

REGIONAL DISTRICT OF NANAIMO
REGULAR BOARD MEETING
TUESDAY, MAY 22, 2007
(immediately following the Hospital Board meeting)

(RDN Board Chambers)

A G E N D A

PAGES

1. **CALL TO ORDER**
2. **DELEGATIONS**
 - 7 Gillian Butler, re Nanaimo Airport.
 - Brian Collen, re Nanaimo Airport.
3. **BOARD MINUTES**
 - 8-22 Minutes of the Board meeting held April 24, 2007 and the Special Board meeting held May 8, 2007.
4. **BUSINESS ARISING FROM THE MINUTES**
5. **COMMUNICATIONS/CORRESPONDENCE**
6. **UNFINISHED BUSINESS**
7. **STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**
 - 7.1 **ELECTORAL AREA PLANNING STANDING COMMITTEE**
 - 23-25 Minutes of the Electoral Area Planning Committee meeting held May 8, 2007. (for information)

PLANNING

AMENDMENT APPLICATIONS

Zoning Amendment Application No. ZA0704 – Ben Mellin on behalf of KR Burrell – Spider Lake and Marshland Roads – Area H. (Electoral Area Directors except EA ‘B’ – One Vote)

1. *That Zoning Amendment Application No. ZA0704 as submitted by Ben Mellin, on behalf of KR Burrell to rezone Lot 3, Block 390, Newcastle District, Plan 39504 from Resource Management 1, Subdivision District A (RM1A) to Rural 1, Subdivision District D (RU1D) be approved to proceed to public hearing subject to the conditions included in Schedule No. 1.*

2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.337, 2007" be given 1st and 2nd reading.
3. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.337, 2007" proceed to public hearing.
4. That the public hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.337, 2007" be delegated to Director Bartram or his alternate.

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60703 – Request for 10% Frontage Relaxation – Ring Contracting Ltd. – 470 Nanaimo River Road – Area C. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to Development Permit Application No. 60703.

1. That Development Permit Application No. 60703 submitted by Ring Contracting Ltd., in conjunction with the subdivision on the parcel legally described as Lot 2, Section 6, Range 5, Cranberry District, Plan VIP55807 and located at 470 Nanaimo River Road in Electoral Area 'C' and designated within the Watercourse Protection Development Permit Area, be approved subject to the conditions outlined in Schedule Nos. 1, 2 and 3 of the corresponding staff report and notification procedure pursuant to the Local Government Act.
2. That the request for relaxation of the minimum 10% perimeter frontage requirement for proposed Lot A be approved.

Development Permit Application No. 60717 – Clemens/Greeve – Maple Guard Drive – Area H. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to Development Permit Application No. 60717.

That Development Permit Application No. 60717, to construct a dwelling unit within the Hazard Lands Development Permit Area pursuant to "Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003", for the property legally described as Lot 30, District Lot 40, Newcastle District, Plan 16121 be approved subject to the conditions outlined in Schedules 1 and 2.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90703 – 1887 Bonito Crescent – Area E. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to Development Variance Permit Application No. 90703.

That Development Variance Permit Application No. 90703, to vary "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500. 1987", for the property legally described as Lot 37, District Lot 78, Nanoose District, Plan 14275 be approved subject to the conditions outlined in Schedules 1, 2 and 3, and subject to the Board's consideration of comments received as a result of public notification.

AMENDMENT APPLICATIONS

Zoning Amendment Application No. 0707 – Mountain Fire Protection District – Jingle Pot Road and Meadow Drive – Area C. (Electoral Area Directors except EA 'B' – One Vote)

1. *That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.340, 2007" to amend the Public 4 zone be given 1st and 2nd reading.*
2. *That the public hearing for "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.340, 2007" be waived and notice in accordance with Section 893 of the Local Government Act be given.*

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

26-29 Minutes of the Committee of the Whole meeting held May 8, 2007. (for information)

DELEGATIONS

Mike Hooper, Nanaimo Airport, re Challenges and Growth Opportunities at the Nanaimo Airport. (All Directors – One Vote)

That the Regional District of Nanaimo provide the Nanaimo Airport Commission a letter of support.

CORPORATE SERVICES

FINANCE & INFORMATION SERVICES

Annual Report of Directors' and Committee Members' 2006 Remuneration and Expenses. (All Directors – One Vote)

That the 2006 report on remuneration and expenses for Board and Committee members be received.

DEVELOPMENT SERVICES

EMERGENCY PLANNING

Hazardous Materials – Recent Marine Spill in Nanaimo Harbour. (All Directors – One Vote)

That the findings of the Ministry of Environment HAZMAT pilot study be presented when it is completed.

License of Use Agreement to Use the Bowser Legion as an Emergency Reception Center. (All Directors – Weighted Vote)

That the 5 year Agreement for License of Use attached to the corresponding staff report be signed so that the Bowser Legion may be used as an RDN Emergency Reception Center.

ENVIRONMENTAL SERVICES

LIQUID WASTE

Kiwanis Soroptomists Suites Application for Development Cost Charge Reduction. (Nanaimo, Lantzville, EA 'C' – Weighted Vote)

That the Board authorize a 50% reduction in Development Cost Charges for the Nanaimo District Senior Citizens' Housing Development Society Kiwanis Soroptomists Suites project.

SOLID WASTE

Regional Landfill Interim Closure 2007 Construction Award and Award of Consulting Services. (All Directors – Weighted Vote)

That the Board award the construction of the interim closure project at the Regional Landfill to IDL Projects Inc. for the tendered amount of \$633,402.00 and appoint the firm of Sperling Hansen Associates to proceed as the project consultant for quality control and quality assurance.

Illegal Dumping Prevention Program Enforcement Activities. (All Directors – Weighted Vote)

That, in accordance with the approved 2007 solid waste budget, the Board approve the creation of a Zero Waste Compliance Officer staff position to carry out illegal dumping prevention and Waste Stream Management License bylaw enforcement and education duties.

UTILITIES

Water Service Areas – Security Review. (All Directors – One Vote)

That the Board receive for information the report on the 2006 Water Service Areas Security Review.

COMMISSION, ADVISORY & SELECT COMMITTEE

Electoral Area 'A' Parks and Green Space Advisory Committee. (All Directors – One Vote)

That the minutes of the Electoral Area 'A' Parks and Green Space Advisory Committee meeting held March 15, 2007 be received for information.

East Wellington and Pleasant Valley Parks and Open Space Advisory Committee. (All Directors – One Vote)

That the minutes of the East Wellington and Pleasant Valley Parks and Open Space Advisory Committee meeting held March 5, 2007 be received for information.

Area 'F' Parks and Open Spaces Advisory Committee. (All Directors – One Vote)

That the minutes of the Area 'F' Parks and Open Space Advisory Committee meeting held April 16, 2007 be received for information.

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Water Conservation Code Blue Project. (All Directors – One Vote)

That the request for funding for the Code Blue water conservation project be referred back to staff.

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Drinking Water-Watershed Protection Stewardship Committee. (All Directors – One Vote)

30-34 Minutes of the Drinking Water-Watershed Protection Stewardship Committee meeting held March 21, 2007. (for information)

Climate Change Select Committee. (All Directors – One Vote)

35-46 Minutes of the Climate Change Select Committee meeting held February 12 and May 16, 2007. (for information)

8. ADMINISTRATOR'S REPORTS

47-61 Duke Point Sewer Service Development Cost Charge and Capital Charge Bylaw No's 1498 and 1528. (All Directors – One Vote)

62-68 Duke Point Sewer Local Service Area Connection Agreement. (All Directors – Weighted Vote)

9. ADDENDUM

10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

11. NEW BUSINESS

12. BOARD INFORMATION (Separate enclosure on blue paper)

13. ADJOURNMENT

14. IN CAMERA

That pursuant to Section 90(1) (e) and (g) of the Community Charter the Board proceed to an In Camera meeting to consider items related to legal issues.

Burgoyne, Linda

From: Gillian Butler [gillian@seakayakbc.com]

Sent: Monday, May 14, 2007 11:51 AM

To: Burgoyne, Linda

Subject: delegations may 22, 2007

Re: Nanaimo Airport

Hello Linda,

Please be advised that

Gillian Butler

Box 97 Stn A

Nanaimo v9r 5k4

7544520

will present a delegation to the RDN board May 22, 2007.

there will also be a delegation presented by one other person as yet undecided.

as you requested another name

Brian Collen

same address

754 6300.

we will let you know as soon as possible who will actually speak to this issue.

thank you,

Gillian Butler

REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE REGULAR MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, APRIL 24, 2007, AT 7:00 PM IN THE
RDN BOARD CHAMBERS

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director B. Sperling	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director S. Herle	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director L. McNabb	City of Nanaimo
Alternate	
Director M. Unger	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director D. Brenman	City of Nanaimo
Director J. Manhas	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Sr. Mgr. of Corporate Administration
D. Porteous	A/Gen. Mgr. of Recreation & Parks
J. Finnic	Gen. Mgr. of Environmental Services
N. Avery	Gen. Mgr. of Finance & Information Services
D. Trudeau	Gen. Mgr. of Transportation Services
P. Thorkelsson	Gen. Mgr. of Development Services
N. Tom	Recording Secretary

CALL TO ORDER

The Chairperson welcomed Alternate Director Unger to the Board meeting.

DELEGATIONS

Ralph Hutchinson, Nanaimo & District SPCA, re Funding Request for Low Income Spay/Neuter Assistance Program.

Mr. Hutchinson provided information with respect to the low income spay/neuter initiative program for cats know as S.N.I.P, and requested the Board consider a grant to continue this program.

Peter van Dongen, Coombs Farmers' Institute, re Formation of an Agricultural Advisory Committee.

Mr. Springford and Mr. van Dongen provided information pertaining to the proposed formation of an Agricultural Advisory Committee in the Regional District of Nanaimo for the Board's consideration.

MOVED Director Westbrook, SECONDED Director Holme, that the request from the Coombs Farmers' Institute regarding the formation of an Agricultural Advisory Committee be referred to staff and that a report be brought back for the Board's consideration.

CARRIED

Don French, re Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd – 5251 Island Highway West – Area H.

Mr. French stressed the need to re-consider the placement of the access to the proposed resort development citing the many safety concerns surrounding an access at Van Isle Road.

Dave Watt, Qualicum Landing Developments Ltd., re Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd – 5251 Island Highway West – Area H.

Mr. Watt provided additional information with respect to Development Permit Application No. 60649 and noted that the developer has sent a letter of concern to the Ministry of Transportation regarding the Van Isle Road access.

LATE DELEGATIONS

MOVED Director Bartram, SECONDED Director Westbrook, that the following delegations be permitted to address the Board.

CARRIED

John & Joan New, re Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd – 5251 Island Highway West – Area H.

Mr. New, speaking on behalf of the residents of Costa Lotta, thanked the many supporters who have come forward and raised his concerns regarding the displacement of residents due to the proposed development and the maintenance of existing roads within Costa Lotta during the interim.

Vern Hattle, re Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd – 5251 Island Highway West – Area H.

Mr. Hattle thanked the RDN staff, the developer and Director Bartram for their support in having the Van Isle Road residents' concerns addressed.

Richard Verdec, re Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd – 5251 Island Highway West – Area H.

Mr. Verdec reiterated the thanks given by Mr. Hattle and asked the Board for its continuing support in having the development access relocated.

Miroslav Danielka, re Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd – 5251 Island Highway West – Area H.

Mr. Danielka also thanked the staff, the developer and Director Bartram for their support.

BOARD MINUTES

MOVED Director McNabb, SECONDED Director Bartram, that the minutes of the regular Board meeting held March 27, 2007 be adopted.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Funding Request for Low Income Spay/Neuter Assistance Program.

MOVED Director Brenman, SECONDED Director Westbroek, that staff be directed to bring forward a report on the funding request for the low income spay/neuter assistance program for the Board's consideration.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Michele Lacy, re Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd – 5251 Island Highway West – Area H.

MOVED Director Bartram, SECONDED Director Haime, that the correspondence from Michele Lacy regarding Development Permit Application No. 60649 be received.

CARRIED

Lesley Chapman, re Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd – 5251 Island Highway West – Area H.

MOVED Director Bartram, SECONDED Director Haime, that the correspondence from Lesley Chapman regarding Development Permit Application No. 60649 be received.

CARRIED

Jacqui Beban, re Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd – 5251 Island Highway West – Area H.

MOVED Director Bartram, SECONDED Director Haime, that the correspondence from Jacqui Beban regarding Development Permit Application No. 60649 be received.

CARRIED

Paul Tremblay, Charity Plus Society, re Relocation of Old Double Deckers Museum.

MOVED Director Bartram, SECONDED Director Haime, that the correspondence from the Charity Plus Society with respect to the re-location of the Old Double Deckers Museum due to the sale of the present site be received.

CARRIED

UNFINISHED BUSINESS

BYLAWS

Bylaw No. 500.334 – Abott – Island Highway West – Area 'G'.

MOVED Director Holme, SECONDED Director Bartram, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.334, 2006" be adopted.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

MOVED Director Bartram, SECONDED Director Holme, that the minutes of the Electoral Area Planning Committee meeting held April 10, 2007 be received for information.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60649 –Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd – 5251 Island Highway West – Area H.

MOVED Director Bartram, SECONDED Director Holme, that Development Permit Application No. 60649, with variances to allow the construction of a 62 unit Resort Condominium development, be approved according to the terms outlined in Schedule No. 1 and subject to the notification requirements pursuant to the *Local Government Act*.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that the developer work with Mr. Hattle to consider the restrictions during construction proposed by Mr. Hattle during his presentation as follows:

- a) Ensure that for the period of construction, all Qualicum Landing traffic use the south access road (inbound and outbound).
- b) No parking on Van Isle Road.
- c) Ensure that no construction related noise occurs other than from 7:30 am to 5:30 pm, Monday through Saturday.
- d) Ensure that the developer provide the area residents with the name and phone number of an on-site representative to address immediate concerns.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that the RDN staff, the developer, and the Van Isle Road residents work with Ministry of Transportation to review the access to Qualicum Landing Development with a view to determining what it would take to have MOT approve a main entrance and exit of Highway 19A.

CARRIED

Development Permit Application No. 60706 – Anstey/Hamilton – 3748 Horne Lake Caves Road – Area H.

MOVED Director Bartram, SECONDED Director Biggemann, that Development Permit Application No. 60706, submitted by Murray Hamilton, on behalf of Mark and Patricia Anstey, to construct a recreational residence, temporary and permanent sheds, stairs, dock, driveway and retaining walls on the property legally described as Lot 34, District Lot 251, Alberni Land District, Strata Plan VIS5160 and designated within the Fish Habitat Protection Permit Area pursuant to Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003 be approved subject to the conditions outlined in Schedules No. 1, 2 and 3, and the notification procedure requirements of the Local Government Act.

CARRIED

FRONTAGE RELAXATION

Request for Relaxation of the Minimum 10% Perimeter Requirement – JE Anderson & Associates on behalf of B. Kaspar – Morello & Alcott Roads – Area E.

MOVED Director Bartram, SECONDED Director Holme, that the request to relax the minimum 10% frontage requirement for Proposed Lot 1, submitted by JE Anderson & Associates, BCLS on behalf of Bernard Kaspar in conjunction with the proposed subdivision of Lot 1, DL 35, Nanoose District, Plan 2230, Except Parts in Plans 8472, 1423-R and VIP56073, be approved.

CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

MOVED Director Manhas, SECONDED Director Herle, that the minutes of the Committee of the Whole meeting held April 10, 2007 be received for information.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

James Warren, Comox Strathcona Regional District, re Local Calling Area Expansion – Southern Baynes Sound and Northern Portions of the Regional District of Nanaimo.

MOVED Director Bartram, SECONDED Director Burnett, that the correspondence from the Comox Strathcona Regional District regarding support for the expansion of the CSRD local calling area be received.

CARRIED

Douglas Backhouse, Island Corridor Foundation, re Grants-in-Aid Application Request to Offset Property Taxes to RDN.

MOVED Director Holdom, SECONDED Director Westbroek, that the correspondence from the Island Corridor Foundation regarding a request for funds to offset property taxes paid to the Regional District of Nanaimo in 2007 be received.

CARRIED

CORPORATE SERVICES

FINANCE & INFORMATION SERVICES

2006 Consolidated Financial Statements.

MOVED Director Holme, SECONDED Director McNabb, that the 2006 Consolidated Financial Statements and associated financial schedules be received.

CARRIED

Southern Community Sewer Service Area Capital Charge Bylaw No. 1257.

MOVED Director McNabb, SECONDED Director Haime, that “Southern Community Sewer Service Area Capital Charge Bylaw No. 1257, 2007” be introduced and read three times.

CARRIED

MOVED Director Haime, SECONDED Director McNabb, that “Southern Community Sewer Service Area Capital Charge Bylaw No. 1257, 2007” having received three readings be adopted.

CARRIED

District of Lantzville Sewer Benefiting Area Bylaw No. 1527.

MOVED Director Bartram, SECONDED Director Manhas, that "District of Lantzville Sewer Benefiting Area Bylaw No. 1527, 2007" be introduced for three readings and be forwarded to the District of Lantzville for consent.

CARRIED

City of Nanaimo Municipal Benefiting Area Amendment Bylaw No. 1216.03.

MOVED Director Brennan, SECONDED Director Manhas, that "City of Nanaimo Municipal Benefiting Area Amendment Bylaw No. 1216.03, 2007" be introduced for three readings and be forwarded to the City of Nanaimo for consent.

CARRIED

Duke Point Sewer Local Service Area Capital Charge Bylaw No. 1523.

MOVED Director Burnett, SECONDED Director McNabb, that "Duke Point Sewer Local Service Area Capital Charge Bylaw No. 1523, 2007" be introduced and read three times.

CARRIED

MOVED Director Burnett, SECONDED Director McNabb, that "Duke Point Sewer Local Service Area Capital Charge Bylaw No. 1523, 2007" having received three readings be adopted.

CARRIED

DEVELOPMENT SERVICES

PLANNING

2006 Statistics Canada Census Information.

MOVED Director Westbrook, SECONDED Director Herle, that the 2006 Statistics Canada Census information be received for information.

CARRIED

ENVIRONMENTAL SERVICES

SOLID WASTE

Rubber Tire Wheel Loader for Church Road Transfer Station - Tender.

MOVED Director Westbrook, SECONDED Director Manhas, that Great West Equipment be awarded the supply of a Volvo L70E Rubber Tire Wheel Loader for the Church Road Transfer Station for a net cost of \$146,800.

CARRIED

UTILITIES

Water Service Areas – User Rate Review – Bylaw Nos. 1468.03, 619.14, 1172.08, 1383.04, 700.15, 1434.03 and 1097.10.

MOVED Director Holdom, SECONDED Director Herle, that Bylaws No. 1468.03, 619.14, 1172.08, 1383.04, 700.15, 1434.03 and 1097.10 be rescinded at third reading.

CARRIED

Bylaw No. 1468.03.

MOVED Director Brennan, SECONDED Director McNabb, that "Nanoose Bay Peninsula Water Supply Service Area Regulations and Rates Amendment Bylaw No. 1468.03, be given third reading as amended.

CARRIED

MOVED Director Holdom, SECONDED Director Herle, that "Nanoose Bay Peninsula Water Supply Service Area Regulations and Rates Amendment Bylaw No. 1468.03, 2007" be adopted.

CARRIED

Bylaw No. 619.14.

MOVED Director Brennan, SECONDED Director McNabb, that "French Creek Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 619.14, 2007" be given third reading as amended.

CARRIED

MOVED Director Holdom, SECONDED Director Herle, that "French Creek Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 619.14, 2007" be adopted.

CARRIED

Bylaw No. 1172.08.

MOVED Director Brennan, SECONDED Director McNabb, that "San Parcil Specified Area Water Regulations and Rates Amendment Bylaw No. 1172.08, 2007" be given third reading as amended.

CARRIED

MOVED Director Holdom, SECONDED Director Herle, that "San Parcil Specified Area Water Regulations and Rates Amendment Bylaw No. 1172.08, 2007" be adopted.

CARRIED

Bylaw No. 1383.04.

MOVED Director Brennan, SECONDED Director McNabb, that "Englishman River Specified Area Water Regulations and Rates Amendment Bylaw No. 1383.04, 2007" be given third reading as amended.

CARRIED

MOVED Director Holdom, SECONDED Director Herle, that "Englishman River Specified Area Water Regulations and Rates Amendment Bylaw No. 1383.04, 2007" be adopted.

CARRIED

Bylaw No. 700.15.

MOVED Director Brennan, SECONDED Director McNabb, that "Surfside Properties Specified Area Water Regulations and Rates Amendment Bylaw No. 700.15, 2007" be given third reading as amended.

CARRIED

MOVED Director Holdom, SECONDED Director Herle, that "Surfside Properties Specified Area Water Regulations and Rates Amendment Bylaw No. 700.15, 2007" be adopted.

CARRIED

Bylaw No. 1434.03.

MOVED Director Brennan, SECONDED Director McNabb, that "Melrose Specified Area Water Regulations and Rates Amendment Bylaw No. 1434.03, 2007" be given third reading as amended.

CARRIED

MOVED Director Holdom, SECONDED Director Herle, that "Melrose Specified Area Water Regulations and Rates Amendment Bylaw No. 1434.03, 2007" be adopted.

CARRIED

Bylaw No. 1097.10.

MOVED Director Brennan, SECONDED Director McNabb, that "Decourcey Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1097.10, 2007" be given third reading as amended.

CARRIED

MOVED Director Holdom, SECONDED Director Herle, that "Decourcey Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1097.10, 2007" be adopted.

CARRIED

RECREATION AND PARKS SERVICES

Nanaimo and District Track and Field – Letter of Support.

MOVED Director McNabb, SECONDED Director Herle, that the letter of support to the Nanaimo and District Track and Field Club for track upgrades at the Rotary Bowl be referred to the City of Nanaimo.

CARRIED

TRANSPORTATION SERVICES

2007/2008 Annual Operating Agreement – RDN/BC Transit.

MOVED Director McNabb, SECONDED Director Brennan, that the 2007/2008 Annual Operating Agreement (AOA) with BC Transit be approved.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Regional Growth Monitoring Advisory Committee/State of Sustainability Project.

MOVED Director Holdom, SECONDED Director Bartram, that the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held March 15, 2007 be received for information.

CARRIED

Director Holdom noted that the Sustainability Workshop will be held at the Grand Hotel, May 5, 2007 at 9:00 am and invited all Directors to attend.

Transit Select Committee.

MOVED Director McNabb, SECONDED Director Manhas, that the minutes of the Transit Select Committee meeting held March 22, 2007 be received for information.

CARRIED

MOVED Director McNabb, SECONDED Director Herle, that staff be directed to advise BC Transit that the RDN is interested in taking advantage of the increased funding for expansion and that staff be directed to bring back options to the Board that provide detailed information on the financial impacts to the participants.

CARRIED

Drinking Water Watershed Protection Stewardship Committee.

MOVED Director Bartram, SECONDED Director Holdom, that the minutes of the Drinking Water Watershed Protection Stewardship Committee meeting held February 7, 2007 be received for information.

CARRIED

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Biggemann, that the minutes of the District 69 Recreation Commission meeting held March 15, 2007 be received for information.

CARRIED

Area 'A' Recreation and Culture Services Master Plan Project Advisory Committee.

MOVED Director Burnett, SECONDED Director Manhas, that the minutes of the Area 'A' Recreation and Culture Services Master Plan Project Advisory Committee meetings held March 12 and April 2, 2007 be received for information.

CARRIED

Area 'E' Parks and Open Spaces Advisory Committee.

MOVED Director Holme, SECONDED Director Manhas, that the minutes of the Area 'E' Parks and Open Spaces Advisory Committee meeting held February 5, 2007 be received for information.

CARRIED

Area 'H' Parks and Open Spaces Advisory Committee.

MOVED Director Bartram, SECONDED Director McNabb, that the minutes of the Area 'H' Parks and Open Spaces Advisory Committee meeting held February 16, 2007 be received for information.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATION

Island Scallops Proposal.

MOVED Director Bartram, SECONDED Director Herle, that RDN Staff be directed to send a letter to Provincial and Federal authorities acknowledging that although it is outside local government jurisdiction, we request that a full environmental assessment of Island Scallops' proposal to farm scallops off the east coast of Vancouver Island be carried out and that we be advised of the results.

CARRIED

Comox Strathcona Regional District Local Calling Area Expansion.

MOVED Director Bartram, SECONDED Director Young, that the RDN support the CSRD in determining the cost of expanding a local calling area to include southern Baynes Sound and northern portions of the Regional District of Nanaimo and that staff advise the CSRD Board of the RDN Board's decision.

Request to Offset Property Taxes to RDN - Island Corridor Foundation.

MOVED Director Herle, SECONDED Director Bartram, that the Island Corridor Foundation's request for a grant-in-aid to offset property taxes paid to the Regional District of Nanaimo in 2007 be referred to the Regional Parks and Trails Advisory Committee and further that the Island Corridor Foundation submit a business plan.

CARRIED

Procedure Bylaw.

MOVED Director Holdom, SECONDED Director Brennan, that staff review the procedure bylaw with particular emphasis on the Electoral Area Planning Committee time allotment for delegations and report back to the Board.

A recorded vote was requested.

The motion DEFEATED with Directors Stanhope and McNabb voting in the affirmative and Directors Manhas, Holme, Unger, Biggemann, Burnett, Haime, Herle, Bartram, Sperling, Holdom, Westbrook, Brennan and Young voting in the negative.

MOVED Director Bartram, SECONDED Director Holme, that the Electoral Area Planning Committee meeting be held the second Tuesday of each month at 6:00 pm for the next six months.

Regional Hospital District Select Committee.

CARRIED

MOVED Director Westbrook, SECONDED Director Brennan, that the minutes of the Regional Hospital District Select Committee meeting held April 20, 2007 be received for information.

CARRIED

Jac Kreut, re Acknowledgement of 2007 Capital Grant and Major Capital Projects.

MOVED Director Westbrook, SECONDED Director Brennan, that the correspondence from the Vancouver Island Health Authority re: the approved 2007 Capital Grants and Cost Sharing for Major Capital Projects be received.

CARRIED

MOVED Director Westbrook, SECONDED Director Brennan, that with respect to VIHA's response on cost sharing in major capital projects, a response be prepared noting that it is not the Nanaimo Regional Hospital District's intent to delay or cancel projects, but rather to initiate discussion on regional cost sharing to ensure that the formula is equitable and achieves health care capital objectives;

And further that the Nanaimo Regional Hospital District welcomes the opportunity to meet with VIHA to discuss the cost sharing formula once the Vancouver Island Regional Hospital Districts have had an opportunity to review alternative methods of cost sharing.

CARRIED

Manjit Sidhu, Assistant Deputy Minister, re Capital Funding Sharing Formula.

MOVED Director Westbrook, SECONDED Director Haime, that the correspondence from the Province of BC regarding the capital funding sharing formula be received.

CARRIED

Proposed 2007 Capital Expenditure Recommendations.

MOVED Director Westbrook, SECONDED Director Haime, that the capital expenditure plans for 2007/2008 provided by the Vancouver Island Health Authority form the basis for reimbursement up to \$2,800,000 as approved in the 2007 annual budget.

CARRIED

Long Term Projection for Proposed Capital Plans.

MOVED Director Westbrook, SECONDED Director Brennan, that the report on the projected tax trend related to the 2006 VIHA capital program be received for information.

CARRIED

Review of Alternative Cost Sharing Scenarios.

MOVED Director Westbrook, SECONDED Director Haime, that the report on alternative cost sharing methods for health care capital be received and that staff be directed to proceed to discuss it in more detail with staff from the other Regional Hospital Districts.

CARRIED

UBCM, re Regional Hospital Districts Health Authority Governance

MOVED Director Westbrook, SECONDED Director Bartram, that staff bring back a report for the Board's consideration and that the RDN resolution on Regional Hospital Districts health authority governance be re-endorsed and forwarded directly to the UBCM.

CARRIED

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Biggemann, that the minutes of the District 69 Recreation Commission meeting held April 19, 2007 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Westbrook, that the Regional District of Nanaimo enter into an agreement with PacificSport for the GymWorks program to provide free access to Ravensong Aquatic Centre and Oceanside Place for the training purposes of carded athletes living in District 69.

CARRIED

Regional Parks and Trails Advisory Committee.

MOVED Director McNabb, SECONDED Director Bartram, that the minutes of the Regional Parks and Trails Advisory Committee meeting held April 10, 2007 be received for information.

CARRIED

MOVED Director McNabb, SECONDED Director Bartram, that the Regional Board approve the terms of reference and issue a request for consultant services in regard to the preparation of the first management plan for Englishman River Regional Park.

CARRIED

MOVED Director McNabb, SECONDED Director Bartram, that the Board request staff investigate establishing a volunteer part warden/host program for the Regional Parks Trails System.

CARRIED

ADMINISTRATOR'S REPORTS**A Bylaw to Amend the Requisition Limit for the Electoral Area 'A' Community Parks Service.**

MOVED Director Westbrook, SECONDED Director Brennan, that "Electoral Area 'A' Community Parks Local Service Amendment Bylaw No. 798.07, 2007" be introduced for first three readings and be forwarded to the Ministry of Community Services for approval.

CARRIED

Bylaws to Establish Services for the Repayment of Debt for the Construction of Sewer Services in Electoral Area 'A'.

Bylaw No. 1513.

MOVED Director Burnett, SECONDED Director Westbrook, that "Cedar Sewer Commercial Properties Capital Financing Service Establishment Bylaw No. 1513, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.

CARRIED

Bylaw No. 1514.

MOVED Director Burnett, SECONDED Director Westbrook, that "Cedar Sewer Commercial Properties Capital Financing Service Loan Authorization Bylaw No. 1514, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.

CARRIED

Bylaw No. 1517.

MOVED Director Burnett, SECONDED Director Westbrook, that "Cedar Sewer Large Residential Properties Capital Financing Service Establishment Bylaw No. 1517, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.

CARRIED

Bylaw No. 1518.

MOVED Director Burnett, SECONDED Director Westbrook, that "Cedar Sewer Large Residential Properties Capital Financing Service Loan Authorization Bylaw No. 1518, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.

CARRIED

Bylaw No. 1519.

MOVED Director Burnett, SECONDED Director Westbrook, that "Cedar Sewer Sportsfield Capital Financing Service Establishment Bylaw No. 1519, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.

CARRIED

Bylaw No. 1520.

MOVED Director Burnett, SECONDED Director Westbrook, that "Cedar Sewer Sportsfield Capital Financing Service Loan Authorization Bylaw No. 1520, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.

CARRIED

Bylaw No. 1521.

MOVED Director Burnett, SECONDED Director Westbrook, that "Cedar Sewer Small Residential Properties Capital Financing Service Establishment Bylaw No. 1521, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.

CARRIED

Bylaw No. 1522.

MOVED Director Burnett, SECONDED Director Westbrook, that "Cedar Sewer Small Residential Properties Capital Financing Service Loan Authorization Bylaw No. 1522, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.

CARRIED

Bylaw No. 1445.01.

MOVED Director Burnett, SECONDED Director Westbrook, that "Cedar Sewer Service Area Amendment Bylaw No. 1445.01, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.

CARRIED

Bylaw No. 1004.03.

MOVED Director Burnett, SECONDED Director Westbrook, that "Duke Point Sewer Local Service Area Amendment Bylaw No. 1004.03, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.

CARRIED

NEW BUSINESS

UBCM Environmental Conference.

MOVED Director Westbrook, SECONDED Director Sperling, that Director Bartram attend the UBCM Environmental Conference as the Board's representative.

CARRIED

Grants in Aid Terms of Reference.

Director Burnett requested that the City of Nanaimo Grants-in-Aid terms of reference be referred to the RDN's Grants-in-Aid Committee for information.

BOARD INFORMATION

Implementation of Enhanced Animal Health Protection.

Director Biggemann noted the importance of the resolution forwarded by the Regional District of Bulkley-Nechako with respect to the implementation of enhanced animal health protection from bovine spongiform encephalopathy (BSE).

IN CAMERA

MOVED Director Holme, SECONDED Director Bartram, that pursuant to Sections 90(1)(e) and (g) of the *Community Charter* the Board proceed to an In Camera meeting to consider items related to legal issues.

CARRIED

ADJOURNMENT

MOVED Director Holme, SECONDED Director Bartram, that this meeting adjourn to allow for an In Camera meeting.

CARRIED

TIME: 8:31 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE SPECIAL BOARD MEETING
HELD ON TUESDAY, MAY 8, 2007, AT 7:59 PM
RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director B. Sperling	Electoral Area B
Director M. Young	Electoral Area C
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director S. Herle	City of Parksville
Director T. Westbrook	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director B. Bestwick	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director J. Manhas	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Senior Manager, Corporate Administration
C. McIver	A/General Manager, Environmental Services
W. Thexton	A/Gen. Manager, Finance & Information Services
T. Osborne	General Manager, Recreation & Parks
P. Thorkelsson	General Manager, Development Services
D. Trudeau	General Manager, Transportation Services
N. Tonn	Recording Secretary

UNFINISHED BUSINESS

BYLAWS

Bylaw No. 798.07.

MOVED Director Burnett, SECONDED Director Westbrook, that "Electoral Area 'A' Community Parks Local Service Amendment Bylaw No. 798.07, 2007" be adopted.

CARRIED

Bylaw No. 897.05.

MOVED Director McNabb, SECONDED Director Westbrook, that "Regional District of Nanaimo District 69 Community Bus Transit Service Amendment Bylaw No. 897.05, 2007" be adopted.

CARRIED

ADJOURNMENT

MOVED Director Bartram, SECONDED Director Herle, that this meeting adjourn to allow for an In Camera Committee of the Whole meeting.

CARRIED

TIME: 8:00 PM

CHAIRPERSON

SR. MGR, CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, MAY 8, 2007, AT 6:00 PM
IN THE RDN BOARD CHAMBERS

Present:

Director D. Bartram	Chairperson
Director J. Burnett	Electoral Area A
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director J. Stanhope	Electoral Area G

Also in Attendance:

M. Pearse	Senior Manager, Corporate Administration
P. Thorkelsson	General Manager, Development Services
G. Garbutt	Manager, Current Planning
N. Tonn	Recording Secretary

LATE DELEGATIONS

MOVED Director Biggemann, SECONDED Director Burnett, that a late delegation be permitted to address the Committee.

CARRIED

Helen Sims, Oceanside Development & Construction Association, re RDN Sustainable Development Checklist.

Ms. Sims raised her concerns regarding the voluntary Sustainable Builder's Checklist and the limitations existing bylaws put on some avenues available to the development community to make sustainable changes.

MINUTES

MOVED Director Holme, SECONDED Director Young, that the minutes of the Electoral Area Planning Committee meeting held April 10, 2007 be adopted.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Zoning Amendment Application No. ZA0704 – Ben Mellin on behalf of KR Burrell – Spider Lake and Marshland Roads – Area H.

MOVED Director Holme, SECONDED Director Young:

1. That Zoning Amendment Application No. ZA0704 as submitted by Ben Mellin, on behalf of KR Burrell to rezone Lot 3, Block 390, Newcastle District, Plan 39504 from Resource Management 1, Subdivision District A (RMIA) to Rural 1, Subdivision District D (RU1D) be approved to proceed to public hearing subject to the conditions included in Schedule No. 1.

2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.337, 2007" be given 1st and 2nd reading.
3. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.337, 2007" proceed to public hearing.
4. That the public hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.337, 2007" be delegated to Director Bartram or his alternate.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60703 – Request for 10% Frontage Relaxation – Ring Contracting Ltd. – 470 Nanaimo River Road – Area C.

MOVED Director Young, SECONDED Director Burnett,:

1. That Development Permit Application No. 60703 submitted by Ring Contracting Ltd., in conjunction with the subdivision on the parcel legally described as Lot 2, Section 6, Range 5, Cranberry District, Plan VIP55807 and located at 470 Nanaimo River Road in Electoral Area 'C' and designated within the Watercourse Protection Development Permit Area, be approved subject to the conditions outlined in Schedule Nos. 1, 2 and 3 of the corresponding staff report and notification procedure pursuant to the *Local Government Act*.
2. That the request for relaxation of the minimum 10% perimeter frontage requirement for proposed Lot A be approved.

CARRIED

Development Permit Application No. 60717 – Clemens/Greeve – Maple Guard Drive – Area H.

MOVED Director Holme, SECONDED Director Stanhope, that Development Permit Application No. 60717, to construct a dwelling unit within the Hazard Lands Development Permit Area pursuant to "Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003", for the property legally described as Lot 30, District Lot 40, Newcastle District, Plan 16121 be approved subject to the conditions outlined in Schedules 1 and 2.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90703 – 1887 Bonito Crescent – Area E.

MOVED Director Holme, SECONDED Director Stanhope, that Development Variance Permit Application No. 90703, to vary "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987", for the property legally described as Lot 37, District Lot 78, Nanoose District, Plan 14275 be approved subject to the conditions outlined in Schedules 1, 2 and 3, and subject to the Board's consideration of comments received as a result of public notification.

CARRIED

AMENDMENT APPLICATIONS

Zoning Amendment Application No. 0707 – Mountain Fire Protection District – Jingle Pot Road and Meadow Drive – Area C.

MOVED Director Young, SECONDED Director Burnett,:

1. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.340, 2007" to amend the Public 4 zone be given 1st and 2nd reading.
2. That the public hearing for "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.340, 2007" be waived and notice in accordance with Section 893 of the *Local Government Act* be given.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

RDN Sustainable Development Checklist.

Staff were directed to review the sustainable development checklist including the information provided by the Oceanside Development and Construction Association, and report back to the Board with recommendations.

ADJOURNMENT

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

CARRIED

TIME: 6:16 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON TUESDAY, MAY 8, 2007 AT 7:00 PM IN THE RDN BOARD CHAMBERS

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director B. Sperling	Electoral Area B
Director M. Young	Electoral Area C
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director S. Herle	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director L. McNabb	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Manhas	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Senior Manager, Corporate Administration
C. McIver	A/General Manager of Environmental Services
D. Trudeau	General Manager of Transportation Services
W. Thexton	A/Gen. Manager of Finance & Information Services
P. Thorkelsson	General Manager of Development Services
T. Osborne	General Manager of Recreation & Parks
N. Tomn	Recording Secretary

DELEGATIONS

Mike Hooper, Nanaimo Airport, re Challenges and Growth Opportunities at the Nanaimo Airport.

Mr. Hooper provided a visual and verbal overview of the Nanaimo Airport's proposed runway expansion and airport improvements including project benefits, the consultation process, business plan and project cost study. The Nanaimo Airport is requesting a letter of support from the RDN Board which they will include as part of their application for grants to be used for the proposed improvements.

MOVED Director Manhas, SECONDED Director Herle, that the Regional District of Nanaimo provide the Nanaimo Airport Commission a letter of support.

CARRIED

Judy Dobrowolski, British Columbia Transmission Corporation, re Central Vancouver Island Transmission Reinforcement Project.

Mr. Geoff Higgins, Project Manager, provided a visual and verbal overview of BC Transmission Corporation's Central VI transmission reinforcement project which is proposing to increase the capacity of the present system.

Dr. Kathryn Gemmell, re Water Conservation.

Dr. Gemmell presented her proposed "Code Blue" water conservation project to the Committee, which will address leaky toilets in the community. Dr. Gemmell requested funding from the Regional District to raise public water conservation awareness through this project.

MINUTES

MOVED Director McNabb, SECONDED Director Bestwick, that the minutes of the Committee of the Whole meeting held April 10, 2007 be adopted.

CARRIED

CORPORATE ADMINISTRATION SERVICES

FINANCE & INFORMATION SERVICES

Nanaimo Regional Hospital District – Resolution to Provide for Temporary Borrowing to Meet Expenditures for 2007.

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

CARRIED

Nanaimo Regional Hospital District – 2006 Audited Financial Statements.

MOVED Director McNabb, SECONDED Director Burnett, that the report on the 2006 audited financial statements of the Nanaimo Regional Hospital District be received.

CARRIED

Annual Report of Directors' and Committee Members' 2006 Remuneration and Expenses.

MOVED Director Westbrook, SECONDED Director McNabb, that the 2006 report on remuneration and expenses for Board and Committee members be received.

CARRIED

Duke Point Sewer Local Service Area Development Cost Charges Bylaws (Bylaws No. 1498 & 1528).

MOVED Director Burnett, SECONDED Director Bartram, that "Duke Point Sewer Local Service Area Development Cost Charges Bylaw No. 1498, 2007" be deferred until the next Board meeting.

CARRIED

Duke Point Sewer Local Service Area Connection Agreement.

MOVED Director Burnett, SECONDED Director Bartram, that this item be deferred until the next Board meeting.

CARRIED

Duke Point Sewer Local Service Area Amendment Bylaw No. 1004.02.

MOVED Director Burnett, SECONDED Director Bartram, that "Duke Point Sewer Local Service Area Amendment Bylaw No. 1004.02, 2007" be deferred until the next Board meeting.

CARRIED

DEVELOPMENT SERVICES

EMERGENCY PLANNING

Hazardous Materials – Recent Marine Spill in Nanaimo Harbour.

MOVED Director Bartram, SECONDED Director Bestwick, that the findings of the Ministry of Environment HAZMAT pilot study be presented when it is completed.

CARRIED

License of Use Agreement to Use the Bowser Legion as an Emergency Reception Center.

MOVED Director Bartram, SECONDED Director Bestwick, that the 5 year Agreement for License of Use attached to the corresponding staff report be signed so that the Bowser Legion may be used as an RDN Emergency Reception Center.

CARRIED

ENVIRONMENTAL SERVICES

LIQUID WASTE

Kiwanis Soroptomists Suites Application for Development Cost Charge Reduction.

MOVED Director McNabb, SECONDED Director Young, that the Board authorize a 50% reduction in Development Cost Charges for the Nanaimo District Senior Citizens' Housing Development Society Kiwanis Soroptomists Suites project.

CARRIED

SOLID WASTE

Regional Landfill Interim Closure 2007 Construction Award and Award of Consulting Services.

MOVED Director McNabb, SECONDED Director Westbroek, that the Board award the construction of the interim closure project at the Regional Landfill to IDL Projects Inc. for the tendered amount of \$633,402.00 and appoint the firm of Sperling Hansen Associates to proceed as the project consultant for quality control and quality assurance.

CARRIED

Illegal Dumping Prevention Program Enforcement Activities.

MOVED Director McNabb, SECONDED Director Young, that, in accordance with the approved 2007 solid waste budget, the Board approve the creation of a Zero Waste Compliance Officer staff position to carry out illegal dumping prevention and Waste Stream Management License bylaw enforcement and education duties.

CARRIED

UTILITIES

Water Service Areas – Security Review.

MOVED Director Bestwick, SECONDED Director Bartram, that the Board receive for information the report on the 2006 Water Service Areas Security Review.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Electoral Area 'A' Parks and Green Space Advisory Committee.

MOVED Director Burnett, SECONDED Director McNabb, that the minutes of the Electoral Area 'A' Parks and Green Space Advisory Committee meeting held March 15, 2007 be received for information.

CARRIED

East Wellington and Pleasant Valley Parks and Open Space Advisory Committee.

MOVED Director Young, SECONDED Director Haime, that the minutes of the East Wellington and Pleasant Valley Parks and Open Space Advisory Committee meeting held March 5, 2007 be received for information.

CARRIED

Area 'F' Parks and Open Spaces Advisory Committee.

MOVED Director Biggemann, SECONDED Director Bartram, that the minutes of the Area 'F' Parks and Open Space Advisory Committee meeting held April 16, 2007 be received for information.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Water Conservation Code Blue Project.

MOVED Director Westbroek, SECONDED Director Bartram, that the request for funding for the Code Blue water conservation project be referred back to staff.

CARRIED

NEW BUSINESS

Zero Waste Program.

There have been requests to expand the Zero Waste program to multi-family dwellings. A report will be presented to the Board in the fall outlining options.

IN CAMERA

MOVED Director Bartram, 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 legal matters immediately following the Special Board meeting.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:58 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES FROM THE 6th MEETING OF THE
DRINKING WATER-WATERSHED PROTECTION STEWARDSHIP COMMITTEE

HELD ON WEDNESDAY, MARCH 21, 2007 AT 12:00 PM
IN THE RDN COMMITTEE ROOM

Present:	Gary Anderson	Vancouver Island Health Authority
	Dave Bartram	RDN Board Member
	Gordon Buckingham	Electoral Area Resident
	Mike Donnelly	Manager of Utilities, RDN
	Brian Epps	Ministry of Environment
	John Finnie	GM of Environmental Services, RDN
	Grace Gunderson	Electoral Area Resident
	Jennifer Ann MacLeod	Electoral Area Resident
	Faye Smith	Mid Vancouver Island Habitat Enhancement Society
	J. Stanhope (CHAIR)	RDN Board Chair
	Trevor Wicks	Arrowsmith Watershed Coalition Society
	Maureen Young	RDN Board Member
	<u>Consulting Team:</u>	
	Allan Dakin	Consulting Hydrogeologist
	David Reid	Lanarc Consultants Ltd.
	Harriet Rueggeberg	Lanarc Consultants Ltd.
	<u>Guest Speaker:</u>	
	Douglas Backhouse	Lanarc Consultants Ltd.
Regrets:	Jim Fyfe	Well Drilling Industry Representative
	Stuart MacPherson	Private Forest Lands Council
	Sheila Malcolmson	Islands Trust
	Pearl Myhres	Water Improvement District Representative
	David Vincent	Electoral Area Resident
	Gilles Wendling	GW Solutions Inc (consulting team)

1. Meeting Convened – Presentation on “Water Bucket”

Doug Backhouse reviewed the use of RSS (real simple syndication) and XML (extensible markup language) technology and its application in creating the Waterbucket website. He presented an overview of this “community of interest” site to which interested parties can contribute information and stories. The site is organized under the following topics: water centric planning; water use and conservation; agriculture and water; convening for action; rainwater management; green infrastructure; and the water sustainability committee.

2. Review of Last Meeting Minutes

Minutes from the February 7 meeting were reviewed and approved with one correction – removing Dave Reid’s name from the “present” list.

Committee members expressed appreciation for having the PowerPoint presentation on the work of the Committee available for their use.

3. Review of Revisions to the draft Action Plan

Harriet highlighted the major changes made to the Draft Programs and Actions in response to the discussion at the February meeting. Further comments and ideas from Committee members included the following:

Program 1 – Public Awareness and Involvement:

- Suggestions made for simplifying the wording in the Objectives.
- Public awareness and education must be timed appropriately, to ensure that the underlying planning and legislative base is in place to support the technologies being promoted.
- Demonstration Projects should be organized on a neighborhood-basis, to promote sustainability “close to home”.
- A water conservation group has been formed in Fairwinds that has proposed setting up a weather station on a pilot property that is linked to the irrigation system. Information from the station would assist in determining when and for how long a lawn/garden would need to be watered.
- Emphasize that water conservation does not equal water rationing, as many residents perceive.
- Extend the WaterSmart program to incorporate a water steward certification or a stamp of approval that could be applied to residences and other forms of development; include signage.
- Clarify that the WaterSmart program applies throughout the Region, and not just in the RDN’s water service areas.

Program 2 – Water Resources Inventory & Monitoring

- There should be more emphasis on inventory and monitoring of water quality, not just quantity.
- Item 2C: responses to major changes from water quality/quantity ‘thresholds’ should be coordinated through the Region’s Watershed Protection Steering Committee (VIII A, RDN and MOE).
- The provincial *Water Act* is concerned primarily with managing surface water quantity through licensing; however, the Health Act addresses both water quantity and quality.
- Discussion of the lack of regulation of well water extraction:
 - Unlike surface water licensing, there is no limit under provincial legislation to the quantity that can be drawn from any one well or well system, nor is there any regulation of the type of use (i.e., residential vs. commercial).
 - The *Drinking Water Protection Act* does regulate water haulers by requiring operating permits (to ensure safe transport conditions) and an approved water source; however, it does not regulate the quantity of water they may haul.
 - Disputes in the courts over impacts of commercial extraction on neighbouring private wells are rarely successful due to the burden of proving those impacts.
 - In the absence of provincial regulation of wells and their use, local governments are forced to find ways of protecting water supplies through land use regulation - e.g.:
 - Area H’s Rural Residential zone does not allow commercial activities.
 - Gabriola’s requirement for a temporary use permit to regulate commercial water extraction and distribution as a land use. This may be the only form of regulation of private well water use that presently exists in the province.
 - There may be cases where no adverse impacts on neighboring wells can be discerned and hauling water from one well may be the best option for providing water to a number of residences as opposed to drilling multiple wells. The ‘correctness’ of this method may then be a philosophical argument.

Program 3 – Land Development Management & Regulation

- Suggestions made for simplifying the wording in the Objectives.
- Need to incorporate the principle of ‘no net loss’ of hydrologic function (i.e., meet pre-development conditions regarding infiltration and surface flows) at the sub-watershed or watershed level, even though it may not be practical to try to attain this at a site level.
- Under ‘Development Charges’, refer to development fees supporting a (future) RDN water service/management function. DCCs are typically charged for off-site services (i.e., roads, water, sewer lines that supply a proposed new development). Alternatively, acknowledge that developers may provide other amenities or install innovative, community-wide services in lieu of a fee.

Program 4 – Water Use Management & Regulation

- Change subheading 4B to “Cooperation among Community Water Supply Systems”, to include recognized water-based communities but also other large water users - e.g., golf courses, commercial operators, industrial users, etc. Suggested wording from Mike Donnelly: “The intent of this committee would be to provide a forum for discussion and the exchange of ideas to assist water purveyors in the Region. The committee would be open to anyone providing potable water for human consumption or users that consume large amounts of water (golf courses, commercial/industrial users, etc.), and would be comprised of members interested in providing safe and sustainable water in working with others to achieve those goals. It would likely meet 2-3 times per year.”
- Look up the ‘parallel’ system of codes used in a new development at Shawnigan Lake to allow it to be off-grid and self-sustaining. [J. MacLeod noted that the development was implemented through a rural residential/ comprehensive development zone; it is still seeking sufficient funding to initiate the development.] Dave Reid noted that this may be a case of using ‘code equivalencies’ that are developed by an expert consultant to meet the intent of applicable Building Codes.

Program 5 – Water Quality Management

- Should the explicit focus be on “source water” quality management, as opposed to protecting water quality from source to tap? The latter involves water treatment, distribution system flushing, etc., whereas the focus here appears to be primarily on identifying risks to water quality at source - i.e., managing potential contaminants.
- Too much emphasis in this draft on on-site sewage disposal relative to other land uses that may affect water quality:
 - On-site sewage disposal may cause problems at local scales, especially where soils are thin. Pharmaceuticals are increasing as a contaminant issue in some places.
 - RDN has regulated on-site sewage disposal through land use management to some extent; e.g., Riverside Development, where the RDN required a community well system and septic tanks to be pumped out every 3 years.
- All human activities that can put a watershed at risk should be addressed - i.e., land development, forestry, farming, recreation, industry, etc. These can have far greater risk implications than on-site sewage disposal to a watershed.
- Promote the precautionary principle in terms of water quality management, monitoring, etc.
- Move subsection 5C to Program 2 “Inventory and Monitoring”.

Program 6 – Climate Change

- Link the discussion to the RDN’s Climate Change initiative (i.e., the RDN’s recent adoption of a Corporate Climate Change Plan).
- Besides “adaptation” mechanisms, investigate measures for mitigating for climate change; e.g., put more water into the ground as a precautionary measure for future droughts.

4. Draft Program Budgets in Detail

Dave Reid reviewed the “Dollar for water” concept - a proposed 10-year budget funded in part by a parcel-based fee of \$1/month/resident to support a RDN water management function. Other funds would also be raised through senior government grants. Staffing for the function would consist of a program manager in the first 5 years, supplemented by a 2nd position in the second 5 years. Dave emphasized that this budget projection is intended to indicate an order of magnitude and not be a detailed budget ‘to be written in stone’.

Comments and questions from Committee members:

- \$500,000/year for a water management function is ‘peanuts’ compared to the RDN’s overall budget of \$75 million, and does not reflect the importance of water resources to the Region’s residents.
- While water management has never been allocated the funds to reflect its importance, getting support for a new program is never easy – particularly when it means “new” money rather than redirected from other programs. How much are residents willing to pay?
- The Region’s population is expected to continue to grow, but we don’t know much about the water sources to support it. What is the timeframe for integrated watershed management plans (IWMPs)?
- If RDN is going to charge for water management, a common response will be “Will I get water now?” (i.e., water from ‘the grid’).
- Public communication has to improve. There is little perception that there are or will be problems with water supply. The message has reached the choir – now must focus on the congregation. Lori Henderson (MOE Outreach Program coordinator) can speak to the Committee at the next meeting on interesting results from their community outreach program.
- It will be essential to get the municipalities on board, to raise awareness and treat residents fairly throughout the Region.
- Proposed strategy:
 - Ramp up the program gradually, starting primarily with grant funds.
 - Hire a manager to get the program started, with an emphasis on public communication, data gathering and analysis, and coordination with the municipalities.
 - As awareness increases and results start to show, start to develop support for a full-fledged water management function.
- Comments on details of budget:
 - Accelerate Actions 1A and B. There should be no endpoint for these projects as they require ongoing maintenance.
 - Public information generally should be front-end loaded – start with the information and efforts of this committee.
 - Education programs – focus first on what the RDN can deliver on; i.e., items for which there are no regulatory barriers.
 - Action 4D incentive programs – some should be front-ended and then the rest spread out over the 10-year period.
 - Action 3B: coordinate with Planning Dept’s “Sustainability Checklist” (note this for Action Plan).
- Public information is all good, but there needs to be some immediate, tangible actions – people want to see something happen or change. What would be tangible, immediate changes under the proposed Action Plan?
 - Inventories.
 - Updated development standards.

5. Wrap Up – Next Steps

- The proposed Action Plan and budget projection will form part of report from the Committee to the RDN Board.
- Dave and Harriet will prepare a draft outline for the Action Plan Report for review at the next meeting.

6. Late Item – Provincial legislation on groundwater

- The urgent need for provincial legislation on groundwater was raised. Recent changes to the *Water Act* have brought in regulations for well drilling, but the Province is still working on regulations for use (licensing) of groundwater. The Ministry's Groundwater Advisory Committee is working on the details of proposed Groundwater Management zones.
- The Committee can make a recommendation to the Board, requesting that a letter be sent to the Minister of Environment urging him to pass legislation to regulate groundwater use quickly. Staff noted that the Board sent such a letter some 2 years ago; however, it was also noted that the more the Minister receives requests for groundwater legislation, the greater the attention given to that action.
- An alternative is to make this statement as a resolution in the Committee's minutes. The Board reviews the minutes, and the Committee can request that the minutes be cc'd to the VIHA Watershed Protection Steering Committee.

MOVED by Jennifer MacLeod, seconded by Grace Gunderson –

Whereas residents of the Regional District of Nanaimo are increasingly concerned about diminishing groundwater supplies, excessive and unregulated groundwater extraction, and climate change impacts on groundwater sustainability;

BE IT RESOLVED that the Drinking Water-Watershed Protection Stewardship Committee requests that the Board of the Regional District of Nanaimo Board send a letter to the B.C. Minister of Environment in support of the immediate need for legislation that addresses aquifer management and use of groundwater.

Carried.

7. Late Item – Watershed planning

- The draft Action Plan addresses drinking water primarily; there is little emphasis on "watershed protection". While the RDN has a direct interest in drinking water, it is difficult to know how to address the broader issue of watershed protection when so much of the land/resource management lies outside the RDN's mandate.
- An email from Gordon Buckingham with information and questions regarding watershed planning in the RDN will be circulated, for discussion at the next meeting.

The next DW-WP Committee meeting is scheduled for Wednesday, May 2, 2007 at 12:00 noon.

8. Adjournment

The meeting was adjourned at 3:15 pm.

Chairperson

**REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE CLIMATE CHANGE SELECT COMMITTEE
MEETING HELD ON MONDAY, FEBRUARY 12, 2007, AT 2:00 PM
IN THE RDN COMMITTEE ROOM**

Present: Director D. Bartram Chairperson
Director L. Biggemann Electoral Area F
Director B. Holdom City of Nanaimo

Also in attendance: C. McIver RDN, Manager of Solid Waste
R. Graves RDN, Recording Secretary

Call to Order: The meeting was called to order by the Chairperson at 2:05 pm.

Minutes: Minutes of the September 28, 2006 meeting were adopted.

Final Draft RDN Corporate Climate Change Plan:

The draft RDN Corporate Climate Change Plan will once again be presented to the Committee of the Whole with Ms. McIver going over the numbers and explaining next steps.

Ms. McIver updated the committee on ongoing plans with Parksville, Qualicum Beach and Lantzville joining Partners for Climate Protection. To date, those communities have taken no action. RDN to meet with administrators and consultants within the next quarter. It is projected that City of Nanaimo will have their copy available in 2 months.

Ms. McIver gave an overview of the presentation to be given to the Committee.

- 5 Corporate Plans = 1 Community Plan.
- Due to detailed audits at Ravensong it was recognized they had underestimated the original numbers.
- Will discuss that by 2012, we can reduce our emissions by 4% with growth considered.
- KYOTO may be questioned at meeting, we are doing our share at local levels even though it is funded by Federal money.

Ms. McIver reviewed Next Steps for an Integrated Management Plan.

- Community Energy Supply
- Air Quality
- GHG Emission Reduction

Ms. McIver advised that the RDN has received funding assistance from the Province. The total financial assistance is \$45,000.00. The RDN would be the first in the Province with an Integrated Management Plan.

ADJOURN The meeting adjourned at 3:15 pm.

Chairperson

**REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE CLIMATE CHANGE SELECT COMMITTEE
MEETING HELD ON WEDNESDAY, MAY 16, 2007, AT 10:00 AM
IN THE RDN COMMITTEE ROOM**

Present: Director D. Bartram Chairperson
Director L. Biggemann Electoral Area F
Director S. Herle (Alternate) City of Parksville

Also in attendance: C. Mason RDN, CAO
J. Finnie RDN, General Manager of Env. Srv.
C. McIver RDN, Manager of Solid Waste
Paul Thorkelsson RDN, General Manager of Dev. Srv.
Paul Thomson RDN, Manager of Long Range Planning
B. Farkas RDN, Recording Secretary

Call to Order: The meeting was called to order by the Chairperson at 10:10 am.

Minutes: Minutes of the February 12, 2007 meeting were adopted.

Verbal Update – Corporate Climate Change Plans

Carcy McIver gave an update (presentation attached) on the Corporate Climate Change Plans for the City of Parksville, Town of Qualicum Beach and the District Municipality of Lantzville. Ms. McIver and consultant Russ Haycock met with the municipal administrators on May 2nd to discuss their participation. Ms. McIver reported that there was good commitment around the table with the Town of Qualicum Beach joining the PCP program as of June 7th. Qualicum Beach also anticipates presenting their draft plan to a June 11 council meeting. The District Municipality of Lantzville will be presenting a report to council on May 28th, recommending that they join the PCP program; they have asked Ms. McIver to make a presentation at that meeting. A potential meeting date of May 31st has been set to discuss the plan further with the City of Parksville.

It is hoped that the individual plans will be prepared by the end of June and work can begin on a region-wide community plan with public consultation set for the fall of 2007 and approval of the plan set for late 2007 or early 2008.

Community Action on Energy Efficiency Gold Pilot Project

A report written by Carey McIver and Paul Thompson seeking approval from the RDN Board to participate in the Ministry of Energy, Mines and Petroleum Resources' Community Action on Energy Efficiency Gold Pilot Project was reviewed.

Paul Thorkelsson informed the committee that the province is currently developing a green building code and has been directed that the code must be in place next year. It was determined that the sustainability checklist for new construction mentioned on page one of the report only applies to the electoral areas but will be proposed for inclusion as a measure in the region-wide community plan. Mr. Thorkelsson added that in the future the checklist may become a required part of the process rather than an educational piece of the process.

There was confirmation that a grant requirement to pursue a comprehensive retrofit of at least 50% of existing local government owned and managed building floor space did indeed refer to existing buildings and not future expansion of existing buildings. In addition, it would be possible to use one or two larger RDN buildings to satisfy this requirement rather than several smaller buildings.

The job description for the new Sustainability Coordinator is being written and will focus on provision of technical and policy support as well as experience in biology, geotechnology and environmental impact of new developments.

MOVED Director Herle, SECONDED Director Biggemann, that the Community Action on Energy Efficiency Gold Pilot Project Report to RDN Board be forwarded to the RDN Board meeting of May 22, 2007.


CARRIED

Other

Carol Mason asked the committee if they would be willing to cover a broader scope to include more sustainability issues. Committee members were in agreement and Paul Thompson will review the Terms of Reference.

ADJOURN The meeting adjourned at 11:00 a.m.

Chairperson




Corporate Climate Change Plans Status Report

Climate Change Select Committee

May 16, 2007

REGIONAL DISTRICT OF NANAIMO

zero waste




Outline

1. Overview Corporate & Community Planning Process – Status
 - Partners for Climate Protection
 - Corporate Climate Change Plans
 - RDN
 - City of Nanaimo
 - Integrated Region-Wide Community Plan
2. Municipal Partners Corporate Climate Change Plans
 - Prepare inventory & forecast
 - Select reduction measures
 - Adopt reduction target

REGIONAL DISTRICT OF NANAIMO

zero waste



Partners for Climate Protection


• Led by Federation of Canadian Municipalities (FCM) and ICLEI- Local Governments for Sustainability

• Aim is to help local governments reduce greenhouse gases and advance sustainable community development

- Save money
- Develop a sustainable community
- Slow climate change
- Prepare for a carbon trading future

REGIONAL DISTRICT OF NANAIMO

zero waste




Local Government Role

• Local governments can reduce emissions through:

- ✓ Land-use, energy and transportation planning
- ✓ Infrastructure design
- ✓ Green procurement
- ✓ Building retrofits
- ✓ Water conservation
- ✓ Solid waste diversion
- ✓ Renewable energy

REGIONAL DISTRICT OF NANAIMO

zero waste




Five Milestone Approach

• Corporate (Municipal) & Community

- Milestone 1: Create a GHG inventory and forecast
- Milestone 2: Set an emissions reduction target
- Milestone 3: Develop a GHG emissions reduction plan
- Milestone 4: Implement the plan
- Milestone 5: Monitor progress and report on results.

REGIONAL DISTRICT OF NANAIMO

zero waste



RDN PCP Program

• RDN and City of Nanaimo joined program in 2002

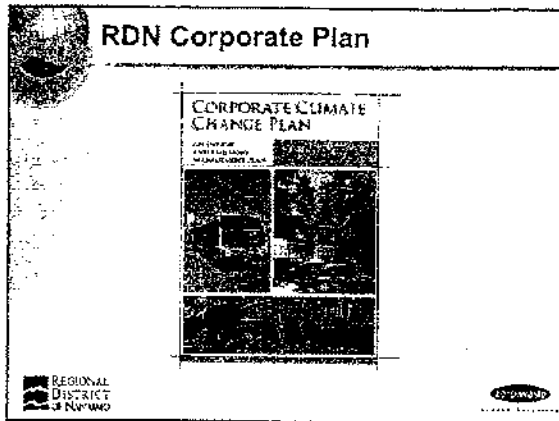
• RDN and City of Nanaimo partners on this project

• FCM Green Funds providing funding for 6 plans:

1. RDN Corporate
2. City of Nanaimo Corporate
3. City of Parksville Corporate
4. Town of Qualicum Beach Corporate
5. District Municipality of Lantzville Corporate
6. Community – Wide Plan (RDN)

REGIONAL DISTRICT OF NANAIMO

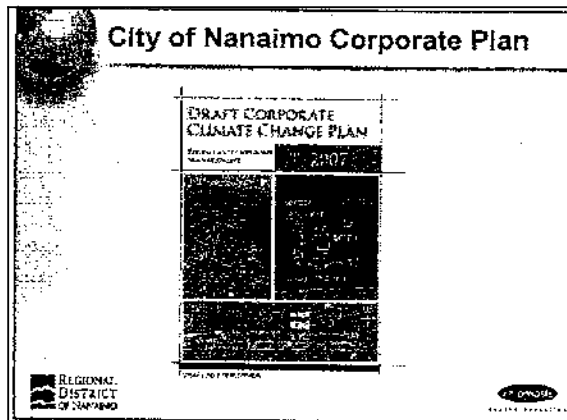
zero waste



Emission Reduction Target

Category	2004 Emissions (tCO ₂ e)	2007 Emissions (tCO ₂ e)	2012 Emissions (tCO ₂ e)	2012 Emissions (tCO ₂ e)	% Reduction (2012 vs 2004)
Buildings	18	11	9	2	77%
Manufacturing	224	24	37	26	88%
Vehicle Fleet	4,528	5,014	3,61	4,702	6%
Corporate Fleet	21	16	16	58	12%
Total	4,791	5,065	3,653	4,986	4%

4 percent below 2004 levels by 2012



Emission Reduction Target

Category	2001 Emissions (tCO ₂ e)	2007 Emissions (tCO ₂ e)	2012 Emissions (tCO ₂ e)	2012 Emissions (tCO ₂ e)	% Reduction (2012 vs 2001)
Buildings	1,754	1,800	1,51	1,512	14%
Manufacturing	177	30	26	36	80%
Vehicle Fleet	82	76	4	34	57%
Corporate Fleet	1,157	1,840	10	1,28	47%
Total	3,169	3,546	231	1,916	24%



24% below 2001 levels by 2012

- ### Next Steps – Corporate Plans
- City of Parksville, Town of Qualicum Beach and District Municipality of Lantzville join PCP
 - RDN staff and consultant meet with municipal staff to
 - confirm inventory
 - Confirm reduction measures
 - Confirm reduction target
 - Municipal partners approve their corporate plans prior to public consultation on region-wide community plan

- ### Corporate Plans
- Meeting with CAO's May 2, 2007
 - Request to join PCP
 - Time requirement to complete plans
 - Contact list
 - 2 meetings
 - Corporate facilities and engineering assets account identification worksheet
 - Draft corporate inventory



Status to Date – PCP

- Town of Qualicum Beach
 - Town of Qualicum Beach joined June 7th
- District Municipality of Lantzville
 - Report and presentation (RDN) to council May 28th
- City of Parksville
 - To be determined



Status - Corporate Plans

- Town of Qualicum Beach
 - TQB has provided data to consultant
 - Meeting with TQB staff May 30 to discuss measures
 - Present draft plan to TQB council June 11
- District of Lantzville
 - DML has meet with consultant
 - Draft under development
- City of Parksville
 - City of Parksville TBD (most complicated, potential date May 31)



Region-Wide Community Plan

Residential Buildings	7,290	2%
Commercial Buildings	26,067	14%
Industrial Buildings	28,306	14%
Manufacturing	41,054	22%
Solid Waste	26,536	14%
Total 2002	141,253	
2002 Per Capita	4.80	



Strategic Plan – Climate Change

PCP Corporate – 5 Steps	PCP Community – 7 Plan
Buildings	Buildings
Lighting	Residential
Water Sustainability	Commercial
Vehicles/Fleet	Industrial
Compost/Waste	Transportation
	Solid Waste



Strategic Plan – Community Energy

- District energy
- Waste heat and landfill gas utilization
- Ground source heat pumps and geothermal
- Co-generation of heat and power
- Solar technologies for residential
- Alternative clean fuels
- Wind Energy

Strategic Plan – Air Quality

Criteria Air Contaminants (CACs)
Carbon Monoxide (CO)
Nitrogen Dioxide (NO ₂)
Sulfur Dioxide (SO ₂)
Volatile Organic Compounds (VOCs)
Particulate Matter (PM) – Wood Smoke
PM ₁₀
PM _{2.5}

Strategic Plan – Partners & Funding

Partner	Amount	Year	Notes
FCM	\$50,000	2007	Corporate GHG Plans in Priority 1 of Plan
MOE	\$40,000	2005	Green Air Contaminants
MEMPR	\$15,000	2006	Compliance Assessment Energy Efficiency (CAEE)
MOE	\$17,500	2006	Integrated Energy Air Quality & GHG Planning
MCS	\$16,000	2006	Integrated Planning
Total Grants	\$138,500		
RDN Funding	\$60,000		
Total Cost	\$198,500		

Integrated Energy, Air & GHG Plan

Energy	Air Quality	GHG Emissions
District Energy	CO	Buildings - 33% (CAEE)
Waste Heat	NOx	Residential
Geothermal	SOx	Commercial
Co-generation	VOC's	Industrial
Solar	PM ₁₀	Transportation - 11%
Clean Fuels	PM _{2.5}	Solid Waste - 12%
Wind		

- ### Next Steps – Community Plan
- Draft integrated plan – August 2007 ????
 - Needs high level coordination with planners in member municipalities
 - Public Consultation – Fall 2007
 - Plan approval – late 2007/08



RDN	
CAO	GMF&IS
GMDS	GMR&PS
GMES	GMTS
MAY 14 2007	
SMCA	
CHAIR	BOARD

MEMORANDUM

TO: Paul Thorkelsson
General Manager, Development Services

DATE: May 10, 2007

FROM: Paul Thompson
Manager, Long Range Planning

FILE: 5290-05

Carey McIver, Manager, Solid Waste

SUBJECT: Community Action on Energy Efficiency Gold Pilot Project

PURPOSE

To seek approval from the Board to participate in the Ministry of Energy, Mines and Petroleum Resources' (MEMPR) Community Action on Energy Efficiency (CAEE) Gold Pilot Project.

BACKGROUND

In November 2006, the Regional District of Nanaimo (RDN) became a Project Partner in the MEMPR's CAEE program after a successful application for funding to support energy efficiency in community buildings. In return for a \$17,500 grant, staff agreed to consider and recommend that the Board endorse the MEMPR's Energy Efficient Buildings Strategy and implement at least one of the targets contained within it:

Building Sector	Energy Efficiency Target
New single family and row house residential buildings	Achieve an EnerGuide for New Houses rating of 80 by 2010, reducing average energy consumption in new homes by 32%.
New multi-unit residential buildings	Achieve energy performance of 25% better than Model National Energy Code for Building by 2010, reducing average energy consumption by 37%.
Existing single family and row house residential buildings	Reduce the energy consumption in 12% of existing buildings by an average of 17% by 2010.
Existing multi-unit residential buildings	Reduce the energy consumption in 16% of existing buildings by an average of 9% by 2010.
New industrial, commercial and institutional buildings	Achieve energy performance 25% better than Model National Energy Code for Building by 2010 and reduce the average energy consumption by 20%.
Existing industrial, commercial and institutional buildings	Reduce the energy consumption in 20% of existing buildings by an average of 14% by 2010.

The grant provided through the CAEE program has been used to: review existing CAEE building energy efficiency policies and tools and consider region-wide implementation (particular attention is being paid to the sustainability checklist for new construction); estimate CAEE reductions; develop an implementation plan that includes full cost accounting; hold information sessions with RDN member municipalities and the development community; and develop a strategy for future involvement with the CAEE program.

On February 23, 2007, the MEMPR released another call for applications for the CAEE Gold funding program. Under this funding call the MEMPR agreed to grant between \$50,000 and \$200,000 per community provided the council or board commits to undertake the following:

1. Implement at least one of the targets in the provincial energy efficiency strategy for buildings;
2. Develop a work plan to achieve the target(s);
3. Implement a policy that sets an energy efficiency target of at least 25% below Model National Energy Code for Buildings (MNECB) for new local government funded, owned, managed or occupied buildings;
4. Pursue a comprehensive retrofit of at least 50% of existing local government owned and managed building floor space with energy efficiency improvements that provide simple paybacks of 7 years or less through energy savings; and,
5. Participate in a working group with MEMPR, the Ministry of Community Services and the Office of Housing and Construction Standards to implement incentive and /or regulatory measures to achieve one or more of targets for new and existing buildings that align with the 2007 BC Energy Plan.

A new application was submitted on March 16, 2007 requesting \$150,000 to undertake the following projects contained in the approved Green Buildings Action Plan and RDN Corporate Climate Change Plan:

CAEE Initiative	Project	Costs
Energy Efficiency Targets	Assessment of Green Buildings Opportunities	\$10,000
	Assessment of Green Buildings Barriers	\$25,000
	Assessment of Options for Retrofitting Existing Stock	\$15,000
	Assessment of options for encouraging Green Building construction	\$30,000
Targets for RDN Buildings	Feasibility Study for geothermal heating for Ravensong Aquatic Centre	\$20,000
	Design costs for Energy Efficient Addition to Administration Building (min. standard is 25% below MNEC)	\$20,000
Internal Staff Education	Linking CAEE Targets with existing programs (Regional Growth Strategy, State of Sustainability, and the RDN Strategic Plan)	\$10,000
	Hire Sustainability Coordinator 3.5 months earlier than planned	\$20,000
TOTAL		\$150,000

The MEMPR advised the RDN on March 30, 2007 that it was one of 10 communities selected for CAEE Gold funding. Each successful community has been offered a financial incentive of \$50,000 to assist with the costs of implementing energy efficiency targets for both private and public sector new and existing buildings.

MEMPR recognizes that the amount of funding is less than requested but hopes that it still allows the RDN to make significant strides in implementing energy efficiency. Based on a \$50,000 incentive, staff recommends that the following projects be undertaken if the Board agrees to commit to the CAEE Gold targets:

CAEE Initiative	Project	Costs
Energy Efficiency Targets	Assessment of Green Buildings Opportunities	\$10,000
Targets for RDN Buildings	Feasibility Study for geothermal heating for Ravensong Aquatic Centre	\$20,000
Internal Staff Education	Hire Sustainability Coordinator earlier than planned.	\$20,000
TOTAL		\$50,000

ALTERNATIVES

1. That the Board support continued RDN participation in the Community Action on Energy Efficiency Pilot Project and agree to meet the five conditions of the CAEE Gold funding program.
2. That the Board not support continued RDN participation in the Community Action on Energy Efficiency Pilot Project and decline to commit to implementing the five conditions of the CAEE Gold funding program.

FINANCIAL IMPLICATIONS

Alternative No. 1

Under Alternative No. 1 the RDN would receive a \$50,000 incentive that could be used to advance sustainability initiatives such as the Green Buildings Strategy and the Corporate Climate Change Plan. This money would be used to hire the recently approved Sustainability Coordinator position earlier than planned and to undertake a feasibility study of geothermal heating at the Ravensong Aquatic Centre, which is one of the actions identified in the recently approved RDN Corporate Climate Change Plan.

In exchange for this funding, the RDN Board must agree to the five conditions outlined on page 2 of this report. Conditions 1-3 and 5 will not require a further financial commitment from the RDN as they are largely policy and planning related and are either already in RDN staff work plans or will be covered by the \$50,000 incentive. However, condition No. 4 requires that the Board make a *“commitment to pursue a comprehensive retrofit of at least 50% of existing local government owned and managed floor space with energy efficiency improvements that provide simple paybacks of 7 years or less through energy savings.”*

Agreeing to this condition will require a commitment by the Board to budget for the costs of retrofitting 50% of floor space in RDN buildings. The intent is to recoup these costs through energy savings but they will still require an initial capital investment.

Comprehensive building retrofits is part of the RDN Corporate Climate Change Plan and includes lighting, heating and cooling systems, controls, insulation and windows. The first step is an energy audit of buildings and pumps. The cost of the retrofits will not be known until the audits are completed. With the current provincial and federal interest in reducing energy consumption and green house gases, there will likely be opportunities to acquire additional funding and grants for the retrofits.

By adopting the Corporate Climate Change Plan the Board has already committed to undertake the RDN building retrofits. Agreeing to the conditions of the CAEE Gold Pilot Project reaffirms that commitment.

Alternative No. 2

Under Alternative No. 2 the Board will not receive the \$50,000 incentive and will not be able to hire the Sustainability Coordinator earlier than planned nor proceed this year with the feasibility study on geothermal heating at the Ravensong Aquatic Centre.

STRATEGIC PLAN IMPLICATIONS

The CAEE Gold targets support the strategic priorities contained in the 2006-2009 Strategic Plan to:

- 1) Promote sustainable development initiatives and policies throughout the region
- 2) Increase understanding in the public, the media, and the development industry of the importance of growth management and sustainable development
- 3) Develop corporate and community energy and climate change plans for the region; and,
- 4) Promote public education on energy and climate change issues

INTERGOVERNMENTAL IMPLICATIONS

These new buildings standards are intrinsic to the Provincial government's new Energy Plan, released by the Premier and the Minister of Energy, Mines and Petroleum Resources on February 27, 2007. It is understood that changes to Provincial legislation are anticipated in support of the Provincial Energy Plan.

CITIZENS/PUBLIC RELATIONS IMPLICATIONS

The implementation of the new buildings targets will affect the development community since the onus will be on the developer to meet the targets for new buildings. A workplan will be developed that will outline the policy, regulatory and incentive measures that the RDN could take to achieve the targets. The workplan will include a consultation program to make sure the development community is aware of the targets and the processes to be put in place to administer application of the targets.

Since the CAEE targets are intrinsic to the Provincial Energy Plan, staff is of the opinion that the RDN is being proactive and progressive by adopting these targets at this time. In this manner, the development community will be better prepared when the Province mandates these targets.

ENVIRONMENTAL IMPLICATIONS

The MEMPR CAEE targets for new and existing buildings are designed to reduce energy consumption in buildings and therefore the harmful greenhouse gas emissions and air contaminants associated with energy consumption in buildings.

For existing buildings, the estimated reductions are 1,373 MJ of energy and an associated 26,071 tonnes of CO₂ (the 2002 baseline emissions for community buildings is 153,357 tonnes).

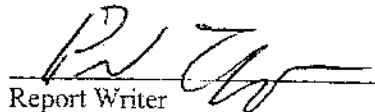
For new buildings, the estimated impact of the CAEE targets is approximately 400 MJ of energy and 3,500 tonnes of CO₂. These estimates are extremely conservative since the impact of offsetting natural gas consumption is difficult to estimate as market penetration of new building technology by the development community is largely unknown.

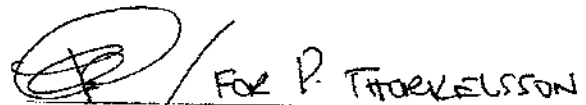
SUMMARY/CONCLUSIONS

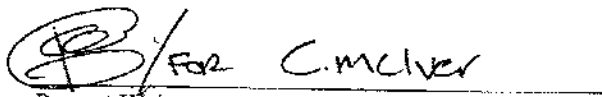
The RDN is a member of the MEMPR CAEE Program and could receive \$50,000 as a result of a second application to the program in March 2007. This recent financial incentive was provided to the RDN subject to the Board agreeing to five conditions including implementing one or more of the MEMPR's Energy Efficient Buildings Strategy targets for existing and new buildings.

RECOMMENDATIONS

1. That the Board endorse the Provincial Ministry of Energy, Mines, and Petroleum Resources' Community Action on Energy Efficiency targets for new and existing buildings.
2. That the Board implement the Provincial Ministry of Energy, Mines, and Petroleum Resources' Community Action on Energy Efficiency target for new industrial, commercial and institutional buildings to achieve energy performance 25% better than the Model National Energy Code for Buildings by 2010 and reduce the average energy consumption by 20%.
3. That the Board Implement a policy that sets an energy efficiency target of at least 25% below Model National Energy Code for Buildings (MNECB) for new local government funded, owned, managed or occupied buildings;
4. That the Board pursue a comprehensive retrofit of at least 50% of existing local government owned and managed building floor space with energy efficiency improvements that provide simple paybacks of 7 years or less through energy savings; and,
5. That the Board participate in a working group with MEMPR, the Ministry of Community Services and the Office of Housing and Construction Standards to implement incentive and/or regulatory measures to achieve one or more of the targets for new and existing buildings that align with the 2007 BC Energy Plan.


Report Writer


General Manager Concurrence


Report Writer


CAO Concurrence

COMMENTS:

Development Services\Long Range Planning\MISC\Reports\CAEE Gold Report to Board May 9 2007.doc



RDN	
CAO	GMP&IS
GMDS	GMR&PS
GMES	GMTS
MAY - 4 2007	
SMCA	
CHAIR	BOARD

MEMORANDUM

TO: C. Mason
Chief Administrative Officer

DATE: April 14, 2007

FROM: N. Avery
General Manager, Finance & Information Services

FILE:

SUBJECT: Duke Point Sewer Service Development Cost Charge and Capital Charge Bylaws

PURPOSE:

To introduce for first three readings "Duke Point Sewer Local Service Area Development Cost Charges Bylaw No. 1498, 2007" and "Duke Point Sewer Local Service Area Capital Charge Bylaw No. 1528, 2007".

BACKGROUND:

In 2005 staff introduced bylaws associated with the expansion of the boundaries of the Duke Point Sewer Local Service to include certain properties in the Cedar village core in Electoral Area 'A'. The bylaws established charges to be collected from new properties in order to finance the future expansion of the Duke Point wastewater treatment plant. In April of this year staff introduced a series of bylaws which will add additional properties in Electoral Area A. Staff have reviewed the development cost charges and capital charge bylaws previously introduced and are recommending changes based on final building units. The two bylaws introduced in late 2005 will be repealed and replaced.

ALTERNATIVES:

1. Introduce the bylaws as presented.
2. Make no changes at this time.

FINANCIAL IMPLICATIONS:

Alternative 1

"Cedar Sewer Service Area Development Cost Charge Bylaw No. 1447" has not been adopted and will be rescinded at third reading. The "Duke Point Sewer Local Service Area Development Cost Charges Bylaw No. 1498" replaces Bylaw No. 1447 for the same purpose, but has been fine tuned following the recommendations in the Province's Best Practices Guide for Development Cost Charges. Bylaw No. 1498 establishes charges for new development in the Cedar village core area, such as new lots created by subdivision or additional dwelling units constructed on existing land. The charges will be collected for the future expansion of the Duke Point treatment plant. Properties within the original boundaries of the Duke Point Sewer Service area are exempt from this bylaw because they have already contributed to a plant which is sufficient to service them even if the industrial park were to be fully developed. The charge is \$2,246.24 per residential unit or lot. Commercial, institutional and industrial rates are expressed as a rate

per square meter. There is one exception to the current rate structure and that is for the Cedar Estates property itself. The original bylaw included a rate of \$1,685 for each residential unit based on construction estimates at that time. A further two years has elapsed as the developer worked to obtain the support of properties in Cedar for this project. Staff recommend that this property be afforded the original rate in recognition of the considerable efforts to complete this project. This bylaw requires Ministry approval.

“Duke Point Sewer Local Service Area Capital Charge Bylaw No. 1528” replaces Bylaw 1523 (capital charge for properties in the Duke Point Industrial Park) to include the same rate structure for properties in Electoral Area A as developed for Bylaw 1498. The reason for this is that these charges are for the same purpose as the development cost charges in Bylaw 1498. However, because most of the properties to be connected within Electoral Area A are already developed, development cost charges do not apply. “Cedar Sewer Service Area Capital Charge Bylaw No. 1446, 2005” will also be repealed. The Board may adopt this bylaw without further approvals.

Alternative 2

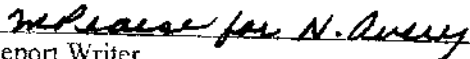
Both of these bylaws follow upon the agreement of the City of Nanaimo, which consented to removing Electoral Area A from the Southern Community Sewer Service Area and to including it as a participant in the Duke Point Sewer Service. Properties in the urban containment boundary of Electoral Area A can proceed to construct and connect to the treatment plant. Staff recommend approving both bylaws as presented.

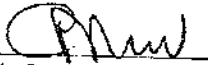
SUMMARY/CONCLUSIONS:

Staff are introducing two bylaws which follow from the introduction of bylaws to construct a sewer collector system in Electoral Area A – Cedar, B.C. Bylaw 1498 establishes a development cost charge for new or redeveloping properties and Bylaw 1528 (capital charge) establishes the same rate structure for existing properties in Electoral Area ‘A’. A development cost charge bylaw must be approved by the Ministry of Community Services, a capital charge bylaw can be adopted directly by the Board. Staff recommend introducing both bylaws for three readings and adopting them together when Provincial approval is obtained.

RECOMMENDATIONS:

1. That “Duke Point Sewer Local Service Area Development Cost Charges Bylaw No. 1498, 2007” be introduced, read three times and forwarded to the Ministry of Community Services for approval.
2. That “Duke Point Sewer Local Service Area Capital Charge Bylaw No. 1528, 2007” be introduced, read three times.


Report Writer


C.A.O. Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1498

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES WITHIN THE DUKE POINT SEWER LOCAL SERVICE AREA

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to Section 933 of the *Local Government Act*, impose development cost charges under the terms and conditions of that section;

AND WHEREAS development cost charges may be imposed for the purpose of providing funds to assist a Regional District to pay the capital cost of providing, constructing, altering or expanding wastewater treatment facilities, including treatment plants, trunk lines, pump stations and other associated works in order to serve, directly or indirectly, the development for which the charges are imposed;

AND WHEREAS in establishing the development cost charges under this bylaw, the Board has considered the future land use patterns and development, and the phasing of works and services within the boundaries of the Duke Point Sewer Local Service Area;

AND WHEREAS the Board is of the opinion that the development cost charges imposed under this bylaw:

- (a) are not excessive in relation to the capital costs of prevailing standards of service,
- (b) will not deter development, and
- (c) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land, within the Duke Point Sewer Local Service Area.

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

1. INTERPRETATION

In this bylaw:

"Assisted living" means a building or buildings used for multiple family residential use where there may be common facilities and a cafeteria or eating area, but where residents are ambulatory and live in private rooms or units which can be locked and which are not automatically accessible to care staff.

"Building" means any structure and portion thereof, including mechanical rooms that are used or intended to be used for the purpose of supporting or sheltering any use or occupancy.

"Commercial Use" means the use of land or buildings for any retail, tourist accommodation, restaurant, personal or professional services, commercial entertainment or commercial recreational use, and any other business use which is not an industrial or institutional use.

"DCC" means a development cost charge.

"Dwelling Unit" means one self-contained unit with a separate entrance intended for year-round occupancy, and the principal use of such dwelling unit is residential, with complete living facilities for one or more persons, including permanent provisions for living, sleeping, cooking and sanitation.

"Gross Floor Area" means the total of the horizontal areas of all floors in a building, including the basement, measured to the outside of the exterior walls of the building.

"Industrial Use" means the use of land or buildings for any manufacturing, processing, repair, storage, wholesaling or distribution of goods.

"Institutional Use" means the use of land or buildings for any school, hospital, correctional facility, care facility, sport field or for the purpose of a public body or publicly regulated utility, but does not include "assisted living" uses.

"Lot" means a parcel created by registration of a subdivision under the *Land Title Act* (British Columbia) or the Bare Land Strata regulation under the *Strata Property Act* (British Columbia).

"Mobile Home Park" means an unsubdivided parcel of land, not subdivided pursuant to the *Strata Property Act* and amendments thereto, on which are situated three or more mobile homes for the purpose of providing residential accommodation, but specifically excludes a hotel.

"Multiple Family Residential" means a building or buildings containing two or more dwelling units on a parcel and includes row housing, cluster housing, townhouses, apartment and "assisted living" uses.

2. APPLICATION

- i) This bylaw applies to properties within a sewer service area established within the boundaries of Electoral Area A. The charges are as outlined on Schedules 'A' and 'C' attached to this bylaw.
- ii) Where there is a structure existing on the property at the time a boundary expansion of a sewer service area in Electoral Area A is proposed this bylaw will not apply and in its place a charge under "Duke Point Sewer Local Service Area Capital Charge Bylaw No. 1528" including subsequent amendments or revisions shall apply.

3. CHARGES

- i) Every person who obtains:
 - a) approval of the subdivision for any purpose of a parcel of land under the *Land Title Act* the *Strata Property Act* which creates fee simple or bare land strata lots;
 - b) a building permit authorizing the construction, alteration or extension of a building that will, after the construction, alteration or extension, be put to no other use, other than the residential use in those dwelling units,
 - c) a building permit for any new floor area which has a construction value in excess of \$50,000.00

shall pay, at the time of the approval of the subdivision or the issuance of the building permit, the applicable development cost charges as set out in Schedule 'C' attached to and forming part of this bylaw.

- ii) The charges outlined on Schedules 'A' and 'C' will be based on the actual use of the building, not the zoning category of the property; and
 - a) where there is more than one use, each use is subject to the charge based on the actual use and there may be more than one category applied per building.
 - b) mezzanines, storage or similar areas within a building are subject to development cost charges based on the same use that the majority of the building contains.
 - c) where a building is vacant and its future use cannot be determined, development cost charges are payable in accordance with the zoning category for the land upon which the building is situated.

4. EXCEPTIONS

- a) Section 3 does not apply to a subdivision or building in respect of which the imposition of a development cost charge is prohibited by statute.
- b) Section 3 does not apply to the first dwelling unit constructed on a lot.

5. GRACE PERIOD

The rates contained within this bylaw will be effective the date of adoption.

6. **REMAINDER OF BYLAW TO BE MAINTAINED INTACT**

In the event that any portion of this bylaw is declared ultra vires, such portion shall be severed from this bylaw with the intent that the remainder of this bylaw shall continue in full force and effect.

7. **REPEAL**

The "Cedar Sewer Service Development Cost Charges Bylaw No. 1447, 2005" is hereby repealed at third reading.

8. **TITLE**

This bylaw may be cited for all purposes as "Duke Point Sewer Local Service Area Development Cost Charges Bylaw No. 1498, 2007".

Introduced for first three readings this 22nd day of May, 2007

Approved by the Inspector of Municipalities this _____ day of _____, 2007.

Adopted this _____ day of _____, 2007.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Chairperson

Sr. Mgr., Corporate Administration

Development Cost Charges for Wastewater Treatment/Sanitary Sewer Works and Services

1. The assist factor for wastewater treatment/sanitary sewerage works and services under this bylaw shall be 1%.
2. All charges shall be paid in full prior to the approval of a subdivision or building permit unless paid by way of installments in accordance with BC Reg 166/84.
3. The Development Cost Charge Schedule is as follows:

For the property legally described as a portion of Remainder Lot A, Plan VIP57874, Section 14, Range 1, Cedar Land District and Lot 6, Plan VIP59634, Section 14, Range 1, Cedar Land District and which is otherwise shown outlined on Schedule 'B' attached hereto, the charges in Table 1 apply until the completion of works and services under Rezoning Application File ZA0510.

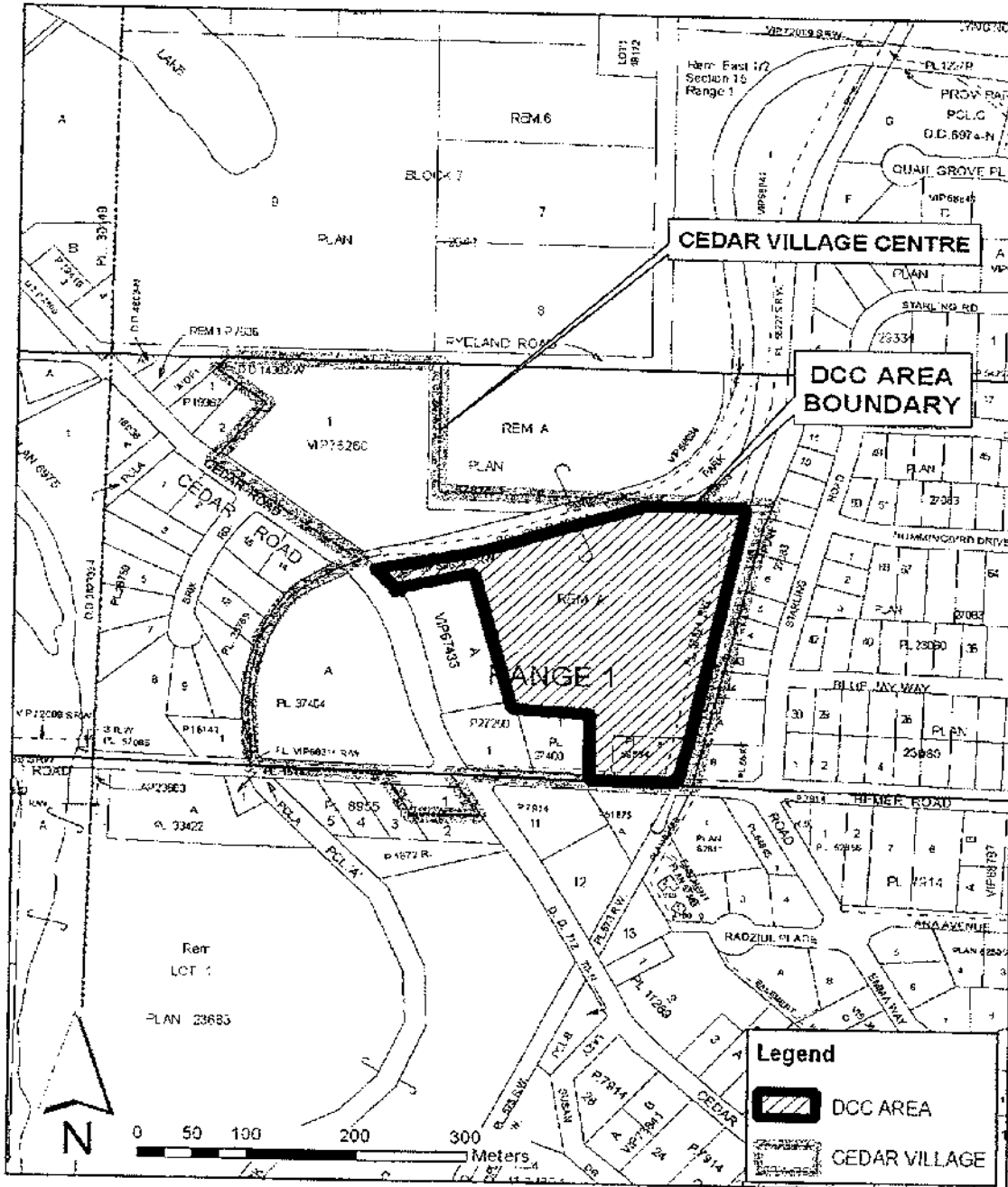
Table 1

Category	Subdivision	Building Permit
Single Family	\$1,685 per lot created	\$1,685 per unit constructed
Multi-Family/Assisted Living	\$1,685 per lot created	\$1,685 per unit constructed

Schedule 'B' to accompany "Duke Point Sewer Service Development Cost Charges Bylaw No.1498, 2007"

Chairperson

Sr. Mgr., Corporate Administration



SOGS Map Sheet No. 92C 001 4.3

Chairperson

Sr. Mgr., Corporate Administration

Development Cost Charges for Wastewater Treatment/Sanitary Sewer Works and Services

1. The assist factor for wastewater treatment/sanitary sewerage works and services under this bylaw shall be 1%.
2. All charges shall be paid in full prior to the approval of a subdivision or building permit unless paid by way of installments in accordance with BC Reg 166/84.
3. The Development Cost Charge Schedule is as follows:

For properties within the boundaries of a sewer service area in Electoral Area A except as outlined in Schedule 'B', the charges apply pursuant to Table 2:

Table 2

Category	Subdivision	Building Permit
Single Family	\$2,246.24 per lot created	\$2,246.24 per unit constructed
Multi-Family		\$2,246.24 per unit constructed
Assisted Living		\$935.93 per unit constructed
Mobile Home Park		\$2,246.24 per service connection to each mobile home unit
Commercial		\$4.68 per m ² or part thereof of floor space constructed or altered
Industrial		\$46,796.59 per ha of gross site area
Institutional		\$1.17 per m ² or part thereof of floor space constructed or altered

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1528

A BYLAW TO ESTABLISH CAPITAL CHARGES FOR THE DUKE POINT SEWER LOCAL SERVICE AREA

WHEREAS the Board of the Regional District of Nanaimo has by Bylaw 1523 established a capital charge for certain industrial lands within the City of Nanaimo;

AND WHEREAS the Duke Point Sewer Local Service Area has been expanded to provide wastewater treatment services to properties located within a portion of Electoral Area 'A';

AND WHEREAS Section 363 of the *Local Government Act* authorizes a Board, by bylaw, to impose a fee or charge in respect of all or part of a service of the Regional District;

AND WHEREAS the Board considers it reasonable to apply a charge against properties within Electoral Area A which shall be used as a contribution to the cost of improvements to the wastewater treatment facilities;

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

1. INTERPRETATION

In this bylaw:

"Assisted living" means a building or buildings used for multiple family residential use where there may be common facilities and a cafeteria or eating area, but where residents are ambulatory and live in private rooms or units which can be locked and which are not automatically accessible to care staff.

"Building" means any structure and portion thereof, including mechanical rooms that are used or intended to be used for the purpose of supporting or sheltering any use or occupancy.

"Commercial Use" means the use of land or buildings for any retail, tourist accommodation, restaurant, personal or professional services, commercial entertainment or commercial recreational use, and any other business use which is not an industrial or institutional use.

"Capital Charge" means a charge imposed in accordance with this bylaw.

"Dwelling Unit" means one self-contained unit with a separate entrance intended for year-round occupancy, and the principal use of such dwelling unit is residential, with complete living facilities for one or more persons, including permanent provisions for living, sleeping, cooking and sanitation.

"Gross Floor Area" means the total of the horizontal areas of all floors in a building, including the basement, measured to the outside of the exterior walls of the building.

"Industrial Use" means the use of land or buildings for any manufacturing, processing, repair, storage, wholesaling or distribution of goods.

"Institutional Use" means the use of land or buildings for any school, hospital, correctional facility, care facility, sport field or for the purpose of a public body or publicly regulated utility, but does not include "assisted living" uses.

"Lot" means a parcel created by registration of a subdivision under the *Land Title Act* (British Columbia) or the Bare Land Strata regulation under the *Strata Property Act* (British Columbia).

"Mobile Home Park" means an unsubdivided parcel of land, not subdivided pursuant to the *Strata Property Act* and amendments thereto, on which are situated three or more mobile homes for the purpose of providing residential accommodation, but specifically excludes a hotel.

"Multiple Family Residential" means a building or buildings containing two or more dwelling units on a parcel and includes row housing, cluster housing, townhouses, apartment and "assisted living" uses.

2. APPLICATION

- i) The charges listed in Schedule 'A' to this bylaw apply to properties shown outlined on Schedule 'B' to this bylaw.
- ii) The charges listed in Schedule 'C' to this bylaw apply to properties added to a sewer service area established within the boundaries of Electoral Area 'A'.
- iii) Where there is a structure existing on the property at the time a boundary expansion is proposed under Section 2(ii) or 2(iii) this bylaw will apply in place of a charge under "Duke Point Sewer Local Service Area Development Cost Charges Bylaw No. 1498" and any subsequent amendments thereto."

3. CHARGES

- i) The charges payable under Schedule 'A' shall be paid prior to the introduction of a bylaw amending the boundaries of the Duke Point Sewer Local Service Area.
- ii) The charges payable under Schedule 'C' shall be paid at the time of a building permit or connection to the sewer system.
- iii) The charges outlined on Schedule 'A' or 'C' will be based on the actual use of a building, not the zoning category of the property; and,
 - a) where there is more than one use, each use is subject to the charge based on the actual use and there may be more than one category applied per building.

- b) mezzanines, storage or similar areas within a building are subject to capital charges based on the same use that the majority area of the building contains.
 - c) where a building is vacant and its future use cannot be determined, capital charges are payable in accordance with the zoning category for the land upon which the building is situated.”
4. A charge imposed under Section 2 shall be increased January 1 of each year by an amount equal to three percent (3%) of the amount of the charge in the immediately preceding year.
 5. “Cedar Sewer Local Service Area Capital Charge Bylaw No. 1446, 2005” and “Duke Point Sewer Local Service Area Capital Charge Bylaw No. 1523, 2007” are repealed effective with the adoption of this bylaw.
 6. This bylaw may be cited for all purposes as “Duke Point Sewer Local Service Area Capital Charge Bylaw No. 1528, 2007”.

Introduced and read three times this 22nd day of May, 2007.

Adopted this 22nd day of May, 2007.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Schedule 'A' to accompany "Duke Point
Sewer Local Service Area Capital Charge
Bylaw No. 1528, 2007"

Chairperson

St. Mgr., Corporate Administration

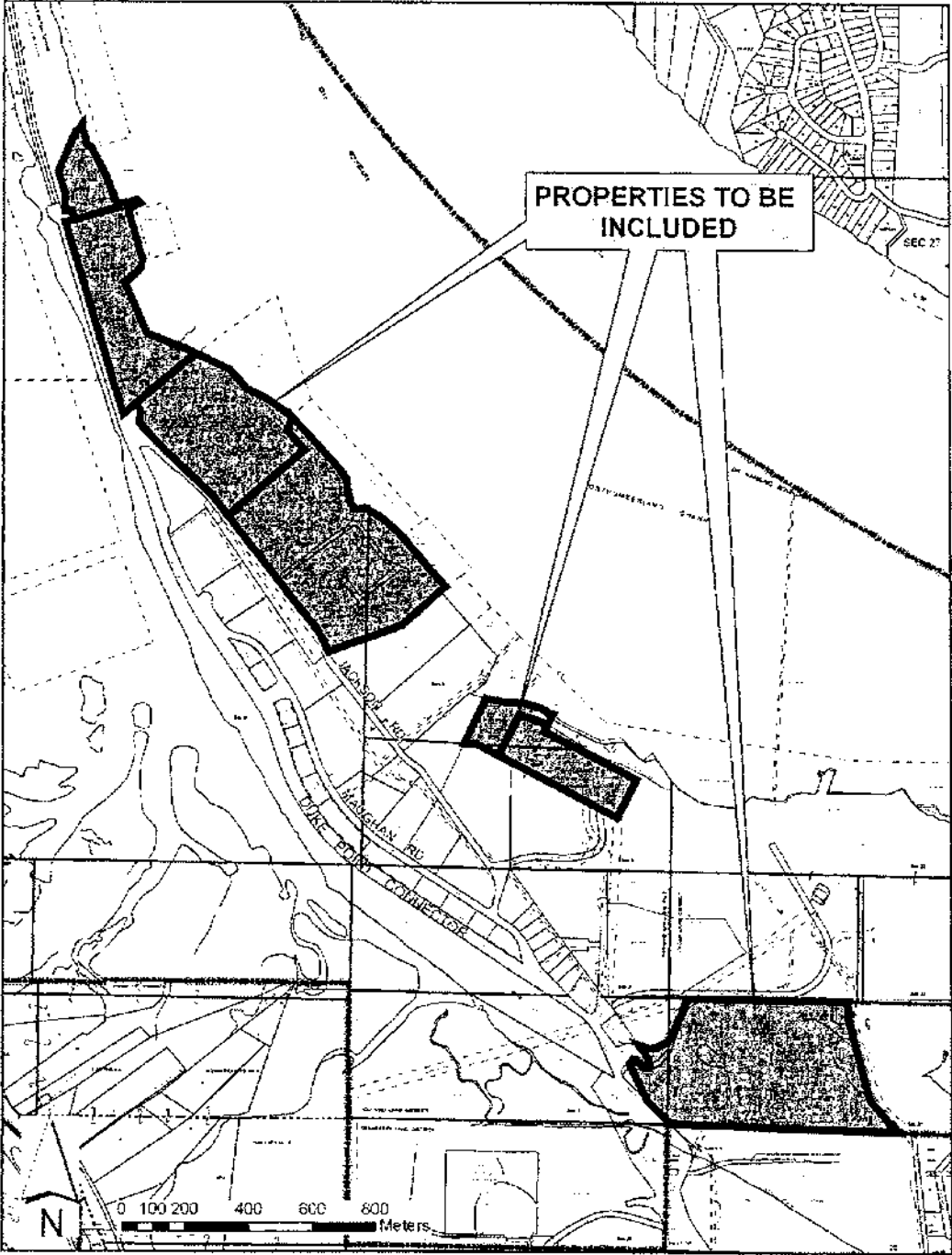
Capital Charge for Wastewater Treatment/Sanitary Sewer Works and Services

For properties shown outlined on Schedule 'B' attached hereto the charge shall be \$47,200.

Schedule 'B' to accompany "Duke Point
Sewer Local Service Area Capital Charge
Bylaw No. 1528, 2007"

Chairperson

Sr. Mgr., Corporate Administration



Chairperson

Sr. Mgr., Corporate Administration

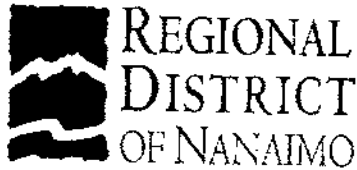
Capital Charges for Wastewater Treatment/Sanitary Sewer Works and Services

For properties within the boundaries of a sewer service area in Electoral Area A, the charges apply pursuant to Table 2:

Table 2

Category	Subdivision	Building Permit
Residential	\$2,246.24 per lot created (see below)	\$2,246.24 per unit existing
Residential lots	In the absence of a restrictive covenant granted under Section 219 of the <i>Land Title Act</i> registered in favour of the Regional District of Nanaimo the capital charge shall be the greater of: (a) \$2,246.24 per lot or (b) the number of gross residential units or gross number lots permitted under the zoning for the property without regard for road allowances or other subdivision requirements	
Land with a restrictive covenant	Where a restrictive covenant under Section 219 of the <i>Land Title Act</i> is registered in favour of the Regional District of Nanaimo, the fee shall be: \$2,246.24 times the maximum number of units or lots permitted in the restrictive covenant	
Multi-Family		\$2,246.24 per unit existing
Assisted Living		\$935.93 per unit existing
Mobile Home Park		\$2,246.24 for each existing service connection to a mobile home unit
Commercial		\$4.68 per m ² or part thereof of existing floor space
Industrial		\$46,796.59 per ha of gross site area
Institutional		\$1.17 per m ² or part thereof of constructed floor space

- (1) Where a restrictive covenant is requested to be discharged, the owner of the land shall, prior to the discharge of the restrictive covenant pay capital charges calculated in accordance with the Residential rates shown in the table above less the amount paid at the time of the original boundary amendment.



MEMORANDUM

RDN		
CAO	GMI&IS	
GMS	GMR&PS	
APR 24 2007		GMS
SMCA		
CHAIR	BOARD	

TO: C. Mason
Chief Administrative Officer

DATE: April 21, 2007

FROM: N. Avery
Gen. Mgr., Finance & Information Services

FILE:

SUBJECT: Duke Point Sewer Local Service Area Connection Agreement

PURPOSE:

To obtain Board support for an agreement outlining conditions for the connection of properties outside of the Duke Point industrial park.

BACKGROUND:

The Duke Point Treatment Plant is the subject of a prior agreement whereby the Regional District acknowledges that the plant is reserved for the sole use of properties within the Duke Point Industrial Park in the City of Nanaimo. At present there is considerable excess operating capacity at the plant and in the last year the City has agreed to permit certain properties within the urban containment boundaries of Electoral Area 'A' (Cedar Sewer Service) to be connected to the Duke Point plant for sewage treatment purposes. To date the following has occurred:

1. The boundaries and participants in the Southern Community Sewer Service have been amended to remove Electoral Area 'A'.
2. The boundaries and participants in the Duke Point Sewer Service have been amended to add properties within the Cedar Sewer Service area in Electoral Area 'A'.
3. A bylaw to amend the formula for allocating the annual costs for the Duke Point Sewer Service has been introduced for adoption.
4. A capital charge and development cost charges bylaws for the purposes of contributions to the future expansion of the Duke Point treatment plant have been introduced for adoption.

Attached to this report is a supplementary agreement outlining the understanding between the Regional District and the City of Nanaimo with respect to the future use of the Duke Point treatment plant. The agreement reiterates that there is an original capacity of the plant which is reserved for use by the City of Nanaimo and that a restricted number of connections is available within Electoral Area 'A'. The Regional District is committed to the extent it is able within its legislative authority to collect funds for the expansion of the plant as a result of using some of the current capacity. Only properties within the urban containment boundaries of Electoral Area 'A' may be connected to the treatment plant, unless there is a health or environmental reason. Connection of a property as a result of a health or environmental reason will not facilitate additional development beyond the zoning applicable at the time the property is approved for a connection. Under the agreement the City also acknowledges that once the Duke Point

plant is expanded there is no further reserved capacity and that the Regional District will operate the plant and allocate costs as fits the circumstances at that time.

ALTERNATIVES:

1. Approve the agreement as presented.
2. Amend the agreement and approve an amended agreement.
3. Do not approve the agreement and direct it back to staff for further consideration.

FINANCIAL IMPLICATIONS:

Alternative 1

Within the overall context of all of the bylaws noted above and the agreement attached to this report staff anticipate that all costs to operate the plant will be appropriately distributed between current and future users. City of Nanaimo staff have been consulted on all of the documents and have indicated their concurrence.

Alternatives 2 or 3

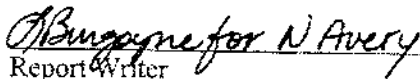
The agreement on its own will not affect the outcome of the bylaws should they be adopted. The agreement does however ensure that all parties have a clear understanding of the conditions under which sewage treatment will be available to Electoral Area 'A'.

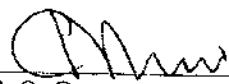
SUMMARY/CONCLUSIONS:

A number of bylaws have been introduced with regard to changes being made to the Duke Point Sewer Service, which will allow properties within Electoral Area 'A' access to wastewater treatment and the installation of a community sewer collector system. The agreement attached to this report, formalizes the understanding between the City of Nanaimo and the Regional District regarding the original reserved capacity of the Duke Point Treatment Plant and establishes that the urban containment boundary and growth strategy principles will be followed as the serviced areas in Electoral Area 'A' are expanded. The agreement has been reviewed by City of Nanaimo staff and meets with their approval.

RECOMMENDATION:

That the Board approve the attached agreement regarding the future use of the Duke Point treatment plant by properties in Electoral Area 'A' and authorize the Chair and Senior Manager Corporate Administration to execute the agreement.


Report Writer


C.A.O. Concurrence

COMMENTS:

DUKE POINT SEWER SERVICE CONNECTION AGREEMENT

THIS AGREEMENT made this day of , 2007

BETWEEN:

REGIONAL DISTRICT OF NANAIMO
6300 Hammond Bay Road,
Nanaimo, British Columbia, V9T 6N2
(hereinafter called the "RDN")

OF THE FIRST PART

AND:

CITY OF NANAIMO
455 Wallace Street
Nanaimo, British Columbia, V9R 5J6
(hereinafter called "the City")

OF THE SECOND PART

WHEREAS:

- A. The RDN established by its Bylaw No. 1004 a service for the collection, conveyance and treatment of sewage within the City of Nanaimo, known as the Duke Point Sewer Service;
- B. The RDN and the City have by way of agreement dated August 12, 1998 provided that the Capacity of the Duke Point treatment plant shall be reserved for the benefit of properties within the City of Nanaimo as shown outlined on Schedule A attached hereto;
- C. The volume of sewage flow from properties outlined on Schedule A is currently less than 10% of the total Capacity;
- D. The RDN has been advised by its consultants, Associated Engineering Ltd., that the Duke Point Treatment plant can, if Surcharged, treat sewage flows for an additional 222 Equivalent Single Family Units per day.

NOW, THEREFORE, in consideration of the premises and the covenants made herein the parties covenant and agree as follows:

1. **Definitions**

In this Agreement the following words shall have the following meanings:

- (i) **“Capacity”** means the capacity of the Duke Point wastewater treatment plant at the time that this agreement is executed, estimated to be 910 cu m per day or sewage from 1,011 Equivalent Single Family Units per day.
- (ii) **“Equivalent Single Family Units”** is the measure of the volume of sewage which may be treated at the Duke Point Treatment plant expressed as single family units. A single family unit contains 2.4 persons, which represents the number of persons in a typical household in the RDN. The number of Equivalent Single Family Units for the Duke Point treatment plant has been confirmed by the RDN’s consultants at the date of this agreement, known as Associated Engineering Ltd.
- (iii) **“Equivalent Population Units”** means:
 - a. for the Duke Point treatment plant the capacity of 1,011 units times 2.4 persons or 2,426
 - b. for a Service Area the Surcharge capacity of 222 units times 2.4 persons or 533
- (iv) **“Sewer Collection Area”** means a sewer collection service area created by the RDN within the Urban Containment Boundary of Electoral Area ‘A’.
- (v) **“Surcharge”** means the use of engineering methods to increase the Capacity of the Duke Point Treatment Plant without physically expanding the plant to treat an additional 210 cu m per day which is equivalent to 222 Equivalent Single Family Units per day.

2. Connection of Properties

- a) The City will allow the connection of properties within Electoral Area ‘A’ as described in this agreement.
- b) Electoral Area ‘A’ has been removed as a participant in the Southern Community Sewer Service and has been added as a participant in the Duke Point Sewer Service; and
- c) The RDN has, with the consent of the City adopted Bylaw No. 1004.01 which extends the boundaries of the Duke Point Sewer Local Service Area to include properties in a Sewer Collection Area known as the “Cedar Sewer Service Area” established under the RDN’s Bylaw No. 1445.
- d) The Duke Point treatment plant Capacity is hereby reserved for the properties outlined on Schedule A attached to this agreement. The Capacity is agreed to be equal to 1,011 Equivalent Single Family Units or 2,426 Equivalent Population Units.
- e) The RDN may connect Sewer Collection Areas to the Duke Point Sewer Service up to a maximum of 222 Equivalent Single Family Units, which is hereby agreed to be equal to 533 Equivalent Population Units.

- f) Notwithstanding 2(e) above, connection of properties outside of the Electoral Area 'A' Urban Containment Boundary, may be approved by the RDN Board only for health and environmental reasons and such connection will not facilitate additional development of the property beyond the zoning applicable to the property at the time of its inclusion within a Sewer Collection Area.

OTHER CONSIDERATIONS

3. Cost Recovery

- a) The RDN will ensure, to the maximum extent possible within its legislative authority, that properties within the Sewer Collection Area pay the costs of expanding the Duke Point Treatment plant beyond its current Capacity.
- b) Any Sewer Collection Area will be solely responsible for the costs associated with connecting to the Duke Point Sewer Service facilities.
- c) The Regional District of Nanaimo shall install some form of meter that measures the flow of sewage from any Sewer Collection Area connected to the Duke Point treatment plant.
- d) The apportionment of annual costs among properties connected to the Duke Point treatment plant shall be defined under Bylaw 1004 and any subsequent amendment.
- e) Upon the expansion of the Duke Point treatment plant beyond its current Capacity, the City acknowledges that there is no further reserved Capacity for those properties outlined on Schedule A and that thereafter all costs will be apportioned as provided in any cost recovery methods established by the RDN from time to time.

4 General

- a) Time shall be of the essence for this Agreement.
- b) Nothing in this Agreement shall be interpreted as prejudicing or affecting the rights and powers of the RDN in the exercise of its functions under any public and private statutes, bylaws, orders and regulations, all of which may be fully and effectively exercised as if this Agreement had not been executed.
- c) This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors and permitted assignees.

- d) The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement shall not be construed as a waiver of any future or continuing failure, whether similar or dissimilar.
- e) The headings in this Agreement are inserted for convenience and reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.
- f) Wherever the singular masculine and neuter are used throughout this Agreement, the same shall be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.
- g) No remedy under this Agreement shall be deemed exclusive but shall, where possible, be cumulative with all other remedies at law or in equity.
- h) This Agreement shall be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

IN WITNESS WHEREOF the parties have hereto affixed their hands and seals the day, month and year first above written.

For the **REGIONAL DISTRICT OF NANAIMO**

 Chairperson

 Senior Manager Corporate Administration

)
)
)
)
)
)
)
)
)
)

For the **CITY OF NANAIMO**

 Mayor

 Authorized Signatory

)
)
)
)
)
)
)
)
)

SCHEDULE A

DUKE POINT SEWER SERVICE CONNECTION AGREEMENT

Industrial properties within the City of Nanaimo which are and may be connected to the Duke Point treatment plant

