

REGIONAL DISTRICT OF NANAIMO

**COMMITTEE OF THE WHOLE
TUESDAY, APRIL 12, 2005
7:00 PM**

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

- 4 **Greg Spears, Vancouver Island Biosphere Centre**, re project update.
- 5 **Carol Roberts**, re Traffic Light at Lee Road Intersection.

MINUTES

- 6-19 Minutes of the regular Committee of the Whole meeting held Tuesday, March 8, 2005.

BUSINESS ARISING FROM THE MINUTES

COMMUNICATION/CORRESPONDENCE

- 20 **F. S. Rockwell, Vancouver Island Health Authority**, re West Nile Virus.

UNFINISHED BUSINESS

COMMUNITY SERVICES

RECREATION & PARKS

- 21-25 Park Proposal for Arrowsmith Massif.
- 26-28 Oakdown Community Park Adjunct II/Trail Network License – Area H.
- 29-83 Nanaimo River Regional Park Management Plan.

REGIONAL GROWTH MANAGEMENT

- 84-90 Regional Context Statement -- City of Nanaimo.

CORPORATE SERVICES

ADMINISTRATION

- 91-92 Signing Authorities for Deputy Administrator.

HOSPITAL

93-96 Nanaimo Regional Hospital District Capital Equipment (2004) Bylaw No. 137.

DEVELOPMENT SERVICES

PLANNING

97-102 Sewerage System Regulations.

ENVIRONMENTAL SERVICES

LIQUID WASTE

103-105 Greater Nanaimo Pollution Control Centre Tunnel Exit and Odour Control Construction Project Tender Award.

SOLID WASTE

106-109 Commercial Food Waste Ban.

110-112 Partners for Climate Protection Program Update.

UTILITIES

113-117 French Creek Sewer Local Service Area Bylaw No. 813.31 and Northern Community Sewer Local Service Area Bylaw No. 889.30 -- H & F Ventures Ltd. -- Lee Road -- Area G.

COMMISSION, ADVISORY & SELECT COMMITTEE

Regional Growth Monitoring Advisory Committee/State of Sustainability Project.

118-119 Minutes from the meeting of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project held March 10, 2005. (for information)

Intergovernmental Advisory Committee.

120-125 Minutes from the meetings of the Intergovernmental Advisory Committee held March 10 and March 31, 2005. (for information)

Area 'A' Parks and Green Spaces Advisory Committee.

126-130 Minutes from the meetings of the Area 'A' Parks and Green Spaces Advisory Committee held November 18, 2004 and January 20, 2005. (for information)

Nanoose Bay Parks and Open Space Advisory Committee.

131-133 Minutes from the meeting of the Nanoose Bay Parks and Open Space Advisory Committee held March 7, 2005. (for information)

District 69 Recreation Commission.

134-136

Minutes from the meeting of the District 69 Recreation Commission held March 17, 2005. (for information)

Verbal Reports As Available:

Arrowsmith Water Service Management Committee

Deep Bay Harbour Authority

Island Corridor Foundation

Mt. Arrowsmith Biosphere Foundation

Municipal Finance Authority

Municipal Insurance Association

North Island 911 Corporation

RDN Emergency Planning Committee

Regional Library Board

Regional Transportation Advisory Committee

Treaty Advisory Committee

Vancouver Island Biosphere Centre

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

BOARD INFORMATION (Separate enclosure on blue paper)

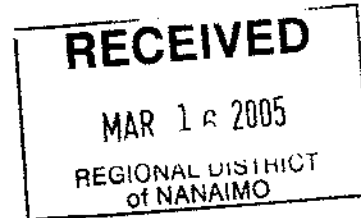
IN CAMERA

ADJOURNMENT

**Vancouver Island Biosphere Centre
"Turning the Dream Into Reality"**

March 15, 2005

Ms. Maureen Pearce
Corporate Services
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2



Dear Ms. Pearce,

I am writing to request placement on the Committee of the Whole agenda at its April 12, 2005 meeting for a presentation by the Vancouver Island Biosphere Centre project. The purpose of the presentation is to provide an update on the project and solicit the RDN's support in our search for a suitable site for it. Mr. Lou Biggemann is a member of the Steering Committee for the project, representing the RDN.

The Vancouver Island Biosphere Centre project is a potential world-class attraction for the region, indeed for all of Vancouver Island. The Phase II Planning Study on the project made recommendations on the project's vision, potential funding, governance structures and economic benefits to the region. It concluded that, "... the economic contributions to the regional economy will be substantial and provide further incentive to continue the current planning process with the development of a business plan."

Once we have identified a regional location for the project, the Steering Committee will be ready to move to Phase III of the project, which is the development of a business plan. The presentation will provide the RDN with its first opportunity to learn more about the project from the Steering Committee and its future direction.

Thank you for your continuing interest.

A handwritten signature in cursive script, appearing to read "Greg Spears".

Greg Spears
Chair, Steering Committee
Vancouver Island Biosphere Centre
1585 Seacrest Road, Nanoose Bay, BC V9P 9B5
Telephone: (250) 468-1663

Pearse, Maureen

From: Joe Stanhope [jstanhope@shaw.ca]

Sent: Wednesday, April 06, 2005 4:36 PM

To: Pearse, Maureen

Subject: Delegation

Maureen, Carol Roberts has requested to appear as a delegation regarding the Lee Road/ Island Highway intersection. Please add her to the agenda. Thanks,
Joe Stanhope

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 "Nanose 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 "Nanose 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 "Nanose 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 "Nanose 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. McKimmon;
- (b) Lot 5, Block 419, Plan 30113, Nanoose Land District, 289 Ailsbrook 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

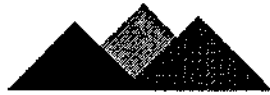
ADJOURNMENT

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

CARRIED

TIME: 8:45 PM

CHAIRPERSON



VANCOUVER ISLAND
health authority

March 29, 2005

Joe Stanhope, Board Chair
 Regional District of Nanaimo
 6300 Hammond Bay Road
 Nanaimo, BC V9T 6N2

REGIONAL DISTRICT OF NANAIMO			
APR - 4 2005			
CH	✓	MCMS	✓
CAO	Ⓚ	GMCrs	
		GMS	
		GMES	
Board Conv.			

Dear Mr. Stanhope:

Over the past five years West Nile Virus (WNV) has spread across North America and has now reached the Alberta-BC border and the state Oregon to the south. WNV is carried by some mosquito species and causes mild to severe illness in humans. Spread into BC is likely to occur in 2005. The Vancouver Island Health Authority will be working with the BC Center for Disease Control to monitor adult mosquitoes and dead birds on Vancouver Island to determine if and when this occurs.

If there is sufficient evidence indicating WNV poses a health risk to Vancouver Island residents, the Medical Health Officer may require local governments to take appropriate action to control vector mosquitoes within their jurisdiction.

In preparation, local governments on Vancouver Island should carry out work that will enable them to implement mosquito control. Preparatory work includes identifying and mapping habitats that act as breeding sites for WNV vector mosquitoes, determining the most appropriate methods for controlling larvae in these sites, and preparing a plan that would enable adult mosquito control to be implemented in the unlikely event that it should become necessary.

The BC Government is providing \$5 million to assist with these activities. Funds will be administered by the Union of BC Municipalities and is available to local governments for WNV prevention planning and possible the treatment of lands in and around their jurisdictions. Further information and an application guide can be found at <http://www.civicnet.bc.ca/siteengine/activepage.asp?PageID=223>

I would urge you to apply for this funding and establish an appropriate integrated approach to managing mosquitoes that may carry WNV. Joint applications and program development between neighbouring local governments, or on a regional basis, are encouraged as they may be more cost-effective.

The Vancouver Island Health Authority will be holding an initial Technical Working Group meeting to specifically address West Nile Virus Planning for 2005 and is inviting local government staff to attend. It will be an opportunity for interested representatives to discuss issues such as roles and responsibilities, UBCM funding, mosquito control, communications, adult mosquito and dead bird surveillance, etc. We hope that a municipal staff representative involved in habitat control, engineering, mosquito abatement, or environmental services would attend. This is not a public forum nor is it intended for elected officials. Rather, the purpose is to develop a staff-level working group to deal with West Nile Virus planning and management.

The meeting will be held on Friday, April 22, 2005 at the Parksville Community and Conference Center, 132 East Jensen Avenue, Parksville, BC from 10:00 AM to 2:00 PM. Lunch will be provided.

Please have the delegate RSVP to (250) 755-6215 by Friday, April 15, 2005. If you have any questions, please call Terry Preston at the same number.

Yours sincerely,

F.S. Rockwell, MD, FRCPC
 Medical Health Officer



REGIONAL DISTRICT OF NANAIMO		
APR 4 2005		
CHAIR		GMCMS
		GMCMS
CAO		GMDS
		GMES
<i>Collie</i>		

MEMORANDUM

TO: Tom Osborne
Manager Recreation and Parks

DATE: March 31, 2005

FROM: Jeff Ainge
Parks Supervisor

FILE: 6240-20 C- ARRO

SUBJECT: Park Proposal for Arrowsmith Massif

PURPOSE

To provide information on a proposal to partner with the Alpine Club of Canada (ACC) and Federation of Mountain Clubs of British Columbia (FMCBC) to approach the BC Government to seek the creation of a wilderness area park for Crown Land Block 1380 (the Arrowsmith Massif).

BACKGROUND

At the January 11, 2005 Committee of the Whole meeting, Mr. Don Cameron spoke as a delegation and provided a visual presentation with respect to the Alpine Club of Canada and the Federation of Mountain Clubs of BC's proposal to obtain Mount Arrowsmith Massif (Block 1380) as a park. Mr. Cameron sought Board support for the RDN to partner with the clubs in this initiative.

The Regional Board then approved the following motion at the January 25, 2005 Regular Board Meeting:

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

Since the presentation to the Committee of the Whole on January 11, staff have been in regular contact with Mr. Cameron and other ACC/FMCBC representatives. In recent weeks the ACC/FMCBC representatives have set up an information website promoting the Arrowsmith Massif park initiative (www.mountarrowsmith.org), met with the Administrator for the Alberni-Clayoquot Regional District, and met with MLAs for Alberni-Qualicum and Nanaimo ridings. The ACC /FMCBC representative have also arranged for presentation to the Alberni-Clayoquot Regional District in March. In addition, they have met with Port Alberni Chamber of Commerce (with a presentation to the full Chamber slated for April), and discussed the issue with Ministry of Water, Land and Air Protection staff responsible for BC Parks planning projects. In terms of media coverage, items have appeared in Nanaimo and Oceanside print media, and a live radio interview occurred on CBC Radio's On the Island morning show. Letters have also been sent to the Minister and senior officials with the Ministry of Water, Land and Air Protection.

Regional District staff has provided mapping support and advice to Mr. Cameron and colleagues as they prepared for the various meetings.

As requested by the Board, Regional District staff has met with the Administrator for the Alberni-Clayoquot Regional District (ACRD) and can provide the following information based on this meeting:

- ACRD owns Lot 1, Block 1324, Cameron District and District Lot 2000 Cameron District making up the Mount Arrowsmith Regional Park, which is actually located on the northern slopes of Mount Cokely. Two ski areas have been developed within the Park, both are in disrepair now.
- ACRD has funding for an environmental assessment in 2005 to determine the procedures and costs to clean up some environmental contamination at each of the ski sites. Clean up, remediation and removal of ski infrastructure will occur over the coming years as funding and resources allow.
- ACRD Administrator does not foresee any further ski hill development at the Park in the near or distant future.
- ACRD Administrator is interested in joining the RDN to promote the ACC/FMCBC Arrowsmith Massif park initiative, and asks that a formal request to participate be made at the Board level.
- No definite plans for development of the ACRD Regional Park have been made, other than the environmental remediation.
- The recreational values of Mount Cokely (the existing ACRD park) and the Arrowsmith Massif (the ACC/FMCBC proposed park) were acknowledged, along with the realisation that they complement each other in providing the setting for a range of recreational pursuits.
- There is no formal interest at this time for the ACRD to request RDN involvement in managing or owning the current ACRD Park, and if the ACC/FMCBC proposal is successful the two parks can be managed separately by discrete agencies by way of coordinated management plans for the benefit of users and environment

ALTERNATIVES

1. To partner with the ACC/FMCBC to approach the BC Government to seek the creation of a wilderness area park for Crown Land Block 1380 (the Arrowsmith Massif).
2. To partner with the ACC/FMCBC and request the participation and support of the Alberni-Clayoquot Regional District to approach the BC Government to seek the creation of a wilderness area park for Crown Land Block 1380 (the Arrowsmith Massif).
3. To receive the report and provide alternative direction.

FINANCIAL IMPLICATIONS

There are no real costs associated with partnering with ACC/FMCBC in approaching the Provincial Government, other than staff time. If successful in obtaining park status for the Massif, there will be costs for managing a large alpine area, as with all parks in the RDN portfolio, however the ACC/FMCBC partners have been very clear in committing to stewardship, volunteerism, and co-funding in the long term.

At this time it is uncertain what steps the Province may require, including financial commitments, to have the land turned into a wilderness area park. Should the Province deem the area to be provincially significant, then it is likely the costs would be borne by the Provincial Government, however they may request management assistance from the Regional District. Should the land be deemed by the Province to be a regionally significant park area, then they may refer the Region to the Free Crown Grant Program that is managed by Land and Water BC.

INTERGOVERNMENTAL IMPLICATIONS

The Mount Arrowsmith Massif is identified in the 2005 – 2015 Regional Parks and Trail Plan as a priority site. The recommended action in the Plan is to partner with ACC/FMCBC in collaboration with ACRD and the Province to establish a park.

The ACC/FMCBC partners have begun approaching MLAs, Ministries and the ACRD seeking support for the park initiative. If the RDN chooses to be a formal partner, additional regional governmental support can be brought to bear through provincial government channels and a degree of “legitimacy” can be added to the ACC/FMCBC work to date. The land (Block 1380, Cameron District) is Provincial Crown land which requires discussions with several Ministries; Sustainable Resource Management, Land and Water BC, and Water, Land and Air Protection.

At the local level, the Alberni-Clayoquot Regional District owns the Mount Arrowsmith Regional Park, located within the RDN (Electoral Area ‘C’) on the slopes of Mount Cokely adjacent to the proposed Massif park area. Inviting the ACRD to lend support and participate in approaching the Provincial government will indicate a wider geographic support base, and lend additional credence to the partnership.

COMMUNITY IMPLICATIONS

Thousands of hikers, climbers, naturalists, backcountry skiers and snow-shoers a year recreate on and around the Arrowsmith Massif, as well as within the ACRD Regional Park. There is widespread support from a range of outdoor clubs, whose combined memberships exceed 10,000 keen to see Arrowsmith protected by having park status conferred.

SUMMARY

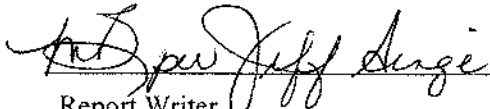
At the January 11, 2005 Committee of the Whole meeting a delegation provided a visual presentation with respect to the Alpine Club of Canada and the Federation of Mountain Clubs of BC’s proposal to obtain Mount Arrowsmith Massif (Block 1380) as a park. The Committee of the Whole, and the Board resolved that *“staff prepare a report on a proposal to partner with the ACC/FMCBC to approach the BC Government to seek the creation of a wilderness area park for Crown Land Block 1380 (the Arrowsmith Massif) and further that the report include consultation with the Alberni Clayoquot Regional District.”*

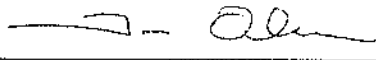
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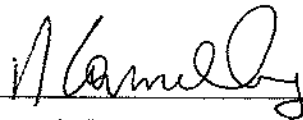
Representatives from the ACC/FMCBC partnership have been in contact with several government agencies and have met many Provincial officials with more meetings and presentations planned. Staff met with the Administrator for the Alberni-Clayoquot Regional District who expressed interest in the initiative and requested a formal invitation for the ACRD Board to be involved.

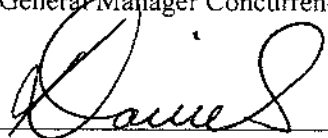
RECOMMENDATIONS

1. That the Regional District of Nanaimo formally join the Alpine Club of Canada and the Federation of Mountain Clubs of British Columbia in partnering to approach the BC Government to seek the creation of a wilderness area park for Crown Land Block 1380 (the Arrowsmith Massif).
2. That the Regional District of Nanaimo request the Board of the Alberni-Clayoquot Regional District support this initiative and invite their participation.


Report Writer


Manager Concurrence

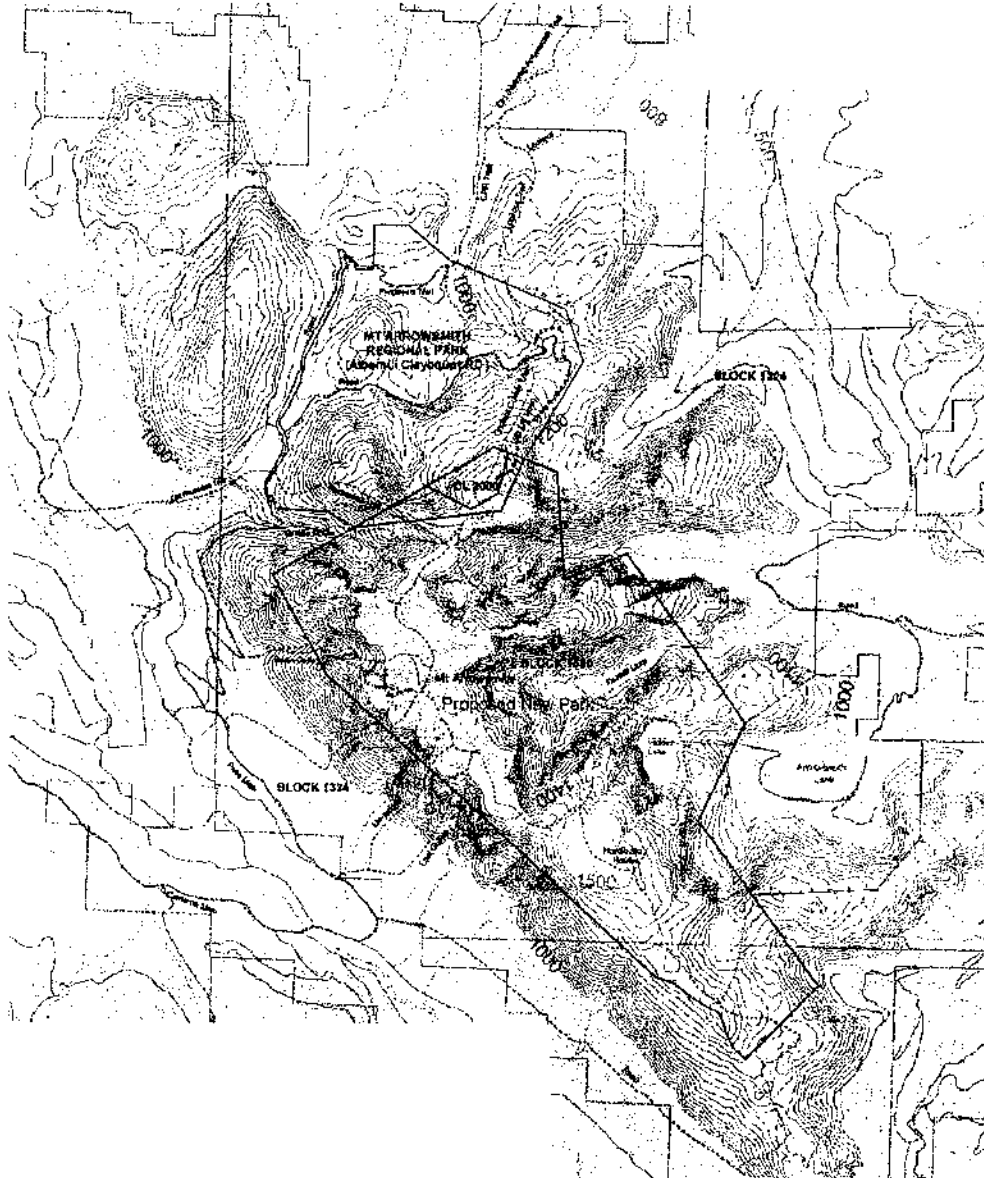

General Manager Concurrence


CAO Concurrence

COMMENTS:

Appendix 1

Proposed Wilderness Area Park for Crown Land Block 1380 (the Arrowsmith Massif)





REGIONAL DISTRICT OF NANAIMO	
APR - 4 2005	
CHAIR	GMCRS
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MEMORANDUM

TO: Tom Osborne
Manager of Recreation and Parks

DATE: March 31, 2005

FROM: Joan Michel
Parks and Trails Coordinator

FILE: 6140-01-H17

SUBJECT: Oakdowne Community Park Adjunct II / Trail Network Licence - Lots 39, 45 and 46 (Electoral Area H)

PURPOSE

To seek Board acceptance of Land and Water BC's offer of a 10-year licence of occupation for the purpose of community trails within Lots 39, 45 and 46, 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. Adjacent lots 4 and 40 through 44 would be placed on the market. Although subject to private ownership, 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. Further, 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 and trail.

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 has secured a statutory right of way and section 219 Covenant on the southern portion of Lot 44. A second 10-year licence of occupation, essentially the same document as applies for the original park property, can now be applied for to cover community trail use of Lots 39, 45 and 46. This will conclude the Region's current effort to secure Oakdowne Road Community Park and adjunct parcels for community park and trail purposes.

ALTERNATIVES

1. To accept Land and Water BC's offer of a 10-year licence of occupation for Lots 39, 45 and 46, Plan 1884, DL 89, Newcastle District for the purpose of community trail.
2. To decline the offer and to provide alternative direction.

FINANCIAL IMPLICATIONS

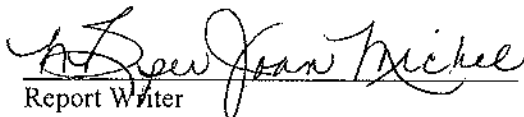
The cost of the 10-year licence of occupation is an application fee of \$250 plus GST. The Electoral Area 'H' budget can accommodate this amount. Trail development on the properties will take place over time and in conjunction with work in the original park property, all of which can be accommodated within the Area 'H' community budget. Intensive development is not anticipated in the adjunct parcels; control of ATV traffic funneling into the properties via the hydro right of way will likely constitute the greatest expense.

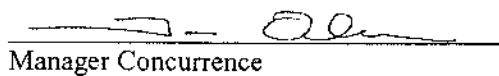
SUMMARY

In early 2004, 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' including the former Oakdowne Road Community Park. The Regional District then worked with Land and Water BC to secure portions of the land in question and in February 2005 the Province announced 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 now been returned to the RDN through a 10-year licence of occupation and a statutory right of way and section 219 Covenant have been secured for the southern portion of Lot 44. A second 10-year licence of occupation is now needed to secure the remaining parcels Lots 39, 45 and 46 that have been withheld from public sale.

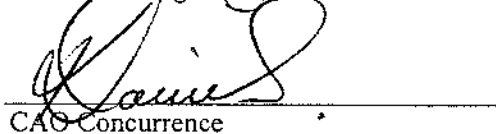
RECOMMENDATION

That Land and Water BC's offer of a 10-year licence of occupation for Lots 39, 45 and 46, Plan 1884, DL 89, Newcastle District, be accepted.

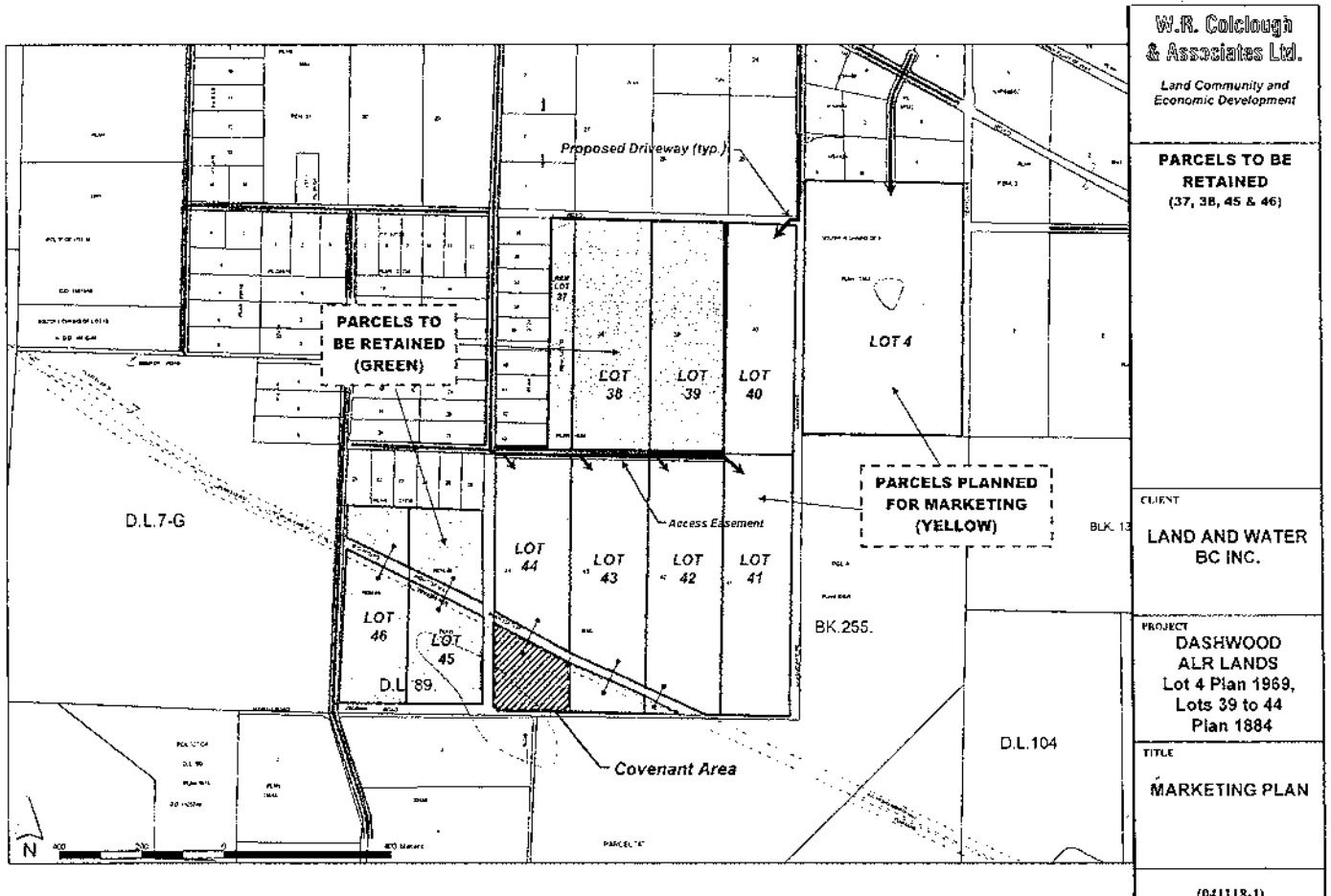

Report Writer


Manager Concurrence


General Manager Concurrence


CAO Concurrence

Map No. 1





REGIONAL DISTRICT OF NANAIMO	
APR - 5 2005	
CHAIR	GMCmS
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CAO	GMDS
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MEMORANDUM

TO: Tom Osborne
Manager of Recreation and Parks

DATE: April 1, 2005

FROM: Brigid Reynolds
Senior Planner

FILE: 6150 20 NRRP

SUBJECT: Nanaimo River Regional Park Management Plan

PURPOSE

To review and approve the Nanaimo River Regional Park Management Plan.

BACKGROUND

On June 10, 2003, the Regional Board approved the Terms of Reference for the Nanaimo River Regional Park Management Plan.

The Nanaimo River Regional Park is comprised of two parcels, one of 16 ha (40 ac) and one of 40.5 ha (100 ac) and is located in the southern portion of the Regional District, east of the Island Highway Nanaimo River Bridge. The land was purchased in September 1999 and April 2000 by The Land Conservancy of BC (TLC) and is managed by lease by the Regional District of Nanaimo. The Land Conservancy (TLC) acquired the site to protect valuable fish habitat on the south side of the Nanaimo River. The park contains mature Douglas fir forest and has some of the most significant salmon rearing and spawning habitat on the east coast of Vancouver Island.

