram, SECONDED Director Biggemann, that “Bow Horn Bay Fire Protection Service Area Boundary Extension Amendment Bylaw No. 1385.01, 2004” be introduced for first three readings and forwarded to the Ministry of Community, Aboriginal and Women’s Services for approval.

CARRIED

DEVELOPMENT SERVICES

Riparian Area Regulation.

MOVED Director Korpan, SECONDED Director McNabb, that the Board endorse the resolution in Attachment No. 1 of the staff report and forward it to the 2004 UBCM Annual General Meeting.

CARRIED

New FM Radio Programming Undertaking - Westwave Broadcasting Inc., Mount Benson - Area C.

MOVED Director Sherry, SECONDED Director Krall, that Westwave Broadcasting Inc., be advised that the Regional District has no objections to the proposed license application and installation of a new FM tower, antenna and transmitter building on the property legally described as Lot A, Block 787, Mountain District, Plan VIP75642.

CARRIED

BUILDING INSPECTION

Section 57 of the Community Charter – Contravention of Bylaw - Infractions.

Director Bibby asked that these items be dealt with *seriatim*.

MOVED Director Bibby, SECONDED Director D. Haime, that the recommendation for a notice to be filed against the property owned by Mark Zaborniak and Arlene Nakatsuka, pursuant to Section 57 of the *Community Charter*, be approved and that no further action be taken until a policy review on secondary suites is completed and considered by the Board.

CARRIED

MOVED Director Bibby, SECONDED Director Krall, that staff be directed to conduct a policy review with respect to secondary suite development in the Regional District of Nanaimo and that this item also be referred to the RGMAC/State of Sustainability Project for their input.

CARRIED

MOVED Director Cantelon, SECONDED Director Krall, that a notice be filed against the title of the property listed, pursuant to Section 57 of the *Community Charter*.

- (a) Lot 127, District Lot 68, Plan 26680, Nanoose Land District, 1491 Madrona Drive, Electoral Area 'E', owned by R. and L. Maurice.

CARRIED

EMERGENCY PLANNING

Wildland/Urban Interface Fire Update Report.

MOVED Director Bartram, SECONDED Director Longmuir,:

1. That the Wildland/Urban Interface Fire Update be received for information.
2. That a grant application for emergency planning training be submitted as outlined in the staff report.
3. That information with respect to the Wildland/Urban Interface Fire Update be circulated in the Regional Perspectives and the Electoral Directors' Newsletters.

CARRIED

ENVIRONMENTAL SERVICES

LIQUID WASTE

Pump and Haul Local Service Area Bylaw No. 975.37 –2944 Hillview Road – Area E.

MOVED Director Bibby, SECONDED Director Krall:

1. That the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to remove Lot 2, District Lot 117, Nanoose Land District, Plan 18343 (Hillview Road, Area E).
2. That "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.37, 2004" be read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

Greater Nanaimo Pollution Control Centre Dewatering Upgrade – Tender Award.

MOVED Director Sherry, SECONDED Director Holdorn, that the Regional District of Nanaimo award the installation of a centrifuge for the GNPCC Dewatering upgrade for the tendered amount of \$251,579 to D. Robinson.

CARRIED

SOLID WASTE

Solid Waste Management Plan – Final Approval.

MOVED Director Sherry, SECONDED Director Longmuir, that the updated Solid Waste Management Plan be approved by the Board and submitted to the Minister of Water, Land and Air Protection.

CARRIED

Waste Stream Management Licensing Bylaw No. 1386.

MOVED Director Sherry, SECONDED Director Longmuir, that the Board give first three readings to "RDN Waste Stream Management Licensing Bylaw No. 1386, 2004" and direct staff to submit the bylaw to the Ministry of Water, Land and Air Protection for approval prior to final adoption.

CARRIED

UTILITIES

Drought Planning Assistance Program – Land & Water British Columbia Inc.

MOVED Director Sherry, SECONDED Director McNabb:

1. That the staff report be received for information.
2. That the Board support an application for funding under the Drought Planning Assistance Program.

CARRIED

West Bay Estates Water Service Reserve Fund Bylaw No. 1394 – Area E.

MOVED Director Bibby, SECONDED Director Krall, that "West Bay Estates Water Service Reserve Fund Bylaw No. 1394, 2004" be introduced for first three readings.

CARRIED

MOVED Director Bibby, SECONDED Director Krall, that "West Bay Estates Water Service Reserve Fund Bylaw No. 1394, 2004" having received three readings be adopted.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Regional Waste Advisory Committee.

MOVED Director Biggemann, SECONDED Director Krall, that the minutes of the Regional Waste Advisory Committee meeting held April 15, 2004 be received for information.

CARRIED

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 meeting held June 24, 2004 be received for information.

CARRIED

Grants-in-Aid Committee.

MOVED Director McNabb, SECONDED Director Bartram, that the minutes of the Grants-in-Aid Committee meeting held July 16, 2004 be received for information.

CARRIED

School District 69

MOVED Director McNabb, SECONDED Director Bartram, that the following grant be awarded:

Qualicum Beach Historical Museum Society	S	4,000
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CARRIED

Deep Bay Harbour Authority.

Director Bartram noted that there will be a re-burial ceremony at the Deep Bay Harbour Authority on Friday, July 30, 2004.

ADDENDUM

CORPORATE SERVICES

FIRE PROTECTION

Fire Truck Purchase – Fire Pumper Vehicle for the Coombs Hilliers Fire Department.

MOVED Director McNabb, SECONDED Director Biggemann.:

1. That a fire pumper vehicle, plus additional equipment, be purchased from Profire Emergency Equipment Inc. for an amount not to exceed \$263,000 plus taxes.
2. That a total of \$213,000 plus taxes in debt financing for the vehicle be arranged as outlined in this report.

CARRIED

NEW BUSINESS

Hogweed Update.

The Chief Administrative Officer provided an update on the lobbying by the Regional District for provincial regulation of hogweed and its placement on the provincial noxious weed list.

IN CAMERA

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

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 8:22 PM

CHAIRPERSON



BRITISH COLUMBIA

August 12, 2004

Reference: 78964

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



REGIONAL DISTRICT OF NANAIMO			
AUG 24 2004			
CHAIR	<input checked="" type="checkbox"/>	GMCrs	
CAO	<input checked="" type="checkbox"/>	GMDS	<input checked="" type="checkbox"/>
GMCrs		GMES	
<i>DeA Comm.</i>			<input checked="" type="checkbox"/>

Dear Joe Stanhope and Directors:

Protecting riparian fish habitat, while facilitating urban development that exhibits high standards of environmental stewardship, is a priority for the Government of British Columbia.

I am pleased to advise you of some important changes to the approach that is being taken by the Province under the *Fish Protection Act* to protect and enhance riparian fish values subject to residential, commercial or industrial development. On July 27, 2004 the Riparian Areas Regulation was passed. The regulation is scheduled to come into effect, and the Streamside Protection Regulation will be repealed on March 31, 2005.

In developing this new regulation, the Ministry of Water, Land and Air Protection has worked in collaboration with the Union of British Columbia Municipalities and Fisheries and Oceans Canada to design an approach to urban fish habitat protection that provides certainty and flexibility to development, is not dependent on limited local, provincial and federal government resources and ensures protection of the province's valuable fisheries resource.

The regulation applies to residential, commercial or industrial activities in the following regional districts and all municipalities within them: Capital, Central Okanagan, Columbia-Shuswap, Comox-Strathcona, Cowichan Valley, Fraser Valley, Greater Vancouver (except for the City of Vancouver), Nanaimo, North Okanagan, Okanagan-Similkameen, Powell River, Squamish-Lillooet, Sunshine Coast, Thompson-Nicola and the trust area under the *Islands Trust Act*. I am enclosing a copy of the regulation and a series of questions and answers to help you better understand the new model. Further information, including the assessment methodology required under the regulation, may be found at http://wlapwww.gov.bc.ca/habitat/fish_protection_act/riparian/riparian_areas.html.

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The Riparian Areas Regulation requires that affected local governments use, as a minimum, the tools available to them under section 26 of the *Local Government Act* to protect riparian fish values that may be affected as a result of residential, commercial or industrial development. It does this by requiring that local governments receive notification from the provincial or federal governments that fish habitat protection requirements have been met prior to giving final approval for development to occur within a defined 30 meter "riparian assessment area". This requirement will be delivered either through a notice from the Province that the requirements of the Riparian Areas Regulation have been met, or through a notice from Fisheries and Oceans Canada that an approval for the harmful, alteration, disruption or destruction of fish habitat has been issued under the federal *Fisheries Act*.

Some local governments have expressed concern that they were not provided a direct opportunity to participate in the process used to develop the new regulatory model. Consistent with the *Fish Protection Act's* requirements, our energies until this point in the process have been focused on consulting with UBCM. In doing so, I believe that we have addressed the issues identified in the 2002 UBCM Convention endorsement of the proposed regulatory approach. Specific responses to the issues identified in the convention resolution are contained in an appendix to this letter.

More importantly however, as agreed to with UBCM President, Mayor Frank Leonard, the Ministry of Water, Land and Air Protection will work collaboratively with UBCM and individual local governments in developing and initiating an implementation strategy for the regulation. Full briefings on the new model and regulation and the next steps in its implementation will be provided to local governments at three regional sessions in Nanaimo, Surrey, and Kelowna prior to the UBCM annual convention in September, and a workshop will be held at the convention. To assist in refining the approach, the ministry will also be looking for interested local governments to collaborate in pilot testing and adaptive review of the regulation and assessment methodology. As the results of these discussions and work unfold, I am prepared to bring to Cabinet any changes to the regulation and assessment that are necessary to ensure effective implementation.

The Riparian Areas Regulation is scheduled to take effect March 31, 2005, to enable completion of the various work required prior to implementation. Products that will be developed in collaboration with Fisheries and Oceans Canada and UBCM during this next stage include a cooperation agreement that outlines the roles and responsibilities of the three levels of government, an implementation guidebook, and a compliance and effectiveness monitoring strategy. The ministry will assess preparedness for implementation with UBCM

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and Fisheries and Oceans Canada on October 15 and December 15, 2004. This will include a review of progress on the development of these products as well as the status of local government preparations for implementation.

Sincerely,



Bill Barisoff
Minister

Enclosures

1. Riparian Areas Regulation
2. Questions and Answers

pc: Honourable Gordon Campbell, Premier
Honourable Murray Coell, Minister of Community, Aboriginal and Women's Services
Judith Reid, MLA (Nanaimo-Parksville)
Gary Paget, A/Assistant Deputy Minister, Ministry of Community, Aboriginal
and Women's Services
Robert Hobson, Chair, Environment Committee, Union of British Columbia Municipalities
Richard Taylor, Executive Director, Union of British Columbia Municipalities

APPENDIX

RESPONSE TO ISSUES HIGHLIGHTED IN 2002 UBCM CONVENTION RESOLUTION

The 2002 UBCM Convention Resolution highlighted the following issues as being important considerations in the development and implementation of the proposed Riparian Areas Regulation.

Provide liability protection for local government when making land use decisions based on a report by a Qualified Environment Professional (QEP) on fish habitat

We have worked within the framework of a risk management approach to liability. First, the role of local government is clearly defined to make it clear that it is not responsible for the determination of whether a project will result in the harmful alteration of fish habitat. Local government's role is to ensure that projects within the 30 meter riparian assessment area do not proceed until it has been advised that the fish habitat requirements of the federal and provincial governments as set out in the regulation have been met. Second, the model set out in the proposed regulation is designed to reduce the potential for unacceptable assessments by QEPs and the potential for proponents to not follow direction set out in the assessment. The following components were designed specifically to address this design principle:

- The detailed science based assessment methodology is part of the regulation.
- Notifications of senior governments of the results of the assessment.
- Certification by the QEPs that they are qualified and have followed the methodology, and their professional opinion on the impact of the development on fish habitat based on following the assessment methodology.
- Final review sign-off and reporting back to senior governments by the QEPs on the implementation of the assessment prescriptions.
- Compliance and efficacy monitoring.
- Working with the affected professional associations in the training, responsibilities and accountabilities of their members.

Collectively, these measures will reduce the potential for litigation and minimize local government's liability exposure.

Ensure that no new responsibilities are downloaded on local government and that all training costs and management costs required to implement the new regulation are paid for by either the federal or provincial government

We do not believe that the new model downloads any new responsibilities to local governments and, in fact, anticipate that it will require less local government effort than the previous Streamside Protection Regulation. We will be working with UBCM in the implementation phase of the regulation to ensure that adequate training is delivered to a variety of different parties, including local government.

Ensure the process is timely and cost-effective from the community perspective

The proposed approach will generate consistent and timely advice to local government on whether proposed developments meet federal and provincial fish habitat requirements.

Ensure an integrated approach is implemented to avoid conflicts between the different levels of government

Development of a cooperation agreement among UBCM, the Province and Fisheries and Oceans Canada will ensure an integrated approach and respect for the roles and responsibilities of each partner in the implementation of the model.

Ensure that a balance is maintained between development and protection of the environment

The proposed approach provides certainty and flexibility to development while ensuring that the fish habitat protection requirements of the federal and provincial governments are met.

The regulation has been drafted such that it will not restrict in any way local government's ability to increase the level of protection in riparian areas if they so desire. The regulation creates a very structured, consistent approach to providing what is needed to ensure that development protects fish habitat. Local governments remain free to use their powers to protect other values.



REGIONAL DISTRICT OF NANAIMO	
SEP - 3 2004	
CHAIR	GMCrS
CAO	GMDS
GMCrS	GMES
Ced ✓	

MEMORANDUM

TO: Neil Connelly
General Manager, Community Services

DATE: August 31, 2004

FROM: Christina Thomas
Senior Planner, Community Services

FILE: 6780 30 50 GRBU

SUBJECT: GREEN BUILDINGS

PURPOSE

The purposes of this report are:

- to provide information about green buildings; and
- to obtain direction regarding a project to increase public and development industry awareness about green buildings and make green building practices easier to implement.

BACKGROUND

Information about green buildings and local government involvement in green building practices is provided in response to the July 13, 2004 Board resolution directing staff to prepare a report for the Board's consideration about green buildings. The Board passed this resolution as a part of its consideration of the Workshop Report for the April 3, 2004 Sustainability Workshop, and the Regional Growth Monitoring Advisory Committee's recommendation that the Board initiate a green building program as one means of taking immediate action to help accelerate progress towards regional sustainability. The Sustainability Workshop was conducted as a part of the Sustainability Project that the Regional District is currently undertaking.¹

What is a Green Building?

Green buildings are buildings that require less energy to operate, contribute fewer emissions to the environment, conserve water, generate less solid waste, and provide more comfortable and productive environments for their inhabitants. The definition of what is a green building is somewhat subjective, but different rating systems have been developed and are becoming more common in their use to assess a building's greenness.

Leadership in Energy and Environmental Design (LEED) appears to be the most well-known and widely used system to rate the greenness of buildings. It is a voluntary, consensus based self-assessment tool that

¹ The Sustainability Project is being conducted to assess the region's progress towards sustainability, to make residents aware of the region's progress towards sustainability and to provide more and better opportunities to involve residents of the region in that assessment. The seven key components of the Project are: [1] a public event to discuss what sustainability means in the context of the Nanaimo region; [2] review, refinement and confirmation of a set of indicators or measures of sustainability; [3] a report that documents the sustainability of the Nanaimo region, based on the chosen sustainability indicators; [4] a public event to discuss the results of that report; [5] a report that provides ideas about how the sustainability of the region can be accelerated [6] the development and implementation of a regional sustainability awards program and [7] citizen committee involvement in the first six deliverables.

has been embraced nationally and internationally as 'the green building design standard'. LEED establishes a system in which a specified number of points are assigned according to the particular attributes of the building in five performance areas: the sustainability of the building site, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Depending upon the number of points accumulated, and hence the sustainability of the building, buildings are classified as LEED Certified, Silver, Gold or Platinum. The United States Green Building Council, a national non-profit entity, developed the LEED trademark, and continually updates the model to respond to new information and science. The Canada Green Building Council, a non-profit coalition of public and private building industry leaders, holds the LEED trademark for Canada and is responsible for recent adaptations of the system for Canada (i.e. LEEDTM Canada) and British Columbia (i.e. LEEDTM BC), as well as continual updates to these systems. LEED was created to define green buildings by providing a standard for measurement and to prevent exaggerated claims about the greenness of a building. It also provides a mechanism to recognize leaders, stimulate green competition, raise consumer awareness, transform the marketplace, and establish market value with a recognized 'brand'.

Why Build Green?

The green building movement was initiated in the early 1990s in response to the growing recognition of the environmental consequences of business-as-usual in the building industry, and as a response to the enormous demand from people in all sectors of the industry who wanted to do things better. Conventional building design and construction typically produces resource-intensive buildings. Building construction worldwide consumes approximately 3 billion tons of raw materials annually, depleting natural resources at an unsustainable rate. Buildings are responsible for annual consumption of 40% of the world's energy and materials. Green buildings contribute to sustainability because they require fewer resources to construct, less energy to operate, contribute fewer emissions to the environment, conserve water, and generate less solid waste than conventional buildings.

Do Green Buildings Cost More Money?

Cost has been cited as a reason for not building green. Recent research concludes that "integrating "sustainable" or "green" building practices into the construction of state buildings is a solid financial investment", that "a minimal upfront investment of about two percent of construction costs typically yields life cycle savings over ten times the initial investment", and that "the financial benefits of green buildings include lower energy, waste disposal and water costs, lower environmental and emissions costs, lower operations and maintenance costs, and savings from increased productivity and health"³.

Who is Building Green?

The green building movement has gained tremendous momentum during the last few years. The Netherlands has been a leader in the development and implementation of green building technology for many years. More than 40% of all new building projects in the United Kingdom enroll in its equivalent of the LEED system. During the last decade the movement has gained a foothold in North America. Pennsylvania, Massachusetts, Washington, Oregon, California and Texas appear to be the leaders in green building technology in the United States. Approximately 3% of all new construction in the United States

² LEED specifications are intended to supplement, not replace, conventional building codes and bylaws. Conventional building codes and bylaws are intended to ensure the safety of buildings and structures whereas LEED standards promote green building practices.

³ See the October 2003 report, "The Costs and Financial Benefits of Green Buildings" prepared for the Sustainable Buildings Task Force, a group of over 40 California state agencies. It can be viewed at <http://www.ciymb.ca.gov/greenbuilding/Design/CostIssues.htm>

is pursuing LEED certification. British Columbia appears to be leading the way in Canada. The 2010 Olympic bid for Vancouver includes a commitment to green buildings, and BC has more green buildings than any other province in Canada. A variety of public and private sector building projects, including one on Vancouver Island, illustrate the interest in and commitment to green building.

Public sector green buildings in BC that are commonly referenced include the following:

- Vancouver Island Technology Park in Victoria (LEED Gold);
- City of White Rock Operations Building (LEED Gold);
- Semiahmoo Library and RCMP District Office (LEED Silver);
- City of Vancouver Public Works Yard (LEED Gold);
- Telus William Farrell Building in Vancouver;
- Burnaby Mountain School;
- Nicola Valley Institute of Technology; and
- Liu Centre for the Study of Global Issues and C.K. Choi Building, both at the University of BC.

Private sector green buildings in BC that are commonly referenced include the following:

- The 58 residential unit Silva Building in North Vancouver (expected to achieve LEED Silver);
- The 6 residential unit Koo's Corner Building in Vancouver;
- Mountain Equipment Co-op Head Office;
- 1220 Homer Street architectural office;
- BC Gas Operations Centre;
- Association of Professional Engineers building in Burnaby;
- Keen Engineering office in North Vancouver; and
- 2211 West Fourth, a mixed commercial-residential project (building with Capers and Coast Mountain Sports) in Vancouver.

Additional information about these green buildings is available on the Canada Green Building Council web site at www.cagbc.ca.

In Canada there are 66 LEED registered projects (i.e. projects on their way to becoming LEED certified), 4 LEED certified projects, and 525 LEED accredited professionals. British Columbia accounts for 35 of the LEED registered projects, all 4 of the LEED certified projects, and 257 of the LEED certified professionals.

What is the Role of Local Government in Advancing Green Buildings?

Local governments are playing a key role in providing leadership for the advancement of green buildings through green building programs.

In the United States, some well known local government green building programs include the Santa Monica Green Building Program, the Seattle Sustainable Building Program, the City of Portland G Rated Building Program, and the City of Austin Green Building Program.

Closer to home, the Greater Vancouver Regional District has a comprehensive green building program called BUILDSMART⁴, the City of Vancouver supports green buildings through its organizational sustainability initiative and its adoption of LEED Gold as the standard for all new City buildings, the City of Richmond has adopted LEED Silver as the standard for all new City buildings, and the City of Victoria will be developing a green building program in 2005 and 2006 and has advanced the green building

⁴ For more information about BUILDSMART see www.buildsmart.ca.

concept through the recent Dockside development (City owned industrial lands adjacent to the Gorge to be remediated and redeveloped as a mixed use residential/commercial area by the private sector in accordance with specified green principles).

The role of local government in advancing green buildings focuses on increasing public and construction industry awareness of green buildings and making green building practices easier to implement by:

- developing green building policy;
- educating/informing the public about green buildings and promoting their use;
- educating/informing the building/construction industry about green buildings, and promoting green building construction practices;
- providing technical tools and resources;
- offering incentives and assistance to encourage the use of green building practices and technology.

Green Building Role for the Regional District of Nanaimo

The Regional District of Nanaimo could play a leadership role in expanding market demand for green buildings and make green building practices easier to implement in the region by conducting a green building project. It is anticipated that a green building project could include the following elements:

- a Board member tour of nearby green buildings to gain a better understanding of the opportunities and challenges of building green;
- liaison with other local governments to gain a better understanding how green building practices can be advanced within the region;
- workshops with the local construction industry and residents to share information about green building practices;
- educational seminars about the Leadership in Energy and Environmental Design standard for green buildings;
- publication and dissemination of resource material for residents and the local construction industry that describes the benefits of green buildings and provides information regarding how to make buildings green;
- establishment of a directory of resources for green buildings to link providers of green building technology and services with those who may wish to build green;
- development of corporate policy regarding green buildings;
- examining barriers to green construction practices and to recommend methods of eliminating these barriers; and
- providing incentives and assistance to encourage the use of green building practices and technology.

It is anticipated that Regional Growth Management Services staff could initiate a green building project including some of the elements described above with an introductory allocation of approximately \$30,000. The Board would be able to determine in future years if it wishes to continue with such a project.

ALTERNATIVES

1. To receive the report, and request staff to develop terms of reference for a project to promote green building in the region.
2. To receive the report, and not pursue a project to promote green building in the region at this time.

FINANCIAL IMPLICATIONS

Resources for a green building project could be included in the Regional Growth Management Services work program and budget for 2005. Additionally, there are a wide variety of potential funding sources

for green building programs and initiatives that the Regional District could seek to supplement such a program, such as the Federation of Canadian Municipalities Green Municipal Funds Program and the Ministry of Community, Aboriginal and Women's Services Smart Development Partnerships Program.

GROWTH MANAGEMENT IMPLICATIONS

A green building program would help make the region more sustainable, the overall purpose of the Regional Growth Strategy. It would provide a direct contribution towards the achievement of the Regional Growth Strategy environmental protection goal, which is to protect the environment and minimize ecological damage related to growth and development.

ENVIRONMENTAL IMPLICATIONS

A green building program would help address environmental problems caused by poor building performance. It would result in the construction of buildings that are more environmentally compatible because they require less resources to construct, operate and maintain, and because they result in fewer harmful emissions to the environment. Since green buildings typically result in the use of fewer resources and the re-use of existing materials, a green building program would result in less solid waste disposal at the regional landfill and contribute towards the achievement of the Regional District's Solid Waste Management Plan objective of 'zero waste'.

PUBLIC CONSULTATION IMPLICATIONS

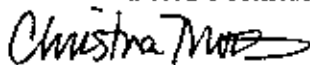
The Regional Growth Monitoring Advisory Committee recommended that the Regional District of Nanaimo implement a green building program as a result of the public feedback received at the Sustainability Workshop conducted by the Regional District in April of 2004.

SUMMARY

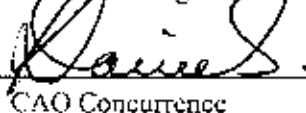
Information about green buildings is provided in response to the July 13, 2004 Board resolution directing staff to prepare a report for the Board's consideration about green buildings. Green buildings are buildings that require less energy to operate, contribute fewer emissions to the environment, conserve water, generate less solid waste, and provide more comfortable and productive environments for their inhabitants. Local government, including the Regional District of Nanaimo, may be in a position to provide leadership in the area of green building technology, through promotional and educational efforts and other related initiatives. It also provides an opportunity for the Regional District to demonstrate its commitment to regional sustainability, as envisioned in the Regional Growth Strategy. The development of terms of reference for a green building project would provide more detailed information for the Board to consider in conjunction with the 2005 budget process.

RECOMMENDATIONS

1. That the August 31, 2004 report, "Green Buildings", be received.
2. That terms of reference for a project to promote green building in the region be developed for the Board's consideration.



Report Writer


General Manager Concurrence
CAO Concurrence



REGIONAL DISTRICT OF NANAIMO		
SEP - 3 2004		
CHAIR		GMCrs
CAO		GMDS
GMCS		GMES
<i>Colby</i>		

MEMORANDUM

TO: Tom Osborne
Manager of Recreation and Parks

DATE: September 2, 2004

FROM: Joan Michel
Parks and Trails Coordinator

File: 3900-20-1399

SUBJECT: Draft Bylaw to Provide for the Regulation of Park Use in the RDN

PURPOSE

To receive a *draft* bylaw regulating regional and community park use in the RDN, and authorize dissemination and referral of the bylaw to the public and partner agencies for comment.

BACKGROUND

The Region's park portfolio has grown dramatically over the last five years. Since 1999, regional parklands have increased from approximately 23 ha to 367 ha and community parklands from 123 ha to 211 ha. This does not include approximately 60 km of regional trail and 17 beach or water accesses that have come under RDN park management during the same period. This portfolio of park, trail and beach accesses, which includes a range of facilities from campgrounds to large bridge structures and a considerable amount of forest land and riparian area, requires regulation. Currently, the 1992 Electoral Area 'B' Community Parks Regulation Bylaw No. 842 constitutes the sole regulation of park use in the RDN.

In recent years, a number of jurisdictions on Vancouver Island and the lower mainland have developed or updated their park use regulations. These regulations form the basis for the *draft* bylaw. The bylaw also reflects recent legislative change in BC related to the *Community Charter*, change that has altered the nature of the Region's authority on parkland and the Region's ability to regulate, delegate, impose penalties and enter neighbouring private lands. By and large however, the specific regulations of the proposed bylaw address the typical issues associated with public use of public parks lands including, for example, the unlawful falling of park trees. Note that the existing Electoral Area 'B' bylaw would be repealed and replaced by the proposed region-wide bylaw.

The need to regulate use of RDN parkland increases with the amount and complexity of development within a park. Schedule 'A' of the bylaw details all properties subject to park use regulation, broken down by electoral area and level of development. The majority of parks in the Region are not developed. In contrast, the two regional campground parks, Home Lake and Descanso Bay, are quite developed in terms of public use and consequently require the most regulation of all RDN parklands. It is proposed that the Park Operators for each of the campground parks be made bylaw enforcement officers for those parks specifically in order to facilitate effective and timely regulation of the properties. For the balance of the park portfolio, it is proposed that RDN park staff acquire bylaw enforcement authority in order to

permit timely ticketing of offenders. Existing RDN bylaw enforcement staff can provide additional support to Parks staff as required.

Revenues from enforcement of the proposed park use bylaw will be returned to the parks function (community or regional, as applicable) and will help defray the cost of park maintenance and development, including the erection of signage about appropriate park use. Proposed fines for major infractions such as the unlawful removal of large trees on park property will help defray the legal cost of pursuing miscreants under civil law for replacement value.

A number of community parks (e.g., Wildwood in Electoral Area 'H') and regional parks (e.g., Nanaimo River, Benson Creek Falls and Englishman River), along with all regional trails and beach accesses are secured by lease, license or permit and not title. The Crown or private landowners may own these leased lands. Legal opinion confirms that the proposed park use bylaw will have effect wherever the Region is exercising its park function and is not affected by the nature of the land holding, unless specifically stated in the lease, license or permit.

It is proposed that the *draft* park use bylaw be disseminated to the general public for comment via the RDN web site, forwarded for comment to the four municipalities and four Parks and Open Space Advisory Committees within the Region, and sent out for information and comment to provincial and federal agencies, land trusts, major forest companies and other large private landowners, all of whom own land hosting RDN park or trail or have committed to doing so. After a three-week review period, a final *draft* will be returned to the Board for review and approval in November 2004.

ALTERNATIVES

1. To receive the *draft* Bylaw to Provide for the Regulation of Park Use in the Regional District of Nanaimo and approve the Bylaw's dissemination to the public and partner agencies and organizations for comment.
2. To provide alternative direction to staff regarding the *draft* Bylaw.

FINANCIAL IMPLICATIONS

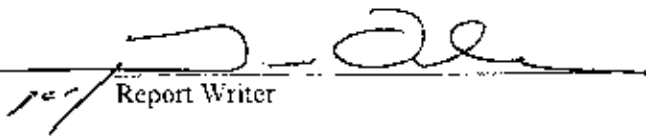
The cost to produce the Bylaw to Provide for the Regulation of Park Use in the RDN is included in the 2004 Parks budget.

SUMMARY

The Regional District of Nanaimo's park portfolio, consisting of regional and community park, trail and beach accesses, has grown dramatically over the last five years. Regulations are required to clarify what constitutes inappropriate use of these parklands and to define sanctions that will apply in the event of inappropriate use. The park use Bylaw generally mirrors those in place in other jurisdictions on Vancouver Island and the lower mainland of BC. It is proposed that the *draft* bylaw be disseminated for comment to the general public via the RDN web site, Electoral Area Park and Open Space Advisory Committees, the four municipalities, and provincial and federal agencies, land trusts, major forest companies and other large private landowners owning land hosting RDN park or trail. Following public review, a final report and Bylaw will be presented to the Board in November 2004.

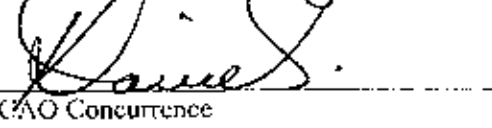
RECOMMENDATION

That the *draft* 'Bylaw to Provide for the Regulation of Parks in the Regional District of Nanaimo' be received and that staff be authorized to disseminate the Bylaw for public comment.


Report Writer


Manager Concurrence


General Manager Concurrence


CAO Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1399

A BYLAW TO PROVIDE FOR THE REGULATION OF PARK USE IN THE REGIONAL DISTRICT OF NANAIMO

WHEREAS by Supplementary Letters Patent dated October 19, 1972, amended September 21, 1979, the Regional District of Nanaimo was granted "Division XI – Park and Green Belt Acquisition" functions;

AND WHEREAS Bylaws No. 798 to 806 converted the community parks functions to a local service for each of Electoral Areas A, B, C, D, E, F, G and H respectively;

AND WHEREAS the Regional District of Nanaimo may, by bylaw, establish regulations, prohibitions and requirements with respect to the management, maintenance, improvement, operation and use, including establishing a system of licenses, permits and approvals with or without terms and conditions, with respect to regional and community parks, trails and other land the District holds for the purpose of parks;

AND WHEREAS the Board of the Regional District of Nanaimo is desirous of establishing such regulations, prohibitions and requirements;

NOW THEREFORE, the Board, in open meeting assembled, enacts as follows:

SECTION 1 TITLE

1.1 This Bylaw may be cited as "Regional District of Nanaimo Park Use Regulations Bylaw No. 1399, 2004."

SECTION 2 REPEAL

2.1 Bylaw No. 842, Regional District of Nanaimo Electoral Area 'B' Community Parks Regulation Bylaw No. 842, 1992, is hereby repealed.

SECTION 3 APPLICATION AND EXEMPTIONS

3.1 This bylaw is applicable to all parks, as defined in Section 4 of this bylaw and without restricting that definition includes properties identified in Schedule "A", within Electoral Areas 'A', 'B', 'C', 'D', 'E', 'F', 'G' and 'H' of the Regional District of Nanaimo.

3.2 Notwithstanding anything contained in this bylaw,

- i. District employees are exempt from this bylaw while carrying out their duties or performing their functions;
- ii. District contractors and agents are exempt from this bylaw while carrying out their duties or performing their functions only when such exemption is provided for in their terms of engagement; and,
- iii. where the District holds park under subparagraph 4.1(q)(iv) below, the person or agency granting the lease, license, statutory right-of-way or permit is exempt from this bylaw, unless otherwise provided under the terms by which the District holds the land.

SECTION 4 INTERPRETATION

4.1 In this bylaw:

- (a) **"Animal"** means any organism other than man.
- (b) **"Authorized personnel"** means District employees and contractors.
- (c) **"Bylaw Enforcement Officer"** includes a peace officer or a person appointed as a Bylaw Enforcement Officer by the Board of the Regional District of Nanaimo.
- (d) **"To camp"** means to sleep overnight with or without a shelter of any kind including, but not restricted to, a motor vehicle, recreational vehicle, tent, lean-to or other natural shelter.
- (e) **"Campground Rules"** mean the regulations, prohibitions and requirements, including fees and conditions of use, as described in Schedule "B" that apply in District parks containing campgrounds.
- (f) **"Common facilities"** mean anything other than natural park features, and include toilets, showers, shelters, water pumps, stairs, boardwalks, decks, congregate spaces, notices or signs, bridges, trails, docks and wharves, kiosks, gates, fences, picnic tables, and benches.
- (g) **"Curfew hours"** mean the time between 11 pm and 7 am.
- (h) **"Cycle"** means a device having any number of wheels that is propelled by human power and upon which one or more persons may ride.
- (i) **"Designated campsite"** means an authorized and numbered space for overnight camping by a registered camper.
- (j) **"District"** means the Regional District of Nanaimo.
- (k) **"District Manager"** means the Regional District of Nanaimo Manager of Recreation and Parks.
- (l) **"Household or other garbage"** includes garbage, trash, refuse, cans, bottles, papers, ashes, cuttings or other waste of any kind, including toxic and hazardous substances, that is not generated by a person in connection with reasonable park use.
- (m) **"Leash"** means a chain or other material, not exceeding two (2) metres in length, suitable for control of the type and size of animal attached to the leash.
- (n) **"Litter"** means any garbage, cans, bottles, papers, ashes, refuse, cuttings, trash or rubbish generated by a person while in the park and engaged in activities ordinarily connected with reasonable park use.
- (o) **"Management Plan"** means a guiding document approved by the District for the use, operation and maintenance of one or more parks.
- (p) **"Natural park feature"** includes any native or non-native tree, shrub, flower, berry, bough, grass or plant of any kind; soil, sand, gravel, rock, mineral, wood, fallen timber or other living or dead natural material.
- (q) **"Park"** means any property that:
 - i. the District has possession and control of pursuant to the *Park (Regional) Act* or "Regional Trails Regulation";
 - ii. the District has possession and control of pursuant to Section 941 of the *Local Government Act*;
 - iii. for the purpose of park, the District holds in fee simple;
 - iv. for the purpose of park, the District holds by Crown Lease or Crown License, by permit or lease from the Ministry of Transportation, or by lease, statutory right-of-way or occupancy or access agreement with a private landowner; and
 - v. the District acquires possession or control of, holds or otherwise has an interest in, has a license or access to, for the purpose of park, further to any of subparagraphs 4.1(o)(i)-(iv) subsequent to the enactment of this bylaw;
 and includes property commonly referred to as regional parks and trails, community parks and trails and water or beach accesses.
- (r) **"Park Use Permit"** means a permit for special use of a park.

- (s) **“Peace Officer”** means a constable or a person having the powers of a constable and includes a member of the Royal Canadian Mounted Police.
 - (t) **“Petroglyph”** means a rock carving typically made by First Nations people and of recognized historic and cultural value.
 - (u) **“Pictograph”** means a rock painting typically made by First Nations people and of recognized historic and cultural value.
 - (v) **“Registered camper”** means a person who has purchased use of a designated campsite.
 - (w) **“Special use”** means:
 - i. any commercial or non-commercial service, activity or event that is intended to attract or requires participants or spectators and includes: a festival; competition; tournament; procession, drill, performance, concert, gathering, march; fishing derby; show; party; outdoor ceremony; regatta; animal show; group training or lesson or recreational programming; operation of a model airplane, vehicle or vessel; television or motion picture filming; and research, survey or petition activity;
 - ii. any use of reservable common facilities; and.
 - iii. any incursion onto park property for non-park purposes including access for water lines, structures, road, signs or fences.
 - (x) **“Sun shelters”** include any lightweight open-sided structure intended for use as a sunscreen.
 - (y) **“Traffic control device”** means a sign, signal, line, parking meter, marking, space barrier, or device placed or erected in order to control vehicular or non-vehicular traffic flow on roads, parking lots, trails and bridges.
 - (z) **“Vehicle”** means a device in, upon or by which a person or thing is or may be transported or drawn upon a highway, except a device designed to be moved by human-power or used exclusively upon stationary rails or tracks. Without limiting the generality of the foregoing, this provision includes cars, trucks, motorcycles, scooters, recreational vehicles, and trailers but does not include mech-scooters and wheelchairs.
 - (aa) **“Vessel”** includes any ship, boat, seaplane, parasail, sail board, kite board, canoe, kayak, row boat or paddle boat used or other device designed to be used for navigation on, in or under water.
- 4.2 The intent of this bylaw is to permit the reasonable use of parks by the public in a manner that accommodates individual rights, including the rights of freedom of assembly and freedom of expression, within the context of operating parks that are intended to provide the benefits of outdoor recreation and enjoyment for the general community and preservation and protection of natural park features.
- 4.3 In the event that any portion of this bylaw is declared *ultra vires* by a court of competent jurisdiction, then such portion shall be deemed to be severed from the bylaws and the remainder of the bylaw shall continue in full force and effect.
- 4.4 When the singular or neutral are used in this bylaw they include the plural or the feminine or the masculine or the body politic, and vice versa, where the context or the parties require.
- 4.5 The headings to the clauses in this bylaw have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this bylaw or any provision of it.
- 4.6 For certainty and clarity, this bylaw applies to all parks currently held by the District and any subsequent acquisitions.

SECTION 5 PARK REGULATIONS, PROHIBITIONS AND REQUIREMENTS

5.1 Rules and Signage

Every person shall comply with this bylaw, campground rules, traffic control devices and any other regulations, prohibitions or requirements where such additional regulations, prohibitions or requirements have been authorized by the District Manager and identified on posted signage.

5.2 Delegation

- (a) Where a provision of this bylaw makes reference to the District Manager, or authorized personnel, then the District Manager, or authorized personnel, as the case may be, are authorized to so act.
- (b) Without limiting the generality of the foregoing, the District Manager is authorized to:
 - i. post signs that may identify additional regulations, prohibitions or requirements consistent with the intent of this bylaw;
 - ii. deal with park use permits further to section 5.19, including authorizing the exclusive use of a park; and,
 - iii. remove or cause to be removed from a park:
 - (A) any obstruction placed therein contrary to the provisions of this bylaw;
 - (B) anything erected therein contrary to the provisions of this bylaw;
 - (C) any vehicle parked or left standing therein contrary to the provisions of this bylaw
 - (D) any sign placed therein contrary to the provisions of this bylaw;
 - (E) any vehicle being used or driven in a manner contrary to the provisions of this bylaw; or
 - (F) any vessel parked or moored contrary to the provisions of this bylaw.
- (c) Without limiting the generality of the foregoing, authorized personnel, including the District Manager, are authorized to:
 - i. post signs or traffic control devices in parks that:
 - (A) designate the maximum speed to be traveled by vehicles on roads, parking lots, trails and bridges;
 - (B) designate areas where parking of vehicles is permitted;
 - (C) designate the direction that vehicles are to travel upon roadways;
 - (D) designate areas that are to be used for certain functions or purposes;
 - (E) set out rules and regulations governing the use of certain facilities;
 - (F) designate areas in which certain activities are prohibited;
 - (G) limit the use of roadways or other facilities;
 - (H) give warning of danger; and,
 - (I) prohibit entry to the park or facilities;
 - ii. remove any person from a park who fails to leash their animal when requested; and,
 - iii. restrict or prohibit access to water bodies within a park.

5.3 Public Conduct

- (a) No person shall:
 - i. behave in a disorderly, dangerous, violent or offensive manner, or molest or injure another person or another person's property;
 - ii. loiter or engage in public display of lewd or sexual acts;
 - iii. obstruct or interfere with any person or traffic lawfully using a park or any common facilities located therein; or
 - iv. hinder, deter or interrupt any person in the exercise of any of their duties in charge of any special use activity or event.
- (b) No person except the holder of a park use permit granting specific exemption shall:

- i. make or cause noises or sounds, including yelling, screaming, the blowing of horns and the playing of musical instruments, radios, tape players, compact disc players, vehicle sound systems or similar devices or as produced by the operation of model cars, boats or airplanes or any equipment, generators, vehicles, vessels or machinery, which disturb or tend to disturb the quiet, peace, enjoyment, and comfort of others in the park, adjacent landowners or persons in the vicinity; or
 - ii. make, play or cause to be made or played electrically or electronically amplified sound of any kind.
- (c) All persons shall use toilets to relieve themselves if toilets are provided in a park. Where no toilet is provided, no person shall relieve themselves in public view or within 300 metres of a private residence outside the park.
- (d) No person may consume or possess liquor, except:
- i. holders of a park use permit granting exemption; and
 - ii. registered campers and their guests within designated campsites.
- (e) No person shall enter or otherwise remain within a park for any purpose whatsoever during curfew hours, except:
- i. a registered camper;
 - ii. a person using a Level 3 park as described in Schedule "A";
 - iii. a person who has a park use permit granting exemption; and
 - iv. the houseguests of a contractor occupying a park residence.

5.4 Vehicles

- (a) No person shall:
- i. drive, propel or otherwise operate any vehicle, except
 - (A) on designated roadways or in designated parking areas;
 - (B) in conformance with traffic control devices;
 - (C) in such a manner that natural park features are not disturbed; and
 - (D) where applicable, in conformance with a park use permit;
 - ii. drive, propel or otherwise operate an all terrain vehicle (ATV), dirt bike or recreational motorcycle;
 - iii. drive a vehicle in such a manner as to disturb the enjoyment of the park by other persons;
 - iv. bring in or allow to remain in a park a mobile home, whether or not outfitted for use as accommodation; or
 - v. clean, repair or carry out maintenance on a vehicle.
- (b) Where no speed limit is posted, no person shall drive a vehicle at a greater speed than 10 kilometres per hour.

5.5 Parking

- (a) No person except the holder of a park use permit granting exemption shall:
- i. park a vehicle anywhere except in designated parking areas;
 - ii. park or station a vehicle in such a manner as to impede the proper use of a road or parking area;
 - iii. park or station a vehicle in contravention of a traffic control device; or
 - iv. park or station an ATV, dirt bike or recreational motorcycle.
- (b) No person except a registered camper or the holder of a park use permit granting exemption shall park or leave a vehicle in a park during curfew hours.
- (c) Vehicles, and ATVs, dirt bikes and recreational motorcycles parked, stationed or left in violation of this bylaw, traffic control devices or posted signs may be towed away immediately, at the owner's expense.

5.6 Camping

- (a) No person shall camp in a park, except a registered camper in a Level 1 park.
- (b) Without limiting the applicability of this bylaw, all registered campers shall abide by campground rules as described in Schedule "B" and any other authorized regulations, prohibitions or requirements posted at District campgrounds.

5.7 Vessels

- (a) No person except the holder of a park use permit granting exemption shall:
 - i. launch or remove a vessel from a body of water except:
 - (A) from a designated boat launch ramp, or
 - (B) by physically carrying, and not dragging, the vessel to and from the water;
 - ii. be off designated roadways or interfere with natural park features in order to launch a vessel;
 - iii. operate a vessel within an area designated by signs or buoys for swimming or along waterfront in a way that will endanger, disturb or otherwise interfere with the free use of the water for the purpose of bathing and swimming except in the immediate vicinity of a boat launch and for the purpose of approaching or moving away from the boat launch on a line perpendicular to shore;
 - iv. run a vessel ashore except in designated boat beaching areas;
 - v. impede or endanger pedestrian movement along a beach or foreshore;
 - vi. moor a vessel to dry land; or
 - vii. store a vessel on land or water.
- (b) No person except a registered camper or the holder of a park use permit granting exemption shall leave a vessel on land or water during curfew hours.
- (c) No person shall bring in, park, station, operate, launch or run ashore a personal watercraft.
- (d) When on the water, all persons operating a vessel shall abide by Canadian Coast Guard regulations. No person shall exceed the Coast Guard shoreline speed restriction of 10 kilometres per hour (5.4 knots or 6.2 miles per hour) while operating within 30 metres (100 feet) of shore.

5.8 Cycling and Horseback Riding

- (a) No person shall operate a cycle or ride a horse:
 - i. where prohibited by traffic control devices or posted signs;
 - ii. along a beach or below any water course's top of bank, natural boundary or high tide mark unless on a trail identified by posted signs as permitting cycle or horse use; or
 - iii. in such a way as to damage natural park features, common facilities or other improvements including roadways and trails.

5.9 Domestic and Wild Animals

- (a) No person, except a person with a disability accompanied by a guide animal on a leash, shall bring a domestic animal into a park or a section of park where such animals are prohibited by posted sign.
- (b) No person shall permit a domestic animal to run, roam or graze at large.
- (c) A person having custody of an animal must exercise effective control over the animal by restraining it with a leash or by having the animal respond and return immediately when called by the handler.
- (d) A person having custody of an animal must exercise control over the animal to ensure that it causes no annoyance, including barking for a continuous period of ten (10) seconds or more, or injury to wild animals or any person or their animal(s), and no damage to any public or private property, natural park feature or common facility.

- (c) A person having custody of an animal shall when requested by authorized personnel restrain the animal with a leash or remove the animal from a park.
- (f) A person having custody of an animal must remove any excrement deposited by the animal to a waste container. This provision does not apply to Level 4 parks as identified in Schedule "A" unless signed to the contrary at a park.
- (g) No person shall:
 - i. feed, snare, trap, catch or hold by any means or purposely disturb, frighten, molest or injure any wild animal; or
 - ii. store or set out food in a way that will attract wild animals.

5.10 Firearms, Hunting, Fishing and Shellfish Harvesting

- (a) No person except the holder of a park use permit granting exemption shall hunt or carry or discharge any firearm, air gun, blank ammunition starting pistol, bow or crossbow, slingshot or similar device.
- (b) No person shall fish or harvest shellfish without having the requisite provincial or federal license.
- (c) No person shall fish or harvest shellfish
 - i. in a designated swimming area, or
 - ii. in a way that impedes or endangers the free use of waterfront by swimmers and bathers.

5.11 Garbage and Pollution

- (a) No person shall deposit or leave litter in or upon a park except in the containers provided for such purpose.
- (b) No person shall bring in, deposit or leave any household or other garbage in or upon a park.
- (c) No person operating a recreational vehicle shall release sewage except where a sanitation is provided for that purpose.
- (d) No person shall foul or pollute in any way, including washing in a lake, stream or river or around wells, any area of water including wells and water pumps.
- (e) No person shall observe oil, gasoline or other undesirable spills on land or water and including a well without immediately alerting authorized personnel.

5.12 Damage and Interference

- (a) No person shall:
 - i. alter, remove, move, deface, cut, damage or destroy any building or structure or other improvement, common facility or other fixture;
 - ii. alter, deface, cut, scrape, grind, bury or uncover or otherwise damage any petroglyph or pictograph;
 - iii. remove or deposit soil or gravel;
 - iv. store any material or objects of any kind;
 - v. climb, walk or sit upon any wall or fence, or climb up on or jump off of a bridge;
 - vi. damage or destroy the utility of any court or play structure or in any way interfere with or obstruct their free use by those lawfully entitled to use them;
 - vii. bring in, build or cause to be built any temporary or permanent structure including a fence or playground equipment;
 - viii. erect a tent or other permanent or temporary shelter or set up an encampment. Sun shelters having a footprint no greater than three metres by three meters are excluded from this provision; or
 - ix. obstruct or cause to obstruct public access to a park.
- (b) No person shall place graffiti on walls, pavement, common facilities, natural park features, petroglyphs or pictographs or elsewhere in a park.

- (c) No person shall let off, turn on, or discharge any water so that the water runs to waste out of any tap, pipe, hose or other fixture.

5.15 Fire

- (a) No person except the holder of a park use permit granting exemption shall:
 - light a fire except in designated fire pits provided for that purpose, or in a portable hibachi, barbecue or propane stove; build a fire exceeding 1-metre in height; or set off any fireworks or other explosive material.
- (b) No person shall discard on the ground or into a garbage container any lighted or burning matter including a match, cigar or cigarette.
- (c) No person shall observe a fire not in a designated fire pit without immediately alerting authorized personnel.

5.16 Natural Environment

- (a) No person except the holder of a park use permit granting exemption shall:
 - i. remove, move, cut, prune, top, apply herbicides, fungicides or insecticides to, or damage or destroy any natural park feature;
 - ii. pick wild or cultivated flowers, salal, coniferous boughs or other plants except edible berries;
 - iii. deposit plant waste, debris or compost; or plant or fertilize any vegetation.
- (b) Without limiting the foregoing, no person except the holder of a park use permit shall alter, disturb or harm natural park features for the purpose of creating a play space, cycle jump, game course or other defined area for playing.

5.17 Play

- (a) No person shall play ball or any games so as to molest or interfere with or become a nuisance to others.
- (b) The playing of any games on or in any court, playground, ball field or anywhere else may be restricted and regulated at any time by authorized personnel.

5.18 Special Use and Commerce

- (a) Except for authorized personnel or where authorized by a park use permit, no person shall:
 - i. undertake or engage in a special use;
 - ii. carry on a commercial or industrial undertaking of any kind or nature or provide professional, personal or other services;
 - iii. post, paint or distribute any advertisement, sign, handbill, pamphlet, poster or placard of any kind; or
 - iv. operate, park or station any vehicle displaying advertising or equipped with a public address system.

5.19 Park Use Permits

- (a) Application for a park use permit shall be made to the District Manager who may:
 - i. grant, refuse, revoke, renew or refuse to renew a park use permit;
 - ii. establish a permit fee amount above the minimum required as described in Schedule "C";
 - iii. impose terms and conditions on obtaining, holding or renewing a park use permit;
 - iv. determine the amount of a park use permit fee refund in the event of a cancellation; or
 - v. refer an application to the District Board for determination.

- (b) An applicant for a park use permit may appeal the decision of the District Manager to the District Board by submitting a written request to the Board Chairman within 15 days of issuance of a decision by the District Manager.
- (c) A park use permit application must be accompanied by the required fee, damage deposit and proof of comprehensive general liability insurance, as set out in Schedule "C".
- (d) Conditions associated with a park use permit may include:
 - i. the confinement of a special use to a specific location within a park, to certain time periods or to participation by certain people;
 - ii. that the applicant supply, install and service additional garbage receptacles or portable toilets or pay the District for additional servicing required as a result of the permitted activity;
 - iii. that the applicant provide and pay for the provision of appropriate fire and police or security protection during the course of the special use;
 - iv. restrictions on the use of generators and other mechanical, electrical or electronic devices; the playing of live or recorded music; and the erection or placement of any temporary structures, seating, tables, flags, banners or other gear associated with the special use activity;
 - v. specific exemptions from provisions of this bylaw;
 - vi. any other terms and conditions specific to the nature of the special use requested given consideration of the impact of the special use on the park, park users and neighbours; and
 - vii. any other terms and conditions consistent with the intent of this bylaw.
- (e) A park use permit may not be issued unless all the following criteria are met:
 - i. the special use conforms to any management plan produced for a park;
 - ii. the location of the permitted activity will not cause a significant or permanent negative environmental impact on the park and is sensitive to the use of the park by others;
 - iii. the applicant assumes full responsibility for the special use and indemnifies the District to its satisfaction; and
 - iv. the applicant has satisfied the requirements of paragraphs (c) above and agreed to the conditions set out in his park use permit.
- (f) Without limiting the authority of the District Manager, a park use permit may be refused if the applicant has previously contravened this bylaw.
- (g) The holder of a park use permit must also comply with the regulations, prohibitions and requirements of all other government bodies and local authorities including this and other District bylaws, unless specifically exempted in writing.
- (h) In addition to any other penalties and enforcement actions, where the holder of a park use permit has not satisfied the terms and conditions of his permit:
 - i. a park use permit may be revoked;
 - ii. a park use permit fee or a damage deposit may be forfeited to the District;
 - iii. the District may exercise any rights under the applicant's insurance; and
 - iv. the applicant may be required to pay, at the rate specified in Schedule "C", the cost of preparations, repairs, clean-up or park restoration undertaken by the District consequent to special use, failure to do so entitling the District to do the work at the applicant's expense.

