

**REGIONAL DISTRICT OF NANAIMO**

**BOARD MEETING  
TUESDAY, FEBRUARY 22, 2005  
7:00 PM**

*(RDN Board Chambers)*

**A G E N D A**

**PAGES**

1. **CALL TO ORDER**
2. **DELEGATIONS**
  - 8 **Eveline O'Rourke, Nanaimo Film Society**, re Financial Support.
  - 9 **Carrie Powell, Oceanside Film Society**, re Financial Support.
3. **BOARD MINUTES**
  - 10-23 Minutes of the regular Board meeting held on January 25, 2005.
4. **BUSINESS ARISING FROM THE MINUTES**
5. **COMMUNICATIONS/CORRESPONDENCE**
  - 24 **Janis Elkerton, Chair, MIA**, re MIA Executive Director.
  - 25-27 **William Beckingham**, re Flooding – Flamingo Drive, Qualicum Beach.
6. **UNFINISHED BUSINESS**
  - BYLAWS**
    - For Adoption.**
  - 28-29 **Bylaw No. 1416** – Regional District of Nanaimo Emergency Measures Bylaw.  
(All Directors – One Vote)
7. **STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**
  - 7.1 **ELECTORAL AREA PLANNING STANDING COMMITTEE**
    - 30-32 Minutes of the Electoral Electoral Planning Committee meeting held February 8, 2005. (for information)

## PLANNING

**Nanoose Bay Official Community Plan Update.** (Electoral Area Directors except EA 'B' – One Vote)

*That the Board receive the Summary of Proceedings and Written Submissions from the Public Information Meeting held January 18, 2005, receive the staff report containing the recommendations included in Schedule No. 1, and then hold the process in abeyance pending the election of a new Director for Electoral Area 'E'.*

## AMENDMENT APPLICATIONS

**Zoning Amendment ZA0418 & ZA0419 – Fern Road Consulting/Brookwater Homes and Pal – MacPherson & Marshland Road – Area H.** (Electoral Area Directors except EA 'B' – One Vote)

1. *That the minutes of the Public Information meeting held on January 27, 2005 be received.*
2. *That Zoning Amendment Application Nos. ZA0418 and ZA0419 as submitted by Fern Road Consulting to rezone Lots 2 & 5, Both of Block 390, Newcastle District, Plan 39504 from Resource Management 1 Subdivision District A (RM1A) to Rural 1 Subdivision District D (RUID) be approved to proceed to public hearing subject to the conditions included in Schedule No. 1.*
3. *That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw Nos. 500.312, 2005 and 500.313, 2005" be given 1<sup>st</sup> and 2<sup>nd</sup> reading.*
4. *That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw Nos. 500.312, 2005 and 500.313, 2005" proceed to public hearing.*
5. *That the public hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw Nos. 500.312, 2005 and 500.313, 2005" be delegated to Director Bartram or his alternate.*

## DEVELOPMENT PERMIT APPLICATIONS

**Development Permit Application No. 60460 – Miroslav Danielka and Margaret Chi – Van Isle Road - Area H.** (Electoral Area Directors except EA 'B' – One Vote)

**Delegations wishing to speak to DP Application No. 60460.**

*That Development Permit Application No. 60460 submitted by Miroslav Danielka and Margaret Chi to facilitate the construction of a single dwelling unit, accessory building and driveway, with variances attached as Schedule No. 4, within the Electoral Area 'H' Official Community Plan Hazard Lands and Environmentally Sensitive Features Development Permit Areas for the property legally described as Lot A, District Lot 16, Newcastle District, Plan 25618, be approved, subject to the requirements outlined in Schedules No. 1, 2 and 3 and notification requirements pursuant to the Local Government Act.*

**Development Permit Application No. 60504 – Smith/Vectis Ventures – 3645 Dolphin Drive – Area E. (Electoral Area Directors except EA ‘B’ – One Vote)**

**Delegations wishing to speak to DP Application No. 60504.**

*That Development Permit Application No. 60504, submitted by Tim Rann of Vectis Ventures on behalf of Dan and Christina Smith for the demolition of the existing dwelling unit, non-conforming cabin and deck and construction of a new dwelling unit with variances to RDN Bylaw No. 500, 1987 as outlined in Schedule No. 4 for the property legally described as Lot B, District Lot 78, Nanoose Land District, Plan 44229, be approved as submitted subject to Schedules No. 1, 2, 3, 4 and 5 and subject to the comments received as a result of public notification pursuant to the Local Government Act.*

**Development Permit Application No. 60505 – Scott – 961 Clark Road – Area F. (Electoral Area Directors except EA ‘B’ – One Vote)**

**Delegations wishing to speak to DP Application No. 60505.**

*That Development Permit Application No. 60505, submitted by Karen and Brad Scott to permit the subdivision of the property legally described as Lot 1, Parcel A (DD3792N), District Lot 74, Newcastle District and partially designated within the Watercourse Protection Development Permit Area, be approved as submitted subject to the conditions of Schedules No. 1 and 2.*

**OTHER**

**Request for Acceptance of Parkland Dedication – Newcastle Engineering Ltd. on behalf of Woodridge Holdings Ltd. & H. Bhatti – MacMillan Road – Area A. (Electoral Area Directors except EA ‘B’ – One Vote)**

*That the park land proposal submitted by Newcastle Engineering Ltd., on behalf of Woodridge Holdings Ltd. & H. Bhatti in conjunction with the subdivision of Lot 1, Section 17, Range 8: Part of the South ½ of Section 17, Range 8, With Exceptions; and Road Closure; All of Cranberry District be accepted subject to the conditions and as outlined in Schedule No. 1 of the staff report.*

**Request for Acceptance of Parkland Dedication or Cash in Lieu & Relaxation of Minimum 10% Frontage – WR Hutchinson on behalf of Sweeney/Cochran – Storey & Yellow Point Roads – Area A. (Electoral Area Directors except EA ‘B’ – One Vote)**

*That the offer to provide 5% cash in-lieu-of park land and the request for relaxation of the minimum frontage requirement for proposed Lots 2, 3, 4 and 5, submitted by WR Hutchinson, BCLS, on behalf of Ms. L. Sweeney & Ms. A. Cochran, c/o Rad Star Investments Inc. in conjunction with the subdivision of Lot 1, Section 12, Range 2, Cedar District, Plan VIP53334, Except Part in Plans VIP64754, VIP71957 & VIP73838, be approved.*

## 7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

33-39 Minutes of the Special Committee of the Whole meeting held February 1, and the regular Committee of the Whole meeting held February 8, 2005. (for information)

### **Review of Five Year Financial Plan.**

(Nanaimo, Lantzville, EA's A & D – Weighted Vote)

*That \$18,000 for improvements to the downtown exchange and \$30,000 for a downtown transit study be added to the Southern Community Transit budget.*

(All Directors – Weighted Vote)

*That the Board consider the Nanaimo and Area Land Trust's request for \$30,000 in funding if NALT presents a more current detailed budget.*

(All Directors – One Vote)

*That the 2005 – 2010 Financial Plan be forwarded for public consultation as presented.*

## **COMMUNITY SERVICES**

### **RECREATION & PARKS**

**Renewal of Licence of Occupation for Parkland (Oakdowne Road) in Area H.**  
(All Directors – One Vote)

*That the renewal of a 10-year Licence of Occupation from Land and Water BC Inc. for the community park located at Oakdowne Road in Electoral Area 'H', be approved.*

**Englishman River Regional Park – Application to Develop Road Allowance – Area F.** (All Directors – One Vote)

*That the Regional District apply to the Ministry of Transportation for permission to use and develop Middlegate and Rawlins Road allowances for the purpose of creating trail access to Englishman River Regional Park for walkers, cyclists and equestrians.*

**Horne Lake Regional Park Operations Update.** (All Directors – One Vote)

*That the revised timeline for completing actions leading to a long-term plan and public-private operating and development agreement for Horne Lake Regional Park be received.*

**Renewal of Trail Use Licence for Arrowsmith Trail.** (All Directors – One Vote)

*That the Regional District renew the Trail Use Licence for the section of the Arrowsmith Trail located on Weyerhaeuser private land.*

**Recreation Facilities and Sportsfields Usage Survey Results.** (All Directors – One Vote)

*That the 2004 survey results be received for information and applied to the respective 2005 Annual Budgets.*

*That alternative funding formulas be reviewed as part of the renewal process of the Recreation Facilities and Sportsfield Services Agreements in District 68 and 69.*

**CORPORATE SERVICES**

**ADMINISTRATION**

**Regional Services Review – Phase II Final Report.** (All Directors – One Vote)

*That the Consultant Report on the Phase II Service Review be received for information.*

**Review of Tax Requisition Allocation Methods for Recreation Services.** (Parksville, Qualicum Beach, EA's E, F, G & H – Weighted Vote)

*That the Board consider revising the District 69 recreation services cost sharing model to a blended 50% assessment / 50% population approach commencing in the 2006 taxation year.*

**Police Support Services Establishing Bylaw No. 1421.** (All Directors – One Vote)

*That this item be deferred for one month.*

**Electoral Area Election and By-Election Funding Policy.** (All Directors – One Vote)

*That the report on the funding of Electoral Area elections and by-elections be received for information.*

**Bow Horn Bay Fire Protection Service Agreement – Big Qualicum Hatchery.** (All Directors – Weighted Vote)

*That the Chairperson and General Manager, Corporate Services, be authorized to execute a fire protection service agreement with the Department of Fisheries – Big Qualicum Hatchery on behalf of the Bow Horn Bay Fire Department as presented.*

**FINANCE**

**Security Issuing Bylaw No. 1420 – City of Parksville Roadworks.** (All Directors – Weighted Vote)

1. *That "Regional District of Nanaimo (City of Parksville) Security Issuing Bylaw No. 1420, 2005" receive first three readings.*

2. *That "Regional District of Nanaimo (City of Parksville) Security Issuing Bylaw No. 1420, 2005" having received first three readings be adopted and forwarded as required to the Ministry of Community, Aboriginal and Women's Services for a certificate of approval.*

## **HOSPITAL**

### **Short Term Temporary Borrowing Resolution. (All Directors – One Vote)**

*That a short term borrowing authority to a maximum of \$2,000,000 in the form of the resolution attached, be adopted.*

## **ENVIRONMENTAL SERVICES**

### **LIQUID WASTE**

#### **Piper's Inn Pub Lease Agreement Extension. (All Directors – Weighted Vote)**

*That the lease agreement for the Piper's Inn Pub (Lot 2, Plan 7504, District Lot 51, Wellington Land District) be approved.*