The Management Plan (*see Attachment No. 6*) will guide the management and operations of Nanaimo River Regional Park (NRRP) for the next five years and beyond. It sets out objectives and policies for the management of the natural, recreational and cultural features of the Nanaimo River Regional Park. This plan also sets out the roles and responsibilities for short and long term operations as well as proposed development actions. The ongoing management of the Nanaimo River Regional Park will be undertaken by Regional District of Nanaimo Recreation and Parks Department staff.

The Plan details the vision and management objectives that guide future park operations and administration. The management objectives are developed around eight subject areas, *accessibility, public safety, environment, park use, standards, operations and administration, economic development, and cooperation*. Policies have been developed around each of these subject areas.

Park use zones have been developed and are defined in the Plan and are guided by the vision for future use and development of the Park. The Park has been divided into three management zones that indicate the types and levels of use appropriate throughout the Park (*see Attachment No. 1*).

ALTERNATIVES

1. That the Nanaimo River Regional Park Management Plan be approved.
2. That the Nanaimo River Regional Park Management Plan not be approved and provide alternative direction to staff.

FINANCIAL IMPLICATIONS

Appendix I of the Plan details the capital projects that are proposed to be undertaken in the next five years and estimated costs associated with undertaking these activities. The focus of these projects is to establish rudimentary services such as signage, develop public facilities including toilets, picnic tables, and parking, as well as undertaking a vegetation management plan and wildlife inventory. The lack of on site staff and the primary objective to conserve the environmental values limits what can and is desired to be undertaken at the park. The development actions are derived from the policies set out in Section 4 of the Plan.

Table No. 1 reflects the estimated totals for the capital projects outlined in Appendix I of the Plan. Signage is proposed to be installed on an ongoing basis. Improving parking in 2006 is necessary due to concerns by MOT and adjacent property owners with visitors parking on the roads and blocking access and this activity forms the majority of the budget for that year. *TLC* has committed to undertaking the vegetation management plan, and the assessments of wildlife and fisheries values on the park properties therefore no figures have been attributed to these actions in the budget.

Funding for both these development projects and administrative activities will be from the general regional parks budget. However, it is possible that development funding may be augmented, for example, by project sponsorship, partnerships, and commercial contributions.

Table No. 1 Budget

	2005	2006	2007	2008	2009
Estimated Costs	\$2,500	\$22,750	\$6,250	\$6,000	\$500

PUBLIC CONSULTATION IMPLICATIONS

Consultation for the development of this Plan included input from Recreation and Parks staff, *TLC*, Electoral Area 'A' Director, and relevant Provincial and Federal agencies, as well as Pope & Talbot, which holds a statutory right of way over the two park properties and grants them rights to maintain, repair, and enhance their works as required. Two open houses were held February 12 and September 8, 2004 seeking comments and input from the general public, community and user groups. Comments from both open houses are included in *Attachment No. 2*

On October 28, 2004, RDN staff and *TLC* representatives met with representatives from Pope & Talbot to resolve issues raised by them (*see Attachments No.3 and 4*). These issues included that the plan did not adequately establish their statutory rights to the land, safety and security issues regarding their

infrastructure sited on the properties, access to the lands to maintain their infrastructure works, and vegetation management issues. As a result, staff revised the plan to address their concerns.

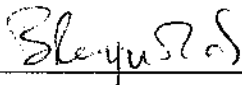
As part of the referral process for the Nanaimo River Regional Park Management Plan, Ministry of Transportation (MOT) indicated two issues regarding the park use on the properties (*see Attachment No. 5*). The first issue has to do with park patron parking on the road allowance and impacting adjacent property owners and the second issue relates to an adjacent property owned by MOT, which they might consider selling to the RDN. These issues have been taken into account and incorporated into the Management Plan.

SUMMARY

In June 2003, the Regional Board approved the terms of reference to develop the Nanaimo River Regional Park Management Plan that would guide the day-to-day and longer-term operations and administration of the Regional Park for the five-year period beginning in January 2005. Staff has completed the draft plan and, therefore, request approval of the plan to guide the future administrative and development activities for the Nanaimo River Regional Park detailed in the Plan.

RECOMMENDATION

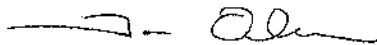
That the Nanaimo River Regional Park Management Plan be approved.



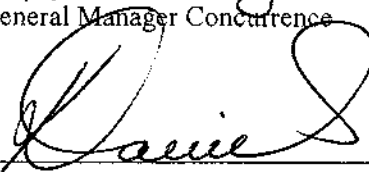
Report Writer



General Manager Concurrence



Manager Concurrence

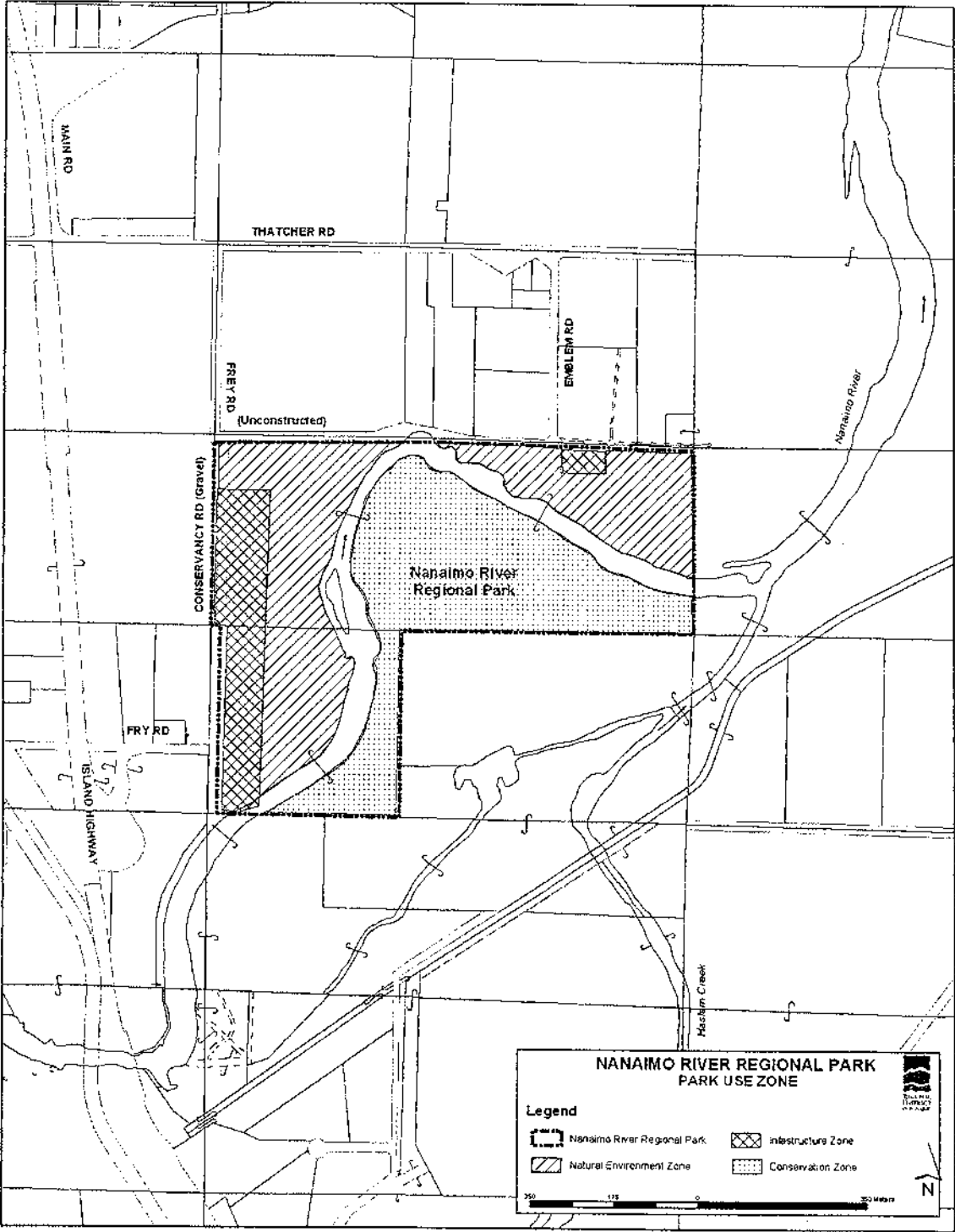


CAO Concurrence

COMMENTS:

devsvs/reports/2005/ap 6150 20 NRRP

Attachment No. 1
Subject Property



Attachment No. 2
Open House #1
Summary of Comments
February 12, 2004

- Can Conservancy Road be renamed Alvin Road? Mr. Alvin Williams purchased that land in 1927 and the family still farms it. The Province expropriated some of their land for a local pit (Fry Road) and cut off access to farmland. The dedicated road allowance, Conservancy Road, was put in to allow access. I would like some recognition for the family history in the area. Please keep the gate at the end of Fry Road. Concerned re. fire hazard from fires in the grass during the summer. Need to limit/restrict any fires from campers, picnickers, etc.
- Keep the fish habitat natural. Less traffic, not more. Consider a partnership with fisheries that forbids any fishing. Security of neighbours can be assisted by restricting hours that the park can be accessed. Ensure that any vehicles parked after hours are towed away by a private company. After hours campers are mostly problems for adjoining property owners.
- Regarding access – concerns of higher volume of traffic on Thatcher Road. It is a narrow country road with poor visibility on some corners. There already is a problem in summer months with people speeding down the road (80 km/hr) this worries me as there are many children on the road. Perhaps access from Fry Road. There also is a problem in the summer with teenagers partying there late into the night and camping there. Garbage – garbage cans would be greatly appreciated. It gets quite bad in the summer months. Selective logging – I would rather not see any logging at the park. Have concerns about the hog farm located next to the Park polluting the water in the area.
- The “cut-off” section of the river may lead to some problems as those wishing to use that part of the river for swimming will have to find another access to the river. Avoid opening it up to motorized vehicles of **any size**. Would not like to see any food outlets in the Park. I feel it would only lead to more garbage. Work on trails. Perhaps add some compatible resting places. Would also not want to see any ‘private’ activities.
- Would appreciate signage on the Trans Canada Highway to help locally situate tourists find the “access to the Nanaimo River.” Do not feel advertising is required on a broad scale. Garbage cans and port a potties are basic amenities. Eliminate Scotch Broom. Reintroduce native Blackberry to define edges and stabilize slopes where appropriate. Selectively log for the health of the Park and use money to provide/install buffers/fencing to adjacent farms.
- Access – agree that access should not be encouraged on the south side of the River. Do not encourage visitors from outside the area. Both Bald Eagles and Osprey have nested on the south side of the River. Trees there should not be topped or trimmed (old Growth and vets). Also visitation on south side should be limited so that hazard trees do not need to be removed for purposes of public safety. The park should be seen as part of a linear riparian corridor, without a great deal of emphasis on public use. No selective or any other kind of logging. Should do a complete flora and fauna inventory. Naturalists should be included in any stakeholder group. Vision – mainly a natural area with minimal compatible outdoor recreational use.
- There should be a biophysical inventory completed for the southern end of the Park. Good potential for owl nesting (i.e. cavity nesters and open nesters). Amphibian surveys also recommended as these are forest and wetland dependent species.

Other issues raised during discussions:

- *TLC* proposing to participate in the Forest 2020 program through the Pacific Forest Centre, which donates \$1,200/ha trees planted. Proposed location for this planting is the area where Scotch Broom has taken over. Removal of Scotch Broom is a priority for *TLC*. Suggestion of a stewardship group for Nanaimo River one role to initiate landowner contact with residents with property immediately adjacent to the River.

- Harmac's pipeline can be hazardous for people walking on it and Dave Groeneveld suggested some type of crossing to reduce the hazard.
- MOF is amenable to have interpretation of their plot and to formalize their tenure in the Park. The Logdepole pine plot no longer serves a research purpose.
- A fisheries assessment should be undertaken.
- If use is increased there is not enough existing parking spaces.

Comments received March 16, 2004 from Bill Merilees of the Nanaimo Field Naturalist Club.

- I attended the open house meeting for the above plan. I almost always find these exercises less than satisfying as the information presented is more often too sketchy; some concerns I have are:
 1. Plan needs to be put in context of a total Plan for the entire Nanaimo River Watershed. (A Huge Undertaking).
 2. River needs rehabilitation to restore traditional runs and numbers of all salmon stocks.
 3. A biophysical inventory is required to know that we have in the park/watershed before any works are undertaken.
 4. I worry about incremental degradation by which "small" areas/uses are impacted or allowed in whereby over a longer term "massive" degradation occurs, e.g. Cathedral Grove or Banff townsite.
 5. Specific to this plan were the comments presented regarding the possibility of selected logging and control of invasive plants, e.g. broom. Would not one (selective logging) lead to the 2nd, absolutely.
 6. For a multitude of reasons 'man' has (seldom) never really been a good manager of Natural Resources, and salmon stocks, forests, etc. are classic examples. The response being we need to sustain and/or increase economic returns and tourism – you know the scenario?
 7. Only uses within a park that can only be done within the Park (and not outside the Park) should ever be contemplated. With response to this specific plan – water wells should be exorcised from the Park or relocated.

Final Comment: The Plan that is finally approved will tell us a great deal about the Nanaimo Regional Park system and what its goals and aims will be while all park areas are not "equal" and will obviously 'cater' to different uses. Riparian areas and main stream (e.g. Nanaimo River) are places that require very careful and 'light' use planning.

Open House #2
September 8, 2004
Summary of Comments

- The local use of motorcycle – off road is increasing with operators not knowing where to go hence they go anywhere they want. This is getting to be more destructible to existing trails and will be more of a problem on new trails. Signs get destroyed; posts get removed completely and a general poor attitude towards any authority is very obvious. I hope that regulation and enforcement (staff) with good education programs (continually) possibly yearly, will be implemented.
- I am impressed with this display and information provided by staff. I look forward to using the park more as it develops. This looks like the right decisions are being made at this point.
- A possible swim location may be on thing mentioned when the kiosk is installed. I plan to be around to follow the progress. Good luck and thanks.

- Plan looks good: Glad to see swimming allowed, glad to see future connection to Morden Colliery Trail being considered. Suggest you give installation of portable toilets (or permanent) a high priority.
- The trails are fine "Lets Post Private Property Signs" on the property you don't own.
- Limit the development to improper use.
Emblem Road is a rural road – gets lots of use and abuse in the summer.
Parties on Friday and Saturday nights – need security patrol to reduce this nuisance.
Any chance of gating it to limit access to certain hours?
Park neighbours do receive a number of B & Es – not sure if this is related to park use but may be incidental to park use – opportunistic park users?
Can Fry Rd be the main access? Reduce traffic on Emblem Road.
- Re. neighbour relations/adjoining lands, would recommend a more active approach to Pope & Talbot, for purpose of better securing risk of alterations to the parcels of timber between the Nanaimo River Hatchery and the south edge of the Park property. Suggest some discussions with Pope & Talbot executives to explore and possibly conclude a letter of understanding whereby Pope & Talbot agrees to inform RDN/TLC well in advance of any proposed land use on the adjoining parcels.
- Perhaps consider future trail linkages, which may connect to the south side of the Nanaimo River Regional Park. Maybe have a provision if this were to occur, that a small linkage trail can connect the south side to the north side of the park. Just thinking of future greenways – a network of linking trails.

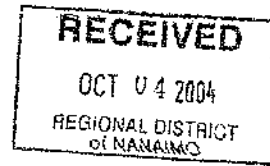
Attachment No. 3 (1 of 6)
Correspondence from Pope & Talbot Sept. 30, 2004



Pope & Talbot Ltd.
Harmac Pulp Operations

September 30, 2004

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



Attention: **Brigid Reynolds**
Senior Planner

Dear Ms Reynolds:

Subject: **Nanaimo River Regional Park DRAFT Management Plan**
Pope & Talbot Ltd. Statutory Right of Way E1170648

Further to your letter of September 3, 2004, please accept the following as our response to the Nanaimo River Regional Park Draft Management Plan. Pope & Talbot Ltd., Harmac Pulp Operations' ("Harmac") activities on these lands date back to 1949, when MacMillan Bloedel owned both these properties and the Harmac mill. These lands, and the Harmac lands adjacent to them, form an integral part of the pulp mill's water supply system. Well water from this area is free of sediment and low in minerals, providing an ideal water supply for producing high quality pulp. As a result of the importance of this water supply, Harmac has protected rights to this water supply through a statutory right of way registered on the title of these lands.

Harmac has been a supporter of developing parklands in the Nanaimo area for many years. In this particular case; however, we see numerous problems with the proposed plan. In general, Harmac has serious concerns regarding the safety of the public and the protection from damage to Harmac's water supply infrastructure located in this area. Harmac's Statutory Right of Way, which is registered on the title of these properties (West 25 Acres of Section 6, Range 8, Cranberry District, and Section 7, Range 8, Cranberry District) gives Harmac the rights to access, inspect, maintain and renew its water works and associated infrastructure over and through these lands. Harmac needs to be able to maintain its water works on short notice and make repairs on an emergency basis. Please see the following remarks *(in italics)* in reply to your request for comments on the Draft Management Plan.

Section 1 – Executive Summary

1.2 Management Plan Process

... Development of the Management Plan has been done in consultation with various agencies and organizations including residents living adjacent ...

Harmac has a Statutory Right of Way on these lands; yet has had limited input into the regional park planning process. To date the only contact initiated by the RDN/TLC has been to send Harmac notices of Public Open Houses.

Pope & Talbot Ltd.

1000 Wave Place - PO Box 1800
Nanaimo, BC
V9R 5M5

Tel: (250) 722-3211
Fax: (250) 722-4310

ISO 9001
14001

HPI 285

Attachment No. 3 (2 of 6)
Correspondence from Pope & Talbot Sept. 30, 2004

Pope & Talbot Statutory Right of Way

September 30, 2004

Page 2

Two public open houses ... and allow participants to provide feedback as to how initial input was incorporated into the Plan and also to receive feedback from the community members with regards to the draft document.

At the first Open House, in February 2004, a Harmac Representative discussed concerns with the safety and security issues of Harmac's infrastructure with B. Reynolds and J. Ainge. There is a high probability of potential injury to the public unless adequate measures are in place to protect people from contacting the well buildings, the pipelines, the high voltage (13 kV) overhead power lines, and associated structures in the area. This Draft Plan does not clearly define how this will be accomplished, other than by possible signage. At the second Open House, in September 2004, the question was raised as to how the Regional District of Nanaimo would handle the liability in the case of an incident.

Section 3 – Nanaimo River Regional Park

3.1 Setting and Context

... The Land Conservancy ... any development activities by the RDN or any authorized community organizations must be done in consultation with the owner.

... There are various encumbrances (formal and informal) on the property and these include:

- Pope & Talbot has statutory right of way on the properties for the waterline and two pump houses and to maintain the dykes and river banks to protect its wells and waterworks.

Harmac has a Statutory Right of Way to access, maintain and renew the waterworks in this land, with no limitations in this regard. This is not a simple domestic system and requires, at minimum, tri-weekly visits by maintenance workers to inspect for erosion, wear, damage and vandalism, as well as make necessary repairs. These repairs can include the use of heavy machinery and a major work force with many vehicles and equipment on site at any time. On a yearly basis vegetation must be removed from around the above ground pipelines, buildings, under the overhead high voltage lines, and along the road access routes.

There are trails along the north and west side of the properties ... The south side of the river can be accessed through the Nanaimo River Hatchery road. Currently, gates, boulders and some ditching restricts vehicular access.

Harmac is the landowner of the above-described property. Traffic barriers have been constructed to protect our infrastructure from theft, vandalism and inadvertent collisions if this area is opened to the public. Harmac is not in favour of removing or altering the current barriers to allow access over the lands in light of the liability concerns in the case of an incident if this area is opened to the public.

3.2 Vision

... The management policies are intended to protect and enhance ... uses that have historically taken place on the properties. The policies ... also requires ongoing cooperative relationships between the RDN, TLC, adjacent landowners, chargeholders, other public agencies, and area residents.

This plan mentions Harmac's waterworks but does not describe how that infrastructure will be protected or how the public will be kept away from existing works that are industrial-designed and were originally developed in 1949. No concerted effort has been made by the RDN/TLC to include Harmac specifically on this plan; the Draft plan was published without thorough discussions with Harmac.

Attachment No. 3 (3 of 6)
Correspondence from Pope & Talbot Sept. 30, 2004

Pope & Talbot Statutory Right of Way

September 30, 2004

Page 3

3.3 Objectives

3.3.2 Public Safety

To endeavor to minimize hazards, both natural and human-made, in the management of the park.

Harmac considers this equipment to be part of an industrial site, and no plans are in place to reduce the hazards that the general public would be exposed to with increased unrestricted access to the park.

Section 4 – Management Policies

4.2 Accessibility

4.2.2 Background

... The south side of the river can be accessed through the Nanaimo River Hatchery road or by crossing the river when the water level is low.

Harmac is the landowner of the above-described property. Traffic barriers have been constructed to protect Harmac's infrastructure from theft, vandalism and inadvertent collisions if this area is opened to the public. Harmac is not in favour of removing or altering the current barriers to allow access over the lands in light of the liability concerns in the case of an incident if this area is opened to the public.

4.2.3 Policies

(a) Public Access ...

(iv) Vehicular access is limited to authorized personnel only.

Harmac's water system pipelines, wells, power lines, and associated infrastructure requires, at minimum, tri-weekly visits by maintenance workers to inspect for erosion, wear, damage and vandalism, as well as to make necessary repairs. These repairs can include the use of heavy machinery and/or a major work force with many vehicles on site at any time. On a yearly basis vegetation must be removed from around the above ground pipe lines, buildings, under the overhead high voltage (13.8 kV) lines, and along the road access routes.

4.3 Public Safety

4.3.2 Background

... Efforts shall be made to manage specific risks within the park property.

This document needs to address the concerns of Harmac regarding the safety of the public due to its exposure to Harmac's pipelines, wells, power lines and other associated infrastructure and how the risks will be managed with increased unrestricted access to the general public.

4.3.3 Policies

4.3.3 (a) Vehicles ...

(i) Vehicles are restricted to designated vehicular access routes.

As per 4.2.3 (a) (iv) Harmac vehicular and heavy equipment access cannot be restricted during inspections and maintenance of the waterworks and associated infrastructure.

4.3.3 (b) Hazard Trees ...

(i) The disturbance or removal of native vegetation is not permitted in the park without the permission of the RDN. The RDN ... vegetation management.

This document needs to address the concerns of Harmac to be able to maintain and protect its infrastructure on short notice as well as yearly vegetation control.

Attachment No. 3 (4 of 6)
Correspondence from Pope & Talbot Sept. 30, 2004

Pope & Talbot Statutory Right of Way

September 30, 2004

Page 4

4.3.3 (f) Park Rules ...

- (ii) Where a bylaw regulating park uses has been adopted by the RDN the provision of the bylaw takes precedence over this Plan and the rules as set out in this Plan shall be in addition to any regulations as set out in the bylaw.

Since Harmac's statutory right of way, and the rights therein granted, takes precedence over any plan or regulation that could impact those rights, any changes that can affect Harmac's rights need to be discussed formally before implementation. Any policies, rules or bylaws affecting this park cannot infringe upon Harmac's rights.

4.4 Environment

4.4.2 Background

Nanaimo River Salmonid Enhancement Program operates a hatchery on the adjacent property to the south

Harmac owns this land and has provided continued support to the Nanaimo River Salmonid Enhancement Program since it was established.

4.4.3 Policies

4.4.3 (b) Development ...

- (ii) The disturbance or removal of native vegetation is not permitted in the park without the permission of the RDN and TLC.

As mentioned in the comment on 4.3.3 (b) (i), this needs clarification of Harmac's concerns of the need to be able to maintain and protect its infrastructure on short notice as well as yearly vegetation control.

- (iii) The alteration of land is not permitted ... without permission of the RDN and TLC ...

The Statutory Right of Way registered on the titles of these properties enables Harmac to renew existing wells or establish new wells as required to maintain Harmac's water supply system. The capacities of Harmac's existing wells in this area have decreased significantly in recent periods, increasing the need for Harmac to consider options for obtaining additional well capacity from this area.

- (v) The development of trails and other land alteration activities including vegetation removal shall not take place within 15 metres from the top of the bank of the river, unless otherwise permitted by the RDN and TLC.

Part of river dyke maintenance is the removal of small vegetation before it can disturb the large Rip-Rap placed along the west side of the river. Trees taking root in that zone will displace the large material and destabilize the dyking system. Also, vegetation needs to be controlled along the power line and pipeline corridor.

4.4.3 (d) Rehabilitation ...

- (iii) The RDN and TLC may permit emergency restoration works in certain circumstances and providing an agreement can be reached between the parties.

Harmac has unrestricted access to the waterworks and the dyke system. Repairs can include the use of heavy machinery and/or a major work force with many vehicles on site at any time. Harmac interfaces with the Federal Department of Fisheries and Oceans when conducting work in sensitive areas.

Attachment No. 3 (5 of 6)
Correspondence from Pope & Talbot Sept. 30, 2004

Pope & Talbot Statutory Right of Way

September 30, 2004

Page 5

4.5 Park Use

4.5.2 Background

The park ... south side of the river can be accessed through the Nanaimo River Hatchery road. Currently, gates, boulders, and ditching restrict vehicular access.

Again, as in 4.2.2, Harmac is the landowner of the above-described property. This section needs to address Public Safety and Harmac Security in regard to the waterworks and associated infrastructure. Harmac does not plan to allow access to the south side of the park through Harmac property.

4.7 Operations and Administration

4.7.3 Policies

4.7.3 (e) Land Interests

(i) Chargeholders interests shall be considered as part of any decision making.

Likewise, the RDN/TLC must consider Harmac's rights when developing the management plan and operation of this park. To date, insufficient consultation has taken place between the chargeholders and the RDN/TLC.

4.9 Cooperation

4.9.1 Management Objective

To liaise with the landowners, adjacent landowners, senior government agencies, and other stakeholders in the planning, management, and operations of Nanaimo River Regional Park.

To date this process has not been adequate to address Harmac's concerns. Harmac has statutory rights on this property which should dominate the issues raised in this plan. Consultation with Harmac has been inadequate.

4.9.2 Background

... There are a number of charges on the title of the parkland and these include:

- Pope & Talbot has statutory right of way on the properties for the waterline and two pump houses and to maintain the dykes and river banks to protect its wells and waterworks.

While this plan acknowledges Harmac's statutory rights on this property, the management plan details appear to be in direct conflict with these established rights. Harmac is prepared to meet with the RDN/TLC to discuss this issue.

... In addition to the formal encumbrances, ... Also, the hatchery operated by the Nanaimo River Salmonid Enhancement program on the adjacent property ... Due to associated liability issues a formal arrangement should be initiated with the hatchery.

Again, as in 3.1, 4.2.2, 4.4.2, and 4.5.2, Harmac is the landowner of the above described property and formal arrangements must be initiated with Harmac.

The Nanaimo Fire Suppression Camp ... A review of acquiring this property may be considered.

Of note here is that Harmac owns the strip of property between the Fire Suppression Camp and the Nanaimo River.

Attachment No. 3 (6 of 6)
Correspondence from Pope & Talbot Sept. 30, 2004

Pope & Talbot Statutory Right of Way

September 30, 2004

Page 6

4.9.3 Policies

4.9.3 (b) Land Interests

(i) Public agencies and private companies that own or control land and fixtures within Nanaimo River Regional Park will be encouraged to ensure their activities conform to and are consistent with this plan.

It would be prudent that this plan also conform to existing registered Rights of Way.

4.10 Park Use Zones

Map 4.2 – Park Use Zones

This map does not accurately reflect the actual location of all of Harmac's infrastructure on these lands, including, but not limited to, present roadways, pump houses, valve houses, power line routes, above ground and under ground piping, and the holding pond to the northeast of the Well "F" pump house. Not all of these items are located in the presently marked "Infrastructure Zone." More significantly, although our current waterworks are located on the western side of the properties, Harmac has the right to install water systems anywhere on these properties.

Appendix 1 – Administrative/Capital Plan and Development Projects

B. Development Projects and Administrative Activities

1. Access

(b) Define authorized personnel permitted to access south side of river and vehicular access to park (RDN and TLC).

Harmac, its authorized employees and contracted companies, requires unfettered access any time, day or night, all year round to inspect and maintain the works located on this property.

In conclusion, it appears that the Draft Nanaimo River Regional Park Management Plan has overlooked Harmac's interests and its Statutory Right of Way on these lands. Harmac depends on water supply from these properties to operate our business. The current wells and infrastructure are aging and will soon be in need of upgrading and/or replacement. The RDN/TLC mandate to create a park on these properties must respect the needs and rights of Harmac as well. Harmac personnel are willing to meet and discuss the concerns mentioned above in order to resolve these important issues.

Yours truly,

Dave Groeneveld,
Mill Services Superintendent
Phone: (250) 722-4361
Fax: (250) 722-4350

Dave Rodgers, P. Eng.,
Engineering Superintendent
Phone: (250) 722-4227
Fax: (250) 722-4320

Copy: Paul Sadler
Bart Howey
File: Let-RDN-NanaimoRRP-040930

Attachment No. 4 (1 of 2)
Correspondence Pope & Talbot February 23, 2005



Pope & Talbot Ltd.
Harmac Pulp Operations

February 23, 2005

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

Attention: **Brigid Reynolds**
Senior Planner

Dear Ms. Reynolds:

Subject: **Revisions to the Nanaimo River Regional Park Management Plan**
Pope & Talbot Ltd., Harmac Pulp Operations Statutory Right of Way EH70648

Thank you for forwarding a copy of the revised Nanaimo River Regional Park Management Plan for review. Harmac has the following additional suggested revisions to the Management Plan as noted in italics. If these changes are suitable and are incorporated into the Management Plan then it would be acceptable to Harmac. Please forward a copy of the Management Plan when it has been finalized.

3.1 Setting and Context

There are various encumbrances (formal and informal) on the property and these include:

- Pope & Talbot Ltd., Harmac Pulp Operations ("Harmac") has a Statutory Right-of-Way over both properties for their "Operational Works". These works currently include above and below-ground water lines, two concrete pump houses, 13.8 kV power lines, roads, a holding pond, fencing, and a riverbank protection/dyking system. Harmac's Statutory Right-of-Way is for the purposes of obtaining water from the Nanaimo River ~~and the underlying aquifer~~, and for maintaining dykes and riverbanks located on or next to the lands in order to protect wells and waterworks located on the lands, and for all uses required to facilitate such purposes, and to do on the lands all acts, things and matters necessary, required or desirable to effect such purposes including, without limitation, the construction, maintenance, repair, use, renewal operation over, replacement and removal on, over and through the lands of any and all works necessary or desirable for such purposes, whether or not currently existing on the lands. These works hereinafter called the "Operational Works" are *presently* located on the north and west side of the park.

There are trails along the north and west side of the park that are used to access fishing and swimming sites. The north side of the River can be accessed by foot from Fry Road and Emblem Road with limited parking available at the entrance on Fry Road and Emblem Road. Currently, gates, boulders, and some ditching restricts vehicular access into and through the park. There is no access to the south side of the river as this is adjacent to and can only *be* accessed through the adjacent private property; ~~therefore,~~ ~~however~~ no access is permitted.

Pope & Talbot Ltd.
Harmac Pulp Operations
1000 Wave Place - PO Box 1800
Nanaimo BC Canada V9R 5M5

Telephone: 250-722-3211
Fax: 250-722-4310

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Attachment No. 4 (2 of 2)
Correspondence Pope & Talbot February 23, 2005

Revisions to the Nanaimo River Regional Park Management Plan
Harmac Statutory Right of Way EH70648

February 23, 2005

Page 2

Map No. 3.2 Encumbrances

----- Approximate Water Line ~~and Power Line~~ Location – Pope & Talbot

4.3.2 Background

Efforts shall be made to manage specific risks within the park property. Some of the obvious risks include no on-site staff and supervision of park use, swimming is unsupervised and undertaken in the River throughout the Park, there is a fire risk associated with unauthorized camping and day users, Search and Rescue is often called to swimming and boating accidents on the Nanaimo River, not necessarily in the Park, there are steep river banks, and under water hazards, such as snags. ~~There is restricted access to Harmac's "Operational Works" and they must not be trespassed on also pose a potential hazard.~~

4.5-1 4.6.2 Background

Facilities and development that has been identified includes improvement to parking areas, park signage (including interpretive and safety/hazard ~~"Restricted Access" and "No Trespassing"~~ signage), trail improvement, and the possible future installation of garbage cans and portable washrooms. The recent installation of the well by the Cranberry Fire Department located close to the Fry Road access provides the park with a source of water and electricity.

Yours truly,

Dave Groeneveld,
Mill Services Superintendent

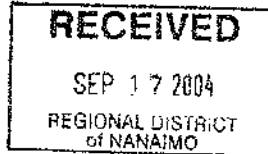
Phone: 250-722-4361

Fax: 250-722-4350

Copy: Paul Sadler

File: Let-RDN-Nanaimo RRP-050223/cs

Attachment No. 5
Correspondence from MOT September 15, 2004



File: 01 002 25943

September 15, 2004

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

Attention: Brigid Reynolds
Senior Planner

Re: Nanaimo River Regional Park "Draft" Management Plan

Thank you for submitting your September 8th, 2004 correspondence for the above-noted proposal. The Ministry of Transportation has reviewed and offers the following concerns:

- 1) The ministry has received numerous complaints from the adjacent property owners on the Fry and Emblem Road right-of-ways about users of the park land, trail and swimming sites within these lands. Complaints range from vehicles on the travelled road prism, blocking of private accesses, littering, party-goers and camping. The ministry strongly encourages that the Regional District of Nanaimo provide adequate parking facilities within the park lands at the end of both Fry and Emblem Roads.
- 2) A portion of the Remainder of Lot 1, Plan 5596, Section 6, Range 7, Cranberry Land District at the end of Fry Road has been used over the years by park/trail users. The ministry has recently barricaded this area and signed to prohibit trespasser from using. Should the Regional District of Nanaimo be interested in purchasing these lands which have historically been used for parking for park and trail users, I would be willing to inquire to see if this property or a portion is surplus to our needs.

Should you have any questions, please do not hesitate to contact me at 751-3270 (office), 616-6808 (cell), or via email at Cal.Fradin@gems7.gov.bc.ca.

Yours truly,

Cal Fradin
District Development Technician

CFM/25943L
cc: Doug Elliot, Area Manager

Ministry of
Transportation South Coast Region

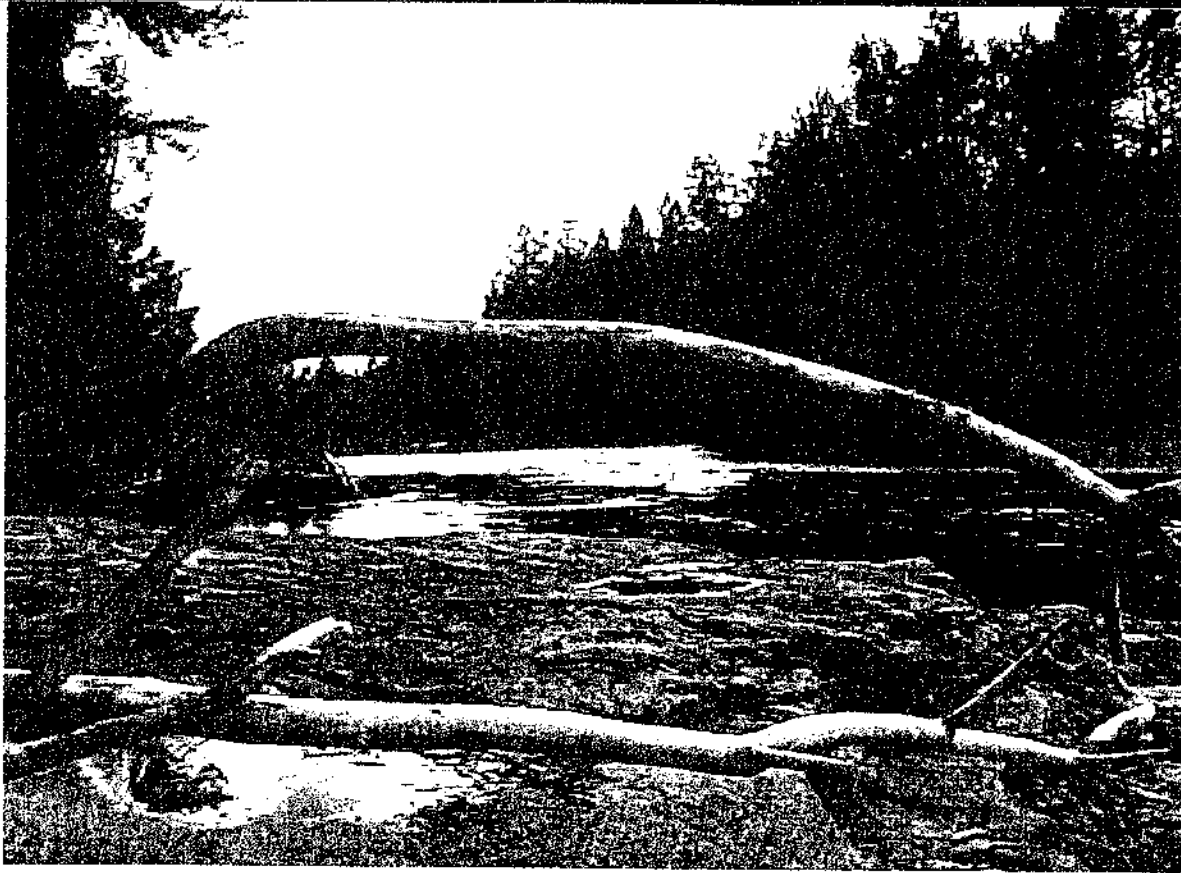
Mailing Address:
3rd Fl, 2100 Lableux Road
Nanaimo BC V9T 6E9

Site Address:
3rd Fl, 2100 Lableux Road
Nanaimo BC
Telephone: (250) 751-3270
Facsimile: (250) 751-3289

Web Address:
www.gov.bc.ca/iran

**Attachment No. 6
Nanaimo River Regional Park Management Plan**

(follows on next page)



Nanaimo River Regional Park Management Plan

Publication Date: March 24, 2005

Recreation and Parks

Ph: (250) 248-3252

Fax: (250) 248-3159

Email: recparks@rdn.bc.ca

www.rdn.bc.ca

Regional District Office

Ph: 1-877-607-4111



Nanaimo River Regional Park – Management Plan

Table of Contents

Section 1 – Executive Summary	
1.1	Purpose of the Management Plan1
1.2	Management Plan Process1
1.3	Plan Summary2
Section 2 – RDN Regional Parks	
2.1	Regional Parks and Trails1
2.2	Regional Parks Plan – Vision2
2.3	Regional Parks Plan – Goal2
	Map No. 2.1 - Regional Park System3
Section 3 – Nanaimo River Regional Park	
3.1	Setting and Context1
3.2	Vision2
3.3	Objectives3
	Map No. 3.1 – Nanaimo River Regional Park Facilities4
	Map No. 3.2 – Nanaimo River Regional Park Encumbrances5
Section 4 – Management Policies	
4.1	Introduction1
4.2	Accessibility1
4.3	Public Safety2
4.4	Environment4
	Map No. 4.1 – Nanaimo River Regional Park Environmental Features8
4.5	Park Use9
4.6	Development Standards11
4.7	Operations and Administration13
4.8	Economic Development15
4.9	Cooperation15
4.10	Park Use Zones17
	Map No. 4.2 – Park Use Zones19
Appendix I – Administrative Activities and Development Projects	
Appendix II – Glossary of Terms	

Section 1 – Executive Summary

1.1 Purpose of the Management Plan

This Management Plan is an administrative document that guides the management and operations of Nanaimo River Regional Park (NRRP) for the next five years and beyond. This document sets out objectives and policies for the management of the natural, recreational, human-made and cultural features of the Nanaimo River Regional Park. This plan also sets out the roles and responsibilities for short and long term operations as well as proposed development actions. The ongoing management of the Nanaimo River Regional Park will be undertaken by Regional District of Nanaimo Recreation and Parks Department.

The property is owned by The Land Conservancy of BC (*TLC*) and the RDN manages the Regional Park by lease from *TLC*. The lease requires the Regional Park to be managed in accordance with the conservation aims of *TLC*.

1.2 Management Plan Process

The Nanaimo River Regional Park is comprised of two parcels, one of 16 ha (40 ac) and one of 40.5 ha (100 ac) and is located in the southern portion of the Regional District, east of the Island Highway Nanaimo River Bridge. As a result of extensive fundraising that began in 1998 *TLC* purchased the lands in September 1999 and April 2000. On June 26, 2000, a 99-year lease agreement was signed between the RDN and *TLC*. The lease requires that the Regional Park operates as a nature park and is to be managed in accordance with the conservation aims of *TLC*.

Development of the Management Plan has been done in consultation with various agencies and organizations including residents living adjacent to the Regional Park, the Land Conservancy of BC, Ministry of Water, Land and Air Protection (MWLAP), Federal Fisheries and Oceans (DFO), Ministry of Forests (MOF), Pope & Talbot Ltd., Harmac Pulp Operations (“Harmac”), Electoral Area ‘A’ Director Henrik Kreiberg, Nanaimo Field Naturalists, fisheries biologists, and other interested residents.

Two public open houses were held. The first one was held February 12, 2004 to get input into the vision, objectives, and issues for the Nanaimo River Regional Park and a second open house was held on September 8, 2004 to introduce the draft Management Plan and allow participants to provide feedback as to how initial input was incorporated into the Plan and also to receive feedback from community members with regards to the draft document.

1.2.1 Pope & Talbot Ltd., Harmac Pulp Operations (Harmac)

Through the plan process, discussions with Harmac regarding their Statutory Right of Way registered on the title of the park properties have been in depth. The RDN and *TLC* recognize the rights granted to Harmac and that these rights take precedence over the policies or bylaws affecting the park. As a result, the RDN and *TLC* anticipate continuing to work with Harmac regarding the management of the land and any proposed improvements to the land.

1.3 Plan Summary

The Management Plan is a policy document that guides the short and long term operations and administrative requirements for managing the Nanaimo River Regional Park. The Plan describes the current uses and various natural and human-made features found in the Regional Park. Eight objectives are detailed in Section 3 and are organized in the following categories: *Accessibility, Public Safety, Environment, Park Use, Standards, Operations and Administration, Economic Development, and Cooperation*. Detailed policies have been developed for each of these categories and are found in Section 4. Appendix I outlines the administrative requirements for the RDN, development actions and timelines for fulfilling these activities.

Section 2 – RDN Regional Parks

2.1 Regional Parks and Trails

The RDN Regional Parks function was established in 1989. Regional Parks are established over lands deemed to be significant for the residents of the whole region. As a result, the costs associated with acquiring regional parks and of developing major capital items within Regional Parks are funded by residents in the eight electoral areas. The operation of Regional Parks (maintenance costs, etc) is shared by agreement among the electoral areas and the four municipalities (City of Nanaimo, City of Parksville, Town of Qualicum Beach, and District of Lantzville).

Nanaimo River Regional Park, located in Electoral Area ‘A’, is one of eight regional parks. Other regional parks include: Descanso Bay in Electoral Area ‘B’; Benson Creek Falls above Brannen Lake in Electoral Area ‘D’; Beachcomber in Electoral Area ‘E’; Little Qualicum River in Electoral Area ‘F’; Englishman River Regional Park and Little Qualicum River Estuary Regional Conservation Area are both located in Electoral Area ‘G’; and Horne Lake Regional Park in Electoral Area ‘H’ (*see Map No. 2.1*).

The “Official Regional Park Plan Designation Bylaw No. 921, 1994” was adopted in November 1995 and is the guiding document that recognizes existing parks and identifies potential parks and open spaces sited in the region, including Regional Parks. The Plan was developed after two years of study and public consultation, and was granted formal approval by the Ministry of Environment, Lands, and Parks. Bylaw No. 921 has been amended to recognize the recent regional park acquisitions. The Regional Park Plan promotes actions to secure and manage parks and open spaces, and defines various methods by which the RDN can secure parkland. The vision and goals of Bylaw No. 921 are outlined in Section 2.2 and 2.3. Bylaw No. 921 is currently under review and is intended to reflect a variety of issues that have arisen for the regional park system since 1995. These issues include the repeal of the provincial *Parks Regional Act*; partnerships that have been formed to acquire and manage three Regional Parks; funding for acquisitions and operational requirements to manage regional parks; planning and capital improvements for campgrounds and trail bridge projects; and further definition of the relationship between community and Regional Parks and the municipalities and electoral areas in park activities.

It is anticipated that the proposed Regional Parks Plan revision will be a broad policy document that defines the RDN’s capacity to acquire, develop, maintain, and manage regional parks, trails, and open spaces. As part of the Official Community Plans (OCP) review for each Electoral Area the development of community park plans is identified as a necessary project to undertake. This

process would involve developing a community-based vision for locally significant parks, trails, and open spaces. In addition, Electoral Area park plans are anticipated to outline strategies for the acquisition, protection, development, and management of community parks and open spaces in the individual plan area. Electoral Area 'E' is currently the only Electoral Area for which a community parks plan has been developed. Together the revised Regional Parks Plan, Electoral Area Official Community Plans (OCP) and the Electoral Area parks plans will provide comprehensive guidance for parks planning in the RDN.

2.2 Regional Parks Plan – Vision

The vision for the regional park system states the purpose, goals and objectives for the park system. It is defined in the Regional Parks Plan and considers the public's desire, legal constraints, the spirit and intent of the park services, and the needs of the Regional District of Nanaimo. It is outlined as follows: *The Regional District will establish, develop, and operate a park system for the security, protection and stewardship of lands within the region which maintain liveability, provide environmental and natural resource protection and accommodate outdoor recreational pursuits.*

With the review of the Regional Parks Plan it is anticipated that the overall vision will be reevaluated to reflect the recently acquired Regional Parks and other issues briefly identified in section 2.1.

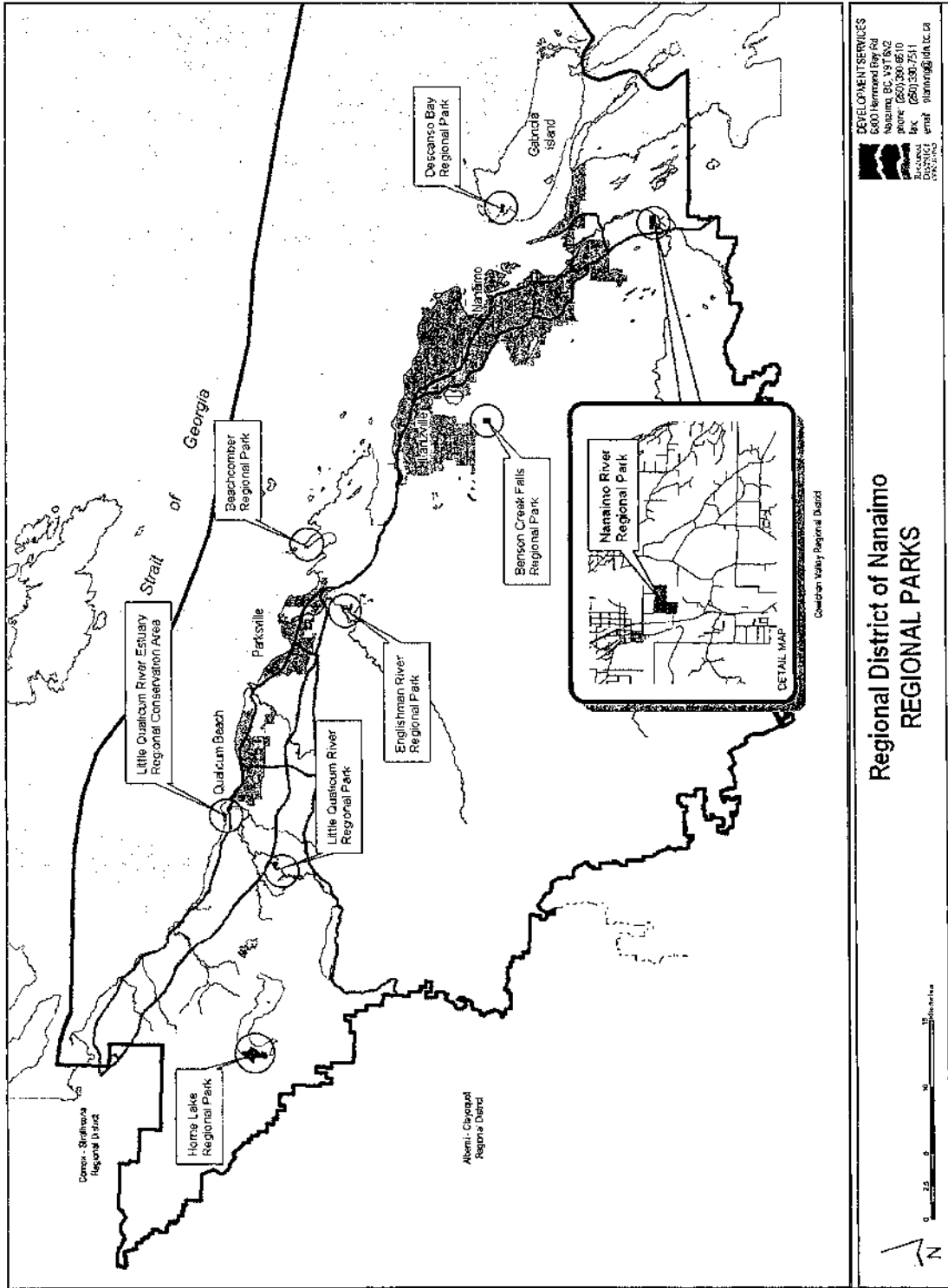
2.3 Regional Parks Plan – Goal

The Regional Parks Plan defines the goals for each of the three park service types: regional parks, community parks, and greenbelts. The goal for regional parks as outlined in the Regional Parks Plan is as follows:

To secure and protect for all time, a system of park sites and trails, which provide representation of the four distinct landscapes of the region, as well as sites that include unique natural and historic features and experiences of regional significance. Regional parklands will accommodate the enjoyment and appreciation of the sites in a manner that assures their natural qualities are unimpaired for generations to come. Regional trails will provide linear outdoor recreational opportunities that link components of the Regional District Park System, other park and protected areas, and the neighbourhoods of the Regional District.

Pursuant to the criteria outlined in the Regional Parks Plan and the factors described in Section 3 of this Plan, Nanaimo River Regional Park meets the criteria of a regional park.

Map No. 2.1
Regional Park System



Section 3 – Nanaimo River Regional Park

3.1 Setting and Context

The Nanaimo River Regional Park is comprised of two parcels, one of 16 ha (40 ac) and one of 40.5 ha (100 ac) and is located in the southern end of the Regional District, east of the Island Highway Nanaimo River Bridge, in Electoral Area ‘A’ (refer to Map No. 3.1). The Land Conservancy (*TLC*) acquired the parcels that now consist of the Regional Park for the primary purposes of protecting the valuable fish habitat.

TLC purchased the lands in September 1999 and April 2000 using funds obtained through various sources: the RDN contributed \$350,000, Federal Fisheries and Oceans (DFO) \$375,000, Provincial Habitat Conservation Trust Fund \$200,000, Trout Unlimited Canada \$10,000, \$1,000 each from the Nanaimo Fish and Game Protective Association and the Nanaimo Field Naturalist Club; and local fundraising contributed \$70,000.

On June 26, 2000, a 99-year lease agreement was signed between the RDN and *TLC*. The lease agreement stipulates that the management of the park shall be compatible with the conservation aims of *TLC* to preserve the forest ecosystem, and fish and wildlife habitat. Other aspects of the lease agreement include:

- that there shall be no improvements including trails on the south side of the Nanaimo River and that facilities such as parking, trails, picnic sites may be developed on the north side of the River;
- to preserve and enhance native and endangered plant ecosystems and animal habitat through best management practices; and
- to improve native ecosystems by removing or reducing invasive species.

The Land Conservancy is a charitable non-governmental agency with the purpose to contribute to and improve the education, health and welfare of the general public and to benefit the community as a whole by promoting and encouraging the protection, preservation, restoration, beneficial use and management of plants, animals and natural communities that represent diversity of life and areas of scientific, historical, cultural, scenic and compatible outdoor recreational value. They also promote charitable activities or endeavors, including the acquisition, management and disposal of land and interests in land that appear to contribute to the above objectives. The property owner therefore anticipates working in a consultative framework regarding any development activities proposed to be undertaken by authorized personnel.

The Regional Park contains mature Douglas fir forest and significant salmon rearing and spawning habitat. Fisheries biologists recognize this area as being crucial to the survival of Nanaimo River Chinook, Coho, Chum, Steelhead and

Cutthroat Trout. Historically, the Nanaimo River was the second best producing steelhead river on the east coast of the island, however steelhead fisheries stocks are now at an extinction level.

There are various encumbrances (formal and informal) on the property and these include:

- Pope & Talbot Ltd., Harmac Pulp Operations (“Harmac”) has a Statutory Right-of-Way over both properties for their “Operational Works”. These works currently include above and below-ground water lines, two concrete pump houses, 13.8 kV power lines, roads, a holding pond, fencing, and a riverbank protection/dyking system. Harmac’s Statutory Right-of-Way is for the purposes of obtaining water from sources located on the lands and for maintaining dykes and riverbanks located on or next to the lands in order to protect wells and waterworks located on the lands, and for all uses required to facilitate such purposes, and to do on the lands all acts, things and matters necessary, required or desirable to effect such purposes including, without limitation, the construction, maintenance, repair, use, renewal operation over, replacement and removal on, over and through the lands of any and all works necessary or desirable for such purposes, whether or not currently existing on the lands. These works hereinafter called the “Operational Works” are presently located on the north and west side of the park.
- The Nanaimo Regional Airport has an aerial easement over the whole Park such that it can trim, prune, or remove vegetation within the flight path.
- The Cranberry District Fire Department has a well at the Fry Road entrance – a license agreement has been signed between the Fire Department and RDN.
- Ministry of Forests has two research plots for Douglas-fir and lodge pole pine located in the north west corner of the Park – this arrangement must be formalized. These are shown on Map No. 3.2

There are trails along the north and west side of the park that are used to access fishing and swimming sites. The north side of the River can be accessed by foot from Fry Road and Emblem Road with limited parking available at the entrance on Fry Road and Emblem Road. Currently, gates, boulders, and some ditching restricts vehicular access into and through the park. There is no access to the south side of the river as this is adjacent to and can only be accessed through the adjacent private property; therefore no access is permitted.

The park properties are zoned Rural 4 (RU4) pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987. Both parcels are within the Agricultural Land Reserve (ALR). Park use is a permitted use within any zone pursuant to Bylaw No. 500 and within the ALR pursuant to the *Agricultural Land Reserve Regulations*.

3.2 Vision

Nanaimo River Regional Park is a conservation park containing significant fish and wildlife habitat and a mature Douglas fir forest, which is to be protected in perpetuity. The park is located in the lower reaches of the Nanaimo River approximately 6 km upstream from the Nanaimo River estuary and is within Electoral Area 'A' of the Regional District of Nanaimo.

Public access is restricted to enable passive recreational pursuits on the north and west side of the park and to prohibit access on the south side of the park. There are currently no public facilities at the park and any public facilities developed in the future are anticipated to be limited.

The management policies are intended to protect and enhance the environmentally sensitive features in the park while maintaining the passive recreational uses as well as Harmac's industrial "Operational Works" that have historically taken place on the properties. The policies are also intended to minimize hazards, and respect the interests of the community and adjacent landowners. The management of the park also requires ongoing cooperative relationships between the RDN, TLC, adjacent landowners, chargeholders, other public agencies, and area residents. Where appropriate, the park may provide economic and tourism benefits for local and regional businesses.

3.3 Objectives

The objectives outlined below summarize the key components for the management of the Nanaimo River Regional Park.

3.3.1 Accessibility

To provide a Park that permits the general public year round non-motorized access to the north and west side of the Park and does not allow public access to the sensitive areas on the south side of the park.

3.3.2 Public Safety

To endeavor to minimize hazards, both natural and human-made, in the management of the park.

3.3.3 Environment

To protect and enhance the sensitive fish habitat and intact riparian vegetation and to mitigate negative impacts associated with the passive recreation use.

3.3.4 Park Use

To provide a park that permits passive recreation in portions of the park and to restrict recreational uses that are detrimental to the environmentally sensitive areas and other natural and human-made features in the park.

3.3.5 Development Standards

To develop and maintain facilities to meet adequate standards that support passive recreational opportunities in the park.

3.3.6 Operations and Administration

To manage the Regional Park by lease agreement with *TLC*, incorporating the conservation aims of *TLC*.