SECTION 6 ENFORCEMENT

- 6.1 This bylaw may be enforced by Bylaw Enforcement Officers in the course of their duties.
- 6.2 A Bylaw Enforcement Officer may, in his sole discretion, order a person who does anything contrary to this bylaw or campground rules to:

- (a) cease and desist contravention of the bylaw;
 - (b) leave a park immediately or within a period of time specified by the Bylaw Enforcement Officer;
 - (c) remove or cause to be removed any animals, cycles, vehicles, vessels, structures, buildings or other things that are in contravention of the bylaw; or
 - (d) restore any damage caused to natural park features, common facilities or other park property;
- and every person so ordered shall comply.

6.3 Bylaw Enforcement Officers and District employees may enter onto private property, with or without consent of the landowner, for the purposes described in, and in accordance with, Section 16 of the *Community Charter*.

SECTION 7 PENALTIES

- 7.1 Any person who contravenes a provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw or who refuses or omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by this bylaw, is guilty of an offence and:
- (a) on summary conviction, is liable for a fine of not less than \$50.00 and not more than \$10,000; or
 - (b) on conviction of a ticket offence under the Municipal Ticket Information Bylaw, is liable for the fine imposed under that bylaw.

SECTION 8 REMEDIAL ACTION

- 8.1 Where a person has damaged or removed any natural park feature or common facility, the person is required to replace that natural park feature or common facility with one of similar value, or pay an equivalent amount to the District upon demand.
- 8.2 Where a person has been requested to do something under a provision of this bylaw, and that thing has not been done within the time specified:
- (a) authorized personnel may fulfil the requirement at the expense of the person;
 - (b) authorized personnel may enter onto the person's property, if necessary or convenient, to fulfill the requirement; and
 - (c) the District may recover the costs incurred from that person as a debt.

Introduced and read three times this 23rd day of November 2004.

Reconsidered and adopted this 23rd day of November 2004.

Chairman

General Manager, Corporate Services

Schedule "A"

DISTRICT PARKS

Electoral Area	Location/Name	Legal Description	Type ¹
Level 1 Parks – Parks with Campgrounds			
B	Descanso Bay		RP
H	Horne Lake		RP
Level 2 Parks – Improved Parks and Trails			
A	3500 Hallberg Road Morden Colliery Trail Nanaimo River	Bright LD, DL7 L32, PID 002706831, Plan 25967 Cedar LD, S14 R1 Pci B (DD6974-N), Plan 59634 Cranberry LD, S12 R8 L1, DD6974-N Cedar LD, S15 R1 L1, Plan VIP66841 Cranberry LD, S7 R8 PID 008996318 Cranberry LD, S6 R8 W25 ac S6RS, PID 008996369	O RT RP
B	1574 Whalebone Drive 1612 Whalebone Drive 1656 Whalebone Drive 1748 Tashtego Cres. Rollo McClay Joyce Lockwood Descanso Road #26 El Verano #38	Nanaimo Gabriola LD, S31, Plan 17658 Nanaimo Gabriola LD, S31, Plan 17658 Nanaimo Gabriola LD, S31, Plan 17658 Nanaimo Gabriola LD, S31, Plan 17658 Nanaimo Gabriola LD, S18, Plan VIP51655 Nanaimo Gabriola LD, S16 UCL (N of S16 & E of S31), Plan 17658 Nanaimo Gabriola LD, S18 Nanaimo Gabriola LD	CP CP CP CP CP CP BA BA
C	2201 Bramley Road	Cranberry LD, R2 S11 L1, PID 001992627, Plan 42672	O
E	Jack Bagley Nanoose Place Fire Hall 2457 Nanoose Road Brickyard Beachcomber	Nanoose LD, DL6 Lot A, PID 001486772, Plan 13317 Nanoose LD, DL6, L2, PID 016373677, Plans 21878 & 50996 Nanoose LD, D130 L7 Plan 27190 Nanoose LD, DL130, L3, 4, 5 & 6, Plan 27190 Nanoose LD, DL78, Plan 47638 Nanoose LD, DL38 B1 A Lots 29 & 30, PIDs 00527640, 005276446, Plan VIP10777	CP O O CP CP RP

¹ Type: Community Park (CP), Community Trail (CT), Beach Access (BA), Other (O), Regional Park (RP), Regional Conservation Area (RCA), Regional Trail (RT).

F	Fire Hall	Nanoose LD, DL104 L1 PID 001384546 Plan 29491	O
	Fire Hall	Nanoose LD, B1 521 L40, PID 001081608 Plan 32293	O
	Fire Hall	Cameron LD, DL4 L1 PID 000018732 Plan 38539	O
G	1035 Maple Lane Drive Boulbec	Nanoose LD, DL1 Plan 30958 Nanoose LD, DL49 L66 PID 000166677 Plan 32604 Nanoose LD, DL49 Plan 40962, VIP75836, VIP76162	CP CP CP
	Hawthorne Rise	Newcastle LD, DL30 L1 PID 000591122 Plan 41282	O
	Fire Hall	Nanoose LD, DL81 Plan 42840	CP
	Needen Way 836 San Malo Crescent Women's Institute Hall	Nanoose LD, DL181 Plan 45190 Newcastle LD, DL11 Lot A PID 000158321, Plan 32528	CP O CP
	1000 Miraloma Drive 1046 Tara Crescent San Parcil Boardwalk	Nanoose LD, DL88 Plan 65008 Nanoose LD, DL29 Plan VIP69574	CP CT
		To follow	
H	Lighthouse Community Centre Sunnybeach Road #18	Newcastle LD, DL32 Lot A PID 008840024 Plan 45846 Newcastle LD; to follow	CP BA

Level 3 Parks – Commuter Trail

G	Barclay Crescent Bridge Fern Road Woods Trail	Nanoose LD, DL28 Nanoose LD, DL78	RT RT
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Level 4 Parks – Undeveloped Parks and Trails

A	1625 Fawcett Road 2931 Ivor Road 2180 Addison Way	Cedar LD, DL36 S16 R5, VIP14877 Cedar LD, S19 R4, Plans 35760 & 41900 Cedar LD, S10 R1 Lot D PID 002071681, Plan42783	CP CP CP	
	B	Malaspina Galleries 1463 Moby Dicks Way 1486 Moby Dicks Way 1645 Whalebone Drive 1961 Clamshell Drive 2061 South Road 1220 Fleet Street 1888 Stalker Road 1185 The Strand 3045 Coast Road	Plan 13535 Nanaimo Gabriola LD, S31, Plan 17658 Nanaimo Gabriola LD, S31, Plan 17658 Nanaimo Gabriola LD, S31, Plan 17658 Nanaimo Gabriola LD, S3, Plan 23476 Plan 24754 Nanaimo Gabriola LD, S18, Plan 30963 Nanaimo Gabriola LD, S4, Plan 41031 Nanaimo Gabriola LD, S18, Plan 45781 Nanaimo Gabriola LD, S4, PID 017390397, VIP 52510	CP CP CP CP CP CP CP CP CP

Level 4 Parks - Undeveloped Parks and Trails

	1103 Sea Fern Lane	Nanaimo Mudge LD, S26, Plan 15752	CP
	Petroglyph Trail	Nanaimo Gabriola LD, S2, VIP 66198	CT
	1412 Coates Drive	Nanaimo Gabriola LD, S9, Plan VIP69975	CP
	De Courcy Island	Nanaimo De Courcy LD, S24, Plan VIP71391	CP
	Cox Community Park	Gabriola LD, S20, PID 002138719, Rem N1/2 of N1/2 of S20	CP
	Link Bay Road	Nanaimo De Courcy LD, S24, Plans 39964 & 46938	CP
	1412 Coates Road	Nanaimo Gabriola LD, S10, Plan VIP75929	CP
	Decourey Drive	Nanaimo Gabriola LD, S21, PID 004799071, Plan 12655	CP
	Decourey Drive #15	Nanaimo Gabriola LD	BA
	Tinson Road #011	Nanaimo Gabriola LD	BA
	Spring Beach #044	Nanaimo Gabriola LD	BA
	The Strand #87	Nanaimo Gabriola LD, S4	BA
C	596 Second Avenue	Cranberry LD, R2 S12, Plan 716	CP
	2840 Riverbend Road	Plan 38144	CP
	2966 Forever Road	Plan 38144	CP
	1919 Ptecas Road	Cranberry LD, R5 S13, Plan 50377	CP
	1563 Nanaimo River Road	Plan VIP59461	CP
	431 Virostko Road	Cranberry LD, R2 S13, PID 009694854, VIP69191 & Plan DD4495N Pcl C	CT
	1730 Nanaimo River Road	Douglas LD, DL3 I.9, PID 025418581, VIP73765	CP
	Trans Canada Trail	Bright & Cranberry LDs	RT
	Haslam Creek Bridge	Bright LD, BI 87	RT
D	Benson Creek	Mountain LD, R1 S18 BI A, Plan VIP4TU1485	RP
E	3005 Dolphin Drive	Nanoose LD, DL78, Plan 14212	CP
	Blueback	Nanoose LD, DL78, Plan 15983	CP
	Crowsnest	Nanoose LD, DL78 Plan 22994	CP
	2450 Collins Crescent	Nanoose LD, DL6 Plan 23588	CP
	Utility	Nanoose LD, DL68, L1 PID 002066734, Plan 27376	O
	Enos Creek	Nanoose LD, DL78, Plan 29112	CP
	1808 Amelia Crescent	Nanoose LD, DL68, L86, PID 001271482, Plan 30341	CP
	2940 Powder Point Road	Nanoose LD, DL78, Plan 36514	CP
	Utility	Nanoose LD, DL6 L22 PID 000978060, Plan 38573	O
	2297 Weston Place	Nanoose LD, DL6 Plan 38573	CP
	1542 Crab Road	Nanoose LD, LD52, Plan 44310	CP
	8428 Running Road	Nanoose LD, DL186, Plans 47433 & 47639	CP
	3471 Carnichael Road	Nanoose LD, DL78 Plan 51142	CP/CT
	Henley Place	Nanoose LD, DL30, 78, Plan 51707	CP/CT
	Arbutus Grove	Nanoose LD, DL117 Plan 43915	CP
	Wall Estate	Nanoose LD, DL22 Plan 50198	CP
	3383 Redden Road	Nanoose LD, DL30 Plan 53134	CP/CT
	Dolphin Lake	Nanoose LD, DL30 Plan 60049	CP
	Schooner Ridge	Nanoose LD, DL78, 30, Plan 59180	CP
	Dolphin Marsh	Nanoose LD, DL30, 78 Plan 60602	CP
	Claudet Road	Nanoose LD, DL62 L1 PID 002732548, Plan 26234, Lot A PID 011167084, Plan 46810	CP

Level 4 Parks – Undeveloped Parks and Trails

	2453 Ainsley Place	Nanoose LD, DL78, Plan VIP68559	CP
	2531 Rowland Road	Nanoose LD, DL67, Plan VIP75472	CP
F	3529 Harris Crescent	Cameron LD, DL74 Plan 24741	CP
	2753 Old Alberni Hwy	Nanoose LD, DL143 Plan 37624	CP
	1281 road	Nanoose LD, DL140 Plan 37952	CP
	1023 Allsbrook Road	Nanoose LD, DL43 Plan 39421	CP
	1209 road	Nanoose LD, DL149 Plan 43286	CP
	898 Hillier Road	Cameron LD, DL4 Plan 46163	CP
	3171 Brooklin Lane	Cameron LD, DL4 Plan 48368	CP
	No civic	Newcastle LD, BI 1375 Plan 41053	CP
	No civic	Cameron LD, DL8, Plan VIP1981, 52834	CP
	3857 Wild Road	Cameron LD, DL9 Plan 52495	CP
	Malcolm Property	Cameron LD, DL9 Lot A, SWY&L Pcl A. PID 008738505	CP
	Little Qualicum River	Newcastle LD, BI 359 LI VIP 69346	RP
	Arrowsmith Trail	Cameron LD, BI 415	RU
G	FCPCC	Nanoose LD, DL28 LA Pcl A PID 006365876, Plan DD5360-N; L2 Exc E 4.5 ch PID 006365779 Plan 2570; L3 Exc PI 26472 PID 005572681 Plan 9203	O
	676 Barclay Crescent	Nanoose LD, DL28 Plan 27077	CP
	1013 Centre Crescent	Newcastle LD, DL9 Plan 28564	CP
	Utility site	Nanoose LD, DL49 L23 PID 001397826 Plan 29438	O
	1592 Marine Circle	Nanoose LD, DL28 Plan 30213	CP
	No civic	Nanoose LD, DL29 Plan 32898	CP
	943 Lee Road	Nanoose LD, DL29 Plan 45825	CP
	675 Chartwell Boulevard	Nanoose LD, DL88 Plan 49333	CP
	Top Bridge	Nanoose LD, BI 419 Plan 30113	CP
	1030 Ganske Road	Newcastle LD, DL76 Plan 60023	CP
	1257 Lee Road	Nanoose LD, DL29 & 28 Lot B, PID 023004533, Plan 60349	CP
	903 Riley Road	Nanoose LD, DL81, Plan 51544	CP
	597 Columbia Drive	Nanoose LD, DL28 Plan VIP62528	CP
	807 Miller Road	Nanoose LD, DL28 Lot A PID 023846194, Plan 65679	CP
	740 Miller Road	Nanoose LD, DL29 & 83 Lot 2 PID 025783017 Plan VIP76030	CP
	Admiral Tryon Boulevard	Nanoose LD, DL28	BA
	Little Qualicum River Estuary	Newcastle LD, DL 11, 110, Lot I PID 025651561 Plan 75238	RCA
	Englishman River	Block 602	RP
	River's Edge	Nanoose LD, BI 564 Lot 1, PID 025862804 Plan 76468; Lot 7 PID 025920260 Plan 76856; Lot 19 PID 025920383 Plan 76856; Lot 11 PID 025863649 Plan 76472; Lot 38 PID 025863525 Plan 76471	RP/O
	Top Bridge Trail	Nanoose LD, DL 129 L3 PID 006718876 Plan VIP2072	RT
H	5354 Gainsburg Road	Newcastle LD, DL1 Plan 20442	CP
	Rose Park	Newcastle LD, DL22 Lot 1 PID 018048757, Plan VIP55641	CP
	4776 road	Newcastle LD, DL82 Plan 31044	CP

F	Fire Hall	Nanoose LD, DL104 L1 PID 001384546 Plan 29491	O
	Fire Hall	Nanoose LD, B1 521 L40, PID 001081608 Plan 32293	O
	Fire Hall	Cameron LD, DL4 L1 PID 000018733 Plan 38539	O
G	1035 Maple Lane Drive	Nanoose LD, DL1 Plan 30958	CP
	Bouitbee	Nanoose LD, DL49 L66 PID 000166677 Plan 32604	CP
		Nanoose LD, DL49 Plan 40962, VIP75836, VIP76162	CP
	Hawthorne Rise	Newcastle LD, DL80 L1 PID 000591122 Plan 41282	O
	Fire Hall	Nanoose LD, DL81 Plan 42840	CP
		Nanoose LD, DL181 Plan 45190	CP
	Noeden Way	Newcastle LD, DL11 Lot A PID 000158321, Plan 32528	O
	836 San Malo Crescent Women's Institute Hall	Nanoose LD, DL88 Plan 65008 Nanoose LD, DL29 Plan VIP69574	CP CT
1000 Miraloma Drive 1046 Tara Crescent San Percil Boardwalk	To follow		
H	Lighthouse Community Centre	Newcastle LD, DL32 Lot A PID 008840024 Plan 45846	CP
	Sunnybeach Road #18	Newcastle LD; to follow	BA

Level 3 Parks - Commuter Trail

G	Barelay Crescent Bridge	Nanoose LD, DL28	RT
	Fern Road Woods Trail	Nanoose LD, DL78	RT

Level 4 Parks - Undeveloped Parks and Trails

A	1625 Fawcett Road	Cedar LD, DL36 S16 R5, VIP14877	CP
	2931 Ivor Road	Cedar LD, S19 R4, Plans 35760 & 41900	CP
	2180 Addison Way	Cedar LD, S10 R1 Lot D PID 002071681, Plan42783	CP
B	Malaspina Galleries	Plan 13535	CP
	1463 Moby Dicks Way	Nanaimo Gabriola LD, S31, Plan 17658	CP
	1486 Moby Dicks Way	Nanaimo Gabriola LD, S31, Plan 17658	CP
	1645 Whalebone Drive	Nanaimo Gabriola LD, S31, Plan 17658	CP
	1961 Clamshell Drive	Nanaimo Gabriola LD, S3, Plan 23476	CP
	2061 South Road	Plan 24754	CP
	1220 Fleet Street	Nanaimo Gabriola LD, S18, Plan 30963	CP
	1838 Stalker Road	Nanaimo Gabriola LD, S4, Plan 41031	CP
	1185 The Strand	Nanaimo Gabriola LD, S18, Plan 45781	CP
3045 Coast Road	Nanaimo Gabriola LD, S4, PID 017390397, VIP 52510	CP	

Level 4 Parks – Undeveloped Parks and Trails

	1103 Sea Fern Lane	Nanaimo Mudge LD, S26, Plan 15752	CP
	Petroglyph Trail	Nanaimo Gabriola LD, S2, VIP 66198	CT
	1412 Coates Drive	Nanaimo Gabriola LD, S9, Plan VIP69975	CP
	De Courcy Island	Nanaimo De Courcy LD, S24, Plan VIP71391	CP
	Cox Community Park	Gabriola LD, S20, PID 002138719, Rem N.L.2 of N.L.2 of S20	CP
	Link Bay Road	Nanaimo De Courcy LD, S24, Plans 39964 & 46938	CP
	1412 Coates Road	Nanaimo Gabriola LD, S10, Plan VIP75929	CP
	Decourcy Drive	Nanaimo Gabriola LD, S21, PID 004799071, Plan 12655	CP
	Decourcy Drive #15	Nanaimo Gabriola LD	BA
	Tinson Road #011	Nanaimo Gabriola LD	BA
	Spring Beach #044	Nanaimo Gabriola LD	BA
	The Strand #87	Nanaimo Gabriola LD, S4	BA
C	596 Second Avenue	Cranberry LD, R2 S12, Plan 716	CP
	2840 Riverbend Road	Plan 38144	CP
	2966 Forever Road	Plan 38144	CP
	1919 Plecas Road	Cranberry LD, R5 S13, Plan 50377	CP
	1563 Nanaimo River Road	Plan VIP59461	CP
	431 Virostko Road	Cranberry LD, R2 S13, PID 009694854, VIP69191 & Plan DD4495N Pcl C	CT
	1730 Nanaimo River Road	Douglas LD, DL3 L9, PID 025418581, VIP73765	CP
	Trans Canada Trail	Bright & Cranberry LDs	RT
	Haslam Creek Bridge	Bright LD, BI 87	RT
D	Benson Creek	Mountain LD, R1 S18 Bl A, Plan VIP4TU1485	RP
E	3005 Dolphin Drive	Nanoose LD, DL78, Plan 14212	CP
	Blueback	Nanoose LD, DL78, Plan 15983	CP
	Crowsnest	Nanoose LD, DL78 Plan 22994	CP
	2450 Collins Crescent	Nanoose LD, DL6 Plan 23588	CP
	Utility	Nanoose LD, DL68, L1 PID 002066734, Plan 27376	O
	Enos Creek	Nanoose LD, DL78, Plan 29112	CP
	1808 Amelia Crescent	Nanoose LD, DL68, L86, PID 001271482, Plan 30341	CP
	2940 Powder Point Road	Nanoose LD, DL78, Plan 36514	CP
	Utility	Nanoose LD, DL6 L22 PID 000978060, Plan 38573	O
	2297 Weston Place	Nanoose LD, DL6 Plan 38573	CP
	1542 Crab Road	Nanoose LD, LD52, Plan 44310	CP
	8428 Rimming Road	Nanoose LD, DL186, Plans 47433 & 47639	CP
	3471 Carmichael Road	Nanoose LD, DL78 Plan 51142	CP/CT
	Henley Place	Nanoose LD, DL30, 78, Plan 51707	CP/CT
	Arbutus Grove	Nanoose LD, DL117 Plan 43915	CP
	Wall Estate	Nanoose LD, DL22 Plan 50198	CP
	3383 Redden Road	Nanoose LD, DL30 Plan 53134	CP/CT
	Dolphin Lake	Nanoose LD, DL30 Plan 60049	CP
	Schooner Ridge	Nanoose LD, DL78, 30, Plan 59180	CP
	Dolphin Marsh	Nanoose LD, DL30, 78 Plan 60602	CP
	Claudet Road	Nanoose LD, DL62 L1 PID 002732548, Plan 26234, Lot A PID 01167084, Plan 46810	CP

Level 4 Parks – Undeveloped Parks and Trails

	2453 Ainsley Place	Nanoose LD, DL78, Plan VIP68559	CP
	2531 Rowland Road	Nanoose LD, DL67, Plan VIP75472	CP
F	3529 Harris Crescent	Cameron LD, DL74 Plan 24741	CP
	2753 Old Alberni Hwy	Nanoose LD, DL143 Plan 37624	CP
	1281 road	Nanoose LD, DL140 Plan 37952	CP
	1023 Allsbrook Road	Nanoose LD, DL43 Plan 39421	CP
	1209 road	Nanoose LD, DL149 Plan 43286	CP
	898 Hillier Road	Cameron LD, DL4 Plan 46163	CP
	3171 Brooklin Lane	Cameron LD, DL4 Plan 48368	CP
	No civic	Newcastle LD, BI 1375 Plan 41053	CP
	No civic	Cameron LD, DL8, Plan VIP1981, 52834	CP
	3857 Wild Road	Cameron LD, DL9 Plan 52495	CP
	Malcolm Property	Cameron LD, DL9 Lot A, SWY&L Pcl A, PID 008738505	CP
	Little Qualicum River	Newcastle LD, BI 359 I.I VIP 69346	RP
	Arrowsmith Trail	Cameron LD, BI 415	RT
G	FCPOC	Nanoose LD, DL28 L4 Pcl A PID 006363876, Plan DD5360-N; L2 Exc E 4.5 ch PID 006365779 Plan 2570; L3 Exc P1 26472 PID 005572681 Plan 9203	O
	676 Barclay Crescent	Nanoose LD, DL28 Plan 27077	CP
	1013 Centre Crescent	Newcastle LD, DL9 Plan 28564	CP
	Utility site	Nanoose LD, DL49 L23 PID 001397826 Plan 29438	O
	1592 Marine Circle	Nanoose LD, DL28 Plan 30213	CP
	No civic	Nanoose LD, DL29 Plan 32898	CP
	943 Lee Road	Nanoose LD, DL29 Plan 45825	CP
	675 Chartwell Boulevard	Nanoose LD, DL88 Plan 49333	CP
	Top Bridge	Nanoose LD, BI 419 Plan 30113	CP
	1030 Ganske Road	Newcastle LD, DL76 Plan 60023	CP
	1257 Lee Road	Nanoose LD, DL29 & 28 Lot B, PID 023004533, Plan 60349	CP
	903 Riley Road	Nanoose LD, DL81, Plan 51544	CP
	597 Columbia Drive	Nanoose LD, DL28 Plan VIP62528	CP
	807 Miller Road	Nanoose LD, DL28 Lot A PID 023846194, Plan 65679	CP
	740 Miller Road	Nanoose LD, DL29 & 83 Lot 2 PID 025783017 Plan VIP76030	CP
	Admiral Tryon Boulevard	Nanoose LD, DL28	BA
	Little Qualicum River Estuary	Newcastle LD, DL 11, 110, Lot 1 PID 025651561 Plan 75238	RCA
	Englishman River	Block 602	RP
	River's Edge	Nanoose LD, BI 564 Lot 1, PID 025862804 Plan 76468; Lot 7 PID 025920260 Plan 76856; Lot 19 PID 025920383 Plan 76856; Lot 11 PID 025863649 Plan 76472; Lot 38 PID 025863525 Plan 76471	RP-O
	Top Bridge Trail	Nanoose LD, DL 129 L3 PID 006718876 Plan VIP2072	RT
H	5354 Gainsburg Road	Newcastle LD, DL1 Plan 20442	CP
	Rose Park	Newcastle LD, DL22 Lot 1 PID 018048757, Plan VIP55641	CP
	4776 road	Newcastle LD, DL82 Plan 31044	CP

Level 4 Parks – Undeveloped Parks and Trails

4877 Ocean Trail	Newcastle LD, DL82, Plan 31751	CP
2905 Marshall Road	Newcastle LD, DL9, Plan 34434	CP
241 Iluson Road	Newcastle LD, DL9 Plan 34642	CP
Dunsmuir	Newcastle LD, DL31, Plan 37285	CP
5162 Pearl Road	Newcastle LD, DL27 Plan 38181	CP
68 Islewood Drive	Newcastle LD, DL22 L20 PID 000668443 Plan 41507	CP
3875 Bovanis Road	Newcastle LD, DL22 Plan 41640	CP
3876 Bovanis Road	Newcastle LD, DL22 L8 PID 000775088 Plan 41662	CP
212 Kenmuir Road	Newcastle LD, DL9 Plan 42807	CP
151 Jamieson Road	Newcastle LD, DL40 Plan 43604	CP
1109 Shayla Road	Alberni LD, B1360 Plan 37698	CP
216 Kenmuir Road	Newcastle LD, DL9 Plan 52606	CP
4370 Kelsey Road	Newcastle LD, DL36 Plan VIP53143	CP
95 Esary Road	Newcastle LD, DL36 Plan VIP61726	CP
7123 Island Highway West	Newcastle LD, DL85 Plan 66049	CP
No civic	Newcastle LD, DL 20 Plan VIP68932	CP
Wildwood	Newcastle LD, DL85 L38 PID 006659985 Plan 2018	CP
5320 Gainsburg Road	Newcastle LD, DL1, 86 L2 PID 024784338 Plan VIP70719	CP
2910 Leon Road	Newcastle LD, DL9 Plan VIP65473	CP
Alert Road #11	Newcastle LD, DL16	BA
Franksea Road #14	Newcastle LD, DL33	BA
Baywater Road #17	Newcastle LD, DL20	BA
Crane Road #23	Newcastle LD, fronting remainder Lot 1, Plan 12132 & Part 2 Plan 5622	BA
Nile Road #24	Newcastle LD, DL22	BA
Bowser Road #31	Newcastle LD, DL36	BA
Buccaneer Beach Rd #36	Newcastle LD, DL40, fronting Lots 35 and 36 Plan 16121	BA
Shoreline Drive #42	Newcastle LD, DL28, fronting Lot 9 Plan 244584 & Lot 9 Plan 24584	BA
Deep Bay Drive #47	Newcastle LD	BA
Lighthouse Country Trail	Newcastle LD, 1950 Gaz. Hwy; road fronting DL 38-42 Plan 2018	RT
Horns Lake Caves Road	Alberni LD, DL251	RT
Hunts Creek Bridge	Alberni LD, DL254 PID 001903276 Plan VIP1753R	RT

Schedule "B"

Campground Rules Applicable to Level 1 Parks

1. Registration

At Home Lake Regional Park, all campers must register and pay at the park office upon arrival. At Descanso Bay Regional Park, campers may proceed to the campground and set up camp in their reserved site, or in a site with no 'reserved' sign posted, and register and pay when authorized personnel make their rounds.

