

**REGIONAL DISTRICT OF NANAIMO**

**COMMITTEE OF THE WHOLE  
TUESDAY, OCTOBER 11, 2005  
6:30 PM**

*(RDN Board Chambers)*

**A G E N D A**

**PAGES**

**CALL TO ORDER**

**DELEGATIONS**

- 5                      **Ron Tanasichuk and Gail Adrienne, Nanaimo Area Land Trust, re  
Operational Funding for 2006.**

**MINUTES**

- 6-11                      Minutes of the regular Committee of the Whole meeting held Tuesday,  
September 13, 2005.

**BUSINESS ARISING FROM THE MINUTES**

**COMMUNICATION/CORRESPONDENCE**

**UNFINISHED BUSINESS**

***COMMUNITY SERVICES***

- 12-15                      Green Building Project – Local Government Green Building Programs.

**RECREATION AND PARKS**

- 16-20                      Electoral Area C/D Parks & Open Space Advisory Committee.

**REGIONAL GROWTH MANAGEMENT**

- 21-24                      State of Sustainability Project – Groundwater Indicator Research Report.

**TRANSPORTATION SERVICES**

- 25-27                      Electoral Area 'A' HandyDART Service Expansion.

***CORPORATE & COMMUNITY DEVELOPMENT***

**BUILDING INSPECTION**

28-29                    Section 57 of the Community Charter – Contravention of Bylaws.

***ENVIRONMENTAL SERVICES***

**UTILITIES**

30-42                    Requests for Property Inclusions - Fairwinds Sewer Local Service Area Bylaw 947.02; Nanoose Bay Peninsula Water Service Area Amalgamation Amendment Bylaw No. 867.02; Nanoose Bay Bulk Water Local Service Area Bylaw No. 1049.04 – Area E.

43-53                    Barclay Crescent Sewer Rates and Regulation Bylaw No. 1472 – Area G.

54-56                    Fairwinds Water Local Service Area Reserve Fund Expenditure Bylaw No. 1473 – Area E.

57-61                    Morningstar Creek Water Local Service Area Amendment Bylaw No. 1125.02 – Area G.

62-67                    French Creek Sewer Local Service Area Bylaw No. 813.36 and Northern Community Sewer Local Service Area Bylaw No. 889.38 – 816 Reid Road – Area G.

**COMMISSION, ADVISORY & SELECT COMMITTEE**

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

68-69                    Minutes from the meeting of the Electoral Area ‘A’ Parks and Green Spaces Advisory Committee held July 21, 2005. (for information)

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

70-73                    Minutes from the meeting of the Electoral Area ‘B’ Parks and Open Space Advisory Committee held June 21, 2005. (for information)

**Nanoose Bay Parks and Open Space Advisory Committee.**

74-83                    Minutes from the meetings of the Nanoose Bay Parks and Open Space Advisory Committee held July 4, August 22 and September 12, 2005. (for information)

**District 69 Recreation Commission.**

84-98 Minutes from the meeting of the District 69 Recreation Commission held September 22, 2005. (for information)

*That the Terms of Reference to undertake a Recreation Services Master Plan for the Oceanside Area (District 69) be approved and a Request for Proposals be issued for project consultant services.*

**Transit Business Plan Update Select Committee.**

99-104 Minutes from the meeting of the Transit Business Plan Update Select Committee held September 22, 2005. (for information)

*That the report on the expansion of HandyDART service to the area outside of the current service area boundary in Electoral Area 'A' be received.*

*That the Terms of Reference for the Qualicum Beach Transit Review be approved.*

*That the Regional District advise and reconfirm with BC Transit its strong interest in the use of hybrid buses with the RDN transit system in the near future as part of BC Transit's planning for the use of New Deal funding for the fleet and their review of alternative vehicle and fuel technology.*

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

105-109 Minutes from the meeting of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project held September 8, 2005. (for information)

**Arrowsmith Water Service.**

110-112 Minutes from the meeting of the Arrowsmith Water Service Management Committee held July 13, 2005. (for information)

**Grants-in-Aid Committee.**

113-114 Minutes from the meeting of the Grants-in-Aid Committee held October 5, 2005. (for information).

*That the following grants be awarded:*

***School District 68:***

<i>Cedar School &amp; Community Enhancement Society</i>	<i>\$</i>	<i>800</i>
<i>People for a Healthy Community on Gabriola Society</i>	<i>\$</i>	<i>500</i>
<i>Poetry Festival Gabriola</i>	<i>\$</i>	<i>500</i>
<i>Nanaimo Parent Participation Preschool</i>	<i>\$</i>	<i>1,359</i>

***District 69 Policing:***

*Oceanside Community Policing Offices* \$ 1,000

***School District 69:***

*Arrowsmith Search & Rescue Society* \$ 900

*District 69 Family Resource Association* \$ 685

*District 69 Society of Allied Support Groups* \$ 700

*Forward House Community Society* \$ 1,000

*Parksville Seniors Activity & Drop-in Centre* \$ 300

***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)

**PRESENTATION**

115-121 2006 Detailed Budget Review.

Question and Answer Period.

**IN CAMERA**

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

**ADJOURNMENT**

**Burgoyne, Linda**

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**From:** Gail Adrienne [gail@nalt.bc.ca]  
**Sent:** Wednesday, October 05, 2005 4:19 PM  
**To:** Burgoyne, Linda  
**Subject:** Presentation to RDN Committee of the Whole

I would like to make a presentation to the RDN Committee of the Whole next Tuesday evening, October 11th, 2005

The focus of our presentation will be to request a grant to assist with our operational funding for 2006.

The presenters will be Ron Tanasichuk and myself.

Thank you for your attention to this request.

Gail Adrienne  
Executive Director, Nanaimo & Area Land Trust

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE COMMITTEE OF THE WHOLE  
MEETING HELD ON TUESDAY, SEPTEMBER 13, 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 R. Longmuir	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director J. Manhas	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director L. Sherry	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director T. Krall	City of Nanaimo

**Also in Attendance:**

B. Lapham	Deputy Administrator
J. Finnie	General Manager of Environmental Services
N. Connelly	General Manager of Community Services
N. Avery	Manager of Financial Services
M. Pearse	Manager of Administrative Services
N. Tonn	Recording Secretary

**CALL TO ORDER**

The Chairperson introduced Norma Stromberg, Development Services' Planner, to the Board.

**DELEGATIONS**

**Lynn Yip, re Home Based Business.**

Ms. Yip provided information regarding her home based dog grooming business and requested that it be allowed to continue to operate.

**MINUTES**

MOVED Director Krall, SECONDED Director Longmuir, that the minutes of the Committee of the Whole meeting held September 13, 2005 be adopted.

CARRIED

**COMMUNITY SERVICES**

**EMERGENCY PLANNING**

**Landslide Compensation – Disaster Financial Assistance.**

MOVED Director Sherry, SECONDED Director Westbrook, that the report on landslide compensation be received for information.

CARRIED

**RECREATION AND PARKS**

**Recreation Facilities and Sports Fields Services Agreements.**

MOVED Director Westbrook, SECONDED Director Holdom,:

1. That the District 68 Sports Field and Recreation Services Agreement for 2006-2010 be approved with the usage data for District 68 ice arenas to be based on team registration statistics and with the usage survey to be conducted in the final year of the Agreement's term to establish cost sharing for the following agreement term.
2. That the District 69 Sports Field Services Agreement for 2006-2010 be approved, with the usage survey to be conducted in the final year of the Agreement's term to establish cost sharing for the following agreement term.

CARRIED

**Electoral Area 'A' Recreation & Culture Service Establishing Bylaw No. 1467.**

MOVED Director Kreiberg, SECONDED Director D. Haime,:

1. That "Electoral Area 'A' Recreation and Culture Service Establishing Bylaw No. 1467, 2005" be introduced for first three readings and be forwarded to the Inspector of Municipalities for approval.
2. That the Regional District proceed to referendum on November 19, 2005 to obtain the assent of the electors of Electoral Area 'A' to establish a local recreation and culture service and that the referendum question be as follows:

*Are you in favour of adoption of "Electoral Area 'A' Recreation and Culture Service Establishment Bylaw No. 1467, 2005" which would establish a service for the purpose of providing recreation and culture services and acquiring, constructing and operating recreation and culture facilities in Electoral Area 'A' with a property tax requisition calculated as the greater of \$96,750 or an amount equal to \$0.15 per \$1,000 times the net taxable values for land and improvements in Electoral Area 'A'.*

CARRIED

**Cedar Heritage Centre Lease Renewal.**

MOVED Director Kreiberg, SECONDED Director D. Haime, that the lease agreement between the Cedar School and Community Enhancement Society and the Regional District of Nanaimo for the use of the Cedar Heritage Centre for a five year term expiring on October 3, 2010 be approved.

CARRIED

**CORPORATE AND COMMUNITY DEVELOPMENT**

**FINANCE**

**2006 to 2011 Financial Plan Review Schedule.**

MOVED Director Westbrook, SECONDED Director Hamilton, that the Board approve the 2006 to 2011 financial plan review schedule as amended to change the review of the 2006 to 2011 Financial Plan to Tuesday, October 18<sup>th</sup>.

CARRIED

**FIRE DEPARTMENTS**

**Firefighting Vehicle Financing for Extension Fire Department.**

MOVED Director Hamilton, SECONDED Director D. Haime,:

1. That "Extension Fire Protection Reserve Fund Expenditure Bylaw No. 1470, 2005" be introduced for first three readings.
2. That "Extension Fire Protection Reserve Fund Expenditure Bylaw No. 1470, 2005" having received three readings be adopted.
3. That the Manager, Financial Services be authorized to enter into a lease agreement with the Municipal Finance Authority on behalf of the Extension Fire Department for a two year period, to complete the financing for a firefighting vehicle.

CARRIED

**Renewal of Fire Protection Service Agreement with the Extension and District Volunteer Fire Department.**

MOVED Director Hamilton, SECONDED Director Holdom, that the fire services agreement with the Extension and District Volunteer Fire Department be renewed for a five year term from December 1, 2005 to December 31, 2010 and that the agreement provide for automatic five year term renewals.

CARRIED

**Coombs-Hilliers Fire Protection Local Service Area Boundary Amendment Bylaw No. 1022.05 and Errington Fire Protection Local Service Area Boundary Amendment Bylaw No. 821.05.**

MOVED Director Biggemann, SECONDED Director Krall,:

1. That "Coombs-Hilliers Fire Protection Local Service Area Boundary Amendment Bylaw No. 1022.05, 2005" be introduced for three readings and be forwarded to the Ministry of Community Services for approval.
2. That "Errington Fire Protection Local Service Area Boundary Amendment Bylaw No. 821.05, 2005" be introduced for three readings and be forwarded to the Ministry of Community Services for approval.

CARRIED



**ENVIRONMENTAL SERVICES**

**LIQUID WASTE**

**ISO 14001 Environmental Management System Registration.**

MOVED Director Sherry, SECONDED Director Kreiberg, that the report on the Liquid Waste Department's ISO 14001 Environmental Management System be received.

CARRIED

MOVED Director Holdom, SECONDED Director Krall, that the Manager and staff of the Liquid Waste Department be commended on the ISO 14001 Registration accomplishment.

CARRIED

**Pump and Haul Local Service Area Amendment Bylaw No. 975.40 – Blackbeard and Maple Guard Drives – Area H.**

MOVED Director Westbroek, SECONDED Director Longmuir,:

1. That the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include Lot 1, District Lot 40, Newcastle District, Plan 16121. (Blackbeard and Maple Guard Drives in Electoral Area H).
2. That "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.40, 2005" be read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

**UTILITIES**

**Drinking Water/Watershed Protection Strategy.**

MOVED Director Holdom, SECONDED Director Longmuir,:

1. That the Drinking Water/Watershed Protection Strategy report be received for information.
2. That the Board approve first year funding (2006) of up to \$110,000 from the New Deal for Cities and Communities program.
3. That the Board approve the establishment of a Drinking Water/Watershed Protection Stewardship Committee and direct staff to develop a Terms of Reference and proposed membership for that committee for Board consideration.

CARRIED

**Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.11 – Admiral Tryon Boulevard – Area G.**

MOVED Director Westbroek, SECONDED Director Sherry,:

1. That part of Admiral Tryon Boulevard (VIP62528), be included into the Rural Streetlighting Local Service Area.
2. That "Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.11, 2005" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

**Water User Rate Amendments – Bylaws No. 1468, 619.11, 700.12, 1097.07, 1172.05 and 1383.02.**

MOVED Director Hamilton, SECONDED Director Holme, that this item be referred back to staff for further review.

CARRIED

**Property Inclusion into the French Creek Water, Sewer and Streetlighting Local Service Areas – Bylaws No. 813.35, 889.36, 874.06, 1050.03 and 909.01 – Drew Road – Area G.**

MOVED Director Sherry, SECONDED Director Krall,:

1. That community water and community sewer services be provided to Rem. Lot 1, DL 27, Nanoose Land District, Plan 30012 pursuant to Regional Growth Strategy Policy 7B.
2. That the full costs of the service provisions be paid by the property owners.
3. That “French Creek Sewer Local Service Area Amendment Bylaw No. 813.35, 2005” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.
4. That “Northern Community Sewer Local Service Area Amendment Bylaw No. 889.36, 2005” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.
5. That “French Creek Water Local Service Area Amendment Bylaw No. 874.06, 2005” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.
6. That “French Creek Bulk Water Supply Local Service Area Amendment Bylaw No. 1050.03, 2005” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.
7. That “Sandpiper Streetlighting Local Service Area Amendment Bylaw No. 909.01, 2005” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

**Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.37 – Barclay Crescent Sewer Service Area.**

MOVED Director Sherry, SECONDED Director Longmuir, that “Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.37, 2005” be introduced for first three readings and be forwarded to the Ministry of Community Services for approval.

CARRIED

**French Creek Bulk Water Supply Local Service Area Boundary Amendment Bylaw No. 1050.04 and Sandpiper Streetlighting Local Service Area Boundary Amendment Bylaw No. 909.02 – to Exclude Properties Incorporated into the Town of Qualicum Beach.**

MOVED Director Westbrook, SECONDED Director Biggemann,:

1. That “French Creek Bulk Water Supply Local Service Area Boundary Amendment Bylaw No. 1050.04, 2005” be introduced for first three readings and be forwarded to the Ministry of Community Services for approval.
2. That “Sandpiper Streetlighting Local Service Area Boundary Amendment Bylaw No. 909.02, 2005” be introduced for first three readings and be forwarded to the Ministry of Community Services for approval.

CARRIED

**COMMISSION, ADVISORY & SELECT COMMITTEE**

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

MOVED Director Kreiberg, SECONDED Director D. Haime, that the minutes of the Electoral Area 'A' Recreation Services Study Project Advisory Committee meeting held August 16, 2005 be received for information.

CARRIED

**Nanoose Bay Parks and Open Space Advisory Committee.**

MOVED Director Holme, SECONDED Director Sherry, that the minutes of the Nanoose Bay Parks and Open Space Advisory Committee meeting held August 22, 2005 be received for information.

CARRIED

**Area 'H' Parks and Open Space Advisory Committee.**

MOVED Director D. Haime, SECONDED Director Kreiberg, that the minutes of the Area 'H' Parks and Open Space Advisory Committee meeting held June 6, 2005 be received for information.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Home Based Business – 2480 Andover Road – Area E.**

MOVED Director Holme, SECONDED Director Westbroek, that staff prepare a report on the request by the delegation for a home based business on the property legally described as Lot 21, District Lot 78, Plan VIP68559, Nanoose District.