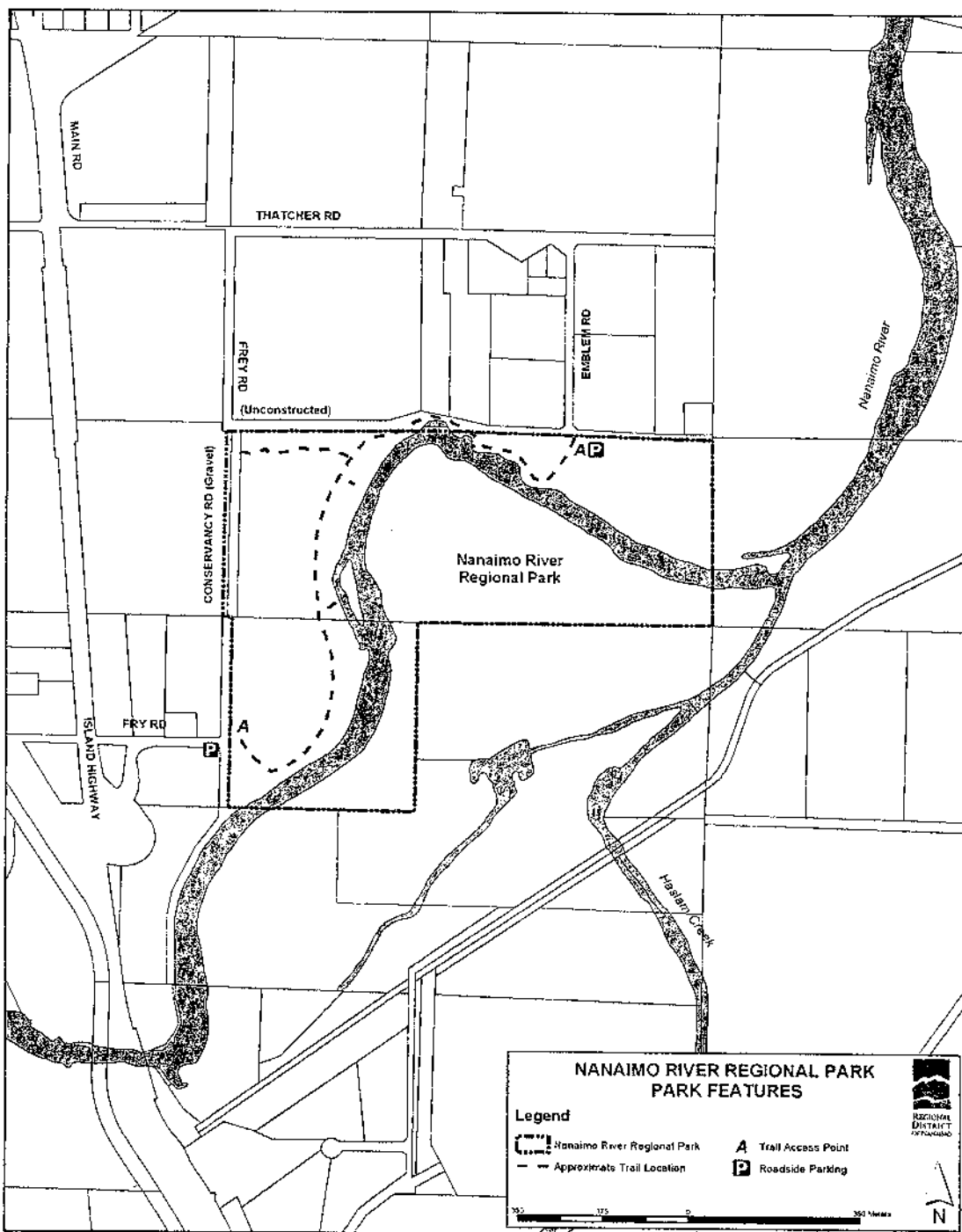
3.3.7 Economic Development

To consider economic and tourism opportunities for the surrounding community and the region as a whole.

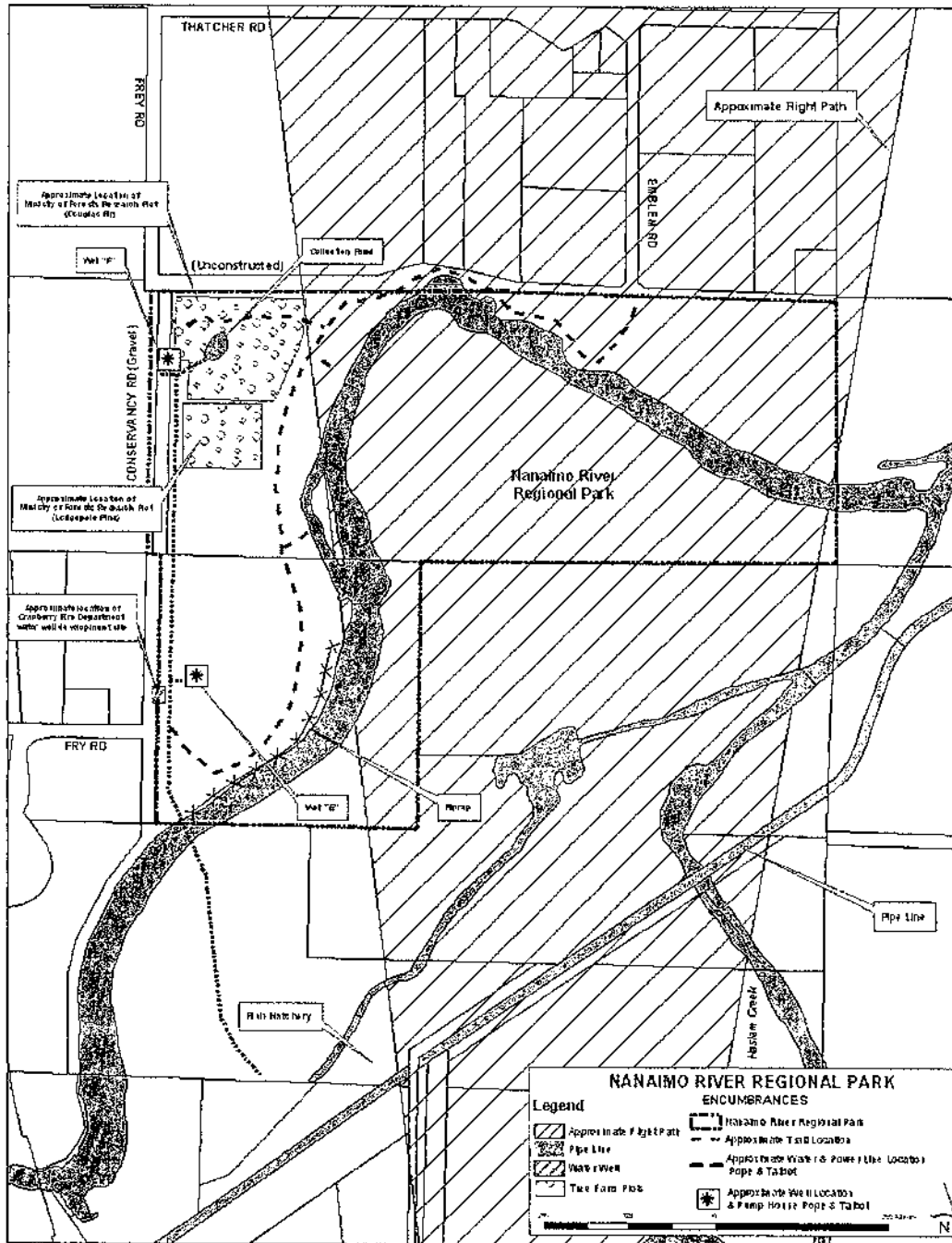
3.3.8 Cooperation

To liaise with the adjacent landowners, chargeholders, senior government agencies, and other stakeholders in the planning, management, and operations of Nanaimo River Regional Park.

Map No. 3.1 Park Facilities



Map No. 3.2 Encumbrances



Section 4 – Management Policies

4.1 Introduction

This section is divided into specific topics that relate to the management and administration of the park. Each topic area includes the Management Objective outlined in Section 3, a brief discussion of the topic area, and policies that form the guiding framework for the short and long term management of the park. The RDN anticipates reviewing and revising these policies before 2010. Development actions and administrative requirements have been developed from the policies outlined in this section and are detailed in Appendix I.

4.2 Accessibility

4.2.1 Management Objective

To provide a Park that permits the general public year round non-motorized access to the north and west side of the Park and does not allow public access to the sensitive areas on the south side of the park.

4.2.2 Background

The land on the north and west side of the park has been used over the years for recreational activities such as walking, swimming, picnicking, camping, fishing, horse back riding, and unlicensed vehicle use. Additionally, Harmac has industrial “Operational Works” on the west side of the park, including above and below-ground water lines, two concrete pump houses, 13.8 kV power lines, dirt roads, a holding pond, some fencing, and a riverbank protection/dyking system.

People do not tend to use the south side of the river for recreational pursuits, as it is physically more difficult to access and it is private property. The terms of the lease agreement between *TLC* and the RDN does not allow public access to the south side due to the environmentally sensitive nature of this area and because it is private property.

Gates, boulders, and ditches restrict vehicular access into the park on the north and west side. However groups and agencies with interests in the Park, such as Harmac, the Cranberry Fire Department, the Fish Hatchery, *TLC*, the RDN, Ministry of Forests and an adjacent property owner have keys to the gates. The north side of the River can be accessed by foot from Fry Road and Emblem Road. There is limited road side parking available at the entrance on Fry Road (approximately 2-3 vehicles) and Emblem Road (approximately 8 to 10 vehicles). Conservancy Road is an undeveloped dedicated road adjacent to the park and can only be accessed through the park. There is no public

access to the park land on the south side of the river as the terms of the lease agreement between *TLC* and the RDN does not allow public access and the adjacent land is private property.

4.2.3 Policies

4.2.3 (a) Public Access

- i) The north and west side of the Park is open to the general public for day-use and access is confined to designated trail or public rights of way.
- ii) Access to the south side of the Park shall be restricted to authorized personnel only.
- iii) Certain areas of the Park may be closed to public access as designated in this plan or as identified by park signage due to natural and human made hazards, emergency or environmental conservation requirements, and the operation and maintenance of Harmac’s industrial “Operational Works”.
- iv) Vehicular access is limited to authorized personnel only.

4.2.3 (b) Universal Design

- i) Accessibility and universal design matters shall be considered in any new facility development or upgrading projects to accommodate park users with different levels of ability.

4.3 Public Safety

4.3.1 Management Objective

To endeavor to minimize hazards, both natural and human-made, in the management of the park.

4.3.2 Background

Risk management is an important component in the decision-making process for the Park. Through risk identification, evaluation, and communication, liability in the Park can be managed. In the course of protecting the natural environment, the human-made facilities, and providing various passive recreational opportunities, not all risk can be eliminated.

Efforts shall be made to manage specific risks within the park property. Some of the obvious risks include no on-site staff and supervision of park use, swimming is unsupervised and undertaken in the River throughout the Park, there is a fire risk associated with unauthorized camping and day users, Search and Rescue is often called to swimming and boating accidents on the Nanaimo River, not necessarily in the Park, there are steep river banks, and under water hazards, such as snags. There is restricted access to Harmac’s “Operational Works” and they must not be trespassed on.

In addition, some of the existing uses at the Park have the potential to cause conflicts with adjacent landowners. In particular, unauthorized camping and party activities disturb adjacent landowners and dogs being walked in the Park have trespassed into adjacent farm fields disturbing livestock. As a result, Park management policies must recognize the need to reduce conflicts between park users and adjacent landowners.

Adjacent property owners play an important role for park security as they can raise the alarm if there is a fire or accident. When *TLC* first purchased the properties they contacted adjacent landowners requesting their assistance regarding security. The majority of these landowners were willing to provide their assistance.

The RDN is preparing park bylaws for all community and regional parks and trails in the region. The proposed bylaw, when adopted, will apply to the Nanaimo River Regional Park.

4.3.3 Policies

4.3.3 (a) Vehicles

- i) Vehicles are restricted to designated vehicular access routes. The RDN may authorize deviations from these routes as required for authorized personnel.
- ii) Speed limits within the park shall not exceed 10 km/hour.
- iii) The operation of recreational off road vehicles (e.g. ATVs and motorbikes) is not permitted in the park.

4.3.3 (b) Hazard Trees

- i) The disturbance or removal of native vegetation is not permitted in the park without the permission of the RDN. The RDN may authorize the removal of vegetation including hazardous trees, downed trees, invasive non-native species, for approved park development, and vegetation management.

4.3.3 (c) Campfires

- i) Campfires and charcoal barbeques are not permitted in the Park.

4.3.3 (d) Fire Protection

- i) The Cranberry Volunteer Fire Department provides fire protection for the Nanaimo River Regional Park.

4.3.3 (e) Hazard Identification

- i) Signage shall be used to identify known risks, including strong river currents, fluctuating water levels and flows, water obstruction

hazards, unsupervised swimming, and Harmac's "Operational Works".

4.3.3 (f) Park Rules

- i) Park users are subject to rules and regulations as set out in this Plan.
- ii) Where a bylaw regulating park uses has been adopted by the RDN the provision of the bylaw takes precedence over this Plan and the rules as set out in this Plan shall be in addition to any regulations as set out in the bylaw.
- iii) Bylaw enforcement officers shall be designated by bylaw.
- iv) Signage and brochures shall be the primary means to communicate hazard issues to park visitors.

4.4 Environment

4.4.1 Management Objective

To protect and enhance the sensitive fish habitat and intact riparian vegetation and to mitigate negative impacts associated with the passive recreation use.

4.4.2 Background

The Regional Park is located in the lower reaches of the Nanaimo River watershed. It contains mature Douglas fir forest and has some of the most significant salmon rearing and spawning habitat on the east coast of Vancouver Island. This riparian forest is one of the few remaining natural forests within the lower reaches of the Nanaimo River watershed.

The mature coastal Douglas-fir forest ecosystem, such as that found in the Park, is one of the top four most endangered ecosystems in Canada. In BC this ecosystem occurs only on southeast Vancouver Island and on the Gulf Islands and less than 1% of Douglas-fir stands remain in relatively unaltered condition. The mature coastal Douglas-fir forest in the riparian area of the Park is important to control flooding and provides habitat for fish and wildlife. The riparian forest consists of mature hemlock, fir, alder and cedar as well as fallen trees and woody debris.

Fisheries biologists assert that these properties are crucial to the survival of Nanaimo River Chinook, Coho, Chum, Steelhead and Cutthroat Trout. Historically, the Nanaimo River was the second best producing steelhead river on the east coast of the island, however steelhead fisheries stocks are now at an extinction level. In recent years, the Nanaimo River has been closed for steelhead fishing.

The park lands are situated on part of a highly productive source of groundwater called the Cassidy Aquifer. The main aquifer consists of post-

glacial deltaic sediments deposited by the Nanaimo River and Halsam Creek. The upper aquifer is 26 metres thick in the thickest part and consists of gravel and sandy gravel. The Aquifer was discovered when a drilling and pump testing program was undertaken in the course of developing a source of groundwater for industrial use.

Since 1979, the Nanaimo River Salmonid Enhancement Program has operated a hatchery on the adjacent property to the south, owned by Harmac, which supports Coho, Chinook and chum. The hatchery staff regularly collects brood stock and when necessary, salvages fry from the Nanaimo River on the park property.

No comprehensive wildlife assessment of the park has been undertaken, however a member of the Federation of BC Naturalists and Registered Professional Biologist provided casual observations of wildlife in the park over a two-year period and found it to be abundant. The large mammals identified include: Black Bear, Black-tailed Deer, Raccoon, Mink, Beaver, Eastern Cottontail, and Deer Mice. Reptiles and amphibians include: Common Garter Snake, and Pacific Tree frog. Over 24 variety of birds were identified and include: Bald Eagle, Great Blue Heron, Pine Siskin, American Robin, Canada Goose, Red Crossbill, Common Merganser, Song Sparrow, Belted Kingfisher, Varied Thrush, Northern Rough-winged Swallow, Violet-green Swallow, Glaucous-winged Gull, Pileated Woodpecker, Red-breasted Sapsucker, Bewick's Wren, Winter Wren, Dark-eyed Junco, Spotted Towhee, Olive-sided Flycatcher, Pacific-slope Flycatcher, Steller's Jay, Common Raven, and Spotted Sandpiper. There are no known eagle nest trees or heron colonies in the Park.

In 1997 the Ministry of Environment, Lands and Parks (Ministry of Water, Land and Air Protection) and Environment Canada mapped remaining fragments of rare and fragile terrestrial ecosystems throughout the eastern coastal lowland of Vancouver Island which is commonly referred to as the Sensitive Ecosystem Inventory (SEI). Six polygons were identified in the regional park property all of which are identified as Riparian ecosystems. The field reports indicate there is some fragmentation of the native landscape and evidence of erosion on the banks. The Conservation Data Centre (CDC) records indicated two historical occurrences of blue listed species, *Sagina decumbens* ssp. *occidentalis* (Western Pearlwort) and *Mustela erminea anguinae* (Ermine, Anguinae Subspecies). The CDC recommends a detailed assessment during the appropriate seasons.

In December 2003, a large log jam on the west side of the River blew which resulted in the redirection of the main channel flow. As a result, a small but significant spawning channel used by Chinook is no longer receiving any water flow. This action has also exposed a large area approximately 5 ha in size that was within the sensitive portion of the park unintended for public

access, however it is now vulnerable to being accessed by park visitors. This action by the river shows the volatility of the river as a natural system.

Fisheries and fish habitat assessment has not been undertaken of the Nanaimo River system within the Park. It is not anticipated that such an assessment would be undertaken in the first five years of the management plan.

There are no known archeological sites on the park properties. The nearest known site is approximately 1 km upstream of the park properties.

In some of the cleared areas in the north and west side of the Park lots of invasive plant species such as Scotch broom and Himalayan blackberry are taking over. On other properties, *TLC* has been successful in managing these invasive plants through the use of volunteer work parties to remove them and undertaking aggressive replanting initiatives. Harmac also engages in regular vegetation management to reduce any potential impacts to their “Operational Works.”

Interpretation of the natural environment is a type of education designed to engage visitors’ interest and to encourage them to make connections between understanding and protecting the natural environment, and their own actions. There are currently no interpretative initiatives taking place in the park.

Research activities on the natural environment that aim to protect and enhance the ecological values found in the park are encouraged. For example, research includes biological inventories, long-term environmental and biological monitoring. This research may assist in developing environmentally sound management decisions and policies.

For the purposes of this Management Plan, the RDN has divided the Park into three land use management zones. These zones are detailed in section 4.10. The purpose of these zones is to provide a framework to manage the park and to delineate the types and levels of uses appropriate throughout the Park.

Long-term management of the park will incorporate best practices to minimize the existing impacts on the natural environment and actions will be taken to rehabilitate some of the disturbed areas. In addition, interpretation and education initiatives at the park will stress the value of the natural environment and the roles that individuals play in protecting it.

4.4.3 Policies

4.4.3 (a) Park Use

- i) Uses within the infrastructure and natural environment zones shall not impact the natural environment and are not encouraged outside designated activity areas or trails.

- ii) New facilities shall be sited on disturbed areas to recognize environmental protection and conservation values, where possible.

4.4.3 (b) Development

- i) Any land alteration and development activity shall incorporate the principals and guidelines detailed in MWLAP's *Environmental Objectives, Best Management Practices and Requirements for Land Developments*, March 2001 and DFO/MELP Stewardship series.
- ii) The disturbance and removal of native vegetation is not permitted in the park without permission of the RDN and *TLC*. This may be authorized for the removal of hazardous trees, for the management of invasive non-native species, and for Harmac's vegetation management requirements.
- iii) The alteration of land is not permitted in the park without permission of the RDN and *TLC* and may be authorized to enhance ecosystems native to the Park, minimize erosion, and mitigate natural and human-made hazards.
- iv) Harmac is authorized to manage vegetation as well as any other undertakings necessary to carry out the operation and maintenance of their "Operational Works" as described in Harmac's Statutory Right of Way.
- v) The introduction of animals or planting of vegetation is not permitted in the Park without permission of the RDN and *TLC* and may be authorized to enhance ecosystems native to the Park, and minimize erosion.
- vi) The development of trails and other land alteration activities including vegetation removal shall not take place within 15 metres from the top of the bank of the River, unless otherwise permitted by the RDN and *TLC*.

4.4.3 (c) Interpretation and Education

- i) Interpretation and education activities and signage shall be encouraged.
- ii) The development and establishment of interpretation and education materials and initiatives shall be undertaken by the RDN and *TLC*.
- iii) Interpretation and education activities and signage shall emphasize public recreation safety and responsibilities, preservation of the environmentally sensitive features, community stewardship ethic, and the ecological values found in the park.

4.4.3 (d) Rehabilitation

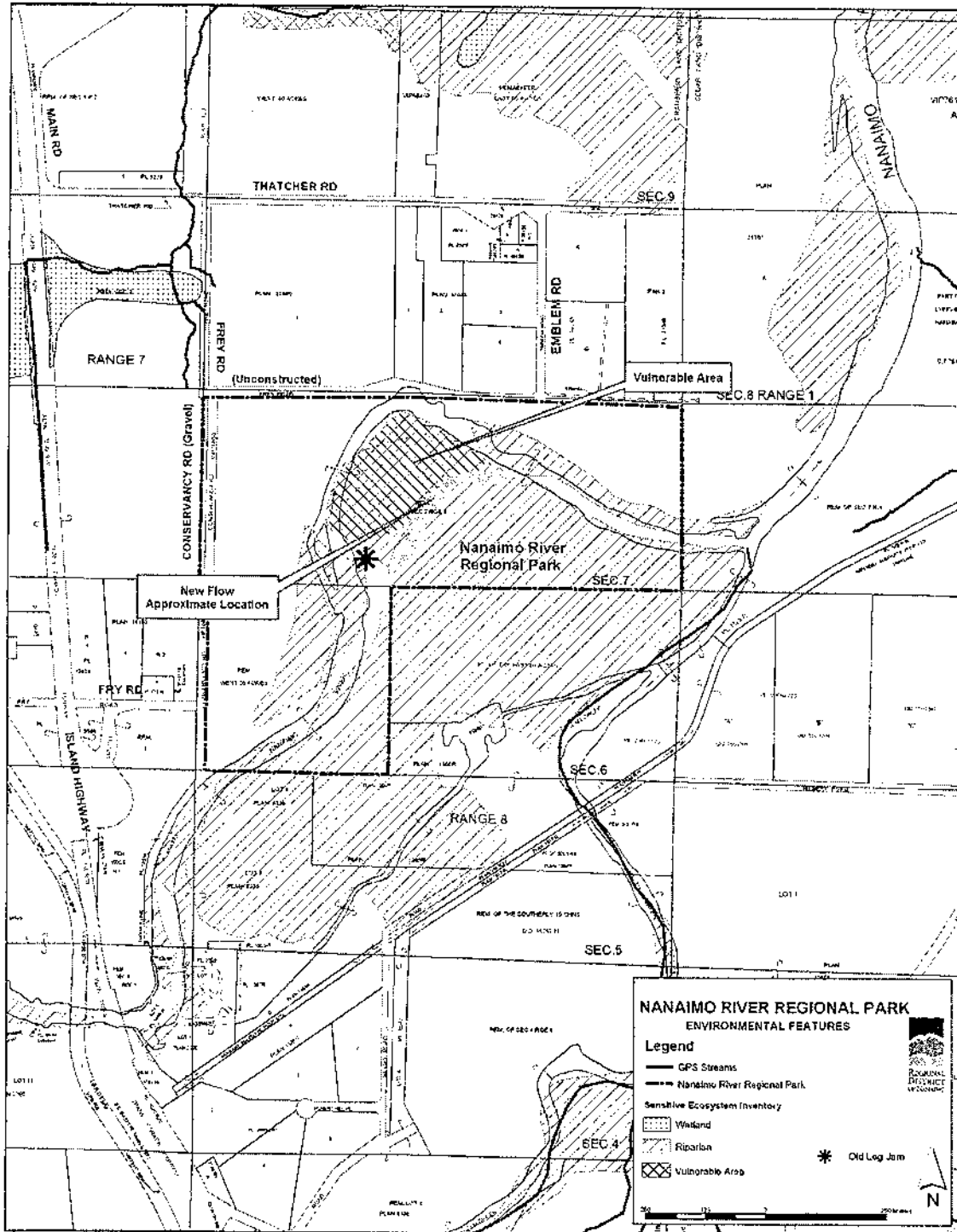
- i) The enhancement or rehabilitation of disturbed upland natural areas shall be encouraged.
- ii) Fish habitat enhancement and/or restoration projects shall not be undertaken until a comprehensive assessment has been undertaken.

- iii) The RDN and *TLC* may permit emergency restoration works in certain circumstances and providing an agreement can be reached between the parties.

4.4.3 (e) Research

- i) Ecological inventories and mapping that support park management planning processes are encouraged.
- ii) The RDN and *TLC* shall work with other agencies, organizations, community groups, and land trusts to inventory, evaluate, and manage the natural environment and to maintain and enhance the biological diversity of the park.
- iii) The RDN and *TLC* shall encourage or partner with research organizations, such as universities, to conduct research designed to investigate methods to enhance the park conservation goals.
- iv) Permit researchers to undertake research in the park and on trails to explain natural phenomena, provided the research activities are consistent with the conservation objectives of the park.

Map No. 4.1 Environmental Features



4.5 Park Use

4.5.1 Management Objective

To provide a park that permits passive recreation in portions of the park and to restrict recreational uses that are detrimental to the environmentally sensitive areas and other natural and human-made features in the park.

4.5.2 Background

The park has a long history of use for recreational fishing and swimming. There are trails along the north and west side of the properties that are used to access fishing and swimming sites. The north side of the River can be accessed by foot from Fry Road and Emblem Road with limited parking available at the entrance on Fry Road and Emblem Road. There is no access to the park land on the south side of the river as the terms of the lease agreement between *TLC* and the RDN does not allow access and the adjacent land is private property

Public access is restricted to enable passive recreational pursuits on the north and west side of the park and to prohibit access on the south side of the park. There are currently no public facilities at the park and any public facilities developed in the future are anticipated to be limited.

The north side of the parkland has been well used for other outdoor activities including access to a popular swimming hole that has attracted swimmers and picnickers, as well as recreational fishing. However, recreational fishing is limited due to closures. Other less acceptable uses have been identified and need to be managed, for example, overnight camping and parties held after dusk and unlicensed off-road vehicles.

There is a well-developed walking trail on the north bank of the river and it is anticipated the Regional Park may provide a hub for future connections to the Trans Canada Trail and the Morden Colliery Trail. In November 2002, the Regional Board endorsed the Electoral Area 'A' Community Trail Study, which identified various trail opportunities and provides recommendations on the actions required to develop them, including a water trail. Horse back riding occurs in the park and the therapeutic riding association and individuals have been using some of the trails on the north side of the River.

Pope & Talbot Ltd., Harmac Pulp Operations activities on these lands date back to 1949, when MacMillan Bloedel owned these properties and the Harmac Mill. Presently, these lands, and the Harmac lands adjacent to them, form an integral part of the pulp mill's water supply system. Well water from this area is free of sediment and low in minerals, providing an ideal water supply for producing high quality pulp. As a result of the importance of this

water supply, Harmac has protected rights to this water supply through a Statutory Right of Way registered on the title of these lands. In addition, Harmac has industrial “Operational Works” on the west side of the park that includes above and below-ground water lines, two concrete pump houses, 13.8 kV power lines, roads, a holding pond, fencing, and riverbank protection/dyking system.

TLC offers conservation holidays where interested groups and individuals volunteer their time to undertake conservation related activities on *TLC* owned properties. Activities include invasive species removal, riparian plantings, forest fuel reduction, property maintenance, and repairs to older buildings. *TLC* intends to offer conservation holidays in the Park to remove some of the invasive plants. The RDN and *TLC* anticipate expanding the conservation holiday program on the park properties.

The RDN is preparing park bylaws for all community and regional parks and trails in the region. The proposed bylaw, when adopted, will apply to the Nanaimo River Regional Park.

The RDN has experienced increasing numbers of requests for group activities and special events within the regional parks. Special events may include commercial or non-commercial events or activities that attracts participants and spectators and may include festivals, competitions, tournaments, or similar outdoor events.

4.5.3 Policies

4.5.3 (a) Permitted and Prohibited Uses

- i) Permitted uses in the Nanaimo River Regional Park include:
 - 01. Walking on designated trails;
 - 02. Cycling and Mountain Biking on designated trails;
 - 03. Horse back riding on designated trails;
 - 04. Swimming;
 - 05. Fishing with a valid Fresh Water Sport Fishing license;
 - 06. Picnicking;
 - 07. Authorized Special Events;
 - 08. Industrial “Operational Works” as described in Harmac’s Statutory Right of Way; and
 - 09. Other uses compatible with the peaceful enjoyment of nature.