2. Fees

(a) *Home Lake Regional Park*

Wooded sites – \$15 per night

Waterfront and overflow sites – \$20 per night

Non-profit youth group rate – \$2 per head per night

Boat launch – \$5 per launch

Programmed recreation campsites – as authorized by District Manager

Programmed recreation – as authorized by District Manager

Rentals – as authorized by District Manager

Firewood and other goods – as authorized by District Manager

(b) *Descanso Bay Regional Park*

All sites \$15/night

Non-profit youth group rate – \$2 per head per night

Firewood and other goods – as authorized by District Manager

Any person who has not paid a required fee will be charged double the regular rate. The Goods and Services tax may be charged in addition to the above noted fees.

3. Number of People and Vehicles per Designated Campsite

At each designated campsite there may be no more than:

(a) eight (8) people, including no more than four (4) adults, an adult being 16 years of age or older; and

(b) one recreational vehicle (RV).

A second non-RV vehicle may be permitted by authorized personnel at a designated campsite for an additional nightly charge of 50 per cent of the campsite fee if space permits.

4. Length of Stay

The maximum length of stay for a camper is fourteen days per season, not necessarily consecutively. Additional stays may be permitted by authorized personnel if vacancies allow.

5. Campsite Condition

Campers must remove all garbage from their campsites and fire pits before vacating a site.

6. Noise

During the hours between 11 pm and 7 am, all campers shall be quiet. During the remainder of the day, noises or sounds generated at one campsite must not be sufficient to bother neighbouring campers.

7. Boat Launch Ramp at Horne Lake Regional Park

All vessels requiring a trailer must be launched at the boat launch ramp. All launchers must register and pay at the park office before launching a vessel, and carry with them when on the water any boating rules and maps provided at registration. The ramp opens at 7 am and closes by no later than 9:30 pm or dusk, whichever is earlier. All vessels must be out of the water by ramp closing time.

Schedule "C"

Special Uses	Special Use Fees ²			
	Permit Fee ³	Damage Deposit	Site Preparation and Clean-up Costs	Comprehensive General Liability Insurance
1. Use of common facilities such as shelters and congregate spaces for picnics involving 50 people or less	\$50 / day	n/a		n/a
2. Non-profit recreation services or activities such as training, guiding and recreation programming	\$25 / day	\$100	Repair to facilities at cost, plus	\$2,000,000
3. Commercial recreation services or activities such as training, guiding and recreation programming	\$100 / day	\$100	Hourly charge-out rate of	\$2,000,000
4. Events such as festivals, shows, parties, competitions, regattas, ceremonies, and the operation of model planes	\$100 / day	\$100	\$28/person and \$25/vehicle	\$2,000,000
5. Commercial filming (video, motion picture or television) or still photography	\$250 / permit	\$500		\$5,000,000
6. Research activity including survey and petition work	\$50 / permit	\$100		\$2,000,000
7. Access through a park for utilities or vehicles	\$500 / year	n/a		\$2,000,000

² All fees shown are the minimum to be applied. All fees are subject to the Goods and Services Tax.

³ A permit fee exemption may be granted where a special use is deemed to be of benefit to a park. Non-profit groups including schools that involve participants less than 18 years of age only are exempt from the requirement to pay a special use fee.



REGIONAL DISTRICT OF NANAIMO		
AUG 26 2004		
CHAIR		GMCrS
CAO		GMDS
GMCrS		GMES
		<i>Call</i>

MEMORANDUM

TO: C. Mason
General Manager, Corporate Services

DATE: August 26, 2004

FROM: N. Avery
Manager, Financial Services

FILE:

SUBJECT: Financing Bylaws and Resolutions for San Pareil Water and Coombs-Hilliers Fire Services

PURPOSE:

To introduce for three readings and adoption:

"Regional District of Nanaimo (San Pareil Water Service) Security Issuing Bylaw No. 1395, 2004"
"Regional District of Nanaimo (Coombs-Hilliers Fire Service) Security Issuing Bylaw No. 1396, 2004"

BACKGROUND:

San Pareil Water Service Bylaw No. 1395 - to date approximately \$285,000 has been drawn down against a total authorized limit of \$480,410 (Loan Authorization Bylaw No. 1171) for improvements to this water system. This loan authorization will expire this year; however all of the improvements have not yet been completed - in particular a potential new reservoir. In order to make the balance available in a future year for this purpose, a security issuing bylaw must be adopted before the end of 2004. The adoption of this security issuing bylaw does not bind the Regional District to actually borrow any funds at this time.

Coombs-Hilliers Fire Service Bylaw No. 1396 - a total of \$584,500 has been authorized under Loan Authorization Bylaw No. 1370 for vehicles, equipment and building improvements. At its August 10th meeting the Board authorized the purchase of a new firefighting vehicle to be financed from this loan authority in the amount of \$213,000 plus taxes. Bylaw 1396 authorizes drawing down the loan authorization in the amount of \$232,725. Staff anticipate entering into long term debt in the spring of 2005.

ALTERNATIVES:

1. Adopt both security issuing bylaws.
2. Use alternative methods to finance these capital requirements.

FINANCIAL IMPLICATIONS:Alternative 1

There are no current financial implications by adopting San Pareil Security Issuing Bylaw No. 1395. The purpose of this bylaw is to ensure that when further improvements are scheduled, the funds are available from the originally approved borrowing authorization.

The Coombs-Hilliers financial plan anticipated borrowing for vehicle replacements in 2005. The department's 2004 budget has sufficient funds to cover short term financing costs to the end of the year until the long term debt is secured in 2005.

Alternative 2

San Pareil - if Security Issuing Bylaw 1395 is not adopted it will be necessary to seek electoral consent to borrow funds to complete the system improvements which have not been scheduled to date.

Coombs-Hilliers Fire - This purchase and financing method have already been approved.

SUMMARY/CONCLUSIONS:

Staff are introducing two security issuing bylaws - one for the San Pareil Water Service and a second for the Coombs-Hilliers Fire Service. The original San Pareil loan authority will expire this year and Bylaw No. 1395 will secure the balance of funds which have not yet been drawn on to complete certain capital improvements. Bylaw No. 1396 will authorize borrowing for the purchase of a firefighting vehicle for the Coombs-Hilliers Fire Service, as approved by the Board at its August 10th, 2004 meeting.

RECOMMENDATION:

1. That "Regional District of Nanaimo (San Pareil Water Service) Security Issuing Bylaw No. 1395, 2004" be introduced for first three readings.
2. That "Regional District of Nanaimo (San Pareil Water Service) Security Issuing Bylaw No. 1395, 2004" having received three readings be adopted and forwarded to the Ministry of Community, Aboriginal and Women's Services for a Certificate of Approval.
3. That "Regional District of Nanaimo (Coombs-Hilliers Fire Service) Security Issuing Bylaw No. 1396, 2004" be introduced for first three readings.
4. That "Regional District of Nanaimo (Coombs-Hilliers Fire Service) Security Issuing Bylaw No. 1396, 2004" having received three readings be adopted and forwarded to the Ministry of Community, Aboriginal and Women's Services for a Certificate of Approval.

Report Writer

ACTING General Manager Corporate Services

C.A.O. Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1395

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

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

AND WHEREAS, pursuant to the provisions of Section 825 of the *Local Government Act*, the amount of borrowing authorized by the following Loan Authorization Bylaw, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder and the amount being issued under the authority thereof by this bylaw is as follows:

Regional District	L/A Bylaw No.	Purpose	Amount Borrowing Authorized	Amount Already Borrowed	Borrowing Authority Remaining	Term of Issue (Yrs.)	Amount of Issue
Nanaimo	1171	San Pareil Water	\$480,410	\$283,454.82	\$196,955.18	15	\$196,955.18

Total Financing pursuant to Section 825 \$196,955.18

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

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

1. The Authority is hereby requested and authorized to finance from time to time the aforesaid undertakings at the sole cost and on behalf of the Nanaimo Regional District and its municipalities hereinbefore referred to, in Canadian Dollars or in such other currency or currencies as the Authority shall determine so that the amount realized does not exceed One Hundred Ninety Six Thousand, Nine Hundred and Fifty Five Dollars and Eighteen Cents (\$196,955.18) in Canadian Dollars and/or the equivalent thereto and at such interest and with such discounts or premiums and expenses as the Authority may deem consistent with the suitability of the money market for sale of securities of the Authority.
2. Upon completion by the Authority of financing undertaken pursuant hereto, the Chairperson and Manager of Financial Services of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements which said agreement or agreements shall be substantially in the form annexed hereto as Schedule 'A' and made part of the bylaw (such agreement or agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.
3. The Agreement in the form of Schedule 'A' shall be dated and payable in the principal amount or amounts of money in Canadian Dollars or as the Authority shall determine and subject to the Local Government Act, in such other currency or currencies as shall be borrowed by the Authority pursuant to Section 1 and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.
4. The obligations incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority and shall bear interest at a rate to be determined by the Treasurer of the Authority.
5. The Agreement shall be sealed with the seal of the Regional District and shall bear the signatures of the Chairperson and Manager of Financial Services.
6. The obligations incurred under the said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Victoria and at such time or times as shall be determined by the Treasurer of the Authority.
7. If during the currency of the obligations incurred under the said Agreement to secure borrowings in respect of Loan Authorization Bylaw No. 1171, the anticipated revenues accruing to the Regional District from the operation of the said San Pareil Water Service are at any time insufficient to meet the annual payment of interest and the repayment of principal in any year, there shall be requisitioned an amount sufficient to meet such insufficiency.

8. The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided however that if the sums provided for in the Agreement are not sufficient to meet the obligations of the Authority, and deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional District shall make provision to discharge such liability.
9. At the request of the Treasurer of the Authority and pursuant to Section 15 of the *Municipal Finance Authority Act*, the Regional District shall pay over to the Authority such sums and execute and deliver such promissory notes as are required pursuant to said Section 15 of the *Municipal Finance Authority of British Columbia Act*, to form part of the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.
10. This bylaw may be cited as "Regional District of Nanaimo (San Parcil Water Service) Security Issuing Bylaw No. 1395, 2004".

Introduced and read three times this 28th day of September, 2004.

Adopted this 28th day of September, 2004.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

Chairperson

General Manager, Corporate Services

C A N A D A
PROVINCE OF BRITISH COLUMBIA
AGREEMENT
REGIONAL DISTRICT OF NANAIMO

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

Dated at _____ British Columbia, this ____ of _____, 20__.

IN TESTIMONY WHEREOF and under the authority of Bylaw No. 1395 cited as "Regional District of Nanaimo (San Parcel Water Service) Security Issuing Bylaw No. 1395, 2004", this Agreement is sealed with the Corporate Seal of the Regional District and signed by the Chairperson and the Manager of Financial Services thereof.

Chairperson

Manager of Financial Services

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

Dated this _____ day of _____, 20__.

Inspector of Municipalities of British Columbia

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1396**

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

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

AND WHEREAS, pursuant to the provisions of Section 825 of the *Local Government Act*, the amount of borrowing authorized by the following Loan Authorization Bylaw, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder and the amount being issued under the authority thereof by this bylaw is as follows:

Regional District	L/A Bylaw No.	Purpose	Amount Borrowing Authorized	Amount Already Borrowed	Borrowing Authority Remaining	Term of Issue (Yrs.)	Amount of Issue
Nanaimo	1370	Combs-Hilliers Fire	\$584,500	Nil	\$584,500.00	10	\$232,725.00
Total Financing pursuant to Section 825							<u>\$232,725.00</u>

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

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

1. The Authority is hereby requested and authorized to finance from time to time the aforesaid undertakings at the sole cost and on behalf of the Nanaimo Regional District and its municipalities hereinbefore referred to, in Canadian Dollars or in such other currency or currencies as the Authority shall determine so that the amount realized does not exceed Two Hundred and Thirty Two Thousand, Seven Hundred and Twenty Five Dollars (\$232,725.00) in Canadian Dollars and/or the equivalent thereto and at such interest and with such discounts or premiums and expenses as the Authority may deem consistent with the suitability of the money market for sale of securities of the Authority.
2. Upon completion by the Authority of financing undertaken pursuant hereto, the Chairperson and Manager of Financial Services of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements which said agreement or agreements shall be substantially in the form annexed hereto as Schedule 'A' and made part of the bylaw (such agreement or agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.
3. The Agreement in the form of Schedule 'A' shall be dated and payable in the principal amount or amounts of money in Canadian Dollars or as the Authority shall determine and subject to the Local Government Act, in such other currency or currencies as shall be borrowed by the Authority pursuant to Section 1 and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.
4. The obligations incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority and shall bear interest at a rate to be determined by the Treasurer of the Authority.
5. The Agreement shall be sealed with the seal of the Regional District and shall bear the signatures of the Chairperson and Manager of Financial Services.
6. The obligations incurred under the said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Victoria and at such time or times as shall be determined by the Treasurer of the Authority.
7. If during the currency of the obligations incurred under the said Agreement to secure borrowings in respect of Loan Authorization Bylaw No. 1370, the anticipated revenues accruing to the Regional District from the operation of the said Combs-Hilliers Fire Service are at any time insufficient to meet the annual payment of interest and the repayment of principal in any year, there shall be requisitioned an amount sufficient to meet such insufficiency.

8. The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided however that if the sums provided for in the Agreement are not sufficient to meet the obligations of the Authority, and deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional District shall make provision to discharge such liability.
9. At the request of the Treasurer of the Authority and pursuant to Section 15 of the *Municipal Finance Authority Act*, the Regional District shall pay over to the Authority such sums and execute and deliver such promissory notes as are required pursuant to said Section 15 of the *Municipal Finance Authority of British Columbia Act*, to form part of the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.
10. This bylaw may be cited as "Regional District of Nanaimo (Combs-Hilliers Fire Service) Security Issuing Bylaw No. 1396, 2004".

Introduced and read three times this 28th day of September, 2004

Adopted this 28th day of September, 2004.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

Chairperson

General Manager, Corporate Services

CANADA
PROVINCE OF BRITISH COLUMBIA
AGREEMENT
REGIONAL DISTRICT OF NANAIMO

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

Dated at _____ British Columbia, this _____ of _____, 20__.

IN TESTIMONY WHEREOF and under the authority of Bylaw No.1396 cited as "Regional District of Nanaimo (Combs-Hilliers Fire Service) Security Issuing Bylaw No. 1396, 2004", this Agreement is sealed with the Corporate Seal of the Regional District and signed by the Chairperson and the Manager of Financial Services thereof.

Chairperson

Manager of Financial Services

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

Dated this _____ day of _____, 20__.

Inspector of Municipalities of British Columbia

SEP - 7 2004

MEMORANDUM

CHAIR	GMCrs
CAO	GMDS
GICrS	GMS

TO: Stan Schopp
Manager, Building Inspection Services

Callahan **DATE:** September 3, 2004

FROM: Allan Dick
Senior Building Inspector

FILE: 3810-20

SUBJECT: Section 57 of the Community Charter - Contravention of Bylaw Meeting Date - September 21, 2004

PURPOSE

To provide for the Committee's review, proposed Section 57 filings on properties which have outstanding occupancy or safety issues that contravene Building Bylaw No. 1250.

BACKGROUND

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

SUMMARY OF INDIVIDUAL INFRACTIONS

Electoral Area E

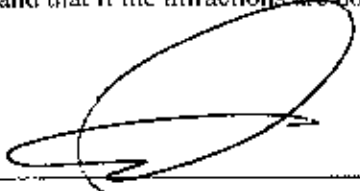
1. Owners Name: Peter and Kathleen Kiidumae
Legal Description: Lot 15, District Lot 78, Plan 14212, Nanoose District
Street Address: 2993 Dolphin Drive

Summary of Infraction:

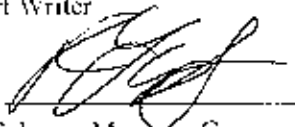
- June 20, 2004 - Parks department asked by owner to access park to repair collapsing retaining wall
- June 23, 2004 - Owner referred to building department for permit on wall
- June 28, 2004 - Building Inspection Manager notes large two storey addition on rear of house and failing retaining wall appears to be partially on subject property but may encroach into park
- June 30, 2004 - survey confirms retaining wall partially in park and partially on owners land. A file review confirms no building permits were issued for the retaining wall or large two storey addition on the rear of the dwelling.
- July 23, 2004 - Property owner understands as built construction or home will need to be certified by an architect or profession engineer. Owner is unable to do at present time as resolving retaining wall issue is a priority.
- September 3, 2004 - Owner has agreed to a meeting with RDN staff on September 18, 2004 to resolve retaining wall issue and further discuss building bylaw contravention of addition.

RECOMMENDATION


That a notice be filed against the titles of the properties listed, pursuant to Section 57 of the *Community Charter* and that if the infractions are not rectified within ninety (90) days, legal action will be pursued.



Allan Diek, Senior Inspector
Report Writer



per / Stan Schopp, Manager Concurrence



Robert Lapham,
General Manager Concurrence



CAO Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO		
SEP - 9 2004		
CHIEF	CLERKS	
CAO	DEPS	
CMCS	EMES	

MEMORANDUM

TO: J. Finnie, P. Eng. DATE: September 1, 2004
 General Manager of Environmental Services

FROM: D. Trudeau FILE: 5340-00
 Manager of Liquid Waste

SUBJECT: Lasqueti Island Septage

PURPOSE

To address the request of the Powell River Regional District that the Regional District of Nanaimo (RDN) accept septage waste from Lasqueti Island.

BACKGROUND

A letter dated June 25, 2004 (Appendix 1) was received from the Powell River Regional District requesting that the RDN accept septage from Lasqueti Island. Lasqueti Island which is a part of the Powell River Regional District has a year round population of approximately 350 people. Due to the volumes of septage generated on the island and the costs of establishing an on-island facility to manage them, there are no septage disposal facilities on the Island. The closest septage treatment facilities in the Powell River Regional District are in Powell River which has indirect and inconvenient transportation links with Lasqueti Island. The most accessible septage receiving station to Lasqueti Island is the French Creek Pollution Control Centre (FCPCC).

“Regional District of Nanaimo Trucked Liquid Waste Disposal Bylaw No. 988, 1995” regulates the discharge of trucked waste into septage disposal facilities operated by the RDN. The bylaw does not allow out of district waste to be discharged into RDN facilities.

It is estimated that there would be approximately one truck load a week from Lasqueti Island that would need to be disposed of at FCPCC. This would not have any significant impact on the operation of the FCPCC and would assist an area that is experiencing difficulties maintaining their sewage disposal works.

Currently septage is accepted at FCPCC for \$0.16/gallon. The full cost of treating this septage is \$0.23 per gallon. The full cost includes payment for debt incurred to build the FCPCC. Electoral area residents make up the difference on their taxes.

ALTERNATIVES

1. Do not allow out of District septage into RDN facilities.
2. Allow septage from Lasqueti Island at FCPCC for the full cost of treatment.

FINANCIAL IMPLICATIONS

Neither alternative has any significant financial implications. The fee and tax structure of the RDN insures that septage treated at RDN facilities is fully paid for.

SUMMARY/CONCLUSIONS

A letter dated June 25, 2004 was received from the Powel River Regional District requesting that the RDN accept septage from Lasqueti Island. Due to the low volumes of septage generated and the costs and difficulty of establishing a septage facility on the island, there is no septage disposal system on the island. The most accessible septage receiving facility is the FCPCC.

RDN Bylaw 988 regulates the discharge of trucked waste into septage disposal facilities operated by the RDN. The bylaw currently does not allow out of district waste to be discharged into RDN facilities.

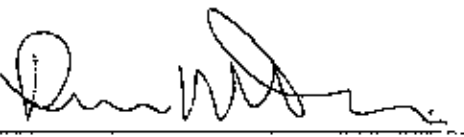
Currently septage is accepted at the FCPCC for \$0.16/gallon. The full cost of treating this septage is \$0.23 per gallon. The full cost includes payment for debt incurred to build the FCPCC. Electoral area residents make up the difference on their taxes.

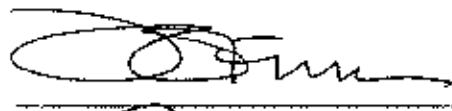
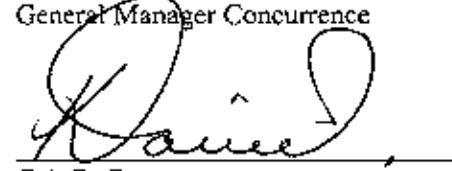
Staff has prepared an amended Bylaw that would allow the discharge of septage from Lasqueti Island for \$0.23/gallon.

Accepting septage from Lasqueti Island will not have any significant impact on the operation of the FCPCC but it would assist a neighboring Regional District with their septage disposal issues.

RECOMMENDATIONS

1. That "Regional District of Nanaimo Trucked Liquid Waste Disposal Amendment Bylaw No. 988.06, 2004" be introduced for three readings.
2. That "Regional District of Nanaimo Trucked Liquid Waste Disposal Amendment Bylaw No. 988.06, 2004" having received three readings be adopted.


Report Writer


General Manager Concurrence

C.A.O. Concurrence



POWELL RIVER REGIONAL DISTRICT

5776 Marine Avenue Powell River, BC Canada V8A 2M4

Telephone: 604-483-3231 Fax: 604-483-2229

Email: administration@powellriverrd.bc.ca

"GENETICALLY ENGINEERED FREE CROP AREA"

June 25, 2004

REGIONAL DISTRICT OF NANAIMO			
JUN 30 2004			
CHAIR	<input checked="" type="checkbox"/>	GMCRS	<input type="checkbox"/>
CAO	<input checked="" type="checkbox"/>	GMDS	<input type="checkbox"/>
GMCRS	<input type="checkbox"/>	GMES	<input checked="" type="checkbox"/>
<i>John - report and recommendation for Sept. plead</i>			

Mr. Joe Stanhope, Chair
Nanaimo Regional District
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Mr. Stanhope:

In the absence of our Chair, I am writing to request agreement from the Nanaimo Regional District Board to accept sewage sludge and septage from Lasqueti Island to be disposed of in your sewage treatment plant.

Although Lasqueti Island is part of our regional district, distance, indirect and inconvenient transportation links, and the lack of septage haulers willing to travel between Lasqueti and Powell River make it pretty well impossible for Islanders to utilise our sewer or other liquid waste management facilities.

Lasqueti has a year-round population of approximately 350 people. Many households have composting or pit toilets which are pumped out infrequently, if ever. Commercial developments are few and generally very small. The hotel in False Bay treats its sewage with a recirculating sand filter system which does require an annual pump-out.

Overall, the quantity of septage/sludge coming from the Island would be minor; however, some means of disposing of what does exist is critical.

We would appreciate your earliest consideration of our request and look forward to your reply. If you require any further information on this matter, please contact our Administrator Frances Ladret.

Sincerely,

M. Leishman

Myrna Leishman
Vice-Chair

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 988.06

**A BYLAW TO AMEND REGIONAL
DISTRICT OF NANAIMO TRUCKED
LIQUID WASTE DISPOSAL
BYLAW NO. 988**

WHEREAS the "Regional District of Nanaimo Trucked Liquid Waste Disposal Bylaw No. 988, 1995", provided for the discharge of trucked liquid waste into septage disposal facilities operated by the Regional District of Nanaimo;

AND WHEREAS the Board wishes to amend Bylaw No. 988 to include Lasqueti Island as an acceptable source of out of district waste as identified on Schedule 'A' attached hereto;

AND WHEREAS the Board wishes to amend Bylaw No. 988 to identify the fee for properties on Lasqueti Island as identified on Schedule 'C' attached hereto;

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

1. Schedule 'A' of Bylaw No. 988 is hereby repealed and Schedule 'A' attached hereto and forming part of this bylaw, is substituted therefor.
2. Schedule 'C' of Bylaw No. 988 is hereby repealed and Schedule 'C' attached hereto and forming part of this bylaw, is substituted therefor.
3. This bylaw may be cited as "Regional District of Nanaimo Trucked Liquid Waste Disposal Amendment Bylaw No. 988.06, 2004".

Introduced and read three times this 28th day of September, 2004

Adopted this 28th day of September, 2004.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

Chairperson

Secretary

REGIONAL DISTRICT OF NANAIMO

SCHEDULE 'A'

PROHIBITED WASTES

Prohibited Waste means:

1. **Substandard Parcel Waste.**

Waste which originates from a parcel having a total area less than 700 m² square metres.

2. **Out of District Waste.**

Waste which originates from outside of the Regional District of Nanaimo, except properties on Lasqueti Island.

3. **Industrial Waste.**

Any waste, other than domestic septage, generated by a business, industry or institution.

4. **Special Waste.**

Special waste as defined by the Waste Management Act of British Columbia and its Regulations, or any legislation that replaces the Waste Management Act.

5. **Air Contaminant Waste.**

Any waste other than sanitary waste which, by itself or in combination with another substance, is capable of creating, causing or introducing an air contaminant outside any septage disposal facility, or is capable of creating, causing or introducing an air contaminant within a septage disposal facility which would prevent safe entry by authorized personnel.

6. Flammable or Explosive Waste.

Any waste, which by itself or in combination with another substance, is capable of causing or contributing to an explosion or supporting combustion in any sewer or sewage facility, including but not limited to, gasoline, naphtha, propane, diesel, fuel, oil, kerosene or alcohol.

7. Obstructive Waste.

Any waste which by itself or in combination with another substance, is capable of obstructing the flow of, or interfering with, the operation or performance of any septage disposal facility, including but not limited to earth, sand, sweepings, gardening or agricultural waste, ash, chemicals, paint, metal, glass, sharps, rags, cloth, tar, asphalt, cement-based products, plastic, wood, waste portions of animals, fish or fowl and solidified fat.

8. Corrosive Waste.

Any waste with corrosive properties which, by itself, or in combination with any other substance, may cause damage to any sewer or sewage facility or which may prevent safe entry by authorized personnel.

9. High Temperature Waste.

(a) Any waste which, by itself or in combination with another substance, will create heat in amounts which will interfere with the operation and maintenance of a septage disposal facility or with the treatment of waste in a sewage facility.

(b) Any waste which will raise the temperature of waste entering any septage disposal facility to 40 degrees Celsius (104 degrees Fahrenheit) or more.

10. Biomedical Waste.

Any of the following categories of Biomedical Waste: human anatomical waste, animal waste, untreated microbiological waste, waste sharps and untreated human blood and body fluids known to contain viruses and agents listed in "Risk Group 4" as defined in "Laboratory Biosafety Guidelines" published by Health and Welfare Canada and dated 1990.

11. PCBs/Pesticides.

Any waste containing PCBs or pesticides.

12. Miscellaneous Wastes.

Any waste, other than sanitary waste, which by itself or in combination with another substance:

(a) constitutes or may constitute a significant health or safety hazard to any person;

(b) may interfere with any sewage treatment process;

(c) may cause a discharge from a sewage facility to contravene any requirements by or under any B.C. Waste Management discharge permit or any other act, law or regulation governing the quality of the discharge, or may cause the discharge to result in a hazard to people, animals, property or vegetation; or,

- (d) may cause biosolids to fail criteria for beneficial land application in British Columbia as set out in the draft "Guidelines for the Disposal of Domestic Sludge Under the Waste Management Act", prepared by the Ministry of Environment, and dated 1983, or may cause the emissions from a wastewater sludge combustion facility to be out of compliance with appropriate permits, or may cause the ashes from a wastewater sludge combustion facility be considered a Special Waste under the Waste Management Act of British Columbia.

Chairperson

General Manager, Corporate Services

BYLAW NO. 988.06

SCHEDULE 'C'

FEEES

1.	Annual Administration Fee	\$ 50.00
2.	Application Fee	\$ 300.00
4.	User Fee:	
	For each gallon of septage in 2001	\$ 0.12
	Beginning in 2002 each gallon of septage	\$ 0.16
	For each gallon of holding tank waste from properties included within the Local Service Area (more specifically the Pump and Haul Local Service Area established by Bylaw No. 975)	\$ 0.01
	For each gallon of holding tank waste from properties included within the Home Lake Pump and Haul Service for the period from November 13 th , 2001 to December 31 st , 2004	\$ 0.00
	For each gallon of holding tank waste from properties included within the Home Lake Pump and Haul Service after December 31 st , 2004	the rates established above for the Local Service Area will apply
	For each gallon of septage from properties on Protection Island	\$ 0.00

For each gallon of septage from those properties
within the City of Nanaimo listed as follows: \$ 0.00

- 1323/1325 Fielding Road
- 1335 Fielding Road
- 1341 Fielding Road
- 1343 Fielding Road
- 1350 Fielding Road
- 1357 Fielding Road
- 1373 Fielding Road
- 1390 Fielding Road
- 1400 Fielding Road
- 1403 Fielding Road
- 1416/1420 Fielding Road
- 1417 Fielding Road
- 1421 Fielding Road

For each gallon of septage from properties
on Lasqueti Island: \$ 0.23



REGIONAL DISTRICT OF NANAIMO			
SEP - 1 2004			
CHAIR		GMCrS	
CAO		GMDS	
GMCrS		GMES	

MEMORANDUM

TO: Carey McIver
Manager of Solid Waste

Callie
DATE

August 30, 2004

FROM: Alan Stanley
Solid Waste Program Coordinator

FILE:

5360-00

SUBJECT: Non-Profit Organizations – Solid Waste Tipping Fee Waivers

PURPOSE

To present the Board with a status report on non-profit organizations tipping fee waiver policies.

BACKGROUND

In January 2004 the Board considered a report that dealt with a request from the Salvation Army for a tipping fee waiver for construction waste from their new building. The Board denied the request and directed staff to prepare a policy that retains the illegal dumping clean up protocol and provides options for existing no-charge accounts

In May 2004 the Board supported a policy to grant waste disposal fee relief only for illegal dumping clean up and to non-profit organizations such as the Nanaimo Recycling Exchange and the Gabriola Island Recycling Organization that incorporate waste reduction as a core function. The Board also recognized that other organizations, such as thrift store operations, might not qualify for fee relief pending discussions with thrift store operators on proper recycling practices. To that end the Board directed staff to meet with thrift store operators to help identify recycling opportunities and improve recycling practices.

Staff has met with the two existing no-charge account, non-profit thrift store operators, the Salvation Army and the Society of Organized Services to help identify recycling opportunities. These non-profit thrift store operators understand the need to keep recyclable material out of the landfill and will make every effort to divert recyclable materials from disposal. This is an ongoing process and RDN staff will monitor the disposal statistics of the non-profit thrift store accounts and report to the Board for further direction if the waste minimization objectives appear to be ineffective.

Staff was also directed to prepare a bylaw for Board consideration that incorporates the non-profit tipping fee policies noted above. This can be accomplished by amending Bylaw 894 that provides for the regulation of solid waste management facilities. This bylaw has been amended fourteen times since its introduction in 1993 and staff is planning to consolidate these amendments into a new bylaw, which will be presented to the Board for consideration. A significant component of this consolidated bylaw will be the implementation of a commercial organic material disposal ban, intended to redirect compostable organic material from the landfill to composting operations. Staff will include the non-profit organization tipping fee waiver policy in this bylaw.

ALTERNATIVES

1. Receive status report on non-profit organizations tipping fee waiver policies for information.
2. Receive status report on non-profit organizations tipping fee waiver policies for information and provide further direction to staff.

FINANCIAL IMPLICATIONS

Based on 2003 data, waiving tipping fees for non-profit waste reduction organizations will cost approximately \$3,500 per year, illegal dumping clean up \$7,000 per year and non-profit thrift stores \$49,000 per year for a total annual cost of \$59,500. A number of factors will influence the costs of this program such as increased activity by the non-profit account holders. It is not possible to predict future subsidy costs. Staff regularly monitor these accounts and will report to the Board for further direction if costs increase significantly.

SUMMARY/CONCLUSIONS

In May 2004 the Board supported a policy to grant tipping fee relief for illegal dumping clean up and for non-profit organizations, such as the Nanaimo Recycling Exchange and the Gabriola Island Recycling Organization, that incorporate waste reduction as a core function. Staff were directed to meet with other non-profit operations that help reduce waste such as thrift stores, insuring that they incorporate proper recycling practices in order to qualify for tipping fee relief.


Staff has met with the two existing no-charge non-profit thrift store operators, the Salvation Army and the Society of Organized Services to help identify recycling opportunities. These thrift store operators understand the need to keep recyclable material out of the landfill and will make every effort to divert recyclable materials from disposal. This is an ongoing process and RDN staff will monitor the disposal statistics of the non-profit thrift store accounts and report to the Board for further direction if the waste minimization objectives appear to be ineffective.

Staff will include the non-profit organization tipping fee waiver policy in the revised and consolidated version of Bylaw 894, which will be presented to the Board for consideration. A significant component of this consolidated bylaw will be the implementation of a commercial organic material disposal ban, intended to redirect compostable organic material from the landfill to composting operations.

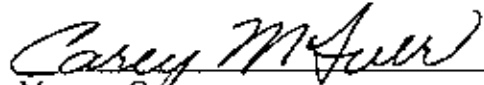
A number of factors will influence the costs of this program such as increased activity by the non-profit account holders. It is not possible to predict future subsidy costs. Staff regularly monitor these accounts and will report to the Board for further direction if costs increase significantly.

RECOMMENDATION

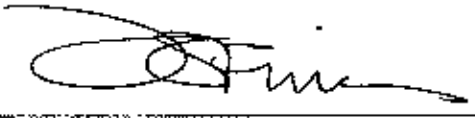
1. That the Board receives the status report on non-profit organizations tipping fee waiver policies for information.



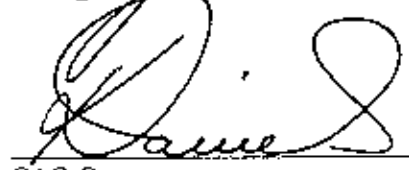
Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO	
SEP - 1 2004	
CHAIR	GMCS
CAO	GMDS
GMCS	GMES
<i>Coll</i>	

MEMORANDUM

TO: Carey McIver
Manager of Solid Waste

DATE: August 26, 2004

FROM: Alan Stanley
Solid Waste Program Coordinator

FILE: 5380-20-STEW

SUBJECT: Status of the Provincial Product Stewardship Business Plan

PURPOSE

To update the Board on the status of the provincial product stewardship plan as well as federal initiatives directed at reducing packaging waste.

BACKGROUND

In May 2004 the Board directed staff to 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 ongoing programs.

Product stewardship is defined as a management system based on industry and consumers taking life-cycle responsibility for the products they produce and use. As a result, the materials covered under a stewardship program are less likely to enter the RDN's waste management system. There are province-wide stewardship programs currently in place for lead acid batteries, used motor oil, paint, pesticides, solvents, passenger and light truck tires, medications, fuel and beverage containers with the exception of containers for milk and milk substitutes.

The RDN has actively encouraged the province and product manufacturers to undertake these stewardship initiatives and continues to promote the expansion of these programs. At a staff level, the RDN participates on the Board of the Recycling Council of BC (RCBC), a multi-stakeholder organization made up of private sector, governmental and environmental organizations dedicated to waste prevention. Over the years RCBC has consistently advocated for the adoption and expansion of product stewardship programs.

British Columbia Product Stewardship Review

In early 2003, the provincial Ministry of Water, Land and Air Protection (MWLAP) initiated a product stewardship review. The review analyzed all existing stewardship programs and determined if they are consistent with the four guiding principles that MWLAP published in 2002 that were to form the basis of all product stewardship plans in BC. The guiding principles are:

1. Producer/User Responsibility
 - a. *Waste management responsibility is shifted from taxpayers to producers and consumers.*
 - b. *Responsibility is not shifted to other levels of government without consent.*
2. Level Playing Field
3. Results Based
4. Transparency and Accountability

In August 2003 the Board considered a report from staff on the progress of the stewardship review process. The report identified that many industry submissions were urging partnerships with local government in the delivery of stewardship programs. Some industry submissions went so far as to suggest that local government be somehow compelled to assist in the delivery of their stewardship programs.

This approach contradicted the accepted definition of product stewardship, the MWLAP product stewardship vision and the first principle of the MWLAP product stewardship business plan. Consequently, the Board sent a letter to the BC Premier, copied to the Minister of Water, Land and Air Protection and UBCM supporting the four principles of the product stewardship business plan. The letter emphasized the principle that the revised regulation should define the producer and consumer as the responsible parties for product stewardship materials and reject the shared responsibility model.

Recent Product Stewardship Developments - Provincial

Since the August 2003 report, no new products were added to the stewardship regulation, however there has been some background activity related to automobile tires and batteries and electronics.

The automobile tire and battery programs were among the earliest stewardship programs and have been subject to criticism since their inception. The money that is ostensibly collected for product stewardship goes into general revenue and there has been difficulty finding out how much money goes back into the stewardship program, with available evidence suggesting that the majority of the funding may not go into the stewardship programs. This funding mechanism was identified in the product stewardship business plan as being inconsistent with the guiding principles of the plan.

However, tire and battery stewardship plans consistent with the guiding principles of the stewardship business plan were submitted by industry to the MWLAP and rejected. The reasons for the rejection of these stewardship plans were that the proposals by industry called for the elimination of the current recycling surcharge. Under the proposed tire and battery stewardship plans the recycling surcharge was to be replaced by an eco-fee similar to the fees established by Product Care, an industry association that manages paint and pesticides. As with Product Care, the eco-fee would be set by the industry association and used exclusively to fund the proposed product stewardship plans, in effect, removing the revenue stream from provincial government control.

The industry sponsors of the tire and battery stewardship proposals were informed that their stewardship proposals, even though consistent with the business plan, would not be approved if the recycling surcharge were to be removed. This left industry in an untenable position; either have consumers of their products pay twice for stewardship programs or, if only the current recycling surcharge was kept, with all funds collected and retained by the provincial government, have no funding for their proposed programs.

In 2003, the MWLAP announced that they were planning to amend the stewardship regulation to include electronics. This was after electronics industry and stakeholder consultation and responding to requests

from local government, including the RDN, to implement an electronics product stewardship regulation. Throughout the first half of 2004, MWLAP maintained that an electronics stewardship regulation was imminent, however the regulation has been held up at the cabinet table and MWLAP staff has recently suggested that no new regulations will be added until after the next provincial election in May 2005.

Recent Product Stewardship Developments – Federal

In 1990, the Canadian Council of Ministers of the Environment endorsed the National Packaging Protocol (NaPP). The NaPP contained three milestone targets for the reduction of packaging waste of: 20% by 1992; 35% by 1996, and 50% by the year 2000. Although the primary goal of the Protocol was to reduce the amount of packaging sent for disposal, its first policy stipulated, "All packaging should have a minimal effect on the environment". This was a voluntary program for domestic producers and the goals have been met. Making packaging lighter and reducing "pre-consumer" packaging used in manufacturing were techniques used to achieve the NaPP objectives. The federal government continues to support product stewardship and have been actively developing stewardship policies, however no new federal stewardship regulations have been implemented.

ALTERNATIVES

1. Confirm Board support for product stewardship and encourage the province to accept industry product stewardship plan proposals that are consistent with the guiding principles of the product stewardship business plan and amend the stewardship regulation to include electronics.
2. Do not correspond with the province on this matter at this time.

FINANCIAL IMPLICATIONS

Stewardship programs that adhere to MWLAP's four guiding principles have the potential to significantly reduce the amount of waste that must be handled by local government and paid for by the taxpayer. As the producer and consumer fund stewardship programs, there are no financial implications for the RDN.

ENVIRONMENTAL IMPLICATIONS

Product stewardship programs are a proven and reliable mechanism to remove material from the disposal stream and to ensure that the diverted materials are recycled. In the case of household hazardous wastes, for example, materials with higher levels of toxicity are removed from disposal and recycled.

PUBLIC RELATIONS IMPLICATIONS

The public has responded favourably to the current stewardship programs. The current stewardship programs also serve as a public education tool, helping to make consumers more aware of their responsibilities and impacts in terms of the waste that they generate.

INTERGOVERNMENTAL IMPLICATIONS

The provincial government administers stewardship programs. Local government has no legislative authority to direct or otherwise influence stewardship plans. Inclusion of new products into the stewardship regulation, or adoption of new industry stewardship plans is the sole prerogative of the provincial government.

SUMMARY/CONCLUSIONS

Product stewardship is defined as a management system based on industry and consumers taking life-cycle responsibility for the products they produce and use. As a result, the materials covered under a stewardship program are less likely to enter the RDN's waste management system. The RDN has actively encouraged the province and product manufacturers to undertake these stewardship initiatives and continues to promote the expansion of these programs.

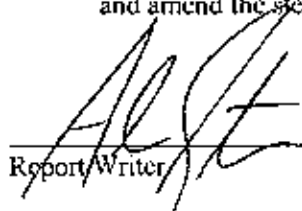
In early 2003, the provincial Ministry of Water, Land and Air Protection (MWLAP) initiated a product stewardship review process. In August 2003 the Board sent a letter to the BC Premier, copied to the Minister of Water, Land and Air Protection and UBCM supporting the four principles of the product stewardship business plan emphasizing the principle that the revised regulation support the producer and consumer as the responsible parties for product stewardship materials, and rejecting the shared responsibility model.

Since that time, there have been no new products added to the stewardship regulation. Tire and battery stewardship plans consistent with the guiding principles of the stewardship business plan were submitted by industry to the MWLAP and rejected. Throughout the first half of 2004, MWLAP has maintained that an electronics stewardship regulation was imminent, however the regulation has been held up at the cabinet table and MWLAP staff has recently suggested that no new regulations will be added until after the next provincial election in May 2005.

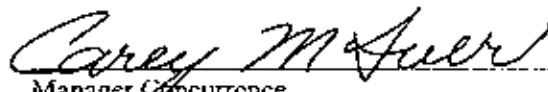
In 1990, the Canadian Council of Ministers of the Environment endorsed the National Packaging Protocol (NaPP). The NaPP called for the reduction of packaging waste of 50% by the year 2000. This was a voluntary program for domestic producers and the goals have been met. The federal government continues to support product stewardship and have been actively developing stewardship policies, however no new federal stewardship regulations have been implemented.

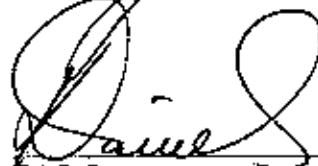
RECOMMENDATION

1. That this report on the status of the provincial Product Stewardship Business Plan be received for information.
2. That the RDN Board send a letter to the BC Premier, copied to Minister of Water, Land and Air Protection and UBCM encouraging the province to accept industry product stewardship plan proposals that are consistent with the guiding principles of the product stewardship business plan and amend the stewardship regulation to include electronics.


Report Writer


General Manager Concurrence


Manager Concurrence


CAO Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO			
SEP - 2 2004			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
		Cow	✓

MEMORANDUM

TO: Wayne Moorman, P.Eng
Manager of Engineering Services

DATE: August 30, 2004

FROM: Deb Churko, AScT
Engineering Technologist

FILE: 5500-22-MR-01

SUBJECT: Melrose Terrace Community Water Supply Service Area
Establishment Bylaw
Borrowing Bylaw

PURPOSE

To establish the Melrose Terrace Community Water Supply Service Area, and to consider the associated loan authorization bylaw.

BACKGROUND

The subject development and water system is located west of Parksville in the Whiskey Creek area, and is accessed off Highway 4 (Alberni Highway) in Electoral Area F.

A fully-functioning private water system including one groundwater well, reservoir, chlorination building/control building, and watermains servicing 28 properties is already in place in the Melrose Terrace Strata development. The water system has been in place since approximately 1995 and operates under a permit from the Ministry of Health.

In 2003, the residents of the development (through their management firm) contacted the Regional District to enquire about the RDN taking over the ownership and operation/maintenance of the water utility. At the time, the system was being administered by a management firm in Parksville and a local resident living in the development was contracted to operate and maintain the water system. After contact by the management firm, staff at the RDN met with the operator and evaluated the water system's age, size, operation and budget. Staff then prepared costs to upgrade the system (where necessary, to RDN standards) and prepared an operations/maintenance budget for the residents to consider; this information was given to the management firm and they discussed the costs and implications of the RDN assuming ownership of the water system.

On March 3, 2004, a public information meeting was held for the residents and following this meeting the management firm requested the RDN petition the residents to form a public water utility. Petitions were mailed to all property owners on May 21, 2004.

In order to proceed with the establishment of the Melrose Terrace Community Water Supply Service Area, the petitioning process required a minimum of 51% positive support. As of July 20, 2004 (the closing date for the petitions), the RDN had received 22 signed petitions representing 78% of the property owners in favour of proceeding with the establishment of the community water system and having RDN maintain water services to the 28 properties affected.

In order to establish a taxation authority for the community water service area, the Regional District must introduce an Establishing Bylaw for the lands to be serviced by the RDN. Further, a borrowing bylaw is necessary to secure the funds required to upgrade the system to RDN standards. A plan of the proposed service area is shown as Schedule 'A' (attached).

Once the service area is established, regulatory bylaws will also be required to establish fees and charges to recover costs associated with the operation and maintenance of the water service. After the Establishing Bylaw has been adopted, operation and ownership of the water system will be transferred to the RDN. At this time, only the properties outlined on the attached plan would be included in the Community Water Supply Service Area bylaw.

ALTERNATIVES

1. Proceed with the establishment of the Water Supply Service Area for the Melrose Terrace subdivision.
2. Do not proceed with the establishment of a Water Supply Service Area for the Melrose Terrace subdivision.

FINANCIAL IMPLICATIONS

If the Community Water Supply Service Area is acquired, there would be no financial implications to the RDN. Costs associated with some immediate hardware upgrading/improvements and the operation & maintenance of the system would be borne by the property owners in the Melrose Terrace Community Water Supply Service Area. This project necessitates the borrowing of \$15,050 (for improvements such as new chlorination system, security fencing, lighting, water meters, flush-outs etc.) which would translate into a cost of approximately \$538 per property. Residents will be given the opportunity to pay their share of the borrowing in a lump sum payment or amortized over 10 years.

A ten-year projected annual budget for the water system has been presented to the residents. The parcel tax and user fee for local service area residents is projected to be about \$64 per month in 2005, rising to about \$76 per month by 2014. As a comparison, residents currently pay a monthly water charge of \$50 per month.

CITIZENS/PUBLIC RELATIONS IMPLICATIONS

The Regional District of Nanaimo was initially approached by the management firm for the Melrose Terrace Strata Corporation VIS3747, and at their request the RDN is undertaking to create the Community Water Service Area and acquire the existing Melrose Terrace water system. Staff attended a public information meeting at the Bradley Centre on March 3, 2004 to discuss the acquisition of the system and explain the financial impacts to the home owners. At the meeting, and subsequently by returning the signed petitions, the residents have shown their support for the creation of an RDN community water service area.

SUMMARY/CONCLUSIONS

The Melrose Terrace Strata Corporation approached the RDN in 2003 to acquire their water system which currently serves 28 strata properties. Following this contact, the RDN initiated a program to review the state of the existing water system, prepared costs and related budgets, and presented the budgets/costs and benefits of the RDN acquiring the water system to the residents.

A public information meeting was held for the Melrose Terrace Strata Corporation at the Bradley Centre on March 3, 2004. Following the meeting, the residents requested that the RDN prepare petitions to have the RDN acquire the water system. Petitions were subsequently mailed out to the 28 property owners of Melrose Terrace. As of July 20, 2004 the RDN had received 22 out of 28 signed petitions (78%) and the RDN is proceeding with the creation of a Community Water Supply Service Area and acquisition of the existing Melrose Terrace water system.

To establish a taxation authority for the water service area, the Regional District must now introduce an Establishing Bylaw for the service and a Borrowing Bylaw to secure the funds required to upgrade the system to RDN requirements.

There are no financial implications to the RDN to acquire the water system. All costs related to operation and maintenance of the water system will be borne by the property owners in the Melrose Terrace Community Water Supply Service Area. An estimate of the 2005 annual parcel tax and user fee is \$772, or \$64 per month; this compares with the current user rate of \$50 per month.

RECOMMENDATIONS


1. That the "Melrose Terrace Community Water Supply Service Area Establishment Bylaw No. 1397, 2004" be introduced, read three times, and forwarded to the Inspector of Municipalities for approval, and
2. That the "Melrose Terrace Community Water Supply Service Area Loan Authorization Bylaw No. 1398, 2004" be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.



Report Writer



Manager Concurrence



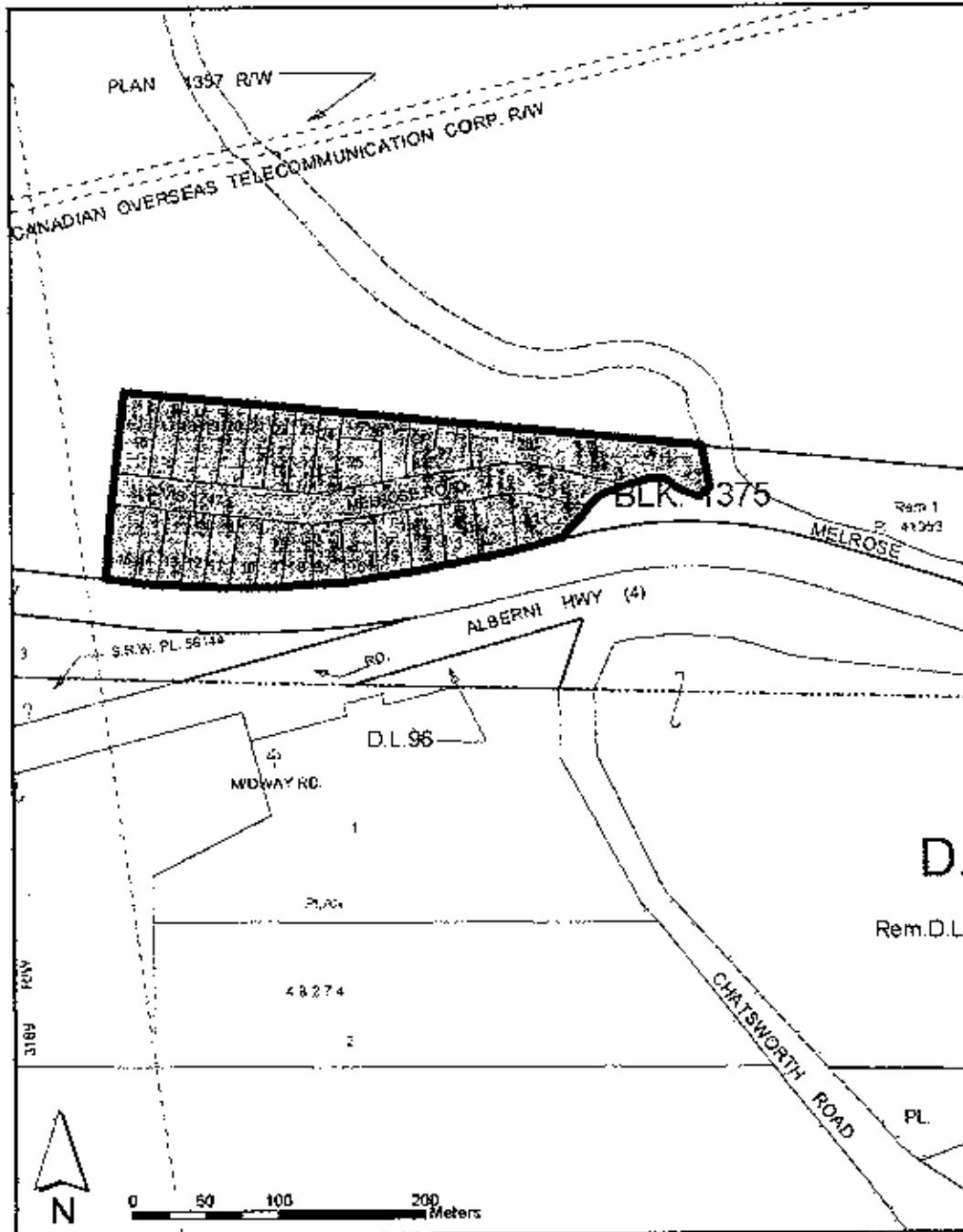
General Manager Concurrence



CAO Concurrence

COMMENTS:

Schedule 'A'



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1397

**A BYLAW TO ESTABLISH A SERVICE WITHIN
ELECTORAL AREA 'F' FOR THE PURPOSE OF PROVIDING A
DOMESTIC WATER SUPPLY AND DISTRIBUTION
SYSTEM (MELROSE TERRACE COMMUNITY WATER)**

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

AND WHEREAS owners of parcels in a portion of Electoral Area 'F' have petitioned the Regional District pursuant to Section 797.4 of the Act to establish a service for the purpose of owning and operating a water supply and distribution system;

AND WHEREAS the petitions have been judged sufficient pursuant to Section 797.4(4) of the Act;

AND WHEREAS the approval of the Inspector of Municipalities is required under Section 801(1)(a) of the Act;

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

1. A service for the supply, treatment, conveyance, storage and distribution of water is hereby established.
2. The boundaries of the service area are shown in heavy outline on Schedule 'A' attached to and forming part of this bylaw.
3. Electoral Area 'F' is the sole participating area for the service.
4. The entire cost of providing the service established by this bylaw shall be borne by the owners of land within the service area and may be recovered pursuant to Section 803 of the Act by one or more of the following:
 - (a) parcel taxes imposed in accordance with Division 4.3;
 - (b) fees and other charges imposed under Section 797.2;
 - (c) revenues raised by other means authorized under this or another Act;
 - (d) revenues raised by way of agreement, enterprise, gift, grant or otherwise.