CARRIED

**IN CAMERA**

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

CARRIED

**ADJOURNMENT**

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

CARRIED

TIME: 7:37 PM

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CHAIRPERSON



<b>REGIONAL DISTRICT OF NANAIMO</b>			
CHAIR		GM Cms	
CAO		GM ES	
DA CCD	<i>[Signature]</i>	MoF	
OCT - 5 2005			
<i>Cow</i>			

**MEMORANDUM**

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

**DATE:** October 4, 2005

**FROM:** Christina Thomas  
Senior Planner, Community Services

**FILE:** 6780 30 50 GRBU

**SUBJECT: GREEN BUILDINGS PROJECT – LOCAL GOVERNMENT GREEN BUILDING PROGRAMS**

**PURPOSE**

The purpose of this report is to provide an update about the status of the Green Buildings Project and, in particular, the research report about local government green building programs.

**BACKGROUND**

A research report about key nearby local government green building programs, prepared by Hughes, Condon, Marler: Architects, is provided for consideration (*see Attachment 1 as a separate enclosure*).

The local government green building program report is one of the three components of the exploratory phase of the Green Buildings Project approved by the Board in November of 2004. The other two components of the Project, which is intended to provide the RDN with a basic understanding of green buildings and to help inform a decision about future RDN work to promote green building practices in the region, are: [1] a tour of green buildings for RDN elected officials and staff; and [2] the development of terms of reference for future green building related work. The green building tour took place in June of 2004, and the Board received a report about it on July 26, 2005. Staff intend to provide terms of reference for future green building work to the Board in January of 2006 for consideration.

Green buildings are buildings that require less energy to operate, contribute fewer emissions to the environment, conserve water, generate less solid waste, and provide more comfortable and productive environments for their inhabitants.

The research report profiles the green building programs/policies of the Greater Vancouver Regional District, the City of Portland, the City of Richmond, the District of Saanich, the City of Seattle, the City of Vancouver, the City of Victoria, and the Resort Municipality of Whistler.

The report provides information about the following aspects of these local government green building programs: [1] purpose; [2] components of current program and plans for program expansion; [3] opportunities and challenges experienced; [4] results or impacts of programs; [5] human and financial resources allocated; and [6] contact information.

***Local Government Green Building Programs - Highlights***

The following highlights some of the key aspects of the local government green building programs described in the research report:

- All of the local government green building programs share the common purpose of improving the sustainability of their jurisdiction by increasing the number of green buildings in their jurisdiction.

- Increasing the number of public sector (i.e. government) owned green buildings is the current primary focus of most local government green building programs (e.g. local government administration offices, city halls, town halls, recreation facilities, public works yards/facilities, any other building owned and operated by a government). A secondary focus of these programs is increasing the amount of private sector 'green' built space for multiple family housing developments, commercial space and office space. None of the surveyed green building programs focuses on green single family residential construction.
- The key components of the local government green building program are:
  - developing policies regarding the construction of green buildings in the jurisdiction (e.g.. “all municipal buildings over 500 m<sup>2</sup> will be constructed to the LEED Gold standard”);
  - raising awareness about green buildings (i.e. what is a green building?, why build a green building?, how do green buildings contribute to sustainability? how to build a green building? methods of evaluating green buildings, etc.) by conducting educational events and publishing reports;
  - providing the local building industry technical information/education/assistance related to green buildings (e.g. about materials that can be used in green building construction and local sources of these materials, the LEED rating system, methods and practices that can be incorporated to attain LEED green building status regarding the following: construction waste recycling/re-use of used building materials, demolition and salvage, stormwater management, wastewater management, water conservation, energy efficiency, the integrated design and construction process, etc.);
  - building long term partnerships with other governmental bodies (e.g. other local governments, CMHC, BCBC, BC Hydro, Natural Resources Canada, etc.) and non-governmental agencies (e.g. Canada Green Building Council, US Green Building Council, BC LEED Steering Committee, Community Energy Association, Association of Professional Engineers and Geoscientists of BC, Architects Institute of BC, BC Construction Association, Urban Development Institute, etc.) to leverage resources to develop and deliver programs and conduct research to support green building construction.
- The largest local government green building programs (e.g. GVRD, City of Seattle, City of Portland, City of Vancouver) include all of the above described elements on an ongoing basis.
- The smallest local government green building programs consists of a policy that requires local government buildings to be constructed to a specified LEED<sup>1</sup> certification level (i.e. District of Saanich, City of Richmond).
- The resources allocated to green building initiatives by the surveyed local governments range in size from no dedicated full time staff resources (e.g. District of Saanich, City of Victoria) to a department of full time staff dedicated to green building advancement consisting of two people (e.g. the City of Vancouver), three people (e.g. GVRD), four people (City of Portland), or five people (e.g. City of Seattle).

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<sup>1</sup> Leadership in Energy and Environmental Design, a widely known and accepted method of obtaining third party assessment and classification of a green building.

- Some local government green building programs are relatively new (e.g. the District of Saanich initiated work on green building policy in 2004, the City of Vancouver approved a program to promote green building policy in 2004, the City of Victoria established a committee to provide recommendations regarding green buildings in 2005 and is now embarking upon a process to shape the future of its green building initiatives, the City of Richmond approved a high performance building policy in 2004), whereas others have been established for many years (e.g. the City of Seattle started its program in 1997, the GVRD and City of Portland programs started in 2001).
- Most local government green building programs do not presently provide any financial incentives to construct green buildings, other than provide information and assistance that is intended to make it easier to construct green buildings in the jurisdiction. The City of Portland green building program is an exception: it annually awards \$100,000 in grants to green building projects in the City through its Green Investment Fund, and it provides special technical assistance to private sector development projects meeting the LEED Silver standard or higher. Some of the more comprehensive local government green building programs plan to explore the provision of incentives for green buildings (e.g. GVRD), such as lower Development Cost Charges to reflect green buildings' reduced need for wastewater processing and other services, and expedited permit approvals processes.
- The most tangible results of the local government green building programs is an increased number of buildings in the jurisdiction that are LEED certified<sup>2</sup> or registered<sup>3</sup>. Other results of local government green building programs include increased awareness about green buildings among the construction and development industry and residents in the community. Some post occupancy analyses of green buildings have been completed, and these studies confirm that green buildings provide multiple environmental benefits (e.g. reduced consumption of water, increased waste reduction, reduced CO<sub>2</sub> emissions, etc.) and cost savings to building owners.

## ALTERNATIVES

1. To receive the report.
2. To receive the report, and request additional information about a specific aspect of the Project.

## FINANCIAL IMPLICATIONS

Receipt of this report has no financial implications. Twenty thousand dollars (\$20,000) was included in the Regional Growth Management Services 2005 budget, at the Board's direction, specifically for the exploratory phase of the Project. The allocated budget is sufficient for the work delineated in the RDN Board approved terms of reference for the exploratory phase of the Green Building Project.

## GROWTH MANAGEMENT IMPLICATIONS

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

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<sup>2</sup> Buildings that have completed the LEED certification process and been granted a particular LEED standing by the Canada Green Building Council or the US Green Building Council.

<sup>3</sup> Buildings for which an application for LEED certification is being considered, but has not yet been granted.

## ENVIRONMENTAL IMPLICATIONS

Green buildings and a green building program would help address environmental problems caused by poor building performance. It would result in the construction of buildings that are more environmentally compatible because they require less resources to construct, operate and maintain, and because they result in fewer harmful emissions to the environment. A green building program would result in less solid waste disposal at the regional landfill and contribute towards the achievement of the Regional District's Solid Waste Management Plan objective of 'zero waste' because green buildings typically involve the reuse of existing materials. A green building program would also result in reduced consumption of potable water and reduced generation of liquid waste because green buildings typically include more efficient appliances, and infrastructure.

## SUMMARY

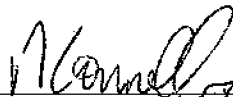
The second of three deliverables of the RDN Green Buildings Project, a research report about local government green building programs, is provided for Board consideration (*see Attachment 1 as a separate enclosure*). The research report will be used by staff in the development of terms of reference for a potential future phase of the Project. Staff anticipate that the final Project deliverable, terms of reference for a future phase of the Project, will be submitted to the Board in January of 2006 for consideration.

## RECOMMENDATION

That the report on local government green building programs undertaken as a part of the Green Buildings Project be received.



Report Writer



General Manager Concurrence



OF NANAIMO			
CHAIR		GM Cms	
CAO		GM ES	
DA CCD		MoF	
OCT - 3 2005			
COW			

**MEMORANDUM**

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

**DATE:** September 23, 2005

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

**FILE:**

**SUBJECT:** Electoral Area 'C / D' Parks and Open Space Advisory Committee

**PURPOSE**

To approve the formation of an Electoral Area 'C' (which is to include the soon to be amalgamated areas of Electoral Area's C and D) Parks and Open Space Advisory Committee and its Terms of Reference.

**BACKGROUND**

The Electoral Area 'D' Director has requested that an Electoral Area Parks and Open Space Advisory Committee (POSAC) be established. With the amalgamation of Electoral Area 'C' and 'D' occurring after the November 19, 2005 local elections, the two separate Community Parks Functions of 'C' and 'D' will be merged into one; it is recommended that the new POSAC represent the new larger Electoral Area 'C'.

The Regional District currently has five Electoral Area parks advisory committees in operation:

- Electoral Area 'A' POSAC – established in 1996
- Electoral Area 'G' POSAC – established in 1999
- Electoral Area 'E' POSAC – established in 2001
- Electoral Area 'B' POSAC – established in 2003.
- Electoral Area 'H' POSAC – Established in 2004

The five current Advisory Committees provide an opportunity for parks issues to be examined and discussed at the community level. The Committees also facilitate community involvement in the implementation of parks plans and operational initiatives, and ensure parks related community concerns are channeled to the Board by way of official committee minutes and resolutions.

Staff has developed a Terms of Reference for the Area 'C' Advisory Committee that provides for membership, procedures and responsibilities that are consistent with the other five Committees that are in place. Advertising for Area 'C' POSAC members will be carried out in February 2006. The Regional Board will then be in a position to appoint advisory committee members in late March 2006, and a first meeting of the Area 'C' POSAC could be held in April 2006.



## **ALTERNATIVES**

1. Approve the formation of an Electoral Area 'C' Parks and Open Space Advisory Committee and its Terms of Reference.
2. Not approve the formation of a Committee or its Terms of Reference at this time and provide alternative direction.

## **FINANCIAL IMPLICATIONS**

Both Electoral Area 'C' and Electoral Area 'D' Community Park proposed provisional budgets include moderate increases to factor in the additional staff time and resources required to facilitate and guide the POSAC. It is anticipated that after the municipal elections that the two independent budgets would merge into one function budget.

## **RESOURCE IMPLICATIONS**

Over the past five years, the RDN's portfolio of parks, trails, beach accesses and other open spaces has grown dramatically from 146 ha to 578 ha; this does not include approximately 60 km of trail and 17 beach or water accesses that have come under RDN park management during the same period. RDN staff has been very active in the creation, development and management of these parklands, particularly at the community level. Three full time park staff members are well occupied keeping the park system viable and responding to community demands. The job of supporting various Parks and Open Space Advisory Committees has spread staff resources even thinner. With the addition of the sixth POSAC, continued growth of the Regional Park system, and increased community park dedications by way of subdivision, a strategy to meet the increasing demands to the RDN Parks services will be brought forward for Board consideration as part of the budget process.

## **CITIZEN IMPLICATIONS**

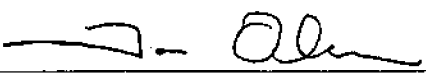
The RDN Parks and Open Space Advisory Committees provide electoral area residents with an opportunity to bring forward ideas about park matters and discuss park issues with staff, the Electoral Area Director, and the Board.

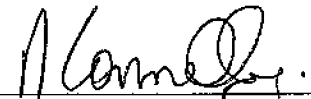
## **SUMMARY**

The Electoral Area 'D' Director has requested that a Parks and Open Space Advisory Committee (POSAC) be established in that area. After the local elections to be held on November 19, 2005, Electoral Areas C and D will be amalgamated and the new combined area will be called Electoral Area 'C'. As is the case with POSACs already functioning in Electoral Area's A, B, E, G, and H, the new Area 'C' POSAC will provide opportunities for residents to become actively involved in park management in their area and for parks related community concerns to be channeled to the Board by way of formal minutes and resolutions.

**RECOMMENDATION**

That the Terms of Reference for the Electoral Area 'C' Parks and Open Space Advisory Committee be approved.

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

  
\_\_\_\_\_  
General Manager Concurrence

## **Electoral Area 'C' Parks and Open Space Advisory Committee**

### **Terms of Reference**

#### **Purpose**

To establish a Parks and Open Space Advisory Committee for Electoral Area 'C'. The Committee will advise and provide information to the Nanaimo Regional District Board regarding parks and open space issues in Electoral Area 'C'.

#### **Membership**

1. The Electoral Area 'C' Parks and Open Space Committee will be appointed by the Regional Board as follows:
  - the Electoral Area 'C' Director or designate
  - up to six Members at Large who are residents of Electoral Area 'C'.
2. The Committee will consist of a maximum of seven members. The Committee may operate without all positions being occupied. A quorum shall consist of four members.
3. For the first year of operation only, the terms of Committee membership shall be staggered with three members appointed for a two-year term and three members appointed for a one-year term. Beginning in the second year all members will be appointed for a two-year term. The Area 'C' Director will be on the Committee for the tenure of their respective Board appointment.

#### **Procedures**

1. The Committee shall elect a chairperson and recording secretary annually at the first meeting of each calendar year.
2. The Committee may meet as required but will structure its activities to meet approximately four times per year.
3. Minutes of Committee meetings will be forwarded to the Regional District Board for information.

## **Responsibilities**

1. Make recommendations and provide advice to the Regional Board regarding a wide range of parks and open space issues including:
  - the acquisition of community park sites;
  - the development and maintenance of community park sites; and
  - priorities for the expenditure of community park operating and reserve funds.
2. Liaise, provide leadership, and work with community and neighbourhood groups on a wide range of parks and open space matters including:
  - volunteer park development projects;
  - obtaining input regarding park planning and acquisition priorities;
  - trail system planning and development; and
  - waterfront accesses.
3. Play a leadership role and provide a focal point for co-operation between community interests and the Regional District on parks and open space issues.
4. Provide community input into park planning documents including the development and updating of a community park master plan and specific community park development plans.
5. Work within the objectives and policies of the Regional Growth Management Plan, local Official Community Plans, the Regional Parks System Plan and any other statutory plans that are applicable to Electoral Area 'C'.

## **Financial Considerations**

The Committee will provide input on an annual basis to the Electoral Area Director and the Regional Board regarding the level of funding and priorities for expenditures from these budgets, including park reserve funds, for parks and open space purposes. The Committee will also have the ability to look at a variety of other funding sources and strategies and make recommendations in their regard to the Regional District.

## **Reporting and Authority**

In the provision of their services to the Electoral Area 'C' Parks and Open Space Advisory Committee, Committee members have a responsibility to act in the best interests of their community and within the policies and guidelines established by the Regional District.



