

REGIONAL DISTRICT OF NANAIMO

**COMMITTEE OF THE WHOLE
TUESDAY, JANUARY 13, 2009
7:00 PM**

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

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

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

MINUTES

7-9 Minutes of the regular Committee of the Whole meeting held November 4, 2008.

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

10 **Randy O'Donnell**, re Local Government Tax Concerns.

13 **Eydie Fraser**, **AVICC**, re 2009 AGM Resolutions.

UNFINISHED BUSINESS

CORPORATE ADMINISTRATION SERVICES

14-15 Meeting Schedule for 2009.

16-25 2008 Departmental Accomplishments.

FINANCE AND INFORMATION SERVICES

FINANCE

26-27 Banking Services – Award of Tender.

DEVELOPMENT SERVICES

BUILDING & BYLAW

- 28-30 Notice of Building Bylaw Contravention – 2305 Hemer Road– Area ‘A’.
Delegations wishing to speak to Notice of Building Bylaw Contravention at 2305 Hemer Road – Area ‘A’.
- 31-33 Notice of Building Bylaw Contravention – 3466 Simmons Place – Area ‘E’.
Delegations wishing to speak to Notice of Building Bylaw Contravention at 3466 Simmons – Area ‘E’.
- 34-82 District of Lantzville Service Agreements.
- 83-93 Amendment Bylaw No. 787.09 – Extension of Building Inspection Service Area.

PLANNING

- 94-101 Liquor License Policy Review.

ENVIRONMENTAL SERVICES

- 102-103 Environmental Services Department Name Change.

LIQUID WASTE

- 104-105 Nanaimo District Senior Citizens’ Housing Development Society – Application for Development Cost Charge Reduction.

UTILITIES

- 106-109 Drinking Water Protection Advisory Committee.
- 110-114 Extension of the Rural Streetlighting Local Service Area.
- 115-116 Estimated Costs to Service West Bay Estates with Community Sewers.
- 117-119 Barclay Crescent Sewer – Capacity for Further Subdivision within the Service Area.
- 120-122 Updated Costs to Service Madrona & Wall Beach with Community Sewers.

RECREATION AND PARKS SERVICES

PARKS

- 123-127 Parks Operations Building.

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

- Garbage and Recycling Collection Program – 2009 User Rates Amendment Bylaw. (to be circulated)
- 128-130 Garbage and Recycling Collection Program - Contract Extension.
- Garbage and Recycling Collection Program - Financial Relief for Medical Treatment. (to be circulated)
- 131-132 Regional Landfill Security Services Contract Award.

COMMISSION, ADVISORY & SELECT COMMITTEE

District 69 Recreation Commission.

- 133-137 Minutes of the District 69 Recreation Commission meeting held December 4, 2008. (for information)
1. *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.
 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:*
 - 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.

- 138-139 Minutes of the Electoral Area 'A' Parks and Green Space Advisory Committee meeting held November 20, 2008. (for information)

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

- 139-140 Minutes of the East Wellington/Pleasant Valley Parks and Open Space Advisory Committee meeting held November 3, 2008. (for information)

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

- 141-142 Minutes of the Electoral Area 'E' Parks and Open Space Advisory Committee meeting held December 1, 2008. (for information)

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.

- 143-144 Minutes of the Electoral Area 'F' Parks and Open Space Advisory Committee meeting held December 8, 2008. (for information)

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.

- 145-147 Minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee meeting held November 19, 2008. (for information)

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

- 1. 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.

- 2. 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.

- 148-150 Minutes of the Regional Solid Waste Advisory Committee meeting held December 4, 2008. (for information)

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

BOARD INFORMATION (Separate enclosure on blue paper)

ADJOURNMENT

IN CAMERA

DEC. 1/08

R. D. N.
DEV. SERV.
ATT: JANE ARMSTRONG
FAX 250 390-4163

PLEASE BE ADVISED LINDA BURGONKE JUST ADVISED BY
~~THE~~ TELEPHONE CONVERSATION I WISH TO APPEAR AT JAN 13/09
MEETING OF COMMITTEE OF WHOLE TO ADDRESS ZONING ENFORCEMENT
IN AREA 'G' AND THIS FAX IS YOUR NOTICE OF SAME.

THANKFULLY YOURS,
MIKE RENWING
1051 TROY PLACE
QUAILCUM BAYVIEW B.C.
V9K 2G5
TEL 250 738-0587.

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, NOVEMBER 4, 2008 AT 7:00 PM
IN THE RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director B. Sperling	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Alternate	
Director D. Heenan	Electoral Area H
Alternate	
Director M. Wansink	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Alternate	
Director L. Sherry	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director J. Manhas	City of Nanaimo
Director B. Bestwick	City of Nanaimo

Also in Attendance:

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

CALL TO ORDER

The Chairperson welcomed Alternate Directors Heenan, Wansink and Sherry to the meeting.

MINUTES

MOVED Director McNabb, SECONDED Director Bestwick, that the minutes of the Committee of the Whole meeting held October 14, 2008 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Colin Haime, District of Lantzville, re Letter of Support – Action for Water.

MOVED Director Burnett, SECONDED Director Manhas, that the correspondence from the District of Lantzville in support of the Regional District of Nanaimo's "Action for Water" be received.

CARRIED

FINANCE AND INFORMATION SERVICES

FINANCE

Community Parks Reserve Fund Establishment Bylaws No. 1558 & 1559.

MOVED Director Manhas, SECONDED Director Wansink, that "Electoral Area 'C' (defined Area 'D') Community Parks Reserve Fund Establishment Bylaw No. 1558, 2008" be introduced for first three readings.

CARRIED

MOVED Director Manhas, SECONDED Director Wansink, that "Electoral Area 'C' (defined Area 'D') Community Parks Reserve Fund Establishment Bylaw No. 1558, 2008", having received three readings, be adopted.

CARRIED

MOVED Director Manhas, SECONDED Director Wansink, that "Electoral Area 'H' Community Parks Reserve Fund Establishment Bylaw No. 1559, 2008" be introduced for first three readings.

CARRIED

MOVED Director Manhas, SECONDED Director Wansink, that "Electoral Area 'H' Community Parks Reserve Fund Establishment Bylaw No. 1559, 2008" having received three readings, be adopted.

CARRIED

Barelay Crescent Sewer Service Area Development Cost Charges Bylaw No. 1557.

MOVED Director Holme, SECONDED Director McNabb, that this item be referred back to staff for an updated report.

CARRIED

DEVELOPMENT SERVICES

BUILDING & BYLAW

Zoning Contravention & Notice of Building Bylaw Contravention – 3606 Allsop Road – Area 'C'.

MOVED Director Young, SECONDED Director Burnett, 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 7, Section 18, Range 3, Plan 34810, Mountain 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

ENVIRONMENTAL SERVICES

LIQUID WASTE

Liquid Waste Department Open Houses Summary.

MOVED Director Burnett, SECONDED Director Bestwick, that the Board receive the staff report on the Liquid Waste Department's French Creek Pollution Control Centre and Greater Nanaimo Pollution Control Centre 2008 Open Houses for information.

CARRIED

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

Multi-Family Housing Recycling Program Options.

MOVED Director Holme, SECONDED Director Burnett, that staff be directed to amend Bylaw 1531 to add household plastic containers as well as glass and metal food and beverage containers to the list of materials prohibited from disposal at RDN solid waste management facilities and that a program be initiated to encourage residents living in multi-family housing to use recycling depots.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Regional Liquid Waste Advisory Committee.

MOVED Director Holme, SECONDED Director Burnett, that the minutes of the Regional Liquid Waste Advisory Committee meeting held October 2, 2008 be received for information.

CARRIED

IN CAMERA

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

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:15 PM

CHAIRPERSON

RDN	
CAO	GMF&IS
GMDS	GMR&PS
GMES	GMTS
NOV 25 2008	
SMCA	
CHAIR	BOARD
COW Correspondence	
Jan 09	

TO: All Directors, The Regional District of Nanaimo

Tax Concerns: Regional District of Nanaimo

First, let me congratulate and welcome our new Board members. I appreciate your acceptance of the challenges facing you in your new role. Let me also offer my thanks to those Board members, both past and present, who have served our community faithfully and selflessly, over the years.

The demographic nature of Nanaimo and the Regional District continues to change, attracting greater numbers of 'baby boomers' who are either in or approaching retirement and therefore, are living on fixed incomes.

At the same time all levels of government, federal, provincial and municipal continue to expand their mandates. Some of the expansion is to meet increased expectations of taxpayers, but much of it is 'mission creep' – whereby politicians and civil servants, in anticipating social trends (ie: environmental trends, climate change) want to be seen as leaders in their field.

As a taxpayer, I want my municipal government to focus on traditional, core management issues, not reshaping the social fabric. To that end, I would like to offer the following data recently provided by the Canadian Taxpayers Federation.

These numbers may not apply accurately to the Regional District of Nanaimo, but they do show an alarming trend, which is reflected by the fact that my personal property taxes rose by nearly 25% for last year alone. At the same time, the only 'specific' service I receive is road clearing and maintenance.

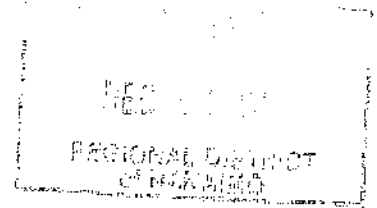
1. 2000 – 2007: Municipal expenditures up by 41%
2. By comparison for the same period, inflation rose only 14.5%
3. Population growth for the same period: 8.44%
4. Spending on 'environmental programs' – many of which can only be described as being of symbolic value for the Regional District of Nanaimo: Up by 60.4%
5. A new category was introduced under the environmental budget, described as 'other' and the costs for 'other' grew at an astounding 264%

With the power of taxation, municipal government does not face the restraint of having to attract the 'spending power' of its customers. If I'm unhappy with the 'product' or feel I'm being charged too much, I have no alternative. I cannot take my business elsewhere.

Environmental conditions in and around Nanaimo are by and large, excellent. We do not have air or water quality issues that need be addressed by entire bureaucracies. And no matter how much taxpayer money is thrown at perceived remedial 'solutions', other than symbolically, it will not impact the world at large– yet politicians and bureaucrats all want to be seen as leaders in the field.

I want my municipal government to be lean and mean. Cut costs to the minimum. Reduce and eliminate inefficiencies and resist the temptation to expand budgets, especially in 'social engineering' programs. I already compost, recycle and turn off unused lighting - not because I'm told to, but because it's good for my wallet. I don't want another program for 'wet waste', I want my roads cleared, my family protected, business and industry facilitated and my tax bill reduced and I'm asking that you keep these parameters in mind when formulating your next budget.

Regards
 Randy O'Donnell
 2920 Benson View Rd.
 Nanaimo, B.C.



**ASSOCIATION OF VANCOUVER ISLAND
AND COASTAL COMMUNITIES**
545 Superior Street, Victoria, B.C. V8V 1T7

Telephone: (250) 356-5133
Fax: (250) 356.5119

Email: efraser@civicnet.bc.ca
Website: www.avicc.ca

TO: AVICC MEMBERS
FROM: Eydie Fraser, Executive Coordinator
RE: 2009 RESOLUTIONS - ANNUAL GENERAL MEETING
DATE: December 5, 2008

DEADLINE FOR RESOLUTIONS

All resolutions must be received in the AVICC office by:

FEBRUARY 13, 2009

SUBMISSION REQUIREMENTS

Resolutions submitted to the AVICC for consideration shall be submitted as follows:

- one copy of the resolution;
- the resolution should not contain more than two "whereas" clauses;
- background documentation must accompany each resolution submitted.

Sponsors should be prepared to introduce their resolutions on the Convention floor.

LATE RESOLUTIONS

- a. Resolutions submitted following the expiry of the regular deadline shall be considered "Late Resolutions" and shall comply with all other submission requirements to the AVICC by the Wednesday noon (April 4) preceding the date of the Annual General Meeting.
- b. Late resolutions shall be available for discussion after all resolutions printed in the Resolutions have been debated.

- c. Late resolutions are deemed to be appropriate for discussion only if the topic is such that it has arisen since or was not known prior to the regular deadline date for submission of resolutions.
- d. In the event that a late resolution is recommended to be admitted for discussion AVICC shall produce sufficient copies for distribution to the Convention.

MODEL RESOLUTION

SHORT TITLE _____ Sponsor's Name

WHEREAS _____

AND WHEREAS _____

THEREFORE BE IT RESOLVED that _____

(Note: A second resolve clause if it is absolutely required should start as follows:)

AND BE IT FURTHER RESOLVED that _____



RDW REPORT		041
CAO APPROVAL		22
EAP		
CDW	✓	Jan 13 '09
DEC 23 2008		
R-D		
BOARD		

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: December 30, 2008

FROM: Maureen Pearse
Senior Manager, Corporate Administration

FILE:

SUBJECT: Meeting Schedule for 2009

PURPOSE

To advise Board members on the meeting schedule for the year.

BACKGROUND

The attached list indicates the regular meetings scheduled for 2009.

Please note that in August, there are no EAP/Committee of the Whole meetings scheduled. (On the Board's request, since August of 2006, the Committee meetings in August have been deferred to September to allow for a bit of a break during the summer.) The Board meeting is the only regular meeting (August 25) scheduled for that month.

In addition, the Ideas & Updates meeting for September 29 is cancelled due to the UBCM Convention.

ALTERNATIVES

1. 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.
2. That the meeting schedule be amended to provide for Committee meetings in August.

FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSIONS

To assist the Board, a list of regular meeting dates has been prepared for information.

RECOMMENDATION

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.

Maureen Pearse
Report Writer

✓ / C.A.O. Concurrence

REGIONAL DISTRICT OF NANAIMO

Board & Committee Meeting Dates – 2009

Electoral Area Planning Committee (EAP) - 6:30 pm, 2nd Tuesday of the month.
Committee of the Whole (COW) – 7:00 pm, 2nd Tuesday of the month.
Board Meeting – 7:00 pm, 4th Tuesday of the month.

January 13 January 27	EAP/Committee of the Whole Board Meeting
February 10 February 24	EAP/Committee of the Whole Board Meeting
March 10 March 24 March 31	EAP/Committee of the Whole Board Meeting Ideas & Updates (Tentative)
April 14 April 28	EAP/Committee of the Whole Board Meeting
May 12 May 26	EAP/Committee of the Whole Board Meeting
June 9 June 23 June 30	EAP/Committee of the Whole Board Meeting Ideas & Updates (Tentative)
July 14 July 28	EAP/Committee of the Whole Board Meeting
August 25	Board Meeting
September 8 September 22	EAP/Committee of the Whole Board Meeting
October 13 October 27	EAP/Committee of the Whole Board Meeting
November 10 November 24	EAP/Committee of the Whole Board Meeting
December 8	Inaugural Board Meeting

2009 Conferences:

AVICC Conference - April 3-5 (Nanaimo)

FCM Conference – June 5 – 8 (Whistler)

UBCM Conference – September 28 – October 2 (Vancouver)



RDN REPORT		
CAO APPROVAL <i>[Signature]</i>		
EAP		
COW	✓	Jan. 13 / 09
RHD		
BOARD		

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: December 29, 2008

FROM: Linda Burgoyne
Administrative Assistant

SUBJECT: 2008 Departmental Accomplishments

PURPOSE:

To provide the Board with a summary of departmental highlights listing major projects achieved in 2008.

BACKGROUND:

All departments of the regional district had a very busy and productive year in 2008. Following is a summary of departmental activities and accomplishments.

Corporate Administration:

Corporate Administration:

- Completion of the 2008 Local Government Elections.
- Distributed over \$20,000 in grants-in-aid funds to community organizations for social programs and services.
- Continue to provide enhancements to the website.

Human Resources:

- Completed over 95 recruitment opportunities.
- Completed updates to the Health & Safety Program.
- Work is continuing on revising Safe Work Procedures.
- Provided various health and safety and computer training opportunities to staff.

Communications:

- Produced one newsletter for each of seven electoral areas.
- Coordinated two regional perspectives publications on the budget and financial plan and the local government elections.
- Assisted in the coordination of the transit and solid waste Gas Tax Transfer Funding Events.
- Ongoing Regional Growth Strategy and Regional Parks communications initiatives.
- Assisted in Electoral Area Planning Project Workshops (Area A OCP & Area H Village Planning).
- Participated in Action for Water Communications Strategy.

- Continued to maintain and build media relations with reporters and management at all local media outlets.
- Produced media advertisements for various departments, including Utilities, Recreation and Parks, and Transportation.
- Assisted with publicity for all major RDN projects and announcements including Electoral Area and Regional planning initiatives, parks expansions and community events, Regional elections and referenda, Regional Board initiations, infrastructure upgrades and expansions, and emergency response operations.

Development Services:

Building & Bylaw Services:

- Began the process of introducing new Building Bylaw No. 1550. Work will continue into early 2009.
- Converted all bylaw enforcement files for the past 16 years to digital format for back-up and ease of storage and created a new file access database.
- A considerable amount of staff time was invested throughout the year on CityView implementation, including, but not limited to work flows, forms redesign and training.
- Re-configured internal processes and staff responsibilities to enhance client service efficiency at the front end and reduce the permit approval time.
- Hosted a Plumbing Association of BC training conference for Vancouver Island.
- Staff received training in new "Green Building Code" changes.
- The new Building Inspection and Bylaw Services web pages are nearly complete and ready for publishing by year end or shortly thereafter. Benefits will be enhanced public information, ability for the public to download forms/bylaws, and online complaint capability.
- An increased focus on resolution of non-compliant properties by Notices on Title. (30 reports to Board in 2008).

Current Planning:

- Development approval procedures and policies for development permits and development variance permits were reviewed and revised.
- Processed the following number of development approvals:
 - Rezoning Applications: 5
 - Development Permit or Variance Applications: 71
 - Board of Variance Appeals: 15
 - ALR Applications: 12
 - Subdivision Applications: 24 (76 lots)
- Participated in Parks and Open Space Advisory Committee meetings regarding ten referrals for the dedication of parkland and/or park use.
- Created a Staff committee for coordination of Current Planning, Subdivision and Parks issues.
- A 'same-day' response to public information inquiries was maintained.
- Participated in selection of the property information database system and design/configuration of database implementation materials.
- Staff participated in professional development opportunities through the Planning Institute of BC and other institutions focusing on environmental protection, stormwater management best practices, development approval tools and legal issues.
- Participated in outreach to local development organizations and local governments to highlight development issues and spread awareness of RDN initiatives.

Long Range Planning:

Community Planning:

- A new Official Community Plan was adopted for Electoral Area 'G' after an extensive public consultation process.
- Initiated implementation of new Electoral Area 'G' Official Community Plan.
- A review of the EA 'A' Official Community Plan was initiated in 2008. A terms of reference was approved, an advisory committee was established, several public meetings were held, and a draft report on aquifer vulnerability was completed.
- An Active Transportation Plan for Electoral Area 'A' was initiated and a draft plan completed.
- Completed a land inventory and residential capacity analysis for the Cedar Village Centre.
- A Village planning project was initiated for Electoral Area 'H'. A terms of reference was approved, a working group was established, and several public meetings were held.

Regional Growth Strategy:

- A review of the Regional Growth Strategy continued in 2008 that included the following activities/actions:
 - Established a Web site specific to the RGS Review.
 - Conducted and analyzed an online survey.
 - Held two public workshops.
 - Made presentations to community groups.
 - Drafted and distributed discussion paper on potential changes to the RGS.
 - Commenced work on a second set of discussion papers.
 - Held several Intergovernmental Advisory Committee (IAC) meetings.

Climate Change/Green Buildings/Sustainability:

- Completed a report by the Regional Growth Management Advisory Committee (RGMAC) that includes recommendations for a sustainable future.
- Drafted terms of references for a Sustainability Recognition Program and associated advisory committee.
- Work continued on a region-wide Community Climate Change Plan. Staff met with the consultant on several occasions and a preliminary draft was prepared.
- Initiated an affordable housing study that will include: profile of those in need, best housing forms and tenure types for each of the profiles, best location for various housing forms, and policies and financial tools that offer the best opportunities to facilitate the development of affordable housing.
- Completed a study on the benefits of green buildings.
- Adopted the Corporate Green Building Policy based on the Integrated Design Process.
- Participated in an Aquifer Mapping Study that will result in maps of aquifers that are vulnerable from surface contamination.
- Initiated discussions and made presentations on carbon neutral operations.
- Provided support to community and current planning on items related to sustainability.
- Held the inaugural meeting of the Sustainability Select Committee.

- Held meetings with City of Nanaimo staff to discuss common interests related to green buildings.

Emergency Planning:

- Response costs were reimbursed by the province for the December 2007 flood (Nanaimo and Englishman Rivers) via Disaster Financial Assistance (DFA).
- Submitted Disaster Financial Assistance reimbursement recovery claim for Morden Colliery park storm damage for December 2007.
- Collaboration with Bylaw Enforcement to implement flood mitigation measures at 380 Martindale Rd. E.A. 'G' (Parry's Park). Multiple annual emergency evacuations due to seasonal flooding will significantly reduce.
- Design and plan full scale regional interfacce fire exercise slated for February 11, 2009.
- Continued ESS volunteer recruitment in D68.
 - New ESS Director engaged for Extension/Cedar, 18 new volunteers.
 - New ESS Director engaged for Gabriola Island.
- Received five ESS level one call outs.
- Provided emergency management training for staff
- Prepared for exercise workshops for staff.
- The Emergency Coordinator completed the Emergency Management Certificate Program (Justice Institute of BC).
- Performed an Emergency Coordination Center activation drill.
- Performed a multiple reception center activation drill.
- Emergency Plan updated and distributed to staff with emergency role booklets.
- Completed grant applications and projects for: UBCM (Hazard Vulnerability Risk Analysis update), VIHA (West Nile Virus), UBCM (Farmed Mass Animal Carcass Disposal), JEPP (Smart Board, Emergency Exercise, Gabriola Island Reception Center Emergency Generator), UBCM (Community Wildfire Protection Plans).
- Considered a joint Community Wildfire Protection Plan with North Cedar Improvement District and the Snuneymuxw First Nation in the Area 'A' OCP review.
- Developed an Emergency Radio Communications Unit with two staff with amateur licenses and completed testing.
- Updated the Emergency Planning page on corporate website.
- Established an Emergency Planning service contract with the District of Lantzville for an 18 month term.

Environmental Services:

Liquid Waste Department:

- Formed the Liquid Waste Advisory Committee and commenced review of the RDN Liquid Waste Management Plan.
- Established a regional function for the review and implementation of the LWMP.
- Completed reviews of the Northern and Southern Communities Sewer Development Cost Charges Bylaws.
- Completed the liquid waste facilities energy audit.
- Completed the grit channel expansion and skimmer upgrade projects at the FCPC.
- Completed a new Engineering Services Contract RFP and award process.

- Completed the sludge thickener project at GNPCC.
- Completed design and began construction of a new operations building at GNPCC.
- Completed installation of back-up generators at two Nanoose area sewage pump stations.
- Secured grant funding for and began design of the GNPCC cogeneration project.
- Developed and initiated the SepticSmart education program.
- Successfully re-registered the department as Environmental Management System ISO 14001 certified.

Utilities Department:

- Completed the Drinking Water - Watershed Protection communication and referendum process.
- Developed and adopted a Drinking Water - Watershed Protection service function and bylaw.
- Completed a preliminary review of options and costs for Utilities Nanoose Works site.
- Completed installation of the Claudette Road test well and commenced trial use.
- Completed the Surfside Sewer Service Area cost analysis and public petition process.
- Completed the 2008 Team WaterSmart Education Outreach program.
- Completed the RDN water well redevelopment program study.
- Completed a Supervisory Control & Data Acquisition (SCADA) assessment of RDN water systems.
- Completed the Nanoose Bay Peninsula Water Service Area water source study.
- Completed the Nanoose Bay Peninsula Water Service Area capital replacement plan study.

Engineering Services Department:

- Completed a cost analysis update for Madrona area sewer servicing.
- Completed a pre-design and cost analysis for sewer extension to Red Gap village centre.
- Participated in completing an RFQ award process for engineering services regarding the AWS intake project.
- Completed a capacity analysis for subdivision in the Barclay Crescent sewer service area.
- Continued review and bylaw development for updating RDN water system standards.
- Liaison for the Cedar Village sewer servicing project.
- Liaison for new Fairwinds water supply wells on Northwest Bay Road.
- Liaison for water supply wells for the Timberstone development in Nanoose.

Finance & Information Services:

Financial Services:

- Meadowood (Dashwood #2) Firehall: received new vehicles; updated borrowing authority; and construction tenders were awarded.
- Continue to work on the land transfer for Nanaimo River Firehall.
- Yellowpoint Waterloo Fire: changed service delivery from Cowichan Valley Regional District to North Cedar Improvement District and Cranberry Fire District; and purchased new vehicle.
- Completed seismic review and recommended re-building of Nanoose Bay Firehall.
- Firehall Seismic Studies – a draft report was received for review.
- Project coordinator for new Property Management software.
- Completed updates to the Northern and Southern Wastewater Development Cost Charge bylaws.
- Commenced historical inventory of tangible capital assets to comply with new accounting standards.

Information and GIS Services:

- Researched and began implementation of power management software for desktop client PCs.
- Report received by staff for a wireless networking options review.
- Continuation of server virtualization and failover for system security.
- Provided IT and GIS input to Property Management software implementation.
- Developed web based Transit features and route information.
- Address and road location map booklets were prepared and produced for participating fire departments to assist with 911 dispatch.
- Continuation of mapping water and sewer infrastructure.
- Implemented the new high resolution orthophoto layer on the RDN Web Map.
- Began preparation of the Area 'A' OCP mapping and analysis information.
- Completed migration of GIS software to ARC GIS Server 9.3.
- Design and preparation of GIS data layers and map publishing for Property System.
- Preparation of maps and voters list information for 2008 elections.

Recreation and Parks Services:

Recreation Coordinating Function:

- Developed a number of new programs for children and adults as part of the 2010 Active Communities provincial campaign.
- Had a very successful Spring Break period included fieldtrips for youth and children.
- Staff coordinated promotions for and contributed to the success of fourteen community events during Youth Week.
- The Leaders in Training program continued to provide leadership training and volunteer experiences to young people.
- A very successful summer set of programs and camps for children were hosted and were very well received in the community.
- Staff were able to increase support services for mentally and physically disabled children to attend recreation programs in the summer.
- Hosted the annual Terry Fox Run raising over \$10,000 for cancer research.
- Provided Community and Youth Grants totaling approximately \$70,000 to a variety of organizations providing recreation related services in District 69.
- Collaborated with the RCMP regarding the "Positive Tickets" program for youth.
- Completed approximately 430 field contracts totaling approximately 3,848 bookings of various sports and recreation activities.
- In collaboration with School District #69, developed a feasibility study for a track and field facility in District 69 through a UBCM Community Connections Grant.
- As a result of decentralized recreation services emerging from the Recreation Services Master Plan the department hired a part time Recreation Programmer to work in Area 'H' and established a recreation services agreement with the Arrowsmith Enhancement Society in Area 'F'.
- Established a new Recreation and Culture Commission grant program in Area 'A'.

