

REGIONAL DISTRICT OF NANAIMO

**REGULAR BOARD MEETING
TUESDAY, SEPTEMBER 30, 2008
7:00 PM**

(RDN Board Chambers)

A G E N D A

PAGES

- 1. CALL TO ORDER**
- 2. DELEGATIONS**

Bruce Halliday & Jim Whiteaker, re Port Theatre Annual Update.
- 3. BOARD MINUTES**

7-17 Minutes of the Regular Board meeting held August 26, 2008 and Special Board meeting held September 9, 2008.
- 4. BUSINESS ARISING FROM THE MINUTES**
- 5. COMMUNICATIONS/CORRESPONDENCE**

18 **Warren Jones, Cowichan Valley Regional District**, re Yellowpoint/Waterloo Fire Protection Services Agreement.

19 **Jim McDonald**, re Development Variance Permit Application No. 90812 – 5093 Seaview Drive – Area ‘H’.

20 **Linda McCann**, re Development Variance Permit Application No. 90812 – 5093 Seaview Drive – Area ‘H’.
- 6. UNFINISHED BUSINESS**
- 7. STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**
- 7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE**

21-23 Minutes of the Electoral Area Planning Committee meeting held September 9, 2008. (for information)

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60828 and Request for Cash-in-Lieu of Park Land – Marshall – 6614/6618 Island Highway West – Area ‘H’. (Electoral Area Directors except EA ‘B’ – One Vote)

- 1. That Development Permit Application No. 60828 submitted by Steve Marshall and Donna Marshall, in conjunction with the subdivision of the parcel legally described as Lot 2, District Lot 85, Newcastle District, Plan 6267, except Plan 19744 and designated within the Environmentally Sensitive Features Development Permit Area pursuant to OCP Bylaw No. 1335, 2003, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.*
- 2. That the applicant be required to pay Cash-In-Lieu of park land pursuant to section 941 of the Local Government Act*

Development Permit Application No. 60830 – Delesalle – 121 Kinkade Road – Area ‘G’. (Electoral Area Directors except EA ‘B’ – One Vote)

That Development Permit with Variance Application No. 60830, to permit the construction of a single residential dwelling and attached garage with a maximum height of 8.81 metres on the property legally described as Lot 1, District Lot 10, Newcastle District, Plan 22939, be approved subject to the conditions outlined in Schedules No. 1 to 3 and the notification requirements of the Local Government Act.

Development Permit Application No. 60831 and Request for Frontage Relaxation – Whitta – 2545 Edwards Road – Area ‘E’. (Electoral Area Directors except EA ‘B’ – One Vote)

- 1. That Development Permit with Variance Application No. 60831 be approved subject to the conditions outlined in Schedules No. 1 to 4 of the corresponding staff report and the notification requirements of the Local Government Act.*
- 2. That the request for relaxation of the minimum 10% frontage requirement for the parent parcel be approved*

Development Permit Application No. 60835 and Request for Frontage Relaxation – Atkinson – Jameson Road – Area ‘C’. (Electoral Area Directors except EA ‘B’ – One Vote)

- 1. That Development Permit Application No. 60835 submitted by Steven Atkinson and Janet Atkinson, as part of a 2-lot subdivision proposal on the property legally described as Lot C, Section 12, Range 4, Mountain District, Plan VIP68030 and designated within the Fish Habitat Protection Development Permit Area pursuant to the “East Wellington – Pleasant Valley Official Community Plan Bylaw No. 1055, 1997”, be approved with the following exception to Schedule No. 1, to delete No. 5 – Demarcation of SPEA and 30*

metre Setback Area, items 'a', 'b' and 'c' and replace with a requirement for one sign complete with the wording explaining the riparian area.

2. *That the request to relax the minimum 10% perimeter frontage requirement of proposed lots 1 and 2 as shown on Schedule No. 2 be approved*

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90811 – Phillips – 1999 Woodridge – Area 'A'. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to Development Variance Permit Application No. 90811.

That Development Variance Permit Application No. 90811, to permit the construction of a residential accessory building located at Lot 20, Sections 16 & 17, Range 8, Cranberry District, Plan VIP80144 be approved subject to the conditions outlined in Schedules No. 1 to 3 and notification requirements of the Local Government Act.

Development Variance Permit Application No. 90812 – Alexander/Christo Kuun Design & Construction Ltd. – 5093 Seaview Drive – Area 'H'. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to Development Variance Permit Application No. 90812.

That Development Variance Permit Application No. 90812 submitted by Christo Kuun Design & Construction Ltd. for the property legally described as Lot 4, District Lot 28, Newcastle District, Plan 22249, be approved subject to Schedules No. 1 to 3 of the staff report and the notification requirements pursuant to the Local Government Act.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

24-26 Minutes of the Committee of the Whole meeting held September 9, 2008. (for information)

FINANCE AND INFORMATION SERVICES

FINANCE

2009 to 2013 Financial Plan Schedule. (All Directors – One Vote)

That the proposed 2009 financial plan review schedule be approved as outlined.

Request from Municipal Pension Retirees' Association – Municipal Pension Plan Contributions and Member Benefits. (All Directors – One Vote)

That the background report regarding the Municipal Pension Retirees Association request for additional financial support for group health benefits be received.

Nanoose Bay Firehall – Final Seismic Review Report. (All Directors – One Vote)

- 1. That this report on the final seismic review of the Nanoose Bay Firehall be received.*
- 2. That staff continue to work with the firm of Johnston, Davidson Architecture Inc. to design a replacement firehall following the Regional District's Green Building Policy.*

(All Directors – Weighted Vote)

- 3. That an amount of \$100,965 be released from the Nanoose Bay Fire Protection Service building reserve fund to cover cost as outlined in this report.*

DEVELOPMENT SERVICES

BUILDING & BYLAW

Notice of Bylaw Contravention – 1628 Murdoch Road – Area 'A'. (All Directors – One Vote)

Delegations wishing to speak to Bylaw Contravention at 1628 Murdoch Road – Area 'A'.

That staff be directed to register a Notice of Bylaw Contravention on title pursuant to Section 57 of the Community Charter and that legal action be taken if necessary to ensure Lot 4, Section 16, Range 5, Plan 14877, Cedar District, is in compliance with the "Regional District of Nanaimo Building Regulation & Fees Bylaw No. 1250, 2001".

Notice of Bylaw Contravention - #251 2464 Apollo Road – Area 'E'. (All Directors – One Vote)

Delegations wishing to speak to Bylaw Contravention at #251 2464 Apollo Road – Area 'E'.

That staff be directed to register a Notice of Bylaw Contravention on title pursuant to Section 57 of the Community Charter and should the outstanding bylaw contraventions not be resolved within ninety (90) days, that legal action be pursued to ensure Lot 1, District Lot 6, Plan 22814, except that part in Plan 23588, Nanoose District, is in compliance with the "Regional District of Nanaimo Building Regulation & Fees Bylaw No. 1250, 2001".

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

Residential Food Waste Collection Program Approval. (All Directors – One Vote)

That the Board approve the addition of food waste to the upcoming tender for the RDN Garbage Collection & Recycling Service and continue the collection of food waste on Route 52 in Electoral Area 'A'.

Plebiscite on Open Burning Restrictions – Area 'E'. (All Directors – One Vote)

That the Regional District ask the following plebiscite question to gauge public opinion on November 15, 2008 in Electoral Area 'E' on the issue of backyard burning restrictions and that the plebiscite question be as follows:

"Are you in favour of burning restrictions in Electoral Area E?"

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

Electoral Area 'A' Recreation and Culture Commission.

27-34 Minutes of the Electoral Area 'A' Recreation and Culture Commission meeting held September 10, 2008. (for information)

Electoral Area 'A' Recreation and Culture Service Delivery Options. (All Directors – One Vote)

That the Regional District pursue a service agreement with School District #68 (Nanaimo - Ladysmith) for the provision of recreation and cultural services in Electoral Area 'A', and that a draft agreement be completed by January 2009 for consideration by the Commission and Regional Board.

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

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

8. ADMINISTRATOR'S REPORTS

35-37 SepticSmart Education Program – Progress Report. (All Directors – One Vote)

38-44 Pump and Haul Amendment Bylaw No. 975.49 – Amended at Third Reading 4571 Maple Guard Drive Area 'H'.

45-46 Southern Community Search & Rescue Contribution Bylaw No. 1552. (All Directors – One Vote)

Results of Elector Response Opportunity for Boundary Changes to the Yellowpoint/Waterloo Fire Protection Service. (All Directors – One Vote) (to be circulated)

47-48 Results of Elector Response Opportunity to Amend the Borrowing Authority for the Meadowood Fire Protection Service. (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, AUGUST 26, 2008, AT 7:00 PM IN THE RDN BOARD CHAMBERS

Present:

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

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Senior Manager, Corporate Administration
N. Avery	Gen. Mgr., Finance & Information Services
T. Osborne	Gen. Mgr. of Recreation & Parks
M. Donnelly	A/Gen. Mgr. of Environmental Services
P. Thorkelsson	Gen. Mgr. of Development Services
C. McIver	A/Gen. Mgr. of Transportation & Solid Waste Services
N. Tonn	Recording Secretary

DELEGATIONS

Bob Harper, Hira Chopra, Ken McRae, re Horne Lake Highway Connector.

The delegation presented an alternate route as a connector between Port Alberni Valley and the Island Highway and requested the support of the RDN in proposing this project to the Province.

Deborah Corner, Alliance to Stop LNG and Chuck Childress, Texada Action Now, re Banning Liquefied Natural Gas Carriers and Emissions from Gas-fired Electricity Generation Plants.

The delegation provided information in support of a resolution to ban LNG carriers in the Georgia Strait, ban greenhouse gas emissions from gas-fired generation plants and to forward this support to the UBCM convention in September.

Banning Liquefied Natural Gas Carriers and Emissions from Gas-fired Electricity Generation Plants.

MOVED Director Brennan, SECONDED Director Bestwick, that, consistent with the Province's goal of energy self-sufficiency and clean power, the Regional District of Nanaimo Board urge the Provincial Government, as part of achieving the BC Energy Plan, to require zero greenhouse gas emissions from new gas-fired electricity generation stations.

MOVED Director Westbrook, SECONDED Director Unger, that this item be deferred to a future Committee of the Whole meeting.

CARRIED

MOVED Director Brennan, SECONDED Director Westbrook, that the Regional District of Nanaimo support a federal government ban on the passage of LNG tankers in the waters of the Malaspina, Georgia and Haro Straits.

CARRIED

Horne Lake Highway Connector.

MOVED Director Korpan, SECONDED Director Holdom, that the Regional District of Nanaimo support the Alberni Clayoquot Regional District's request to the Ministry of Transportation to prepare a feasibility study of an alternate route as a connector between Port Alberni Valley and the Island Highway.

CARRIED

BOARD MINUTES

MOVED Director Westbrook, SECONDED Director Holme, that the minutes of the regular Board meeting held July 22, 2008 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Marisa Newton, Municipal Insurance Association, re 21st Annual General Meeting.

MOVED Director Korpan, SECONDED Director Westbrook, that the correspondence from the Municipal Insurance Association regarding the upcoming MIA Annual General meeting to be held September 23, 2008 be received.

CARRIED

UNFINISHED BUSINESS

BYLAWS

For Adoption.

Bylaw No. 500.346.

The Chairperson requested that Director McNabb chair the Board meeting to allow him to speak to this issue as the Electoral Area 'G' Director.

MOVED Director Stanhope, SECONDED Director Young, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.346, 2008" be tabled.

CARRIED

Director Stanhope resumed the Chair.

Bylaw No. 975.48.

MOVED Director Holme, SECONDED Director Bartram, that "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.48, 2008" be adopted.

CARRIED

Bylaw No. 947.04.

MOVED Director Holme, SECONDED Director Bartram, that "Fairwinds Sewerage Facilities Local Service Area Amendment Bylaw No. 947.04, 2008" be adopted.

CARRIED

Bylaw No. 1553.

MOVED Director Sperling, SECONDED Director Brennan, that "Regional Growth Strategy Service Establishing Bylaw No. 1553, 2008" be adopted.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

MOVED Director Bartram, SECONDED Director McNabb, that the minutes of the special Electoral Area Planning Committee meeting held July 22, 2008 be received for information.

CARRIED

PLANNING

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90810 – J & C Biggs (BC Auto Wrecking)/Carolyn Jahnke – Schoolhouse & Balsam Roads – Area 'A'.

MOVED Director Burnett, SECONDED Director Young, that Development Variance Permit Application No. 90810, submitted by Carolyn Jahnke on behalf of J & C Biggs (BC Auto Wrecking) in conjunction with the development of the parcels legally described as Lots 2 and 6, Both of Section 12, Range 7, Cranberry District, Plan 27070, be approved subject to Schedule Nos. 1 (as amended) and 2 as outlined in the corresponding staff report and to the notification procedure pursuant to the *Local Government Act*.

CARRIED

OTHER

Electoral Area 'A' Official Community Plan Review – Terms of Reference.

MOVED Director Burnett, SECONDED Director Young, that the staff report on the Electoral Area 'A' Official Community Plan Review Terms of Reference be received.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that the Electoral Area 'A' Official Community Plan Review Terms of Reference (Schedule No. 1) be endorsed by the Board.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that the Board adopt a resolution that no applications to amend the Electoral Area 'A' Official Community Plan be accepted while the Official Community Plan is under review except where an application is consistent with the policies of current land use designation under "Electoral Area 'A' Official Community Plan Bylaw No. 1240, 2001".

CARRUED

Electoral Area 'H' Village Planning Project – Terms of Reference.

The Chairperson noted that this item would be addressed with the Administrator's reports.

Landscaping and Landscape Security.

MOVED Director Burnett, SECONDED Director Bartram, that staff be directed to prepare a report on the landscaping and provision of landscape security including environmental best practice, security holdback and bylaw amendments for implementation.

CARRIED

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

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

MOVED Director Biggemann, SECONDED Director Holme, that the minutes of the Electoral Area 'F' Parks and Open Space Advisory Committee meeting held June 16, 2008 be received for information.

CARRIED

MOVED Director Biggemann, SECONDED Director Burnett, that the Area 'F' POSAC support, in principle, the Arrowsmith Agriculture Association grant request in the amount of \$25,000, to help further the construction of a new Arrowsmith Activities Building and Emergency Disaster Centre for Area 'F', which is to be located on the Coombs Fair Grounds and that the final decision be deferred to the 2009 budget process.

CARRIED

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

MOVED Director Bartram, SECONDED Director Holme, that the minutes of the Electoral Area 'G' Parks and Open Space Advisory Committee meeting held July 3, 2008 be received for information.

CARRIED

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

MOVED Director Bartram, SECONDED Director McNabb, that the minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee meeting held August 13, 2008 be received for information.

CARRIED

Proposed Road Closure – Fowler Road and Island Highway.

MOVED Director Bartram, SECONDED Director Burnett, that the resolution requesting the Ministry of Transportation retain a minimum six metre wide Easement/Right of Way for potential pedestrian and public use, on the portion of Fowler Road adjacent to Lot 23, District Lot 81, Newcastle Land District, Plan 1967 when considering the Road Closure request, be rescinded.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that the Regional District support the proposed Road Closure in conjunction with Lot 23, District Lot 81, Newcastle Land District, Plan 1967, Fowler Road.

CARRIED

Road Closure – Midland Road and Island Highway.

MOVED Director Bartram, SECONDED Director Burnett, that the Regional District support seeking a six metre (6m) wide statutory right-of-way for the entire length of the proposed road closure in conjunction with Lot 4, District Lot 36, Newcastle District, Plan 2076 except those parts in Plans 5729 and 12936 for the purposes of developing a pedestrian trail in conjunction with the Regional District's plan for regional trail development.

CARRIED

Transit Select Committee.

MOVED Director McNabb, SECONDED Director Manhas, that the minutes of the Transit Select Committee meeting held July 24, 2008 be received for information.

CARRIED

MOVED Director McNabb, SECONDED Director Herle, that staff be directed to work with BC Transit to have the expansion of hourly service for the City of Parksville included in the 2009 transit expansions and update the financial plan.

CARRIED

MOVED Director McNabb, SECONDED Director Westbroek, that staff be directed to request BC Transit include the expansion of custom transit for Oceanside as part of the 2009/2010 expansion hours.

CARRIED

Sustainability Select Committee.

MOVED Director Bartram, SECONDED Director Westbroek, that the minutes of the Sustainability Select Committee meeting held July 22, 2008 be received for information.

CARRIED

Implications of "Prospering Today Protecting Tomorrow: Recommendations for a Sustainable Future".

MOVED Director Bartram, SECONDED Director Holdom, that this report be received and that staff be directed to schedule a seminar session with the Sustainability Committee for the purpose of having a detailed discussion including a determination of priorities and recommendations for action.

CARRIED

Agricultural Advisory Committee (AAC).

MOVED Director Holme, SECONDED Director Bartram, that the proposed Terms of Reference be amended to indicate that when referred matters, the AAC would provide input on agricultural issues only and, in addition, that the membership be amended to include representation from the shellfish aquaculture industry while keeping the membership to 10 members.

CARRIED

Acceptance of the City of Nanaimo's Official Community Plan by the RDN Board.

The Chairperson noted that this item would be addressed with the Administrator's reports.

ADMINISTRATOR'S REPORTS

Islands Trust Natural Area Protection Tax Exemption Program.

MOVED Director Sperling, SECONDED Director McNabb, that the Regional District of Nanaimo Board agree to the implementation of the Natural Area Tax Exemption Program in the Regional District of Nanaimo, on the islands within the jurisdiction of the Islands Trust.

CARRIED

Approval of Five Year Term Agreement for Property Insurance Broker Services.

MOVED Director Brennan, SECONDED Director McNabb, that AON Reed Stenhouse be awarded a five year term agreement for property insurance brokerage services commencing April 1, 2009.

CARRIED

Appointment of Regional District and Regional Hospital District Auditors.

MOVED Director Manhas, SECONDED Director Korpan, that the firm of Meyers, Norris, Penny be appointed as the auditors for the Regional District of Nanaimo and the Nanaimo Regional Hospital District for the years 2008, 2009 and 2010 at the fees outlined in this report.

CARRIED

Board Remuneration Review and Recommendations.

MOVED Director Westbroek, SECONDED Director Herle, that the changes recommended by the Remuneration Committee be approved for implementation following the swearing in of the newly elected Board in December 2008.

CARRIED

MOVED Director Korpan, SECONDED Director Holdom, that Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No. 1078.06, 2008" be introduced and read three times.

CARRIED

MOVED Director Burnett, SECONDED Director Herle, that "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No. 1078.06, 2008" be adopted.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that "Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Bylaw No. 1317.02, 2008" be introduced and read three times.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that "Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Bylaw No. 1317.02, 2008" be adopted.

CARRIED

MOVED Director Manhas, SECONDED Director Brennan, that Policy A1.15 (Fax Machines & Personal Computers for Board Members) be amended as outlined in this report and be approved.

CARRIED

RDN Agricultural Advisory Committee.

MOVED Director Burnett, SECONDED Director Bartram, that the Board approve the creation of an Agricultural Advisory Committee in accordance with the attached Terms of Reference.

CARRIED

Electoral Area 'H' Village Planning Project – Terms of Reference.

MOVED Director Bartram, SECONDED Director Holme, that the amended Area 'H' Village Planning Project Terms of Reference (Schedule No. 1) be approved, in accordance with the July 22, 2008 EAPC direction.

CARRIED

Development Permit Application No. 60829 – Pt. Ellice Properties Ltd./Steel Pacific – 2079 Main Road – Electoral Area 'A'.

MOVED Director Burnett, SECONDED Director McNabb, that Development Permit Application No. 60829, to recognize an existing metal recycling transfer station and allow associated improvements on the properties legally described as 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, located at 2079 Main Road, be approved subject to the terms outlined in amended Schedule No. 1 and Schedules No. 2 and 3.

CARRIED

Operating Results to June 30, 2008.

MOVED Director Westbroek, SECONDED Director McNabb, that the summary report of financial results from operations to June 30, 2008 be received for information.

CARRIED

Drinking Water and Watershed Protection Service Establishment Bylaw No. 1556.

MOVED Director Bartram, SECONDED Director Herle, that "Drinking Water and Watershed Protection Service Establishing Bylaw No. 1556, 2008" be introduced for first three readings and be forwarded to the Inspector of Municipalities for approval.

CARRIED

MOVED Director Bartram, SECONDED Director Holdom, that the Regional District proceed to referendum on November 15, 2008 to obtain the assent of the electors of Electoral Areas 'A', 'B', 'C', 'E', 'F', 'G' and 'H' to establish a Drinking Water and Watershed Protection Service and that the referendum question be as follows:

"Are you in favour of the adoption of "Drinking Water and Watershed Protection Service Establishment Bylaw No. 1556, 2008" which, if enacted, would establish a drinking water and watershed protection function in Electoral Areas A, B, C, E, F, G and H for the purpose of the protection of sources of drinking water and watersheds within the electoral areas?"

CARRIED

Communications Strategy – Action for Water Referendum.

MOVED Director Bartram, SECONDED Director Holdom, that the Board approve the Action for Water Communication Strategy to Establish a Drinking Water and Watershed Protection Service Area.

CARRIED

Pump and Haul Bylaw Amendment – 4571 Maple Guard Drive, Electoral Area ‘H’ and 667 South Road, Electoral Area ‘B’.

MOVED Director Sperling, SECONDED Director Bartram, that the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include Lot 27, Plan 16121, District Lot 40, Newcastle Land District (4571 Maple Guard Drive, Electoral Area ‘H’) and Lot 72, Section 13, Plan VIP 21531, Nanaimo Land District (667 South Road, Electoral Area ‘B’).

CARRIED

MOVED Director Sperling, SECONDED Director Bartram, that “Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.49, 2008” be introduced and read three times.

CARRIED

Acceptance of the City of Nanaimo’s Official Community Plan Context Statement by the RDN Board.

MOVED Director McNabb, SECONDED Director Bestwick, that the City of Nanaimo Context Statement be accepted by the Regional District subject to revisions to the Context Statement reflecting the inconsistency with respect to Goal 7 – Efficient Services are completed prior to the CON adoption of the OCP.

CARRIED

MOVED Director McNabb, SECONDED Director Bestwick, that staff be directed to provide a letter to the City of Nanaimo, indicating acceptance of the Context Statement following the necessary revisions to the Context Statement document.

CARRIED

NEW BUSINESS

Spirit Pole Ceremony – Director Update.

Director Bartram provided an update report on the Spirit Pole Ceremony and presented the Board with a plaque commemorating the ceremony.

BOARD INFORMATION

BC Hydro Two Tier Proposal.

MOVED Director Holme, SECONDED Director Brennan, that the BC Utilities Commission be notified that the Regional District of Nanaimo takes extreme exception to the proposed raise in hydro rates.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 8:18 PM

RISE AND REPORT

BC Ferry Authority.

MOVED Director McNabb, SECONDED Director Holme, that the Regional District of Nanaimo nominate Tom Krall to be considered by the BC Ferry Authority Board for appointment as Director from the Central Vancouver Island & Northern Georgia Strait Appointment Area.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 8:22 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE SPECIAL BOARD MEETING
HELD ON TUESDAY, SEPTEMBER 9, 2008, AT 7:27 PM
RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director B. Sperling	Electoral Area B
Director M. Young	Electoral Area C
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
Director C. Haime	District of Lantzville
Director L. McNabb	City of Nanaimo
Alternate	
Director J. Cameron	City of Nanaimo
Alternate	
Director L. Sherry	City of Nanaimo
Director M. Unger	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Senior Manager, Corporate Administration
J. Finnie	General Manager, Environmental Services
T. Osborne	General Manager, Recreation & Parks
P. Thorkelsson	General Manager, Development Services
N. Avery	Gen. Manager, Finance & Information Services
D. Trudeau	Gen. Manager, Transportation & Solid Waste Services
N. Tonn	Recording Secretary

ADMINISTRATOR'S REPORTS

Interest Component of Northern & Southern Community Development Cost Charges Program.

Bylaw No. 1442.02 – Northern Community.

MOVED Director Bartram, SECONDED Director Herle, that the Board approve the inclusion of interest charges at a rate of 6% (based on borrowing approximately \$24,000,000) in the calculation of revised development cost charge rates with respect to "Northern Community Sewer Service Area Development Cost Charges Amendment Bylaw No. 1442.02, 2008".

CARRIED

Bylaw No. 1547 – Southern Community.

MOVED Director Holdom, SECONDED Director Bestwick, that the Board approve the inclusion of interest charges at a rate of 6% (based on borrowing approximately \$23,000,000) in the calculation of revised development cost charge rates with respect to “Southern Community Sewer Service Area Development Cost Charges Bylaw No. 1547, 2008”.

CARRIED

2008 Local Government Elections – Appointment of CEO & DCEO.

MOVED Director Burnett, SECONDED Director McNabb, that Maureen Pearse, Senior Manager of Corporate Administration, be appointed as the Chief Election Officer and Jane Armstrong, Legislative Coordinator, be appointed as the Deputy Chief Election Officer for the purpose of conducting the November 15, 2008 local government elections and referendums.

CARRIED

Islands Trust Funding Support for Affordable Housing Study.

MOVED Director Sperling, SECONDED Director Bartram, that the Regional District of Nanaimo join the Islands Trust as a project partner on the proposed affordable housing assessment initiative for Gabriola Island.

CARRIED

MOVED Director Sperling, SECONDED Director Bartram, that funding in the amount of \$3,000.00 be allocated from the 2009 Regional Growth Budget to the project.

CARRIED

IN CAMERA

MOVED Director Bartram, SECONDED Director McNabb, that pursuant to Section 90(1) (g) of the *Community Charter* the Board proceed to an In Camera Committee of the Whole meeting to consider items related to legal issues.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:32 PM

CHAIRPERSON

SR. MGR, CORPORATE ADMINISTRATION



FAXED
Aug 21/08

August 21, 2008

File No.: 7200-20 NOR

Regional District of Nanaimo
6100 Hammond Bay Road
NANAIMO BC V9T 6N2

RDN	
CAD	GMF&IS
GMDS	GMF&RS
GMES	GMTS
RECEIVED AUG 25 2008 OFFICE OF THE CLERK REGIONAL DISTRICT OF NANAIMO	
CHAIR	BOARD

Attention: Joe Stanhope, Chair

Dear Chair Stanhope,

Re: Yellowpoint / Waterloo Area Fire Protection

I am writing on behalf of the North Oyster Volunteer Fire Department Commission and the Cowichan Valley Regional District (CVRD) to advise that at its August 20, 2008 meeting the Commission reaffirmed its willingness and commitment to renegotiate a mutually acceptable fire protection services agreement for those areas in the Regional District of Nanaimo (RDN) historically served by the North Oyster Volunteer Fire Department.

Should the RDN wish at some future date to pursue a new fire protection services agreement, the CVRD is open and willing to negotiate and consider a mutually acceptable agreement.

Yours truly,

Warren Jones,
Administrator

WJ/ann

pc: Director Mary Marcotte, Electoral Area H – North Oyster / Diamond
Carol Mason, Chief Administrative Officer, Regional District of Nanaimo
Dan Derby, Manager, Protective Services

File: ADMINISTRATOR2/Correspondence/RDN FPFA August 21, 2008

Sent: September 24, 2008 9:00 AM

To: Rowett, Lainya

Subject: RE: Development Variance Permit Application No. 90812 - 5093 Seaview Drive - Area 'H'

My name is Jim McDonald, and I find the ideal of a higher house planned for the water front bluff at the end of my street will decrease my property and cause a loss of view. When I bought this property I was under the understanding that the covenants would protect my investment.

I am **against** this plan hole heartedly.

Jim McDonald

From: Linda McCann [mailto:lindamccann@shaw.ca]
Sent: September 24, 2008 11:12 AM
To: Rowett, Lainya
Subject: Re: Development Variance Application No. 90812 - 5093 Seaview Drive - Area 'H'

Hello Lainya,

I am following up with my last email to you that included copies of the restricted covenants on 5093 Seaview Drive. After doing further investigations on the restricted covenants it is apparent to me as well as other homeowners/tax payers effected, that these covenants are still in effect and do run with the land. Something we all agreed to when we purchased these properties including the above owners.

I am absolutely devastated that the RDN has not looked into this matter further nor have they sent out letters to those effected by the outcome with letters explaining WHY you are not standing behind these covenants which were put there to protect the other property owners in Kopina Estates.

I am NOT in favor of dismissing these important covenants and I am definitely not in favor of the Alexander Development Variance Permit Application No. 90812.

I purchased my home 100% because of the view it gave me. If this Permit goes thru it will not only take 100% of my view of Chrome Island but decrease significantly the value of my home. Are the owners of 5093 Seaview Drive offering to reimburse those property owners that will loose thousands of dollars if this goes thru, the difference???????

I urge the RDN to turn down this permit and stand behind the restricted covenants as registered

Thank you,

Linda McCann

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, SEPTEMBER 9, 2008, 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. Pearse	Senior Manager, Corporate Administration
P. Thorkelsson	General Manager, Development Services
P. Thompson	Manager of Long Range Planning
N. Tonn	Recording Secretary

CALL TO ORDER

The Chairperson welcomed Alternate Director Van Eynde to the meeting.

LATE DELEGATION

MOVED Director Stanhope, SECONDED Director Young, that a late delegation be permitted to address the Committee.

CARRIED

Steve Atkinson, re Development Permit Application No. 60835 and Request for Frontage Relaxation – Jameson Road – Area ‘C’.

Mr. Atkinson was not in attendance.

MINUTES

MOVED Director Stanhope, SECONDED Director Van Eynde, that the minutes of the Electoral Area Planning Committee meeting held July 8, 2008. be adopted.

CARRIED

MOVED Director Stanhope, SECONDED Director Young, that the minutes of the Special Electoral Area Planning Committee meeting held July 22, 2008 be adopted.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60828 and Request for Cash-in-Lieu of Park Land – Marshall – 6614/6618 Island Highway West – Area ‘H’.

MOVED Director Burnett, SECONDED Director Stanhope, that Development Permit Application No. 60828 submitted by Steve Marshall and Donna Marshall, in conjunction with the subdivision of the parcel legally described as Lot 2, District Lot 85, Newcastle District, Plan 6267, except Plan 19744 and designated within the Environmentally Sensitive Features Development Permit Area pursuant to OCP Bylaw No. 1335, 2003, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

MOVED Director Burnett, SECONDED Director Stanhope, that the applicant be required to pay Cash-In-Lieu of park land pursuant to section 941 of the *Local Government Act*.

CARRIED

Development Permit Application No. 60830 – Delesalle – 121 Kinkade Road – Area ‘G’.

MOVED Director Stanhope, SECONDED Director Van Eynde, that Development Permit with Variance Application No. 60830, to permit the construction of a single residential dwelling and attached garage with a maximum height of 8.81 metres on the property legally described as Lot 1, District Lot 10, Newcastle District, Plan 22939, be approved subject to the conditions outlined in Schedules No. 1 to 3 and the notification requirements of the *Local Government Act*.

CARRIED

Development Permit Application No. 60831 and Request for Frontage Relaxation – Whitta – 2545 Edwards Road – Area ‘E’.

MOVED Director Van Eynde, SECONDED Director Biggemann, that Development Permit with Variance Application No. 60831 be approved subject to the conditions outlined in Schedules No. 1 to 4 of the corresponding staff report and the notification requirements of the *Local Government Act*.

CARRIED

MOVED Director Van Eynde, SECONDED Director Biggemann, that the request for relaxation of the minimum 10% frontage requirement for the parent parcel be approved.

CARRIED

Development Permit Application No. 60835 and Request for Frontage Relaxation – Atkinson – Jameson Road – Area ‘C’.

MOVED Director Young, SECONDED Director Burnett, that Development Permit Application No. 60835 submitted by Steven Atkinson and Janet Atkinson, as part of a 2-lot subdivision proposal on the property legally described as Lot C, Section 12, Range 4, Mountain District, Plan VIP68030 and designated within the Fish Habitat Protection Development Permit Area pursuant to the “East Wellington – Pleasant Valley Official Community Plan Bylaw No. 1055, 1997”, be approved with the following exception to Schedule No. 1, to delete No. 5 – Demarcation of SPEA and 30 metre Setback Area, items ‘a’, ‘b’ and ‘c’ and replace with a requirement for one sign complete with the wording explaining the riparian area.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that the request to relax the minimum 10% perimeter frontage requirement of proposed lots 1 and 2 as shown on Schedule No. 2 be approved.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90811 – Phillips – 1999 Woodridge – Area ‘A’.

MOVED Director Burnett, SECONDED Director Young, that Development Variance Permit Application No. 90811, to permit the construction of a residential accessory building located at Lot 20, Sections 16 & 17, Range 8, Cranberry District, Plan VIP80144 be approved subject to the conditions outlined in Schedules No. 1 to 3 and notification requirements of the *Local Government Act*.

CARRIED

Development Variance Permit Application No. 90812 – Alexander/Christo Kuun Design & Construction Ltd. – 5093 Seaview Drive – Area ‘H’.

MOVED Director Burnett, SECONDED Director Biggemann, that Development Variance Permit Application No. 90812 submitted by Christo Kuun Design & Construction Ltd. for the property legally described as Lot 4, District Lot 28, Newcastle District, Plan 22249, be approved subject to Schedules No. 1 to 3 of the staff report and the notification requirements pursuant to the *Local Government Act*.

CARRIED

ADJOURNMENT

MOVED Director Van Eynde, SECONDED Director Burnett, that this meeting terminate.

CARRIED

TIME: 6:15 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, SEPTEMBER 9, 2008 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 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
Director C. Haime	District of Lantzville
Director M. Unger	City of Nanaimo
Alternate	
Director J. Cameron	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director L. McNabb	City of Nanaimo
Alternate	
Director L. Sherry	City of Nanaimo
Director B. Bestwick	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Senior Manager, Corporate Administration
N. Avery	Gen. Manager of Finance & Information Services
D. Trudeau	Gen. Mgr. of Transportation & Solid Waste Services
J. Finnie	General Manager of Environmental 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 Van Eynde, Cameron and Sherry to the meeting.

MINUTES

MOVED Director Westbroek, SECONDED Director Sperling, that the minutes of the Committee of the Whole meeting held July 8, 2008 be adopted.

CARRIED

FINANCE AND INFORMATION SERVICES

FINANCE

2009 to 2013 Financial Plan Schedule.

MOVED Director Westbrook, SECONDED Director McNabb, that the proposed 2009 financial plan review schedule be approved as outlined.

CARRIED

Request from Municipal Pension Retirees' Association – Municipal Pension Plan Contributions and Member Benefits.

MOVED Director Westbrook, SECONDED Director Haime, that the background report regarding the Municipal Pension Retirees Association request for additional financial support for group health benefits be received.

CARRIED

Nanoose Bay Firehall – Final Seismic Review Report.

MOVED Director Van Eynde, SECONDED Director McNabb, that this report on the final seismic review of the Nanoose Bay Firehall be received.

CARRIED

MOVED Director Van Eynde, SECONDED Director McNabb, that staff continue to work with the firm of Johnston, Davidson Architecture Inc. to design a replacement firehall following the Regional District's Green Building Policy.

CARRIED

MOVED Director Van Eynde, SECONDED Director McNabb, that an amount of \$100,965 be released from the Nanoose Bay Fire Protection Service building reserve fund to cover cost as outlined in this report.

CARRIED

DEVELOPMENT SERVICES

BUILDING & BYLAW

Notice of Bylaw Contravention – 1628 Murdoch Road – Area 'A'.

MOVED Director Burnett, SECONDED Director McNabb, that staff be directed to register a Notice of Bylaw Contravention on title pursuant to Section 57 of the *Community Charter* and that legal action be taken if necessary to ensure Lot 4, Section 16, Range 5, Plan 14877, Cedar District, is in compliance with the "Regional District of Nanaimo Building Regulation & Fees Bylaw No. 1250, 2001".

CARRIED

Notice of Bylaw Contravention - #251 2464 Apollo Road – Area 'E'.

MOVED Director Van Eynde, SECONDED Director Bestwick, that staff be directed to register a Notice of Bylaw Contravention on title pursuant to Section 57 of the *Community Charter* and should the outstanding bylaw contraventions not be resolved within ninety (90) days, that legal action be pursued to ensure Lot 1, District Lot 6, Plan 22814, except that part in Plan 23588, Nanoose District, is in compliance with the "Regional District of Nanaimo Building Regulation & Fees Bylaw No. 1250, 2001".

CARRIED

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

Residential Food Waste Collection Program Approval.

MOVED Director Burnett, SECONDED Director McNabb, that the Board approve the addition of food waste to the upcoming tender for the RDN Garbage Collection & Recycling Service and continue the collection of food waste on Route 52 in Electoral Area 'A'.

CARRIED

Plebiscite on Open Burning Restrictions – Area 'E'.

MOVED Director Van Eynde, SECONDED Director Burnett, that the Regional District ask the following plebiscite question to gauge public opinion on November 15, 2008 in Electoral Area 'E' on the issue of backyard burning restrictions and that the plebiscite question be as follows:

"Are you in favour of burning restrictions in Electoral Area E?"

CARRIED

ADJOURNMENT

MOVED Director Van Eynde, SECONDED Director Bestwick, that this meeting terminate.

CARRIED

TIME: 7:26 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE ELECTORAL AREA 'A'
RECREATION AND CULTURE COMMISSION REGULAR MEETING
HELD ON WEDNESDAY, SEPTEMBER 10, 2008
AT THE CEDAR HERITAGE CENTRE

Attendance: Joe Burnett, Director RDN Board, Chair
Shelagh Gourlay
Dawn Burnett
Shannon Wilson
Grant Fong
Krista Seggie
Dee Hutt-Randen
Wendy Herrington

Staff: Dan Porteous, Manager of Recreation Services
Tom Osborne, General Manager of Recreation and Parks
Jenny Gibson, Recording Secretary

CALL TO ORDER

1 Chair J. Burnett called the meeting to order at 7:00pm.

MINUTES

3.1 MOVED Commissioner D. Burnett, SECONDED Commissioner Wilson, that the minutes of the Electoral Area 'A' Recreation and Culture Commission Meeting held July 9, 2008, be approved

CARRIED

COMMUNICATION/CORRESPONDENCE

5 MOVED Commissioner Gourlay, SECONDED Commissioner Seggie, that the following Correspondence be received:

5.1 D. Porteous to Cedar Community Secondary School Re: Request for Grant In Aid Funding for Students in the Travel Club

5.2 D. Porteous to School District 68, Re: Potential Service Agreement with the Regional District

5.3 David Green, School District 68, Re: Potential Service Agreement with the Regional District

CARRIED

REPORTS

6.1 EA 'A' Recreation and Culture Service Delivery Options

Mr. Porteous provided an overview of the staff report and the two options for the Commission's consideration, the first being the recommended option for the Regional District to retain a Recreation Coordinator to provide recreation and culture services in Electoral Area 'A', and the second option which would extend the timeline to further research the School Board's interest in a potential agreement with the Regional District to provide the services.

Mr. Porteous informed the Commission that he had met with the Secretary-Treasurer of School District 68 on September 10 to discuss the issues pertinent to a potential agreement. He explained the Secretary-Treasurer had again expressed interest in pursuing a service agreement with the Regional District. Staff relayed their concerns to the Commission regarding the additional time it will take to develop an agreement with the School District given the challenges to date encountered in setting up meetings with the School District staff since February 2008. Staff also noted the Commission had already provided one extension to date. The Commissioners shared their interests for retaining a Coordinator or pursuing an agreement.

MOVED Commissioner Gourlay, SECONDED Commissioner Wilson that the Regional District hire and retain a Recreation Coordinator to provide recreation and culture services in Electoral Area 'A'

DEFEATED

The Commission further discussed the second option. A timeline was explored with staff in terms of exploring the issues and drafting an agreement with the School District by January of 2009. The Commission requested a verbal update report be presented by staff at the November meeting emphasizing the work accomplished to date with respect to the agreement. If the work accomplished to date did not prove satisfactory in relation to the timeline provided, the Commission would consider retaining a Coordinator through the Regional District.

MOVED Commissioner Seggie, SECONDED Commissioner Herrington, that the Regional District pursue a service agreement with School District #68 (Nanaimo - Ladysmith) for the provision of recreation and cultural services in Electoral Area 'A', and that a draft agreement be completed by January 2009 for consideration by the Commission and Regional Board.

CARRIED

BUSINESS ARISING FROM COMMUNICATIONS / CORRESPONDENCE

- 8 Mr. Porteous addressed correspondence 5.1 regarding the Grant In Aid funding request. He reported that Ms. Chris Pennell had resubmitted an application for grant funding, which would be reviewed by staff and presented to the Commission for consideration at the November meeting.

COMMISSIONER ROUNDTABLE

- 10** Commissioner Seggie talked about one of the newest programs to be brought to the South Wellington area called Laughing Yoga; SWACA is getting a lot of registrations for the program as well as inquiries about badminton and other programs.

Chair J. Burnett mentioned that the OCP review for Electoral Area 'A' is underway and noted the meeting times and locations for the public meetings.

ADJOURNMENT

- 12** MOVED Commissioner Wilson that the meeting be adjourned

CARRIED

The meeting adjourned at 8:20 PM

NEXT MEETING

Wednesday, November 5, 2008
7:00pm, Cedar Heritage Centre

Chair



RDN	
CAO	GMP&IS
GMDS	GMR&PS
GMES	GMTS
AUG 28 2008	
SMCA	
CHAIR	BOARD
SEAT EA 'A' R.L. G...	
SEAT BOARD	

MEMORANDUM

TO: Tom Osborne
General Manager of Recreation and Parks

DATE: August 28, 2008

FROM: Dan Porteous
Manager of Recreation Services

FILE:

SUBJECT: Electoral Area 'A' Recreation and Culture Service Delivery Options

PURPOSE

To obtain Board approval to establish a recreation and culture service delivery model for Electoral Area 'A'.

BACKGROUND

In January of 2008, the Area 'A' Recreation and Culture Commission and staff explored various options for the delivery of recreation and culture services in Area 'A'. The Commission recommended that staff pursue the following two options, which were approved by the Regional Board on February 26, 2008:

1. "That staff further research with School District 68 senior officials the School Board's interest in a potential agreement with the Regional District to supply recreation and culture services in Electoral Area 'A' through the Community Schools program."
2. "That staff explore the option of the Regional District retaining a coordinator to provide recreation and cultural services in Electoral Area 'A'."

1. Agreement with School District 68

This option would include an enhanced School District service delivery model involving the Community Schools program in Area 'A' and the annual transfer of Regional District funds to the School District.

Currently, the School District employs two part-time Community School Coordinators who work from various school sites in Area 'A' providing a variety of community programs and events mainly focused in the Cedar area. Under the proposed option the Regional District funds would be used to supplement the wages of the Coordinators to increase their hours to full time, allowing them to increase the number of programs and events currently provided.

The Coordinators would also be expected to enhance their community development roles throughout the various communities of Cedar, South Wellington, Cassidy and parts of Yellow Point, and program for all age groups within those communities. They would also be expected to utilize other facilities within Area 'A' including various community halls as applicable and available rather than just the school facilities.

The Regional District could fulfill its mandate for the provision of these services through such an agreement with the School District by utilizing the existing resources. The Coordinators are already providing services very similar to what the Regional District would provide if they were to retain a Coordinator.

Proposed Funding Model – Option 1

The Regional District would provide an annual amount of funding to the School District including a Consumer Price Index adjustment. At present, the amount is not firm; however, preliminary estimates range from \$45,000-\$55,000 in 2009. The funds would be transferred through the Area 'A' budget. Currently, there is sufficient funding in the proposed Five Year Financial Plan to implement this option.

Issues and Challenges

Before an agreement can be established there are a number of concerns and issues that need to be addressed. These include any changes necessary to the existing Community School program mandate regarding the Coordinators' roles and responsibilities; questions regarding the current work schedule of the Coordinators and associated remuneration; insurance, liability and WCB matters; School District Union concurrence; and implications regarding the Regional District funding envelope and service expectations.

In February 2008, RDN staff met with the Secretary-Treasurer of School District 68 of which it was expressed that the School District would be interested in entering into a service agreement with the Regional District. The concept was then considered during the School District's budget deliberations in April. School District staff then contacted RDN staff in May restating the School District's interest in pursuing an agreement; however, since that time staff have been unsuccessful in arranging subsequent meetings with the School District to further explore this option.

Initially, the Electoral Area 'A' Commission had requested a staff report regarding the service delivery options be completed by July of 2008. Based on the Commission's interest in exploring the School District option, in July 2008 the Commission extended the deadline for staff to meet with the School District and complete the report by September. Staff then continued to try to set up a meeting with School District staff with no success. Due to the pending timeline and staff still unsuccessful in arranging a meeting, a letter was delivered to the School District in mid August requesting a written response. On August 28, while completing the report, staff received verbal confirmation from the Secretary-Treasurer that the School District is still interested in exploring this option. The Secretary-Treasurer was informed of the report deadline and that the School District's interest in meeting would be noted. Staff agreed to meet with the School District staff, if possible, prior to the Commission meeting, at which time a verbal update regarding the meeting would be presented.

To consider this option, staff would require more time to meet with the School District to further explore the concerns and issues. Staff would endeavor to complete another report by November; however, depending on follow up meetings to achieve resolution regarding the issues and concerns addressed, a report may not be completed until the January 2009 Commission meeting. If this option is considered and later approved, staff would proceed with establishing an agreement outlining terms associated with service expectations and funding.

2. Coordinator Retained by the Regional District

The option of retaining a Coordinator through the Regional District to provide the services would require some administrative planning and additional funding. This process would involve securing an office location; acquiring equipment and supplies; a recruitment process; and developing a more detailed budget including administration, operations and program services with associated revenues and expenditures related to ongoing annual operations.

Although additional funding would be required to provide the services, the Commission and staff would have more control and autonomy regarding service delivery. The Manager of Recreation Services would

supervise the Coordinator and be more involved in the development, coordination and implementation of the services.

Proposed Funding Model – Option 2

The Regional District would revise the Electoral Area 'A' function budget for the direct provision of the recreation and culture services. Further information pertaining to the budget associated with this proposed option is detailed under Financial Implications.

If this option is approved, staff would begin the process of further developing a budget through the 2009 budget process, locating a facility, retaining a Coordinator and implementing the services through the fall of 2008.

ALTERNATIVES:

1. To extend the timeline to November to further explore the School District service delivery option.
2. To retain a coordinator through the Regional District of Nanaimo to provide recreation and cultural services in Electoral Area 'A'.

FINANCIAL IMPLICATIONS:

1. There are no financial implications to be considered until the School District and Regional District resolve any issues pertaining to a potential agreement. If an extension is approved to further explore the School District option, financial implications would be outlined in a subsequent report.
2. To provide the services directly through the Regional District would cost more, primarily due to overhead costs for administering and operating the services.

Although it is difficult to ascertain presently, a facility lease or rental for an office space could cost up to \$6,000 per year. The cost of retaining a Coordinator in a full-time capacity would be approximately \$60,000. There are a number of other budget items that would need to be considered related to ongoing operations including advertising/promotions, program costs, office supplies, and utilities. Although these costs are also difficult to project with a new service function, based on experiences associated with other Regional District operations, these costs would be approximately \$15,000.

Other Area 'A' budget items already established in 2008 include approximately \$17,500 related to Regional District administration and wages for management and office support apportioned to Area 'A', and \$10,000 for the Grant-in-Aid program recently approved by the Board.

A contingency fund was also established in 2008 that can be used for capital and operational expenses that may be required for establishing this service delivery option. Such expenses may include a computer, telephone, fax machine, photocopier, office furniture, and other associated equipment and supplies.

Direct program revenues and expenditures are planned to offset each other and are projected to be approximately \$10,000 in the first year. This amount does not affect the administration and operating portion of the budget unless revenues do not meet or exceed program expenditures. In that case a deficit would be offset by budget surplus. The Gabriola model has been working well now for a number of years. Their program portion of the budget began at \$15,000 and is now operating annually at \$35,000 with revenues and expenditures balancing for the most part.

The total administrative and operational costs projected above, excluding contingency and program revenues and expenditures, are \$108,500.

Tax Requisition

The 2008 tax requisition is \$76,500, which currently equates to rate of \$.07 per \$1,000 of assessed property value. The function bylaw states:

In accordance with section 800.1 (1)(e) of the Local Government Act, the maximum amount that may be requisitioned for the cost of providing the service is the greater of:

- (a) Ninety-six Thousand Seven Hundred and Fifty (\$96,750) Dollars; or*
- (b) The amount equal to the amount that could be raised by a property value tax of \$0.15 per \$1,000 applied to the net taxable value of land and improvements in the Service Area.*

Based on the function bylaw and due to recent growth in Area 'A', the maximum amount of funds that may be requisitioned as of 2008 is approximately \$143,600 at a rate of \$0.15 per \$1,000. Although the proposed costs of \$108,500 to operate the services are beyond the current tax requisition, it is well within the bylaw's authorization. There are sufficient funds in 2008 to implement Option 2 due to the short period of time remaining in the year, and more than sufficient funds to increase the tax requisition in 2009 to \$108,500 to continue providing the services. The cost to increase to the tax requisition to the proposed \$108,500 at the current rate would be approximately \$0.10 per \$1,000.

To maintain the current tax requisition and implement the proposed services would not be feasible. There may be opportunities to reduce some of the proposed costs associated with the implementation of Option 2; however, a number of these opportunities would only be realized as the services are implemented. The Commission could consider reducing the Coordinator's hours to part time (25 hours per week), which would reduce the tax requisition to approximately \$90,000 equal to a rate of \$0.85 per \$1,000. However, considering the size of the service area and the service expectations this would not be recommended.

Table 1 outlines the projected general revenues and expenditures associated with Option 2.

Table 1

ESTIMATED BUDGET			
Revenues:		Expenses:	
Tax Requisition	\$108,500	RDN Administration / Wages	\$17,500
Program Revenues	\$10,000	Service Administration/Operating	\$15,000
		Office	\$6,000
		Coordinator	\$60,000
		Grant-in-Aid	\$10,000
		Program Expenses	\$10,000
Total	\$118,500		\$118,500

SUSTAINABILITY IMPLICATIONS

Although there are a variety of established recreation and culture opportunities in Area 'A', the community will benefit from the enhanced services through the Regional District and Electoral Area 'A' Recreation and Culture Commission. The development of additional programs and events, networking and coordination, and increased community development initiatives, will assist the Regional District to ensure area residents have access to alternative active and healthy recreational experiences, thus providing for a higher quality of life and assisting in the reduction of health care costs in the long term.

CONCLUSION

Based on direction from the Board, staff have endeavored to explore two recreation and culture service delivery options for Electoral Area 'A', either through an agreement with the School District on behalf of the Regional District or having the Regional District retain a Coordinator to provide the services.

With respect to the first option, staff have been unsuccessful in meeting with the School District since February of this year to follow up on issues and concerns that need to be addressed before an agreement can be considered. Although staff did hear from the School District while completing this report on August 28, there is still considerable work to be done before implementing this option. Staff apprised the Secretary-Treasurer that the Commission would be informed of the School District's interest in meeting and the Commission would consider this option. Concerns regarding a timeline to implement this option need to also be considered, due to the time elapsed to date and the time necessary to further explore this option.

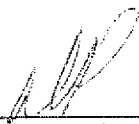
Staff have outlined the processes and costs associated with the second option. Although retaining a Coordinator would cost more to implement, if approved, staff could begin implementation soon after, through the fall of 2008. Although the proposed tax requisition for 2009 is higher than the current requisition, the proposed option can be implemented well within the parameters of the bylaw.

Given the uncertainty of entering into an agreement with School District to deliver enhanced and expanded recreation and culture services, and the extended timeline that would be required to develop an agreement for approval, this service delivery model is not recommended at this time.

It is therefore recommended that the Regional District retain a Recreation Coordinator to provide recreation and culture services in Electoral Area 'A' as this option would provide for a service delivery model that can be implemented this fall. Regional District staff would then work closely with the Area 'A' Recreation and Culture Commission to ensure the recreation and culture needs and expectations of the local community are met.

RECOMMENDATION:

That the Regional District hire and retain a Recreation Coordinator to provide recreation and culture services in Electoral Area 'A'.



Report Writer



General Manager Concurrence



C.A.O. Concurrence



RDN REPORT	
CAO APPROVAL	
EAP	
COW	
SEP 18 2008	
RHD	
BOARD	✓ Sept 30 '08

MEMORANDUM

TO: Sean De Pol
Manager of Liquid Waste

DATE: September 17, 2008

FROM: Sara Ellis
Special Projects Assistant

FILE: 5340-01

SUBJECT: SepticSmart Education Program – Progress Report

PURPOSE

To update the Board on the direction of the Liquid Waste Department’s SepticSmart Education Program.

BACKGROUND

On October 1, 2007, the Board approved an increase in septage tipping fees to support a public septic education program. On January 1, 2008, the fee increase was implemented. From raising the septage tipping fees, the RDN has created a septic education program to inform homeowners of onsite sewage disposal regulations and to encourage regular care and maintenance of their systems.

The education program will provide information to allow homeowners to properly use, maintain and service their system and will also provide tools to enable homeowners to detect a failing system. A malfunctioning system can be a health hazard to the resident of the home and their neighbours, and can harm natural resources. The anticipated outcome is that the program will reduce the number of failing systems in the RDN that are impacting human health, and the environment.

The RDN SepticSmart program has been modeled after the Capital Regional District (CRD) Septic Savvy education program. The CRD education program includes a brochure, an educational kit, workshops, and a web page. The web component of the program has educational documents including an electronic version of the education kit, maintenance video clips, and a list of upcoming workshops.

The CRD has found that placing their resources into workshops and display events has been most successful as it allows for direct contact and information exchange. The RDN SepticSmart Program has been created with this in mind and includes:

1. A brochure;
2. A SepticSmart Residential Household Information Kit;
3. A public workshop presentation; and
4. A web component.

1. Brochure

The brochure has been created with tips and information for homeowners. The brochure has information on ordering a Residential Household Education Kit. These brochures will be distributed throughout the Regional District.

2. SepticSmart Residential Household Information Kit

The SepticSmart Kit is a simple guide to maintaining and caring for a septic system. The kit includes the following topics: how a septic tank works, septic system maintenance, water conservation, and greener cleaners. Other items in the kit include a septic system maintenance record, and a decal for the bathroom

which explains what cannot go down the drain. The kit will be distributed at the public open houses, public workshops, and other public displays where RDN staff members will be present.

3. Public Workshops

Public workshops have been tailored to homeowners who may not have knowledge of septic systems and teaches homeowners about the proper maintenance and care for their septic systems. A PowerPoint presentation has been created which covers the basics of septic systems, maintenance and monitoring, and provincial regulations.

The workshops are planned to begin in late 2008. Presentations are planned to be held within various un-serviced electoral areas and municipalities.

4. Web page

The Septic Systems section of the website will be updated in late 2008 and will include the components of the SepticSmart program. The links on the web page will include: Frequently Asked Questions, electronic versions of the education material, and upcoming workshops.

Implementation

In September 2008, the SepticSmart education material was distributed to the Regional Liquid Waste Advisory Committee for review and comments have been received. Feedback has been positive, and the program is ready for release to the public.

SepticSmart kits will be distributed at the Regional Pollution Control Centres' Open Houses on October 4th, 2008, for French Creek Pollution Control Centre, and on October 18th, 2008, for Greater Nanaimo Pollution Control Centre. The purposes of the Open Houses are to open the plants to the public for tours and educate the public about the operations of the treatment facilities. This is an opportunity to get information on the SepticSmart program to the public.

Public Update

A program update for the public will be in the spring issue of the *Regional Perspectives*. The public will be informed that kits are available through the RDN office, and to check the website regarding dates of workshops.


SUMMARY/CONCLUSIONS

The SepticSmart Program has been developed to raise awareness of septic system care and maintenance. The anticipated outcome is that the program will reduce the number of failing systems in the RDN that are impacting human health, and the environment.

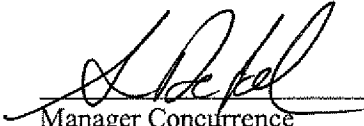
The program has been created to include the following components: a brochure, SepticSmart kits, public workshops, and a web page. The program material has been reviewed by the Regional Liquid Waste Advisory Committee, and the feedback received has been positive. The program material is ready for distribution, and workshops will be planned for late 2008.

RECOMMENDATIONS


That the Board receives the progress report on the SepticSmart Education Program for information.




Report Writer



Manager Concurrence



General Manager Concurrence



Acronis / CAO Concurrence

COMMENTS:



RDN REPORT		
CAO APPROVAL		
EAP		
COW		
SEP 22 2008		
RHD		
BOARD	✓	Sept 30 '08

MEMORANDUM

TO: Sean De Pol
Manager of Liquid Waste

DATE: September 22, 2008

FROM: Nadine Schwager
Liquid Waste Coordinator

FILE: 4520-20-73

SUBJECT: Pump and Haul Bylaw Amendment – amended at Third Reading
4571 Maple Guard Drive, Electoral Area ‘H’

PURPOSE

To consider an amendment to Bylaw 975 which established the Regional District of Nanaimo’s Pump and Haul program.

BACKGROUND

In August, requests were received to include the following properties into the Pump and Haul function:

Lot 27, Plan 16121, District Lot 40, Newcastle Land District
4571 Maple Guard Drive, Electoral Area ‘H’.

Lot 72, Section 13, VIP21531, Nanaimo Land District
667 South Road, Gabriola Island, Electoral Area ‘B’

A report was prepared and taken to the Board on August 26, 2008 for the first three readings for bylaw amendment 975.49 to include these properties.

Following the August Board meeting and in accordance with the bylaw requirements, RDN staff prepared restrictive covenants to be registered on each property. However, the owner of 667 South Road is out of the country and will not return until December. Therefore, the process of including this property in the Pump and Haul Service Area has been suspended.

The bylaw amendment as originally prepared cannot be adopted until the restrictive covenants have been registered. In order for the bylaw to proceed to include the property at 4571 Maple Guard Drive in Electoral Area ‘H’, it will be necessary to rescind the bylaw at third reading to remove the property at 667 South Road on Gabriola Island. RDN staff have revised bylaw amendment 975.49 to allow the inclusion of 4571 Maple Guard Drive.

ALTERNATIVES

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

FINANCIAL IMPLICATIONS

There are no financial implications other than staff time involved to administratively resolve this change. Staff plan to review this matter to determine opportunities to avoid this back-and-forth procedure for certain pump and haul inclusions.

SUSTAINABILITY IMPLICATIONS


According to Vancouver Island Health Authority, the subject property does not have suitable conditions for an onsite septic system. Sewage from this property will be discharged into a holding tank, then pumped and hauled to one of the Pollution Control Centres. The property at 4571 Maple Guard Drive has been using a holding tank since early 2007. The inclusion of this property will not have any sustainability implications.


SUMMARY/CONCLUSIONS

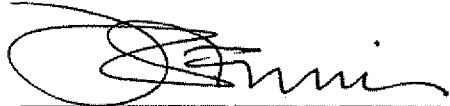
The application for 4571 Maple Guard Drive meets all requirements for inclusion into the Pump and Haul function, specifically the parcel sizes are greater than 700 m², a community sewer is not available, holding tank permits were obtained under the Provincial Sewage Disposal Regulation and the property currently conforms to the existing zoning bylaws. A restrictive covenant has been prepared for the property requiring that the owner of the lot maintain a contract with a pump out company with a copy of the current contract always deposited with the Regional District of Nanaimo; the owner of the lot connect to sewers when they become available and the owner shall not subdivide or construct any additional units on the properties.


RECOMMENDATIONS

1. That "Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.49, 2008" be rescinded at third reading.
2. That "Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.49, 2008" be amended to exclude the property described as Lot 72, Section 13, VIP21531, Nanaimo Land District (667 South Road, Gabriola Island, Electoral Area 'B') from the recital and Schedule A (Electoral Area 'B').
3. That "Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.49, 2008" (4571 Maple Guard Drive, Electoral Area 'H') be read a third time as amended.
4. That "Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.49, 2008" be adopted.


Report Writer

 For S. DeRoi
Manager Concurrence


General Manager Concurrence


Acemes / CAO Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 975.49

**A BYLAW TO AMEND THE REGIONAL
DISTRICT OF NANAIMO PUMP AND
HAUL LOCAL SERVICE AREA
ESTABLISHMENT BYLAW NO. 975**

WHEREAS Regional District of Nanaimo Pump and Haul Local Service Area Establishment Bylaw No. 975, as amended, established the pump and haul local service area;

AND WHEREAS the Directors of Electoral Areas 'B', 'C', 'E', 'F', 'G' and 'H' have consented, in writing, to the adoption of this bylaw;

AND WHEREAS the Councils of the City of Nanaimo and the District of Lantzville have consented, by resolution, to the adoption of Bylaw No. 975.49;

AND WHEREAS the Board has been requested to amend the boundaries of the local service area to include the following property:

Lot 27, Plan 16121, District Lot 40, Newcastle Land District (Electoral Area 'H')

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

1. Schedule 'A' of Bylaw No. 975 is hereby repealed and replaced with Schedule 'A' attached hereto and forming part of this bylaw.
2. This bylaw may be cited for all purposes as "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.49, 2008".

Introduced and read three times this _____ day of _____, 2008.

Adopted this _____ day of _____, 2008.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Chairperson

Sr. Mgr., Corporate Administration

BYLAW NO. 975.49

SCHEDULE 'A'

Electoral Area 'B'

1. Lot 108, Section 31, Plan 17658, Nanaimo Land District.
2. Lot 6, Section 18, Plan 17698, Nanaimo Land District.
3. Lot 73, Section 31, Plan 17658, Nanaimo Land District.
4. Lot 24, Section 5, Plan 19972, Nanaimo Land District.
5. Lot 26, Section 12, Plan 23619, Nanaimo Land District.
6. Lot 185, Section 31, Plan 17658, Nanaimo Land District.
7. Lot 177, Section 31, Plan 17658, Nanaimo Land District.
8. Lot 120, Section 31, Plan 17658, Nanaimo Land District.
9. Lot 7, Section 18, Plan 17698, Nanaimo Land District.
10. Lot 108, Section 12, Plan 23435, Nanaimo Land District.
11. Lot 75, Section 13, Plan 21531, Nanaimo Land District.
12. Lot 85, Section 18, Plan 21586, Nanaimo Land District.
13. Lot 14, Section 21, Plan 5958, Nanaimo Land District.
14. Lot 108, Section 13, Plan 21531, Nanaimo Land District.
15. Lot 84, Sections 12 & 13, Plan 21531, Nanaimo Land District.

Electoral Area 'C' (Defined portion)

Electoral Area 'E'

1. Lot 69, District Lot 68, Plan 30341, Nanoose Land District.
2. Lot 1, District Lot 72, Plan 17681, Nanoose Land District.
3. Lot 17, District Lot 78, Plan 14212, Nanoose Land District.
4. Lot 32, District Lot 68, Plan 26680, Nanoose Land District.
5. Lot 13, Block E, District Lot 38, Plan 13054, Nanoose Land District.
6. Lot 5, District Lot 78, Plan 25366, Nanoose Land District.
7. Lot 13, District Lot 78, Plan 25828, Nanoose Land District.
8. Lot 58, District Lot 78, Plan 14275, Nanoose Land District.
9. Lot 28, District Lot 78, Plan 15983, Nanoose Land District.
10. Lot 23, District Lot 78, Plan 14212, Nanoose Land District.
11. Lot 23, District Lot 78, Plan 28595, Nanoose Land District.
12. Lot 53, District Lot 78, Plan 14275, Nanoose Land District.
13. Lot 12, District Lot 8, Plan 20762, Nanoose Land District.

Electoral Area 'F'

1. Lot 2, District Lot 74, Plan 36425, Cameron Land District.
2. Lot A, Salvation Army Lots, Plan 1115, Except part in Plan 734 RW, Nanoose Land District.
3. Strata Lot 179, Block 526, Strata Plan VIS4673, Cameron Land District.
4. Strata Lot 180, Block 526, Strata Plan VIS4673, Cameron Land District.
5. Strata Lot 181, Block 526, Strata Plan VIS4673, Cameron Land District.

6. Strata Lot 182, Block 526, Strata Plan VIS4673, Cameron Land District.
7. Strata Lot 183, Block 526, Strata Plan VIS4673, Cameron Land District.

Electoral Area 'G'

1. Lot 28, District Lot 28, Plan 26472, Nanoose Land District.
2. Lot 1, District Lot 80, Plan 49865, Newcastle Land District.

Electoral Area 'H'

1. Lot 22, District Lot 16, Plan 13312, Newcastle Land District.
2. Lot 29, District Lot 81, Plan 27238, Newcastle Land District.
3. Lot 46, District Lot 81, Plan 27238, Newcastle Land District.
4. Lot 9, District Lot 28, Plan 24584, Newcastle Land District.
5. Lot 41, District Lot 81, Plan 27238, Newcastle Land District.
6. Lot 20, District Lot 16, Plan 13312, Newcastle Land District.
7. District Lot 2001, Nanaimo Land District.
8. Lot 1, District Lot 40, Plan 16121, Newcastle District.
9. Lot 27, Plan 16121, District Lot 40, Newcastle Land District.

City of Nanaimo

1. Lot 43, Section 8, Plan 24916, Wellington Land District.

District of Lantzville

1. Lot 24, District Lot 44, Plan 27557, Wellington Land District.
2. Lot A, District Lot 27G, Plan 29942, Wellington Land District.
3. Lot 1, District Lot 85, Plan 15245, Wellington Land District.



RDN REPORT		
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COW		
SEP 23 2008		
RHD		
BOARD	✓	Sept 30 '08

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: September 23, 2008

FROM: Maureen Pearse
Senior Manager, Corporate Administration

FILE:

SUBJECT: Southern Community Search & Rescue Contribution Bylaw No. 1552

PURPOSE

To report the results of the alternative approval process for "Southern Community Search and Rescue Contribution Service Establishment Bylaw No. 1552, 2008".

BACKGROUND

At its regular meeting held June 24, 2008 the Board introduced "Southern Community Search and Rescue Contribution Service Establishment Bylaw No. 1552, 2008" for first three readings. In accordance with the *Community Charter* the Board chose to seek the assent of the electors through the alternative approval process.

Bylaw No. 1552 is proposing to establish a service to provide an annual contribution to Search and Rescue up to the amount of \$30,000. The boundaries of the service area will include the City of Nanaimo, the District of Lantzville and Electoral Areas A, B & C.

In order to receive the assent of the electoral area electors, the number of elector response forms received could not exceed 10% of the electors for the proposed participating area. Section 86 of the *Community Charter* states:

"that approval of the electors by alternative approval process is obtained if at the end of the time for receiving elector responses, the number of elector responses received is less than 10% of the number of electors of the area to which the approval process applies."

For the purpose of conducting the alternative approval process, the number of eligible electors in the service area was determined to be 70,470 electors. In order for the bylaw to receive the assent of the electors less than 10% or 7,047 elector response forms must have been received by the deadline of September 22, 2008. The total number of elector response forms received by September 22, 2008 was 0 (0% of electors). As the total number of elector response forms received was less than 10% of the electors, the bylaw is deemed to have received the assent of the electors.

ALTERNATIVES

1. That "Southern Community Search and Rescue Contribution Service Establishment Bylaw No. 1552, 2008" be adopted.
2. That the Board not proceed with the adoption of this bylaw.

FINANCIAL IMPLICATIONS

This bylaw provides that the maximum amount the Board may raise is approximately \$30,000 to provide annual financial support to the persons providing search and rescue in the southern community area. Based on a residential property assessed at \$100,000, the cost to the individual homeowner would be 20 cents (\$0.002 per \$1,000 of assessed value).

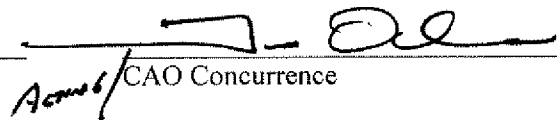
SUMMARY/CONCLUSIONS

At the June 24, 2008 Board meeting, "Southern Community Search and Rescue Contribution Service Establishment Bylaw No. 1552, 2008" received first three readings. The Board sought the assent of the electors through the alternative approval process. In order to receive the assent of the electors, the number of elector response forms received could not exceed 10% (7,047) of the electors for the proposed participating area. The total number of responses received by the deadline of September 22, 2008 was 0, therefore the bylaw is deemed to have received the assent of the electors. Staff are recommending adoption of the bylaw.

RECOMMENDATION

That "Southern Community Search and Rescue Contribution Service Establishment Bylaw No. 1552, 2008" be adopted.


Report Writer


Acme/CAO Concurrence



RDN REPORT	
CAO APPROVAL	
EAP	
COW	
SEP 23 2008	
RHD	
BOARD	✓ Sept 30 '08

MEMORANDUM

TO: C. Mason
Chief Administrative Officer

DATE: September 23, 2008

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

FILE:

SUBJECT: Results of Elector Response Opportunity for an amendment to the borrowing authority for the Meadowood Fire Protection Service.

PURPOSE:

To report on the results of seeking elector approval for an increase to the amount to be borrowed to purchase equipment and construct a firehall in the Meadowood subdivision, and to bring forward for adoption Bylaw No.1510.01.

BACKGROUND:

Electors in the Meadowood Fire Protection Service Area were asked to support an increase in the amount to be borrowed to purchase firefighting equipment and construct a firehall. The amount to be borrowed would be increased from \$1,483,000 to \$1,789,200. The response period expired at the end of the day, Monday September 22, 2008. 89 responses were required to defer adoption of the bylaw - nine responses were submitted. The number of responses was insufficient and the Board may now adopt Bylaw 1510.01.

ALTERNATIVES:

1. Receive the results of the alternative approval process with respect to the Meadowood borrowing authority and adopt Bylaw No. 1510.01.
2. Receive the results of the Meadowood fire protection loan authority elector response opportunity and defer adoption of the bylaw.

FINANCIAL IMPLICATIONS:


The financial implications of adopting this amended borrowing authority have been reported on in earlier reports. The estimated annual cost per property is \$46 , for a revised total of about \$356 per year per property.

SUMMARY/CONCLUSIONS:

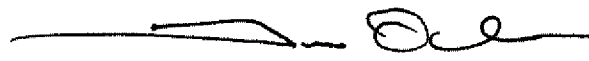
An alternative approval process with respect to adjusting the amount to be borrowed for the Meadowood fire protection project concluded on September 22, 2008. The number of responses was insufficient to require a majority vote of the electors and the Board may now proceed to adopt Bylaw 1510.01.

RECOMMENDATIONS:

1. That the results of the alternative approval process with respect to increasing the borrowing authority for the Meadowood fire protection project be received.
2. That “Meadowood Fire Protection Service Area Loan Authorization Amendment Bylaw No. 1510.01, 2008” be adopted.



Report Writer



Averne / C.A.O. Concurrence

COMMENTS: