

REGIONAL DISTRICT OF NANAIMO
BOARD MEETING
TUESDAY, MARCH 22, 2005
(immediately following the Hospital Board meeting)

(RDN Board Chambers)

A G E N D A

PAGES

1. **CALL TO ORDER**
2. **DELEGATIONS**
 - 17 **Sandra Thomson, Port Theatre Society**, re Request for a Port Theatre Referendum Vote in Electoral Areas 'D' and 'E' in November 2005.
 - 18 **Annette Tanner**, re Regional Parks and Trails Plan.
3. **BOARD MINUTES**
 - 19-28 Minutes of the regular Board meeting held on February 22, 2005.
4. **BUSINESS ARISING FROM THE MINUTES**
5. **COMMUNICATIONS/CORRESPONDENCE**
 - 29 Residents of Viking Way, re Development Permit Application No. 60508 - Windward Developments/Turner - Viking Way - Area G.
 - 30 **Peter Bolten**, re Subdivision Bylaw Amendments No. 500.312 and 500.313.
 - 31 **Dianne Ennik**, re Development Variance Permit Application No. 90503 - Rempel - 1479 Bay Drive - Area E.
6. **UNFINISHED BUSINESS**
 - BYLAWS**
 - For Adoption.**
 - Bylaw No. 813.30** - French Creek Sewer Local Service Area Bylaw - 1371 Lundine Lane - Area G. (All Directors - One Vote)
 - Bylaw No. 889.29** - Northern Community Sewer Local Service Area Bylaw - 1371 Lundine Lane - Area G. (All Directors - One Vote)

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

7.1 **ELECTORAL AREA PLANNING STANDING COMMITTEE**

32-35 Minutes of the Electoral Area Planning Committee meeting held March 8, 2005.
(for information)

PLANNING

AMENDMENT APPLICATIONS

**Zoning Amendment Application No. ZA0502 – Kerr/Van Ijzendoorn – 2910
Extension Road – Area C. (Electoral Area Directors except EA ‘B’ – One Vote)**

That Zoning Amendment Application No. ZA0502 submitted by Robert Kerr of U-Dog Fitness and Behaviour, on behalf of Jan H. Visser van Ijzendoorn, to rezone the properties legally described as Lot 3, Block 6, Section 12, Cranberry District, Plan 716 from Commercial 1 subdivision district ‘M’ (CM1M) and Lots 1, 2 and 4, Block 6, Section 12, Cranberry District, Plan 716 from Residential 2 subdivision district ‘M’ to a Comprehensive Development zone, in order to permit dog boarding, dog training and accessory vehicle marshalling be denied.

That bylaw enforcement action be taken with respect to the existing dog boarding and dog training use on the properties legally described as Lots 1, 2, 3 and 4, Block 6, Section 12, Cranberry District, Plan 716.

**Zoning Amendment Application No. ZA0505 – RG Fuller & Associates, on
behalf of Land & Water BC – Fielding Road – Area A. (Electoral Area Directors
except EA ‘B’ – One Vote)**

- 1. That Zoning Amendment Application No. ZA0505 submitted by RG Fuller & Associates, on behalf of Land & Water BC to rezone the properties legally described as Lots 16 & 17, Both of Section 14, & Lot 18, Sections 14 & 15, All of Range 6, Cranberry District, Plan 9244 from Residential 2 Subdivision District F (RS2F) to Comprehensive Development 22 Subdivision District ‘Z’ (CD22Z) in order to facilitate the future development of light industrial uses be approved to proceed to public hearing.*
- 2. That “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.316, 2005” be given 1st and 2nd reading.*
- 3. That “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.316, 2005” proceed to public hearing.*
- 4. That the public hearing on “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.316, 2005” be delegated to Director Kreiberg or his alternate.*

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60452 – Snyder/Shortman – 2925 Marshall Road - Area H. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DP Application No. 60452.

That Development Permit Application No. 60452 submitted by Craig Snyder and Joanne Shortman to legalize land alteration, the siting of the existing dwelling unit and driveway access including culvert and to permit further landscaping within the Environmentally Sensitive Features Development Permit Area within 15.0 metres of Westglade Brook, be approved as outlined in Schedules No. 1 and 2.

Development Permit Application No. 60508 – Windward Developments/Turner – Viking Way – Area G. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DP Application No. 60508.

That Development Permit Amendment Application No. 60508 to vary the minimum exterior and a portion of the front setback requirements of the Residential 5 (RS5) zone from 8.0 metres to 5.1 metres to permit the construction of a dwelling unit on the property legally described as Lots 38 and 39, District Lot 28, Nanoose District, Plan VIP76143 be approved subject to the conditions outlined in Schedule Nos. 1, 2, 3 and 4 and subject to notification requirements pursuant to the Local Government Act.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90503 – Rempel – 1479 Bay Drive – Area E. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DVP Application No. 90503.

That Development Variance Permit Application No. 90503, submitted by William and Ruth Rempel, to vary "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" as outlined on Schedule No. 1 to legalize the existing accessory buildings as shown on Schedules Nos. 2 and 3, be approved subject to the notification procedures pursuant to the Local Government Act.

Development Variance Permit Application No. 90504 – Fern Road Consulting Ltd., on behalf of Lisa Holmgren – Meadow Drive – Area G. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to DVP Application No. 90504.

That Development Variance Permit Application No. 90504, submitted by Fern Road Consulting Ltd. on behalf of Lisa Holmgren for the parcel legally described as Lot 12, District Lot 49, Nanoose District, Plan VIP76162, to relax the maximum dwelling unit height from 8.0 metres to 8.5 metres to allow for the construction of a single dwelling unit, be approved subject to Schedule Nos. 1, 2 and 3, and the notification requirements pursuant to the Local Government Act.

OTHER

Restrictive Covenant – Wilson – Mallard Road – Area G. (Electoral Area Directors except EA 'B' – One Vote)

That the request to enter into a Section 219 covenant by eight property owners on Mallard Road to restrict the removal of vegetation, be approved.

Request for Relaxation of the Minimum 10% Perimeter Requirement – WR Hutchinson, BCLS, on behalf of Sangha – Jameson Road – Area D. (Electoral Area Directors except EA 'B' – One Vote)

That the request from WR Hutchinson, BCLS, on behalf of Sangha, to relax the minimum 10% frontage requirement for proposed Lot A, as shown on the plan of subdivision of Lot 1, Section 12, Range 3, Mountain District, Plan 26828, be approved subject to the conditions set out in Schedule No. 1.

Bylaw No. 500 – Technical Review Planning Project – Public Consultation Framework. (Electoral Area Directors except EA 'B' – One Vote)

That the staff report on the Bylaw No. 500 Planning Project be received.

That the Public Consultation Framework as set out in Schedule No. 1 of the staff report be endorsed by the Board.

Fees and Charges Amendment Bylaw No. 1259.02. (Electoral Area Directors except EA 'B' – One Vote)

- 1. That the proposed fees for planning related applications as outlined in Schedule No. 1 be approved.*
- 2. That "Regional District of Nanaimo Fees and Charges Bylaw Amendment Bylaw No. 1259.02, 2005" be introduced and read 3 times.*
- 3. That "Regional District of Nanaimo Fees and Charges Bylaw Amendment Bylaw No. 1259.02, 2005" be adopted.*

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

36-49 Minutes of the Committee of the Whole meeting held March 8, 2005. (for information)

ADMINISTRATION

Southern Community Sewer Function Review. (Nanaimo, Lantzville, Electoral Areas 'A' & 'D' – Weighted Vote)

That the "Terms and Conditions for Extending Regional Sewer Service" attached to the staff report be approved as presented.

COMMUNICATION/CORRESPONDENCE

Richard Taylor, UBCM, re 2005 Resolution Process. (All Directors – One Vote)

That the correspondence received from UBCM with respect to the 2005 resolution process, be received.

COMMUNITY SERVICES

RECREATION & PARKS

Extension & District Recreation Commission Services Agreement – Area C.
(All Directors – Weighted Vote)

That the agreement with the Extension and District Recreation Commission be renewed for a two-year term from January 1, 2005 until December 31, 2006.

Regional Parks and Trails Plan. (All Directors – One Vote)

That the Regional Parks and Trails Plan 2005 – 2015 be approved as a document to guide the acquisition and development of the Regional District's Regional Parks and Trails function.

That the Regional Parks Planning Committee continue as a working group and that staff advertise for community volunteers for the Regional Parks Planning Committee to review crown lands in the Regional District of Nanaimo.

Top Bridge Crossing – Canada – BC Infrastructure Program.

(All Directors – One Vote)

That the Board confirm its support for the Top Bridge Crossing application under the Canada-BC Infrastructure Program.

(All Directors – Weighted Vote)

That the 2005 Annual Budget and the five year Financial Plan be amended to reflect the total costs of the Top Bridge crossing project and the Regional District's 1/3 contribution through an added tax requisition of \$55,000 and the borrowing of an equivalent amount.

REGIONAL GROWTH MANAGEMENT

Regional Context Statement – City of Parksville. (All Directors – One Vote)

That the Regional District of Nanaimo continue to accept the City of Parksville Regional Context Statement.

CORPORATE SERVICES

FINANCE

Parcel Tax Rate Bylaws No. 1180.05, 1181.05, 1182.05, 1183.04, 1184.05, 1185.05, 1186.05, 1187.05, 1188.05, 1189.05, 1190.04, 1191.05, 1192.05, 1193.05, 1194.05, 1206.04, 1336.02, 1371.01.

1. Bylaw No. 1180.05. (All Directors – One Vote)

That “Arbutus Park Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1180.05, 2005” be introduced and read three times.

That “Arbutus Park Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1180.05, 2005” having received three readings be adopted.

2. Bylaw No. 1181.05. (All Directors – One Vote)

That “Decourcey Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1181.05, 2005” be introduced and read three times.

That “Decourcey Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1181.05, 2005” having received three readings be adopted.

3. Bylaw No. 1182.05. (All Directors – One Vote)

That “Fairwinds Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1182.05, 2005” be introduced and read three times.

That “Fairwinds Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1182.05, 2005” having received three readings be adopted.

4. Bylaw No. 1183.04 (All Directors – One Vote)

That “Fairwinds Water Service Area Parcel Tax Rate Amendment Bylaw No. 1183.04, 2005” be introduced and read three times.

That “Fairwinds Water Service Area Parcel Tax Rate Amendment Bylaw No. 1183.04, 2005” having received three readings be adopted.

5. Bylaw No. 1184.05. (All Directors – One Vote)

That “French Creek Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1184.05, 2005” be introduced and read three times.

That “French Creek Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1184.05, 2005” having received three readings be adopted.

6. **Bylaw No. 1185.05.** (All Directors – One Vote)

That “French Creek Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1185.05, 2005” be introduced and read three times.

That “French Creek Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1185.05, 2005” having received three readings be adopted.

7. **Bylaw No. 1186.05.** (All Directors – One Vote)

That “French Creek Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1186.05, 2005” be introduced and read three times.

That “French Creek Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1186.05, 2005” having received three readings be adopted.

8. **Bylaw No. 1187.05.** (All Directors – One Vote)

That “Madrona Point Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1187.05, 2005” be introduced and read three times.

That “Madrona Point Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1187.05, 2005” having received three readings be adopted.

9. **Bylaw No. 1188.05.** (All Directors – One Vote)

That “Nanoose Bay Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1188.05, 2005” be introduced and read three times.

That “Nanoose Bay Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1188.05, 2005” having received three readings be adopted.

10. **Bylaw No. 1189.05.** (All Directors – One Vote)

That “Nanoose Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1189.05, 2005” be introduced and read three times.

That “Nanoose Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1189.05, 2005” having received three readings be adopted.

11. **Bylaw No. 1190.04.** (All Directors – One Vote)

That “Pacific Shores Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1190.04, 2005” be introduced and read three times.

That “Pacific Shores Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1190.04, 2005” having received three readings be adopted.

12. **Bylaw No. 1191.05.** (All Directors – One Vote)

That “San Pareil Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1191.05, 2005” be introduced and read three times.

That “San Pareil Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1191.05, 2005” having received three readings be adopted.

13. **Bylaw No. 1192.05.** (All Directors – One Vote)

That “Surfside Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1192.05, 2005” be introduced and read three times.

That “Surfside Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1192.05, 2005” having received three readings be adopted.

14. **Bylaw No. 1193.05.** (All Directors – One Vote)

That “Surfside Properties Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1193.05, 2005” be introduced and read three times.

That “Surfside Properties Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1193.05, 2005” having received three readings be adopted.

15. **Bylaw No. 1194.05.** (All Directors – One Vote)

That “West Bay Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1194.05, 2005” be introduced and read three times.

That “West Bay Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1194.05, 2005” having received three readings be adopted.

16. **Bylaw No. 1206.04.** (All Directors – One Vote)

That “Morningstar Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1206.04, 2005” be introduced and read three times.

That “Morningstar Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1206.04, 2005” having received three readings be adopted.

17. **Bylaw No. 1336.02.** (All Directors – One Vote)

That “Driftwood Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1336.02, 2005” be introduced and read three times.

That “Driftwood Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1336.02, 2005” having received three readings be adopted.

18. **Bylaw No. 1371.01.** (All Directors – One Vote)

That “Englishman River Community Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1371.01, 2005” be introduced and read three times.

That “Englishman River Community Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1371.01, 2005” having received three readings be adopted.

Reserve Fund Bylaw Approvals – Bylaws No. 1411, 1412, 1413, 1414, 1415.

1. **Bylaw No. 1411.** (All Directors – Weighted Vote)

That “Bow Horn Bay Fire Protection Service Building Reserve Fund Bylaw No. 1411, 2005” be introduced for first three readings.

(All Directors – 2/3)

That “Bow Horn Bay Fire Protection Service Building Reserve Fund Bylaw No. 1411, 2005” having received three readings be adopted.

2. **Bylaw No. 1412.** (All Directors – Weighted Vote)

That “Bow Horn Bay Fire Protection Service Insurance Deductible Reserve Fund Bylaw No. 1412, 2005” be introduced for first three readings.

(All Directors – 2/3)

That “Bow Horn Bay Fire Protection Service Insurance Deductible Reserve Fund Bylaw No. 1412, 2005” having received three readings be adopted.

3. **Bylaw No. 1413.** (All Directors – Weighted Vote)

That “Bow Horn Bay Fire Protection Service Fire Hydrant/Storage Reserve Fund Bylaw No. 1413, 2005” be introduced for first three readings.

(All Directors – 2/3)

That “Bow Horn Bay Fire Protection Service Fire Hydrant/Storage Reserve Fund Bylaw No. 1413, 2005” having received three readings be adopted.

4. **Bylaw No. 1414.** (All Directors – Weighted Vote)

That “Bow Horn Bay Fire Protection Service Capital Equipment Reserve Fund Bylaw No. 1414, 2005” be introduced for first three readings.

(All Directors – 2/3)

That “Bow Horn Bay Fire Protection Service Capital Equipment Reserve Fund Bylaw No. 1414, 2005” having received three readings be adopted.

5. **Bylaw No. 1415.** (All Directors – Weighted Vote)

That “Bow Horn Bay Fire Protection Service Vehicle Reserve Fund Bylaw No. 1415, 2005” be introduced for first three readings.

(All Directors – 2/3)

That “Bow Horn Bay Fire Protection Service Vehicle Reserve Fund Bylaw No. 1415, 2005” having received three readings be adopted.

6. **Bylaw No. 1403.** (All Directors – Weighted Vote)

That “Bow Horn Bay Fire Protection Service Reserve Fund Bylaw No. 1403 be repealed and any remaining balance be transferred to “Bow Horn Bay Fire Protection Service Vehicle Reserve Fund Bylaw No. 1415”.

Revenue Anticipation Borrowing Bylaw No. 1422.

(All Directors – Weighted Vote)

That “Regional District of Nanaimo 2005 Revenue Anticipation Borrowing Bylaw No. 1422, 2005” be introduced for first three readings.

(All Directors – 2/3)

That “Regional District of Nanaimo 2005 Revenue Anticipation Borrowing Bylaw No. 1422, 2005” having received three readings be adopted.

Implementation of a Hotel Tax – Areas E, F, G, H. (All Directors – One Vote)

That a service be created for the purpose of collecting a 2% hotel room tax in Electoral Areas E, F, G and H and that consent be obtained through the alternative approval process.

That the Oceanside Tourism Association be required to complete all of the application components to implement a hotel room tax to the satisfaction of Regional District staff prior to the adoption of the hotel room tax bylaw.

DEVELOPMENT SERVICES

BUILDING INSPECTION

Section 57 of the Community Charter – Contravention of Bylaw – Infractions.
(All Directors – One Vote)

Property owners wishing to speak to their proposed filing.

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

- (a) *Lot 20, Block 564, Plan VIP76465, Nanoose Land District, 2016 Kaye Road, Electoral Area ‘G’, owned by G. and G. McKinnon;*

- (b) *Lot 5, Block 419, Plan 30113, Nanoose Land District, 289 Allsbrook Road, Electoral Area 'G', owned by C. and K. Sandeman-Allen.*

ENVIRONMENTAL SERVICES

Mt. Arrowsmith Aquifers Modeling Study. (All Directors – One Vote)

That the EBA Engineering Consultants Ltd. Mt. Arrowsmith Aquifers Modeling Project report be received for information.

That staff be directed to consider the conclusion and recommendations of the report in establishing water supply management and watershed and aquifer protection priorities within the regional district.

That staff be directed to convey the report to the newly formed Vancouver Island Watershed Protection Steering Committee to assist the committee in establishing priorities and action plans for watershed protection on Vancouver Island.

LIQUID WASTE

Canadian Environmental Protection Act: Wastewater Management. (All Directors – One Vote)

That staff continue to be involved in the BC local government working group and provide input to the Canadian Council of Ministers of the Environment about our concerns regarding the lack of harmonization between federal and provincial regulations and the costs for implementing any future requirements.

Northern Community Sewer Local Service Area Development Cost Charges Bylaw No. 1423.

(Parksville, Qualicum Beach, Electoral Areas 'E', 'F', 'G', 'H' – Weighted Vote)

1. *That "Northern Community Sewer Local Service Area Development Cost Charges Reserve Fund Expenditure Bylaw No. 1423, 2005" be introduced for first three readings.*

(All Directors – 2/3)

2. *That "Northern Community Sewer Local Service Area Development Cost Charges Reserve Fund Expenditure Bylaw No. 1423, 2005" having received three readings be adopted.*

French Creek Pollution Control Centre Biosolids Composting Quote Results. (All Directors – Weighted Vote)

That Qualicum Farms Limited be awarded the contract for composting biosolids from the French Creek Pollution Control Centre for \$47.50 per tonne.

SOLID WASTE

2005 Garbage & Recycling User Rate Amendment Bylaw No. 1009.08.

(All Directors – One Vote)

1. That "Regional District of Nanaimo Garbage and Recyclable Materials Collection Rates Amendment Bylaw No. 1009.08, 2005" be introduced and read three times.

(All Directors – 2/3)

2. That "Regional District of Nanaimo Garbage and Recyclable Materials Collection Rates Amendment Bylaw No. 1009.08, 2005" having received three readings be adopted.

Arboretum Property Purchase – Release of Reserve Funds – Solid Waste Disposal Local Service Area Reserve Fund Expenditure Bylaw No. 1425.

(All Directors – Weighted Vote)

1. That "Solid Waste Disposal Local Service Area Reserve Fund Expenditure Bylaw No. 1425, 2005" be introduced for three readings.

(All Directors – 2/3)

2. That "Solid Waste Disposal Local Service Area Reserve Fund Expenditure Bylaw No. 1425, 2005" having received three readings be adopted.

UTILITIES

Englishman River Streetlighting Local Service Area Boundary Amendment Bylaw No. 1353.01 – Area G. (All Directors – One Vote)

1. That 2070 Kaye Road, PID 009-540-890, Part of DL 44, except parts in Plans 39893, 3132 RW and VI70839, District Lot 44, Nanoose Land District, be included into the Englishman River Community Streetlighting Local Service Area.
2. That "Englishman River Streetlighting Local Service Area Boundary Amendment Bylaw No. 1353.01, 2005" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

Vancouver Island Watershed Protection Steering & Technical Committees. (All Directors – One Vote)

That this report be received for information; and that the Board support RDN participation in the Vancouver Island Watershed Protection Steering and Technical Committees.

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 February 9, 2005 be received for information.

Intergovernmental Advisory Committee. (All Directors – One Vote)

That the minutes of the Intergovernmental Advisory Committee meeting held February 7, 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 February 24, 2005 be received for information.

That the Area 'H' HandyDART Service report be deferred to the next Transit Select Committee meeting.

That the Nanoose Bay Community Bus expansion proposal be deferred indefinitely.

(All Directors – Weighted Vote)

That the 2004/05 Annual Operating Agreement (AOA) with BC Transit be approved.

(All Directors – One Vote)

That the Terms of Reference for a study on transit exchange and service delivery options for the longer term for downtown Nanaimo be approved and that staff issue a Request for Proposals for a Project Consultant for the study.

Regional Parks Plan Review Select Committee. (All Directors – One Vote)

That the minutes of the Regional Parks Plan Review Select Committee meeting held February 9, 2005, be received for information.

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

That the minutes of the Area 'B' Parks and Open Space Advisory Committee meeting held January 10, 2005, be received for information.

District 69 Recreation Commission.

(All Directors – One Vote)

That the minutes of the District 69 Recreation Commission meeting held February 17, 2005, be received for information.

(Parksville, Qualicum Beach, Electoral Areas 'E', 'F', 'G', 'H' – Weighted Vote)

That the 2005 Annual Budget be adjusted and the Five Year Financial Plan be amended to provide for acoustical treatment estimated at \$50,000 in the Victor Kraatz Arena to be funded from the Prior Year Surplus as per Appendix 1 of the Oceanside Place Acoustics – Victor Kraatz Arena Report dated February 4, 2005.

That the 2005 Annual Budget be adjusted and the Five Year Financial Plan be amended to provide for a video security monitor system estimated to cost \$11,000 for the Ravensong Aquatic Centre to be funded from the Prior Year Surplus as per Appendix 1 of the Video Security Monitor System Ravensong Aquatic Centre Report dated February 4, 2005.

That the recommendations from the District 69 Recreation Commission Grants Committee for the following Youth Grants be approved:

<i>Ballenas Secondary – Dry Grad Committee</i>	<i>\$ 200</i>
<i>Youth Link – Linking Out Loud</i>	<i>\$ 1,450</i>

That the recommendations from the District 69 Recreation Commission Grants Committee for the following Community Grants be approved:

<i>Arrowsmith Community Enhancement Society (ACES)</i>	<i>\$ 2,167</i>
<i>Ballenas Secondary Dry Grad Committee – Greening Project</i>	<i>\$ 1,000</i>
<i>District 69 Society of Allied Support Groups</i>	<i>\$ 125</i>
<i>Lighthouse Recreation Commission</i>	<i>\$ 1,850</i>
<i>Mid-Island Wildlife Watch Society</i>	<i>\$ 1,000</i>
<i>Nanoose Bay Elementary School Parent Advisory Committee</i>	<i>\$ 1,000</i>
<i>Oceanside Community Arts Council</i>	<i>\$ 1,500</i>
<i>Parksville and District Historical Society</i>	<i>\$ 500</i>
<i>Qualicum Beach Seedy Saturday Association</i>	<i>\$ 900</i>
<i>Ravensong Aquatic Club</i>	<i>\$ 1,250</i>

Selection Committee.

Electoral Area 'A' Recreation Services Study Project Advisory Committee. (All Directors – One Vote)

That Shelagh Gourlay and Sheryl Friesen-Ellis be appointed to the Electoral Area 'A' Recreation Services Study Project Advisory Committee.

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

That Jo-ann Chase be appointed to the Electoral Area 'G' Parks & Open Space Advisory Committee for a term ending December 31, 2006.

Nanaimo Airport Commission. (All Directors – One Vote)

That Brian Smith be re-appointed to the Nanaimo Airport Commission for a two year term ending April, 2007.

District 69 Recreation Commission Electoral Area 'G' Appointment.

District 69 Recreation Commission Electoral Area 'G' Appointment. (Verbal – Director Stanhope)

ADMINISTRATOR'S REPORT

Bow Horn Bay Fire Protection Service Vehicle Reserve Fund Expenditure Bylaw No. 1427.

(All Directors – Weighted Vote)

That "Bow Horn Bay Fire Protection Service Vehicle Reserve Fund Expenditure Bylaw No. 1427, 2005" be introduced for first three readings.

(All Directors – 2/3)

That "Bow Horn Bay Fire Protection Service Vehicle Reserve Fund Expenditure Bylaw No. 1427, 2005" having received three readings be adopted.

NEW BUSINESS

Director Bartram re Drinking Water Protection. (All Directors – One Vote)

1. *That staff be directed to prepare a report for the Board's consideration that:*
 - (a) *Identifies and summarizes all regional district initiatives and activities currently in process or planned for the 2005 budget year that support drinking water/watershed protection.*
 - (b) *Outlines a drinking water/watershed protection strategy that identifies potential future RDN Electoral Area initiatives incorporating input and recommendations from the Drinking Water Protection Workshop and Action Plan, the Sustainability Committee, Arrowsmith Water Service, the BC Action Plan for Safe Drinking Water and the Vancouver Island Watershed Protection Initiative Steering Committee and that an overview be provided of the current scientific consensus regarding temperature and precipitation trends in the coming decade.*
 - (c) *Identifies financial and staff resources that could be considered for the 2006 budget and 2006 – 2010 financial plan process that would be required to undertake the identified initiatives.*
2. *That any financial assistance required to prepare terms of reference or cost estimates for the identified initiatives be obtained from the Electoral Area feasibility study funds.*

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

7.4 COMMITTEE REPORTS

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

50-51

Minutes of the Transit Business Plan Update Select Committee meeting held March 10, 2005. (for information)

- 52-57 *That the Regional District request that the City of Nanaimo allow for the relocation of the transit exchange for May 29th to a site that utilizes City property at the east side of Prideaux Street and the south side of Fitzwilliam Street, and that the Transit Department, in conjunction with the request to the City, arrange for a public open house meeting on the Prideaux Street exchange option.*
- 58-60 *That the Area H handyDART budget for 2005 provide for service to the end of May 2005.*

8. ADMINISTRATOR'S REPORTS

- 61-64 (1) Financial Plan (2005 to 2010) Bylaw No. 1431. (All Directors – Weighted Vote)
- 65-67 (2) Nanaimo/Oceanside Film Society Request for Financial Support. (All Directors – One Vote)
- 68-73 (3) Bylaws to Create a Service to Collect a 2% Hotel Room Tax.
- (a) Hotel Room Tax Collection Service Establishing Bylaw No. 1429. (All Directors – One Vote)
- (b) Additional Hotel Room Tax Levy Bylaw No. 1430. (Electoral Areas 'E', 'F', 'G', 'H' – Weighted)
- 74-76 (4) Oakdowne Road Community Park Adjunct – Area H. (All Directors – One Vote)
- 77-85 (5) Urban Containment Boundary Change Requests – City of Nanaimo. (All Directors except EA 'B' – One Vote)
- 86-91 (6) Fees and Charges Bylaw Amendment No. 1259.03. (All Directors except EA 'B' – 2/3)
- (7) Personnel Recommendation. (Verbal)

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 Pearce,
Manager of Administrative Services
Regional District of Nanaimo
Box 40 Lantzville, V0R 2H0

February 21, 2005

Dear Maureen,

I am writing to request permission to appear as a delegation to the Directors of the Regional District of Nanaimo at your regular meeting on Tuesday, March 22, 2005.

We will be requesting that the theatre be approved for a referendum vote in November 2005 to be a permanent function in Electoral Areas D and E.

The referendum vote in 2002 was very close in both Pleasant Valley and Nanoose Bay. Since that time even more of the residents of those areas have attended events at The Port Theatre. In fact the Pleasant Valley Elementary School held their Christmas concert here in December.

We would also like to discuss requesting approval from the Directors of Areas F,G,H, The City of Parksville and The City of Qualicum Beach for a referendum vote in those areas, or in the case of the two municipalities the opportunity to approach their councils again directly for funding.

We are recommending that the same formula that was used in the 2002 by-laws be used; that is \$0.029 per \$100,000 of assessed value to a maximum to be determined by the RDN.

This formula would provide stable funding for The Port Theatre Society while allowing the actual amount contributed by each property owner to decrease as both the number of properties and the assessed values increase over time.

We will be presenting statistics that demonstrate the use that is being made of this regional cultural facility by residents of the Regional District. Thank you so much for your kind attention to this matter.

Sincerely,

Sandra Thomson , General Manager
The Port Theatre Society
125 Front Street Nanaimo, BC V9R 6Z4
sthomson@porttheatre.com
250-754-4555

Burgoyne, Linda

From: WCWC Mid Island Chapter [wccqb@shaw.ca]
Sent: Wednesday, March 16, 2005 9:48 AM
To: Burgoyne, Linda
Subject: RDN Board Mtg. March 22 request to be a delegation

Dear Linda,

I would like to make a presentation to the RDN Board of Directors on March 22 to comment on the final RDN Parks System Plan which will be up for approval that evening. Thank you.

Annette Tanner, Western Canada Wilderness Committee, Mid Island, chairperson.
752-6585

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No virus found in this outgoing message.

Checked by AVG Anti-Virus.

Version: 7.0.308 / Virus Database: 266.7.2 - Release Date: 3/11/05

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE REGULAR MEETING OF THE BOARD OF THE REGIONAL DISTRICT OF NANAIMO HELD ON TUESDAY, FEBRUARY 22, 2005, AT 7:00 PM IN THE RDN BOARD CHAMBERS

Present:

Director J. Stanhope	Chairperson
Alternate	
Director J. Burnett	Electoral Area A
Director G. Lund	Electoral Area B
Director E. Hamilton	Electoral Area C
Alternate	
Director B. Jepson	Electoral Area D
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Alternate	
Director D. Heenan	Electoral Area H
Alternate	
Director B. Johnston	City of Parksville
Alternate	
Director S. Tanner	Town of Qualicum Beach
Director C. Haimé	District of Lantzville
Director G. Korpan	City of Nanaimo
Director T. Krall	City of Nanaimo
Alternate	
Director D. Tyndall	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
B. Lapham	Gen. Mgr. of Development Services
N. Connelly	Gen. Mgr. of Community Services
J. Finnie	Gen. Mgr. of Environmental Services
M. Pearse	Manager of Administrative Services
N. Avery	Manager of Financial Services
N. Tonn	Recording Secretary

CALL TO ORDER

The Chairperson introduced Alternate Directors Burnett, Jepson, Heenan, Johnston, Tanner and Tyndall and welcomed back Director George Holme as the Electoral Area 'E' Director.

DELEGATIONS

Beth Walrond, Nanaimo Film Society, re Financial Support.

Ms. Walrond spoke on the benefits to the Regional District which are gained through the film industry's use of the Regional District for film locations and introduced Gwen Harmon, Commissioner for the Nanaimo Film Commission. Ms. Harmon provided a short history of the Nanaimo Film Commission and reviewed the Commission's proposal for financial support from the District in the amount of \$50,000 to market the area to film makers.

Carrie Powell Davidson, Oceanside Film Society, re Financial Support.

Ms. Powell Davidson provided an overview of the Oceanside Film Society and requested that the Board approve a contribution of \$10,000 which will be matched by the City of Parksville to aid in the promotion of film making in the area and the re-location of the Society's office.

LATE DELEGATION

MOVED Director Hamilton, SECONDED Director Sherry, that Mr. Geoff Corbett be permitted to address the Board as a late delegation.

CARRIED

Geoff Corbett, Oceanside Tourism Association, re Additional Hotel Tax in District 69.

Mr. Corbett noted the importance of promoting the District 69 area as a tourist destination and requested that the RDN establish a regulation permitting a 2% tax on sales of accommodation within the City of Parksville, Town of Qualicum Beach and Electoral Areas 'E', 'F', 'G' and 'H' that would be paid to Oceanside Tourism to promote the District 69 area.

BOARD MINUTES

MOVED Director Sherry, SECONDED Director Krall, that the minutes of the Board meeting held January 25, 2005 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Janis Elkerton, Chair, MIA, re MIA Executive Director.

MOVED Director Sherry, SECONDED Director Krall, that the correspondence from the Municipal Insurance Association re the appointment of Thomas Barns as the new Executive Director be received.

CARRIED

William Beckingham, re Flooding – Flamingo Drive, Qualicum Beach.

MOVED Director Sherry, SECONDED Director Krall, that the correspondence from William Beckingham regarding flooding on Flamingo Drive be received.

CARRIED

D. French & A. Schmitt-French, re Development Permit Application No. 60460 – Miroslav Danielka and Margaret Chi – Van Isle Road – Area H.

MOVED Director Sherry, SECONDED Director Krall, that the correspondence from D. French and A. Schmitt-French regarding Development Permit Application No. 60460 be received.

CARRIED

D. Heppner, re Development Permit Application No. 60504 – Smith/Vectis Ventures – 3645 Dolphin Drive – Area E.

MOVED Director Sherry, SECONDED Director Krall, that the correspondence from D. Heppner regarding Development Permit Application No. 60504 be received.

CARRIED

UNFINISHED BUSINESS

BYLAWS

For Adoption.

Bylaw No. 1416.

MOVED Director Krall, SECONDED Director Hamilton, that "Regional District of Nanaimo Emergency Measures Bylaw No. 1416, 2005" be adopted.

CARRIED

MOVED Director Krall, SECONDED Director Jepson, that the Departmental General Managers be appointed to the Emergency Executive Committee.

CARRIED

MOVED Director Krall, SECONDED Director McNabb, that the Protective Services Coordinator be appointed as the Emergency Coordinator.

CARRIED

MOVED Director Krall, SECONDED Director Tyndall, that the Manager of Administrative Services be appointed as Emergency Coordinator alternate.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

MOVED Director Hamilton, SECONDED Director Biggemann, that the minutes of the Electoral Area Planning Committee meeting held February 8, 2005 be received for information.

CARRIED

PLANNING

Nanoose Bay Official Community Plan Update.

MOVED Director Holme, SECONDED Director Hamilton, 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 Hamilton, SECONDED Director Heenan, that the minutes of the Public Information meeting held on January 27, 2005 be received.

CARRIED

MOVED Director Hamilton, SECONDED Director Heenan, 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.

CARRIED

MOVED Director Hamilton, SECONDED Director Heenan, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw Nos. 500.312, 2005 and 500.313, 2005" be given 1st and 2nd reading.

CARRIED

MOVED Director Hamilton, SECONDED Director Heenan, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw Nos. 500.312, 2005 and 500.313, 2005" proceed to public hearing.

CARRIED

MOVED Director Hamilton, SECONDED Director Heenan, 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 Hamilton, SECONDED Director Heenan, 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 Hamilton, SECONDED Director Holme, 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 Hamilton, SECONDED Director Biggemann, 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 Hamilton, SECONDED Director Burnett, 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 Hamilton, SECONDED Director Burnett, 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

COMMITTEE OF THE WHOLE STANDING COMMITTEE

MOVED Director Sherry, SECONDED Director Holdom, that the minutes of the special Committee of the Whole meeting held February 1, 2005 and the regular Committee of the Whole meeting held February 8, 2005 be received for information.

CARRIED

Review of Five Year Financial Plan.

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

CARRIED

MOVED Director Hamilton, SECONDED Director C. Haime, that the 2005 – 2010 Financial Plan be forwarded for public consultation as presented.

CARRIED

COMMUNITY SERVICES**RECREATION & PARKS****Renewal of Licence of Occupation for Parkland (Oakdowne Road) in Area H.**

MOVED Director Heenan, SECONDED Director McNabb, 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 Hamilton, SECONDED Director Biggemann, 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 Heenan, SECONDED Director Tanner, 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 Hamilton, SECONDED Director Tanner,:

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.

MOVED Director Jepson, SECONDED Director McNabb, that the motion be amended to allow the Electoral Area 'D' budget increase to be amortized over 2 years.

MOVED Director Krall, SECONDED Director Holdom, that this item be tabled for a short period to allow the Manager of Financial Services to provide financial information pertaining to the motion on the floor.

CARRIED

CORPORATE SERVICES

ADMINISTRATION

Regional Services Review – Phase II Final Report.

MOVED Director Sherry, SECONDED Director Holdom, 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 Heenan, SECONDED Director Tanner, 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 Krall, SECONDED Director Biggemann, that this item be deferred for one month.

CARRIED

Electoral Area Election and By-Election Funding Policy.

MOVED Director Hamilton, SECONDED Director Tanner, 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 McNabb, SECONDED Director Heenan, 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 Johnston, SECONDED Director Tanner, that “Regional District of Nanaimo (City of Parksville) Security Issuing Bylaw No. 1420, 2005” receive first three readings.

CARRIED

MOVED Director Johnston, SECONDED Director Tanner, 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 McNabb, 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 Sherry, SECONDED Director Holdom, 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 Biggemann, that the Regional District of Nanaimo award supply of a centrifuge for the FCPCC dewatering upgrade for the amount of \$322,070 to Alfa Laval.

CARRIED

SOLID WASTE

Organics Diversion Strategy.

MOVED Director Sherry, SECONDED Director McNabb, 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 Tyndall, 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 Holdom, SECONDED Director Jepson, 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 Jepson, 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 Sherry, SECONDED Director Tanner, 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 C. Haime, that the minutes of the Transit Business Plan Update Select Committee meeting held January 27, 2005 be received for information.

CARRIED

Recreation Facilities and Sportsfields Usage Survey Results.

The Manager of Financial Services provided financial information requested earlier in the meeting.

The question was called on the amendment to allow the Electoral Area 'D' budget increase to be amortized over two years.

The motion was DEFEATED.

The question was called on the main motion which reads:

MOVED Director Hamilton, SECONDED Director Tanner,:

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.

The motion was CARRIED.

ADMINISTRATOR'S REPORTS

Friends of French Creek Conservation Society.

MOVED Director Holme, SECONDED Director Hamilton, 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 Lots 2, 3, 4 & 5, Plan 62528, DL 28, Nanoose Land District.

CARRIED

MOVED Director Holme, SECONDED Director Hamilton, that "Electoral Area 'G' Park Land Acquisition Reserve Fund Expenditure Bylaw No. 1424, 2005" be introduced, and be given three readings.

CARRIED

MOVED Director Holme, SECONDED Director Hamilton, that "Electoral Area 'G' Park Land Acquisition Reserve Fund Expenditure Bylaw No. 1424, 2005" having received three readings, be adopted.

CARRIED

City of Nanaimo's Request re Meeting Facilities.

MOVED Director Hamilton, SECONDED Director Biggemann, 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.

CARRIED

Results of the Electoral Area 'E' By-Election.

MOVED Director Hamilton, SECONDED Director Holdom, that the results of the Electoral Area 'E' By-Election be received for information.

CARRIED

Tsunami Grant Application Status Report.

MOVED Director Krall, SECONDED Director Sherry, that staff be directed to proceed with the Tsunami grant application and report back to the Board with a detailed proposal.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Nanaimo Film Society/Oceanside Film Society Request for Financial Support.

MOVED Director Korpan, SECONDED Director Biggemann, that staff be instructed to provide a report on the funding options available for the applications from the Nanaimo and Oceanside Film Society's and include in the report the possibility of making the funding contingent on signed agreements from area benefiting businesses agreeing to contribute up to 3% of the revenue they receive from the film industry to the respective film commissions.

CARRIED

Oceanside Tourism Association Hotel Tax Bylaw Request.

MOVED Director Biggemann, SECONDED Director Holme, that staff be instructed to provide a report with respect to the request from Oceanside Tourism to establish a function to provide for the collection of a hotel tax.

CARRIED

NEW BUSINESS

Brascan Purchase of Weyerhaeuser Properties.

Director Korpan provided a verbal update on the ongoing purchase of Weyerhaeuser properties within the Regional District of Nanaimo.

Electoral Area 'E' Alternate Director.

Director Holme introduced his Alternate Director, Frank Van Eynde to the Board.

ADJOURNMENT

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

TIME: 8:10 PM

CARRIED

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

Re: Development Permit Application No. 60508

We the undersigned are in favor of the relaxation of the front setback for lots 39, 38, 37, 36 and 35, Plan Vip 76143, DL 28, Nanoose District to five meters from the current eight meters. We recognize that with the current covenant area on these lots that it would be difficult to site a house without encroaching on this space. Keeping the houses farther away from this area and allowing the lot owners to address the elevation difference, patio setting and machine working space within their own non covenant space is the preferred option.

Name	Address	Date
Paul Turner	LOT 38 VIKING WAY	March 3 2005
Shirley M. Birchholz	605 Viking Way	March 3 2005
Barbara K. Kierbas	575 VIKING WAY	March 4 2005
[Signature]	561 Viking Way	March 4 2005
[Signature]	565 VIKING WAY	March 4 2005
Paul Turner	612 " "	March 7 2005
"	584 " "	March 7 2005
"	609 " "	March 7 2005
"	585 " "	March 7 2005
Paul Turner	LOT 7 VIKING WAY	March 7 2005
"	LOT 12, 13, 14, 16	March 7 2005
"	19 20 VIKING WAY	March 7 2005
[Signature]	LOT 39 VIKING WAY	March 7 2005

RECEIVED

MAR 12 2005

REGIONAL DISTRICT
OF NANAIMO

R. D. N. Planning Dept ;

March 08 2005

Dear Sir(s) / Madam(s) ;

In regards to Subdivision Bylaw Amendments # 500.312 + # 500.313 2005, let it be noted for the records that this writer, Peter Bolten, objects to the applicant's removal of properties from "Resource Management" designation.

As with other properties recently nearby, the "cut, sell-off and run" trait for this region is inappropriate.

These lands should remain as single parcels, and those nearby or bordering Spider Lake Provincial Park should reflect environmental (Land, Air and Water - concerns and protective measures) policies, and perhaps border-added park-additions, public-access right of ways and a minimum 18-20% Park-land (RDN or Provincial) donation; and "A.L.R. status for remainder."

Without these concerns addressed, and development checked without progressive initiatives, the quality of life and enjoyment near these lands are negatively affected. Large-scale burns are also a concern.

Therefore, this writer submits an objection to applications regarding # 500.312 + # 500.313.

Peter Bolten

Peter Bolten

1334 Lanyon Drive

Parksville, B.C.

V9P-1W6 (unpublished listing)

March 16, 2005.

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

re: Notice of Development Variance
Permit Application No. 90503 (Kempel)
1479 Bay Drive
Lot 2, DL 22, Nanoose District, Plan 26956

Dear Board Members.

I cannot understand that you would accept this application, when the applicant knew, very well, the building codes but flagrantly ignored them. If the owner had applied, over the years, for out-building permits, this present request would not have been necessary.

As well, if this variance permit was for just a few centimetres I could understand the mistake that was made, but a distance from 0.51 to 1.7 metres - that's a total abuse of the by-laws.

I also believe that the large concrete pond, on the property, is a permanent structure, which I do not see on the lot sketched, nor as an application for having being constructed.

As a question, is the total surface area of all the out-buildings within the guidelines of the by-laws?

If this variance is approved, I would say the by-laws do not have much creditability.

Therefore, I am not in favour of the issuance of a Development Variance Permit for the above stated lot.

Yours truly,

Dianne A. Gerick.

1469 Bay Dr.,
Nanoose Bay, B.C.
V9P 9C3

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, MARCH 8, 2005, AT 6:30 PM
IN THE RDN BOARD CHAMBERS

Present:

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

Also in Attendance:

B. Lapham	General Manager, Development Services
J. Llewellyn	Manager of Community Planning
M. Pearse	Manager of Administrative Services
L. Burgoyne	Recording Secretary

DELEGATIONS

Ron Fuller, re Zoning Amendment Application No. ZA0505 – RG Fuller & Associates, on behalf of Land & Water BC – Fielding Road – Area A.

Mr. Fuller was not in attendance.

MINUTES

MOVED Director Biggemann, SECONDED Director Stanhope, that the minutes of the Electoral Area Planning Committee meeting held February 8, 2005 be adopted.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Zoning Amendment Application No. ZA0502 – Kerr/Van Ijzendoorn – 2910 Extension Road – Area C.

MOVED Director Stanhope, SECONDED Director Holme,:

1. That Zoning Amendment Application No. ZA0502 submitted by Robert Kerr of U-Dog Fitness and Behaviour, on behalf of Jan H. Visser van Ijzendoorn, to rezone the properties legally described as Lot 3, Block 6, Section 12, Cranberry District, Plan 716 from Commercial 1 subdivision district 'M' (CM1M) and Lots 1, 2 and 4, Block 6, Section 12, Cranberry District, Plan 716 from Residential 2 subdivision district 'M' to a Comprehensive Development zone, in order to permit dog boarding, dog training and accessory vehicle marshalling be denied.
2. That bylaw enforcement action be taken with respect to the existing dog boarding and dog training use on the properties legally described as Lots 1, 2, 3 and 4, Block 6, Section 12, Cranberry District, Plan 716.

CARRIED

Zoning Amendment Application No. ZA0505 – RG Fuller & Associates, on behalf of Land & Water BC – Fielding Road – Area A.

MOVED Director Kreiberg, SECONDED Director Bartram,:

1. That Zoning Amendment Application No. ZA0505 submitted by RG Fuller & Associates, on behalf of Land & Water BC to rezone the properties legally described as Lots 16 & 17, Both of Section 14, & Lot 18, Sections 14 & 15, All of Range 6, Cranberry District, Plan 9244 from Residential 2 Subdivision District F (RS2F) to Comprehensive Development 22 Subdivision District 'Z' (CD22Z) in order to facilitate the future development of light industrial uses be approved to proceed to public hearing.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.316, 2005" be given 1st and 2nd reading.
3. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.316, 2005" proceed to public hearing.
4. That the public hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.316, 2005" be delegated to Director Kreiberg or his alternate.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60452 – Snyder/Shortman – 2925 Marshall Road - Area H.

MOVED Director Bartram, SECONDED Director Holme, that Development Permit Application No. 60452 submitted by Craig Snyder and Joanne Shortman to legalize land alteration, the siting of the existing dwelling unit and driveway access including culvert and to permit further landscaping within the Environmentally Sensitive Features Development Permit Area within 15.0 metres of Westglade Brook, be approved as outlined in Schedules No. 1 and 2.

CARRIED

Development Permit Application No. 60508 – Windward Developments/Turner – Viking Way – Area G.

MOVED Director Stanhope, SECONDED Director Haime, that Development Permit Amendment Application No. 60508 to vary the minimum exterior and a portion of the front setback requirements of the Residential 5 (RS5) zone from 8.0 metres to 5.1 metres to permit the construction of a dwelling unit on the property legally described as Lots 38 and 39, District Lot 28, Nanoose District, Plan VIP76143 be approved subject to the conditions outlined in Schedule Nos. 1, 2, 3 and 4 and subject to notification requirements pursuant to the *Local Government Act*.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90503 – Rempel – 1479 Bay Drive – Area E.

MOVED Director Holme, SECONDED Director Biggemann, that Development Variance Permit Application No. 90503, submitted by William and Ruth Rempel, to vary "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" as outlined on Schedule No. 1 to legalize the existing accessory buildings as shown on Schedules Nos. 2 and 3, be approved subject to the notification procedures pursuant to the *Local Government Act*.

CARRIED

Development Variance Permit Application No. 90504 – Fern Road Consulting Ltd., on behalf of Lisa Holmgren – Meadow Drive – Area G.

MOVED Director Stanhope, SECONDED Director Bartram, that Development Variance Permit Application No. 90504, submitted by Fern Road Consulting Ltd. on behalf of Lisa Holmgren for the parcel legally described as Lot 12, District Lot 49, Nanoose District, Plan VIP76162, to relax the maximum dwelling unit height from 8.0 metres to 8.5 metres to allow for the construction of a single dwelling unit, be approved subject to Schedule Nos. 1, 2 and 3, and the notification requirements pursuant to the *Local Government Act*.

CARRIED

OTHER

Restrictive Covenant – Wilson – Mallard Road – Area G.

MOVED Director Stanhope, SECONDED Director Holme, that the request to enter into a Section 219 covenant by eight property owners on Mallard Road to restrict the removal of vegetation, be approved.

CARRIED

Request for Relaxation of the Minimum 10% Perimeter Requirement – WR Hutchinson, BCLS, on behalf of Sangha – Jameson Road – Area D.

MOVED Director Haime, SECONDED Director Stanhope, that the request from WR Hutchinson, BCLS, on behalf of Sangha, to relax the minimum 10% frontage requirement for proposed Lot A, as shown on the plan of subdivision of Lot 1, Section 12, Range 3, Mountain District, Plan 26828, be approved subject to the conditions set out in Schedule No. 1.

CARRIED

Bylaw No. 500 – Technical Review Planning Project – Public Consultation Framework.

MOVED Director Bartram, SECONDED Director Kreiberg,:

1. That the staff report on the Bylaw No. 500 Planning Project be received.
2. That the Public Consultation Framework as set out in Schedule No. 1 of the staff report be endorsed by the Board.

CARRIED

Fees and Charges Amendment Bylaw No. 1259.02.

MOVED Director Stanhope, SECONDED Director Bartram,:

1. That the proposed fees for planning related applications as outlined in Schedule No. 1 be approved.
2. That “Regional District of Nanaimo Fees and Charges Bylaw Amendment Bylaw No. 1259.02, 2005” be introduced and read 3 times.
3. That “Regional District of Nanaimo Fees and Charges Bylaw Amendment Bylaw No. 1259.02, 2005” be adopted.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 6:50 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, MARCH 8, 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
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director R. Longmuir	City of Parksville
Alternate	
Director S. Tanner	Town of Qualicum Beach
Alternate	
Director B. Dempsey	District of Lantzville
Director L. Sherry	City of Nanaimo
Director T. Krall	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director R. Cantelon	City of Nanaimo

Also in Attendance:

K. Daniels	Chief Administrative Officer
B. Lapham	General Manager of Development Services
N. Connelly	General Manager of Community Services
J. Finnie	General Manager of Environmental Services
M. Pearse	Manager of Administrative Services
N. Avery	Manager of Financial Services
L. Burgoyne	Recording Secretary

DELEGATIONS

Tony White, Nanaimo Region John Howard Society, re Request for Funding.

Randy Munro, RCMP and Violet Smith, John Howard Society, provided a brief overview of the Restorative Justice program and requested funding of \$5,000 from the Regional District of Nanaimo and the District of Lantzville collectively.

MOVED Director Holme, SECONDED Director Bartram, that several late delegations be permitted to address the Committee.

CARRIED

Annette Tanner, Western Canada Wilderness Committee, re Regional Parks and Trails Plan.

Ms. Tanner presented two resolutions regarding the Regional Parks and Trails Plan and requested the Board to put forward the resolutions to the upcoming AVICC Convention.

Robin Robinson, re Regional Parks and Trails Plan.

Ms. Robinson commented regarding the Regional Parks and Trails Plan and her concerns regarding the importance of water. She recommended that the Board consider using citizens groups to assist them in their work and urged the Board to consider the acquisition of crown lands and parkland as a high priority.

Jeannette Thomson, re Regional Parks and Trails Plan.

Ms. Thomson raised her concerns regarding the Regional Parks and Trails Plan and commented on the lack of participation from the community and the provincial government.

MINUTES

MOVED Director Sherry, SECONDED Director Krall, that the minutes of the Special Committee of the Whole meeting held February 1, 2005 and the regular Committee of the Whole meeting held February 8, 2005 be adopted.

CARRIED

The Chairperson noted that it had been requested that the item regarding Southern Community Sewer Function Review be brought forward at this time.

ADMINISTRATION

Southern Community Sewer Function Review.

MOVED Director Krall, SECONDED Director Dempsey, that the "Terms and Conditions for Extending Regional Sewer Service" attached to the staff report be approved as presented.

CARRIED

Director Dempsey left the meeting.

COMMUNICATION/CORRESPONDENCE

Richard Taylor, UBCM, re 2005 Resolution Process.

MOVED Director Holme, SECONDED Director Bartram, that the correspondence received from UBCM with respect to the 2005 resolution process, be received.

CARRIED

UNFINISHED BUSINESS

Police Support Services Establishing Bylaw No. 1421

MOVED Director Longmuir, SECONDED Director McNabb,:

That the Board establish a new function with the City of Parksville, Town of Qualicum Beach, and Electoral Areas E, F, G & H as the participants to provide annual funding to community based volunteer organizations which provide policing support services.

That "Regional District of Nanaimo Police Support Service Establishment Bylaw No. 1421, 2005" be introduced and read three times, be forwarded to the Inspector of Municipalities for approval, and proceed to the alternative approval process to obtain elector consent.

MOVED Director Bartram, SECONDED Director Holme, that this item be referred to the next Ideas and Updates Committee meeting for further discussion.

CARRIED

COMMUNITY SERVICES

RECREATION & PARKS

Extension & District Recreation Commission Services Agreement – Area C.

MOVED Director Hamilton, SECONDED Director Sherry, that the agreement with the Extension and District Recreation Commission be renewed for a two-year term from January 1, 2005 until December 31, 2006.

CARRIED

Regional Parks and Trails Plan.

MOVED Director McNabb, SECONDED Director Kreiberg, that the Regional Parks and Trails Plan 2005 – 2015 be approved as a document to guide the acquisition and development of the Regional District's Regional Parks and Trails function.

CARRIED

MOVED Director McNabb, SECONDED Director Holme,:

That the Regional Parks Planning Committee continue as a working group;

That staff advertise for community volunteers for the Regional Parks Planning Committee to review crown lands in the Regional District of Nanaimo.

CARRIED

Director McNabb thanked Committee members and staff for their work on the Regional Parks and Trails Plan.

Top Bridge Crossing – Canada – BC Infrastructure Program.

MOVED Director McNabb, SECONDED Director Cantelon,:

That the Board confirm its support for the Top Bridge Crossing application under the Canada-BC Infrastructure Program.

That the 2005 Annual Budget and the five year Financial Plan be amended to reflect the total costs of the Top Bridge crossing project and the Regional District's 1/3 contribution through an added tax requisition of \$55,000 and the borrowing of an equivalent amount.

CARRIED

REGIONAL GROWTH MANAGEMENT

Regional Context Statement – City of Parksville.

MOVED Director Longmuir, SECONDED Director Krall, that the Regional District of Nanaimo continue to accept the City of Parksville Regional Context Statement.

CARRIED

CORPORATE SERVICES

FINANCE

Parcel Tax Rate Bylaws No. 1180.05, 1181.05, 1182.05, 1183.04, 1184.05, 1185.05, 1186.05, 1187.05, 1188.05, 1189.05, 1190.04, 1191.05, 1192.05, 1193.05, 1194.05, 1206.04, 1336.02, 1371.01.

Bylaw No. 1180.05.

MOVED Director Holme, SECONDED Director Longmuir, that "Arbutus Park Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1180.05, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "Arbutus Park Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1180.05, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1181.05.

MOVED Director Holme, SECONDED Director Longmuir, that "Decourcey Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1181.05, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "Decourcey Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1181.05, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1182.05.

MOVED Director Holme, SECONDED Director Longmuir, that "Fairwinds Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1182.05, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "Fairwinds Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1182.05, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1183.04

MOVED Director Holme, SECONDED Director Longmuir, that "Fairwinds Water Service Area Parcel Tax Rate Amendment Bylaw No. 1183.04, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "Fairwinds Water Service Area Parcel Tax Rate Amendment Bylaw No. 1183.04, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1184.05.

MOVED Director Holme, SECONDED Director Longmuir, that "French Creek Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1184.05, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "French Creek Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1184.05, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1185.05.

MOVED Director Holme, SECONDED Director Longmuir, that "French Creek Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1185.05, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "French Creek Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1185.05, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1186.05.

MOVED Director Holme, SECONDED Director Longmuir, that "French Creek Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1186.05, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "French Creek Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1186.05, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1187.05.

MOVED Director Holme, SECONDED Director Longmuir, that "Madrona Point Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1187.05, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "Madrona Point Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1187.05, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1188.05.

MOVED Director Holme, SECONDED Director Longmuir, that "Nanoose Bay Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1188.05, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "Nanoose Bay Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1188.05, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1189.05.

MOVED Director Holme, SECONDED Director Longmuir, that "Nanoose Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1189.05, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "Nanoose Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1189.05, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1190.04.

MOVED Director Holme, SECONDED Director Longmuir, that "Pacific Shores Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1190.04, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "Pacific Shores Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1190.04, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1191.05.

MOVED Director Holme, SECONDED Director Longmuir, that "San Pareil Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1191.05, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "San Pareil Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1191.05, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1192.05.

MOVED Director Holme, SECONDED Director Longmuir, that "Surfside Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1192.05, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "Surfside Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1192.05, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1193.05.

MOVED Director Holme, SECONDED Director Longmuir, that "Surfside Properties Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1193.05, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "Surfside Properties Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1193.05, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1194.05.

MOVED Director Holme, SECONDED Director Longmuir, that "West Bay Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1194.05, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "West Bay Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1194.05, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1206.04.

MOVED Director Holme, SECONDED Director Longmuir, that "Morningstar Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1206.04, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "Morningstar Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1206.04, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1336.02.

MOVED Director Holme, SECONDED Director Longmuir, that "Driftwood Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1336.02, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "Driftwood Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1336.02, 2005" having received three readings be adopted.

CARRIED

Bylaw No. 1371.01.

MOVED Director Holme, SECONDED Director Longmuir, that "Englishman River Community Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1371.01, 2005" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that "Englishman River Community Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1371.01, 2005" having received three readings be adopted.

CARRIED

Reserve Fund Bylaw Approvals – Bylaws No. 1411, 1412, 1413, 1414, 1415.

MOVED Director Bartram, SECONDED Director Longmuir, that "Bow Horn Bay Fire Protection Service Building Reserve Fund Bylaw No. 1411, 2005" be introduced for first three readings.

CARRIED

MOVED Director Bartram, SECONDED Director Longmuir, that "Bow Horn Bay Fire Protection Service Building Reserve Fund Bylaw No. 1411, 2005" having received three readings be adopted.

CARRIED

MOVED Director Bartram, SECONDED Director Longmuir, that "Bow Horn Bay Fire Protection Service Insurance Deductible Reserve Fund Bylaw No. 1412, 2005" be introduced for first three readings.

CARRIED

MOVED Director Bartram, SECONDED Director Longmuir, that "Bow Horn Bay Fire Protection Service Insurance Deductible Reserve Fund Bylaw No. 1412, 2005" having received three readings be adopted.

CARRIED

MOVED Director Bartram, SECONDED Director Longmuir, that "Bow Horn Bay Fire Protection Service Fire Hydrant/Storage Reserve Fund Bylaw No. 1413, 2005" be introduced for first three readings.

CARRIED

MOVED Director Bartram, SECONDED Director Longmuir, that "Bow Horn Bay Fire Protection Service Fire Hydrant/Storage Reserve Fund Bylaw No. 1413, 2005" having received three readings be adopted.

CARRIED

MOVED Director Bartram, SECONDED Director Longmuir, that "Bow Horn Bay Fire Protection Service Capital Equipment Reserve Fund Bylaw No. 1414, 2005" be introduced for first three readings.

CARRIED

MOVED Director Bartram, SECONDED Director Longmuir, that "Bow Horn Bay Fire Protection Service Capital Equipment Reserve Fund Bylaw No. 1414, 2005" having received three readings be adopted.

CARRIED

MOVED Director Bartram, SECONDED Director Longmuir, that "Bow Horn Bay Fire Protection Service Vehicle Reserve Fund Bylaw No. 1415, 2005" be introduced for first three readings.

CARRIED

MOVED Director Bartram, SECONDED Director Longmuir, that "Bow Horn Bay Fire Protection Service Vehicle Reserve Fund Bylaw No. 1415, 2005" having received three readings be adopted.

CARRIED

MOVED Director Bartram, SECONDED Director Longmuir, that "Bow Horn Bay Fire Protection Service Reserve Fund Bylaw No. 1402 be repealed and any remaining balance be transferred to "Bow Horn Bay Fire Protection Service Vehicle Reserve Fund Bylaw No. 1415".

CARRIED

Revenue Anticipation Borrowing Bylaw No. 1422.

MOVED Director Krall, SECONDED Director Holdom, that "Regional District of Nanaimo 2005 Revenue Anticipation Borrowing Bylaw No. 1422, 2005" be introduced for first three readings.

CARRIED

MOVED Director Krall, SECONDED Director Holdom, that "Regional District of Nanaimo 2005 Revenue Anticipation Borrowing Bylaw No. 1422, 2005" having received three readings be adopted.

CARRIED

Implementation of a Hotel Tax – Areas E, F, G, H.

MOVED Director Holme, SECONDED Director Biggemann,:

That a service be created for the purpose of collecting a 2% hotel room tax in Electoral Areas E, F, G and H and that consent be obtained through the alternative approval process.

That the Oceanside Tourism Association be required to complete all of the application components to implement a hotel room tax to the satisfaction of Regional District staff prior to the adoption of the hotel room tax bylaw.

CARRIED

HOSPITAL

Nanaimo Regional Hospital District Annual Budget Bylaw No. 136.

MOVED Director Sherry, SECONDED Director McNabb, that "Nanaimo Regional Hospital District Annual Budget Bylaw No. 136, 2005" be introduced for first three readings.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Nanaimo Regional Hospital District Annual Budget Bylaw No. 136, 2005" having received three readings be adopted.

CARRIED

DEVELOPMENT SERVICES

BUILDING INSPECTION

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

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

- (a) Lot 20, Block 564, Plan VIP76465, Nanoose Land District, 2016 Kaye Road, Electoral Area 'G', owned by G. and G. McKinnon;
- (b) Lot 5, Block 419, Plan 30113, Nanoose Land District, 289 Allsbrook Road, Electoral Area 'G', owned by C. and K. Sandeman-Allen.

CARRIED

ENVIRONMENTAL SERVICES

Mt. Arrowsmith Aquifers Modeling Study.

MOVED Director Tanner, SECONDED Director Bartram,:

That the EBA Engineering Consultants Ltd. Mt. Arrowsmith Aquifers Modeling Project report be received for information.

That staff be directed to consider the conclusion and recommendations of the report in establishing water supply management and watershed and aquifer protection priorities within the regional district.

That staff be directed to convey the report to the newly formed Vancouver Island Watershed Protection Steering Committee to assist the committee in establishing priorities and action plans for watershed protection on Vancouver Island.

CARRIED

LIQUID WASTE

Canadian Environmental Protection Act: Wastewater Management.

MOVED Director McNabb, SECONDED Director Bartram, that staff continue to be involved in the BC local government working group and provide input to the Canadian Council of Ministers of the Environment about our concerns regarding the lack of harmonization between federal and provincial regulations and the costs for implementing any future requirements.

CARRIED

Northern Community Sewer Local Service Area Development Cost Charges Bylaw No. 1423.

MOVED Director Sherry, SECONDED Director McNabb,:

1. That "Northern Community Sewer Local Service Area Development Cost Charges Reserve Fund Expenditure Bylaw No. 1423, 2005" be introduced for first three readings.
2. That "Northern Community Sewer Local Service Area Development Cost Charges Reserve Fund Expenditure Bylaw No. 1423, 2005" having received three readings be adopted.

CARRIED

French Creek Pollution Control Centre Biosolids Composting Quote Results.

MOVED Director Sherry, SECONDED Director Tanner, that Qualicum Farms Limited be awarded the contract for composting biosolids from the French Creek Pollution Control Centre for \$47.50 per tonne.

CARRIED

SOLID WASTE

2005 Garbage & Recycling User Rate Amendment Bylaw No. 1009.08.

MOVED Director Sherry, SECONDED Director McNabb,:

1. That "Regional District of Nanaimo Garbage and Recyclable Materials Collection Rates Amendment Bylaw No. 1009.08, 2005" be introduced and read three times.
2. That "Regional District of Nanaimo Garbage and Recyclable Materials Collection Rates Amendment Bylaw No. 1009.08, 2005" having received three readings be adopted.

CARRIED

Arboretum Property Purchase – Release of Reserve Funds – Solid Waste Disposal Local Service Area Reserve Fund Expenditure Bylaw No. 1425.

MOVED Director Holdom, SECONDED Director Longmuir,:

1. That "Solid Waste Disposal Local Service Area Reserve Fund Expenditure Bylaw No. 1425, 2005" be introduced for three readings.
2. That "Solid Waste Disposal Local Service Area Reserve Fund Expenditure Bylaw No. 1425, 2005" having received three readings be adopted.

CARRIED

UTILITIES

Englishman River Streetlighting Local Service Area Boundary Amendment Bylaw No. 1353.01 – Area G.

MOVED Director Hamilton, SECONDED Director Sherry,:

1. That 2070 Kaye Road, PID 009-540-890, Part of DL 44, except parts in Plans 39893, 3132 RW and VI70839, District Lot 44, Nanoose Land District, be included into the Englishman River Community Streetlighting Local Service Area.
2. That "Englishman River Streetlighting Local Service Area Boundary Amendment Bylaw No. 1353.01, 2005" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

Vancouver Island Watershed Protection Steering & Technical Committees.

MOVED Director Bartram, SECONDED Director Longmuir,:

That this report be received for information; and

That the Board support RDN participation in the Vancouver Island Watershed Protection Steering and Technical Committees.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Regional Growth Monitoring Advisory Committee/State of Sustainability Project.

MOVED Director Holdom, SECONDED Director Bartram, that the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held February 9, 2005 be received for information.

CARRIED

Intergovernmental Advisory Committee.

MOVED Director Sherry, SECONDED Director Longmuir, that the minutes of the Intergovernmental Advisory Committee meeting held February 7, 2005 be received for information.

CARRIED

Transit Business Plan Update Select Committee.

MOVED Director Krall, SECONDED Director McNabb, that the minutes of the Transit Business Plan Update Select Committee meeting held February 24, 2005 be received for information.

CARRIED

MOVED Director Krall, SECONDED Director Bartram, that the Area 'H' HandyDART Service report be deferred to the next Transit Select Committee meeting.

CARRIED

MOVED Director Krall, SECONDED Director Holme, that the Nanoose Bay Community Bus expansion proposal be deferred indefinitely.

CARRIED

MOVED Director Krall, SECONDED Director Holdom, that the 2004/05 Annual Operating Agreement (AOA) with BC Transit be approved.

CARRIED

MOVED Director Krall, SECONDED Director McNabb, that the Terms of Reference for a study on transit exchange and service delivery options for the longer term for downtown Nanaimo be approved and that staff issue a Request for Proposals for a Project Consultant for the study.

CARRIED

Regional Parks Plan Review Select Committee.

MOVED Director McNabb, SECONDED Director Kreiberg, that the minutes of the Regional Parks Plan Review Select Committee meeting held February 9, 2005, be received for information.

CARRIED

Area 'B' Parks and Open Space Advisory Committee.

MOVED Director Lund, SECONDED Director Longmuir, that the minutes of the Area 'B' Parks and Open Space Advisory Committee meeting held January 10, 2005, be received for information.

CARRIED

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Biggemann, that the minutes of the District 69 Recreation Commission meeting held February 17, 2005, be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Biggemann,:

That the 2005 Annual Budget be adjusted and the Five Year Financial Plan be amended to provide for acoustical treatment estimated at \$50,000 in the Victor Kraatz Arena to be funded from the Prior Year Surplus as per Appendix 1 of the Oceanside Place Acoustics – Victor Kraatz Arena Report dated February 4, 2005.

That the 2005 Annual Budget be adjusted and the Five Year Financial Plan be amended to provide for a video security monitor system estimated to cost \$11,000 for the Ravensong Aquatic Centre to be funded from the Prior Year Surplus as per Appendix 1 of the Video Security Monitor System Ravensong Aquatic Centre Report dated February 4, 2005.

That the recommendations from the District 69 Recreation Commission Grants Committee for the following Youth Grants be approved:

Ballenas Secondary – Dry Grad Committee	\$	200
Youth Link – Linking Out Loud	\$	1,450

That the recommendations from the District 69 Recreation Commission Grants Committee for the following Community Grants be approved:

Arrowsmith Community Enhancement Society (ACES)	\$	2,167
Ballenas Secondary Dry Grad Committee – Greening Project	\$	1,000
District 69 Society of Allied Support Groups	\$	125
Lighthouse Recreation Commission	\$	1,850
Mid-Island Wildlife Watch Society	\$	1,000
Nanoose Bay Elementary School Parent Advisory Committee	\$	1,000
Oceanside Community Arts Council	\$	1,500
Parksville and District Historical Society	\$	500
Qualicum Beach Seedy Saturday Association	\$	900
Ravensong Aquatic Club	\$	1,250

CARRIED

Selection Committee.

Electoral Area 'A' Recreation Services Study Project Advisory Committee.

MOVED Director Hamilton, SECONDED Director Kreiberg, that Shelagh Gourlay and Sheryl Friesen-Ellis be appointed to the Electoral Area 'A' Recreation Services Study Project Advisory Committee.

CARRIED

Electoral Area 'G' Parks & Open Space Advisory Committee.

MOVED Director Hamilton, SECONDED Director Bartram, that Jo-ann Chase be appointed to the Electoral Area 'G' Parks & Open Space Advisory Committee for a term ending December 31, 2006.

CARRIED

ADMINISTRATOR'S REPORT

Presentation on Mission to Ghana.

K. Daniels gave a brief presentation on the recent mission to Ghana and discussed the environmental concerns in the Sunyani region regarding solid and liquid waste disposal.

Bow Horn Bay Fire Protection Service Vehicle Reserve Fund Expenditure Bylaw No. 1427.

MOVED Director Bartram, SECONDED Director Haime, that "Bow Horn Bay Fire Protection Service Vehicle Reserve Fund Expenditure Bylaw No. 1427, 2005" be introduced for first three readings.

CARRIED

MOVED Director Bartram, SECONDED Director Haime, that "Bow Horn Bay Fire Protection Service Vehicle Reserve Fund Expenditure Bylaw No. 1427, 2005" having received three readings be adopted.

CARRIED

NEW BUSINESS

Director Bartram re Drinking Water Protection.

MOVED Director Bartram, SECONDED Director Holdom,:

1. That staff be directed to prepare a report for the Board's consideration that:
 - (a) Identifies and summarizes all regional district initiatives and activities currently in process or planned for the 2005 budget year that support drinking water/watershed protection.
 - (b) Outlines a drinking water/watershed protection strategy that identifies potential future RDN Electoral Area initiatives incorporating input and recommendations from the Drinking Water Protection Workshop and Action Plan, the Sustainability Committee, Arrowsmith Water Service, the BC Action Plan for Safe Drinking Water and the Vancouver Island Watershed Protection Initiative Steering Committee.
 - (c) Identifies financial and staff resources that could be considered for the 2006 budget and 2006 – 2010 financial plan process that would be required to undertake the identified initiatives.
2. That any financial assistance required to prepare terms of reference or cost estimates for the identified initiatives be obtained from the Electoral Area feasibility study funds.

MOVED Director Kreiberg; SECONDED Director Holdom, that the motion be amended to include the following at the end of item 1(b):

and that an overview be provided of the current scientific consensus regarding temperature and precipitation trends in the coming decade.

CARRIED

The question was called on the main motion, as amended.

The motion CARRIED.

IN CAMERA

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

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 8:45 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE TRANSIT BUSINESS PLAN UPDATE SELECT COMMITTEE
MEETING HELD ON THURSDAY, MARCH 10, 2005, AT 1:30 PM
IN THE RDN BOARD CHAMBERS**

Present:

Director T. Krall	Chairperson
Director R. Cantelon	City of Nanaimo
Director B. Holdom	City of Nanaimo
S. Tanner	Town of Qualicum Beach
Director H. Kreiberg	Electoral Area A
Director J. Stanhope	Electoral Area G

Also In Attendance:

N. Connelly	General Manager, Community Services
R. Henry	Manager, Transportation Services
B. Clemens	City of Nanaimo
T. Moscrip	City of Nanaimo

Regrets: Director T. Westbroek	Town of Qualicum Beach
Director D. Bartram	Electoral Area H
Director D. Haime	Electoral Area D

CALL TO ORDER

The meeting was called to order at 1:35 pm.

MINUTES

MOVED by Director Cantelon, SECONDED by Director Stanhope that the Minutes of the Transit Business Plan Select Committee meeting held February 24, 2005 be received for information.

CARRIED

CORRESPONDENCE

N. Connelly briefed the Committee on the letter dated February 25, 2005 from the Vice President / BC Transit Municipal Systems program, which addresses the annual BC Transit management fee to municipal operators, and describes the shared service model, the benefits (e.g. fuel futures, bus purchases, insurance) and costs for funding these services.

MOVED by Director Holdom, SECONDED by Director Kreiberg that the letter from S. New, BC Transit re: BCT Management Services be received for information.

CARRIED

ADMINISTRATION

Relocation of downtown Nanaimo Transit Exchange

N. Connelly provided a general overview of the report, which provided for three options: 1) an on street site on the west side of Wallace Street between Fitzwilliam and Wentworth; 2) an on-street site on the west side of Wallace Street in front of City Hall back to Fitzwilliam; and 3) an on-street and off-street site along Prideaux Street at the intersection with Fitzwilliam. He outlined the need to shift the relocation date from 1 May to 29 May, due to relocation logistics factors, public consultation implications (to include notification to riders) and facilitate schedule changes in a timely manner.

MOVED by Director Cantelon, SECONDED by Director Holdom that the Regional District request that the City of Nanaimo allow for the relocation of the transit exchange for May 29th to a site that utilizes City property at the east side of Prideaux Street and the south side of Fitzwilliam Street, and that the Transit Department, in conjunction with the request to the City, arrange for a public open house meeting on the Prideaux Street exchange option. CARRIED

Area "H" HandyDART Service

MOVED by Director Cantelon, SECONDED by Director Stanhope, that the Area H handyDART budget for 2005 provide for service to the end of May 2005. CARRIED

ADJOURNMENT

The meeting was adjourned at 2:39 pm.

T. Krall
Chair

TO: Kelly Daniels
Chief Administrative Officer

DATE: March 7, 2005

FROM: Neil Connelly
General Manager, Community Services

FILE: 2240 20 DNTN

SUBJECT: Downtown Nanaimo Transit Exchange Relocation

PURPOSE

To report on site and timeline issues related to the proposed relocation of the downtown transit exchange in May and to review options and next steps.

BACKGROUND

In November and December 2004, staff reviewed relocation options for the downtown transit exchange with the City of Nanaimo's decision to proceed with the new Nanaimo Centre initiative that included the site of the current exchange at Gordon Street. Twelve potential sites that included both private land that would need to be acquired as part of a longer term arrangement and on street configurations that were more suitable in the shorter term were identified in consultation with the City Engineering Department staff and the Managing Director of the Downtown Nanaimo Partnership Association. The Transit Select Committee received the report at their December 16, 2004 meeting and through a Board resolution in January passed the following resolution.

"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 part of the consultation process on the relocation of the exchange, staff attended three meetings of the Downtown Partnership, a Board meeting on January 11th, a Planning and Housing subcommittee meeting on January 19th, and a breakfast social meeting at the museum on January 26th. In addition, staff attended a Board meeting of the Old City Quarter Association on January 19th, and a separate meeting with business owners located close to the Wallace Street location on February 15th.

At the latter meeting and the subsequent Transit Committee meeting held on February 24th, various concerns were expressed about the proposed relocation of the transit exchange to the west side of Wallace Street. Particular attention was given to the potential negative business impacts associated with the potential loss of twelve metered parking spaces on the west side of Wallace Street, as well as three free parking spaces on the south side of Wentworth Street at the corner of Wallace Street. Other concerns included potential vandalism, litter, garbage, noise, diesel fumes, increased pedestrian and bus traffic, and other activities related to the proposed exchange.

Staff has subsequently reviewed the criteria that formed the framework for the identification of potential exchange sites in the downtown area. In addition, the sites that were examined in December were re examined, along with a new potential site on Prideaux Street near Fitzwilliam. From this assessment three transit exchange site options have been highlighted for further review. They are described below along with the various issues associated with each site.

1. *an on-street site on the west side of Wallace Street between Fitzwilliam and Wentworth*

This site, which includes space for two buses on Wallace south of Fitzwilliam, four buses on Wallace between Fitzwilliam and Wentworth, and two buses on the south side of Wentworth provides a relatively flat and compact site in close proximity to downtown activities in the Old City Quarter and Front Street via the Bastion Street bridge. Transit riders who would transfer from one bus to another would not have to cross from one side of the street to the other and would have a signal light to cross Fitzwilliam. Except for the commercial building on Wallace south of Fitzwilliam, none of the seven other bus stop locations at the site are in front of existing businesses or developed properties. Buses would access the site using either Wallace Street from Comox or from Fitzwilliam, Selby and Wentworth and from the exchange would continue along Wallace or turn left on to Bastion Street to offer full service to the downtown area along Front Street.

Concerns with the site relate primarily to the loss of on-street parking spaces for customers of businesses in the vicinity, although other issues have also been noted. One adjustment that could assist in retaining parking spaces close to the intersection of Wallace and Fitzwilliam would be to shift one of the four bus spaces in this block, back to in front of the City parking lot on Wallace north of the Wentworth intersection. This would allow for three parking spaces to be retained. Staff has also further reviewed the question of whether this site would require the loss of on-street parking spaces on the east side of Wallace Street to provide room for the left turn movement of buses from Wallace on to Bastion Street. A full traffic study has not been undertaken but a preliminary consultant's review suggests that no parking spaces would need to be deleted on the east side of Wallace Street.

2. *an on-street site on the west side of Wallace Street from in front of City Hall back to Fitzwilliam*

Under this arrangement four buses would be accommodated on the west side of Wallace Street between Franklin and Albert in front of City Hall and four buses would be located between Franklin and Fitzwilliam.

The site's location is close to downtown activity centres but it has several negative aspects from a transit routing, loss of parking spaces, and a passenger point of view. Reduced service to Port Place and Front Street would be offered as all eight buses would be channeled to Commercial Street. Safety issues are also raised by the need for bus riders to cross Franklin Street and the three parking lot driveway points that intersect the sidewalk between Franklin and Fitzwilliam. On-street parking spaces in the vicinity of the City's offices that are actively utilized would be eliminated. The gradient of the street and sidewalk in this location would make it less convenient for transit users.

3. *an on-street and off-street site along Prideaux Street at the intersection with Fitzwilliam*

This site, which would use a portion of a City parking lot across from the RCMP headquarters, as well as several street parking spaces on Prideaux Street and Fitzwilliam has been re examined. It is further removed from the core of the downtown area but offers access to the Old City Quarter and direct routing to Fitzwilliam, Wallace and Front Streets. Arrangements for the use of the City's

parking lot and alternate spaces for the Fire Department employees who utilize the lot would need to be developed if the site were to be utilized by transit. With an exchange configuration that orients the buses to the east side of Prideaux Street and the south side of Fitzwilliam, close to the intersection, impacts to residential or business activities would be minimized and a limited number of on-street parking spaces would be required. A map of the exchange site and transit routing in the downtown area is attached.

Plans for the relocation of the transit exchange from Gordon Street to an alternate location need to be finalized in the near future. A seven week lead time is required by the Department to organize routes and schedules and work shifts, plan for exchange development works and the relocation of shelters and signage, and the publication and distribution of an updated riders guide a week before the actual change over date. As a result an extension to the target May 1st date to vacate the current Gordon Street site and to implement service at the new exchange site is required. It is proposed that the City allow for the new exchange site to be operational for May 29th.

ALTERNATIVES

1. That the City be requested to allow for a transit exchange site for May 29th that utilizes City property and on-street parking spaces along the east side of Prideaux Street near the intersection with Fitzwilliam Street and, that in conjunction with the request, staff arrange for a meeting with residents, property owners, and businesses in the area.
2. That staff be directed to work with the City to advance the Wallace Street exchange option between Fitzwilliam and Wentworth and in developing the site address as far as possible, property owner and business issues regarding parking and other impacts.
3. That other options for transit service and exchange arrangements, in conjunction with the City, be developed as directed by the Board for May implementation.

FINANCIAL IMPLICATIONS

The 2005 annual budget allocates \$18,000 for the relocation of the transit exchange.

PUBLIC CONSULTATION IMPLICATIONS

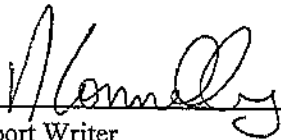
Planning for and implementing the service delivery changes from the current exchange site to a new location will require that residents, business owners, other stakeholders and bus riders in the downtown area are consulted and informed on the various stages of the project as it is developed and implemented. An initial public open house meeting for residents and business owners in the area of the site is proposed to be followed with broader public communications at the time that transit routes and schedules change with the new exchange.

SUMMARY/CONCLUSIONS

Arrangements with the City of Nanaimo to provide for a new site for the downtown transit exchange need to be finalized for the May start of initial work on the conference centre development. Various issues have been generated by the site review and proposals for a new exchange site in the downtown area. A site that utilizes a portion of a City parking lot and part of the street at the corner of Prideaux Street and Fitzwilliam has been identified in consultation with the City as a possible suitable location. A formal request would need to be made to City Council for approval to use the site and arrangements undertaken to further consult with area residents, property and business owners and staff from various City Departments in the development of the plan for the exchange for a revised service start date of May 29th.

RECOMMENDATIONS

1. That the Regional District request that the City of Nanaimo allow for the relocation of the transit exchange for May 29th to a site that utilizes City property at the east side of Prideaux Street and the south side of Fitzwilliam Street, as outlined in the staff report.
2. That the Transit Department, in conjunction with the request to the City, arrange for a public open house meeting on the Prideaux Street exchange option.



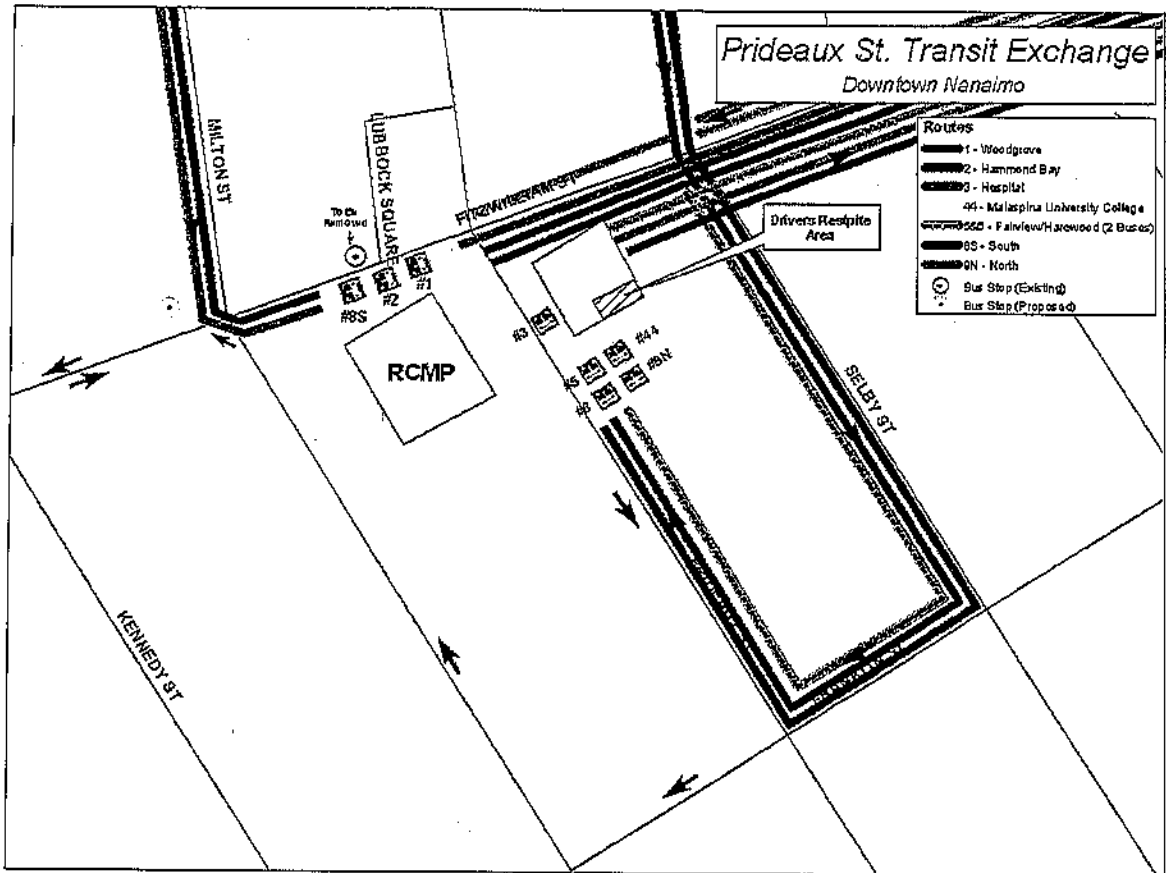
Report Writer



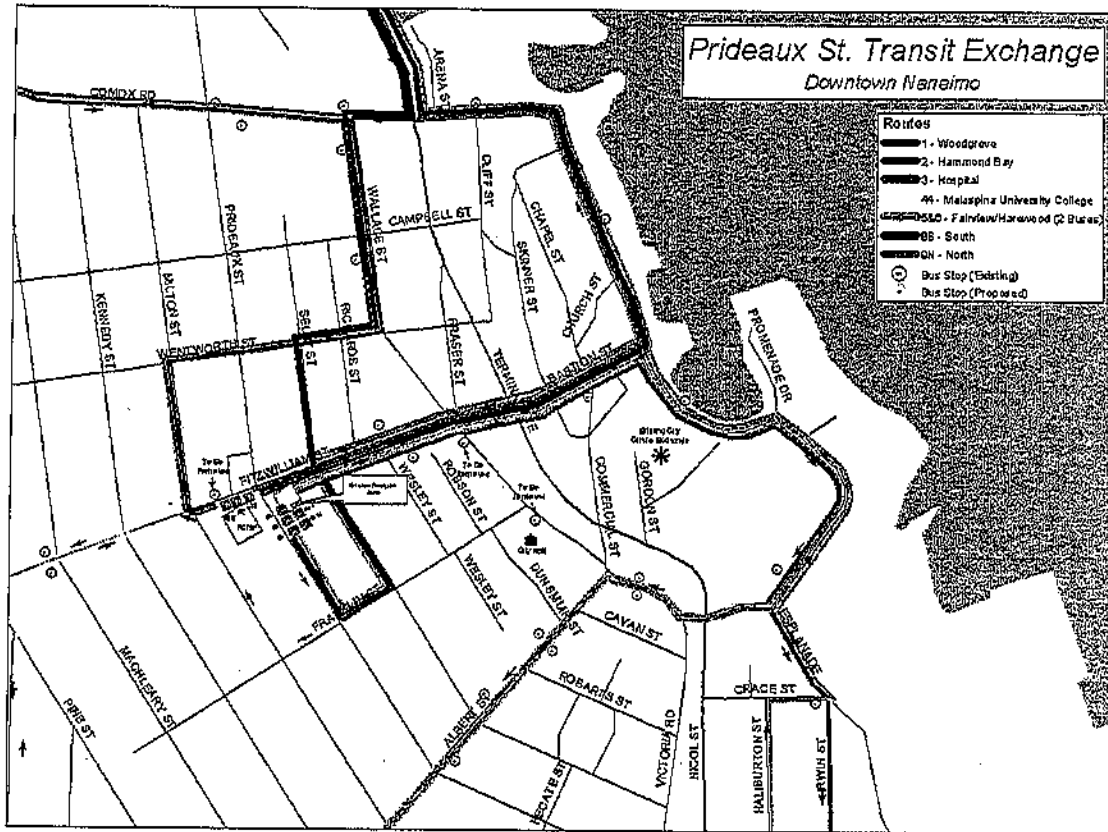
CAO Concurrence

COMMENTS:

Exchange Site



Routing Site





REGIONAL DISTRICT OF NANAIMO	
FEB 23 2005	
CHAIR	GMCMS
	GMCMS
CAO	GMS
	GMS

MEMORANDUM

TO: Neil Connelly
General Manager of Community Services

DATE: February 16, 2005

FROM: Rob Henry
Transportation Services Manager

FILE: 8600 01 EA H

SUBJECT: Area H HandyDART Service

PURPOSE

To report on the feasibility of various custom transit service delivery options for Area H, including budget impacts and implementation strategies.

BACKGROUND

At the Transit Business Plan Select Committee meeting on January 27, 2005, staff confirmed that the bylaw implemented in 2004 for Area H (concurrently implemented with the Community Bus bylaw for Areas E, G, Parksville and Qualicum Beach) provided for the use of taxis for handyDART clients residing in Area H, and if necessary, the use of a handyDART van. For 2004, the old cost sharing formula was applied resulting in a taxpayer cost of \$1,490. Moving into budgeting for 2005, it is now clear that the level of common costs attributed to Area H for 2004 was too low. As a result, the taxpayer cost of once a week handyDart van based service is estimated at \$8,340. This report provides information to respond to the Committee's suggestions on alternative service approaches.

The current service for Area H provides for a dedicated handyDART van on Fridays that transports, on average, three clients each way. In the past, supplementary service was provided to a Parksville handyDART client to travel to area H, however this service is no longer in effect. Accordingly, this service is now provided solely for Area H residents.

Further to the Transit Select Committee meeting, a review of the following options is provided.

- Increase fares. The current handyDART fare is \$2.50 for one-way travel, or \$2.25 when using a ticket from a sheet of five pre-paid handyDART tickets. These rates apply across the District. Assuming maintenance of current ridership, the following table indicates tax requisition impacts associated with increments of \$2.50 to the current single fare, to a maximum fare of \$10.00.

	Status-quo	Double fare	Triple fare	Quadruple fare
Fare	\$2.50	\$5.00	\$7.50	\$10.00
Area H tax requisition	\$11,645	\$10,910	\$10,175	\$9,440

It should be stressed that many of these trips are discretionary in nature; it is conceivable that with fare increases, clients could seek alternative arrangements rather than use handyDART. The risks associated with reductions to ridership could outweigh any tax savings due to increased fares.

2. Service arrangements in conjunction with the Regional District of Comox-Strathcona. The Regional District of Comox-Strathcona does not currently provide custom transit service south of Royston. The operator confirmed they are not able to service such a small number of riders from the boundary line between the two districts (approximately 10 km north of Bowser). Although a survey of our current clients has not been done, it would appear that their needs are for activities specifically within District 69, such as for medical appointments in Qualicum; spousal visits to Trillium Lodge, or to pick-up a prescription from a local pharmacy.
3. Deliver medical supplies to Area H. In terms of the potential for delivery of prescriptions to area H residents, the Medicine Shop in Parksville have confirmed that they cannot deliver north of Qualicum Beach, which is the most northern point where their staff reside. Other area pharmacies have confirmed that they do not deliver medical supplies to Area H, although it is conceivable that that some agencies would mail-out prescriptions.
4. Transport through community service programs The Society for Organized Services (SOS) in Parksville provides a range of community volunteer support services within District 69. This includes the provision of special needs transportation to Area H residents for medical clinics in Parksville and Qualicum Beach. Traditionally, dispatch staff provide information on these services to clients when, due to schedule and budget limitations, the Department cannot provide the service.
5. Veterans benefits. When a taxi is dispatched to service a registered handyDART user, who is a veteran eligible for Veterans Affairs Canada (VAC) benefits, the user would pay the normal cash fare for the ride, then would be eligible for reimbursement for some of the costs under the VAC program. It would be the responsibility of the user or caregiver to submit the documentation to VAC. For RDN Transit, there is no distinction between veterans and non-veterans users in terms of service delivery and funding.

ALTERNATIVES

1. Continue to provide dedicated weekly handyDART trips between Area H and the Parksville-Qualicum Beach area (i.e. status-quo).
2. Provide dedicated handyDART service twice a month, with connections to the Qualicum Beach Civic Centre. Users would be transferred into the District 69 Community Bus system at the Qualicum Beach Civic Centre, and if required, transfer onto a Community Bus to continue their journey. HandyDART service from Area H would be timed to meet the Community Bus at the Civic Centre.
3. Provide blended taxi / handyDART service, with connections to the Qualicum Beach Civic Centre. Taxis would provide the main mode of transport, three times per month and a handyDART van would run once a month. This three-to-one ratio is considered appropriate from a customer service and budget context. Given BC Transit's significant cost share for custom transit, there are advantages associated with dispatching a taxi vs. operating a handyDART when the numbers of users are three or less (hence the greater use of taxi). However, there will be requirements, from time to time, to use a handyDART van to provide specialized services to users (e.g. wheelchair users incapable of using

taxi) or to larger groups that cannot be accommodated within a taxi. The Department has spoken with the taxi operator who advised that under his licence, the trips need to be metered.

FINANCIAL IMPLICATIONS

1. In 2005 there is an adjustment to recover the prior year deficit, which adds an additional \$2,200 for a total of \$10,540. The tax requisition to maintain current handyDART service would be approximately \$8,340.
2. The tax requisition for twice a month handyDART service, from Area H to the Qualicum Beach Civic Centre, would be approximately \$5,100 (2005=\$7,300).
3. The tax requisition of using a blend of taxi and handyDART van service at the current service level (four times a month from Area H to Qualicum Beach Civic Centre) would be \$6,500 (2005=\$8,700). For taxi trips, an average taxi fare of \$80 a trip segment, or \$160 per day, applies.

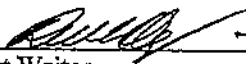
SUMMARY

Various service delivery options and support mechanisms have been considered. Regardless of service delivery options, shared costs to provide service to Area H will apply. In terms of increases to transit fares, the associated reduction to tax the requisition could well be offset by ridership losses. This option is considered to be a high risk.

When custom ridership levels are low, as in the case for Area H, there is a cost advantage in using taxi service, where possible, rather than a HandyDART van. A blended taxi/handyDART approach does result in a reduced tax requisition, and would closely match current service levels. In addition, by linking to the District 69 Community Bus system at the Qualicum Beach Civic Centre, this would serve to both support and promote the regional aspect of transit.

RECOMMENDATION


That the blended taxi / handyDART service for area H be implemented in 2005.



Report Writer



General Manager Concurrence


A/_____
C.A.O. Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO	
MAR 14 2005	
CHAIR	GMCMS
	GMCrs
CAO	GMS
	GMS
Siddons	

MEMORANDUM

TO: Kelly Daniels
Chief Administrative Officer

DATE: March 14, 2005

FROM: N. Avery
Manager, Financial Services

FILE:

SUBJECT: A Bylaw to Adopt the Financial Plan Covering the Years 2005 to 2010

PURPOSE:

To introduce and adopt a bylaw authorizing the financial plan for the years 2005 to 2010.

BACKGROUND:

The Board has completed its review of the 2005 annual budget and the financial plan for the years 2006 to 2010. The financial plan must be adopted by bylaw on or before March 31st, 2005. Bylaw No. 1431 attached to this report represents the summary of the financial plan recommended for adoption.

ALTERNATIVES:

1. Adopt Bylaw 1431 and the financial plan as attached.
2. Amend the financial plan and adopt Bylaw 1431 as amended.

FINANCIAL IMPLICATIONS:

The following amendments as approved at the February 22nd Board meeting have been incorporated into the 2005 annual budget:

- Regional Parks – additional \$30,000 to provide funding assistance to Nanaimo Area Land Trust.
- Transportation Services – additional \$48,000 to cover the costs relocating the City of Nanaimo downtown exchange location (\$18,000) and the costs to undertake a long term study of transit route/exchange locations (\$30,000).


The annual budget for 2005 raises property and parcel taxes in the amount of \$23,551,119.

SUMMARY/CONCLUSIONS:

Bylaw 1431 attached to this report represents the recommended financial plan for the years 2005 to 2010.

RECOMMENDATION:

1. That " Regional District of Nanaimo Financial Plan (2005 to 2010) Bylaw No. 1431, 2005" be introduced for first three readings.
2. That " Regional District of Nanaimo Financial Plan (2005 to 2010) Bylaw No. 1431, 2005" having received three readings be adopted.



Report Writer



C.A.O. Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1431

A BYLAW TO ADOPT THE 2005
TO 2010 FINANCIAL PLAN

WHEREAS the Regional District of Nanaimo shall pursuant to Section 815 of the *Local Government Act*, adopt by bylaw a five year financial plan;

AND WHEREAS an expenditure not provided for in the financial plan or the financial plan as amended, is not lawful unless for an emergency that was not contemplated;

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

1. **TITLE**

This bylaw may be cited as the "Regional District of Nanaimo Financial Plan (2005 to 2010) Bylaw No. 1431, 2005".

2. **DEFINITION**

"Emergency" means a present or imminent event that:

- a) is caused by accident, fire explosion or technical failure or by the forces of nature; and
- b) requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property.

3. Schedule 'A' attached to this bylaw is hereby adopted as the Financial Plan for the Regional District of Nanaimo for the period January 1, 2005 to December 31, 2010.

4. The Financial Plan may be amended in the following manner:

- a) Funds may be reallocated in accordance with the Regional District of Nanaimo's purchasing policy for new projects.
- b) The Manager, Financial Services, may transfer unexpended appropriations to Reserve Funds and accounts for future expenditures.
- c) The Board may authorize amendments to the plan for Emergencies as defined herein.

Introduced and read three times this 22nd day of March, 2005.

Adopted this 22nd day of March, 2005.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

Chairperson

Gen Manager Corp Services

2004 Budget	2005	2006	2007	2008	2009	2010	Subtotal
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Revenues	(20,283,140)	(21,299,050)	(21,816,881)	(22,422,208)	(22,912,655)	(23,404,169)	(23,898,983)	(135,573,946)
Property taxes	(1,838,896)	(1,826,615)	(2,578,974)	(2,737,067)	(2,914,963)	(3,110,880)	(3,349,927)	(16,518,836)
Parcel taxes	(466,825)	(480,455)	(472,214)	(481,658)	(491,291)	(501,117)	(511,139)	(2,937,874)
Municipal agreements	(1,473,422)	(1,693,010)	(1,620,783)	(1,574,201)	(1,577,747)	(1,581,695)	(1,583,521)	(9,630,967)
Operating revenues	(3,081,820)	(3,081,005)	(3,084,871)	(3,146,649)	(3,461,208)	(3,465,545)	(3,465,545)	(19,704,423)
Interest income	(285,000)	(285,000)	(287,550)	(290,729)	(290,729)	(290,729)	(290,729)	(1,735,766)
Traffic fares	(6,000,000)	(6,218,000)	(6,218,000)	(6,342,360)	(6,469,207)	(6,598,591)	(6,730,583)	(38,576,721)
Landfill tipping fees	(354,500)	(363,450)	(370,119)	(378,133)	(385,696)	(401,278)	(401,278)	(2,292,666)
Recation facility rentals	(370,250)	(454,000)	(463,080)	(472,342)	(481,789)	(491,425)	(501,254)	(2,663,880)
Recation vending sales	(22,150)	(21,000)	(21,000)	(21,000)	(21,000)	(21,000)	(21,000)	(126,000)
Recation concession	(8,220)	(8,220)	(8,220)	(8,220)	(8,220)	(8,220)	(8,220)	(49,320)
Recation - other	(235,013)	(262,090)	(267,260)	(272,533)	(277,911)	(283,397)	(288,993)	(1,652,184)
Utility user fees	(2,690,257)	(2,679,571)	(2,146,849)	(2,204,849)	(2,264,479)	(2,326,139)	(2,389,226)	(14,011,113)
Operating grants	(3,812,885)	(4,057,530)	(3,140,790)	(3,140,790)	(3,140,790)	(3,140,790)	(3,140,790)	(19,714,880)
Planning grants	(29,000)	(5,000)	0	0	0	0	0	(5,000)
Grants in lieu of taxes	(95,600)	(95,600)	(95,600)	(95,600)	(95,600)	(95,600)	(95,600)	(573,600)
Interdepartmental recoveries	(2,547,095)	(2,621,545)	(2,717,064)	(2,817,674)	(2,870,248)	(2,923,823)	(2,978,420)	(16,928,774)
Transfer from reserves	(565,000)	(1,778,000)	0	0	0	0	0	(1,887,000)
Miscellaneous	(2,488,650)	(3,113,245)	(3,091,485)	(3,083,134)	(3,027,772)	(2,729,690)	(2,621,707)	(17,667,063)
Prior year (surplus)/deficit	(6,096,453)	(7,583,531)	(3,868,954)	(3,153,629)	(3,395,971)	(3,843,702)	(3,609,540)	(24,855,327)
Total Revenues	(52,754,176)	(57,925,917)	(57,771,694)	(52,643,176)	(54,196,476)	(55,209,932)	(55,785,235)	(327,532,430)

Expenditures	2,038,682	2,108,949	2,113,969	2,119,036	2,124,156	2,129,309	2,162,478	12,662,478
Administration	48,696	43,475	42,500	42,500	42,500	42,500	42,500	255,975
Community grants	281,482	301,370	236,370	236,370	236,370	236,370	236,370	1,543,220
Legislative	1,583,699	1,868,789	1,000,406	996,772	1,002,697	994,681	998,724	6,330,068
Building Ops	1,756,751	1,776,743	1,788,665	1,805,691	1,822,261	1,839,644	1,863,723	10,896,927
Professional fees	3,554,533	3,877,448	3,825,831	3,910,831	4,058,359	4,082,339	4,126,963	23,861,771
Operating Costs	8,947,799	10,109,224	10,105,299	10,349,927	9,838,085	10,964,821	10,360,798	61,207,954
Program Costs	262,630	259,255	261,454	263,673	265,913	268,175	270,458	1,588,928
Wages & Benefits	14,803,914	15,996,119	16,273,992	16,599,403	16,931,324	17,288,120	17,737,265	98,737,265
Transfer to other gov/org	3,753,242	3,803,945	3,630,891	3,718,406	3,747,587	3,828,143	3,868,507	22,625,479
Debt financing	6,360,350	6,759,740	5,344,531	5,910,814	5,816,170	5,529,680	5,799,901	33,160,836
Contributions to reserve funds	1,768,150	1,910,418	2,109,112	1,811,846	3,546,945	4,073,502	3,508,170	16,959,793
Capital	3,830,250	6,321,690	1,668,105	1,767,896	1,175,885	862,805	1,816,080	3,253,641
Subtotal	48,948,178	54,575,463	48,057,431	49,202,487	50,331,311	51,177,940	52,367,622	177,942,324
New debt	0	566,634	52,718	26,453	592,452	0	0	1,178,267
Total expenditures	48,948,178	54,575,463	48,624,065	49,255,205	50,357,774	51,170,392	52,367,622	178,542,666
(Surplus)/deficit	(3,805,998)	(3,350,454)	(3,147,629)	(3,387,971)	(3,838,702)	(3,499,540)	(3,427,612)	(20,451,849)

Capital Fund	(760,410)	(1,002,540)	(479,990)	(411,681)	(481,000)	(479,000)	(338,430)	(3,253,641)
Source of Funds	(300,159)	(97,090)	(49,781)	(11,687)	(450,000)	0	(536,000)	(1,144,558)
Transfers from Reserve Funds	(221,411)	(5,820,635)	(157,219)	(140,813)	0	0	0	6,598,767
Borrowed Funds	(221,411)	(5,820,635)	(157,219)	(140,813)	0	0	0	(6,598,767)
Bylaw funds on hand	0	0	0	0	0	0	0	0
Unexpended bylaw funds	0	0	0	0	0	0	0	0
Other sources	0	(280,000)	0	0	200,000	0	0	(80,000)
Total Sources of Funds	(1,281,980)	(7,281,265)	(686,990)	(564,281)	(731,000)	(479,000)	(1,354,430)	(11,076,966)
Funds Applied	1,060,569	1,501,630	529,771	423,368	731,000	479,000	874,430	4,478,199
Operating capital	0	0	0	0	0	0	0	0
Unexpended capital funds	0	0	0	0	0	0	0	0
Loan authorizations	221,411	5,820,635	157,219	140,813	0	0	0	6,598,767
Total Funds Applied	1,281,980	7,281,265	686,990	564,281	731,000	479,000	1,354,430	11,076,966
Reserve Funds	(53,290)	(348,735)	(182,915)	(93,165)	(321,530)	(356,777)	(405,069)	(1,226,051)
Transfers from Operating Fund	(339,250)	(424,833)	(287,092)	(284,725)	(390,148)	(327,735)	(334,156)	(2,048,539)
Other sources(DCC's etc)	0	0	0	0	0	0	0	0
Transfers to Capital Fund	300,159	97,090	49,781	11,687	450,000	0	0	1,144,558
Transfers to Operating Fund	0	0	0	0	0	0	0	(49,000)
Reserve Fund Transactions	(92,381)	(676,328)	(420,226)	(366,209)	(261,678)	(684,512)	(203,245)	(2,230,082)



REGIONAL DISTRICT OF NANAIMO	
MAR 14 2005	
CHAIR	GMCrs
CAO	GMDS
	GMES
	<i>Bed</i>

MEMORANDUM

TO: Kelly Daniels
Chief Administrative Officer

DATE: March 14, 2005

FROM: Maureen Pearse
Manager of Administrative Services

FILE:

SUBJECT: Nanaimo/Oceanside Film Society Request for Financial Support

PURPOSE

To consider the request from the Nanaimo/Oceanside Film Society for financial support.

BACKGROUND

At the February 22, 2005 Board meeting the Nanaimo Film Society requested financial support from the District in the amount of \$50,000 to market the area to film makers. In addition, the Oceanside Film Society requested financial support from the District in the amount of \$10,000 to aid in the promotion of film making in the area and the relocation of the Society's office.

As a result of the two presentations, the Board endorsed the following motion:

That staff be instructed to provide a report on the funding options available for the applications from the Nanaimo and Oceanside Film Society's and include in the report the possibility of making the funding contingent on signed agreements from area benefiting businesses agreeing to contribute up to 3% of the revenue they receive from the film industry to the respective film commissions.

Grants-in-Aid Function.

Funding requests from organizations that are not covered under a specific function have traditionally been referred to the grants-in-aid function. The grants-in-aid function raises a total of \$42,500 annually from the 8 electoral areas and the 4 municipalities. A total of \$27,511 is raised in District 68 and \$14,989 in District 69.

In District 68, \$21,289 is returned to the City of Nanaimo on an annual basis for their own grants-in-aid program, which is intended to provide funding to city-based organizations who also provide services to the outlying electoral areas. The remaining funds are distributed to community organizations within the electoral areas through the Regional District's grants-in-aid process. In the case of the Nanaimo Film Society's request, if considered under the current grants-in-aid criteria, the District could not provide funding since, based on the criteria, applications that are received from City of Nanaimo based organizations are returned to the applicant advising that they should be applying to the City of Nanaimo grants-in-aid as the organization is based in the City but provides services to the outlying electoral areas.

In District 69, the \$14,989 raised between Electoral Areas E, F, G & H and the two municipalities is distributed to community organizations in both municipalities and electoral areas through the grants-in-aid process. Currently, the criteria for grants-in-aid only provides funding for such things as pilot projects, capital equipment, training, and other expenses such as the creation of pamphlets. The Oceanside Film Society is requesting \$10,000 to aid in the promotion of film making in the area and the relocation of the Society's office. As noted, the criteria does provide for consideration of requests for such things as pamphlets if that is how the Society would promote film making in the area. The Grants-in-Aid Committee would need a more detailed description on the types of costs required to relocate the office to decide whether or not they met the criteria.

Other Option.

This type of request for financial assistance to market the area to film makers would seem to fall naturally under an Economic Development function. The Regional District of Nanaimo does not currently have an Economic Development function. The function was revoked 1985. The establishment of an Economic Development function may be considered by the Board, however, consideration to establish this function was given in the recent Regional Services Review and economic development was not an identified strategic priority of the Board.

Financial support to the Nanaimo and Oceanside Film Societies has been offered by the City of Nanaimo and the City of Parksville in the following amounts:

City of Nanaimo	\$ 80,000
City of Parksville	\$ 10,000

The Oceanside Film Society also advised that they will be approaching the Town of Qualicum Beach to request funding.

ALTERNATIVES

1. That the Board pursue the establishment of an economic development function to accommodate the financial requests from the Nanaimo/Oceanside Film Society.
2. That the Board not consider the financial requests from the Nanaimo/Oceanside Film Society at this time.
3. That the Board refer the Oceanside Film Society to the Grant's-in-Aid Committee.

FINANCIAL IMPLICATIONS

Alternative No. 1

The first alternative is for the Board to create an economic development function to raise funds for the Nanaimo/Oceanside Film Society. The Board would have to determine whether this was ongoing funding or for a one year period only. If the District were to look at assessing an amount of \$60,000 to Electoral Areas E, F, G & H for the economic development film society requests, the amount would be \$.018 per \$1,000 of assessment (\$1.80 on a \$100,000 home). With respect to the second part of the resolution, there is no practical mechanism that would permit the collection of 3% of the revenue from the benefiting businesses to be contributed to the film commissions except through voluntary agreements.

Alternative No. 2

There would be no cost implications for this alternative.

Alternative No. 3.

The third alternative is for the Board to refer the Oceanside Film Society's request to the Grants-in-Aid Committee. The Committee would consider the application as part of the process in reviewing all grant-in-aid applications and would apply the criteria in the same manner.

CONCLUSIONS


The Nanaimo Film Society and the Oceanside Film Society have requested financial support totalling \$60,000 to market the area to film makers and to assist in the relocation of the Oceanside Film Society's office.

The establishment of an Economic Development function was considered in the last two service reviews, including the 2004 review, and was not supported by the Board. The opportunity exists for specific project funding under grants-in-aid in District 69.


With respect to support from benefiting business, there is no mechanism for the District to collect such a contribution under current legislation. The Film Societies would have to establish agreements with specific business to realize this financial support.

RECOMMENDATION

That the report on the financial support request from the Nanaimo/Oceanside Film Societies be received for information.



Report Writer



CAO Concurrence



REGIONAL DISTRICT OF NANAIMO	
MAR 15 2005	
CHAIR	GMCrs
	GMCrs
CAO	GMDS
	GMDS
	IGMS

TO: K. Daniels
Chief Administrative Officer

DATE: March 14, 2005

FROM: N. Avery
Manager, Financial Services

FILE:

SUBJECT: A Bylaw to Create a Service to Collect a 2% Hotel Room Tax.

PURPOSE:

To introduce for first three readings:

“Regional District of Nanaimo Hotel Room Tax Collection Service Establishing Bylaw No. 1429, 2005”.
“Regional District of Nanaimo Additional Hotel room Tax Levy Bylaw No. 1430, 2005”.

BACKGROUND:

At its meeting held March 8th, the Committee of the Whole recommended creating a service to collect a 2% hotel room tax in Electoral Areas ‘E’, ‘F’, ‘G’ and ‘H’. The attached bylaws will begin the process of establishing the service. The service establishing bylaw will be approved under the alternative approval process. For this purpose the number of electors in Electoral Areas ‘F’, ‘G’ and ‘H’ has been established from the previous local government election voters list, while the number of electors for Electoral Area ‘E’ is more recent as a result of the anticipation of a byelection. The total number of electors is established as 14,569. If more than 10% or 1,457 electors submit objections to this bylaw then the bylaw may only be adopted by way of a referendum.

The second bylaw will request the Province to make a regulation providing for the additional levy which can be adopted without further assents or approvals.

ALTERNATIVES:

1. Introduce the bylaws for first three readings.
2. Decline to proceed at this time.

FINANCIAL IMPLICATIONS

As earlier reported, there are no financial implications to property owners under this service and the alternative approval process is an appropriate mechanism to implement the Board's direction. Concurrently with the bylaw process the Oceanside Tourism Association will be required to complete all of the applicable application requirements and to enter into an agreement to account for the funds to be collected.

SUMMARY/CONCLUSIONS:


Staff are bringing forward Bylaw No. 1429 to establish a service to collect a 2% hotel room tax in Electoral Areas 'E', 'F', 'G' and 'H' and Bylaw No. 1430 to request the Province to make a regulation to provide for the additional levy. The establishing bylaw will require elector approval – which will be accomplished under the alternative approval process provided for in the *Local Government Act*. The number of electors for this purpose has been established as 14,569. If 10% or more of the electors object to this bylaw, the service may only be established by referendum. This service does not impose new property taxes on existing property owners and no objections to establishing the service are expected.

The regulatory bylaw may be adopted without further assents and approvals once the service is established.

RECOMMENDATION:

1. That voter assent by alternative approval process be used for the purpose of establishing a service to collect a 2% hotel room tax and that the number of electors be established at 14,569.
2. That the elector response form as attached be approved.
3. That "Regional District of Nanaimo Hotel Room Tax Collection Service Establishing Bylaw No. 1429, 2005" be introduced for first three readings and be forwarded for approval to the Ministry of Community, Aboriginal, and Women's Services.
4. That "Regional District of Nanaimo Additional Hotel Room Tax Levy Bylaw No. 1430, 2005" be introduced for first three readings and be held for adoption until consent of the electors has been obtained.


Report Writer


C.A.O. Concurrence

COMMENTS:



BYLAW NO. 1429

A bylaw to establish a service to implement the collection of a 2% hotel room tax within Electoral Areas E, F, G and H for the purposes of external destination tourism marketing.

ELECTOR RESPONSE FORM

I hereby declare the following:

- ◆ I am a Canadian citizen;
- ◆ I am an individual who is, or will be on general voting day, age 18 or older;
- ◆ I have been a resident of British Columbia for at least the past six months;
- ◆ I have been a property owner/resident of property within Electoral Area 'E', 'F', 'G' or 'H' for at least the past 30 days;
- ◆ I am not disqualified by the *Local Government Act*, or any other enactment from voting in an election or am not otherwise disqualified by law.

I, being a person entitled to be registered as an elector within Electoral Area 'E', 'F', 'G' or 'H' of the Regional District of Nanaimo hereby object to the approval of "Regional District of Nanaimo Hotel Room Tax Collection Service Establishing Bylaw No.1429, 2005".

NAME OF ELECTOR: _____
..... (Please Print Full Name)

ELECTOR'S STREET ADDRESS: _____

ELECTORAL AREA: _____

SIGNATURE OF ELECTOR: _____

NOTE: This elector response form must be returned to the Regional District of Nanaimo, 6300 Hammond Bay Road, Nanaimo, BC, V9T 6N2 on or before **TBA**.

Office hours are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding statutory holidays.

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1429

A BYLAW TO ESTABLISH A SERVICE TO COLLECT A HOTEL ROOM TAX

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

AND WHEREAS the Board of the Regional District of Nanaimo wishes to establish a service to collect a 2% hotel room tax to provide assistance to the Oceanside Tourism Association for the purpose of external destination marketing for the promotion of tourism in School District 69;

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

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

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

1. **CITATION**

This bylaw may be cited for all purposes as the "Regional District of Nanaimo Hotel Room Tax Collection Service Establishing Bylaw No. 1429, 2005".

2. **SERVICE**

The service established by this bylaw is the collection of a 2% hotel room tax to provide assistance to the Oceanside Tourism Association for the purpose of external destination for the promotion of tourism in School District 69. (the "Service").

3. **BOUNDARIES**

The boundaries of the Service Area are the boundaries of Electoral Areas 'E', 'F', 'G' and 'H' (the "Service Area").

4. **PARTICIPATING AREAS**

The "Participating Areas" are Electoral Areas 'E', 'F', 'G' and 'H'.

5. **COST RECOVERY**

As provided in Section 803 of the *Local Government Act*, the annual cost of providing the Service shall be recovered by one or more of the following:

- (a) revenues raised by other means authorized by the *Local Government Act* or another Act;
- (b) revenues raised by way of agreement, enterprises, gift, grant or otherwise.

6. **MAXIMUM REQUISITION**

In accordance with Section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned for the Service is the greater of:

- (a) Nil; or;
- (b) the product obtained by applying a rate of \$0.00 per \$1,000 of net taxable value for land and improvements in the Service Area.

7. **APPORTIONMENT**

The net requisition after applying all other sources of revenues shall be apportioned among the Participating Areas on the basis of the proportion of each Participating Area's converted net taxable values for land and improvements.

Introduced and read three times this ____ day of _____, 2005.

Received the approval of the Inspector of Municipalities this ____ day of _____, 2005.

Received the approval of the Electors of Electoral Areas 'E', 'F', 'G' and 'H' by the alternative approval process this ____ day of _____, 2005.

Adopted this ____ day of _____, 2005.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1430

A BYLAW TO REQUEST THE IMPOSITION OF AN ADDITIONAL
ACCOMMODATION TAX UNDER THE PROVISION
OF THE HOTEL ROOM TAX ACT

WHEREAS, the Regional District has by "Regional District of Nanaimo Hotel Room Tax Collection Service Establishing Bylaw No. 1429, 2005" established its authority to collect an additional hotel room tax;

AND WHEREAS under Section 43 of the *Hotel Room Tax Act*, Chapter 207, R.S.B.S. 1996 a regional district may request, by bylaw, that the Lieutenant Governor in Council make a regulation providing for an additional tax levy, not exceeding two percent on sales of accommodation within the Regional District;

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

1. CITATION

This bylaw may be cited for all purposes as the "Regional District of Nanaimo Additional Hotel Room Tax Levy Bylaw No. 1430, 2005".

2. The Lieutenant Governor in Council is hereby requested to make a regulation under Section 43(2)(e) of the *Hotel Room Tax Act* declaring that Section 2.1 of the said Act applies in respect to accommodation purchased within the boundaries of Electoral Areas 'E', 'F', 'G' and 'H'.
3. The tax to be imposed under the provisions of the regulation is requested to be two percent of the purchase price of the accommodation.
4. The funds paid to the Regional District of Nanaimo under the provisions of the regulation shall be applied exclusively to external destination marketing for the purpose of tourism promotion.
5. The Regional District of Nanaimo shall contract with the Oceanside Tourism Association to undertake all aspects of the aforementioned external destination marketing.

Introduced and read three times this ____ day of _____, 2005.

Adopted this ____ day of _____, 2005.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES



REGIONAL DISTRICT OF NANAIMO	
MAR. 11 2005	
CHAIR	GMCrs
	GMCrs
CAO	GMDS
	GMES
<i>Boards</i>	

MEMORANDUM

TO: Tom Osborne
Manager of Recreation and Parks

DATE: March 11, 2005

FROM: Joan Michel
Parks and Trails Coordinator

FILE: 6140-01-H17

SUBJECT: Oakdowne Road Community Park Adjunct
Electoral Area 'H'

PURPOSE

To seek Board acceptance of Land and Water BC's offer of a Statutory Right of Way and Section 219 Covenant in favour of the RDN for the purpose of creating and maintaining a trail network within the southern portion of Lot 44, Plan 1884, DL 89, Newcastle District.

BACKGROUND

The RDN's 10-year Licence of Occupation with the Province for Oakdowne Road Community Park in Electoral Area 'H' expired in early 2004. In February 2005, the Province announced that it would retain the old park property (Remainder Lot 37 and Lot 38) in addition to three nearby parcels (Lots 39, 45 and 46) and make them all available to the RDN for public park and trail use. While still being placed on the market, the southern portion of Lot 44 would also be made available to the RDN for community trail purpose by way of a statutory right of way. A section 219 Covenant on this southern portion would ensure that the landscape is not altered by a private owner. Map 1 shows the parcels to be sold and covenanted by the Province and those to be retained and managed by the RDN as Electoral 'H' Community Park.

The RDN has now renewed its 10-year licence of occupation for the original Oakdowne Road Community Park (Remainder Lot 37 and Lot 38) and is in the process of concluding another licence on nearby Lots 39, 45 and 46. In the meantime, Land and Water BC (LWBC) has drawn up a Statutory Right of Way agreement and Section 219 Covenant for the southern portion of Lot 44, one of the parcels to be marketed. The right of way provides the RDN with full access to develop and maintain a park trail network including signs, bridges, benches and other improvements, as the RDN deems necessary. No other parties will have the right to erect any buildings or improvements on the land and the Section 219 Covenant will ensure that no other party but the RDN has the right to disturb or remove vegetation. Trail planning for the southern portion of Lot 44 will take place in conjunction with that for the remainder of the licensed lands forming the greater Oakdowne Road Community Park.

ALTERNATIVES

1. To accept Land and Water BC's offer of a Statutory Right of Way and Section 219 Covenant in favour of the RDN for the purpose of creating and maintaining park trail network within the southern portion of Lot 44, Plan 1884, DL 89, Newcastle District.
2. To not accept the offer and to provide alternative direction to staff.

FINANCIAL IMPLICATIONS

The southern portion of Lot 44 will managed under the Electoral Area 'H' Community Parks Function. Financial implications will be in relation to trail development and other passive park infrastructure that will be in coordinated and prioritized in conjunction with the other Oakdowne Park parcels.

The Province requires no payment of funds for the Statutory Right of Way and section 219 Covenant.

COMMUNITY IMPLICATIONS

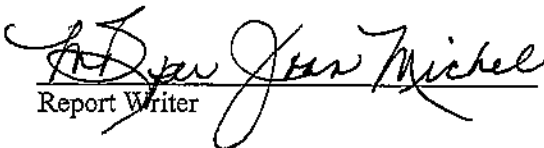
The Statutory Right of Way and section 219 Covenant on the southern portion of Lot 44 will provide the community with strong environmental protection for one of the crown parcels in the area containing wetland.


SUMMARY

After Land and Water BC indicated to the Regional District that they were proposing to market a number of Crown parcels in the Oakdowne area of Electoral Area 'H' in early 2004, including the former Oakdowne Road Community Park, the Province announced in February 2005 that it would instead retain half of the parcels for park and trail use by the RDN. Oakdowne Road Community Park (Remainder Lot 37 and Lot 38) has already been returned to the RDN through a licence of occupation and arrangements are underway for another licence of occupation regarding Lots 39, 45 and 46. Lastly, the Crown has offered the RDN a Statutory Right of Way and Section 219 Covenant over the southern portion of Lot 44. While the lot will be marketed, the right of way and covenant offers the RDN the ability to manage and protect the important wetland area at the south end of this property.

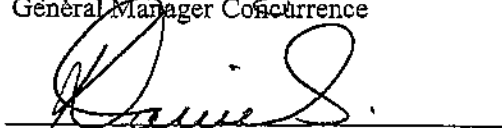
RECOMMENDATION

That Land and Water BC's offer of a Statutory Right of Way and section 219 Covenant, both in favour of the RDN, over the southern portion of Lot 44, Plan 1884, DL 89, Newcastle District, be accepted.

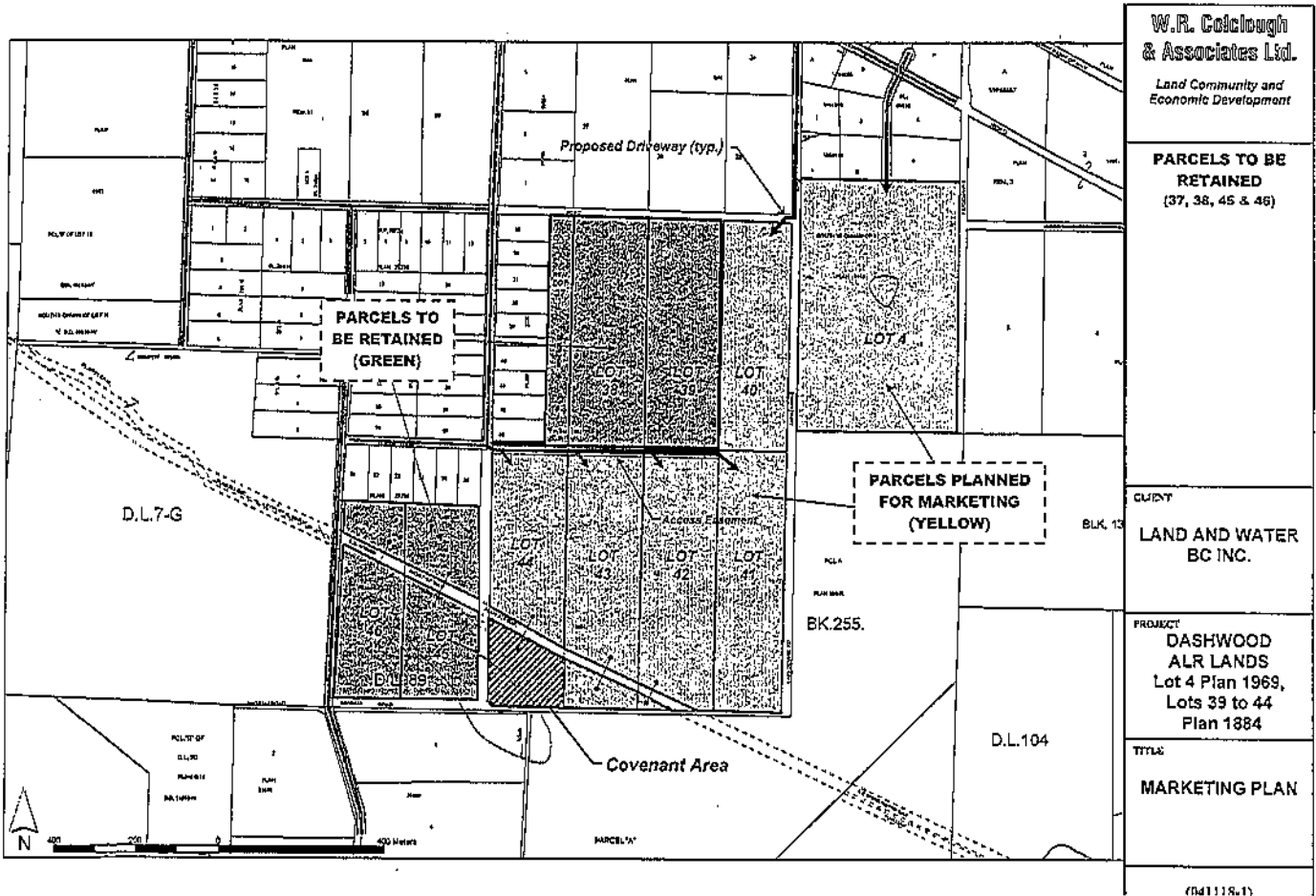

Report Writer


Manager Concurrence


General Manager Concurrence


CAO Concurrence

Map No. 1





REGIONAL DISTRICT OF NANAIMO	
MAR 15 2005	
CHAIR	GMCMS
	GMCMS
CAO	GMDS
	GMES
[Signature]	

MEMORANDUM

TO: Neil Connelly
General Manager, Community Services

DATE: March 11, 2005

FROM: Christina Thomas
Senior Planner, Community Services

FILE: 6780 30

SUBJECT: URBAN CONTAINMENT BOUNDARY CHANGE REQUESTS – CITY OF NANAIMO

PURPOSE

To consider the City of Nanaimo request to include two areas of land inside the Urban Containment Boundary.

BACKGROUND

On February 28, 2005, the Regional District of Nanaimo received a request from the City of Nanaimo to include two areas of land inside the Urban Containment Boundary (UCB). The City provided a comprehensive report on the proposals and the rationale for the changes relative to the criteria outlined in the Urban Containment and Fringe Area Management Implementation Agreement (UCFAMIA). Both proposals were subsequently reviewed by the members of the Intergovernmental Advisory Committee at their meeting on March 10, 2005, which undertook its own review pursuant to the Agreement.

City of Nanaimo Urban Containment Boundary Change Proposal

The following summarizes the UCB changes the City of Nanaimo is requesting:

Biggs Road Property (Appendix A)

The City of Nanaimo wishes to include inside the UCB a 12.27 acre portion of the 49.96 acre property located at 3950 Biggs Road. The property at these addresses is legally described as Lot A, Section 1, Range 3, Wellington District, Plan 41427, except Part in Plan VIP 62901.

Thirty-three point sixty-six (33.66) acres of the subject property are already inside the UCB, and the remaining 16.3 acres are outside the UCB. Of the 16.3 acres that are outside the UCB, 12.27 acres are not in the Agriculture Land Reserve (ALR), and 4.03 acres are in the ALR. The 12.27 portion that is outside the ALR is the subject of this application. The 4.03 acre portion that is in the ALR is the subject of another application for which the City has not yet asked the RDN to include inside the UCB.

The thirty-three-point sixty-six (33.66) acres of the subject property that is inside the UCB is zoned RM8 (Mobile Home Park) as is the 12.27 acre portion that the City would like included inside the UCB. This zoning has been in place since before the adoption of the City's OCP. The City intended to include all portions of the subject property within their RM8 (Mobile Home Park) zoning designation inside the UCB at the time of adoption of the City of Nanaimo OCP, but inadvertently did not include the 12.27 acre

portion of the property that is the subject of this request. Consequently, the City requests that the UCB be amended to include the subject 12.27 acre portion of the property for the purpose of correcting a mapping error. The proposed UCB change will better reflect the actual permitted use of the subject property pursuant to the zoning bylaw.

The 12.27 acre portion of the property that is the subject of this request is designated by the Regional Growth Strategy as Resource Lands and Open Space. It is understood that that City would likely intend that this land use designation be changed to Urban Area (which is the same designation as the portion of the property that is already inside the UCB) as a part of the next Regional Growth Strategy Review, to correspond with the urban use presently permitted on the land.

Arbot and Mill Roads Property (Appendix B)

The City of Nanaimo wishes to include inside the UCB a 1.7 acre portion of 2.5 acre property located at 2360-2364 Arbot Road and 2365 Mill Road. The property at these addresses is legally described as Section 11, Range 6, Mountain District, Except that Part in Plans 3425, 6954, 18920 and 27954.

Zero point eight (0.8) acres of the subject property is already inside the UCB, and the remaining 1.7 acres are outside the UCB.

The 0.8 acre portion of the subject property that is inside the UCB is zoned RM1 (Residential Duplex) and the portion that the City would like to include inside the UCB is zoned A2 (Rural Agricultural/Residential). The A2 zoning is intended for large lot (minimum parcel size of 2 hectares) rural agricultural and residential uses and “provides for residential uses on large lots without urban services and includes the preservation of land for possible future development”. The A2 zoned portion is less than the minimum 2 hectare parcel size, has urban services, and is not used for agricultural or resource purposes. The proposed UCB change is intended to rationalize the existing development of the subject portion of the property and recognize it as more akin to the surrounding suburban residential development than as a rural or agricultural area.

The 1.7 acre portion of the property that is the subject of this request is designated by the Regional Growth Strategy as Resource Lands and Open Space. It is understood that the City would likely intend that this land use designation be changed to Urban Area (which is the same designation of the remainder of the property) as a part of the next Regional Growth Strategy Review, to correspond with the urban use supported on the land.

Policy Applicable to Urban Containment Boundary Changes

The Regional Growth Strategy (RGS) establishes regional policy direction regarding changes to the UCB. Policy 1C of the RGS states,

The RDN and member municipalities agree that Urban Containment Boundaries (UCBs) should only be amended every five years in conjunction with a review of the regional growth strategy, or at an interval specified in an official community plan. The RDN and member municipalities agree that all UCB changes should be considered according to the process and criteria of the Urban Containment and Fringe Area Management Implementation Agreement.

The Urban Containment and Fringe Area Management Implementation Agreement (UCFAMIA) specifies that UCB changes are to satisfy the following five criteria:

1. is required to meet documented community needs which cannot be met on other lands inside the UCB;

2. can be serviced in a cost effective manner with reference to plans to capital programs for municipal and regional district provided services;
3. is not in the ALR or FLR;
4. will not lead to adverse changes to the health and ongoing viability of sensitive ecosystems, and will be subject to conditions to ensure this; and
5. will not lead to adverse changes to the resource productivity of adjacent lands and will be subject to conditions to ensure this.

The UCFAMIA also establishes the process for changing UCBs. It specifies that:

1. UCB changes will only be considered at periodic review intervals specified in the RGS and municipal official community plans (OCPs), and will require amendment of both the RGS and OCP provisions regarding applicable urban containment policies and UCBs;
2. UCB changes will be supported with information, impact assessments and impact management conditions which address the above criteria;
3. UCB changes will be subject to a technical review and recommendations by a sub-committee formed of the Intergovernmental Advisory Committee (IAC);
4. UCB changes, if approved, and where advised by the responsible government agencies, will be subject to conditions to protect ongoing resource production and environmental quality.

Intergovernmental Advisory Committee Review

The IAC considered the UCB amendment proposals at its March 10, 2005 meeting, and supported both changes (Alternative No. 1). A full analysis of the requested changes pursuant to the criteria in the Agreement was undertaken (see Appendix C). The IAC agreed that the criteria in the Agreement were adequately addressed by the City and that the two changes would not compromise the goals at the Regional Growth Strategy.

Should the Board approve the requested UCB amendments, the RDN would amend the RGS to reflect the Board approved UCB amendments as a part of the next scheduled RGS Review, and the City would be able to amend its OCP bylaw to effect the proposed changes in advance of the RGS Review. The City of Nanaimo Council is scheduled to consider first and second reading of the OCP Bylaw on April 4, 2005. At the next scheduled RGS Review, the RGS land use designation of the subject areas of land would also be changed from Resource Lands and Open Space to Urban Area.

ALTERNATIVES

1. That the Board support the City of Nanaimo request to move the UCB to include the identified portions of the Biggs Road property and support the City of Nanaimo request to move the UCB to include the identified portions of the Arbot & Mill Roads property.
2. That the Board support the City of Nanaimo request to move the UCB to include the identified portion of the Biggs Road property and not support the City of Nanaimo request to move the UCB to include the identified portion of the Arbot & Mill Roads property.
3. That the Board not support the City of Nanaimo request to move the UCB to include the identified portion of the Biggs Road property and support the City of Nanaimo request to move the UCB to include the identified portion of the Arbot & Mill Roads property.
4. That the Board not support the City of Nanaimo request to move the UCB to include the identified portions of the Biggs Road property and not support the City of Nanaimo request to move the UCB to include the identified portions of the Arbot & Mill Roads property.

FINANCIAL IMPLICATIONS

There are no financial implications. The review of the proposed UCB changes by the Intergovernmental Advisory Committee and RDN staff is included under the Regional Growth Management Services 2005 budget.

SUMMARY

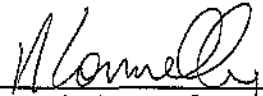
The City of Nanaimo has requested Regional District of Nanaimo Board support for its proposal to include two areas of land inside the Urban Containment Boundary (UCB) pursuant to the Urban Containment and Fringe Area Management Implementation Agreement (UCFAMIA). The request, which included full documentation and supporting rationale based on the requirements of the Agreement, was reviewed by the Intergovernmental Advisory Committee at their meeting on March 10, 2005. Both UCB change proposals satisfy the criteria for changes specified in the UCFAMIA, and it was recommended by the IAC that the Board support the City of Nanaimo request.

RECOMMENDATION

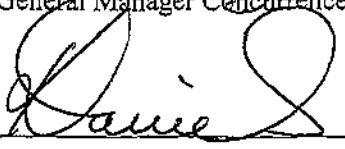
That the City of Nanaimo's request to move the UCB to include the identified portions of the Biggs Road property and to include the identified portions of the Arbot & Mill Roads property, be supported.



Report Writer



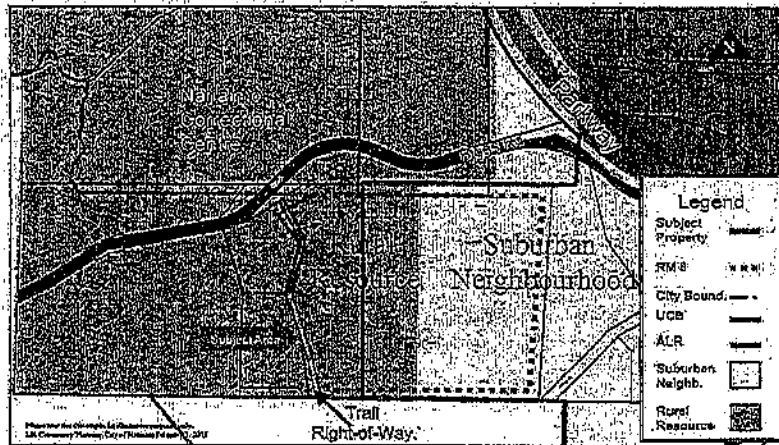
General Manager Concurrence



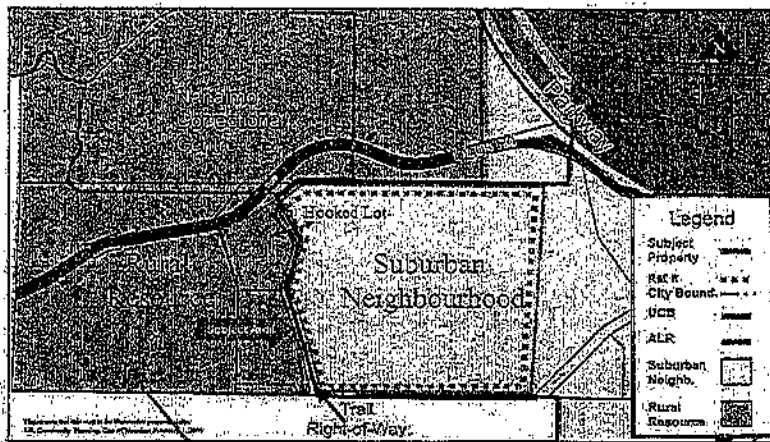
CAO Concurrence

Appendix A

3950 Biggs Rd – Housekeeping Amendment



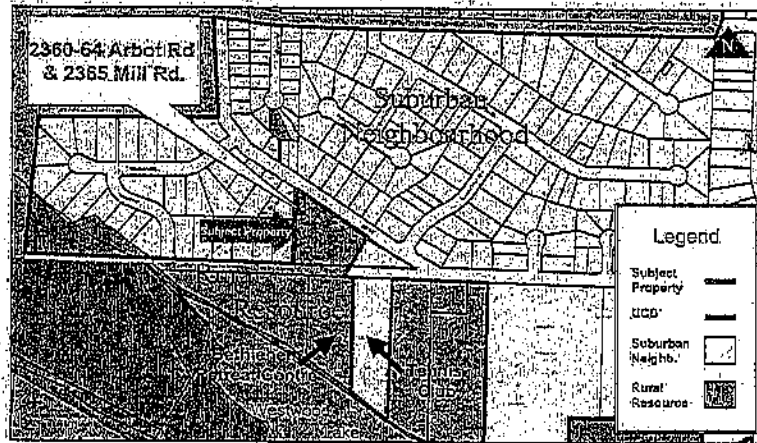
Existing Situation.



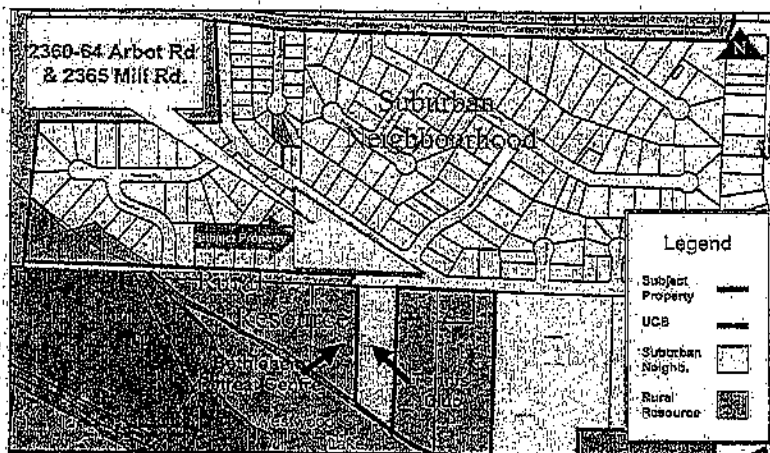
Proposed Amendments

Appendix B

2360-2364 Arbot Rd. & 2365 Mill Rd. - OCP 00019



Existing Situation



Proposed Amendments

Appendix C

URBAN CONTAINMENT AND FRINGE AREA MANAGEMENT IMPLEMENTATION AGREEMENT IMPLICATIONS

The following provides an analysis of the requested UCB changes pursuant to the criteria for UCB changes agreed to in the Urban Containment and Fringe Area Management Implementation Agreement (UCFAMIA).

Biggs Road Property

UCFAMIA Criteria	City of Nanaimo Assessment	Recommended IAC Assessment
1. is required to meet documented community needs which cannot be met on other lands inside the UCB	The change will correct a mapping error. The City intended that all portions of the subject property where a mobile home park is a permitted use to be included inside the UCB when it first designated the UCB as a part of the development of its OCP in 1996.	Concur with City of Nanaimo assessment.
2. can be serviced in a cost effective manner with reference to plans to capital programs for municipal and regional district provided services	Future development on the subject area can be serviced in a “cost effective manner” with services through the existing modular home development. Future subdivision and development of the subject area could be supported without any upgrades to municipal sewer and water systems.	Concur with City of Nanaimo assessment.
3. is not in the ALR or FLR	The subject area is not in the ALR.	Concur with City of Nanaimo assessment.
4. will not lead to adverse changes to the health and ongoing viability of sensitive ecosystems, and will be subject to conditions to ensure this	There are no ESAs on the subject property or directly adjacent lands. The nearest ESAs are located along the shoreline of Brannen Lake and are currently protected by riparian setback limits. The proposed amendment will not lead to any adverse changes to sensitive ecosystems.	Concur with City of Nanaimo assessment.
5. will not lead to adverse changes in resource productivity of adjacent lands and will be subject to conditions to ensure this	The subject property is not being used for resource extraction and there are presently no resource lands adjacent to the subject property. Given the aforementioned, the proposed amendment will not have any negative impact on the resource productivity of adjacent lands.	Concur with City of Nanaimo assessment.

Arbot and Mill Roads Property

UCFAMIA Criteria	City of Nanaimo Assessment	Recommended IAC Assessment
1. is required to meet documented community needs which cannot be met on other lands inside the UCB	The change is reasonable given the geographical context (surrounding land uses, environmental, community viability, etc.) and impacts on the broader vision and goals of the RGS and OCP. The change will demonstrate a commitment to the flexibility envisioned by the implementation agreement while having no effect on the overall integrity of the UCB.	Concur with City of Nanaimo assessment.
2. can be serviced in a cost effective manner with reference to plans to capital programs for municipal and regional district provided services	Future development on the subject area can easily be serviced in a “cost effective manner” given that the subject property is in a fully serviced neighbourhood and both the mobile home on the northwesterly portion and the duplex on the remainder are already fully serviced. Future subdivision and development of this lot could be supported without any upgrades to sewer or water systems. The neighbourhood is serviced by two regular bus routes connecting Malaspina University-College, NDSS, the Nanaimo Aquatic Centre, Harewood Plaza and the downtown bus exchange. The lot is within walking distance to recreational opportunities at Westwood Lake (swimming, hiking, etc.) and is also close to a private tennis club and church.	Concur with City of Nanaimo assessment.
3. is not in the ALR or FLR	The subject area is not in the ALR, nor is it adjacent to lands in the ALR.	Concur with City of Nanaimo assessment.
4. will not lead to adverse changes to the health and ongoing viability of sensitive ecosystems, and will be subject to conditions to ensure this	There are no ESAs present on the subject property or directly adjacent lands. The subject property is currently occupied by a mobile home surrounded by low scrub type vegetation. The nearest ESAs are located along the shoreline of Westwood Lake and are currently protected by riparian limits. The proposed amendment will not lead to any adverse changes to sensitive ecosystems. In the event that further development of the site occurs (subject to rezoning, and subdivision development approval) any potentially adverse environmental impacts can be mitigated through mechanisms like storm water management agreements etc.	Concur with City of Nanaimo assessment.

UCFAMIA Criteria	City of Nanaimo Assessment	Recommended IAC Assessment
5. will not lead to adverse changes in resource productivity of adjacent lands and will be subject to conditions to ensure this	The subject property is not being used for resource purposes and there are no resource lands adjacent to the subject property. Given the aforementioned, the proposed amendment will not have any impact on the resource productivity of adjacent lands. Practicing agriculture in the subject area would likely create a conflict with the surrounding suburban land uses.	Concur with City of Nanaimo assessment.

General

From a regional perspective, it is difficult to argue that more land is required inside the UCB. Currently, there is approximately 10,400 hectares of land inside the UCB, and the Land Inventory Analysis conducted as a part of the last Regional Growth Strategy Review confirmed that there is more than enough land inside the UCB to accommodate residential development for the population projected for the region for the next 25 years. Documented community need may also arise from other aspects, such as connectivity between parcels, geographical or physical constraints, access restrictions or connections, serviceability, etc. In the case of both of the subject areas of land, the City has identified a need to move the UCB to address a historical mapping error (in the case of the Biggs Road property) and a need to move the UCB to address a mismatch between character of an existing development and applicable land use policy. In any event, it is unlikely that the inclusion of the subject property portions inside the UCB will result in a higher level of development on the lands beyond that accounted for in the Land Inventory Analysis because the greater of present level of development and current zoning of the land was taken into account in the assessment of land development capacities in that report.



REGIONAL DISTRICT OF NANAIMO	
MAR 16 2005	
CHAIR	GMCMS
	GMCRS
CAO	GMDS
	GMES
<i>See</i>	

MEMORANDUM

TO: Robert Lapham,
General Manager of Development Services

DATE: March 16, 2005

FROM: Wayne Moorman, P.Eng.
Manager of Engineering

FILE: 3360-30-0506

SUBJECT: Proposed Amendment to RDN Fees and Charges Bylaw No. 1259, 2002

PURPOSE

To consider establishing fees and charges for "engineering reviews, approvals and administration" as part of the development approval process and to consider amending "Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002" accordingly.

BACKGROUND

Fees and charges for the feasibility review of sewer and water extensions or for approving, inspecting and administering the design and construction of sewer and water infrastructure within RDN community sewer and water service areas are currently not charged as part of the subdivision or development approval process. Considerable time can be and is expended on the necessary engineering reviews/administration and at times this requires the assistance of outside consultants. To date, the cost of this review has been borne by the operating budget of the sewer and water local service areas and has been entirely paid for by the parcel taxes and user fees associated with the local service area. The developer incurs the cost of designing the works and services and providing the necessary assurances the works have been designed and constructed to RDN standards. However, the RDN reviews and inspects the information and construction to ensure the end product is acceptable from a design and installation perspective (this can be compared to the building inspection process of plan review, construction inspections and project sign off). At the end of the project, the Engineering Department prepares and completes the infrastructure transfer and maintenance agreements and completes the one year maintenance period. In staff's opinion, to be more equitable, the time and expenses to provide these reviews, inspections and administration should be paid for by the developer and not the local service area.

Staff has reviewed the comparable fees and charges within the municipal jurisdictions of our regional district and note that Parksville and Qualicum Beach charge a fee for engineering works and services while the City of Nanaimo does not charge a fee.

Environmental Services has reviewed our situation and we have discussed the ability to charge fees for engineering services with our lawyer. A review of the current legislation permits the Regional District under section 931(1) of the Local Government Act to impose fees and charges for these services. Further discussion with the District's solicitor and a review of Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002 has indicated that it would be appropriate to amend this bylaw to recover these expenses.

ALTERNATIVES

1. To approve the proposed amendments to Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002.
2. To not approve the proposed amendments to Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002.

FINANCIAL IMPLICATIONS

As part of the review of projects, staff has attempted to advance a user pay philosophy while staying within the statutory authority to recover the average costs of checking, approving, inspecting and administering these projects. As noted earlier, the current practice for the RDN is to subsidize the cost of these services through current operating budgets with no financial support from the land developer. The development proposal including new works and services generates the need for a staff review and approval but currently does not pay the costs of staff time or expenses needed to ensure the project meets RDN standards. Any fees recovered from the project would reduce the cost to the existing local service areas and moves toward a more complete user pay system.

On a typical project, staff must initially spend time reviewing the feasibility of the project with the developer and their consultant. Upon completion of the feasibility review the developer/consultant moves the project along to design and preparation of specification (assuming the project proceeds beyond the feasibility stage); again this process requires input and review by the RDN. Once the RDN is satisfied with the final design/specifications the project moves into the construction phase and staff are again involved with the process (inspections/questions/problems encountered). After the construction is complete we then proceed to the project wrap up and the final inspections, the preparation of the transfer and maintenance agreements, determination of final DCC charges, rectification of deficiencies and the one year maintenance period. Naturally the time and effort for this work is dependent on the size of the project and its complexity.

Other Jurisdictions

As part of the review, staff examined the fee structure for the Cities of Nanaimo and Parksville and the Town of Qualicum Beach. It is noted that the City of Nanaimo does not charge fees and services related to and for services provided by the Engineering Department. It is understood that the Engineering Department, on matters related to land development, is subsidized through Development Services.

On the matter of fees and charges for the City of Parksville and the Town of Qualicum Beach, these jurisdictions do charge a fee for services related to construction services only. The fees imposed by these two municipalities are based on a percentage of construction cost and they are both based on a sliding scale. Table 1 outlines the fee structure for these communities and the proposed fee structure for the Regional District.

Table 1

City of Parksville, Bylaw 1304, Works and Services Fee		
construction <	\$100,000	3.0% of value
on remaining \$100,001 to \$400,000		2.5% of value
on remaining \$400,001 to \$750,000		2.0% of value
on the remaining >	\$750,000	1.5% of value
Town of Qualicum Beach, Bylaw 545, Works and Services Admin and Inspection Fee		
construction <	\$250,000	2.0% of value
on the remaining >	\$250,000	1.5% of value
Regional District of Nanaimo (proposed fees)		
application fee (feasibility analysis)		\$250 first lot & \$25 per additional lot
construction <	\$62,500	min. charge \$2,500
construction >	\$62,500 but < \$100,000	4.0% of value
on remaining \$100,001 to	\$400,000	3.5% of value
on remaining \$400,001 to	\$750,000	3.0% of value
on the remaining >	\$750,000	2.5% of value

COMMUNITY IMPLICATIONS

Introducing fees and charges for environmental services (engineering) will reduce the dependence on recovering costs from the local service areas. The RDN has been considering introducing fees and charges relative to environmental services (engineering) since last year and staff have been noting this change to consultants and to developers over the past few months. The majority of fees generated from this amendment will be in the Nanoose (Area E) and French Creek (Area G) areas where the major development is occurring.

VOTING

Electoral Area Directors –one vote, except Electoral Area ‘B’.

A 2/3 majority vote by all Electoral Area Directors, except Electoral Area ‘B’ is required to give the bylaw 3rd reading and adoption at the same meeting.

SUMMARY

Fees and charges for environmental services (engineering) within the RDN have not existed to date. Staff has reviewed this matter and in discussion with our lawyer has determined that section 931(1) of the Local Government Act permits these charges to occur; further it has been recommended that these fees and charges, if approved, be incorporated in our current Bylaw 1259. Imposition of fees and charges related to engineering will make the developer more financially responsible for costs imposed by his project on the resources of the RDN. The idea is to make the user/benefitter pay for these costs (direct user pay) and to reduce the financial burden on the existing local service areas. The recommended fees as set out in Schedule “A” reflects reasonable charges to check, approve, inspect and administer development projects. Therefore, staff recommends Alternative No. 1 to approve the proposed

amendments to Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002 as set out in Schedule 'A'.

RECOMMENDATIONS

1. That "Regional District of Nanaimo Fees and Charges Bylaw Amendment Bylaw No. 1259.03, 2005" be introduced and read 3 times.
2. That "Regional District of Nanaimo Fees and Charges Bylaw Amendment Bylaw No. 1259.03, 2005" be adopted.



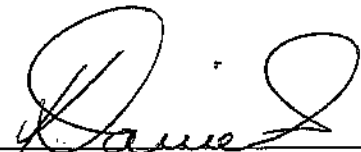
Report Writer



General Manager, Env. Services Concurrence



General Manager, Dev. Services Concurrence



CAO Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1259.03

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO PLANNING SERVICES FEES
AND CHARGES BYLAW NO. 1259, 2002**

WHEREAS the Regional District has authority under section 931(1) of the *Local Government Act* to impose fees and charges in connection with the matters referred to in that section;

NOW, THEREFORE, the Board of the Regional District of Nanaimo, in open meeting assembled, **ENACTS AS FOLLOWS**:

1.0 Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002 is amended as follows by adding the following section 8 to Part 5:

1.1 "8. Development Approval (Environmental Services) Fees

In addition to fees and charges otherwise payable under this Bylaw, an owner shall pay to the Regional District the amounts of the fees and charges set out in Schedule "A", in relation to the following:

(a) to review the feasibility of constructing and/or altering the sewer and water systems for the purpose of extending the infrastructure into the proposed development and as described in Bylaw 500 under Feasibility Review and;

(c) to review plans and specifications for works and services for the purpose of providing "design stage approval" and field inspections of works and services that have been installed by or on behalf of a developer."

1.2 By adding Schedule "A" to this Bylaw as Schedule "A" to the Bylaw.

2.0 This Bylaw may be cited for all purposes as the "Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259.03, 2005".

Introduced and read three times this day of _____, 2005

Adopted this day of _____, 2005

Chair

General Manager of Corporate Services

SCHEDULE "A"

Referred to in Part 5:

s.7.(a):

The owner shall pay at the time of application (feasibility analysis):

- (i) \$250.00 for the first lot plus \$25 for each additional lot

s.7.(b) The greater of:

- (i) \$2,500.00 or
- (ii) a fee which shall be calculated as the total of:
 - 4% of the value of construction for the first \$100,000 of value; and
 - 3.5% of the value of construction for the next \$300,000 of value; and
 - 3% of the value of construction for the next \$350,000.00 of value; and
 - 2.5% on any amount of the construction value in excess of \$750,000;

where the value is the value of the works and services to be installed and based on the Engineer's Certified Project Cost as approved by the RDN's Manager of Engineering Services.

All applicants must also pay the following charges:

- (i) photocopies (8.5 x 11 inch pages): \$0.25 per page
- (ii) engineering standards and specifications: \$75.00
- (iii) cost of engineering plans at actual costs incurred by the Regional District.