Ravensong Aquatic Centre:

- Won a Lifesaving Society Award for the most Boat Operator accredited training courses taught in BC for communities between 50,000-100,000.
- Other key courses provided included the National Lifeguard Course, Assistant Water Safety Instructors and Water Safety Instructor Programs, Lifesaving Instructors, Standard First Aid and

CPR courses, Pool operators Course, Bronze Medallion / Bronze Cross, a Lifeguard Seminar, and Lifesaving Camp.

- Continued to provide a high level of instruction for public and school based swimming lessons.
- Had increased numbers in both leadership courses and private swim lessons.
- Coordinated with Kwilikum Secondary School to provide pool time for “Get Moving” classes for students as part of their physical education curriculum.
- Hosted an ‘Eat Well, Get Moving’ swim for the elementary schools and middle schools respectively with approximately 240 participants.
- In partnership with Community Policing and the local Pharmasave, hosted a Child Identification Program.
- Recognized that seven swimmers from the Ravensong Breakers Swim Club competed at the Olympic Trials in Montréal.
- Hosted the swim portion of the Qualicum Beach triathlon.
- Provided support services including registration and lifeguarding at the annual Qualicum Beach Ocean Mile Swim.

Oceanside Place:

- Held a ‘Spirit of BC Skate’ that was well attended with 115 skaters participating in the Olympic themed events.
- Hosted thirteen various sports tournaments, the annual Home Show, the commencement ceremonies for Ballenas Secondary School, and the Rotary Club Zone Conference.
- Had a busy summer with rentals to twelve individual lacrosse, hockey and skating organizations.
- The Co-ed Hockey program was very successful with approximately 60 players participating in the league.
- The Adult Drop-in Hockey program was extended for almost two months due to its popularity.
- Scrub Hockey and Seniors Hockey programs increased significantly.
- Hosted three “sold out” games for the 2009 Under 17 World Hockey Challenge.
- Long awaited bleachers were installed in the Howie Meeker Arena.

Regional Parks:

- Completed the Englishman River Regional Park Management Plan.
- Acquisition of Coats Marsh Regional Park in partnership with The Natures Trust of BC.
- Successful Nominal Rent Tenure application for Mount Arrowsmith Massif, 1,300 hectares of Crown Land now designated as Regional Park.
- Developed a group campsite at Horne Lake Regional Park.
- Installed a new power system at Horne Lake Regional Park.
- Completed Phase I of the UBCM Tourism Program that included installing entrance signs and information kiosks in key regional parks, installing direction signage within the regional parks and on the regional trail system, creating a parks and trails brochure, and updating the parks pages on the RDN website.
- Constructed a new trail and decommissioned the old riverside trail, due to safety concerns, in Nanaimo River Regional Park.
- Worked with the Nanaimo and Area Land Trust on trail development within Mount Benson Regional Park.
- Addressed ATV use in various parks.
- Worked with a consultant on the development of a criteria and rating framework for future acquisitions of property as Regional Parks.

- Prepared a draft lease with Ducks Unlimited, and the Management Planning process was initiated for the Little Qualicum River Estuary Regional Conservation Area.
- Completed the Fire Control Cost Sharing Agreement with the Ministry of Forests and Range for fire fighting services in parks located outside of local fire protection areas.
- Developed a Request for Proposals for the Mount Benson Management Plan.
- Drafted an operating agreement between the RDN and DFO for the side channel and hatchery operations in Englishman River Regional Park.
- Conducted a significant amount of hazard tree removal work at Benson Creek Falls Regional Park.
- Erected approximately 500m of new fence on the property line along the beach and new signage was posted at the Little Qualicum River Estuary Conservation Area.
- Carried out several assessments of potential park property.

Regional Trails and Bridges:

- Completed repairs to storm damaged bridges on the Morden Colliery Trail.
- Renewed the license with TimberWest for pieces of the Trans Canada Trail and CPR Arrowsmith Trail.
- Initiated the feasibility study for the E&N Trail.
- Conducted trail work and hazard tree removal along both the north and south loop of the Lighthouse Country Trail.

Community Parks:

- Completed the playground and park redevelopment for Thelma Griffiths Park.
- Developed a trail system in Malcolm Community Park.
- Received approval from the Agricultural Land Reserve for the Skate Park.
- Arranged a lease with the Mountain Fire Protection Improvement District for a portion Meadow Drive Community Park to be used for fire fighting purposes.
- Held an open house and surveys were conducted to get community input on the development of Meadow Drive Community Park.
- Carried out planning for Area 'E' parks and the priority projects identified.
- Completed Top Bridge Community Park trail improvements.
- Carried out Deep Bay Community Park bridges and trail construction.
- Removed large amounts of illegally dumped garbage from 707 Community Park.
- Garbage collection at two sites along Plummer Road was taken on by Parks. This service had previously been provided by residents of San Pareil.
- Department staff attended 35+ parks advisory committee meetings
- Consulted with a resident regarding the donation of property for a future community park in Area 'C'.
- Applied new water retention product to the upper field at Rollo McClay Community Park.
- Worked with developers on the development of parks as part of subdivisions. These parks include the Nile Creek subdivision, the Cedar development, and the Timberstone Estates.
- Worked with Planning staff and the Parks and Open Space Advisory Committees on various parkland dedication proposals.
- Planning and Parks staff worked with Fairwinds on the development plan for their remaining properties.

Transportation and Solid Waste Service:

Transportation Services:

- Approved an update of the Transit Business Plan which outlines expansions that meet provincial goals of doubling ridership by 2015.
- Continued to work on the planned expansions to start in March 2009 and includes an improved access to BC Ferries as well as increased frequency on the districts heavily used routes.
- Provided service for passengers on ten cruise ships totaling 4,200 customers through its partnership with the Downtown Nanaimo Partnership group.
- Received approximately \$1.77M in Gas Tax and the Public Transit Agreement funding for the following Transit related capital projects which will begin to be implemented in 2009.
 - Main Exchange bus shelter upgrading
 - Electronic fare box
 - Vancouver Island University Exchange
 - Priority lighting
 - Custom Transit Dispatch Software
 - Prideaux Street Exchange upgrade
- Established the employer pass launch with the Vancouver Island health Authority and Shaw Cable.
- Purchased smart cars for pool vehicles with Gas Tax grant
- Installed new information posts for customers at main Transit exchanges which will make the system easier to use.
- Expanded the fleet to 14 New Nova buses going into 2009, 2 of which were expansion buses. Four new and one expansion Handy Dart bus were secured in 2008.
- The Transit fleet is now running on B-20 Bio-Diesel which will help the region reduce the amount of greenhouse gases emitted.
- Established an on line commercial vehicle inspection program.
- Installed new Handy Dart hoist and air conditioner charging unit supplied by BC Transit.
- Received funding from BC Transit for body bay, bus wash, double decker maintenance bay, and fuel island upgrade.

Solid Waste Management:

- Exceeded 50% provincial diversion rate (60%)
- Issued 5 Waste Stream Management Licenses to privately operated recycling facilities.
 - Vancouver Island Recycling Centre (multi-material recycling facility)
 - International Paper Industries (multi-material recycling facility)
 - Steel Pacific (Metal recycler)
 - Pacific Coast Waste Management (wood waste recycling facility)
 - Nanaimo Wood Products Recycling (wood waste recycling facility)
- Completed a 12 month residential food waste collection field test for 2,000 households on three collection routes
- Completed a design and operations plan for the Regional Landfill to coordinate capital cost estimates for key long-term infrastructure projects
- Completed pre-design for the retrofit, redevelopment and expansion of the Church Road Transfer Station and received \$2.7 million in Gas Tax funding to cover 50% of project costs.
- Completed the Cell One remediation project to upgrade the south sanitary line and improve surface water management on the closed landfill

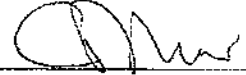
- Converted all solid waste heavy duty diesel equipment to B-20 Bio-Diesel as well as purchased two hybrid SUV's and one Smart Car for the solid waste fleet to reduce GHG emissions
- Investigated 76 illegal dumping complaints and all were resolved via the individual responsible undertaking the clean-up or an RDN contractor. Illegal dumping signs were erected in 14 sites in Electoral Areas A -1, C -3, F-3, G-3 and H-4.

RECOMMENDATION:

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



Report Writer



CAO Concurrence



NOV 20 2008	13
COV	9-13-09
R-10	
SC-100	

MEMORANDUM

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

DATE: December 31, 2008

FROM: W. Idema
Manager, Accounting Services

FILE:

SUBJECT: Award of tender for banking services

PURPOSE:

To report on the results of a request for proposal for banking services and to recommend a successful proponent.

BACKGROUND:

The Regional District of Nanaimo has utilized the Royal Bank as its provider of banking and supplementary financial services for many years, including the last seven years as the successful proponent to a request for proposal undertaken in 2002. In order to ensure the District is receiving the best value for these services, staff requested proposals for banking services from all of the major banks and credit unions in September, 2008. Nine responses were received with seven institutions considered to be qualified as requested under the proposal call.

- Royal Bank of Canada
- TD Canada Trust
- Bank of Nova Scotia
- Coastal Community Credit Union
- Bank of Montreal
- Canadian Imperial Bank of Commerce
- HSBC Bank Canada

The District requires a set of standard commercial financial services, including accessibility to local branches by District staff, electronic banking services for items such as direct deposit of payroll, preauthorized debits for payment of customer accounts, web based account access and transmission of electronically filed customer payments for upload to our financial system. Approximately 64% of customer payments are now made electronically.

The banking proposals were evaluated on a combination of ability to meet our standard transaction and electronic banking requirements, interest paid on cash balances and the cost to provide all services. Of the seven qualified proposals, five were able to meet all of the requirements of the proposal call. TD Canada Trust provided the best combination of annual fees and interest on cash balances and can fully address our business banking needs.

ALTERNATIVES:

1. Award a five year contract for banking services to TD Canada Trust.
2. Renegotiate a further five year contract with the Royal Bank of Canada.

FINANCIAL IMPLICATIONS:

Alternative 1

The proposal from TD Canada Trust includes annual fees approximately \$9,000 less than quoted by the Royal Bank to continue services. Additionally, TD Canada Trust offers the highest interest rate on cash balances at prime less 1.725% which is 0.025% higher than any other proponent. Staff estimate this interest rate will generate an additional \$6,000 in annual interest revenue. The combination of lower fees and additional interest revenue will provide the District with approximately \$15,000 in net cost savings.

Alternative 2


Changing financial institutions will require considerable logistical effort including advising staff and couriers of new locations for deposits, reprinting cheques and updating/upgrading software interfaces. While these changes will take time, staff expect there will be relatively minor one-time costs for the transition. While the Royal Bank has provided high quality services over the course of more than twenty-five years, staff have concluded that TD Canada Trust will provide the same quality of banking services for the Regional District.

SUMMARY/CONCLUSIONS:


Staff requested proposals for general banking services from all of the local major banks and credit unions in September, 2008. Nine responses were received and following an extensive evaluation, staff are recommending awarding a five year contract to TD Canada Trust. The proposal from TD Canada Trust demonstrated an ability to meet all of our banking needs at an estimated net cost savings of \$15,000 per year. The commencement of the contract term will be established at a date to be mutually agreed taking into consideration the logistics of the transition. Staff expect this to begin on or about March 1st, 2009.

RECOMMENDATION:

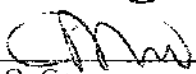
That TD Canada Trust be approved as the provider of general banking services for a five year term commencing on or about March 1, 2009.



Report Writer



General Manager concurrence



C.A.O. Concurrence

COMMENTS:



RDN REPORT	
CAO APPROVAL	
EAP	
CCW	✓ <i>Jan 13 09</i>
DEC 13 2008	
RHD	
BOARD	

MEMORANDUM

TO: Tom Armet
Manager, Building and Bylaw Services

DATE: December 30, 2008

FROM: Jerry Schaefer
Building/Bylaw Compliance Officer

FILE: 291A08

SUBJECT: 2305 Hemer Road - Building Bylaw Contravention

PURPOSE

To obtain Board approval to file a Notice of Bylaw Contravention on the title of the above-noted property.

BACKGROUND

Property: 2305 Hemer Road, Cedar, Electoral Area 'A'

Legal: Lot B, Section 13, Range 2, Cedar District, Plan VIP85592

Owners: Howard and Hilary Genner

Zoning: Residential 2 (RS2)

On November 5, 2008 staff received a complaint that a recreational vehicle (RV) was being occupied as a dwelling unit on the subject property. A follow up inspection confirmed that the RV was connected to water, external sewage facilities, power, phone and cable and had permanent blocking installed in addition to the vehicle's self-contained levelling devices. The RV appeared to be occupied by a tenant. Staff also noted the following four structures (*see Attachment No.1*) that were built without required building permits:

- Greenhouse - 2000 sq ft (186 sq m)
- Greenhouse - 140 sq ft (13 sq m)
- Pole shed - 180 sq ft (17 sq m)
- Dwelling/Studio - 2 level building - 480 sq ft (46 sq m) each level

Staff issued written direction to the property owners to make application for building permits for the structures within fourteen days. They were also instructed to disconnect services and permanent blocking from the RV except for one electrical cord and to call for a status inspection within seven days. Staff received a subsequent complaint that the owners moved a derelict double-decker bus onto the property in contravention of zoning regulations. As of the date of this report, the owners have not applied for building permits nor have they confirmed the RV has been disconnected from services or permanent blocking.

ALTERNATIVES

1. That a Notice of Bylaw Contravention be registered on the title of the subject property and staff be directed to take the necessary legal action to bring the property into compliance with "*Regional District of Nanaimo Building Regulations & Fees Bylaw 1250, 2001*" and "*Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987.*"
2. That a Notice of Bylaw Contravention not be registered at this time and staff continue to seek voluntary compliance.

FINANCIAL IMPLICATIONS

Estimated cost of legal action is approximately \$4,000, including disbursements.

SUMMARY

Staff received a complaint of illegal use of a recreational vehicle as a dwelling unit on the subject property. An inspection by Bylaw Enforcement staff revealed numerous building and zoning bylaw violations in addition to the original complaint. After being directed in writing to bring their land use into compliance the owners moved a derelict double-decker bus onto the property. As of the date of this report, the owners have not taken the necessary steps to apply for building permits for the 4 illegal buildings or cease using the recreational vehicle as a dwelling. Staff are therefore recommending that a Notice of Bylaw Contravention be registered on the title and legal action be taken, if necessary, to bring the land use into compliance with Regional District of Nanaimo regulations.

RECOMMENDATION

That staff be directed to register a Notice on title pursuant to Section 57 *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 1250, 2001*" and "*Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987.*"

Report Writer

General Manager Concurrence

Manager Concurrence

CAO Concurrence

COMMENTS:

Attachment No. 1



RV permanently sited ^



Two Level Studio/Dwelling ^



Small (left) and Large (right) Greenhouses ^



Pole Shed ^



Two Level Studio/Dwelling ^



	CAO ATERUNAL	✓
EAP		
COW	✓	Jan 13 '09
RHD		
BOARD		

MEMORANDUM

TO: Tom Arnet
 Manager, Building and Bylaw Services

DATE: December 29, 2008

FROM: Allan Dick
 Building Inspection Supervisor

FILE:

SUBJECT: 3466 Simmons Place – Building Bylaw Contravention

PURPOSE

To obtain Board approval to file a Notice of Bylaw Contravention on the title of the above-noted property.

BACKGROUND

Property: 3466 Simmons Place, Nanoose Bay, BC, Electoral Area 'E'

Legal: Strata Lot 56, District Lot 78, Plan VIS3393, Nanoose Land District

Owner: Edwin Guenther

Zoning: Residential 1 (RS1)

On December 20, 2007 a building permit was issued for a single family dwelling with an attached garage. The permit was issued with a proposed main floor elevation of 87.5 feet and a maximum ridge elevation of 103.75 feet. The dwelling unit was proposed to have a maximum ridge elevation of 103.0 feet which met the height restrictions in Bylaw 500 for dwelling units in RS1 zoning. Upon issuance of the permit, the owner signed an acknowledgement of the maximum elevations. A BCL Survey was provided dated January 8, 2008 showing the constructed floor elevation at which time the Building Inspector contacted the owner reminding him of the allowable ridge height. A second BCL Survey was received showing the constructed building to have a ridge elevation of 104.23 feet, putting the building over the allowable height of 103.75 feet by .48 of a foot or 5.79 inches.

The Building Inspections Supervisor contacted the owner and attempted to offer advice on some possible solutions such as a variance application or reduction in the roof elevation. The owner refused to cooperate with staff and was not willing to discuss the matter any further. It should also be noted that a series of inspections were conducted in early 2008, three of which were failed by staff. As of the date of this report, no further inspections have been called for by the owner. A recent inspection by staff confirmed the house is completely finished and currently listed for sale. The house is over-height and no occupancy permit has been issued.

ALTERNATIVES

1. That a Notice of Bylaw Contravention be registered on the title of the subject property and staff be directed to take legal action, if necessary to bring the property into compliance with "Regional District of Nanaimo Building Regulations & Fees Bylaw 1250, 2001" and "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987."
2. That a Notice of Bylaw Contravention not be registered on title at this time and staff be directed to continue to seek voluntary compliance.

FINANCIAL IMPLICATIONS

Estimated cost of legal action is approximately \$4,000, including disbursements.

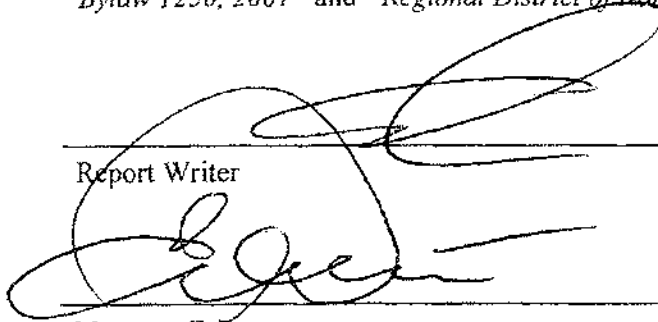
SUMMARY

On December 20, 2007 a building permit was issued for a single family dwelling with an attached garage. The dwelling unit was proposed to have a maximum ridge elevation of 103.0 feet which met the height restrictions in Bylaw 500 for dwelling units in RS1 zoning. Upon issuance of the permit, the owner signed an acknowledgement of the maximum elevations. A subsequent BCL Survey determined that the constructed building had a ridge elevation of 104.23 feet, putting the building over the allowable height of 103.75 feet by .48 of a foot or 5.79 inches. The owner completed the building without calling for any further inspections and currently has the property listed for sale. The building remains over-height and does not have approved occupancy. Staff attempted to secure the owner's cooperation in resolving the issues without success and it appears that legal action is the only remaining option to bring the building into compliance with Regional District regulations.

RECOMMENDATION

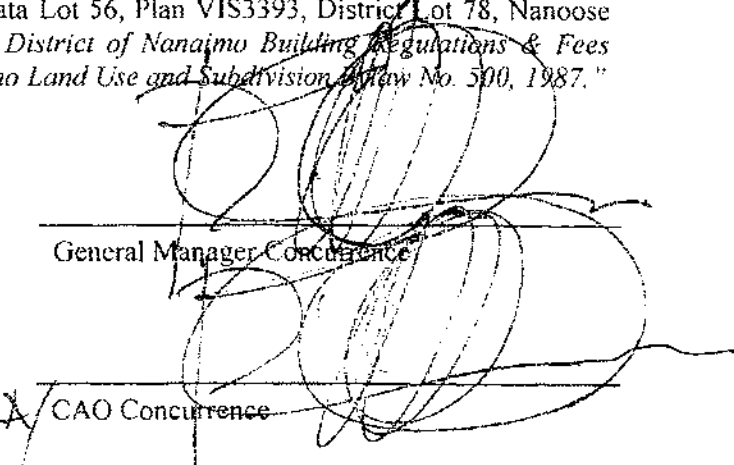
That staff be directed to register a Notice on title pursuant to Section 57 *Community Charter* and that legal action be taken, if necessary to ensure that Strata Lot 56, Plan VIS3393, District Lot 78, Nanoose Land District is in compliance with the "*Regional District of Nanaimo Building Regulations & Fees Bylaw 1250, 2001*" and "*Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987.*"

Report Writer



Manager Concurrence

General Manager Concurrence



CAO Concurrence

COMMENTS:

Attachment No. 1





NEW REPORT	
ONLY APPROVAL	✓
EMP	
COV	Dec 13 07
DISTRICT	
RND	
BOARD	

MEMORANDUM

TO: Paul Thorkelsson
General Manager, Development Services

DATE: December 16, 2008

FROM: Tom Armet
Manager, Building and Bylaw Services

FILE: 0470 20 LANT

SUBJECT: District of Lantzville Development Services Contract Agreements – 2009/2010

PURPOSE

To approve the 2009/2010 service agreements between the Regional District of Nanaimo (RDN) and the District of Lantzville as requested by the District of Lantzville.

BACKGROUND

Section 176(1)(b) and 837 of the *Local Government Act* allows a Regional District to enter into an agreement with a municipality to provide a work or service that is within the powers of a municipality. The District of Lantzville has requested that the Regional District continue to provide contract services in support of the functions listed below for a two year period (*see Attachment No. 1*). The Regional District has been providing these services since the date of incorporation of the municipality in 2003. In order to continue to provide these services, it is proposed that eight service agreements be renewed for a period of two years beginning January 1, 2009 and expiring December 31, 2010.

The Planning and Land Use Management Agreement ended on June 30, 2005, however, the District of Lantzville wishes to maintain the GIS and mapping services component of the Planning and Land Use Management contract as a separate agreement.

Pursuant to the service agreements, staff resources would be allocated to administer and enforce certain bylaws and provide the specified services to the District of Lantzville. Copies of the proposed Service Agreements for the following services' area are attached (*see Attachment No. 2*).

- Animal Control Services
- Building Inspection
- Bylaw Enforcement
- GIS and Mapping Services
- House Numbering
- Noise Regulation
- Nuisance Control
- Unsightly Premises

ALTERNATIVES

1. To ratify the service agreements between the Regional District of Nanaimo and the District of Lantzville.
2. To recommend amendments to the agreements and direct staff to negotiate the amendments with the District of Lantzville.
3. To not enter into service agreements with the District of Lantzville.

FINANCIAL AND SERVICE IMPLICATIONS

Service agreements have been proposed that will establish a contractual relationship between the RDN and District of Lantzville allowing RDN staff to continue to provide designated services and enforce specified bylaws within the incorporated boundaries of the District of Lantzville until the end of 2010. As per the agreements, the RDN shall provide these services at a level equivalent to current service provisions in the Electoral Areas for the prescribed fees. The fees for the services have been established according to the pro rata cost of the service as shared between the Electoral Areas and the District of Lantzville. In addition, the RDN also retains any application, permit, and other fees and charges related to the services. The projected revenue from these services has been included in the 2009 RDN Budget.

VOTING

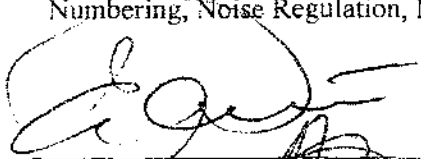
All Directors – weighted vote.


SUMMARY

As permitted by the *Local Government Act*, the Regional District of Nanaimo is proposing to enter into service agreements with the District of Lantzville for eight services for an additional two years. The agreements are proposed to terminate on December 31, 2010. It is recommended that the eight proposed agreements providing for various services to the District of Lantzville be approved.


RECOMMENDATION

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.



Report Writer


General Manager Concurrence
COMMENTS:



CAO Concurrence

ATTACHMENT NO. 1



District of Lantzville

Incorporated June 2003

December 16, 2008

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

Attention: Maureen Pearse, Senior Manager of Corporate Administration

Dear Ms. Pearse

Re: Request to Renew Service Agreements

Further to my letter of October 28th, 2008 and the District's discussions with Carol Mason and Paul Thorkelsson in November regarding renewal of the Regional District of Nanaimo and the District of Lantzville service agreements, please accept this letter as a formal request to amend the term of the agreements listed below to a two-year term commencing January 1st, 2009 and terminating December 31st, 2010. The lengthier term would assist both the District and the Region in planning their yearly budget and staffing needs.

- Animal Control Services
- Building Inspection
- Bylaw Enforcement
- House Numbering
- GIS/Mapping
- Noise Regulation
- Nuisance Control; and
- Unsightly Premises

Thank you for considering this request.

Yours truly

Donna Smith
Deputy Director of Corporate Administration
District of Lantzville

File: 2240-20-01
G: Corr/08/rdn/agreementrenewals_2yr
C: T. L. Greif, CAO, District of Lantzville
C. Mason, CAO, Regional District of Nanaimo
P. Thorkelsson, General Manager, Development Services
T. Armet, Manager, Building & Bylaw Services, Regional District of Nanaimo

Phone: (250) 390-4006 • Fax: (250) 390-5188
Email: district@lantzville.ca • Website: www.lantzville.ca
P.O. Box 100, 7192 Lantzville Road, Lantzville, B.C. V0R 2H0

ATTACHMENT NO. 2

ANIMAL CONTROL SERVICES

THIS AGREEMENT made as at the ____ day of _____ 2009

BETWEEN:

REGIONAL DISTRICT OF NANAIMO
of 6300 Hammond Bay Road
in the City of Nanaimo
Province of British Columbia V9T 6N2

(hereinafter called "RDN")

OF THE FIRST PART

AND:

DISTRICT OF LANTZVILLE
of 7192 Lantzville Road
in the District of Lantzville
Province of British Columbia V0R 2H0

(hereinafter called "Lantzville")

OF THE SECOND PART

WHEREAS:

- A. RDN, under Section 176(1)(b) and 837 of the *Local Government Act*, may enter into an Agreement with a Municipality to provide to the Municipality a service that is a work or service within the powers of the Municipality;
- B. Letters Patent incorporating Lantzville and Supplementary Letters patent issued to RDN, both under Order in Council No. 0369, 3rd of April, 2003, establish a contract between Lantzville and RDN whereby RDN will administer regulatory bylaw listed in Schedule 'A' attached to this Agreement (the "Bylaw") in force and effect at the time of incorporation of Lantzville, within and on behalf of Lantzville, as described in Section 14.2 of the Lantzville Letters Patent and the parties wish to continue this contract; and,
- C. The Bylaws are within the powers of Lantzville;

NOW THEREFORE the parties hereto in consideration of the performance of the covenants hereinafter contained and for other valuable consideration, the sufficiency and receipt of which is hereby acknowledged, covenant and agree with the other as follows:

Term

1. This Agreement is for a term commencing on the 1st day of January 2009 and terminating the 31st day of December 2010.

Renewal

2. Lantzville shall notify RDN in writing on or before the 31st day of October 2010 if it wishes to renew this Agreement for a further period and shall propose terms to be included in the renewal. The renewal shall be conditional upon agreement by RDN to all of the terms and conditions of the renewal.

Fee

3. The fee for administering and providing the services as set out in Section 5 of this Agreement shall be the pro rata share of the cost of the service based on the converted assessments as shared among Regional District of Nanaimo Electoral Areas 'A', 'B', 'C' and the District of Lantzville.

Termination

4. If Lantzville does not give notice to RDN of renewal pursuant to Section 2 of this Agreement the services provided under it shall terminate on December 31st, 2010.

RDN Covenants

5. (1) For the purposes of this Agreement "Services" means the administration of the Bylaws, including the following services, provided to the equivalent level of Services as RDN provides to the Electoral Areas:
 - (2) RDN shall:
 - (a) provide all Services from its offices at 6300 Hammond Bay Road, Nanaimo;
 - (b) administer and enforce the Bylaws, and shall exercise the powers contained within the Bylaws for and on behalf of Lantzville;
 - (c) administer any animal control agreement or service contract related to animal control services;
 - (d) provide all Services to Lantzville in a competent, careful and professional manner equivalent to the standard of Services provided by RDN within Electoral Areas;
 - (e) designate the Administrator, subject to direction by RDN Board, as the primary contact with the District of Lantzville, with respect to the Services.

Lantzville Covenants

6. Lantzville shall:
- (a) pay to RDN the amount under Section 3 prior to August 15th of each year of this agreement.
 - (b) where Lantzville Council passes a resolution authorizing that legal action be commenced, or legal action results from the administration of the service, Lantzville shall retain legal counsel to enforce the bylaw or defend against the legal action and RDN will give support to the legal action by conducting investigations, providing evidence and reviewing documents as required by legal counsel for Lantzville;
 - (c) pay to RDN any costs incurred by RDN as a result of direction given by legal counsel for Lantzville, including costs for appearances and expenses, or incidental costs related to the gathering of evidence or to defend the actions of RDN;
 - (d) designate the Chief Administrative Officer, subject to direction by the Lantzville Council by Resolution, as the primary contact with RDN with respect to the Service. It is understood and agreed by Lantzville that individual Councilors may contact the RDN Senior Manager, Corporate Administration directly but only for enquiry purposes and not to give direction;
 - (e) appoint those persons designated by RDN to enforce the Bylaws as authorized officers and shall appoint a person designated by RDN as an animal control officer.

Indemnity

7. Lantzville shall release, discharge, indemnify and save harmless RDN from and against any claims, cause of action, suits, demands, expenses, costs and legal fees whatsoever which may arise out of:
- (a) the provision of the Services by RDN; and,
 - (b) failure by Lantzville to enforce the provisions of the Bylaws or any one of them.

Insurance

8. Lantzville shall:
- (a) take out and maintain, during the term of this Agreement, liability insurance to cover the indemnity given to RDN in Section 7 of this Agreement, in the amount of not less than 5 million dollars per single occurrence, naming RDN as an insured party thereto, and shall provide RDN with a certified copy of the policy;
 - (b) the policy of insurance under sub-clause (a) shall contain a waiver of subrogation clause in favour of RDN and shall also contain a clause requiring the

insurer not to cancel or change the insurance without first giving RDN thirty (30) days prior written notice; and,

- (c) if both Lantzville and RDN have claims to be indemnified under any insurance required by this Agreement, shall apply the indemnity first to the settlement of the claim of RDN and the balance, if any, to the settlement of the claim of Lantzville.

Limits on Liability

- 9. Lantzville and RDN acknowledge and agree that:
 - (a) RDN is liable only for Services rendered by RDN in a negligent manner or for advice negligently given; and,
 - (b) Lantzville is liable only for failure to enforce any of the Bylaws or for matters arising out of the amendment of any of the Bylaws or the enactment of any replacement Bylaw for which Services are provided by RDN.

Binding Effect

- 10. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their seals on the day and year first above written.

The Corporate Seal of)
REGIONAL DISTRICT OF NANAIMO)
was affixed hereto in the)
presence of:)

_____)
General Manager, Development Services)

_____)
Senior Manager, Corporate Administration)

The Corporate Seal of)
THE DISTRICT OF LANTZVILLE)
was hereunto affixed in the)
presence of:)

_____)
Mayor)

_____)
Chief Administrative Officer)

Schedule "A"

Bylaw No.	Date of Adoption	Citation
1066	March 11, 1997	Animal Control-Regulatory Bylaw No. 1066, 1996

BUILDING INSPECTION

THIS AGREEMENT made as at the ____ day of _____ 2009

BETWEEN:

REGIONAL DISTRICT OF NANAIMO
of 6300 Hammond Bay Road
in the City of Nanaimo
Province of British Columbia V9T 6N2

(hereinafter called "RDN")

OF THE FIRST PART

AND:

DISTRICT OF LANTZVILLE
of 7192 Lantzville Road
in the District of Lantzville
Province of British Columbia V0R 2H0

(hereinafter called "Lantzville")

OF THE SECOND PART

WHEREAS:

- A. RDN, under Section 176(1)(b) and 837 of the *Local Government Act*, may enter into an Agreement with a Municipality to provide to the Municipality a service that is a work or service within the powers of the Municipality;
- B. Letters Patent incorporating Lantzville and Supplementary Letters patent issued to RDN, both under Order in Council No. 0369, 3rd of April, 2003, establish a contract between Lantzville and RDN whereby RDN will administer regulatory bylaws listed in Schedule 'A' attached to this Agreement (the "Bylaws") in force and effect at the time of incorporation of Lantzville, within and on behalf of Lantzville, as described in Section 14.2 of the Lantzville Letters Patent; and
- C. The Bylaws are within the powers of Lantzville;

NOW THEREFORE the parties hereto in consideration of the performance of covenants hereinafter contained and for other valuable consideration, the sufficiency and receipt of which is hereby acknowledged, covenant and agree with the other as follows:

Term

1. This Agreement is for a term commencing on the 1st day of January 2009 and terminating the 31st day of December 2010.

Renewal

2. Lantzville shall notify RDN in writing on or before the 31st day of October 2010 if it wishes to renew this Agreement for a further period and shall propose terms to be included in the renewal. The renewal shall be conditional upon agreement by RDN to all of the terms and conditions of the renewal.

Termination

3. (1) If Lantzville does not give notice to the RDN of renewal pursuant to Section 2 of this Agreement, then the services provided under it shall terminate on December 31st, 2010;
- (2) On termination of this Agreement, RDN shall turn over responsibility for the completion of all active building permit files ("Active Permits") to Lantzville on the following terms and conditions:
 - (a) Lantzville shall cause its building inspector to review all applications in respect of Active Permits to confirm that the plans comply with the Building Code and shall not rely upon the issuance of a building permit by the RDN as representation of such compliance;
 - (b) RDN shall deliver to Lantzville 40% of the permit fee where the permit has been issued but no inspections have yet been carried out; and
 - (c) RDN shall deliver to Lantzville 20% of the permit fee where framing inspections have been completed; and,
 - (d) Lantzville shall release and save harmless the RDN, its agents and employees from and against any claims, causes of action, suits, demands, expenses, costs and legal fees whatsoever which may arise out of any claim in relation to any Active Permit.

RDN Covenants

4. (1) For the purposes of this Agreement "Services" means the administration of the Bylaws, including the following services, provided to the equivalent level of Services as RDN provides to the Electoral Areas:
- (2) RDN shall:
 - (a) provide all Services from its offices at 6300 Hammond Bay Road, Nanaimo;

- (b) administer and enforce the Bylaws, and shall exercise the powers contained within the Bylaws for and on behalf of Lantzville;
- (c) provide all Services to Lantzville in a competent, careful and professional manner equivalent to the standard of Services provided by the RDN within the Electoral Areas;
- (d) designate the Administrator, subject to direction by the RDN Board, as the primary contact with the District of Lantzville, with respect to the Services;
- (e) advise Lantzville on or before March 31st, of each year, the levy for the service.

Lantzville Covenants

5. Lantzville shall:
- (a) pay to RDN in consideration of the performance by RDN of the Services, the cost of the Services in an amount equivalent to the rate per thousand each Electoral Area is charged for the service. For the purposes of this section, the costs shall include staff salaries, operating costs and office overhead;
 - (b) at the direction of the RDN pay to RDN the amount calculated under clause (a) on or before August 15th, of each year of this agreement;
 - (c) where Lantzville Council passes a resolution authorizing that legal action be commenced, Lantzville shall retain legal counsel to undertake the work to a standard set out in the resolution and the RDN will give support to the action by conducting investigations, providing evidence and reviewing documents as required by legal counsel for Lantzville;
 - (d) pay to the RDN any costs incurred by the RDN as result of direction given by legal counsel for Lantzville, including costs for appearances and expenses, or incidental costs related to the gathering of evidence or to defend the actions of the RDN;
 - (e) designate the Chief Administrative Officer, subject to direction by the Lantzville Council by Resolution, as the primary contact with RDN staff with respect to the Services. It is understood and agreed by Lantzville that individual Councilors may contact the RDN Senior Manager, Corporate Administration directly but only for enquiry purposes and not to give direction;
 - (f) appoint those persons designated by RDN to enforce the Bylaws as authorized officers.

Indemnity

6. Lantzville shall release, discharge, indemnify and save harmless RDN from and against any claims, cause of action, suits, demands, expenses, costs and legal fees whatsoever which may arise out of:

- (a) the provision of the Services by RDN;
- (b) the provision of the Building Inspection Services by the RDN when interpreting and administering the bylaws, and exercise the powers contained within the bylaws for and on behalf of Lantzville as it relates to the Planning and Land Use Management; and,
- (c) failure by Lantzville to enforce the provisions of the Bylaws or any one of them.

Insurance

7. Lantzville shall:
- a. take out and maintain, during the term of this Agreement, liability insurance to cover the indemnity given to RDN in Section 6 of this Agreement, in the amount of not less than 5 million dollars per single occurrence, naming RDN as an insured party thereto, and shall provide RDN with a certified copy of the policy;
 - b. the policy of insurance under sub-clause (a) shall contain a waiver of subrogation clause in favour of RDN and shall also contain a clause requiring the insurer not to cancel or change the insurance without first giving RDN thirty (30) days prior written notice; and,
 - c. if both Lantzville and RDN have claims to be indemnified under any insurance required by this Agreement, shall apply the indemnity first to the settlement of the claim of RDN and the balance, if any, to the settlement of the claim of Lantzville.

Limits on Liability

8. Lantzville and RDN acknowledge and agree that:
- (a) RDN is liable only for Services rendered by the RDN in a negligent manner or for advice negligently given; and,
 - (b) Lantzville is liable only for failure to enforce any of the Bylaws or for matters arising out of the amendment of any of the Bylaws or the enactment of any replacement Bylaw for which Services are provided by RDN.

Binding Effect

9. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their seals on the day and year first above written.

The Corporate Seal of)
REGIONAL DISTRICT OF NANAIMO)
was affixed hereto in the)
presence of:)

_____)
General Manager, Development Services)

_____)
Senior Manager, Corporate Administration)

The Corporate Seal of)
THE DISTRICT OF LANTZVILLE)
was hereunto affixed in the)
presence of:)

_____)
Mayor)

_____)
Chief Administrative Officer)

Schedule "A"

Bylaw No.	Date of Adoption	Citation
1250	April 10, 2001	RDN Building Regulation and Fees Bylaw 1250, 2001
1469	March 28, 2006	RDN Floodplain Management Bylaw No. 1469, 2006

BYLAW ENFORCEMENT

THIS AGREEMENT made as at the ___ day of _____ 2009

BETWEEN:

REGIONAL DISTRICT OF NANAIMO
of 6300 Hammond Bay Road
in the City of Nanaimo
Province of British Columbia V9T 6N2

(hereinafter called "RDN")

OF THE FIRST PART

AND:

DISTRICT OF LANTZVILLE
of 7192 Lantzville Road
in the District of Lantzville
Province of British Columbia V0R 2H0

(hereinafter called "Lantzville")

OF THE SECOND PART

WHEREAS:

- A. RDN, under Section 176(1)(b) and 837 of the *Local Government Act*, may enter into an Agreement with a Municipality to provide to the Municipality a service that is a work or service within the powers of the Municipality;
- B. Letters Patent incorporating Lantzville and Supplementary Letters patent issued to RDN, both under Order in Council No. 0369, 3rd of April, 2003, establish a contract between Lantzville and RDN whereby RDN will administer the regulatory bylaw listed in Schedule 'A' to this Agreement (the "Bylaws") in force and effect at the time of incorporation of Lantzville, within and on behalf of Lantzville, as described in Section 14.2 of the Lantzville Letters Patent; and
- C. The Bylaws are within the powers of Lantzville;

NOW THEREFORE the parties hereto in consideration of the performance of the covenants hereinafter contained and for other valuable consideration, the sufficiency and receipt of which is hereby acknowledged, covenant and agree with the other as follows:

Term

1. This Agreement is for a term commencing on the 1st day of January 2009 and terminating the 31st day of December 2010.

Renewal

2. Lantzville shall notify RDN in writing on or before the 31st day of October 2010 if it wishes to renew this Agreement for a further period and shall propose terms to be included in the renewal. The renewal shall be conditional upon agreement by RDN to all of the terms and conditions of the renewal.

Termination

3. If Lantzville does not give notice to the RDN of renewal pursuant to Section 2 of this Agreement, the services provided under it shall terminate on December 31st, 2010.

RDN Covenants

4. (1) For the purposes of this Agreement "Services" means the administration of the Bylaws, including the following services, provided to the equivalent level of services as RDN provides to the Electoral Areas:
 - (2) RDN shall:
 - (a) provide all Services from its offices at 6300 Hammond Bay Road, Nanaimo;
 - (b) administer and enforce the Bylaws, and shall exercise the powers contained within the Bylaws for and on behalf of Lantzville;
 - (c) provide all Services to Lantzville in a competent, careful and professional manner equivalent to the standard of Services provided by the RDN within the Electoral Areas;
 - (d) advise Lantzville on or before March 31st, of each year, the levy for the service;
 - (a) designate the Administrator, subject to direction by the RDN Board, as the primary contact with Lantzville, with respect to the Services.

Lantzville Covenants

5. Lantzville shall:
 - (a) pay to RDN in consideration of the performance by RDN of the Services, the cost of the Services in an amount equivalent to the rate per thousand each

Electoral Area is charged for the service. For the purposes of this section, the costs shall include staff salaries, operating costs and office overhead;

- (b) at the direction of the RDN, pay to RDN the amount calculated under clause (a) on or before August 15th, of each year of this agreement;
- (c) where Lantzville Council passes a resolution authorizing that legal action be commenced, Lantzville shall retain legal counsel to undertake the work to a standard set out in the resolution and the RDN will give support to the action by conducting investigations, providing evidence and reviewing documents as required by legal counsel for Lantzville;
- (d) pay to the RDN any costs incurred by the RDN as result of direction given by legal counsel for Lantzville, including costs for appearances and expenses, or incidental costs related to the gathering of evidence or to defend the actions of the RDN;
- (e) designate the Chief Administrative Officer, subject to direction by the Lantzville Council by Resolution, as the primary contact with RDN with respect to the Services. It is understood and agreed by Lantzville that individual Councilors may contact the RDN Senior Manager, Corporate Administration directly but only for enquiry purposes and not to give direction; and,
- (f) appoint those persons designated by RDN to enforce the Bylaws as authorized officers;

Indemnity

- 6. Lantzville shall release, discharge, indemnify and save harmless RDN from and against any claims, cause of action, suits, demands, expenses, costs and legal fees whatsoever which may arise out of:
 - (a) the provision of the Services by RDN; and
 - (b) failure by Lantzville to enforce the provisions of the Bylaws or any one of them.

Insurance

- 7. Lantzville shall:
 - (a) take out and maintain, during the term of this Agreement, liability insurance to cover the indemnity given to RDN in Section 6 of this Agreement, in the amount of not less than 5 million dollars per single occurrence, naming RDN as an insured party thereto, and shall provide RDN with a certified copy of the policy;
 - (b) the policy of insurance under sub-clause (a) shall contain a waiver of subrogation clause in favour of RDN and shall also contain a clause requiring the insurer not to cancel or change the insurance without first giving RDN thirty (30) days prior written notice; and,

- (c) if both Lantzville and RDN have claims to be indemnified under any insurance required by this Agreement, shall apply the indemnity first to the settlement of the claim of RDN and the balance, if any, to the settlement of the claim of Lantzville.

Limits on Liability

- 8. Lantzville and RDN acknowledge and agree that:
 - (a) RDN is liable only for Services rendered by the RDN in a negligent manner or for advice negligently given; and
 - (b) Lantzville is liable only for failure to enforce any of the Bylaws or for matters arising out of the amendment of any of the Bylaws or the enactment of any replacement Bylaw for which Services are provided by RDN.

Binding Effect

- 9. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their seals on the day and year first above written.

The Corporate Seal of)
REGIONAL DISTRICT OF NANAIMO)
was affixed hereto in the)
presence of:)

_____)
General Manager, Development Services)

_____)
Senior Manager, Corporate Administration)

The Corporate Seal of)
THE DISTRICT OF LANTZVILLE)
was hereunto affixed in the)
presence of:)

_____)
Mayor)

_____)
Chief Administrative Officer)

Schedule "A"

Bylaw No.	Date of Adoption	Citation
1469	March 28, 2006	RDN Floodplain Management Bylaw No. 1469, 2006
993	November 14, 1995	RDN Sign Bylaw No. 993, 1995
972	December 12, 1995	RDN Nuisance Control Extended Service Establishment Bylaw No. 972, 1995
1010	May 14, 1996	RDN Special Events Regulatory Bylaw 1010, 1996
1066	March 11, 1997	Animal Control Regulatory Bylaw No. 1066, 1996
1073	March 11, 1997	Unsightly Premises Regulatory Bylaw No. 1073, 1996
1250	April 10, 2001	RDN Building Regulation and Fees Bylaw 1250, 2001
1265	May 14, 2002	RDN Electoral Area D Noise Control Regulatory Bylaw No. 1265, 2002
28	October 25, 2004	District of Lantzville Traffic and Parking Regulations Bylaw No. 28, 2004
1418	May 24, 2005	RDN Bylaw Enforcement Ticket Regulation Bylaw No. 1418, 2005
39	July 25, 2005	District of Lantzville Fireworks Regulation Bylaw No. 39, 2005
60	November 14, 2005	District of Lantzville Zoning Bylaw No. 60, 2005

GIS AND MAPPING SERVICES

THIS AGREEMENT made on the ____ day of _____ 2009,

BETWEEN:

REGIONAL DISTRICT OF NANAIMO
of 6300 Hammond Bay Road
in the City of Nanaimo
Province of British Columbia V9T 6N2

(hereinafter called "RDN")

OF THE FIRST PART

AND:

DISTRICT OF LANTZVILLE
of 7192 Lantzville Road
in the District of Lantzville
Province of British Columbia V0R 2H0

(hereinafter called "Lantzville")

OF THE SECOND PART

WHEREAS:

- A. The Lantzville Letters Patent and the RDN Supplementary Letters Patent, referred to the transferred jurisdiction for management of development within Lantzville from RDN to Lantzville;
- B. RDN, under Section 176(1)(b) and 837 of the *Local Government Act*, may enter into an Agreement with a Municipality to provide to the Municipality a service that is a work or service within the powers of the Municipality; and
- C. Letters Patent incorporating Lantzville and Supplementary Letters patent issued to RDN, both under Order in Council No. 0369, 3rd of April, 2003, established a contract between Lantzville and RDN whereby RDN administers Bylaws and services outlined herein, in force and effect at the time of incorporation of Lantzville, within and on behalf of Lantzville, as described in Section 14.2 of the Lantzville Letters Patent and the parties wish to continue this contract.

NOW THEREFORE the parties hereto in consideration of the performance of the covenants hereinafter contained and for other valuable consideration, the sufficiency and receipt of which is hereby acknowledged, covenant and agree with the other as follows:

Term

1. This Agreement is for a term commencing on the 1st day of January 2009 and terminating the 31st day of December 2010.

Fee

2. The fee for administering and providing the GIS and mapping services for this agreement shall be \$10,000.00 per each year of this agreement.

Renewal

3. Lantzville shall notify RDN in writing on or before the 31st day of October 2010 if it wishes to renew this Agreement for a further year and shall propose terms to be included in the renewal. The renewal shall be conditional upon agreement by RDN to all of the terms and conditions of the renewal.

Termination

4. If Lantzville does not give notice to RDN of renewal pursuant to Section 2 of this Agreement, the services provided under it shall terminate on the 31st day of December 2010.

RDN Covenants

5. (1) RDN shall:
 - (a) provide all GIS and mapping services from its offices at 6300 Hammond Bay Road, Nanaimo including:
 - i) Production of plot plans and location maps;
 - ii) Production and sales of maps for the general public from the Regional District's office;
 - iii) Production and maintenance of interactive Web Map;
 - iv) Provision of mapping advice/information;
 - v) Maintenance and revisions of Legal Cadastral Base, Official Community Plan, Zoning, ALR, and House Number maps and data;
 - (b) receive and retain all monies from sales of maps, photocopies and documents for the general public;
 - (c) provide all services to Lantzville in a competent, careful and professional manner equivalent to the standard of services provided by RDN within the Electoral Areas;
 - (d) designate the Senior Manager, Corporate Administration, subject to direction by the RDN Board, as the primary contact with Lantzville, with respect to the Services;

- (e) providing a reasonable number of maps to be sold to the general public from the District of Lantzville's offices.

Lantzville Covenants

- 6. Lantzville shall:
 - (a) pay to RDN the specified amount under Section 2 at the same time as it remits the Regional District's annual requisition;
 - (b) designate the Chief Administrative Officer, subject to direction by the District of Lantzville Council, as the primary contact with RDN, with respect to the Services. It is understood and agreed by Lantzville that individual Councilors may contact the RDN Senior Manager, Corporate Administration directly, but only for enquiry purposes and not to give direction.

Additional Services

- 7. Despite the level of service agreed to in Section 5, Lantzville may request that RDN provide additional services subject to terms, and consideration agreed to by Lantzville and RDN, including, but not limited to, custom mapping services for special projects or production of retail maps in significant quantities.

Indemnity

- 8. Lantzville shall release, discharge, indemnify and save harmless RDN from and against any claims, cause of action, suits, demands, expenses, costs and legal fees whatsoever which may arise out of:
 - (a) the provision of the Services by RDN; and
 - (b) failure by Lantzville to enforce the provisions of the Bylaws or any one of them.

Insurance

- 9. Lantzville shall:
 - (a) take out and maintain, during the term of this Agreement, liability insurance to cover the indemnity given to RDN in Section 8 of this Agreement, in the amount of not less than 5 million dollars per single occurrence, naming RDN as an insured party thereto, and shall provide RDN with a certified copy of the policy;
 - (b) the policy of insurance under subclause (a) shall contain a waiver of subrogation clause in favour of RDN and shall also contain a clause requiring the insurer not to cancel or change the insurance without first giving RDN thirty (30) days prior written notice; and
 - (c) if both Lantzville and RDN have claims to be indemnified under any insurance required by this Agreement, shall apply the indemnity first to the

settlement of the claim of RDN and the balance, if any, to the settlement of the claim of Lantzville.

Limits on Liability

10. Lantzville and RDN acknowledge and agree that:
 - (a) RDN is liable only for Services rendered by RDN in a negligent manner or for advice negligently given; and,
 - (b) Lantzville is liable only for failure to enforce any of the Bylaws or for matters arising out of the amendment of any of the Bylaws or the enactment of any replacement Bylaw for which Services are provided by RDN.

Binding Effect

11. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their seals on the day and year first above written.

The Corporate Seal of)
REGIONAL DISTRICT OF NANAIMO)
was affixed hereto in the)
presence of:)

_____)
General Manager, Finance & Information Services)

_____)
Senior Manager, Corporate Administration

The Corporate Seal of)
THE DISTRICT OF LANTZVILLE)
was hereunto affixed in the)
presence of:)

_____)
Mayor)

_____)
Chief Administrative Officer)

HOUSE NUMBERING

THIS AGREEMENT made as at the ___ day of _____ 2009

BETWEEN:

REGIONAL DISTRICT OF NANAIMO
of 6300 Hammond Bay Road
in the City of Nanaimo
Province of British Columbia V9T 6N2

(hereinafter called "RDN")

OF THE FIRST PART

AND:

DISTRICT OF LANTZVILLE
of 7192 Lantzville Road
in the District of Lantzville
Province of British Columbia V0R 2H0

(hereinafter called "Lantzville")

OF THE SECOND PART

WHEREAS:

- A. RDN, under Section 176(1)(b) and 837 of the *Local Government Act*, may enter into an Agreement with a Municipality to provide to the Municipality a service that is a work or service within the powers of the Municipality;
- B. Letters Patent incorporating Lantzville and Supplementary Letters patent issued to RDN, both under Order in Council No. 0369, 3rd of April, 2003, establish a contract between Lantzville and RDN whereby RDN will administer the Service in force and effect at the time of incorporation of Lantzville, within and on behalf of Lantzville, as described in Section 14.2 of the Lantzville Letters Patent; and
- C. The Service within the powers of Lantzville;

NOW THEREFORE the parties hereto in consideration of the performance of the covenants hereinafter contained and for other valuable consideration, the sufficiency and receipt of which is hereby acknowledged, covenant and agree with the other as follows:

Term

1. This Agreement is for a term commencing on the 1st day of January 2009 and terminating the 31st day of December 2010.

Renewal

2. Lantzville shall notify RDN in writing on or before the 31st day of October 2010 if it wishes to renew this Agreement for a further period and shall propose terms to be included in the renewal. The renewal shall be conditional upon agreement by RDN to all of the terms and conditions of the renewal.

Termination

3. If Lantzville does not give notice to RDN of renewal pursuant to Section 2 of this Agreement, the Services provided under it shall terminate on December 31st, 2010.

RDN Covenants

4. (1) RDN shall:
 - (a) provide all Services from its offices at 6300 Hammond Bay Road, Nanaimo;
 - (b) assign house numbers, maintain records and notify, British Columbia Assessment Authority, Telus Address Control Department, Lantzville emergency services and other emergency service providers of changes and additions to house numbering records;
 - (c) provide all Services to Lantzville in a competent, careful and professional manner equivalent to the standards of Services provided by RDN within the Electoral Areas;
 - (d) advise Lantzville on or before March 31st, of each year, the levy for the service; and,
 - (e) provide Services to the equivalent level of services as RDN provides to the Electoral Areas;
 - (f) designate the Administrator, subject to direction by the RDN Board, as the primary contact with Lantzville, with respect to the Services.

Lantzville Covenants

5. Lantzville shall:
- (a) pay to RDN in consideration of the performance by RDN of the Services, the cost of the Services in an amount equivalent to the rate per thousand each Electoral Area is charged for the service. For the purposes of this section, the costs shall include staff salaries, operating costs and office overhead;
 - (b) at the direction of RDN pay to RDN the amount calculated under clause (a) on or before August 15th, of each year of this agreement;
 - (c) designate the Chief Administrative Officer, subject to direction by the Lantzville Council by Resolution, as the primary contact with RDN with respect to the Services. It is understood and agreed by Lantzville that individual Councilors may contact the RDN Senior Manager, Corporate Administration directly but only for enquiry purposes and not to give direction;
 - (d) appoint those persons designated by RDN to enforce the Bylaws as authorized officers.

Indemnity

6. Lantzville shall release, discharge, indemnify and save harmless RDN from and against any claims, cause of action, suits, demands, expenses, costs and legal fees whatsoever which may arise out of:
- (a) the provision of the Services by RDN; and,
 - (b) failure by Lantzville to enforce the provisions of the Bylaws or any one of them.

Insurance

7. Lantzville shall:
- (a) take out and maintain, during the term of this Agreement, liability insurance to cover the indemnity given to RDN in Section 6 of this Agreement, in the amount of not less than 5 million dollars per single occurrence, naming RDN as an insured party thereto, and shall provide RDN with a certified copy of the policy;
 - (b) the policy of insurance under sub-clause (a) shall contain a waiver of subrogation clause in favour of RDN and shall also contain a clause requiring the insurer not to cancel or change the insurance without first giving RDN thirty (30) days prior written notice; and,
 - (c) if both Lantzville and RDN have claims to be indemnified under any insurance required by this Agreement, shall apply the indemnity first to the settlement of the claim of RDN and the balance, if any, to the settlement of the claim of Lantzville.

Limits on Liability

8. Lantzville and RDN acknowledge and agree that:
- (a) RDN is liable only for Services rendered by the RDN in a negligent manner or for advice negligently given; and,
 - (b) Lantzville is liable only for failure to enforce any of the Bylaws or for matters arising out of the amendment of any of the Bylaws or the enactment of any replacement Bylaw for which Services are provided by RDN.

Binding Effect

9. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their seals on the day and year first above written.

The Corporate Seal of)
REGIONAL DISTRICT OF NANAIMO)
was affixed hereto in the)
presence of:)

_____)
General Manager, Development Services)

_____)
Senior Manager, Corporate Administration)

The Corporate Seal of)
THE DISTRICT OF LANTZVILLE)
was hereunto affixed in the)
presence of:)

_____)
Mayor)

_____)
Chief Administrative Officer)

NOISE REGULATION

THIS AGREEMENT made as at the ____ day of _____, 2009

BETWEEN:

REGIONAL DISTRICT OF NANAIMO
of 6300 Hammond Bay Road
in the City of Nanaimo
Province of British Columbia V9T 6N2

(hereinafter called "RDN")

OF THE FIRST PART

AND:

DISTRICT OF LANTZVILLE
of 7192 Lantzville Road
in the District of Lantzville
Province of British Columbia V0R 2H0

(hereinafter called "Lantzville")

OF THE SECOND PART

WHEREAS:

- A. RDN, under Section 176(1)(b) and 837 of the *Local Government Act*, may enter into an Agreement with a Municipality to provide to the Municipality a service that is a work or service within the powers of the Municipality;
- B. Letters Patent incorporating Lantzville and Supplementary Letters patent issued to RDN, both under Order in Council No. 0369, 3rd of April, 2003, establish a contract between Lantzville and RDN whereby RDN will administer the regulatory bylaw listed in Schedule 'A' attached to this Agreement (the "Bylaw") in force and effect at the time of incorporation of Lantzville, within and on behalf of Lantzville, as described in Section 14.2 of the Lantzville Letters Patent; and
- C. The Service is within the powers of Lantzville;

NOW THEREFORE the parties hereto in consideration of the performance of the covenants hereinafter contained and for other valuable consideration, the sufficiency and receipt of which is hereby acknowledged, covenant and agree with the other as follows:

Term

1. This Agreement is for a term commencing on the 1st day of January, 2009 and terminating the 31st day of December, 2010.

Renewal

2. Lantzville shall notify RDN in writing on or before the 31st day of October, 2010 if it wishes to renew this Agreement for a further period and shall propose terms to be included in the renewal. The renewal shall be conditional upon agreement by RDN to all of the terms and conditions of the renewal.

Termination

3. If Lantzville does not give notice to RDN of renewal pursuant to Section 2 of this Agreement, the services provided under it shall terminate on December 31, 2010.

RDN Covenants

4. (1) For the purposes of this Agreement "Services" means the administration of the Bylaws, including the following services, provided to the equivalent level of Services as RDN provides to the Electoral Areas:
 - (2) RDN shall:
 - (a) provide all Services from its offices at 6300 Hammond Bay Road, Nanaimo;
 - (b) administer and enforce the Bylaws, and shall exercise the powers contained within the Bylaws for and on behalf of Lantzville;
 - (c) provide all Services to Lantzville in a competent, careful and professional manner equivalent to the standard of Services provided by RDN within the Electoral Areas; and,
 - (d) advise Lantzville on or before March 31st, of each year, the levy for the service; and,
 - (e) designate the Administrator, subject to direction by RDN Board, as the primary contact with the District of Lantzville, with respect to the Services.

Lantzville Covenants

5. Lantzville shall:

- (a) pay to RDN in consideration of the performance by RDN of the Services, the cost of the Services in an amount equivalent to the rate per thousand each Electoral Area is charged for the service. For the purposes of this section, the costs shall include staff salaries, operating costs and office overhead;
- (b) at the direction of RDN, pay to RDN the amount calculated under clause (a) on or before August 15, of each year of this agreement;
- (c) where Lantzville Council passes a resolution authorizing that legal action be commenced, Lantzville shall retain legal council to undertake the work to a standard set out in the resolution and RDN will give support to the action by conducting investigations, providing evidence and reviewing documents as required by legal council for Lantzville;
- (d) pay to RDN any costs incurred by RDN as a result of direction given by legal counsel for Lantzville, including costs for appearances and expenses, or incidental costs related to the gathering of evidence or to defend the actions of RDN;
- (e) designate the Chief Administrative Officer, subject to direction by the Lantzville Council by Resolution, as the primary contact with RDN with respect to the Services. It is understood and agreed by Lantzville that individual Councilors may contact the RDN Senior Manager, Corporate Administration directly but only for enquiry purposes and not to give direction; and,
- (f) appoint those persons designated by RDN to enforce the Bylaws as authorized officers.

Indemnity

6. Lantzville shall release, discharge, indemnify and save harmless RDN from and against any claims, cause of action, suits, demands, expenses, costs and legal fees whatsoever which may arise out of:
- (a) the provision of the Services by RDN; and,
 - (b) failure by Lantzville to enforce the provisions of the Bylaws or any one of them.

Insurance

7. Lantzville shall:

- (a) take out and maintain, during the term of this Agreement, liability insurance to cover the indemnity given to RDN in Section 6 of this Agreement, in the amount of not less than 5 million dollars per single occurrence, naming RDN as an insured party thereto, and shall provide RDN with a certified copy of the policy;

- (b) the policy of insurance under sub-clause (a) shall contain a waiver of subrogation clause in favour of RDN and shall also contain a clause requiring the insurer not to cancel or change the insurance without first giving RDN thirty (30) days prior written notice; and,
- (c) if both Lantzville and RDN have claims to be indemnified under any insurance required by this Agreement, shall apply the indemnity first to the settlement of the claim of RDN and the balance, if any, to the settlement of the claim of Lantzville.

Limits on Liability

- 8. Lantzville and RDN acknowledge and agree that:
 - (a) RDN is liable only for Services rendered by RDN in a negligent manner or for advice negligently given; and,
 - (b) Lantzville is liable only for failure to enforce any of the Bylaws or for matters arising out of the amendment of any of the Bylaws or the enactment of any replacement Bylaw for which Services are provided by RDN.

Binding Effect

- 9. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their seals on the day and year first above written.

The Corporate Seal of)
REGIONAL DISTRICT OF NANAIMO)
was affixed hereto in the)
presence of:)

_____)
General Manager, Development Services)
_____)
Senior Manager, Corporate Administration)

The Corporate Seal of)
THE DISTRICT OF LANTZVILLE)
was hereunto affixed in the)
presence of:)

_____)
Mayor)
_____)
Chief Administrative Officer)

Schedule "A"

Bylaw No.	Date of Adoption	Citation
1265	May 14, 2002	RDN Electoral Area D Noise Control Regulatory Bylaw No. 1265, 2002

NUISANCE CONTROL

THIS AGREEMENT made as at the _____ day of _____ 2009

BETWEEN:

REGIONAL DISTRICT OF NANAIMO
of 6300 Hammond Bay Road
in the City of Nanaimo
Province of British Columbia V9T 6N2

(hereinafter called "RDN")

OF THE FIRST PART

AND:

DISTRICT OF LANTZVILLE
of 7192 Lantzville Road
in the District of Lantzville
Province of British Columbia V0R 2H0

(hereinafter called "Lantzville")

OF THE SECOND PART

WHEREAS:

- A. RDN, under Section 176(1)(b) and 837 of the *Local Government Act*, may enter into an Agreement with a Municipality to provide to the Municipality a service that is a work or service within the powers of the Municipality;
- B. Letters Patent incorporating Lantzville and Supplementary Letters patent issued to RDN, both under Order in Council No. 0369, 3rd of April, 2003, establish a contract between Lantzville and RDN whereby RDN will administer the Service as listed in Schedule 'A' to this Agreement in force and effect at the time of incorporation of Lantzville, within and on behalf of Lantzville, as described in Section 14.2 of the Lantzville Letters Patent; and
- C. The Service is within the powers of Lantzville.

NOW THEREFORE the parties hereto in consideration of the performance of the covenants hereinafter contained and for other valuable consideration, the sufficiency and receipt of which is hereby acknowledged, covenant and agree with the other as follows:

Term

1. This Agreement is for a term commencing on the 1st day of January 2009 and terminating the 31st day of December 2010.

Renewal

2. Lantzville shall notify RDN in writing on or before the 31st day of October 2010 if it wishes to renew this Agreement for a further period and shall propose terms to be included in the renewal. The renewal shall be conditional upon agreement by RDN to all of the terms and conditions of the renewal.

Termination

3. If Lantzville does not give notice to RDN of renewal pursuant to Section 2 of this Agreement, the Services provided under it shall terminate on December 31, 2010.

RDN Covenants

4. (1) For the purposes of this Agreement "Services" means the administration of the Bylaws, including the following services, provided to the equivalent level of Services as RDN provides to the Electoral Areas:
 - (2) RDN shall:
 - (a) provide all Services from its offices at 6300 Hammond Bay Road, Nanaimo;
 - (b) administer and enforce the Bylaws, and shall exercise the powers contained within the Bylaws for and on behalf of Lantzville;
 - (c) provide all Services to Lantzville in a competent, careful and professional manner equivalent to the standard of Services provided by RDN within the Electoral Areas;
 - (d) advise Lantzville on or before March 31st, of each year, the levy for the service; and,
 - (e) designate the Administrator, subject to direction by the RDN Board, as the primary contact with the District of Lantzville, with respect to the Services.

Lantzville Covenants

5. Lantzville shall:
- (a) pay to RDN in consideration of the performance by RDN of the Services, the cost of the Services in an amount equivalent to the rate per thousand each Electoral Area is charged for the service. For the purposes of this section, the costs shall include staff salaries, operating costs and office overhead;
 - (b) at the direction of RDN pay to RDN the amount calculated under clause (a) on or before August 15th, of each year of this agreement;
 - (c) where Lantzville Council passes a resolution authorizing that legal action be commenced, Lantzville shall retain legal counsel to undertake the work to a standard set out in the resolution and RDN will give support to the action by conducting investigations, providing evidence and reviewing documents as required by legal counsel for Lantzville;
 - (d) pay to RDN any costs incurred by RDN as result of direction given by legal counsel for Lantzville, including costs for appearances and expenses, or incidental costs related to the gathering of evidence or to defend the actions of RDN;
 - (e) designate the Chief Administrative Officer, subject to direction by the Lantzville Council by Resolution, as the primary contact with RDN with respect to the Services. It is understood and agreed by Lantzville that individual Councilors may contact the RDN Senior Manager, Corporate Administration directly but only for enquiry purposes and not to give direction;
 - (f) appoint those persons designated by RDN to enforce the Bylaws as authorized officers.

Indemnity

6. Lantzville shall release, discharge, indemnify and save harmless RDN from and against any claims, cause of action, suits, demands, expenses, costs and legal fees whatsoever which may arise out of:
- (a) the provision of the Services by RDN; and,
 - (b) failure by Lantzville to enforce the provisions of the Bylaws or any one of them.

Insurance

7. Lantzville shall:
- (a) take out and maintain, during the term of this Agreement, liability insurance to cover the indemnity given to RDN in Section 6 of this Agreement, in the amount

of not less than 5 million dollars per single occurrence, naming RDN as an insured party thereto, and shall provide RDN with a certified copy of the policy;

- (b) the policy of insurance under sub-clause (a) shall contain a waiver of subrogation clause in favour of RDN and shall also contain a clause requiring the insurer not to cancel or change the insurance without first giving RDN thirty (30) days prior written notice; and,
- (c) if both Lantzville and RDN have claims to be indemnified under any insurance required by this Agreement, shall apply the indemnity first to the settlement of the claim of RDN and the balance, if any, to the settlement of the claim of Lantzville.

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was affixed hereto in the)
presence of:)

_____)
General Manager, Development Services)

_____)
Senior Manager, Corporate Administration)

The Corporate Seal of)
THE DISTRICT OF LANTZVILLE)
was hereunto affixed in the)
presence of:)

_____)
Mayor)

_____)
Chief Administrative Officer)

Schedule "A"

Bylaw No.	Date of Adoption	Citation
972	December 12, 1995	RDN Nuisance Control Extended Service Establishment Bylaw No. 972, 1995

UNSIGHTLY PREMISES

THIS AGREEMENT made as at the ____ day of _____ 2009

BETWEEN:

REGIONAL DISTRICT OF NANAIMO
of 6300 Hammond Bay Road
in the City of Nanaimo
Province of British Columbia V9T 6N2

(hereinafter called "RDN")

OF THE FIRST PART

AND:

DISTRICT OF LANTZVILLE
of 7192 Lantzville Road
in the District of Lantzville
Province of British Columbia V0R 2H0

(hereinafter called "Lantzville")

OF THE SECOND PART

WHEREAS:

- A. RDN, under Section 176(1)(b) and 837 of the *Local Government Act*, may enter into an Agreement with a Municipality to provide to the Municipality a service that is a work or service within the powers of the Municipality;
- B. Letters Patent incorporating Lantzville and Supplementary Letters patent issued to RDN, both under Order in Council No. 0369, 3rd of April, 2003, establish a contract between Lantzville and RDN whereby RDN will administer the Regulatory Bylaws listed in Schedule 'A' to this Agreement (the "Bylaws") in force and effect at the time of incorporation of Lantzville, within and on behalf of Lantzville, as described in Section 14.2 of the Lantzville Letters Patent; and
- C. The Service is within the powers of Lantzville;

NOW THEREFORE the parties hereto in consideration of the performance of the covenants hereinafter contained and for other valuable consideration, the sufficiency and receipt of which is hereby acknowledged, covenant and agree with the other as follows:

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- (b) at the direction of RDN pay to RDN the amount calculated under clause (a) on or before August 15th, of each year of this agreement;
- (c) where Lantzville Council passes a resolution ordering that an unsightly premises be brought up to standard, Lantzville shall retain a contractor to undertake the work to a standard set out in the resolution, to be administered by RDN;
- (d) where a resolution ordering that an unsightly premises be brought up to standard has been passed by Lantzville Council, any fees, charges or legal costs incurred by RDN to administer the enforcement of the resolution by RDN shall be paid by Lantzville;
- (e) where Lantzville Council passes a resolution authorizing that legal action be commenced, Lantzville shall retain legal counsel to undertake the work to a standard set out in the resolution and RDN will give support to the action by conducting investigations, providing evidence and reviewing documents as required by legal counsel for Lantzville;
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- (g) designate the Chief Administrative Officer, subject to direction by the Lantzville Council by Resolution, as the primary contact with RDN with respect to the Services. It is understood and agreed by Lantzville that individual Councilors may contact the RDN Senior Manager, Corporate Administration directly but only for enquiry purposes and not to give direction; and,
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The Corporate Seal of)
REGIONAL DISTRICT OF NANAIMO)
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General Manager, Development Services)

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Senior Manager, Corporate Administration)

The Corporate Seal of)
THE DISTRICT OF LANTZVILLE)
was hereunto affixed in the)
presence of:)

_____)
Mayor)

_____)
Chief Administrative Officer)

Schedule "A"

Bylaw No.	Date of Adoption	Citation
1073	March 11, 1997	Unsightly Premises Regulatory Bylaw No. 1073, 1996



**REGIONAL
DISTRICT
OF NANAIMO**

NON-REMOVED	CAO APPROVAL
EAP	
CCW	Jan 13 '09
AND	
BOARD	

MEMORANDUM

TO: Paul Thorkelsson
General Manager, Development Services

DATE: December 30, 2008

FROM: Tom Armet
Manager, Building and Bylaw Services

FILE: 3900-20-787.09

SUBJECT: Amendment Bylaw No 787.09 – Inclusion in a Building Inspection Area
Regional District of Nanaimo Properties - Electoral Areas 'A', 'C', 'F' and 'H'

PURPOSE

To consider inclusion of all Regional District of Nanaimo owned properties into Building Inspection Service Areas.

BACKGROUND

The purpose of this report is to seek Board approval for inclusion of all Regional District of Nanaimo owned properties into Building Inspection Service Areas. The Board's 2006-2009 Strategic Plan directed that a strategy to implement building inspection across all electoral areas be developed. In this context, staff propose that all Regional District of Nanaimo properties that are not currently in Building Inspection Services Areas, be included.

Attachment No. 1 lists the location and legal descriptions of the 56 parcels located in Electoral Areas 'A', 'C', 'F' and 'H' consisting of parklands and properties containing fire halls and a community center.

ALTERNATIVES

1. To consider "Regional District of Nanaimo Building Inspection Service Bylaw Amendment Bylaw No. 787.09, 2009," for adoption.
2. To not consider "Regional District of Nanaimo Building Inspection Service Bylaw Amendment Bylaw No. 787.09, 2009."

SUSTAINABILITY IMPLICATIONS

Inclusion of Regional District of Nanaimo owned properties in Building Inspection Service Areas is in keeping with the Board's 2006-2009 Strategic Plan (Sustainable Communities) goal, which seeks to implement building inspection services across all electoral areas.

FINANCIAL IMPLICATIONS

There are no financial implications with the inclusion of these properties into Building Inspection Service Areas. The properties are primarily parkland however there are 7 properties containing fire halls and one community center. Any future construction on these properties would require building permits however there would be no impact on resource levels.

VOTING

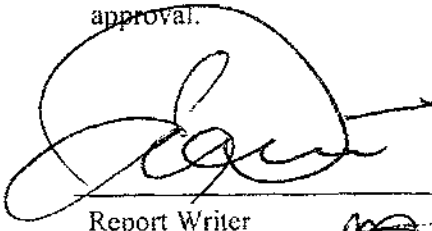
All Directors – one vote.

CONCLUSION


The Board's 2006-2009 Strategic Plan directed that a strategy to implement building inspection across all electoral areas be developed. In this context, staff propose that all Regional District of Nanaimo properties that are not currently in Building Inspection Services Areas, be included. Once the service is established on these parcels, an amendment to Schedule 'A' of "Regional District of Nanaimo Building Regulation and Fees Bylaw No. 1250, 2001," will be required to reflect this inclusion.

RECOMMENDATION

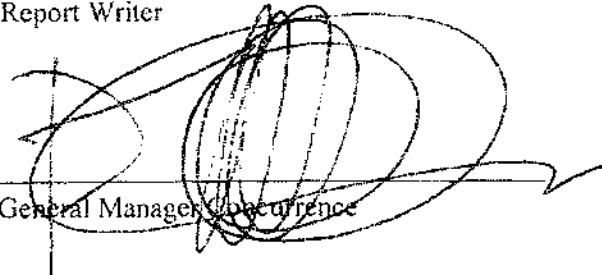
That "Regional District of Nanaimo Building Inspection Service Bylaw Amendment Bylaw No. 787.09, 2009," be introduced and read three times and forwarded to the Ministry of Community Development for approval.



Report Writer



CAO Concurrence



General Manager Concurrence

COMMENTS:

ATTACHMENT NO. 1

**Regional District of Nanaimo Properties
 Inclusion in Building Inspection Service Areas**

Electoral Area	Location/Name	Legal Description
A	Thelma Griffiths Park – Minto Avenue	Lot 1, Plan VIP79928, Section 11, Range 6, Cranberry Land District
A	3500 Hallberg Road (Cranberry Fire Hall)	Lot 32, Plan 25967, District Lot 7, Bright Land District
C	2840 Riverbend Road (Trail)	Park, Plan 38144, Section 2, Range 6, Cranberry Land District
C	2966 Riverbend Road (Greenbelt)	Park, Plan 38144, Section 3, Range 6, Cranberry Land District
C	1919 Plecas Road (Trail)	Park, Plan 50377, Section 13, Range 5, Cranberry Land District
C	District Lot 3 (Greenbelt)	Park, Plan VIP73765, District Lot 3, Douglas Land District
C	District Lot 3 (Greenbelt)	Lot 9, District Lot 3, Plan VIP73765, Douglas Land District
C	District Lot 3 (Greenbelt)	Park, Plan VIP84973, District Lot 3, Douglas Land District
C	1563 Twilight Way (Greenbelt)	Park, Plan VIP59461, District Lot 5, Douglas Land District
C	District Lot 3 (Greenbelt)	Park, Plan VIP77998, District Lot 3, Douglas Land District

ATTACHMENT NO. 1

**Regional District of Nanaimo Properties
 Inclusion in Building Inspection Service Areas**

Electoral Area	Location/Name	Legal Description
F	1023 Allsbrook Road	Park, Plan 39421, District Lot 43, Nanoose Land District
F	898 Hilliers Road	Park, Plan 46163, District Lot 4, Cameron Land District
F	3900 Block Alberni Highway	Park, Plan 41053, Block 1375, Newcastle Land District
F	Melon Road	Park, Plan VIP52834, District Lot 8, Cameron Land District
F	3857 Wild Road	Park, Plan VIP52495, District Lot 9, Cameron Land District
F	1550 Errington Road	Lot 31, District Lot 139, Plan 1989, Nanoose Land District
F	3691 Tralee Road	SW 1/4, Parcel A, Plan DD4504N, District Lot 9, Cameron Land District
F	3171 Brooklin Lane	Park, Plan 48368, District Lot 4, Cameron Land District
F	Meadowood Way	Lot 1, Plan VIP69346, Block 359, Newcastle Land District
F	1800 Galvin Place (Meadowood Fire Hall)	Lot 2, Plan VIP69346, Block 359, Newcastle Land District

ATTACHMENT NO. 1

**Regional District of Nanaimo Properties
 Inclusion in Building Inspection Service Areas**

Electoral Area	Location/Name	Legal Description
F	Dolly Varden Way	Park, Plan 77754, Block 359, Nanoose Land District
F	1209 Kerr Road	Park, Plan 43286, District Lot 149, Nanoose Land District
F	1281 Station Road	Park, Plan 37952, District Lot 140, Nanoose Land District
F	Errington Road and Alberni Highway	Park, Plan VIP82280, District Lot 104, Nanoose Land District
F	960 Errington Road (Errington Fire Hall #1)	Lot 1, Plan VIP29491, District Lot 104, Nanoose Land District
F	1930 Errington Road (Errington Fire Hall #2)	Lot 40, Plan 32293, Block 521, Nanoose Land District
F	3241 Alberni Highway (Coombs Fire Hall #2)	Lot 1, Plan 38539, District Lot 4, Cameron Land District
F	3529 Harris Road (Greenbelt)	Park, Plan 24741, District Lot 74, Cameron Land District
F	2753 Old Alberni Highway	Park, Plan 37624, District Lot 143, Nanoose Land District

ATTACHMENT NO. 1

**Regional District of Nanaimo Properties
 Inclusion in Building Inspection Service Areas**

Electoral Area	Location/Name	Legal Description
H	234/240 Lions Way (Lighthouse Community Center)	Lot 1, Plan 42674, District Lot 32, Newcastle Land District
H	210/220 Lions Way (Bow Horn Fire Hall, BCAS)	Lot 1, Plan 30108, District Lot 32, Newcastle Land District
H	4750 Blue Heron Drive 4776 Ocean Trail	Park, Plan 31044, District Lot 82, Newcastle Land District
H	4877 Ocean Trail	Park, Plan 31751, District Lot 82, Newcastle Land District
H	2910 Leon Road	Park, Plan VIP65473, District Lot 9, Newcastle Land District
H	5162 Pearl Road	Park, Plan 38181, District Lot 27, Newcastle Land District
H	3875 Bovanis Road	Park, Plan 41640, District Lot 22, Newcastle Land District
H	3876 Bovanis Road	Lot 8, Plan 41662, District Lot 22, Newcastle Land District
H	4370 Kelsey Road	Park, Plan VIP53143, District Lot 36, Newcastle Land District
H	2905 Marshall Road	Park, Plan 34434, District Lot 9, Newcastle Land District
H	151 McColl Road	Lot 38, Plan 2018, District Lot 85, Newcastle Land District

ATTACHMENT NO. 1

**Regional District of Nanaimo Properties
 Inclusion in Building Inspection Service Areas**

Electoral Area	Location/Name	Legal Description
H	5320 Gainsberg	Lot 2, Plan VIP70719, District Lot 1, Newcastle Land District
H	7123 Island Highway West	Park, Plan VIS4417, District Lot 85, Newcastle Land District
H	95 Esary Road	Park, Plan VIP61726, District Lot 36, Newcastle Land District
H	1109 Shayla Road	Park, Plan VIP37698, Block 360, Alberni Land District
H	4623 Palm Pacific Road	Park, Plan VIP43604, District Lot 40, Newcastle Land District
H	326 Home Lake Road	Park, Plan VIP37285, District Lot 31, Newcastle Land District
H	Wildwood Road	Park, Plan VIP81348, District Lot 85, Newcastle Land District
H	6000 Block Island Highway West	Park, Plan VIP68932, District Lot 20, Newcastle Land District
H	241 Huson Road	Park, Plan 34642, District Lot 9, Newcastle Land District
H	212 Kenmuir Road	Park, Plan 62179, District Lot 9, Newcastle Land District
H	3813 Charlton Drive	Lot 1, Plan VIP55641, District Lot 22, Newcastle Land District

ATTACHMENT NO. 1

**Regional District of Nanaimo Properties
 Inclusion in Building Inspection Service Areas**

Electoral Area	Location/Name	Legal Description
H	68 Islewood	Lot 20, Plan 41507, District Lot 22, Newcastle Land District
H	3480 Lioness Boulevard	Lot A, Plan 45846, District Lot 32, Newcastle Land District
H	Horne Lake Regional Park	Block 40 VL&M, Plan VIP691N, EXC. PLAN 46603, Alberni Land District
H	216 Kenmuir Road	Park, Plan 52606, District Lot 9, Newcastle Land District
H	5354 Gainsberg (Greenbelt)	Park, Plan VIP20442, District Lot 1, Newcastle Land District
H	Horne Lake Road (Bow Horn Bay Fire Dept)	Lot 1, Block 360, Plan VIP85728, Alberni Land District
C	Heather Way	Park, Plan VIP84517, Sections 5 and 6, Range 3, Cranberry Land District
C	Mt. Benson Regional Park	Section 7, Range 4, Mountain Land District
C	Mt. Benson Regional Park	East 10 chains of Section 7, Range 3, Mountain Land District
C	Mt. Benson Regional Park	Block 787, Mountain Land District
C	Mt. Benson Regional Park	Block 1161, Mountain Land District

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 787.09

A Bylaw to Amend “Regional District of Nanaimo Building Inspection Extended Service Establishment Bylaw No. 787, 1989”

WHEREAS the Board has enacted “Regional District of Nanaimo Building Inspection Extended Service Establishment Bylaw No. 787, 1989”;

AND WHEREAS the Board has obtained the consent of two thirds of the participants to amend the Service Area:

AND WHEREAS the Board wishes to amend the boundaries of the Service Area to include the following properties within Electoral Areas ‘A’, ‘C’, ‘F’ and ‘H’:

Electoral Area ‘A’

- Thelma Griffiths Park – Minto Avenue; Lot 1, Plan VIP79928, Section 11, Range 6, Cranberry Land District
- 3500 Hallberg Road (Cranberry Fire Hall); Lot 32, Plan 25967, District Lot 7, Bright Land District

Electoral Area ‘C’

- 2840 Riverbend Road (Trail); Park, Plan 38144, Section 2, Range 6, Cranberry Land District
- 2966 Riverbend Road (Greenbelt); Park, Plan 38144, Section 3, Range 6, Cranberry Land District
- 1919 Plecas Road (Trail); Park, Plan 50377, Section 13, Range 5, Cranberry Land District
- District Lot 3 (Greenbelt); Park, Plan VIP73765, District Lot 3, Douglas Land District
- District Lot 3 (Greenbelt); Lot 9, District Lot 3, Plan VIP73765, Douglas Land District
- District Lot 3 (Greenbelt); Park, Plan VIP84973, District Lot 3, Douglas Land District
- 1563 Twilight Way (Greenbelt); Park, Plan VIP59461, District Lot 5, Douglas Land District
- District Lot 3 (Greenbelt); Park, Plan VIP77998, District Lot 3, Douglas Land District
- Heather Way; Park, Plan VIP84517, Sections 5 and 6, Range 3, Cranberry Land District
- Mt. Benson Regional Park; Section 7, Range 4, Mountain Land District
- Mt. Benson Regional Park; East 10 chains of Section 7, Range 3, Mountain Land District
- Mt. Benson Regional Park; Block 787, Mountain Land District
- Mt. Benson Regional Park; Block 1161, Mountain Land District

Electoral Area ‘F’

- 1023 Allsbrook Road; Park, Plan 39421, District Lot 43, Nanoose Land District
- 898 Hilliers Road; Park, Plan 46163, District Lot 4, Cameron Land District
- 3900 Block Alberni Highway; Park, Plan 41053, Block 1375, Newcastle Land District

- Melon Road; Park, Plan VIP52834, District Lot 8, Cameron Land District
- 3857 Wild Road; Park, Plan VIP52495, District Lot 9, Cameron Land District
- 1550 Errington Road; Lot 31, District Lot 139, Plan 1989, Nanoose Land District
- 3691 Tralee Road; SW 1/4, Parcel A, Plan DD4504N, District Lot 9, Cameron Land District
- 3171 Brooklin Lane; Park, Plan 48368, District Lot 4, Cameron Land District
- Meadowood Way; Lot 1, Plan VIP69346, Block 359, Newcastle Land District
- 1800 Galvin Place (Meadowood Fire Hall); Lot 2, Plan VIP69346, Block 359, Newcastle Land District
- Dolly Varden Way; Park, Plan 77754, Block 359, Nanoose Land District
- 1209 Kerr Road; Park, Plan 43286, District Lot 149, Nanoose Land District
- 1281 Station Road; Park, Plan 37952, District Lot 140, Nanoose Land District
- Errington Road and Alberni Highway; Park, Plan VIP82280, District Lot 104, Nanoose Land District
- 960 Errington Road; (Errington Fire Hall #1) Lot 1, Plan VIP29491, District Lot 104, Nanoose Land District
- 1930 Errington Road; (Errington Fire Hall #2) Lot 40, Plan 32293, Block 521, Nanoose Land District
- 3241 Alberni Highway; (Coombs Fire Hall #2) Lot 1, Plan 38539, District Lot 4, Cameron Land District
- 3529 Harris Road (Greenbelt); Park, Plan 24741, District Lot 74, Cameron Land District
- 2753 Old Alberni Highway; Park, Plan 37624, District Lot 143, Nanoose Land District

Electoral Area 'H'

- 234/240 Lions Way (Lighthouse Community Center); Lot 1, Plan 42674, District Lot 32, Newcastle Land District
- 210/220 Lions Way (Bow Horn Fire Hall, BCAS); Lot 1, Plan 30108, District Lot 32, Newcastle Land District
- 4750 Blue Heron Drive / 4776 Ocean Trail; Park, Plan 31044, District Lot 82, Newcastle Land District
- 4877 Ocean Trail; Park, Plan 31751, District Lot 82, Newcastle Land District
- 2910 Leon Road; Park, Plan VIP65473, District Lot 9, Newcastle Land District
- 5162 Pearl Road; Park, Plan 38181, District Lot 27, Newcastle Land District
- 3875 Bovanis Road; Park, Plan 41640, District Lot 22, Newcastle Land District
- 3876 Bovanis Road; Lot 8, Plan 41662, District Lot 22, Newcastle Land District
- 4370 Kelsey Road; Park, Plan VIP53143, District Lot 36, Newcastle Land District
- 2905 Marshall Road; Park, Plan 34434, District Lot 9, Newcastle Land District
- 151 McColl Road; Lot 38, Plan 2018, District Lot 85, Newcastle Land District
- 5320 Gainsberg; Lot 2, Plan VIP70719, District Lot 1, Newcastle Land District
- 7123 Island Highway West; Park, Plan VIS4417, District Lot 85, Newcastle Land District
- 95 Esary Road; Park, Plan VIP61726, District Lot 36, Newcastle Land District

- 1109 Shayla Road; Park, Plan VIP37698, Block 360, Alberni Land District
- 4623 Palm Pacific Road; Park, Plan VIP43604, District Lot 40, Newcastle Land District
- 326 Horne Lake Road; Park, Plan VIP37285, District Lot 31, Newcastle Land District
- Wildwood Road; Park, Plan VIP81348, District Lot 85, Newcastle Land District
- 6000 Block Island Highway West; Park, Plan VIP68932, District Lot 20, Newcastle Land District
- 241 Huson Road; Park, Plan 34642, District Lot 9, Newcastle Land District
- 212 Kenmuir Road; Park, Plan 62179, District Lot 9, Newcastle Land District
- 3813 Charlton Drive; Lot 1, Plan VIP55641, District Lot 22, Newcastle Land District
- 68 Islewood; Lot 20, Plan 41507, District Lot 22, Newcastle Land District
- 3480 Lioness Boulevard; Lot A, Plan 45846, District Lot 32, Newcastle Land District
- Horne Lake Regional Park; Block 40 VL&M, Plan VIP691N. EXC. PLAN 46603, Alberni Land District
- 216 Kenmuir Road; Park, Plan 52606, District Lot 9, Newcastle Land District
- 5354 Gainsberg (Greenbelt); Park, Plan VIP20442, District Lot 1, Newcastle Land District
- Horne Lake Road (Bow Horn Bay Fire Dept); Lot 1, Block 360, Plan VIP85728, Alberni Land District

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

1. "Regional District of Nanaimo Building Inspection Extended Service Establishment Bylaw No. 787, 1989," is amended as follows:

Deleting Section 2 and replacing it with the following:

"2. **Service Area.**

Electoral Areas 'A', 'B', 'C', 'E', 'F', 'G', and 'H' include participating areas for this service.

The service shall consist of Electoral Area 'G' and those parts of Electoral Areas 'A', 'B', 'C', 'E', 'F', and 'H' as outlined on Schedules A, C, E, F and H, which are attached hereto and form part of this bylaw."

2. This Bylaw may be cited as "Regional District of Nanaimo Building Inspection Service Bylaw Amendment Bylaw No. 787.09, 2009."

Introduced and read three times this ___ day of January 2009.

Received approval from the Inspector of Municipalities this ___ day of January 2009.

Adopted this ___ day of January, 2009.



NEW REPORT	
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BOARD	

MEMORANDUM

TO: Geoff Garbutt
Manager of Community Planning

DATE: December 22, 2008

FROM: Lainya Rowett
Planner

FILE: 4320-00

SUBJECT: Liquor License Policy Review

PURPOSE

To consider an amendment to the Regional District of Nanaimo Liquor License Amendment Application Policy (B1.6) that would allow minor amendments to existing liquor licenses without a public hearing requirement, if approved by the Regional District of Nanaimo Board.

BACKGROUND

At its regular meeting held November 25, 2008 the Regional District of Nanaimo Board received correspondence from Mr. Paul Manhas, President of the Arlington Pub located at 2414 Island Highway East requesting a minor change to the pub's hours of operation. Mr. Manhas indicated he would like to change the pub hours on Sundays only, from 11 a.m. - 12 midnight to 11 a.m. - 1 a.m., without the requirement to hold a Public Hearing. The Board requested that staff provide a report to the Committee of the Whole meeting to consider Mr. Manhas' request to waive the Public Hearing requirement, and changes to the liquor licensing policy in recognition of minor changes to existing liquor licenses.

The current Liquor License Applications Policy B1.6 was adopted by the Regional District of Nanaimo Board on June 10, 1997, and amended on October 26, 2004. This policy requires the RDN to solicit and receive views of residents, and to conduct public hearings for all amendment application proposals regardless of the scope of the change (see Sections 2(d) and 2(e) in the attached *Schedule No. 1*). Mr. Manhas' proposal involves an amendment to the existing liquor license for Arlington Pub, for a change in hours of operation. Therefore, it is considered to be a major amendment according to the existing policy and requires a public hearing.

ALTERNATIVES

1. To approve the proposed amendments in accordance with the draft policy attached as *Schedule No. 1*.
2. To deny the proposed amendments.

ANALYSIS

The RDN Liquor License Applications Policy (B1.6) was established to outline the requirements for reviewing and processing requests for liquor license applications. It applies to Liquor Primary or Food Primary liquor licenses, Winery endorsements, and rural agency stores. Due to the narrow definition of amendments in this policy it considers all amendments to hours of operation to be major, and does not include provisions for minor amendments. Strict application of this policy is cumbersome and can be considered onerous in particular circumstances.

The Regional District of Nanaimo has received input from a liquor license holder within the District that this policy is inflexible, and they have requested that it be amended to address their concerns, particularly to distinguish between minor and major amendment proposals with appropriate process requirements. Mr. Manhas has applied to the Regional District of Nanaimo Planning Department for approval of a change in hours of operation as described above. Presently the pub is open from 11 a.m. until 1 a.m. Monday to Saturday and from 11 a.m. to 12 midnight on Sundays. His request to extend Sundays' hours by one hour is considered minor in nature, and it would make the hours of operation on Sunday consistent with the rest of the week.

Amending the RDN policy would enable applicants for minor license changes to avoid additional expenses and delays in the application process, and it would allow the Board to consider possible consultation requirements on an individual basis depending on the potential for impacts related to a liquor license application. Furthermore, in considering the wider implications of a policy-wide amendment, the proposed amendment would ensure broad public input, through the continued requirement for newspaper advertising, and a timely response to applications. The following amendment is proposed to be inserted as Section 3(c) in the Liquor License Applications Policy B1.6 (see Schedule No. 1 attached):

c) Minor Amendments

Notwithstanding the above the Board may also consider a minor amendment application to an existing liquor license, without the requirement to hold a public hearing, if the proposal will not negatively impact the surrounding community and it complies with other applicable RDN bylaws and policies. All other requirements of the Liquor License Applications Policy must be met, including the requirements for newspaper advertising.

The requirement for advertising would remain unchanged, as would the amendment application fee of \$800.

SUSTAINABILITY IMPLICATIONS

The proposed extension of hours would encourage local business operation. The proposed policy amendment would also streamline the development application process, and increase flexibility in the application process for minor amendments to existing approved liquor licenses.

PUBLIC CONSULTATION IMPLICATIONS

The proposed policy amendment would ensure broad public input through development application review and Board review, while ensuring a timely response to applications.

SUMMARY/CONCLUSIONS

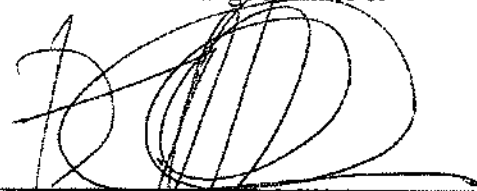
This is an application to amend the Public Hearing requirements for a minor change in hours of operation to an existing liquor license. It also proposes to amend the Regional District of Nanaimo's Liquor License Applications Policy (B1.6) in recognition of minor changes to existing liquor licenses as outlined in *Schedule No. 1* of the staff report. Given the lack of negative impacts staff recommends that these amendments be approved.

RECOMMENDATION

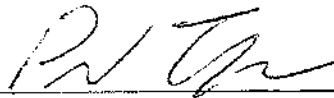
1. That the Regional District of Nanaimo's Liquor License Applications Policy (B1.6) be amended in recognition of minor changes to existing liquor licenses as outlined in Schedule No. 1 of the staff report.; and
2. That the request to waive the Public Hearing requirement for a minor change in hours of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



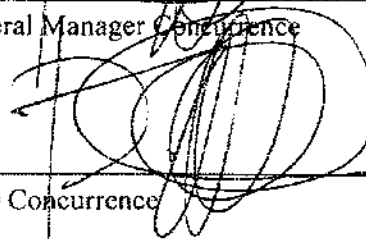
Report Writer



General Manager Concurrence



For Manager Concurrence



CAO Concurrence

COMMENTS:

Schedule No. '1'
Proposed Amendments to the RDN Liquor License Applications Policy

REGIONAL DISTRICT OF NANAIMO P O L I C Y

SUBJECT: <i>Liquor License Applications</i>	POLICY NO: B1.6
	CROSS REF.:
EFFECTIVE DATE: June 10, 1997	APPROVED BY: Board
REVISION DATE: October 26, 2004	PAGE: 1 of 4

PURPOSE

1. Scope

This document is intended to outline the process employed by the Regional District of Nanaimo in the review and processing of requests for local government resolutions for liquor license applications, and requests for input on rural agency stores. This policy applies to:

- a) Regional District of Nanaimo Board resolutions required by the Liquor Control and Licensing Branch (LCLB) associated with Liquor Primary or Food Primary liquor licenses, and Winery endorsements, and
- b) requests for input from the Liquor Distribution Branch (LDB) to the Regional District of Nanaimo regarding rural agency stores.

2. Applications

a) *Application Forms*

Applications for a Board resolution shall be made to the General Manager of Development Services on the form provided by the General Manager, and shall contain:

- i) Name, address, and signature of the applicant,
- ii) Name, address, and signature of registered owner, if different from the applicant, or a letter of consent from the owner, if the applicant is not the owner,
- iii) Title search for the property, including copies of any charges on title,
- iv) The legal description of the property, and street address of the property,
- v) Type of application being made:
 - Application for new liquor primary license
 - Application for an amendment to an existing liquor primary license
 - Application for a food primary license
 - Application for a temporary amendment to an exiting liquor license

- vi) The reasons, comments, or plans in support of the application, and
- vii) For an application for a new liquor primary license, the required LCLB summary report and notice that the application is at Stage 3 of the LCLB's process; and
- viii) For all other applications receipt of a copy of a completed LCLB application form.

b) Application Fees

At the time of application for a local government resolution the applicant shall pay the Regional District of Nanaimo an application fee in the amount set out in Regional District of Nanaimo Fees and Charges Bylaw No. 1259, 2002 and any amendments thereto.

c) Consideration of Applications

Applications for local government resolution shall be presented to the Board for consideration at a regular meeting of the Board. A report shall be prepared for the Board by the Development Services Department that shall contain: details of the application; an evaluation of the proposal; a summary of referral responses; and a draft resolution for the Board's consideration in accordance with the *Liquor Control and Licensing Act* and Regulation. The Board may approve the draft resolution, amend the draft resolution and approve it, or provide no comment.

d) Public Consultation

The Regional District of Nanaimo will solicit and receive the views of residents that may be impacted by the application in accordance with section 2(d) i), ii), and iii) of this document.

i) Hearings

The RDN shall hold a hearing, which shall be advertised in accordance with Section 2(e). On the date identified in the public notice the Board, or designate, will hear the applicant and members of the public it considers may be impacted if the liquor license is granted.

ii) Liquor License Application with an Official Community Plan (OCP) Amendment and or Land Use and Subdivision Bylaw Amendment

Where an application for a local government resolution is associated with an Official Community Plan (OCP) Amendment or an application for land use and subdivision bylaw change the Public Hearing for that application shall be used to obtain public input on the liquor license application, provided the requirements of Section 2.e. are met.

iii) Public Information Meetings

The RDN may, at its discretion, hold a public information meeting prior to the hearing to facilitate additional consultation with the public.

e) Public Notice

- i) Upon receipt of a complete application the RDN shall post a notice on the parcel in a location unobstructed to view from the adjacent highway or street, advertising that the property is subject to a liquor license application.
- ii) The RDN will mail, or otherwise deliver, written notice to owners and tenants in occupation of any part of a parcel which is the subject of the application, and within a distance of 200 metres of all parcels that are the subject of the application at least 10 days prior to the date of the hearing advising the public of the application and their right to be heard at the hearing.

- iii) The RDN shall place advertisements in a local newspaper the publication to appear not less than 3 nor more than 10 days before the date the Board will hold the hearing advising the public of the application and their opportunity to be heard at the hearing.
- iv) The purpose of the letter and newspaper notice will be to:
 - inform the public that the Board has received a request for a local government resolution for a specific site;
 - identify the type of resolution applied for, and the specific terms requested in the application;
 - make available the time and date on which public representations will be heard by the Board, or designate; and
 - outline any proposed changes to an existing liquor license if the application is for an existing licensed facility.

f) Resolution Outline

The resolutions passed by the Board shall take the form outlined in the document *Role of Local Government and First Nations in the Provincial Liquor Licensing Process* prepared by the Liquor Control and Licensing Branch.

The Board may make a resolution conditional upon some term or condition; however, prior to doing so Council should ensure that the term or condition is within the jurisdiction of the Liquor Control and Licensing Board to impose or enforce.

g) Special Occasion Licenses

This policy does not apply to public special occasion licenses.

3. Local Government Resolution Application Evaluation Criteria

a) Community Impact

The Board may consider the following when providing a resolution with respect to an application for a new liquor license, or an amendment to an exiting license:

- i) Location of the establishment,
- ii) Proximity of the establishment to other social or recreational facilities and public buildings,
- iii) Occupant load and hours of liquor service,
- iv) The number and market focus or clientele of liquor primary establishments within a reasonable distance,
- v) Traffic, noise, parking and zoning,
- vi) Population, density, and trends,
- vii) Relevant socio-economic information,
- iiix) In the case of a food primary license application, whether the proposed amendment will result in the establishment being operated in a manner that is contrary to its primary purpose, and
- ix) The impact on the community if the application is approved.

b) Occupant Load

Occupant load shall be taken as the lesser number of persons allowed in a license establishment under the following provisions:

- i) British Columbia Building Code
- ii) Fire Services Act and British Columbia Fire Code
- iii) Guidelines for calculating occupant load for licensed liquor establishments published by the *Building Policy Branch, Ministry of Social Development and Economic Security*

c) Minor Amendments

Notwithstanding the above the Board may also consider a minor amendment application to an existing liquor license, without the requirement to hold a public hearing, if the proposal will not negatively impact the surrounding community and it complies with other applicable RDN bylaws and policies. All other requirements of the Liquor License Applications Policy must be met, including the requirements for newspaper advertising.

4. Temporary Change to a Liquor License Application

The General Manager of Development Services, or a staff member appointed by the General Manager, is hereby delegated the authority to provide comment to the LCLB on behalf of the RDN for temporary changes to a liquor license. The General Manager will provide input in accordance with the following conditions:

- a) not more than 5 temporary changes for each individual liquor license are approved per calendar year,
- b) the temporary change is in accordance with all RDN Bylaws,
- c) the temporary change application is referred to the RCMP and Bylaw Services, and
- d) the potential social and land use impacts are considered.

If the General Manager of Development Services, or RCMP, is not supportive of a temporary change the applicant may have the Board consider his application under the same process as a permanent change to a liquor license application.

5. Rural Agency Store Input Process

Where an invitation for input is received from the LDB regarding a Rural Agency Store the General Manager of Development Services shall provide the following to the LDB.

- a) Comment on the conformity of the proposed Rural Agency Store to the Regional Growth Strategy, and the applicable Official Community Plan and land use and subdivision bylaw.

- b) The opinion of the Rural Area Director for the area in which the Rural Area Store is to be located.

At the discretion of the Rural Area Director the RDN may hold a public information meeting to obtain input for consideration by the Rural Area Director when determining his comments for the LDB.



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MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: December 22, 2008

FROM: John Finnie, P. Eng.
General Manager of Environmental Services

FILE: 0115-01

SUBJECT: Environmental Services Department Name Change

PURPOSE

To advise of a proposed change in name for the Environmental Services Department.

BACKGROUND

The Environmental Services Department has been so called for about 12 years. Although the name does not clearly identify department responsibilities, it held merit as representing a department that dealt with "environment" related services, such as water supply, sewage treatment and disposal and solid waste management. However, the name has also generally created a level of perception that the department is responsible for all things environmental in the region, including activities for which the RDN has no function or responsibility.

More recently in 2008, with the transfer of solid waste responsibilities to the Transportation & Solid Waste Department, the scope of responsibility for Environmental Services became primarily focused on water supply and wastewater collection, treatment and disposal. The department also looks after limited stormwater facilities (which are water related) and rural streetlighting (minor components). The return of the Engineering Department to Environmental Services expands the department's activities although the engineering services component is related primarily to water or wastewater issues and infrastructure.

Staff have therefore considered a number of department names that more accurately reflect the scope and responsibility of our activities. After discussing several possible names, staff have agreed on the following titles for the Environmental Services Department and its sub-departments:

- Water & Wastewater Services (formerly Environmental Services)
- Water Services (formerly Utilities Department)
- Wastewater Services (formerly Liquid Waste Department)
- Engineering Services

ALTERNATIVES

1. Receive this report for information and support the departmental name changes for Environmental Services
2. Do not support the recommended name changes.

FINANCIAL IMPLICATIONS

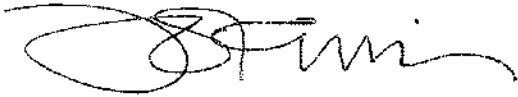
There are minimal financial implications to a change in departmental names. Environmental Services' facilities do not reflect any of the existing departmental names so sign changes are not required. Departmental signage at the main office will require updating and that will be done as part of the signage amendments that will be required following the new building expansion. Client notification will be required, new business cards for some staff will be required and progressively, changes to some administrative documents will be made as those documents are updated.

CONCLUSIONS

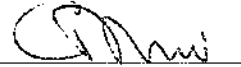
The proposed name changes will more clearly reflect the scope and nature of the department's responsibilities and activities and thereby improve communications with internal departments, external agencies and the public.

RECOMMENDATION

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.



Report Writer



CAO Concurrance

COMMENTS:



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MEMORANDUM

TO: John Finnie
General Manager of Environmental Services

DATE: December 17, 2008

FROM: Sean De Pol
Manager Liquid Waste

FILE: 3150-10

SUBJECT: Nanaimo District Senior Citizens' Housing Development Society Application for Development Cost Charge Reduction

PURPOSE

To consider a reduction in Southern Community Sewer Development Cost Charges for the Nanaimo District Senior Citizens' Housing Development Society's (Housing Society) Kiwanis Villa, a 31 Suite Supportive Housing Villa to be built at 1237 Kiwanis Crescent in Nanaimo, BC.

BACKGROUND

On April 11, 2000 and on May 8, 2007, the Regional District of Nanaimo Board passed motions to reduce the Southern Community Sewer Development Cost Charges (DCCs) by 50% for two not-for-profit housing developments built by the Housing Society. In both cases the City of Nanaimo had already offered a 50% reduction in city DCCs to the Housing Society, recognizing that these types of units generate less sewage than typical residential housing units.

Previous requests by the Housing Society to the city for DCC reductions were granted based on guidelines developed in January of 2000. This policy has since been formalized as City of Nanaimo Bylaw No. 7082, and was adopted on October 20, 2008. Eligible developments under Bylaw 7082 receive a DCC reduction of 50%.

An eligible development owner must be either the government of British Columbia, the government of Canada, a local Government, a public Housing Authority or a not-for-profit corporation incorporated under the Society Act (British Columbia) or Part II of the Canada Corporations Act.

Recently the Housing Society applied to the City of Nanaimo for a reduction in Development Cost Charges for a new 31 suite Supportive Housing Villa at 1237 Kiwanis Crescent in Nanaimo. Under Bylaw 7082, they were offered a 50% reduction in DCCs on November 13, 2008.

On November 18 2008, the Housing Society applied to the RDN for a reduction in Sewer DCC's for this development. The Regional District does not currently have any policies in place for the reduction of DCCs for not-for-profit rental housing. Staff will develop a region wide policy to respond to future requests for waivers of development cost charges but in the meantime requests will be handled on a case by case basis.

ALTERNATIVES

1. Grant a 50% reduction of the calculated DCCs for the Housing Society's not-for-profit senior's housing development.
2. Do not grant a 50% reduction of the calculated DCCs for the Housing Society's not-for-profit senior's housing development.

FINANCIAL IMPLICATIONS

Alternative 1

The financial implications of a 50% reduction in DCCs for this project would be \$8,399 less than the calculated DCCs for this project (\$16,798). It is expected that other not-for-profit housing developments would request similar reductions.

Alternative 2

There are no financial implications for this alternative (status quo).


SUMMARY/CONCLUSIONS

The Nanaimo District Senior Citizen's Housing Development Society has applied to the RDN for a reduction in Southern Community Sewer DCCs associated with the development of a 31 suite Supportive Housing Villa at 1237 Kiwanis Crescent. The City of Nanaimo has already offered a 50% reduction in applicable DCCs based on City of Nanaimo Bylaw 7082, a bylaw to reduce development cost charges for not-for-profit rental housing. Staff are recommending a 50% reduction in RDN DCCs.

Staff will be developing a region wide policy in 2009 for the Board's consideration, to respond to future requests for waivers of sewer development cost charges.

RECOMMENDATION


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.


Faz SIDepri

Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:



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MEMORANDUM

TO: John Finnie
General Manager of Environmental Services

DATE: December 23, 2008

FROM: Mike Donnelly
Manager of Utilities

FILE: 0360-20-DWPAC

SUBJECT: Drinking Water Protection Advisory Committee

PURPOSE

To establish the Terms of Reference for the Drinking Water Protection Advisory Committee (DWPAC).

BACKGROUND

The role of the DWPAC will be to provide input, advice and feedback to staff recommendations to the Board regarding activities related to the Drinking Water and Watershed Protection (DWWP) service (see proposed Terms of Reference attached).

The committee will include 11 members and 2 staff from the Utilities Department for support. The membership would include a broad representation of stakeholders in the region to provide a balanced approach to the implementation of the Drinking Water and Watershed Protection service. In addition, Municipalities and First Nations will be consulted where mutually beneficial programs and partnerships are identified.

ALTERNATIVES

1. Approve the proposed Terms of Reference for the Drinking Water Protection Advisory Committee.
2. Amend and approve the proposed Terms of Reference for the Drinking Water Protection Advisory Committee.
3. Provide alternate direction to staff.

FINANCIAL IMPLICATIONS

The RDN's Utilities Department will provide staff resources to the DWPAC, including arranging meetings, minute taking, distribution of materials and other administrative functions. There are no funding implications associated with the establishment of this committee.

SUSTAINABILITY IMPLICATIONS

The establishment of the DWPAC will provide valuable guidance as the DWWP service evolves. The broad representation on the committee will ensure a focused approach to establishing drinking water protection priorities and to provide insight and advice on ensuring the program's success. A successful

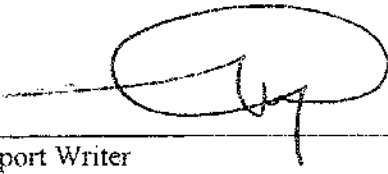
program will move the region forward with respect to drinking water protection and the identification of sustainability issues.

SUMMARY/CONCLUSIONS

Staff recommend the establishment of the Drinking Water Protection Advisory Committee in accordance with the proposed Terms of Reference dated January 2009.

RECOMMENDATION

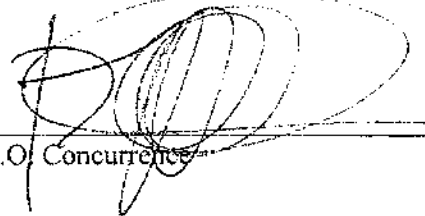
That the Board approve the Terms of Reference for the Drinking Water Protection Advisory Committee (January 2009).



Report Writer



General Manager Concurrence



C.A.O. Concurrence

COMMENTS:

Terms of Reference

January 2009

Drinking Water Protection Advisory Committee

Purpose

The primary role of the Drinking Water Protection Advisory Committee (DWPAC) will be to advise the Board on the review and implementation of the newly created Drinking Water and Watershed Protection Service.

Committee Roles and Responsibilities

The DWPAC will:

- Provide recommendations to the Board regarding activities relating to the Drinking Water Protection program;
- participate on smaller ad-hoc committees including the regional Technical Committee (formed under the auspices of the VIHA Vancouver Island Drinking Water Team) dealing with specific issues or tasks;
- provide advice and feedback on consultation activities with service area stakeholders;
- provide input and feedback on technical reports, discussion papers, and other documents prepared for the committee's information;
- review and become familiar with the Drinking Water and Watershed Protection service;
- review and become familiar with the existing state of drinking water protection in the RDN;
- identify tools and techniques to be employed in the monitoring and evaluation of the Drinking Water and Watershed Protection service and its implementation; and
- make recommendations to increase the effectiveness of the Drinking Water and Watershed Protection service.

Membership Criteria/Selection

The committee will consist of 11 members. Members will be selected by the Board either through an application process or by appointment or by the member's organization. Membership representation will be as follows:

3 members	RDN Board (Electoral areas, north and south)
2 members	General Public (1 north / 1 south)
1 member	VIHA
1 member	Ministry of Environment
1 member	Environment Community
1 member	Forest Industry
1 member	Water Purveyors' Representative
1 member	Hydrogeologist

2 RDN staff members will be present in an advisory capacity. Membership may be changed as needs or issues arise and other organizations may be called on such as the Ministry of Agriculture and Islands Trust. Municipalities and First Nations will be consulted where partnerships are identified that would be of mutual benefit.

The application for committee membership for the General Public and Environment Community will be promoted through advertisements in local media. Applications must demonstrate the applicant's:

- willingness and ability to commit to volunteering the necessary time to the committee;
- interest in drinking water and drinking water protection issues in the RDN;
- willingness and ability to consider issues from all sectors and geographical perspectives within the community;
- experience related to drinking water and drinking water protection issues;
- willingness and ability to work towards consensus on issues being addressed by the committee.

Selection of members will attempt to create a committee with a balance of representation:

- geographically;
- demographically; and
- with a variety of interests and perspectives.

Term

Members will be appointed by the RDN Board for the duration of 2 years. Alternate member appointments will be approved by the Committee as required. No substitute members will be permitted. If a member must resign from the committee, their position will be filled through the application process.

In general, there will be quarterly meetings of the committee although, periodically more frequent meetings may be required. Meetings are expected to be held mid-day.

Members are expected to attend all committee meetings and participate in public consultation activities. Lack of attendance may result in members having their membership revoked at the discretion of the committee. There is no remuneration for participation on the committee but if committee activities coincide with meal times, meals will be provided.

Decision Making

Committee recommendations to the RDN Board will be made by consensus whenever possible. If necessary, votes may be taken and minority reports may be submitted to the Board in addition to the majority opinion.

DWPAC meetings will be open to the public, however non-DWPAC members will not have speaking or voting privileges. Delegations that wish to address the committee must seek approval from the committee through a written request. Acceptance of a delegate's request to speak to the committee will be at the discretion of the committee.

Chairperson

The chair will be one of the RDN Board members appointed to the Committee in order to provide a direct link between the advisory committee and the Board.



RDN REPORT	
K/CAO APPROVAL	
EAP	
COV	✓ Jan 13 '09
DEPT. 21	
RHD	
BOARD	

MEMORANDUM

TO: Mike Donnelly, ASCT
Manager of Utilities

DATE: December 10, 2008

FROM: Deb Churko, ASCT
Engineering Technologist

FILE: 5500-21-01

SUBJECT: Streetlighting Petition
Inclusion into the Rural Streetlighting Local Service Area
Ballenas Road / Wall Beach (Camelot Homes), Electoral Area "G"

PURPOSE

To consider the request to include Lot 1, Plan 4058, DL 72, Nanoose Land District (Nanoose Bay) into the Rural Streetlighting Local Service Area (see attached map).

BACKGROUND

The owner of the above-noted property has petitioned the Regional District of Nanaimo (RDN) to be included in the Rural Streetlighting Local Service Area (LSA). The subject property is a new strata subdivision developed by Camelot Homes, and is located between Ballenas Road and Wall Beach Road in Nanoose Bay. Streetlights are being requested on hydro poles near both entrances to the subdivision. Rural streetlighting service is located nearby at the corner of Ballenas Road and Northwest Bay Road.

BC Hydro has agreed to install overhead streetlighting davits on hydro poles at both locations, one on Ballenas Road, and one on Wall Beach Road. As with each RDN streetlighting LSA, BC Hydro would charge the annual cost to operate streetlights to the RDN, and the RDN in turn would recover those costs from the owners within the rural streetlighting LSA in the form of taxes.

The Rural Streetlighting Local Service Area Bylaw No. 791, 1989 requires an amendment in order to include this property within the taxation boundary for streetlighting service.

ALTERNATIVES

1. Accept the request for inclusion into the Rural Streetlighting LSA.
2. Do not accept the request, and streetlights would not be installed on Ballenas Road or Wall Beach Road.

FINANCIAL IMPLICATIONS

There are no financial implications to the RDN. BC Hydro has agreed to install secondary wiring and two 150-Watt High Pressure Sodium lights on streetlighting davits for a fee of \$359.10. The RDN will recover this amount from the owner before authorizing BC Hydro to proceed with the installation. If accepted into the Rural Streetlighting LSA, the annual power charges would be paid by the property owners within the streetlighting LSA at a rate of \$6.90 per \$100,000 of property assessment. No Capital Charges or DCCs apply to streetlighting service.

SUSTAINABILITY IMPLICATIONS


Improved lighting technology is being explored with the assistance of BC Hydro and in partnership with the City of Parksville. BC Hydro has a new program that supports a review of current lighting systems being utilized by communities and will provide assistance in the transition to new, lower energy consumption lighting options where applicable. The lighting inventory administered by the RDN is considered too small to qualify for this program, however, by partnering with the City of Parksville the RDN will be able to apply for this program.

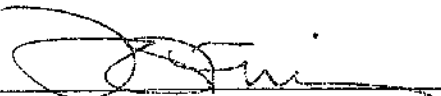
SUMMARY/CONCLUSIONS

A petition has been received to amend the boundaries of the Rural Streetlighting Local Service Area. BC Hydro has agreed to install overhead streetlights on Wall Beach Road and Ballenas Road for \$359.10, to be paid by the developer. If accepted into the streetlighting LSA, the strata property owner(s) would pay the annual power costs to run the streetlights.


RECOMMENDATION

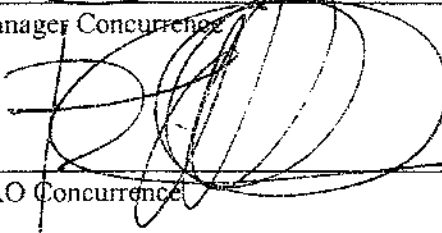
That "Rural Streetlighting Local Service Area Amendment Bylaw No. 791.17, 2009" be introduced and read three times.

for


Report Writer


General Manager Concurrence

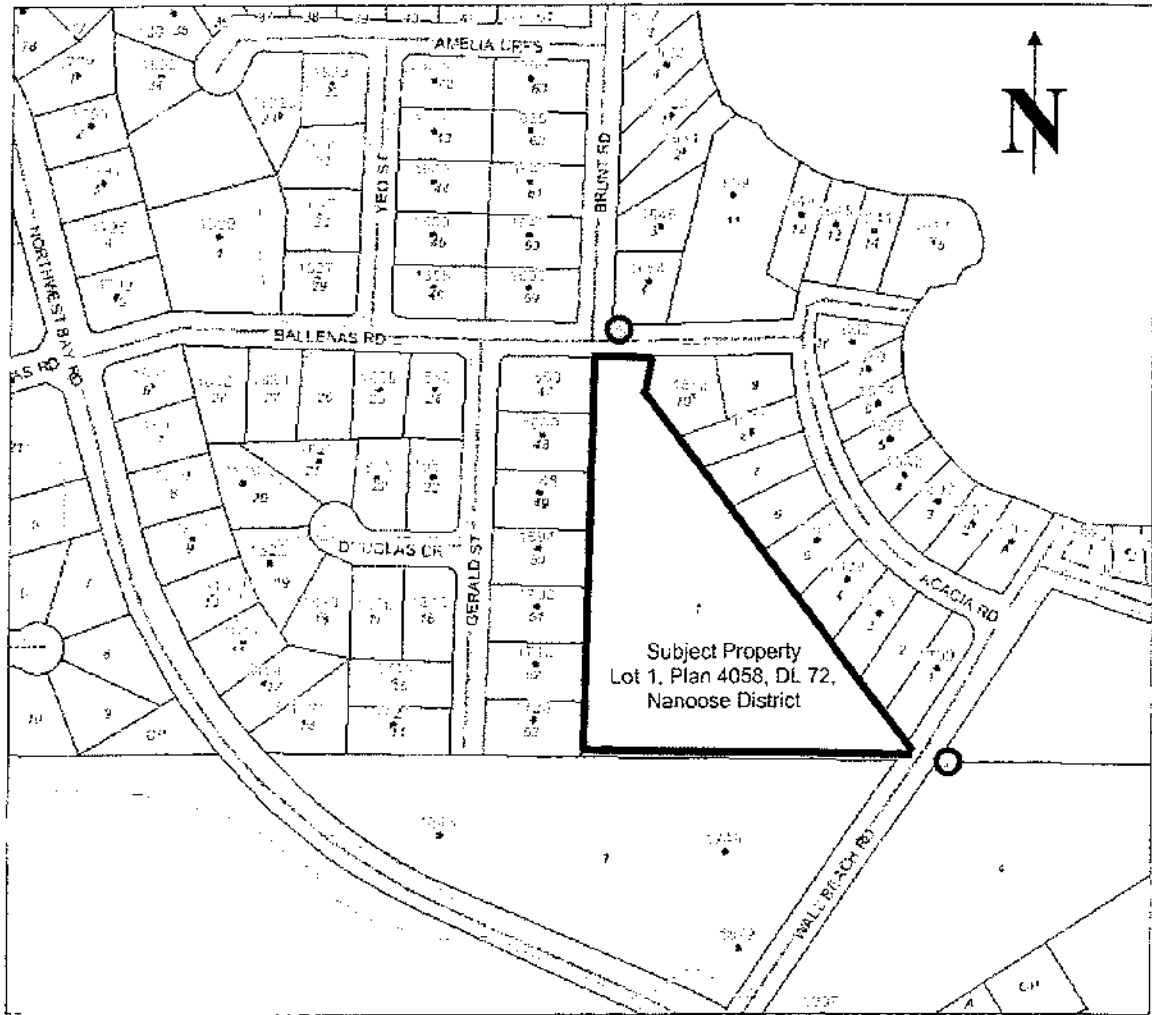


Manager Concurrence


A/
CAO Concurrence

COMMENTS:

Figure 1 – Site Location Plan



Legend

⊙ = Proposed streetlight location

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 791.17

A BYLAW TO AMEND THE RURAL
STREETLIGHTING LOCAL SERVICE AREA
ESTABLISHMENT BYLAW NO. 791

WHEREAS Regional District of Nanaimo Bylaw No. 791 established the Rural Streetlighting Local Service;

AND WHEREAS the Board wishes to amend the Local Service Area boundaries in accordance with Section 802(1)(b) of the *Local Government Act*;

AND WHEREAS the consent of the Directors of Electoral Areas 'A', 'E' 'G' and 'H' has been obtained;

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

1. The boundaries of the Rural Streetlighting Local Service Area are hereby revised to include the property outlined on Schedule 'A' attached hereto and forming part of this Bylaw.
2. Schedule 'B-2' to Bylaw No. 791 is hereby repealed and replaced with Schedule 'B-2' attached to this Bylaw.
3. The amended boundaries of the Rural Streetlighting Local Service Area shall be as shown outlined on Schedules 'B-1', 'B-2', 'B-3' and 'B-4' attached hereto and forming part of this Bylaw.
4. This Bylaw may be cited as "Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.17, 2009."

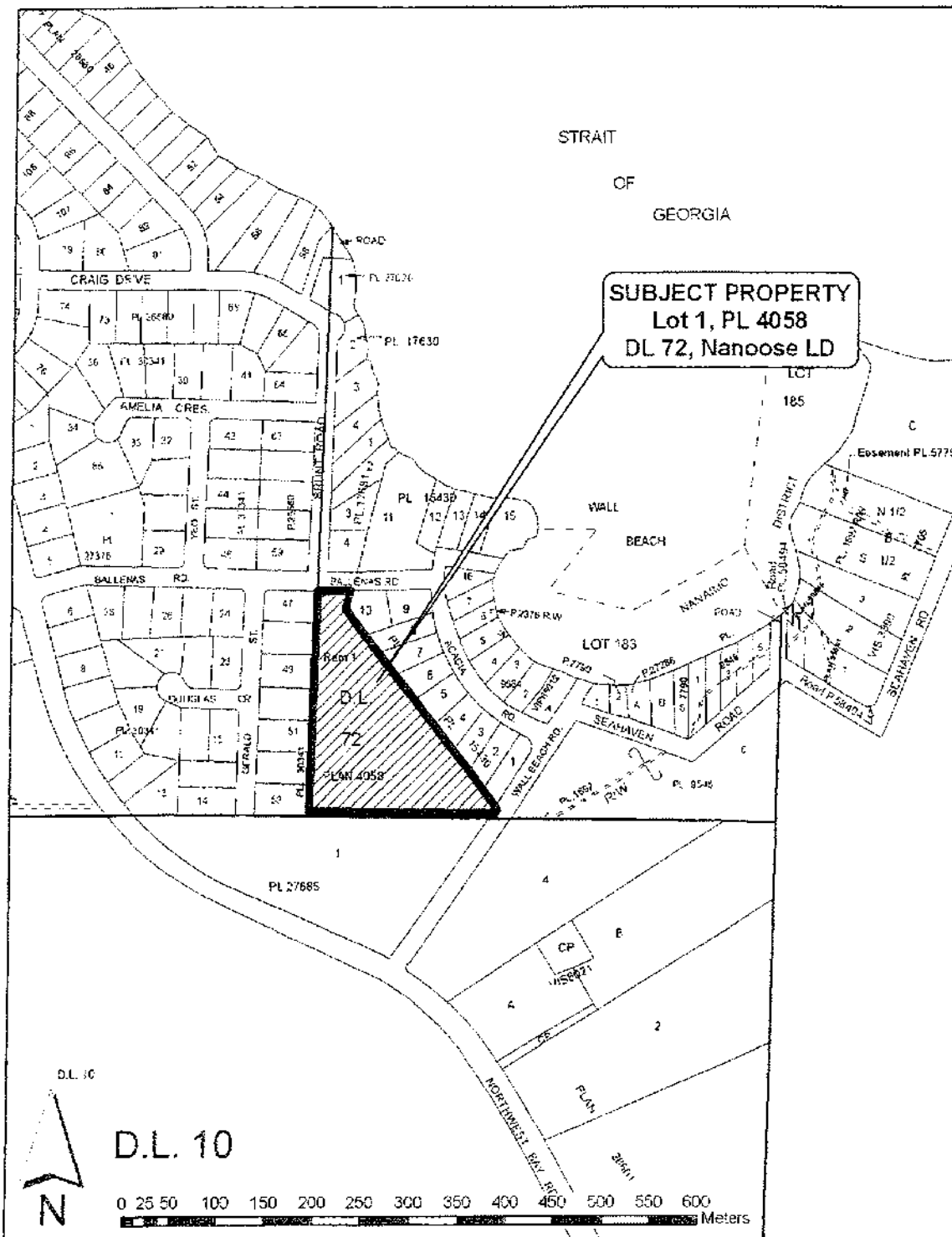
Introduced and read three times this ____th day of _____, 2009.

Adopted this ____th day of _____, 2009.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Chairperson





RECOMMENDED	
C/O APPROVAL	
EAP	
COW	Jan 13 '09
DEC 11 2008	
RHD	
BOARD	

MEMORANDUM

TO: John Finnie, P. Eng.
General Manager of Environmental Services

DATE: December 9, 2008

FROM: Wayne Moorman, P.Eng.
Manager of Engineering

FILE: 5330-20-WB-SEWER

SUBJECT: Estimated Costs to Service West Bay Estates with Community Sewers

PURPOSE

To advise the Board on the cost to provide community sewer to the West Bay Estates Urban Containment Area (Red Gap Village Centre).

BACKGROUND

The Red Gap Village Centre (RGVC) has been designated in the Regional Growth Strategy (RGS) as urban area. Policy 7A in the RGS supports the provision of community sewer to this areas. Currently all sewage disposal in the RGVC is provided by on-site septic systems; from time to time some properties have needed to resort to pump and haul while on-site systems are repaired.

Recently the Schooner Cove Mobile Home Park (MHP) on Apollo Drive (retirement community of 100 mobile homes) experienced failure with one of its ground disposal systems. This MHP was constructed many years ago and has numerous septic systems to service the units. The failure of the on-site system required the MHP to go on pump and haul while they explored options to remedy the problem. They contacted the RDN to see if a community sewer system connection to the Fairwinds system was a possible option.

Staff was aware of other possible developments in the area that would require new or improved on-site sewage disposal systems. For example, Canuck Properties, a new development at the corner of Northwest Bay Road and Powder Point Road, and Quality Foods were planning new and/or expanded facilities. There was also possible need for new or improved ground disposal facilities for Nanoose Place and Nanoose Elementary School. The estimated preliminary cost of the MHP on-site sewage disposal system upgrade was in the hundreds of thousands of dollars and Canuck Properties was in the range of \$100,000. Combined costs associated with the school and Nanoose Place could be in the \$100,000 range. The total cost of repair or to install new on-site sewage disposal systems for these properties could be in the order of \$500,000.

Based on this information, the RDN undertook a brief engineering study to determine the cost of providing a community sewer from Red Gap to the Fairwinds sewer system for treatment at the Nanoose Bay Sewage Treatment Plant. The study considered a connection from the Red Gap area to the closest sewer connection point in Fairwinds, approximately 3.8 km (along Powder Point Road to Fairwinds Drive and then to the existing sewer lift station on Fairwinds Drive near Bonnington Drive). The cost of this link alone was estimated to be \$1.1 million and this did not include any local collection system or on-site costs to service the MHP, Quality Foods, Nanoose Place or Nanoose Elementary. With respect to grant support, RDN does not qualify for Provincial/Federal grants for this infrastructure because we do not have a region wide 1 hectare minimum subdivision zoning bylaw for properties outside Urban Containment Areas.

These costs were presented to Schooner Cove MHP and Canuck Properties. The MHP choose to re-habilitate their on-site works and thus a major participant in the possible cost sharing of the community system dropped out. The remaining participants are not financially capable or willing to undertake these works on their own.

ALTERNATIVES

1. Receive this report for information.
2. Direct staff to initiate a study of potentially lower cost options for sewer servicing of the Red Gap Village Centre.

FINANCIAL IMPLICATIONS

In order to qualify for senior government grants for sewer system construction, the RDN needs to adopt a region wide (Electoral Areas) bylaw that restricts subdivisions of properties to greater than 1 hectare unless serviced by community sewer or within a Urban Containment Area or Restricted Sewer Service Area as determined in the RDN's Growth Strategy, Bylaw No. 1309. Even with such a bylaw in place, grants may not be available for all projects since, typically, the grant programs are over-subscribed. However, without the bylaw or new developer support, local service area residents/businesses would be required to cover 100% of the project costs.

Alternative 2 would require funding from electoral Area feasibility funds and resources that are currently not available. However, strategies for future servicing of village centres will be considered in general terms as part of the Liquid Waste Management Plan review in 2009.

SUSTAINABILITY IMPLICATIONS

The environmental concerns in this area can be addressed by constructing a community sewer system to connect the properties within the Red Gap Village Centre as supported by the Regional Growth Strategy. This area is currently small lot residential development combined with commercial and institutional properties and the long term plan for the area is to provide community sewer.

SUMMARY/CONCLUSIONS

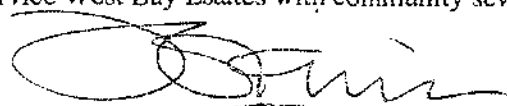
The RDN completed an engineering study and cost estimate to connect the Red Gap Village Centre with community sewer to the Fairwinds Sewer Local Service Area. The cost of the connection was estimated at \$1.1 million, not including the cost of sewer collection systems within the village centre or on-site sewer connections to the properties. Due to this high cost and timing issues, the Schooner Cove Mobile Home Park located in the village area decided to re-construct its own on-site sewer system and withdrew from participating in the cost sharing of the off-site community works. The balance of the land owners cannot afford to install this system on their own and the works are currently not being considered further at this time. Senior government grants are not currently available for this project because RDN does not have a 1 hectare minimum subdivision zoning bylaw for properties outside urban containment in place at this time. Strategies for future sewer servicing of village centres will be considered as part of the RDN Liquid Waste Management Plan review in 2009.

RECOMMENDATION

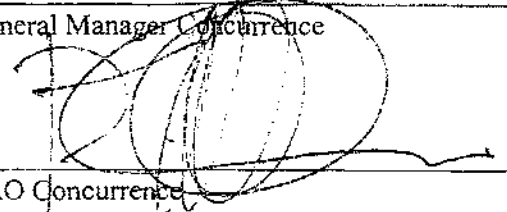
That the Board receive for information the report on costs to service West Bay Estates with community sewer.



Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:



RDN REPORT	
X/OCFO APPROVAL 11#	
EAP	
COW	✓ Jan 13 '09
RND	
BOARD	

MEMORANDUM

TO: John Finnie, P. Eng. **DATE:** December 16, 2008
 General Manager of Environmental Services

FROM: Wayne Moorman, P.Eng. **FILE:** 5500-20-BC-01
 Manager of Engineering

SUBJECT: Sewer Capacity Analysis for subdivision expansion to the Barclay Crescent Sewer Local Service Area

PURPOSE

To provide the Board with information on sewer capacity to accommodate further subdivision within the Barclay Crescent Sewer Service Area.

BACKGROUND

The current Barclay Crescent Sewer Service Area was established in 2005 to eliminate failing septic systems in the area.

To assist with the cost of the sewer project the RDN submitted an application to the Canada/BC Infrastructure Funding Program. The cost of the system was estimated at more than \$3.4 million. The RDN was successful in securing a 2/3's grant on eligible costs for the project. The service area was comprised of approximately 235 existing lots.

Upon confirmation of the Canada/BC sewer grant and establishment of the sewer service area the RDN completed a design of the sewer infrastructure to service only existing properties. As required by the conditions of the grant the design did not include over sizing of the sewer system to accommodate future subdivision of properties within the service area. The counter petition and the information provided to the residents on project costs only included provision for servicing the existing properties.

The sewer system became fully functional in June 2006. Upon completion of the sewer system, properties began connecting to the system. The RDN began receiving applications to subdivide existing properties that under the OCP and existing zoning could subdivide once community sewer was available.

Staff reviewed the potential for subdivision on properties within the service area and determined that some properties could subdivide (they were large enough) and that the original 235 properties could be expanded by 164 lots (an increase in lots of approximately 70%). This increase would impose additional flows on the existing sewer system and the Barclay Crescent pumping station and force main. On January 22, 2008 the Board agreed to no further consideration of subdivision of properties within the service area until the capacity and cost implications were determined and directed staff to review the system capacity.

Staff has now completed this evaluation and determined that to facilitate expansion there is need to replace 8 pipes in the system at an estimated cost of \$247,548 in 2008 dollars. It is anticipated that these costs would be recovered during subdivision from the imposition of a Development Cost Charge (DCC). The existing properties would not be burdened with paying for upgrading of the existing on-site infrastructure other than the standard minimum 1% assist factor (legislated requirement).

ALTERNATIVES

- 1 Do not permit further subdivision of properties within the Barclay Crescent Sewer Service Area at this time due to capacity limitations in the existing sewage collection system.
- 2 Permit further subdivision of properties within the Barclay Crescent Sewer Service Area but impose a DCC for new development through subdivision charges for the recovery of \$247,548 to permit replacement of undersized piping.

FINANCIAL IMPLICATIONS

Alternative 1 – this alternative compromises subdivision and development rights for existing property owners with subdividable properties. Replacement of sewer pipes to accommodate more growth in the area would not be required at this time so no costs would be imposed on the RDN or property owners.

Alternative 2 - Development Cost Charges would address any financial implications for the RDN and the existing property owners currently paying their share of the capital costs for installation of the original sewer system. Expansions to the existing sewer system to facilitate subdivision of properties will be paid for by Development Cost Charges imposed on the lots being created and would be a “*cost of subdivision*”. Based on actual subdivision being realized pipe replacements would not be done until sufficient DCCs have been collected to replace portions of the undersized pipes; pipe can be replaced progressively on a manhole to manhole basis and does not have to be replaced all at once.

SUSTAINABILITY IMPLICATIONS

The environmental concerns in this area have been dealt with by the construction of a sewer collection system to service the existing properties. The replacement of some sewer mains within the service area to accommodate further subdivision of the area will address future environmental concerns and permit increased property densities without overloading the sewer system.

Providing further subdivision in this area is consistent with the RGS and OCP as we are encouraging urbanization within a recognized urban containment area and this will lessen the need for urban sprawl outside these designated areas.

SUMMARY/CONCLUSIONS

Following the completion of the Barclay Crescent sewer system the RDN began to receive requests to subdivide properties within the service area. As a condition of the infrastructure grant received for the project, the system was not designed to accommodate a large number of new lots. Staff determined the area (currently at 235 properties) could potentially expand by 164 new lots, an increase of almost 70%, raising concerns that the existing system may not be able to accommodate the additional flows without some replacement of existing lines.

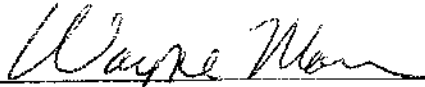
The Board directed that staff review the capacity of sewer pipes in the Barclay Crescent Sewer Service Area. The review determined there was a need to replace 8 pipes at a cost of \$247,548 in 2008 dollars. The replacement can take place progressively if necessary to accommodate the increasing flows and available DCC funds.

The original sewer system completed in 2006 was cost shared by the Canada/BC Infrastructure Program (CBCIP) and the 235 properties and was only designed to accommodate the existing properties in the service area (the CBCIP agreement provided cost sharing to correct an existing problem, not to permit further development/subdivision).

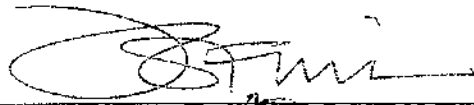
To permit further subdivision in the service area, new development should pay the cost of the improvements through imposition of a Development Cost Charge.

RECOMMENDATION

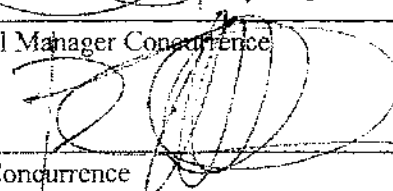
That staff be directed to prepare for the Board's consideration, a Development Cost Charge Bylaw for the purpose of covering the costs of replacing a portion of the sewer collection system in the Barclay Crescent Sewer Service Area to accommodate new subdivision development.



Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:



RDN REPORT	
CAC APPROVAL	
EAP	
COV	✓ Jan 13 09
JAN 13 2009	
RHD	
BOARD	

MEMORANDUM

TO: John Finnie, P. Eng.
General Manager Environmental Services

DATE: December 16, 2008

FROM: Wayne Moorman, P.Eng.
Manager of Engineering

FILE: 5330-20-MD-EXT

SUBJECT: Updated Costs to Service Madrona and Wall Beach with Community Sewers

PURPOSE

To advise the Board on the estimated 2009 cost to provide community sewer to the Madrona and Wall Beach Areas of Nanoose Bay.

BACKGROUND

In 2004 the Regional District of Nanaimo completed a Sewer Servicing Pre-Design Study with cost estimates to service the Madrona and Wall Beach areas of Nanoose Bay with community sanitary sewer. At that time the estimated cost to design and construct the sewer system was \$4,182,665 or approximately \$13,200 per benefitting property. There are currently 317 parcels in the area.

To assist in the cost to design and construct this sewer system the RDN applied to the Canada/BC Infrastructure Funding Program (CBCIFP) for a project grant. The CBCIFP confirmed that the RDN was not eligible for this grant as we did not meet the necessary criteria, specifically with respect to having a region wide zoning bylaw that restricts subdivision to greater than 1 hectare minimum unless the property is within an Urban Containment Area or Restricted Sewer Service Area as determined in the Regional Growth Strategy.

Recently the Northwest Nanoose Residents Association (NNRA) requested the RDN update the costs for this work to 2009 dollars. The RDN has completed this work and the estimated cost in 2009 dollars to design and construct the community sewer system is \$5,049,434 or approximately \$15,930 per property. The cost to review and update the information was about \$3,000 and this was charged to the Area E feasibility fund.

The above costs do not include costs for on-site work such as decommissioning the existing septic tank and connecting the home to the community sewer system in the street or statutory right of way. Recent experience suggests that on-site costs may vary from \$2,000 to \$5,000 per property.

ALTERNATIVES

1. Receive this report for information
2. Proceed to petition or referendum with the full cost option of approximately \$15,930 per property, plus administrative costs associated with the referendum or petition and related public process.

3. Adopt region wide bylaws to restrict subdivision of properties to not less than 1 hectare unless the properties are within Urban Containment Areas or Restricted Sewer Service Areas as determined in the Regional Growth Strategy.

FINANCIAL IMPLICATIONS

Alternative 2 would involve a petition or referendum process with the associated administrative costs (from a few thousand dollars for the petitioning process to in excess of \$10,000 for the referendum). These costs would be charged against the Area E feasibility fund and if the function was approved this money would be recovered from the formation of the Madrona sewer service area. The NNRA has indicated that without government financial assistance, there is little resident support to proceed with a sewer servicing project.

Alternative 3 requires that new zoning bylaws be approved to be consistent with area OCP's that restrict subdivision to not less than 1 hectare size unless the property is located within an urban containment area or restricted sewer area as determined in the RGS plan and OCP. Senior government funding for community sewer systems to address on-site sewage disposal concerns is not available without such a bylaw in place. There are currently at least two OCP's (Area E and Area G) that are adopted and which require the associated zoning bylaw to be enacted to incorporate the 1 hectare minimum lots size. Area A, B, C, and H require amendments to their OCP's and associated zoning bylaws enacted to bring them into compliance with this requirement for CBCIFP grants. Area F has an OCP and corresponding zoning bylaw that determines minimum lot size as 1 hectare unless the property is within an UCB. The cost to advance the required bylaws would come from the appropriate OCP planning budgets.

SUSTAINABILITY IMPLICATIONS

Environmental concerns associated with failing or poorly operating septic systems in this area can be addressed by providing a community sewer system to connect the approximately 314 properties to the French Creek Pollution Control Centre.


SUMMARY/CONCLUSIONS

The RDN completed a sewer pre-design for the Madrona and Wall Beach areas of Nanoose in 2004. Recently the Northwest Nanoose Residents Association requested an update on design and construction costs to 2009 dollars. The RDN has now completed this work and the approximate cost for the community sewer system in 2009 dollars is \$5,049,434 or approximately \$15,930 per property. There are currently 314 properties that would benefit from this sewer system. The \$3000 cost to update the design and construction costs report has been charged to the Electoral Area E feasibility study fund

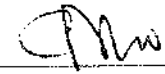
The updated cost estimate has been provided to the Northwest Nanoose Residents Association. The NNRA has advised the RDN that the increased costs have resulted in little resident support to proceed with the project without grant funding. Based on the Association's position, staff suggest that the residents would not likely support a petition or referendum for sewer servicing at full project costs.

RECOMMENDATIONS

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.


FOR W. MADVMAN.
Report Writer


General Manager Concurrence


CAO Concurrence

COMMENTS:



RDM REPORT	
CAC APPROVAL (1/1)	
EAP	
COW	
RHD	
BOARD	

MEMORANDUM

TO: Tom Osborne
General Manager of Recreation and Parks

DATE: December 30, 2008

FROM: Wendy Marshall
Manager of Parks Services

FILE:

SUBJECT: Parks Operations Building

PURPOSE

To obtain Board approval to enter into an agreement for leased space to use as a Parks operations building.

BACKGROUND

Since the inception of the parks function, there has not been an operations building. Initially, the department had few parks, no outside operating staff and minimal equipment. As the number of parks grew and the requests for park development increased, staff were hired to work outside maintaining the parks system.

Today, there are three outside staff, three trucks and a variety of equipment and supplies. The Department is currently storing equipment in several locations including a small corner of the arena work bay at Oceanside Place, the pollution control centre, a small budget storage bin and at the homes of staff members. At present there is also inadequate space at Oceanside Place for undertaking repairs and maintenance of parks equipment, tools and structures.

The Department has looked at various options to solve the work space/storage issue. One option is to construct a new building in conjunction with the RDN Utilities Department; however, it would be relatively expensive at this time and would take several years to plan and complete construction.

The second option is to secure lease space in close proximity to the RDN Recreation and Parks Office in Parksville and as central as possible to servicing parks throughout the region. Staff toured some industrial rental units and located a suitable building in the Parksville Industrial Park. The unit is 1,500 sq. feet and would provide storage space, a large bay to drive trucks in, space for work benches, office space, locker room and a lunch room.

Renting a space at this site would save staff time by eliminating multiple trips between the various storage areas and supply stores. It would allow the Department to carry out maintenance on various park items including signs and benches. There would be room for storage for signs

and large items like playground equipment. There is also room for staff to have lockers and storage for work and safety gear. Securing this leased space would also save staff from unloading and reloading trucks as the vehicles could be driven straight in to the facility and stored over night.

ALTERNATIVES

1. That staff be directed to pursue the lease of a space for use as a parks operations building.
2. That staff not pursue the rental of a space for use as a parks operations building at this time

FINANCIAL IMPLICATIONS

The monthly rental for the space is \$2,460.54 which is as detailed as follows:

Rent @ 9.00 per sqft	1,125.00
Common Area Mtnc	406.25
Tenant improvements	812.12
GST	117.17

Tenant improvements includes the installation of a mezzanine for a lunch room and storage area; installation of offices; dry walling and painting; flooring; light fixtures; exit lights; and heating. It also includes design and drawings for the building permit. It does not include communications cabling for phones and computers. The cost of the tenant improvements is amortized over five years. The RDN would have to sign an agreement for five years for the rental of this facility.

The cost of the facility would be divided between Regional and Community Parks. In the Provisional 2009 budget, \$32,000 was allocated for the rental. This includes the monthly fee and extra for costs such as the communication cabling. The cost to the Regional Parks Budget is \$24,000 and to the Electoral Community Parks Budget is \$8,000 (\$1,143 each Electoral Area). The justification for the above allocation is generally based on the percentage of service provided to each park function.

Should the Board decide not to pursue a lease for and operation building, it will be increasingly difficult for the Department to maintain and service the eight parks functions properly. The current set up at Oceanside Place is inadequate and is now required for arena operations. Additional storage space would need to be rented for materials and supplies and some equipment maintenance and repair work will need to be deferred until a suitable location is secured.

SUSTAINABILTY IMPLICATIONS

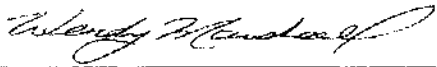
A parks operation building would reduce greenhouse gas emissions by reducing the trips required by parks staff to gather material, equipment and supplies throughout the region.

SUMMARY

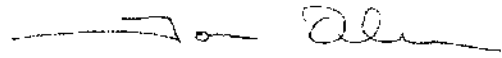
The Parks Department currently does not have any dedicated space to use for operations purposes. An area is needed to store materials, to perform maintenance and repair work. A 1,500 sq. foot industrial unit has been located at the Parksville Industrial Park which would provide staff with the area needed to carry out their work and to store equipment and supplies. The monthly rental for a space, including tenant improvements is \$2,460.54. The 2009 Provisional Budget and Five year Financial Plan has \$32,000 allocated between Regional and Community Parks.

RECOMMENDATION

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.



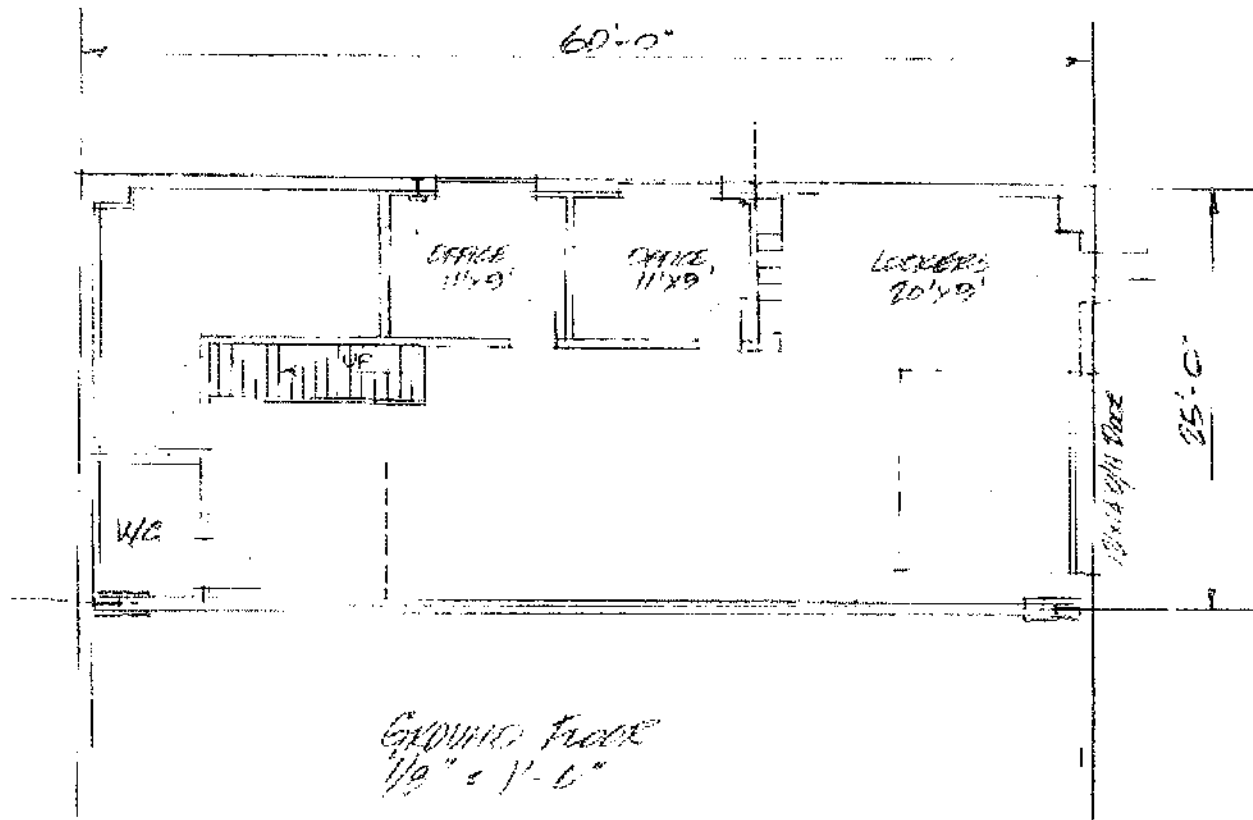
Report Writer



General Manager Concurrence



CAO Concurrence



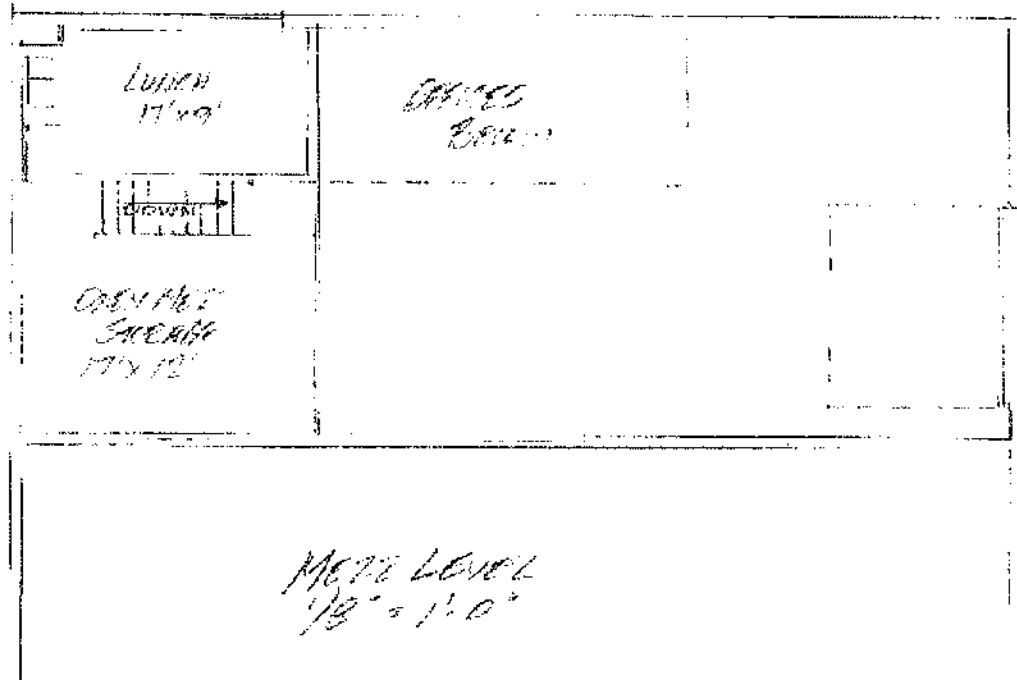
Project: Resland Development Corp
 Re 1120 Industrial, Parksville

Date: Sept 16, 2008

Drawing No: SK1 of 2

concept construction corp.

127 - 2323 Bounray Road, Vancouver, B.C. V5M 4V2
 Phone (604) 291-0500 Fax (604) 231-6501



Project: Resland Development Corp
 Re - 1120 Industrial Parkville

Date: Sept 16, 2006

Drawing No: *SK2 OF 11*

concept can - land inc

27 - 2375 Boundary Lane, Vancouver, B.C. V6M 4Y8
 Phone (604) 291-0000 Fax (604) 291-0500



INFO	DATE	BY
COO	1 Jan 13 '09	
R-D		
BOARD		

MEMORANDUM

TO: Carey Melver
Manager of Solid Waste

DATE: January 2, 2009

FROM: Jeff Ainge
Zero Waste Coordinator

FILE: 5370-01

SUBJECT: Garbage and Recycling Collection Program - Contract Extension

PURPOSE

To acquire Board approval to extend the RDN garbage and recycling collection program contract for an additional year.

BACKGROUND

In 2002 the RDN executed a five year contract with Waste Services Inc. (WSI) to undertake residential garbage and recycling collection services for approximately 25,600 households in the RDN. This contract expired March 31, 2007.

In February 2007 the Regional Board approved extending the contract by one year (to March 2008) to facilitate the implementation of the residential food waste collection pilot program. In January 2008 the contract was further extended by the Board to cover the April 2008-March 2009 collection period.

The twelve month residential food waste collection pilot project start up was delayed until October 2007. This project has now run the course of its twelve month "pilot phase" and while staff are currently evaluating the various data gathered, collection of food waste is continuing on the three test routes. A report providing a summary of the food waste collection data will be provided for the Board's consideration in the coming months.

One of the purposes of the food waste pilot program was to provide information for the next garbage and recycling collection contract tender with regards to curbside food waste collection within the RDN. In September 2008 the Board received a report from staff which provided information on expanding food waste collection to all RDN residential garbage customers. The Board directed staff to include food waste collection in the upcoming collection tender. Given a four month tender process, as well as a possible eight to twelve month delivery schedule for new collection vehicles, staff anticipates that a full region-wide collection program could be implemented by April 2010.

Staff have initiated the pre-qualification process for the tender, with a view to issuing a formal tender or request for proposals call by February 2009. The formal call will include a request for pricing options to service over 25,600 residential customers with enhanced collection service to include food waste.

The collection contract will be awarded by May 2009 for an anticipated commencement date of April 2010. This time lag between awarding of the contract and start of the new contract will allow the successful bidder to procure new collection vehicles (a process that may take several months) and, assuming the prices for food waste collection meet with the Board's approval, time for procuring food waste collection containers. Time will also be needed for staff and contractor to plan for and implement a communications strategy detailing changes to the collection service.

A further one year extension of the current collection contract allows uninterrupted service while the pre-qualification and formal contract tender or request for proposals process proceeds.

Waste Services Inc., the current garbage and recycling collection contractor has agreed to maintain the regular garbage and recycling service for an additional year and to continue participating in the food waste collection for Route 52; the one RDN route that participated in the pilot project.

Staff has negotiated terms of a contract extension with WSI to continue the contract under the terms and conditions of the present extension. Under the contractor fee escalation agreement, the 2009 contracted fee has increased by 3.5% over the 2008 rate.

ALTERNATIVES

1. Extend the garbage and recycling collection contract for an additional year.
2. Do not extend the garbage and recycling collection contract for one year and prepare a new contract tender.

FINANCIAL IMPLICATIONS

Alternative 1

The 2009 Annual Budget for the RDN garbage collection and recycling program is \$2,495,000. Contractor fees account for \$1,331,000 or 53% of this budget. The other major program expenditure is tipping fees, budgeted at \$735,000 (30%). Public education materials, administration, overhead, and staff wages account for the remaining \$429,000 (17%). The fees for the contracted pick-up, disposal, administration, and recycling education are calculated so that all costs are covered and no taxes are used.

The 2009 collection fee has been increased 3.5% from the 2008 fee as per the contractor fee escalation agreement. This fee would continue until March 31, 2010.

Alternative 2

Under Alternative 2, preparation of a new contract tender would mean that the current contractor would need to be retained on a month-to-month basis until the tender could be completed and a new program started.

INTERGOVERNMENTAL IMPLICATIONS

The Regional District's collection contract includes servicing the City of Parksville, as well as the Town of Qualicum Beach (recycling only) and the District of Lantzville (recycling only).

PUBLIC RELATIONS IMPLICATIONS

A new collection schedule will be required for each route. While some customers expressed frustration at receiving only a single year schedule for the current 2008-2009 service, this cannot be avoided for the upcoming year. Once a new five-year contract is in place in the coming year, there may be the need for some route adjustments by the successful bidder. Longer term schedules, covering two or three years, can be considered as part of the communications strategy for 2010 onwards.

CONCLUSIONS


The five year residential garbage and recycling curbside collection contract with Waste Services Inc. expired March 2007. In February 2007 the Regional Board approved extending the contract by one year (to March 2008) to facilitate the implementation of the residential food waste collection pilot program. This was further extended in January 2008 to allow the food waste collection project to continue without disruption. This project has now run the course of its twelve month "pilot phase" and while staff are currently evaluating the various data gathered, collection of food waste is continuing on the three test routes.

One of the purposes of the food waste pilot program was to provide information for the next garbage and recycling collection contract tender with regards to curbside food waste collection within the RDN. Staff have initiated the pre-qualification process for the tender, with a view to issuing a formal tender call by February 2009. The formal tender will include a request for pricing options to service over 25,600 residential customers with enhanced collection service to include food waste.

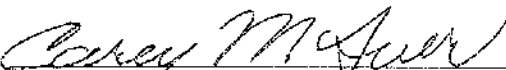
Waste Services Inc., the current garbage and recycling collection contractor has agreed to maintain the regular garbage and recycling service for an additional year and to continue participating in the food waste collection pilot project. The 2008 collection fee has been increased 3.5% from the 2007 fee as per the contractor escalation agreement.

RECOMMENDATION

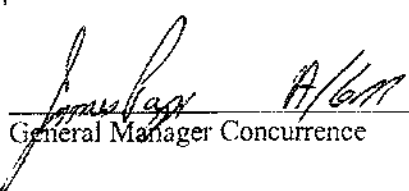
That the Board approve an additional one-year extension to Waste Services Inc. for garbage and recycling collection services.




Report Writer



Manager Concurrence

for


General Manager Concurrence



CAO Concurrence

COMMENTS:



NOT REPLY	
CAC APPROVAL <i>DM</i>	
EAR	
CCW: ✓	<i>Jan 13 '09</i>
RDN	
RHD	
BOARD	

MEMORANDUM

TO: Carey McIver
Manager OF Solid Waste

DATE: January 2, 2009

FROM: Helmut Blanken P.Eng.
Superintendent Engineering & Disposal Operations

FILE: 2240-20-FOOT

SUBJECT: Regional Landfill Security Services Contract Award

PURPOSE

To obtain Board approval to enter into a three year contract with Footprints Security to provide security services at the Regional Landfill.

BACKGROUND

In order to protect the property and equipment of the RDN and/or its contractors from damage, vandalism or theft, security services are required at the Regional Landfill. A contracted security person is on-site continuously whenever the landfill is closed for business. Under the current contract security is provided from 6:30 p.m. of each business day until 6:30 a.m. the following business day seven days per week including statutory holidays to ensure that no unauthorized individuals enter the facility.

Due to increased capital projects at the landfill, including the commissioning of the landfill gas utilization facility, coverage must now start at 5:30 p.m. to avoid the one hour gap in site access control after RDN staff has left the site and the gate is locked.

A tender was issued in November 2008 to provide this security service at the Regional Landfill for a three (3) year period from March 1, 2009 to February 29, 2012. Tender closed on December 5, 2008; three tenders were submitted and are outlined below:

Company	Year 1	Year 2	Year 3	Total
Footprints Security	\$94,468.00	\$99,468.40	\$104,150.84	\$297,810.24
Safety Net Security	\$109,164.00	\$112,438.92	\$114,672.62	\$336,275.54
Security Guard Services Ltd	\$127,302.96	\$131,123.72	\$135,056.92	\$393,483.60

The lowest tender was received from Footprints Security for a total contract cost of \$297,810.24 for the three (3) year period.

ALTERNATIVES

1. Award the contract to provide security services at the Regional Landfill to Footprints Security.
2. Do not award a contract to provide security services.

FINANCIAL IMPLICATIONS

The 2009 annual budget for solid waste engineering and disposal operations allocates \$90,000 for security services. There are sufficient funds in the budget to fund this contract at \$94,468 per year.


SUMMARY

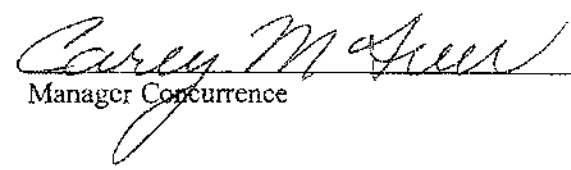
In order to protect the property and equipment of the RDN and/or its contractors from damage, vandalism or theft, security services are required at the Regional Landfill. A contracted security person is on-site continuously whenever the landfill is closed for business from 5:30 p.m. of each business day until 6:30 a.m. the following business day seven days per week including Statutory Holidays to ensure that no unauthorized individuals enter the facility.

A tender was issued in November 2008 to provide this security service at the Regional Landfill for a three (3) year period from March 01, 2009 to February 29, 2012. The lowest tender was submitted by Footprints Security for a total contract cost of \$297,810.24.

RECOMMENDATION

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.

for

Report Writer


Manager Concurrence


General Manager Concurrence


CAO Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE DISTRICT 69 RECREATION COMMISSION REGULAR
MEETING HELD ON THURSDAY, DECEMBER 4, 2008
AT OCEANSIDE PLACE
2:00PM**

Attendance: Frank Van Eynde, Chair
Dave Bartram, Director, RDN Board
Jennifer O'Farrell, Electoral Area 'G'
Patty Biro, Electoral Area 'H'
Reg Nosworthy, Electoral Area 'F'

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

Regrets: Eve Flynn, Trustee, School District #69

Absent: Jack Wilson, Councilor, Town of Qualicum Beach
Charles Robinson, Councilor, City of Parksville

CALL TO ORDER

Chair Van Eynde called the meeting to order at 2:05pm.

DELEGATIONS

MOVED Commissioner Bartram, SECONDED Commissioner O'Farrell, that the late delegation, Brian Pasquill, Recap Power Works Inc., be received.

CARRIED

Mr. Pasquill thanked the members for the opportunity to address the Commission with regard to his proposal to make an application of behalf of the Ravensong Aquatic Centre to the ICE (Innovative Clean Energy) Fund Program. The project proposed would be to install a solar thermal system for Solar Domestic Hot Water and pool heat at Ravensong Aquatic Centre. Mr. Pasquill stated with the installation of a 70 panel system, a 25 metre pool such as Ravensong Aquatic Centre could save in excess of \$15,000 per year, which represents a decrease of 35 tonnes of greenhouse gas emissions from the aquatic centre annually.

Mr. Pasquill noted he had just discovered the funding opportunity which will top up other funds received by 75%. The deadline for applications is December 10 and prior to submitting the application he would like to know if the Department is interested in the project, and if so would submit the application on behalf of the Regional District of Nanaimo.

Mr. Osborne noted to the Commission and delegation that the Regional Board has signed on to the Climate Change Plan and must be carbon neutral by 2012. The Department is just completing a Power Smart Audit and also investigating the possibility of geo-thermal heating system for the aquatic centre. The timing for the ICE proposal is good however, all the changes required to become carbon neutral do have a budgetary impact and at the present time the funding is not

available and the Aquatic Centre is undergoing an infrastructure review assessment. Mr. Osborne noted he would include the proposal for consideration as the Department moves forward to the 2012 carbon neutral goal; however, the timeline would not meet the ICE Fund Program deadline.

MINUTES

MOVED Commissioner Biro, SECONDED Commissioner Bartram, that the Minutes of the District 69 Recreation Commission held October 23, 2008, be approved.

CARRIED

COMMUNICATION/CORRESPONDENCE

MOVED Commissioner Biro, SECONDED Commissioner Bartram, that the following Correspondence be received:

- J. Chantrel, Arbutus Jumpers Society, Re: Grant Thank You
- F. Van Eynde to Rotary Club of Qualicum Beach, Re: 2008 Rotary District 5020 Annual Conference
- T. Osborne to School Community Connections Program, Re: School District #69 and Regional District of Nanaimo SCC Application
- M. Pickering, Parksville Pirates Slo-Pitch Softball Club, Re: Grant Thank You
- J. McMillan, Family Resource Association, Re: Grant Thank you.

CARRIED

MOVED Commissioner Bartram, SECONDED Commissioner Biro, that the late correspondence S. Stahley, Arrowsmith Community Enhancement Society, re: Additional Funding Request Area 'F' Agreement, for 2009 Budget Consideration, be received.

CARRIED

FUNCTION REPORTS

Recreation Services

Mr. Porteous reviewed the Recreation Services Report highlighting the following items:

- The Leaders in Training Program has been improved to allow participants to channel their interests by working at the arena or aquatic centre in addition to the opportunities in recreation programming.
- Attendance has increased at Oceanside Place especially for the registered Pond Rascal program and the Adult Scrub Hockey sessions.
- Recreation staff are continuing to work with the U17 Committee as the event draws closer. Single tickets for the games are now available.
- The Free To Me Program Inclusion Swim Program has been offered for a second year at Ravensong Aquatic Centre.
- The new computer control system is up and running at the Aquatic Centre.
- Programmers Chrissie Finnie and Colleen Douglas have both returned to work after their maternity leave. Chrissie returned at the beginning of November and Colleen the first of December.
- Oceanside Place is providing event ticket sales for the Scotties Tournament of Hearts Provincial Championship to be hosted by the Parksville Curling Club, January 20-25.

Mr. Osborne stated staff are preparing the Ravensong Aquatic Centre Expansion Report and as part of that process and because of concerns raised by staff about the condition of the current facility, specifically around the building envelope, an engineering firm was commissioned to prepare a report on the condition of the facility. The report prepared by Levelton Engineering was received just this week which confirmed staff concerns there is failure in the building envelope system. There is water saturation in the walls which is compromising the insulation and gypsum board, as well as, structural damage. The engineer believes the damage has been caused by high humidity levels in the facility. The air handling system is not and has not performed adequately to control recommended humidity levels. Mr. Osborne stated the Expansion Report will be prepared with an option to proceed with the repair or repair and expand at the same time. The engineering report does give a three year window to complete the repairs. Mr. Osborne stated the 2009 Ravensong Aquatic Centre budget will need to be adjusted to cover the expected professional fees.

Regional Parks and Trails and Community Parks (EA 'E' – 'H')

Mr. Osborne reviewed the Regional Parks and Trail and Community Parks (EA 'E' – 'H') Report highlighting the following items:

- Garbage cans have been installed at two sites on Plummer Road in Area 'G'.
- Two new regional Parks have been approved by the Board – Coats Regional Park on Gabriola Island and Mount Arrowsmith Regional Park.
- A review is in process of the Regional Park Acquisition Criteria framework.
- The Mt. Benson Regional Park Management Plan Terms of Reference was approved by the Board at their November 25 meeting.
- Approximate 500m of new fence has been installed on the beach side of the Little Qualicum River Estuary Conservation Area.
- A new roof has been installed on the caretaker's house at Horne Lake Regional Park and the use solar panels are being investigated.
- The Englishman River Regional Park Management Plan was approved by the Board at their November meeting.
- A meeting will be set up with Director Bartram and the Manager of Parks to review volunteer trail building in Area 'H'.

MOVED Commissioner Bartram, SECONDED Commissioner O'Farrell, that the Reports be received.

CARRIED

BUSINESS ARISING FROM DELEGATIONS

MOVED Commissioner O'Farrell, SECONDED Commissioner Bartram, that the information provided by Mr. Pasquil regarding the Innovative Clean Energy Fund Program, be received.

CARRIED

BUSINESS ARISING FROM COMMUNICATIONS/CORRESPONDENCE

Commissioner Nosworthy left the meeting at 2:42pm citing a conflict of interest with his role with the Arrowsmith Community Enhancement Society (ACES).

In the correspondence ACES requested an increase in funding during the second and third year of a three year agreement with the Regional District for the provision of recreation services in Area

'F'. The request is based on the Society's desire to establish a centralized office for its Activity Coordinator. The Society is aware that funds for services directly provided through the Regional District in Area 'H' include expenses for an office space and operating overhead. ACES requested similar funding for such operational expenses.

Commission members requested staff be directed to contact the Arrowsmith Community Enhancement Society to provide additional information and a business plan with regard to their request for additional funding for the Area 'F' Agreement for review at the January Commission meeting.

Commissioner Nosworthy returned to the meeting at 2:57pm.

NEW BUSINESS

Notice of Motion – 2009 Youth and Community Grants Budget

MOVED Commissioner Nosworthy, SECONDED Commissioner Biro, 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

2009 Annual Budgets and Five Year Capital and Financial Plans

Mr. Porteous presented the 2009 Annual Budget and Five Year Capital and Financial Plan for the District 69 Recreation Coordinating Function, Oceanside Place Function and the Ravensong Aquatic Centre Function.

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

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

MOVED Commissioner Bartram, SECONDED Commissioner Biro 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.

CARRIED

MOVED Commissioner O'Farrell, SECONDED Commissioner Nosworthy, that the 2009 Annual Budget and Five Year Capital and Financial Plan for Oceanside Place, be approved in principal as presented.

CARRIED

MOVED Commissioner Bartram, SECONDED Commissioner Biro, that the 2009 Annual Budget and Five Year Capital and Financial Plan for the Ravensong Aquatic Centre be approved in principal as presented.

CARRIED

COMMISSIONER ROUNDTABLE

Commissioner Nosworthy noted the following items:

- a very successful Halloween event was held in Area 'F'
- ACES and School District 69 have been unable to complete a joint uses agreement for the Community Schools and as a result the Community Coordinator's office will be relocated
- volunteers have completed approximately three quarters of the trail loop on the Malcolm Property

Commissioner Biro requested a review of the definition of youth be placed on the next agenda.

Commissioner Biro noted the following events in Area 'H':

- two hundred children attended the Halloween Party in October
- a Polar Bear Swim will be held January 1, 2009, at Sunny Beach
- a Village Planning meeting will be held with the Hall Board to assist in the process to get the Hall Board back on track
- two volunteer groups have been busy building trail along Nile Creek and also in Deep Bay Creek Park

Commissioner Bartram noted he has had good reports from the Community about the Programmer in Area 'H' and she is providing a good image for the Regional District.

Commissioner Nosworthy requested an update on the Track and Field Study be provided at the January meeting.

ADJOURNMENT

MOVED Commissioner Nosworthy, SECONDED Commissioner Biro, that the meeting be adjourned at 4:43pm.

Frank Van Eynde, Chair

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA 'A' PARKS AND GREEN SPACE ADVISORY
REGULAR COMMITTEE MEETING HELD
NOVEMBER 20, 2008, AT CEDAR HERITAGE CENTRE
7:30PM**

Attendance: Joe Burnett, Director, RDN Board
Jim Fiddick
Margaret Johnson
Lynne Aldcroft
Gay Cunningham, Secretary

Staff: Wendy Marshall, Manager of Park Services

Absent: Frank Garnish, Chair
Kerry-Lynne Wilson
David Flynn
Barbara Metcalf

CALL TO ORDER

In the absence of Mr. Garnish, Mr. Burnett assumed the role of Chair.

The Chair called the meeting to order at 7:35pm.

MINUTES

MOVED J. Fiddick, SECONDED L. Aldcroft, that the Minutes of the Electoral Area 'A' Parks and Green Space Advisory Committee Meeting held September 18, 2008, be approved.

CARRIED

BUSINESS ARISING FROM THE MINUTES

Ms. Aldcroft will contact members of the Advisory Committee to arrange a good-bye party for Mr. Materi.

REPORTS

Staff Update

Ms. Marshall highlighted the following items:

- the two new staff hired in September have been trained and have begun checks on Regional and Community Parks
- the new kiosks have been installed at Nanaimo River Regional Park and Top Bridge Regional Trail and Englishman River Regional Park
- Ms. McCulloch is in the process of preparing the Terms of Reference for the skateboard park. She is also receiving quotes on the design and construction of the facility. A final design should be completed by January.

- the a feasibility study for trail along the E & N Rail line is underway
- the grand opening for Thelma Griffith Park has been postponed until spring
- Ms. McCulloch will investigate the possible installation of a kiosk at Thelma Griffiths Park describing the history of the area and the biography of Thelma Griffiths.

COMMITTEE ROUND TABLE

- The Regional Board has appointed an OCP Review Committee. The Committee will meet regularly at the North Cedar Improvement District Firehall. The first meeting was held November 3, 2008.
- A new Agricultural Committee will be formed in the New Year, which will liaise between the agricultural community and the Regional Board.

IN CAMERA

MOVED J. Fiddick, SECONDED L. Aldcroft, that pursuant to Section (90) (1) (e) of the Community Charter the Committee proceed to an In Camera meeting to consider land issues.

CARRIED

Chair

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE EAST WELLINGTON AND PLEASANT VALLEY PARKS AND OPEN SPACE ADVISORY REGULAR COMMITTEE MEETING HELD, THURSDAY, NOVEMBER 3, 2008, 7:00PM AT EAST WELLINGTON FIRE HALL

Attendance: Rick Heikkila, Chairman
Bruce Erickson
Judith Wilson
Steve Ellis
Dale Fulton
Maureen Young, Director, RDN Board

Staff: Elaine McCulloch, Parks Planner

Also In Attendance: Charles Pinker, Alternate Director, RDN Board

CALL TO ORDER

1 Chair Heikkila called the meeting to order at 7:05pm.

MINUTES

3 MOVED J. Wilson, SECONDED S. Ellis, that the Minutes of the East Wellington and Pleasant Valley Parks and Open Space Advisory Committee Meeting held May 5, 2008, be received.
CARRIED

REPORTS

8 Creekside Trail Update

Ms. McCulloch reported a survey will be done to establish the park boundary. Park staff will enquire about an alternate placement for the bridge, if required, and investigate Riparian Area Regulations (RAR) requirements.

MOVED J. Wilson, SECONDED D. Fulton, that the Reports be received.

CARRIED

NEW BUSINESS

9.1 Review of Meadow Drive Community Survey

Committee members reviewed the Meadow Drive Park Amenities Survey results.

9.2 Meadow Drive Park Master Plan – Development Priorities

Park staff will investigate the feasibility of developing a trail network in Meadow Drive Park and draw up park concept plans based on information received from the Park Amenities Survey.

IN CAMERA

- 13 MOVED J. Wilson, SECONDED D. Fulton, that pursuant to Section (90) (1) (e) of the Community Charter the Committee proceed to an In Camera meeting to consider land issues

CARRIED

Chair

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA 'E' PARKS AND OPEN SPACE ADVISORY
REGULAR COMMITTEE MEETING HELD MONDAY, DECEMBER 1, 2008
AT NANOOSE LIBRARY HALL
7:00PM**

Attendance: George Holme, Director, RDN Board
Frank Van Eynde, Chair
Gabrielle Carlidge
Scott Wroe

Staff: Wendy Marshall, Manager of Parks Services
Elaine McCulloch, Parks Planner

Absent: Stephen Watson
Floyd Harry
Bonnie Whipple

CALL TO ORDER

Chair Van Eynde called the meeting to order at 7:05pm.

MINUTES

MOVED F. Van Eynde, SECONDED G. Carlidge, that the Minutes of the Electoral Area 'E' Parks and Open Space Advisory Committee Meeting held October 6, 2008, be approved.

CARRIED

BUSINESS ARISING FROM THE MINUTES

Coventry Place Update

Ms. Marshall noted a survey of the neighbourhood will be held regarding the Coventry Place golf course access and a report prepared regarding the survey results for the Committee.

REPORTS

Timberstone Development Update

Ms. Marshall reported a \$20,000 bond will be held until the completion of all the deficiencies regarding the park area.

Fairwinds Public Consultation Process

Ms. Carlidge provided a review of the Fairwinds public consultation process. She also noted there are ongoing discussions regarding development at both Schooner Cover and the Lake District of which reports and videos will soon be available. Ms. Carlidge also reported Fairwinds has requested a commitment of a Parks and Open Space Committee member to attend all their meetings.

MOVED F. Van Eynde, SECONDED S. Wroe, that the Committee review the Schooner Cove and the Lake District development reports and videos once they are available.

CARRIED

MOVED F. Van Eynde, SECONDED S. Wroe, that the appointment of an alternate representative, in addition to Ms. Cartlidge, be made at the next regular meeting of the Electoral Area 'E' Parks and Open Space Advisory Committee.

CARRIED

MOVED G. Holme, SECONDED G. Cartlidge, that the Reports be received.

CARRIED

NEW BUSINESS

2009 Budget

Ms. Marshall presented the 2009 Electoral Area 'E' Community Parks Function Budget.

MOVED S. Wroe, SECONDED G. Cartlidge, 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

ADJOURNMENT

MOVED G. Cartlidge, SECONDED F. Van Eynde, that the meeting be adjourned.

Chair

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA 'F' PARKS AND OPEN SPACE ADVISORY
REGULAR COMMITTEE MEETING HELD
DECEMBER 8, 2008, AT ERRINGTON WAR MEMORIAL HALL
7:30PM**

Attendance: Peter Doukakis, Chair
Reg Nosworthy
Robyn Elliott
Kebble Scheaff
Don Brittain
Lou Biggemann, Director, RDN Board
Linda Tchorz, Secretary

Staff: Wendy Marshall, Manager of Park Services
Elaine McCulloch, Parks Planner

CALL TO ORDER

Chair Doukakis called the meeting to order at 7:00pm.

MINUTES

MOVED R. Elliott, SECONDED R. Nosworthy, that the Minutes of the Electoral Area 'F' Parks and Open Space Advisory Committee Meeting held October 20, 2008, be approved.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

T. Osborne Email To R. Nosworthy, Re: POSAC Area "F" Grant Funding Request

Ms. Marshall explained the reason why community parks budgets are used for community hall purposes. Ms. Marshall also clarified that reserve funds could only be used for park purchase or development but not to fund community halls.

REPORTS

Staff Report

Ms. McCulloch updated the Committee on the trail work in progress on the Malcolm property. She noted Steve Cross will continue to work on the trails without Regional District supervision. A Trails Day event to be held in the New Year will be organized by Jamie Black, the Arrowsmith Country Activities Coordinator, which will include a volunteer trail work party on the Malcolm property.

Mr. Biggemann congratulated staff on the excellent work done to acquire Mt. Arrowsmith Massif Regional Park.

MOVED D. Brittain, SECONDED R. Nosworthy, that the Reports be received.

CARRIED

NEW BUSINESS

2009 Budget

Ms. Marshall presented the 2009 Electoral Area 'F' Community Parks Function Budget.

MOVED D. Brittain, SECONDED R. Elliott, 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

COMMITTEE ROUND TABLE

Chair Doukakis congratulated Mr. Biggemann on his re-election as Electoral Area 'F' Director.

Mr. Biggemann noted negotiations regarding Hamilton Marsh are ongoing.

Mr. Biggemann reported a potential buyer of the Errington Elementary School plans to use the building for community purposes/art centre.

Mr. Schcaff noted Steve Cross has a new website – "Trail Ninja".

Ms. Elliott noted she was very pleased with the grant received by the Arrowsmith Community Hall, as the facility will be utilized for disaster relief. As well, the Arrowsmith Activities Coordinator will be renting office space in the building.

ADJOURNMENT

MOVED R. Elliott that the meeting be adjourned at 7:00pm.

Chair

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA 'H' PARKS AND OPEN SPACE ADVISORY
REGULAR COMMITTEE MEETING
THURSDAY, NOVEMBER 19, 2008
AT LIGHTHOUSE COMMUNITY CENTRE
7:30PM**

Attendance: Michael Procter, Chair
Barry Ellis
Brenda Wilson
Val Weismiller
Maggie Little
Dave Bartram, Director, RDN Board
Patty Biro, Secretary

Staff: Jonathan Lobb, Parks Operations Coordinator

CALL TO ORDER

Chair Procter called the meeting to order at 9:00 am.

DELEGATIONS

MOVED D. Bartram, SECONDED M. Little, that the late delegation Mr. George Cousineau, be received.

CARRIED

Mr. Cousineau, owner Lot A, PL 44033, DL 33, Newcastle LD, 6173 Island West, informed the Committee he has applied to the Ministry of Transportation for a variance to enable him to include the garage and trees within the property boundaries.

MINUTES

MOVED B. Ellis, SECONDED B. Ellis, that the Minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee Meeting Held on October 2, 2008, be approved.

CARRIED

BUSINESS ARISING FROM THE MINUTES

Mapleguard Ratepayer's Association, Re: Deep Bay Park New Proposed Trail Along Pardiac Lands

Ms. Marshall will draft a letter in response to the e-mail received from Mapleguard Ratepayer's Association regarding Deep Bay Park. In addition, Mr. Procter and Mr. Bartram will draft a letter clarifying the purpose and practices of the Parks and Open Space Advisory Committee.

COMMUNICATIONS/CORRESPONDENCE

MOVED D. Bartram, SECONDED V. Weismiller, that the following late Correspondence be received:

- S. Stephens Email, Re: McColl Road Foot Path
- C. Hahn Email, Re: ATV Use In Oakdown Park
- D. Bartram Email, Re: Bicycle/Walking Path Included On Extension Of Esary Road

CARRIED

BUSINESS ARISING FROM DELEGATIONS

Discussed under New Business.

BUSINESS ARISING FROM COMMUNICATIONS/CORRESPONDENCE

S. Stephens Email, Re: McColl Road Foot Path

MOVED B. Ellis, SECONDED B. Wilson, that a letter be drafted to Ms. Stephens to inform her that the Electoral Area 'H' Parks and Open Space Advisory Committee is not considering the development of a beach access at the McColl Road site at the present time.

CARRIED

REPORTS

MOVED D. Bartram, SECONDED M. Little, that the Reports be received.

CARRIED

NEW BUSINESS

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

MOVED M. Little, SECONDED B. Ellis, 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.

CARRIED

Walk Way Proposal – Foulds Subdivision To Coburn Road

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

CARRIED

Deep Bay Creek Park

Committee members requested four signs be placed along the park boundary to keep park users within the park boundaries.

ADJOURNMENT

MOVED D. Bartram that the meeting be adjourned.

Chair

**REGIONAL DISTRICT OF NANAIMO
REGIONAL SOLID WASTE ADVISORY COMMITTEE
INAUGURAL MEETING
HELD ON THURSDAY, DECEMBER 4, 2008,
RDN BOARD CHAMBERS**

Present:

Al Leuschen	Ministry of Environment
Gary Franssen	City of Nanaimo
George Holme, Chair	Director, RDN
Lou Biggemann	Director, RDN
Michael Schellinck	Waste Management – Non Profit Sector
Twyla Graff	District of Lantzville
Melissa Kriegerfox	Waste Management – Non Profit Sector
Wally Wells	General Public - South
Janet Sawatsky	General Public - North
John Cheek	Business Community - South

Also in Attendance:

Dennis Trudeau	GM Transportation & Solid Waste Services, RDN
Carey McIver	Manager of Solid Waste, RDN
Jeff Ainge	Zero Waste Program Coordinator, RDN
Helmut Blanken	Superintendent Engineering and Disposal Operations, RDN
Maggie Warren	Superintendent of Scale and Transfer Services, RDN
Carol Mason	Chief Administrative Office, RDN
Maude Mackey	Zero Waste Compliance Officer, RDN
Sharon Horsburgh	Senior Zero Waste Coordinator, RDN
Rebecca Graves	Recording Secretary, RDN

CALL TO ORDER

The Chairperson called the meeting to order at 4:02 pm and introduced and welcomed members.

MINUTES

No minutes were adopted.

RSWAC TERMS OF REFERENCE

Carey McIver discussed the Terms of Reference of the Committee including the purpose, roles and responsibilities, membership criteria and term. (Slide presentation attached to minutes).

SOLID WASTE MANAGEMENT PLAN OVERVIEW

Carey McIver presented background information on the development of the Solid Waste Management Plan, which consists of the Zero Waste Plan and the Residual Management Plan. (Slide presentation attached to minutes).

WASTE STREAM MANAGEMENT LICENSING UPDATE

Sharon Horsburgh gave a presentation on the WSML Bylaw 1386 with respect to how it supports and regulates privately operated municipal solid waste and recyclable material operations. The RDN attempts to work with local facilities to bring them into compliance. It helps make operators/facilities aware of regulations and what options they have for disposal. The bylaw process was created in conjunction with community stakeholders and including Cowichan Valley Regional District. Future work plans include

implementing a reporting system, review processing fees rate schedules and review security deposit amounts. (Slide presentation attached to minutes).

ORGANICS DIVERSION UPDATE

Jeff Ainge gave a presentation in regards to the organics diversion strategy for commercial and residential food waste. A brief history was given on how the Board directed staff to implement the pilot program. The 12 month pilot project starting October 2007 was discussed. The field test was done in three areas; Town of Qualicum Beach, City of Nanaimo and Electoral Area A - Cedar. (Slide presentation attached to minutes).

The communication strategy included notices to households, email, phone and website contacts. Drop in sessions were also held and newsletters were including in this strategy. Monitoring and evaluation also took place. Some components included date gathering, participation, tracking and surveys. The collection of food waste will continue on the three routes beyond the 12 month project window. Planning is underway to investigate how best to implement this across the region and with partnering municipalities.

A question was asked if we are looking into servicing multi-family dwellings. Staff responded that the initial focus will be on residential food waste collection but service to the multi-family sector will be considered in the future.

John Cheek asked about the air quality from ICC. Carey McIver advised that although ICC has had odor problems in the past and the RDN is not aware of complaints in the last 6 months.

BANS ENFORCEMENT & ILLEGAL DUMPING UPDATE

Maude Mackey discussed disposal bans and illegal dumping. The bans are applicable at the disposal facilities and violation rates are in place for banned items. Violation notices are issued and followed up on.

Site visits are done with the Commercial Food Waste Ban. The site inspections reveal that some commercial businesses have been sending organics to farmers and the legalities of this practice are currently under review.

For illegal dumping, the authority is drawn from WSML Bylaw. It is not about enforcement but compliance. The Bylaw makes generators, haulers or land owners to be legally responsible. (Slide presentation attached to minutes).

UPCOMING MEETING SCHEDULE AND TOPICS

Carey McIver advised the Committee will meet every other month as required, on the 3rd Thursday of that month. The next meeting will be January 15, 2009.

The next meeting will focus on the Residual Waste Plan, including a presentation on the draft Design & Operations Plan for the Regional Landfill and a report on the Assessment of New Treatment Technologies.

OTHER

Comment was made that energy from waste is very current. Carey McIver mentioned that this issue will be discussed at the next meeting when our consultants present their report on new treatment technologies. Input from the Committee will be requested at that time.

The Committee also discussed the down turn in the market for recyclable items.

ADJOURNMENT

The meeting was adjourned at 6:05 pm. The next meeting of the Regional Waste Advisory Committee will be on January 15, 2009 from 4:00 – 6:00 pm.

CHAIRPERSON