

REGIONAL DISTRICT OF NANAIMO

**REGULAR BOARD MEETING
TUESDAY, JANUARY 27, 2009
7:00 PM**

(RDN Board Chambers)

A G E N D A

PAGES

1. **CALL TO ORDER**
 2. **DELEGATIONS**
12-18 **Roger McDonell and Michael Wansink, Vancouver Island North Film Commission**, re Regional Funding Strategy.
 - 19 **Gail Adrienne & Ron Tanasichuk, Nanaimo & Area Land Trust**, re 2008 Annual Report and Request for Renewed Annual Funding.
 3. **BOARD MINUTES**
20-30 Minutes of the Inaugural Board meeting held December 9, 2008 and the Special Board meeting held January 13, 2009.
 4. **BUSINESS ARISING FROM THE MINUTES**
 5. **COMMUNICATIONS/CORRESPONDENCE**
 6. **UNFINISHED BUSINESS**
- BYLAWS**
- For Adoption.**
- 31-34 **Bylaw No. 500.326 – Land Use and Subdivision Bylaw Amendment.** (Electoral Area Directors except EA ‘B’ – One Vote)

That “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.326, 2007” be adopted.

This bylaw is to rezone the property legally described as Lot A, District Lot 6, Nanoose District, VIP58653 and located at the corner of Northwest Bay and Powder Point Roads from Residential 4 Subdivision District ‘Q’ (RS4Q) to Nanoose Bay Village Centre Comprehensive Development Zone 30 (CD30) to facilitate the construction of 2, three storey commercial buildings in two phases.

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

7.1 **ELECTORAL AREA PLANNING STANDING COMMITTEE**

35-36 Minutes of the Electoral Area Planning Committee meeting held January 13, 2009. (for information)

PLANNING

AMENDMENT APPLICATIONS

Zoning Amendment Application No. 0802 – Morgan – 1170 Spider Lake Road – Area ‘H’. (Electoral Area Directors except EA ‘B’ – One Vote)

1. *That Zoning Amendment Application No. ZA0802 as submitted on behalf of D. Morgan to rezone Lot 20, Block 360, Newcastle District, Plan 37698 from Subdivision District ‘B’ to Subdivision District ‘CC’ be approved to proceed to public hearing subject to the conditions included in Schedule No. 1.*
2. *That “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.347, 2009” be given 1st and 2nd reading.*
3. *That “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.347, 2009” proceed to public hearing.*
4. *That the public hearing on “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.347, 2009” be delegated to Director Bartram or his alternate.*
5. *That staff be directed to prepare required amendments to “Regional District of Nanaimo Building Inspection Extended Service Establishment Bylaw No. 787, 1989” to include the parent parcel within a Building Inspection Service Area.*
6. *That staff be directed to schedule an Electoral Area Directors Seminar to discuss the relationship between interface fire hazard and zoning*

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60849 – Davis/Murray – 5363 Gainsberg Road – Area ‘H’. (Electoral Area Directors except EA ‘B’ – One Vote)

That Development Permit Application No. 60849, to construct a dwelling unit and detached garage within the Hazard Lands Development Permit Area pursuant to “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Bylaw No. 1335, 2003”, for the property legally described as Lot 3, District Lot 1, Newcastle District, Plan 20442 be approved subject to the conditions outlined in Schedules No. 1 to 4.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90823 – Ballard – 1751 Admiral Tryon Blvd – Area ‘G’. (Electoral Area Directors except EA ‘B’ – One Vote)

Delegations wishing to speak to Development Variance Permit Application No. 90823.

That Development Variance Permit Application No. 90823 submitted by Fern Road Consulting Ltd. for the property legally described as Lot 26, District Lot 28, Nanoose District, Plan VIP62528 be approved subject to Schedules No. 1 to 3 of the staff report and consideration of comments received as a result of notification of adjacent owners/occupants.

Development Variance Permit Application No. 90824 – World of Pentecost Church – 3606 Allsop Road – Area ‘C’. (Electoral Area Directors except EA ‘B’ – One Vote)

Delegations wishing to speak to Development Variance Permit Application No. 90824.

That Development Variance Permit Application No. 90824, to vary the maximum height of a dwelling from 8.0 metres to 9.0 metres on the parcel legally described as Lot 7, Section 18, Range 3, Mountain District, Plan 34810 at 3606 Allsop Road, be approved subject to the conditions outlined in Schedules No. 1 to 4 and the consideration of comments received as a result of the notification of adjacent property owners/occupants.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

37-44 Minutes of the Committee of the Whole meeting held January 13, 2009. (for information)

COMMUNICATIONS/CORRESPONDENCE

Randy O’Donnell, re Local Government Tax Concerns. (All Directors – One Vote)

That the correspondence from Randy O’Donnell regarding concerns with Local Government taxing be received.

Eydie Fraser, AVICC, re 2009 AGM Resolutions. (All Directors – One Vote)

That the correspondence from the Association of Vancouver Island and Coastal Communities with respect to submission requirements for the AVICC annual general meeting be received.

CORPORATE ADMINISTRATION SERVICES

Meeting Schedule for 2009. (All Directors – One Vote)

That the 2009 meeting schedule be received for information and, as has been the practice since 2006, the August Committee meetings be deferred to September.

2008 Departmental Accomplishments. (All Directors – One Vote)

That the Board receive the summary of activities and departmental accomplishments of the Regional District of Nanaimo for 2008.

FINANCE AND INFORMATION SERVICES

FINANCE

Banking Services – Award of Tender. (All Directors – Weighted Vote)

That TD Canada Trust be approved as the provider of general banking services for a five year term commencing on or about March 1, 2009.

DEVELOPMENT SERVICES

BUILDING & BYLAW

Notice of Building Bylaw Contravention – 2305 Hemer Road – Area ‘A’. (All Directors – One Vote)

Delegations wishing to speak to Notice of Building Bylaw Contravention at 2305 Hemer Road – Area ‘A’.

That staff be directed to register a notice on title pursuant to Section 57 of the Community Charter and that legal action be taken, if necessary to ensure that Lot B, Section 13, Range 2, Plan VIP85592, Cedar District is in compliance with the “Regional District of Nanaimo Building Regulations & Fees Bylaw No. 1250, 2001” and “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”.

Notice of Building Bylaw Contravention – 3466 Simmons Place – Area ‘A’. (All Directors – One Vote)

Delegations wishing to speak to Notice of Building Bylaw Contravention at 3466 Simmons Place – Area ‘A’.

That Mr. Hazelwood be given two weeks to comply and if he is unable to do so by January 27th, then staff be directed to register a notice on title pursuant to Section 57 of the Community Charter and that legal action be taken, if necessary to ensure that Strata Lot 56, Plan VIS3393, District Lot 78, Nanoose Land District is in compliance with the “Regional District of Nanaimo Building Regulations & Fees Bylaw No. 1250, 2001” and “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”.

District of Lantzville Service Agreements. (All Directors – Weighted Vote)

That the 2009/2010 Service Agreements between the Regional District of Nanaimo and the District of Lantzville for Animal Control, Building Inspection, Bylaw Enforcement, GIS and Mapping, House Numbering, Noise Regulation, Nuisance Control and Unsightly Premises services be approved.

Amendment Bylaw No. 787.09 – Extension of Building Inspection Service Area.
(All Directors – One Vote)

That “Regional District of Nanaimo Building Inspection Service Bylaw Amendment Bylaw No. 787.09, 2009” be introduced, read three times and forwarded to the Ministry of Community Development for approval.

PLANNING

Liquor License Policy Review. (All Directors – One Vote)

- 1. That the Regional District of Nanaimo’s Liquor License Applications Policy (B1.6) be amended in recognition of minor changes to existing liquor licenses as outlined in Schedule No. 1 of the staff report.*
- 2. That the request to waive the Public Hearing requirement for a minor change in hours of operation, as submitted by Paul Manhas be approved.*

ENVIRONMENTAL SERVICES

Environmental Services Department Name Change. (All Directors – One Vote)

That the Board receive the report on Environmental Services Department name changes and support the new departmental name of Water & Wastewater Services and sub-departmental names of Water Services, Wastewater Services and Engineering Services.

UTILITIES

Drinking Water Protection Advisory Committee. (All Directors – One Vote)

That the Board approve the Terms of Reference for the Drinking Water Protection Advisory Committee (January 2009).

Extension of the Rural Streetlighting Local Service Area. (All Directors – One Vote)

That “Rural Streetlighting Local Service Area Amendment Bylaw No. 791.07, 2009” be introduced and read three times.

Estimated Costs to Service West Bay Estates with Community Sewers. (All Directors – One Vote)

That the Board receive for information the report on costs to service West Bay Estates with community sewer.

Barclay Crescent Sewer – Capacity for Further Subdivision within the Service Area. (All Directors – One Vote)

That staff be directed to prepare for the Board's consideration, a development cost charge bylaw for the purpose of covering the costs of replacing a portion of the sewer collection system in the Barclay Crescent Sewer Service Area to accommodate new subdivision development.

Updated Costs to Service Madrona & Wall Beach with Community Sewers. (All Directors – One Vote)

- 1. That the Board receive the "updated costs to service Madrona and Wall Beach with community sewers" report for information.*
- 2. That the Board direct staff to advise VIHA that the Northwest Nanoose Residents Association has advised the RDN that the costs of a sewer collection system for the Madrona area have resulted in little resident support to proceed with the project without grant funding and therefore a servicing initiative for this area to address failing or poorly functioning on-site disposal systems is not being implemented at the present time.*

LIQUID WASTE

Nanaimo District Senior Citizens' Housing Development Society – Application for Development Cost Charge Reduction. (Nanaimo, Lantzville, EA 'C' – Weighted Vote)

That the Board authorize a 50% reduction in Southern Community Sewer Development Cost Charges for the Nanaimo District Senior Citizens' Housing Development Society Kiwanis Villa project.

RECREATION AND PARKS SERVICES

PARKS

Parks Operations Building. (All Directors – Weighted Vote)

That staff be directed to pursue the lease of a space for use as a parks operations building at the Parksville Industrial Park with Resland Development Corporation.

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

Garbage and Recycling Collection Program - Contract Extension. (All Directors – Weighted Vote)

That the Board approve an additional one-year extension to Waste Services Inc. for garbage and recycling collection services.

Garbage and Recycling Collection Program - Financial Relief for Medical Treatment. (All Directors – One Vote)

That the current policy regarding financial relief for residents who face additional costs for garbage disposal due to at-home medical care be maintained with no changes.

Regional Landfill Security Services Contract Award. (All Directors – Weighted Vote)

That the Board award the contract for security services at the Regional Landfill to Footprints Security for a period of 3 years commencing March 1, 2009 at a total cost of \$297,810.24.

COMMISSION, ADVISORY & SELECT COMMITTEE

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

1. *That the minutes of the District 69 Recreation Commission meeting held December 4, 2008 be received for information.*

2. *That the following recommendation be received by the Board for consideration as part of the 2009 Budget and Five Year Financial Plan deliberation process:*

That the District 69 Recreation Youth and Community Grants Budget be increased by \$20,000 and that staff investigate alternatives, other than just tax increases, to cover the proposed budget increase

3. *That the following recommendation be received by the Board for consideration as part of the 2009 Budget and Five Year Financial Plan deliberation process:*

a) *That that the 2009 Annual Budget and Five Year Capital and Financial Plan for the District 69 Recreation Coordinating Function, be approved in principal as presented;*

b) *That the 2009 Annual Budget and Five Year Capital and Financial Plan for Oceanside Place, be approved in principal as presented;*

c) *That the 2009 Annual Budget and Five Year Capital and Financial Plan for the Ravensong Aquatic Centre be approved in principal as presented; and*

- d) *That staff review the tax impacts of the proposed budgets for each function and consider other options, such as reductions in service, fee increases, tax requisitions increases or a combination of these, prior to final adoption of the budgets in March 2009.*

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

That the minutes of the Electoral Area 'A' Parks and Green Space Advisory Committee meeting held November 20, 2008 be received for information.

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

That the minutes of the East Wellington/Pleasant Valley Parks and Open Space Advisory Committee meeting held November 3, 2008 be received for information.

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

1. *That the minutes of the Electoral Area 'E' Parks and Open Space Advisory Committee meeting held December 1, 2008 be received for information.*
2. *That the following recommendation be received by the Board for consideration as part of the 2009 Budget and Five Year Financial Plan deliberation process:*

That the Electoral Area 'E' Community Parks Function Budget be approved as presented, including the \$25,000 grant request for an accessible playground at Nanoose Bay Elementary School, subject to the Nanoose Bay Elementary School Parents Advisory Committee providing more information.

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 December 8, 2008 be received for information.*
2. *That the following recommendation be received by the Board for consideration as part of the 2009 Budget and Five Year Financial Plan deliberation process:*

That the Electoral Area "F" Community Parks Function Budget be approved as presented.

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

That the minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee held November 19, 2008 be received for information.

Road Closure – Lot A, District Lot 33, Newcastle District, Plan 44033/6173 West Island Highway, Electoral Area ‘H’. (All Directors – One Vote)

That the Regional District of Nanaimo has no objection to the variance change application by Mr. Cousineau, Lot A, PL 44033, DL 33, Newcastle LD, 6173 Island West, provided the proposed change does not affect pedestrian traffic.

Walk Way Proposal – Foulds Subdivision To Coburn Road. (All Directors – One Vote)

That staff prepare a report regarding Community Park H-19 trail development with Ministry of Transportation regarding the Esary Road pathway.

Regional Solid Waste Advisory Committee. (All Directors – One Vote)

That the minutes of the Regional Solid Waste Advisory Committee held December 4, 2008 be received for information.

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Wheels for Wellness. (All Directors – One Vote)

That the delegation from the Wheels for Wellness be referred to the Transportation Select Committee to present an update on the program.

NEW BUSINESS

Terms of Reference, Electoral Area ‘B’ Parks and Open Spaces Advisory Committee. (All Directors – One Vote)

That staff prepare a terms of reference for the Electoral Area ‘B’ Parks and Open Spaces Advisory Committee.

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

That staff prepare a report to consider an additional Director to the Grants-in-Aid Committee.

VIA Rail Dayliner. (All Directors – One Vote)

That staff prepare a resolution for the AVICC Conference to request that VIA Rail consider re-routing or adding an additional Dayliner to travel from Courtenay to Victoria and return daily and to consider reintroducing unscheduled stops on the rail line to provide a sustainable transportation link for residential use.

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

45-48 **Regional Liquid Waste Advisory Committee.** (All Directors – One Vote)

Minutes of the Regional Liquid Waste Advisory Committee meeting held December 4, 2008. (for information)

District 69 Community Justice Select Committee. (All Directors – One Vote)

49-50 Minutes of the District 69 Community Justice Select Committee meeting held January 20, 2009. (for information)

(Parksville, Qualicum Beach, EAs 'E', 'F', 'G', 'H' – Weighted Vote)

1. *That the annual funding amount for the Victim Services and Community Justice programs remain at the current level of \$55,000.*

(All Directors – One Vote)

2. *That staff indicate in correspondence to the RCMP the reasons that additional funding cannot be provided at this time, and advise them that this Committee will review the detailed statistical reports of these two programs when they are submitted in 2009 to consider any future tax increases for funding.*

3. *That staff prepare a resolution for consideration by the Board at a Special Board meeting on February 10, 2009, for submission to the AVICC concerning the inefficiencies of the court system, the administrative overload required by RCMP personnel in preparing for prosecutions, and the increasing costs of these inefficiencies upon the BC Taxpayers.*

8. ADMINISTRATOR'S REPORTS

51-52 Regional Landfill Engineering Services Contract Award. (All Directors – Weighted Vote)

53-58 Cedar Road LFG Fourth Amending Agreement. (All Directors – Weighted Vote)

59-65 Church Road Transfer Station Retrofit, Redevelopment & Expansion – Pre-design Cost Estimate. (All Directors – One Vote; All Directors – Weighted Vote)

66-69 Custom Transit Software Upgrade. (Nanaimo, Lantzville, EAs 'A', 'C', 'E', 'G', Parksville, Qualicum Beach – Weighted Vote)

70-74 Electoral Area 'A' Recreation and Culture Service Delivery Options. (All Directors – One Vote)

75-84 Tender Results – Administration & Transit Buildings. (All Directors – Weighted Vote; Nanaimo, Lantzville, EAs 'A', 'C' – Weighted Vote)

85-88 Bylaw No. 1563 - 2009 Parcel Tax Rolls. (All Directors – One Vote; All Directors – 2/3)

2009 Budget. (to be circulated)

9. **ADDENDUM**
10. **BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**
11. **NEW BUSINESS**
12. **BOARD INFORMATION (Separate enclosure on blue paper)**
13. **ADJOURNMENT**
14. **IN CAMERA**

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

December 22, 2008

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

Re: Request for January Board to Board Presentation

Vancouver Island North Film Commission Board of Directors requests the opportunity to make a short presentation to the Nanaimo Regional District. We are inviting you to participate in a regional film and television promotion initiative by becoming a supporting member of the Vancouver Island North Film Commission. Recent economic conditions are making it imperative that Vancouver Island communities diversify their economies in order to be resilient enough to weather changes in the current economic climate. Time is money and competition is global. By joining together with communities throughout the region we have the opportunity to attract productions that prefer to do business through a regional entity rather than on a community by community basis. There is strength and value in combining our locations assets as well as our budgets.

INFilm Locations Database Promotes Local Economic Opportunities

Recently, we had the pleasure of participating in the 2008 Vancouver Island Economic Alliance Conference. The message that collaboration and partnership is essential to spearhead regional economic development for the Vancouver Island region dovetails perfectly with the mandate of INfilm.

INfilm has developed an innovative database that is being used locally and internationally by film professionals who are searching for shooting locations. With more than 22,000 high definition images, the INfilm database is an excellent tool for attracting international business to our communities. Businesses, local crew, local labour and organizations wishing to provide services to the film industry can register free of charge by going online to www.infilm.ca.

The database can also be used by governments and associations like Tourism and Chambers of Commerce with an interest in promoting regional business alliances. This is a valuable tool to introducing ourselves to the world as British Columbia becomes the focus of international attention during the lead up and presentation of the 2010 winter Olympics.

INFilm as a Vehicle for Regional Cooperation

The Vancouver Island North Film Commission (INfilm) has been operating as a regional economic initiative since 2003. Our not-for-profit organization began in 1995 as a local initiative; we soon learned that global business is not necessarily

interested in what one community has to offer, but what the region can provide as a whole. INfilm immediately responded by expanding to market and service Vancouver Island as a recognizable location for television and film productions.

INfilm now provides one point of contact liaising with all the communities it services. INfilm has tracked \$69 million in local economic impacts from productions that we have serviced all across the island.

Providing International Recognition with a Certified Film Commissioner

As Island North's Film Commissioner, Joan Miller brings internationally recognized training and experience to our organization. She is a member of the Association of Film Commissioners International (AFCI) and represents Canada on the AFCI Board of Directors. Joan regularly promotes our region at regional and international industry conferences. Joan was recently honoured by the Mayor of Wellington new Zealand for her work as the chair of the Cineposium Conference hosted by New Zealand November 19 – 24 in Wellington. This industry conference was attended by delegates from over 20 countries including executives from the top US studios. INfilm's IT manager Susan Jerowsky is fully certified and provides industry standard service to all our clients.

Stable Regional Funding Strategy

Our goal is create a stable, long-term regional fair funding model. Along with the Greater Victoria Film Commission, INfilm has a contract with the Province of BC to deliver services to Vancouver Island. This contract represents about twenty percent of our annual operating budget. The balance is made up from grants including local community and regional district grant-in-aids.

In January, INfilm will begin a series of presentations outlining a regional initiative involving the six regional districts: Nanaimo, Alberni-Clayoquot, Powell River, Comox, Strathcona and Mt. Waddington. We would like to introduce our database and services to your communities and electoral areas. Our goal is to establish a service contract with the six regional districts that will allow this economic initiative to grow.

We are requesting an opportunity to present this information to you during your January committee of the whole or board meetings. With your support, the INfilm organization believes it can successfully create a model to sustain and grow this valuable regional initiative.

Sincerely,



Paul Galinski, President
Vancouver Island North Film Commission

November 12, 2008.

To Whom It May Concern:

The Ministry of Tourism, Culture and the Arts, through its agency the British Columbia Film Commission is responsible for film industry development in the Province of British Columbia. The provincial policy objective in funding regional film commissions is to provide an effective province-wide network of customer service and support and inventory of location photos for the motion picture industry. Vancouver Island North Film Commission works in partnership with the BC Film Commission to provide these services. Since its inception in 1995 the Vancouver Island North Film Commission has provided excellent service to many film and television production companies considering the North Island as a production location.

Through regional film commissions, motion picture industry professionals are invited to take advantage of the vast diversity of locations, climate zones and crew that are accessible throughout British Columbia. The provincial government wants to see more regional productions so film dollars and jobs go to all areas of the province and everyone benefits from expanding our industry.

The BC Film Commission recognizes the work done by the Vancouver Island North Film Commission and the funding contributions made by local government in providing the highest quality services to our clients in its efforts to increase motion picture production on the North Island.

Yours truly,



Susan Croome
British Columbia Film Commissioner



VIEA

VANCOUVER ISLAND
ECONOMIC ALLIANCE

December 22, 2008

Ms. Joan Miller
Manager
Vancouver Island North Film Commission
2203-871 Island Highway
Campbell River, BC
V9W 2C3

Dear Ms. Miller;

The Vancouver Island Economic Alliance is pleased to offer its support to the Vancouver Island North Film Commission as it continues to provide liaison and location scouting services to productions interested in filming on northern Vancouver Island, from Nanaimo to Cape Scott, including the Powell River Regional District.

The Vancouver Island Economic Alliance is a new collaborative partnership that is spearheading regional economic development for the Vancouver Island region, and is providing a means for the multitude of communities, First Nations, businesses, and other key stakeholders to collaborate on a broad-based economic development program that improves the region's overall capacity for growth.

The regional alliance includes all Island communities from Victoria to Port Hardy as well as the Northern and Southern Gulf Islands.

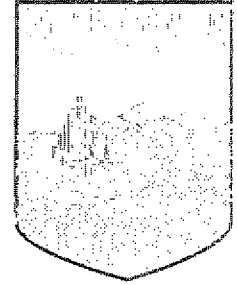
Vancouver Island boasts numerous resident film makers and technical support services, while also hosting location shoots from Hollywood, Vancouver and elsewhere. The impacts from locations shoots can be a boost to the Island local economy as the productions would see expenditures in the transportation, food services and accommodation sectors. The Vancouver Island Economic Alliance applauds the efforts of the Vancouver Island North Film Commission and its tracking of \$69 million into the Island's economy.

Sincerely;

Russ Hellberg
Chair
Vancouver Island Economic Alliance

MEANS OF PRODUCTION

1163 Commercial Drive
Vancouver, BC
Canada V5L 3X3



Regarding the North Island Film Commission

November 11, 2008

To Whom It May Concern,

Hello. My name is David Bouck and I own a television commercial service production company called Means of Production. We are based in Vancouver and shoot all over Canada with clients from Europe and the USA.

Joan Miller from the North Island Film Commission has asked me to write a letter of support for her organization and I am very happy to oblige.

Over the past few years I've filmed many times on the North Island from Tofino to Cathedral Grove to Gold River.

Joan and the NIFC are models of how a good Film Commission should be run – and that is no exaggeration. They are extremely helpful, quick to react, provide the best online presentations I've seen from a film commission, and are extremely professional and friendly.

If photos are not on file Joan always seems to find a way to get me fresh, new ones in record time with no fuss. Once the photos are online they come with maps showing exactly where everything is. If I have questions about hotels, equipment, permits, contacts, etc. Joan usually has the answers at her fingertips and if she doesn't I get a complete breakdown with all the info the next day. It's really impressive.

Any questions, please give me a call.

Sincerely,

Handwritten signature of David Bouck.

David Bouck, Owner and Producer, Means of Production

info@meansofproduction.ca www.meansofproduction.ca
telephone 604 255 4302 fax 604 255 4308

RICOCHET

Pacific House
126 Dyke Road
Brighton
BN1 3TE UK
+44 1273 224 800

1st December 2008

To whom it may concern

I am a production manager for a leading independent British television company called Ricochet. We produce high quality factual and entertainment programmes both in the UK and the US, including Supernanny, It's Me or The Dog, Unbreakable, Extreme Dreams and documentary series' including Born To Be Different, The Mummy Diaries and My New Home.

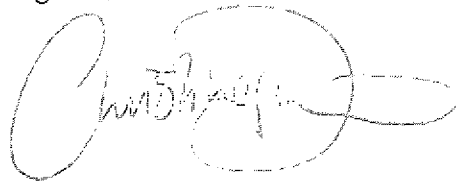
We contacted Joan Miller at the Vancouver Island North Film Commission in preparation for filming on the highly successful series 'Dangerous Jobs for Girls' for Channel 4 in the UK. The help provided by INFilm was invaluable and meant we were able to produce and film an episode in British Columbia, Canada.

Joan gave us contacts and advice on visa applications and work permits and found us a location fixer and driver. She also helped us source kit locally and gave us information on local transport. Joan consistently went above and beyond what we asked for which was extremely helpful and without the NIFC's help we wouldn't have been able to go ahead and film the programme.

The Vancouver Island North Film Commission also helped us when filming a series called 'World's Toughest Tribes' which we made for the Discovery channel in 2007, providing similar support and assistance. This series was shown in 82 countries around the world and was a very well received. Again we would not have been able to do it without INFilm's help.

If you have any further questions please contact me on christine.drew@ricochet.co.uk

Regards,



Christine Drew
Production Manager
Ricochet
www.ricochet.co.uk

TEN & SIX ENTERTAINMENT INC.

November 10, 2009

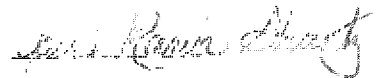
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Subject: North Island Film Commission

Ten & Six Entertainment Inc. of Victoria is presently developing a fantasy thriller feature film called "Savage Night".

Mr. Miller and the North Island Film Commission have been extremely helpful in all aspects of location scouting as well as identifying crew and understanding tax credits for our project. I do not hesitate to recommend them and the commission. They have saved us precious time and money.

If you have any questions please do not hesitate to contact me.



Joseph Goffan

CEO

1579 BUCKLAND AVE., VICTORIA, B.C., CANADA V8S 1V7
Tel: 250.384.1160 edman@tenandsix.ca

Armstrong, Jane

From: Gail Adrienne [gail@nalt.bc.ca]
Sent: January 19, 2009 3:10 PM
To: Armstrong, Jane
Subject: Re: Appearing as a Board Delegate

Hello Jane,

Here, as per your outline of requirements, is NALT's request to appear as a delegation to the RDN Board.

- The NALT delegation would like to attend the **RDN Board meeting on January 27th, 2009.**
- The name and address of our organization is **the Nanaimo & Area Land Trust Society (NALT), #8 - 140 Wallace Street**, email: admin@nalt.bc.ca or gail@nalt.bc.ca phone: **250-714-1990** The presenters are: **Ron Tanasichuk and Gail Adrienne**
- The subject to be discussed is: **Annual Report to the RDN Board of NALT's activities in 2008, and request for a renewal of annualized funding for 2009**
- **This delegation will be reporting on how NALT applied the RDN's grant of \$30,000 in 2008 and requesting that this grant be continued for 2009. It will not be raising any specific issues or concerns**
- We plan to bring a visual powerpoint slide show to be viewed during our presentation. This will be delivered to the RDN office by 1 pm on Monday the 26th.

If you have any questions or need any further information, please feel free to contact me.

Gail Adrienne

NALT Executive Director

email: gail@nalt.bc.ca or phone 250-714-1990

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE INAUGURAL MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, DECEMBER 9, 2008, AT 7:00 PM IN THE
RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director G. Rudischer	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 E. Mayne	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Alternate	
Director B. Dempsey	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director Sherry	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Alternate	
Director M. Unger	City of Nanaimo

Also in Attendance:

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

CALL TO ORDER

The Administrator called the meeting to order and confirmed receipt of notification from the City of Nanaimo, the City of Parksville, the Town of Qualicum Beach and the District of Lantzville advising of their Council appointments to the Board for the year 2009.

INAUGURATION OF BOARD MEMBERS

Judge Gould conducted the inauguration proceedings including the Oaths of Office.

ELECTION OF BOARD CHAIRPERSON

The Chief Administrative Officer called for nominations for the position of Chairperson for the year 2009.

Director Holme nominated Director Stanhope.

There being no further nominations, the Chief Administrative Officer declared Director Stanhope Chairperson for 2009.

ELECTION OF DEPUTY CHAIRPERSON

The Chief Administrative Officer called for nominations for the position of Deputy Chairperson for the year 2009.

Director Unger nominated Director McNabb.

There being no further nominations, the Chief Administrative Officer declared Director McNabb Deputy Chairperson for the year 2009.

The Chairperson thanked the Board for their confidence and asked that any Director wishing to be appointed to an Advisory or Select committee to forward their name to the Deputy Chairperson or himself.

The Deputy Chairperson thanked the Board for their continued confidence and welcomed the Board to a new three year term.

PRESENTATION

The Chairperson presented past Directors Brennan, Manhas, Sperling, and Herle with a framed photograph and thanked them for their valued contribution to the Board. Past Director Korpan was not in attendance.

BOARD MINUTES

MOVED Director Westbroek, SECONDED Director Bestwick, that the minutes of the regular Board meeting held on November 25, 2008, be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Laurie Taylor, City of Parksville, re Request for Garbage Rates Relief for Home Based Medical Equipment Waste.

MOVED Director Westbroek, SECONDED Director Holdom, that the correspondence received from the City of Parksville regarding a request for garbage rate relief for home based medical equipment waste, be received.

CARRIED

UNFINISHED BUSINESS

For Adoption.

Bylaw No. 500.326.

This item has been withdrawn from the Agenda at this time.

Bylaw No. 798.06.

MOVED Director Burnett, SECONDED Director Young, that "Electoral Area 'A' Community Parks Local Service Amendment Bylaw No. 798.06, 2008" be adopted.

CARRIED

STANDING COMMITTEE SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

MOVED Director Bartram, SECONDED Director Holme, that the minutes of the special Electoral Area Planning Committee meeting held November 25, 2008, be received for information.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60825 – Einarsen – 1570 Raines Road – Area ‘A’.

MOVED Director Burnett, SECONDED Director Bartram, that Development Permit Application No. 60825 submitted by Harold Einarsen for the construction of an accessory building within the Streams, Nesting Trees, and Nanaimo River Floodplain Development Permit Area, and the Fish Habitat Protection Development Permit Area for the parcel legally described as Lot 1, Section 17, Range 7, Cranberry District, Plan 21852 be approved subject to the conditions outlined in Schedule No. 1.

CARRIED

Development Permit Application No. 60833 – Sinclair – 4695 Maple Guard Drive – Area ‘H’.

MOVED Director Bartram, SECONDED Director Holme, that Development Permit Application No. 60833, to permit the construction of a residential dwelling and attached garage on the property legally described as Lot 11, District Lot 40, Newcastle District, Plan 15818, be approved subject to the conditions outlined in Schedules No. 1 to 4.

CARRIED

Development Permit Application No. 60834 – Cheesman – 2045 Widgeon Road – Area ‘H’.

MOVED Director Bartram, SECONDED Director Holme, that Development Permit Application No. 60834, to permit the construction of a residential dwelling and coach house on the property legally described as Lot B, District Lot 89, Newcastle District, Plan VIP77421, be approved subject to the conditions outlined in Schedules No. 1 to 5.

CARRIED

Development Permit Application No. 60839 – Heck – 1885 Widgeon Road – Area ‘H’.

MOVED Director Bartram, SECONDED Director Holme, that Development Permit Application No. 60839, to permit the construction of a residential dwelling on the property legally described as Strata Lot 1, District Lot 89, Newcastle District, Strata Plan 1253, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1, be approved subject to the conditions outlined in Schedules No. 1 to 4.

CARRIED

Development Permit Application No. 60840 – 2570 Peterson Road – Area ‘F’.

MOVED Director Biggemann, SECONDED Director Bartram, that Development Permit Application No. 60840, in conjunction with the subdivision on the parcel legally described as Lot A, District Lot 182, Nanoose District, Plan VIP65017 and designated within the Fish Habitat Protection Development Permit Area, be approved subject to the conditions outlined in Schedules No. 1 to 3.

CARRIED

Development Permit Application No. 60842 – Allix – Mariner Way – Area ‘G’.

MOVED Director Bartram, SECONDED Director Holme, that Development Permit Application No. 60842, to permit the construction of a residential dwelling on the property legally described as Lot 9, District Lot 181, Nanoose District, Plan 13008, and designated within the Environmentally Sensitive Features for Watercourse Protection and Fish Habitat Protection Development Permit Areas pursuant to “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Bylaw No. 1540, 2008”, be approved subject to the conditions outlined in Schedules No. 1 to 4.

CARRIED

Development Permit Application No. 60847 – Heinrich – 3330 Kym Road – Area ‘H’.

MOVED Director Bartram, SECONDED Director Holme, that Development Permit Application No. 60847, submitted by Peter T. Mason in conjunction with the subdivision of the parcel legally described as Lot 8, District Lot 20, Newcastle District, Plan 11520 and designated within the Fish Habitat Protection Development Permit Area, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90820 – Roine/Stauffer – 2780 Yellow Point Road – Area ‘A’.

MOVED Director Burnett, SECONDED Director Bartram, that Development Variance Permit Application No. 90820, submitted by Rob Roine and Jerine Stauffer for the property legally described as Lot A, Section 5, Range 5, Cedar District, Plan VIP82644 be approved subject to Schedules No. 1 to 3 of the staff report and the notification requirements pursuant to the *Local Government Act*.

CARRIED

NEW BUSINESS

Electoral Area Planning Committee Meetings.

MOVED Director Bartram, SECONDED Director Holme, that the Electoral Area Planning Committee meeting be held the second Tuesday of each month at 6:30 pm.

CARRIED

SCHEDULES STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Regional Liquid Waste Advisory Committee.

MOVED Director Holme, SECONDED Director Burnett, that the minutes of the Regional Liquid Waste Advisory Committee meeting held November 6, 2008 be received for information.

CARRIED

ADMINISTRATOR’S REPORTS

Custom Transit Dispatch Software Capital Grant.

MOVED Director McNabb, SECONDED Director Bestwick, that the Regional District of Nanaimo submit an amended application to the UBCM for the Public Transit Agreement Grant to move funds previously identified for the Automated Fare Boxes to the Custom Transit software and hardware project.

CARRIED

Greater Nanaimo Pollution Control Centre Cogeneration Project – Award of Design Services.

MOVED Director Holdom, SECONDED Director Burnett, that the Board direct staff to award the detailed design services for the Greater Nanaimo Pollution Control Centre cogeneration project to Associated Engineering (BC) Ltd.

CARRIED

Fire Protection Agreements with Improvement Districts.

MOVED Director Young, SECONDED Director Burnett, that the Chairperson and the Senior Manager, Corporate Administration be authorized to execute the agreement for fire protection and emergency response services with the Cranberry Fire Protection District as outlined in this report.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that the Chairperson and the Senior Manager, Corporate Administration be authorized to execute the agreement for fire protection and emergency response services with the North Cedar Improvement District as outlined in this report.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that “Yellowpoint Waterloo Fire Protection Service Area Amendment Bylaw No. 1388.01, 2008” be rescinded at third reading.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that “Waterloo Fire Protection Service Area Amendment Bylaw No. 1388.02, 2008” be rescinded at third reading.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that “Yellowpoint Waterloo Fire Protection Service Area Amendment Bylaw No. 1388.01, 2008” as amended be introduced for three readings and forwarded to the Ministry of Community Development for approval.

CARRIED

Construction Contracts for the Meadowood Firehall.

MOVED Director Biggemann, SECONDED Director Bartram, that Humphrey Buildings Inc. be awarded the tender for the supply and installation of a pre-engineered metal building for the Meadowood Firehall in the amount of \$205,100.

CARRIED

MOVED Director Biggemann, SECONDED Director Bartram, that AFC Construction (division of AFC Industries Ltd.) be awarded the tender for the general contract for the Meadowood Firehall in the amount of \$423,457 plus a cash allowance of up to \$40,000.

CARRIED

MOVED Director Biggemann, SECONDED Director Bartram, that a general construction contingency of \$42,360 be authorized for the installation and construction of the pre-engineered metal building.

CARRIED

Nanaimo Regional Transit’s New Year’s Eve Service.

MOVED Director McNabb, SECONDED Director Bestwick, that the Regional District of Nanaimo implement New Year’s Eve service free of charge and to include this service in future Annual Operating Agreements with BC Transit.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Request for Garbage Rates Relief for Home Based Medical Equipment Waste.

MOVED Director Mayne, SECONDED Director Bartram, that this item be referred to staff to prepare a report for the Board's consideration.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:33 PM.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE SPECIAL BOARD MEETING
HELD ON TUESDAY, JANUARY 13, 2009, AT 8:15 PM
RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director G. Rudischer	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 E. Mayne	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director L. McNabb	City of Nanaimo
Director J. Ruttan	City of Nanaimo
Director L. Sherry	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Alternate	
Director F. Pattje	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director J. Kipp	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
L. Burgoyne	Recording Secretary

COMMUNICATIONS/CORRESPONDENCE

Trudy Coates, Town of Qualicum Beach, re Appointment to the District 69 Recreation Commission.

MOVED Director Westbroek, SECONDED Director Mayne, that the correspondence from the Town of Qualicum Beach appointing Jack Wilson to the District 69 Recreation Commission be received for information.

CARRIED

Laurie Taylor, City of Parksville, re Appointment to the District 69 Recreation Commission.

MOVED Director Westbroek, SECONDED Director Mayne, that the correspondence from the City of Parksville appointing Teresa Patterson to the District 69 Recreation Commission be received for information.

CARRIED

Laurie Taylor, City of Parksville, re Appointment to the Arrowsmith Water Service Management Committee.

MOVED Director Westbrook, SECONDED Director Mayne, that the correspondence from the City of Parksville appointing Marc Lefebvre to the Arrowsmith Water Service Management Committee be received for information.

CARRIED

BYLAWS

For Adoption.

Bylaw No. 1388.01.

MOVED Director Burnett, SECONDED Director Young, that “Yellowpoint Water Fire Protection Service Area Amendment Bylaw No. 1388.01, 2008” be adopted.

CARRIED

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Selection Select Committee.

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Holme, that Frank Van Eynde (Electoral Area ‘E’), Reg Nosworthy (Electoral Area ‘F’), and Patty Biro (Electoral Area ‘H’) be appointed to the District 69 Recreation Commission as representatives of their respective electoral areas for a term ending January 1, 2012.

CARRIED

Regional Parks & Trails Advisory Committee.

MOVED Director Bartram, SECONDED Director Holme, that Craig Young be appointed to the Regional Parks & Trails Advisory Committee for a term ending December 31, 2010.

CARRIED

Nanoose Bay Parks and Open Space Advisory Committee.

MOVED Director Bartram, SECONDED Director Holme, that appointments to the Nanoose Bay Parks and Open Space Advisory Committee for a term ending December 31, 2010 be deferred until more applications can be received.

CARRIED

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

MOVED Director Bartram, SECONDED Director Holme, that Reg Nosworthy and Keble Sheaff be appointed to the Electoral Area ‘F’ Parks and Open Space Advisory Committee for a term ending December 31, 2010.

CARRIED

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

MOVED Director Bartram, SECONDED Director Holme, that Brian Coath and Jacqui Thomson be appointed to the Electoral Area ‘G’ Parks and Open Space Advisory Committee for a term ending December 31, 2010, and Minnie Corbett be appointed to the Electoral Area ‘G’ Parks and Open Space Advisory Committee for a term ending December 31, 2009.

CARRIED

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

MOVED Director Bartram, SECONDED Director Holme, that Barry Ellis, Marguerite Little and Valerie Weismiller be appointed to the Electoral Area 'H' Parks and Open Space Advisory Committee for a term ending December 31, 2010.

CARRIED

Grants-in-Aid Committee.

MOVED Director Bartram, SECONDED Director Holme, that Bruce Erickson, Nancy Randall and Frank Van Eynde be appointed to the Grants-in-Aid Committee for a term ending December 31, 2009.

CARRIED

Agricultural Advisory Committee.

MOVED Director Bartram, SECONDED Director Holme, that the following individuals be appointed to the Agricultural Advisory Committee for a term ending December 31, 2010:

Regional Agricultural Organization Representatives	- Craig Evans and Colin Springford
Shellfish Aquaculture Organization Representative	- Keith Reid
General Public (North) Representatives	- Andrew Brown and Richard Thompson
General Public (South) Representatives	- Albert Benson and Joanne McLeod

CARRIED

Board of Variance.

MOVED Director Bartram, SECONDED Director Holme, that Michael Procter be appointed to the Board of Variance for a term ending December 31, 2011.

CARRIED

Nanaimo Parks, Recreation & Culture Commission.

MOVED Director Bartram, SECONDED Director Holme, that Dawn Burnett (Electoral Area 'A'), Gisele Rudischer (Electoral Area 'B') and Maureen Young (Electoral Area 'C') be appointed to the Nanaimo Parks, Recreation and Culture Commission as representatives of their respective electoral areas for a term ending December 31, 2011.

CARRIED

ADMINISTRATOR'S REPORTS

Board Appointments to Standing, Select and Advisory Committees.

MOVED Director Holdom, SECONDED Director Bartram, that the Board appointments to the 2009 Regional District of Nanaimo Standing, Select and Advisory Committees be received for information as follows:

Arrowsmith Water Service Management Committee – J. Stanhope, G. Holme, Alternate.

Central South RAC for Island Coastal Economic Trust – J. Stanhope, G. Holme.

Deep Bay Harbour Authority – D. Bartram.

District 69 Recreation Commission – D. Bartram, L. Biggemann, Alternate.

Island Corridor Foundation – B. Holdom, J. Stanhope, Alternate.

Municipal Finance Authority – J. Stanhope, G. Holme, Alternate.

Municipal Insurance Association (MIA) – L. McNabb.

North Island 911 Corporation – J. Stanhope, E. Mayne, Alternate.

North Island-Sunshine Coast RAC for Island Coastal Economic Trust – L. Biggemann.

Oceanside Tourism Association – G. Holme, J. Stanhope, Alternate.

RDN Emergency Planning Committee – L. Biggemann, J. Burnett, Alternate.

Regional Library Board – G. Holme, G. Rudischer, Alternate.

TeMexw Treaty Negotiations Committee – G. Holme, C. Haime, Alternate.

VI Health Authority Joint Capital Planning Committee – J. Stanhope, T. Westbrook, Alternate.

CARRIED

Electoral Area ‘A’ Parks, Recreation and Culture Commission – Terms of Reference.

MOVED Director Burnett, SECONDED Director Johnstone, that the Terms of Reference for the Electoral Area ‘A’ Parks, Recreation and Culture Commission be approved.

CARRIED

LocalMotion Grant Application.

MOVED Director Young, SECONDED Director Burnett, that the Regional District of Nanaimo apply to the LocalMotion Program for funding to develop the Meadow Drive Community Park in Electoral Area C (Defined D).

CARRIED

Towns for Tomorrow Infrastructure Grant Applications.

MOVED Director Bartram, SECONDED Director Burnett, that the “Towns for Tomorrow” infrastructure grant application in support of Drinking Water and Watershed Protection Service Area capital expenditures be approved.

CARRIED

Reconsideration of Development Cost Charges Bylaws No. 1547 and No. 1442.02.

MOVED Director Holdom, SECONDED Director Westbrook, that “Northern Community Sewer Service Area Development Cost Charges Amendment Bylaw No. 1442.02, 2008” be rescinded at third reading.

CARRIED

MOVED Director McNabb, SECONDED Director Holdom, that “Northern Community Sewer Service Area Development Cost Charges Amendment Bylaw No. 1442.02, 2009” be read a third time as amended and forwarded to the Ministry of Community Development for approval.

CARRIED

MOVED Director Holdom, SECONDED Director Burnett, that “Southern Community Sewer Service Area Development Cost Charges Bylaw No. 1547, 2008” be rescinded at third reading.

CARRIED

MOVED Director Holdom, SECONDED Director Mayne, that “Southern Community Sewer Service Area Development Cost Charges Bylaw No. 1547, 2009” be read a third time as amended and forwarded to the Ministry of Community Development for approval.

CARRIED

MOVED Director Holdom, SECONDED Director Johnstone, that staff send correspondence to the Province expressing concern with the impact of the Province's decision requiring a reduction in the proposed DCC rates and recommending that more emphasis be placed on the qualifying technical aspects of DCC bylaws.

CARRIED

IN CAMERA

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

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 8:45 PM

CHAIRPERSON

SR. MGR, CORPORATE ADMINISTRATION



RDN REPORT	
CAO APPROVAL <i>CM</i>	
EAP	
COW	
NOV 14 2008	
RHD	
BOARD	<i>Jan 27 '09</i>

MEMORANDUM

TO: Paul Thorkelsson
General Manager, Development Services

DATE: November 14, 2008

FROM: Geoff Garbutt
Manager of Current Planning

FILE: 3360 30 0504

SUBJECT: Zoning Amendment Application No. ZA0504
Canuck Properties Ltd.
Electoral Area 'E' – Northwest Bay Road/Powder Point Road

PURPOSE

To consider Zoning Amendment Bylaw 500.326 for adoption which would rezone property at the corner of Northwest Bay Road and Powder Point Road in Electoral Area 'E' in order to permit the construction of two three storey, mixed commercial building in two phases.

BACKGROUND

"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.326, 2007" was introduced and given 1st and 2nd reading on November 13, 2007. This was followed by a Public Hearing held on January 9, 2008. The Board gave 3rd reading to the bylaw on January 22, 2008.

The purpose of this amendment bylaw is to rezone the parcel legally described as Lot A, District Lot 6, Nanoose District, VIP58653, located at the corner of Northwest Bay Road and Powder Point Road in the Red Gap Village area of Electoral Area 'E' (see Attachment No. 1 for location of subject property) from Residential 4 (RS4) Subdivision District 'Q' to Comprehensive Development Zone 30 (CD30). CD30 would permit the construction of a mixed commercial building in two phases. The commercial building is designed to accommodate a mix of retail commercial, personal service uses and professional office space. Upon completion the complex would include a maximum total floor area of 5450 m², with a maximum floor area of 3115 m² in the first building and 2335 m² in the second building.

As a condition of adoption of the zoning amendment, the Board directed that the applicant provide proof of septic disposal by Vancouver Island Health Authority, a covenant be registered on title that addresses reciprocal parking easement for the use of RDN lands and that a development agreement covenant be registered on title which secures building form/architectural details, signage, maintenance of parking areas, lighting and stormwater infrastructure and requires connection to future sewer in the Red Gap Village Centre. (See Schedule No. 1 for Conditions of Approval).

For the Board's reference, this zoning amendment bylaw was originally identified in error as Comprehensive Development Zone 37 (CD37). Following reconciliation with historical applications for zoning amendments it was determined that the accurate comprehensive development zone reference was Comprehensive Development Zone 30 (CD30). As this amendment is a typographic error and does not impact use or density the zoning amendment bylaw can proceed with this correction.

ALTERNATIVES

1. To adopt "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.326, 2007".
2. To not adopt "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.326, 2007".

DISCUSSION

In accordance with the prescribed conditions of approval, the applicant has provided the RDN with a copy of the septic filing which has been registered with the Vancouver Island Health Authority. The parking easement agreement covenant and development agreement covenant is being held by the Regional District of Nanaimo solicitor. As the registration of the easement agreement covenant and development agreement covenant is held by the Regional District of Nanaimo solicitor, the conditions of registration outlined in *Schedule No. 1* have been addressed. Ministry of Transportation and Infrastructure approval is not required for adoption of this amendment bylaw.

Given the information provided by the applicant and covenants currently being held by the RDN solicitor, the conditions of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.326, 2007" have been addressed and staff recommend proceeding to final reading and adoption.

VOTING

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

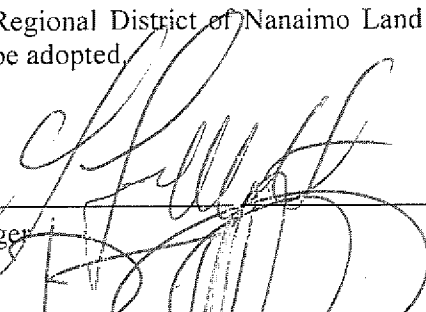
SUMMARY

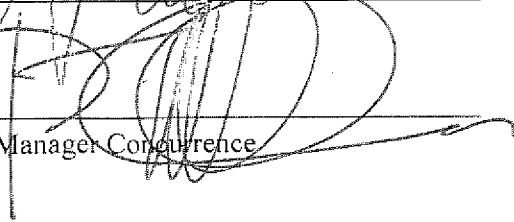
"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.326, 2007" was introduced and given 1st and 2nd reading on November 13, 2007. This was followed by a Public Hearing held on January 9, 2008. The Board gave 3rd reading to the bylaw on January 22, 2008.

Given the information provided by the applicant and covenants currently being held by the RDN solicitor, the conditions of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.326, 2007" have been addressed and staff recommend proceeding to final reading and adoption.


RECOMMENDATION

That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.326, 2007" be adopted.



Manager


General Manager Concurrence



CAO Concurrence

Schedule No. 1
Conditions of Approval
Zoning Amendment Application No. ZA0504

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

1. Applicant to construct septic disposal system to the satisfaction of the Vancouver Island Health Authority (VIHA). Applicant is to provide written proof of this approval from VIHA to the Regional District of Nanaimo. If a section 219 covenant is required as part of this approval process, the covenant document shall be registered on title prior to consideration of the corresponding amendment bylaw. Draft document is to be forwarded to the Regional District of Nanaimo for review prior to registration at Land Title Office, Victoria, BC.
2. The applicant is to prepare and register, at their expense, the following section 219 covenant / easement documents. These documents must be registered on title prior to the amendment bylaw being considered for 4th reading:
 - a. An easement agreement between Lot A, District Lot 6, Nanoose District, Plan VIP58653 and Lot 2, District Lot 6, Nanoose District, Plan VIP50996 for reciprocal use of off-street parking, vehicular access, pedestrian access, and maintenance of landscaping.
 - b. A section 219 covenant restricting that, at the time, the subject property becomes capable of connection to a community sewer system, the owner shall, at their expense, disconnect the private septic service as required by current industry standards and connect to the community sewer system.
3. The applicants are to register, at their expense, the following section 219 covenant document. This document is to be prepared by the Regional District of Nanaimo, at the applicant's expense, and must be registered on title prior to the amendment bylaw being considered for 4th reading:
 - a. A development agreement which will include, but is not limited to the following:
 - i. Development site plan, including minimum setbacks for buildings from Lot 2, District Lot 6, Nanoose District, Plan VIP50996;
 - ii. Building elevation plan and design details on Phase 2 building;
 - iii. Landscaping plan and minimum standards;
 - iv. Amount of landscape bonding;
 - v. Pavement standard for all parking areas;
 - vi. Façade Details;
 - vii. Signage;
 - viii. Walkways and Pedestrian Linkages including location and construction materials;
 - ix. All related site servicing to be constructed as set in the corresponding engineer's report; and
 - x. Construction of stormwater management plan and engineering details.

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, JANUARY 13, 2009, AT 6:30 PM
IN THE RDN BOARD CHAMBERS**

Present:

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

Also in Attendance:

M. Pearse	Senior Manager, Corporate Administration
P. Thorkelsson	General Manager, Development Services
G. Garbutt	Manager of Current Planning
L Burgoyne	Recording Secretary

CALL TO ORDER

MINUTES

MOVED Director Holme, SECONDED Director Burnett, that the minutes of the Electoral Area Planning Committee meeting held November 4, 2008 and the Special Electoral Area Planning Committee meeting held November 25, 2008 be adopted.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Zoning Amendment Application No. ZA0802 – Morgan – 1170 Spider Lake Road – Area ‘H’.

MOVED Director Burnett, SECONDED Director Young, that Zoning Amendment Application No. ZA0802 as submitted on behalf of D. Morgan to rezone Lot 20, Block 360, Newcastle District, Plan 37698 from Subdivision District ‘B’ to Subdivision District ‘CC’ be approved to proceed to public hearing subject to the conditions included in Schedule No. 1.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.347, 2009” be given 1st and 2nd reading.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.347, 2009” proceed to public hearing.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that the public hearing on “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.347, 2009” be delegated to Director Bartram or his alternate.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that staff be directed to prepare required amendments to “Regional District of Nanaimo Building Inspection Extended Service Establishment Bylaw No. 787, 1989” to include the parent parcel within a Building Inspection Service Area.

CARRIED

MOVED Director Burnett, SECONDED Director Stanhope, that staff be directed to schedule an Electoral Area Directors Seminar to discuss the relationship between interface fire hazard and zoning.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60849 – Davis/Murray – 5363 Gainsberg Road – Area ‘H’.

MOVED Director Holme, SECONDED Director Stanhope, that Development Permit Application No. 60849, to construct a dwelling unit and detached garage within the Hazard Lands Development Permit Area pursuant to “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Bylaw No. 1335, 2003”, for the property legally described as Lot 3, District Lot 1, Newcastle District, Plan 20442 be approved subject to the conditions outlined in Schedules No. 1 to 4.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90823 – Ballard – 1751 Admiral Tryon Boulevard – Area ‘G’.

MOVED Director Stanhope, SECONDED Director Holme, that Development Variance Permit Application No. 90823 submitted by Fern Road Consulting Ltd. for the property legally described as Lot 26, District Lot 28, Nanoose District, Plan VIP62528 be approved subject to Schedules No. 1 to 3 of the staff report and consideration of comments received as a result of notification of adjacent owners/occupants.

CARRIED

Development Variance Permit Application No. 90824 – World of Pentecost Church – 3606 Allsop Road – Area ‘C’.

MOVED Director Young, SECONDED Director Burnett, that Development Variance Permit Application No. 90824, to vary the maximum height of a dwelling from 8.0 metres to 9.0 metres on the parcel legally described as Lot 7, Section 18, Range 3, Mountain District, Plan 34810 at 3606 Allsop Road, be approved subject to the conditions outlined in Schedules No. 1 to 4 and the consideration of comments received as a result of the notification of adjacent property owners/occupants.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 6:40 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, JANUARY 13, 2009 AT 7:00 PM
IN THE RDN BOARD CHAMBERS

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director G. Rudischer	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 E. Mayne	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director L. Sherry	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Alternate	
Director F. Pattje	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director J. Kipp	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
L. Burgoyne	Recording Secretary

CALL TO ORDER

The Chairperson welcomed Alternate Director Pattje to the meeting.

DELEGATIONS

Mike Renning, re Zoning Enforcement in Electoral Area 'G'.

Mr. Renning expressed his concerns on his a bylaw enforcement complaint regarding the number of unlicensed vehicles kept on residentially zoned property.

Don Buchner, Wheels for Wellness Society, re Wheels for Wellness Program Update.

Mr. Buchner updated the Board regarding the use of funds provided to the Wheels for Wellness Society program.

MINUTES

MOVED Director McNabb, SECONDED Director Bartram, that the minutes of the Committee of the Whole meeting held November 4, 2008 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Randy O'Donnell, re Local Government Tax Concerns.

MOVED Director Sherry, SECONDED Director Young, that the correspondence from Randy O'Donnell regarding concerns with Local Government taxing be received.

CARRIED

Eydie Fraser, AVICC, re 2009 ACM Resolutions.

MOVED Director Sherry, SECONDED Director Young, that the correspondence from the Association of Vancouver Island and Coastal Communities with respect to submission requirements for the AVICC annual general meeting be received.

CARRIED

CORPORATE ADMINISTRATION SERVICES

Meeting Schedule for 2009.

MOVED Director Burnett, SECONDED Director McNabb, that the 2009 meeting schedule be received for information and, as has been the practice since 2006, the August Committee meetings be deferred to September.

CARRIED

2008 Departmental Accomplishments.

MOVED Director Holme, SECONDED Director Biggemann, that the Board receive the summary of activities and departmental accomplishments of the Regional District of Nanaimo for 2008.

CARRIED

FINANCE AND INFORMATION SERVICES

FINANCE

Banking Services – Award of Tender.

MOVED Director Westbroek, SECONDED Director Sherry, that TD Canada Trust be approved as the provider of general banking services for a five year term commencing on or about March 1, 2009.

CARRIED

DEVELOPMENT SERVICES

BUILDING & BYLAW

Notice of Building Bylaw Contravention – 2305 Hemer Road – Area ‘A’.

MOVED Director Burnett, SECONDED Director Young, that staff be directed to register a notice on title pursuant to Section 57 of the *Community Charter* and that legal action be taken, if necessary to ensure that Lot B, Section 13, Range 2, Plan VIP85592, Cedar District is in compliance with the “Regional District of Nanaimo Building Regulations & Fees Bylaw No. 1250, 2001” and “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”.

CARRIED

Notice of Building Bylaw Contravention – 3466 Simmons Place – Area ‘E’.

Mr. Hazelwood requested that the Board provide him an additional two weeks to comply with the building regulations.

MOVED Director Holme, SECONDED Director McNabb, that Mr. Hazelwood be given two weeks to comply and if he is unable to do so by January 27th, then staff be directed to register a notice on title pursuant to Section 57 of the *Community Charter* and that legal action be taken, if necessary to ensure that Strata Lot 56, Plan VIS3393, District Lot 78, Nanoose Land District is in compliance with the “Regional District of Nanaimo Building Regulations & Fees Bylaw No. 1250, 2001” and “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”.

CARRIED

District of Lantzville Service Agreements.

MOVED Director Haime, SECONDED Director Bartram, that the 2009/2010 Service Agreements between the Regional District of Nanaimo and the District of Lantzville for Animal Control, Building Inspection, Bylaw Enforcement, GIS and Mapping, House Numbering, Noise Regulation, Nuisance Control and Unsightly Premises services be approved.

CARRIED

Amendment Bylaw No. 787.09 – Extension of Building Inspection Service Area.

MOVED Director Burnett, SECONDED Director McNabb, that “Regional District of Nanaimo Building Inspection Service Bylaw Amendment Bylaw No. 787.09, 2009” be introduced, read three times and forwarded to the Ministry of Community Development for approval.

CARRIED

PLANNING

Liquor License Policy Review.

MOVED Director Holme, SECONDED Director Ruttan, that the Regional District of Nanaimo’s Liquor License Applications Policy (B1.6) be amended in recognition of minor changes to existing liquor licenses as outlined in Schedule No. 1 of the staff report.

CARRIED

MOVED Director Holme, SECONDED Director Ruttan, that the request to waive the Public Hearing requirement for a minor change in hours of operation, as submitted by Paul Manhas be approved.

CARRIED

ENVIRONMENTAL SERVICES

Environmental Services Department Name Change.

MOVED Director Westbrook, SECONDED Director Bartram, that the Board receive the report on Environmental Services Department name changes and support the new departmental name of Water & Wastewater Services and sub-departmental names of Water Services, Wastewater Services and Engineering Services.

CARRIED

LIQUID WASTE

Nanaimo District Senior Citizens' Housing Development Society – Application for Development Cost Charge Reduction.

MOVED Director Sherry, SECONDED Director Kipp, that the Board authorize a 50% reduction in Southern Community Sewer Development Cost Charges for the Nanaimo District Senior Citizens' Housing Development Society Kiwanis Villa project.

CARRIED

UTILITIES

Drinking Water Protection Advisory Committee.

MOVED Director Bartram, SECONDED Director McNabb, that the Board approve the Terms of Reference for the Drinking Water Protection Advisory Committee (January 2009).

CARRIED

Extension of the Rural Streetlighting Local Service Area.

MOVED Director Holme, SECONDED Director Burnett, that "Rural Streetlighting Local Service Area Amendment Bylaw No. 791.07, 2009" be introduced and read three times.

CARRIED

Estimated Costs to Service West Bay Estates with Community Sewers.

MOVED Director Holme, SECONDED Director McNabb, that the Board receive for information the report on costs to service West Bay Estates with community sewer.

CARRIED

Barclay Crescent Sewer – Capacity for Further Subdivision within the Service Area.

MOVED Director Haime, SECONDED Director Bartram, that staff be directed to prepare for the Board's consideration, a development cost charge bylaw for the purpose of covering the costs of replacing a portion of the sewer collection system in the Barclay Crescent Sewer Service Area to accommodate new subdivision development.

CARRIED

Updated Costs to Service Madrona & Wall Beach with Community Sewers.

MOVED Director Holme, SECONDED Director Mayne, that the Board receive the "updated costs to service Madrona and Wall Beach with community sewers" report for information.

CARRIED

MOVED Director Holme, SECONDED Director Mayne, that the Board direct staff to advise VIHA that the Northwest Nanoose Residents Association has advised the RDN that the costs of a sewer collection system for the Madrona area have resulted in little resident support to proceed with the project without grant funding and therefore a servicing initiative for this area to address failing or poorly functioning on-site disposal systems is not being implemented at the present time.

CARRIED

RECREATION AND PARKS SERVICES

PARKS

Parks Operations Building.

MOVED Director Holdom, SECONDED Director Ruttan, that staff be directed to pursue the lease of a space for use as a parks operations building at the Parksville Industrial Park with Resland Development Corporation.

CARRIED

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

Garbage and Recycling Collection Program – Contract Extension.

MOVED Director Westbrook, SECONDED Director Holme, that the Board approve an additional one-year extension to Waste Services Inc. for garbage and recycling collection services.

CARRIED

Garbage and Recycling Collection Program – Financial Relief for Medical Treatment.

MOVED Director Holdom, SECONDED Director Burnett, that the current policy regarding financial relief for residents who face additional costs for garbage disposal due to at-home medical care be maintained with no changes.

CARRIED

Regional Landfill Security Services Contract Award.

MOVED Director Sherry, SECONDED Director Westbrook, that the Board award the contract for security services at the Regional Landfill to Footprints Security for a period of 3 years commencing March 1, 2009 at a total cost of \$297,810.24.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Kipp, that the minutes of the District 69 Recreation Commission meeting held December 4, 2008 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Westbrook, that the following recommendation be received by the Board for consideration as part of the 2009 Budget and Five Year Financial Plan deliberation process:

That the District 69 Recreation Youth and Community Grants Budget be increased by \$20,000 and that staff investigate alternatives, other than just tax increases, to cover the proposed budget increase.

CARRIED

MOVED Director Bartram, SECONDED Director Westbroek, that the following recommendation be received by the Board for consideration as part of the 2009 Budget and Five Year Financial Plan deliberation process:

- a) That the 2009 Annual Budget and Five Year Capital and Financial Plan for the District 69 Recreation Coordinating Function, be approved in principal as presented;
- b) That the 2009 Annual Budget and Five Year Capital and Financial Plan for Oceanside Place, be approved in principal as presented;
- c) That the 2009 Annual Budget and Five Year Capital and Financial Plan for the Ravensong Aquatic Centre be approved in principal as presented; and
- d) That staff review the tax impacts of the proposed budgets for each function and consider other options, such as reductions in service, fee increases, tax requisitions increases or a combination of these, prior to final adoption of the budgets in March 2009.

CARRIED

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

MOVED Director Burnett, SECONDED Director Ruttan, that the minutes of the Electoral Area 'A' Parks and Green Space Advisory Committee meeting held November 20, 2008 be received for information.

CARRIED

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

MOVED Director Young, SECONDED Director Burnett, that the minutes of the East Wellington/Pleasant Valley Parks and Open Space Advisory Committee meeting held November 3, 2008 be received for information.

CARRIED

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

MOVED Director Holme, SECONDED Director McNabb, that the minutes of the Electoral Area 'E' Parks and Open Space Advisory Committee meeting held December 1, 2008 be received for information.

CARRIED

MOVED Director Holme, SECONDED Director McNabb, that the following recommendation be received by the Board for consideration as part of the 2009 Budget and Five Year Financial Plan deliberation process:

That the Electoral Area 'E' Community Parks Function Budget be approved as presented, including the \$25,000 grant request for an accessible playground at Nanoose Bay Elementary School, subject to the Nanoose Bay Elementary School Parents Advisory Committee providing more information.

CARRIED

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

MOVED Director Biggemann, SECONDED Director Burnett, that the minutes of the Electoral Area 'F' Parks and Open Space Advisory Committee meeting held December 8, 2008 be received for information.

CARRIED

MOVED Director Biggemann, SECONDED Director Burnett, that the following recommendation be received by the Board for consideration as part of the 2009 Budget and Five Year Financial Plan deliberation process:

That the Electoral Area 'F' Community Parks Function Budget be approved as presented.

CARRIED

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

MOVED Director Bartram, SECONDED Director Mayne, that the minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee meeting held November 19, 2008 be received for information.

CARRIED

Road Closure – Lot A, District Lot 33, Newcastle District, Plan 44033/6173 West Island Highway, Electoral Area 'H'.

MOVED Director Bartram, SECONDED Director Mayne, that the Regional District of Nanaimo has no objection to the variance change application by Mr. Cousineau, Lot A, Plan 44033, DL 33, Newcastle LD, 6173 West Island Highway, provided the proposed change does not affect pedestrian traffic.

CARRIED

Walk Way Proposal – Foulds Subdivision to Coburn Road.

MOVED Director Bartram, SECONDED Director Mayne, that staff prepare a report regarding Community Park H-19 trail development with Ministry of Transportation regarding the Esary Road pathway.

CARRIED

Regional Solid Waste Advisory Committee.

MOVED Director Holme, SECONDED Director Biggemann, that the minutes of the Regional Solid Waste Advisory Committee meeting held December 4, 2008 be received for information.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Wheels for Wellness.

MOVED Director Westbroek, SECONDED Director Holdom, that the delegation from the Wheels for Wellness be referred to the Transportation Select Committee to present an update on the program.

CARRIED

NEW BUSINESS

Terms of Reference, Electoral Area 'B' Parks and Open Spaces Advisory Committee.

MOVED Director Rudischer, SECONDED Director Bartram, that staff prepare a terms of reference for the Electoral Area 'B' Parks and Open Spaces Advisory Committee.

CARRIED

Grants-in-Aid Committee.

MOVED Director Young, SECONDED Director Bartram that staff prepare a report to consider of an additional Director to the Grants-in-Aid Committee.

CARRIED

VIA Rail Dayliner.

MOVED Director Bartram, SECONDED Director Westbrook, that staff prepare a resolution for the AVICC Conference to request that VIA Rail consider re-routing or adding an additional Dayliner to travel from Courtenay to Victoria and return daily and to consider reintroducing unscheduled stops on the rail line to provide a sustainable transportation link for residential use.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 8:15 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE LIQUID WASTE ADVISORY COMMITTEE LIQUID WASTE MANAGEMENT PLAN REVIEW HELD ON THURSDAY, DECEMBER 4, 2008 AT OLIVER WOODS COMMUNITY CENTRE

Present:	George Holme	Meeting Chair, Director Electoral Area 'E'
	Joe Burnett	Director Electoral Area 'A'
	Merv Unger	Director (Nanaimo)
	Bob Weir	Town of Qualicum Beach
	John Elliot	City of Nanaimo
	Fred Spears	District of Lantzville
	Julia Brydon	Environment Canada
	Blake Medlar	Ministry of Environment
	Gary Tuyls	Public Representative (North)
	Douglas Anderson	Public Representative (South)
	Christianne Wilhelmson	Environment Representative

Also in attendance:

John Finnie	General Manager, Environmental Services, RDN
Sean De Pol	Manager of Liquid Waste, RDN
Lindsay Dalton	Liquid Waste Coordinator, RDN
Ellen Hausman	Environmental Technician, RDN
Sara Ellis	Special Projects Assistant and Recording Secretary, RDN
David Forgie	Associated Engineering (BC) Ltd.

Absent:

Gary O'Rourke	City of Parksville
Kirsten White	Ministry of Environment
Gary Anderson	Vancouver Island Health Authority
Frank Van Eynde	Public Representative (North)
Michelle Jones	Business Representative (North)
Blair Nicholson	Business Representative (South)
James Wesley	Snuneymuxw First Nation

Note: Action items in minutes are *italicized*.

CALL TO ORDER

Chairman Holme called the meeting to order at 12:32 p.m.

APPROVAL OF AGENDA

MOVED M. Unger, SECONDED J. Burnett, that the agenda be approved.

CARRIED

MINUTES

MOVED M. Unger, SECONDED J. Burnett, that the minutes of Regional Liquid Waste Advisory Committee regular meeting of November 6th, 2008 be approved.

CARRIED

DISCUSSION PAPER #7 – COST ESTIMATES FOR UPGRADES

D. Forgie presented a Discussion Paper on *Cost Estimates for Upgrading/Expanding Treatment Capacity* and discussed options with the Committee. The following points/questions were raised:

- The 1997 LWMP contained costs and timelines for treatment plant upgrades and expansions. As costs of upgrades have increased since 1998, costs needed to be updated to 2008 dollars.
- Approach used available construction cost indices such as Engineering News Records (ENR), Construction Cost Index (CCI) for North America, Seattle and Toronto, and Stats Canada to estimate capital and operation and maintenance costs.
- Secondary treatment of effluent is required for RDN Pollution Control Centres.
- Cost of upgrades, particularly for secondary treatment at GNPCC, are substantial.
- Grant programs will be utilized where possible.
- DCCs are based on historic costs and have not kept pace with current costs.
- FCPCC was built without any provincial or federal grants, consequently the budget for this facility is tight.
- Nanoose upgrade is dependent on increased population, but the decision to upgrade will not be solely based on the population. The MOE and RDN will discuss this in more detail later.
- Staffing levels in the Liquid Waste Department will be contingent upon population increase, facility expansion, and the move to secondary treatment process at GNPCC.
- In response to G. Tuyls question regarding UV disinfection, D. Forgie noted that UV disinfection would not be required for GNPCC expansion to secondary treatment
- Currently 175 connections to the Lantzville system with an additional 400 to be connected. Lantzville has received grant funding for their sewer collection system.
- J. Burnett said that Cedar would be coming online at the end of February 2009. The DPPCC is also at its leveraged capacity. D. Forgie added that DPPCC has UV disinfection.
- B. Medlar noted that the RDN may need to upgrade Operator's certification with the GNPCC upgrade to secondary treatment. B. Weir is concerned that there is a shortage of Operators in the field and B. Medlar replied that this issue should be taken to UBCM.
- Concerns were raised over the capacity of Vancouver Island University to handle biosolids as the amount of sludge increases with secondary treatment. This issue will be looked at in the March 5th LWAC discussion paper.

UPDATE – ENVIRONMENTAL MANAGEMENT SYSTEM

S. De Pol gave an overview of the Environmental Management System (EMS). Developed by the International Standards Organization and referred to as ISO 14001, an EMS is a continual cycle of planning, implementing, reviewing and improving of an organization's responsibilities, procedures, processes, and resources to meet its environmental policy and business objectives. The benefits include overall improvement in environmental performance, improved environmental compliance, reduction in actual/potential environmental impacts, and an increase in operating efficiency and control. Information is openly communicated internally, as well as externally through open houses and by request; data and Environmental Management Plans are also available upon request.

Officially registered in 2005, the Regional District of Nanaimo (RDN) was the first local government to achieve ISO 14001 registration in British Columbia.

MOVED Chairman Holme, SECONDED J. Burnett that the committee receive the report on Environmental Management Systems for information.

CARRIED

UPDATE – BENCHMARKING

S. De Pol spoke about the Benchmarking program that is in place. The National Water and Wastewater Benchmarking Initiative is a program that allows participants to compare and review the performance of their utility against other utilities to identify areas where they are doing well and areas for improvement. The RDN has participated in this program since 2002 and pays \$15,000 annually for its participation. The LWAC's consultant, EarthTech/AECOM is responsible for the program.

S. DePol noted that Benchmarking reports exist but have not been taken to the Board to date. J. Finnie added that the reports are comparatives but there are seldom two organizations that are doing everything the same (ie. same programs, same treatment processes). Comparing similar organizations and staffing levels can identify potential improvements. F. Spears noted that Benchmarking serves as a tool for professional development .

MOVED Chairman Holme, SECONDED J. Burnett that the committee receive the report on Benchmarking for information.

CARRIED

COMMITTEE TERMS OF REFERENCE

S. De Pol discussed the rationale behind the LWMP review: the RDN was encouraged by the Ministry to review the LWMP every 5 years. S. De Pol also discussed the upcoming schedule of discussion papers (schedule in hand-out package); discussion papers focus on key areas of the plan.

Three options were discussed for future LWAC meetings:

1. Keep running the Committee in the same conventional form.
2. Keep running the Committee and have sub-committees to focus on specific areas. There would be a sub-committee leader who puts together Agendas and points of discussion. These sub-committees would meet back with LWAC and summarize their discussions.
3. Keep running the Committee and host workshops on an as needed basis in order to allow LWAC members to discuss issues on a more informal basis. Workshops would be directed by an LWAC member and facilitated by RDN staff.

S. De Pol replied that the workshop would be a less formal setting and would come from the perspective of committee members and not from an RDN or consultant's perspective. RDN would come to the meetings to facilitate and take the ideas to the entire committee. J. Finnie replied that the workshops are an alternate to a sub-committee. People could be pulled in from outside the committee to the workshop.

C. Wilhelmson supports the idea of the workshops. She felt there was a lot of expertise from around the table that can be brought back to the committee. She reminded members that it is about creating a plan together.

The LWMP may need to be reviewed and amended every couple years instead of five. The planning process is slow and things move too fast for the plan to deal with.

The consensus was that the Committee would move towards a Committee/Workshop format (to be held as needed), and L. Dalton would begin organizing this via email in January 2009.

OTHER

S. Ellis provided an update on the SepticSmart Education Program. Two workshops were hosted in November with a total of 270 people attending. Feedback was positive and more workshops are planned for 2009.

NEXT MEETING

Next meeting will be held Thursday, March 5, 2009 from 12:30-2:30 pm at Oliver Woods Community Centre.

ADJOURNMENT

Chairman Holme adjourned the meeting at 2:30 pm.

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE DISTRICT 69 COMMUNITY JUSTICE
SELECT COMMITTEE MEETING
HELD ON TUESDAY, JANUARY 20, 2009 AT 11:00 AM
IN THE RDN CONFERENCE ROOM**

Present:

Director Lou Biggemann	Chairperson
Director Teunis Westbroek	Town of Qualicum Beach
Director George Holme	Electoral Area E
Director Joe Stanhope	Electoral Area G
Director Dave Bartram	Electoral Area H

Absent:

Director Ed Mayne	City of Parksville
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Also in attendance:

Carol Mason	Chief Administrative Officer
Nancy Avery	General Manager Finance & Information Services
Linda Burgoyne	Administrative Assistant

CALL TO ORDER

The Chairperson called the meeting to order.

MINUTES

MOVED Director Holme, SECONDED Director Westbroek, that the minutes from the District 69 Community Justice Select Committee meeting held October 28, 2008, be received.

CARRIED

REPORT

Additional Funding for Victim Services/Restorative Justice Programs for 2009.

MOVED Director Holme, SECONDED Director Stanhope, that the annual funding amount for the Victim Services and Community Justice programs remain at the current level of \$55,000.

CARRIED

MOVED Director Westbroek, SECONDED Director Stanhope, that staff indicate in correspondence to the RCMP the reasons that additional funding cannot be provided at this time, and advise them that this Committee will review the detailed statistical reports of these two programs when they are submitted in 2009 to consider any future tax increases for funding.

CARRIED

AVICC Resolution.

MOVED Director Westbroek, SECONDED Director Holme, that staff prepare a resolution for consideration by the Board at a Special Board meeting on February 10, 2009, for submission to the AVICC concerning the inefficiencies of the court system, the administrative overload required by RCMP personnel in preparing for prosecutions, and the increasing costs of these inefficiencies upon the BC Taxpayers.

CARRIED

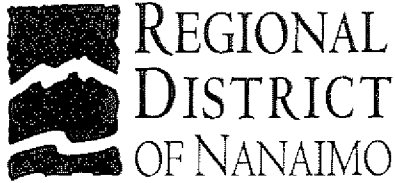
ADJOURNMENT

MOVED Director Stanhope, SECONDED Director Holme, that the meeting adjourn.

CARRIED

TIME: 11:45 AM.

CHAIRPERSON



DRAFT	
EA#	
BC#	
JAN 15 2009	
REF	
BOARDS	1/15/09

MEMORANDUM

TO: Carey McIver
Manager Solid Waste

DATE: January 15, 2009

FROM: Helmut Blanken
Superintendent Engineering & Disposal Operations

FILE: 2240-20-XCG

SUBJECT: Landfill Engineering Services Contract Award

PURPOSE

To consider awarding a contract for comprehensive engineering services at the Regional Landfill.

BACKGROUND

A Request for Proposals (RFP) for comprehensive engineering services was recently advertised in local papers and posted on the RDN web page to solicit proposals from interested firms. Six firms with experience in landfill engineering were invited to submit proposals; four proposals were received by the deadline of January 9, 2009. The firms that submitted proposals were CH2M Hill, Conestoga Rovers & Associates, Golder Associates, and XCG Consultants Ltd.

The proposals were evaluated by a committee of three RDN staff with respect to qualifications, experience, knowledge, project management approach, scope of services provided in-house and fee structure. Although the evaluation indicated that all four firms could provide acceptable service, the evaluation committee concluded that the proposal from XCG Consultants Ltd. (XCG) provided the best value to the RDN with respect to technical merit and price competitiveness.

The XCG project team has provided consulting engineering services at the Regional Landfill since 2001. All projects have been within budget and have been completed in a timely manner. The XCG team provides detailed local expertise and corporate depth in all areas of expertise requested in the RFP, specifically in landfill gas management, leachate management, liner systems, and cover systems. XCG Consultants Ltd. will utilize local subcontractors for geotechnical support, landscape design and electrical design as required.

The XCG proposal provides a high quality of service at competitive rates with the following value-added benefits:

- No hourly fees for XCG staff travelling to Nanaimo (travel costs limited to disbursements only);
- No charges for minor tasks or technical support services requiring less than 30 minutes to complete;
- No mark-ups on sub-consultants and contractors;
- Four meetings per year at no cost to the RDN;
- Dedicated SharePoint folder to enable review of design documents and electronic archive of reports;
- Annual summary letter report outlining all capital projects undertaken during the preceding year and updating the capital cost estimate for projects to be undertaken in the subsequent year.

ALTERNATIVES

1. Award a contract to XCG Consultants Ltd. to provide comprehensive engineering services at the Regional Landfill for a three-year term with the option of renewing for an additional two-year term.
2. Do not award a contract with XCG Consultants Ltd and select one of the other qualified proposals.

FINANCIAL IMPLICATIONS


Although all four proposals demonstrated that each firm had the required qualifications, knowledge and experience to provide the required engineering services, the selection committee concluded that the competitive fee schedule and value added services offered by XCG provided the most cost-effective alternative to the RDN. If another proponent were to be selected staff believes that the cost of service would be higher than that proposed by XCG.

CONCLUSION

A Request for Proposals (RFP) for comprehensive engineering services was recently advertised in local papers and posted on the RDN web page to solicit proposals from interested firms. Six firms with experience in landfill engineering were invited to submit proposals; four proposals were received by the deadline of January 9, 2009. The proposals were evaluated by a committee of three RDN staff with respect to qualifications, experience, knowledge, project management approach, scope of services provided in-house and fee structure. Although the evaluation indicated that all four firms could provide acceptable service, the evaluation committee concluded that the proposal from XCG Consultants Ltd. (XCG) provided the best value to the RDN with respect to technical merit and price competitiveness.

RECOMMENDATION

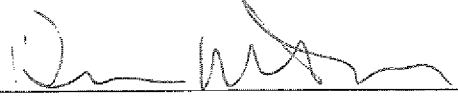
That XCG Consultants Ltd be appointed to provide comprehensive engineering services at the Regional Landfill for a three-year term with the option of renewing for an additional two-years.

for 


Report Writer

for 

Solid Waste Manager



General Manager Concurrence



CAO Concurrence

COMMENTS:



MEMORANDUM	
GAD APPROVAL	
EA:	
CDM:	
JAN 21 2009	
R-D:	
BOARD:	✓ 92-27 '09

MEMORANDUM

TO: Dennis Trudeau,
General Manager Transportation
and Solid Waste Services

DATE: January 16, 2009

FROM: Carey McIver
Manager of Solid Waste

FILE: 5360-46

SUBJECT: Cedar Road LFG Fourth Amending Agreement

PURPOSE

To obtain Board approval for a fourth amendment to the existing Development and Operating Agreements with Cedar Road LFG Inc. for an electricity generating facility at the RDN landfill.

BACKGROUND

In 2005 the Board approved Development and Operating Agreements with Cedar Road LFG Inc. (Cedar LFG) to provide for the design, construction and operation of a facility on the RDN Landfill to generate electricity using landfill gas as an alternative fuel source.

In 2006, the Board approved an Amending Agreement to change the project completion date from July 2006 to November 2007. As per the Development Agreement, the Board also approved a License of Occupation for the use of the area at the Regional Landfill occupied by their electricity generating facility as well as a Waiver of Emissions Rights as required under the Project and Transfer Agreement with the Federation of Canadian Municipalities.

In 2007, to accommodate the requirements of the BC Hydro Standing Offer Program (SOP), the Board approved a Second Amending Agreement with Cedar LFG. The Second Amending Agreement extended the contract term from 10 to 20 years; allowed Cedar LFG to grant BC Hydro an option to purchase the facility at the end of the contract term with the written consent of the RDN; and changed the project completion date from November 2007 to May 2008.

In 2008 Cedar LFG arranged for a loan with the Canadian Imperial Bank of Commerce (CIBC) to finance this project. To provide the bank, as lender to Cedar LFG, with a level of security in the assets of the project, the Board approved a Consent Agreement between CIBC and the RDN. This agreement protects the essential interest of the RDN in the case of default by Cedar LFG by allowing a process by which the RDN could acquire the assets of the facility in the event that the interest of Cedar LFG is not taken over by another party acceptable to the RDN or by BC Hydro.

The Board also approved a Third Amending Agreement to the Development and Operating Agreements with Cedar LFG to change the project completion date from May 2008 to November 2008 and the commercial operation date from June 2008 to December 2008.

Project Status

As discussed in the May 2008 staff report, the current electricity generating facility retains the objective of demonstrating external combustion engines, however to increase commercial viability and reduce commercial debt risk, Cedar LFG has introduced two conventional combustion engines to the project. This has increased the overall project electricity output from 500 kW to 1.5 MW with a revised capital budget of \$3 million.

Since last May, Cedar LFG has proceeded with the construction of the facility including completing the works associated with interconnecting the facility to the BC Hydro distribution grid as well as starting the commissioning process for the first 633 kW GE Jenbacher landfill engine and booster skid. The first engine should be commissioned and generating electricity by March 2009. The second engine will be commissioned by June 2009 to allow for additional gas reserves to be connected to the collection system. Innovative technologies such as a 55 kW external combustion engine or a micro-turbine will be installed for demonstration purposes by December 2009.

Cedar LFG plans to apply to the BC Hydro Standing Offer Program in July 2009 once their facility is fully up and running. In the meantime they can sell their electricity on the short-term market to Powerex, a wholly-owned power marketing subsidiary of BC Hydro.

Amending Agreement

At the request of Cedar LFG, RDN legal counsel has prepared the attached Fourth Amending Agreement to the Development and Operating Agreements. This fourth amending agreement changes the commercial operation date to coincide with the commencement date of the energy purchase agreement between BC Hydro and Cedar LFG. The amending agreement also changes the project completion date to be 30 days following the commercial operation date as well as updating Schedule A, which provides a description of the facility and Schedule B, which provides for construction requirements.

The final item in the Fourth Amending Agreement relates to the Option to Purchase which is a schedule to the Operating Agreement. In the current option to purchase, the purchase price for the facility is established as book value of the purchased interest less depreciated costs. The Fourth Amending Agreement changes the purchase price from book value less depreciation to fair market value. This definition is consistent with the Consent Agreement between CIBC and the RDN and will allow Cedar LFG to obtain equity and debt financing for their project as they move forward.

ALTERNATIVES

1. Approve the Fourth Amending Agreement with Cedar Road LFG Inc.
2. Do not approve the Fourth Amending Agreement with Cedar Road LFG Inc.

FINANCIAL IMPLICATIONS

As reported to the Board in past reports, the only direct costs to the RDN for this project have been engineering and legal services associated with the negotiation of the agreements as well as the integration of the RDN collection and flare system with the Cedar LFG facility. These costs are not anticipated to exceed \$100,000 in total and should be recovered from Cedar LFG's future royalty payments to the RDN for the use of the gas. Based on a set of conservative assumptions, these payments, which will start in June 2010, may amount to roughly \$35,000 per year or \$700,000 over the 20 year term of the project.

SUSTAINABILITY IMPLICATIONS

This project contributes to the sustainability of the RDN by reducing greenhouse gas emissions and generating renewable energy. Landfill gas is a harmful greenhouse gas when released into the atmosphere. In 2008, the LFG collection and flare system at the Regional Landfill reduced community greenhouse gas emissions by 30,000 tonnes of CO₂e. The electricity generated from this project will reduce greenhouse gas emissions even further as well as replace the use of non-renewable sources of fuel.

SUMMARY

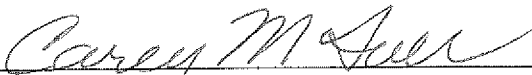
In 2005 the Board approved Development and Operating Agreements with Cedar Road LFG Inc. (Cedar LFG) to provide for the design, construction and operation of a facility on the RDN Landfill to generate electricity using landfill gas as an alternative fuel source. In 2006, 2007 and 2008 the Board approved three amending agreements to the Development and Operating Agreements with Cedar LFG to respond to various changes with respect to the project schedule and other requirements.

At the request of Cedar LFG, RDN legal counsel has prepared the attached Fourth Amending Agreement to the Development and Operating Agreements. This Fourth Amending Agreement changes the commercial operation date to coincide with the commencement date of the energy purchase agreement between BC Hydro and Cedar LFG. The amending agreement also changes the project completion date to be 30 days following the commercial operation date as well as updating Schedule A, which provides a description of the facility and Schedule B, which provides construction requirements.

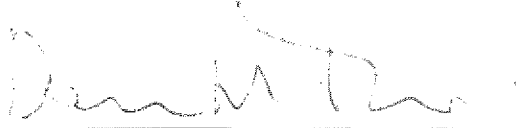
The final item in the Fourth Amending Agreement relates to the Option to Purchase which is a schedule to the Operating Agreement. In the current option, the purchase price for the facility is established as the book value of the purchased interest less depreciated costs. The fourth amending agreement changes the purchase price from book value less depreciation to fair market value. This definition will allow Cedar LFG to obtain equity and debt financing for their project as they move forward. Consequently staff recommend that the Board approves the fourth amending agreement.

RECOMMENDATION


That the Board approves the Fourth Amending Agreement with Cedar Road LFG Inc.



Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:

**FOURTH AMENDING AGREEMENT
TO DEVELOPMENT AGREEMENT AND OPERATING AGREEMENT**

THIS AGREEMENT made this ____ day of _____, 2008.

BETWEEN:

REGIONAL DISTRICT OF NANAIMO
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

(the "RDN")

OF THE FIRST PART

AND:

CEDAR ROAD LFG INC.
(Inc. #A0065860)
Box 852 Station A.
Nanaimo, BC V9R 5N2
("IPP")

OF THE SECOND PART

WHEREAS:

- A. The RDN and Suncurrent Industries Ltd. ("**Suncurrent**") entered into a Development Agreement dated July 21, 2005 which was assigned to the IPP by agreement dated November 2, 2005;
- B. The RDN and IPP entered into an Operating Agreement, dated November 2, 2005;
- C. The Development Agreement and Operating Agreement were amended by an Amending Agreement dated October 26, 2006, and by a Second Amending Agreement dated November 27, 2007 and by a Third Amending Agreement dated June 12, 2008;
- D. The parties wish to amend the Development Agreement and the Operating Agreement, both as amended, to provide for an extension of the Commercial Operation Date and to make other amendments agreed to by the parties.

NOW THIS AGREEMENT WITNESSES that in consideration of the premises, the terms and conditions hereinafter contained and the payment of TEN (\$10.00) DOLLARS from the IPP to RDN, the sufficiency and receipt of which is hereby acknowledged, the parties covenant and agree each with the other as follows:

1.0 DEVELOPMENT AGREEMENT

1.1. The Development Agreement is amended as follows:

- (a) Section 1.1 is amended by:

- (i) deleting the definition of "Commercial Operation Date" and replacing it with the following:

"Commercial Operation Date" means a date which is the earlier of the Commencement Date of the Energy Service Agreement between IPP and B.C.Hydro and December 31, 2009;

- (ii) deleting the definition of "Completion Date" and replacing it with the following:

"Completion Date" means a date that is thirty (30) days following the Commercial Operation Date;

- (b) Schedule "A" to the Development Agreement is deleted and replaced with Appendix 1 to this Agreement.
- (c) Schedule "B" to the Development Agreement is deleted and replaced with Appendix 2 to this Agreement.
- (d) The Option to Purchase attached as Schedule "B" to the Operating Agreement is amended by deleting sections 6.1 and 6.2 (a) and (b) and replacing them with the following:

"6.1 Subject to section 6.2, the Purchase Price for the Purchased Interest shall be the market value of the Purchased Interest at the time of transfer as agreed by the parties or, if the parties cannot agree, as determined by an appraiser who is accredited with the Appraisal Institute of Canada with experience in valuing a facility of the type of the Facility. Such appraiser shall be selected jointly, and if the parties cannot agree, the parties shall each appoint an appraiser who shall nominate a third person to serve as the appraiser.

6.2 If the Purchased Interest is acquired subject to financial encumbrances under section 4.2 the Purchase Price to be paid by the Purchaser to the Owner shall be equal to:

- (a) the market value of the Purchased Interest at the time of transfer minus,
- (b) the value of any financial encumbrances to which the Purchased Interest is or may be subject."

2.0 REFERENCE

- 2.1. A reference to the Development Agreement, the Operating Agreement or to the Licence is a reference to those Agreements as amended.

3.0 RATIFICATION

Except as expressly amended by this Agreement, the parties ratify and confirm the Development Agreement, the Operating Agreement and the Licence. The Development Agreement, the Operating Agreement, the Licence and this Agreement shall be read and construed as one document.

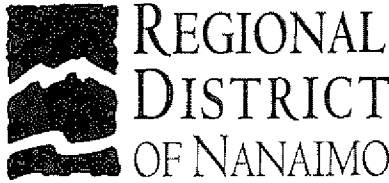
4.0 TIME

4.1. Time shall remain of the essence of the Development Agreement, the Operating Agreement, the Licence and of this Agreement.

IN WITNESS WHEREOF the parties hereto have set their hands as of the day and year first above written.

REGIONAL DISTRICT OF NANAIMO)
by its authorized signatories)
)
)
_____)
Chief Administrative Officer)
)
_____)
Senior Manager of Corporate Administration)

CEDAR ROAD LFG INC. by its authorized)
signatories)
)
_____)
Name:)
)
_____)
Name:)



ADM REPORT	
C/O 2/27/2009	
E/P	
E/G	
FILED	
BOARD	✓ Janet '09

MEMORANDUM

TO: Dennis Trudeau
General Manager of Transportation
and Solid Waste Services

DATE: January 15, 2009

FROM: Carey McIver
Manager of Solid Waste

FILE: 5360-02

SUBJECT: Church Road Transfer Station Retrofit, Redevelopment & Expansion
Pre-Design Cost Estimate

PURPOSE

To present for consideration the pre-design and related engineering cost estimates for the Church Road Transfer Station retrofit, redevelopment and expansion project.

BACKGROUND

The capital plan for the Church Road Transfer Station (CRTS) includes a major retrofit, redevelopment and expansion to manage garbage, organics and recyclable materials generated in the northern community service area for the next 20 years. Due to increased use, the existing facility can no longer effectively and safely accommodate the traffic and solid waste volumes arriving at the site. Provisions are also required to accommodate the transfer of commercial and residential food waste to a compost facility in Nanaimo.

In 2007, staff engaged Gartner Lee Limited (GLL) to undertake a review of the CRTS and prepare conceptual cost estimates for any necessary improvements. In March 2008, the Board received the GLL conceptual cost estimate of \$3.8 million for the project and appointed GLL to provide engineering services related to this project based on the concept cost estimate to a value of \$394,695.

On April 30, 2008 staff submitted an application to the Gas Tax Revenue Transfer Program, for \$2.75 million (50% of project costs) based on GLL’s preliminary design estimate of \$5.5 million. On October 22, 2008 staff was advised that the application was approved for \$2.75 million. A media event was held at CRTS on December 15, 2008 to announce this funding.

The key design features for this project are: providing improved traffic flow at the site including new weigh scales; upgrades to the existing transfer building; installation of new higher and wider doors to provide better clearances; construction of a new transfer facility to accommodate commercial vehicles and food waste; expansion of the existing operations building; redesign of the recycling area to accommodate changes in need and optimization of space; provision of community water supply; and on-site wastewater treatment. Many of these design features are illustrated in the proposed site layout plan included as Attachment 1.

Table 1 outlines GLL’s conceptual and pre-design cost estimates for this project.

**Table 1
 CRTS Retrofit, Redevelopment & Expansion
 Conceptual and Pre-Design Cost Estimates**

Item	Conceptual Cost Estimate	Pre-Design Cost Estimate
<i>Project Components</i>		
1. New Food Waste Facility	\$316,000	\$709,000
2. Retrofit Transfer Station	\$586,000	\$260,000
3. Operations Building Expansion/Upgrade	\$405,000	\$420,000
4. Scale Plaza	\$337,500	\$289,600
5. Roadwork	\$93,800	\$282,300
6. Water Supply and Distribution	\$60,000	\$86,500
7. Wastewater Disposal	(not costed)	\$600,000
8. Saw-tooth Recyclables Drop-off Area	\$750,000	\$952,500
9. Other	\$83,000	\$203,000
<i>Sub-Total</i>	\$2,631,300	\$3,802,900
15% Design Contingency	\$394,695	\$570,435
15% Construction Contingency	\$394,695	\$570,435
15% Engineering	\$394,695	\$570,435
Grand Total	\$3,815,385	\$5,514,205

The increase in costs between the concept and pre-design estimate is due to a more detailed investigation of the costs associated with: wastewater disposal (\$600,000); a new recyclables drop-off area (\$202,500); roadwork associated with new turn off and by-pass lanes (\$188,500); yard lighting (\$100,000), as well as the minor costs associated with incorporating design features that reflect the Green Building Policy for RDN Facilities. These green design features will reduce operating costs over the long-term.

Integrated Design Process

The objective of the new Green Building Policy, which was approved in May 2008, is to maximize building performance, optimize energy efficiency, and minimize greenhouse gas (GHG) emissions for all RDN facilities. In accordance with this policy the CRTS project has incorporated an Integrated Design Process (IDP) that relies on a collaborative design team engaged at the outset of the project.

In August 2008, the design team completed a Green Basis of Design Report that incorporates the following sustainable design features: enhanced natural daylighting coupled with continuously dimming high performance lighting; passive ventilation reducing fan energy and increasing ventilation effectiveness; rainwater harvesting for truck washing, floor washing, dust control, and toilet flushing; and on-site tertiary wastewater treatment and reuse. Based on these as well as other green design features, the design team expects that the CRTS project will

qualify for LEED Gold certification. Attachment 2 provides more details on the green features that will be incorporated in the final design of the project.

Detailed Design Services

The design team has completed the pre-design and schematic design phases of the project and is ready to proceed to detailed design development. However, based on the pre-design cost estimate, engineering services related to the project will exceed the Board's approved value. Consequently the approved value for engineering services should be adjusted to reflect the pre-design cost estimate.

It should also be noted that effective October 2008, Gartner Lee Ltd, Earth Tech, TSH and UMA became known collectively as AECOM.

ALTERNATIVES

1. Adjust the cost for engineering services for the CRTS retrofit, redevelopment and expansion to \$570,435 based on the pre-design cost estimate.
2. Reduce the scope of work for the project to conform to the Board's approved value of \$394,695 based on the concept design estimate.

FINANCIAL IMPLICATIONS

Alternative 1

The financial plan includes the pre-design cost for the CRTS project at a value of \$5.5 million offset by Gas Tax funding of \$2.75 million dollars and reserve funds on hand. The adjusted fees represent a standard allocation for engineering services for a project of this size and scope and staff continues to support the participation of AECOM as the engineers on the project.

Alternative 2

The project costs and scope have changed from the conceptual design and additional engineering fees are applicable. If the scope of the project is reduced to conform to the concept design estimate, significant components of the project will need to be modified or eliminated. This change will impact the safety, technical and environmental performance of the facility. As noted above the project is fully funded by a Gas Tax grant and reserve funds and there are no new financial implications for Regional District taxpayers. If the scope of the project is reduced the amount of the Gas Tax grant will be reduced accordingly.

SUSTAINABILITY IMPLICATIONS

This project contributes to the overall sustainability of the RDN by reducing GHG emissions from the decomposition of food waste in the landfill as well as from the emissions associated with vehicle trips. Once built the CRTS will be a flagship project for the RDN, the first to implement the green building policy for RDN facilities, and a showcase of the RDN's commitment to sustainability.

CONCLUSIONS

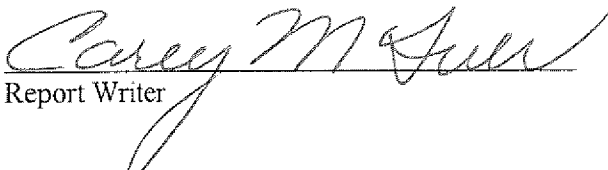
The capital plan for the Church Road Transfer Station (CRTS) includes a major retrofit, redevelopment and expansion. In 2007, staff engaged AECOM (formerly Gartner Lee Limited) to undertake a review of the CRTS and prepare conceptual cost estimates for any necessary improvements. In March 2008, the Board received the AECOM conceptual cost estimate of \$3.8 million for the project and appointed AECOM to provide engineering services related to this project based on the concept cost estimate to a value of \$394,695.

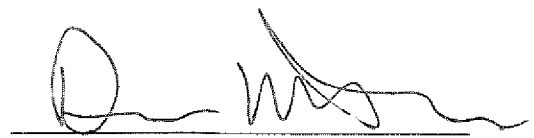
On April 30, 2008 staff submitted an application to the Gas Tax Revenue Transfer Program, for \$2.75 million (50% of project costs) based on AECOM's preliminary design estimate of \$5.5 million. This application was successful and the financial plan includes the pre-design cost for the CRTS project at a value of \$5.5 million offset by Gas Tax funding of \$2.75 million dollars and reserve funds on hand.

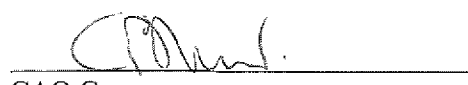
Based on the pre-design cost estimate, engineering services related to the project will exceed the Board's approved value. Consequently the approved value for engineering services should be adjusted to \$570,435 to reflect the pre-design cost estimate. The adjusted fees represent a standard allocation for engineering services for a project of this size and scope and staff continues to support the participation of AECOM as the engineers on the project.

RECOMMENDATIONS

1. That the Board receive the pre-design cost estimate of \$5.5 million to expand and upgrade the Church Road Transfer Station.
2. That AECOM (formerly Gartner-Lee Ltd.) continue to provide engineering services related to the retrofit, redevelopment and expansion of the Church Road Transfer Station based on the pre- design cost estimate to a value of \$570,435.

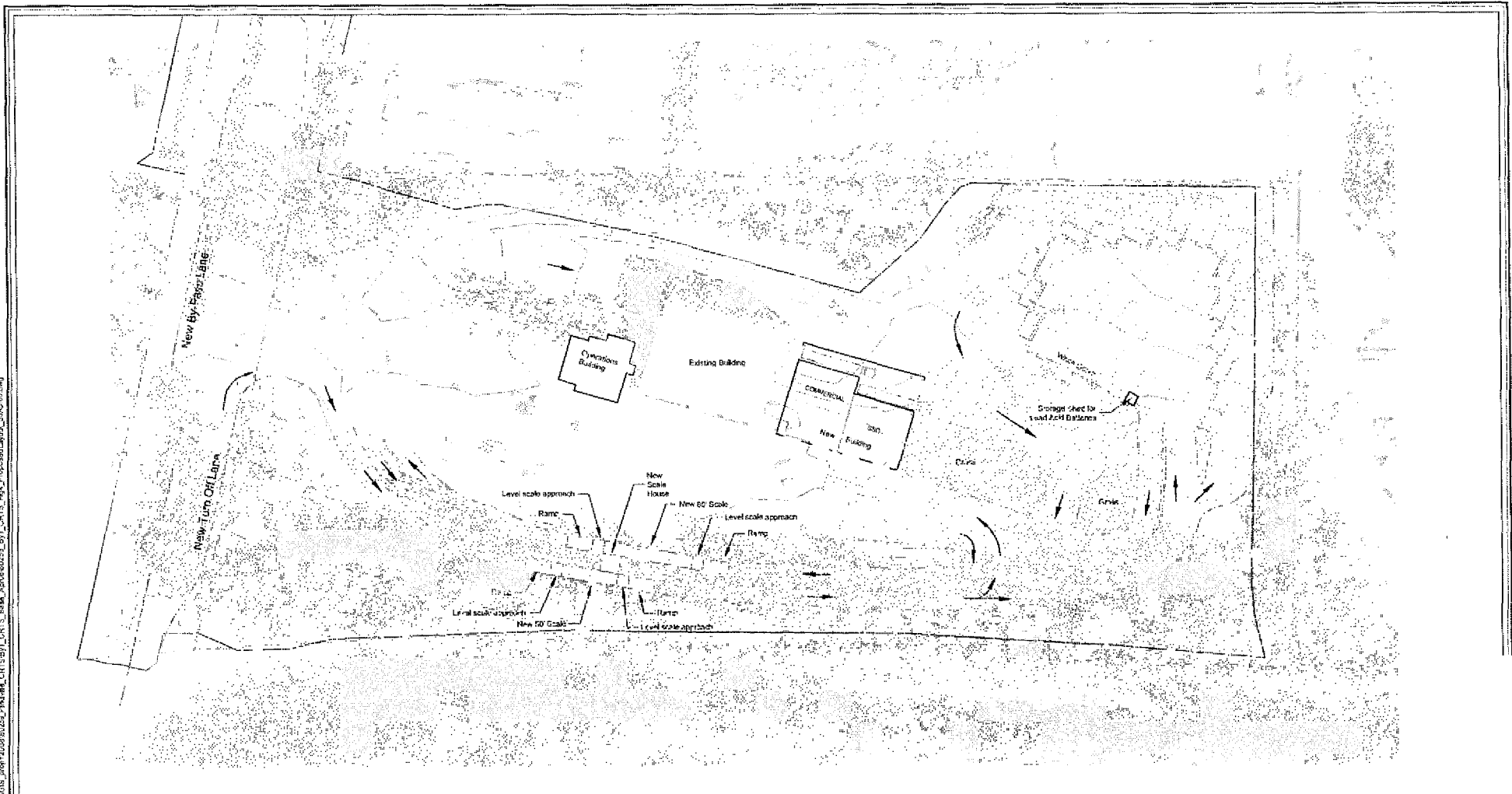

Report Writer


General Manager Concurrence

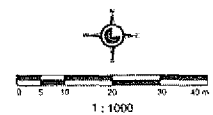

CAO Concurrence

COMMENTS:

Date Printed: January 5, 2009 9:14 AM Location: Y:\08\015_08\2008\0208\0208_Parkville_CRTS_Byl_CRTS_Flg4_ProposedLayout_30A\0606.dwg



Map Symbols / Notes:
 - Aerial photography dated September 6, 2007



File Name: UTM Zone _N, NAD83
 00259_Byl_CRTS_Flg4_ProposedLayout_30A\0606.dwg
 Reviewed by: RC Prepared by: SK
 Date Issued: April 2008 Project Number: 60259

Legend

- Legal Property Boundary
- Section Alignment
- Contours**
- Index (CI 1m)
- Intermediate (CI 0.5m)

Proposed Features

- New Surface Elevation
- Road Edge
- Lock Block Retaining Wall
- Drop-off Bin
- Asphalt Pavement
- Concrete Slab
- Grassed Area

Regional District of Nanaimo

Project: Church Road Transfer Station
 Location: Church Road, Parkville

Proposed Site Layout Plan

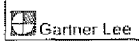


Figure -
 Version 1

ATTACHMENT 1

AECOM

275 – 3001 Wayburne Drive, Burnaby, BC, Canada V5G 4W3
 T 604.438.5311 F 604.438.5587 www.aecom.com

Memorandum

Date: December 23, 2008
 To: Carey McIver
 From: Paul Manley and Robert Ge
 Project Number: GLL 80-259
 Subject: Memorandum for Green Features of the Final Design of Upgrades to the CRTS

Distribution: Regional District of Nanaimo

In keeping with the RDN's Green Building Policy and goal of achieving "LEED" Gold designation, the following actions are being considered in the final design of upgrades to the CRTS:

1. Developing a Sustainable Site:
 - i) Erosion and sediment control during construction;
 - ii) Improved traffic circulation;
 - iii) Bicycle storage for employees;
 - iv) Improved site access and safety by addition of new turning / by-pass lanes on Church Road;
 - v) Use of pervious surfaces to reduce storm water rate;
 - vi) Light pollution reduction with shielded fixtures and appropriate placement; and
 - vii) Installation of a green roof on new operations building.

2. Water Efficiency Measures:
 - i) Low maintenance landscaping including use of native vegetation and drought tolerant landscaping;
 - ii) Installing low flow fixtures;
 - iii) Rainwater harvesting for: truck washing, floor washing, dust control and toilet flushing;
 - iv) On-site tertiary waste water treatment and re-use utilizing Membrane Bio-Reactor technology (MBR);
 - v) Re-use of treated water for truck washing, floor washing, dust control and toilet flushing;
 - vi) Use of high pressure, low flow hoses for truck and floor washing and dust control; and
 - vii) High efficiency misting system for added dust control.

3. Energy Efficiency Measures:
 - i) Use of natural ventilation and daylight design using translucent panels and skylights;

- ii) Use of daylight sensors to dim lights when daylight is sufficient;
 - iii) Use of high efficiency heat pumps using ground-source heat for heating and cooling operations building and weigh scale building;
 - iv) Use of operable windows in operations building;
 - v) Use of high efficiency building envelope for operations and weigh scale buildings;
 - vi) Use of solar thermal collectors for hot water and heating;
 - vii) Daylight all buildings and tipping floors; and
 - viii) Improve controllability of lighting and thermal comfort.
4. Material Selection:
- i) Use of recycled content construction materials, e.g., fly-ash in concrete, recycled content steel, recycled aggregates, solid wood, etc.;
 - ii) Use of low-VOC adhesives, sealants and paints;
 - iii) Use of local fabricated materials to the extent possible;
 - iv) Recycle existing on-site materials, e.g., loc-blocks for recycling drop-off area; and
 - v) Investigate use of innovative designs and materials that are durable and do not require finishes.

RG:GC
Encl.



CAO APPROVED	
EAP	
COV	
10/17/09	
R/D	
BOARD	Jan 12 '09

MEMORANDUM

TO: Dennis Trudeau
General Manager, Transportation & Solid Waste Services

DATE: January 12, 2009

FROM: Laura Kiteley
Manager, Transit Projects and Planning

FILE: 1075-01

SUBJECT: Custom Transit – Software Upgrade

PURPOSE

To consider the purchase of software and hardware for the Custom Transit (handyDART) Department.

BACKGROUND

On November 24, 2008, the Board passed the following motion:

“That the Regional District of Nanaimo submit an amended application to the UBCM for the Public Transit Agreement Grant to move funds previously identified for the Automated Fare Boxes to the Custom Transit software and hardware project.”

Staff has received the approved amendment from UBCM allowing the use of Public Transit Agreement funds for the purchase of software and hardware for this Custom Transit project. BC Transit has also provided a letter in support of the project (*Appendix A*).

As reported in December, staff has spent about a year and a half testing three different software packages to ascertain which would best suit the needs of the Nanaimo handyDART System. Software provided by Stratagen Systems, Inc. has been found to be the most robust and feature rich solution. The software has been extensively tested and is in place in a number of cities across the USA and in Canada (e.g. Victoria Regional handyDart). The Stratagen solution project provides for advanced auto scheduling, routing and dispatching. This system also provides essential integration with the Automated Vehicle Locator project, also funded by Gas Tax funding, and will greatly enhance the scheduling process resulting in considerable service improvements.

The new software and hardware will enable the Regional District of Nanaimo to reposition its Custom Transit (handyDart) service among the top performing tier-one handyDART systems in the province. By making the system user friendly, allowing for spontaneity of travel, allowing for same day service, reducing the overall cost per hour and increasing the rides per hour average, the department will be in a position to handle the Custom Transit expansions outlined in the Transit Business Plan, adopted by the Board in March of 2008.

ALTERNATIVES

1. Authorize the acquisition of Custom Transit dispatching software from Stratagen Systems, Inc. as well as the related hardware as part of the overall project.
2. Direct staff to seek alternatives through a Request for Proposal.

FINANCIAL IMPLICATIONS

Alternative 1

Approving this purchase from Stratagen software would be a sole source approval for the following reasons. This type of software is quite specialized and staff has taken considerable time to ensure that the leading contenders in this industry with products suitable for our size of organization were reviewed, prior to making this recommendation. BC Transit, as a major contributor to our operations, supports the purchase based on the expected service efficiencies. Though the project is being funded with gas tax dollars, staff has included a small amount in the Operations Budget in case there are unanticipated extra costs.

The following is a summary of costs associated with implementation of the Stratagen software solution.

StrataGen Hardware and Software	\$258,929
2 Servers with Windows Server 2003	<u>\$ 21,000</u>
Project Cost	\$279,929
Gas Tax funding	\$279,929
2009 Operations Budget	<u>\$ 25,000</u>
Total Project Cost	<u>\$304,929</u>

Alternative 2

It is unclear what the total cost of the project would be if it goes to a Request for Proposal. Stratagen Software Systems, Inc. is the only software reviewed by staff that is able to do all the functionality that is desired. The other two packages, with one in beta test format for nine months, was unable to meet the needs of the department. Stratagen has been supported by BC Transit and is being used successfully by the Victoria handyDART System.

There is some urgency to complete this award because there is a potential for a price increase due to the changing US dollar, which may jeopardize the ability to acquire the software with the available grant money.

SUSTAINABILITY

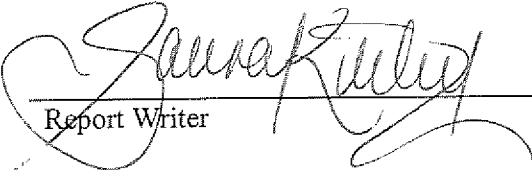
The Transportation Services Department is working continuously on improving the viability and efficiency of public transit. Improving overall customer access to the handyDART System will ensure that persons with disabilities have viable transportation alternatives without having to plan days in advance. Custom Transit vehicles all operate on biodiesel and are using the cleanest burning engines available, ensuring the overall carbon footprint is minimized.

SUMMARY/CONCLUSIONS

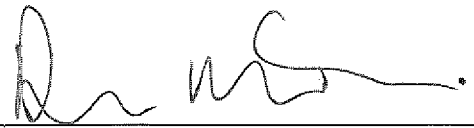
In December, the Board approved amending applications for Gas Tax funding for the Transit department to account for the purchase of dispatching software for the custom transit service. That approval has been received and staff is seeking approval to proceed to purchase software from Stratagen Software Systems, Inc. and the related hardware required for this purpose. Given the very specialized nature of this type of software and a relatively limited field of suppliers, staff approached individual vendors over the course of a year and a half. The Stratagen software established itself as having the best combination of features and ease of use. It is installed in a number of systems across the United States and is in fact the software of choice in the Victoria handyDart System in Canada. The project would have an overall budget of \$304,929, which includes the software, professional fees to assist in the implementation, hardware and a contingency for unforeseen costs. Staff recommends proceeding as outlined in this report.

RECOMMENDATION

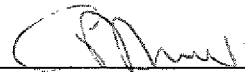
1. That the Board approve the implementation of new Custom Transit scheduling software and hardware with an overall budget of \$304,929.00.
2. That staff be authorized to enter into a contract for the supply of software and associated hardware from Stratagen Software Systems, Inc. at a cost of \$225,758.00.



Report Writer



General Manager Concurrence



C.A.O. Concurrence



December 5, 2008

File: nan.1

Ms. Brenda Gibson
General Manager
UBCM
545 Superior Street
Victoria, B.C.
V8V 1T7

Dear Ms. Gibson,

Subject: Public Transit Project Proposal

This letter is to provide support for the request from Regional District of Nanaimo to amend their original application for electronic fareboxes and resubmit a request for funding for the Custom Transit Dispatching project (\$279,929.00).

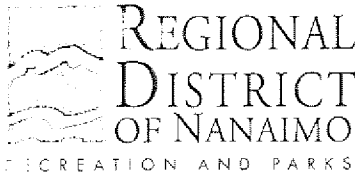
Should you have any questions please call me directly at 250-995-5687.

Yours truly,

A handwritten signature in black ink, appearing to read "Megan Hill", with a stylized flourish at the end.

Megan Hill
Planning Manager

Copy: Steve Segal



APPROVAL	10/11/08
DATE	
COV	
REVISIONS	
REV	
BOARD	Jan 27 '09

MEMORANDUM

TO: Tom Osborne
General Manager of Recreation and Parks

DATE: January 13, 2009

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.

Issues and Challenges

Before an agreement could 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, the Secretary-Treasurer of School District 68 expressed interest in exploring an agreement and noted that it may be possible for such an arrangement to be established by the end of the school term in June 2008. To that end the Electoral Area 'A' Recreation and Culture Commission requested staff complete a report by July of 2008. However, due to budget deliberations, the School District was unable to commit to the process until May, and due to other School District priorities, RDN staff were unsuccessful in arranging subsequent meetings to further explore this option.

Based on the Commission's interest in exploring the School District option an extension was provided in July for staff to complete a report by September. Staff were still unsuccessful in arranging meetings with the School District throughout the summer. Just prior to completing the September report staff received confirmation that the School District was still interested in exploring an agreement.

Staff met with the Secretary-Treasurer prior to the Commission meeting in early September. At the Commission meeting staff provided a verbal update regarding the meeting with the School District. The report presented to the Commission recommended that Option 1 be approved, due to the limited success in meeting with the School District and the time it would take to complete the agreement. However, in light of the School District's expression of continued interest, the Commission recommended a further extension to January of 2009 approved by the Board at the end of September.

The Commission also expressed to staff that if an agreement could not be completed by the new deadline the Commission would recommend that Option 2 be considered and approved by the Board. Staff established a meeting date of September 30 with the School District; however, it was postponed until October 7. A follow up meeting was slated for November 4; however, this meeting was also postponed a couple of times through to December. Staff were unsuccessful in scheduling the follow up meeting.

While unable to meet further with the School District, staff did meet with the Community School Coordinators and a representative from the Cedar Heritage Society to compile some background information pertaining to some of the issues and concerns to be addressed. However, staff were unable to complete the agreement by the approved deadline of January 2009.

To further consider this option, staff would require still more time to meet with the School District.

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. Regional District staff would supervise the Coordinator, and together, staff would 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 winter and spring of 2009.

ALTERNATIVES:

1. To further extend the timeline to 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, other than the estimated funding envelope of \$45,000-\$55,000. If an extension is approved to further explore the School District option, financial implications would be outlined in a subsequent report. Currently, there is sufficient funding in the proposed 2009 Budget and Five Year Financial Plan to implement this option.
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 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.

Accumulated surplus funds from previous years since the establishment of the Function are also available and may be used for any minor capital and administrative/operational expenses that may be required for establishing this service. 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 proposed total administrative and operational costs projected above, excluding contingency and program revenues and expenditures, are approximately \$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. The proposed 2009 Budget includes sufficient funds to implement Option 2. The cost to increase the tax requisition from the 2008 Budget to the proposed 2009 Budget of \$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	\$108500	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

Staff have explored 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 Recreation Coordinator to provide the services.

With respect to the first option, staff have been unsuccessful in meeting regularly with the School District since the latest September extension was approved. Although staff met with other parties involved during this timeframe to gather background information, staff have been unable to complete an agreement by the approved deadline of January 2009. Staff are concerned about the length of time that has already elapsed and the additional time that would still be necessary to complete an agreement.

Given that an agreement has not been established within the approved timeframes including the two extensions and the most recent January 2009 deadline, and that time is of the essence for establishing a service delivery model, staff no longer foresee this as a viable option.

Staff have outlined the processes and costs associated with the second option. Although the costs of retaining a Coordinator would cost more to implement than Option 1, Option 2 can be implemented well within the parameters of the bylaw, and within the proposed budget for 2009. If approved, staff could begin implementing the recruitment process once the budget is approved in March.

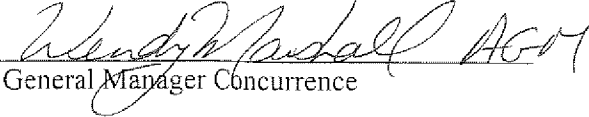
Given the Commission direction to consider Option 2, if Option 1 was not attainable by the January deadline, and the need to move ahead with a service delivery model for the community, it is recommended that Option 2 be approved. The Regional District would retain a Recreation Coordinator, and staff could then begin implementing recreation and culture services in Electoral Area 'A'.

RECOMMENDATION:


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



Report Writer



General Manager Concurrence



C.A.O. Concurrence



RHD REPORT	
CAGC: REGIONAL	
EXP	CW
CUR	
JAN 27 2009	
RHD	
BOARD	Jan 27 2009

MEMORANDUM

TO: C. Mason
Chief Administrative Officer

DATE: January 21, 2009

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

FILE:

SUBJECT: Tender award for building projects at the Administration and Transportation sites

PURPOSE:

To recommend awarding a construction tender for the expansion of the Administration headquarters and construction of new office and yard works for Transportation services.

BACKGROUND:

In February 2008 the Board approved moving forward with two projects at the main Regional District headquarters site. The work involves expanding the Administration building along its length towards Hammond Bay Rd., the construction of new office facilities for the Transportation Services department and significant changes to the overall site to improve bus marshalling areas and to consolidate staff parking. In particular the transit site changes will accommodate continued fleet expansions, allowing the current fleet of about 68 vehicles to be expanded to 85 vehicles (HandyDart and conventional busses combined).

Tenders for the work closed on January 14, 2009 with twelve firms submitting bids for the work. The four low bidders were:

	Bid Price excluding paving/including canopy	Paving	Total Bid Price
Saywell Contracting	4,100,380	195,000	4,295,381
Windley Contracting	4,254,472	147,761	4,402,233
Island West Coast	4,272,051	146,230	4,418,281
Ledcor	4,227,000	199,000	4,426,000

The bid from Saywell Contracting did not include the number of weeks to complete the project and after seeking advice from legal counsel, it is staff's recommendation that the bid be disqualified as incomplete. Windley Contracting is the second lowest bidder.

The tender required proponents to provide information regarding their experience with LEED projects. The reason for this is, there is considerable administrative requirements on the part of the contractor to show LEED compliance. Each of the three remaining compliant bidders demonstrated they have experience with LEED projects. In fact Windley Contracting stated that they have appointed a LEED coordinator as part of the project team. A summary of the tender evaluation from our consultant Derek Neale, MAIBC is attached for reference.

Based on the foregoing staff recommend awarding the tender to Windley Contracting and seek authorization for an overall project budget as outlined below.

ALTERNATIVES:

1. Award the tender for the Administration/Transit building projects to Windley Contracting Ltd.
2. Award the tender for construction to Saywell Contracting.
3. Cancel the tender and proceed to separate negotiations.

TENDER AWARD IMPLICATIONS:

Alternative 1

The concept design and preliminary construction budget for these two projects presented to the Board in October 2007, was \$5.268 million dollars. The November 2008 pre-tender estimate for both projects was \$5.06 million dollars, based on reducing the amount of paving in the Transit marshalling yard. Windley Contracting submitted a fully compliant bid in the amount of \$4,254,472 (or \$4,402,233 including all paving). Windley Contracting is a well known local contractor with demonstrated LEED project experience.

The tender from Windley Contracting offered a price of \$147,761 to complete all of the paving at this time. Staff recommends completing the paving now for two reasons. Deferring the paving will require a second disruption to the operations at a later date with no certainty on the price and secondly, sufficient funds are available from BC Transit as a cost sharing partner in the project.

The construction tender is one component of the overall budget for these two projects. Staff recommend a project contingency of \$400,000 to account for site condition changes and the uncertainties involved when walls in an existing building are opened up for construction. The table below outlines the total project budgets at this time:

	Administration	Transit	Total
Construction (allocated based on pre-tender estimate)	2,212,322	2,042,150	4,254,472
Consultant fees	330,000	285,000	615,000
Project Total	2,542,322	2,327,150	4,869,472
Concept design construction budget (October 2007)	3,061,000	2,207,390	5,268,390
Base Construction Budget	2,542,322	2,327,150	4,869,472
Paving		147,761	147,761
Revised Construction Budget	2,542,322	2,474,911	5,017,233
Project contingency	200,000	200,000	400,000
Total Project Budget	2,742,322	2,674,911	5,417,233
Funding Sources			
Operating budget	330,000	84,911	
Admin Reserve	1,610,000		
Solid Waste Reserve	802,322	730,000	
D69 Transit Service		585,000	
BC Transit cost sharing		1,248,000	
	2,742,322	2,674,911	5,417,233

In our original estimates we anticipated cost sharing from BC Transit in an amount of \$1,129,410. The actual amount approved is \$1,248,000. The District 69 Service will contribute \$585,000, an increase over

the original estimate of \$450,000 but which represents a proportionate share of the updated costs. As shown above the project is fully funded from external partners and internal sources on hand.

Alternative 2

Saywell Contracting submitted a total bid price approximately \$107,000 lower than Windley Contracting at \$4,295,831, however, they omitted to identify the time to complete the project. The time to complete the project is important and was a requirement for submitting a bid response. The projects will intrude into existing occupied spaces and certainty in time of completion is essential to the operation of the organization. To be certain on this point, staff consulted our legal counsel who also advised that in fairness to other compliant bidders, this tender should be disqualified.

Alternative 3

The third alternative would entail cancelling the tender altogether, at which point, the Regional District could negotiate with any of the bidders of our choosing. This step should only be taken if there are an unusual number of irregularities in the bids or all of the tenders exceeded the pre-tender estimate. In this case, most of the bidders, and certainly the four who presented the lowest prices, were compliant and the tendered price is well within the budget estimate. Staff do not recommend this alternative.

FUNDING FROM RESERVES:

The tender price received is an overall price and following this award, the contractor will be asked to provide details on the pricing for Administration and Transportation services separately. Based on those final amounts staff will update the Board on the amounts required from reserves.

A local government is permitted to transfer reserve funds from one capital reserve to another capital reserve and to use those funds for a different capital purpose. It must however, repay the first reserve fund with interest before the funds are required by the first reserve fund. The Solid Waste Management service currently has combined reserve funds of \$8.14 million dollars. These two projects propose to borrow up to \$1,609,000 with a repayment period of ten years at an interest rate charged on a simple reducing balance. The rate of interest is recommended to be the rate the Regional District currently earns on its consolidated cash balances – or the same rate as if the funds had been held solely within the Solid Waste reserve fund itself. The ten year timeframe will be sufficient to repay the funds at a time when the Solid Waste service requires them for other capital projects.

SUSTAINABILITY IMPLICATIONS:

This project is the first to be constructed under the Regional District's Green Buildings Policy, which includes an integrated design process (IDP) to ensure green building technologies and techniques are included in to the design from the outset of the planning process through construction.

In addition to employing a number of technologies within the buildings aimed at reducing energy use (including vegetated green roof, solar hot water system and highly efficient and flexible HVAC systems), site development and landscaping focused on minimizing water use. Improvements to storm water management for the whole site will minimize the impact of paved parking and transit yard areas.

Finally another significant aspect to the project is the addition of facilities to support the use of alternate modes of transportation by staff. An important part of reducing greenhouse gas emissions regionally, is to encourage less reliance on the automobile as the default transportation choice. Secure bicycle storage

areas and sufficient shower/changing facilities will support the goals of GHG reduction by encouraging staff to bike and/or walk to work.

SUMMARY/CONCLUSIONS:


A tender for the construction of an addition to the Administration building and new offices/site works for Transportation services concluded on January 14, 2009. The lowest qualified bidder is Windley Contracting Ltd. at an overall quoted price of \$4,402,233. As discussed above, this price will allow all components of paying in the project to be completed at one time. A lower bid was received from Saywell Contracting Ltd. at \$4,295,380, however, the tender has been disqualified because it was incomplete. Staff recommends awarding the contract for construction to Windley Contracting Ltd. Additionally, given the size and complexity of the project, staff also recommends approving a general project contingency in the amount of \$400,000.

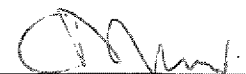
The funding for both projects, is a combination primarily of reserves on hand and cost sharing from BC Transit. The cost sharing from BC Transit was crucial to proceeding with the Transportation services building.

Funding support from the Solid Waste reserves must be authorized by bylaw. The table above shows estimated amounts at this time, between Administration and Transportation Services. If the Board approves the award as outlined in this report, the contractor will be asked to separate pricing between the two sites so that staff can update the Board on the final values and introduce the necessary bylaws. The funding provided from the Solid Waste reserve is proposed to be repaid over a ten year period, with interest calculated at the rates applicable to the Regional District's consolidated cash balances. At this time a single bylaw is introduced in anticipation of the reserve fund transfer bylaws to follow. The bylaw introduced with this report will establish a capital reserve for the Southern Community Transit service.

RECOMMENDATIONS:

1. That the tender for construction of facilities for Administration and Transportation services be awarded to Windley Contracting Ltd. in the amount of \$4,402,233.
2. That a general project contingency of \$400,000 be authorized for these projects.
3. That "Southern Community Transit Service Reserve Fund Bylaw No. 1564, 2009 " be introduced and read three times.
4. That "Southern Community Transit Service Reserve Fund Bylaw No. 1564, 2009 " be adopted.


Report Writer


C.A.O. Concurrence

COMMENTS:

January 21, 2009

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

Attention: Ms. Carol Mason

ARCHITECTS

201-134 Abbott St
Vancouver BC
Canada V6B 2K4

T 604.669.1926
F 604.683.2241

info@nsda.bc.ca
www.nsda.bc.ca

A Corporate Partnership

Re: Administration & Transit Building Bid Analysis

On Wednesday, January 14th, 2009, the Regional District of Nanaimo received eleven bids. A summary sheet for all of the bid results is appended hereto. We have reviewed the four lowest bids in detail, as the other seven were somewhat higher. We will scrutinize those also if you so desire.

The following is the breakdown of the four lowest bids with commentary. In reviewing these, we have verified whether the separate price for the canopy was bid as an addition or credit.

1. Saywell Contracting Ltd.

Saywell's bid omitted to confirm the number of weeks to complete the work and is non-compliant with the requirements of the tender.

Base Bid	\$4,038,380.75	
Paving	\$195,000.00	
Canopy	\$62,000.00	Addition per Architectural Addendum #7
Total	\$4,295,380.75	
Without Canopy	\$4,233,380.75	

2. Windley Contracting Ltd.

Windley's bid appears to be compliant.

Base Bid	\$4,254,472.00	
Paving	\$147,761.00	
Canopy	(\$64,209.00)	Deletion per original spec
Total	\$4,402,233.00	
Without Canopy	\$4,338,024.00	

3. Island West Coast Development Ltd.

Island West's bid included an additional separate price for bonding, which we have added to the total.

Base Bid	\$4,235,362.00	
Paving	\$146,230.00	
Canopy	(\$22,000.00)	Deletion per original spec
Bonding	\$36,689.00	
Total	\$4,418,281.00	
Without Canopy	\$4,396,281.00	

4. Ledcor Special Projects

Ledcor's bid appears to be compliant.

Base Bid	\$4,227,000.00	
Paving	\$199,000.00	
Canopy	(\$40,000.00)	Deletion per original spec
Total	\$4,426,000.00	
Without Canopy	\$4,386,000.00	

LEED Qualifications

Under the Instructions to Bidders, proponents were asked to submit their company brochures along with their bid documents. LEED procedures and documentation can be a time consuming and labour intensive process. As such, an experienced contractor will have allowed additional time and staff to accommodate this work. Further, experience with prior LEED projects will assist the successful bidder in anticipating specific requirements for certification.

We have reviewed the information provided by the four low bidders with consideration for their experience on LEED projects. The following summarizes both companies experience with LEED as outlined in the submitted information.

Saywell did not include their company brochure but rather submitted detailed staff resumes in lieu. The information provided along with project information outlined in their CCDC 11 Contractor's Qualification Statement contains no mention of LEED.

Windley Contracting has included in their company brochure mention of two specific LEED projects that they have participated in. They have also appointed a LEED coordinator on their CCDC 11 Contractor's Qualification Statement as part of their project team.

Island Westcoast Developments have included in their company brochure information mention of a LEED Gold Certified building, which is currently under construction. They also mention within their CCDC 11 Contractor's Qualification Statement that they have received a Green Building Award from the City of Nanaimo for another of their projects.

Ledcor did not include their company brochure with their submission. However, their Contractor's Qualification Statement includes mention of a LEED platinum as well as a LEED gold project, which they have worked on.

Summary

With the omission of the confirmation of the number of weeks required to complete the work, Saywell Contracting's bid must be considered as non-compliant. Consideration of acceptance of this bid must only be done after seeking the appropriate advice.

The other three bidders reviewed herein have all demonstrated experience with LEED certified projects. We have not determined any other factors in the bid documents that may have a bearing on a decision to select.

Any decision based on price must include the alternate and separate prices.

If the RDN wishes to include the paving and the canopy in the contract, then the lowest compliant bidder is Windley Contracting.

Please let us know if you require any further analysis or details from the submitted bids.

Yours truly,

Neale Staniszki Doll Adams Architects

A handwritten signature in black ink, appearing to read 'Derek Neale', with a long, sweeping flourish extending to the right.

Derek Neale, MAIBC, FRAIC, RIBA
Principal, Partner-in-Charge



ARCHITECTS

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A Corporate Partnership

Regional District of Nanaimo
Administration & Transit Bldg Expansion
January 14, 2009

2009-01-14 10:20:07 AM

Bidder	Bid Price	Alternate Prices	Separate Prices	Bid Bond	# of weeks
Confirmed Bidders (BCCA)					
CMF Construction*	\$4,793,240.00	\$146,000.00	(\$71,000.00)	X	36
D. Robinson Contracting *	\$6,000,000.00 (\$1,222,400.00) \$4,777,600.00	\$214,960.00	\$73,500.00 \$43,684.00	x	52
Island West Coast Developments	\$4,235,362.00	\$146,230.00	(\$22,000.00) \$36,689.00	x	32
Ketza Pacific Construction*	\$10,000,000.00 (\$4,893,398.00) \$5,106,602	\$200,000.00 (\$64,803.00) \$135,197	(\$1000) \$48,400.00 \$47,400.00	x	40
Kinetic Construction*	\$10,000,000.00	-	-	x	52
Knappett Projects*	\$4,438,000.00	\$198,000.00	(\$44,000.00)	X	60
Ledcor Construction*	\$4,227,000.00	\$199,000.00	(\$40,000.00)	x	39
Maple Reinders *	\$7,500,000.00 (\$2,771,000.00) (\$30,476.20) \$4,698,523.80	\$135,197.00 \$28,700.00 \$163,897.00	\$63,000.00	x	42
Saywell Contracting*	\$4,038,380.75	\$195,000.00	\$62,000.00	x	-
Scott Construction Group*	\$15,000,000.00 (\$10,077,000.00) \$4,923,000.00	\$148,717.00	\$70,103.00	x	48
Windley Contracting Ltd.	\$4,254,472.00	\$147,761.00	(\$64,209.00)	x	45
Yellowridge Construction	\$10,000,000.00 (\$5,303,000.00) \$4,697,000.00	\$175,000.00	(\$48,000.00) \$50,000.00	x	56

* Please see below for items missing from bids.

Saywell:	# of weeks to complete missing. Second copy of bid document was not sealed.
Ledcor:	Undertaking of Insurance missing. Company Info not included.
Knappett:	Second copy of bid document was not sealed. One copy of document does not have price completed. Undertaking of Insurance missing. CCDC 11 Company Information
CMF:	Appendix "F" Project Manager / Superintendent Company Info Undertaking of Insurance missing. Second copy of bid document was not sealed.
D. Robinson:	Undertaking of Insurance missing. Second copy of bid document was not sealed.
Ketza Pacific:	CCDC 11 Undertaking of Insurance missing. Company Info
Kinetic:	Single copy submitted (all documents) CCDC 11 Company Info Undertaking of Insurance missing.
Maple Reinders :	Undertaking of Insurance missing.
Scott Construction:	Single copy submitted (all documents) Undertaking of Insurance missing. Company Info CCDC 11
Yellowridge:	Second copy of bid document was not sealed.

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1564

A BYLAW TO ESTABLISH A CAPITAL RESERVE FUND FOR THE
SOUTHERN COMMUNITY TRANSIT SERVICE

WHEREAS Section 814(3) of the *Local Government Act* authorizes a Board to establish by bylaw a reserve fund for a specified purpose;

AND WHEREAS it is considered desirable to establish a capital reserve fund to provide for costs related to acquiring, upgrading, improving or replacing transit facilities, vehicles, works or equipment;

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

1. There is hereby established a reserve fund, pursuant to Section 814(3) of the *Local Government Act*, to be known as the "Southern Community Transit Reserve Fund".
2. Money from the current revenue of the Southern Community Transit Service, to the extent to which it is available, or as otherwise provided in the *Local Government Act*, may from time to time be paid into the reserve fund.
3. The money set aside may be deposited in a separate bank account or invested in the manner provided by the *Local Government Act* until its use is required.
4. Money in the reserve fund shall be used to acquire, upgrade, improve or replace transit facilities, vehicles, works or equipment.
5. This bylaw may be cited as the "Southern Community Transit Reserve Fund Bylaw No. 1564, 2009".

Introduced and read three times this 27th day of January, 2009.

Adopted this 27th day of January, 2009.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION



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BOARD	Jan 27 '09

MEMORANDUM

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

DATE: December 11, 2008

FROM: W. Thexton
Manager, Budgets & Capital Planning

FILE:

SUBJECT: Year 2009 Parcel Tax Rolls

PURPOSE:

To introduce for three readings and adoption "2009 Parcel Tax Roll Bylaw No. 1563, 2009".

BACKGROUND:

Section 806.1(2) of the *Local Government Act* requires that the Board adopt a bylaw to provide for the preparation of rolls for the purpose of levying parcel taxes. The "2009 Parcel Tax Roll Bylaw No. 1563, 2009" introduced with this report identifies twenty six services for which parcel taxes form a part of the annual revenues.

We expect to levy new parcel taxes for the following services commencing in 2009:

- a) Drinking Water and Watershed Protection;
- b) Yellowpoint Waterloo Fire Protection.

When a parcel tax is to be imposed for the first time, a parcel tax review panel must be arranged to consider any concerns respecting the parcel tax roll (i.e. corrections to an owner's name and address, whether a parcel is correctly included or excluded in the service, or whether an exemption has been properly or improperly allowed). For the most part corrections involve updating owner's names and addresses due to recent property sales and these may be done by direct communication with staff. The review panel consists of 3 people, which may be any combination of staff and Board members. A tentative date for the review panel would be Thursday, February 26, 2009 between 4:00 pm and 5:00 pm in the Regional District Committee Room. Section 806.1(2)(b) of the *Local Government Act* requires that the authenticated parcel tax rolls be forwarded to the Surveyor of Taxes before February 28th.

The Surveyor of Taxes office controls the time the rolls are received by our offices and therefore the dates outlined in this report may be amended slightly to ensure sufficient notice to property owners and Board appointed panel members.

ALTERNATIVES:

There are no alternatives to this process.

FINANCIAL IMPLICATIONS:

Advertising and mailing costs are provided in the 2009 budget for this purpose.

SUMMARY/CONCLUSIONS:


Pursuant to the *Local Government Act* this report introduces a bylaw which will provide for the preparation of parcel tax rolls for 2009. The parcel tax review panel will meet tentatively on Thursday, February 26, 2009 between 4:00 and 5:00 pm to hear any concerns regarding information contained in the parcel tax rolls. The attached Notice will be used to comply with the notification requirements of the *Act*.

RECOMMENDATION:


1. That the "2009 Parcel Tax Roll Bylaw No. 1563, 2009", be introduced and read three times.
2. That the "2009 Parcel Tax Roll Bylaw No. 1563, 2009" be adopted.
3. That the Board appoint the Deputy Chairperson, the Senior Manager, Corporate Administration and the General Manager, Finance and Information Services to preside as the 2009 parcel tax review panel.



Report Writer



General Manager



C.A.O. Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1563

A BYLAW TO PROVIDE FOR THE PREPARATION OF PARCEL TAX ROLLS FOR THE YEAR 2009

WHEREAS the Board of the Regional District of Nanaimo shall, pursuant to Section 806.1(2)(a) of the *Local Government Act*, provide by bylaw for the preparation of an assessment roll for the purpose of imposing a parcel tax under Section 806.1(2);

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

1. Assessment rolls for the purpose of levying a parcel tax for the Year 2009 are to be prepared for the following services:

Barclay Crescent Sewer	Establishing Bylaw No. 1391, 2004
Cedar Sewer Service	Establishing Bylaw No. 1445, 2005
Cedar Sewer Commercial Properties Capital Financing Service	Establishing Bylaw No. 1513, 2007
Cedar Sewer Large Residential Properties Capital Financing Service	Establishing Bylaw No. 1517, 2007
Cedar Sewer Sportsfield Capital Financing Service	Establishing Bylaw No. 1519, 2007
Cedar Sewer Small Residential Properties Capital Financing Service	Establishing Bylaw No. 1521, 2007
Decourcey Water Local Service Area	Establishing Bylaw No. 1096, 1998
Driftwood Water Supply Service Area	Establishing Bylaw No. 1255, 2001
Englishman River Community Water Service	Establishing Bylaw No. 1354, 2003
Fairwinds Sewerage Facilities Local Service Area	Conversion Bylaw No. 947, 1994
French Creek Sewerage Facilities Local Service Area	Establishing Bylaw No. 813, 1990
French Creek Bulk Water Supply Local Service Area	Establishing Bylaw No. 1050, 1996
French Creek Water Local Service Area	Conversion Bylaw No. 874, 1992
Meadowood Fire Protection Service Area	Establishing Bylaw No. 1509, 2006
Melrose Terrace Community Water Service	Establishing Bylaw No. 1397, 2004
Nanoose Bay Bulk Water Supply Local Service Area	Establishing Bylaw No. 1049, 1996
Nanoose Peninsula Water Service	Establishing Bylaw No. 867.01, 2005
Nanoose Water Supply Service Area	Conversion Bylaw No. 1372, 2004
Pacific Shores Sewer Local Service Area	Establishing Bylaw No. 1021, 1996
San Pareil Water Local Service Area	Establishing Bylaw No. 1170, 1999
Surfside Sewer Local Service Area	Establishing Bylaw No. 1124, 1998
Surfside Properties Water Supply Specified Area	Establishing Bylaw No. 694, 1985
Regional Parks	Establishing Bylaw No. 1231, 2001
Crime Prevention and Community Justice Support	Establishing Bylaw No. 1479, 2006
Drinking Water and Watershed Protection Service Area	Establishing Bylaw No. 1556, 2008
Yellowpoint Waterloo Fire Protection Service Area	Establishing Bylaw No. 1388, 2004

2. The bylaws referred to in (1) above include any subsequent amendments.
3. Unless otherwise noted herein a parcel tax shall be levied on the basis of a single amount for each taxable property with land and improvements or land only within the service area.
4. Parcel taxes for Regional Parks, Yellowpoint Waterloo Fire Protection, Drinking Water & Watershed Protection and Crime Prevention & Community Justice Support shall be levied on the basis of a single amount for each parcel, which shall be defined as a taxable folio within the service area assessed for land and improvements, or land only or improvements only.
5. Parcel taxes with respect to the Cedar Sewer Commercial Capital Financing Service will be levied on the basis of the size of each parcel with the amount established as a rate per hectare.
6. Parcel taxes with respect to the Cedar Sewer Large Residential Properties Capital Financing Service will be levied on the basis of a rate per unit of size with a unit of 1 established for a property up to 2 hectares in size and a unit of 2 established for properties greater than 2 hectares in size.
7. Parcel taxes under Sections (3) and (4) above shall not be levied on folios with the following characteristics:
 - (i) water, including but not limited to foreshore leases.
 - (ii) continuous structures physically identifiable as telephone, hydro or other utility wires, fiber or cables.
6. This bylaw may be cited as "2009 Parcel Tax Roll Bylaw No. 1563, 2009".

Introduced and read three times this ____ day of _____, 2009.

Adopted this ____ day of _____, 2009.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION