

REGIONAL DISTRICT OF NANAIMO

**REGULAR BOARD MEETING
TUESDAY, OCTOBER 23, 2007
7:00 PM**

(RDN Board Chambers)

A G E N D A

PAGES

1. CALL TO ORDER

2. DELEGATIONS

Bruce Halliday, General Manager, & Bill Scott, President, re Port Theatre Annual Update.

3. BOARD MINUTES

10-19 Minutes of the Board meeting held October 2, 2007.

4. BUSINESS ARISING FROM THE MINUTES

5. COMMUNICATIONS/CORRESPONDENCE

6. UNFINISHED BUSINESS

BYLAWS

Public Hearing & Third Reading.

20-25 **Report of the Public Hearing held October 3, 2007 with respect to Bylaw Amendment No. 500.342, 2007 – Fern Road Consulting Ltd., on behalf of John & Susan Peyton – Spider Lake Road – Area H. (Electoral Area Directors except EA ‘B’ – One Vote)**

This bylaw is to rezone the property legally described as Lot 3, Block 360, Newcastle District, Plan 35096 from Subdivision District ‘B’ to Subdivision District ‘D’ to facilitate the subdivision of the parent parcel to create 2 parcels.

26-30 **Report of the Public Hearing held October 4, 2007 with respect to Bylaw Amendment No. 500.338, 2007 – Point Ellice Properties Ltd. – 2073 Main Road – Area A. (Electoral Area Directors except EA ‘B’ – One Vote)**

This bylaw is to rezone the properties legally described as Lot 5, Block 7, Section 12, Range 7, Cranberry District, Plan 1643 and Lots 6 and 7, Sections 12 and 13, Range 7, Cranberry District, Plan 1643 from Industrial 5 Subdivision District ‘J’ (IN5J) to Main Road Light Industrial Comprehensive Development 37 (CD37).

For Adoption.

- 31-35 **Bylaw Amendment Bylaw No. 500.337, 2007 – Ben Mellin on behalf of Burrell – Spider Lake & Marshland Roads – Area H.** (Electoral Area Directors except EA 'B' – One Vote)

That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No.500.337, 2007" be adopted.

This bylaw is to rezone the property legally described as Lot 3, Block 390, Newcastle District, Plan 39504 from Resource Management 1 Subdivision District 'A' (RM1A) to Rural 1 Subdivision District 'D' (RUID) to facilitate the creation of a 4-lot subdivision of the parent parcel.

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

7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE

- 36-37 Minutes of the Electoral Area Planning Committee meeting held October 9, 2007. (for information)

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60734 – Fern Road Consulting Ltd., on behalf of C. Redman and J. Prescott - Redman & Malcolm Roads – Area 'F'. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to Development Permit Application No. 60734.

That Development Permit Application No. 60734 submitted by Fern Road Consulting Ltd., on behalf of C. Redman and J. Prescott, in conjunction with the subdivision on the parcel legally described as the Northwest ¼ of Parcel A (DD4504-N) of Lot 9, Cameron District, Except Part in Plans 16020 and VIP55971 and designated within the Watercourse Protection Development Permit Area pursuant to OCP Bylaw No. 1152, 1999, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.

OTHER

Terms of Reference – Electoral Area 'A' Official Community Plan Land Inventory. (Electoral Area Directors except EA 'B' – One Vote)

That the proposed Terms of Reference attached as Schedule No. 1 be received and that staff be directed to proceed with the land inventory as proposed.

Proposed Board Policy -- Expression of Parcel Area in Land Use Bylaws.
(Electoral Area Directors except EA 'B' – One Vote)

1. *That the Board of the Regional District of Nanaimo adopt the Board Policy attached to the corresponding staff report, to establish the General Survey Inspection Rules for Plan Deposits as the method to determine the expression of parcel areas in relevant Regional District of Nanaimo bylaws.*
2. *That the Board of the Regional District of Nanaimo, direct staff to proceed to include Interpretation Sections to adopt the General Survey Instruction Rules for Plan Deposits as the method to determine the expression of parcel areas in "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" and "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002".*

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Rezoning/OCP Amendment Application No. AA00604 - 2610 Myles Lake Road – Area 'C'. (Electoral Area Directors except EA 'B' – One Vote)

That the application be referred back to staff for a full report.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

38-44 Minutes of the Committee of the Whole meeting held October 9, 2007. (for information)

COMMUNICATIONS/CORRESPONDENCE

B. Grose, re Animal Control Bylaw Enforcement. (All Directors – One Vote)

That the correspondence received from Mr. Grose regarding animal control bylaw enforcement be received.

FINANCE & INFORMATION SERVICES

FINANCE

Permissive Tax Exemption Request – Island Corridor Foundation. (All Directors – One Vote)

That correspondence be sent to the Island Corridor Foundation, copied to the BC Assessment Authority, acknowledging their permissive tax exemption under the Rural Tax Act and emphasizing our expectation that they will be a willing partner in structuring future corridor access agreements.

Reserve Fund Establishment Bylaw Nos. 1533 to 1537 – Nanoose Bay Water Supply Service, Englishman River Community Water Service, Duke Point Sewer Local Service, Descanso Bay Emergency Wharf Service, Northern Community Sewer Local Service.

(All Directors – One Vote)

1. *That “Nanoose Bay Water Supply Service Reserve Fund Establishment Bylaw No. 1533, 2007” be introduced for three readings.*

(All Directors – 2/3)

2. *That “Nanoose Bay Water Supply Service Reserve Fund Establishment Bylaw No. 1533, 2007” be adopted.*

(All Directors – One Vote)

3. *That “Englishman River Community Water Service Reserve Fund Establishment Bylaw No. 1534, 2007” be introduced for three readings.*

(All Directors – 2/3)

4. *That “Englishman River Community Water Service Reserve Fund Establishment Bylaw No. 1534, 2007” be adopted.*

(All Directors – One Vote)

5. *That “Duke Point Sewer Local Service Reserve Fund Establishment Bylaw No. 1535, 2007” be introduced for three readings.*

(All Directors – 2/3)

6. *That “Duke Point Sewer Local Service Reserve Fund Establishment Bylaw No. 1535, 2007” be adopted.*

(All Directors – One Vote)

7. *That “Descanso Bay Emergency Wharf Service Reserve Fund Establishment Bylaw No. 1536, 2007” be introduced for three readings.*

(All Directors – 2/3)

8. *That “Descanso Bay Emergency Wharf Service Reserve Fund Establishment Bylaw No. 1536, 2007” be adopted.*

(All Directors – One Vote)

9. *That “Northern Community Sewer Local Service Reserve Fund Establishment Bylaw No. 1537, 2007” be introduced for three readings.*

(All Directors – 2/3)

10. *That "Northern Community Sewer Local Service Reserve Fund Establishment Bylaw No. 1537, 2007" be adopted.*

Financing Bylaw Nos. 1538 and 1539 – Coombs-Hilliers Fire Protection Local Service and Melrose Terrace Community Water Supply Service. (All Directors – Weighted Vote)

1. *That "Regional District of Nanaimo (Coombs-Hilliers Fire Protection Local Service) Security Issuing Bylaw No. 1538, 2007" be introduced and read three times.*

(All Directors – 2/3)

2. *That "Regional District of Nanaimo (Coombs-Hilliers Fire Protection Local Service) Security Issuing Bylaw No. 1538, 2007" be adopted and forwarded to the Ministry of Community Services for a Certificate of Approval.*

(All Directors – Weighted Vote)

3. *That "Regional District of Nanaimo (Melrose Terrace Community Water Supply Service) Security Issuing Bylaw No. 1539, 2007" be introduced and read three times.*

(All Directors – 2/3)

4. *That "Regional District of Nanaimo (Melrose Terrace Community Water Supply Service) Security Issuing Bylaw No. 1539, 2007" be adopted and forwarded to the Ministry of Community Services for a Certificate of Approval.*

DEVELOPMENT SERVICES

BYLAW ENFORCEMENT

Animal Control Bylaw Enforcement. (All Directors – One Vote)

That the staff report be received for information and staff continue to monitor the enforcement of the current contract for animal control in District 68.

PLANNING

Proposed Boat Harbour Resort Compliance with Policy 6C of the Regional Growth Strategy. (All Directors – One Vote)

1. *That this item be referred back to staff to have the applicant:*
 - *Provide evidence that arrangements have been made for a long term renewable tenure to utilize Water Lot 1 for the Marina and access to the ocean for the boat ramp launch and other marine activities;*
 - *Complete studies to identify conflicts with adjacent land uses and meet with adjacent landowners to resolve issues and submit resolutions to any conflicts;*
 - *Submit an environmental study in compliance with RGS Goal 4, Environmental Protection Policy 4-C that addresses all environmental sensitive areas on the property.*
2. *And further that staff address the additional concerns raised by the Committee regarding the proposal.*

ENVIRONMENTAL SERVICES

LIQUID WASTE

Regional District of Nanaimo Trucked Liquid Waste Disposal Amendment Bylaw No. 988.07.

(All Directors – One Vote)

1. *That “Regional District of Nanaimo Trucked Liquid Waste Disposal Amendment Bylaw No. 988.07, 2007” be introduced for three readings.*

(All Directors – 2/3)

2. *That “Regional District of Nanaimo Trucked Liquid Waste Disposal Amendment Bylaw No. 988.07, 2007” be adopted.*

COMMISSION, ADVISORY & SELECT COMMITTEE

Regional Growth Monitoring Advisory Committee. (All Directors – One Vote)

That the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held August 29, 2007 be received for information.

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

1. *That the minutes of the Electoral Area 'A' Parks and Green Space Advisory Committee meeting held September 6, 2007 be received for information.*
2. *That staff contact MOE and MOT to investigate enhancements to the existing Ritten Road boat ramp.*
3. *That staff contact MOE and MOT to investigate the development of access to Holden Lake from Bean Road.*

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

1. *That the minutes of the Electoral Area 'F' Parks and Open Space Advisory Committee meeting held September 17, 2007 be received for information.*
2. *That the Malcolm property be identified as the top priority project for Area 'F' and that staff proceed with research on access to the property..*

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

That the minutes of the District 69 Recreation Commission meeting held September 20, 2007 be received for information.

Grants-in-Aid Advisory Committee. (All Directors – One Vote)

1. *That the minutes of the Grants-in-Aid Advisory Committee meeting held October 1, 2007 be received for information.*

(Nanaimo, Lantzville, Electoral Areas 'A', 'B' and 'C' – Weighted Vote)

2. *That the following School District 68 grants be awarded:*

<i>CatNAP (Cats Needing Aid & Protection)</i>	<i>\$500</i>
<i>Cedar Community Policing</i>	<i>\$427</i>
<i>Jonanco Hobby Workshop</i>	<i>\$400</i>
<i>Nanaimo Search & Rescue</i>	<i>\$462</i>

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

3. *That the following School District 69 grants be awarded:*

<i>Arrowsmith Search & Rescue Society</i>	<i>\$1,000</i>
<i>Errington & District Volunteer Fire Department</i>	<i>\$2,500</i>
<i>Errington Preschool Parents Society</i>	<i>\$ 400</i>
<i>Nanoose Bay Catspan</i>	<i>\$2,300</i>
<i>Royal Canadian Legion (Ladies Auxiliary)</i>	<i>\$2,100</i>

District 69 Community Justice and Safety Support Services Select Committee.
(All Directors – One Vote)

1. *That the minutes of the District 69 Community Justice and Safety Support Services Select Committee meeting held October 3, 2007 be received for information.*

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

2. *That commencing in 2008 the Committee be responsible for reviewing and recommending the community safety grant-in-aid awards for all District 69 electoral areas and municipalities, and that the RDN administer the release of all funds.*
3. *That the 2007 application for a community safety grant from the Citizens on Patrol Society, District 69 in the amount of \$1,320 to be applied in Electoral Areas 'E', 'F' and 'H' be approved.*
4. *That no requisition for Community Safety grants-in-aid be included in the 2008 budget for the Electoral Areas.*

(All Directors – One Vote)

5. *That the revised terms of reference for the District 69 Community Justice and Safety Support Services Select Committee be approved as presented.*

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Local Agriculture, Local Farming and Processing of Food. (All Directors – One Vote)

That a letter be sent to the ministries provided by the delegation, expressing our concerns with the new BC meat inspection regulations and asking the Province to consider a meat inspection system that is proportionate to the size and scale of production and that allows for a more flexible and less financially onerous inspection regime so as to keep small-scale, community-based production viable while maintaining the medical safety of its residents.

NEW BUSINESS

John Howard Society. (All Directors – One Vote)

That staff arrange for an annual meeting with the John Howard Society to report on the use of the funds provided to the Society from Electoral Areas 'A', 'B' and 'C'.

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Selection Committee Appointments (verbal). (All Directors – One Vote)

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

45-47 Minutes of the Electoral Area ‘H’ Parks and Open Space Advisory Committee meeting held on September 19, 2007. (for information)

8. ADMINISTRATOR’S REPORTS

48-49 Appointment of Bylaw Enforcement Officer. (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.

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE REGULAR MEETING OF THE BOARD OF THE REGIONAL DISTRICT OF NANAIMO HELD ON TUESDAY, OCTOBER 2, 2007, AT 7:05 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
Alternate	
Director F. Van Eynde	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
Alternate	
Director B. Dempsey	District of Lantzville
Director L. McNabb	City of Nanaimo
Director G. Korpan	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director D. Brennan	City of Nanaimo
Director J. Manhas	City of Nanaimo
Director B. Bestwick	City of Nanaimo

Also in Attendance:

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

PRESENTATION

The Chairperson presented to the Board, the BC Green Cities Award which the Chairperson accepted on behalf of the RDN at the Union of BC Municipalities Conference, for the District's efforts toward environmental sustainability.

CALL TO ORDER

The Chairperson welcomed Mr. Jack Eubank, Bylaw Enforcement Officer, as a new staff member to the Regional District of Nanaimo.

The Chairperson welcomed Alternate Directors Van Eynde and Dempsey to the meeting.

DELEGATIONS

Armand Leger, re Sanitary Sewer Servicing – 3312 Dolphin Drive – Area E.

Mr. Leger summarized efforts to gain approval for sanitary sewer servicing to his property on Dolphin Drive and appealed to the Board to approve his application.

Brenda Wright & Chris Fernandez, Nanaimo Search & Rescue, re Lot 11 Meadow Drive.

Ms. Wright provided background information on the Nanaimo Search and Rescue Society and requested the Board approve a lease agreement for property on Meadow Drive to house their rescue equipment and provide a training centre/emergency control centre.

Constable Fernandez spoke as the RCMP's liaison to Nanaimo Search and Rescue and noted NSAR's inclusion in the RCMP emergency operation plans and the need for a centralized location for a search control centre.

LATE DELEGATION

MOVED Director Westbrook, SECONDED Director Bartram, that a late delegation be permitted to address the Board.

CARRIED

Bruce Erickson, re Application by Nanaimo Search and Rescue for Use of Lot 11 Meadow Drive.

Mr. Erickson provided background information on the park dedication agreement with the developer and noted the importance in preserving this parkland for the residents of the area and future generations.

BOARD MINUTES

MOVED Director Westbrook, SECONDED Director Van Eynde, that the minutes of the Board meeting held August 28, 2007 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

M. Pullen, re Development Permit Application No. 60709 – 5003 Thompson Clarke Drive West, Area 'H'.

MOVED Director Westbrook, SECONDED Director Bartram, that the correspondence received from M. Pullen with respect to Development Permit Application No. 60709 be received.

CARRIED

Residents of Carmichael Road, re Support of Development Variance Permit Application No. 90626 – 941 Shorewood Drive, Area 'G'.

MOVED Director Westbrook, SECONDED Director Bartram, that the correspondence received from residents of Carmichael Road in support of Development Variance Permit Application No. 90626 be received.

CARRIED

UNFINISHED BUSINESS

BYLAWS

For Adoption.

Northern Community Sewer Service Area Development Cost Charges Amendment Bylaw No. 1442.01.

MOVED Director Westbrook, SECONDED Director Herle, that "Northern Community Sewer Service Area Development Cost Charges Amendment Bylaw No. 1442.01, 2007" be adopted.

CARRIED

Fairwinds (Nanoose) Wastewater Treatment Development Cost Charges Amendment Bylaw No. 1443.01.

MOVED Director Van Eynde, SECONDED Director Korpan, that "Fairwinds (Nanoose) Wastewater Treatment Development Cost Charges Amendment Bylaw No. 1443.01, 2007" be adopted.

CARRIED

Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.46.

MOVED Director Sperling, SECONDED Director Young, that "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.46, 2007" be adopted.

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 September 11, 2007 be received for information.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60624 – Fern Road Consulting Ltd. on behalf of A.G. Project Management Inc. – Lot A, McColl Road – Area H.

MOVED Director Bartram, SECONDED Director Van Eynde, that Development Permit Application No. 60624, to vary the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" for the property legally described as Lot A, District Lot 85, Newcastle District, Plan VIP82060 be approved subject to the conditions outlined in Schedules No. 1, 2, 3, 4 and 5.

CARRIED

Development Permit Application No. 60709 – Wood/Mason – 5003 Thompson Clarke Drive West – Area H.

MOVED Director Bartram, SECONDED Director Van Eynde, that Development Permit Application No. 60709, to vary the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” for the property legally described as Lot 1, District Lot 28, Newcastle District, Plan 34851, be approved subject to the conditions outlined in Schedules No. 1, 2, 3, 4 and 5.

CARRIED

Development Permit Application No. 60718 – Fern Road Consulting Ltd. on behalf of Joseph Walters – Jamieson Road & Island Highway No. 19A – Area H.

MOVED Director Bartram, SECONDED Director Van Eynde, that Development Permit Application No. 60718 submitted by Fern Road Consulting Ltd., on behalf of Joseph Walters, in conjunction with the subdivision on the parcel legally described as Lot 4, District Lot 40, Newcastle District, Plan 43604 and designated within the Environmentally Sensitive Features Development Permit Area, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

Development Permit Application No. 60722 – Fern Road Consulting Ltd. on behalf of D & K Radke – Lot A Kenmuir Road – Area H.

MOVED Director Bartram, SECONDED Director Burnett, that Development Permit Application No. 60722 submitted by Fern Road Consulting Ltd., on behalf of D & K Radke, in conjunction with the subdivision on the parcel legally described as Lot A, District Lot 19, Newcastle District, Plan VIP62179 and designated within the Environmentally Sensitive Features Development Permit Area, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

Development Permit Application No. 60724 – Davenport – 985 Surfside Drive – Area G.

MOVED Director Bartram, SECONDED Director Burnett, that Development Permit Application No. 60724, to permit the replacement of an existing wooden seawall with a rubble rock seawall on the property legally described as Lot 17, Block 1, District Lot 9, Newcastle District, Plan 15370 on Surfside Drive, be approved subject to the conditions outlined in Schedules No. 1, 2 and 3.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90626 – Albers – 941 Shorewood Drive – Area G.

MOVED Director Bartram, SECONDED Director Young, that Development Variance Permit Application No. 90626, to vary the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1087” and “Regional District of Nanaimo Floodplain Management Bylaw No. 1469, 2006” for the property legally described as Lot C, District Lots 1 & 181, Nanoose District, Plan 10875, be approved subject to the conditions outlined in Schedules No. 1, 2, 3 and 4.

CARRIED

Development Variance Permit Application No. 90712 – Eilers/Allen – 3410 Carmichael Road – Area E.

MOVED Director Van Eynde, SECONDED Director Bartram, that Development Variance Permit Application No. 90712, to permit the height of a single residential dwelling with a maximum height of 8.6 m on the subject property legally described as Lot 5, District Lot 78, Nanoose District, Plan VIP78139 on Carmichael Road, be approved subject to the conditions outlined in Schedules No. 1, 2 and 3.

CARRIED

ADDENDUM

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60729 – Fern Road Consulting Ltd., on behalf of Todsens Design & Construction Ltd. and McTay Holdings Ltd. – Stead Road & Island Highway No. 19A – Area H.

MOVED Director Bartram, SECONDED Director Burnett, that Development Permit Application No. 60729 submitted by Fern Road Consulting Ltd., on behalf of Todsens Design & Construction Ltd. and McTay Holdings Ltd., in conjunction with the subdivision on the parcels legally described as Lot 1, Plan 17597 and Lot 6, Plan 12132, both of District Lot 32, Newcastle District and designated within the Environmentally Sensitive Features Development Permit Area, be approved subject to the conditions outlined in Schedules No. 1, 2 and 3 of the corresponding staff report.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that the park land proposal, in the amount and location as shown on Schedule No. 2 of the staff report, be accepted subject to the conditions set out in Schedule No. 4 of the staff report.

CARRIED

MOVED Director Bartram, SECONDED Director Van Eynde, that at the request of Fern Road Consulting Ltd. on behalf of Todsens Design & Construction Ltd. and McTay Holdings Ltd., the RDN establish a building permit area surrounding this proposed development for the purposes of establishing it as a building inspection area; and further that staff be directed to prepare the required bylaw changes necessary to implement the service and bring a report with the bylaw amendment forward for consideration by the Board.

CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

MOVED Director Burnett, SECONDED Director McNabb, that the minutes of the Committee of the Whole meeting held September 11, 2007 be received for information.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

J. Macdonald, VIBC Steering Committee, re Vancouver Island Biosphere Centre.

MOVED Director Biggemann, SECONDED Director Manhas, that the correspondence from the VIBC Steering Committee regarding the proposed location of the Vancouver Island Biosphere Centre in Rath Trevor Provincial Park be received.

CARRIED

M. Hooper, Nanaimo Airport Commission, re Nanaimo Airport Runway Extension – Public Information Sessions.

MOVED Director Biggemann, SECONDED Director Manhas, that the correspondence from the Nanaimo Airport Commission with respect to the structure of the Nanaimo Airport Commission and an overview of the public information process associated with the Nanaimo Airport improvements be received.

CARRIED

Residents of Widgeon Road, re Qualicum Flight Centre.

MOVED Director Biggemann, SECONDED Director Manhas, that the correspondence from residents of Widgeon Road with respect to training flights out of Qualicum Beach Airport be received.

CARRIED

T.J. Cairns, re Qualicum Beach Airport.

MOVED Director Biggemann, SECONDED Director Manhas, that the correspondence from T.J. Cairns regarding the Qualicum Beach Airport be received.

CARRIED

CORPORATE ADMINISTRATION SERVICES

ADMINISTRATION

Special Occasion License/Special Event Permit – Status Report.

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

CARRIED

FINANCE & INFORMATION SERVICES

FINANCE

Electoral Area ‘G’ Fire Protection.

MOVED Director Bartram, SECONDED Director Herle, that this item be referred back to staff for additional information.

CARRIED

Cedar Sewer Service Rates and Regulations Bylaw No. 1532.

MOVED Director Burnett, SECONDED Director Young, that “Cedar Sewer Service Rates and Regulations Bylaw No. 1532, 2007” be introduced for first three readings and be held for adoption with the remaining Cedar Sewer Service bylaws.

CARRIED

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

MOVED Director Biggemann, SECONDED Director McNabb, that Hub Fire Engines be awarded the supply of a 2008 Freightliner M2 fire tanker vehicle at a cost of \$149,853 plus taxes for the Dashwood Fire Department – Meadowood Firehall.

CARRIED

DEVELOPMENT SERVICES

PLANNING

Regional Growth Strategy Review – Consultation Plan.

MOVED Director Holdom, SECONDED Director Bartram, that the Regional District of Nanaimo approve the revised consultation plan as outlined in Attachment 1 titled “A Consultation Plan for the Regional Growth Strategy Review”.

CARRIED

Sustainability Project Workshop.

MOVED Director Holdom, SECONDED Director Bartram, that the Workshop Report for the Saturday, May 5, 2007 Sustainability Workshop be received.

CARRIED

Use of RDN Property – Lot 11 Meadow Drive – Area C.

MOVED Director Young, SECONDED Director Burnett, that staff be directed to negotiate with the Mountain Fire Protection Improvement District for the long-term lease of a portion of Lot 11, Section 14, Range 4, Mountain Land District, Plan VIP80079 to accommodate fire department use.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that the request from Nanaimo Search and Rescue Society for the long-term lease of a portion of Lot 11, Section 14, Range 4, Mountain Land District, Plan VIP80079, to accommodate an operations building and parking lot be denied.

CARRIED

MOVED Director Young, SECONDED Director Manhas, that staff assist the Nanaimo Search and Rescue Society, in consultation with the City of Nanaimo and the District of Lantzville, in researching their search area to ascertain if there is a suitable location to meet their requested needs for a permanent home.

CARRIED

ENVIRONMENTAL SERVICES

SOLID WASTE

Award of Tender – Tandem Axle Truck for Regional Landfill.

MOVED Director Westbrook, SECONDED Director Herle, that Co-Van International Trucks Inc. be awarded the supply for an International 7500 SBA 6x4 Tandem Axle Truck with hook lift system for use at the Regional Landfill for a cost of \$115,020.

CARRIED

Residential Food Waste Collection Field Test – Progress Report.

MOVED Director Westbrook, SECONDED Director Bestwick, that the Board receive the progress report on the Residential Food Waste Collection Field Test Program for information.

CARRIED

UTILITIES

Convening for Action on Vancouver Island (CAVI).

MOVED Director Bartram, SECONDED Director Herle, that the Board receive the report on Convening for Action on Vancouver Island – Leadership for Water sustainability for information.

CARRIED

MOVED Director Bartram, SECONDED Director Herle, that the Board support staff participation in CAVI and the efforts and activities of CAVI in promoting water sustainability and water-centric thinking and actions.

CARRIED

MOVED Director Bartram, SECONDED Director Herle, that the Board support staff entering into a Smart Development Partnership with the Ministry of Community Services and a Memorandum of Understanding with the BC Water & Waste Association to facilitate the transfer of provincial funds to support CAVI's "Showcasing Green Infrastructure Innovation on Vancouver Island and Green Infrastructure Leadership" initiatives.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Regional Growth Monitoring Advisory Committee.

MOVED Director Holdom, SECONDED Director Bartram, that the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held June 27, 2007 be received for information.

CARRIED

BOARD INFORMATION

Parksville Lions Housing Society.

MOVED Director Herle, SECONDED Director Westbroek, that a letter of support be sent to the Parksville Lions Housing Society with respect to their CMHC grant application for funds to provide affordable housing units for people with physical and mental disabilities in District 69.

CARRIED

Regional Parks and Trails Advisory Committee.

MOVED Director McNabb, SECONDED Director Biggemann, that the minutes of the Regional Parks and Trails Advisory Committee meeting held on September 18, 2007 be received for information.

CARRIED

Selection Committee Appointments.

Electoral Area 'A' Recreation and Culture Commission.

MOVED Director Bartram, SECONDED Director Burnett, that Grant Fong, Wendy Herrington and Dee Hutt-Randen be appointed to the Electoral Area 'A' Recreation and Culture Commission for a term ending December 31, 2008.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that Shelagh Gourlay, Krista Seggie and Shannon Wilson be appointed to the Electoral Area 'A' Recreation and Culture Commission for a term ending December 31, 2009.

CARRIED

Regional Liquid Waste Advisory Committee.

MOVED Director Bartram, SECONDED Director Korpan, that Blair Nicholson be appointed to the Regional Liquid Waste Advisory Committee as a Business Community (South) representative.

CARRIED

MOVED Director Bartram, SECONDED Director Korpan, that Christianne Wilhelmson be appointed to the Regional Liquid Waste Advisory Committee as an Environment Community representative.

CARRIED

MOVED Director Bartram, SECONDED Director Korpan, that Charles Gahr and Gary Tuyls be appointed to the Regional Liquid Waste Advisory Committee as General Public (North) representatives.

CARRIED

MOVED Director Bartram, SECONDED Director Korpan, that Karen Limin be appointed to the Regional Liquid Waste Advisory Committee as a General Public (South) representative.

CARRIED

ADMINISTRATOR'S REPORTS

Appointment of Bylaw Enforcement Officer.

MOVED Director Young, SECONDED Director Bartram, that Mr. John F. (Jack) Eubank be appointed as a Bylaw Enforcement Officer pursuant to "Regional District of Nanaimo Bylaw Enforcement Officers Bylaw No. 857, 1992," for the purpose of enforcing Regional District of Nanaimo bylaws and regulations.

CARRIED

Appointment of Animal Control Bylaw Enforcement Officers.

MOVED Director Young, SECONDED Director Manhas, that the Board appoint Lawnie Williams and Patricia Doreen Dobbyn, Parksville/Qualicum Beach & District SPCA, as Bylaw Enforcement Officers for the specific purpose of enforcing Regional District of Nanaimo Animal Control and Licensing bylaws.

CARRIED

Urban Containment Boundary Change Request – City of Nanaimo.

MOVED Director McNabb, SECONDED Director Holdom, that the Board support the City of Nanaimo requests to move the Urban Containment Boundary to include the Westwood Road property and South Nanaimo Lands properties.

CARRIED

NEW BUSINESS

British Columbia Climate Change Action Charter.

MOVED Director Bartram, SECONDED Director Westbroek,:

That the Board of the Regional District of Nanaimo (RDN) support “The British Columbia Climate Change Action Charter” between the Province of British Columbia (the Province), the Union of British Columbia Municipalities (UBCM) and Local Governments by requesting inclusion of the RDN as a “Signatory Local Government” to the Charter.

That RDN staff be directed to prepare a letter to the Province and UBCM presenting the RDN’s commitment to the charter, and prepare the necessary addendum for attachment to the Charter document that specifies the plans, activities and commitments (as outlined by the RDN’s Green Cities Awards application) the RDN is making with respect to climate change, green house gas reduction and sustainable community development.

CARRIED

IN CAMERA

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

CARRIED

ADJOURNMENT

MOVED Director Korpan, SECONDED Director Herle, that the meeting terminate.

CARRIED

TIME: 8:28 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION



KUN REPURI	
CAO APPROVAL <i>CAW</i>	
EAP	
CCW	
OCT 12 2007	
RHD	
BOARD	<i>✓ Oct 23rd</i>

MEMORANDUM

TO: Geoff Garbutt
Manager of Community Planning

DATE: October 11, 2007

FROM: Susan Cornie
Senior Planner

FILE: 3360 30 0706

SUBJECT: Amendment Bylaw No. 500.342
Fern Road Consulting Ltd., on behalf of J & S Peyton
Electoral Area 'H' – Spider Lake Road, Spider Lake Area

PURPOSE

To receive the Report of the Public Hearing containing the Summary of the Minutes and Submissions of the Public Hearing held on Thursday, October 3, 2007 and further, to consider Bylaw No. 500.342, 2007 for 3rd reading.

BACKGROUND

Bylaw No. 500.342 was introduced and given 1st and 2nd reading on August 28, 2007. This was followed by a Public Hearing held on October 3, 2007. The summary of the minutes and submissions is attached for the Board's consideration (*see Attachment No. 2*).

The purpose of this amendment bylaw is to rezone the parcel legally described as Lot 3, Block 360, Newcastle District, Plan 35096 and located adjacent to Spider Lake Road in the Spider Lake Area of Electoral Area 'H' (*see Attachment No. 1 for location of subject property*) Subdivision District 'B' (8.0 ha minimum parcel size with or without community services) to Subdivision District 'D' (2.0 ha minimum parcel size with or without community services) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" in order to facilitate the subdivision of the parent parcel (*see Schedule No. 2 for proposed subdivision layout*).

The applicant is in concurrence to meet a number of conditions of development, which are to be completed prior to consideration of adoption of the bylaw. 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 and Subdivision Bylaw Amendment Bylaw No. 500.342, 2007".
2. To receive the Report of the Public Hearing and deny "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.342, 2007".

INTERGOVERNMENTAL IMPLICATIONS

Referrals were sent to the Ministry of Transportation, Vancouver Island Health authority, and the Bow-Home Bay Volunteer Fire Department. Comments received are as follows:

Ministry of Transportation – Ministry staff indicated that the Ministry has no objection to this application, but this is not to be construed as an approval of subdivision.

Ministry of Health – staff has indicated that the Ministry has no objections to this application.

Local Fire Department – The Fire Chief has not provided any comments to date. As access is a requirement of subdivision, if the zoning amendment application proceeds, as part of the subdivision review process staff will forward a copy of the corresponding RDN subdivision review report to the Fire Chief. If the Fire Chief has any concerns at that time, those concerns will be forwarded to the Approving Authority.

PUBLIC CONSULTATION IMPLICATIONS

The proceedings are outlined in the Summary of the Minutes and Submissions of the Public Hearing attached to this report (*see Attachment No. 2*). There were no written submissions received at the Public Hearing (*see Attachment No. 2*).

VOTING


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

SUMMARY


The purpose of Bylaw No. 500.342, 2007 is to rezone Lot 3, Block 360, Newcastle District, Plan 35096, located adjacent to Spider Lake Road in the Spider Lake area of Electoral Area 'II', to facilitate the subdivision of the parent parcel. The amendment bylaw was introduced and given 1st and 2nd reading on August 28, 2007 and proceeded to Public Hearing on October 3, 2007. The requirements set out in the Conditions of Approval are to be completed by the applicants prior to the Board's consideration of the bylaw for adoption. Therefore, staff recommends that Bylaw No. 500.342, 2007 be considered for 3rd reading.

RECOMMENDATIONS

1. That the Report of the Public Hearing containing the Summary of Minutes and Submissions of the Public Hearing held on October 3, 2007 as a result of public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.342, 2007" be received.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.342, 2007" be given 3rd reading.
3. That the conditions as 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. 500.342, 2007.

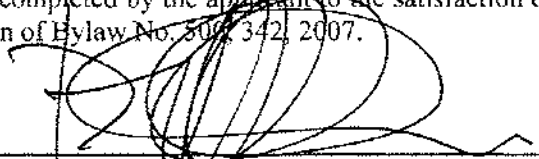


Report Writer

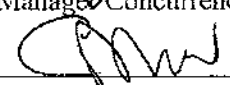


Manager Concurrence

COMMENTS:



General Manager Concurrence



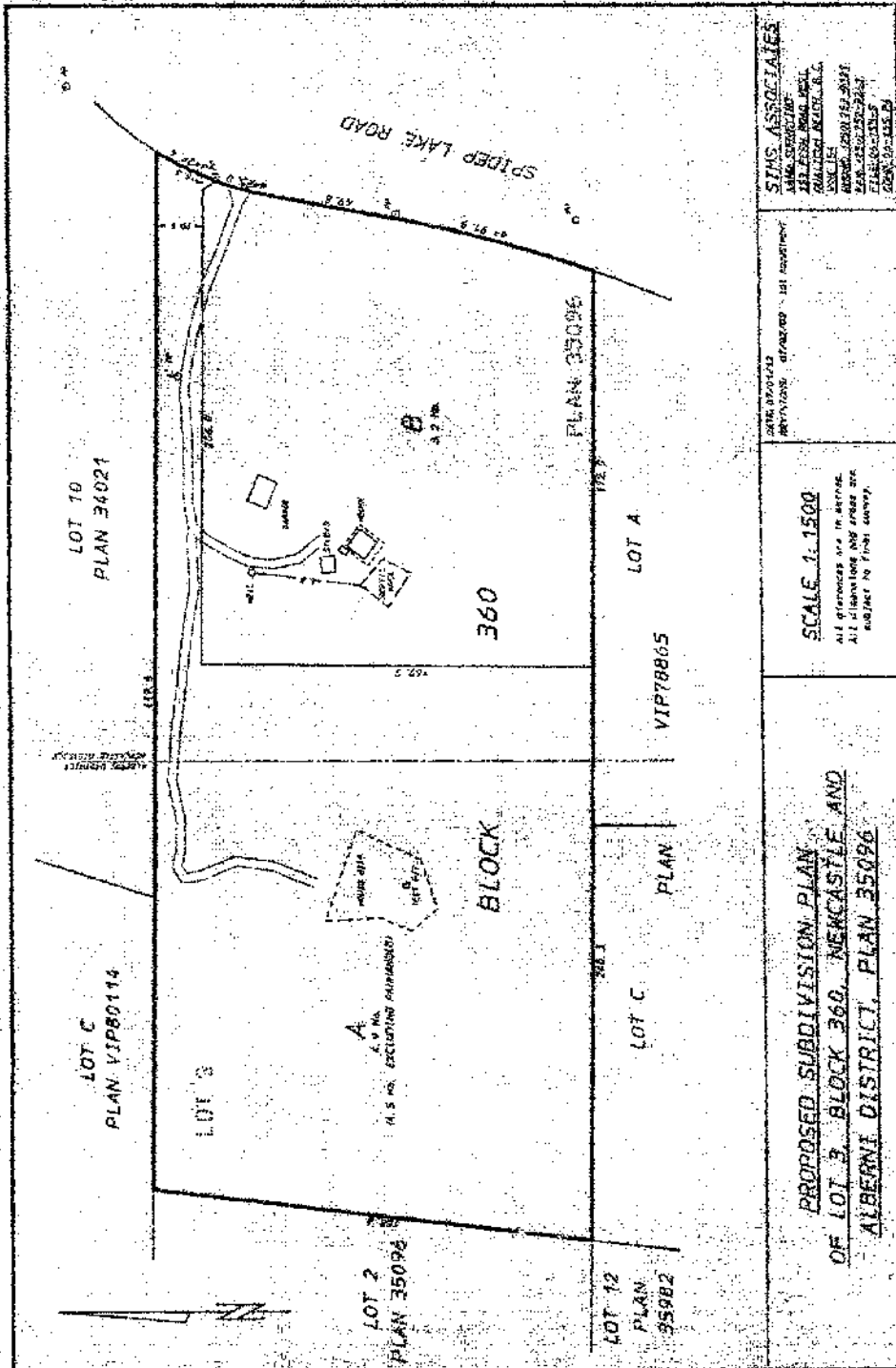
CAO Concurrence

Schedule No. 1
Conditions for Approval
Amendment Application No. ZA0706
Lot 3, Block 360, Newcastle District, Plan 35096

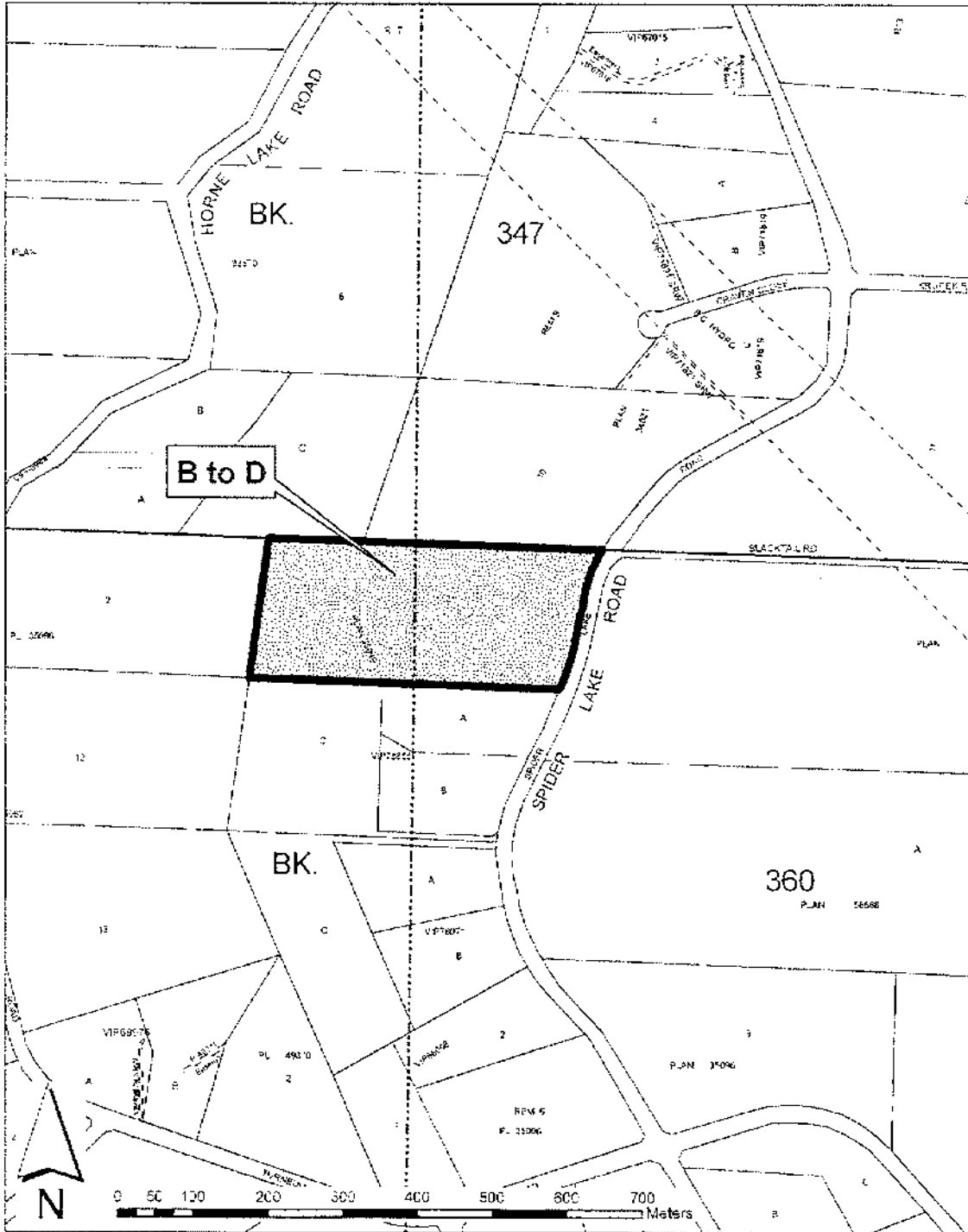
The applicant is to provide the following documentation prior to the amendment application being considered for 4th reading:

1. All covenants are to be prepared and registered at Land Title Office, Victoria by the applicant to the satisfaction of the Regional District prior to consideration of 4th reading of Amendment Bylaw No. 500.342, 2007. Draft covenant documents are to be forwarded to the RDN for review prior to registration. For Proposed Lot B, the following section 219 covenants shall be registered on title:
 - a) A section 219 covenant restricting:
 - i) A maximum of one dwelling unit per parcel;
 - ii) No bare land strata subdivision;
 - iii) No frontage relaxation; and,
 - iv) No further road dedication to accommodate parcel frontage or additional parcels.
 - c) A section 219 covenant registering the 24-page Preliminary Hydrogeological Assessment Report prepared by EBA Engineering for Lot 3, Block 390, Newcastle District, Plan 39504, dated March 22, 2007.
2. All covenants are to be prepared and registered at Land Title Office, Victoria by the applicant to the satisfaction of the Regional District prior to consideration of 4th reading of Amendment Bylaw No. 500.342, 2007. Draft covenant documents are to be forwarded to the RDN for review prior to registration. For Proposed Lot A, the following section 219 covenants shall be registered on title:
 - a) A section 219 covenant restricting no further subdivision of the land, including a subdivision pursuant to the *Bare Land Strata Regulation* or the *Strata Property Act* including a bare land strata subdivision and/or a building strata development;
 - c) A section 219 covenant registering the 24-page Preliminary Hydrogeological Assessment Report prepared by EBA Engineering for Lot 3, Block 390, Newcastle District, Plan 39504, dated March 22, 2007.
3. Applicant to apply for a development permit.

Schedule No. 2
 Proposed Plan of Subdivision
 Amendment Application No. ZA0706
 Lot 3, Block 360, Newcastle District, Plan 35096
 (as submitted by applicant - reduced for convenience)



Attachment No. 1
Location of Subject Property
Amendment Application No. ZA0706



BCGS MAP-SHEET NO. 92F 347.23

Attachment No. 2

REGIONAL DISTRICT OF NANAIMO

Report of the Public Hearing
Held at Lighthouse Community Hall
240 Lions Way, Qualicum Bay, BC
October 3, 2007 at 7:00 pm

To Consider Regional District of Nanaimo Land Use and Subdivision Bylaw
Amendment Bylaw No. 500.342, 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:

David Bartram
Susan Cormie

Chairperson, Director, Electoral Area 'H'
Senior Planner

There was 4 people in attendance.

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

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

The Chairperson called for formal submissions with respect to Bylaw 500.342, 2007.

Jack Pipes, Spider Lake Road, expressed that he was curious as to why the subdivision has been proposed to be configured as 2 lots only.

The Chairperson called for further submissions for the second time.

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

There being no further submissions, the Chairperson adjourned the Hearing at 7:15 p.m.

Certified true and accurate this 11th day of October, 2007.

Susan Cormie
Recording Secretary

Director David Bartram
Chairperson, Electoral Area 'H'



CAO APPROVAL	
EAP	
COW	
OCT 12 2007	
RHD	
BOARD	✓ Oct. 23rd

MEMORANDUM

TO: Paul Thorkelsson
General Manager, Development Services

DATE: October 11, 2007

FROM: Geoff Garbutt
Manager of Current Planning

FILE: 3360 30 0606

SUBJECT: Amendment Bylaw No. 500.338, 2006
Regional District of Nanaimo on behalf of Point Ellice Properties Ltd.
Electoral Area 'A' – 2073 Main Road

PURPOSE

To receive the Report of the Public Hearing containing the Summary of the Minutes and Submissions of the Public Hearing held on Thursday October 4, 2007, on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.338, 2006" and further, to consider Bylaw No. 500.338, 2006 for 3rd reading.

BACKGROUND

The purpose of this amendment bylaw is to rezone the subject properties in order to permit light industrial uses compatible with adjacent land uses in accordance with applicable policies contained in "Electoral Area 'A' Official Community Plan Bylaw No. 1240, 2001".

Bylaw No. 500.338, 2006 was introduced and given 1st and 2nd reading on January 23, 2007. This was followed by a Public Hearing held on October 4, 2007. The location of the properties subject to this amendment bylaw is outlined on *Attachment No. 1*. The summary of the minutes and submissions to the Public Hearing is attached for the Board's consideration (*see Attachment No. 2*).

ALTERNATIVES

1. To receive the Report of the Public Hearing and give 3rd reading to "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.338, 2006".
2. To receive the Report of the Public Hearing and deny "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.338, 2006".

INTERGOVERNMENTAL IMPLICATIONS

Ministry of Transportation – Ministry staff has indicated that formal access approvals have been issued for the subject properties. As the subject property is within 800 metres of a controlled access highway interchange, the amendment bylaw requires the approval of the Ministry of Transportation (MoT). Pursuant to the requirements of the *Transportation Act*, MoT approval is required prior to adoption of Bylaw No. 500.338.

PUBLIC CONSULTATION IMPLICATIONS

As outlined above the Public Hearing for Bylaw 500.338, 2006 was held on October 4, 2007. Approximately 23 people attended the Public Hearing. In addition to public comments expressed there

were 3 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 this amendment bylaw is to rezone the subject properties in order to permit light industrial uses compatible with adjacent land uses in accordance with applicable policies contained in "Electoral Area 'A' Official Community Plan Bylaw No. 1240, 2001".

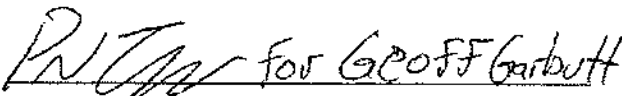
Bylaw No. 500.338, 2006 was introduced and given 1st and 2nd reading on January 23, 2007. This was followed by a Public Hearing held on October 4, 2007.

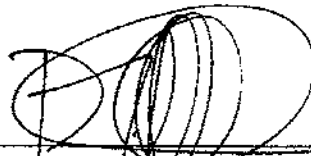
Submissions received at the corresponding Public Hearing, which was held on July 17, 2007, are outlined in the Summary of the Minutes and Submissions of the Public Hearing (see Attachment No. 2).


As the subject property is within 800 metres of a controlled access highway interchange, the amendment bylaw requires the approval of the Ministry of Transportation (MoT). Pursuant to the requirements of the *Transportation Act*, MoT approval is required prior to adoption of Bylaw No. 500.338.

RECOMMENDATIONS

1. That the Report of Public Hearing containing the Summary of Minutes and Submissions of the Public Hearing held on October 4, 2007 as a result of public notification "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.338, 2006" be received.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.338, 2006" be given 3rd reading and be referred to the Ministry Transportation for approval pursuant to the requirements of the *Transportation Act*.

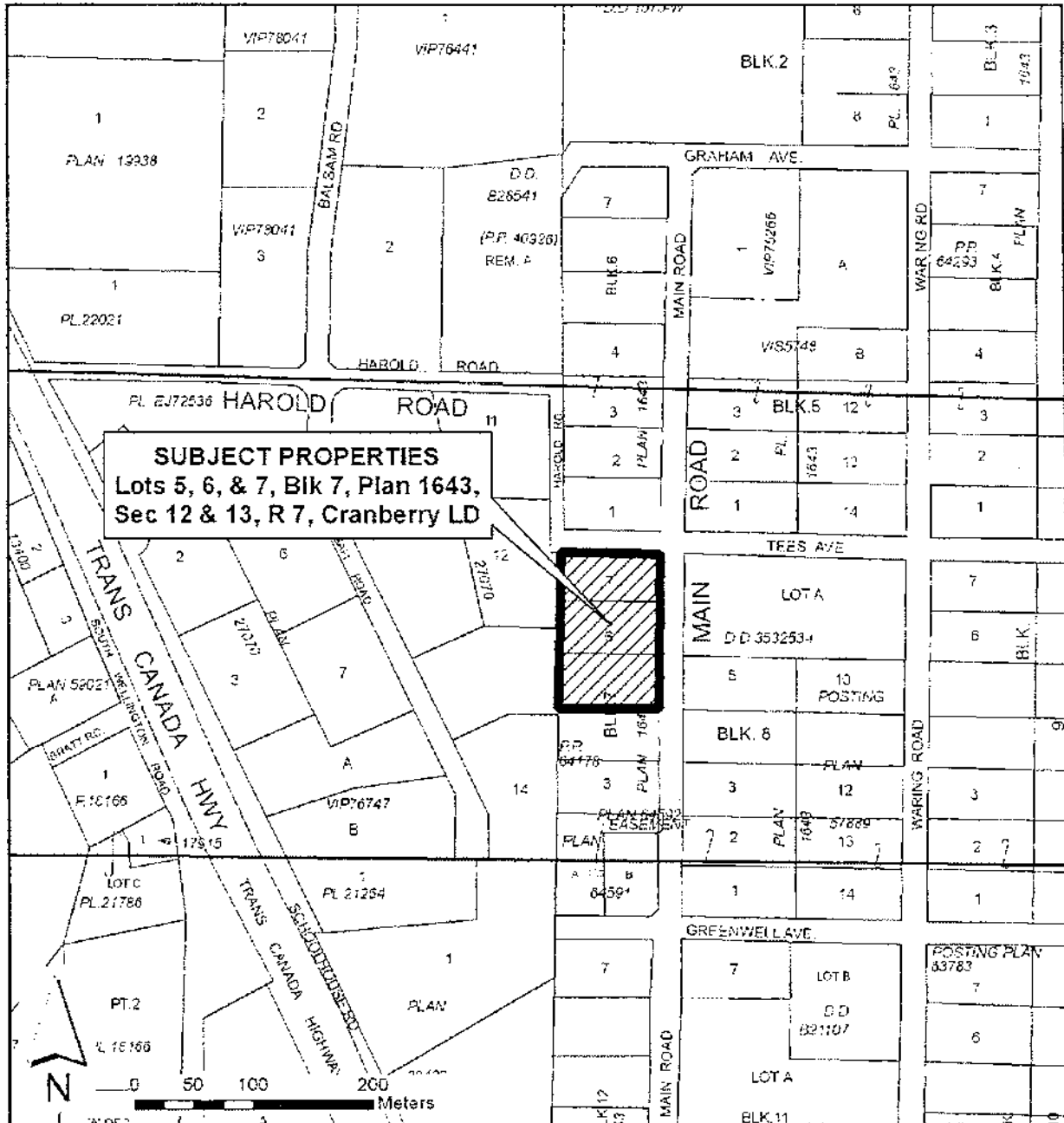

Report Writer


General Manager Concurrence


CAO Concurrence

COMMENTS:

Attachment No. 1
Subject Property Map
 (attached for convenience only)
Lot 5, Block 7, Section 12, Range 7, Cranberry District, Plan 1643 and Lots 6 and 7, Block 7, Sections 12 and 13, Range 7, Cranberry District, Plan 1643
Main Road



Attachment No. 2

REGIONAL DISTRICT OF NANAIMO

Report of the Public Hearing
Held at Cranberry Community Hall, 1555 Morden Road
October 4, 2007, at 7:00 pm
To Consider

“Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.338, 2006”
Summary of Minutes and Submissions

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

PRESENT:

Joe Burnett	Chairperson, Director, Electoral Area 'A'
Geoff Garbutt	Manager of Current Planning
Greg Keller	Senior Planner

There were approximately 23 persons in attendance.

The **Chairperson** called the Hearing to order at 7:02 p.m., introduced those present at the head table, and outlined the procedures to be followed during the Hearing.

Greg Keller, Senior Planner provided an outline of the Bylaw.

The **Chairperson** called for formal submissions with respect to Bylaw 500.338, 2006.

Brenda Arthur, 1503 Caledonia Ave, indicated that she lived on Main Road for many years. Ms. Arthur stated that she supports the motion to downzone the subject properties.

Barbara Ehmig, 2082 Main Road, explained that the present zoning is inappropriate due to excessive noise and pollution. Ms. Ehmig stated that the proposed zoning is the correct thing to do and that she supports the zoning proposed.

David Dunaway, 1644 Morden Road, spoke in favor of the proposed change in zoning, but indicated that the proposed zone does not go far enough.

Hazel Dunaway, 1638 Morden Road, asked when the subject properties were originally zoned Industrial 5.

The **Planner** responded by explaining that the subject properties were zoned to Industrial 5 in 1986.

Marjorie Stupich, 1287 Scotchtown Road, indicated her support for the proposed rezoning.

Wendy Burns, 2033 Main Road, explained that she has lived here since 1980 and has seen many changes, but this year takes it all. Ms. Burns indicated that she is concerned over people trespassing on her land in order to access the subject properties. Ms. Burns also explained that she was concerned with the protection of her water well. Ms. Burns stated that she supports the proposed rezoning.

Doug Burns, 2033 Main Road, spoke to his concern regarding the implications of the Budget Steel becoming a legal non-conforming use.

Geoff Garbutt, Manager of Current Planning, responded by providing a general overview of section 911 of the *Local Government Act*.

Twyla Schon, 2074 Main Road, indicated her support for the proposed rezoning. Ms. Schon also explained her concerns with respect to noise, air pollution, parking, site area constraints, and trespass on to her property, road design limitations, security, and personal safety.

Krista Seggie, 2969 Granby Road, indicated that she was a member of the South Wellington and Area Community Association and that she speaks for herself and other members who could not attend the meeting due to other commitments. Ms. Seggie indicated that she was in support of the proposed rezoning.