- ii) Prohibited uses in the Nanaimo River Regional Park include:
 - 01. Camping;
 - 02. Charcoal Barbequing;
 - 03. Campfires;
 - 04. Off-road and unlicensed vehicle use; and
 - 05. Possession or consumption of alcoholic beverages.

- 4.5.3 (b) Pets**
- i) Pets are the responsibility of their owner and shall be kept under control at all times.
 - ii) Pet owners shall pick up their dog's waste and remove it from the Park.
- 4.5.3 (c) Research**
- i) Research that contributes to the knowledge, cultural history, and environmental protection will be encouraged providing it does not negatively impact, alter or disturb land that contains environmentally sensitive features.
- 4.5.3 (d) Restoration**
- i) The RDN and *TLC* may permit restoration works that are consistent with the overall vision of the Park.
- 4.5.3 (e) Park Rules**
- i) Park users are subject to rules and regulations as set out in this Plan.
 - ii) Where a bylaw regulating park uses has been adopted by the RDN the provision of the bylaw takes precedence over this Plan and the rules as set out in this Plan shall be in addition to any regulations as set out in the bylaw.
- 4.5.3 (f) Special Events**
- i) Special events may be permitted by the RDN and *TLC*.
 - ii) Special events must meet the following conditions:
 - 01. The special event is an appropriate outdoor recreation activity.
 - 02. The special event will have minimal environmental impact.
 - 03. The site selected will be sensitive to the natural environment and the experience of other park users and adjacent property owners.
 - 04. No permanent or temporary facilities or structures associated with the service or activity shall be erected or constructed, without permission from the RDN and *TLC*.
 - 05. On site advertising for special events shall be limited to one sign, sandwich board, or banner.
 - 06. Must obtain a special event permit.

4.6 Development Standards

4.6.1 Management Objective

To develop and maintain facilities that meet adequate standards that support passive recreational opportunities in the park.

4.6.2 Background

The park facilities are currently very limited and expansion of these facilities is also anticipated to be limited in scope. Any facilities will be restricted to the north and west side of the Park. The location and extent of facility development is to be in keeping with the conservation aims of the property owners. In addition, there is no on-site manager of the park and any facilities to be developed must be done so with this in mind.

Facilities and development that has been identified includes improvement to parking areas, park signage (including interpretive and safety/hazard signage, “restricted access” and “no trespassing”), trail improvement, and the possible future installation of garbage cans and portable washrooms. The recent installation of the well by the Cranberry Fire Department located close to the Fry Road access provides the park with a source of water and electricity.

The park properties are zoned Rural 4 (RU4) pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 (Bylaw No. 500) and are located within the Agricultural Land Reserve (ALR). Bylaw No. 500 permits parks in any zone and the ALR Regulations permits parks established by local governments for the purposes of conservation and passive recreation, but limits the size of buildings and structures. In spite of Bylaw No. 500 and the ALR Regulations supporting the park use it may be appropriate to rezone the property to recognize the specific park use.

4.6.3 Policies

4.6.3 (a) Facility Standards

- i) As facilities are developed and upgraded, any works shall follow Provincial Park standards as a guideline to address public safety concerns, follow best practices, and manage risk.

4.6.3 (b) Land Use Regulations

- i) Any development shall be consistent with the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 and the Agricultural Land Reserve Regulations.
- ii) The RDN shall investigate rezoning the park properties to recognize the park use.

4.6.3 (c) Development

- i) Recreational facilities shall be developed in accordance with the Capital Plan.
- ii) Any recreational facilities to be developed shall not require regular monitoring.
- iii) Recreational facilities shall be designed and located to minimize risks of disturbing fish and wildlife habitat.
- iv) Recreational uses and trail facilities shall only be developed within designated areas.
- v) Realigning existing trails and routes, or developing new ones shall consider the following:
 01. Trails should be looped or consider return journeys by incorporating a number of trails;
 02. Trails should provide links to the regional trail network;
 03. Trails should avoid sensitive terrain such as steep slopes and vegetated areas that cannot sustain disturbance, for example recently revegetated areas.
 04. Trails should be constructed to consider multiple-users for example, pedestrians, bicycles, and horse.
 05. Trails that are not required shall be identified, closed using barriers and allow natural re-growth.

4.7 Operations and Administration

4.7.1 Management Objective

To manage the Regional Park by lease agreement with *TLC*, incorporating the conservation aims of *TLC*.

4.7.2 Background

Operations and administration of the park refers to the short and long term roles and responsibilities of the RDN and *TLC* in managing the park. As outlined above, facility development is anticipated to be limited and there is no on-site manager. In addition, the RDN's Regional Park operational budget to undertake various initiatives is limited and priorities need to be considered in this context.

Management and development initiatives that have been identified include park promotion, annual hazard assessment, signage development and installation, and emergency plan development. These activities are further detailed in Appendix No. I.

The conservation aims of *TLC* are quite broad and include:

- (a) promoting and encouraging the protection, preservation, restoration, beneficial use and management of plants, animals and natural communities by protecting

- the lands and waters they need to survive, and secondarily, areas of scientific, historical, cultural, scenic and compatible outdoor recreational value;
- (b) promoting charitable activities or endeavors, including the acquisition, management and disposal of land as this contributes to the above objectives; and
 - (c) encouraging co-operation in, support for and research into, and education regarding all matters pertaining to the fulfillment of the above objectives.

The lease agreement states that the RDN agrees to operate the lands as a regional park in a manner compatible with the conservation aims of *TLC*, including but not limited to, the preservation of the forest ecosystem, fish and wildlife habitat. The agreement specifically states that there shall be no improvements including trails built on the south side of the river and that the RDN may develop parking, trails, picnic and other appropriate facilities on the lands to the north side of the river.

As detailed in section 4.9 a number of encumbrances are registered on the title of the park. The management of the park must consider the impact on chargeholders and activities undertaken by the chargeholders shall consider the aims of the park. The Statutory Right of Way held by Harmac applies to both properties and grants them the right to maintain, repair, and enhance their “Operational Works” as required.

Volunteers play an important role for the RDN Recreation and Parks Department and *TLC* for park stewardship, trail construction, invasive species removal, and replanting programs, for example. Therefore, volunteers are recognized as being valuable components in the management and operations of the Nanaimo River Regional Park.

Policies

4.7.3(a) Maintenance

- i) The RDN shall conduct annual maintenance inspections and risk management evaluations.

4.7.3(b) Signage

- i) Signage may only be placed in the park with the approval of the RDN and *TLC*.
- ii) The RDN shall undertake the development and installation of any signage related to the management of the park.
- iii) *TLC* and RDN shall undertake the development and installation of any interpretational signage.

4.7.3(c) Volunteers

- i) Volunteers may be used in the operations and development of facilities at the park.
- ii) In consultation with *TLC*, the RDN shall develop a coordination program to assist with the park stewardship.

4.7.3(d) General

- i) The resolution of issues not specifically identified in this plan shall be decided by the Manager of Recreation and Parks, in consultation with *TLC*.

4.7.3(e) Land Interests

- i) Chargeholders interests shall be considered as part of any decision making.

4.8 Economic Development

4.8.1 Management Objective

To consider economic and tourism opportunities for the surrounding community and the region as a whole.

4.8.2 Background

Local area residents tend to be the most frequent public users of the Nanaimo River Regional Park for recreational pursuits including dog walking, swimming, and fishing. In addition, wildlife enthusiasts from elsewhere in the region also visit the park. However, there are no figures for the numbers of visitors to the park.

The Nanaimo River Regional Park is one of eight regional parks in the RDN. In addition, there are many trails and community parks within the Regional District that are well used by visitors from all over. The RDN regularly promotes its regional parks and trail system through different mediums. As a result, businesses within close proximity to the individual parks tend to receive the indirect benefit of this promotion activity.

Promotion of the Nanaimo River Regional Park is anticipated however the scale of this promotion will be minimal as the primary purpose of the park is to preserve the natural environment.

4.8.3 Policies

4.8.3(a) Regional Tourism

- i) Where appropriate, the RDN will participate in efforts to promote regional tourism through the promotion of the park.

4.9 Cooperation

4.9.1 Management Objective

To liaise with the adjacent landowners, chargeholders, senior government agencies, and other stakeholders in the planning, management, and operations of Nanaimo River Regional Park.

4.9.2 Background

Adjacent land uses include large and small farms and rural acreages, industrial “Operational Works” for water supply to Harmac, the Ministry of Transportation gravel storage area and old fire suppression camp area, forestry lands, and the Nanaimo River fish hatchery.

There are a number of charges on the title of the parkland and these include:

- Pope & Talbot Ltd., Harmac Pulp Operations (Harmac) has a Statutory Right of Way over both properties for their “Operational Works” (above and below-ground water lines, two pump houses, 13.8 kV power lines, dirt roads, a holding pond, some fencing, and a riverbank protection/dyking system). Harmac’s Statutory Right of Way is for the purposes of obtaining water from sources located on the lands and for maintaining dykes and riverbanks located on or next to the lands in order to protect wells and waterworks located on the lands, and for all uses required to facilitate such purposes, and to do on the lands all acts, things and matters necessary, required or desirable to effect such purposes including, without limitation, the construction, maintenance, repair, use, renewal, operation over, replacement and removal on, over and through the lands of any and all works necessary or desirable for such purposes, whether or not currently existing on the lands (such works hereinafter called the “Operational Works”).
- An aerial easement over the whole Park held by the Nanaimo Regional Airport Authority such that vegetation within the flight path can be trimmed, pruned, or removed as required.
- The Cranberry District Fire Department’s well at the Fry Road entrance. A license agreement has been signed between the Fire Department and RDN.

In addition to the formal encumbrances, the Ministry of Forests has two research plots for Douglas-fir and lodge pole pine located in the northwest corner of the Park. This arrangement must be formalized. Also, the hatchery operated by the Nanaimo River Salmonid Enhancement Program on the adjacent private property regularly collect brood stock and salvage fry from the Nanaimo River on various locations on the park property. Due to associated liability issues a formal arrangement should be initiated with the hatchery.

At the northern boundary of the Park adjacent to Frey Road (dedicated but unconstructed) the trail follows a bend in the river that crosses onto the dedicated road.

The Nanaimo Fire Suppression Camp was identified in the RDN Regional Parks Plan, Schedule A, as a significant site for the parks system. This parcel is owned by the Crown and has been used for gravel extraction. The site is also used as an access point to the river. However, the recreational value of this property is limited to providing a possible parking area for the park and no formal talks have taken place between the province and the RDN. A review of acquiring this property may be considered.

In addition to the chargeholders, senior government agencies with potential interests in the Regional Park include Fisheries and Oceans Canada, Ministry of Water, Land and Air Protection, Ministry of Sustainable Resource Management, and the Agricultural Land Commission.

4.9.3 Policies

4.9.3(a) Adjacent Landowners

- i) The RDN and *TLC* will liaise with adjacent landowners to cooperate on matters of mutual interest or benefit related to park operations including:
 - 01. Public access;
 - 02. Nuisance and vandalism;
 - 03. Security issues; and
 - 04. Emergency issues (flood, fire).
- ii) The RDN will seek to work with adjacent landowners to promote park objectives and enhance sensitive features on adjacent lands.

4.9.3(b) Land Interests

- i) Public agencies and private companies that own or control land and fixtures within Nanaimo River Regional Park will be encouraged to ensure their activities conform to and are consistent with this plan.
- ii) The RDN shall secure a management agreement with the Ministry of Forests for their research plots.
- iii) The RDN shall establish a management agreement with the Nanaimo River Salmonid Enhancement Program in consultation with Harmac.
- iv) The siting of any park facilities shall consider the location of existing charges on the land to minimize conflicts.
- v) The RDN shall secure a license agreement with the Ministry of Transportation for the trail encroachment onto Frey Road.

4.9.3(c) Government Agencies

- i) The RDN will seek to work with other government agencies to promote park objectives and uphold other agencies mandates.

4.9.3(d) Land Acquisition

- i) The acquisition of adjacent lands shall be considered where the land contains significant environmental values and/or establishes a buffer for the sensitive lands or reduces environmental impacts in the regional park.

4.10 Park Use Zones

A system of park use zones has been developed to provide a framework in which to manage the Nanaimo River Regional Park and outlines the types and levels of use appropriate throughout the park. The establishment of the park zones is guided by a vision of preservation and enhancement of the environmentally sensitive features in the park, as well as providing passive recreational opportunities on the north side of the river. The zones are also intended to assist in reducing existing and potential conflicts between uses and activities.

The park has been divided into three management zones that correspond to the overall vision of the park to protect and enhance the environmentally sensitive features. The location of each zone is shown on Map No. 4.2.

4.10.1 Natural Environment Zone

The objective of this zone is to provide passive and low impact recreational opportunities in areas that have previously been disturbed and to protect natural values of those areas that have experienced some disturbance. The types of activities permitted shall have a low to moderate impact on the natural environment and are intended to be dispersed over a large area and include walking, fishing, swimming, picnicking, and horseback riding. Development will be limited to trails, signage (safety, information and interpretation), fencing, and temporary facilities for research or management.

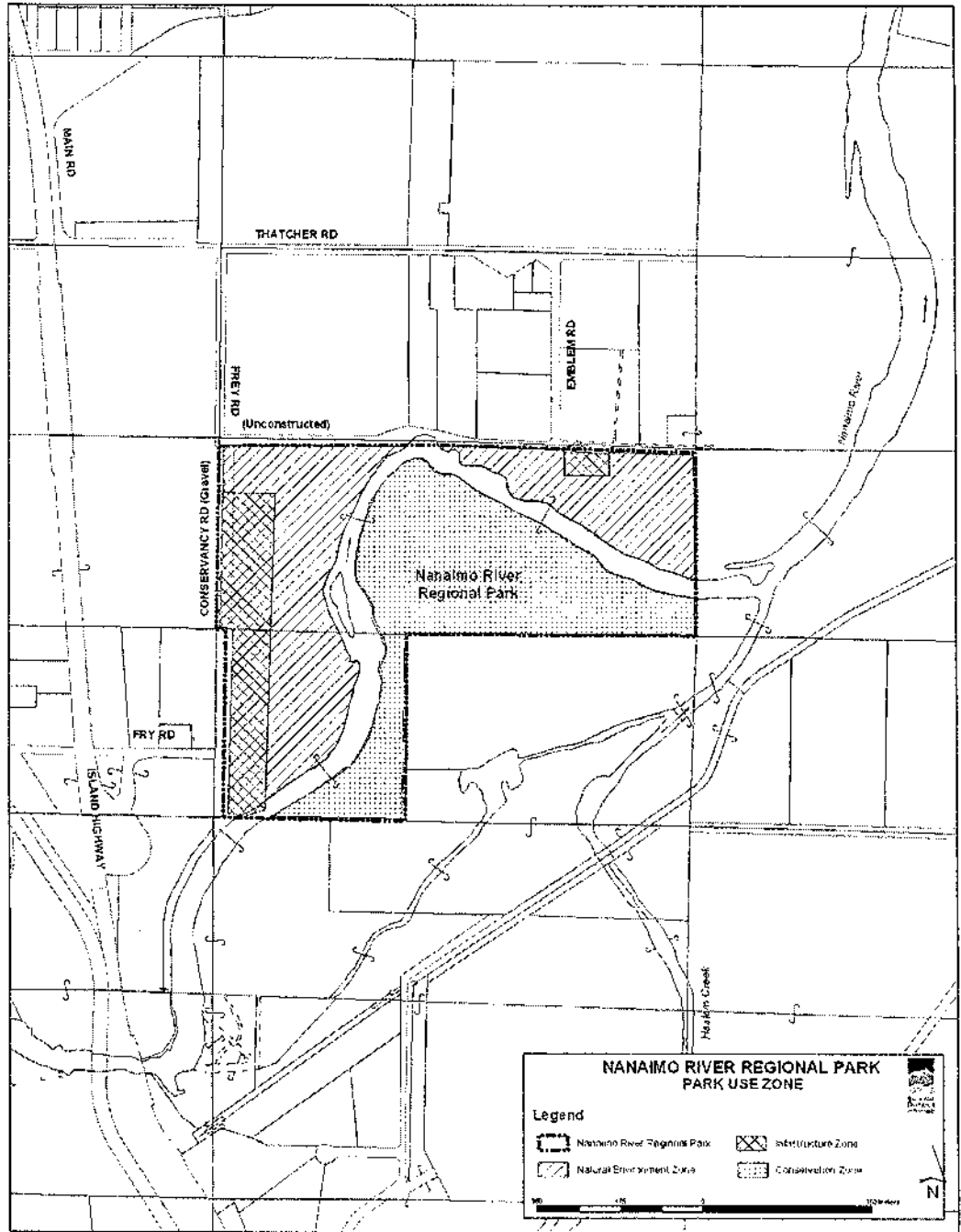
4.10.2 Conservation Zone

The objective of this zone is to protect and enhance the environmentally sensitive features, as well as fish and wildlife habitat. Conservation values take precedence over human use. This zone includes the portion of the park south of the river. The only development that may be considered for this zone is enhancement works and signage.

4.10.3 Infrastructure Zone

The objective of this zone is to recognize existing infrastructure, for example the Harmac “Operational Works” and, to locate necessary park structures where natural values are minimal as these uses tend to result in considerable landscape modification. Development may include information kiosk, park buildings for example washrooms, picnic shelters, storage areas, and parking areas.

Map 4.2
Park Use Zones



Appendix I – Administrative/Capital Plan and Development Projects

A. Administrative/Capital Plan

This section outlines the administrative activities that the RDN and *TLC* will undertake within the five-year period of this plan. These activities are necessary for the ongoing operations of the Park and are outlined in Table No. 1.

This section also details the capital projects that are proposed to be undertaken in the next five years. Table No. 2 prioritizes the actions for years 1 to 5. The focus of the works is to establish rudimentary services. The lack of on site staff and the primary objective to conserve the environmental values limits what can and is desired to be undertaken at the park. The administrative activities and development actions are derived from the policies set out in Section 4 of this Plan.

The RDN will be responsible for undertaking any development projects at the park and intends to undertake the works according to the defined priority list. The RDN may undertake development projects in addition to those outlined in this plan. On the list below the agency responsible is identified in brackets. The ability to do the works is dependent upon adequate resources. As well, priorities may be modified as a result of emergencies and unforeseen opportunities.

Funding for both these development projects and administrative activities will be from the general regional parks budget. However it is possible that development funding may be augmented by project sponsorship, partnerships, and commercial contributions, for example.

B. Development Projects and Administrative Activities

1. Access

- a) Ascertain who has keys to the park gates and maintain up to date list. (RDN)
- b) Define authorized personnel permitted to access south side of river and vehicular access to park. (RDN and *TLC*)
- c) Install park identification signage at access points, vulnerable area, and property boundary signage to limit trespassing onto adjacent private land. (RDN)

2. Public Safety

- a) Prepare a fire safety and water safety plan and method to communicate it to park visitors. (RDN)
- b) Install signage identifying potential hazards, “No Trespass” on Harmac’s “Operational Works” and emergency numbers. (RDN)
- c) Undertake annual hazard tree assessment adjacent to trails and developed public use areas in the Park. (RDN)

- d) Monitor bank erosion within the Park. (*TLC*)
- e) Adopt a park bylaw and designate bylaw enforcement officers. (RDN)

3. Environment

- a) Develop a vegetation management plan for the park that includes: (*TLC*)
 - Fire management issues, particularly related to the north and west portion of the park, that address visitor safety;
 - A research strategy for the forest on the south side of the River;
 - Consideration of natural tree hazards occurring within the park, specifically within the Natural Environment zone;
 - Consideration of the Ministry of Forests research plots;
 - Harmac's vegetation management of their "Operational Works";
 - Management of invasive plant species, removal and replanting; and
 - Defining opportunities for vegetation enhancement.
- b) Conduct a wildlife habitat inventory. (*TLC*)
- c) Conduct a fisheries habitat assessment and develop a management strategy. (*TLC*)

4. Economic Development

- a) Encourage guidebooks to provide information about the park outlining the location, facilities, conservation and recreation roles. (RDN and *TLC*)
- b) Install signage on the highway. Prior to this, adequate parking must be developed to accommodate visitors. (RDN)
- c) Develop procedures for special events. (RDN)

5. Park Use

- a) Undertake a facilities assessment including trails, parking, signage, and Harmac's "Operational Works". (RDN and *TLC*)
- b) Establish special event permits. (RDN)

6. Standards

- a) Install portable toilets. (RDN)
- b) Install picnic tables. (RDN)
- c) Enhance Emblem Road parking. (RDN)
- d) Rezone park properties and establish a regional park zone. (RDN)

7. Operations and Administration

- a) Together with *TLC*, develop a stewardship coordination program. (RDN and *TLC*)
- b) Conduct an annual review of park facilities (trails, etc). (RDN)
- c) Erect signs on Highway 1. (RDN)
- d) Erect miscellaneous signage (safety, information, interpretation and education, etc). (RDN and *TLC*)

8. Cooperation

- a) Together with *TLC*, develop a consultation mechanism with other stakeholders including adjacent property owners, chargeholders, etc. (RDN and *TLC*)
- b) Develop a formal agreement with the Nanaimo River Salmonid Enhancement Program, in consultation with Harmac. (RDN)
- c) Secure a lease agreement with the Ministry of Forests for their research plots. (RDN)
- d) Review potential for acquiring adjacent lands. (RDN)
- e) Secure license agreement with Ministry of Transportation for the trail encroachment. (RDN)

Table No. 1 – Administrative Requirements

Actions	As required	Annually	Short term year 1 to 2	Mid term Year 2 to 5	Long term Year 5+
Management of keys					
Define authorized personnel					
Delineate boundary					
Prepare fire and water safety plans					
Hazard tree assessment					
Monitor bank erosion					
Adopt park bylaw					
Guidebooks					
Special events management plan					
Rezone park					
Facilities assessment					
Establish special events permit					
Stewardship coordination program					
Park facility review					
Develop stakeholder consultation strategy					
Develop formal agreement with hatchery					
Secure lease agreement with MOF					
Secure license agreement with MOT					
Land acquisition					

Appendix II – Glossary of Acronyms

ALR - Agricultural Land Reserve
ALC – Agricultural Land Commission

DFO – Federal Fisheries and Oceans

MELP – Ministry of Environment, Land and Parks
MOF – Ministry of Forests
MOT – Ministry of Transportation
MWLAP – Ministry of Water, Land and Air Protection

NRRP – Nanaimo River Regional Park

RDN – Regional District of Nanaimo

TLC – The Land Conservancy of BC

REGIONAL DISTRICT OF NANAIMO	
APR - 1 2005	
CHAIR	GM/MS
	GM/MS
CAO	GM/MS
	GM/MS
	GM/MS
	GM/MS
	GM/MS
	GM/MS
	GM/MS

MEMORANDUM

TO: Neil Connelly
General Manager, Community Services

DATE: April 1, 2005

FROM: Christina Thomas
Senior Planner, Community Services

FILE: 6780-40-RGCS

SUBJECT: REGIONAL CONTEXT STATEMENT – CITY OF NANAIMO

PURPOSE

The purpose of this report is consider the City of Nanaimo Regional Context Statement (RCS) for “continued acceptance”.

BACKGROUND

The City of Nanaimo Regional Context Statement (RCS) is provided for consideration of “continued acceptance” (*see Attachment 1*).

Pursuant to the *Local Government Act* (section 866) municipalities must review their RCS at least once every five years after its latest acceptance by the Board or within two years of the adoption of a new RGS bylaw and, if no amendment is proposed, municipalities must submit their RCS to the Board for its consideration of “continued acceptance”. The RDN Board approved the City of Nanaimo RCS in September of 1998, and adopted a new RGS bylaw on June 10, 2003. Consequently, the City of Nanaimo has now provided its RCS to the RDN Board for consideration of “continued acceptance”.

The City of Nanaimo RCS continues to fulfill the *Local Government Act* requirements for RCSs. Specifically, it identifies the relationship between the City of Nanaimo official community plan and the Regional Growth Strategy and how the OCP will be made consistent with the RGS over time.

The City of Nanaimo RCS does not need to fulfill the new Board approved framework¹ for RCSs as it is not proposing to make any changes to its OCP that require RCS amendments at this time. Rather, it is expected that the next time the City of Nanaimo amends its OCP (i.e. as a part of the OCP review scheduled to start in the fall of 2005) it would include amendments to the RCS to match up with the new RCS content requirements.

The Intergovernmental Advisory Committee (IAC) reviewed the City of Nanaimo RCS at its March 31, 2005 meeting, and concurs with the RDN staff recommendation to continue to accept the City of Nanaimo RCS.

¹ The RDN Board approved a new process and framework for the development of RCSs at its February 10, 2004 meeting as a result of the inclusion of a new policy in the RGS that requires RCS in municipal and electoral area OCPs. The framework identifies a series of questions to be answered in a RCS for the purpose of establishing the relationship between the RGS and the OCP. It also establishes the sequence of events leading up to RDN Board acceptance of RCSs, including opportunities for IAC review.

ALTERNATIVES

1. Continue to accept the City of Nanaimo Regional Context Statement (RCS).
2. Request the City of Nanaimo to make amendments to its RCS to address specific identified issues.

GROWTH MANAGEMENT IMPLICATIONS

The Regional Context Statement included in the City of Nanaimo Official Community Plan establishes the link between the Regional Growth Strategy and the City's OCP. It describes how the OCP and the RGS are consistent, identifies inconsistencies, and describes how these inconsistencies will be resolved.

SUMMARY

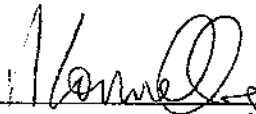
The City of Nanaimo Regional Context Statement (RCS) is provided for consideration of "continued acceptance" pursuant to the *Local Government Act*. The RCS continues to fulfill its role of describing the linkage between the Regional Growth Strategy and the City's Official Community Plan.

RECOMMENDATION

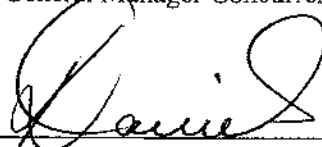
That the Regional District of Nanaimo continue to accept the City of Nanaimo Regional Context Statement.



Report Writer



General Manager Concurrence



CAO Concurrence



2005-Mar-29

File: 6480-20-1996-A01-2005-Apr

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

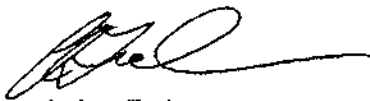
SUBJECT: Official Community Plan Regional Context Statement Request for Continued Acceptance

Further to the discussions at the IAC and the process outlined in the Regional District of Nanaimo document entitled "Regional Context Statements: Content and Development Process", the City of Nanaimo wishes to request "Continued Acceptance" of the Regional Context Statement contained in Plan Nanaimo, the Official Community Plan (OCP) Bylaw 6000.

The Regional Context Statement (RCS) is being forwarded for Continued Acceptance at this time in order to meet the statutory deadline of June 2005. It is the City's intent to review the RCS within an overall review of the OCP. That review, which will be a 10 year review, will begin in the fall of 2005.

Should you require additional information or clarification of the above, please feel free to contact me at 755-4450.

Yours truly,



Andrew Tucker,
Manager, Community Planning Division

Attach.

AT/fg
g:\complan\OCP\2005-Apr\RDN_RCS_continuance

10. REGIONAL CONTEXT

The provincial Growth Strategies Act by amendments to the Municipal Act establishes a mechanism to link Official Community Plans (OCP) and the Regional Growth Management Plan. The Regional District of Nanaimo adopted a Growth Management Plan for the Regional District of Nanaimo on 1997-Jan.-14. With adoption of the Regional Plan, the Municipal Act requires the City to adopt a "Regional Context Statement" as a part of its Official Community Plan within two years.

Regional Context Statement will:

- *define the relationship between the two plans;*
- *determine the method for achieving compatible or consistent plans over time; and*
- *indicate how and when the OCP will be amended following adoption of the Regional Context Statement by identifying which amendment issues have a regional interest.*

This process places the Regional District of Nanaimo and the City of Nanaimo on an equal footing in the preparation and adoption of the Region's Growth Strategy and the local government's Regional Context Statement. This relationship is fundamental to the working partnership envisioned by the provincial legislation.

10.1.1 Goals

- **To cooperate in managed regional growth:** To participate in achieving region wide growth management objectives.
- **To coordinate planning and development:** To coordinate planning and development in the City of Nanaimo with the Regional District of Nanaimo.

10.1.2 Objectives

- **To support regional growth management:** To maintain growth management goals and policies consistent with Regional planning goals.
- **To anticipate growth:** To plan for and accept the city's share of regional growth.
- **To maintain Nanaimo as a regional centre:** To enhance the city's role as a population, economic and service centre for the Regional District of Nanaimo and mid-island area.
- **To coordinate City growth management planning initiatives with other organizations:** To collaborate with other jurisdictions in the resolution of inter-municipal and inter-jurisdictional growth management issues.
- **To cooperate among jurisdictions to ensure future amendments are consistent:** To actively include the Regional District in the amendment process in an effort to ensure future amendments are consistent with the Regional Growth Management Plan.

10.1.3 Regional Context Statement

1. All policies of Plan Nanaimo, with the exception of the policies relating to the Urban Containment Boundary (UCB) outlined in section 10.1.3(4) below, are consistent

with or complementary to those policies in the Regional District of Nanaimo's Growth Management Plan (see summary in section 10.1.3(2). (6000.027; 2000-May-15)

Plan Nanaimo has mechanisms for containing sprawl, creating complete livable communities, protecting the integrity of rural areas, protecting environmentally sensitive features, improving service efficiency, and initiating cooperation among jurisdictions.

Plan Nanaimo is a tool for guiding growth and initiating the production of additional guidelines which provide clear direction for development and the achievement of the goals reflected in both the Regional Growth Management Plan and Plan Nanaimo.

2. This Regional Context Statement will be reviewed by the Regional District of Nanaimo and the City of Nanaimo jointly every five years following the adoption date.
3. Policies of Plan Nanaimo are consistent with the policies of the Regional Growth Management Plan as outlined below. Any additions, deletions and amendments to the following policies may result in inconsistencies with the Regional Growth Management Plan, and require the need for the Region and the City to come to a consensus about the proposed amendment and prepare an amendment to the Regional Context Statement:

- **Urban Containment:** Policy 3.1.2 (2) of Plan Nanaimo is consistent with Regional Policy 1B not to extend services outside the UCB. Plan Nanaimo section 3.1.2 (3) permits only Rural Resource land designations and Industrial Enterprise land designations outside the UCB and is consistent with Regional Policy 1C.
- **Nodal Structure:** The Growth Centre policies under section 1.1.2 are consistent with Regional Policy 2B and promote complete communities with retail, residential, employment, public amenities and travel mode alternatives. The public participation, particularly neighbourhood planning of Goal 5 and section 5.2 responds to Regional Policy 2C. It is also within Plan Nanaimo's implementation section where the development of Town Centre concepts and Neighbourhood Village concept plans further supports community involvement in nodal planning.
- **Protection of Rural Integrity:** Manage Urban Growth policies in Goal 3 of Plan Nanaimo, particularly the Rural Resource Land designations of section 3.2.2 are consistent with large rural holdings of Regional Policy 3A. Plan Nanaimo's policies intend to preserve existing agricultural and forest land reserves as well as existing Rural Residential zoning within City boundaries. Plan Nanaimo section 3.2.4(4) encourages clustered development emphasized in rural areas in the Regional Policy 3B. Plan Nanaimo sections 3.2.2(5), (6), (7), (8), (9) and (10) are consistent with the Regional FLR and ALR Policies 3C and 3D. Plan Nanaimo policies for environmentally sensitive areas particularly sections 2.1.2(14), (15), and (16) reflect the importance of protecting rural integrity found in Regional Policy 3E.
- **Environmental Protection:** Plan Nanaimo Environmentally Sensitive Area Policies in general, and in section 2.1.2(1) and (2) in particular, are consistent with the Regional Policy 4B. Plan Nanaimo's Greenway policies under section 2.5.2 embrace the Regional Policy 4C approach to integrated natural system planning. As well, the Mobility sections of Plan Nanaimo encourages the integration of trail systems as viable mobility alternatives. Plan Nanaimo's policies call for a review of the City's stormwater management policy and for water conservation planning consistent with Regional Policy 4D. The

Watercourse Development Permit Area designation supports Regional Policy 4E together with general land use designations of the Plan that discourage development of the remaining natural coast line areas.

- **Improved Mobility:** The general nodal structure of the Future Land Use Map of Plan Nanaimo and the specific policies under Goal 4 - Improve Mobility are consistent with Regional Policy 5A. Growth Centre policy and nodal structure are consistent with the Regional Policy 5B to minimize the need for travel outside of nodes. The future land use plan under Plan Nanaimo and Mobility policies of Goal 4 support the residential and commercial densities in nodes along transit routes identified in Regional Policy 5D.
- **Vibrant and Sustainable Economy:** The mix of uses supported in the Growth Centres section 1.1.2 reflect Regional Policy 6A. Growth Centres will provide a variety of employment opportunities in close proximity to a diverse housing stock. The Enterprise Area designations and policies of section 1.5.2 are intended to encourage employment growth in key areas of the municipality for those uses that are not more appropriately accommodated in Growth Centres. These areas provide living wage employment opportunities consistent with the Regional economic Policy 6B.
- **Efficient Services and Resource Use:** The Plan Nanaimo policies in Goal 4 call for the cooperation of in-servicing, planning and facilities construction between the City and the Regional District consistent with Regional Policy 7A. The general environmental policies and the particular stormwater management and water services policies of section 4.7 and 4.8 respectively, lay the groundwork for integrated water management consistent with Regional Policy 7B. Plan Nanaimo's section 4.9.2 recognizes the need to continue in collaboration with the Regional District in the planning and construction of liquid waste facilities. The policies of section 4.8.2 consider water service planning and call for ongoing coordinated activity between the Region, the City, and provincial and federal authorities consistent with Regional Policy 7D. Section 4.8.2 (3) of Plan Nanaimo calls for the City to initiate a water conservation program, to develop measures such as public education, pricing programs and more efficient engineering systems as suggested under Regional Policy 7E.
- **Cooperation with Jurisdictions:** Provincial legislation and provisions of the Plan provide for, and encourage, cooperation between jurisdictions under Regional Policy 8A. Plan Nanaimo policies, in general, are consistent with the intent for a mutual effort of municipalities to implement the Growth Management Plan under Policy 8B. The City of Nanaimo has an OCP adopted as stipulated under Regional Policy 8C.

4. This OCP and the Regional Growth Management Plan are inconsistent only in the following two areas:

Regional Growth Management Policies	Inconsistencies	Resolution of Inconsistencies
Policy 1A	The OCP for the City of Nanaimo has designated an UCB which differs from the RGMP.	The Regional District of Nanaimo has acknowledged differences between the UCBs under the Master Implementation Agreement by recognizing "the Urban Containment Boundary of the City's Official Community Plan as the

		Regional Growth Management Plan Urban Boundary" for lands within the city boundary.
Policy 1D	The review period for considering amendments to the UCB is every five years for the Regional District of Nanaimo and every three years for the City of Nanaimo.	An amendment to the UCB within the City of Nanaimo will follow the process established in Plan Nanaimo and be in effect following adoption within that process. The RDN will follow their process and include a similar UCB change to the Growth Management Plan at the next amendment opportunity.
Regional Map of Land Uses	The Woodgrove Regional Shopping Town Centre designation is inconsistent with the Growth Management Plan designation of Resource Lands and Open Space for the property at Lot 2, District Lot 26, Wellington District, Plan 37425 except part in Plan VIP70172 (Jeffs property).	The Regional Map of Land Uses would need to be updated during the next five-year review of the Growth Management Plan by designating the following properties Urban Area designation: Lot 2, District Lot 26, Wellington District, Plan 37425 except part in Plan VIP70172 (Jeffs property); and that part of Lot A, District Lot 26, Wellington District, Plan 12781, except part in Plan VIP62700 located within City boundaries (Catfroll property).

(6000.045, 2004-APR-05)

10.1.4 Implementation of the Regional Context Statement

Any changes to Plan Nanaimo will follow the fundamental principles of the Plan outlined below, unless recommended by the Plan Nanaimo Advisory Committee as part of a Plan review:

- contain growth by directing increased density to Growth Centres where servicing can be provided efficiently and as a mechanism for protecting and maintaining the rural areas of the city;
- protecting and enhancing the environment and unique features;
- promoting alternative travel modes; and
- ensuring meaningful, ongoing public involvement.

The Regional District of Nanaimo will play an active role in Urban Containment Boundary (UCB) amendments. Amendments to the UCB will be considered if a proposed change meets the criteria and process set in the Urban Containment and Fringe Area Management Implementation Agreement between the Regional District and municipalities (see section 3.1.2 (5) for an excerpt).

Any OCP amendment that results in inconsistencies between Plan Nanaimo and the Regional Growth Management Plan will be made collaboratively and accompanied by an amendment to the Regional Context Statement, in section 10.1.4 of the Plan, with actions to be taken to correct the inconsistencies identified. (6000.017; 1998-Oct-5)



REGIONAL DISTRICT OF NANAIMO	
APR - 1 2005	
CHAIR	GMCMS
	GMCMS
CAO	GMDS
	GMES
	<i>coll</i>

MEMORANDUM

TO: K. Daniels
Chief Administrative Officer

DATE: March 23, 2005

FROM: N.Avery
Manager, Financial Services

FILE:

SUBJECT: Signing authorities for Deputy Administrator

PURPOSE:

To authorize the Deputy Administrator as a signatory for banking and other financial instruments.

BACKGROUND:

Signing authorities for financial instruments issued by the Regional District (cheques, short term borrowing, investments and lease financing with the Municipal Finance Authority, bank loans and external investments) include the:

- Chairperson
- Vice Chairperson
- Chief Administrative Officer
- General Manager Corporate Services
- Manager, Financial Services
- Deputy Treasurer

Cheques are signed (in most cases by affixing a signature automatically) by a senior staff member outside of the finance department – most recently by the General Manager Corporate Services. The position of General Manager Corporate Services has been eliminated as a result of restructuring. It would be appropriate to update the signing authorities by removing the General Manager Corporate Services position from the authorized signatories and adding the Deputy Administrator.

ALTERNATIVES:

1. Approve the resolution as presented below.
2. Make an alternative recommendation

FINANCIAL IMPLICATIONS:


There are no financial implications.

SUMMARY/CONCLUSIONS:

The Regional District (and Regional Hospital District) signing officers for financial instruments need to be updated as a result of the appointment of a Deputy Administrator in place of a General Manager Corporate Services. Primarily the signing authority is used for cheques issued by the Regional District, but also applies to other financial instruments such as short term borrowing, investing and lease financing with the Municipal Finance Authority and other external investments. Staff recommend that the Deputy Administrator be authorized to perform those signature functions previously authorized to the General Manager Corporate Services.

RECOMMENDATION:

1. That Robert Lapham, Deputy Administrator be added as a signing authority for all financial instruments as outlined in agreements with the Royal Bank of Canada, the Municipal Finance Authority and Canaccord Capital and that this authorization apply equally to the Regional District of Nanaimo and the Nanaimo Regional Hospital District.
2. That the position and signature of the General Manager, Corporate Services are hereby revoked from all agreements with the institutions noted above.



Report Writer



C.A.O. Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO	
MAR 24 2005	
CHAIR	GMCMS
	GMCMS
CAD	GMS
	GMS
	GMS

REGIONAL HOSPITAL DISTRICT MEMORANDUM

TO: K. Daniels
Chief Administrative Officer

FROM: N. Avery
Manager, Financial Services

DATE: March 23, 2005

FILE:

SUBJECT: A Bylaw to Authorize Borrowing for Major Capital Equipment

PURPOSE:

To introduce for adoption "Nanaimo Regional Hospital District Capital Equipment (2004) Borrowing Bylaw No. 137, 2005".

BACKGROUND:

As part of the 2004 annual budget the Board authorized borrowing up to \$360,000 for major capital equipment items. The Vancouver Island Health Authority recently submitted its first request for reimbursement under that approval. The Health Authority proposes to expend funds for a laundry service vehicle, intensive care unit monitoring system, a heart monitoring system (telemetry) and an x-ray archival storage system.

Bylaw No. 137 is introduced in accordance with the *Hospital District Act* to authorize borrowing up to \$360,000 for a period not exceeding 15 years.

ALTERNATIVES:

1. Introduce and adopt the bylaw as presented.
2. Amend the bylaw and adopt an amended bylaw.

FINANCIAL IMPLICATIONS

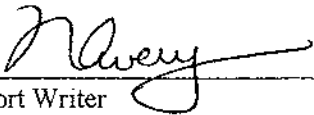
The Health Authority's submission is within the budget allowance provided and they have determined that these items are their priorities for this expenditure purpose. There are no alternative sources of funds for this purpose.


SUMMARY/CONCLUSIONS:

The Vancouver Island Health Authority recently forwarded a request to be reimbursed for purchases made under the authority of a 2004 budget approval to borrow up to \$360,000 for major capital items. Bylaw No. 137 authorizes borrowing up to \$360,000 for a period not to exceed 15 years – the bylaw may be adopted under the *Hospital District Act* without further assents or approvals. Staff recommend adopting the bylaw as presented.

RECOMMENDATION:

1. That "Nanaimo Regional Hospital District Capital Equipment (2004) Bylaw No. 137, 2005" be introduced for first three readings.
2. That "Nanaimo Regional Hospital District Capital Equipment (2004) Bylaw No. 137, 2005" having received three readings be adopted.


Report Writer


C.A.O. Concurrence

COMMENTS:

NANAIMO REGIONAL HOSPITAL DISTRICT

CAPITAL EXPENDITURE & BORROWING BYLAW
(EQUIPMENT OVER \$100,000)

BYLAW NO. 137

WHEREAS the Board of the Nanaimo Regional Hospital District proposes to expend money for capital expenditures described in Schedule 'A' attached hereto and forming an integral part of this bylaw;

AND WHEREAS those capital expenditures have received the approval required under Section 23 of the *Hospital District Act*;

NOW THEREFORE the Board of the Nanaimo Regional Hospital District enacts the following Capital Bylaw as required by Section 32 and Section 33 of the *Hospital District Act*.

1. The Board hereby authorizes and approves the borrowing and expenditure of money necessary to complete the capital expenditures described in Schedule 'A' attached.
2. The Board authorizes and approves the borrowing of a net sum not exceeding \$360,000.00 upon the credit of the District by the issuance and sale of securities in a form and manner agreed to by the Municipal Finance Authority of British Columbia. The term of the securities and the repayment of the principal and interest shall be for a term not to exceed fifteen (15) years.
3. To meet the payments of principal and interest during the term of the securities, there shall be included in the estimates of the Regional Hospital District each year, the respective amounts of principal and interest falling due each year.
4. The Board hereby delegates to the Manager, Financial Services of the Nanaimo Regional Hospital District the necessary authority to settle the terms and conditions of the borrowings.
5. This bylaw may be cited for all purposes as "Nanaimo Regional Hospital District Capital Equipment (2004) Borrowing Bylaw No. 137, 2005".

Introduced and read three times this 26th day of April, 2005.

Adopted this 26th day of April, 2005.

CHAIRPERSON

DEPUTY ADMINISTRATOR

Chairperson

Deputy Administrator

SCHEDULE 'A'
NANAIMO REGIONAL HOSPITAL DISTRICT
CAPITAL EQUIPMENT (2004) BORROWING
BYLAW NO. 137, 2005

Name of Facility	Project or Equipment Description	Total Project or Equipment Cost	Other Source of Funding	Regional Hospital District
Laundry Services	Cumberland Laundry Society – share of Truck #1	\$100,000	\$80,000	\$ 20,000
Nanaimo Regional General Hospital	Monitoring System (ICU)	\$600,000	\$360,000	\$ 240,000
	Telemetry System	\$100,000	\$60,000	\$ 40,000
	XRy PACS Archive Storage	\$150,000	\$90,000	\$ 60,000
	Total			\$ 360,000



REGIONAL DISTRICT OF NANAIMO	
APR - 5 2005	
CHAIR	GMCmS
	GMCrS
CAO	GMDS
	GMES

MEMORANDUM

TO: Bob Lapham
General Manager, Development Services

DATE: April 5, 2005

FROM: Jason Llewellyn
Manager of Community Planning

SUBJECT: Sewerage System Regulations

PURPOSE

To inform the Board of changes to provincial regulation governing the installation and maintenance of on-site sewage disposal systems and holding tanks and the impact of these regulations on the Regional District's various Development Approval processes.

BACKGROUND

At the December 14, 2004 Board meeting the following motion was made:

MOVED Director Bartram, SECONDED Director Bibby, that staff prepare a report on options for the RDN given the Provincial implementation of the new Sewerage System Regulation on May 31, 2005.

The new Sewerage System Regulation (B.C. Reg. 326/2004), under the *Health Act*, repeals and replaces the existing Sewage Disposal Regulation (B.C. Reg. 411/85). These new regulations come into effect in May 2005.

The Province explains that "these amendments allow industry to take advantage of emerging technology based on clear standards for installation and maintenance of wastewater systems" and that "they replace narrow, outdated guidelines with an outcome-based approach that relies on industry accountability to sustain our healthy environment for the long-term."

The new Regulations apply to the construction and maintenance of:

- holding tanks;
- sewerage systems that serve a single family residence or a duplex;
- a sewerage system or combination of sewerage systems with combined design daily domestic sewage flow of less than 22,700 litres that serves structures on a single parcel; and,
- a combination of sewerage systems with a combined design daily domestic sewage flow of less than 22,700 litres that serve structures on one or more parcels or strata lots or on a shared interest.

A "sewerage system" is defined as "a system for treating domestic sewage that uses one or more treatment methods and a discharge area, but does not include a holding tank or a privy."

Under the existing regulations persons proposing to construct a sewerage system are required to obtain a permit from the Vancouver Island Health Authority (VIHA). This process includes inspections of the site and construction to ensure the system is built to the required standard. Under the new regulations a permit or inspection process no longer exists for sewerage systems. Property owners are required to hire a qualified person to design and construct a system and to provide reports to be filed with VIHA.

As part of the new process to be in place at the end of May, VIHA staff shall no longer be available to respond to Regional District referrals on development proposals and shall not be undertaking regular site inspections where new systems are being installed.

THE NEW REGULATIONS

Holding Tank Permits

Permits are required from the VIHA for holding tanks. A maintenance plan for the holding tank shall be required by the applicant for a permit to ensure that the holding tank continues to function adequately over time and does not pose a health hazard. The owner is responsible for the required maintenance and must keep maintenance records for their holding tank.

Sewerage System Requirements by Type

Sewerage systems are divided into three types. These are:

- Type 1 is treatment by septic tank only;
- Type 2 is treatment that produces an effluent consistently containing less than 45 mg/L of total suspended solids and having a 5 day biochemical oxygen demand of less than 45 mg/L; and,
- Type 3 is treatment that produces an effluent consistently containing less than 10 mg/L of total suspended solids and having a 5 day biochemical oxygen demand of less than 10 mg/L and a median fecal coliform density of less than 400 Colony Forming Units per 100 ml.

Type 1 or Type 2 sewerage systems may be designed and installed by a 'registered practitioner' (a person who has taken the required courses through the British Columbia Onsite Sewage Association) provided the output of the Type 2 system does not exceed 9100 litres a day. Type 3 systems, and Type 2 systems with an output greater than 9100 litres a day, must be designed by a professional (engineer or engineering technician). Registered practitioners and professionals are referred to as 'authorized persons' in the regulation.

Filing

Before constructing a new sewerage system or undertaking significant repairs to an existing system the authorized person must file with the VIHA the relevant information regarding the proposed system including sealed plans of the proposed system, and assurance that the system is designed consistent with standard practice (standard practice is outlined in the publication "Sewerage System Standard Practice Manual"). The VIHA will not review the filings for conformity to the regulations.

The VIHA has indicated they shall officially inform the Regional District of Nanaimo of Filings.

Letters of Certification

Within 30 days of completion of construction of a sewerage system the authorized person must provide the VIHA a letter of certification that the sewerage system has been constructed according to standard practice and the plans that were filed with the VIHA. A letter of certification must be submitted within one (1) year from the date of the initial filing with the VIHA. Random checks of the accuracy of filings and letters of certification may be made by the VIHA.

Enforcement

Property owners must ensure that all domestic sewage is discharged into either a holding tank or a sewerage system and that sewage does not discharge onto land, into a source of drinking water, surface water, or a faulty sewerage system.

The property owner is responsible to ensure that holding tanks and sewerage systems are maintained in accordance with maintenance plans and that maintenance records are kept.

A VIHA Inspector may inspect any property with a holding tank or a sewerage system and make an order if he or she determines a holding tank or sewerage system is the cause of, or may be contributing to, a health hazard. The order issued may require the owner to:

- connect a structure to a public sewer;
- connect a structure to, according to the inspector's discretion, a holding tank or sewerage system;
- alter or repair a holding tank or sewerage system; or,
- take any other action necessary to remedy a health hazard.

It is expected that enforcement shall occur primarily on a complaint driven basis.

ALTERNATIVES

1. To accept this report.
2. To accept this report and provide specific direction to staff in response to the new sewerage system regulations.

DEVELOPMENT APPROVAL IMPLICATIONS

Building Permit Approval Process

Currently, as part of the Building Permit application process, the Building Inspection and Enforcement Department requires the applicant to provide an approved Permit from the VIHA before a Building Permit is issued.

Under the new system the Building Inspection and Enforcement Department shall require, as part of the Building Permit application process, evidence from the VIHA that the required filing has occurred. Further, prior to occupancy being issued for a building the applicant must provide evidence to the Department that the letter of certification has been provided.

The Building Inspection and Enforcement Department is evaluating the necessity for a Building Bylaw amendment to require an engineer's review of the potential impact of a sewerage system on slope stability and building integrity, as these issues may not be adequately addressed under the new system given the lack of a site inspection by VIHA staff. Staff are concerned that with the elimination of siting criteria it possible that building sites and construction could be compromised to the extent that a geotechnical assessment may need to be implemented as a mandatory component of the building inspection process. Liability considerations will also be investigated as part of the inspection standard.

Zoning Amendment Approval Process

Where a rezoning involves a land use that would create the need for, or increase the demand on a sewerage system, it is common practice to refer the application to the VIHA for comment regarding the adequacy of the site and / or whether the existing sewerage system can accommodate the demand generated by the proposed new land use. This service shall no longer be provided by the VIHA.

New Planning Department practice shall be to request an applicant to provide evidence that the proposed land use can be adequately serviced by a sewerage disposal system, where there is a concern that the site and / or the existing sewerage system can not adequately accommodate the demand generated by the proposed new land use. In most cases an engineer's report would be required. It is noted that the Department does not intend to review the method, design, or construction of any proposed or existing systems.

Development Permit Approval Process

As part of the development permit approval process the Planning Department typically require the applicant to provide a copy of their Health Permit and may refer the application to the VIHA for comment regarding the adequacy of the site and / or whether the existing sewerage system can accommodate the demand generated by the proposed new development. This service shall no longer be provided by the VIHA.

New Planning Department practice shall be to request an applicant to provide evidence, to the satisfaction of staff, that the proposed development can be adequately serviced by a sewerage disposal system, where there is a concern that the site and / or the existing sewerage system can not accommodate the demand generated by the proposed new development or land use. It is noted that the Department does not intend to review the method, design, or construction of any proposed or existing systems.

Subdivision Review

The impact of the new sewerage system regulations on the Department's subdivision review process is minimal as the Ministry of Transportation is responsible for ensuring newly created lots can be serviced with an on-site sewage disposal system, to the satisfaction of the Approving Officer. At this time it is not clear what standard will be applied. As noted, where there is a rezoning or development permit application required prior to subdivision, the RDN may require an applicant to provide evidence that the proposed subdivision can be adequately serviced by a sewage disposal system, where there is a concern that the site and / or the existing sewerage system cannot accommodate the demand generated by the proposed new land use.

Pump and Haul Applications

As noted, the VIHA shall still require property owners to require a permit before installation of a holding tank. The RDN has been informed that a permit for a holding tank shall only be issued where the property owner can demonstrate to the satisfaction of the VIHA that an on-site sewerage system is not possible, and the property is eligible for a holding tank sewage disposal permit. Exceptions may be made by the VIHA for a developed lot with a failing Sewerage System. This does not represent a notable change from the existing process and; therefore, the new regulation shall have little impact on the application of "Regional District of Nanaimo Sewage Disposal Regulation Bylaw No. 1224, 2000" (the Bylaw that regulates sewage disposal in Electoral Areas 'B', 'D', 'E', 'F', 'H'). However, the Bylaw may require minor amendment to reflect the new regulations. The Environmental Services Department is reviewing Bylaw No. 1224 in consultation with the VIHA and shall report to the Board upon completion of this review.

LONG TERM IMPLICATIONS

Public concern has been expressed regarding two aspects of the new sewerage system regulations. The first concern is the lack of review of the design and installation of new sewerage systems by an objective regulating body. The industry is required to become increasingly self-regulating. The second concern is the increased acceptance of engineered systems that utilize new technology that may increase maintenance requirements. The fear is that in the long term the new regulations shall result in inappropriately designed and constructed systems and an increase in the number of system failures and health issues. Of particular concern is the potential impact on groundwater.

The province appears confident that the new regulations are adequate to protect health while achieving their goals of providing more flexible regulations to the public and development community. The province is of the opinion that public health is better served by requiring industry professionals to be better trained and to be accountable, along with the property owners, for the function of on-site sewerage systems.

In the opinion of staff the success of this new system depends largely upon the level of enforcement and proactive implementation to be undertaken by the province to require owners to fix, expand and upgrade their systems when required, and to require the industry professionals to apply the appropriate standards. At present the level to which this can be expected is unknown as the VIHA is in the process of finalizing their processes and policies associated with the new regulations.

Development Services and Environmental Services staff will evaluate the implementation of these regulations over the next year and subsequently advise the Board of any recommended RDN action in further response to this new provincial regulatory system.

SUMMARY

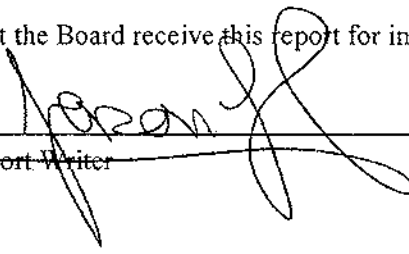
The new Sewerage System Regulation (B.C. Reg. 326/2004) repeals and replaces the existing Sewage Disposal Regulation (B.C. Reg. 411/85). These new provincial regulations come into effect in May 31, 2005. These amendments incorporate a performance based system to replace the prescriptive permitting process that has existed, and relies largely on industry and property owner accountability to sustain public health.

The most notable impact to the development approval processes is that the VIHA shall no longer provide comment or indicate whether a permit has been issued for a development, and the RDN shall be requiring confirm that a proposed land use or development can be adequately serviced by a sewerage system.

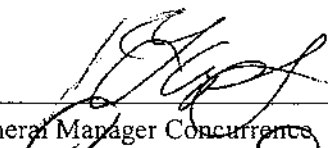
It is noted that public concern has been expressed regarding the long term impact of the new regulations on public health.

RECOMMENDATIONS

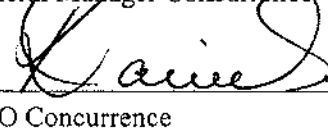
That the Board receive this report for information.



Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:

devsrv\reports\lap sewerage system regulations



REGIONAL DISTRICT OF NANAIMO	
MAR 31 2005	
CHAIR	GMCMS
	GMCRS
CAO	GMDS
	GMES
Call	
DATE:	

MEMORANDUM

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

DATE: March 18, 2005

FROM: Dennis Trudeau
Manager of Liquid Waste

FILE: 0810-20-GNPC-04-TUNNEL

SUBJECT: **Liquid Waste**
Greater Nanaimo Pollution Control Centre Tunnel Exit and Odour Control
Construction Project Tender Award

PURPOSE

To consider the tenders for the Greater Nanaimo Pollution Control Centre (GNPCC) Tunnel Exit and Odour Control construction project.

BACKGROUND

Odour Control

To ensure the continued protection of the environment from the impacts of present and future development, in November 1997 the Board approved the RDN Liquid Waste Management Plan (LWMP). The objective of the LWMP is the establishment of a long-range, region-wide strategy that provides a comprehensive approach to managing liquid waste. Section 3.4 of the plan states, "The District is committed, when feasible, to eliminate odours emitted from its present and future wastewater treatment plants and associated interceptors and pumpstations. The District will undertake to study past, current, proposed and potential odour elimination measures and to establish an effective implementation plan".

Currently odour complaints at GNPCC regarding plant operation are infrequent, although with projected flows and loading to the plant increasing, odours will also increase.

In February 2003, the RDN's liquid waste engineering consultants, Associated Engineering (BC) Ltd. (AE) completed an "Odour Management Strategic Plan" report for the GNPCC. The primary purpose of this report was to establish short and long-term priorities for the management and control of odours that are or may be generated by the current and future day-to-day operation of the GNPCC facility.

The report helped to establish a list of priorities for odour management and control. Current main sources of odours include the grit tank and headworks. Detailed designs have been completed for the control of odours from the grit tank and headworks.

Tunnel Exit

The GNPCC has tunnels under the treatment works that are used for servicing and access to various treatment process components. One section of the tunnel system has the potential to be blocked due to fire or flooding from failed piping or ruptured tanks. To improve egress and improve safety at this location a

tunnel exit has been designed. The design consists of a stairwell and doorway that will allow personnel to exit the tunnel system if there is flooding, fire or a gas leak. The tunnel exit will address safety concerns for this location.

It was decided to combine the odour control project with the tunnel exit project in order to attract sufficient interest from construction firms and get competitive prices for this project.

On February 24, 2005 the RDN received four bids for construction of the tunnel exit and odour control works. The following bidders submitted tenders (includes taxes):

Forbes Industrial Contractors LTD.	\$690,150
D. Robinson contracting	\$691,434
Tri City	\$857,284
TriTech	\$750,835

Our consultant has evaluated the tenders and the proper documentation has been verified. The low bidder for the project is Forbes Industrial Contractors LTD. at a cost of \$690,150. Our consultants recommend the award of the project to Forbes Industrial Contractors LTD. Staff supports this recommendation.

The following is our most recent cost estimate for the completion of the project (including taxes):

Construction Contract	\$690,150
Engineering (Design and construction period services)	\$32,100
Total Project Cost	\$722,250

The budgeted amount for this project was \$520,000 which has been exceeded by the tender results. The construction industry has been very busy lately and prices for all projects have been increasing. In addition raw material prices have increased dramatically due to world demand. Adequate funds are available if we reduced the planned \$600,000 transfer to GNPCC reserves by \$205,000.

Staff have reviewed the tenders with our consultants to determine whether there are components that could be deleted or deferred, bringing our costs closer to the original estimate. For example the tunnel exit could be eliminated for \$40,000. While there are components that could be removed from the project, they would result in additional work being scheduled next year at increased costs due in part to having to retender smaller portions of the projects.

Once the project is complete it is expected that our operations will be safer and have less odours.

ALTERNATIVES

1. Award the contract to construct the tunnel exit and odour control works to Forbes Industrial Contractors LTD. for the tendered price of \$690,150.
2. Award the project with the tunnel exit project deleted
3. Retender the project next year

FINANCIAL IMPLICATIONS

The total cost of the project including consulting is now estimated at \$722,250. There are adequate funds available if the planned contribution to reserves of \$600,000 is reduced by \$205,000.

Over the past couple of years we have had projects that have both exceeded and been less than budget estimates. For example the centrifuge and the headworks projects were completed for over \$200,000 less than budget estimates. Staff annually reviews and monitor reserves and upcoming capital projects to ensure adequate funds will be available.

SUMMARY/CONCLUSIONS

Detailed designs have been completed for a tunnel exit and odour control works at the GNPCC. It was decided to combine the two projects in order to attract sufficient interest from construction firms and obtain competitive prices for this project.

On February 24, 2005 the RDN received four bids for construction of the tunnel exit and odour control works. The low bidder for the project is Forbes Industrial Contractors LTD. at a cost of \$690,150. Our consultants recommend the award of the project to Forbes Industrial Contractors LTD. Staff supports this recommendation.

The following is our most recent cost estimate for the completion of the project (including taxes):


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The budgeted amount for this project was \$520,000 which has been exceeded by the tender results. Adequate funds are available if we reduce the planned \$600,000 transfer to GNPCC reserves by \$205,000.

Once the project is complete it is expected that our operations will be safer and have less odours.

RECOMMENDATION


1. **That** the Regional District of Nanaimo award the contract to construct the tunnel exit and odour control works to Forbes Industrial Contractors LTD. for the tendered price of \$690,150.



Report Writer



General Manager Concurrence



CAO Concurrence



REGIONAL DISTRICT OF NANAIMO			
APR - 1 2005			
CHAIR		GMCMS	
		GMCrs	
CAO		GMDS	
		GMES	
<i>Callie</i>			
DATE:			

MEMORANDUM

TO: Carey McIver
Manager of Solid Waste

March 29, 2005

FROM: Alan Stanley
Solid Waste Program Coordinator

FILE:

5365-71

SUBJECT: Commercial Food Waste Ban

PURPOSE

To obtain Board approval to ban commercial food waste at RDN solid waste disposal facilities.

BACKGROUND

Organics Diversion Strategy

In July 2004 the Board approved the RDN Solid Waste Management Plan. The SWMP addresses both waste diversion and residual management and will serve to guide solid waste management related activities and policy development in the RDN. The SWMP identifies organics diversion as the primary means to reach the goal of 75% diversion by 2010.

In February 2005 the Board approved the Organics Diversion Strategy (ODS), a plan to provide the Board, the general public and the business community with information on how organic waste will be diverted from disposal. The ODS comprises the framework for the education and promotion program for organics diversion.

The main initiatives contained in the ODS are a disposal ban on commercial food waste and a study and possible pilot project for residential organics diversion which could lead to curbside collection of organics. The commercial food waste disposal ban is the first phase of the ODS to be implemented in 2005. The next phase of the ODS includes studying residential organics diversion in 2006 to determine the viability for the RDN.

Waste Stream Composition

A 2004 waste composition study of RDN solid waste concluded that almost 40% of the commercial waste stream is comprised of compostable organic material. The majority of the compostable waste is food waste. The waste composition study confirms that a commercial food waste ban will result in significant waste diversion.

Commercial Food Waste

Commercial food waste means compostable organic material including raw and cooked food waste from a commercial premise and includes but is not limited to:

- Fruits and vegetables
- Meat, fish, shellfish, poultry and bones
- Dairy products
- Bread, pasta and baked goods
- Tea bags, coffee grounds and filters
- Soiled paper plates and cups
- Soiled paper towels and napkins
- Soiled waxed paper
- Food soiled cardboard and paper
- Egg shells

Commercial Food Waste Generators

The commercial food waste ban applies to businesses and institutions that generate food and organic waste as follows:

- Food wholesalers/distributors
- Food and beverage stores
- Hospitals
- Nursing and residential care facilities
- Community food services
- Accommodation services with food services
- Food services and drinking places
- Educational services with food services
- Other facilities generating compostable organic material

Processing Facilities

In 1999, based on recommendations in the 1996 RDN 3R's plan, the Board passed a resolution that a commercial organics ban would be imposed when a private composting facility was constructed in the RDN. International Composting Corporation (ICC) has built a composting facility at Duke Point in Nanaimo. At present, ICC is the only plant in the region capable of handling large amounts of food waste.

ICC representatives, in meetings with RDN staff have acknowledged that the ban on organics disposal gives no guarantee of feedstock to any composting facility operator. Instead, the ban combined with Waste Stream Management Licensing (WSML) creates a level playing field for competition in the solid waste management sector and it is expected that over time there will be additional processing options for organic waste.

Solid Waste Facilities Bylaw Amendment

An amendment to the RDN solid waste facilities bylaw is required to ban disposal food waste. Staff have prepared a bylaw amendment that will be presented in May, and upon adoption by the Board, take effect June 1, 2005 with a six-month implementation period.

This bylaw amendment refers to WSML Bylaw 1386 which has not yet been approved by the Ministry of Water, Land and Air Protection (MWLAP). The RDN submitted the SWMP and WSML Bylaw to MWLAP for approval in September 2004. Ministry staff advised that they have reviewed the SWMP and WSML Bylaw and both documents are currently in the Minister's office awaiting final approval. Staff anticipates that approval will be forthcoming shortly.

Education and Communication

The ban on commercial organic waste is different from other disposal bans enacted by the RDN, such as cardboard or paper. The materials are varied and each business or organization affected will have different challenges in terms of setting up effective systems to divert organic waste. Education and communication are very important to the success of a food waste diversion program.

An extensive communications and education program will be implemented including direct contact with organizations by mail, in stakeholder meetings and site visits. Education packages will be produced and distributed to assist affected organizations in complying with the disposal prohibition. The primary message is that composting food waste is sustainable waste management and it is the right thing to do. During the six-month implementation phase of the ban, staff will conduct as many site visits as possible to listen to concerns, distribute information and promote the food waste ban.

RDN staff have already met with waste haulers and representatives from the composting industry and have sent out approximately 800 invitations to commercial organic waste generators to attend information meetings to be held in April. Feedback from these meetings will be incorporated into the educational material.

Enforcement

During the first six months after the commercial organic waste disposal prohibition takes effect, the emphasis will be on communicating the relevant information to affected organizations and providing educational assistance on complying with the ban.

After the six-month phase in is complete, there are a number of enforcement options available. These include surcharging haulers, banning haulers from using RDN disposal facilities and amending WSML to allow RDN staff to issue tickets to non-complying organizations. Staff recognize that the highest levels of success will not be achieved through enforcement, rather, success will come with the affected organizations desiring to be a part of a beneficial program.

A report detailing the various enforcement options will be presented to the Board in the fall, based on the success of voluntary compliance with the ban.

ALTERNATIVES

1. Ban commercial food waste from RDN disposal facilities in accordance with the Solid Waste Management Plan.
2. Do not ban commercial food waste from RDN disposal facilities.

FINANCIAL IMPLICATIONS

The 2005 Annual Budget for the commercial food waste ban is:

Education and communication	\$25,000
2 temporary staff	<u>\$37,000</u>
Total	\$62,000

Offsetting the program costs is the extension of the life of the landfill due to space savings and further advancement of the Zero Waste goal.

Removing commercial organic waste from disposal at RDN solid waste facilities will reduce revenues. Staff estimate that approximately \$475,000 in revenue will be lost in the first year, increasing as diversion increases. The current Five Year Financial Plan incorporates this revenue loss without any increase in tipping fees. However, recent increases in waste export fees have had a negative impact on the current Financial Plan and staff are investigating options to mitigate this impact without increasing tipping fees.

ENVIRONMENTAL IMPLICATIONS

Locally composted organic material provides an environmentally safe product alternative for landscapers, gardeners and farmers. The ODS, fully implemented will save valuable landfill space.

PUBLIC RELATIONS IMPLICATIONS

The RDN public has consistently supported waste reduction and recycling initiatives. During the public consultation process for the SWMP, composting of organics was strongly supported. The key to public relations success is consultation and education to all affected stakeholders including waste haulers and generators. Although there may be some negative reaction from a minority of affected organizations, staff expect that through provision of assistance through education and communication any negative reaction can be mitigated and will be short-term.

LEGAL IMPLICATIONS

The Cowichan Valley Regional District (CVRD) implemented a similar ban on the disposal of commercial organic waste several years ago. The private composting facility located in the CVRD understood the prohibition to be a guarantee that the CVRD would provide feedstock for their operation. When, in the opinion of the compost facility operator, insufficient feedstock was delivered, they initiated legal action against the CVRD to recover their claimed losses.

In the opinion of RDN staff and legal counsel, adequate steps have been taken to prevent a similar legal action against the RDN. These steps include clear communication, with acknowledgement from ICC representatives that a disposal ban is for the benefit of the RDN and its citizens not ICC, that there are no guarantees of feedstock for ICC or any composting facility and that there is no partnership between the RDN and ICC. Additionally, ICC has been told that the RDN, in its sole discretion will decide on the food waste disposal ban enforcement policies.

SUMMARY/CONCLUSIONS

The RDN Solid Waste Management Plan identifies organics diversion as a primary means to reach the goal of 75% diversion by 2010. In February 2005 the Board approved the Organics Diversion Strategy (ODS), a plan to provide the Board, the general public and the business community with information on how organic waste will be diverted from disposal. The commercial food waste disposal ban is the first phase of the ODS to be implemented in 2005.

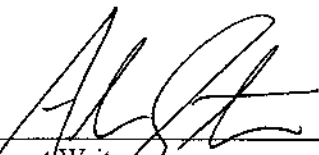
An amendment to the RDN solid waste facilities bylaw is required to ban disposal food waste. Staff have prepared a bylaw amendment that will be presented in May, and upon adoption by the Board, to take effect June 1, 2005 with a six-month implementation period.

In 1999, based on recommendations in the 1996 RDN 3R's plan, the Board passed a resolution that a commercial organics ban would be imposed when a private composting facility was constructed in the RDN. International Composting Corporation has built a composting facility at Duke Point in Nanaimo.

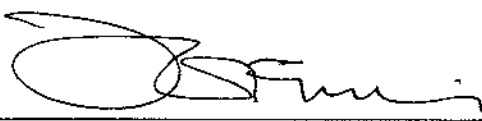
Education and communication are very important to the success of a food waste diversion program. An extensive communications and education program will be implemented. Staff recognize that the highest levels of success will not be achieved through enforcement, rather, success will come with the affected organizations desiring to be a part of a beneficial program.

RECOMMENDATION

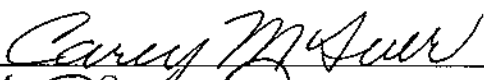
That the Board ban commercial food waste from RDN disposal facilities, effective June 1, 2005 in accordance with the Solid Waste Management Plan.



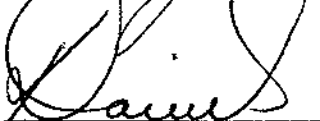
Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO	
APR - 5 2005	
CHAIR	GMCMS
	GMCrs
CAO	GMDS
	GMS
<i>Call</i>	

MEMORANDUM

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

FROM: Carey McIver
Manager of Solid Waste

SUBJECT: Partners for Climate Protection Program Update

DATE: March 31, 2005

FILE: 5290-05

PURPOSE

To update the Board on the implementation of the Partners for Climate Protection Program (PCP).

BACKGROUND

In 2002 the RDN and the City of Nanaimo joined the Partners for Climate Protection Program. PCP is a framework developed by the Federation of Canadian Municipalities and the International Council for Local Environmental Initiatives to provide a forum for municipal governments to demonstrate leadership on climate change issues and share knowledge and experience with other municipal governments.

The goal of the PCP framework is for local governments to reduce greenhouse gas (GHG) emissions from municipal operations by 20 percent and community-wide GHG emissions by at least six percent below 1990 levels within ten years of joining the program.

As members of the PCP program both the RDN and the City of Nanaimo have made a voluntary commitment to complete the following five milestones:

- Milestone 1: Create a greenhouse gas emissions inventory and forecast for both municipal operations and the community as a whole;
- Milestone 2: Set an emissions reduction target;
- Milestone 3: Develop a greenhouse gas emissions reduction plan to set out how emissions and energy use in municipal operations and the community will be reduced;
- Milestone 4: Implement the greenhouse gas emissions plan through collaboration amongst local government and community partners;
- Milestone 5: Monitor progress and report results regarding greenhouse gas emissions.

In 2003 the RDN established the Climate Change Standing Committee (CCSC) to facilitate the implementation of the PCP milestones and build commitment to reducing greenhouse gas emissions. The CCSC consists of three Board members appointed by the Chair. The Environmental Services Department provides staff resources to the CCSC.

In 2004 staff from the RDN and the City of Nanaimo established a Climate Change Project Team to ensure collaboration at the staff level in the development and implementation of the GHG emissions reduction plan. This team consists of the RDN Manager of Solid Waste, the RDN Senior Regional Planner, and the Environmental Planner from the City of Nanaimo. Through the CCSC, the project team will be requesting staff representation from Parksville, Qualicum Beach and Lantzville to ensure full regional cooperation on this initiative.

In January 2005, the project team requested funding from the FCM Green Municipal Funds to develop a GHG emissions reduction plan (Milestones 1, 2, 3). This GHG Emissions Reduction Plan will be regional in scale in that it will identify opportunities to reduce corporate greenhouse gas emissions for the RDN and its four member municipalities as well as for the regional community as a whole.

The plan will be developed in two phases. In the first phase, to be undertaken in 2005-06, the RDN will engage a consultant to create the greenhouse gas emissions inventory and forecast for the RDN, its member municipalities and the community as a whole (Milestone One).

The consultant will suggest an emissions reduction target for the five local government operations (RDN, City of Nanaimo, City of Parksville, Town of Qualicum Beach, and District Municipality of Lantzville) and the community as a whole. These targets will be reviewed by staff from each municipality as well as by the public at one or two forums prior to approval by the RDN Board and municipal councils (Milestone Two). Once this approval is obtained the consultant will be directed to prepare a draft greenhouse gas emissions reduction (sustainability) plan.

In the second phase, to be conducted in 2006, the project team will undertake a public participation process to provide input and feedback to the draft plan prior to final adoption (Milestone 3). This public participation process will also be used as a focus for the region-wide promotion and education efforts that will be required to ensure community commitment to successful plan implementation.

FINANCIAL IMPLICATIONS

This project will be funded from the region-wide Zero Waste Program budget. Staff estimates that the total cost of this project will be \$100,000 over two years with cost-sharing on a 50% basis between the RDN and the Green Municipal Funds (GMF). Accordingly the 2005 annual budget for Zero Waste program allocates \$50,000 towards completing the draft plan and provides for grant funding of \$25,000 from the GMF. Public consultation, education and communication initiatives will be undertaken in 2006 at the same cost and cost-sharing arrangement.

INTERGOVERNMENTAL/REGIONAL IMPLICATIONS

The Climate Change Standing Committee will be requesting that the City of Parksville, the Town of Qualicum Beach and the District Municipality of Lantzville all formally join the PCP Program by resolution of their respective councils.

PUBLIC RELATIONS IMPLICATIONS

Implementing the PCP Program will demonstrate the RDN's commitment to sustainability by protecting the quality of life, economic activity and ecosystem health in the region.

INTERDEPARTMENTAL INVOLVEMENT

Addressing climate change will require the participation of all RDN departments and can be incorporated into the existing organization structure.

ENVIRONMENTAL IMPLICATIONS

A global reduction in emissions of greenhouse gases is believed necessary to protect against climate change and possible adverse effects on human health, the environment, economy and quality of life.

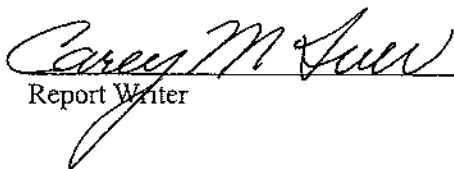
SUMMARY/CONCLUSIONS

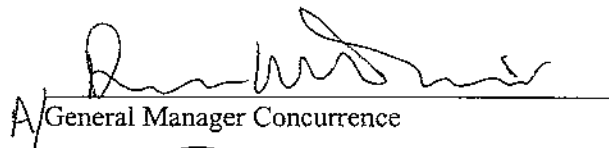
In 2002 the RDN joined the Partners for Climate Protection Program (PCP). The Partners for Climate Protection framework is intended to be used by municipal governments to undertake initiatives that reduce greenhouse gas (GHG) emissions. In January 2005, staff requested funding from the Green Municipal Funds to develop a GHG emissions reduction plan to fulfill the objectives of the PCP Program. This GHG Emissions Reduction Plan will be regional in scale in that it will identify initiatives to reduce corporate greenhouse gas emissions for the RDN, its four member municipalities and the regional community as a whole.

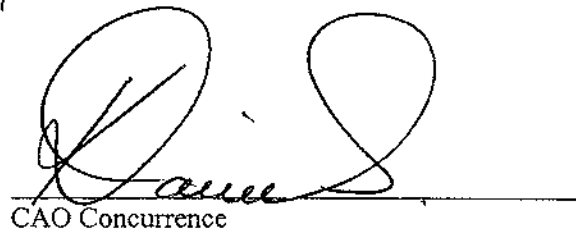
The plan will be developed in two phases. In the first phase, to be undertaken in 2005-06, the RDN will engage a consultant to create a greenhouse gas emissions inventory and forecast, recommend a reduction target, and then develop a draft plan. In the second phase, to be completed in 2006, staff will undertake a comprehensive public participation process to provide input and feedback to the draft plan prior to final adoption. This public participation process will also be used as the focus for region-wide promotion and education efforts to ensure community commitment to successful plan implementation.

RECOMMENDATION

That the update on the implementation of the Partners for Climate Protection Program be received by the Board for information.


Report Writer


General Manager Concurrence


CAO Concurrence

COMMENTS



REGIONAL DISTRICT OF NANAIMO	
MAR 24 2005	
CHAIR	GMCmS
	GMCs
CAO	GMDs
	GMES
<i>Coll</i>	

MEMORANDUM

TO: Mike Donnelly, AScT
Manager of Engineering Services

DATE: March 17, 2005

FROM: Chris Brown, AScT
Engineering Technologist

FILE: 5500-20-FC-01

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

PURPOSE

To consider the request to include Remainder Lot 2, District Lot 29, Nanoose Land District, Plan VIP9203 (H&F Ventures Ltd.) into the French Creek Sewer Local Service Area (see attached plan).

BACKGROUND

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

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

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

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

ALTERNATIVES

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

FINANCIAL IMPLICATIONS

There are no financial implications to the RDN. If accepted into the FCSLSA, all costs associated with the connection would be at the expense of the applicant. When brought into the local service area, the subject property will pay a Capital Charge of \$573 for each potential subdividable lot allowed under the current zoning, pursuant to French Creek Sewer Local Service Area Bylaw No. 1330 (sewage collection).

The subject property will also pay a Capital Charge of \$2,084 per lot, pursuant to Northern Community Sewer Local Service Area Bylaw No. 1331 (sewage treatment).

At the time of subdivision, Development Cost Charges of \$2,657 per lot would be payable under the Northern Community Sewer Local Service Area DCC Bylaw No. 934.

DEVELOPMENT IMPLICATIONS

The subject property is currently zoned Residential 1 (RS1) and is within the "Q" Subdivision District pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The "Q" Subdivision District provides a minimum parcel size of 700 m² where the property is serviced with both community water and sewer. RDN staff understand that the property owner is currently seeking community water services from Breakwater Enterprises Ltd. The subject property is greater than 1400 m² in size, and the owner has indicated that he would subdivide the lot and construct two houses.

INTERDEPARTMENTAL IMPLICATIONS

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

SUMMARY/CONCLUSIONS

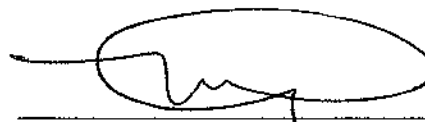
A petition has been received to amend the boundaries of the French Creek Sewer Local Service Area and the Northern Community Sewer Local Service Area. The property being considered for inclusion is within the Urban Containment Boundary of the Regional Growth Strategy, and is identified for connection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

RECOMMENDATIONS

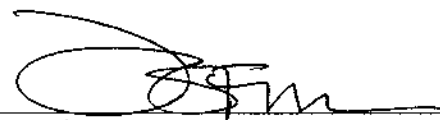
1. That "French Creek Sewer Local Service Area Bylaw No. 813.31, 2005" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.
2. That "Northern Community Sewer Local Service Area Bylaw No. 889.30, 2005" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.




Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 813.31

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

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

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

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

1. The boundaries of the French Creek Sewerage Facilities Local Service Area, established by Bylaw No. 813, as amended, are hereby further amended to include the property shown outlined on Schedule 'B-1' attached hereto and forming part of this bylaw.
2. The amended boundary of the French Creek Sewerage Facilities Local Service Area shall be as shown outlined on Schedule 'A' attached hereto and forming part of this bylaw.
3. Schedule 'A' of Bylaw No. 813.30 is hereby repealed.
4. This bylaw may be cited as "French Creek Sewerage Facilities Local Service Area Amendment Bylaw No. 813.31, 2005".

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

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

Adopted this ____ day of _____, 2005.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE
REGIONAL GROWTH MONITORING ADVISORY COMMITTEE /
STATE OF SUSTAINABILITY PROJECT MEETING
HELD ON WEDNESDAY, MARCH 10, 2005
IN THE COMMITTEE ROOM

Present:

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

Also in attendance:

Christina Thomas	Senior Planner, Community Services
Neil Connelly	General Manager, Community Services
Zita Botelho	Program Coordinator, Georgia Basin Coordination Office, Environment Canada
Brent Mueller	Manager, Growth Strategies, Vancouver Island, Ministry of Community, Aboriginal and Women's Services

Absent:

Adele McKillop

CALL TO ORDER

Director Holdom called the meeting to order at 5:40 PM.

MINUTES

The minutes from the previous meeting (Feb.9/05) were approved as presented.

NEW BUSINESS

a) Provincial and Federal Government Sustainability Work

Director Holdom introduced Zita Botelho and Brent Mueller, and stated that they had been invited to the meeting to provide information about federal and provincial government programs to improve sustainability.

Zita Botelho and Brent Mueller delivered a PowerPoint presentation about Environment Canada's Georgia Basin Action Program (GBAP) and the Ministry of Community and Aboriginal and Women's Services involvement in local government planning activities.

Zita Botelho and Brent Mueller answered RGMAC questions about specific aspects of their presentations, including the possibility of collecting data to support reopening beaches for shellfish harvesting, initiatives in the RDN that have been funded through the GBAP, the availability of federal and provincial government funding for sustainability monitoring initiatives, the availability of information about

aquifers, setting targets for indicators, the indicators used in GBAP monitoring reports, how to best communicate monitoring reports, funding sources to attend the United Nation's World Urban Form in Vancouver in 2006, and whether the RDN could become more involved in the programs such as the GBAP.

Zita Botelho indicated that she would provide information about projects in the RDN that have been funded through the GBAP, water monitoring work being undertaken by the province (Lynn Kriwoken?), and material developed by a US counterpart (Heidi Siegelbaum?) regarding how to best communicate monitoring reports.

Zita Botelho and Brent Mueller made available to the RGMAC a wide variety of pamphlets and brochures regarding assorted federal and provincial government programs that support sustainability.

OLD BUSINESS

a) Malaspina University College Class Participation to Obtain Youth Perspectives About Sustainability

C. Thomas provided an overview of the March 4, 2005 staff report, "Malaspina University College Class Participation to Obtain Youth Perspectives About the Sustainability of the Region". It was noted that on February 9, 2005 the RGMAC had considered a first draft of an agenda for the March 30, 2005 meeting with a Malaspina University College geography class, and that the report includes a revised agenda for the meeting that includes changes requested by the RGMAC on February 9th. The RGMAC requested one additional amendment to the agenda. Director Holdom and Ross Peterson committed to discussing with each other their presentation regarding the RDN context prior to the March 30th meeting.

b) Drinking Water Protection Work Update

Director Bartram provided an update regarding the motion he initiated and the Committee of the Whole passed at the March 8, 2005 meeting related to drinking water protection work. It was noted that the resolution directs staff to prepare a report for the Board about current and planned drinking water related work for 2005, a drinking water/watershed protection strategy for the electoral areas, and the financial and staff resources required for consideration in the budgets for 2006 and future years to undertake the identified initiatives. Director Bartram distributed copies of the resolution to the RGMAC.

NEXT MEETINGS

The next meeting is March 30, 2005. RGMAC members will convene at 5:00 PM for dinner and to set up the meeting space for the 6:30 PM meeting with the Malaspina University College geography class.

Two members of the RGMAC indicated that they are unable to attend future RGMAC meetings scheduled for Thursday evenings, and requested that one of the two meetings planned for each month be scheduled on a different day.

Director Holdom requested RGMAC members to bring information about their schedules to the March 30th meeting for the purpose of setting future meeting dates.

ADJOURNMENT

Director Holdom adjourned the meeting at 8:45 PM.

Chair, Director Bill Holdom



**Minutes for the Meeting held:
Thursday March 10, 2005 @ 1:30 PM
Regional District of Nanaimo –Committee Room
6300 Hammond Bay Road, Nanaimo, BC**

Present:

Andrew Tucker	Nanaimo
Cheryl Wirsz	Parksville
Ian Howat	Lantzville
Christina Thomas	RDN
Bob Lapham	RDN
Brent Mueller	MCAWS
Paul Butler	Qualicum Beach
Neil Connelly	RDN

1. Call to order.

C. Thomas, Acting Chair, called the meeting to order at 1:35 PM, and indicated that N. Connelly would join the meeting at the conclusion of the Transit Select Committee meeting.

2. Minutes from Previous Meeting

The minutes from the previous meeting (Feb.7/05) were approved as presented.

3. Old Business

a) *City of Nanaimo Urban Containment Boundary (UCB) Change Requests*

C. Thomas provided an overview of the City of Nanaimo request to include two areas of land inside the UCB, and the policy applicable to the request.

A. Tucker provided detailed information about the two areas of property the City of Nanaimo proposes to include inside the UCB and the rationale for the requested UCB changes. A. Tucker answered IAC questions about various aspects of the proposed UCB changes.

The IAC reviewed the proposed UCB changes in light of the five criteria for UCB changes specified in the Urban Containment and Fringe Area Management Implementation Agreement. The IAC concurred that the proposed UCB changes meet the criteria, and indicated that it supports the requested UCB changes.

The IAC discussed whether UCB changes generally require amendments to Regional Context Statements (RCS), and suggested that this topic be further investigated.

A. Tucker indicated that the City of Nanaimo would be forwarding its existing RCS to the RDN in April of 2005 for consideration of "continued acceptance," and that the City would be updating its RCS to reflect the new RCS framework and process as part of its official community plan review scheduled for 2006.

b) *Urban Containment & Fringe Area Management Implementation Agreement Review*

B. Mueller facilitated discussion related to the Urban Containment and Fringe Area Management Implementation Agreement Review.

B. Mueller summarized project progress made at the last meeting. It was noted that the February 7th IAC meeting the IAC:

- received word that the new draft Urban Containment Implementation Agreement (UCIA) is acceptable to the Town of Qualicum Beach;
- requested specific amendments to the second draft of the UCIA;
- concurred with the proposed procedural steps for finalizing the UCIA and requested that the proposal be clarified to include provisions for a joint administration/IAC meeting and a RDN staff presentation to member municipality councils as deemed appropriate by each municipality; and
- concurred with the proposed approach for obtaining public input about the UCIA.

It was also noted that N. Connelly and A. Tucker committed to undertake additional discussion about the UCIA with City of Nanaimo staff to clarify the City's perspectives about the agreement, and that this discussion took place in late February.

C. Thomas outlined the changes made to the UCIA in the third draft, as directed by the IAC at the February 7, 2005 meeting. The IAC discussed the third draft of the UCIA. The flexibility provided to the RGS parties by the draft UCIA and Regional Context Statements was a key component of the discussion. The IAC requested that specific formatting changes be made to the third draft of the UCIA, and that a fourth draft of the UCIA including the changes be circulated to the IAC via e-mail for confirmation that the UCIA is ready to be advanced forward for formal consideration.

C. Thomas provided an overview of the proposed sequence of events for finalizing the UCIA, as amended in response to IAC direction at the February 7, 2005 meeting. The IAC requested several amendments to the second draft description of the proposed sequence of events. C. Thomas committed to amending the second draft description of the proposed sequence of events in response to the IAC direction, and to circulating it to the IAC. Several IAC members indicated that staff from their jurisdictions might be interested in the optional meeting with RDN staff proposed in the sequence of events regarding the UCIA, and RDN Regional Growth Management Services staff committed to these meetings. Several IAC members confirmed that their jurisdictions would like the RDN to convene the optional joint administrators/IAC meeting proposed in the sequence of events for the purpose of reviewing and discussing the draft UCIA. The IAC agreed that optional joint administrators/IAC meeting should be conducted. N. Connelly committed to discussing arrangements for this joint administrators/IAC meeting with the RDN Chief Administrative Officer.

c) *District of Lantzville Official Community Plan (OCP) Development – Update*

I. Howat provided an update regarding the development of a new OCP for the District of Lantzville. I. Howat indicated that a draft of the new OCP is available, and is scheduled to be discussed at a public meeting on March 19th, and open houses on March 18th and 19th. I. Howat indicated that the draft OCP and possible Regional Growth Strategy amendments arising from the draft OCP is also

scheduled to be a subject of discussion by the RDN Board at its March 29, 2005 Ideas and Updates Meeting. I. Howat highlighted some of the key policies contained in the draft OCP. Each member of the IAC was provided with a 16-page summary of the policy proposals contained in the draft OCP. I. Howat answered IAC questions about various aspects of the draft OCP. N. Connelly stated that the Board would have to consider and approve amendments to the Regional Growth Strategy prior to the District of Lantzville adopting the OCP as it is currently drafted, since the current draft OCP establishes increased development densities for some areas of Lantzville such as the area referred to as the “the Foothills”.

4. New Business

a. Regional Context Statement (RCS) for Town of Qualicum Beach – Update

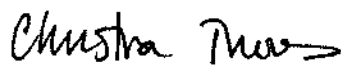
C. Thomas stated that the RDN has not yet received the draft RCS that the Town of Qualicum Beach proposes to include in its official community plan (OCP) as part of its present OCP Review, and that RDN Regional Growth Management Services staff wishes to consider RCSs in accordance with both the Board-approved and legislative requirements. C. Thomas stated that the Board-approved framework for RCSs provides for IAC review of RCSs before a municipality grants 1st reading to the OCP bylaw that contains the RCS, and for Board acceptance of the RCS prior to a municipality granting 3rd reading to the OCP bylaw that contains the RCS. C. Thomas stated that the *Local Government Act* requires municipalities to obtain regional district board acceptance of RCSs prior to municipalities adopting an OCP bylaw that contains the RCS. P. Butler indicated that the Town of Qualicum Beach Council recently granted 1st and 2nd reading to an OCP bylaw that does not contain a RCS, that it intends to consider the inclusion of a RCS in its OCP bylaw after second reading and the public hearing (i.e. at third reading). N. Connelly stated that the sequence of events proposed by the Town for the consideration of its RCS is out of synch with the Board-approved framework. IAC members expressed concern about the inclusion of a RCS into an OCP bylaw after second reading. P. Butler committed to providing a draft of the RCS to the RDN by March 18, 2005, and requested that an IAC meeting be scheduled at the end of March so the IAC could consider it before the April 13, 2005 public hearing scheduled for the OCP..

5. Next Meeting

The next meeting was set for March 31st at 1:30 PM, for the purpose of discussing the RCS the Town of Qualicum Beach proposes to include in its OCP.

6. Adjournment.

C. Thomas, Acting Chair, adjourned the meeting at 4:45 PM.



Acting Chair, C. Thomas



**Minutes for the Meeting held:
Thursday March 31, 2005 @ 1:30 PM
Regional District of Nanaimo –Committee Room
6300 Hammond Bay Road, Nanaimo, BC**

Present:

Andrew Tucker	Nanaimo
Cheryl Wirsz	Parksville
Ian Howat	Lantzville
Christina Thomas	RDN
Brent Mueller	MCAWS
Paul Butler	Qualicum Beach
Neil Connelly	RDN

Absent:

Bob Lapham	RDN
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1. Call to order.

N. Connelly, Chair, called the meeting to order at 1:40 PM.

2. Minutes from Previous Meeting

The minutes from the previous meeting (March 10/05) were approved as presented.

3. Old Business

a) *Regional Context Statement – Town of Qualicum Beach*

C. Thomas provided an overview of the new Regional Context Statement (RCS) the Town of Qualicum Beach proposes to include in its Official Community Plan (OCP) and an assessment of the RCS's fulfillment of the legislative and policy requirements for RCSs.

The IAC discussed the fit between the RCS and the RCS legislative and policy requirements. P. Butler answered IAC questions about various aspects of the OCP. The IAC concurred that the RCS should be amended in several selected parts to better correspond to the legislative and policy requirements for RCSs.

P. Butler indicated that an updated OCP bylaw including changes that respond to the concerns identified by the IAC will be forwarded to Council for consideration at second reading during the first week of April. P. Butler indicated that a public hearing has been scheduled about the OCP bylaw for April 13, 2005, and that the RCS would be forwarded to the RDN immediately after the public hearing for the Board's consideration of acceptance.

b) *Urban Containment and Fringe Area Management Implementation Agreement Review*

C. Thomas outlined the changes made to the Urban Containment Implementation Agreement (UCIA) in the fourth draft, as directed by the IAC at the March 10, 2005 meeting.

A. Tucker proposed that additional adjustments be made to the following sections of the UCIA: "1.0 Purpose of the Agreement" and "4.2 Process". The IAC concurred with the changes in the section titled, "1.0 Purpose of the Agreement", but did not support the change in the section titled "4.2 Process" because the change would conflict with RGS policy. The IAC concurred that the intent of this change could be achieved through an alternative method that would be consistent with RGS policy.

The IAC requested that changes to the section of the UCIA called "1.0 Purpose of the Agreement" suggested by A. Tucker be made to the fourth draft of the UCIA, and that a fifth draft of the UCIA including the changes be circulated to the IAC via e-mail for information. The IAC confirmed that the UCIA is ready to be advanced forward for formal consideration with these changes.

C. Thomas provided an overview of the third (March 18, 2005) draft proposed sequence of events for finalizing the UCIA, as amended in response to IAC direction at the March 10, 2005 meeting. A. Tucker and C. Wirz each suggested one additional change to the proposed sequence of events. The IAC concurred with both suggested changes. C. Thomas committed to amending the third draft description of the proposed sequence of events as requested by the IAC.

N. Connelly stated that he is working with the RDN Chief Administrative Officer to make arrangements for the joint administrators-IAC meeting, for the purpose of reviewing the UCIA, as contemplated in the proposed sequence of events for finalizing the UCIA, and that information would be forthcoming regarding the meeting date.

N. Connelly thanked B. Mueller for facilitating IAC discussion related to the review of the Urban Containment and Fringe Area Management Implementation Agreement.

4. New Business

a). *Greenhouse Gas Reduction Plan – Partners for Climate Protection Initiative*

C. Thomas stated that the RDN and the City of Nanaimo are partnering in a project to develop a Greenhouse Gas Reduction Plan as a part of the Federation of Canadian Municipalities and the International Council for Local Environmental Protection Partners for Climate Protection Initiative. C. Thomas indicated that the RDN and the City of Nanaimo joined the PCP program, and that it is hoped that the other member municipalities in the RDN would join the program too. C. Thomas indicated that the Greenhouse Gas Reduction Plan would include separate plans for each municipal corporate body within the region and a plan for the community as a whole. C. Thomas indicated that the structures and processes for involving elected officials and representatives from each municipal corporate body are in the process of being developed, and that representation and information would be sought from all RDN area municipal corporate bodies.

B. Mueller indicated that Ted Sheldon and other provincial government staff might have useful resource material for the project.

b). Regional Context Statement – City of Nanaimo

C. Thomas provided an overview of the City of Nanaimo request for the RDN to continue to accept its existing Regional Context Statement (RCS). The IAC reviewed the RCS, and concurred with the RDN Regional Growth Management Services staff recommendation that the RDN continue to accept the City of Parksville RCS.

A. Tucker stated that the City is scheduled to start a review of its Official Community Plan in the fall of 2005, and that it would develop a new RCS to match up with the new RCS content requirements as a part of this exercise.

c). Official Community Plan for Lantzville - Update

I. Howat provided an update regarding the status of the project to develop an Official Community Plan (OCP) for Lantzville. The update included information about public meetings about the OCP conducted in March, a public meeting about the OCP to be conducted in April, a recent presentation about the OCP made by Lantzville Mayor Haime to the RDN Board, key issues addressed as a part of the OCP development, and key policy changes that will likely be included in the OCP.

N. Connelly stated that Lantzville may need to request amendments to the Regional Growth Strategy (RGS) if the policy direction contained in the new OCP is at variance with the policy direction contained in the RGS. N. Connelly indicated that RGS amendments require RDN Board approval of a consultation strategy, consultation (with the public, the other RDN member municipalities, and the IAC), official readings of the changed bylaw, public hearings about the changed bylaw, and official acceptance of the changed bylaw by the member municipalities before the RDN Board can approve the amendment.

5. Next Meeting

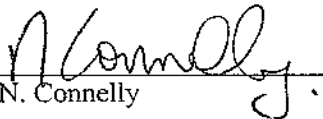
The next IAC meeting will be a joint meeting with RDN and member municipality administrators for the purpose of reviewing the draft Urban Containment Implementation Agreement, on a date to be determined.

C. Wirsz indicated that the City of Parksville is hosting a public Smart Growth workshop in Parksville, in early April, with guest speaker Guy Patterson.

B. Mueller stated that SmartGrowth BC would be conducting a public event in June regarding financing smart growth.

6. Adjournment.

N. Connelly, Chair, adjourned the meeting at 4:30 PM.



Chair, N. Connelly

b) **Staff Report - Jeff Ainge**

Kipp Road/Cinnabar Ridge

- The smaller 5% parkland dedication has been registered, the larger park parcel from the rezoning is to follow. Staff contacted Heritage BC to see if there was any advantage to have it designated a Heritage site. The feeling was that if the RDN owns it and it's designated Parkland, it already has a level of protection. Work will be required to fully understand the history of the site. Joe Materi wonders if we can start trail building sooner rather than later.

Thelma Griffiths Park

- Nothing to report at this time. Staff continue to request the Free Crown Grant documentation from Land and Water BC.

RDN Regional Parks Master Plan

- There were 145 responses to the public survey. The key elements of the Draft Plan will be presented to the public on Dec. 2nd as noted above.

Nanaimo River Regional Park management plan

- Staff met with Pope and Talbot and also TLC to discuss concerns expressed by Pope & Talbot who feel the Draft Plan doesn't acknowledge them or their rights enough. It was agreed a memorandum of understanding could be drawn up concerning rights, access, etc.

c) **MCT Subcommittee** – Judy Burgess for Kerri-Lynne Wilson

- NALT will plant surplus douglas firs along trail. Joe suggested the minesite parking lot and around the nature sign.
- The metal "No Motorised Vehicles" signposts are in.
- Judy has written a piece on historic trail for Take 5.

d) **Morden Mine Society** – Judy Burgess

- First AGM attracted over 30 people. There are now 39 members. New board was elected and they are still working on the Heritage Funding application.

e) **Membership Appointments** – Staff and Director Kreiberg

- Applications for board memberships have been mailed out, also ads in the papers have been placed. The closing date for applications is December 6.

QUESTIONS AND COMMENTS FROM THE FLOOR

Joe Materi asked how the budget looks. Staff will provide an update on 2004 expenditures at the next meeting. He will also present the Draft Budget for 2005 at the next meeting.

NEXT MEETING

Next meeting date was set for Thursday, January 20, 2005 7:30pm at Cedar Heritage Centre

ADJOURNMENT

MOVED B. Metcalf, SECONDED Everybody that the meeting be adjourned at 9:30 pm.

Chair

MOVED F. Garnish, SECONDED J. Materi that the Committee convene at the site on Saturday January 22nd, at 10.00am, and that a quorum of Committee members will provide a referral response with Director Kreiberg present.

CARRIED

- b) Yellow Point Road/Storey Road application. Following discussion on the proposal, the Committee endorsed the following recommendation to be forwarded to the RDN Planning Department:

The Committee DOES NOT support the park land in the amount and location shown.

In addition to the trail corridor proposed (between Lots 5 & 6), the Committee requests another trail corridor between Lots 1 & 2 to link directly with Storey Road.

Furthermore, the Committee requests the developer fences the trail perimeters with 4 foot chain link fence at the full 4 metre width of the trail corridors, and that the trail is constructed by the developer to meet RDN Parks specifications prior to the sale of the Lots, and that barriers to restrict vehicle use of the trails are installed at each of the trail entry points.

Further to the above referrals, and in light of the challenges in providing informed responses based solely on written information provided, the following resolution was put forward:

MOVED L. Aldcroft, SECONDED M. Johnson that the RDN Planning Department coordinate a site visit to include Parks and Open Space Advisory Committee members prior to the Committee responding to Parkland Dedication referrals.

CARRIED

BUSINESS ARISING FROM MINUTES

Staff provided a breakdown of the Area 'A' Community Park budget expenditures for 2004, along with the proposed budget for 2005. Staff was requested to provide the current balance of the Parkland Acquisition Reserve fund. The Director was requested to consider raising the Community Parks requisition for 2005.

COMMUNICATIONS & CORRESPONDENCE

Staff provided copies of an email received from Joan Moore requesting improvements to beach accesses and roadside trails. Staff were requested to provide a response advising her of the RDN's lack of ownership of the various locations and issues raised.

MOVED H. Kreiberg, SECONDED L. Aldcroft that the correspondence be received.

CARRIED

REPORTS & NEW BUSINESS

a) Director's Report

- Director Kreiberg advised the Committee that the period to compile and approve the Regional Parks and Trails Plan had been extended to March. He provided some insight as to the direction of the Plan.
- The 2005 budgets will be considered by the Board in March. Final adjustments are being made at present.
- The Terms of Reference for the Area 'A' Recreation Survey have been approved by the Board. A community advisory committee will be struck, and a position is available for a member of the Parks Advisory Committee to be appointed to that committee.

- A delegation to the January Committee of the Whole meeting sought the Board's support for creating a regional park incorporating the alpine areas of Arrowsmith and Cokely. The Board has requested a staff report on the initiative.

b) Staff Report - Jeff Ainge

- Thelma Griffiths Park. Staff updated the Committee on delays experienced with the final approval of the Free Crown Grant of this land for park, but added that a conclusion is hoped for in the coming weeks.
- RDN Regional Parks Master Plan. The deadline for submissions and feedback is January 31, 2005. A copy of the Draft Plan was provided for public review at the Cedar Heritage Centre.
- Nanaimo River Regional Park management plan. Following discussions with Harmac (Pope and Talbot) and TLC the draft Plan required some revision to acknowledge the wide reaching statutory rights-of-way Harmac has over the property. Further meetings are scheduled.

c) Morden Colliery Trail Subcommittee

- There was nothing to report, however staff noted the recent plantings along portions of the trail by the Committee, and the removal of the Trail entrance sign at the Cedar Road entry was noted. B. Metcalf requested staff advise Committee members when they have been alerted to downed or hazardous trees on the Trail. This should ensure that hazards don't get reported repeatedly, and that the Committee can respond to concerns expressed by other trail users. J. Materi raised the issue of maintenance contractors and hazard tree management. Staff will discuss this and respond.

d) Morden Mine Society – Judy Burgess

- A grant application for funds to complete a structural assessment of the old mine structure was submitted to the BC Heritage Branch. A favourable response is eagerly awaited.

QUESTIONS AND COMMENTS FROM THE FLOOR

Len Paranych asked Director Kreiberg if the RDN would be willing and able to fund parking lot development within the Morden Colliery Historic Provincial Park if BC Parks approved the location. The Director expressed reluctance because the RDN held no tenure over the Park (just the trail).

COMMITTEE ROUND TABLE

J. Materi advised that both wood duck boxes located near the Thatcher Creek bridges on the Morden Colliery Trail were receiving use and encouraged people to spend some time there to try and see the ducks.

NEXT MEETING

Next meeting date was set for Thursday, March 17, 2005 7:30pm at Cedar Heritage Centre

ADJOURNMENT

MOVED F. Garnish that the meeting be adjourned at 9:58 pm.

Chair

REGIONAL DISTRICT OF NANAIMO

MEETING OF THE
NANOOSE BAY PARKS AND OPEN SPACE ADVISORY COMMITTEE

MARCH 7, 2005. – 7:00 PM
NANOOSE LIBRARY HALL,
NANOOSE ROAD, NANOOSE BAY

MINUTES

Attendance: Gay Cartlidge
Paula Young
Elisabeth Bakker
Frank Van Eynde (District 69 Recreation Commission Rep)
George Holme (Electoral Area 'E' Director)

Staff: Jeff Ainge (RDN Parks Supervisor)

The meeting was called to order at 7:00 pm by Jeff Ainge who acted as Chairperson until the election of officers was complete.

INTRODUCTIONS

The Committee members introduced themselves. Mrs. Cartlidge was welcomed to the Committee, as was Director Holme in his new position. The two members of the public also introduced themselves and stated their reasons for attending. There was one request for a delegation to address the Committee.

APPROVAL OF AGENDA

MOVED G. Holme, SECONDED F. Van Eynde that the agenda be adopted as presented.

CARRIED

ELECTION OF OFFICERS

The acting Chairperson called firstly for volunteers for the position of Chairperson. Mr. Van Eynde volunteered. There were no other volunteers, nor other nominations. Mr. Van Eynde was acclaimed as Chairperson.

The acting Chairperson called for volunteers for the position of Recording Secretary. The Committee agreed to continue its recent practice of rotating the role amongst members. Ms. Bakker offered to record minutes for this meeting.

Mr. Van Eynde assumed the role of Chairperson for the meeting.

DELEGATIONS & PRESENTATIONS

MOVED F. Van Eynde, SECONDED G. Cartlidge to accept a late delegation by Mr. Rob Roycroft.

CARRIED

Mr. Roycroft provided information on two adjacent private parcels of land for sale on the Beachcomber Peninsular of Nanoose Bay. He expressed the desire that the Committee consider recommending the Regional District purchase the parcels for their environmental and habitat values. Following questions,

Mr. Roycroft thanked the Committee for their time. The Committee agreed to consider the item at an *in camera* meeting at the end of the regular meeting.

APPROVAL OF MINUTES

MOVED P. Young, SECONDED E. Bakker that the minutes of the October 4, 2004 meeting be approved. CARRIED

REPORTS & DISCUSSION ITEMS

- a) Regional Parks & Trails Plan. Staff provided a review of the project to date and advised that the draft Plan is to be considered by the Regional Board at its Committee of the Whole meeting on March 8th. The rationale for the Plan revision, to update and better reflect changing land management priorities and the expanding Regional Park and Trail system, was discussed. Comments from the floor centred on the issue of Crown land.
- b) Electoral Area E Community parks budget. Staff provided details of monies expended in 2004, and the proposed allocation for Nanoose Bay community parks in 2005.
- c) Nanoose Place landscaping project. P. Young and E. Bakker advised that \$7,000 has been raised for the project, included a grant of over \$3,000 from Tree Canada Foundation/BC Hydro. The Lions Club have been approached to invite their participation, and other funding applications are in progress. A meeting of interested residents is planned for March 14th at Nanoose Place. The planting will occur in phases, with the first phase beginning later in March near the daycare facility.
- d) Staff updated the Committee on recent local park issues, including volunteer broom removal completed on a small park between Redden and Rockhampton Roads. The heavy snowfall in January caused large arbutus trees in Brickyard Park to fall, damaging a neighbour's fence and narrowly missing a roof. Staff coordinated the cleanup. Staff advised the Committee of a proposal before the Board to increase funding for a bridge to be constructed at Top Bridge on the Englishman River. The proposal is to update an existing application to Canada BC Infrastructure Grant Program, to reflect the RDN's willingness to fund one third of the cost, which has increased significantly since the original application in 2001.
- e) Director's update. Director Holme provided an update on the Nanoose Bay OCP process and advised that revisions are underway. Public information meetings will be scheduled. He also advised that the proposed community bus service would not be proceeding this year.
- f) Beach Access identification. Mr. Van Eynde asked staff for information on getting this project up and running. Staff will allocate some summer staff to work with community volunteers.

QUESTIONS & COMMENTS FROM THE FLOOR

Ms. Thompson advised the Committee that wildfowl hunting is no longer permitted in the Nanoose estuary area.

COMMITTEE ROUNDTABLE

G. Cartlidge inquired as to development status of the Claudet Road community park.

P. Young raised the possibility of a walking path on the side of Claudet Rd now that the edges have been mowed effectively creating a safer shoulder.

NEXT MEETING DATE

The next meeting will be held Monday May 2, 2005 at the Nanoose Library Hall.

IN CAMERA

MOVED G. Holme, SECONDED P. Young that the Committee precede to an in camera meeting pursuant to Section 90 (1)(e) of the Community Charter. CARRIED

ADJOURNMENT

The regular meeting adjourned at 8.30pm.

Chair

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE DISTRICT 69 RECREATION COMMISSION REGULAR MEETING HELD ON THURSDAY, MARCH 17, 2005, AT 2:00PM AT OCEANSIDE PLACE

Attendance:

Frank Van Eynde	Eve Flynn	Chris Burger
Reg Nosworthy	Patty Biro	Dave Bartram
Jo-ann Chase	Jack Wilson	

Staff:

Tom Osborne Marilyn Newsted, Recording Secretary

CALL TO ORDER

Chair Van Eynde called the meeting to order at 2:05pm.

The Chair introduced Jo-anne Chase who is the new Commission representative for Electoral Area G.

MINUTES

- 3.1 MOVED Commissioner Flynn, SECONDED Commissioner Biro, that the Minutes of the District 69 Recreation Commission Regular Meeting held on February 17, 2005, be approved. CARRIED

FUNCTION REPORTS

- 5.1 Mr. Osborne presented the Function Reports for the Ravensong Aquatic Centre, Oceanside Place, Recreation Coordinating and Regional Parks and Trail and Community Parks (EA 'E'-'H'). Mr. Osborne highlighted the following items:
- the video security monitor system for the Ravensong Aquatic Centre received approval at the March Committee of the Whole meeting.
 - ice requests for the 2005/06 winter season have exceeded the available ice at Oceanside Place.
 - the 1992 Zamboni at Oceanside Place will be outfitted with a catalytic converter to ensure air quality standards continue to be met. Mr. Osborne noted there have been no air quality issues to date, the upgrade was necessary as the older the machine gets, the more emissions it is likely to produce. The newer Zamboni already has a catalytic converter.
 - Oceanside Place has hired Footprints Security to cover some events such as the Jr. B. hockey games and adult tournaments. It is hoped the additional security will be a deterrent to incidents of vandalism and inappropriate behaviour happening at these events. It was noted that participants attending the various events generally do not cause the incidents.

- a staff report will be prepared next month's Commission meeting with regard to a request by the Parksville Curling Club to renew or extend their lease and to assist with repairs to the condenser unit, dehumidifier and funding for Low E ceiling at the District 69 Arena.
- the Recreation Department will once again offer summer recreation programs in Nanoose Bay, Errington and Bowser during the summer months.
- a 10 year License of Occupation had been renewed for Oakdowne Road Community Park and that additional tenures for other lands in the area for trail use were under way. Commissioner Bartram presented to Commission an overview of the park, the additional land being added and the benefits of securing approximately 120 acres of parkland to the area.
- the Regional Parks and Trails Plan had been approved at the March Committee of the Whole meeting. Mr. Osborne noted the Regional Park Plan Review Select Committee would remain with the addition of community representatives. The Committee will initially focus on conducting and completing an inventory of crown land in the Regional District. Staff will meet with the committee to review a revised terms of reference early in the spring.
- an updated Top Bridge Crossing application for the Canada-BC Infrastructure Program has been forwarded to the Province. Original construction estimates done in 2001 projected a fixed span crossing to cost \$300,000; the same bridge in 2005 was estimated to cost \$575,000. The plans for the bridge have been modified to a suspension bridge and will not include an equestrian crossing for a total cost of \$390,000. Staff will meet with the Silver Spurs Riding Club to inform them of the change and perhaps encourage fund raising opportunities to provide for an upgrade for equestrian use.
- the official opening of the Englishman River Regional Park will take place in conjunction with the Brandt Wildlife Festival on Sunday, April 10, 2005. Time to be announced.

MOVED Commissioner Bartram, SECONDED Commissioner Burger, that the Function Reports be received.

Commissioner Bartram requested that recreation staff make a presentation to the Commission on the Youth Link Community Initiative Program.

NEW BUSINESS

- 8.1 Mr. Osborne presented the Tax Credit Proposal for Sports, Recreation and Arts Programs report.

MOVED Commissioner Bartram, SECONDED Commissioner Biro, that the report on the Tax Credit Proposal for Sports, Recreation and Arts Programs be received as information.

CARRIED

COMMISSIONER ROUNDTABLE

- 9 Commissioner Bartram reported he will be initiating meetings with the appropriate government ministries with regard to the protection of portions of District Lot 86.

Commissioner Flynn noted Springbreak started on March 17 for high school students and on March 18 for all other students in District 69.

Commissioner Wilson reported the Qualicum Beach Recreation Commission had applied for a Spirit of 2010 Grant for a field house and lighting on the upper fields at the Qualicum Beach Community Park.

Commissioner Chase reported a portion of the French Creek bank was being eroded away of which may require the addition of riprap to stop further erosion in the community park.

Commissioner Van Eynde noted the Area 'E' Parks and Open Space Advisory Committee requires two more members.

COMMISSIONER INFORMATION

- 10 Mr. Osborne reported Aquatic Supervisor Tony Toriglia received a Bar to his Service Cross in recognition of his fifteen years of volunteer service with the Life Saving Society.

MOVED Commissioner Bartram, SECONDED Commissioner Flynn, that staff prepare a letter of congratulations for Mr. Toriglia on his achievement.

CARRIED

ADJOURNMENT

MOVED Commission Bartram, SECONDED Commissioner Burger, that the meeting be adjourned at 3:00pm.

NEXT MEETING

The next meeting will be held Thursday, April 21, 2005, at Oceanside Place, in the Multipurpose Room 1.

Frank Van Eynde, Chair