#### **French Creek Pollution Control Centre Dewatering Upgrade. (All Directors – Weighted Vote)**

*That the Regional District of Nanaimo award supply of a centrifuge for the FCPCCC dewatering upgrade for the amount of \$322,070 to Alfa Laval.*

### **SOLID WASTE**

#### **Organics Diversion Strategy. (All Directors – One Vote)**

*That the Board approve the Organics Diversion Strategy for general distribution and posting to the RDN web site.*

#### **Landfill Gas Collection System Expansion – FCM Grant Agreements. (All Directors – Weighted Vote)**

*That the Board approve the execution and delivery of the Grant Agreement with the Federation of Canadian Municipalities including the Project and Transfer Agreement with the Green Municipal Corporation.*

### **UTILITIES**

#### **Mid Vancouver Island Habitat Enhancement Society – Request for Letter of Support. (All Directors – One Vote)**

*That the Board direct staff to provide a letter of support for the Mid Vancouver Island Habitat Enhancement Society's Community Watershed Stewardship Pledge program.*

## **COMMISSION, ADVISORY & SELECT COMMITTEE**

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

*That the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held January 12, 2005 be received for information.*

### **Intergovernmental Advisory Committee. (All Directors – One Vote)**

*That the minutes of the Intergovernmental Advisory Committee meetings held January 13 and January 27, 2005 be received for information.*

### **Transit Business Plan Update Select Committee. (All Directors – One Vote)**

*That the minutes of the Transit Business Plan Update Select Committee meeting held January 27, 2005 be received for information.*

7.3

## **7.4 EXECUTIVE STANDING COMMITTEE**

### **7.4 COMMISSIONS**

### **7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS**

## **8. ADMINISTRATOR'S REPORTS**

40-46 Friends of French Creek Conservation Society. (All Directors – 2/3)

47-48 City of Nanaimo's Request re Meeting Facilities. (All Directors – One Vote)

## **9. ADDENDUM**

## **10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

## **11. NEW BUSINESS**

## **12. BOARD INFORMATION (Separate enclosure on blue paper)**

## **13. ADJOURNMENT**

## **14. IN CAMERA**

Maureen

---

**From:** Gwen Harmen, Commissioner, Nanaimo Film Commission [mailto:director@filmnanaimo.com]  
**Sent:** Tuesday, February 08, 2005 3:30 PM  
**To:** Pearse, Maureen  
**Cc:** 'Randy Longmuir'; oceansidefilm@shaw.ca; Eveline M. O'Rourke  
**Subject:** Request to Present to the RDN Board of Directors

Maureen

The Nanaimo Film Commission and the Oceanside Film Office request to present to the RDN Board of Directors at the Feb 22nd meeting. Each presentation will include a proposal for financial support from the RDN to market the Regional District of Nanaimo to filmmakers internationally in order to attract film activity and create economic development opportunities for the region. We are requesting 10 minutes for each presenting office. Thank you.

Gwen Harmen  
Film Commissioner  
Nanaimo Film Commission  
Tel. (250) 754 - 9614  
[director@filmnanaimo.com](mailto:director@filmnanaimo.com)  
[www.filmnanaimo.com](http://www.filmnanaimo.com)



**Pearse, Maureen**

**From:** Gwen Harmen, Commissioner, Nanaimo Film Commission [director@filmnanaimo.com]  
**Sent:** Wednesday, February 09, 2005 3:20 PM  
**To:** Pearse, Maureen  
**Subject:** RE: Request to Present to the RDN Board of Directors



151  
 Nan  
 T: (250) 754-9614  
 www.f

Maureen

If we are able to present as separate organizations i.e. 10 minutes each, the presenters will be:

**1st Presenting Organization**

Nanaimo Film Society/Nanaimo Film Commission: Eveline O'Rourke (or Beth Walrond), Nanaimo Film Society  
 Gwen Harmen, Film Commissioner

**2nd Presenting Organization**

Oceanside Film Society/Oceanside Film Office: Carrie Powell Davidson, Film Liaison

Gwen Harmen  
 Film Commissioner  
 Nanaimo Film Commission  
 Tel. (250) 754 - 9614  
[director@filmnanaimo.com](mailto:director@filmnanaimo.com)  
[www.filmnanaimo.com](http://www.filmnanaimo.com)

**Nanaimo Film Commission** provides script breakdown, location scouting, a digital locations library, and production support including permitting assistance and local-crew hire at no cost to producers. Productions shooting in Nanaimo can easily access every facility available in Vancouver, BC, the 3rd largest production area in North America, while receiving the benefit of additional tax credits for filming outside of the "Vancouver Studio Zone".

Nanaimo has just been rated the "most comfortable climate in Canada" by Environment Canada. It offers a relaxed lifestyle and beautiful natural setting including over 200 parks covering 2,000 acres of land – all just awaiting your next production. Over 881 hotel rooms and budget-friendly permit fees are only a bonus! Let us break down your script and see for yourself.

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

**From:** Pearse, Maureen [mailto:MPearse@rdn.bc.ca]  
**Sent:** Wednesday, February 09, 2005 1:28 PM  
**To:** Gwen Harmen, Commissioner, Nanaimo Film Commission  
**Subject:** RE: Request to Present to the RDN Board of Directors

Hi Gwen,

Could I please have the name of each person and presenting office.

Thanks.

09-Feb-05

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE REGULAR MEETING OF THE BOARD  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY, JANUARY 25, 2005, AT 7:00 PM IN THE  
RDN BOARD CHAMBERS**

**Present:**

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

**Also in Attendance:**

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

**CALL TO ORDER**

**BOARD MINUTES**

MOVED Director Sherry, SECONDED Director Krall, that the minutes of the Inaugural Board meeting held December 14, 2004 and the Special Board meeting held January 11, 2005 be adopted.

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

**J. L. (Dee Dee) Green, re Development Permit Application No. 60463 – Bev & Gerd Voigt on behalf of 642703 BC Ltd. – off Day Road and the Island Highway.**

MOVED Director Westbroek, SECONDED Director Hamilton, that the correspondence from J. L. (Dee Dee) Green re Development Permit Application No. 60463 be received.

CARRIED

**STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**

**ELECTORAL AREA PLANNING STANDING COMMITTEE**

MOVED Director Hamilton, SECONDED Director Bartram, that the minutes of the Electoral Area Planning Committee meeting held January 11, 2005 be received for information.

CARRIED

**PLANNING**

**DEVELOPMENT PERMIT APPLICATIONS**

**Development Permit Application No. 60459 – Windley Contracting Ltd., on behalf of Jill Maibach (Maibach Industries) – 2093 South Wellington Road – Area A.**

MOVED Director Hamilton, SECONDED Director Kreiberg, that Development Permit Application No. 60459 submitted by Windley Contracting, on behalf of Maibach Industries Ltd., to allow for the construction of a 557 m<sup>2</sup> warehouse within the Electoral Area 'A' Official Community Plan South Wellington Development Permit Area No. 1 for the property legally described as Lot 1, Section 12, Range 7, Cranberry District, Plan 18166 be approved, subject to the conditions outlined in Schedule Nos. 1, 2, 3 and 4.

CARRIED

**Development Permit Application No. 60461 – Fairway Pointe Properties Ltd. (Quail's Landing) – 730 Barclay Crescent – Area G.**

MOVED Director Hamilton, SECONDED Director Bartram, that Development Permit Application No. 60461, submitted by Fairway Pointe Properties Ltd. (Quail's Landing) for the property legally described as Lot 1, District Lot 126, Nanoose District, Plan VIP76030 Except That Part in Strata Plan VIS5531 (Phases 1, 2, 3, 4, 5, 6 and 7) be approved, subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report and to the notification requirements pursuant to the *Local Government Act* with respect to the proposed variance.

CARRIED

**Development Permit Application No. 60462 – Anderson Greenplan Ltd. for Tycor Ventures Ltd. – 3702 Alberni Highway – Area F.**

MOVED Director Hamilton, SECONDED Director Biggemann, that Development Permit Amendment Application No. 60462 submitted by Jack Anderson for Tycor Ventures Ltd. for the property legally described as Lot 2, District Lot 39, Newcastle District, Plan VIP54354 located at 3702 Alberni Highway in Electoral Area 'F' be approved, subject to the conditions outlined in Schedules No. 1, 2, 3, 4, 5 and 6 of the corresponding staff report and to the notification requirements pursuant to the *Local Government Act* with respect to the proposed variance.

CARRIED

**Development Permit Application No. 60463 – Bev & Gord Voigt on behalf of 642703 BC Ltd. – off Kay Road and the Island Highway – Area E.**

MOVED Director Hamilton, SECONDED Director Webster, that the request, submitted by Bev and Gerd Voigt, on behalf of 642703 Ltd., for a 2 lot subdivision and the dedication of a new road for property designated within the Watercourse Protection and Sensitive Ecosystems Development Permit Areas, as shown on the plan of subdivision of The Remainder of District Lot 44, Nanoose District, be approved subject to Schedules No. 1, 2 and 3 and to the notification procedures subject to the *Local Government Act* with respect to the proposed variances to Bylaw No. 500, 1987.

CARRIED

## **DEVELOPMENT VARIANCE PERMIT APPLICATIONS**

### **Development Variance Permit Application No. 90501 – Peloso – 650 Meadow Drive – Area G.**

MOVED Director Hamilton, SECONDED Director Kreiberg, that Development Variance Permit Application No. 90501, submitted by the property owners Albert Joseph Peloso and Whiliam (Willie) Cherie Peloso for the property legally described as Lot 20, District Lot 49, Nanoose District, Plan VIP76162 to relax the maximum height requirements from 8.0 metres to 8.9 metres in order to allow for the construction of a dwelling unit as proposed by the applicants be approved subject to the conditions outlined in Schedules No. 1, 2 and 3 and subject to the notification requirements pursuant to the Local Government Act.

CARRIED

## **COMMITTEE OF THE WHOLE STANDING COMMITTEE**

MOVED Director Krall, SECONDED Director Biggemann, that the minutes of the regular Committee of the Whole meeting held January 11, 2005 be received for information.

CARRIED

## **COMMUNITY SERVICES**

### **RECREATION & PARKS**

#### **Electoral Area 'A' Recreation Services Study – Project Advisory Committee.**

MOVED Director Kreiberg, SECONDED Director Hamilton, that the Terms of Reference for the Recreation Services study for Electoral Area 'A' be amended to include a Project Advisory Committee as provided for in Appendix 1.

CARRIED

## **REGIONAL GROWTH MANAGEMENT**

### **State of Sustainability Project – Selection of Sustainability Indicators.**

MOVED Director Holdom, SECONDED Director Bartram, that the Board concurs in principle with the RGMAC position as stated on pages 2 and 3 of the corresponding staff report and congratulates the RGMAS on the difficult progressive work on Region Sustainability accomplished to date.

CARRIED

MOVED Director Holdom, SECONDED Director Bartram, that the Board approve Tier 1 indicators listed in Attachment 1 of the corresponding staff report.

CARRIED

MOVED Director Holdom, SECONDED Director Westbroek, that the Board obtain information about trends in available data on groundwater wells in the region from a groundwater specialist and that the Board approve an additional \$6,000.00 in the budget to hire a professional groundwater specialist to collect and interpret data from selected groundwater monitoring wells.

CARRIED

MOVED Director Holdom, SECONDED Director Bartram, that the RGMAC review the scope of the survey related to institutional leadership given the "minimum initial cost of \$20,000.00 for a representative survey" and provide a recommendation to the Board in due course.

CARRIED

***DEVELOPMENT SERVICES***

**EMERGENCY SERVICES**

**Emergency Measures Bylaw No. 1416.**

MOVED Director Biggemann, SECONDED Director Sherry, that this report be received for information.

CARRIED

MOVED Director Hamilton, SECONDED Director Kreiberg, that "Regional District of Nanaimo Emergency Measures Bylaw No. 1416, 2005" be introduced and given three readings.

CARRIED

**PLANNING**

**Board of Variance Policy – Planning Services Fees and Charges Amendment Bylaw No. 1259.01 and Board of Variance Amendment Bylaw No. 1260.01.**

MOVED Director Krall, SECONDED Director Sherry, that the staff report on a Board of Variance policy be received for information.

CARRIED

MOVED Director Krall, SECONDED Director Sherry, that the Board of Variance policy attached to the staff report as Schedule 1 be approved.

CARRIED

MOVED Director Krall, SECONDED Director Kreiberg, that "Regional District of Nanaimo Planning Services Fees and Charges Bylaw Amendment Bylaw No. 1259.01, 2005" be given three readings.

CARRIED

MOVED Director Krall, SECONDED Director Bartram, that "Regional District of Nanaimo Planning Services Fees and Charges Bylaw Amendment Bylaw No. 1259.01, 2005" be adopted.

CARRIED

MOVED Director Krall, SECONDED Director Kreiberg, that "Regional District of Nanaimo Board of Variance Amendment Bylaw No. 1260.01, 2005" be given three readings.

CARRIED

MOVED Director Krall, SECONDED Director Kreiberg, that "Regional District of Nanaimo Board of Variance Amendment Bylaw No. 1260.01, 2005" be adopted.

CARRIED

**Moved-on Buildings in the Regional District of Nanaimo.**

MOVED Director Westbroek, SECONDED Director Cantelon, that staff be directed to prepare an amendment to Bylaw No. 1250 for consideration by the Board, that includes the amended regulations as outlined in the staff report and that the regulations be further amended to reflect an appraised value of 100% of average assessed value of the developed properties within 100 metres.

CARRIED

***ENVIRONMENTAL SERVICES***

**UTILITIES**

**Water and Sewer Connection Fee Amendments – Bylaw No.’s 524.14, 619.10, 700.11, 726.11, 727.11, 764.14, 815.09, 886.08, 1097.06, 1334.02, 1172.04, 1383.01, 765.12, 1241.04, 422.14, 1237.04.**

MOVED Director Sherry, SECONDED Director McNabb, that “Regional District of Nanaimo Nanoose Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 524.14, 2005” be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Regional District of Nanaimo Nanoose Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 524.14, 2005” having received three readings, be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Regional District of Nanaimo French Creek Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 619.10, 2005” be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Regional District of Nanaimo French Creek Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 619.10, 2005” having received three readings, be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Regional District of Nanaimo Surfside Properties Specified Area Water Regulations and Rates Amendment Bylaw No. 700.11, 2005” be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Regional District of Nanaimo Surfside Properties Specified Area Water Regulations and Rates Amendment Bylaw No. 700.11, 2005” having received three readings, be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Regional District of Nanaimo Arbutus Park Estates Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 726.11, 2005” be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Regional District of Nanaimo Arbutus Park Estates Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 726.11, 2005” having received three readings, be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Regional District of Nanaimo Madrona Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 727.11, 2005” be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Regional District of Nanaimo Madrona Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 727.11, 2005” having received three readings, be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo Fairwinds Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 764.14, 2005" be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo Fairwinds Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 764.14, 2005" having received three readings, be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo West Bay Estates Water Local Service Area Regulations and Rates Amendment Bylaw No. 815.09, 2005" be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo West Bay Estates Water Local Service Area Regulations and Rates Amendment Bylaw No. 815.09, 2005" having received three readings, be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo Wall Beach Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 886.08, 2005" be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo Wall Beach Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 886.08, 2005" having received three readings, be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo Decourcey Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1097.06, 2005" be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo Decourcey Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1097.06, 2005" having received three readings, be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Driftwood Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1334.02, 2005" be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Driftwood Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1334.02, 2005" having received three readings, be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo San Pareil Water Supply Local Service Area Rates and Regulations Amendment Bylaw No. 1172.04, 2005" be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo San Pareil Water Supply Local Service Area Rates and Regulations Amendment Bylaw No. 1172.04, 2005" having received three readings, be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Englishman River Community Water Supply Service Area Rates and Regulations Amendment Bylaw No. 1383.01, 2005" be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Englishman River Community Water Supply Service Area Rates and Regulations Amendment Bylaw No. 1383.01, 2005" having received three readings, be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Fairwinds Sewerage Facilities Specified Area Rates Amendment Bylaw No. 765.12, 2005" be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Fairwinds Sewerage Facilities Specified Area Rates Amendment Bylaw No. 765.12, 2005" having received three readings, be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Surfside Sewer Rates and Regulations Amendment Bylaw No. 1241.04, 2005" be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Surfside Sewer Rates and Regulations Amendment Bylaw No. 1241.04, 2005" having received three readings, be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo French Creek Sewer Local Service Area Regulation and Rates Amendment Bylaw No. 422.14, 2005" be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Regional District of Nanaimo French Creek Sewer Local Service Area Regulation and Rates Amendment Bylaw No. 422.14, 2005" having received three readings, be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Electoral Area 'A' (MacMillan Road School Site) Sewer Local Service Area Rates and Regulations Amendment Bylaw No. 1237.04, 2005" be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Electoral Area 'A' (MacMillan Road School Site) Sewer Local Service Area Rates and Regulations Amendment Bylaw No. 1237.04, 2005" having received three readings, be adopted.

CARRIED



**Water Local Service Areas – Water Restriction Bylaw Amendments – Bylaws No. 1345.01, 1343.01, 1346.01, 1350.01, 1344.01, 1349.01, 1348.01, 1347.01, 1342.01, 1341.01, 1340.01, 1384.01.**

MOVED Director Sherry, SECONDED Director McNabb, that “Nanoose Water Uses Restrictions Amendment Bylaw No. 1345.01, 2005” be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Nanoose Water Uses Restrictions Amendment Bylaw No. 1345.01, 2005” having received three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “French Creek Water Uses Restrictions Amendment Bylaw No. 1343.01, 2005” be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “French Creek Water Uses Restrictions Amendment Bylaw No. 1343.01, 2005” having received three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Surfside Water Uses Restrictions Amendment Bylaw No. 1346.01, 2005” be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Surfside Water Uses Restrictions Amendment Bylaw No. 1346.01, 2005” having received three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Arbutus Park Water Uses Restrictions Amendment Bylaw No. 1350.01, 2005” be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Arbutus Park Water Uses Restrictions Amendment Bylaw No. 1350.01, 2005” having received three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Madrona Water Uses Restrictions Amendment Bylaw No. 1344.01, 2005” be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Madrona Water Uses Restrictions Amendment Bylaw No. 1344.01, 2005” having received three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Fairwinds Water Uses Restrictions Amendment Bylaw No. 1349.01, 2005” be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Fairwinds Water Uses Restrictions Amendment Bylaw No. 1349.01, 2005” having received three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “West Bay Water Uses Restrictions Amendment Bylaw No. 1348.01, 2005” be introduced for three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "West Bay Water Uses Restrictions Amendment Bylaw No. 1348.01, 2005" having received three readings be adopted. CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Wall Beach Water Uses Restrictions Amendment Bylaw No. 1347.01, 2005" be introduced for three readings. CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Wall Beach Water Uses Restrictions Amendment Bylaw No. 1347.01, 2005" having received three readings be adopted. CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Decourcey Water Uses Restrictions Amendment Bylaw No. 1342.01, 2005" be introduced for three readings. CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Decourcey Water Uses Restrictions Amendment Bylaw No. 1342.01, 2005" having received three readings be adopted. CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Driftwood Water Uses Restrictions Amendment Bylaw No. 1341.01, 2005" be introduced for three readings. CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Driftwood Water Uses Restrictions Amendment Bylaw No. 1341.01, 2005" having received three readings be adopted. CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "San Pareil Water Uses Restrictions Amendment Bylaw No. 1340.01, 2005" be introduced for three readings. CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "San Pareil Water Uses Restrictions Amendment Bylaw No. 1340.01, 2005" having received three readings be adopted. CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Englishman River Community Water Uses Restrictions Amendment Bylaw No. 1384.01, 2005" be introduced for three readings. CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Englishman River Community Water Uses Restrictions Amendment Bylaw No. 1384.01, 2005" having received three readings be adopted. CARRIED

**COMMISSION, ADVISORY & SELECT COMMITTEE**

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

MOVED Director Lund, SECONDED Director Longmuir, that the minutes of the Electoral Area 'B' Parks & Open Space Advisory Committee meeting held November 8, 2004 be received for information. CARRIED

**Regional Parks Plan Review Select Committee.**

MOVED Director McNabb, SECONDED Director Bartram, that the minutes of the Regional Parks Plan Review Select Committee meetings held November 17 and December 15, 2004 be received for information.

CARRIED

**District 69 Recreation Commission.**

MOVED Director Bartram, SECONDED Director Longmuir, that the minutes of the District 69 Recreation Commission meeting held December 16, 2004 be received for information.

CARRIED

**Intergovernmental Advisory Committee.**

MOVED Director Longmuir, SECONDED Director Hamilton, that the minutes of the Intergovernmental Advisory Committee meeting held December 14, 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 December 8, 2004 be received for information.

CARRIED

**Transit Business Plan Update Select Committee.**

MOVED Director Westbroek, SECONDED Director Krall, that the minutes of the Transit Business Plan Update Select Committee meeting held December 16, 2004 be received for information.

CARRIED

MOVED Director Krall, SECONDED Director Kreiberg, that the Regional District request that the City of Nanaimo allow for the relocation of the downtown Nanaimo transit exchange in 2005 to the west side of Wallace Street between Wentworth and Fitzwilliam as outlined in the staff report.

CARRIED

MOVED Director Krall, SECONDED Director Cantelon, that staff prepare a Terms of Reference for a study on transit exchange and service delivery options for the longer term for downtown Nanaimo.

CARRIED

**Selection Committee.**

***Board of Variance.***

MOVED Director McNabb, SECONDED Director Korpan, that Brian Coath be appointed to the Board of Variance for a term ending December 31, 2007.

CARRIED

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

MOVED Director Bartram, SECONDED Director McNabb, that Valerie Hykawy, Will Lemmon, and William Waugh be appointed to the Electoral Area 'H' Parks & Open Space Advisory Committee for a term ending December 31, 2006 and that Richard Wahlgren and Brenda Wilson be appointed to the Electoral Area 'H' Parks & Open Space Advisory Committee for a term ending December 31, 2005.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Park Proposal for the Mount Arrowsmith Massif.**

MOVED Director Westbrook, SECONDED Director Webster, that staff prepare a report on a proposal to partner with the ACC/FMCBC to approach the BC Government to seek the creation of a wilderness area park for Crown Land Block 1380 (the Arrowsmith Massif) and further that the report include consultation with the Alberni Clayoquot Regional District.

CARRIED

**NEW BUSINESS**

**Electoral Area 'E' By-election.**

MOVED Director Westbrook, SECONDED Director Bartram, that staff review the policy in place with respect to the division of costs between all Electoral Areas when a by-election is held and report back to the Committee.

CARRIED

**SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS**

**Arrowsmith Water Service Management Committee.**

MOVED Director Westbrook, SECONDED Director McNabb, that the minutes of the Arrowsmith Water Service Management Committee meeting held November 10, 2004 be received for information.

CARRIED

**ADMINISTRATOR'S REPORTS**

**Capital Charge Revision – French Creek Sewer Local Service Area Capital Charge Amendment Bylaw No. 1330.01 and Northern Community Sewer Local Service Area Capital Charge Amendment Bylaw No. 1331.01.**

MOVED Director Sherry, SECONDED Director Hamilton, that “French Creek Sewer Local Service Area Capital Charge Amendment Bylaw No. 1330.01, 2005” be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that “French Creek Sewer Local Service Area Capital Charge Amendment Bylaw No. 1330.01, 2005” having received three readings be adopted.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that “Northern Community Sewer Local Service Area Capital Charge Amendment Bylaw No. 1331.01, 2005” be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that “Northern Community Sewer Local Service Area Capital Charge Amendment Bylaw No. 1331.01, 2005” having received three readings be adopted.

CARRIED

**BYLAWS**

**For Adoption.**

**Bylaw No. 813.29.**

MOVED Director Hamilton, SECONDED Director Sherry, that "French Creek Sewerage Facilities Local Service Area Amendment Bylaw No. 813.29, 2004" be adopted.

CARRIED

**Bylaw No. 889.27.**

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Northern Community Sewer Local Service Area Amendment Bylaw No. 889.27, 2004" be adopted.

CARRIED

**Bylaw No. 813.30 & 889.29.**

These bylaws were deferred to a future meeting.

**Building Regulation and Fees Amendment Bylaw No. 1250.01 – Moved on Buildings.**

MOVED Director Cantelon, SECONDED Director Holdom, that "Regional District of Nanaimo Building Regulations and Fees Bylaw Amendment Bylaw No. 1250.01, 2005" be given three readings.

CARRIED

MOVED Director Cantelon, SECONDED Director Holdom, that "Regional District of Nanaimo Building Regulations and Fees Bylaw Amendment Bylaw No. 1250.01, 2005" having received three readings, be adopted.

CARRIED

**2005 Parcel Tax Rolls – Bylaw No. 1419.**

MOVED Director Krall, SECONDED Director Bartram, that "Regional District of Nanaimo Year 2005 Assessment Roll Preparation Bylaw No. 1419, 2005" be introduced for first three readings.

CARRIED

MOVED Director Krall, SECONDED Director Bartram, that "Regional District of Nanaimo Year 2005 Assessment Roll Preparation Bylaw No. 1419, 2005" having received three readings, be adopted.

CARRIED

MOVED Director Krall, SECONDED Director McNabb, that the Board appoint the Chairperson, the Manager of Financial Services and the Manager of Administrative Services to preside as the parcel tax review panel.

CARRIED

**Regional District Undertaking Financing on behalf of the City of Parksville – Bylaws No. 1406, 1407, 1408 & 1409.**

MOVED Director Longmuir, SECONDED Director Westbroek, that "Regional District of Nanaimo (City of Parksville) Security Issuing Bylaw No. 1406, 2005" receive first three readings.

CARRIED

MOVED Director Longmuir, SECONDED Director Westbrook, that "Regional District of Nanaimo (City of Parksville) Security Issuing Bylaw No. 1406, 2005" having received three readings be adopted.  
CARRIED

MOVED Director Longmuir, SECONDED Director Westbrook, that "Regional District of Nanaimo (City of Parksville) Security Issuing Bylaw No. 1407, 2005" receive first three readings.  
CARRIED

MOVED Director Longmuir, SECONDED Director Westbrook, that "Regional District of Nanaimo (City of Parksville) Security Issuing Bylaw No. 1407, 2005" having received three readings be adopted.  
CARRIED

MOVED Director Longmuir, SECONDED Director Westbrook, that "Regional District of Nanaimo (City of Parksville) Security Issuing Bylaw No. 1408, 2005" receive first three readings.  
CARRIED

MOVED Director Longmuir, SECONDED Director Westbrook, that "Regional District of Nanaimo (City of Parksville) Security Issuing Bylaw No. 1408, 2005" having received three readings be adopted.  
CARRIED

MOVED Director Longmuir, SECONDED Director Westbrook, that "Regional District of Nanaimo (City of Parksville) Security Issuing Bylaw No. 1409, 2005" receive first three readings.  
CARRIED

MOVED Director Longmuir, SECONDED Director Westbrook, that "Regional District of Nanaimo (City of Parksville) Security Issuing Bylaw No. 1409, 2005" having received three readings be adopted.  
CARRIED

## NEW BUSINESS

### **Municipal Insurance Association.**

Director Westbrook advised that Tom Barnes will be replacing retiring Ken Olive as Executive Director for MIA.

## ADJOURNMENT

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

## IN CAMERA

MOVED Director Sherry, SECONDED Director Cantelon, that pursuant to section 90(1)(c), (e) and (k) of the *Community Charter* the Board proceed to an In Camera meeting to consider items relating to labour relations, the acquisition of land and negotiations respecting the provision of municipal services.  
CARRIED

TIME: 7:25 PM

The meeting reconvened at 7:58 PM

### **Bylaw No. 1419.**

MOVED Director Sherry, SECONDED Director McNabb, that "Officers and Management Employees Terms & Conditions of Employment Bylaw No. 1417, 2005" be introduced and read three times.  
CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Officers and Management Employees Terms & Conditions of Employment Bylaw No. 1417, 2005" be adopted.

CARRIED

**EPCOR – Memorandum of Understanding.**

MOVED Director Sherry, SECONDED Director McNabb, that the Memorandum of Understanding with EPCOR be approved.

CARRIED

**Membership in the Island Corridor Foundation.**

MOVED Director Sherry, SECONDED Director McNabb,:

- (a) That the Regional District of Nanaimo become members of the Island Corridor Foundation.
- (b) That the Chairperson be authorized to appoint a nominee of the Board of Directors of the Island Corridor Foundation.
- (c) That the First Nation bands within the Regional District of Nanaimo be consulted to advise them of the District's intention to become a member of the Island Corridor Foundation.

CARRIED

**ADJOURNMENT**

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

CARRIED

TIME: 8:00 PM

---

CHAIRPERSON

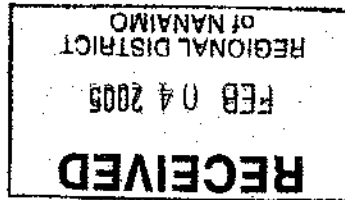
---

GENERAL MANAGER, CORPORATE SERVICES

**MIA** Municipal Insurance Association  
of British Columbia

Wednesday, February 2, 2005

**MIA Members**



Dear Member,

Re: MIA Executive Director

On behalf of the board I am pleased to advise the appointment of Thomas W. Barnes, LLB as the new Executive Director of MIA. Mr. Barnes will take up his duties on April 1, 2005.

As you know Tom has been associated with MIA since our formation in 1987 as a solicitor, claims advisor, member of the Claims Committee, and defence counsel on behalf of our Members. His background and experience with MIA and local government led to his drafting of the MIA Core Building Bylaw, a key risk management project for MIA. He comes to us from the law firm of Barnes, Twining and Short.

I am sure you will join me in wishing Tom well in his new position and in expressing our thanks to our departing Executive Director Ken Olive on his retirement.

Yours truly,

Janis Elkerton  
Chair, MIA



# WILLIAM BECKINGHAM, Q.C.

(Retired)

REGIONAL DISTRICT OF NANAIMO

CHAIR		GMCMS	
		GMCrs	
SAC		GMDS	
		GMES	

FEB 09 2005  
4060 Neill Street  
Port Alberni, B.C.  
V9Y 1E6  
Telephone: 723-6538


February 3, 2005

The Chairman and the Board  
The Regional District Nanaimo - Qualicum  
6300 Hammond Bay Road  
Nanaimo, B.C.  
V9T 6N2

Dear Sirs:

RE: Flooding - Flamingo Drive, Qualicum Beach

As you are no doubt aware, the West side of Flamingo Drive has long been known to be a flood plain area.

Under the provisions of the *Municipal Act* (now repealed) the subdivision of a flood plain was prohibited without the permission of the Minister of Municipal Affairs. In any event, the 25 acre parcel on the West side of Flamingo Drive has been subdivided and six lots created containing approximately one hectare each.

The East side of Flamingo Drive consists of 17 lots which have been built upon for many years (all are waterfront properties) and the topography is that of a berm on which residential dwellings are built. The berm runs parallel to the shoreline.

Some time ago the owner of the unsubdivided parcel on the West side of Flamingo Drive created a drainage ditch draining into what is now Lot (one) 1 which seemed to have effectively relieved the flooding of the area. This lot has now been built upon and approximately 3500 cubic yards of fill have been placed around the new residence. Lots 3 and 4 and the lot abutting onto Seacroft Road have also been built upon and large amounts of fill placed thereon.

The result is that the water that was previously contained on the West side of Flamingo Drive and accumulated there now floods on both sides and covers the yards of the premises on the East side. Lots 10, 12 and 13 experienced floods of the garage and crawl spaces as did two of the buildings under construction on the West side.

Although this area has experienced flooding on previous occasions, it was a result of the Little Qualicum River overflowing its banks. This has not occurred recently, apparently because of a form of dyking was created along McFeely Drive and Surfside Drive.

The lots on the West side are serviced by a sanitary sewer running along the

West side of the lots and draining into a sump and pump installed at the intersection of Kincade Road and McFeely Drive which is discharged into a pressure line along the West side of Flamingo Drive to Seacroft, and thence to the sewer along the waterfront to Yambury Road which discharges into the sea after treatment.

This matter was discussed with Ms. Jani M. Thomas who referred the matter to Mr. D. J. Dick, District Area Manager, Roads. Mr. Dick surveyed the area and advised that the solution was to create a local improvement area under the provisions of the *Local Government Act* which would necessitate a survey or study seeking an appropriate method of disposing of the water which accumulates along Flamingo Drive and floods the yards of the East side residents. This would involve the creating of a central authority as authorized by Sections 542 - 544 inclusive of the *Local Government Act*.

Some years ago a large pool of water accumulated at the intersection of Flamingo Drive and Seacroft, but since the sewer line was installed, which involved digging a trench from Flamingo Drive down Seacroft East to the sewer that runs along to the waterfront; there has not been such an accumulation. Perhaps this would also be a logical place to discharge the water from a drainage system?

Although the sewage disposal fields are located on the high part of the berm, which do not flood, there is at least one sewage disposal field located on the lower part of the plain which was inundated recently during the heavy rainfall in January.

All of the seventeen lots on the East side of Flamingo Drive have wells (most are drilled and above 47' deep) as are the wells on the West side of Flamingo Drive which serve the newly constructed homes.

The requirement in force is that no well should be closer than 100' from a septic field. This obviously is some protection from subterranean contamination but is no protection from flood water. Perhaps you will agree that there is an acute need for testing and is an obvious source of concern for the residents of the area, and perhaps those residences on the East side of the Oceanside Highway which runs through the flood plain.

There is some similarity between this flood plain and the Lugin Creek flood plain in Port Alberni which plain flooded when Lugin Creek overflowed. The area was serviced with Municipal water and sewerage. Perhaps you will remember that approximately 50 residents brought an action in the Supreme Court which resulted in a settlement wherein the City and the Province shared the cost of creating a bypass which diverted Kitsuksis Creek surplus waters around the Lugin Creek flood plain. It is also interesting to note that the victims of the flooding were not required to contribute to the cost of solving the problem. Port Alberni has a bylaw prohibiting the placing of material on or in the flood plain.

The matter of the installation of a sewerage system to serve the 17 lots on the East side of Flamingo Drive has been the subject of correspondence for many years. These 17 lots are on an unsewered parcel amid a larger area (including the above six lots across Flamingo Drive) which are sewered.

Your engineering department suggested running a gravity-fed sewer along

Flamingo Drive down Kincade to a pump and sump. The sump and pump were installed but the sewer was not. I was told that because there had been no complaints of contamination it was not a priority, although some of us suspect that the sump was installed at an elevation that is too high to accommodate a gravity system from Flamingo Drive - perhaps you could advise whether such is the case.

All of the above seems to me to warrant some immediate attention from your board. Certainly your Health Department should have some interest.

In short, we need a drain.

Sincerely,

  
WILLIAM BECKINGHAM, Q.C.  
WB/jc

c.c. D. J. Dick



**REGIONAL  
DISTRICT  
OF NANAIMO**

<b>REGIONAL DISTRICT OF NANAIMO</b>	
FEB 14 2005	
CHAIR	GM/CMS
	GM/CrS
COO	GMDS
	GMES
<i>Board</i> ✓	

**MEMORANDUM**

**TO:** Robert Lapham  
General Manager, Development Services

**DATE:** February 11, 2005

**FROM:** Jani M. Thomas  
Protective Services Coordinator

**FILE:** 7130-03-02

**SUBJECT:** Adoption of Bylaw No. 1416 and Appointments to the Emergency Executive Committee

**PURPOSE**

To adopt the "Regional District of Nanaimo Emergency Measures Bylaw No. 1416, 2005", and appointment of those persons specified in Section 3 (a) of the Bylaw, and the appointment of the Emergency Coordinator and alternate as per Section 3(d).

**BACKGROUND**

At the January 25, 2005 Board meeting, Bylaw No. 1416, 2005 was given 3 readings.

Section 3 (a) states that "An Emergency Executive Committee is hereby established as the emergency management organization for the Regional District of Nanaimo Electoral Areas and shall consist of

- v) Heads of selected functional Regional District of Nanaimo departments or their alternates as appointed by the Board".

The heads of functional departments are aligned with the British Columbia Emergency Response Management System (BCERMS) methodology, and are detailed below:

- Operations Section Chief – GM of Environmental Services
- Logistics Section Chief – GM of Community Services
- Planning Section Chief – GM of Development Services
- Finance and Administration Section Chief – GM of Corporate Services
- Emergency Coordinator – Protective Services Coordinator
- Emergency Coordinator Alternate – Manager of Administrative Services.

**ALTERNATIVES**

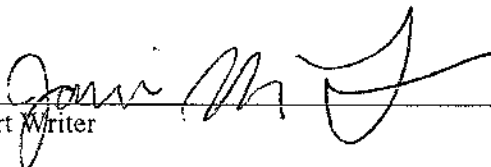
1. To adopt "Regional District of Nanaimo Emergency Measures Bylaw No. 1416, 2005" and appoint the General Managers as Section Chiefs; the Manager of Administrative Services as Emergency Coordinator Alternate and to appoint the Protective Services Coordinator as the Emergency Coordinator pursuant to Section 3(a) of the Bylaw.
2. To not adopt "Regional District of Nanaimo Emergency Measures Bylaw No. 1416, 2005".


**SUMMARY/CONCLUSIONS**


Bylaw No. 1416, 2005 details the powers, jurisdictions, roles and responsibilities in one document. Appointments of the Emergency Executive Committee and Coordinators are critical to the implementation of the overall RDN Emergency Plan.

**RECOMMENDATIONS**

1. That "Regional District of Nanaimo Emergency Measures Bylaw No. 1416, 2005" be adopted.
2. That the Departmental General Managers be appointed to the Emergency Executive Committee.
3. That the Protective Services Coordinator be appointed as the Emergency Coordinator.
4. That the Manager of Administrative Services be appointed as Emergency Coordinator alternate.

  
Report Writer

  
General Manager Concurrence

  
C.A.O. Concurrence

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE  
MEETING HELD ON TUESDAY, FEBRUARY 8, 2005, AT 6:00 PM  
IN THE RDN BOARD CHAMBERS**

**Present:**

Director E. Hamilton	Chairperson
Director H. Kreiberg	Electoral Area A
Director D. Haime	Electoral Area D
Alternate	
Director H. Webster	Electoral Area E
Director L. Biggemann	Electoral Area F
Alternate	
Director J. Chase	Electoral Area G
Alternate	
Director D. Heenan	Electoral Area H

**Also in Attendance:**

B. Lapham	General Manager, Development Services
J. Llewellyn	Manager of Community Planning
N. Tomm	Recording Secretary

**CALL TO ORDER**

The Chairperson welcomed Alternate Directors Webster, Chase and Heenan to the meeting.

**DELEGATIONS**

**Mike Fowler, Can-Corp Ventures, re Proposed Highway Commercial Development.**

Mr. Fowler introduced Art Phillips, also of Can-Corp Ventures, who provided an overview of a proposed commercial development Can-Corp Ventures would like to present to the residents of Electoral Area 'E' prior to the adoption of the Official Community Plan.

**MINUTES**

MOVED Director D. Haime, SECONDED Director Biggemann, that the minutes of the Electoral Area Planning Committee meeting held January 11, 2005 be adopted.

CARRIED

**PLANNING**

**OFFICIAL COMMUNITY PLAN**

Director Webster noted that in his capacity as Alternate Director for Electoral Area 'E', the adoption of the Official Community Plan should not proceed until such time as an elected Director is in the position to complete the process. He also suggested that many waterfront property owners are not aware of development permit requirements and have non-conforming uses.

**Nanoose Bay Official Community Plan Update.**

MOVED Director Webster, SECONDED Director D. Haime, that the Board receive the Summary of Proceedings and Written Submissions from the Public Information Meeting held January 18, 2005, receive the staff report containing the recommendations included in Schedule No. 1, and then hold the process in abeyance pending the election of a new Director for Electoral Area 'E'.

CARRIED

**AMENDMENT APPLICATIONS**

**Zoning Amendment ZA0418 & ZA0419 – Fern Road Consulting/Brookwater Homes and Pal – MacPherson & Marshland Road – Area H.**

MOVED Director D. Heenan, SECONDED Director Biggemann,:

1. That the minutes of the Public Information meeting held on January 27, 2005 be received.
2. That Zoning Amendment Application Nos. ZA0418 and ZA0419 as submitted by Fern Road Consulting to rezone Lots 2 & 5, Both of Block 390, Newcastle District, Plan 39504 from Resource Management 1 Subdivision District A (RM1A) to Rural 1 Subdivision District D (RU1D) be approved to proceed to public hearing subject to the conditions included in Schedule No. 1.
3. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw Nos. 500.312, 2005 and 500.313, 2005" be given 1<sup>st</sup> and 2<sup>nd</sup> reading.
4. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw Nos. 500.312, 2005 and 500.313, 2005" proceed to public hearing.
5. That the public hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw Nos. 500.312, 2005 and 500.313, 2005" be delegated to Director Bartram or his alternate.

CARRIED

**DEVELOPMENT PERMIT APPLICATIONS**

**Development Permit Application No. 60460 – Miroslav Danielka and Margaret Chi – Van Isle Road - Area H.**

MOVED Director Heenan, SECONDED Director Webster, that Development Permit Application No. 60460 submitted by Miroslav Danielka and Margaret Chi to facilitate the construction of a single dwelling unit, accessory building and driveway, with variances attached as Schedule No. 4, within the Electoral Area 'H' Official Community Plan Hazard Lands and Environmentally Sensitive Features Development Permit Areas for the property legally described as Lot A, District Lot 16, Newcastle District, Plan 25618, be approved, subject to the requirements outlined in Schedules No. 1, 2 and 3 and notification requirements pursuant to the *Local Government Act*.

CARRIED

**Development Permit Application No. 60504 – Smith/Vectis Ventures – 3645 Dolphin Drive – Area E.**

MOVED Director Webster, SECONDED Director Kreiberg, that Development Permit Application No. 60504, submitted by Tim Rann of Vectis Ventures on behalf of Dan and Christina Smith for the demolition of the existing dwelling unit, non-conforming cabin and deck and construction of a new dwelling unit with variances to RDN Bylaw No. 500, 1987 as outlined in Schedule No. 4 for the property legally described as Lot B, District Lot 78, Nanoose Land District, Plan 44229, be approved as submitted subject to Schedules No. 1, 2, 3, 4 and 5 and subject to the comments received as a result of public notification pursuant to the *Local Government Act*.

CARRIED

**Development Permit Application No. 60505 – Scott – 961 Clark Road – Area F.**

MOVED Director Biggemann, SECONDED Director Kreiberg, that Development Permit Application No. 60505, submitted by Karen and Brad Scott to permit the subdivision of the property legally described as Lot 1, Parcel A (DD3792N), District Lot 74, Newcastle District and partially designated within the Watercourse Protection Development Permit Area, be approved as submitted subject to the conditions of Schedules No. 1 and 2.

CARRIED

**OTHER**

**Request for Acceptance of Parkland Dedication – Newcastle Engineering Ltd. on behalf of Woodridge Holdings Ltd. & H. Bhatti – MacMillan Road – Area A.**

MOVED Director Kreiberg, SECONDED Director Webster, that the park land proposal submitted by Newcastle Engineering Ltd., on behalf of Woodridge Holdings Ltd. & H. Bhatti in conjunction with the subdivision of Lot 1, Section 17, Range 8: Part of the South ½ of Section 17, Range 8, With Exceptions; and Road Closure; All of Cranberry District be accepted subject to the conditions and as outlined in Schedule No. 1 of the staff report.

CARRIED

**Request for Acceptance of Parkland Dedication or Cash in Lieu & Relaxation of Minimum 10% Frontage – WR Hutchinson on behalf of Sweeney/Cochran – Storey & Yellow Point Roads – Area A.**

MOVED Director Kreiberg, SECONDED Director Biggemann, that the offer to provide 5% cash in-lieu-of park land and the request for relaxation of the minimum frontage requirement for proposed Lots 2, 3, 4 and 5, submitted by WR Hutchinson, BCLS, on behalf of Ms. L. Sweeney & Ms. A. Cochran, c/o Rad Star Investments Inc. in conjunction with the subdivision of Lot 1, Section 12, Range 2, Cedar District, Plan VIP53334, Except Part in Plans VIP64754, VIP71957 & VIP73838, be approved.

CARRIED

**ADJOURNMENT**

MOVED Director Kreiberg, SECONDED Director D. Haime, that this meeting terminate.

CARRIED

TIME: 6:38 PM

---

CHAIRPERSON



## REGIONAL DISTRICT OF NANAIMO

### MINUTES OF THE SPECIAL COMMITTEE OF THE WHOLE MEETING HELD ON TUESDAY, FEBRUARY 1, 2005, AT 7:00 PM IN THE RDN BOARD CHAMBERS

#### Present:

Director L. McNabb	Chairperson
Director H. Kreiberg	Electoral Area A
Director G. Lund	Electoral Area B
Director E. Hamilton	Electoral Area C
Alternate	
Director H. Webster	Electoral Area E
Director L. Biggemann	Electoral Area F
Alternate	
Director J. Chase	Electoral Area G
Director D. Bartram	Electoral Area H
Director R. Longmuir	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director L. Sherry	City of Nanaimo
Director R. Cantelon	City of Nanaimo
Director B. Holdom	City of Nanaimo

#### Also in Attendance:

B. Lapham	General Manager of Development Services
C. Mason	General Manager of Corporate Services
N. Connelly	General Manager of Community Services
J. Finnie	General Manager of Environmental Services
N. Avery	Manager of Financial Services

#### CALL TO ORDER

The Chairperson welcomed Alternate Directors Webster and Chase, and introduced Alternate Director Heenan who was seated in the audience.

#### PRESENTATION

##### Review of Five Year Financial Plan.

The General Manager of Development Services introduced the Financial Plan Review presentation.

The Manager of Financial Services presented an overview of assessment and tax rate scenarios as they influence the District's budget process.

The General Manager of Corporate Services presented year end highlights of the proposed 2005 Annual budget including budget items presented to the Board in November 2004, recent adjustments to service levels and outstanding funding decisions.

MOVED Director Holdom, SECONDED Director Westbroek, that the Nanaimo and Area Land Trust's request for funding in the amount of \$30,000 be included in the 2005 Annual budget as a regional parks operating budget item.

MOVED Director Webster, SECONDED Director Kreiberg, that this item be postponed until such time as NALT can make another presentation to the Board for clarification on their request for funding.

DEFEATED

The question was called on the main motion.

The motion was DEFEATED.

MOVED Director Holdom, SECONDED Director Cantelon, that \$18,000 for improvements to the downtown exchange and \$30,000 for a downtown transit study be added to the Southern Community Transit budget.

CARRIED

MOVED Director Holdom, SECONDED Director Webster, that the Board consider the Nanaimo and Area Land Trust's request for \$30,000 in funding if NALT presents a more current detailed budget.

CARRIED

The Manager of Financial Services reviewed the 2005 Annual budget assessment changes by jurisdiction, the impact of new construction on Electoral Area tax revenues for 2005 and the 2005 budget overall change summaries by jurisdiction.

The General Manager of Development Services presented the five year financial plan 2006 highlights and 2007-2010 major initiatives for the building inspection, bylaw enforcement, community planning and emergency planning budgets.

The General Manager of Environmental Services presented the five year financial plan 2006 highlights and 2007-2010 major initiatives for the liquid waste, solid waste, engineering and water utilities budgets.

The General Manager of Community Services presented the five year financial plan 2006 highlights and 2007-2010 major initiatives for Oceanside Place, Ravensong Aquatic Centre, D69 recreation coordinating, southern community recreation, regional parks, southern community transit, D69 community bus and regional growth management budgets.

The General Manager of Corporate Services presented the five year financial plan 2006 highlights and 2007-2010 major initiatives for the electoral areas, general administration, E-911 and fire department budgets.

MOVED Director Cantelon, SECONDED Director Westbrook, that the 2005 – 2010 Financial Plan be forwarded for public consultation as presented.

CARRIED

**ADJOURNMENT**

MOVED Director Westbrook, SECONDED Director Cantelon, that this meeting terminate.

CARRIED

TIME: 8:37 PM

---

CHAIRPERSON

## REGIONAL DISTRICT OF NANAIMO

### MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON TUESDAY, FEBRUARY 8, 2005, AT 7:00 PM IN THE RDN BOARD CHAMBERS

#### Present:

Director L. McNabb	Chairperson
Director H. Kreiberg	Electoral Area A
Director G. Lund	Electoral Area B
Director E. Hamilton	Electoral Area C
Director D. Haime	Electoral Area D
Alternate	
Director H. Webster	Electoral Area E
Director L. Biggemann	Electoral Area F
Alternate	
Director J. Chase	Electoral Area G
Alternate	
Director D. Heenan	Electoral Area H
Director R. Longmuir	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director L. Sherry	City of Nanaimo
Director T. Krall	City of Nanaimo
Director B. Holdom	City of Nanaimo
Alternate	
Director D. Tyndall	City of Nanaimo
Alternate	
Director D. Brennan	City of Nanaimo

#### Also in Attendance:

B. Lapham	General Manager of Development Services
C. Mason	General Manager of Corporate Services
N. Connelly	General Manager of Community Services
J. Finnie	General Manager of Environmental Services
N. Avery	Manager, Financial Services
D. Trudeau	Manager, Liquid Waste
N. Tonn	Recording Secretary

#### DELEGATIONS

##### **Ceri Peacey, re Hamilton Marsh – Area F.**

Ms. Peacey provided a verbal and visual presentation on Hamilton Marsh and the need to protect the area from development which would destroy the ecological and biological balance this marshland provides to the District.

##### **Cyndy Jefferies, Nanaimo Area Land Trust, re Operational Funding.**

Gail Adrienne reviewed and circulated updated budget information to the Committee members and reviewed the five service areas provided by NALT within the Regional District.

**Annette Tanner, Western Canada Wilderness Committee, re RDN Parks Plan Revision.**

Ms. Tanner raised her concerns that a parks plan and vision for the future cannot be addressed until all possibilities for conservation and parks within the Regional District of Nanaimo are brought to the table and mapped, as only 2% of Vancouver Island lands are presently protected against over development. Ms. Tanner also requested that the Board put forward a resolution to the upcoming AVICC convention which addresses the importance of preserving crown land in the area.

**MINUTES**

MOVED Director Westbrook, SECONDED Director Krall, that the minutes of the Committee of the Whole meeting held January 11, 2005 be adopted.

CARRIED

**COMMUNITY SERVICES**

**RECREATION & PARKS**

**Renewal of Licence of Occupation for Parkland (Oakdowne Road) in Area H.**

MOVED Director Sherry, SECONDED Director Westbrook, that the renewal of a 10-year Licence of Occupation from Land and Water BC Inc. for the community park located at Oakdowne Road in Electoral Area 'H', be approved.

CARRIED

**Englishman River Regional Park – Application to Develop Road Allowance – Area F.**

MOVED Director Biggemann, SECONDED Director Tyndall, that the Regional District apply to the Ministry of Transportation for permission to use and develop Middlegate and Rawlins Road allowances for the purpose of creating trail access to Englishman River Regional Park for walkers, cyclists and equestrians.

CARRIED

**Horne Lake Regional Park Operations Update.**

MOVED Director Sherry, SECONDED Director Holdom, that the revised timeline for completing actions leading to a long-term plan and public-private operating and development agreement for Horne Lake Regional Park be received.

CARRIED

**Renewal of Trail Use Licence for Arrowsmith Trail.**

MOVED Director Hamilton, SECONDED Director Biggemann, that the Regional District renew the Trail Use Licence for the section of the Arrowsmith Trail located on Weyerhaeuser private land.

CARRIED

**Recreation Facilities and Sportsfields Usage Survey Results.**

MOVED Director Westbrook, SECONDED Director Krall,:

1. That the 2004 survey results be received for information and applied to the respective 2005 Annual Budgets.
2. That alternative funding formulas be reviewed as part of the renewal process of the Recreation Facilities and Sportsfield Services Agreements in District 68 and 69.

CARRIED

**CORPORATE SERVICES**

**ADMINISTRATION**

**Regional Services Review – Phase II Final Report.**

MOVED Director Krall, SECONDED Director Kreiberg, that the Consultant Report on the Phase II Service Review be received for information.

CARRIED

**Review of Tax Requisition Allocation Methods for Recreation Services.**

MOVED Director Westbrook, SECONDED Director Sherry, that the Board consider revising the District 69 recreation services cost sharing model to a blended 50% assessment / 50% population approach commencing in the 2006 taxation year.

CARRIED

**Police Support Services Establishing Bylaw No. 1421.**

MOVED Director Biggemann, SECONDED Director Webster, that this item be deferred for one month.

CARRIED

**Electoral Area Election and By-Election Funding Policy.**

MOVED Director D. Haime, SECONDED Director Hamilton, that the report on the funding of Electoral Area elections and by-elections be received for information.

CARRIED

**Bow Horn Bay Fire Protection Service Agreement – Big Qualicum Hatchery.**

MOVED Director Holdom, SECONDED Director Westbrook, that the Chairperson and General Manager, Corporate Services, be authorized to execute a fire protection service agreement with the Department of Fisheries – Big Qualicum Hatchery on behalf of the Bow Horn Bay Fire Department as presented.

CARRIED

**FINANCE**

**Security Issuing Bylaw No. 1420 – City of Parksville Roadworks.**

MOVED Director Longmuir, SECONDED Director Westbrook,:

1. That “Regional District of Nanaimo (City of Parksville) Security Issuing Bylaw No. 1420, 2005” receive first three readings.
2. That “Regional District of Nanaimo (City of Parksville) Security Issuing Bylaw No. 1420, 2005” having received first three readings be adopted and forwarded as required to the Ministry of Community, Aboriginal and Women’s Services for a certificate of approval.

CARRIED

**HOSPITAL**

**Short Term Temporary Borrowing Resolution.**

MOVED Director Sherry, SECONDED Director Krall, that a short term borrowing authority to a maximum of \$2,000,000 in the form of the resolution attached, be adopted.

CARRIED

**ENVIRONMENTAL SERVICES**

**LIQUID WASTE**

**Piper's Inn Pub Lease Agreement Extension.**

MOVED Director Krall, SECONDED Director Sherry, that the lease agreement for the Piper's Inn Pub (Lot 2, Plan 7504, District Lot 51, Wellington Land District) be approved.

CARRIED

**French Creek Pollution Control Centre Dewatering Upgrade.**

MOVED Director Sherry, SECONDED Director Westbrook, that the Regional District of Nanaimo award supply of a centrifuge for the FCPCCC dewatering upgrade for the amount of \$322,070 to Alfa Laval.

CARRIED

**SOLID WASTE**

**Organics Diversion Strategy.**

MOVED Director Sherry, SECONDED Director Longmuir, that the Board approve the Organics Diversion Strategy for general distribution and posting to the RDN web site.

CARRIED

**Landfill Gas Collection System Expansion – FCM Grant Agreements.**

MOVED Director Sherry, SECONDED Director Hamilton, that the Board approve the execution and delivery of the Grant Agreement with the Federation of Canadian Municipalities including the Project and Transfer Agreement with the Green Municipal Corporation.

CARRIED

**UTILITIES**

**Mid Vancouver Island Habitat Enhancement Society -- Request for Letter of Support.**

MOVED Director Westbrook, SECONDED Director Longmuir, that the Board direct staff to provide a letter of support for the Mid Vancouver Island Habitat Enhancement Society's Community Watershed Stewardship Pledge program.

CARRIED

**COMMISSION, ADVISORY & SELECT COMMITTEE**

**Regional Growth Monitoring Advisory Committee/State of Sustainability Project.**

MOVED Director Holdom, SECONDED Director Westbrook, that the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held January 12, 2005 be received for information.

CARRIED

**Intergovernmental Advisory Committee.**

MOVED Director Krall, SECONDED Director Sherry, that the minutes of the Intergovernmental Advisory Committee meetings held January 13 and January 27, 2005 be received for information.

CARRIED

**Transit Business Plan Update Select Committee.**

MOVED Director Krall, SECONDED Director Brennan, that the minutes of the Transit Business Plan Update Select Committee meeting held January 27, 2005 be received for information.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Hamilton Marsh – Area F.**

Director Westbroek requested that the Parks Plan Review Committee review the information provided by the delegation regarding the protection of Hamilton Marsh.

**Parks Plan Revision.**

Director Westbroek requested that an inventory of crown land and sensitive ecosystems with detailed maps be brought forward as part of the Parks Plan Review Committee's report to the Board.

**ADJOURNMENT**

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

CARRIED

TIME: 8:07 PM

---

CHAIRPERSON



<b>REGIONAL DISTRICT OF NANAIMO</b>		
FEB 14 2005		
CHAIR		GMCS
		GMCS
CAO		GMDS
		GMES
<i>board ✓</i>		

**MEMORANDUM**

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

**DATE:** February 11, 2005

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

**FILE:** 0230 20 FCCS

**SUBJECT:** Friends of French Creek Conservation Society

**PURPOSE:**

To approve providing funding to the Friends of French Creek Conservation Society to conduct an independent appraisal of private lands along the French Creek estuary.

**BACKGROUND**

The Friends of French Creek Conservation Society is seeking support from the Regional District to assist in undertaking an independent appraisal of lands within the French Creek Estuary. Their letter is attached for information. (*Appendix 2*)

There are two privately held properties that the Society is interested in acquiring for conservation and recreational purposes. The Society has approached the landowner who has agreed to an independent appraisal being done for the purposes of establishing a potential purchase price.

There are two parcels that the Society is interested in:

- Lot 3, Plan 62528, DL 28, Nanoose Land District (referred to as the west side parcel by the Society). This land is zoned Residential 5 (Multi / Single Family) (*Appendix 3*).
- Lot 1, Plan 58358, DL 28, Nanoose Land District (referred as the east side by the Society). This land is split zoned Commercial 6 and Water 1.

The parcel on the northwest side of the Creek is of highest priority to the Society, and they would like the appraisal to take place during the wet season. The northwestern parcel is also adjacent to a Community Park that is dissected by this private land. The Society has approached a certified land appraiser and is requesting that the Regional District contribute \$2,700 toward the \$4,500 appraisal costs. The Society will provide the balance of the costs.

The Official Community Plan for the area includes policies that support the protection of environmentally sensitive land along French Creek and a portion of the property is in the desired park acquisition area in the Official Community Plan parks network map.

The French Creek corridor is identified in the 1995 Regional Park Plan as an area of interest; as well as being listed in the 2005 Regional Parks and Trail System Plan currently under development for approval by the Regional Board in March 2005.



## ALTERNATIVES

1. That \$2,700 be provided to the Friends of French Creek Conservation Society from the Electoral Area 'G' Cash in Lieu of parkland reserves for the purpose of conducting an independent appraisal on private lands on the northwest side of French Creek legally described as Lot 3, Plan 62528, DL 28, Nanoose Land District. (*Appendix 1*)
2. That \$2,700 be provided from the Electoral Area G Community Park operating budget for this purpose.
3. That funds not be provided at this time.

## FINANCIAL IMPLICATIONS

1. There is currently \$393,190 available within the cash in lieu of parkland reserve held in the account of Electoral Area G. While the fund is primarily held for the purpose of acquisition, this appraisal would be an acceptable use of the funds as it relates to a potential acquisition. In order to provide for releasing the funds for this purpose, a reserve fund expenditure bylaw must be adopted by the Board. Bylaw No. 1424 is attached for this purpose. (*Appendix 1*)
2. Providing the funds from the 2005 operating budget would require that the tax requisition be increased in the 2005 Annual Budget by \$2,700 as the Provisional Budget did not provide for this expenditure
3. Should funding not be provided, the Society will be required to fund the full appraisal costs without assistance from the Regional District.

## COMMUNITY IMPLICATIONS

Having an appraisal conducted on the land will assist the Regional District and the Friends of French Creek Conservation Society in determining costs for acquisition of the land for Community Park and conservation purposes. If the property were to be acquired, it could form part of the Regional District's community park system in Electoral Area G.

## SUMMARY

The Friends of French Creek Conservation Society has requested that the Regional District contribute \$2,700 toward an independent appraisal of lands within the French Creek Estuary as a step towards purchasing or securing the lands for recreational and conservation purposes.

Of the two parcels of land of interest to the Society, Lot 3, Plan 62528, DL 28, Nanoose Land District is of highest priority to the Society who would like an appraisal to be conducted during the wet season. This parcel is adjacent to a Community Park, which is dissected by Lot 3.

Staff propose using funds from the cash in lieu of parkland reserve fund for this purpose. There are sufficient funds available in the Electoral Area 'G' Parkland Acquisition Reserve Fund to meet the Society's request.

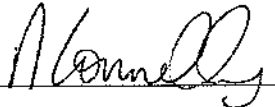
**RECOMMENDATIONS**

1. That \$2,700 be granted to the Friends of French Creek Conservation Society from the Electoral Area 'G' Park Land Acquisition Reserve Fund for the purpose of conducting an independent appraisal on private lands on the northwest side of French Creek legally described as Lot 3, Plan 62528, DL 28, Nanoose Land District.
2. That "Electoral Area 'G' Park Land Acquisition Reserve Fund Expenditure Bylaw No. 1424, 2005" be introduced, and be given three readings.
3. That "Electoral Area 'G' Park Land Acquisition Reserve Fund Expenditure Bylaw No. 1424, 2005" having received 3 readings, be adopted.



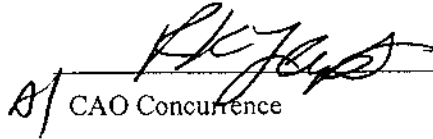
---

Report Writer



---

General Manager Concurrence



---

CAO Concurrence

**COMMENTS:**

*Appendix I*

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1424**

**A BYLAW TO AUTHORIZE AN  
EXPENDITURE OF FUNDS FROM THE  
PARK LAND ACQUISITION  
RESERVE FUND**

WHEREAS the Park Land Acquisition Reserve Fund was established under Bylaw No. 750;

AND WHEREAS it is deemed desirable to expend a portion of the Reserve Fund monies to assist with the land appraisal of Lot 3, Plan 62528, District Lot 28, Nanoose Land District ;

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

1. The sum of Two Thousand Seven Hundred Dollars (\$2,700) is hereby appropriated from the Park Land Acquisition Reserve Fund to be expended to assist with the appraisal of the lands and improvements legally described as:  
  
Lot 3, Plan 62528, District Lot 28, Nanoose Land District
2. Should any of the above amount remain unexpended, such unexpended balance shall be returned to the credit of the Reserve Fund.
3. This bylaw may be cited as "Park Land Acquisition Reserve Fund Expenditure Bylaw No. 1424, 2005".

Introduced and read three times this \_\_\_\_ day of \_\_\_\_\_, 2005.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Chairperson

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

Appendix 2 (2 pages)

**Friends of French Creek Conservation Society**

510 Viking Way  
Parksville, B.C.  
V9P 1Y1

Tel: 250 752 0172  
Fax: 250 752 0812

January 6, 2005

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

Attention: Director Joe Stanhope, Area "G", Chair of the Board of Directors of the  
Regional District of Nanaimo.

Dear Directors:

**Re: Request to Assist in Funding Appraisal of Land In FC DPA No. 2**

We believe you had discussions with a member of our board several weeks ago about our society's efforts to undertake a real estate appraisal of a portion of the land in Development Permit Area 2. Over the past summer we had some difficulty finding an appraiser qualified to tackle such a project and who would be interested in undertaking the assignment. In August we received a quote from Baker and Osland Appraisals Ltd. of Victoria.

Their quotation was broken down into two prices. Their total price of \$8500 plus disbursements would cover an appraisal of all available undeveloped land on the west side of French Creek to Columbia Drive and the land on the east side of French Creek up to the campground, all north of Highway 19A. This is land believed to be owned by French Creek Estates and another small lot owner.

I recently received permission from Mr. John Moore, a principal of French Creek Estates, to allow an appraiser to visit the property for the purposes of estimating a value for the parcel of land on the west side of the creek, which is owned entirely by French Creek Estates.

Baker and Osland provided an alternative price of \$4500 plus disbursements for an appraisal of the west-side property only (referred to as Priority 1 lands). Their quotation, which we received by email, is attached.

It is felt that time is of the essence because the appraisal should be done during the wet season. Friends of French Creek Conservation Society has not yet raised sufficient funds to fully cover the appraisal fees. It currently has a bank account of

about \$2000. Current members have indicated that they will make some charitable donations in order to expedite the work but additional funding is needed.

We believe the Regional District of Nanaimo will benefit if all or a portion of the land on the west side could be acquired through some mechanism. This land could be returned to fish habitat and would support many species of wildlife. It would also serve as a recreational area for residents of the region and visitors. We anticipate that securing this land as park, trails and open space will enhance property values in the neighboring communities.

It has been determined that a valuation of the property is needed for the following reasons:

1. To provide a starting point from which to negotiate with the owner for the purchase of all or a portion of the land.
2. To provide a meaningful figure to other funding agencies to support application for financial assistance to purchase all or part of the property
3. To provide a financial target to which volunteers can strive to attain.

We would like to invite the Regional District of Nanaimo to participate in the funding of the appraisal. If the Region could provide \$2700 we feel the Society could raise the remaining funds. If Osland should find it possible to reduce the fee, as they suggest in their letter, we will pass that entire reduction on to the Region.

If you need further information to support our request we would be very pleased to assemble that material for you.

We look forward to your support and positive response to our request.

Yours truly

Board of Directors of Friends of French Creek Conservation Society

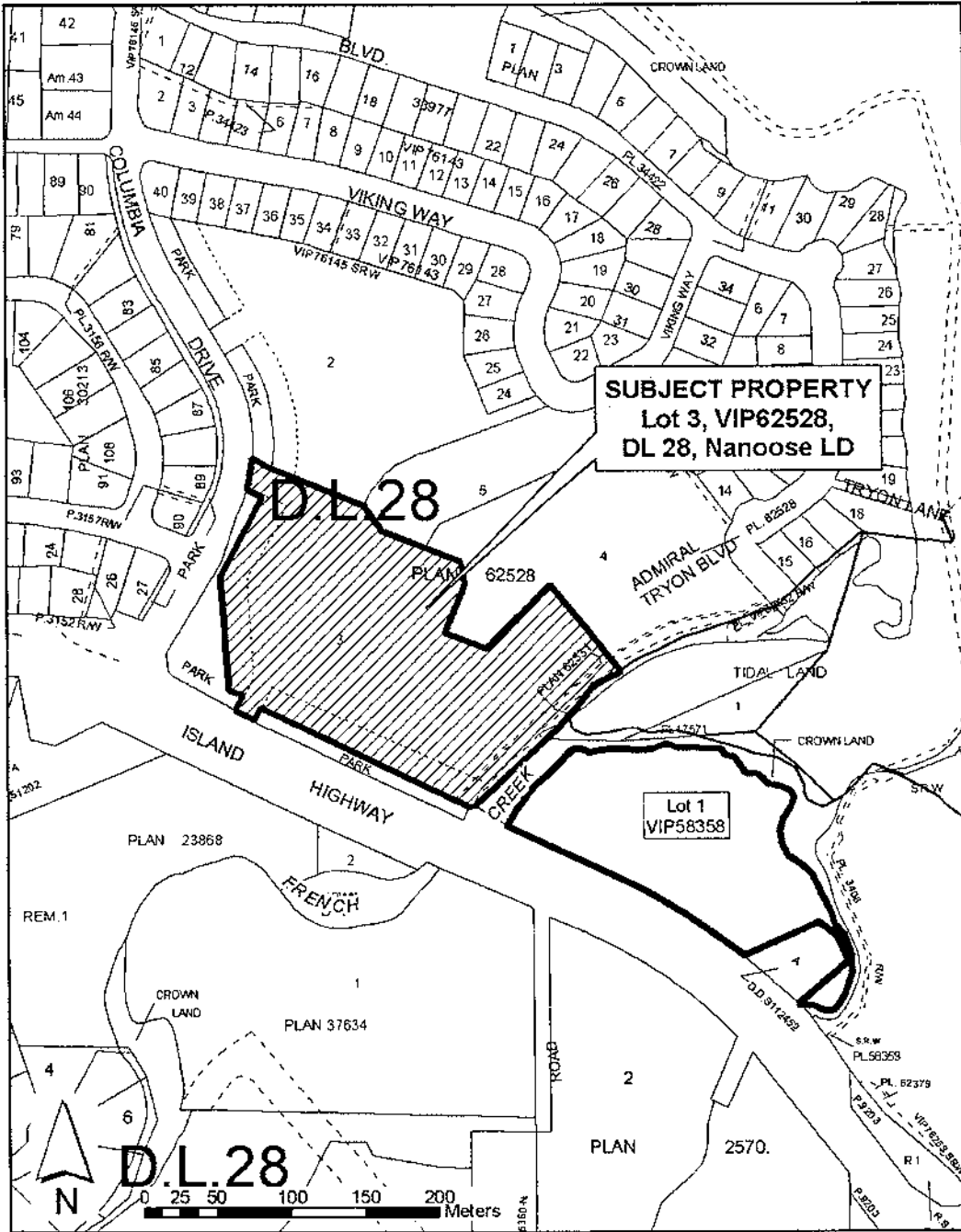
Per:



Susan Morrison, Chair

Attachments

Appendix 3



BCSS Map Sheet No 82F 039 13



CHAIR		GMCMS	
		GMCrS	
CAO		GMDS	
		GMES	

MEMORANDUM

FEB 15 2005

**TO:** B. Lapham  
Acting Chief Administrative Officer

**FROM:** M. Pearse  
Manager, Administrative Services

**SUBJECT:** City of Nanaimo's Request re Meeting Facilities

	<b>DATE:</b>
	<b>FILE:</b>

February 15, 2005

**PURPOSE**

To consider a request from the City of Nanaimo for the use of the RDN Meeting Rooms.

**BACKGROUND**

The City of Nanaimo will soon begin renovations in City Hall to convert their existing Council Chambers into office space. This renovation will necessitate the relocation of meetings currently being held in the Council Chambers. In correspondence dated February 10, 2005, the City is requesting the use of the RDN Board and Committee Rooms during this construction period and pending the completion of the New Nanaimo Centre Community Auditorium. Commencing April 4, 2005, the meetings the City wishes to relocate to the RDN facilities include their regular Monday night Council meetings and their once a month public hearing meeting. These meetings will take place after regular office hours. Once the Nanaimo Centre Community Auditorium construction is complete, Council will relocate to that facility.

*Rental Rates*

Policy A1.26 established guidelines for the rental of the RDN Board and Committee Rooms. This policy outlined the rental rates to be charged to organizations for the use of these facilities. During the discussion on the establishment of the guidelines, the Board recognized that there may be times when consideration would be given to certain organizations to have access to the meeting rooms free of charge.

As you may recall, the RDN also underwent similar circumstances where the RDN Boardroom was converted into office space. The City of Nanaimo offered the District the opportunity to use their Council Chambers as a meeting space and the RDN used the Council Chambers from March of 1995 to March of 2003. The City offered the Chambers at no cost to the District from 1995 to 1999.

**ALTERNATIVES:**

1. That the Board approve the request from the City of Nanaimo to use the RDN meeting facilities for Council meetings and Public Hearings commencing April 4, 2005 at regular rental rates.
2. That the Board approve the request from the City of Nanaimo to use the RDN meeting facilities for Council meetings and Public Hearings commencing April 4, 2005 at no charge.
3. That the Board not approve the request from the City of Nanaimo to use the RDN meeting facilities.

**FINANCIAL IMPLICATIONS:**

**Alternative 1.** Under the first alternative, if the Board chooses to approve the regular use of the RDN meeting facilities by the City of Nanaimo and charge the rental rates as set out in the policy, the rental rates would be \$60.00 per hour for the Committee Room and \$100 per hour for the Board Chambers. The City of Nanaimo is requesting use of the meeting rooms on an average of 3 times per month pending completion of the Nanaimo Centre Community Auditorium.

**Alternative 2.** The second alternative would propose the approval of the use of the RDN meeting facilities to the City of Nanaimo at no charge. From 1995 to 1999 the RDN used the Nanaimo Council Chambers as a meeting space at no charge.

**Alternative 3.** There are no financial implications under this alternative.

**SUMMARY**


The City of Nanaimo has requested the use of the RDN meeting facilities on an average of 3 times per month while renovations are being carried out to convert the existing Council Chambers to office space and pending completion of the New Nanaimo Centre Community Auditorium. Once the Nanaimo Centre Community Auditorium construction is complete, the City will relocate to that new meeting space.

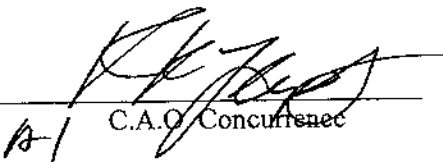
The request from the City is to hold regular Monday night Council meetings and a monthly Public Hearing (1<sup>st</sup> Thursday of the month) at the RDN meeting facilities. At the present time, the RDN does not hold any regular meetings on a Monday night and, at the present time, the 1<sup>st</sup> Thursday of the month for Public Hearings does not appear to cause a problem with any RDN regular meetings.

Three alternatives have been prepared for the Board's consideration. Staff are recommending that the Board approve the use of the RDN meeting facilities by the City of Nanaimo and that favourable consideration be given to the use of the meeting facilities at no charge. Because the RDN was offered City of Nanaimo meeting space from 1995 to 1999 at no charge, staff are recommending that the same consideration be given to the City during this construction period.

**RECOMMENDATION:**

That the Board approve the request from the City of Nanaimo to use the RDN meeting facilities for Council meetings and Public Hearings commencing April 4, 2005 at no charge.

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

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