The Chairperson called for further submissions.

Hazel Dunnaway 1638 Morden Road, spoke to her concern about what can be done to reduce the impacts of the Budget Steel's current operation. Ms. Dunnaway reconfirmed her support for the proposed rezoning.

The Chairperson called for further submissions for the second time.

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

There being no further submissions, the Chairperson adjourned the Hearing at 7:20 p.m.

Certified true and accurate this 5th day of October 2007.



Greg Keller
Recording Secretary

Director Joe Burnett
Chairperson, Electoral Area 'A'



RDN REPORT	
CAO APPROVAL <i>[Signature]</i>	
EAP	
COW	
OCT 12 2007	
RHD	
BOARD	✓ OCT. 23/07

MEMORANDUM

TO: Geoff Garbutt
Manager, Current Planning

DATE: October 11, 2007

FROM: Susan Cormic
Senior Planner

FILE: 3360 30 0704

SUBJECT: Bylaw Amendment Bylaw No. 500.337 – Ben Mellin, on behalf of Burrell
Electoral Area 'H' – Spider Lake and Marshland Roads, Spider Lake Area

PURPOSE

To consider Bylaw 500.337 for adoption.

BACKGROUND

Bylaw No. 500.337 was introduced and given 1st and 2nd reading on May 22, 2007. This was followed by a Public Hearing held on June 19, 2007. The Board granted 3rd reading for the bylaw on June 26, 2007. The purpose of this amendment bylaw is to rezone the parcel legally described as Lot 3, Block 390, Newcastle District, Plan 39504 and located adjacent to Spider Lake and Marchland Roads in the Spider Lake Area of Electoral Area 'H' (*see Attachment No. 1 for location of subject property*) from Resource Management 1 Subdivision District 'A' (RM1A) to Rural 1 Subdivision District 'D' (RU1D) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" in order to facilitate the creation of a 4-lot subdivision of the parent parcel with a minimum parcel size of 2.0 ha.

At 3rd reading of this amendment application, the Conditions for Approval include the preparation of 3 covenants to be registered on title prior to the amendment bylaw being considered for adoption and applying for a development permit. These conditions, to be completed prior to consideration of 4th reading of the corresponding bylaw, are outlined in *Schedule No. 1*. The applicant has provided the required covenants and it is expected that these documents will be registered on title by the Board meeting. With respect to the requirement for applying for a development permit, the applicant completed this requirement. It is noted that the applicant has made application to the Regional Approving Officer for subdivision.

As outlined in a previous staff report, if the applicant does not provide a plan of subdivision showing all parcels to be greater than 2.0 ha in size, the provision of park land will be required to be considered at the time of subdivision.

ALTERNATIVES

1. To adopt Bylaw No. 500.337.
2. To not adopt Bylaw No. 500.337.

VOTING

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


SUMMARY

"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.337, 2007" was considered by the Board and given 1st and 2nd reading on May 22, 2007. Subsequent to that, a Public Hearing was held on June 19, 2007 and the Board granted 3rd reading on June 26, 2007. It is expected that the required covenants will be registered on title by the Board meeting. As the conditions of approval will be completed as outlined in *Schedule No. 1*, this bylaw may now be considered for adoption.

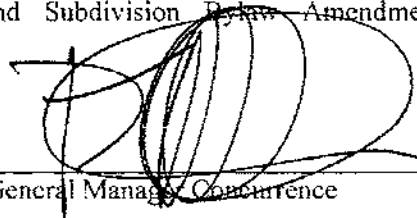
The following recommendation is provided for consideration by the Board.

RECOMMENDATION


That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.337, 2007", be adopted.



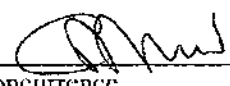
Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

COMMENTS:

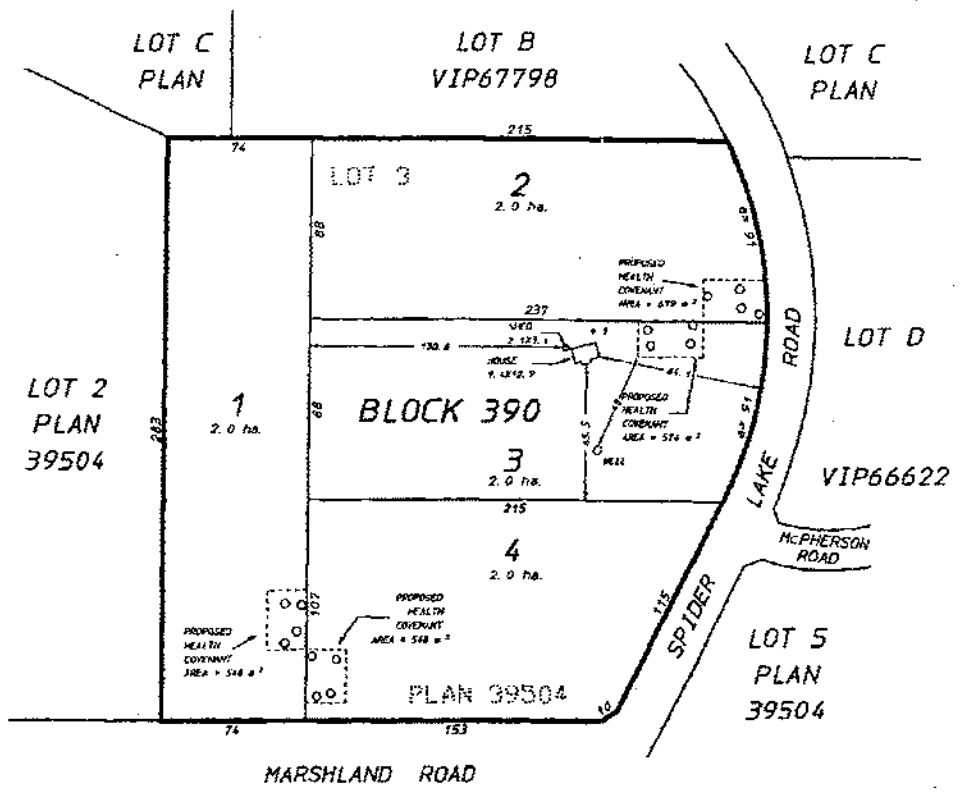
devsvs/reports/2007/ZA3360 30 0704 500.337 oc brd Burrell adopt

Schedule No. 1
Zoning Amendment Application No. ZA0704 / Amendment Bylaw No. 500.337
Conditions for Approval

The applicant is to provide the following documentation prior to the amendment applications being considered for 4th reading:

1. All covenants are to be prepared and registered by the applicant to the satisfaction of the Regional District. Draft covenant documents are to be forwarded to the RDN for review prior to consideration of 4th reading. For all proposed parcels, the following Section 219 covenants shall be registered on title:
 - a) A Section 219 covenant restricting:
 - i) A maximum of one dwelling unit per parcel;
 - ii) No further subdivision of the land, including a Bare Land Strata Subdivision;
 - iii) No frontage relaxation; and,
 - iv) No further road dedication to accommodate parcel frontage or additional parcels.
 - b) A Section 219 covenant registering the Hydrogeological Assessment Report prepared by EBA Engineering for Lot 3, Block 390, Newcastle District, Plan 39504, dated December 21, 2006.
 - c) A Section 219 covenant restricting the subdivision of the parent parcel as set out in the proposed plan of subdivision attached as Schedule No. 2 to this staff report.
2. Applicant to apply for a development permit.

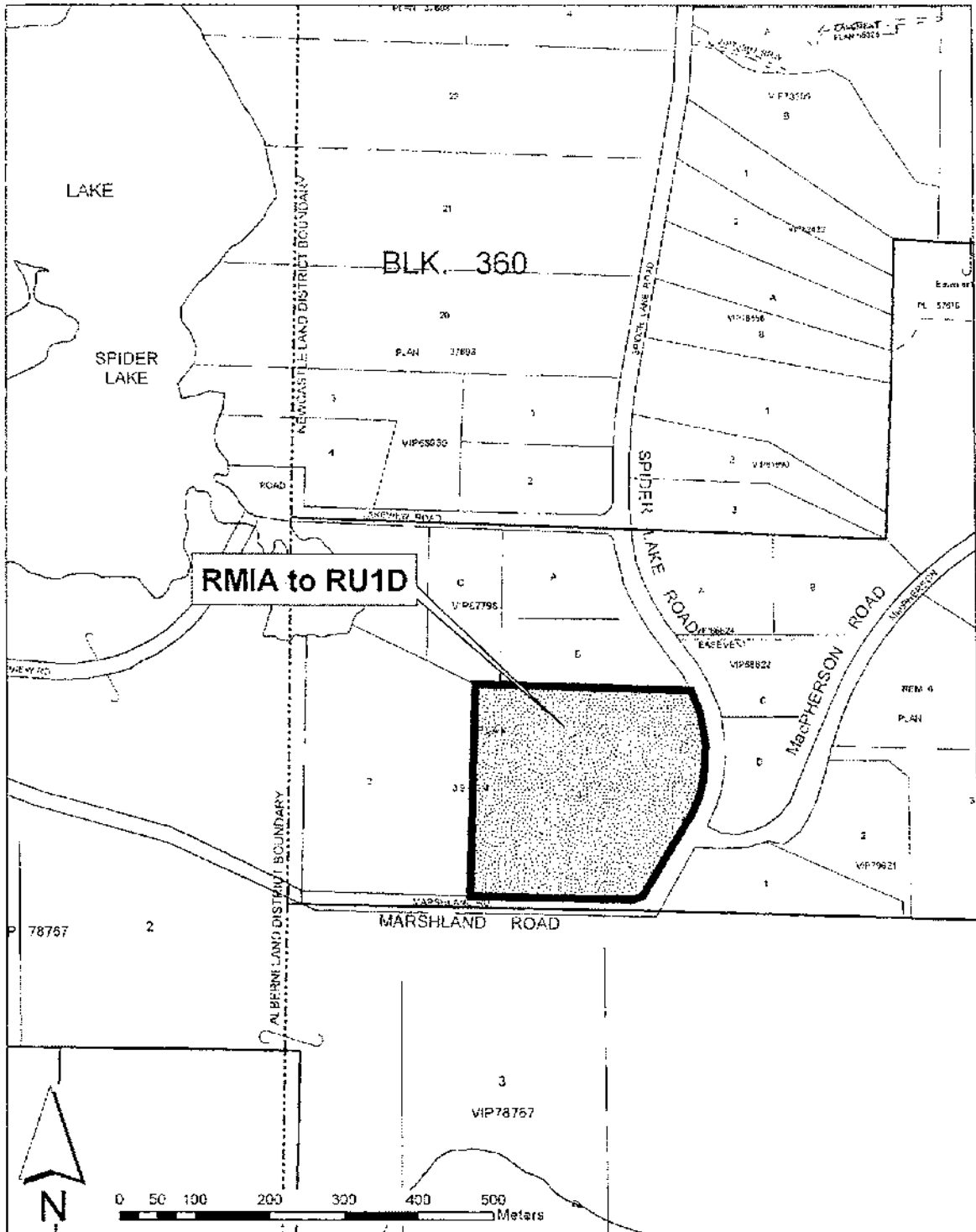
Schedule No. 2
 Amendment Application No. ZA0704 / Amendment Bylaw No. 500.337
 Proposed Plan of Subdivision
 (as submitted by applicant - reduced for convenience)



NOTE:
 SETBACKS ARE TO OVERHANG

<p style="text-align: center;"><u>PROPOSED SUBDIVISION PLAN OF LOT 3</u> <u>BLOCK 390, NEWCASTLE DISTRICT,</u> <u>PLAN 39504.</u></p>	<p style="text-align: center;"><u>SCALE 1:2000</u></p> <p>All distances are in metres. All dimensions and areas are subject to final survey.</p>	<p>DATE 07/01/28 REVISIONS</p>	<p>SIMS ASSOCI. LAND SURVEYING 222 FERN ROAD WEST, QUALIFON BEACH, N.S.W. 1752, NSW PHONE: (050) 752-8121 FAX: (050) 752-8251 EMAIL: DS-11@S WWW: DS-11@S</p>
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Attachment No. 1
Amendment Application No. ZA0704 / Amendment Bylaw No. 500.337
Location of Subject Property



BOGS MAPSHEET NO 92F 387 24

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, OCTOBER 9, 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
Alternate	
Director F. Van Eynde	Electoral Area E
Director L. Biggemann	Electoral Area F
Director J. Stanhope	Electoral Area G

Also in Attendance:

M. Pearce	Senior Manager, Corporate Administration
P. ThorkeIsson	General Manager, Development Services
P. Thompson	Manager, Long Range Planning
G. Garbutt	Manager, Current Planning
N. Tonn	Recording Secretary

DELEGATIONS

Chuck and Linda Addison, re Rezoning/OCP Amendment Application No. A00604 – 2610 Myles Lake Road – Area ‘C’.

Mr. and Mrs. Addison provided information with respect to their application which has been held in abeyance since November 2006. The property is zoned Resource presently, and the property owners asked the Board of reconsider their application which would include changing the property zoning to Rural Residential.

MINUTES

MOVED Director Stanhope, SECONDED Director Van Eynde, that the minutes of the Electoral Area Planning Committee meeting held September 11, 2007 be adopted.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60734 – Fern Road Consulting Ltd. on behalf of C. Redman and J. Prescott – Redman & Malcolm Roads – Area F.

MOVED Director Biggemann, SECONDED Director Young, that Development Permit Application No. 60734 submitted by Fern Road Consulting Ltd., on behalf of C Redman and J Prescott, in conjunction with the subdivision on the parcel legally described as the Northwest ¼ of Parcel A (DD4504-N) of Lot 9, Cameron District, Except Part in Plans 16020 and VIP55971 and designated within the Watercourse Protection Development Permit Area pursuant to OCP Bylaw No. 1152, 1999, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report and to the notification requirements pursuant to the *Local Government Act* with respect to the proposed variance.

CARRIED

OTHER

Terms of Reference – Electoral Area ‘A’ Official Community Plan Land Inventory.

MOVED Director Burnett, SECONDED Director Stanhope, that the proposed Terms of Reference attached as Schedule No. 1 be received and that staff be directed to proceed with the land inventory as proposed.

CARRIED

Proposed Board Policy – Expression of Parcel Area in Land Use Bylaws.

MOVED Director Stanhope, SECONDED Director Biggemann, that the Board of the Regional District of Nanaimo adopt the Board Policy attached to the corresponding staff report, to establish the General Survey Instruction Rules for Plan Deposits as the method to determine the expression of parcel areas in relevant Regional District of Nanaimo bylaws.

CARRIED

MOVED Director Stanhope, SECONDED Director Biggemann, that the Board of the Regional District of Nanaimo direct staff to proceed to include Interpretation Sections to adopt the General Survey Instruction Rules for Plan Deposits as the method to determine the expression of parcel areas in “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” and “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285, 2002”.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Rezoning/OCP Amendment Application No. AA00604 – 2610 Myies Lake Road – Area C.

MOVED Director Young, SECONDED Director Burnett, that the Electoral Area Planning Committee reconsider Application No. AA00604 and the motion stated in the Electoral Area Planning Committee’s minutes dated November 14, 2006 regarding the application.

MOVED Director Stanhope, SECONDED Director Biggemann, that the application be referred back to staff for a full report.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 6:37 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON TUESDAY, OCTOBER 9, 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
Alternate	
Director Van Eynde	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 J. Cameron	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Manhas	City of Nanaimo
Director D. Brennan	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Senior Manager, Corporate Administration
D. Trudeau	General Manager of Transportation Services
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

CALL TO ORDER

The Chairperson welcomed Alternate Directors Cameron and Van Eynde to the meeting.

The Chairperson welcomed Ms. Wendy Idema, Manager of Accounting Services, as a new staff member to the Regional District of Nanaimo.

DELEGATIONS

Pam Shaw, Townline Ventures, re Proposed Boat Harbour Resort Compliance with Policy 6C of the Regional Growth Strategy.

Ms. Shaw and Mr. Kyle Sherry provided an overview of the proposed Boat Harbour Resort and urged the Committee to confirm that the application meets the conditions for a destination resort as outlined in Policy 6C of the Regional Growth Strategy.

LATE DELEGATIONS

MOVED Director Bartram, SECONDED Director McNabb, that a late delegation be permitted to address the Committee.

CARRIED

Doug Catley, re Local Agriculture, Local Farming and Processing of Food.

Mr. Catley raised his concerns regarding the new provincial meat inspection regulations and urged the Board to support local agricultural producers, processors and distributors and express the RDN's concerns to the provincial government.

MINUTES

MOVED Director McNabb, SECONDED Director Cameron, that the minutes of the Committee of the Whole meeting held September 11, 2007 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

B. Grose, re Animal Control Bylaw Enforcement.

MOVED Director Westbrook, SECONDED Director Manhas, that the correspondence received from Mr. Grose regarding animal control bylaw enforcement be received.

CARRIED

FINANCE & INFORMATION SERVICES

FINANCE

Permissive Tax Exemption Request – Island Corridor Foundation.

MOVED Director Bartram, SECONDED Director Herle, that correspondence be sent to the Island Corridor Foundation, copied to the BC Assessment Authority, acknowledging their permissive tax exemption under the *Rural Tax Act* and emphasizing our expectation that they will be a willing partner in structuring future corridor access agreements.

CARRIED

Reserve Fund Establishment Bylaw Nos. 1533 to 1537 – Nanoose Bay Water Supply Service, Englishman River Community Water Service, Duke Point Sewer Local Service, Descanso Bay Emergency Wharf Service, Northern Community Sewer Local Service.

Bylaw No. 1533.

MOVED Director Burnett, SECONDED Director McNabb, that “Nanoose Bay Water Supply Service Reserve Fund Establishment Bylaw No. 1533, 2007” be introduced for first three readings.

CARRIED

MOVED Director Burnett, SECONDED Director McNabb, that “Nanoose Bay Water Supply Service Reserve Fund Establishment Bylaw No. 1533, 2007” be adopted.

CARRIED

Bylaw No. 1534.

MOVED Director Burnett, SECONDED Director McNabb, that “Englishman River Community Water Service Reserve Fund Establishment Bylaw No. 1534, 2007” be introduced for first three readings.

CARRIED

MOVED Director Burnett, SECONDED Director McNabb, that "Englishman River Community Water Service Reserve Fund Establishment Bylaw No. 1534, 2007" be adopted.

CARRIED

Bylaw No. 1535.

MOVED Director Burnett, SECONDED Director McNabb, that "Duke Point Sewer Local Service Reserve Fund Establishment Bylaw No. 1535, 2007" be introduced for first three readings.

CARRIED

MOVED Director Burnett, SECONDED Director McNabb, that "Duke Point Sewer Local Service Reserve Fund Establishment Bylaw No. 1535, 2007" be adopted.

CARRIED

Bylaw No. 1536.

MOVED Director Burnett, SECONDED Director McNabb, that "Descanso Bay Emergency Wharf Service Reserve Fund Establishment Bylaw No. 1536, 2007" be introduced for first three readings.

CARRIED

MOVED Director Burnett, SECONDED Director McNabb, that "Descanso Bay Emergency Wharf Service Reserve Fund Establishment Bylaw No. 1536, 2007" be adopted.

CARRIED

Bylaw No. 1537.

MOVED Director Burnett, SECONDED Director McNabb, that "Northern Community Sewer Local Service Reserve Fund Establishment Bylaw No. 1537, 2007" be introduced for first three readings.

CARRIED

MOVED Director Burnett, SECONDED Director McNabb, that "Northern Community Sewer Local Service Reserve Fund Establishment Bylaw No. 1537, 2007" be adopted.

CARRIED

Financing Bylaw Nos. 1538 and 1539 – Coombs-Hilliers Fire Protection Local Service and Melrose Terrace Community Water Supply Service.

MOVED Director Biggemann, SECONDED Director McNabb, that "Regional District of Nanaimo (Coombs-Hilliers Fire Protection Local Service) Security Issuing Bylaw No. 1538, 2007" be introduced and read three times.

CARRIED

MOVED Director Biggemann, SECONDED Director McNabb, that "Regional District of Nanaimo (Coombs-Hilliers Fire Protection Local Service) Security Issuing Bylaw No. 1538, 2007" be adopted and forwarded to the Ministry of Community Services for a Certificate of Approval.

CARRIED

MOVED Director Biggemann, SECONDED Director McNabb, that "Regional District of Nanaimo (Melrose Terrace Community Water Supply Service) Security Issuing Bylaw No. 1539, 2007" be introduced and read three times.

CARRIED

MOVED Director Biggemann, SECONDED Director McNabb, that "Regional District of Nanaimo (Melrose Terrace Community Water Supply Service) Security Issuing Bylaw No. 1539, 2007" be adopted and forwarded to the Ministry of Community Services for a Certificate of Approval.

CARRIED

DEVELOPMENT SERVICES

BYLAW ENFORCEMENT

Animal Control Bylaw Enforcement.

MOVED Director Young, SECONDED Director Burnett, that the staff report be received for information and staff continue to monitor the enforcement of the current contract for animal control in District 68.

CARRIED

Director Burnett requested that staff review the existing bylaw and recommend any necessary changes.

PLANNING

Proposed Boat Harbour Resort Compliance with Policy 6C of the Regional Growth Strategy.

MOVED Director Burnett, SECONDED Director Westbrook, that this item be referred back to staff to have the applicant:

Provide evidence that arrangements have been made for a long term renewable tenure to utilize Water Lot 1 for the Marina and access to the ocean for the boat ramp launch and other marine activities;

Complete studies to identify conflicts with adjacent land uses and meet with adjacent landowners to resolve issues and submit resolutions to any conflicts;

Submit an environmental study in compliance with RGS Goal 4, Environmental Protection Policy 4-C that addresses all environmental sensitive areas on the property.

And further that staff address the additional concerns raised by the Committee regarding the proposal.

CARRIED

ENVIRONMENTAL SERVICES

LIQUID WASTE

Regional District of Nanaimo Trucked Liquid Waste Disposal Amendment Bylaw No. 988.07.

MOVED Director Westbrook, SECONDED Director Herle, that "Regional District of Nanaimo Trucked Liquid Waste Disposal Amendment Bylaw No. 988.07, 2007" be introduced for three readings.

CARRIED

MOVED Director Westbrook, SECONDED Director Herle, that "Regional District of Nanaimo Trucked Liquid Waste Disposal Amendment Bylaw No. 988.07, 2007" be adopted.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Regional Growth Monitoring Advisory Committee.

The Chairperson noted that the minutes dated September 12, 2007 and September 19, 2007 have been withdrawn.

MOVED Director Holdom, SECONDED Director Bartram, that the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held August 29, 2007 be received for information.

CARRIED

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

MOVED Director Burnet, SECONDED Director McNabb, that the minutes of the Electoral Area 'A' Parks and Green Space Advisory Committee meeting held September 6, 2007 be received for information.

CARRIED

MOVED Director Burnett, SECONDED Director McNabb, that staff contact MOE and MOT to investigate enhancements to the existing Ritten Road boat ramp.

CARRIED

MOVED Director Burnett, SECONDED Director McNabb, that staff contact MOE and MOT to investigate development of access to Holden Lake from Bean Road.

CARRIED

Electoral Area 'F' Parks and Open Space Advisory Committee.

MOVED Director Biggemann, SECONDED Director McNabb, that the minutes of the Electoral Area 'F' Parks and Open Space Advisory Committee meeting held September 17, 2007 be received for information.

CARRIED

MOVED Director Biggemann, SECONDED Director Bartram, that the Malcolm property be identified as the top priority project for Area 'F' and that staff proceed with research on access to the property.

CARRIED

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Van Eynde, that the minutes of the District 69 Recreation Commission meeting held September 20, 2007 be received for information.

CARRIED

Grants-in-Aid Advisory Committee.

MOVED Director Young, SECONDED Director Bartram, that the minutes of the Grants-in-Aid Advisory Committee meeting held October 1, 2007 be received for information.

CARRIED

MOVED Director Young, SECONDED Director Van Eynde, that the following School District 68 grants be awarded:

CatNAP (Cats Needing Aid & Protection)	\$	500
Cedar Community Policing	\$	427
Jonaco Hobby Workshop	\$	400
Nanaimo Search & Rescue	\$	462

CARRIED

MOVED Director Young, SECONDED Director Van Eynde, that the following School District 69 grants be awarded:

Arrowsmith Search & Rescue Society	\$	1,000	
Errington & District Volunteer Fire Department	\$	2,500	
Errington Preschool Parents Society	\$	400	
Nanoose Bay Catspan	\$	2,300	
Royal Canadian Legion (Ladies Auxiliary)	\$	2,100	
			CARRIED

District 69 Community Justice and Safety Support Services Select Committee.

MOVED Director Bartram, SECONDED Director Biggemann, that the minutes of the District 69 Community Justice and Safety Support Services Select Committee meeting held October 3, 2007 be received for information.

CARRIED

MOVED Director Biggemann, SECONDED Director Westbrook, that commencing in 2008 the Committee be responsible for reviewing and recommending community safety grant-in-aid awards for all District 69 electoral areas and municipalities, and that the RDN administer the release of all funds.

CARRIED

MOVED Director Biggemann, SECONDED Director Westbrook, that the 2007 application for a community safety grant from the Citizens on Patrol Society, District 69 in the amount of \$1,320 to be applied in Electoral Areas 'E', 'F' and 'H' be approved.

CARRIED

MOVED Director Biggemann, SECONDED Director Westbrook, that no requisition for Community Safety grants-in-aid be included in the 2008 budget for the Electoral Areas.

CARRIED

MOVED Director Biggemann, SECONDED Director Westbrook, that the revised terms of reference for the District 69 Community Justice and Safety Support Services Select Committee be approved as presented.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Local Agriculture, Local Farming and Processing of Food.

MOVED Director McNabb, SECONDED Director Westbrook, that a letter be sent to the ministries provided by the delegation, expressing our concerns with the new BC meat inspection regulations and asking the Province to consider a meat inspection system that is proportionate to the size and scale of production and that allows for a more flexible and less financially onerous inspection regime so as to keep small-scale, community-based production viable while maintaining the medical safety of its residents.

CARRIED

NEW BUSINESS

John Howard Society.

MOVED Director Burnett, SECONDED Director Young, that staff arrange for an annual meeting with the John Howard Society to report on the use of the funds provided to the Society from Electoral Areas 'A', 'B' and 'C'.

CARRIED

ADJOURNMENT

MOVED Director Holdom, SECONDED Director Brennan, that this meeting terminate.

CARRIED

TIME: 8:23 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA 'H' PARKS AND OPEN SPACE ADVISORY
REGULAR COMMITTEE MEETING HELD SEPTMEBER 19, 2007

Attendance: D. Bartram P. Biro V. Weismiller
M. Little

Staff: J. Lobb, Parks Operations Coordinator

Regrets: M. Proctor

Absent: B. Wilson B. Ellis

CALL TO ORDER

Mr. Bartram called the meeting to order at 9:00am, in the absence of Chair M. Proctor.

MINUTES

MOVED V. Weismiller, SECONDED M. Little, that the Minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee Meeting held June 26, 2007, be approved.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

MOVED M. Little, SECONDED P. Biro, that the Communications/Correspondence from S. Thompson, re: Buccaneer Beach and D. Bartram to Lighthouse Community Centre re: Society Funding, be received.

CARRIED

BUSINESS ARISING FROM COMMUNICATIONS/CORRESPONDENCE

Lighthouse Community Centre Society Funding - The Committee concurred that funds for the annual grant to the Society be made available in the budget, as noted in Director Bartram's correspondence.

Buccaneer Beach: - Mr. Lobb agreed with the suggestion made by Ms. S. Thompson that large boulders placed at the entrance to the beach access would prevent vehicle access on the beach. It was noted that the boulders would need to be in place before the 2008 herring season.

MOVED M. Little, SECONDED V. Weismiller, that large rocks be placed at the entrance to the Buccaneer Beach access to prevent vehicle access to the beach and that this item be noted in the 2008 budget.

CARRIED

MOVED M. Little, SECONDED V. Weismiller, that the POSAC Chairperson contact M. Little for details regarding the vehicle driving onto the beach, and that the information be forwarded to

Agriculture and Lands BC requesting that the offending individual not be issued a licence to harvest seaweed in Electoral Area 'H'.

CARRIED

REPORTS

Director's Report:

Director Bartram reported that the Regional District is in the process of preparing an agreement to build a trail system along the E & N Corridor. The agreement is still in the preliminary stages but should it be passed, it will be a tremendous addition to the Island Communities.

Director Bartram reported a 32 lot subdivision on Nile Creek and the parkland dedication has been approved by the Regional District Board.

Director Bartram also noted that Mr. Warren Cook, the recipient of the Wildlife Habitat Stewardship Award, has been in the hospital for three weeks.

Monthly Update of Community Parks and Regional Parks and Trails Projects June to August 2007:

Mr. Lobb reviewed the park plan for the Deep Bay Creek Community Park, noting new trails had been developed over the summer months in the park. Mr. Lobb stated the Burt's would receive notice soon about the commencement of the work on the park entrance project.

MOVED V. Weismiller, SECONDED P. Biro, that the Deep Bay Community Park Access Plan dated September 18, 2007, as presented by J. Lobb, be accepted.

CARRIED

Mr. Lobb also reported there had been some staff changes in the Department, however, he would remain as the POSAC representative for Electoral Area 'H'.

MOVED P. Biro, SECONDED V. Weismiller, that the Reports be received as presented.

CARRIED

NEW BUSINESS

Field Improvements for Lighthouse Community Centre - Ms. Biro submitted a plan for field improvements and a list of improvements needed for the Lighthouse Community Centre field. Mr. Lobb received the proposal for his review, and was requested to note the field improvements in the 2008 budget. Committee members also requested a long range plan be drawn up to allow for future plans and budget dollars to ensure the needs and desires of the Community are met.

COMMITTEE ROUND TABLE

Ms. Weismiller commented that it was nice to be able to use the Wildwood Trail system.

COMMITTEE INFORMATION

Lighthouse Recreation Commission has organized a Poker Path Fun Walk event to take place on September 23, 2007, at Wildwood Park.

NEXT MEETING

Wednesday, November 21, 2007 at 9:00am.
Lighthouse Community Centre

ADJOURNMENT

MOVED P. Biro, SECONDED V. Weismiller, that the meeting be adjourned.

CARRIED

Chairperson



KUN KEPUKI	
CAO APPROVAL <i>(initials)</i>	
EAP	
COW	
OCT 15 2007	
RAD	
BOARD	✓ Oct. 23rd

MEMORANDUM

TO: Paul Thorkelsson
General Manager, Development Services

DATE: October 15, 2007

FROM: Tom Armet
Manager, Building and Bylaw Services

FILE: 4000APBE

SUBJECT: Appointment of Relief Bylaw Enforcement Officer

PURPOSE

To appoint a Bylaw Enforcement Officer for the purpose of enforcing Regional District of Nanaimo bylaws and regulations on a relief basis during extended absences of permanent staff.

BACKGROUND

There are two permanent Bylaw Enforcement Officers employed by the Regional District of Nanaimo. During periods of extended vacation or sick leave, it is necessary to maintain appropriate service levels by employing a relief Bylaw Enforcement Officer. "Regional District of Nanaimo Bylaw Enforcement Officers Bylaw No. 857, 1992," provides the authority for this appointment.

Before performing the duties of a Bylaw Enforcement Officer, staff must be appointed by the Board and take the prescribed Oath of Office and Oath of Allegiance.

Additionally, Section 264 of the *Community Charter* requires Bylaw Enforcement Officers to be appointed prior to issuing municipal violation tickets.

ALTERNATIVES

1. To appoint a relief Bylaw Enforcement Officer pursuant to "Regional District of Nanaimo Bylaw Enforcement Officers Bylaw No. 857, 1992," for the purpose of enforcing Regional District of Nanaimo bylaws and regulations.
2. Not to appoint a relief Bylaw Enforcement Officer.

FINANCIAL IMPLICATIONS

There are no financial implications.

VOTING


All Directors – one vote.

SUMMARY/CONCLUSIONS

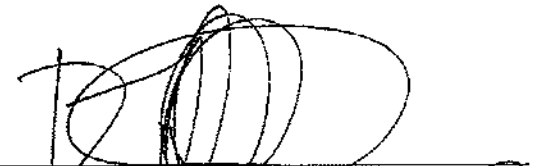
It is necessary to appoint Bylaw Enforcement Officers employed by the Regional District of Nanaimo (RDN) to ensure they have the ability to enforce RDN regulations, defend any legal challenge to their authority, and maintain the integrity of the bylaw enforcement function.

RECOMMENDATION


That Mr. John Merriman be appointed as a Bylaw Enforcement Officer pursuant to "*Regional District of Nanaimo Bylaw Enforcement Officers Bylaw No. 857, 1992,*" for the purpose of enforcing Regional District of Nanaimo bylaws and regulations.



Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:

devsys/reports/2007/oc 4606APBE: Appointment of Relief Bylaw Enforcement Officer -- John Merriman Board Report