OF NANAIMO			
CHAIR		GM Gms	
CAO		GM ES	
DA CCD		MoF	
OCT - 4 2005			
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MEMORANDUM

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

**DATE:** October 3, 2005

**FROM:** Christina Thomas  
Senior Planner, Community Services

**FILE:** 6780 30 SOS  
6780 30 MPGM

**SUBJECT: STATE OF SUSTAINABILITY PROJECT - GROUNDWATER INDICATOR RESEARCH REPORT**

PURPOSE

The purpose of this report is to provide an update about the groundwater indicator research report completed as a part of the State of Sustainability Project.

BACKGROUND

The results of the groundwater indicator research report completed by EBA Engineering Ltd. as a part of the State of Sustainability Project are provided (see Attachment 1 as a separate enclosure).

The groundwater indicator research report was undertaken as a result of a Regional Growth Monitoring Advisory Committee (RGMAC) January 2005 recommendation to the RDN Board to undertake additional work to determine appropriate indicators of the state of groundwater resources in the region, and the RDN Board decision to undertake the work and supplement the 2005 Regional Growth Management Services budget by \$6000 specifically for the work.

The groundwater indicator research report recommends that data be collected and analyzed about the following five matters to provide information about the state of groundwater resources in the region:

1. piezometric (water table) elevations for all of the following wells:
  - monitoring wells monitored by the Ministry of Environment;
  - production and monitoring wells operated by the RDN;
  - production and monitoring wells operated by Breakwater Enterprises;
  - production and monitoring wells operated by the City of Parksville; and
  - production and monitoring wells operated by the Town of Qualicum Beach;
2. groundwater quality (dissolved oxygen, PH, electrical conductivity, nitrate, and ammonium or substitutes if necessary);
3. the amount of impermeable (e.g. concrete, asphalt) surface area;
4. the total volume of water extracted using information from a variety of sources including private utilities, Ministry of Environment wells, private wells; and
5. stream temperatures for Englishman River, Little Qualicum River, French Creek, and possibly other locations, dependent on the water system in the study area.

The report provides recommendations regarding appropriate methodologies to collect the data about these five matters. It also provides a worksheet template for text about the five topics that could be included in the sustainability report about the state of groundwater in the region.

The estimated cost of the work recommended in the report is approximately \$26,000. Additional costs would need to be incurred in the future to update the work for future sustainability reports; it is projected that any future costs would be slightly lower than the initial \$26,000 expenditure to complete the work the first time. Table 1 provides a breakdown of the estimated \$26,000 cost:

Groundwater Indicator Work Component	Estimated Cost Per Year (\$ in 2005)
Piezometric (water table) elevations & Groundwater quality	6,049
The amount of impermeable area	4,152
The total volume of water extracted	7,789
Stream temperature	1,870
Reporting about the above	3,794
Contingency	2,365
Total	26,019

The data about the five recommended groundwater indicators is intended to be used, along with information about the other 42 sustainability indicators approved by the RDN Board in January of 2005, in the development of a comprehensive report about the sustainability of the region. The report about the sustainability of the region is one of the seven deliverables of the State of Sustainability Project approved by the RDN Board in January of 2003<sup>1</sup>.

The RGMAC reviewed a draft of the groundwater indicators research report at its July 20, 2005 meeting and final version of the report at its September 8, 2005 meeting. The final report includes adjustments to respond to RGMAC suggestions. The RGMAC received the report, requested that information in the report be used to the extent possible in the upcoming report about the sustainability of the region, requested that the work recommended in the report be completed, and requested that the RDN Board provide the necessary financial resources to complete the recommended work.

RDN Board direction is required regarding the allocation of financial resources to conduct the work recommended in the groundwater indicators research report.

## ALTERNATIVES

1. Receive the report.
2. Receive the report, and consider providing the financial resources necessary to complete the work recommended in the groundwater indicator research report as a part of the 2006 budget.

<sup>1</sup> The seven components of the State of Sustainability Project are: [1] a public event to discuss what sustainability means in the context of the Nanaimo region (conducted on April 3, 2004, the RDN Board received a report about the event in July of 2004); [2] review, refinement and confirmation of a set of indicators or measures of sustainability (the Board approved a set of indicators in January of 2005); [3] a report that documents the sustainability of the Nanaimo region, based on the chosen sustainability indicators; [4] a public event to discuss the results of that report; [5] a report that provides ideas about how the sustainability of the region can be improved; [6] the development and implementation of a regional sustainability awards program; and [7] citizen committee involvement in the first six deliverables

## **FINANCIAL IMPLICATIONS**

An allocation of \$26,000 is required for consulting assistance if the Board wishes to complete the work recommended in the groundwater indicator research report. The Regional Growth Management Services 2006 Provisional Budget does not provide for the work recommended in the groundwater indicator research report. The Board could provide these funds in 2006 by supplementing the 2006 Regional Growth Management Services budget by \$26,000. Alternatively, the Board could request the work be considered as a part of the new electoral area drinking water/watershed protection function once it is created.

## **SUSTAINABILITY REPORT IMPLICATIONS**

Information about the state of groundwater resources would be useful for the report about the sustainability of the region that will be prepared as a part of the State of Sustainability Project. The Regional Growth Monitoring Advisory Committee intends to report about the sustainability of the region by discussing approximately twenty key characteristics of sustainability, and using data for indicators selected for each of the key characteristics. One of the key characteristics of a sustainable region is the availability of a safe, sufficient supply of water. If the work recommended in the groundwater indicators research report is not undertaken, report discussion about the availability of a safe, sufficient supply of water will be limited to available information about domestic water consumption trends in the region and water quality in selected lakes and rivers.

The consultant's report about groundwater indicators provides a good template for report text about groundwater resources in the region, and establishes the work necessary to compile the data for the five recommended indicators of the state of groundwater resources in the region. Portions of the template text could be included in the sustainability report regardless of whether the recommended data is collected.

## **INTERDEPARTMENTAL IMPLICATIONS**

On September 20, 2005, the Board approved a work program for 2006 to establish a new electoral area drinking water and watershed protection research program using approximately \$100,000 in funding from the New Deal for Cities and Communities Program. It is anticipated that the work program for this initiative in 2006 will lead up to the consideration of establishing a new electoral area drinking water/watershed protection function as a part of the 2007 budget process. The present work program for that initiative does not include provisions for the work recommended in the subject groundwater indicators research report.

## **SUMMARY**

The results of the groundwater indicator research report completed by EBA Engineering Ltd. as a part of the State of Sustainability Project are provided (*see Attachment 1 as a separate enclosure*).

Information about the state of groundwater resources would be useful for the report about the sustainability of the region that will be prepared as a part of the State of Sustainability Project in 2006.

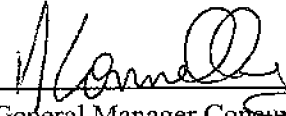
There are presently no provisions in the 2006 Provisional Budget for the Regional Growth Management Services function, or any other existing or proposed function, for the work recommended in the groundwater indicator research report. Consequently, a Board decision is required regarding the allocation of resources to do the work.

**RECOMMENDATIONS**

1. That the report "State of Sustainability Project – Groundwater Indicators Research Work" be received.
2. That the allocation of an additional \$26,000 to Regional Growth Management Services to complete the work in the report regarding the five indicators of the state of groundwater resources in the region be considered as a part of the 2006 budget process.



Report Writer



General Manager Concurrence



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

**DATE:** September 13, 2005

**FROM:** Dennis Trudeau  
Manager of Transit

**FILE:** 8600-01

**SUBJECT:** Electoral Area 'A' HandyDART Service Expansion

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**PURPOSE**

To review and provide for an expansion of HandyDART service in Electoral Area 'A' to the balance of the area outside of the current service area boundary.

**BACKGROUND**

Under Bylaw No. 1230 convention and custom (HandyDART) transit services in Electoral Area 'A' extend to only the north part of Cedar. The service area also includes Area 'D', the City of Nanaimo and the District of Lantzville.

Currently the transit department provides HandyDART service to the north portion of Area 'A' each weekday in the early morning and late afternoon for workshop runs and occasional rides throughout the day. On average there are approximately 15 to 20 rides per week. A preliminary analysis has determined that an additional three hours per week would allow additional clients to access this service. The hours and times available will be limited to ensure the existing service is not compromised. The hours would be provided by a reallocation of hours available within our Annual Operating Agreement with BC Transit.

Over the years various requests for HandyDART service for residents outside of the service area boundary have been received by the Department and the area Director. For service to be provided the local service area boundary would need to be extended to include the entire electoral area. Bylaw No. 1230.03, which is attached, extends the boundary.

**ALTERNATIVES**

1. Provide for the extension of the transit service area boundary to include all of Area 'A' and for a limited expansion of HandyDART service to the area.
2. Defer or not consider changes to the transit service area in Area 'A' to allow for the expansion of HandyDART service to residents outside of the current service area boundaries.

## FINANCIAL IMPLICATIONS

For the 2006 annual budget a minor adjustment to the allocation of service costs among the participants in the function would need to be undertaken to reflect the \$5,000 of added service to the Cedar area. As it represents a minor change of service and no additional tax requisition within the overall conventional transit and HandyDART budget for the southern system, no significant impacts to the other participants in the system, are anticipated. The formula for allocating costs among participants in the transit service is scheduled to be reviewed in 2006 to more adequately address both minor and major shifts in conventional and HandyDART service among participants, along with other updates.

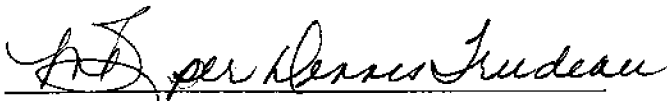
The proposal and the service area boundary change also has the impact of shifting the requisition costs to support both the conventional and HandyDART service in the area to the entire electoral area. As a result of this adjustment, property owners in the current service area will have lower requisitions for transit, while owners in the balance of Cedar will have requisition costs for transit for the first time.

## SUMMARY

The Area 'A' Director has requested that the Department examine the possibility of providing limited HandyDART service to the areas of Cedar that are currently outside of the service area boundary. A proposal for three hours of service that could be provided one day a week, in conjunction with the current service provision adjacent to the new area has been developed. It would require that the Transit Establishing Bylaw for the southern system be amended and that a minor shift in the allocation of costs be provided for in the 2006 annual budget.

## RECOMMENDATIONS

1. That the report on the expansion of HandyDART service to the area outside of the current service area boundary in Electoral Area 'A' be received.
2. That Southern Community Transit Service Area Amendment Bylaw No. 1230.03, 2005 be introduced and read three times.

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

  
\_\_\_\_\_  
General Manager Concurrence

COMMENTS:

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1230.03**

**A BYLAW TO AMEND THE BOUNDARIES OF THE  
SOUTHERN COMMUNITY TRANSIT SERVICE AREA**

WHEREAS the Board by its "Southern Community Transit Service Area Establishment Bylaw No. 1230, 2001" established a service for conventional and custom transit services in portions of School District 68;

AND WHEREAS the Board wishes to amend the boundaries of the service area in Electoral Area A so as to provide some additional custom service in Electoral Area A;

AND WHEREAS the Board of the Regional District of Nanaimo has obtained the consent of two-thirds of the participants pursuant to Section 802(1)(b) of the *Local Government Act*;

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

1. "Regional District of Nanaimo Southern Community Transit Service Area Establishment Bylaw No. 1230, 2001" is amended as follows:

By deleting the wording in Section 2 and replacing it with the following:

"The boundaries of the service area are coterminous with the boundaries of the City of Nanaimo, Electoral Area 'A', Electoral Area 'D' and the District of Lantzville."

2. This bylaw may be cited as "Southern Community Transit Service Area Boundary Amendment Bylaw No. 1230.03, 2005".

Introduced and read three times this 20th day of September, 2005.

Received the approval of the Inspector of Municipalities this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

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

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DEPUTY ADMINISTRATOR



REGIONAL DISTRICT OF NANAIMO			
CHAIR		GM Cms	
CAO		GM ES	
DA CCD	<i>✓</i>	MoF	
SEP 30 2005			
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MEMORANDUM

TO: Robert Lapham  
Deputy Administrator

DATE: September 30, 2005

FROM: Allan Dick  
A/Manager, Building Inspection

FILE: 3810-20

SUBJECT: Section 57 of the Community Charter - Contravention of Bylaw  
Meeting Date - October 11, 2005

PURPOSE

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

BACKGROUND

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

SUMMARY OF INDIVIDUAL INFRACTIONS

Electoral Area E

- 1. Owners Name: Young Soon Reimer  
Legal Description: Lot 2, District Lot 78, Nanoose District, Plan 15562  
Street Address: 2768 Teds Road

Summary of Infraction:

Jun 5, 1990 - permit issued for addition to SFD and detached garage  
 Jan 5, 1993 - S 750.1 filed for occupying without an occupancy permit  
 Aug 18, 2005 - owner calls for final inspection; property for sale. Inspection fails; illegally constructed carport, basement suite, home based business and retaining walls within setback of bank  
 Sep 15, 2005 - Supervisor attends site with owner to review situation & explains RDN position  
 Sep 28, 2005 - owner contacted and told to see planning department and provide plans. Illegal construction to be removed.  
 Sep 29, 2005 - owner informed of filing process (illegal structures and land use)

- 2. Owners Name: Heber Graham Smith  
Legal Description: Lot 5, District Lot 186, Nanoose District, Plan 48557  
Street Address: 8566 Rumming Road

Summary of Infraction:

Mar 22, 2005 - letter sent; occupancy required  
 Jul 4, 2005 - 2<sup>nd</sup> letter sent via courier; occupancy required  
 Jul 25, 2005 - occupancy inspection performed; inspection failed - no guards on exterior decks  
 Sep 21, 2005 - owner contacted by inspector; guards not installed  
 Sept 30, 2005 - owner contacted by supervisor; filing process explained in full  
 Sep 30, 2005 - file forwarded for S57 filing (safety issue - no guards on deck)

**Electoral Area G**


3. Owners Name: Mary Jean Wright  
Legal Description: Lot 58, District Lot 29, Plan 45632, Nanoose District  
Street Address: 809 Arrowsmith Way

**Summary of Infraction:**

- Dec 6, 2004 – letter sent; occupancy permit required  
Dec 30, 2004 – 2<sup>nd</sup> letter sent via courier; occupancy required  
Mar 22, 2005 – 3<sup>rd</sup> letter sent; occupancy required  
Sep 29, 2005 – numerous calls and attempts by inspector to contact owner for compliance  
Sep 30, 2005 – Supervisor attempted to contact owners – no response  
Sep 30, 2005 – file forwarded for S57 filing

**RECOMMENDATION**

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



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Allan Dick, A/Manager, Building Inspection  
Report Writer



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Robert Lapham,  
Deputy Administrator



**REGIONAL  
DISTRICT  
OF NANAIMO**

REGIONAL DISTRICT OF NANAIMO			
CHAIR		GM Cms	
CAO		GM ES	
DA CCD	<i>BS</i>	MoF	
OCT - 3 2005			
<i>cow</i>			

**MEMORANDUM**

**TO:** Mike Donnelly, ASCT  
Manager of Utilities

**DATE:** September 20, 2005

**FROM:** Chris Brown, ASCT  
Engineering Technologist

**FILE:** 5500-22-NBP-01  
5500-20-FW-01

**SUBJECT:** Requests for Property Inclusions into the Nanoose Bay Peninsula Water Service Area (Bylaw No. 867.01) *and* into the Fairwinds Sewer Local Service Area (Bylaw No. 947)

**PURPOSE**

1. To consider a request to include Lot A, District Lot 6, Nanoose Land District, VIP58653 (corner of Northwest Bay & Powder Point Roads) into the Nanoose Bay Peninsula Water Service Area and the Fairwinds Sewer Local Service Area (Property 1).
2. To consider a request to include Lot B, District Lot 84, Nanoose Land District, VIP53591 (Claudet Road) into the Nanoose Bay Peninsula Water Service Area and Nanoose Bay Bulk Water Supply Local Service Area (Property 2).