5. The maximum amount that may be requisitioned under Section 800.1(e) for the annual cost for this service shall be the greater of:
- (a) the sum of Fourteen Thousand Five-Hundred Dollars (\$ 14,500.00) or
 - (b) the product obtained by multiplying the net taxable value of land and improvements within the service area by a property tax value rate of \$10.38 per thousand dollars of assessment.
6. This bylaw may be cited as the "Mcrose Terrace Community Water Supply Service Establishment Bylaw No. 1397, 2004".

Introduced and read three times this ____ day of _____, 2004.

Received the approval of the Inspector of Municipalities this ____ day of _____, 2004.

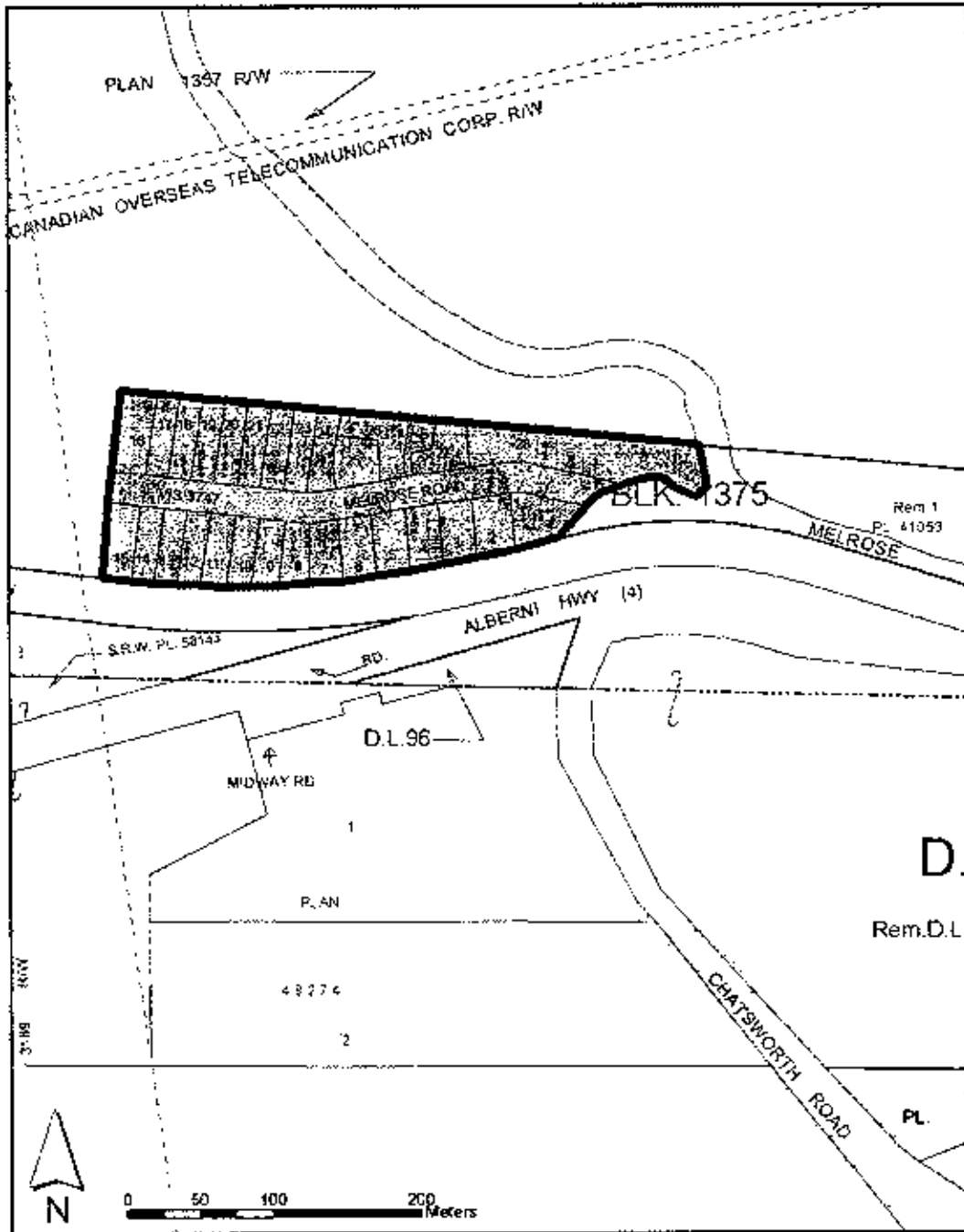
Adopted this ____ day of _____, 200 ____.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

Chairperson

General Manager, Corporate Services



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1398

**A BYLAW TO AUTHORIZE BORROWING FOR
THE PURPOSE OF ACQUIRING , CONSTRUCTING AND UPGRADING
THE MELROSE TERRACE COMMUNITY WATER SYSTEM**

WHEREAS Regional District of Nanaimo Bylaw No. 1397 established the "Melrose Terrace Community Water Supply Service Area";

AND WHEREAS the Board wishes to acquire and improve water supply facilities for the service;

AND WHEREAS the work shall include the acquisition, replacement and improvement of water supply facilities, and all related ancillary works and equipment deemed necessary by the Board to operate the service;

AND WHEREAS the estimated cost of the water supply facility improvements, including expenses incidental thereto, is the sum of \$ 15,050.00

AND WHEREAS the financing of the capital program is to be undertaken by the Municipal Finance Authority of British Columbia pursuant to proposed agreements between the Authority and the Regional District of Nanaimo;

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

1. The Board is hereby empowered and authorized to acquire and carry out or cause to be carried out the following capital program:

Water system improvements	\$ 15,050.00
---------------------------	--------------
2. To borrow upon the credit of the Regional District a sum not exceeding \$ 15,050.00; and
3. To acquire all such real and personal property, rights or authorities as may be requisite or desirable for or in connection with the foregoing capital program, and all related ancillary works and equipment deemed necessary by the Board for the management of the service authorized under "Melrose Terrace Community Water Supply Service Establishing Bylaw No. 1397, 2004".
4. The maximum term for which debentures may be issued to secure the debt intended to be created by this bylaw is 10 years.
5. This bylaw may be cited for all purposes as "Regional District of Nanaimo (Melrose Terrace Community Water) Loan Authorization Bylaw No. 1398, 2004".

Introduced and read three times this ____ day of _____, 2004.

Received the approval of the Inspector of Municipalities this ____ day of _____, 2004.

Adopted this ____ day of _____, 200__.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES



REGIONAL DISTRICT OF NANAIMO		
SEP - 2 2004		
CHAIR		GM CrS
CAO		GM DS
GM CrS		GM ES

MEMORANDUM

TO: Wayne Moorman, P.Eng. Manager of Engineering Services

FROM: Deb Churko, AScT Engineering Technologist

SUBJECT: Utilities
Inclusion into the French Creek Sewer Local Service Area and Northern Community Sewer Local Service Area (Lee Road)

CoW ✓
DATE:
FILE:

August 11, 2004

5500-20-FC-01

PURPOSE

To consider the request to include Lot 3, District Lot 29, Nanoose Land District, Plan VIP63647 (Carlos and Dorothy Carvalho) into the French Creek Sewer Local Service Area (see attached plan).

BACKGROUND

The subject property is located near the French Creek Marina, west of Parksville, and is accessed off of Lee Road in Electoral Area G.

The owner of the above-noted property has petitioned the RDN to be included in the French Creek Sewer Local Service Area (FCSLSA). The property is designated as 'Urban Area' in the Regional Growth Strategy (RGS) Bylaw No. 1309, 2002 and 'French Creek Comprehensive Development Area' in the French Creek Official Community Plan (OCP) Bylaw No. 1115, 1998, and amendments thereto. In addition, the property is located within the community sewer service area recognized in the French Creek OCP.

The policies in Section 6.4 of the French Creek OCP encourage the extension of sewer services to unserved neighbourhoods in urban areas, and support the provision of community sewer services to those lands located within the community sewer service area. Both the RGS and the French Creek OCP support the extension of sewer service to the subject property. From a land use planning perspective, Development Services has no objection to the boundary amendment required for this application.

The Northern Community Sewer Local Service Area Bylaw No. 889, 1998 and the FCSLSA Bylaw No. 813, 1990 both require amendment in order to service this property with sewer. Both bylaw amendments are addressed in this report.

ALTERNATIVES

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

FINANCIAL IMPLICATIONS

There are no financial implications to the RDN. If accepted into the FCSLSA, all costs associated with the connection would be at the expense of the applicant. When brought into the local service area, the subject property will pay a Capital Charge of \$556.00 for each potential subdividable lot allowed under

the current zoning, pursuant to French Creek Sewer Local Service Area Bylaw No. 1330 (sewage collection). The subject property will also pay a Capital Charge of \$2,023.00 per lot, pursuant to Northern Community Sewer Local Service Area Bylaw No. 1331 (sewage treatment).

At the time of subdivision, Development Cost Charges of \$2,636 per lot would be payable under the Northern Community Sewer Local Service Area DCC Bylaw No. 934.

DEVELOPMENT IMPLICATIONS

The subject property is currently zoned Residential 1 (RS1) and is within the "Q" Subdivision District pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The "Q" Subdivision District provides a minimum parcel size of 700 m² where the property is serviced with both community water and sewer. RDN staff understand that the property owner is currently seeking community water services from Breakwater Enterprises Ltd. The subject property is greater than 10,000 m² in size, and the owner has submitted an application to the RDN Development Services Department for a proposed 3-lot strata subdivision.

INTERDEPARTMENTAL IMPLICATIONS


Development Services has no objection to the boundary amendments required to bring the subject property into the sewer local service area. The subject property is within the area designated for community sewers in the Regional Growth Strategy.

SUMMARY/CONCLUSIONS

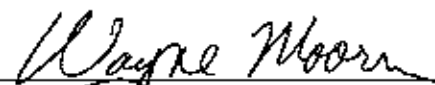
A petition has been received to amend the boundaries of the French Creek Sewer Local Service Area and the Northern Community Sewer Local Service Area. The property being considered for inclusion is within the Urban Containment Boundary of the Regional Growth Strategy, and is identified for connection to community water and sewer systems. The property is also within the benefiting area of the French Creek Pollution Control Center. All costs associated with connection to the RDN sewer system will be at the expense of the property owner.

RECOMMENDATION

1. That "French Creek Sewer Local Service Area Bylaw No. 813.29, 2004" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.
2. That "Northern Community Sewer Local Service Area Bylaw No. 889.27, 2004" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.



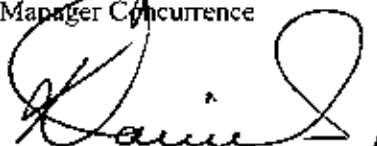
Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 813.29

**A BYLAW TO AMEND THE FRENCH CREEK
SEWERAGE FACILITIES LOCAL SERVICE AREA
ESTABLISHMENT BYLAW NO. 813**

WHEREAS "French Creek Sewerage Facilities Local Service Establishment Bylaw No. 813, 1990"; as amended, establishes the French Creek Sewerage Facilities Local Service Area;

AND WHEREAS the Board has been petitioned to expand the local service area;

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

1. The boundaries of the French Creek Sewerage Facilities Local Service Area, established by Bylaw No. 813, as amended, are hereby further amended to include the property shown outlined on Schedule 'B-1' attached hereto and forming part of this bylaw.
2. The amended boundary of the French Creek Sewerage Facilities Local Service Area shall be as shown outlined on Schedule 'A' attached hereto and forming part of this bylaw.
3. Schedule 'A' of Bylaw No. 813.28 is hereby repealed.
4. This bylaw may be cited as "French Creek Sewerage Facilities Local Service Area Amendment Bylaw No. 813.29, 2004".

Introduced and read three times this ____ day of _____, 2004.

Received the approval of the Inspector of Municipalities this ____ day of _____, 2004.

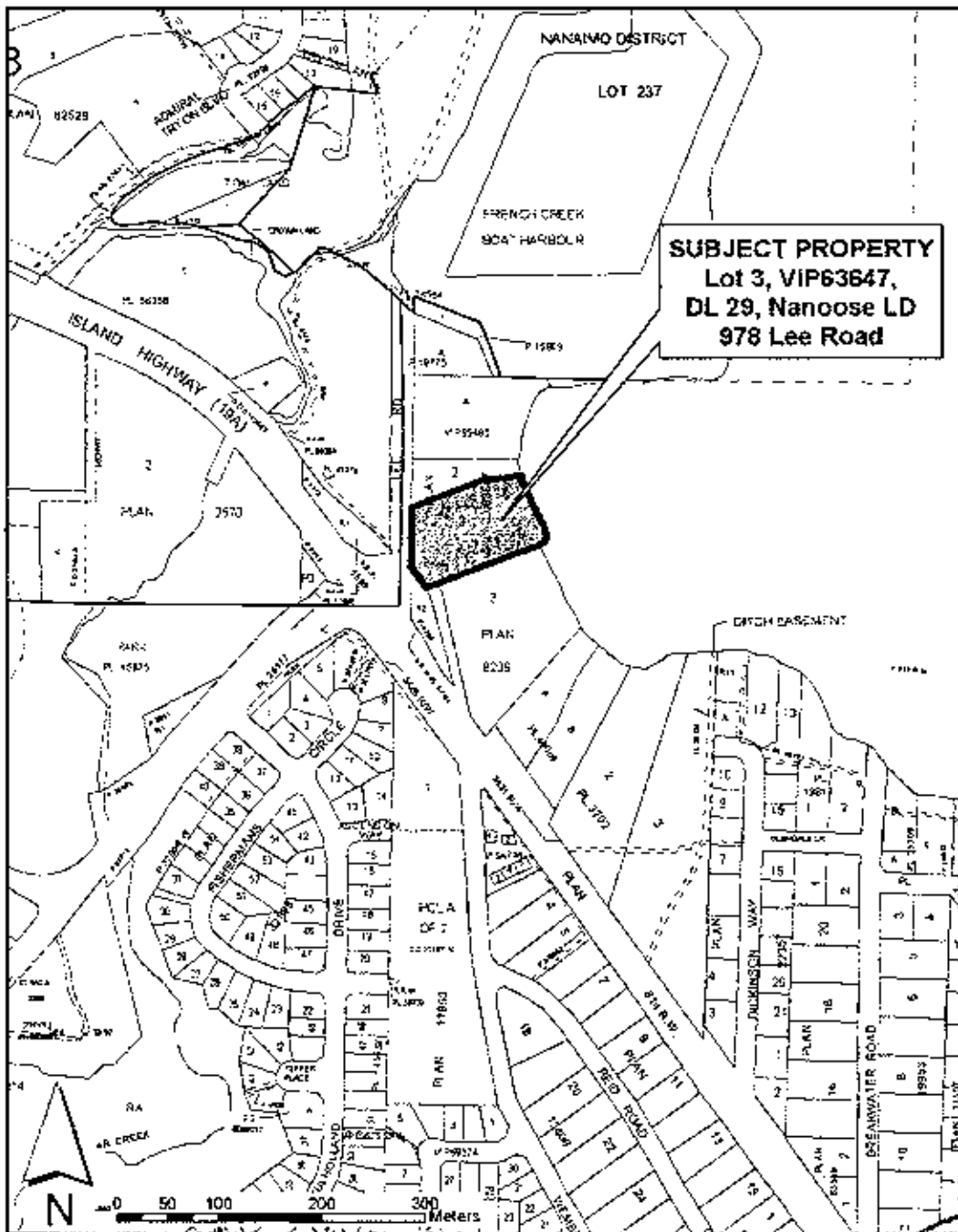
Adopted this ____ day of _____, 200__.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

Chairperson

General Manager, Corporate Services



BOES MAPSHEET NO. 021 029-1

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 889.27

**A BYLAW TO AMEND THE NORTHERN COMMUNITY
SEWERAGE FACILITIES LOCAL SERVICE AREA
ESTABLISHMENT BYLAW NO. 889**

WHEREAS the Board has enacted the "Regional District of Nanaimo Northern Community Sewer Local Service Conversion Bylaw No. 889, 1993", as amended, which establishes the Northern Community Sewer Local Service Area;

AND WHEREAS the Board wishes to amend Schedule 'C' to include the property legally described as Lot 3, District Lot 29, Plan VIP63647, Nanoose Land District;

AND WHEREAS the Board wishes to amend Schedule 'D' to exclude the property legally described as Lot 3, District Lot 29, Plan VIP63647, Nanoose Land District;

AND WHEREAS the Board has obtained the consent of at least two thirds of the participants;

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

1. This bylaw may be cited as "Regional District of Nanaimo Northern Community Sewer Local Service Area Amendment Bylaw No. 889.27, 2004".
2. Schedules 'C' and 'D' attached to and forming a part of Bylaw No. 889.26 are hereby deleted and replaced with Schedules 'C' and 'D' attached to and forming part of this bylaw.

Introduced and read three times this ____ day of _____, 2004.

Received the approval of the Inspector of Municipalities this ____ day of _____, 2004.

Adopted this ____ day of _____, 200__.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES



SEP - 2 2004

MEMORANDUM

CHAIR		GMCrs	
CAO		GMDS	
GMCS		GMES	
		CoW	<input checked="" type="checkbox"/>

TO: Wayne Moorman, P. Eng. DATE: August 31, 2004
 Manager of Engineering Services

FROM: Deb Churko, AScT FILE: 5500-21-MS
and 3320-30-25349
 Engineering Technologist

SUBJECT: Utilities
 Morningstar Streetlighting Local Service Area, Boundary Amendment

PURPOSE

To consider a request to include Lot 1, District Lots 81 and 126, Nanoose Land District, Plan VIP70880 (Wembley Road) into the Morningstar Streetlighting Local Service Area (LSA) (see attached plan).

BACKGROUND

The owner of the above-noted property has returned a signed petition to the RDN to be included in the Morningstar Streetlighting LSA. This is a 14.5 acre property undergoing a proposed 54-lot subdivision between Wembley and Lowry's Roads in French Creek. In order to tax the property for the operation of the streetlights, this property must be included in the Morningstar Streetlighting LSA. The subject property is located adjacent to the existing streetlighting service area boundary.

ALTERNATIVES


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

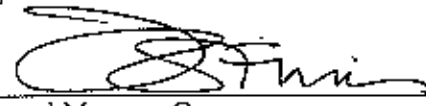
FINANCIAL IMPLICATIONS

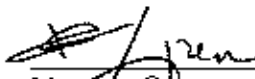
There are no financial implications to the RDN. The developer will install the streetlights at his cost. The operating costs of the streetlights are charged to the benefiting properties through taxation. The Bylaw provides for a maximum tax cost of \$22.70 per \$100,000 of assessment. Staff estimate that the projected cost will be approximately \$17.60 per \$100,000 of assessment.

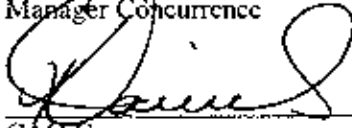
RECOMMENDATION

1. That "Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.06, 2004" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.


 Report Writer

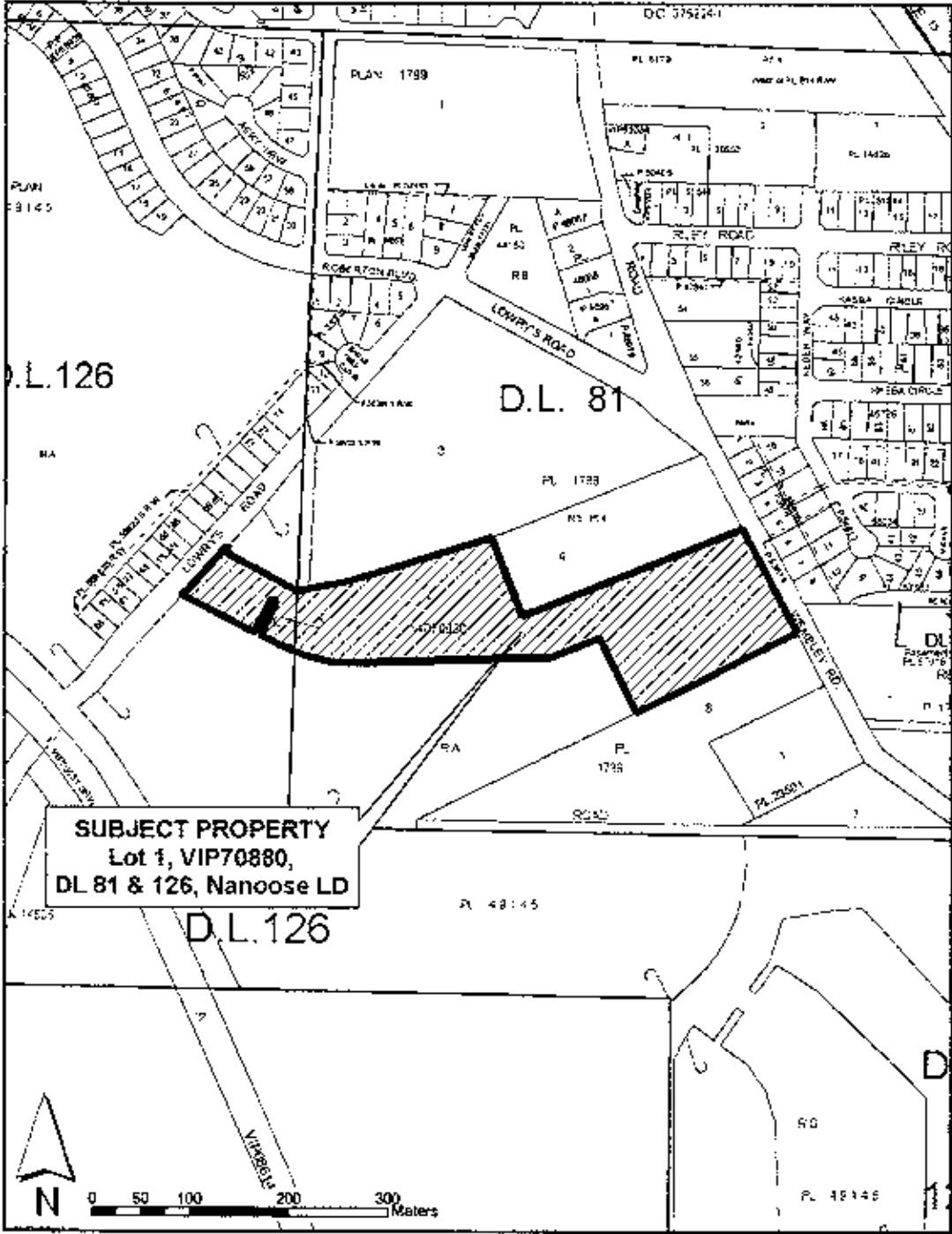

 General Manager Concurrence


 Manager Concurrence


 CAO Concurrence

COMMENTS:

Figure 1



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 869.06

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

WHEREAS "Morningstar Streetlighting Local Service Area Establishment Bylaw No. 869, 1992" established the "Morningstar Streetlighting Local Service Area" and the Board of the Regional District of Nanaimo now wishes to extend the boundaries of the local service area;

AND WHEREAS pursuant to Section 802(1)(b), consent of the Electoral Area Director has been obtained;

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

1. The boundaries of the "Morningstar Streetlighting Local Service Area", established by "Morningstar Streetlighting Local Service Area Establishment Bylaw No. 869, 1992", are hereby amended to include those properties outlined in heavy black on Schedule 'A' attached to and forming a part of this bylaw.
2. The amended boundaries of the local service area are hereby shown as outlined on Schedule 'B' attached to and forming a part of this bylaw.
3. This bylaw may be cited as the "Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.06, 2004".

Introduced and read three times this ____ day of _____, 2004.

Received the approval of the Inspector of Municipalities this ____ day of _____, 2004.

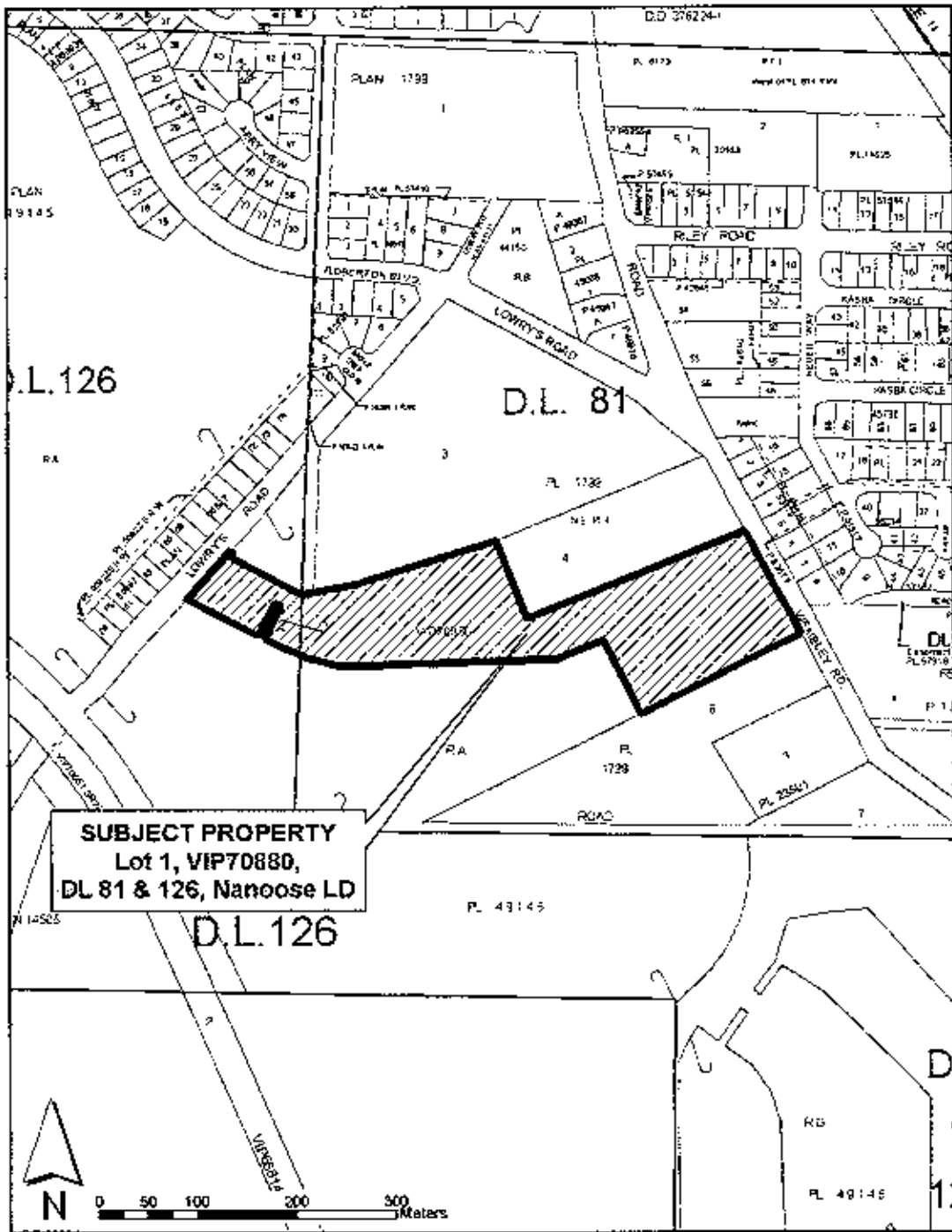
Adopted this ____ day of _____, 20__.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

Chairperson

General Manager, Corporate Services





REGIONAL DISTRICT OF NANAIMO			
SEP - 2 2004			
CHAIR		GMCrS	
CAO		GMDS	
GMMS		GMES	
<i>Code</i>			
TO:		DATE:	
FROM:		FILE:	
SUBJECT:			

MEMORANDUM

TO: Wayne Moorman, P.Eng. Manager of Engineering Services

September 1, 2004

FROM: Deb Churko, AScT Engineering Technologist

5500-20-SR-20

SUBJECT: Utilities Surfside Sewer Local Service Area Inclusion into Local Service Area (965 Surfside Drive)

PURPOSE

To consider a request to include Lot 21, Block 1, District Lot 9, Newcastle Land District, Plan I5370 (Schmidt property) into the Surfside Sewer Local Service Area (see attached plan).

BACKGROUND

The owner of the above-noted property has petitioned the RDN to include the subject property into the Surfside Sewer Local Service Area (LSA). The property is not located within an Urban Containment Boundary (UCB) as outlined in "Regional District of Nanaimo Regional Growth Management Plan (RGMP) Bylaw No. 1309, 2002". The property is designated 'Rural Residential' and is located within the Natural Hazard and Environmentally Sensitive Areas Development Permit Area pursuant to "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan (OCP) Bylaw No. 1007, 1996". The property is zoned Residential 2 (RS2), pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" and is within the "M" subdivision district.

The property is already developed with one existing single-family dwelling, and sewage disposal is to an on-site septic field. A letter from the Central Vancouver Island Health Authority has been received which supports a connection to the nearby sanitary sewer system. Contact with the Health Officer indicated that the existing septic field was installed prior to the provincial permitting process. If the owner of the property were to apply for a septic field permit at this time, he would be denied, as the property does not conform with the required 100-foot setback to the ocean. Further, the Health Officer noted that the existing septic field is subject to damage from vehicle traffic. Relocation of the field on the property is not possible due to the existing setback requirements.

The Board, at it's regular meeting of Directors on February 10, 2004, approved the inclusion of Lot 11/ 956 Surfside Drive (located directly across Surfside Drive from the subject property) into the Surfside Sewer LSA for similar reasons whereby the property did not meet the Health Authority setback requirements to the ocean.

"Regional District of Nanaimo Northern Community Sewer Local Service Area Bylaw No. 889, 1998" requires amendment as well as "Regional District of Nanaimo Surfside Sewer Local Service Area Bylaw No. 1124, 1998" in order to service this property with sewer. Both bylaw amendments are addressed in this report.

ALTERNATIVES

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

FINANCIAL IMPLICATIONS

There are no financial implications to the RDN. If accepted into the Surfside Sewer LSA, all costs associated with connection to the sewer main would be at the expense of the applicant.

ENVIRONMENTAL IMPLICATIONS

The property is located within the Natural Hazard and Environmentally Sensitive Areas Development Permit Area pursuant to Bylaw No. 1007. The applicant has provided a letter from the Central Vancouver Island Health Authority stating that the parcel does not conform with the required 100-foot setback to the ocean. The Health Officer supported a connection to the nearby sanitary sewer.

DEVELOPMENT IMPLICATIONS

While the property is outside the UCB, the RGMP allows a property to connect to a LSA for health or environmental reasons provided it does not facilitate future development. A sewer line and sewer stub are present in front of the property on Surfside Drive, thereby making a connection to the LSA possible.

The subject property is located within a Development Permit Area, pursuant to the Shaw Hill-Deep Bay Official Community Plan (Bylaw No. 1007, 1996). Exemptions for a simple sewer connection are not specifically provided for in the OCP. Therefore, a Development Permit may be required, along with a regular Building Permit, in order to construct a sewer service line from the existing house to the sewermain on the roadway.

In most cases, the RDN requires the property owner to register a restrictive covenant on the title to restrict future development. However, in this case, a covenant on the property is not required as the property is zoned RS2 and is within the "M" subdivision district pursuant to Bylaw No. 500. The "M" subdivision district provides a minimum parcel size of 2000 m² where the property is serviced with community water and sewer. The existing parcel size is approximately 1082 m² and, therefore, cannot be further subdivided.

INTERDEPARTMENTAL IMPLICATIONS

Development Services has no objection to the boundary amendment required for this application.


SUMMARY/CONCLUSIONS

A petition has been received to amend the boundaries of the Surfside Sewer Local Service Area. While the property is outside the UCB, the RGMP allows a property to connect to a LSA for health or environmental reasons provided it does not facilitate future development. The Central Vancouver Island Health Authority has stated the parcel does not conform with the required 100-foot setback to the ocean. Further, the Health Officer noted that the existing septic field is subject to damage from vehicle traffic. Relocation of the field on the property is not possible due to the existing setback requirements. The Health Officer supported a connection to sanitary sewer. On February 10, 2004, the RDN Board


approved the inclusion of an adjacent property into the Surfside Sewer LSA for similar reasons whereby the property did not meet the Health Authority setback requirements. Due to the small size of the subject property, future subdivision is not possible. All costs associated with connection to the RDN sewer system will be at the expense of the property owner.

RECOMMENDATION

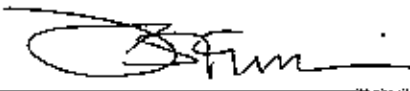
1. That "Regional District of Nanaimo Surfside Sewer Local Service Area Bylaw No. 1124.03, 2004" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.
2. That "Regional District of Nanaimo Northern Community Sewer Local Service Area Bylaw No. 889.28, 2004" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.



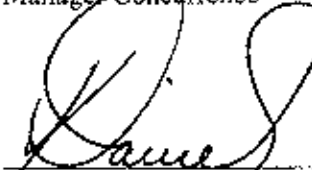
Report Writer



Manager Concurrence



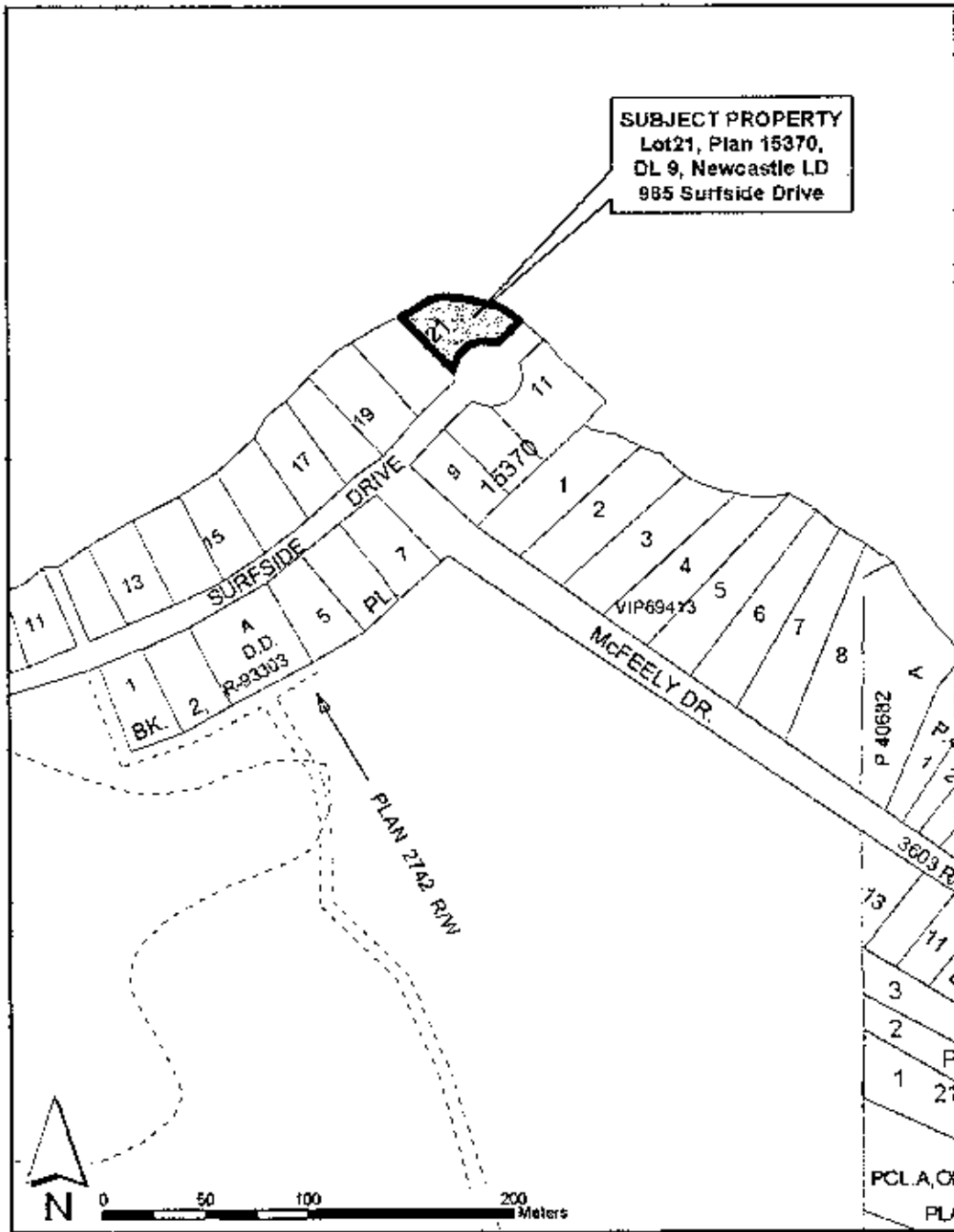
General Manager Concurrence



CAO Concurrence

COMMENTS:

Schedule "A"



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1124.03

**A BYLAW TO AMEND THE SURFSIDE
SEWER LOCAL SERVICE AREA
ESTABLISHMENT BYLAW NO. 1124**

WHEREAS Surfside Sewer Local Service Area Establishment Bylaw No. 1124, 1998 establishes the Surfside Sewer Local Service Area;

AND WHEREAS the Board has been petitioned to expand the local service area;

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

1. The boundaries of the Surfside Sewer Local Service Area, established by Bylaw No. 1124, are hereby amended to include the property shown outlined on Schedule 'B' attached hereto and forming part of this bylaw.
2. The amended boundary of the Surfside Sewer Local Service Area shall be as shown outlined on Schedule 'A' attached hereto and forming part of this bylaw.
3. Schedule 'A' of Bylaw No. 1124.02 is hereby repealed.
4. This bylaw may be cited for all purposes as the "Surfside Sewer Local Service Area Boundary Amendment Bylaw No. 1124.03, 2004".

Introduced and read three times this ____ day of _____, 2004.

Received the approval of the Inspector of Municipalities this ____ day of _____, 2004.

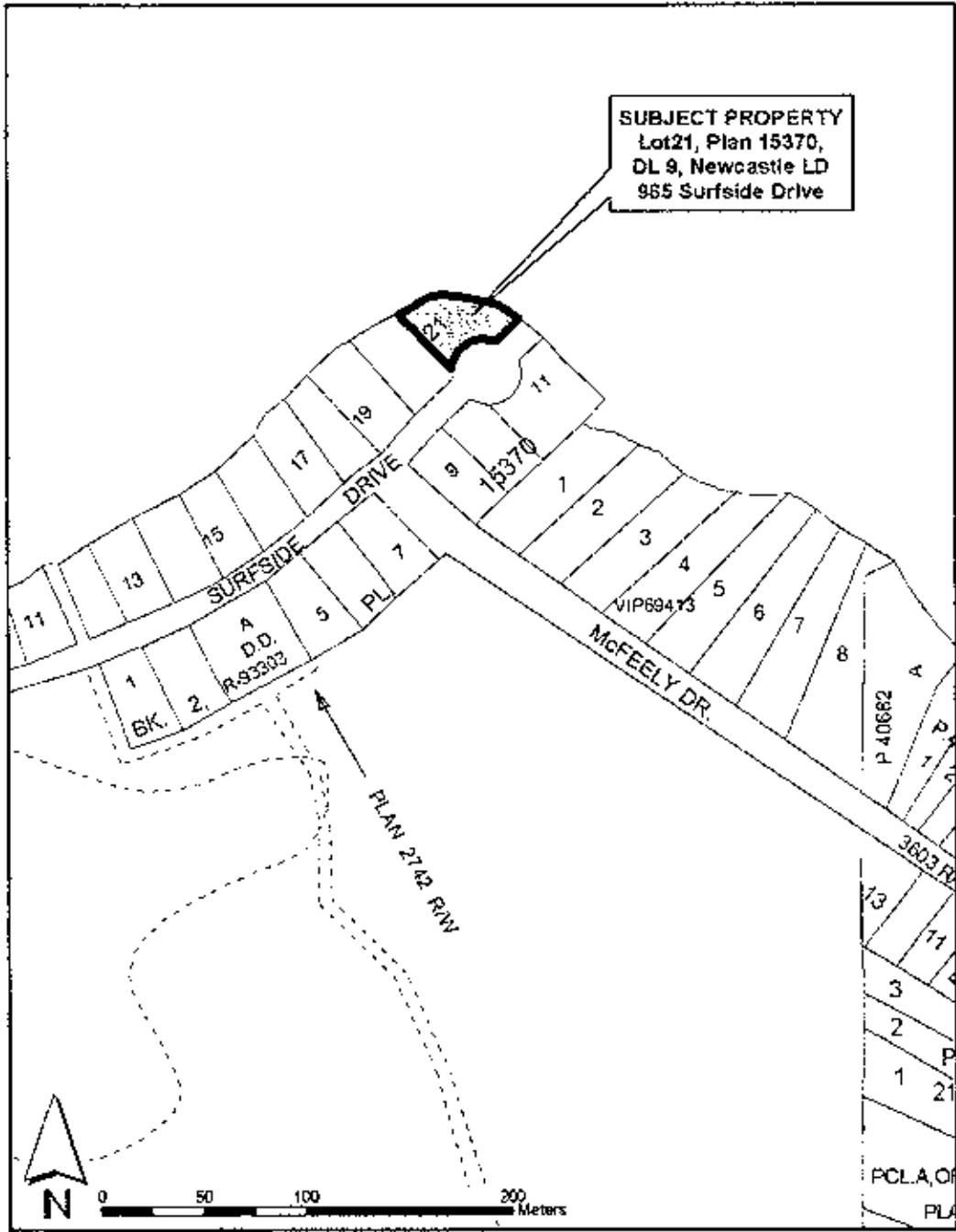
Adopted this ____ day of _____, 2004.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

Chairperson

General Manager, Corporate Services



6005 ANPS-EE MC 3070841

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 889.28

**A BYLAW TO AMEND THE NORTHERN COMMUNITY
SEWERAGE FACILITIES LOCAL SERVICE AREA
ESTABLISHMENT BYLAW NO. 889**

WHEREAS the Board has enacted the "Regional District of Nanaimo Northern Community Sewer Local Service Conversion Bylaw No. 889, 1993", as amended, which establishes the Northern Community Sewer Local Service Area;

AND WHEREAS the Board wishes to amend Schedule 'C' to include the property legally described as Lot 3, District Lot 29, Plan VIP63647, Nanoose Land District;

AND WHEREAS the Board wishes to amend Schedule 'D' to exclude the property legally described as Lot 3, District Lot 29, Plan VIP63647, Nanoose Land District;

AND WHEREAS the Board has obtained the consent of at least two thirds of the participants;

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

1. This bylaw may be cited as "Regional District of Nanaimo Northern Community Sewer Local Service Area Amendment Bylaw No. 889.28, 2004".
2. Schedules 'C' and 'D' attached to and forming a part of Bylaw No. 889.27 are hereby deleted and replaced with Schedules 'C' and 'D' attached to and forming part of this bylaw.

Introduced and read three times this ____ day of _____, 2004.

Received the approval of the Inspector of Municipalities this _____ day of _____, 2004.

Adopted this ____ day of _____, 200__.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE AREA 'B' PARKS AND OPEN SPACE ADVISORY COMMITTEE
REGULAR MEETING HELD ON TUESDAY, JUNE 29, 2004 AT 7:00 PM
DESCANSO BAY REGIONAL PARK, GABRIOLA ISLAND

In Attendance

Don McLaughlin
Jacqueline Cecil Sears

Michael McCrae
Randy Young

Kerry Marcus
Carol Boyce

Staff

Joan Michel

Absent

Ron Holmes

Director Gail Lund

In the absence of Chairman R. Holmes, J. Michel called the meeting to order at 7:00 pm.

ADOPTION OF AGENDA

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

CARRIED

DELEGATIONS AND PRESENTATIONS

None.

APPROVAL OF MINUTES

MOVED J. Cecil Sears, SECONDED M. McCrae, that the Minutes of the May 4, 2004 Area 'B' Parks and Open Space Advisory Committee (POSAC) Regular Meeting be approved.

CARRIED

BUSINESS ARISING FROM MINUTES

Certificate of Appreciation for Duke Flemming re Hummingbird Park

J. Michel provided a sample certificate of appreciation for Duke Flemming who helped for years with the maintenance of Hummingbird Park. Each certificate will include a photo of the volunteer; one is needed for Duke Flemming. Committee members discussed options for presentation and media release. Members are to think about others who might warrant a certificate.

Review of Cox Community Park on McConvey Road for Use as Disk Golf Course

M. McCrae led Committee members on a tour of the McConvey Road portion of Cox Community Park for the purpose of assessing the site as a potential disk golf course. It was agreed that M. McCrae would put together a proposal on the course for submission to the next POSAC. The proposal will be for a one-year trial course and will address operational issues such as parking, vegetation removal and protection, communications and signage, insurance, and relationship with Descanso Bay Regional Park. The tour was carried out from 8:00 to 9:00 pm.

Potential Trail Connector between Regional and Community Parks

Committee members took a preliminary look at where a trail could be routed from the Regional to the Community Park. Further on-site investigation is required in order to identify options. The tour was carried out from 8:00 to 9:00 pm.

COMMUNICATIONS AND CORRESPONDENCE

None.

BUSINESS ARISING FROM DELEGATIONS, COMMUNICATIONS AND CORRESPONDENCE

J. Michel reported that D. Swanson of the Gabriola Soccer Association was advised of the POSAC approving \$400 to help pay for upgrade work on the soccer field at Rollo McClay Community Park.

REPORTS

Beach Access Working Group

R. Young provided an update on recent beach access development work. The need to make headway with the private landowner barring the Shaw Road beach access (#43) was noted. The value of producing a beach access map showing accessible and developed beach accesses only for the general public was discussed. R. Young's tire stairs proposal for use at Spring Beach (#44) is pending J. Lobb obtaining an amended development permit from the Ministry of Transportation. J. Michel reported that the parking lot upgrade at El Verano (#38) requires an archaeological permit; development is expected to take place in October.

Community Parks

R. Young reported that stone crush has been placed on top of wood chips on the Decourcey Road park trail that was of concern to the Fire Chief. J. Michel encouraged R. Young to continue working out ideas with J. Lobb regarding repairs to the stairs at Joyce Lockwood Community Park. J. Belobaba, RDN Parks Assistant, is heading up the Cox Community Park boardwalk project. R. Young is helping on the design specifications for the milling of the whole cedar logs recovered from the boardwalk site, which will be used as stringers. K. Marcus advised that the Gabriola Horse Group is donating \$100 towards the development of the boardwalk and in support of horse access to the Park.

Recreation and Parks 2003 Review

J. Michel distributed the 2003 review of department activities.

NEW BUSINESS

None.

COMMITTEE ROUND TABLE

Deferred.

NEXT MEETING

The next meeting will be held at 7:00 pm on Monday, September 13, 2004 at the Women's Institute Hall.

IN CAMERA

MOVED C. Boyce, SECONDED K. Marcus, that pursuant to Section 242.2 (1)(e) of *The Local Government Act*, the Committee proceed to an In Camera meeting to consider the acquisition of land.

CARRIED

ADJOURNMENT

MOVED C. Boyce, SECONDED K. Marcus, that the Regular Meeting be adjourned to allow for an In Camera meeting followed by a site tour to address the 'Review of Cox Community Park on McConvey Road for Use as Disk Golf Course' and 'Potential Trail Connector between Regional and Community Parks' under Business Arising From Minutes.

CARRIED

TIME: 7:40 PM

R. Holmes
Chairman

REGIONAL DISTRICT OF NANAIMO

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

**MARCH 22, 2004 – 7:00 PM
NANOOSE LIBRARY HALL
NANOOSE ROAD, NANOOSE BAY**

MINUTES

Attendance: Paula Young
Elisabeth Bakker
Pauline Bibby (Area 'E' Director)
Frank Van Eynde (District 69 Recreation Commission Rep)
Robert Grose

Absent: Debbie Kuhn
Art Lightburn

Staff: Jeff Ainge (RDN Parks Supervisor)

In the absence of the Chair, Frank Van Eynde, Acting Chairperson, called the meeting to order at 7:00 pm.

DELEGATIONS

There were no requests for delegations to address the Committee

APPROVAL OF AGENDA

MOVED P. Bibby, SECONDED P. Young that the agenda be adopted with one change to be made, that being the date of the Nanoose Place work party of March 20th, not March 21st. CARRIED

APPROVAL OF MINUTES

R. Grose requested an amendment to the minutes of the January 12, 2004 meeting. The name of Roger Ambrose should read Roger Andrews, in Item b) of Business Arising From Minutes.

MOVED P. Bibby, SECONDED P. Young that the Minutes of the January 12, 2004 meeting be approved as amended. CARRIED

BUSINESS ARISING FROM MINUTES

a) Parkland Dedication

Director Bibby reported on a staff report and proposed policy change pertaining to the processing of parkland dedications from subdivisions. The report and proposed policy are available on the RDN website, as pages 33-38 of the latest Electoral Area Planning Committee Agenda. She advised that

the proposed changes include early referrals to the Parks and Open Space Advisory Committees, Public Information Meetings, and that all information gathered be considered at the Electoral Area Planning Committee level, prior to going to the Board.

COMMUNICATIONS AND CORRESPONDENCE

- a) Staff provided as a late agenda item, a letter of resignation from the Committee submitted by Art Lightburn.

MOVED P. Bibby, SECONDED R. Grose that A. Lightburn's letter of resignation be accepted and that staff be requested to write a letter of thanks on behalf of the Committee. CARRIED

REPORTS & DISCUSSION ITEMS

- a) DL 137: Stewart Road Crown Land
Director Bibby had no recent information, other than the Nanoose Conservancy Society's interest in meeting with the Minister responsible for Land and Water BC Inc.
- b) Official Community Plan
Director Bibby reported on the two public meetings held to date: both well attended with over 70 attendees at each. The second meeting sought to gather residents' opinions on a variety of areas and there was a surprising amount of common ground. The first meeting of the "working group" will be held March 24th. These will be held on the 2nd and 4th Wednesdays, with the exception of Thursday April 29th, and will break for summer. All are welcome to attend. Further public meetings will be held as *drafts* are refined. As documents are prepared they will be available on the RDN website. The resource office will be open every Monday and Wednesday at the Nanoose Library between 1:00 and 4:00 pm. It is hoped to have the plan drafted by the end of 2004.
- c) Nanoose Place Landscaping Project
E. Bakker and P. Young reported that 20+ people helped out over the course of Saturday, March 20th, to pull broom and blackberry from the Nanoose Place grounds. A second day of work is proposed for March 27th, between 10:00 am and 2:00 pm. A landscape plan and estimate of costs has been prepared, which will be submitted to various organizations for funding requests. Staff will assist as required.
- d) Water Site Accesses
Due to A. Lightburn's resignation, staff will gather the information and review the project to date before moving ahead with other committee members.
- e) Staff Update On Local And Regional Issues
Staff reported that:
- No work is planned by RDN Utilities at this time to install a pipeline through the Enos Creek Park (off Harlequin Crescent) due to the inability to get working easements from neighbours.
 - A two-year licence has been offered by Land and Water BC for the Nanoose Road Community Park, in its current form (all four lots). The offer was verbal and staff are awaiting the paperwork.
 - An offer was made by a local resident to upgrade the Simmons Place/Shetland Place entry point to the Schooner Ridge Path. Staff will follow up.

- On the regional side of things, staff are drafting Terms of Reference for a consultant to rewrite the Regional Park Plan, which is 10 years old. It is intended to include public consultation in the process and to be completed by the end of the year.

f) Director's Update

Director Bibby reported that the rezoning application for property on Teds Road has been amended and will be subject to a public hearing on March 31st. A small area of parkland containing an eagle tree is proposed. The Director also made mention and congratulated J. Ainge on his new title of Parks Supervisor.

QUESTIONS AND COMMENTS FROM THE FLOOR

- a) Jeanette Thomson asked for a definition of "development" as it pertained to parkland. Staff responded that it could range from a simple trail to more elaborate structures such as play equipment and parking areas. Ms. Thomson reiterated her desire for community parks to be as natural as possible.

COMMITTEE ROUND TABLE

- a) Director Bibby raised the item of roadside litter. There was general discussion on the topic and agreement that certain roads and areas seem to have more than others. Volunteer clean up may be promoted.
- b) R. Grose requested clarification of the process for neighbours to develop and maintain community parks in the Fairwinds area. Staff responded that such projects usually happen with the RDN and neighbours working in tandem, often with materials and contractors being provided by the Parks budget and labour being provided by local volunteers. Staff like to be informed and involved in such projects and request groups work with them to ensure safety and liability issues are addressed.

NEXT MEETING DATE

The next meeting will be held at the Nanoose Library Hall on Monday June 14, 2004 at 7.00 pm.

ADJOURNMENT

MOVED P. Bibby, SECONDED R. Grose that the meeting adjourn at 8.15 pm.

CARRIED

Original signed by

Frank Van Eynde, Acting Chairperson

REGIONAL DISTRICT OF NANAIMO

MEETING OF THE
NANOOSE BAY PARKS AND OPEN SPACE ADVISORY COMMITTEE

JULY 12, 2004. – 7:00 PM
NANOOSE LIBRARY HALL,
NANOOSE ROAD, NANOOSE BAY

MINUTES

Attendance: Paula Young
Elisabeth Bakker
Pauline Bibby, Electoral Area 'E' Director
Tony Ransom
Robert Grose

Absent: Debbie Kuhn
Frank Van Eynde

Staff: Jeff Amge, RDN Parks Supervisor

CALL TO ORDER

The meeting was called to order at 7:05 pm by Robert Grose who acted as Chairperson in the absence of Debbie Kuhn.

DELEGATIONS & PRESENTATIONS

Pamela Shaw, RDN Deputy Manager of Community Planning, presented an update on the Nanoose Bay Official Community Plan (OCP) progress to date. Ms. Shaw noted the high level of interest from residents attending sessions. She provided the OCP Terms of Reference and the most recent working group summaries to the Committee and public gallery, urging the Committee to review the *Draft* 'Community Values Statements' and to provide input if they feel so inclined. Discussion items included sewer systems, Red Gap Urban Containment Boundary (UCB), protection of greenspace within UCBs, and the small amount of public protected land. Tony Ransom spoke as Chair of the local Naturalists group, which is working with Fairwinds on stewardship activities in the Enos and Dolphin Lake areas. Documenting Environmentally Sensitive Areas (ESAs) to ensure setbacks are honoured and watersheds protected was also discussed. Ms. Shaw invited the Committee to attend an OCP working group session devoted to Parks and Open Space issues, which will be held Thursday, September 9th at 7:00 pm at Nanoose Place.

LATE DELEGATIONS

The Chair offered the opportunity for late delegations. There were none.

ADOPTION OF THE AGENDA

MOVED P. Bibby. SECONDED P. Young that the Agenda be adopted.

CARRIED

APPROVAL OF MINUTES

MOVED P. Bibby, SECONDED E. Bakker that the Minutes of the March 22, 2004 meeting be approved.
CARRIED

BUSINESS ARISING FROM MINUTES

- a) Parkland Dedication
Staff provided copies of the Board report and the new Policy regarding procedures for processing subdivision applications with parkland dedication requirements. Director Bibby spoke to the new Policy and the guidelines for Public Information Meetings. The Director will clarify timeframes for processing applications.
- b) Letter of Appreciation
A copy of a letter of appreciation to Art Lighthurn was provided.

COMMUNICATIONS AND CORRESPONDENCE

- a) A copy of the cover letter from Land & Water BC regarding a two-year lease renewal for Nanoose Road Community Park was provided.

BUSINESS ARISING FROM DELEGATIONS, COMMUNICATIONS & CORRESPONDENCE

Director Bibby reminded the Committee of the invitation to attend the OCP working group session to discuss Parks issues which is scheduled for September 9th 7.00pm at Nanoose Place. Staff offered to coordinate a Committee planning meeting in early September to review the Parks and Open Space Plan in preparation for the OCP working group meeting.

REPORTS & DISCUSSION ITEMS

- a) Regional Parks Plan Review
Staff reported on the major project to review the 1995 Regional Parks Plan and encouraged all present to attend the Open Houses, complete the survey questionnaires and provide as much input as they are able.
- b) Nanoose Place Landscaping Proposal & Progress
Paula Young and Elisabeth Bakker reported that Phase I (broom removal) had gone well but Phase II (blackberry removal) was postponed until fall. A grant of \$1,750 was received from the RDN Grants-In-Aid Committee. A budget estimate of \$30,000 for materials has been prepared so more fundraising is required. A working committee is being formed and interested people can contact Paula or Elisabeth. A presentation to the Nanoose Lions will also be scheduled. The Acting Chairperson thought \$30,000 should be easy to raise given the location of the project and the interest in making the gateway to Nanoose Bay look appealing. He requested a summary package of design drawings and budget for the next meeting.
- c) Water Site Accesses
Staff advised that the information has been collected from Mr. Lighthurn but that little progress has been made to advance the marking program. The Committee agreed to be more involved and Robert Grose will assume a lead role. Staff will provide information in the coming weeks to set the project in motion.

d) Staff Update on Local and Regional Parks Issues

Staff provided a verbal update on a safety and liability issue at Park Place Community Park where a retaining wall is collapsing into the Park. Investigations have shown that the wall is encroaching into the Park and that the repairs or reconstruction may be costly and certainly disruptive to the Park in the short term. As a separate matter, staff raised the issue of service levels for discussion. The Committee spoke to the possibility of organized volunteer stewardship for local parks and being able to take a role themselves.

e) Director's Update

Director Bibby reported that the Regional Board would be receiving reports on the Sustainability Workshop and Drinking Water Workshop at the July 13th meeting. She advised that a report on air quality and burning issues has been requested of staff. With regard to District Lot 137 (Stewart Road Crown land), Director Bibby advised that the Provincial Government has reinstated the Nominal Rent Tenure & Free Crown Grant Program and that she has requested staff to make an application under this program for protection of the District Lot 137 Crown land. An initial application has been made to the Ministry of Community, Aboriginal and Women's Services seeking their sponsorship support. Once this is obtained a report to the Regional Board will go forward seeking direction to apply to Land & Water BC for the land. She advised that this was not a "park" application but an application to secure ownership for conservation purposes. She complimented the Nanoose Bay Conservancy group for their extensive work in inventorying and information gathering, which will be included in the application to the Crown.

QUESTIONS AND COMMENTS FROM THE FLOOR

Gabrielle Cunningham asked who is responsible for policing water use, in particular personal watercraft that speed near beach access areas. Staff advised that the Coast Guard have jurisdiction for water regulation enforcement, however the RCMP can be called as well.

COMMITTEE ROUND TABLE

Paula Young commented that she would be willing to be involved with stewarding local parks and suggested having Committee members responsible for a "bundle" of parks and for hosting small maintenance projects in the parks under their care.

NEXT MEETING DATE

The next meeting will be an informal Park Planning session to prepare for the OCP working group meeting. Date, time and location to be advised.

The next Committee meeting will held at the Nanoose Library Hall on Monday October 4, 2004 at 7:00 pm.

ADJOURNMENT

MOVED R. Grose, SECONDED P. Bibby that the meeting adjourn at 9.10pm.

CARRIED

Original Signed By

Robert Grose, Acting Chair

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE
REGIONAL GROWTH MONITORING ADVISORY COMMITTEE /
STATE OF SUSTAINABILITY PROJECT MEETING
HELD ON WEDNESDAY, JULY 21, 2004
IN THE COMMITTEE ROOM

Present:

Director Bill Holdom	Chair
Director Dave Bartram	Chair
Brian Anderson	
Douglas Anderson	
Betty Collins	
Janet Farooq	
Ross Peterson	
Adele McKillop	
Sylvia Neden	

Also in attendance:

Christina Thomas	Senior Planner, Community Services
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Absent:

Gordon Buckingham
Sharon Thomson

CALL TO ORDER

Director Holdom called the meeting to order at 6:00 PM, and distributed a document that provides a timeline to complete the remaining components or deliverables of the Sustainability Project, prepared by staff at the direction of the Committee chairs.

MINUTES

The minutes of the previous meeting (June 24/04) were received as presented.

OLD BUSINESS

None.

NEW BUSINESS

a) *Regional Growth Monitoring Advisory Committee Goals and Priorities*

C. Thomas provided an overview of the June 30, 2004 staff report, "Regional Growth Monitoring Advisory Committee Goals and Priorities". It was noted that the report provides a framework to structure RGMAC discussion about its goals and priorities, in response to the RGMAC's request for an opportunity to discuss the topic.

The RGMAC received the June 30, 2004 staff report, "Regional Growth Monitoring Advisory Committee Goals and Priorities" for information, and concurred that the framework would meet its needs in terms of structuring discussion about its goal and priorities.

C. Thomas facilitated RGMAC discussion using the approved framework, and recorded RGMAC discussion on flipcharts.

The RGMAC identified the following as its goals and priorities, in addition to those specifically identified in the State of Sustainability Project Description:

- To propose areas of policy change on an on-going basis (similar to the recent RGMAC recommendations regarding green buildings and groundwater/aquifer development guidelines), in addition to the development of the report that provides ideas about how the sustainability of the region can be improved;
- To interact with other agencies (primarily governmental) that have responsibilities related to sustainability to learn what the agencies are doing to advance sustainability and or discuss sustainability indicator data needs;
- To see sustainability become the foundation of all Regional District of Nanaimo work.

The RGMAC decided that the above identified goals and priorities are not at variance with the Sustainability Project Description approved by the Board.

b) *Other Organizations' Sustainability Monitoring Reports/Programs/Initiatives*

C. Thomas provided an overview of the July 15, 2004 report, "Other Organizations' Sustainability Monitoring Reports/Programs/Initiatives". It was noted that the report provides a framework to structure RGMAC discussion about the characteristics of other organizations sustainability monitoring reports:programs:initiatives in response to the Committee's request to discuss the topic. It was also noted that the report provides Internet links to other organizations' sustainability monitoring reports.

The RGMAC received the July 15, 2004 report, "Other Organizations' Sustainability Monitoring Reports/Programs/Initiatives" for information, and concurred that the framework would meet its needs in terms of structuring discussion about the other organizations' sustainability monitoring reports:programs:initiatives.

C. Thomas facilitated RGMAC discussion about other organizations' sustainability monitoring reports:programs:initiatives using the approved framework, and recorded RGMAC discussion on flipcharts.

The RGMAC identified the following as desirable characteristics of a sustainability monitoring report:

- A font size that is easy to read;
- The inclusion of icons, maps, graphs, odometer gauges, and information about trends;
- Including one topic per page (like the redesigned Regional Growth Strategy and the 2000 Annual Report on the Growth Management Plan);
- A first page that attracts readers' interest;
- Including discussion about one or two sustainability successes and failures at the beginning of the report;
- A multi-columnar layout (similar to the redesigned Regional Growth Strategy);
- A centre spread table summary of the report;
- Presenting the same information a variety of ways.

The RGMAC identified reports prepared by the following organizations as good examples of sustainability monitoring reports: Guelph, GVRD, Fraser Basin Council.

c) *Goals for Preparing Reports About the Sustainability of the Regional District of Nanaimo*

C. Thomas provided an overview of the July 7, 2004 report, "Goals for Preparing Reports About the Sustainability of the Regional District of Nanaimo". It was noted that the report proposes that the goal is, generally, to accelerate progress towards sustainability by providing information that is useful to people and organizations that have roles and responsibilities related to sustainability advancement in the region.

The RGMAC received the July 7, 2004 report, "Goals for Preparing Reports About the Sustainability of the Regional District of Nanaimo", amended the goals by deleting the classification of goals into primary and secondary categories, and approved the goals as amended.

d) *Audience for Reports About the Sustainability of the Regional District of Nanaimo*

C. Thomas provided an overview of the July 7, 2004 report, "Target Audience for Reports About the Sustainability of the Regional District of Nanaimo". It was noted that the report proposes that the audience is, generally, people and organizations that have roles and responsibilities related to sustainability advancement in the region.

The RGMAC received the July 7, 2004 report, "Target Audience for Preparing Reports About the Sustainability of the Regional District of Nanaimo", amended the target audience by reclassifying a secondary target as a primary target (i.e. other levels of government, the private sector, and non-governmental organizations that provide goods and services in the region), and approved the audience for reports as amended.

e) *Format for Reports About the Sustainability of the Regional District of Nanaimo*

C. Thomas provided an overview of the July 15, 2004 report, "Format for Reports about the Sustainability of the Regional District of Nanaimo". It was noted that the report proposes that two reports be developed: a short report that is appealing to residents and can be circulated to every household in the region, and a long report that is useful to people and organizations that have roles and responsibilities related to sustainability advancement in the region. Both reports would be readily available to any interested person or organization.

D. Anderson suggested that the Committee develop a matrix that includes information about the audience, their report needs, their time available to read reports, and their ability to understand reports, for the purpose of determining the appropriate report format for each audience.

The RGMAC discussed the possibility of reports being used for educational purposes in the local school system. Methods discussed include: posting signs about the report in public parks frequented by school educational field trips, developing a professional development day presentation to teachers about the report to promote its use in classrooms, sending the report to the school boards or schools, developing school curriculum related to the report.

The RGMAC received the July 15, 2004 report, "Format for Reports about the Sustainability of the Regional District of Nanaimo", and approved the recommended format.

f) *Framework for Selecting Indicators to Monitor the Sustainability of the Regional District of Nanaimo*

C. Thomas provided an overview of the July 16, 2004 report, "Framework for Selecting Indicators to Monitor the Sustainability of the Regional District of Nanaimo". It was noted that the proposed framework is organized around the 4 components of the 'sustainability stool' (social capital, environmental capital, economic capital, institutional leadership and management), and that the framework is intended to serve as a 'brainstorming vehicle' to ensure that all of the key characteristics of a sustainable region are identified, so that indicators can be sought for them.

The RGMAC received the July 16, 2004 report, "Framework for Selecting Indicators to Monitor the Sustainability of the Regional District of Nanaimo", amended the framework by adding a column for 'comments', approved the amended framework for use in selection of sustainability indicators, requested that opportunity be provided to discuss 'principles' as they relate to monitoring sustainability once the RGMAC has discussed the information to be contained in the chart, and requested staff to provide suggestions regarding the information to be contained in the framework for review, discussion and confirmation at future meetings.

g) *Timeline for Remaining Project Components of the Sustainability Project*

C. Thomas provided an overview of the timeline for the remaining Sustainability Project components. It was noted that the Project includes the completion of five more deliverables (i.e. indicator selection, report about the sustainability of the region, a public event to discuss the sustainability of the region and actions to accelerate progress towards sustainability, development of a regional sustainability awards

program) between now and May, 2006, and that effort will need to be focused towards meeting the specified timeframes.

NEXT MEETING

The RGMAC set the next meetings as follows:

- Wednesday, August 18, 2004 @ 5:00 PM;
- Wednesday, September 1, 2004 (tentative);
- Wednesday, September 8, 2004.

The purpose of the next meetings will be to review, discuss and confirm the information to be contained in the framework for selecting indicators to monitor the sustainability of the region. The focus of the August 18th meeting will be a discussion of the characteristics or elements of a sustainable region (i.e. the second column), and the focus of the other meetings will be a discussion of the things that could be measured to assess the key elements, the indicators of things that could be measured to assess key elements and any necessary comments.

C. Thomas requested direction regarding the two remaining items identified at the June 24, 2004 meeting for discussion (i.e. the scope of the monitoring program, and lessons learned from the previous RDN monitoring initiative). The RGMAC concurred that a discussion about the scope of the monitoring program is no longer necessary as matters related to it were discussed at the July 21, 2004 meeting, and that discussion about lessons learned from the previous monitoring initiative could take place at the September 8, 2004 meeting.

ADJOURNMENT

Director Holdom adjourned the meeting at approximately 8:30 PM.

Original signed by

Chair, Director Bill Holdom

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE
REGIONAL GROWTH MONITORING ADVISORY COMMITTEE /
STATE OF SUSTAINABILITY PROJECT MEETING
HELD ON WEDNESDAY, AUGUST 18, 2004
IN THE COMMITTEE ROOM

Present:

Director Bill Holdom	Chair
Director Dave Bartram	Deputy Chair
Brian Anderson	
Douglas Anderson	
Gordon Buckingham	
Betty Collins	
Janet Farooq	
Ross Peterson	
Adele McKillop	
Sylvia Neden	

Also in attendance:

Christina Thomas	Senior Planner, Community Services
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Absent:

Sharon Thomson

CALL TO ORDER

Director Holdom called the meeting to order at approximately 5:50 PM.

MINUTES

A. McKillop requested that the minutes for the July 21/04 meeting pertaining to the "timeline for remaining project components of the Sustainability Project" be amended to reflect that fact that she had stated that the phrase "accelerate progress towards sustainability" means something different to her than the phrase "improve sustainability" because the word "accelerate" implies the application of speed whereas the word "improve" does not, and that the phrase "improve sustainability" more explicitly matches the words used in the State of Sustainability Project Description.

The Committee concurred with the amendment, and received the minutes from the previous meeting (July 21/04) as amended.

BUSINESS ARISING FROM THE MINUTES

A. McKillop highlighted the fact that the State of Sustainability Project Description specifies that the fifth project deliverable is "a report that provides ideas about how the sustainability of the region can be improved".

C. Thomas stated that the phrases “accelerate progress towards sustainability” and “improve sustainability” have been used interchangeably as synonyms, and that there is a trend towards the use of the word “accelerate” as a more positive and proactive word in literature about sustainability.

OLD BUSINESS

a) *Staff Reports Requested By Board About Green Buildings & Groundwater/Aquifer Protection*

C. Thomas provided an update about the status of the reports the Board asked staff to prepare about green buildings and groundwater/aquifer protection, on July 13, 2004, in response to the RGMAC recommendation that action be taken in regard to these two topics.

C. Thomas indicated that she has drafted a report about green buildings for the consideration of RDN administration, and that it is anticipated to be considered by the Committee of the Whole on the September 14, 2004 and the Board on September 28, 2004. It was noted that the draft report provides information about such things as what green buildings are, the Leadership in Energy and Environmental Design system for assessing the greenness of buildings, examples of green buildings, the role of local governments in advancing green buildings, and how other local governments are advancing green building practices. Possible outcomes of the Board’s consideration of the report include a decision regarding whether to undertake a project to promote green buildings in the region.

C. Thomas indicated that the a report will be prepared regarding groundwater/aquifer protection after work is completed on the drinking water quality action plan that is to be developed as a final step of the Drinking Water Quality Workshop.

NEW BUSINESS

a) *Characteristics of a Sustainable Regional District of Nanaimo*

C. Thomas provided an overview of the August 12, 2004 report, “Characteristics of a Sustainable Regional District of Nanaimo”. It was noted that the report provides recommendations regarding characteristics of a sustainable region, and that the characteristics were identified through review of the Workshop Report for the Saturday, April 3, 2004 Sustainability Workshop, consideration of comments and perspectives expressed by the RGMAC at previous meetings, and review of sustainability literature.

C. Thomas distributed, for Committee reference purposes, some information about the characteristics of sustainability that was downloaded from the Internet as a result of a Google search using the words “sustainability characteristics”.

The RGMAC reviewed and discussed the characteristics of a sustainable Regional District of Nanaimo. Committee members shared their perspectives regarding particular aspects of sustainability, and discussed some of the challenges that will be faced in making the region a more sustainable place to live. Numerous anecdotal references were used to illustrate the challenges inherent in making the region more sustainable.

A. McKillop asked about when it would be appropriate to talk about the principles of sustainability for the region. R. Peterson suggested that a discussion about principles might be better placed once the sustainability indicator framework is complete and there is more certainty about the characteristics of a sustainable region.

The RGMAC received the August 12, 2004 report, “Characteristics of a Sustainable Regional District of Nanaimo”, concurred with most of the recommendations, and requested that specific characteristics be

deleted, amended or developed and be brought forward as a part of the Committee's work to complete the information in the remaining two columns of the indicator selection framework at the upcoming September 1st and 8th meetings.

NEXT MEETING

The next meeting was set for Wednesday, September 1, 2004 at 5:00 PM.

C. Thomas distributed copies of two recent local newspaper article stories about the Saturday, April 3, 2004 Sustainability Workshop for Committee information.

ADJOURNMENT

Director Holdom adjourned the meeting at approximately 9:15 PM.

Original signed by _____

Director Bill Holdom

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE
REGIONAL GROWTH MONITORING ADVISORY COMMITTEE /
STATE OF SUSTAINABILITY PROJECT MEETING
HELD ON WEDNESDAY, SEPTEMBER 1, 2004
IN THE COMMITTEE ROOM

Present:

Director Bill Holdom	Chair
Director Dave Bartram	Deputy Chair
Janet Farooq	
Ross Peterson	
Sharon Thomson	

Also in attendance:

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

Absent:

Brian Anderson
Douglas Anderson
Gordon Buckingham
Betty Collins
Adele McKillop
Sylvia Neden

CALL TO ORDER

Director Holdom called the meeting to order at 5:45 PM, and indicated that two meetings are available (tonight's meeting and a meeting on September 8, 2004) for the Committee to discuss and confirm the sustainability indicators it would like the consultant to research.

MINUTES

The minutes from the previous meeting (Aug. 18, 2004) were received as presented.

OLD BUSINESS

The Committee decided that the words "achieve progress towards regional sustainability" or "achieve regional sustainability", or "improve the sustainability of the region" should be used instead of the words "accelerate progress towards regional sustainability" in response to one Committee member's strong opposition to the use of the words "accelerate progress towards regional sustainability".

NEW BUSINESS

a) Framework for Sustainability Indicator Selection for the Regional District of Nanaimo

C. Thomas provided an overview of the August 27, 2004 report, "Framework for Sustainability Indicator Selection for the Regional District of Nanaimo". It was noted that the report provides suggestions regarding sustainability indicator possibilities for each of the characteristics agreed to at the August 18, 2004 meeting, and that the sustainability indicator possibilities were identified through a review of the Workshop Report for the Saturday, April 3, 2004 Sustainability Workshop, consideration of comments and perspectives expressed by RGMAC members at previous meetings, and review of the sustainability indicators used in a wide variety of other sustainability monitoring reports. C. Thomas indicated that the consultant hired to assess the suggested indicators would 'filter' the indicators by applying a set of

indicator criteria to them as a part of its work to provide recommendations regarding a manageable set of sustainability indicators for the region.

R. Peterson suggested that the mechanisms/policy directives/actions necessary to achieve the characteristics of a sustainable Regional District of Nanaimo be identified in the framework, as a means of assisting in the development of ideas regarding possible indicators for each characteristic.

C. Thomas indicated that information regarding the actions necessary to achieve the identified characteristics of a sustainable Regional District of Nanaimo would be helpful information to have (particularly for future reports about the sustainability of the region, and how to improve the sustainability of the region), and that the consultant that would complete the work to recommend indicators for the identified sustainability characteristics would not require information about these actions to do its work. It was suggested that work to develop ideas regarding actions that could or should be taken to achieve the identified sustainability characteristics be postponed until after the completion of the chart information for the consultant. The RGMAC concurred with this idea.

There was discussion regarding the different types of indicators (i.e. indicators that measure the level of effort expended to achieve some particular state versus indicators that measure the outcome of efforts) and the strengths and weaknesses of using the different types of indicators.

The RGMAC received the August 27, 2004 report, "Framework for Sustainability Indicator Selection for the Regional District of Nanaimo", discussed and made minor amendments to the possible indicators for 'economic vitality', 'institutional leadership and management', and 'social capital', and requested that an opportunity be provided to discuss and make amendments to the possible indicators for 'ecological integrity' at the next RGMAC meeting.

NEXT MEETING

The next meeting was set for September 8, 2004 at 7:00 P.M. The purpose of the meeting is to discuss and make amendments to the possible indicators for the identified characteristics of 'ecological integrity'.

ADJOURNMENT

Director Holdom adjourned the meeting at 9:15 PM.

Original signed by

Director Bill Holdom

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE REGIONAL PARKS PLAN REVIEW SELECT COMMITTEE INAUGURAL MEETING HELD ON MONDAY JULY 5, 2004, AT 12 NOON IN THE RDN COMMITTEE ROOM

Present:

Director L. McNabb	Chairperson
Director H. Kreiberg	Electoral Area 'A'
Director J. Stanhope	Electoral Area 'G'
Director D. Bartram	Electoral Area 'H'

Also In Attendance:

N. Connelly	General Manager, Community Services
J. Ainge	RDN Parks Supervisor
H. Rueggeberg	Lanarc Consultants Ltd.
D. Backhouse	Lanarc Consultants Ltd.
B. Johnston	PERC Ltd.

CALL TO ORDER

The meeting was called to order at 12:05 pm.

N. Connelly spoke briefly to the Regional Parks Plan Review process and the work of the Select Committee, and then invited Mr Backhouse to lead the presentation.

REVIEW OF THE WORKPLAN / METHODOLOGY

Mr Backhouse outlined the phasing of the project, which is broken into four parts, namely:

- Analysis of the Current Regional Parks & Trail System,
- Assessing the Demand for Regional Parks & Trails,
- Developing and Reviewing a Draft Plan, and
- Finalizing the new Regional Park Plan.

Mr. Johnston and Mr. Backhouse spoke to the issue of Committee meetings, open houses, and public surveys. Director McNabb expressed concern about the difficulty to get people to attend open houses. A variety of advertising media will be used. Open houses will be held at the Lighthouse Community Centre, Oceanside Place, and the Cedar Heritage Centre in late September and in late November. A web-based public survey will be prepared, along with hard copies available at the open houses and from RDN offices.

Ms Rueggeberg spoke to the stakeholder interview process. Director Bartram requested as many groups as possible be included to obtain a broad community cross-section of input.

INTERESTS AND ISSUES

Mr. Backhouse led discussion seeking the Committee members' opinions as to foremost objectives and concerns regarding Regional Parks. Tenure, partnerships, financial sustainability, operational requirements, and acquisition opportunities were all raised. N. Connelly remarked that the 1995 Plan did not take into account the growing Trail system, and that the revised Plan will incorporate Trails and trail linkages.

TRENDS

Mr. Johnston presented information on the major trends facing Parks & Trails agencies. Of particular relevance to a Regional Park System is the demand for unstructured recreation opportunities, demand for linear trails, protection of natural space, requests for reserveable picnic areas along with places to hold special events, and the broadening of recreation activities requiring space (such as motorised activities). J. Ainge added the growing demand for the management of dogs in public areas, be it through restrictions on access or providing for off-leash areas.

ROLE OF THE REGIONAL PARK SYSTEM

Mr. Backhouse spoke to the roles of a Regional Park System and referred to the Project Terms of Reference that outline a number of key roles. Director Stanhope reiterated the benefits of protecting significant habitats and environmental areas, particularly in conjunction with other partners. Director Kreiberg added the role that Parks can play in promoting Tourism, particularly of historical features.

VISIONS AND GOALS FOR THE REGIONAL PARK SYSTEM

Mr. Backhouse reviewed the Vision Statement and Goals as provided in the 1995 Plan. While still applicable, the Committee suggested some changes be made for the revised Plan.

NEXT MEETING

Select Committee meetings are scheduled for October 13, November 17, December 15, 2004 and January 19, 2005. All meetings will be held between 12:00 noon and 3:00pm in the RDN Committee Room.

ADJOURNMENT

The meeting was adjourned at 1:42 pm.

Original Signed By

L. McNabb
Chair