

REGIONAL DISTRICT OF NANAIMO
REGULAR BOARD MEETING
TUESDAY, JULY 24, 2007
(immediately following the Hospital Board meeting)

(RDN Board Chambers)

A G E N D A

PAGES

1. **CALL TO ORDER**
2. **DELEGATIONS**
 - 8 **Bill Grose, re Animal Control Bylaw and Vicious Dog Designation.**
3. **BOARD MINUTES**
 - 9-21 **Minutes of the Board meeting held June 26, 2007.**
4. **BUSINESS ARISING FROM THE MINUTES**
5. **COMMUNICATIONS/CORRESPONDENCE**
 - 22 **K. Seggie, South Wellington and Area Community Association, re Airport.**
 - 23 **D. Wallace, J.E. Anderson and Associates, re Amendment of Conditions at 430 Evergreen Way.**
6. **UNFINISHED BUSINESS**
 - BYLAWS**
 - Public Hearing & Third Reading.**
 - 24-43 **Report of the Public Hearing held July 17, 2007 with respect to Bylaw Amendment Bylaw Nos. 239.03, 2007 and 500.341, 2007– Angela Quek, Pacific Edge Architecture Inc. on behalf of Kijosa Investment Corporation (Timberlands Pub) – 1680 Timberlands Road – Area A. (Electoral Area Directors except EA ‘B’ – One Vote)**

These bylaws are to discharge the existing Land Use Contract No. 98 and to rezone the property from Residential 6 (RS6) Subdivision District ‘D’ to Comprehensive Development Zone 36 (CD36).

For Adoption.

French Creek Sewer Local Service Amendment Bylaw No. 813.40. (All Directors – One Vote)

That “French Creek Sewer Local Service Area Amendment Bylaw No. 813.40, 2007” be adopted.

This bylaw is to include 679 Meadow Drive, 851 Reid Road and 1405 Sumar Road into the French Creek Sewer Local Service Area – Area G.

Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.45. (All Directors – One Vote)

That “Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.45, 2007” be adopted.

This bylaw is to include 679 Meadow Drive, 851 Reid Road and 1405 Sumar Road into the Northern Community Sewer Local Service Area – Area G.

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

7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE

44-45 Minutes of the Electoral Area Planning Committee meeting held July 10, 2007.
(for information)

PLANNING

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90705 – Gilley – 3063 Lofthouse Road – Area A. (Electoral Area Directors except EA ‘B’ – One Vote)

Delegations wishing to speak to Development Variance Permit Application No. 90705.

That Development Variance Permit Application No. 90705, to permit the siting of a barn located at Lot 2, Section 14, Range 5, Cedar District, Plan 9939, be approved subject to the terms outlined in Schedule No. 1, and subject to the Board’s consideration of comments received, as a result of public notification.

Development Variance Permit Application No. 90710 – LaRoche – SW Corner of the Benson Meadows Development (off Northwood Road) – Area C. (Electoral Area Directors except EA ‘B’ – One Vote)

Delegations wishing to speak to Development Variance Permit Application No. 90710.

That Development Variance Permit Application No. 90710, to permit the construction of a single residential dwelling with a maximum height of 11.5 m on the property legally described as Lot 16, Sections 12 and 13, Range 2, Mountain District, Plan VIP80085 on Northwood Road, be approved subject to the conditions outlined in Schedules No. 1 to 5 and notification requirements of the Local Government Act.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

46-50 Minutes of the Committee of the Whole meeting held July 10, 2007. (for information)

CORPORATE SERVICES

ADMINISTRATION

Special Occasion License/Special Event Permit – Status Report (All Directors – One Vote)

That the Special Occasion License/Special Event Permit Status Report be received for information.

FINANCE & INFORMATION SERVICES

Resolution to Lock in Rates for Long Term Debt. (All Directors – Weighted Vote)

That the officer responsible for the Financial Administration of the Regional District of Nanaimo be authorized to lock in interest rates with the Municipal Finance Authority on loan authorization Bylaw No. 1392 (Barclay Crescent Sewer) for the full term of the bylaw.

Administration Computer Equipment Reserve Expenditure. (All Directors – Weighted Vote)

That \$39,430 to purchase Storage Area Network (SAN) hardware and related software be approved as an expenditure from the “Administration Computer Equipment Reserve Fund Establishment Bylaw No. 924, 1994”.

Planning Services Fees & Charges Bylaw Amendment Bylaw No. 1259.05. (All Directors – One Vote)

1. *That “Regional District of Nanaimo Planning Services Fees and Charges Bylaw Amendment Bylaw No.1259.05, 2007” be introduced and read three times.*

(All Directors – 2/3)

2. *That “Regional District of Nanaimo Planning Services Fees and Charges Bylaw Amendment Bylaw No.1259.05, 2007” having been read three times, be adopted.*

Northern Community Sewer Service Area Development Cost Charges Amendment Bylaw No. 1442.01 and Fairwinds (Nanoose) Wastewater Treatment Development Cost Charges Amendment Bylaw No. 1443.01. (Parksville, Qualicum Beach, Electoral Areas ‘E’, ‘F’, ‘G’, and ‘H’ – Weighted Vote)

1. *That “Northern Community Sewer Service Area Development Cost Charges Amendment Bylaw No. 1442.01, 2007” be read three times and be forwarded to the Ministry of Community Services for approval.*

(All Directors – One Vote)

2. *That “Fairwinds (Nanoose) Wastewater Treatment Development Cost Charges Amendment Bylaw No. 1443.01, 2007” be read three times and be forwarded to the Ministry of Community Services for approval.*

DEVELOPMENT SERVICES

BYLAW ENFORCEMENT

Animal Control Contracts – Districts 68 and 69. (All Directors – Weighted Vote)

1. *That the contract for animal control services with the Parksville-Qualicum SPCA, which incorporates an increase of 2 percent per annum, be renewed for the term of March 1, 2007 to February 28, 2010.*
2. *That the contract for animal control services with the Nanaimo Animal Shelter Ltd., which incorporates an increase of 2 percent per annum, be renewed for the term of March 1, 2007 to February 28, 2010.*

ENVIRONMENTAL SERVICES

SOLID WASTE

Solid Waste Management Regulation Amendment Bylaw No. 1428.02. (All Directors – One Vote)

That this item be referred back to staff.

UTILITIES

French Creek Sewer Local Service Area Amendment Bylaw No. 813.41 and Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.47 – Inclusion of Property into Local Service Area (864 Reid Road) – Area G. (All Directors – One Vote)

1. *That “French Creek Sewer Local Service Area Amendment Bylaw No. 813.41, 2007” be read introduced and read three times.*
2. *That “Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.47, 2007” be introduced and read three times.*

Nanoose Bay Peninsula Water Service Area – Release of Reserve Funds – Well Drilling Program. (All Directors – Weighted Vote)

That the Board approve the release of up to \$23,000 from the Nanoose Bay Peninsula Water Service Area reserve fund for the construction of a test water supply well on RDN property at Claudet Road and Northwest Bay Road.

Request for Sewer Servicing – 3312 Dolphin Drive – Area E. (All Directors – One Vote)

That the Board support sanitary sewer servicing to 3312 Dolphin Drive through the community park to Highland Road and instruct staff to refer the request to the Parks & Open Space Advisory Committee for comment and to initiate the petitioning process for the inclusion of this property into the Fairwinds Sanitary Sewer Service Area.

Storm Water – Rainwater Management Practices Review. (Electoral Area Directors – Weighted Vote)

That the Board approve funding up to \$20,000 from the Community Works Fund for the Rainwater Management Practices Review.

COMMISSION, ADVISORY & SELECT COMMITTEE

Electoral Area ‘E’ Parks and Open Space Advisory Committee. (All Directors – One Vote)

That the minutes of the Electoral Area ‘E’ Parks and Open Space Advisory Committee meeting held June 4, 2007 be received for information.

District 69 Recreation Commission. (All Directors – One Vote)

That the minutes of the District 69 Recreation Commission meeting held June 21, 2007 be received for information.

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

1. *That staff provide a full review of fees and charges in the spring of 2008 to include the Fees and Charges policy; past, current and future Regional District rates in relation to mid Island fees and charges; Vancouver Island Fees and Charges survey information provided by Port Alberni, implementation dates for rate changes; and operational budget comparisons associated with cost recovery rates for the mid Island region.*
2. *That the recommendations in the Fees and Charges report be approved as follows:*
 - a) *That the program, admission and rental fees for Oceanside Place in 2007/08 be approved as outlined in Appendix A.*
 - b) *That the program, admission and rental fees for Ravensong Aquatic Centre in 2008 be approved as outlined in Appendix B.*
 - c) *That Recreation Coordinating program fees and recovery rates, administration fee and revenue-sharing percentage ratio for Term Instructor (Companies) agreements in 2008 be approved as outlined in Appendix C.*
3. *That staff make it a priority to initiate discussions with the School District regarding the development of a Partnership Agreement that addresses joint use, potential joint developments and program partnerships as stated in the RDN Recreation Services Master Plan for Oceanside, July 2006.*

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

That the minutes of the Electoral Area 'G' Parks and Open Space Advisory Committee meeting held May 10, 2007 be received for information as amended.

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

That the minutes of the Drinking Water-Watershed Protection Stewardship Committee meeting held June 6, 2007 be received for information.

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

8. ADMINISTRATOR'S REPORTS

- 51-52 Barclay Crescent Sewer project – Final Cost Estimate. (All Directors – One Vote)
- 53-55 Amendment Bylaw No. 500.339, 2007. (Electoral Area Directors except EA 'B'
– One Vote)
- 56-57 Regional District Service Bylaws – Exemption from Inspector Approval. (All
Directors – One Vote)

9. ADDENDUM

10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

11. NEW BUSINESS

12. BOARD INFORMATION (Separate enclosure on blue paper)

13. ADJOURNMENT

14. IN CAMERA

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

From: B. Grose
Sent: Tuesday, July 17, 2007 6:58 AM
To: Burgoyne, Linda
Cc: Maureen Young
Subject: RDN Meeting

Linda Burgoyne

Good morning Linda I would like to make a submission at the next RDN Board Meeting. It is my understanding the next meeting will be Tuesday July 24 at 7:00 PM .

The focus of the presentation is to express the frustrations experienced dealing with the current BY-LAW and enforcement model as it pertains to animal control and vicious dog designation.

Thank You

Bill Grose

2530 Myles Lake Rd.

Nanaimo, B.C.

250 716 9984

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, JUNE 26, 2007, AT 7:03 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. Westbrook	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director L. McNabb	City of Nanaimo
Director G. Korpan	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director D. Brennan	City of Nanaimo
Director J. Manhas	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Sr. Mgr. of Corporate Administration
T. Osborne	Gen. Mgr. of Recreation & Parks
D. Trudeau	Gen. Mgr. of Transportation Services
P. Thorkelsson	Gen. Mgr. of Development Services
J. Finnie	Gen. Mgr. of Environmental Services
N. Tonn	Recording Secretary

CALL TO ORDER

The Chairperson congratulated the City of Nanaimo on their achievement of being named one of Canada's Cultural Capitals. This honour was awarded by the Minister of Canadian Heritage and Status of Women to four cities in Canada.

DELEGATIONS

Fred Taylor, re Solid Waste Management Bylaw No. 1531.

Mr. Taylor raised his concerns regarding a proposed increase to garden waste disposal and requested that the Board consider maintaining the present rates and possibly find a market for composted materials to recover any landfill costs.

Doug Catley, re Nanaimo Airport.

Mr. Catley, representing the Nanaimo Constituency of the BC Green Party, raised concerns with the airport expansion noting the importance of public involvement in the process, and requested that public hearings be held in the most affected neighbourhoods and preferably that these hearings be held by a third party.

BOARD MINUTES

MOVED Director Holme, SECONDED Director McNabb, that the minutes of the regular Board meeting held May 22, 2007 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

R. Stryde, Office of the Minister of Transport, Infrastructure and Communities, re Island Scallops Limited Proposal.

MOVED Director Holme, SECONDED Director Biggemann, that the correspondence received from Richard Stryde, Transport, Infrastructure and Communities regarding Island Scallops Limited's farming proposal be received.

CARRIED

R. Roy, Chair, School District No. 69 (Qualicum), re Recreation Services Master Plan Oceanside.

MOVED Director Holme, SECONDED Director Biggemann, that the correspondence from School District No. 69 in support of the proposed agreement with Arrowsmith Community Enhancement Society to provide recreation services in Electoral Area 'F', be received.

CARRIED

Don Sparling, re Development Variance Permit Application No. 90709 – 2985 Dolphin Drive – Area E.

MOVED Director Holme, SECONDED Director Biggemann, that the correspondence from Don Sparling regarding Development Variance Permit Application No. 90709 be received.

CARRIED

UNFINISHED BUSINESS

BYLAWS

For Adoption.

Bylaw No. 1216.03.

MOVED Director McNabb, SECONDED Director Haime, that "City of Nanaimo Municipal Benefiting Area Amendment Bylaw No. 1216.03, 2007" be adopted.

CARRIED

Bylaw No. 1527.

MOVED Director Haime, SECONDED Director McNabb, that "District of Lantzville Sewer Benefiting Area Bylaw No. 1527, 2007" be adopted.

CARRIED

Bylaw No. 1511.

MOVED Director Bartram, SECONDED Director Biggemann, that "Dashwood Fire Protection Service Capital Bylaw No. 1511, 2006" be adopted.

CARRIED

Bylaw No. 500.340.

MOVED Director Young, SECONDED Director Bartram, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.340, 2007" be given 3rd reading.

CARRIED

MOVED Director Young, SECONDED Director Bartram, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.340, 2007" be adopted.

CARRIED

Third Reading.

Bylaw No. 500.337.

MOVED Director Bartram, SECONDED Director Holme, that the report of the public hearing containing the summary of minutes and submissions of the public hearing held on June 19, 2007 as a result of public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.337, 2007" be received.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.337, 2007" be given 3rd reading.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that the conditions outlined in Schedule No. 1 be completed by the applicant to the satisfaction of the Regional District prior to consideration of adoption of Bylaw No. 500.337, 2007.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

MOVED Director Bartram, SECONDED Director Biggemann, that the minutes of the Electoral Area Planning Committee meeting held May 8, 2007 be received for information.

CARRIED

UNFINISHED BUSINESS

Reconsideration of 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, that the requests for variance and for relaxation of the minimum 10% frontage requirement be denied.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that Development Permit No. 60703 be referred back to staff to request the applicant submit a revised plan of subdivision prior to reconsideration of the application.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Zoning Amendment Application No. ZA0702 – Angela Quek, Pacific Edge Architecture Inc. on behalf of Kijosa Investment Corporation – 1680 Timberlands Road – Area A.

MOVED Director Burnett, SECONDED Director Bartram, that the minutes of the Public Information Meeting held on May 23, 2007 be received.

CARRIED

MOVED Director Burnett, SECONDED Director Bartram, that Zoning Application No. 0702, as submitted by Angela Quek, Pacific Edge Architecture Inc. on behalf of Kijosa Investment Corporation to discharge Land Use Contract No. 98 and to rezone the property legally described as Lot 1, District Lot 15, Bright District, Plan 29967, Except Plan 38105 and located at 1680 Timberlands Road from Residential 6 Subdivision District 'D' (RS6D) to Comprehensive Development Zone 36 be approved to proceed to public hearing subject to the conditions included in Schedule No. 1 as amended to include a new condition No. 5 as follows:

“5. That the building plans incorporate access for persons with disabilities in order to provide full access to the 2nd floor hotel units subject to compliance with the BC Building Code.”

CARRIED

MOVED Director Burnett, SECONDED Director Bartram, that “Regional District of Nanaimo Land Use Contract Authorization Bylaw Amendment Bylaw No. 239.03, 2007” be given 1st and 2nd reading.

CARRIED

MOVED Director Burnett, SECONDED Director Bartram, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.341, 2007” be given 1st and 2nd reading.

CARRIED

MOVED Director Burnett, SECONDED Director Bartram, that “Regional District of Nanaimo Land Use Contract Authorization Bylaw Amendment Bylaw No. 239.03, 2007” proceed to Public Hearing.

CARRIED

MOVED Director Burnett, SECONDED Director Bartram, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.341, 2007” proceed to Public Hearing.

CARRIED

MOVED Director Burnett, SECONDED Director Bartram, that the Public Hearing on “Regional District of Nanaimo Land Use Contract Authorization Bylaw Amendment Bylaw No. 239.03, 2007” and “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.341, 2007” be delegated to Director Burnett or his alternate.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60719 – Brandt Tractor Properties Ltd. – 1830 Schoolhouse Road – Area A.

MOVED Director Burnett, SECONDED Director Bartram, that Development Permit Application No. 60719 to vary “Regional District of Nanaimo Sign Bylaw No. 993, 1995” for the property legally described as Lot B, Section 14, Range 6, Cranberry District, Plan VIP72567, be denied.

CARRIED

Development Permit Application No. 60721 – Laidlaw/Shurvell – 2716 Hay Rake Road – Area C.

MOVED Director Young, SECONDED Director Bartram, that Development Permit Application No. 60721, to vary “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” for the property legally described as Lot 2, Section 10, Ranges 4 and 5, Mountain District, Plan 25557, 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

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90621 and Request for Acceptance of Park Land in Conjunction with Subdivision Application No. 26822 – Leigh Millan, BCLS, on behalf of BCAB Developments Ltd. – Whiting Way – Area A.

MOVED Director Burnett, SECONDED Director Bartram, that Development Variance Permit Application No. 90621, submitted by Leigh Millan, BCLS, on behalf of BCAB Developments Ltd., in conjunction with the subdivision on the parcel legally described as Lot 1, Section 1, Range 6, Cedar District, Plan VIP68894 Except Part in Plan VIP75488 and VIP80291 and located adjacent to Whiting Way be approved subject to the conditions outlined in Schedules No. 1 and 3 of the corresponding staff report and the notification requirements pursuant to the *Local Government Act* with respect to the proposed variances outlined in Schedule No. 2.

CARRIED

MOVED Director Burnett, SECONDED Director Bartram, that the park land proposal, in the amount and location as shown on Schedule No. 3 of the staff report, be accepted subject to the conditions set out in Schedule No. 4 of the staff report.

CARRIED

Development Variance Permit Application No. 90706 – Armstrong/Clark – 5049 Thompson Clarke Drive West – Area H.

MOVED Director Bartram, SECONDED Director Holme, that Development Variance Permit Application No. 90706, to permit the height of a single family residence located at Lot 48, District Lot 28, Newcastle District, Plan 22249 to a maximum of 8.07 metres, according to the terms outlined in Schedule No. 1, be approved subject to the Board’s consideration of comments received as a result of public notification.

CARRIED

Development Variance Permit Application No. 90708 – Dave Murray on behalf of Gaigher Holdings Inc. – 153 Jamieson Road – Area H.

MOVED Director Bartram, SECONDED Director Biggemann, that Development Variance Permit Application No. 90708, submitted by David Murray, on behalf of Gaigher Holdings Inc., in conjunction with the property legally described as That Part of Lot 40, Newcastle District, Lying to the Southwest of the Esquimalt and Nanaimo Railway Company Right of Way, Except Those Parts in Plans 15180 and 43604, be approved subject to the conditions set out in Schedules No. 1, 2 and 3, and the notification requirements of the *Local Government Act*.

CARRIED

Development Variance Permit Application No. 90709 – 2985 Dolphin Drive – Area E.

MOVED Director Holme, SECONDED Director Bartram, that Development Variance Permit Application No. 90709, to vary “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, for the property legally described as Lot A, District Lot 78, Nanoose District, Plan 29682, be approved subject to the conditions outlined in Schedules No. 1, 2 and 3, and subject to the Board’s consideration of comments received as a result of public notification.

CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

Director Herle requested that the minutes be amended to reflect her membership in the Rotary Club of Parksville A.M.

MOVED Director Westbrook, SECONDED Director Holdom, that the minutes of the Committee of the Whole meeting held June 12, 2007 be received for information as amended.

CARRIED

CORPORATE SERVICES

ADMINISTRATION

Partnership Project with Sunyani, Ghana – Update.

MOVED Director McNabb, SECONDED Director Brennan, that staff advise the Federation of Canadian Municipalities (FCM) that the RDN will continue to participate in a one year partnership project with the Sunyani Municipal Assembly beginning in 2008 to complete the public education and consultation component of their Solid Waste Management Plan, subject to a program funding agreement being reached between FCM and the Canadian International Development Agency.

CARRIED

Health Authority Governance Resolution.

MOVED Director Holdom, SECONDED Director Young, that the Health Authority Governance resolution be submitted to the upcoming UBCM convention.

CARRIED

FINANCE & INFORMATION SERVICES

Property Tax Exemption (Mt. Arrowsmith Regional Park) Bylaw No. 1529.

MOVED Director Westbrook, SECONDED Director Herle, that “Property Tax Exemption (Mt. Arrowsmith Regional Park) Bylaw No. 1529, 2007” be introduced for first three readings.

CARRIED

MOVED Director Westbroek, SECONDED Director Herle, that "Property Tax Exemption (Mt. Arrowsmith Regional Park) Bylaw No. 1529, 2007" having received three readings be adopted.

CARRIED

Regional District of Nanaimo Security Issuing (City of Nanaimo) Bylaw No. 1530.

MOVED Director McNabb, SECONDED Director Korpan, that "Regional District of Nanaimo Security Issuing (City of Nanaimo) Bylaw No. 1530, 2007" be introduced for first three readings.

CARRIED

MOVED Director McNabb, SECONDED Director Korpan, that "Regional District of Nanaimo Security Issuing (City of Nanaimo) Bylaw No. 1530, 2007" having received three readings be adopted.

CARRIED

2006 Financial Information Report.

MOVED Director Westbroek, SECONDED Director McNabb, that the 2006 *Financial Information Act* report be received, approved and forwarded to the Ministry of Community Services.

CARRIED

Wide Area Network (WAN) Services Contract Approval.

MOVED Director Westbroek, SECONDED Director Herle, that the Regional District of Nanaimo award a contract to Telus for the provision of Wide Area Network/Internet services for a period of five years to service our three primary sites (6300 Hammond Bay Road in Nanaimo, Oceanside Place in Parksville and Ravensong Aquatic Centre in Qualicum Beach).

CARRIED

DEVELOPMENT SERVICES

OTHER

Amendment to Impact Assessment Bylaw No. 1165.

MOVED Director Holme, SECONDED Director Burnett, that "Regional District of Nanaimo Impact Assessment Bylaw Amendment Bylaw No. 1165.03, 2007" be given three readings.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that "Regional District of Nanaimo Impact Assessment Bylaw Amendment Bylaw No. 1165.03, 2007" be adopted.

CARRIED

ENVIRONMENTAL SERVICES

LIQUID WASTE

Code Blue Funding Request.

MOVED Director Westbroek, SECONDED Director Herle, that the Board approve \$3,000 in funding for the Code Blue project from the Liquid Waste Department FCPC and NPCC budgets.

CARRIED

On-Site Sewage Disposal System Education Program.

MOVED Director Westbrook, SECONDED Director Herle,:

That the Board approve the development of a public information and education program for onsite sewage disposal systems with a 2008 budget of \$25,000 to be funded by an increase in septage tipping fees; and

That staff be directed to prepare the necessary bylaw amendment to implement the proposed septage fees to finance the education program.

CARRIED

SOLID WASTE

Solid Waste Management Regulation Bylaw No. 1531.

MOVED Director Westbrook, SECONDED Director Herle, that this item be deferred for one month.

CARRIED

Church Road Transfer Station Drywall Recycling.

MOVED Director Biggemann, SECONDED Director McNabb, that the Board approve the issuance of a Purchase Order with Alpine Disposal and Recycling for drywall hauling and recycling from the Church Road Transfer Station for \$183,255 for the period of June to December, 2007.

CARRIED

Gypsum (Drywall) Disposal Fee Amendment Bylaw.

MOVED Director Westbrook, SECONDED Director McNabb, that "Regional District of Nanaimo Solid Waste Management Regulation Amendment Bylaw No. 1428.01, 2007" be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director McNabb, that "Regional District of Nanaimo Solid Waste Management Regulation Amendment Bylaw No. 1428.01, 2007" having received three readings be adopted.

CARRIED

UTILITIES

French Creek Sewer Local Service Amendment Bylaw No. 813.40 and Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.45 – Inclusion of Properties into Local Service Areas (Meadow Drive, Reid Road, Sumar Lane) – Area G.

MOVED Director Westbrook, SECONDED Director Bartram, that "French Creek Sewer Local Service Area Amendment Bylaw No. 813.40, 2007" be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director Bartram, that "Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.45, 2007" be introduced and read three times.

CARRIED

Surfside Sewer Local Service Area Amendment Bylaw No. 1124.06 and Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.46 – Inclusion of Properties into Local Service Areas (Flamingo/McFeely/Surfside Drive) – Area G.

MOVED Director Westbrook, SECONDED Director Bartram, that this item be referred back to staff.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Electoral Area ‘A’ Recreation & Cultural Services Master Plan Project Advisory Committee.

MOVED Director Burnett, SECONDED Director Korpan, that the minutes of the Electoral Area ‘A’ Recreation and Cultural Services Master Plan Project Advisory Committee meeting held May 14, 2007 be received for information.

CARRIED

MOVED Director Burnett, SECONDED Director Korpan, that the Electoral Area ‘A’ Recreation and Cultural Services Master Plan be approved to guide the development, management, administration and operations of recreation and cultural services.

CARRIED

MOVED Director Burnett, SECONDED Director Korpan, that the Terms of Reference attached as Appendix II be approved to establish a Recreation and Cultural Advisory Commission for Electoral Area ‘A’ with recreation and cultural services administered through Regional District staff.

CARRIED

Nanoose Bay Parks and Open Space Advisory Committee.

MOVED Director Holme, SECONDED Director Biggemann, that the minutes of the Nanoose Bay Parks and Open Space Advisory Committee meeting held April 2, 2007 be received for information.

CARRIED

Electoral Area ‘H’ Parks and Open Space Advisory Committee.

MOVED Director Bartram, SECONDED Director Manhas, that the minutes of the Electoral Area ‘H’ Parks and Open Space Advisory Committee meeting held March 16, 2007 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Manhas, that staff meet with Ms. D. Robinson and bring forward a report and recommendations regarding the proposed BMX Park on Regional District community parkland adjacent to the Lighthouse Community Centre to include land use issues, insurance liability, project costs, timelines and project phasing.

CARRIED

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Holme, that the minutes of the District 69 Recreation Commission meeting held May 17, 2007 be received for information.

CARRIED

Director Herle left the meeting citing a possible conflict of interest with the next item. Director Herle is a member of the Rotary Club of Parksville A.M. and sits on the Committee which has applied for a grant.

MOVED Director Bartram, SECONDED Director Westbroek, that the Regional District Board approve the recommendations from the District 69 Recreation Commission Grants Committee for the following Community and Youth Recreation Grants:

Community Recreation Grants:

Deep Bay Canada Celebration – fireworks show	\$	2,000
D69 Family Resource Association (Family Days) – signage, races, pre-parade/parade and advertising expenses	\$	2,450
Forward House Community Society – supplies and equipment to revitalize greenhouse	\$	1,800
Parksville & District Association for Community Living – “Operation Trackshoes” – bus transport and t-shirt expenses	\$	1,050
Ravensong Aquatic Club – pool rental, equipment and stationary	\$	1,800
Rotary Club of Qualicum Beach – event shortfall	\$	3,000
The Old School House Arts Centre – facility and equipment rental and transportation	\$	2,090
Vancouver Island Opera – costumes and scenery	\$	900

Youth Recreation Grants:

Arrowsmith Community Enhancement Society – program supplies	\$	1,510
D69 Family Resource Association – surf equipment	\$	1,600
Oceanside Kidfest Committee – youth activity supplies	\$	1,000
Oceanside Arts Council n- production costs	\$	850
One Five One – Art Speak Gala – supply and event costs	\$	1,381
Parksville Lawn Bowling Club – equipment	\$	2,000
Parksville Lions Club – form material for skate park jump	\$	1,200

CARRIED

Director Herle returned to the meeting.

MOVED Director Bartram, SECONDED Director Westbroek, that the Recreation and Parks Department employ one new permanent part-time Recreation Programmer and re-organize staff responsibilities to accommodate for the provision of recreation services to Electoral Areas ‘E’, ‘G’ and ‘H’, Parksville and Qualicum Beach.

CARRIED

MOVED Director Bartram, SECONDED Director Biggemann, that the Regional District of Nanaimo enter into a three year recreation services agreement with the Arrowsmith Community Enhancement Society to include the transfer of up to \$28,000 annually to the Society to provide recreation services locally to Electoral Area ‘F’.

CARRIED

Grants-in-Aid Advisory Committee.

MOVED Director Young, SECONDED Director Bartram, that the minutes of the Grants-in-Aid meeting held May 10, 2007 be received for information.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that the following grants be awarded:

School District 68 Grants:

Cedar School & Community Enhancement Society	\$	400	
Hope Centre	\$	880	
Nanaimo Search & Rescue	\$	880	
People for a Healthy Community on Gabriola Society	\$	500	
			CARRIED

MOVED Director Young, SECONDED Director Westbrook, that the following grants be awarded:

School District 69 Grants:

District 69 Family Resource Association	\$	2,000	
Friends of Nanoose Library	\$	750	
Mount Arrowsmith Pipe Band Association	\$	1,275	
The Nature Trust of BC	\$	1,500	
Oceanside Community Response Network	\$	600	
Parksville & District Historical Society	\$	330	
Parksville Garden & Parkland Society	\$	1,000	
			CARRIED

Transit Select Committee.

MOVED Director McNabb, SECONDED Director Holdom, that the minutes of the Transit Select Committee meeting held May 24, 2007 be received for information.

CARRIED

MOVED Director McNabb, SECONDED Director Holdom, that staff be directed to prepare a report on the Bastion Street Bus Stop that outlines options for consideration.

CARRIED

Drinking Water – Watershed Protection Stewardship Committee.

MOVED Director Bartram, SECONDED Director Burnett, that the minutes of the Drinking Water – Watershed Protection Stewardship Committee meeting held May 2, 2007 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that the RDN pay for Jennifer Ann MacLeod's transportation costs to attend the San Juan/Gulf Islands Water Policy symposium, and that Jennifer Ann report back to the Committee on what she learned at the symposium that is relevant to the Committee's mandate.

CARRIED

Family Resources Association Mobile Youth Outreach Centre.

MOVED Director Westbrook, SECONDED Director Bartram, that the Board support the proposed mobile youth outreach centre and that Recreation and Parks staff work with the Family Recreation Association to promote this project.

CARRIED

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Regional Parks and Trails Advisory Committee.

MOVED Director McNabb, SECONDED Director Bestwick, that the minutes of the Regional Parks and Trails Advisory Committee meeting held June 12, 2007 be received for information.

CARRIED

MOVED Director McNabb, SECONDED Director Bestwick, that the Morden Colliery Trail be officially classified as a Regional Trail.

CARRIED

MOVED Director McNabb, SECONDED Director Bestwick, that due to the inability of the Regional Parks Function to fund the grant request to offset property taxes in 2007 along the rail corridor in the Regional District, the Island Corridor Foundation Grant request in the amount of \$109,575, be denied at this time.

CARRIED

East Wellington/Pleasant Valley Parks & Open Space Advisory Committee.

MOVED Director Young, SECONDED Director Bartram, that the minutes of the East Wellington/Pleasant Valley Parks and Open Space Advisory Committee meeting held May 7, 2007 be received for information.

CARRIED

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

MOVED Director Bartram, SECONDED Director Young, that the minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee meeting held May 15, 2007 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Young, that the road allowance through part of DL 81, Newcastle LD, has no trail implications and can be closed.

CARRIED

MOVED Director Bartram, SECONDED Director Young, that the road allowance through part of DL 85, Newcastle LD, be maintained as a statutory right of way for future trail development.

CARRIED

MOVED Director Bartram, SECONDED Director Young, that the road allowance through part of DL 36, Newcastle LD, has no trial implications and can be closed.

CARRIED

ADMINISTRATOR'S REPORTS

Award of Tender – Pumper Engine for Dashwood Fire Hall No. 2 (Meadowood).

MOVED Director Westbroek, SECONDED Director Biggemann, that the supply of a pumper engine for the Dashwood Fire Department – Meadowood Firehall be awarded to Hub Fire Engines for a maximum price of \$324,745 plus taxes.

CARRIED

NEW BUSINESS

2007 Infrastructure Planning (Study) Grant Applications.

MOVED Director Holme, SECONDED Director Bestwick, that the Board write a letter to the Minister of Community Services requesting that the Ministry support the Regional District's grant application for Infrastructure funding for the Madrona Sewer Servicing Project.

CARRIED

MOVED Director Holme, SECONDED Director Burnett, that the Board confirm with the Ministry of Community Services that the criteria for accepting applications to address on-site sewerage system failures, and its requirement that new lots be no less than one hectare in size for on-site sewerage systems, is being applied on an Electoral Area basis within a Regional District.

CARRIED

IN CAMERA

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

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:50 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

RDN			
CAO	<input checked="" type="checkbox"/>	GMF&IS	
GMDS	<input checked="" type="checkbox"/>	GMR&PS	
GMES		GMTS	
JUL - 3 2007			
SMCA			
CHAIR	<input checked="" type="checkbox"/>	BOARD	<input checked="" type="checkbox"/>
<i>Correspondence</i>			

June 21, 2007

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

% - mpearse@rdn.bc.ca

CC: Joe Burnett - quailanding@shaw.ca

ATTENTION: RDN CHAIR AND BOARD DIRECTORS

Dear Directors:

The South Wellington and Area Community Association, SWACA, respectfully insist that the RDN host Public Information Meetings in Area A to allow opportunities for our citizens to obtain information, question data accuracy, and give input to the Airport Commission and the RDN Directors regarding plans for runway and industrial expansion.

The process so far orchestrated by the Airport Commission has used a one-sided divide and conquer format of information dissemination. As our elected representatives, we must insist that you guarantee us opportunities early in the process to have our questions answered and our concerns heard before you make decisions affecting the outcome.

We look forward to your early reply regarding this time sensitive matter.

Sincerely, 

Krista Seggie, Chair
 South Wellington and Area Community Association
 2969 Granby Rd.,
 Nanaimo, B.C.
 V9X 1S7

July 13, 2007

File No.: 85822

Regional District of Nanaimo
6300 Hammond Bay Rd
Nanaimo, BC
V9T 6N2

Attention: Planning Department

Dear Sirs:

Re: **Strata Conversion – 430 Evergreen Way, Parksville**

RDN			
CAO		GMF&IS	
GMDS		GMR&PS	
GMES		GMTS	
JUL 13 2007			
SMCA			
CHAIR		BOARD	
<i>Board Corres.</i>			

On behalf of the registered owners we hereby apply for an amendment to condition 2 of Schedule 1 of the Conditions Attached to Proposed Building Strata Conversion on the above noted property.

The amendment we are requesting is two allow both dwellings to be served by the one existing well. We have submitted documentation which indicates the well produces twenty-five gallons per minute and has been tested for total coliforms counts and fecal coli form counts and meets the Canadian Drink Water Standards in this regard. In addition the well meets the Regional District of Nanaimo's bylaw 4.8.1 for proof of potable water.

We hereby request that this amendment be considered at the regular RDN Board meeting on July 24, 2007 as part of the regular agenda, or if necessary as a late item. We trust you will find this satisfactory. If you have any questions in this regard please contact the undersigned.

Yours truly,

J.E. Anderson and Associates



David G. Wallace, BCLS

DGW/ac
Cc: Glazier Developments Ltd. – Mr. Randy Marston



RDN	
CAO	GMF&IS
GMDS	GMR&PS
GMES	GMTS
JUL 19 2007	
SMCA	
CHAIR	BOARD
July Board	

MEMORANDUM

TO: Geoff Garbutt
Manager, Current Planning

DATE: July 18, 2007

FROM: Susan Cormie
Senior Planner

FILE: 3360 20 0702

SUBJECT: Amendment Bylaw Nos. 239.03, 2007 and 500.341, 2007
Angela Quek, Pacific Edge Architecture Inc. on behalf of Kijosa Investment Corporation (Timberlands Pub)
Electoral Area 'A' – 1680 Timberlands Road

PURPOSE

To receive the Report of the Public Hearing containing the Summary of the Minutes and Submissions of the Public Hearing held on Tuesday July 17, 2007, on “Regional District of Nanaimo Land Use Contract Authorization Bylaw Amendment Bylaw No. 239.03, 2007” and “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.341, 2007” and further, to consider Bylaw Nos. 239.03, 2007 and 500.341, 2007, for 3rd reading.

BACKGROUND

Bylaw Nos. 239.03, 2007 and 500.341, 2007 were introduced and given 1st and 2nd reading on June 26, 2007. This was followed by a Public Hearing held on July 17, 2007. The summary of the minutes and submissions is attached for the Board’s consideration (*see Attachment No. 2*).

The purpose of these amendment bylaws is to amend the current Land Use Contract No. 98 (Bylaw No. 239) to discharge the contract and to rezone the subject property from Residential 6 (RS6) Subdivision District 'D' (2.0 ha minimum parcel size) to Comprehensive Development Zone 36 (CD36) in order allow for 11 hotel units in addition to the existing licenced beverage establishment, retail beer and wine store, and accessory residential suite.

The applicant is in concurrence to meet a number of conditions of approval which are to be secured or completed prior to consideration of adoption of these bylaws. These conditions are outlined in Schedule No. 1 of this report.

ALTERNATIVES

1. To receive the Report of the Public Hearing and give 3rd reading to “Regional District of Nanaimo Land Use Contract Authorization Bylaw Amendment Bylaw No. 239.03, 2007” and “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.341, 2007”.
2. To receive the Report of the Public Hearing and deny “Regional District of Nanaimo Land Use Contract Authorization Bylaw Amendment Bylaw No. 239.03, 2007” and “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.341, 2007”.

INTERGOVERNMENTAL IMPLICATIONS

Formal referrals were sent to the Ministry of Transportation, the Vancouver Island Health Authority, and North Oyster Volunteer Fire Department. Comments received include the following:

Ministry of Transportation – Ministry staff has indicated that a formal access has been issued. It is noted that, pursuant to the *Transportation Act*, the Ministry is required to sign these amendment bylaws.

Vancouver Island Health Authority (VIHA) – VIHA staff has indicated that there is no objection to the proposal provided the additional items as set out in its formal referral response are completed in addition to those requirements set out in the initial letter response. As a result of these additional conditions, staff recommends that *Schedule No. 1 (Conditions of Approval)* be amended to include VIHA's additional requirements. The applicant has verbally indicated that he is in concurrence with this amendment to the *Conditions of Approval*.

North Oyster Volunteer Fire Department – no response has been received to date.

PUBLIC CONSULTATION IMPLICATIONS

Submissions received at the Public Hearing are outlined in the Summary of the Minutes and Submissions of the Public Hearing (*see Attachment No. 2*).

PUBLIC CONSULTATION IMPLICATIONS

There were a number of written submissions received at the Public Hearing which are attached to the Summary of the Minutes and Submissions of the Public Hearing (*see Attachment No. 2*).

VOTING

Electoral Area Directors - one vote, except Electoral Area 'B'.

SUMMARY

The purpose of these amendment bylaws is to amend the current Land Use Contract No. 98 (Bylaw No. 239) to discharge the contract and to rezone the subject property from Residential 6 (RS6) Subdivision District 'D' (2.0 ha minimum parcel size) to Comprehensive Development Zone 36 (CD36) in order to facilitate the development of 11 hotel units in addition to the existing licenced beverage establishment, retail beer and wine store, and accessory residential suite.

The amendment bylaws were introduced and given 1st and 2nd reading on June 26th, 2007 and preceded to Public Hearing on July 17, 2007.

Submissions received at the corresponding Public Hearing, which was held on July 17, 2007, are outlined in the Summary of the Minutes and Submissions of the Public Hearing (*see Attachment No. 2*).

As the subject property is within 800 metres of a highway interchange, pursuant to the *Transportation Act*, these amendment bylaws are subject to the approval of the Ministry of Transportation. The Vancouver Island Health Authority has recommended a number of conditions in addition to those conditions originally proposed to be secured as part of the zoning amendment process. Therefore, staff recommends that the Conditions of Approval be amended to reflect VIHA's additional requirements. The applicant has verbally indicated that he is in concurrence with this addition to the Conditions of Approval (*see Schedule No. 1 for Amended Conditions of Approval*).

The requirements set out in the *Amended* Conditions of Approval are to be secured and/or completed by the applicant prior to the Board's consideration of the bylaw for adoption.

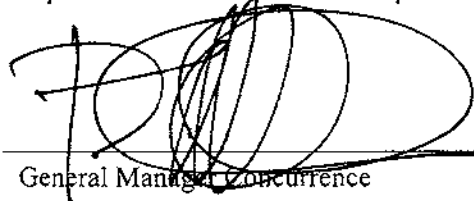
Staff recommends that Bylaw Nos. 239.03 and 500.341 be considered for 3rd reading subject to the conditions being secured and/or completed by the applicant prior to the Board's consideration of the bylaw for adoption.

RECOMMENDATIONS

1. That the Report of Public Hearing containing the Summary of Minutes and Submissions of the Public Hearing held on July 17, 2007 as a result of public notification "Regional District of Nanaimo Land Use Contract Authorization Bylaw Amendment Bylaw No. 239.03, 2007" and "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.341, 2007" be received.
2. That "Regional District of Nanaimo Land Use Contract Authorization Bylaw Amendment Bylaw No. 239.03, 2007" be given 3rd reading and be referred to the Ministry Transportation for approval pursuant to the *Transportation Act*.
3. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.341, 2007" be given 3rd reading and be referred to the Ministry Transportation for approval pursuant to the *Transportation Act*.
4. That the conditions as outlined in Schedule No. 1, as amended, be secured and/or completed by the applicant to the satisfaction of the Regional District prior to consideration of adoption of Bylaw Nos. 239.03, 2007 and 500, 341, 2007.



Report Writer



General Manager Concurrence



CAO Concurrence

Manager

COMMENTS:

devsvs/reports/2007/july za 3360 20 0702 Timberlands Pub PH & 3rd Report

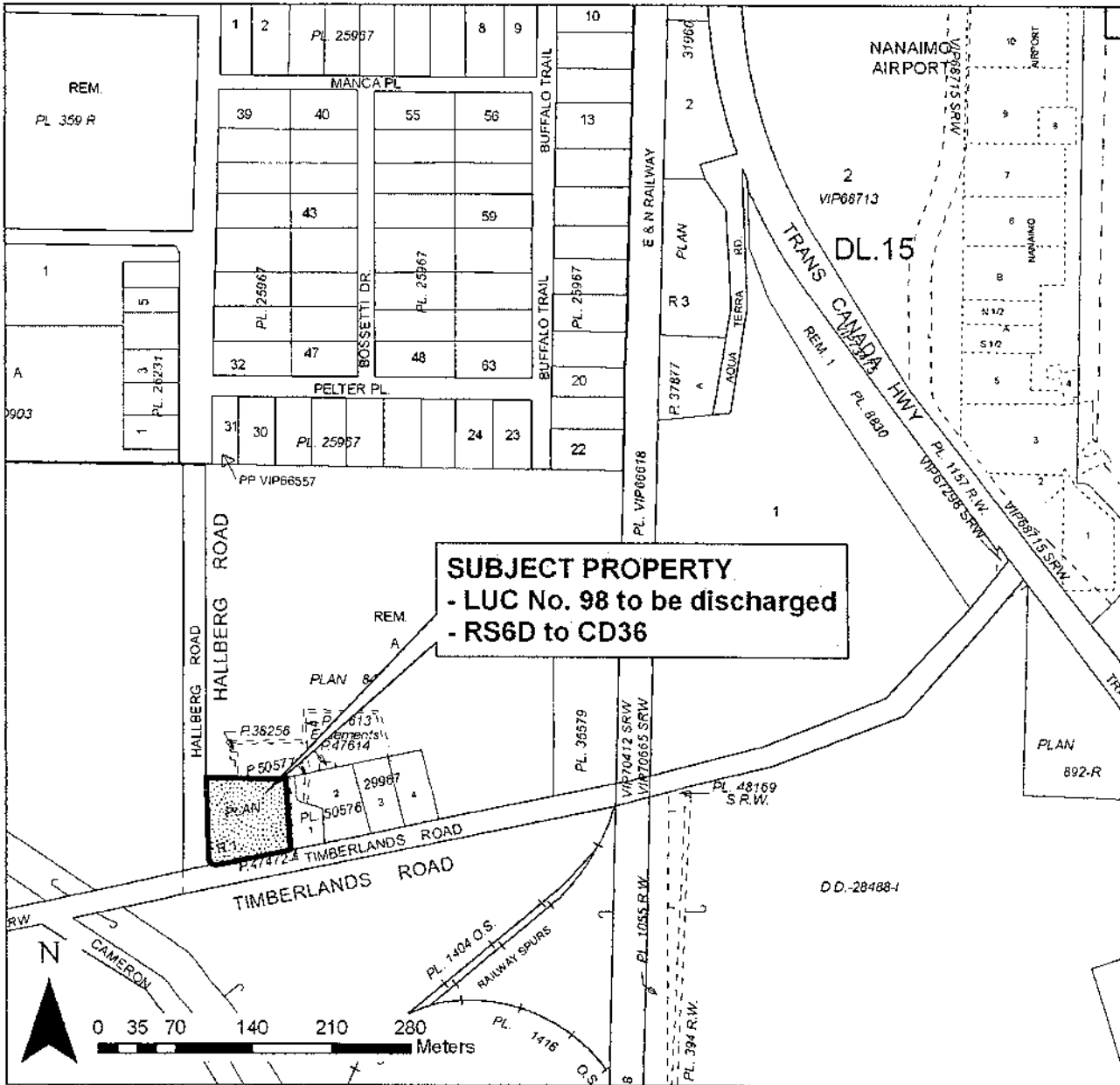
Schedule No. 1

***Amended Conditions of Approval in Conjunction with
Discharge of Land Use Contract No. 98 and Zoning Amendment Application No. ZA0702***

The applicant is to complete the following prior to the corresponding amendment bylaw being considered for 4th reading:

1. Applicant to provide reasonable proof of potable water in a quantity to meet minimum Bylaw No. 500, 1987 standard of 3.5 m³ per day on a year round basis and of a quality to meet the Canadian Drinking Water Standards (CDWS) for health and aesthetics to the satisfaction of the Regional District Proof shall be via a drilled well (constructed as per the current well regulations) and pump tested and certified by a qualified professional as set out, as a minimum, in the Preliminary Hydrogeological Impact Assessment prepared by EBA Engineering Ltd. and dated April 5, 2007 including wellhead/aquifer protection..
2. Applicant to provide a reserve area for septic disposal and meet the requirements set out in the correspondence from the Vancouver Island Health Authority dated July 12, 2007 to the satisfaction of the Vancouver Island Health Authority. If a section 219 covenant is required, this covenant must be registered prior to consideration of the amendment bylaw.
3. The applicant is to prepare and register on title of the subject property, at his expense, the following section 219 covenant documents. These documents must be registered prior to the amendment bylaw being considered for 4th reading. Draft covenant documents are to be submitted for review to Regional District prior to registration at Land Title Office, Victoria:
 - a. The two page report entitled Assurance of Compliance report prepared by Qualicum Engineering Services and dated March 27, 2007; and
 - b. The seven page report plus attachments entitled Preliminary Hydrogeological Impact Assessment prepared by EBA Engineering Ltd. and dated April 5, 2007. Applicant is to follow the recommendations of this report in the development of the subject property.
 - c. A covenant restricting that, at the time the subject property becomes capable of connecting to community water and/or community sewer, the owner shall at his expense, disconnect the private water and septic services to current standards and connect to the community services.
4. The applicant is to pay the associated legal costs to discharge the land use contract from title. A deposit in the amount of \$500.00 is to be submitted prior to consideration of 4th reading of the amendment bylaw.

Attachment No. 1
Location of Subject Property



Attachment No. 2

REGIONAL DISTRICT OF NANAIMO

Report of the Public Hearing

Held at Cranberry Community Hall, 1555 Morden Road, South Wellington, BC

July 17, 2007 at 7:00 pm To Consider

Regional District of Nanaimo Bylaw Amendment Bylaw No. 239.03, 2007 and

Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.341, 2007

Summary of Minutes and Submissions

Note that these minutes are not a verbatim recording of the proceedings, but summarize the comments of those in attendance at the Public Hearing.

PRESENT:

Joe Burnett
Susan Cormie

Chairperson, Director, Electoral Area 'A'
Senior Planner

There were 8 persons in attendance.

The Chairperson called the Hearing to order at 7:00 p.m., introduced those present at the head table, and outlined the procedures to be followed during the Hearing.

The Senior Planner provided an outline of the Bylaws including a summary of the proposal.

The Chairperson called for formal submissions with respect to Bylaw No. 239.03 and Bylaw 500.341, 2007.

The **Chairperson** called for further submissions.

The **Chairperson** called for further submissions for the second time.

The **Chairperson** read the submissions received which are attached and form part of these Minutes.

The **Chairperson** called for further submissions a third and final time.

There being no further submissions, the Chairperson adjourned the Hearing at 7:09 p.m.

Certified true and accurate this 18th day of July 2007.

Susan Cormie

July 17, 2007

I Brenda Diabto of 2117
Main Road, Nanaimo, BC V9X 1T6
Support in principle the
development of Timberlands
sub to permit 11 hotel suites.
It is nice to see an support
clear development in the area.

Brenda Diabto



BRITISH
COLUMBIA

Ministry of
Transportation

KEN

Permit/File Number 01-002-27187

District Vancouver Island District

**PERMISSION TO CONSTRUCT, USE, AND MAINTAIN ACCESS
TO A PROVINCIAL HIGHWAY**

X PERMIT PURSUANT TO *TRANSPORTATION ACT*

AND/OR

 CERTIFICATE PURSUANT TO SECTION 5 OF *INDUSTRIAL ROADS ACT*

BETWEEN:

The Minister of Transportation

Vancouver Island District

3rd Floor

2100 Lableux Road

Nanaimo BC V9T 6E9

("The Minister")

AND:

KHOSA INVESTMENT CORP

1680 TIMBERLANDS ROAD

LADYSMITH BC CANADA V9G 1K3

("The Permittee")

WHEREAS:

A. The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the *Transportation Act* and the *Industrial Roads Act*;

B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:

<<Here describe what the access will be used for>> to serve Lot 1, District Lot 15, Bright District, Plan 29967, except Plan 28105

C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

1. The particulars of the permission granted herein are as follows:

A. LOCATION

Permit/File Number 01-002-27187

District Vancouver Island District

Two – 9 metre wide paved accesses (1 – 9 metre access to Timberlands Road and 1 – 9 metre access to Hallberg Road), to serve property legally described as Lot 1, Plan 29967, District Lot 15, Bright District, except Plan 38105.

- (i) The layout shown on the attached drawing is a condition of this permit, and any change in layout without the prior consent in writing of the Designated Ministry Official shall render the permit void.

B. CONSTRUCTION AND INSTALLATIONS

Two – 9 metre wide paved accesses.

- (i) The rights granted under this permit and certificate are temporary and will expire on INDEFINITE.
- (ii) The Permittee shall take all reasonable precautions to attempt to ensure the safety of the public in connection with the Use. In particular, but not so far as to limit this obligation, the Permittee shall, if so required by the Designated Ministry Official on reasonable grounds, prepare and implement a traffic control plan. The contents of the plan and the manner in which it is implemented must meet the reasonable satisfaction of the Designated Ministry Official.
- (iii) The Permittee shall, at his/her cost, supply, erect, and maintain standard traffic control devices in accordance with the Ministry of Transportation Traffic Control Manual for Works on Roadways and WCB Regulation, Part 18.
- (iv) A stop sign must be erected on the industrial road at the entrance to TIMBERLANDS ROAD No. 02-A-00169 & HALLBERG ROAD No.02-A-00059
- (v) Advanced warning Truck Turning signs (W-316 Logging Truck)(W-317 All other Trucks) and other signs as required by the Designated Ministry Official to be erected either side of the access in accordance with the Ministry of Transportation Manual of Standard Traffic Signs and Pavement Markings.
- (vi) The access (or accesses) shall be defined, to the satisfaction of the Designated Ministry Official, by the erection of standard white-painted delineator posts, guard-rail, non-mountable curb, or some other substantial barrier to traffic.
- (vii) This permit includes permission to construct channelization within the highway right of way as specified by the Designated Ministry Official, and such channelization shall be constructed at the Permittee's expense and maintained and operated by the Ministry of Transportation.
- (viii) That before opening up any highway or interfering with any public works, written notice of intention to do so must be given to the Designated Ministry Official at least two (2) weeks before the work is begun.
- (ix) If there is an existing access to a highway on property owned or controlled by the Permittee in the vicinity of the permit area, that access shall, unless the Designated Ministry Official says otherwise, be closed and the manner of closure shall be to the reasonable satisfaction of the Designated Ministry Official.
- (x) The access (or accesses) shall be graveled to an extent satisfactory to the Designated Ministry Official to prevent the tracking of mud and soil onto the highway surface.
- (xi) The access (or accesses) shall be paved to the satisfaction of the Designated Ministry Official.
- (xii) The access (or accesses) shall be constructed with 400mm when required culvert pipe manufactured to CSA or ASTM standards and laid at ditch invert elevation. Maintenance and periodic cleaning of this culvert is the responsibility of the Permittee.
- (xiii) The access (or accesses) shall be constructed of standard concrete drop curb and sidewalk crossing to the satisfaction of the Designated Ministry Official.
- (xiv) The profile of the access (or accesses) shall not exceed 2% grade from the ditch-line for a distance of at least 15 metres as measured away from the highway along the centreline of the access.
- (xv) The highway shoulder between these accesses shall be paved to the satisfaction of the Designated Ministry Official.

Permit/File Number 01-002-27187

District Vancouver Island District

- (xvi) The finished grade of the access (or accesses) at the ditch-line shall be 15 cm below the highway shoulder elevation.
- (xvii) The Permittee shall provide off-street parking in the amount of as per the Regional District of Nanaimo's zoning designation requirements for existing and proposed uses.
- (xviii) Access to be constructed at 90° to the highway for a distance of 15 metres from the highway shoulder.
- (xix) The Permittee shall erect a tight board fence or thick evergreen hedge so that no part of the property is visible from the highway at any point along its frontage at an eye elevation 2.5m above road grade.
- (xx) This permit does not provide licencing and insurance and/or oversize, overweight authorization for a commercial vehicle to access a provincial highway from an industrial road. Commercial vehicle operators require authority pursuant to Section 8 of the Commercial Transport Act, R.S.B.C 1996, and should contact a provincial weigh scale to obtain Permit MV4000 (Highway Crossing Permit).
- (xxi) The Permittee shall provide temporary security in the amount of dollars.

The security shall be in the form of:

- An irrevocable letter of credit
- A certified cheque
- A bond

The security will be returned to the Permittee when the works have been completed to the satisfaction of the Designated Ministry Official.

C. AUTHORIZED ACTIVITIES

Pub and proposed Inn-owner to ensure existing uses comply with the Regional District of Nanaimo's Zoning Designation for the subject lands.

- (i) The access (or accesses) shall be restricted to the following movements only:

Full movements provided the Ministry of Transportation sight-distances along Timberlands & Halberg Roads can be achieved

and the Permittee shall construct and erect all necessary channelization, signs, and other traffic control devices at his cost.

- (ii) The access (or accesses) will only be open to traffic between the day of and the day of each year, and when not open shall be closed with a suitable barrier and signs.
- (iii) The access (or accesses) shall be used jointly with the access covered by Permit No. which services the property legally described as .
- (iv) This permission is subject to compliance with the conditions of approval stated in the Public Works (Canada) letter to the Permittee dated .

D. OPERATION AND MAINTENANCE

- (i) The Permittee will ensure that the works do not impair, impede or otherwise interfere with:
- I. public passage on the Highways;
 - II. the provision of highway maintenance services by the Province, or by its servants, contractors, agents or authorized representatives of the Province in connection with the Highways; or
 - III. the operation of the Highways.

Permit/File Number 01-002-27187

District Vancouver Island District

- (ii) That where the said works are in the proximity of any bridge, culvert, ditch or other existing work, such work shall be properly maintained and supported in such manner as not to interfere with its proper function, and on the completion of the said works, any bridge, culvert, ditch or other existing work interfered with shall be completely restored to its original condition.
- (iii) That before opening up any highway or interfering with any public works, written notice of intention to do so must be given to the Designated Ministry Official at least 72 hours before the work is begun, except in the case of an emergency situation, the Permittee will immediately contact the Road and Bridge Maintenance Contractor or local RCMP.
- (iv) That when necessary all excavations, materials, or other obstructions are to be efficiently fenced, lit, and watched, and at all times every possible precaution is to be taken to ensure the safety of the public.

all of which together are hereinafter referred to as "the Use".

2. The Use shall be carried out according to the following drawings and specifications, which are attached and shall be considered to be a part of this permit:

Here describe the attachments: two - 9 metre wide paved accesses

3. (a) The rights granted under this permit shall not be exercised before 2006-11-09
- (b) The Construction and Installations must be completed on or before 2007-02-09

Exceptions: Here describe any Construction or Installations, which need not be completed by that date

4. The Minister shall designate an official ("the Designated Ministry Official") who shall act as the Minister's agent in the administration of this permit in the manner hereinafter set out.
5. The Use shall be carried out according to the reasonable satisfaction of the Designated Ministry Official.
6. The Permittee will at all times indemnify and save harmless Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Transportation, and the employees, servants, and agents of the Minister from and against all claims, demands, losses, damages, costs, liabilities, expenses, fines, fees, penalties, assessments and levies, made against or incurred, suffered or sustained by any of them, at any time or times (whether before or after the expiration or termination of this permit) where the same or any of them are sustained in any way as a result of the Use, which indemnity will survive the expiration or sooner termination of this permit.
7. The Permittee shall make diligent attempts to determine if there are other users of the right of way in the vicinity of the Permittee's location whose use may be affected. It shall be the responsibility of the Permittee to contact any such users before exercising any of the rights granted hereunder and to attempt to reach an accommodation.
8. The Minister shall take reasonable care to do as little damage or interference, as possible, to any Use authorized by this permit in the carrying out of the construction, extension, alteration improvement, repair, maintenance or operation of any work adjacent thereto, but the Minister shall not be responsible for any damage regardless.
9. The Minister at the absolute discretion of the Minister may, at any time, cancel this permit for any reason upon giving reasonable notice; provided, however, that in the case of default by the Permittee or in the case of an emergency no notice shall be necessary. The Minister shall not be liable for any loss incurred as a result of permit cancellation.
10. Placing of speed arresters on the access (or accesses) or in the Permittee's property without the prior consent in writing of the Designated Ministry Official shall render the permit void.
11. This permit cancels and replaces _____

Permit/File Number 01-002-27187

District Vancouver Island District

12. The Permittee shall be responsible for replacing any survey monuments that may be disturbed or destroyed by the Use. Replacement must be by a British Columbia land surveyor at the Permittee's expense.
13. The Permittee shall remove any mud, soil, debris, or other foreign material tracked onto the highway from the access authorized herein. Such removal shall be at the Permittee's expense and shall be done at any time the material unduly inconveniences traffic and, in any event, daily.
14. The Permittee acknowledges that the issuance of this permit by the Minister is not a representation by the Minister that this permit is the only authority needed to carry out the Use. The Permittee shall give deference to any prior permission given for use of the right of way in the vicinity of the permit area, shall obtain any other permission required by law, and shall comply with all applicable laws regardless of their legislative origin.
15. At the end of the term of this permit, or when the permit is cancelled or abandoned, the Permittee shall, if so requested by the Minister, remove all installations and shall leave the site as near as reasonably possible in the condition it was in before this permit was issued or such other condition as shall reasonably be required by the Designated Ministry Official. If the Permittee refuses to comply with these obligations, the Minister may perform them as required and the Permittee shall be liable to the Minister for the costs of doing so.
16. The rights granted to the Permittee in this permit are not assignable without the consent of the Minister.
17. The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on Page 1.
18. *Applicant shall be responsible for all and any liabilities that may occur during access installation, use and during site development.*
19. *Accesses to Hallberg Road and Timberlands Road are to be paved.*
20. *No drainage generations/runoffs from the subject lands/development to impact or be directed to the constructed Timberland's and Hallberg Road prisms/surfaces. All drainage generations from the existing/proposed development to be contained on-site.*
21. *All proposed and existing buildings and structures to meet the current Provincial setback of 4.5 metres from the right-of-way boundaries of both Hallberg and Timberlands Road as specified by B.C. Regulation 513/2004.*
22. *Applicant to ensure that adequate turning radius for larger delivery type vehicles is present on-site and that no queuing occurs at access points onto Hallberg and Timberlands Roads.*
23. *Applicant shall be responsible for the repairs to any and all damages to the constructed Hallberg and Timberlands Road prisms/surfaces during access installations and site development.*
24. *No parking along Timberlands and Hallberg Roads will be permitted. Developer to install P-001R "No Parking" signage along Hallberg and Timberlands Roads frontage (see attached). All sign materials and locations to meet current Ministry of Transportation standards and specification.*
25. *Access design to meet the following criteria as per attached Figure 1420.M, N & O drawings.*
26. *Applicant shall be responsible for the regular/daily cleanup of any dirt and debris tracked onto the constructed road prisms/surfaces of both Hallberg and Timberlands Roads during access works and site development.*
27. *Applicant to ensure that a minimum of 140 metres of clear sight-distance lines are present for each access facility along both Timberlands and Hallberg Roads.*
28. *The Ministry of Transportation reserves the right to restrict traffic movements or request the removal of any access facilities, should they become a safety hazard to the travelling public.*

Permit/File Number 01-002-27187

District Vancouver Island District

29. *Ministry of Transportation approval is contingent on submitted c.e.i. neilson Architecture Planning Interiors site plan dated October 27th, 2006. Any changes or revisions without the prior review and approval by the Ministry of Transportation will void this permit approval.*
30. *Developer may want to review parking stalls 23 and 13 to ensure that vehicles using these stalls do not cause queuing onto Hallberg Road.*
31. *Applicant to install standard R-001 "Stop" sign at the access entrances to Hallberg and Timberlands Roads. Stop signs are to be located on the subject property and should be located as to properly advise users.*
32. *Applicant to submit current State of Title certificate confirming proof of ownership.*
33. *Applicant to submit written confirmation that existing/proposed uses meet the current Regional District of Nanaimo's zoning designation.*

Dated at Nanaimo, British Columbia, this 9th day of November, 2006



On Behalf of the Minister

Dated at _____, _____, this _____ day of _____, 20____
City Province

Permittee or Authorized Signatory for the Permittee

CFM/27187P
cc: Regional District of Nanaimo

Mandy, 14 July 07

- Hi Everyone, my name is Wynn Ambrose and I own the Cassidy General Store (ETPO)
- Since hearing of Peter's idea and seeing the plans of the "Country Inn", which would include the Beer & Wine Store, The Pub and some of the very best food around; I have chatted it up with the staff, friends from town and my Customers. None of which provided me with anything negative re-garding this plan.
- Now, this is what? 10 rooms and a meeting room and not a 30 story Monster, therefore I should think, no impact on the neighbors. Perhaps a little more traffic which I must admit will not hurt me.
- I believe very strongly that the "Country Inn" concept would complement the existing facility, the area, and the neighborhood. It would be a good alternate for people that arrive at the Air port. Only to find it fogged in.
- I say good luck to Peter & Lynette in their proposal; An idea that is worthy of
3 Cheers.

Sincerely Wynn



Nanaimo Airport
P.O. Box 149 3350 Spitfire Rd
Cassidy, B.C. Canada, V0R 1H0

July 16, 2007

Attention: Mr Joe Burnett

Subject: *Timberlands Pub*

Dear Mr. Burnett,

Nanaimo Airport Commission (NAC) supports the Timberland Pub owners, in their application to amend the property zoning of the lands on which the business is located. Further, the NAC views the proposed changes to this business as a positive improvement in available infrastructure for the travelling public.

Facility additions which provide some overnight accommodations will be of benefit in particular to those passengers who must travel long distances, to depart on the early morning flight. Passengers arriving late in the evening may also prefer to find accommodations in proximity to the airport before continuing their travels in the morning.

On a regular basis, Air Carriers have a requirement to provide accommodations to flight crews. Suitable venues currently exist only in Nanaimo and Ladysmith where travel time and costs add considerably to the Airlines operating expense. The proposed changes at the Timberland Pub would provide an alternative for the benefit of the current airline and those who operate in the future; ultimately contributing to cost control for passengers.

Sincerely,

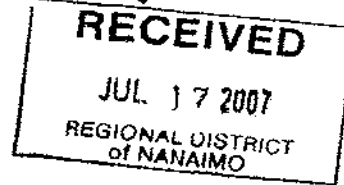
Michael K. Hooper BGS, MBA
President, CEO
Nanaimo Airport Commission
"Gateway to Vancouver Island"

Telephone: (250) 245-4191
Cell: (250) 716-6625



July 12, 2007

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



**ATTENTION: SUSAN CORMIE
RDN SENIOR PLANNER**

Dear Ms. Cormie;

Re: Amendment Bylaw Nos. 239.03, 2007 and 500.341, 2007. Proposed Amendment to 1680 Timberlands Drive

Thank you for your referral in regards to the above mentioned property. Any changes to the existing facility will require:

- 1) A Registered Onsite Wastewater Practitioner (ROWP) to evaluate the on-site sewage disposal system for additional sewerage flows (i.e. 11 hotel units, etc.). If the existing system is not large enough/adequate for these additional flows, a sewerage filing by an Authorized Person will have to be submitted to our office. Please note, if the ROWP (planner) determines that the estimated daily sewage flow of this proposal is above 22.7 m³/day, on-site sewage disposal would fall under the Ministry of Environment's jurisdiction;
- 2) Physical upgrading of the existing food premises (the applicant is aware of this requirement);
- 3) Connection to the existing water supply system – if the applicant wishes to disconnect from their existing water supply, they will have to apply for a **Construction Permit** from a Drinking Water Officer, or delegate, before construction, installation, alteration or extension of a water supply system is commenced. An **Operating Permit** must be issued before the source can be used.

Our office has no objections to the above proposal if the above items are addressed prior to the completion of the project. If you require further information, please contact the undersigned at (250) 755-6215.

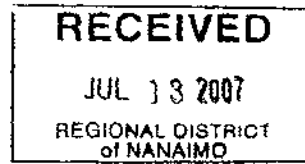
Yours truly,

Jill Lucko,
Environmental Health Officer

Cc: T.Preston, Sr. EHO

Health Protection &
Environmental Services
3rd Floor, 6475 Metral Drive
Nanaimo BC V9T 2L9

Central Island
Ph: (250) 755-6215
Fax: (250) 755-3372



July 11, 2007

Our File: 01 002 27428
x/ref: 01 002 27187

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

Attention: Ms. Susan Cormie, Senior Planner

**RE: Amendment Bylaw Nos. 239.03, 207 & 500.341, 2007 – Proposed
Amendment to Land Use Contract No. 98 & Zoning Amendment Application
in Conjunction with Lot 1, District Lot 15, Bright District, Plan 29967, except
Plan 38105 – Kijosa Investment Corporation**

In response to your June 29th, 2007 correspondence to the above noted we offer the following comments for your consideration:

1. The Ministry of Transportation issued a formal access permit on November 9th, 2006 and we assume that the owner acknowledged all conditions of our access permit to be complied with as per their signature and fax dated May 29th, 2007, see attached.
2. Confirmation that condition #29 of our permit is still in effect and that there have been no changes/revisions as per the previously submitted site plan.

Should you have any questions, please do not hesitate to contact me (250) 751-3270 or by e-mail at Cal.Fradin@gov.bc.ca.

Yours truly,

Cal Fradin
District Development Technician

CF/kp/27428L2

Attach.

Ministry of
Transportation

Vancouver Island District
South Coast Region

Mailing Address:
3rd Flr. 2100 Labrioux Road
Nanaimo BC V9T 6E9
Telephone: 250 751-3246
Fax: 250 751-3289

www.gov.bc.ca/tran

MAY-29 2007 12:11PM ANGELA QUEK ARCH.

NO. 0000 P. 1

13270 Doole Road
Ladysmith, B.C.
Canada V9G 1G6
T.250.245.7555 F.7565
aypqarchitecture@telus.net

AYPQ

Angela YP Quek Architecture

TRANSMITTAL

ATTENTION	<u>CAL FRADIN</u>	Date	<u>2007/05/29</u>
Company	<u>MINISTRY OF TRANSPORTATION</u>	Delivered by:	<input checked="" type="radio"/> FAX <u>75 3289</u>
From	<u>ANGELA</u>		<input type="radio"/> BY HAND/PKU
Regarding	<u>HIWAY PERMIT</u>		<input type="radio"/> EMAIL
			<input type="radio"/> COURIER or <input type="radio"/> MAIL
Project	<u>TIMBERLANDS RZ</u>	Project No	<u>AQ0407</u>
		Total Pages including cover	<u>2</u>

PLEASE FIND:	<input type="radio"/> Urgent	<input type="radio"/> As Requested	<input type="radio"/> For Your Approval	<input type="radio"/> Please Comment
	<input type="radio"/> For Your Information	<input type="radio"/> Originals to follow	<input type="radio"/> Reply ASAP	

HI CAL,

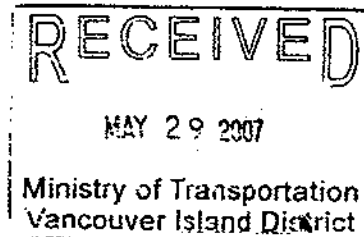
THANK YOU FOR YOUR CLARIFICATIONS.

To confirm: We will be installing stop signs at the "entrances" to the property as per standards. There are no other "construction" requirements as part of this permit.

ATTACHED IS THE SIGNED PAGE 6 of 6 (PERMIT/FILE # 01-002-27187).

Regards,
Angela.

cc. PStokes (Timberlands Pub) 245 0801



If you have problems receiving this message, please call 29



13271 Trans Canada Highway, P.O. Box 56, Cassidy, B.C. V0R 1H0
Ph: (250) 245-5051 Fax: (250) 245-5028
Toll Free: 1-877-245-5051

July 17/07

Dear Sir/Madame,

This letter is to inform you that as an employer in the Cassidy area I would definitely make use of a hotel nearer than Nanaimo in the future.

We often are looking to Nanaimo to put up many of our employees as they come to the island for short/long periods of time and are in need of rooms and meals. The opening of the hotel on the Timberlands Pub site is easily accessible to us and would help to encourage our company to fly employees to Nanaimo with the airport so near.

I hope we can all recognise this as a valuable and viable business for this area.

Sincerely,

Deb Kalau

Page 1 of 1

Cormie, Susan

From: Sanders, Karen on behalf of email, planning
Sent: Tuesday, July 17, 2007 8:32 AM
To: Cormie, Susan
Subject: FW: Bylaw no. 239.03, 2007 and Bylaw No: 500.341, 2007

From: Justin Pagan [mailto:tetsu698@hotmail.com]
Sent: Monday, July 16, 2007 10:00 PM
To: email, planning
Subject: RE: Bylaw no. 239.03, 2007 and Bylaw No: 500.341, 2007

My name is Chris Pagan and I reside at 1550 Seabird rd in Cassidy. I just have a couple of questions regarding the proposed bylaw changes. Sorry I'm unable to attend the hearing to be held on the 17th. First I would like to state that I have lived in this community for 26 years and the Timberlands Inn has been an important part of this community for the entire time that I have lived here. It functions as a convenient and friendly place to have a drink and a meal. You can also grab a cold beer or a bottle of wine from the beer and wine store, very convenient. Living in Cassidy my family and I enjoy the rural atmosphere and the country living. My question has nothing to do with preserving the rural living around Cassidy. It may be an added convenience to have hotel units in the community. My first question deals with protection of the local aquifer. With the addition of 11 suites would the existing septic system be upgraded to conform to present day provincial and public health regulations for septic or treatment system? The number of people using an upgraded hotel with meeting room and 11 rooms with showers and toilets would certainly stress out a regular septic system. My concern arises because the majority of the Timberlands property is a paved parking lot with very little greenspace for a septic system. My other question is regarding the hotel units. Will there be time limit restrictions regarding how long a guest may stay in the suites? Many times projects like this turn into full time residences. My other question is regarding the change of ownership. I see in the local real estate guide that the Timberlands is for sale and a description of the proposed bylaw changes is offered in the description of the property. Will the new owner be bound to the terms and conditions of the new bylaw if the bylaw is changed? Thanks for taking the time to read my submission. Looking forward to hearing the answers to my questions. Sincerely, Chris Pagan 245-7651

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, JULY 10, 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 D. Bartram	Electoral Area H

Also in Attendance:

D. Trudeau	A/Chief Administrative Officer
M. Pearse	Senior Manager, Corporate Administration
P. Thorkelsson	General Manager, Development Services
G. Garbutt	Manager, Current Planning
N. Tonn	Recording Secretary

MINUTES

MOVED Director Holme, SECONDED Director Young, that the minutes of the Electoral Area Planning Committee meeting held June 12, 2007 be adopted.

CARRIED

PLANNING

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90705 – Gilley – 3063 Lofthouse Road – Area A.

MOVED Director Burnett, SECONDED Director Young, that Development Variance Permit Application No. 90705, to permit the siting of a barn located at Lot 2, Section 14, Range 5, Cedar District, Plan 9939, be approved subject to the terms outlined in Schedule No. 1, and subject to the Board's consideration of comments received, as a result of public notification.

CARRIED

Development Variance Permit Application No. 90710 – LaRoche – SW Corner of the Benson Meadows Development (off Northwood Road) – Area C.

MOVED Director Young, SECONDED Director Stanhope, that Development Variance Permit Application No. 90710, to permit the construction of a single residential dwelling with a maximum height of 11.5 m on the property legally described as Lot 16, Sections 12 and 13, Range 2, Mountain District, Plan VIP80085 on Northwood Road, be approved subject to the conditions outlined in Schedules No. 1 to 5 and the notification requirements of the *Local Government Act*.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 6:06 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, JULY 10, 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 L. McNabb	City of Nanaimo
Alternate	
Director M. Unger	City of Nanaimo
Director J. Manhas	City of Nanaimo
Director D. Brennan	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

D. Trudeau	A/Chief Administrative Officer
M. Pearce	Senior Manager, Corporate Administration
J. Finnie	General Manager of Environmental Services
N. Avery	Gen. Manager of Finance & Information Services
P. Thorkelsson	General Manager of Development Services
T. Osborne	General Manager of Recreation & Parks
N. Tonn	Recording Secretary

MINUTES

MOVED Director McNabb, SECONDED Director Manhas, that the minutes of the Committee of the Whole meeting held June 12, 2007 be adopted.

CARRIED

CORPORATE ADMINISTRATION SERVICES

ADMINISTRATION

Special Occasion License/Special Event Permit – Status Report.

MOVED Director Holme, SECONDED Director Holdom, that the Special Occasion License/Special Event Permit Status Report be received for information.

CARRIED

FINANCE & INFORMATION SERVICES

Resolutions to Lock in Rates for Long Term Debt.

MOVED Director Westbrook, SECONDED Director Holdom, that the following resolutions be endorsed:

Regional District of Nanaimo

That the officer responsible for the Financial Administration of the Regional District of Nanaimo be authorized to lock in interest rates with the Municipal Finance Authority on loan authorization Bylaw No. 1392 (Barclay Crescent Sewer) for the full term of the bylaw.

Regional Hospital District

That the officer responsible for the Financial Administration of the Nanaimo Regional Hospital District be authorized to lock in interest rates with the Municipal Finance Authority for loan authorization Bylaw No. 127 and subsequent amendments (Phase II expansion of Nanaimo Regional General Hospital) for the full term of the bylaw.

CARRIED

Administration Computer Equipment Reserve Fund Expenditure.

MOVED Director Westbrook, SECONDED Director Biggemann, that \$39,430 to purchase Storage Area Network (SAN) hardware and related software be approved as an expenditure from the "Administration Computer Equipment Reserve Fund Establishment Bylaw No. 924, 1994".

CARRIED

Planning Services Fees & Charges Bylaw Amendment Bylaw No. 1259.05.

MOVED Director Herle, SECONDED Director Holdom, that "Regional District of Nanaimo Planning Services Fees and Charges Amendment Bylaw No. 1259.05, 2007" be introduced and read three times.

CARRIED

MOVED Director Herle, SECONDED Director Holdom, that "Regional District of Nanaimo Planning Services Fees and Charges Amendment Bylaw No. 1259.05, 2007" having been read three times, be adopted.

CARRIED

Northern Community Sewer Service Area Development Cost Charges Amendment Bylaw No. 1442.01 and Fairwinds (Nanoose) Wastewater Treatment Development Cost Charges Amendment Bylaw No. 1443.01.

MOVED Director Holme, SECONDED Director Bartram, that "Northern Community Sewer Service Area Development Cost Charges Amendment Bylaw No. 1442.01, 2007" be read three times and forwarded to the Ministry of Community Services for approval.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that "Fairwinds (Nanoose) Wastewater Treatment Development Cost Charges Amendment Bylaw No. 1443.01, 2007" be read three times and forwarded to the Ministry of Community Services for approval.

CARRIED

DEVELOPMENT SERVICES

BYLAW ENFORCEMENT

Animal Control Contracts – Districts 68 and 69.

MOVED Director Manhas, SECONDED Director Brennan, that the contracts for animal control services with the Parksville-Qualicum SPCA and the Nanaimo Animal Shelter Ltd. be renewed for the term of March 1, 2007 to February 28, 2010.

CARRIED

MOVED Director Manhas, SECONDED Director Brennan, that the renewed contracts include an increase in contract service fees of 2 percent per annum.

CARRIED

ENVIRONMENTAL SERVICES

SOLID WASTE

Solid Waste Management Regulation Amendment Bylaw No. 1428.02.

MOVED Director Bartram, SECONDED Director Holme, that this item be referred back to staff.

CARRIED

UTILITIES

French Creek Sewer Local Service Area Amendment Bylaw No. 813.41 and Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.47 – Inclusion of Property into Local Service Area (864 Reid Road) – Area G.

MOVED Director Holme, SECONDED Director Bartram, that “French Creek Sewer Local Service Area Amendment Bylaw No. 813.41, 2007” be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that “Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.47, 2007” be introduced and read three times.

CARRIED

Nanoose Bay Peninsula Water Service Area – Release of Reserve Funds – Well Drilling Program.

MOVED Director Holme, SECONDED Director Bartram, that the Board approve the release of up to \$23,000 from the Nanoose Bay Peninsula Water Service Area reserve fund for the construction of a test water supply well on RDN property at Claudet Road and Northwest Bay Road.

CARRIED

Request for Sewer Servicing – 3312 Dolphin Drive – Area E.

MOVED Director Holme, SECONDED Director Bartram, that the Board support sanitary sewer servicing to 3312 Dolphin Drive through the community park to Highland Road and instruct staff to refer the request to the Parks & Open Space Advisory Committee for comment and to initiate the petitioning process for the inclusion of this property into the Fairwinds Sanitary Sewer Service Area.

CARRIED

Storm Water – Rainwater Management Practices Review.

MOVED Director Herle, SECONDED Director Bartram, that the Board approve funding up to \$20,000 from the Community Works Fund for the Rainwater Management Practices Review.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Electoral Area ‘E’ Parks and Open Space Advisory Committee.

MOVED Director Holme, SECONDED Director Brennan, that the minutes of the Electoral Area ‘E’ Parks and Open Space Advisory Committee meeting held June 4, 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 June 21, 2007 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that staff provide a full review of fees and charges in the spring of 2008 to include the Fees and Charges policy; past, current and future Regional District rates in relation to mid Island fees and charges; Vancouver Island Fees and Charges survey information provided by Port Alberni; implementation dates for rate changes; and operational budget comparisons associated with cost recovery rates for the mid Island region.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that the recommendations in the Fees and Charges report be approved as follows:

- a) That the program, admission and rental fees for Oceanside Place in 2007/08 be approved as outlined in Appendix A.
- b) That the program, admission and rental fees for Ravensong Aquatic Centre in 2008 be approved as outlined in Appendix B.
- c) That Recreation Coordinating program fees and recovery rates, administration fee and revenue-sharing percentage ratio for Term Instructor (Companies) agreements in 2008 be approved as outlined in Appendix C.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that staff make it a priority to initiate discussions with the School District regarding the development of a Partnership Agreement that addresses joint use, potential joint developments and program partnerships as stated in the RDN Recreation Services Master Plan for Oceanside, July 2006.

CARRIED

Area ‘G’ Parks and Open Space Advisory Committee.

The Chairperson noted that the minutes should be amended within the Director’s Report to replace the words “190 square miles” with the words “140 square miles”.

MOVED Director Bartram, SECONDED Director Young, that the minutes of the Area ‘G’ Parks and Open Space Advisory Committee meeting held May 10, 2007 be received for information as amended.

CARRIED

Drinking Water – Watershed Protection Stewardship Committee.

MOVED Director Bartram, SECONDED Director Biggemann, that the minutes of the Drinking Water – Watershed Protection Stewardship Committee meeting held June 6, 2007 be received for information.

CARRIED

IN CAMERA

MOVED Director Holme, SECONDED Director Bartram, 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 issues.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:30 PM

CHAIRPERSON



RDN			
CAO	GMF&IS		
GMDS	GMR&PS		
GMES	GMTS		
JUL - 3 2007			
SMCA			
CHAIR	BOARD		
<i>July Board</i>			

MEMORANDUM

TO: C. Mason
Chief Administrative Officer

DATE: June 30, 2007

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

FILE:

SUBJECT: Barclay Crescent Sewer Project – Final Cost Estimate

PURPOSE:

To provide an update on the status of the Barclay Crescent Sewer project.

BACKGROUND:

The Barclay Crescent sewer project is essentially complete. We reported late in 2006 that the estimated per property cost would be in the range of \$6,200 versus an initial estimate of \$5,000 as a result of being advised that certain project charges would not be eligible for an infrastructure grant. The Province has since advised us that they will provide a special grant of \$129,720 to the project in respect of those costs, however, we will not receive an equal amount for the federal portion. We now estimate that the per property cost will be \$5,830. Once all invoices are paid the final grant claim will be submitted – the amount of \$5,830 is a conservative accounting for the remaining eligible project costs.

We must advise the Municipal Finance Authority how much will be borrowed for the project no later than September 14. We also made a commitment to owners that they would have 60 days to make their financial arrangements once the project was completed. Given the deadlines, staff have proceeded to send owners a final accounting on the project, explaining to them the options for paying for their share of the project.

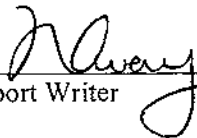
Most owners will pay for the project cost as part of their annual property taxes. Staff estimate that the capital repayment cost will be \$470 in 2008, rising by \$5 annually until 2023 at which time the rate will be \$520 for the five remaining years in the twenty year term. These results are comparable to those reported both to the Board and to residents who attended an information meeting last October.


SUMMARY/CONCLUSIONS:

This report is intended to advise the Board that the Barclay Crescent Sewer Project is essentially complete and staff have proceeded to contact owners to advise them of the deadline for choosing a project payment option. Last October staff advised the Board and residents that the per property estimate could be up to \$6,200. Since that time the Province has approved additional grant support and the final estimate is \$5,830 per property. Owners are being advised so that they can make financial arrangements in time for the Regional District to advise the Municipal Finance Authority how much it will borrow for the project.

RECOMMENDATION:

That the update on the Barclay Crescent Sewer Project be received for information.


Report Writer


C.A.O. Concurrence

COMMENTS:



RDN		
CAO	GMF&IS	
GMDS	GMR&PS	
GMES	GMTS	
JUL 12 2007		
SMCA		
CHAIR	BOARD	
July Board		

MEMORANDUM

TO: Geoff Garbutt
Manager, Current Planning

DATE: July 12, 2007

FROM: Susan Cormie
Senior Planner

FILE: 3360 30 0605

SUBJECT: Amendment Bylaw No. 500.339, 2007
Quest Homes, on behalf of Schickedanz & Moore
Electoral Area 'H' -- 4320 Garrod Road

PURPOSE

To abandon an amendment bylaw in conjunction with the proposed residential uses of the building strata development at 4320 Garrod Road in Electoral Area 'H'.

BACKGROUND

The Regional Board of Directors may recall that at its Regular Meeting held on February 27, 2007, a zoning amendment application for the subject parcels legally described as Building Strata Lots 1 – 10, District Lot 36, Newcastle District, Plan VIS5953 and located at 4320 Garrod Road in the Bowser area of Electoral Area 'H' was considered for the purpose of rezoning the existing resort condominium development to a residential development to provide full time residential occupancy for the existing buildings (*see Attachment No. 1 for location of subject properties*). At that time the Board gave the corresponding Amendment Bylaw No. 500.339, 2007 1st and 2nd reading and instructed staff to proceed with a public hearing.

Following the February Board, the applicants requested that the public hearing be postponed. More recently, the applicants have now requested that the amendment application be withdrawn.

ALTERNATIVES

There are no alternatives as this request to abandon the amendment bylaw is for housekeeping purposes only.

DEVELOPMENT IMPLICATIONS

The current development will remain as a resort condominium use.

VOTING

Electoral Area Directors - one vote, except Electoral Area 'B'.

SUMMARY

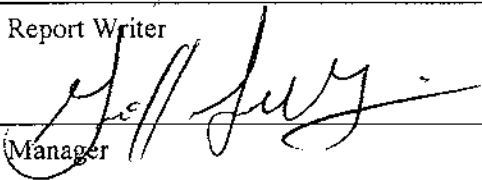
This is a report concerning the abandonment of Amendment Bylaw No. 500.339, 2007. Given that the applicants have requested this amendment bylaw not proceed and as there are no implications, staff supports the abandonment of this amendment bylaw.

RECOMMENDATION

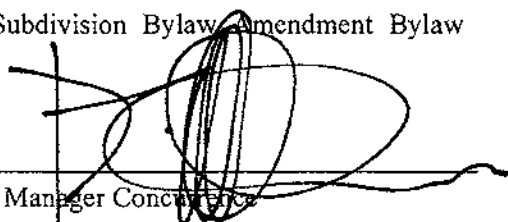
1. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.339, 2007" be abandoned.




Report Writer



Manager



General Manager Concurrence

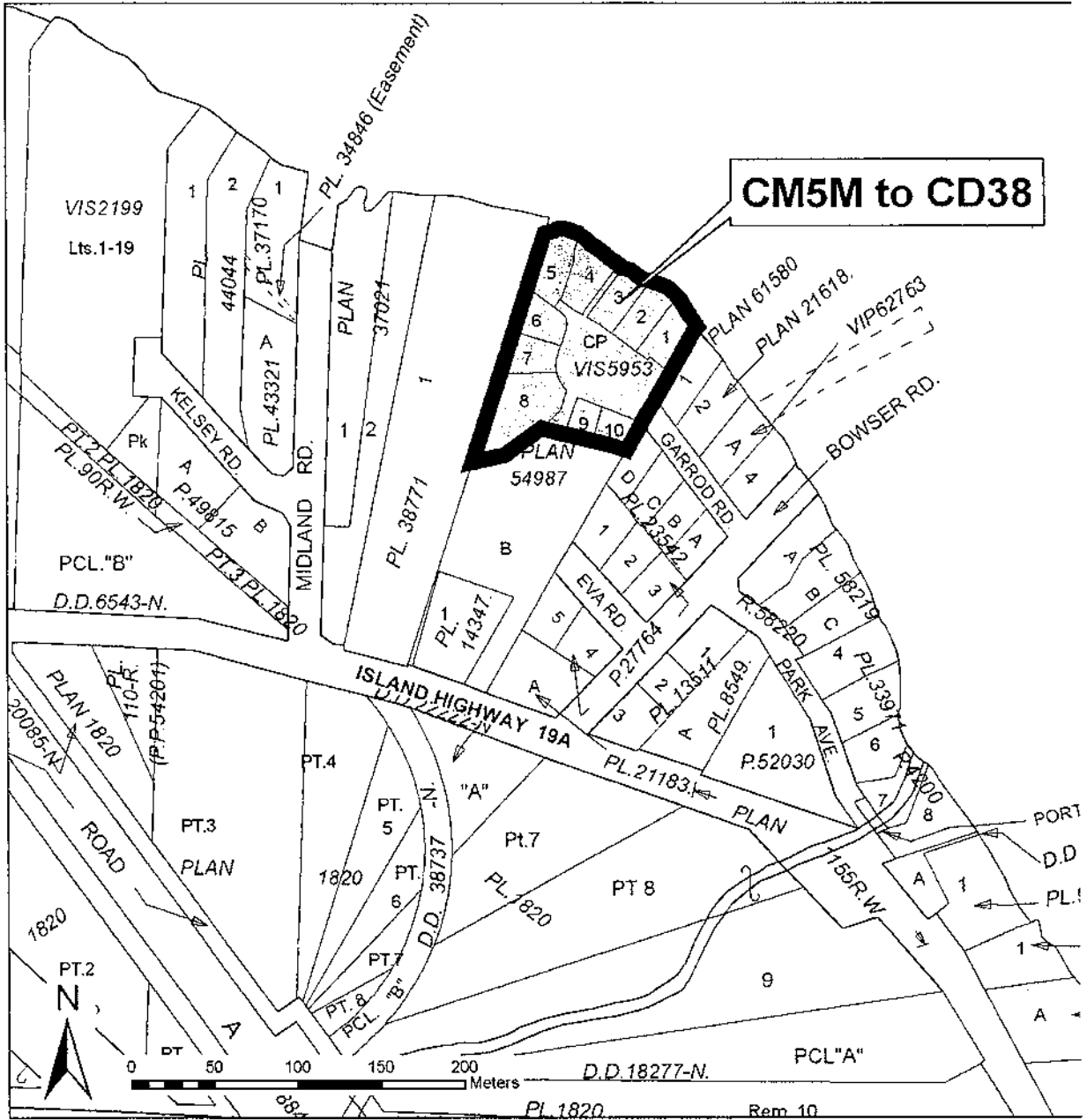


CAO Concurrence

COMMENTS:

devsys/reports/2007/ZA0605 ju Quest Homes.doc

Attachment No. 1
Location of The Subject Properties



BCGS Map Sheet No. 92F.047.2.3



RDN	
CAO <i>CM</i>	GMF&IS
GMDS	GMR&PS
GMES	GMTS
JUL 13 2007	
SMCA	
CHAIR	BOARD
<i>July Board</i>	

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: July 13, 2007

FROM: Maureen Pearse
Senior Manager, Corporate Administration

FILE:

SUBJECT: Exemption from Inspector Approval for Certain Regional District Service Bylaws

PURPOSE:

To advise the Board of recent changes which exempts two types of regional district service bylaws from requiring approval of the Inspector of Municipalities.

BACKGROUND:

A new regulation has recently come into force which exempts certain bylaws from requiring Inspector approvals. The two types of bylaws include:

Boundary Amendments:

Boundary amendments done through a petition will no longer require Inspector approval provided that the regional district receives a valid and sufficient petition for properties coming in or out of the service area. Establishment area bylaws will continue to require the Inspector's approval.

Requisition Limit Amendments:

Requisition limit amendments for a service that does not increase by more than 25% over a five year period will no longer require Inspector approval. Any requisition limit increases greater than 25% over five years continue to require Inspector approval.

DISCUSSION:

In the past, boundary amendment bylaws and requisition limit amendment bylaws were introduced to the Board and then forwarded to the Inspector for approval. Following approval by the Inspector, the bylaws were then returned for adoption. The time period to gain the Inspector's approval could take up to as little as one month but often longer than one month.

With the change to the requirement for Inspector approval for the above noted types of bylaws the question arose as to the process the RDN should follow with respect to the timing between the introduction and approval of these types of bylaws. Formerly the bylaws would take at least one month from introduction to adoption. This provided an opportunity for the public to put forward any concerns and in the case of boundary amendment bylaws, time to have covenants, capital costs, DCC's, etc. all finalized before the adoption of the bylaw. Staff have consulted with legal counsel to discuss a reasonable time period for boundary amendment and requisition limit bylaws to have between the introduction and adoption phase. In consideration of a public process and taking the former time periods that it took to take the bylaw from introduction to adoption stage, staff are recommending that at least one month pass between the introduction and adoption period. As an example, if a boundary amendment bylaw was introduced at a June Board meeting, the July Board meeting would be the earliest the bylaw could be considered for adoption. That would allow a time period for a public process.

All other statutory and procedural requirements for putting the amendment bylaws into force remain, including consent of the participants and regional district board approval through three readings and adoption, as per the *Local Government Act*. Bylaws that no longer require Inspector approval must still be submitted to the Province upon adoption as per Sections 801.6(2) and 802(7) of the Act. The bylaws are kept on file at the Ministry and are forwarded to BC Assessment for service area coding.

ALTERNATIVES:

1. That boundary amendment and requisition limit amendment bylaws that no longer require Inspector approval be given at least a one month time period between the introduction and adoption of the bylaw and that staff be directed to amend the procedure bylaw to incorporate this procedure.
2. That the Board establish a different time period for boundary amendment and requisition limit amendment bylaws that no longer require Inspector approval.

FINANCIAL IMPLICATIONS:

There are no financial implications.


CONCLUSIONS:

Recent legislation changes no longer require Inspector approval of certain bylaws. Staff, in consultation with legal counsel, are recommending that a time period of at least one month between the introduction and adoption of the bylaw be followed to allow for public input.

RECOMMENDATION:

That boundary amendment and requisition limit amendment bylaws that no longer require Inspector approval be given at least a one month time period between the introduction and adoption of the bylaw and that staff be directed to amend the procedure bylaw to incorporate this procedure.


Report Writer


C.A.O. Concurrence