**BACKGROUND**

**Property 1**

The owners have requested this property be included in both the Nanoose Bay Peninsula Water Service Area and Fairwinds Sewer Local Service Area. The property is currently vacant and the owners are proposing developing a commercial venture. The property is not in the Nanoose Bay Peninsula Water Service Area but is included in the Nanoose Bay Bulk Water Service Area. The "Nanoose Bay Peninsula Water Service Area Amalgamation Amendment Bylaw No. 867.01", and "Fairwinds Sewer Local Service Area Bylaw No. 947" require amendments in order to service this property with water and sanitary sewer.

Regional District staff recommended and the owners agreed to join the Fairwinds Sewer Local Service Area. This will provide the property with sanitary sewer when the Red Gap area is connected to the Fairwinds system. In the interim the property will use on-site sewage disposal at the owner's expense.

**Property 2**

The owners have requested this 8.03 ha property be included in the Nanoose Bay Peninsula Water Service Area. The property is currently zoned Resource Management 3 and situated within Subdivision District 'B' (8.0 ha minimum parcel size) (RM3B) pursuant to the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987." The property is currently undergoing a rezoning change to a Comprehensive Development 26 Zone that will allow for a two lot subdivision.

The property is currently vacant with the exception of a Regional District community water tower and associated works, which are located near the southeast corner of the subject property. It is proposed that the subdivision create four parcels, two of which would be residential lots and two of which would be turned over to the RDN. One of the lots to be turned over to the RDN holds the community water tower and is 0.118 ha in size. The second property turned over to the RDN would be a proposed park.

The "Nanoose Bay Peninsula Water Service Area Amalgamation Amendment Bylaw No. 867.01, 2005", and "Nanoose Bay Bulk Water Supply Local Service Area Boundary Amendment Bylaw No. 1049, 2004" both require amendments in order to service this property with water.

## **ALTERNATIVES**

1. Accept both requests for service area inclusion.
2. Accept the request for service area inclusion for either Property 1 or Property 2.
3. Do not accept either request for service area inclusion.

## **FINANCIAL IMPLICATIONS**

### **Property 1**

There are no financial implications to the RDN. If accepted into the Nanoose Bay Peninsula Water Service Area and the Fairwinds Sewer Local Service Area, all costs associated with the connections would be at the expense of the applicant. There are Capital and Development Cost Charges payable as a consequence of extending the two service area boundaries. The Nanoose Bay Bulk Water Supply Service Area Development Cost Charge (Bylaw 1088) is \$4.70 per square metre. In addition, a capital charge of \$4.70 per square metre for commercial buildings is levied to purchase capacity in the existing Nanoose Bay Peninsula Water System. Northern Wastewater Treatment Development Cost Charges for the Nanoose Bay sub-area (Bylaw 934) are \$7.25 per square metre and the Fairwinds Sewer Capital Charge (Bylaw 765) is \$8,250 per lot.

### **Property 2**

There are no financial implications to the RDN. If accepted into the Nanoose Bay Peninsula Water Service Area and the Nanoose Bay Bulk Water Service Area, all costs associated with the connections would be at the expense of the applicant. Capital Cost Charges for Nanoose Bulk Water are \$2,346 per residential lot for a total of \$4,692 and are payable as a condition of extending the service area boundary to the two lots.

The cost of purchasing the lot containing the RDN water infrastructure would be \$3,000 plus the equivalent of the current yearly lease of \$1,081 for a total of \$4,081. This amount will be subtracted from the Capital Charges of \$4,692 leaving \$611 to be paid to the RDN.

There would be no charge for the transfer of the proposed parkland to the RDN.

## **DEVELOPMENT IMPLICATIONS**

### **Property 1**

The subject property is located inside the Urban Containment Boundary. The Regional Growth Strategy (RGS) Bylaw No. 1309 (2002) states that this property is designated as an Urban Area Village Centre and can accommodate growth.

The property is currently zoned RS4Q pursuant to Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987. RDN Planning department is working to rezone the subject property from Residential 4 Subdivision District 'Q' (RS4Q) to a Comprehensive Development Zone in order to facilitate the development of a mixed commercial and retail use comprising of professional office space, personal care services and a café/restaurant use. The existing parcel size is approximately 0.688 hectares.

### **Property 2**

Currently, the applicant may construct two dwelling units on the subject property and under the provisions of the *Strata Property Act*; register the dwelling units as a Building Strata development at Land Title Office, which would result in the creation of separate titles. As the proposal is for two fee simple parcels with a maximum residential density of one dwelling unit per parcel, there is no increase in the maximum permitted density.

With respect to potable water, the Regional District is prepared to provide a community water service connection to each proposed parcel in exchange for the applicant entering into a section 219 covenant restricting the construction of water wells on the proposed parcels.

The benefits of providing water to this site will eliminate the need to develop additional wells to supply potable water. In addition, the existing reservoir site will be transferred to the Regional District as a fee simple parcel eliminating the annual leasing costs of \$1,081 and providing for RDN ownership and control of the reservoir site thereby reducing the vulnerability of the domestic waterworks on the property..

### **INTERDEPARTMENTAL IMPLICATIONS**

From a land use planning perspective, the Development Services department has no objection to the boundary amendments required for these applications.

### **SUMMARY/CONCLUSIONS**

A request has been made to amend the boundaries of the Nanoose Bay Peninsula Water Service Area and the Fairwinds Sewer Local Service Area. Property 1 is located inside the Urban Containment Boundary, and is designated as an Urban Area Village Centre that can accommodate growth. The current size of the parcel is 0.688 hectares and conforms to all zoning. All costs associated with connection to the RDN water and sewer systems would be at the expense of the property owner. There is adequate water from wells shared by Nanoose Bay Peninsula Water Service Area for this service.

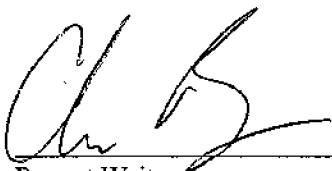
Another request has been made to amend the boundaries of the Nanoose Bay Peninsula Water Service Area and the Nanoose Bay Bulk Water Service Area. Property 2 is located outside of the Nanoose Bay Peninsula Water Service Area, and is designated as rural. The current size of the parcel is 8.03 hectares. All costs associated with connection to the RDN water system would be at the expense of the property owner. There is adequate water from wells shared by Nanoose Bay Peninsula Water Service Area for this service.

The proposed subdivision, while outside of the urban containment boundary provides for the ownership of an existing leased parcel of land required for the operation of the RDN reservoir site and for proposed parklands.

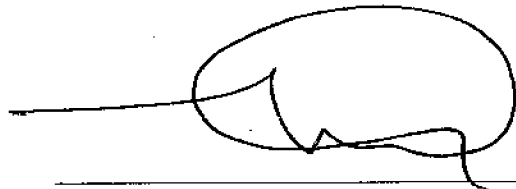


**RECOMMENDATIONS**

1. **That** "Nanoose Bay Peninsula Water Service Area Amalgamation Amendment Bylaw No. 867.02, 2005" (re Lot A, DL 6, Nanoose Land District, VIP58653 and Lot B, DL 84, Nanoose Land District, VIP53591) be introduced, read three times and forwarded to the Inspector of Municipalities for approval.
2. **That** "Fairwinds Sewer Local Service Area Bylaw 947.02, 2005" (re Lot A, DL 6, Nanoose Land District, VIP58653) be introduced, read three times and forwarded to the Inspector of Municipalities for approval.
3. **That** "Nanoose Bay Bulk Water Local Service Area Bylaw No. 1049.04" (re Lot B, DL 84, Nanoose Land District, VIP53591) be introduced, read three times and forwarded to the Inspector of Municipalities for approval.



Report Writer

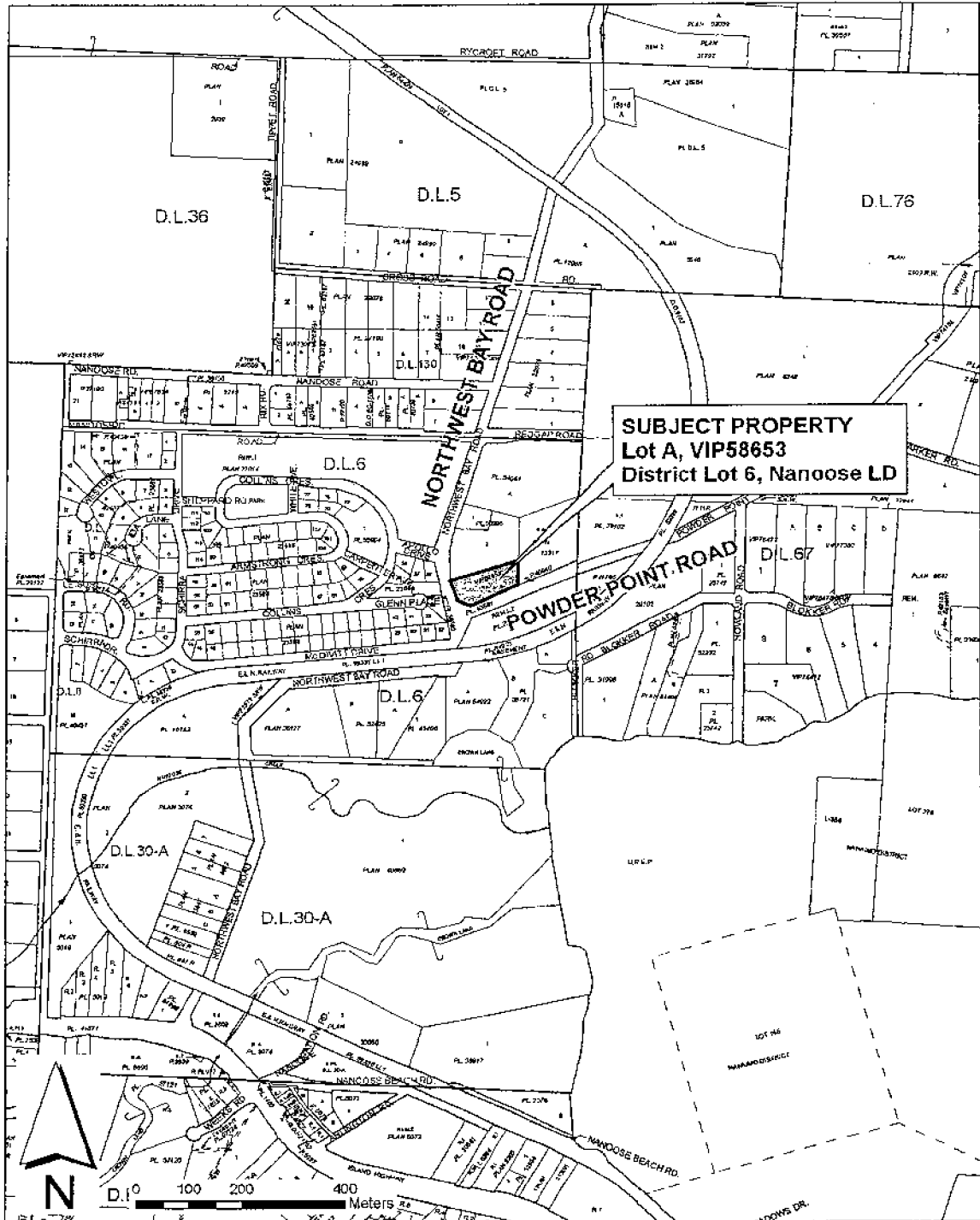


Manager Concurrence

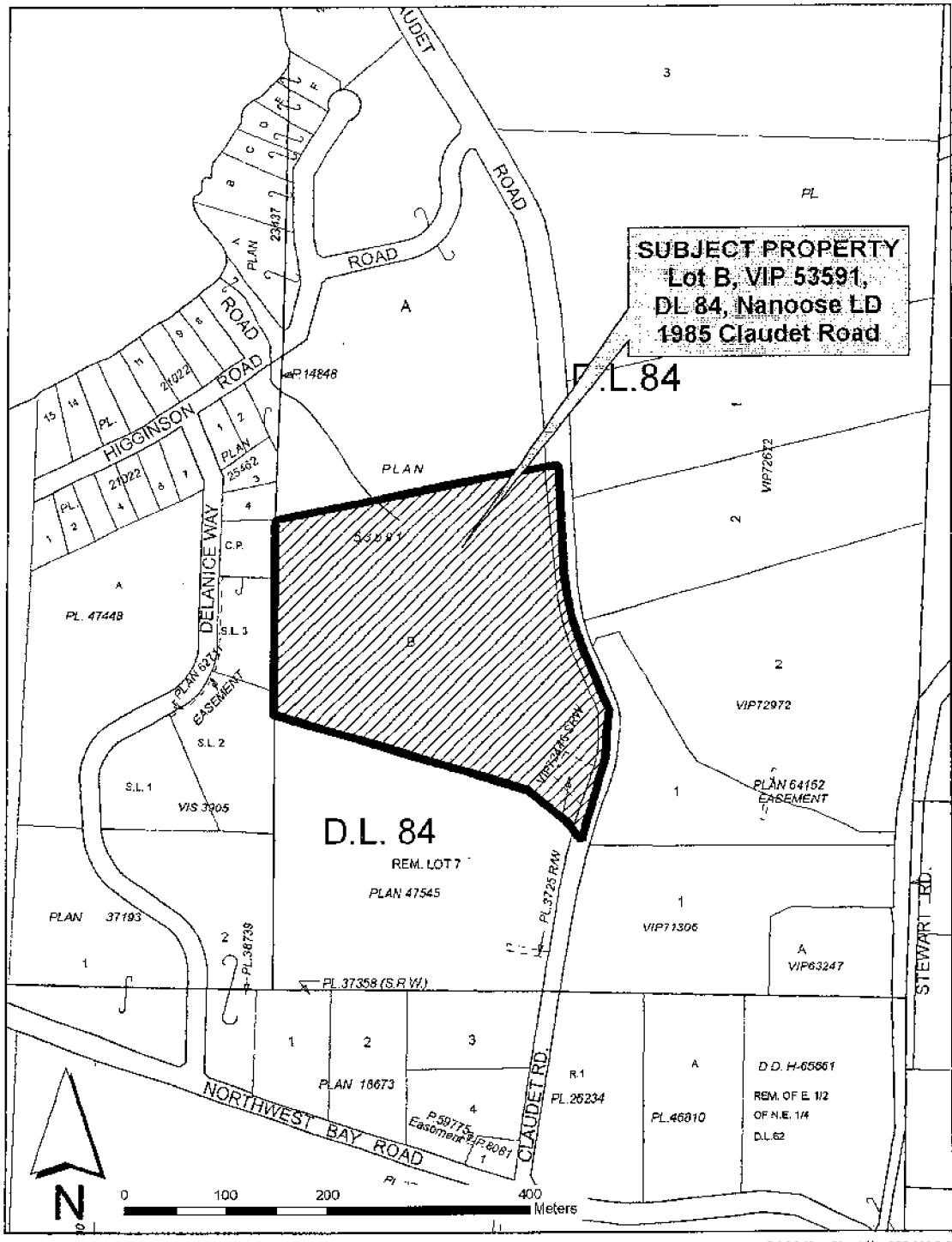


General Manager Concurrence

COMMENTS:



### Property 1



BCGS Map Sheet No. 92F.030.3.3

### Property 2

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 867.02**

**A BYLAW TO AMEND THE BOUNDARIES OF  
THE NANOOSE PENINSULA WATER SERVICE AREA**

WHEREAS "Nanoose Bay Peninsula Water Service Area Amalgamation Amendment Bylaw No. 867.01, 2005", established the Nanoose Bay Peninsula Water Service;

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

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

1. The boundaries of the Nanoose Bay Peninsula Water Service Area, established by Bylaw No. 867.01, as amended, are hereby further amended to include the two properties shown outlined on Schedule 'C-1' and 'C-2' respectively attached hereto and forming part of this bylaw.
2. The amended boundary of the Nanoose Bay Peninsula Water Service Area shall be as shown outlined on Schedule 'A' attached hereto and forming part of this bylaw.
3. Schedule 'A' of Bylaw No. 867.01 is hereby repealed.
4. This bylaw may be cited as "Nanoose Bay Peninsula Water Service Area Boundary Amendment Bylaw No. 867.02, 2005".

Introduced and read three times this 25th day of October, 2005.

Received the approval of the Inspector of Municipalities this \_\_\_\_ day of \_\_\_\_\_, 2005.

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

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CHAIRPERSON

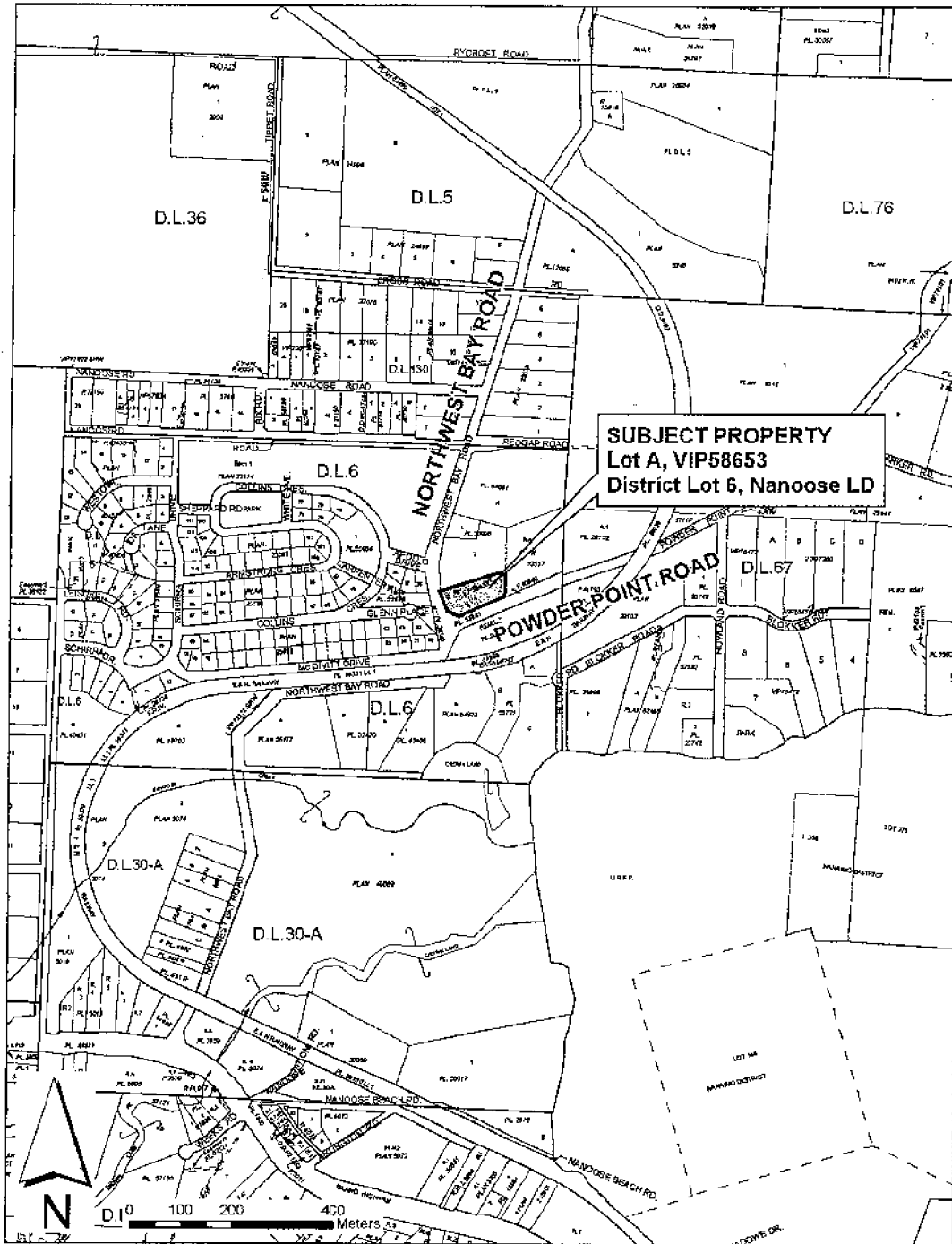
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DEPUTY ADMINISTRATOR

Schedule 'C-1' to accompany "Nanoose Bay Peninsula Water Service Area Boundary Amendment Bylaw No. 867.02, 2005"

Chairperson

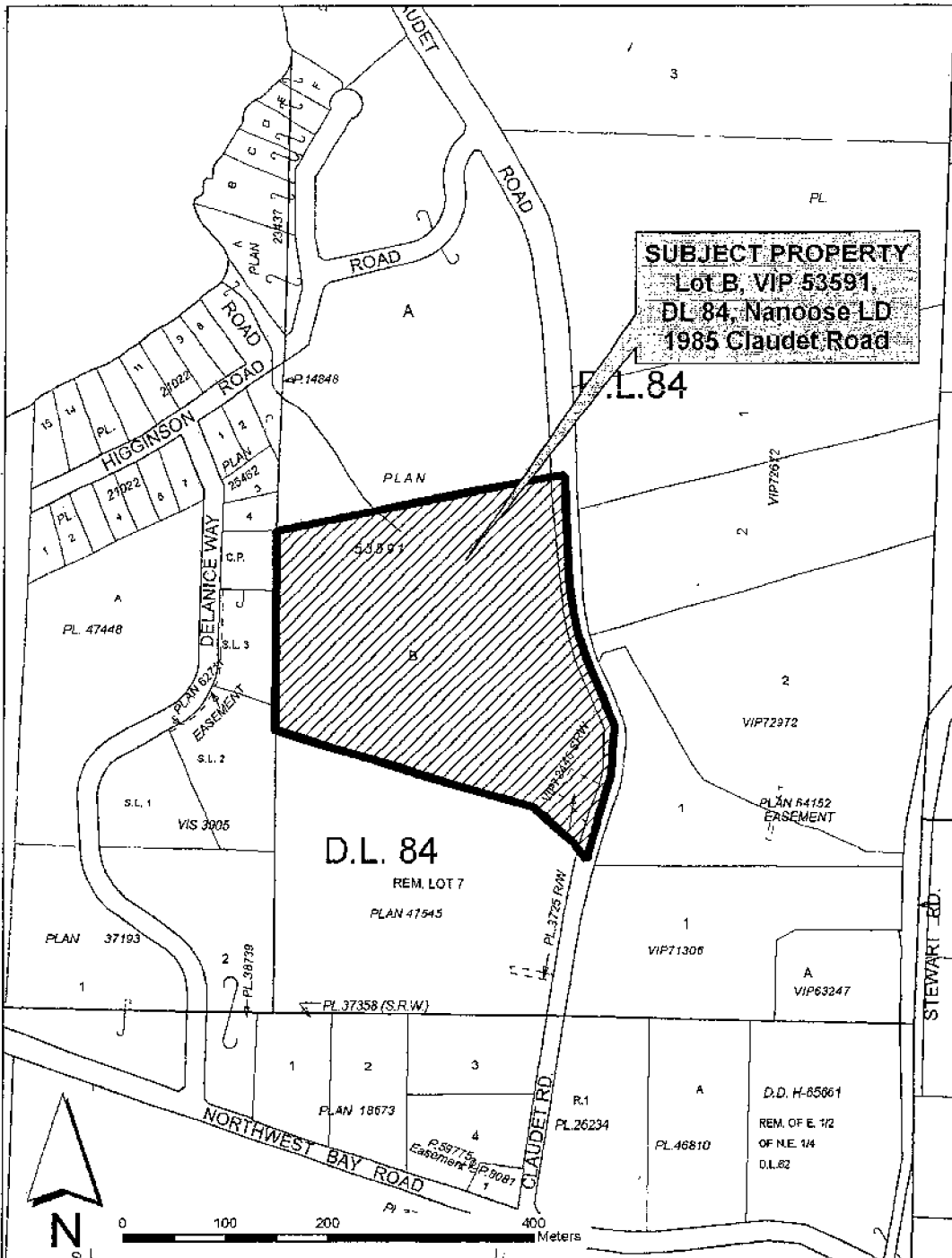
Deputy Administrator



EGGS Map Sheet No. 92F.030.3.1

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Deputy Administrator



**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 947.02**

**A BYLAW TO AMEND THE FAIRWINDS SEWERAGE FACILITIES  
LOCAL SERVICE AREA CONVERSION BYLAW NO. 947**

WHEREAS Fairwinds Sewerage Facilities Local Service Area Conversion Bylaw No. 947, 1994, as amended, establishes the Fairwinds 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 Fairwinds Sewerage Facilities Local Service Area, established by Bylaw No. 947, as amended, are hereby further amended to include the properties shown outlined on Schedule 'B' attached hereto and forming part of this bylaw.
2. The amended boundary of the Fairwinds 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. 947 is hereby repealed.
4. This bylaw may be cited as "Fairwinds Sewerage Facilities Local Service Area Amendment Bylaw No. 947.02, 2005".

Introduced and read three times this 25th day of October, 2005.

Received the approval of the Inspector of Municipalities this \_\_\_\_ day of \_\_\_\_\_, 2005.

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

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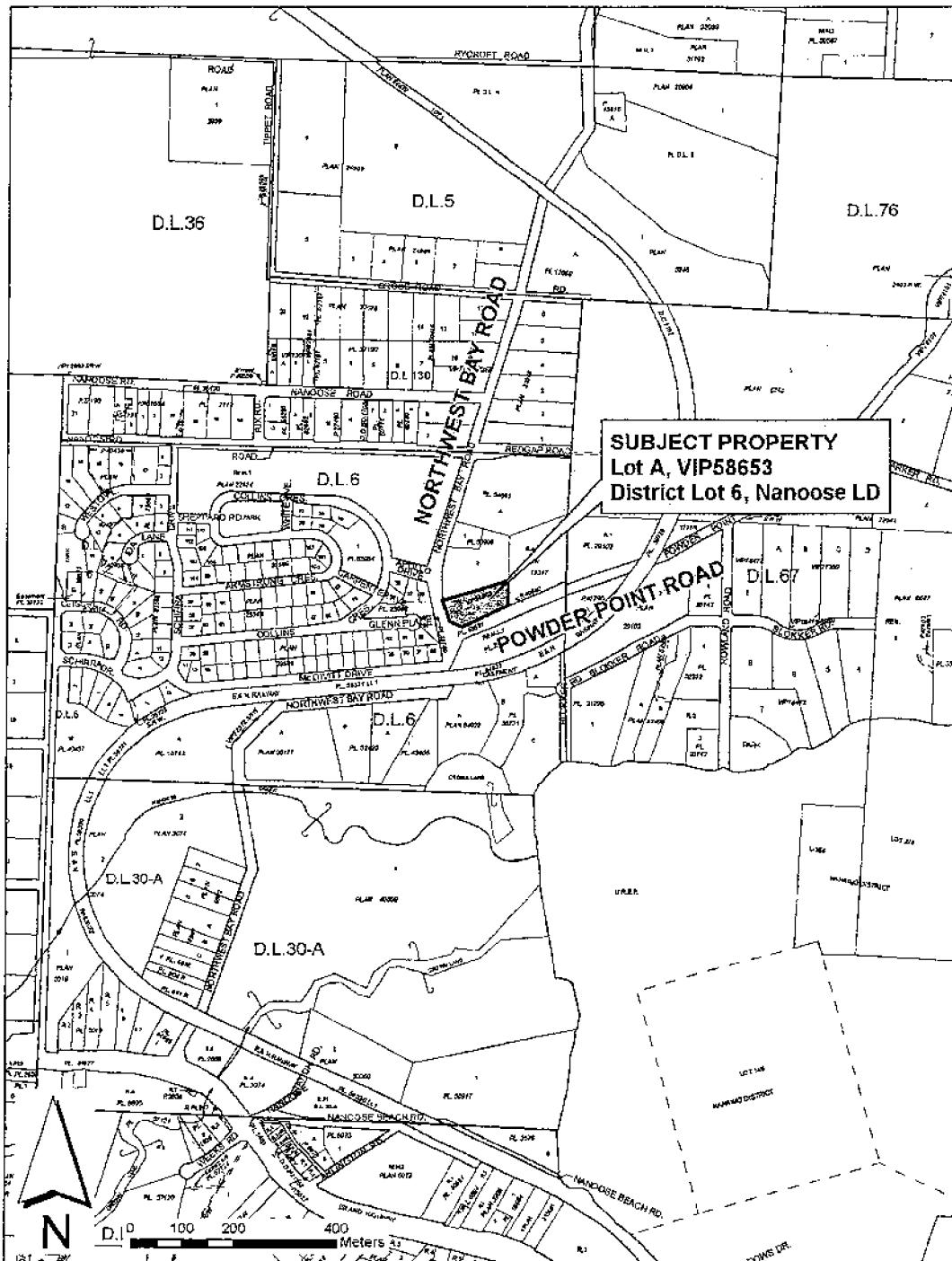
CHAIRPERSON

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DEPUTY ADMINISTRATOR

Chairperson

Deputy Administrator



BCGS Map Sheet No. 92F.030.3.1



**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1049.04**

**A BYLAW TO AMEND THE BOUNDARIES  
OF THE NANOOSE BAY BULK WATER  
SUPPLY LOCAL SERVICE AREA**

WHEREAS the Regional District of Nanaimo has established the Nanoose Bay Bulk Water Supply Local Service Area by Regional District of Nanaimo "Nanoose Bay Bulk Water Supply Local Service Area Establishment Bylaw No. 1049, 1996";

AND WHEREAS the Board of Regional District of Nanaimo has adopted the "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1118, 1998" which establishes boundaries for the provision of community water;

AND WHEREAS it is intended that the boundaries for bulk water supply shall be coterminous with the boundaries shown on Map 8 of the Official Community Plan as amended from time to time;

AND WHEREAS the Director for Electoral Area 'E' has consented to the adoption of this bylaw;

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

1. This bylaw may be cited as "Nanoose Bay Bulk Water Supply Local Service Area Boundary Amendment Bylaw No. 1049.04, 2005".
2. The boundaries of the "Nanoose Bay Bulk Water Supply Local Service Area" are hereby amended to include the property shown outlined on Schedule 'B' attached to this bylaw.
3. The amended boundaries of the "Nanoose Bay Bulk Water Supply Local Service Area" are shown as outlined on Schedule 'A' attached to this bylaw.
4. Schedule 'A' attached to "Nanoose Bay Bulk Water Supply Local Service Area Amendment Bylaw No. 1049.03, 2004" is hereby repealed and replaced with Schedule 'A' attached to this bylaw.

Introduced and read three times this 25th day of October, 2005.

Received the approval of the Inspector of Municipalities this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

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

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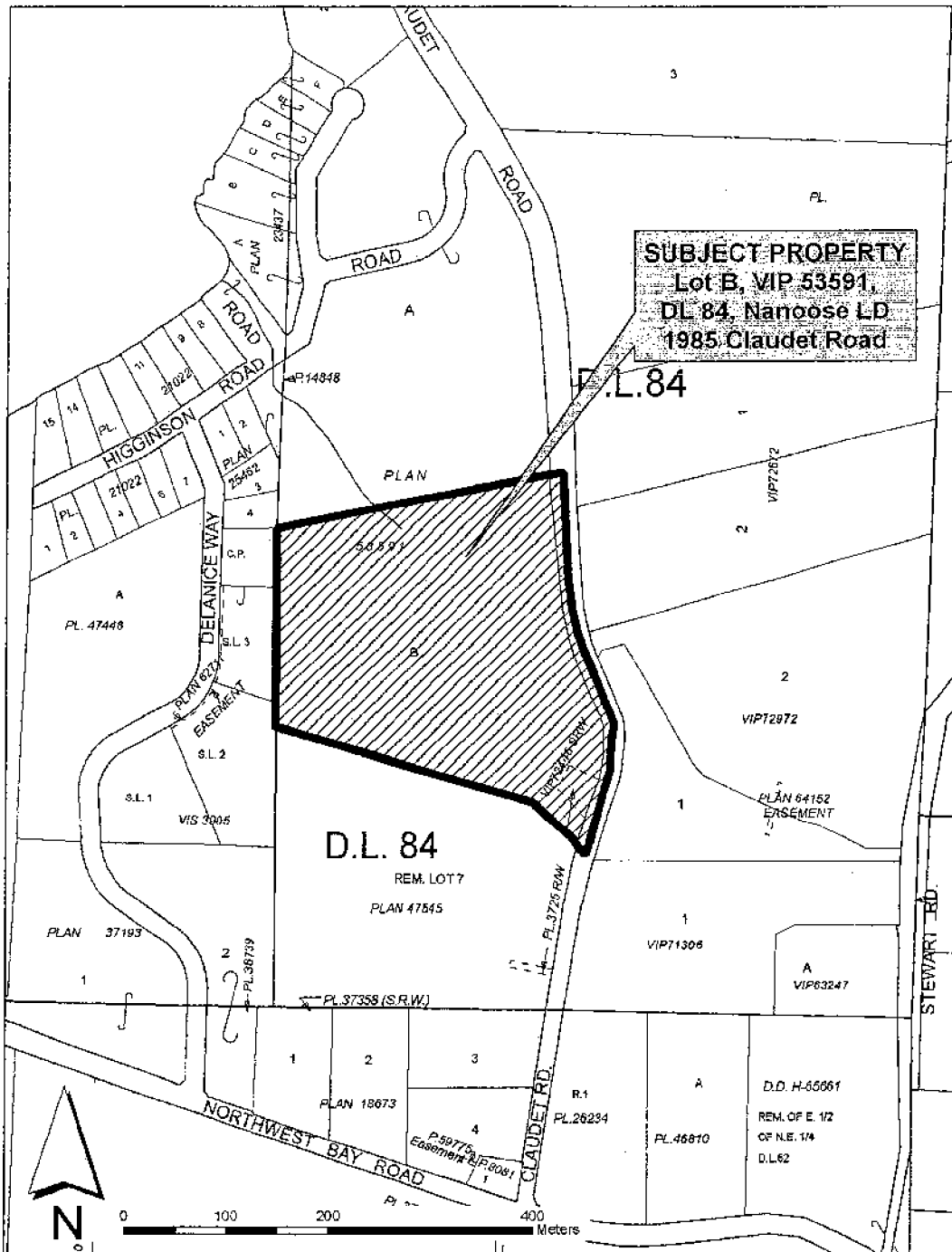
CHAIRPERSON

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DEPUTY ADMINISTRATOR

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Deputy Administrator





REGIONAL DISTRICT OF NANAIMO	
CHAIR	GM Cms
CAO	GM ES
DA CCD	MoF
OCT - 3 2005	
Cow	

**MEMORANDUM**

**TO:** John Finnie  
General Manager - Environmental Services

**DATE:** September 27, 2005

**FROM:** Mike Donnelly  
Manager of Utilities

**FILE:** 5500-22-BC-01

**SUBJECT:** Barclay Crescent Sewer Rates and Regulations Bylaw

**PURPOSE**

To present the Board with the Barclay Crescent Sewer Rates and Regulations Bylaw.

**BACKGROUND**

The Barclay Crescent Sewer project will reach completion in early 2006. Prior to sewer connection applications being accepted, the proposed bylaw must be in place. This bylaw lays out the conditions on which a sewer connection can be permitted and establishes the user rates for that connection.

The user fees noted in the proposed bylaw for single family dwellings are as discussed in the September, 2004 public open house. Fees for connections will include a building inspection fee of \$100 and the proposed connection fee of \$300 for a total of \$400.

It is anticipated that the majority of property owners will connect in the first year of the system's operation with some properties not in a position to connect until the second year. Property owners that have not been connected by the end of the second year of operation will be required under Section 6 of this proposed bylaw to connect their homes to the system.

**ALTERNATIVES**

1. Approve the Barclay Crescent Sewer Rates and Regulation Bylaw No. 1472.
2. Amend the Barclay Crescent Sewer Rates and Regulation Bylaw No. 1472 and approve as amended.
3. Do not approve the proposed bylaw.

**FINANCIAL IMPLICATIONS**

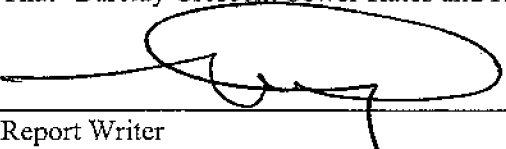
The user rates defined in the bylaw are required for the operation of the system. It is anticipated that 75% of properties served by the new sewer system will be connected within the first year.

**SUMMARY/CONCLUSIONS**

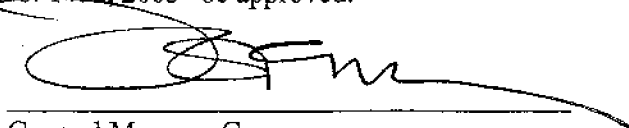
The proposed Barclay Crescent Sewer Rates and Regulations Bylaw is being brought forward in preparation for completion of this sewer servicing project in early 2006. The user rates in the proposed bylaw are as discussed in the public meeting held in September of 2004.

**RECOMMENDATION**

That "Barclay Crescent Sewer Rates and Regulation Bylaw No. 1472, 2005" be approved.



Report Writer



General Manager Concurrence

COMMENTS:

## REGIONAL DISTRICT OF NANAIMO

### BYLAW NO. 1472

#### A BYLAW TO REGULATE THE PROVISION, OPERATION AND ADMINISTRATION OF THE BARCLAY CRESCENT SEWER SERVICE AND TO PROVIDE FOR THE IMPOSITION AND COLLECTION OF RATES

WHEREAS the Board of the Regional District of Nanaimo has by Barclay Crescent Sewer Local Service Establishment Bylaw No. 1391, 2005, established the Barclay Crescent Sewer Local Service;

AND WHEREAS the Regional Board may regulate in relation to a service;

AND WHEREAS the Regional Board may, by bylaw, regulate the design and installation of sewerage works provided by persons other than the Regional District;

AND WHEREAS the Regional Board may require owners of real property to connect their buildings and structures to the appropriate sewer in the manner specified in the Bylaw;

AND WHEREAS the Regional Board may, by bylaw, impose fees and charges in relation to the connection to and use of the sewer system;

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

#### PART ONE - INTERPRETATION

##### 1.0 Citation

1.1 This Bylaw may be cited as the "Barclay Crescent Sewer Rates and Regulations Bylaw No.1472, 2005".

##### 2.0 Definitions

2.1 In this Bylaw, unless the context otherwise requires:

**"Applicant"** means an owner or his agent making application for a Sewer Connection.

**"Building Inspector"** means the Chief Building Inspector of the Regional District and includes any person appointed or designated by the Board to act on his behalf or to carry out the function of the Building Inspector under this Bylaw.

**"Building Sewer"** means a sewer and all attachments installed, owned and maintained by the Owner connecting a Service Connection at the property line to the plumbing system of a building or structure on the Premises.

**"Capable of Connection"** means that the Parcel of Land abuts the highway, Regional District right of way or easement, upon or in which there is a Collector Sewer with excess capacity and that the Service Connection will have adequate cover at the property line and drain towards the sewer, allowing the building or structure on the Parcel of Land to be connected to the Service Connection by either a gravity building sewer, or a pump and force main.

**"Collector Sewer"** means a sewer used to collect sewage from Premises in the Service Area.

**"Manager"** means the Manager of Utilities of the Regional District and includes any person appointed or designated by the Board to act on his behalf or to carry out the function of the Manager under this Bylaw.

**"Owner"** means any person who in respect of real property is the owner or agent in writing for the Owner of any Premises or a Parcel of Land that is capable of connection to the Sewer System.

**"Parcel of Land"** means any lot, block or other area in the Service Area in which land is held or into which it is subdivided, but does not include a highway.

**"Premises"** means the Parcel of Land, including buildings and structures that have a Service Connection.

**"Regional District"** means the Regional District of Nanaimo.

**"Sanitary Sewer"** means a sewer owned and operated by the Regional District that carries sanitary sewage and permitted industrial waste, and to which storm waters are not intentionally admitted.

**"Service Area"** means the service area established by Barclay Crescent Sewer Local Service Establishment Bylaw No. 1391, 2005.

**"Service Connection"** means a pipe, which may include a valve, an inspection chamber or clean-out and all necessary appurtenances connecting a Sewer Connection to a Building Sewer at the property line.

**"Sewage"** means liquid wastes that contain animal, mineral, or vegetable matter originating in a building or through an industrial process.

**"Sewer Connection"** is a sewer pipe extending from a Sanitary Sewer to the property line of the Premises and includes a Service Connection.

**"Sewer Extension"** means any installation requiring the construction of a Sanitary Sewer on a highway or Regional District Right of Way.

**"Sewer System"** means all of the system of sanitary sewer works treatment and disposal facilities owned and operated by the Regional District for the benefit of the Service Area.

## **PART TWO - SERVICE CONNECTIONS**

### **3.0 Individual Connection**

3.1 Each parcel of land capable of connection to the Sewer System shall have one Sewer Connection.

### **4.0 Application**

4.1 A person wishing to connect to the Sewer System shall make application to the Regional District in writing in the form of a Building Permit Application prescribed by Schedule "A" signed by the Owner of the Parcel of Land for which the application is made.

4.2 The application shall be accompanied by drawings showing the dimensions of all buildings and sewers and their location in relation to the property line and shall include locations of clean-outs, ground cover over pipe, type of pipe proposed to be used and, where applicable, location, size and depth of any existing septic tank.

4.3 Each application for a Sewer Connection shall be completed in all details prior to submission.

4.4 No application shall be considered to have been approved by the Regional District until a building permit for the Sewer Connection has been issued by the Regional District.

### **5.0 Connection Locations**

5.1 Where possible, a Sewer Connection will be located where requested by the applicant, however if the applicant's preferred location is not practicable due to unsuitable ground conditions or the existence of installed surface improvements or underground utilities, the Manager may designate the location of the Sewer Connection.

### **6.0 Mandatory Connection to Sanitary Sewer System**

6.1 The Manager may issue a Notice to Connect to the owner of any parcel of land capable of connection which will require the owner to carry out the connection within the time period specified in that notice.

### **7.0 Delivery of the Notice**

7.1 A Notice to Connect will be sent by registered mail or delivered by personal service to an Owner of a Parcel of Land capable of connection. The Notice will require the Owner to connect or cause to be connected the buildings or structures on the Parcel of Land to the Sewer Connection within the period specified in the Notice to Connect. The period specified will not be less than two months and not more than six months. The Notice will be deemed to have been received three days after mailing.

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**12.0 Septic Tanks**

- 12.1 An Owner of Premises must abandon and remove or fill the existing septic tank on the Premises in accordance with all applicable regulations upon connection to the Service Connection.

**13.0 Connection to Service Connection**

- 13.1 An Owner must install a Sewer Connection prior to installation of the Building Sewer and connection of the Building Sewer to the Service Connection.
- 13.2 Where the Owner installs a Building Sewer prior to installation of the Sewer Connection contrary to section 13.1, the Regional District is not responsible for meeting the elevation of the Building Sewer or connecting the Sanitary Sewer to the Building Sewer.

**14.0 Depth**

- 14.1 The depth of the Building Sewer will be determined by the Manager.
- 14.2 An Owner must install the Building Sewer with sufficient depth to provide natural drainage from the lowest floor of any building or structure except where natural drainage is made impractical by the relative elevation of the sewer and the lowest floor of the building or structure or by any other cause.

**15.0 Prohibitions**

- 15.1 A person must not discharge, or cause or permit to be discharged, into the Sewer System or into any manhole or inspection drain or other part of the Sewer System or into any plumbing fixture connection to the Sewer System, any substance of any kind that:
- (a) obstructs or tends to obstruct or damage the Sewer System;
  - (b) which causes or tends to cause any nuisance;
  - (c) which interferes or tends to interfere in any manner with the proper functioning, maintenance or repair of the Sewer System;
  - (d) without limiting the generality of the foregoing, is a prohibited waste set out in "Regional District of Nanaimo Sewer Use Regulatory Bylaw No. 1225, 2002".
- 15.2 A person must not:
- (a) damage, destroy, uncover, deface, or otherwise tamper with any part of the Sewer System;



- (b) make any alteration or connection to the Sewer System without obtaining the required permits or written authorization from the Manager.

15.3 A person must not connect any roof drain or other storm water drains to the Sewer System.

#### **PART FOUR - ILLEGAL CONNECTIONS**

##### **16.0 Illegal Connections**

16.1 A person must not connect or allow to be connected, or allow to remain connected to the Sewer System, any Parcel of Land:

- (a) without the required permits or written authorization from the Manager; or
- (b) contrary to the provisions of this Bylaw.

##### **17.0 Disconnection of Illegal Connections**

17.1 The Manager may, on thirty (30) days written notice sent to the Owner by registered mail, order the disconnection, stopping up and closing of a Service Connection at the expense of the Owner for:

- (a) violation of any provision of this Bylaw;
- (b) failure to maintain to the standard of the B.C. Plumbing Code, the Building Sewer and other plumbing on the Owner's Premises that is connected to the Sewer System.

17.2 A notice to an Owner under section 17.1 shall be deemed to have been received three (3) days after mailing.

17.3 The Manager may order the immediate disconnection, stopping up and closing of a Sewer Connection connected to the Sewer System which discharges into the Sewer System contrary to this Bylaw.

#### **PART FIVE - SEWER RATES AND CHARGES**

##### **18.0 Service Connection Fee**

18.1 An Applicant must pay the Service Connection fee as prescribed in Schedule 'B' of this Bylaw at the time of application for a sewer connection.

##### **19.0 User Charge**

19.1 The Owner or occupier of Premises must pay the user charge in Schedule 'C' to this Bylaw for the use of the Sewer System.

## **PART SIX - ENFORCEMENT**

### **20.0 Right of Entry for Inspection**

20.1 The Manager or Bylaw Enforcement Officer of the Regional District may enter, at all reasonable times, on any property subject to this Bylaw to ascertain whether the regulations of this Bylaw or the directions of the Manager or Regional District pursuant to this Bylaw are being observed.

### **21.0 Offence**

21.1 Any person who does any act or thing or who suffers or permits any act or thing to be done in contravention of this Bylaw commits an offence.

21.2 Where this Bylaw requires that a person perform any act or do any thing pursuant to this Bylaw, and the person fails to take the required action, the matter or thing may be done at the expense of the person in default together with costs and interest at the rate prescribed in section 11(3) of the *Taxation (Rural Area) Act* in the same manner as municipal taxes.

### **22.0 Penalty**

22.1 A person who commits an offence contrary to this Bylaw is liable on summary conviction to a penalty of not less than \$300.00 and for each subsequent offence to a penalty of not less than \$400.00.

22.2 The penalties imposed under Subsection 22.1 are in addition to and not in substitution for any other penalty or remedy imposed under this Bylaw or any other statute, law or regulation.

Introduced and read three times this 25<sup>th</sup> day of October, 2005.

Adopted this 25th day of October, 2005.

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Chairperson

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Deputy Administrator

Chairperson

Deputy Administrator

**SCHEDULE 'A'**  
[Section 4.1]

**APPLICATION FOR BUILDING PERMIT**



3000 Hammond Way Road, P.O. Box 46, Ladysmith, B.C. V0R 2H0  
 Telephone: (250) 253-3333 • Fax: (250) 253-3600 • Email: info@rdn.bc.ca  
 Fax: (250) 253-3571

BUILDING PERMIT NO. **2007-22**  
 DATE OF PERMIT \_\_\_\_\_  
 READING ROOM \_\_\_\_\_ ZONING \_\_\_\_\_  
 PLANS NO. \_\_\_\_\_  
 MAP NO. \_\_\_\_\_  
 DATE OF APPLICATION \_\_\_\_\_

**APPLICATION FOR BUILDING PERMIT**

Name of Owner \_\_\_\_\_ Telephone \_\_\_\_\_  
 Mailing Address \_\_\_\_\_  
 Name of Builder \_\_\_\_\_ Telephone \_\_\_\_\_  
 Mailing Address \_\_\_\_\_  
 Location of Proposed Work \_\_\_\_\_

As regulated zoning of real property legally described as: \_\_\_\_\_  
 I hereby make application for a Building Permit to construct: \_\_\_\_\_  
 Special Building Bylaws or Conditions Applicable - (Coverages, Overlays, Permits, Fees, etc.) \_\_\_\_\_

**ALL PERMITS EXPIRE TWO YEARS AFTER "DATE OF PERMIT OR WHEN BUILDING PLACED IN USE OR OCCUPIED"**

- As the applicant, my responsibilities are to:
1. Provide the plans and documents specified in Section 6.6 of Bylaw No. 1000
  2. Comply with the provisions of Section 7.8 of Bylaw No. 1000
  3. Not occupy or allow building to be occupied prior to the issuance of an Occupancy Permit
  4. Allow the Chief Building Inspector to enter the site at reasonable times upon premises to carry the duties of this application for a Building Permit
  5. Undertake any measures not herein to ensure the subsurface stability of the subject parcel and surrounding buildings
  6. Obtain the Building Permit prior to the date of application and allow the Chief Building Inspector to be authorized to dispose of the documents
  7. Keep the Building Permit and a copy of the approved plans on the premises
  8. Only when comply with the terms of Bylaw No. 1000

The Regional District does not by the issuance or granting of this permit, warrant or assume any responsibility for the building to which this permit applies was constructed in compliance with any or all municipal or provincial building or planning regulations or with all health and safety requirements of any statute or by-law, regulation, code or standard, nor that the quality of work or the installation of any electrical, plumbing, fire or any other system or appliance complies with the applicable minimum standards or requirements of any provincial or federal regulations or standards.

The granting of this permit does not relieve the applicant, applicant or owner from conforming to all requirements set forth in every Bylaw and regulation enforced within the Regional District and the approval of any plans or specifications in support of an application for this permit, in no way does not excuse the applicant, applicant or owner from conforming to every Bylaw and regulation.

In consideration of the granting of this permit, I/we agree to release and indemnify the Regional District of Nanaimo, its board members, employees and agents from and against all liability, demands, claims, charges or actions, suits, judgments, losses, damages, costs and expenses of whatever kind which may be incurred by or on behalf of or in connection with the granting of this permit or any regulations, bylaws, administrative or otherwise in force or made in force by the Regional District of Nanaimo Building Bylaw or the British Columbia Building Code and I/we agree that the Regional District of Nanaimo shall be held harmless in respect of these matters.

Personal information is collected for the purpose of processing the application and for administration and enforcement. The personal information is collected under the authority of the Municipal Act and Regional District of Nanaimo Bylaws. If you have any questions about the collection, contact the Secretary, Regional District of Nanaimo, P.O. Box 46, Ladysmith, B.C. V0R 2H0, Phone: 250-253-3333 or 250-253-3571.

I have read the above and I/we agree and indemnify and warrant that:

Owner \_\_\_\_\_ Application Fee \_\_\_\_\_  
 Date \_\_\_\_\_ Receipt No. \_\_\_\_\_

RECORD COPY

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Chairperson

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Deputy Administrator

## **SCHEDULE 'B'**

[Section 18.1]

### **SERVICE CONNECTION FEE**

The following Service Connection fees to defray the cost of laying a Sewer Connection shall be paid in accordance with section 18.1 of the Bylaw:

(a) Connection Fee \$ 300.00

**NOTE:**

These connection fees are for work within the road right-of-way. Further costs to physically connect the sewer from the property line to the home are at the expense of the property owner.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Deputy Administrator

**SCHEDULE 'C'**  
[Section 19.1]

**USER CHARGE**  
[if applicable]

1. Billing and Payment:

- (a) Annual sewer rates as invoiced by the Regional District are due and payable on presentation. A ten (10%) percent discount will be applied if payment of all outstanding charges in effect from time to time is received on or before the discount date shown on the invoice.
- (b) Amounts unpaid on the 31<sup>st</sup> of December in any year shall be deemed to be taxes in arrears and will be transferred to property taxes as prescribed under Section 797.2 of the *Local Government Act*.
- (c) All payments received will be applied firstly against arrears and then to current balances.

2. Rates Payable:

(a) User Charge:

<b>Classification</b>	<b>Annual Rate</b>
(a) Single Family Residence	\$215.00
(b) Apartments, Suites or Duplex - Each Unit	\$215.00
(c) Cafes and Restaurants – for each group of plumbing fixtures	\$215.00
(d) Garage or Service Station	\$215.00
(e) Store or Business Premises – for each group of plumbing fixtures	\$215.00
(f) Mobile Homes (whether situated in a mobile Home park or not) – per unit	\$215.00
(g) Churches and Halls – for each group of plumbing fixtures	\$215.00
(h) Licenses Premises – for each group of plumbing fixtures	\$215.00
(i) Motels – per unit – including residential managers' or owners' units	\$ 1.00
(j) Hotels – per room	\$ 1.00
(k) Camping - for each group of plumbing fixtures	\$ 1.00
- for each space with a sewer connection	\$ 1.00
(l) Laundry, Laundromat or Dry Cleaners – per washer	\$ 75.00
(m) Sani Dump (per connection)	\$410.00

(Note: group of plumbing fixtures is equivalent to three fixtures.)



REGIONAL DISTRICT OF NANAIMO			
CHAIR		GM Cms	
CAO		GM ES	
DA CCD	<i>PA</i>	MoF	
OCT - 3 2005			
<i>CoW</i>			

MEMORANDUM

**TO:** John Finnie  
General Manager of Environmental Services

**DATE:** September 28, 2005

**FROM:** Mike Donnelly  
Manager of Utilities

**FILE:** 5500-22-FW-01

**SUBJECT:** A Bylaw to Authorize the Expenditure of Fairwinds Water Service Reserve Funds

PURPOSE

To present the proposed use of Fairwinds Water Local Service Area Reserve Funds for the redevelopment of portions of the existing well inventory.

BACKGROUND

It is prudent to redevelop wells on a regular basis to ensure the rates of extraction can be sustained. Standard well redevelopments have not been effective in ensuring maximum efficiency is maintained. In the Fairwinds WLSA, as in most service areas, demand is significant in the summer periods and continues to grow making it important to continue with effective means of maintaining production levels.

Water supply for the Fairwinds Water Local Service Area is provided through four wells some of which have seen a decline in production. Declining well production normally results in well redevelopment procedures. The goal of successful well redevelopment is to return the well production rate to a level that is equivalent to or near the well's initial rated capacity.

Staff have reviewed an alternate technology that has the potential to effect significant improvements in well production. This technology has been used widely in other parts of the world however only on a limited basis in North America, and Canada in particular. The wells in the Nanoose area have been reviewed by a hydrogeologist with a recommendation that this technology be applied to two of the four wells located in the Red Gap Village area.

Funding for this well redevelopment program was not provided for in the 2005 budget as alternative methods were still under investigation. Now that an alternative to standard well redevelopment practices has been identified staff propose to utilize this technology on two of the four wells.

In order to carry out these works funding in the amount of \$45,000 from the Fairwinds WLSA Reserve funds is being requested.

**ALTERNATIVES**

1. Approve the Fairwinds Water Local Service Area Reserve Fund Expenditure Bylaw No. 1473, 2005 in the amount of \$45,000.
2. Do not approve the reserve fund expenditure.

**FINANCIAL IMPLICATIONS**

The Fairwinds WLSA Reserve fund currently stands at \$197,054. Money from the fund may be used for capital improvements, major repairs, expansions or expenditures of a like nature for the Fairwinds WLSA.

**SUMMARY/CONCLUSIONS**

Water supply wells require redevelopment from time to time to ensure they maintain the highest possible efficiency and pumping rate. The standard approaches to well redevelopment have gradually decreased in effectiveness which has encouraged staff to seek out new technologies that will provide improved results. An alternate technology has been identified that has the potential to improve well efficiency and production levels.

Funding was not provided for in the 2005 budget for the use of this new technology. Staff are proposing funding in the amount of \$45,000 from the Fairwinds WLSA Reserve fund to carry out two well redevelopment projects for that service area. The reserve fund currently stands at \$197,054.

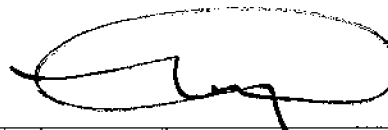
**RECOMMENDATION**

That "Fairwinds Water Local Service Area Reserve Fund Expenditure Bylaw No. 1473, 2005" be introduced for first three readings.

That "Fairwinds Water Local Service Area Reserve Fund Expenditure Bylaw No. 1473, 2005" having received three readings be adopted.



Report Writer



General Manager Concurrence  
for J. Finnie

**COMMENTS:**

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1473**

**A BYLAW TO AUTHORIZE AN EXPENDITURE OF FUNDS  
FROM THE FAIRWINDS WATER LOCAL SERVICE AREA RESERVE FUND**

WHEREAS the Fairwinds Water Local Service Area Reserve Fund was established under Bylaw No.1176 ;

AND WHEREAS the Fairwinds Water Local Service Area wishes to carry out improvements to the existing well inventory;

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

1. The sum of Forty Five Thousand Dollars (\$45,000) is hereby appropriated from the Fairwinds Water Local Service Area Reserve Fund to be expended on the upgrading of wells.
2. Should any of the above amount remain unexpended, such unexpended balance shall be returned to the credit of the Reserve Fund.
3. This bylaw may be cited as "Fairwinds Water Local Service Area Reserve Fund Expenditure Bylaw No.1473 , 2005".

Introduced and read three times this 25th day of October, 2005

Adopted this 25<sup>th</sup> day of October, 2005

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CHAIRPERSON

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DEPUTY ADMINISTRATOR





REGIONAL DISTRICT OF NANAIMO	
CHAIR	GM Cms
CAO	GM ES
DA CCD	MoF
SEP 29 2005	
COW	

MEMORANDUM

**TO:** Mike Donnelley, ASCT  
 Manager of Utilities

**DATE:** September 20, 2005

**FROM:** Chris Brown, ASCT

**FILE:** 5500-22-MS-01

**SUBJECT:** Exclusion of Lots from Morningstar Water Local Service Area

PURPOSE

To consider a request to exclude two lots from the Morningstar Water Local Service Area.

BACKGROUND

In 2003 "Morningstar Creek Water Local Service Area Amendment Bylaw No. 1125.01" was introduced and adopted to allow the exclusion of a property from the RDN's Morningstar WLSA. Shortly after the bylaw was adopted the property was subdivided. The subdivision included a portion of the parent parcel that had inadvertently been left in the Morningstar WLSA. This parcel of land comprising two lots needs to be excluded from the Morningstar service area to reflect the Breakwater Enterprises Ltd. provision of water services.

ALTERNATIVES

1. Exclude the property from the Morningstar Water Local Service Area Bylaw No. 1125 by amending the bylaw.
2. Do not exclude the property from the Morningstar Water Local Service Area.

FINANCIAL IMPLICATIONS

There are no financial implications to the RDN. Water is being supplied to the property from Breakwater Enterprises Ltd.

INTERDEPARTMENTAL IMPLICATIONS

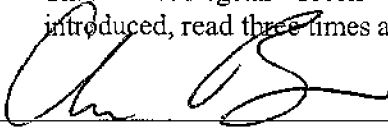
From a land use planning perspective, the Development Services department has no objection to the boundary amendments required for this application.


SUMMARY/CONCLUSIONS

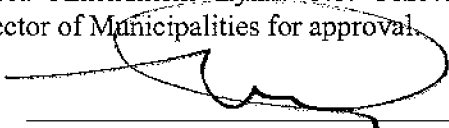
A request has been made to amend the boundaries of the Morningstar Water Local Service Area. Two lots that are currently in the Morningstar Service Area need to be excluded as they are being supplied water by Breakwater Enterprises Ltd.

RECOMMENDATION

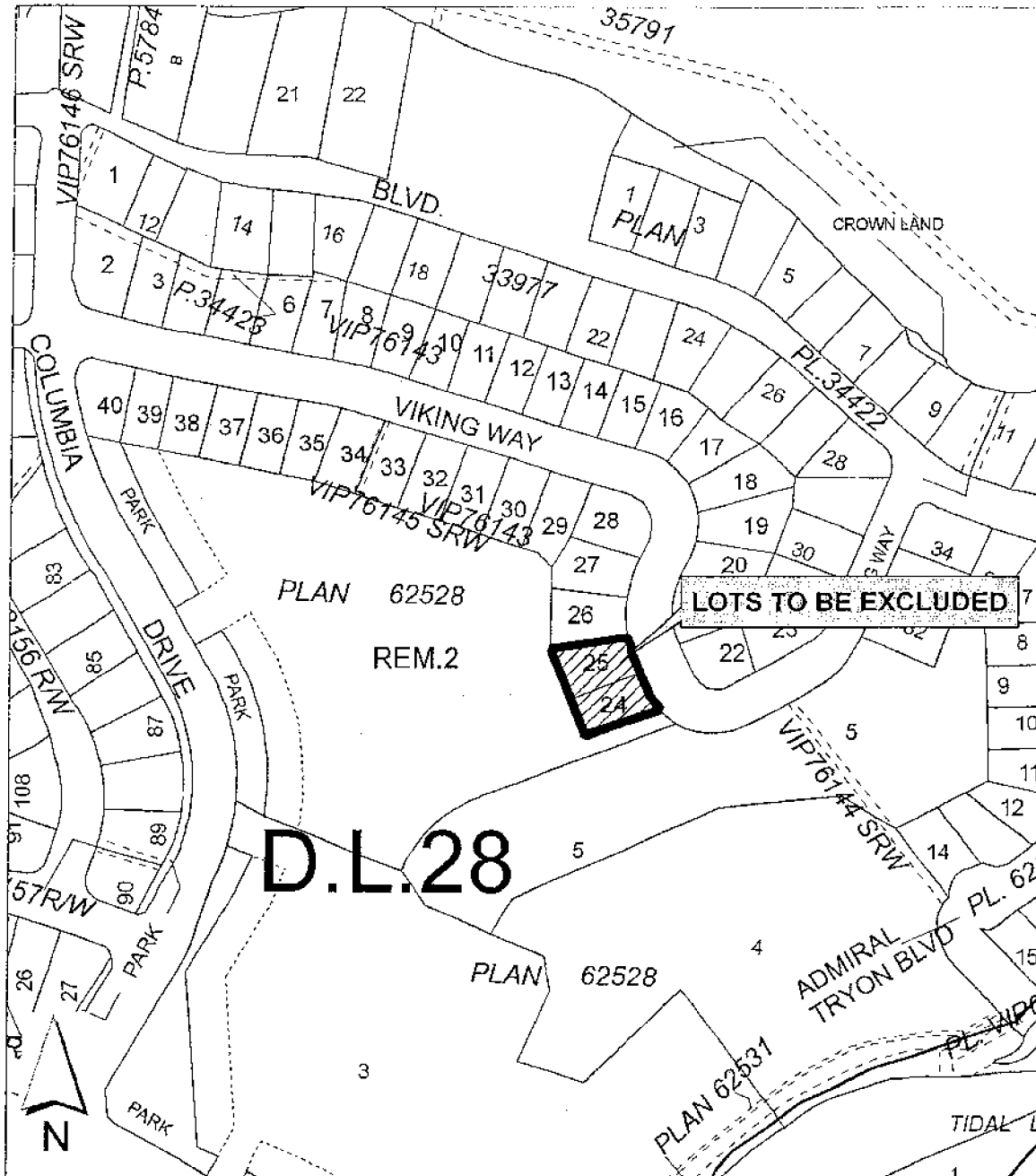
1. That "Morningstar Creek Water Local Service Area Amendment Bylaw No. 1125.02 2005" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

  
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 Report Writer

  
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 General Manager Concurrence

  
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 Manager Concurrence

COMMENTS:



**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1125.02**

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

WHEREAS Morningstar Creek Water Local Service Area Establishment Bylaw No. 1125, 1998 established the Morningstar Creek Water Local Service Area;

AND WHEREAS the Board has been petitioned to exclude a property from 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 Morningstar Creek Water Local Service Area, established by Bylaw No. 1125 are hereby amended to exclude the property shown outlined on Schedule 'B' attached hereto and forming part of this bylaw.
2. The amended boundary of the Morningstar Creek Water 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. 1125.01 is hereby repealed.
4. This bylaw may be cited as "Morningstar Creek Water Local Service Area Amendment Bylaw No. 1125.02, 2005".

Introduced and read three times this 25th day of October, 2005.

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

Adopted this    day of                    , 2005.

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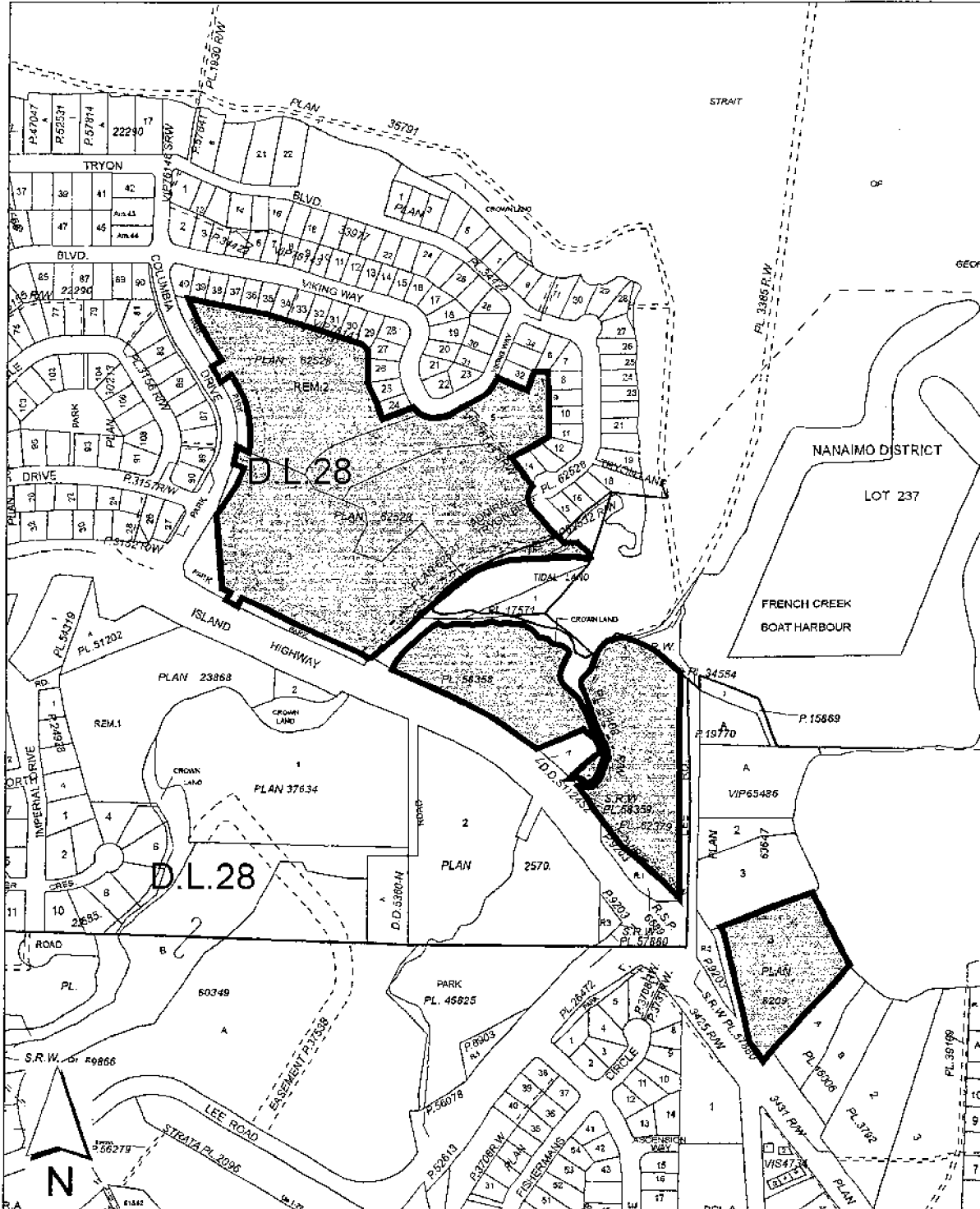
CHAIRPERSON

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DEPUTY ADMINISTRATOR

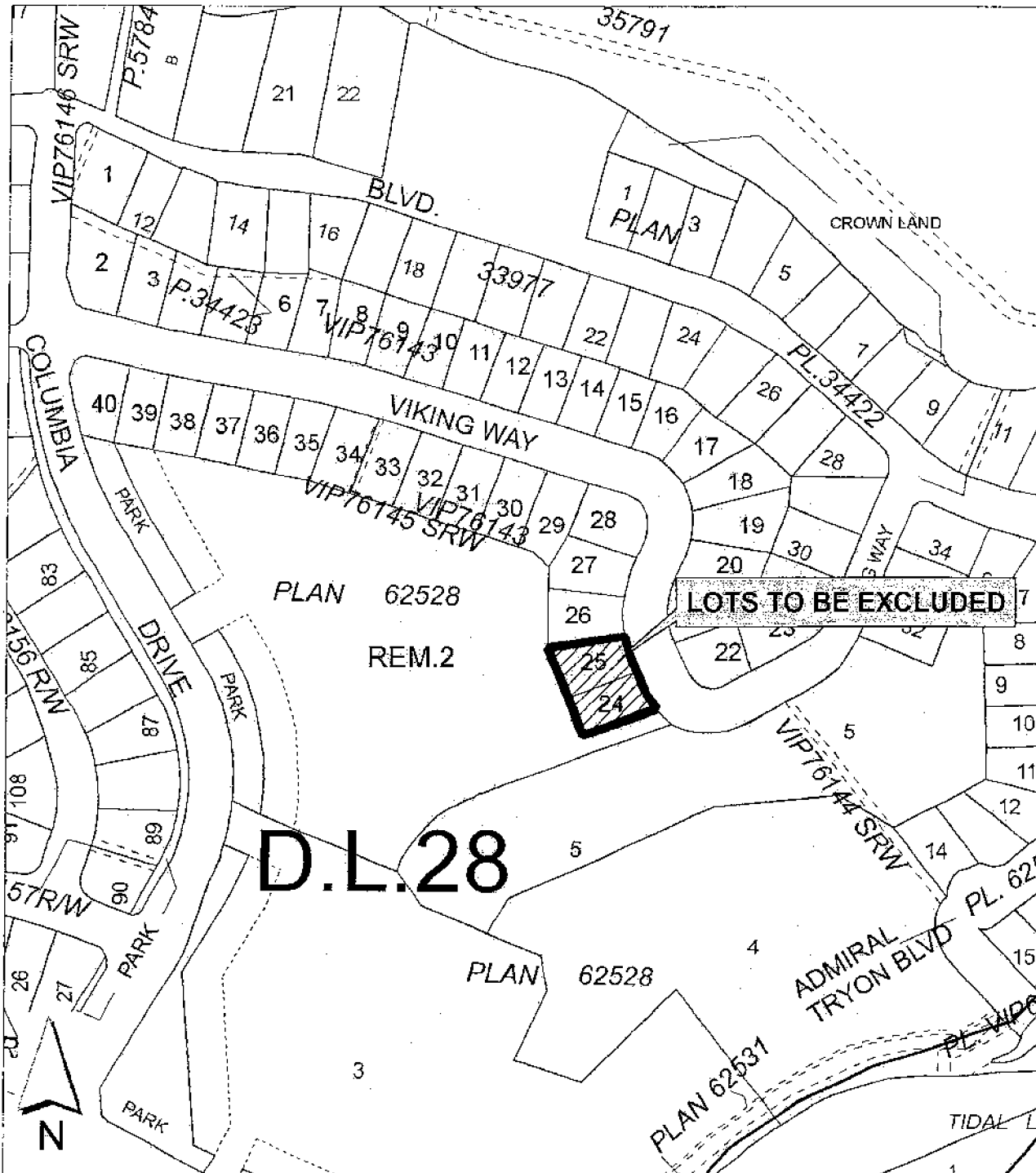
Chairperson

Deputy Administrator



\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Deputy Administrator





REGIONAL DISTRICT OF NANAIMO			
CHAIR		GM Cms	
CAO		GM ES	
DA CCD	<i>RS</i>	MoF	
SEP 21 2005			
<i>COW</i>			

**MEMORANDUM**

**TO:** Mike Donnelly, AScT  
Manager of Utilities

**DATE:** September 13, 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 (816 Reid Road)

**PURPOSE**

To consider the request to include Lot 15, Plan V1P13406, DL 29, Nanoose Land District (Reeks property) into the French Creek Sewer Local Service Area (see attached map).

**BACKGROUND**

The subject property is located at 816 Reid Road, west of Parksville in Electoral Area G.

The owner of the above-noted property has petitioned the Regional District of Nanaimo (RDN) to include the subject property into the French Creek Sewer Local Service Area (FCLSA). The policies in Section 6.4 of the French Creek Official Community Plan (OCP) encourage the extension of sewer services to unserved neighbourhoods in urban areas, and support the provision of community sewer services to those lands located within the community sewer service area. Both the Regional Growth Strategy (RGS) and the French Creek OCP support the extension of sewer service to the subject property. The property can be serviced with sewer provided a pumping system is used. From a land use planning perspective, the Development Services Department has no objection to the boundary amendment required for this application, providing that the property and any future subdivision connect to the proposed new Reid Road gravity sewer when constructed.

The property is already developed with one existing single-family dwelling, and sewage disposal is to an on-site septic field.

The Northern Community Sewer Local Service Area Bylaw No. 889, 1998 and the FCLSA 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 FCLSA, 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 \$2,084 per lot, pursuant to Northern Community Sewer Local Service Area Bylaw No. 1331 (sewage treatment) and \$573 per lot, pursuant to French Creek Sewage Facilities Local Service Area Bylaw 1330.01 (sewage collection). Current sewer user fees are approximately \$137 annually.

**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 m<sup>2</sup> where the property is serviced with both community water and sewer. The property is approximately 2100 m<sup>2</sup>, therefore, if provided with a community sewer connection; the subject property would be able to subdivide under the current zoning. The property fronts onto Reid Road and the rear backs onto the Island Highway. The existing dwelling is located on Reid Road. The property would be serviced with a temporary sewer connection using a grinder style pump to the existing sewer line located to the south on Reid Road. When the new gravity sewer is completed from the north on Reid Road the property would reconnect to the new sewer. A covenant would be placed on title restricting any future subdivision until the construction of the new Reid Road sewer as well as insuring the property owners participate in future sewer development.

**INTERDEPARTMENTAL IMPLICATIONS**

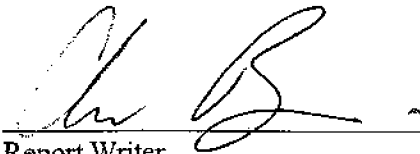
Development Services has no objection to the boundary amendments required to bring the subject property into the sewer local service area, providing any future subdivision be connected to the new Reid Road sewer.

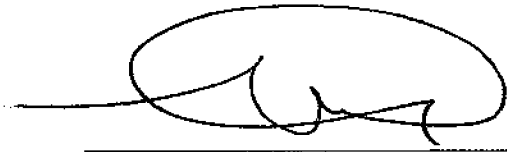
**SUMMARY/CONCLUSIONS**

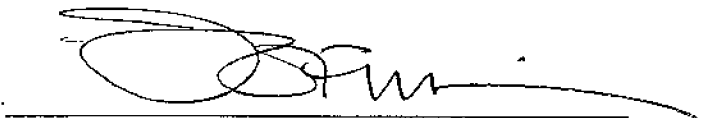
A petition has been received to amend the boundaries of the French Creek Sewer Local Service Area and the Northern Community Sewer Local Service Area. The property being considered for inclusion is within the Urban Containment Boundary of the Regional Growth Strategy, and is identified for connection to a community sewer system. 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 "Regional District of Nanaimo French Creek Sewer Local Service Area Bylaw No. 813.36, 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. 889.38, 2005" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.
3. That a suitable covenant be placed on the property restricting subdivision until the construction of a new gravity sewer on Reid Road as well as insuring the property owners participate in the costs of the new sewer development.

  
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Report Writer

  
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Manager Concurrence

  
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General Manager Concurrence

COMMENTS: