

REGIONAL DISTRICT OF NANAIMO

**REGULAR BOARD MEETING
TUESDAY, MAY 26, 2009
7:00 PM**

(RDN Board Chambers)

A G E N D A

PAGES

- 1. CALL TO ORDER**
- 2. DELEGATIONS**
 - 8 **Bob Lloyd, Frontiersman Pub**, re Relocation of Frontiersman Pub & Liquor Store (Transfer of Liquor Licence).
- 3. BOARD MINUTES**
 - 9-19 Minutes of the regular Board meeting held April 28, 2009.
- 4. BUSINESS ARISING FROM THE MINUTES**
- 5. COMMUNICATIONS/CORRESPONDENCE**
 - 20 **Claire Lessard**, re Relocation of Frontiersman Pub & Liquor Store (Transfer of Liquor Licence).
 - 21 **Keith Wyndlow, Nanaimo-Cedar Farmers' Institute**, re CVRD and RDN Agricultural Plans.
- 6. UNFINISHED BUSINESS**
- 7. STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**
 - 7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE**
 - 22-24 Minutes of the Electoral Area Planning Committee meeting held May 12, 2009. (for information)

PLANNING

AMENDMENT APPLICATIONS

Zoning Amendment Application No. 0521 – Linda Robinson for P & E Robinson – 3027/3029 Landmark Crescent – Area ‘C’. (Electoral Area Directors except EA ‘B’ – One Vote)

1. *That Zoning Amendment Application No. ZA0521 as submitted by Linda Robinson, on behalf of P. & E. Robinson to rezone Lot 3, Section 20, Range 3, Mountain District, Plan 31215 from Subdivision District ‘D’ to Subdivision District ‘F’ be approved to proceed to public hearing subject to the conditions included in Schedule No. 1.*
2. *That “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.350, 2009” be given 1st and 2nd reading.*
3. *That “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.350, 2009” proceed to public hearing.*
4. *That the public hearing on “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.350, 2009” be delegated to Director Young or her alternate.*

Zoning Amendment Application No. 0809 – Focus Corporation for Island Timberlands and Nanaimo Fish & Game Club – Nanaimo Lakes Road – Area ‘C’. (Electoral Area Directors except EA ‘B’ – One Vote)

1. *That the minutes of the Public Information Meeting held on March 25, 2009 be received.*
2. *That Zoning Amendment Application No. ZA0809, as submitted by Focus Corporation on behalf of Island Timberlands and Nanaimo & District Fish and Game Protective Association, to rezone the portions of the properties legally described as Section 19, Range 8, Douglas District, Except That Part Shown Coloured Red on Plan 309RW and Lot 1, Section 20, Range 8, Douglas District, Plan 3368, Except Parcel A (DD992451) of Said Lot, as shown on Schedule No. 2, from Resource Management 4 (RM4) and Resource Management 5 to Recreation 4 be approved to proceed to public hearing subject to the conditions included in Schedule No. 1.*
3. *That “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.349, 2009” be given 1st and 2nd reading.*
4. *That “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.349, 2009” proceed to public hearing.*
5. *That the public hearing on “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.349, 2009” be delegated to Director Young or her alternate.*

DEVELOPMENT PERMIT APPLICATIONS WITH VARIANCE

Development Permit with Variance Application No. 60907 – Allen & Heppell – 3404 Carmichael Road – Area ‘E’. (Electoral Area Directors except EA ‘B’ – One Vote)

Delegations wishing to speak to Development Permit with Variance Application No. 60907.

That Development Permit with Variances Application No. 60907 submitted by Walter Allen, on behalf of Robert and Wendy Heppell, to facilitate the construction of a dwelling unit within Sensitive Ecosystem Development Permit Area pursuant to “Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005”, on a lot legally described as Lot 6, District Lot 78, Nanoose District, Plan VIP78139, be approved subject to the conditions outlined in Schedules No. 1 to 5 of the staff report and the notification requirements pursuant to the Local Government Act.

Development Permit with Variance Application No. 60913 – Delesalle -- 121 Kinkade Road – Area ‘G’. (Electoral Area Directors except EA ‘B’ – One Vote)

Delegations wishing to speak to Development Permit with Variance Application No. 60913.

That Development Permit with Variance Application No. 60913, to permit the construction of a dwelling unit and attached garage with a maximum height of 8.81 metres on the property legally described as Lot 1, District Lot 10, Newcastle District, Plan 22939, be approved subject to the conditions outlined in Schedules No. 1 to 4 and the notification requirements of the Local Government Act.

Development Permit with Variance Application No. 60915 – Knappett – 5485 Deep Bay Drive – Area ‘H’. (Electoral Area Directors except EA ‘B’ – One Vote)

Delegations wishing to speak to Development Permit with Variance Application No. 60915.

That Development Permit with Variance Application No. 60915, to construct a dwelling unit and detached garage within the Hazard Lands and Environmentally Sensitive Features Development Permit Area pursuant to “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Bylaw No. 1335, 2003”, for the property legally described as Lot 38, District Lot 1, Newcastle District, Plan 20442 be approved subject to the conditions outlined in Schedules No. 1 to 4 and the notification requirements of the Local Government Act.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90818 – 127.0.0.1 Holdings Ltd. – 2933 Dolphin Drive – Area ‘E’. (Electoral Area Directors except EA ‘B’ – One Vote)

Delegations wishing to speak to Development Variance Permit Application No. 90818.

That Development Variance Permit Application No. 90818 to vary the requirements of the WAI Zone and the General Regulations 3.3.9(b) to legalize a reconstructed set of beach access stairs and attached deck, as submitted by 127.0.0.1 Holdings Ltd., for the property legally described as Lot A, District Lot 78, Nanoose District, Plan VIP85344 be approved subject to the conditions outlined in Schedules No. 1 and 2.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE.

25-28 Minutes of the Committee of the Whole meeting held May 12, 2009. (for information)

COMMUNICATIONS/CORRESPONDENCE

Reiko Tagami, UBCM, re 2008 Resolutions. (All Directors – One Vote)

That the correspondence from the Union of BC Municipalities regarding the 2008 UBCM resolutions, be received.

FINANCE AND INFORMATION SERVICES

FINANCE

E-911 Telephone Service – Call Answer Levy on Cellular Telephones. (All Directors – One Vote)

That the Board direct staff to work with the BC 911 Service Providers Association to negotiate the implementation of a call answer levy on the wireless service providers.

RECREATION AND PARKS SERVICES

RECREATION

Healthy Food and Beverage Sales Grant Application. (All Directors – One Vote)

That the Regional District of Nanaimo Board supports an application to the Union of BC Municipalities/BC Recreation and Parks Association Healthy Food and Beverage Sales Phase 3 Grant Program for the "Healthy Choices for Oceanside" project, and for the purposes of the grant, commits to support the project and provide overall grant management.

WATER AND WASTEWATER SERVICES

WATER

Reconsideration of Amendment Bylaw No. 791.17 – Extension of Rural Streetlighting Service Area. (All Directors – One Vote)

That "Rural Streetlighting Local Service Area Amendment Bylaw No. 791.17, 2009" be abandoned.

COMMISSION, ADVISORY & SELECT COMMITTEE

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

That the minutes of the District 69 Recreation Commission meeting held April 16, 2009 be received for information.

Electoral Area 'A' Parks, Recreation and Culture Commission. (All Directors – One Vote)

- 1. That the minutes of the Electoral Area 'A' Parks, Recreation and Culture Commission meeting held April 15, 2009 be received for information.*
- 2. That the revisions to the Electoral Area 'A' Recreation and Culture Grant-in-Aid Program as outlined in the report and highlighted in Appendix be approved.*
- 3. That Parent Advisory Committees from schools located in Electoral Area 'A' be considered eligible to apply to the Electoral Area 'A' Recreation and Culture Grant-in-Aid funding program.*
- 4. That travel expenditures be considered an eligible cost for funding by the Electoral Area 'A' Recreation and Culture Grant-in-Aid program.*

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

That the minutes of the Grants-in-Aid Advisory Committee meeting held April 30, 2009 be received for information.

District 68 Grants (Nanaimo, Lantzville, EAs 'A', 'B', 'C' – Weighted Vote)

That the following District 68 grants be awarded:

<u>Name of Organization</u>	<u>Amount Recommended</u>
Gabriola Radio Society	\$ 450
The Gathering Place Youth Centre	\$ 1,000
Jonanco Hobby Workshop	\$ 905
	<u>\$ 2,355</u>

District 69 Grants (Parksville, Qualicum Beach, EAs 'E', 'F', 'G', 'H' – Weighted Vote)

That the following District 69 grants be awarded:

<u>Name of Organization</u>	<u>Amount Recommended</u>
<i>Arrowsmith Community Enhancement Society</i>	\$ 643
<i>Arrowsmith Search & Rescue</i>	\$ 2,000
<i>Building & Learning Together</i>	\$ 997
<i>Building & Learning Together</i>	\$ 1,560
<i>Errington War Memorial Hall Association</i>	\$ 3,000
<i>Oceanside Community Network</i>	\$ 600
<i>Parksville & District Association for Community Living</i>	\$ 1,000
<i>Vancouver Island Opera</i>	\$ 1,000
	<u>\$10,800</u>

Sustainability Select Committee. (All Directors – One Vote)

1. *That the minutes of the Sustainability Select Committee meeting held April 15, 2009 be received for information.*
2. *That staff be directed to play a coordinating role in developing an educational and regulatory approach to reduce and eventually restrict the use of cosmetic pesticides.*
3. *That discussion with the Vancouver Island Health Authority be initiated in order to gain support for developing and adopting pesticide control bylaws.*
4. *That the report "Connecting Housing Needs and Opportunities" be received for information and that it be provided to local government staff and others involved in the provision of affordable housing in the region.*

Arrowsmith Water Service Management Committee. (All Directors – One Vote)

That the minutes of the Arrowsmith Water Service Management Committee meetings held January 9, 2009 and March 12, 2009 be received for information.

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

8. ADMINISTRATOR'S REPORTS

- 29-39 Amendment Bylaw 1399.01 - Regional District of Nanaimo Park Use Regulations. (All Directors – Weighted Vote; All Directors – 2/3 Weighted)
- 40-47 Bylaw No. 1557 – To Impose Development Cost Charges in the Barclay Crescent Sewer Service Area. (All Directors – One Vote)
- 48-51 Solid Waste Disposal Service – Tender Award for Regional Landfill 2009 Construction Projects. (All Directors – Weighted Vote)

52-57 Amendment Bylaw No. 500.347 – Morgan – Spider Lake Road – Area ‘II’. (Electoral Area Directors except EA ‘B’ One Vote)

9. **ADDENDUM**

10. **BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

11. **NEW BUSINESS**

12. **BOARD INFORMATION (Separate enclosure on blue paper)**

13. **ADJOURNMENT**

14. **IN CAMERA**

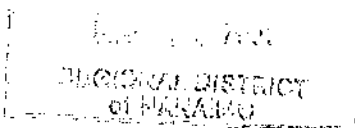
That pursuant to Section 90(1) (c) of the Community Charter the Board proceed to an In Camera Committee meeting to consider items related to personnel issues.

R. E. Lloyd
FRONTIERMAN PUB

Box 188

COOMBS

BC VOR I.M.O.



13TH MAY 2009.

To whom it may concern,

I would like to request a short meeting of my decision, regarding my proposed move of my Pub - 112 Stale Fry. Alburni Hwy. 2288 Coombs BC to Alburni Hwy. 2484/2494 I would like to present my case and many others who we should be allowed to move at your next meeting on the 21ST MAY/2009
RE

Thank you.

Bob Lloyd
R. E. Lloyd

CPR # 714 9097

Home # 755-2054

Work # 248-9832

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, APRIL 28, 2009, AT 7:03 PM IN THE
RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Alternate	
Director V. Hartman	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Alternate	
Director C. Burger	City of Parksville
Director T. Westbrook	Town of Qualicum Beach
Alternate	
Director B. Dempsey	District of Lantzville
Director J. Ruffan	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director B. Holdom	City of Nanaimo
Alternate	
Director M. Unger	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director L. Sherry	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Senior Mgr., Corporate Administration
J. Finnie	Gen. Mgr., Water & Wastewater Services
P. Thorkelsson	Gen. Mgr., Development Services
T. Osborne	Gen. Mgr., Recreation & Parks
W. Idema	A/Gen. Mgr., Finance & Information Services
D. Trudeau	Gen. Mgr., Transportation & Solid Waste Services
N. Tonn	Recording Secretary

CALL TO ORDER

The Chairperson welcomed Alternate Director Hartman, Burger, Dempsey and Unger to the meeting.

DELEGATIONS

Chris Vrabel, North Island 9-1-1 Corporation, re Overview of Operations.

Mr. Vrabel provided a visual and verbal overview of the North Island 9-1-1 Corporation including history, communication sites and advancement, and the availability of 9-1-1 service on Vancouver Island as well as the Province as a whole.

Andrew Speed & Colin Catton, Errington Volunteer Fire Department, re Construction of a Communications Tower at Fire Hall #1.

Mr. Speed, Errington Volunteer Fire Department presented the department's proposal to investigate the feasibility of installing a radio communications tower at the site of their No. 1 Fire Hall. Board support for this initiative was requested.

Elaine Miller & Sharon Cox-Gustavson, re Relocation of Frontiersman Pub & Liquor Store.

Ms. Miller and Ms. Cox-Gustavson raised their concerns regarding the proposed re-location of the Frontiersman Pub & Retail Store to 2484/2494 Alberni Highway and the transfer of their liquor license to that location.

BOARD MINUTES

MOVED Director Holme, SECONDED Director McNabb, that the minutes of the regular Board meeting held March 24, 2009 and the Special Board meeting held April 14, 2009 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Petition, re Transfer of Liquor License – Frontiersman Pub & Liquor Store.

MOVED Director Johnstone, SECONDED Director Biggemann, that the petition regarding the transfer of the Frontiersman Pub and Retail Liquor Store to the proposed site of 2484/2494 Alberni Highway, be received.

CARRIED

Chuck & Linda Addison, re Zoning & OCP Amendment Application No. AA0604 – Myles Lake Road – Area 'C'.

MOVED Director Johnstone, SECONDED Director Biggemann, that the correspondence from Chuck and Linda Addison regarding Amendment Application No. AA0604 be received.

CARRIED

Joy Sheldon-Maxwell, re Transfer of Liquor License – Frontiersman Pub & Liquor Store.

MOVED Director Johnstone, SECONDED Director Biggemann, that the correspondence from Joy Sheldon-Maxwell regarding the Frontiersman Pub & Liquor Store's proposed transfer of liquor license, be received.

CARRIED

UNFINISHED BUSINESS

BYLAWS

For Adoption.

Bylaw No. 500.348.

MOVED Director Holme, SECONDED Director Bartram, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.348, 2009" be adopted.

CARRIED

Bylaw No. 804.05.

MOVED Director Biggemann, SECONDED Director Burnett, that "Electoral Area 'F' Community Parks Local Service Amendment Bylaw No. 804.05, 2009" be adopted.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

MOVED Director Bartram, SECONDED Director Ruttan, that the minutes of the Electoral Area Planning Committee meeting held April 14, 2009 be received for information.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60811 – Lewin – 1505 Mason Trail – Area 'G'.

MOVED Director Bartram, SECONDED Director Biggemann, that Development Permit Application No. 60811 submitted by JE Anderson, BCLS, on behalf of D & W Lewin, in conjunction with the subdivision on the parcel legally described as Lot 24, District Lot 38, Nanoose District, Plan 25031 and designated within the Sensitive Lands Development Permit Area pursuant to the "French Creek Official Community Plan Bylaw No. 1115, 1998", be approved, subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

Development Permit Application No. 60848 – Beyeler – 204 Kinkade Road – Area 'G'.

MOVED Director Bartram, SECONDED Director Biggemann, that Development Permit Application No. 60848, to permit the construction of a dwelling unit and detached garage and to legalize the siting of an existing storage building on the property legally described as Lot 1, District Lot 9, Newcastle District, Plan 20326, be approved subject to the conditions outlined in Schedules No. 1 to 4.

CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

MOVED Director Holme, SECONDED Director Bestwick, that the minutes of the regular Committee of the Whole meeting held April 14, 2009 be received for information.

CARRIED

DELEGATIONS

Russell Tibbles, Fairwinds Community & Resort, re Sidewalk Function at Fairwinds – Community & Resort.

MOVED Director Holme, SECONDED Director Bartram, that the Board authorize staff to explore the potential to adopt a sidewalks function, as follows:

1. Participate in a working group with Fairwinds and Ministry of Transportation, utilizing the services of a third-party engineer to be retained at Fairwinds' cost, to:

- a) evaluate the condition of existing sidewalks and estimate the repairs and associated cost required to address deferred maintenance issues;
 - b) estimate ongoing annual maintenance costs (perhaps using \$/ft. statistics from nearby municipalities);
 - c) objectively explore the legal and administrative arrangements that have been used by other unincorporated areas to accomplish the sidewalk function, e.g., Cowichan Valley RD, Alberni-Clayoquot RD, East Kootenay RD (Panorama Mountain Village), Tofino, Ucluelet and Sahtspring Island; and
 - d) undertake a risk assessment to understand the practical magnitude and likelihood of exposure relating to snow removal and other perceived risks (consider utilizing the MIA database).
2. Prepare a list of appropriate regulatory powers that are reasonably required for the purpose of sidewalk maintenance and, in consultation with legal counsel, if/how such could be procured.
 3. Report back to the Board to advise on the above with supporting financial analysis, timelines and a plan of action which could be followed subject to direction from the Board.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Brian Hunter, Royal Canadian Mounted Police, re 2009 Funding for Victim Services and Restorative Justice.

MOVED Director Westbrook, SECONDED Director Biggemann, that the correspondence from the Royal Canadian Mounted Police regarding disbursement of the 2009 funding for Victim Services and Restorative Justice be received.

CARRIED

FINANCE AND INFORMATION SERVICES

FINANCE

Regional District of Nanaimo – 2008 Annual Report (Audited Financial Statements).

MOVED Director Westbrook, SECONDED Director Ruttan, that the 2008 Consolidated Financial Statements, associated financial schedules and Auditors' Report to the Chief Administrative Officer be received.

CARRIED

Directors' & Committee Members' Remuneration & Expenses – 2008 Report.

MOVED Director Westbrook, SECONDED Director Holdom, that the 2008 report on remuneration and expenses for Board and Committee members be received.

CARRIED

Use of Reserve Funds for Expansion of Transit & Administration Buildings.

MOVED Director McNabb, SECONDED Director Burnett, that an amount of \$1,670,000 be drawn from the Administration Building Reserve Fund for the Administration building project.

CARRIED

MOVED Director McNabb, SECONDED Director Burnett, that \$614,670 be transferred from the Solid Waste Management reserve funds to the Administration Building Reserve Fund for the purposes of the Administration building project.

CARRIED

MOVED Director McNabb, SECONDED Director Burnett, that \$876,950 be transferred from the Solid Waste Management reserve funds to the Southern Community Transportation capital reserve fund for the purposes of the Transit building project.

CARRIED

MOVED Director McNabb, SECONDED Director Burnett, that the amounts transferred from the Solid Waste reserve funds be repaid over a ten year period with interest charged monthly on a simple declining balance at a rate equivalent to the rate earned on the Regional District's consolidated cash balances.

CARRIED

New Model for Fire Services Delivery.

MOVED Director Bartram, SECONDED Director McNabb, that staff arrange a working committee comprised of fire department representatives and the Directors for Electoral Areas 'C', 'E', 'F', 'G' and 'H' to review the recommendations from the report titled "Proposed Fire/Rescue System Model" and provide feedback which the Regional Board can forward to the UBCM and LGMA.

CARRIED

Seismic Review of Rural Firehalls.

MOVED Director Holme, SECONDED Director Young, that the Board receive the reports for information only and direct staff to arrange a meeting(s) with the fire departments to discuss the report conclusions.

CARRIED

DEVELOPMENT SERVICES

BUILDING & BYLAW

Amendment Bylaw No. 787.10 – Building Inspection Service Boundary Extension to Include Area 'H' Property.

MOVED Director Bartram, SECONDED Director Burger, that "Regional District of Nanaimo Building Inspection Service Bylaw Amendment Bylaw No. 787.10, 2009" be introduced and read three times.

CARRIED

EMERGENCY PLANNING

2008 Farmed Animal Mass Carcass Disposal Plan.

MOVED Director Bartram, SECONDED Director Bestwick, that the report and the 2008 Farmed Animal Mass Carcass Disposal Plan be received for information and that a copy of the report be forwarded to the Agricultural Advisory Committee for their information.

CARRIED

Hazard Vulnerability Risk Analysis – 2009 Update.

MOVED Director Bestwick, SECONDED Director McNabb, that the report and the 2009 Hazard Vulnerability Risk Analysis update be received for information.

CARRIED

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

Solid Waste Disposal Service – Regional Landfill Design & Operations Plan Approval.

MOVED Director Holme, SECONDED Director McNabb, that the Board approve the Regional Landfill Design & Operations Plan for submission to the Ministry of Environment as an amendment to the Solid Waste Management Plan.

CARRIED

Assessment of New Waste Treatment Technologies – Final Report.

MOVED Director Holme, SECONDED Director Ruttan, that the Board receive the Assessment of New Treatment Technologies Report for information and continue to monitor developments in new treatment technologies from a cost and technology perspective.

CARRIED

Illegal Dumping Enforcement Program – 2008 Report.

MOVED Director Holme, SECONDED Director McNabb, that the Board receive the 2008 Illegal Dumping Prevention Program report for information.

CARRIED

Residential Food Waste Collection – Field Test Final Report.

MOVED Director Holme, SECONDED Director Bestwick, that the Board receive the Residential Food Waste Collection Field Test Final Report for information.

CARRIED

WATER AND WASTEWATER SERVICES

WATER

Innovative Options & Opportunities for Sustainable Water Use Study.

MOVED Director Bartram, SECONDED Director Young, that the Board receive the “Innovative Options and Opportunities for Sustainable Water Use” study for information.

CARRIED

MOVED Director Bartram, SECONDED Director Young, that the Board direct staff to develop an implementation strategy with budget implications for the proposed initiatives for the Board’s consideration.

CARRIED

Vancouver Island Health Authority Regional Drinking Water Team Annual Report.

MOVED Director Bartram, SECONDED Director Holdom, that the Vancouver Island Health Authority Regional Drinking Water Team 2008 Annual Report be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Burger, that the Board support the Regional District’s continued participation on the Vancouver Island Health Authority Regional Drinking Water Team.

CARRIED

Convening for Action on Vancouver Island Leadership in Water Sustainability – 2008 Activities Summary.

MOVED Director Bartram, SECONDED Director Burnett, that the Board receive the report on the summary of CAVI's (Convening for Action on Vancouver Island) 2008 activities for information.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that the Board continue to support staff participation in CAVI and attendance at CAVI learning activities associated with promoting water sustainability.

CARRIED

Nanoose Bay Peninsula Water Service – Capital Planning Report.

MOVED Director Holme, SECONDED Director Bartram, that the Nanoose Peninsula Water System Capital Planning report be received for information.

CARRIED

MOVED Director Holme, SECONDED Director McNabb, that the Board direct staff to consider the report recommendations when developing capital plans for future infrastructure improvements in the Nanoose Bay Peninsula Water Service Area.

CARRIED

WASTEWATER

Southern Community Sewer Treatment Service – Award of Tenders for Cogeneration Equipment at Greater Nanaimo Pollution Control Centre.

MOVED Director Holme, SECONDED Director Bestwick, that an equipment procurement contract be awarded to ESC Corporation to provide a biogas conditioning system for the tendered price of \$624,411.

CARRIED

MOVED Director Holme, SECONDED Director Bestwick, that an equipment procurement contract be awarded to Waterous Power Systems to provide a cogeneration system for the tendered price of \$950,400.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Burger, that the minutes of the District 69 Recreation Commission meeting held March 19, 2009 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Holdom, that the Memorandum of Cooperation between the Regional District of Nanaimo and Lighthouse Recreation Commission be approved.

CARRIED

MOVED Director Bartram, SECONDED Director Westbroek, that the revisions to the District 69 Recreation Grants program be approved as detailed in Appendix 1 of the staff report "District 69 Recreation Grants Program Review".

CARRIED

MOVED Director Bartram, SECONDED Director Biggemann, that the current District 69 Recreation Grants funding allocation of 50% to Youth Grants and 50% to Community Grants be maintained.

CARRIED

Electoral Area 'A' Parks, Recreation and Culture Commission.

MOVED Director Burnett, SECONDED Director Ruttan, that the minutes of the Electoral Area 'A' Parks, Recreation and Culture Commission meeting held March 11, 2009 be received for information.

CARRIED

Nanoose Bay Parks and Open Space Advisory Committee.

MOVED Director Holme, SECONDED Director Biggemann, that the minutes of the Nanoose Bay Parks and Open Space Advisory Committee meeting held February 2, 2009 be received for information.

CARRIED

Regional Liquid Waste Advisory Committee.

MOVED Director Holme, SECONDED Director Bestwick, that the minutes of the Regional Liquid Waste Advisory Committee meeting held March 12, 2009 be received for information.

CARRIED

Regional Solid Waste Advisory Committee.

MOVED Director Holme, SECONDED Director Sherry, that the minutes of the Regional Solid Waste Advisory Committee meeting held March 19, 2009 be received for information.

CARRIED

MOVED Director Holme, SECONDED Director Sherry, that the Regional Landfill Design and Operations Plan be submitted to the Ministry of Environment.

CARRIED

Sustainability Select Committee.

MOVED Director Westbrook, SECONDED Director Holdom, that the minutes of the Sustainability Select Committee meeting held March 18, 2009 be received for information.

CARRIED

MOVED Director Holdom, SECONDED Director Bartram, that the report "2009 Progress Report on Implementation of the Regional Growth Strategy" be received.

CARRIED

MOVED Director Holdom, SECONDED Director Unger, that the report "Housing Need Overview", Phase I of the Regional Housing Affordability Study be received.

CARRIED

MOVED Director Holdom, SECONDED Director Young, that the staff report "Community Emissions Reduction Measures" be received for information.

CARRIED

MOVED Director Holdom, SECONDED Director Bartram, that staff prepare a report on what is needed to undertake a communications strategy for public awareness and education on green house gas (GHG) emission reductions (Greensmart).

CARRIED

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Regional Parks & Trails Advisory Committee.

MOVED Director McNabb, SECONDED Director Johnstone, that the minutes of the Regional Parks & Trails Advisory Committee meeting held April 7, 2009 be received for information.

CARRIED

MOVED Director McNabb, SECONDED Director Hartman, that the proposed campground fee increases, as listed in Appendix 1 of the staff report titled "RDN Campground Fees – Home Lake & Descanso Bay Regional Parks", be approved for inclusion in the Park Use Regulation Bylaw 1399.

CARRIED

Selection Select Committee.

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

MOVED Director Bartram, SECONDED Director Hartman, that Tom Cameron and Lisa Dowding Carter be appointed to the Electoral Area 'B' Parks and Open Space Advisory Committee for a term ending December 31, 2010.

CARRIED

ADMINISTRATOR'S REPORTS

Solid Waste Disposal Service – Food & Yard Waste Processing Contract.

MOVED Director Holdom, SECONDED Director Unger, that the Board direct staff to negotiate a contract with International Composting Corporation to process food and yard waste delivered to RDN disposal facilities.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Construction of a Communications Tower at Errington Fire Hall.

MOVED Director Biggemann, SECONDED Director McNabb, that the proposal presented by the Errington Volunteer Fire Department to construct a communications tower at Fire Hall No. 1 be referred to staff for a full report including options for the Board's consideration.

CARRIED

Zoning & OCP Amendment Application No. AA0604 – Myles Lake Road – Area 'C'.

MOVED Director Young, SECONDED Director Burnett, that Amendment Application No. AA0604, for the property legally described as Lot 1, Section 7, Range 3, Cranberry District, Plan VIP68949 and located at 2610 Myles Lake Road, Electoral Area 'C', be reactivated and considered as a site specific zoning amendment application, and further that Amendment Application No. AA0604 be referred to staff for a report to the Electoral Area Planning Committee.

CARRIED

NEW BUSINESS

Banning of Plastic Bags.

MOVED Director Holme, SECONDED Director Westbroek, that staff investigate the banning of plastic bags from the RDN solid waste service and prepare a report for the Board's consideration.

CARRIED

IN CAMERA

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

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 8:12 PM

RISE AND REPORT

Private Wells on RDN Parkland in French Creek.

MOVED Director Biggemann, SECONDED Director Burnett, that the Board receive the report on Private Wells on RDN Parkland in French Creek and that a letter be sent to the Ministry of Transportation & Infrastructure Approving Officer opposing any new subdivision approvals that would require a supply of surface and/or ground water that might affect water levels or flows in French Creek, and in particular wells located in proximity to French Creek on Lot B, District Lots 28 & 29, Nanoose District, Plan VIP60349.

CARRIED

Land Use Regulation Options for Little Qualicum River.

MOVED Director Biggemann, SECONDED Director Johnstone, that staff be directed to contact the developer of Little Qualicum River Village building strata development to register a revised land use covenant applicable to all properties owned by the 528872 BC Ltd.

CARRIED

MOVED Director Biggemann, SECONDED Director Burnett, that staff be directed to initiate a rezoning application for the 40 lots within the existing RC 3.1 zone pursuant to "Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" to restrict the permitted land use to reflect the revised land use covenant subject to the consultation requirements of the *Local Government Act*.

CARRIED

MOVED Director Biggemann, SECONDED Director Burnett, that staff be directed to consult with the strata council for VIS4673 (Little Qualicum River Village) regarding outstanding issues including septic disposal, provision of potable water and building inspection services.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 8:27 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Claire Lessard,
2900 Haliday Cres.,
Nanaimo, B.C., V9T 1B1,
Friday, May 8, 2009.

RDN			
CAO	<input checked="" type="checkbox"/>	GMFSIS	
GMDS	<input checked="" type="checkbox"/>	GMSPS	
GMES		GMTS	
MAY 11 2009			
SMCA			
CHAIR	<input checked="" type="checkbox"/>	BOARD	<input checked="" type="checkbox"/>
S. Standhope			

Nanaimo Regional District Board
ATTENTION: directors Bestwick, Holdon, Johnstone, Kipp, McNabb, Ruttan, Sherry and Chair Standhope:

Re: Coombs' Pub Relocation Proposal to Alberni Highway West

This letter expresses concern of a Vancouver Island resident of fifty-seven years---a number of which were lived in Oceanside.

It seems beyond comprehension why you could contemplate approving the construction of a pub on an already very busy highway transversing a residential area.

One only needs to look at the traffic safety considerations at the Coombs' Market Business core and Coombs' Rodeo Ground's summertime weekend traffic which plugs the sides of the highway. A pub located adjacent to many homeowners' driveways would be a complete disaster. The quality of life of the local residents would be forever changed by such a development. As a matter of fact just this month the City of Nanaimo published Bylaw No. 4000.426 "to create three new zones for parks within the city..." Perhaps we can transfer this thinking to respect the Regional Districts, also, as to advocate for continued "environmentally sensitive" lifestyles for the taxpayers in this Coombs' residential area that is under threat.

In my opinion, the above mentioned pub relocation project, due to numerous types of pollution it would create, would destroy the residents' enjoyment of their properties and therefore I urge you to maintain the current tone of Coombs' west side.

I look forward to your response to my concerns.

Yours truly,


C. Lessard

CC: Dept. of Highways , Liquor Control Board

NANAIMO-CEDAR FARMERS' INSTITUTE
c/o Keith Wyndlow, Corresponding Secretary
13110 Doole Road, Ladysmith, BC, V9G 1G6

RDN			
CAO	✓	GMF&S	
GMDS	✓	GMR&PS	
GMES		GMTS	
MAY 15 2009			
SMCA			
CHAIR	✓	BOARD	✓
May 12, 2009 <i>Corresp.</i>			

Regional District of Nanaimo Board
Cowichan Valley Regional District Board

Ladies and Gentlemen:

RE: CVRD and RDN Agricultural Plans

At our last meeting of the Nanaimo-Cedar Farmers' Institute, discussion revealed that the Cowichan Valley Regional District has been working on an Agricultural Plan for some time. As the two Regional Districts have both a common border and common interests and concerns for agriculture, and as funding for these planning sessions is limited, a motion expressing the following view was passed unanimously:

"That Nanaimo-Cedar Farmers' Institute write a letter to the Regional District of Nanaimo and the Cowichan Valley Regional District, requesting that the Regional Districts work together to adopt and adapt CVRD'S Ag plan being currently further developed, and integrate them with Agricultural plans presently in the initial phases of development with the Regional District of Nanaimo."

The NCFI further respectfully suggested that the RDN consider appointing a staff member to attend meetings of the CVRD AG Plan group and vice versa to achieve an Ag plan that is seamless with that of the CVRD Ag Plan along our shared boundaries.

The Provincial Funding for Agriculture has been cut back again in the last Budget and now is less than \$40 million from the \$70 Million of several years ago. It is now one of the smallest budget items in any Provincial Government department and far below the support all other provinces extend to their farmers. Our food security and supply is being jeopardized with this lack of support. It is being downloaded unfairly and inappropriately on to local governments and Regional Boards which puts a heavy onus on these Agricultural Plans to help farmers.

Yours truly

NANAIMO-CEDAR FARMERS' INSTITUTE



Keith Wyndlow Corresponding Secretary

cc: ✓ RDN Area "A" Director Joe Burnett ✓
CVRD Area "H" Director, Mary Marcotte
RDN Manager of Long Range Planning, Paul Thompson
RDN General Manager of Development Services, Paul Thorkelsson
CVRD Planning, Tom Anderson and Mike Tippet
North Cowichan Director of Planning, Chris Hall
CVRD Manager of Economic Development, Geoff Millar

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, MAY 12, 2009, AT 6:30 PM
IN THE RDN BOARD CHAMBERS

Present:

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

Also in Attendance:

M. Pearse	Senior Manager, Corporate Administration
T. Arnet	A/General Manager, Development Services
G. Garbutt	Manager of Current Planning
N. Tom	Recording Secretary

CALL TO ORDER

The Chairperson welcomed Alternate Director Pinker to the meeting.

DELEGATIONS

MOVED Director Stanhope, SECONDED Director Holme, that late delegations be permitted to address the Committee.

CARRIED

Grant Natland, re Development Variance Permit Application No. 90818.

Mr. Natland provided a written and verbal response to the staff report on Development Variance Permit Application No. 90818 and requested that the Committee approve the application.

Lynda Robinson, re Zoning Amendment Application No. 0521.

Ms. Robinson summarized the process they have followed in Zoning Amendment Application No. 0521 noting the annual testing of their well and their application for a sewer system for the property. The applicant is requesting that the Committee approve the application without the proposed conditions.

MINUTES

MOVED Director Burnett, SECONDED Director Biggemann, that the minutes of the Electoral Area Planning Committee meeting held April 14, 2009 be adopted.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Zoning Amendment Application No. 0521 – Linda Robinson for P. & E. Robinson – 3027/3029 Landmark Crescent – Area ‘C’.

MOVED Director Pinker, SECONDED Director Stanhope, that Zoning Amendment Application No. ZA0521 as submitted by Linda Robinson, on behalf of P. & E. Robinson to rezone Lot 3, Section 20, Range 3, Mountain District, Plan 31215 from Subdivision District ‘D’ to Subdivision District ‘F’ be approved to proceed to public hearing subject to the conditions included in Schedule No. 1.

CARRIED

MOVED Director Pinker, SECONDED Director Stanhope, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.350, 2009” be given 1st and 2nd reading.

CARRIED

MOVED Director Pinker, SECONDED Director Stanhope, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.350, 2009” proceed to public hearing.

CARRIED

MOVED Director Pinker, SECONDED Director Stanhope, that the public hearing on “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.350, 2009” be delegated to Director Young or her alternate.

CARRIED

Zoning Amendment Application No. 0809 – Focus Corporation for Island Timberlands and Nanaimo Fish & Game Club – Nanaimo Lakes Road – Area ‘C’.

MOVED Director Pinker, SECONDED Director Holme, that the minutes of the Public Information Meeting held on March 25, 2009 be received.

CARRIED

MOVED Director Pinker, SECONDED Director Holme, that Zoning Amendment Application No. ZA0809, as submitted by Focus Corporation on behalf of Island Timberlands and Nanaimo & District Fish and Game Protective Association, to rezone the portions of the properties legally described as Section 19, Range 8, Douglas District, Except That Part Shown Coloured Red on Plan 309RW and Lot 1, Section 20, Range 8, Douglas District, Plan 3368, Except Parcel A (DD992451) of Said Lot, as shown on Schedule No. 2, from Resource Management 4 (RM4) and Resource Management 5 to Recreation 4 be approved to proceed to public hearing subject to the conditions included in Schedule No. 1.

CARRIED

MOVED Director Pinker, SECONDED Director Holme, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.349, 2009” be given 1st and 2nd reading.

CARRIED

MOVED Director Pinker, SECONDED Director Holme, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.349, 2009” proceed to public hearing.

CARRIED

MOVED Director Pinker, SECONDED Director Holme, that the public hearing on “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.349, 2009” be delegated to Director Young or her alternate.

CARRIED

DEVELOPMENT PERMIT WITH VARIANCE APPLICATIONS

Development Permit with Variance Application No. 60907 – Allen & Heppell – 3404 Carmichael Road – Area ‘E’.

MOVED Director Holme, SECONDED Director Burnett, that Development Permit with Variances Application No. 60907 submitted by Walter Allen, on behalf of Robert and Wendy Heppell, to facilitate the construction of a dwelling unit within Sensitive Ecosystem Development Permit Area pursuant to “Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005”, on a lot legally described as Lot 6, District Lot 78, Nanoose District, Plan VIP78139, be approved subject to the conditions outlined in Schedules No. 1 to 5 of the staff report and the notification requirements pursuant to the *Local Government Act*.

CARRIED

Development Permit with Variance Application No. 60913 – Delesalle – 121 Kinkade Road – Area ‘G’.

MOVED Director Stanhope, SECONDED Director Holme, that Development Permit with Variance Application No. 60913, to permit the construction of a dwelling unit and attached garage with a maximum height of 8.81 metres on the property legally described as Lot 1, District Lot 10, Newcastle District, Plan 22939, be approved subject to the conditions outlined in Schedules No. 1 to 4 and the notification requirements of the *Local Government Act*.

CARRIED

Development Permit with Variance Application No. 60915 – Knappett – 5485 Deep Bay Drive – Area ‘H’.

MOVED Director Stanhope, SECONDED Director Biggemann, that Development Permit with Variance Application No. 60915, to construct a dwelling unit and detached garage within the Hazard Lands and Environmentally Sensitive Features Development Permit Area pursuant to “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Bylaw No. 1335, 2003”, for the property legally described as Lot 38, District Lot 1, Newcastle District, Plan 20442 be approved subject to the conditions outlined in Schedules No. 1 to 4 and the notification requirements of the *Local Government Act*.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90818 – 127.0.0.1 Holdings Ltd. – 2933 Dolphin Drive – Area ‘E’.

MOVED Director Holme, SECONDED Director Stanhope, that Development Variance Permit Application No. 90818 to vary the requirements of the WA1 Zone and the General Regulations 3.3.9(b) to legalize a reconstructed set of beach access stairs and attached deck, as submitted by 127.0.0.1 Holdings Ltd., for the property legally described as Lot A, District Lot 78, Nanoose District, Plan VIP85344 be approved subject to the conditions outlined in Schedules No. 1 and 2.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 6:50 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, MAY 12, 2009 AT 7:00 PM
IN THE RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director G. Rudischer	Electoral Area B
Alternate	
Director C. Pinker	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Alternate	
Director C. Burger	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director L. Sherry	City of Nanaimo
Director I. McNabb	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director J. Kipp	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Senior Manager, Corporate Administration
W. Idema	A/Gen. Manager of Finance & Information Services
D. Trudeau	Gen. Mgr. of Transportation & Solid Waste Services
J. Finnie	General Manager of Water & Wastewater Services
T. Armet	A/General Manager of Development Services
T. Osborne	General Manager of Recreation & Parks
N. Tonn	Recording Secretary

CALL TO ORDER

The Chairperson welcomed Alternate Directors Pinker and Burger to the meeting and introduced the new Financial Analyst, Kristin Rutledge.

MINUTES

MOVED Director Westbroek, SECONDED Director Burger, that the minutes of the regular Committee of the Whole meeting held April 14, 2009 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Reiko Tagami, UBCM, re 2008 Resolutions.

MOVED Director Burnett, SECONDED Director Johnstone, that the correspondence from the Union of BC Municipalities regarding the 2008 UBCM resolutions, be received.

CARRIED

FINANCE AND INFORMATION SERVICES

FINANCE

District 68 E-9-1-1 Telephone Service – Call Answer Levy on Cellular Telephones.

MOVED Director McNabb, SECONDED Director Holdom, that the Board direct staff to work with the BC 911 Service Providers Association to negotiate the implementation of a call answer levy on the wireless service providers.

CARRIED

RECREATION AND PARKS SERVICES

RECREATION

Healthy Food and Beverage Sales Grant Application.

MOVED Director Westbrook, SECONDED Director Johnstone, that the Regional District of Nanaimo Board supports an application to the Union of BC Municipalities/BC Recreation and Parks Association Healthy Food and Beverage Sales Phase 3 Grant Program for the “Healthy Choices for Oceanside” project, and for the purposes of the grant, commits to support the project and provide overall grant management.

CARRIED

WATER AND WASTEWATER SERVICES

WATER

Reconsideration of Amendment Bylaw No. 791.17 – Extension of Rural Streetlighting Service Area.

MOVED Director Holme, SECONDED Director McNabb, that “Rural Streetlighting Local Service Area Amendment Bylaw No. 791.17, 2009” be abandoned.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Westbrook, that the minutes of the District 69 Recreation Commission meeting held April 16, 2009 be received for information.

CARRIED

Electoral Area ‘A’ Parks, Recreation and Culture Commission.

MOVED Director Burnett, SECONDED Director McNabb, that the minutes of the Electoral Area ‘A’ Parks, Recreation and Culture Commission meeting held April 15, 2009 be received for information.

CARRIED

MOVED Director Burnett, SECONDED Director McNabb, that the revisions to the Electoral Area 'A' Recreation and Culture Grant-in-Aid Program as outlined in the report and highlighted in Appendix be approved.

CARRIED

MOVED Director Burnett, SECONDED Director McNabb, that Parent Advisory Committees from schools located in Electoral Area 'A' be considered eligible to apply to the Electoral Area 'A' Recreation and Culture Grant-in-Aid funding program.

CARRIED

MOVED Director Burnett, SECONDED Director McNabb, that travel expenditures be considered an eligible cost for funding by the Electoral Area 'A' Recreation and Culture Grant-in-Aid program.

CARRIED

Grants-in-Aid Advisory Committee.

MOVED Director Bartram, SECONDED Director Burger, that the minutes of the Grants-in-Aid Advisory Committee meeting held April 30, 2009 be received for information.

CARRIED

MOVED Director Westbroek, SECONDED Director Rudischer, that the following District 68 grants be awarded:

<u>Name of Organization</u>	<u>Amount Recommended</u>
Gabriola Radio Society	\$ 450
The Gathering Place Youth Centre	\$ 1,000
Jonanco Hobby Workshop	\$ 905
	\$ 2,355

CARRIED

MOVED Director Westbroek, SECONDED Director Bartram, that the following District 69 grants be awarded:

<u>Name of Organization</u>	<u>Amount Recommended</u>
Arrowsmith Community Enhancement Society	\$ 643
Arrowsmith Search & Rescue	\$ 2,000
Building & Learning Together	\$ 997
Building & Learning Together	\$ 1,560
Errington War Memorial Hall Association	\$ 3,000
Oceanside Community Network	\$ 600
Parksville & District Association for Community Living	\$ 1,000
Vancouver Island Opera	\$ 1,000
	\$ 10,800

CARRIED

Sustainability Select Committee.

MOVED Director Holdom, SECONDED Director Bartram, that the minutes of the Sustainability Select Committee meeting held April 15, 2009 be received for information.

CARRIED

MOVED Director Holdom, SECONDED Director Bartram, that staff be directed to play a coordinating role in developing an educational and regulatory approach to reduce and eventually restrict the use of cosmetic pesticides.

CARRIED

MOVED Director Holdom, SECONDED Director Bartram, that discussion with the Vancouver Island Health Authority be initiated in order to gain support for developing and adopting pesticide control bylaws.

CARRIED

MOVED Director Holdom, SECONDED Director Bartram, that the report "Connecting Housing Needs and Opportunities" be received for information and that it be provided to local government staff and others involved in the provision of affordable housing in the region.

CARRIED

Arrowsmith Water Service Management Committee.

MOVED Director Holme, SECONDED Director Biggemann, that the minutes of the Arrowsmith Water Service Management Committee meetings held January 9, 2009 and March 12, 2009 be received for information.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:18 PM

CHAIRPERSON



NON-PACKET	
CAG APPROVAL	
EAP	
CCW	
MAY 15 2009	
RHD	
BOARD	1. July 30 '09

MEMORANDUM

TO: Wendy Marshall
Manager of Recreation Services

DATE: 15 May 2009

FROM: Joan Michel
Parks and Trails Coordinator

FILE:

SUBJECT: Park Use Regulations Amendment Bylaw 1399. 01

PURPOSE

To seek Board approval for the first amendment to Park Use Regulations Bylaw 1399.

BACKGROUND

Park Use Regulations Bylaw 1399 was given third reading by the Regional Board November 23, 2004 following a public review period. An update to the Bylaw is now required to incorporate (i) housekeeping amendments including an update of the Schedule "A" list of regional and community park and trail properties subject to the Bylaw, and (ii) revisions to Schedule "B", Campground Rules applicable to Horne Lake and Descanso Bay Regional Parks. The proposed amendment Bylaw 1399.01 is attached.

Proposed revisions to Schedule "B" Campground Rules were approved by the Regional Board April 28, 2009. The Schedule "B" revisions feature modest increases in high-season (mid-May to mid-September) camping fees combined with a deep discount in off-season camping; an increase in boat launch fee and elimination of a posted special discount rate for the Horne Lake Strata; and introduction of high-frequency boat launch and extra vehicle parking passes. RDN Park Operators at Horne Lake Regional Park and Descanso Bay Regional Park are ready to implement the revised fees as soon as Amendment Bylaw 1399.01 is adopted.

ALTERNATIVES

1. To approve the amendment of Park Use Regulations Bylaw 1399 and give first, second and third reading to Park Use Regulations Amendment Bylaw 1399.01 so that it may be adopted.
2. To maintain Park Use Regulations Bylaw 1399 as is and provide alternative direction to staff.

FINANCIAL IMPLICATIONS

The only financial implications of the proposed Bylaw 1399 amendments relate to the Schedule "B" Campground Rules which specify fees. The move to increase campground fees, as approved by the

Regional Board in April 2009, will contribute to the viability of park operations at HLRP and DBRP, two relatively small campgrounds with limited profitability. The new camping fees, and the lack of any reservation fee, will continue to place RDN camping as a competitive alternative to BC Park camping.

CITIZEN IMPLICATIONS

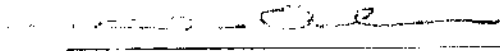
Camping fees at RDN campgrounds have always been kept in line with those for BC Parks and have not constituted an issue with the consuming public since the campgrounds were inaugurated in 2002. The move to a deep off-season discount and high-frequency use passes should prove popular with campground users. The proposed Bylaw 1399.01 Schedule "B" fees represent the maximum charges that can be levied at the Park and do not preclude discounts.

SUMMARY

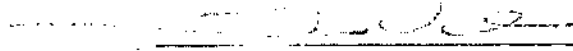
Park Use Regulations Bylaw 1399 was adopted in November 2004. In April 2009, the Regional Board approved proposed changes to Bylaw 1399 Schedule "B" Campground Rules Applicable to Level 1 Parks, which details camping and boating fees for Home Lake and Descanso Bay Regional Parks. Other proposed changes to Bylaw 1399 constitute housekeeping amendments such as the Schedule "A" list of park and trail properties subject to the Bylaw. Proposed Bylaw 1399.01 is attached.

RECOMMENDATION

1. That "Regional District of Nanaimo Park Use Regulations Amendment Bylaw 1399.01, 2009" be introduced and read three times.
2. That "Regional District of Nanaimo Park Use Regulations Amendment Bylaw 1399.01, 2009" be adopted.



p./ Report Writer



p./ Manager Concurrence



General Manager Concurrence



CAO Concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1399.01

A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO
PARK USE REGULATIONS BYLAW NO. 1399, 2004

WHEREAS the "Regional District of Nanaimo Park Use Regulations Bylaw No. 1399, 2004" defines the regulations, prohibitions and requirements pertaining to use of regional and community park properties;

AND WHEREAS the Regional District of Nanaimo Board wishes to amend Bylaw No. 1399, 2004;

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

1. "Regional District of Nanaimo Park Use Regulations Bylaw No. 1399, 2004" is hereby amended by:
 - (a) deleting reference to Electoral Area 'D' in Section 3.1;
 - (b) amending the definition of "Cycle" by adding as a final clause "and includes electric bicycles";
 - (c) deleting the definition of "District Manager" in its entirety and replacing it with the following:

"District Manager" means the Regional District of Nanaimo Manager of Parks Services;
2. Schedule 'A' of Bylaw No. 1399 is hereby repealed and replaced with Schedule 'A' attached hereto and forming part of this bylaw.
3. Schedule 'B' of Bylaw 1399 is hereby repealed and replaced with Schedule 'B' attached hereto and forming part of this bylaw.
4. This bylaw may be cited as "Regional District of Nanaimo Park Use Regulations Amendment Bylaw No. 1399.01, 2009."

Introduced and read three times this 26th day of May, 2009.

Adopted this 26th day of May, 2009.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Chairperson

Sr. Mgr., Corporate Administrator

Schedule 'A'

DISTRICT PARKS

Electoral Area	Location/Name	Legal Description	Type*
Level 1 Parks -- Parks with Campgrounds			
B	Descanso Bay	Lots A & B VIP73679 Nanaimo Gabriola	RP
H	Horne Lake	Bk 40 VL&M PL691N Exc PL46603 Alberni	RP
Level 2 Parks -- Improved Parks			
Electoral Area	Location/Name	Legal Description	Type*
Level 2 Parks -- Improved Parks			
A	Nanaimo River	S7 R8 exc VIP70950 & W 25 acres S6 R8 exc VIP70831Cranberry	RP
	Thelma Griffiths	Lot 1 VIP79928 S11 & 12 R6 Cranberry	CP
B	Malaspina Galleries	Park VIP13535 S24 Nanaimo Gabriola	CP
	Rollo McClay	Park VIP51655 S18 Nanaimo Gabriola	CP
	Joyce Lockwood	ULC N of S16 & E of S31 Nanaimo Gabriola	CP
B	Cox	Rem N 1/2 of N 1/2 of S20 Nanaimo Gabriola	CP
	Whalebone	Park VIP17658 S31 Nanaimo Gabriola	CP
	Petroglyph Trail	Park VIP66198 S2 Nanaimo Gabriola	CT
	Sea Fern	Park VIP15752 S26 Nanaimo Mudge	CP
C	Meadow	Lot 11 VIP80079 S14 R4 Mountain	CP
E	Beachcomber	Lots 29 & 30 VIP10777 Bk A DL38 Nanoose	RP
	Jack Bagley	Rem A VIP13317 DL 6 Nanoose	CP
	Nanoose	Lots 3, 4, 5 & 6 VIP27190 DL130 Nanoose	CP
	Brickyard	Park VIP47638 DL78 Nanoose	CP

Electoral Area	Location/Name	Legal Description	Type*
F	Veterans	Lots 31 & 46 VIP1989 DL139 Nanoose	CP
G	Little Qualicum River Estuary	Lot 1 VIP75238 DL 11 & 110 Newcastle	RCA
	Maple Lane	Park VIP30958 DL1 Nanoose	CP
	San Malo	Park VIP45190 DL181 Nanoose	CP
	Boultbee	Lot 66 VIP32604 DL49 Nanoose	CP
	Hawthorne Rise	Park VIP40962/75836/76162 DL49 Nanoose	CP
	Neden Way	Park VIP42840 DL81 Nanoose	CP
	Women's Institute Hall	Lot A VIP32528 DL11 Newcastle	CP
	Tara	Park VIP69574 DL29 Nanoose	CP
H	Centennial	Park VIP37285 DL31 Newcastle	CP
	Lions	Lot A VIP45846 DL32 Newcastle	CP
	Deep Bay Creek	Park VIP20442 DL1 & Lot 2 VIP70719 DL1&86 Newcastle	CP
	Wildwood Dr	Park VIP81348 DL85 Newcastle	CP
Level 3 Parks -- Active Transportation			
A	Morden Colliery	DD6974-N Pcl A S12 & S13 R1, Pcl B S14 R1 & R2, Pcl C S11 R8 & rem S15 R1, Lot A VIP66235 S15 R2 Cranberry & Cedar	RT
A	Nelson Rd	Crown foreshore off Nelson Rd between Lot 1 VIP14877 S16 R5 & Lot 28 S17 R5 VIP3779 Cedar	WA
B	Descanso Bay	Descanso Bay Rd between Lots 16 & 17 VIP14718 S25 Nanaimo Gabriola	WA
	Spring Beach	Spring Beach Dr between Lots 17 & 25 VIP21158 S2 Nanaimo Gabriola	WA
	The Strand	The Strand between Lots 36 & 37 VIP176998 S18 Nanaimo Gabriola	WA
B	El Verano	Narrows Rd between Lots 15 & 16 VIP17835 S28 Nanaimo Gabriola	WA
G	Admiral Tryon	Admiral Tryon Blvd betw'n Lot 22 VIP22290 & Lot 1 VIP33977 DL28 Nanoose	WA
	Millennium Bridge	Barclay Cres between Lot 9 VIP23031 & Lot 83 VIP26472 DL28 Nanoose	RT
	Top Bridge Crossing	Allsbrook Rd between Park VIP30113 Bk 419 & Park VIP33339 Bk 564 Nanoose	RT
H	Sunny Beach	Sunny Beach Rd between Lot 1 & Lot A VIP73539 DL33 Newcastle	WA

Electoral Area	Location/Name	Legal Description	Type*
Level 3 Parks -- Active Transportation (cont'd)			
H	Franksea	Franksea Rd between Lot 1 VIP918R & Lot A VIP28923 DL33 Newcastle	WA
	Deep Bay	Deep Bay Dr between Lots 23 & 24 VIP20442 DL1 Newcastle	WA
	Shoreline	Shoreline Dr between Lots 9 & 10 VIP24584 DL28 Newcastle	WA
	Buccaneer Beach	Buccaneer Beach Rd between Lots 35 & 36 VIP16121 DL40 Newcastle	WA
	Bowser	Bowser Rd between Lot 4 VIP21618 & Lot A VIP58219 DL36 Newcastle	WA
	Nile	Nile Rd between Lot 1 VIP41640 & Lot 2 VIP12132 DL22 Newcastle	WA
	Crane	Crane Rd between pt Lot 1 VIP12132 & Pt Lot 2 VIP5622 DL22 Newcastle	WA
	Baywater	Baywater Rd between Lot 1 VIP74109 & Lot A VIP61092 DL20 Newcastle	WA
	Alert	Alert Rd between Lot A VIP11435 & Lot 1 VIP10527 DL16 Newcastle	WA
	Thompson Clarke - Ocean Trail	Pt Lot 1 VIP31751 & Ocean Trail between E&N & Lot 50 VIP31044 DL82 Newcastle	CT
Level 4 Parks -- Undeveloped			
A	Fawcett	Park VIP14877 S16 R5 DL36 Cedar	CP
	Ivor	Park VIP35760 S19 R4 Cedar	CP
	Glynneath	Park VIP41900 S19 R4 Cedar	CP
	Addison	Lot D VIP42783 S10 R1 Cedar	CP
	Morden Colliery east	Lot 1 VIP66841 S15 R1 Cedar	CP
	Morden Colliery adjuncts	Park VIP59634 S14 R1 Cedar	CP
	Kipp	Park VIP78539 S14 R6	CP
	Woodridge	Lot 22 VIP80144 S16 & 17 R8 Cranberry	CP
	Whiting	Lot 9 VIP84318 S1 R6 Cedar	CP
	MacMillan	Park VIP85081 S16 R8 Cranberry	CP
B	Coats Marsh	Rem NW 1/4 S10 Nanaimo Gabriola	RP
	South w	Park VIP24754 S3 Nanaimo Gabriola	CP
	Fleet	Park VIP30963 S18 Nanaimo Gabriola	CP
	Stalker	Park VIP41031 S4 Nanaimo Gabriola	CP
	The Strand	Park VIP45781 S18 Nanaimo Gabriola	CP
	South e	Park VIP52510 S4 Nanaimo Gabriola	CP
	Coats e	Park VIP69975 S9 Nanaimo Gabriola	CP
	Cardale 1	Park VIP71391 S24 Nanaimo De Courey	CP

Electoral Area	Location/Name	Legal Description	Type*
Level 4 Parks – Undeveloped (cont'd)			
B	Link Bay n	Park VIP39964 S24 Nanaimo De Courcy	CP
	Link Bay s	Park VIP46938 S24 Nanaimo De Courcy	CP
	Coats w	Park VIP75929 S10 Nanaimo Gabriola	CP
	Decourcy	Park VIP12655 S21 Nanaimo Gabriola	CP
	Hyham	Park VIP77409 S4&5 Nanaimo Gabriola	CP
	707 Acres	NE 1/4 S13; NW 1/4 S14; S 1/2 of NE 1/4 S14; N 1/2 of SW 1/4 S15; SE 1/4 S14; E 1/2 of NE 1/4 S10 Nanaimo Gabriola	CP
	Dunlop	Park VIP70935 S23 Nanaimo De Courcy	CP
	Dunlop Flewett Trail	Park VIP70935 S10 Nanaimo De Courcy	CP
	Cardale 2	Park VIP82457 S10 & 24 Nanaimo De Courcy	CP
	Seymour	Park VIP82759 S8 Nanaimo Gabriola	CP
C	Benson Creek Falls	Bk A S17 & 18, Bk B S18, Bk C S17 R1 Mountain	RP
	Mount Benson	S7 R4; E 10 ch S7 R3; Bk 787 exc pt P12334 RW & exc pt P128907 & VIP75642; Bk 1161 Mountain	RP
	Mount Arrowsmith Massif	Bk 1380 Cameron	RP
	Trans Canada	pt S4 R1 Nanaimo; pt S3-6 & S16-20 R1, pt S6-11 & S14-16 R2 Cranberry; pt Bk 87, 194, 714, 1252 DL20 Bright	RT
	Arrowsmith CPR	pt Bk 415 & pt 1377 & pt Bk 1324 Cameron	RT
	Riverbend 1	Park VIP38144 S3 R6 Cranberry	CP
	Riverbend 2	Park VIP38144 S3 R6 Cranberry	CP
	Plecas	Park VIP50377 S13 R5 Cranberry	CP
	Twilight	Park VIP59461 DL5 Douglas	CP
	Virostko	Park VIP69191 S13 R2 Cranberry	CP
	Southforks 1	Park & Lot 9 VIP73765 & Park VIP77998 DL3 Douglas	CP
	Creekside	Lot 6 VIP80088 S14 & 15 R3 Mountain	CP
	Heather	Park VIP84517 S5 & 6 R3 Cranberry	CP
	Southforks 2	Park VIP84973 DL3 Douglas	CP
	Extension	Park VIP86100 S12 & 13 R1 Cranberry	CP
E	Blueback	Park VIP15983 DL78 Nanoose	CP
	Crowsnest	Park VIP22994 DL78 Nanoose	CP
	Armstrong/Collins	Park VIP23588 DL6 Nanoose	CP
	Enos Crk	Park VIP29112 DL78 Nanoose	CP
	Amelia	Lot 86 VIP30341 DL68 Nanoose	CP
	Powder Pt	Park VIP36514 DL78 Nanoose	CP
	Weston	Park VIP38573 DL6 Nanoose	CP
	Crab	Park VIP44310 DL52 Nanoose	CP
	Rumming	Park VIP47433 DL186 Nanoose	CP
	Carmichael 1	Park VIP51142 DL78 Nanoose	CP
Henley	Park & Lot 52 VIP51707 DL30 & 78 Nanoose	CP	

Electoral Area	Location/Name	Legal Description	Type*
Level 4 Parks – Undeveloped (cont'd)			
E	Arbutus Grove	Park VIP43915 DL117 Nanoose	CP
	Wall Estate	Park VIP50198 DL22 Nanoose	CP
	Redden	Park VIP53134 DL30 Nanoose	CP
	Dolphin Lake	Park VIP60049 DL30 Nanoose	CP
	Schooner Ridge	Park VIP59180 DL30 & 78 Nanoose	CP
	Dolphin Marsh	Park VIP60602 DL30 & 78 Nanoose	CP
	Claudet	Rem Lot 1 VIP26234 & Lot A VIP46810 DL62 Nanoose	CP
	Ainsley	Park VIP68559 DL78 Nanoose	CP
	Rowland	Park VIP75472 DL67 Nanoose	CP
	Richard	Park VIP77847 DL78 Nanoose	CP
	Carmichael 2	Lot 9 VIP78139 DL78 Nanoose	CP
	Northwest Bay	Lot A VIP80339 DL68 Nanoose	CP
	Claudet 2	Lot 3 VIP80939 DL84 Nanoose	CP
	Bonnington	Lots 1, 2 & 3 VIP80854 DL78 Nanoose	CP
	Bradner	Lot B VIP85588 DL78 Nanoose	CP
F	Little Qualicum River	Lot 1 VIP69346 Bk 359 Newcastle	RP
	Arrowsmith CPR	pt Bk 415 & pt 1377 & pt Bk 1324 Cameron	RT
	Harris	Park VIP24741 DL74 Cameron	CP
	Old Alberni Hwy	Park VIP37624 DL143 Nanoose	CP
	Coombs Station	Park VIP37952 DL140 Nanoose	CP
	Allsbrook	Park VIP39421 DL43 Nanoose	CP
	Kerr	Park VIP43286 DL149 Nanoose	CP
	Hilliers	Park VIP46163 DL4 Cameron	CP
	Brooklin	Park VIP48368 DL4 Cameron	CP
	Beside Little Q Falls PP	Park VIP41053 Bk 1375 Newcastle	CP
	Mellon	Park VIP52834 DL 8 Cameron	CP
	Wild	Park VIP52495 DL9 Cameron	CP
	Malcolm	SW 1/4 L Pci A DD4504N DL9 Cameron	CP
	Meadowood	Lot 2 VIP69346 Bk 359 Newcastle	CP
	Romain	Park VIP82280 DL104 Nanoose	CP
	Dolly Varden	Park VIP77754 Bk 359 Newcastle	CP
G	Englishman River	Lot 1 VIP76721 & rem Bk 602 Nanoose	RP
	Top Bridge	Lot 1 VIP21770 DL123; VIP613R Bk 564; Lot 3 VIP2072 DL 129; Park VIP33339 Bk 564 Nanoose	RT
	Barclay	Park VIP27077 DL 28 Nanoose	CP
	Centre	Park VIP28564 DL9 Newcastle	CP
	Marine Circle/Columbia 1	Park VIP30213 DL28 Nanoose	CP
	Lee 1	Park VIP32898 DL29 Nanoose	CP
	Lee 2	Park VIP45825 DL29 Nanoose	CP
	Top Bridge	Park VIP30113 Bk 419 Nanoose	CP
	Huckleberry	Park VIP60023 DL76 Newcastle	CP
	Lee 3	Lot B VIP60349 DL28 & 29 Nanoose	CP
	Riley	Park VIP51544 DL81 Nanoose	CP
	Columbia 2	Park VIP62528 DL28 Nanoose	CP

Electoral Area	Location/Name	Legal Description	Type*	
Level 4 Parks - Undeveloped (cont'd)				
G	Miller north	Lot A VIP65679 DL28 Nanoose	CP	
	Miller south	Lot 2 VIP76030 DL126 Nanoose	CP	
	Johnstone	Johnstone Rd between Lots 8 & 9 VIP22087 DL49 Nanoose	CP	
	Mallard	Mallard Rd between Lot 10 VIX3167 & Lot 1 VIP22087 DL49 Nanoose	CP	
	Rivers Edge	Lot 1 VIP75276; Lot 1 VIP76468; Lot 38 VIP76471; Lot 13 VIP76472; Lot 1 VIP76854; Lots 7 & 19 VIP76856 Bk 564 Nanoose	CP	
	Sumar	Lot Park VIP79152 DL28 Nanoose	CP	
	Lee 4	Park VIP79275 DL29 Nanoose	CP	
	H	Lighthouse Country	1950 Gazetted Hwy (Whistler Rd) between Lot A VIP45846 DL32 & Lot 38 VIP2018 DL85 Newcastle	RT
		Big Qualicum	VIP1753R pt DL254 Alberni	RT
		Rose	Lot 1 VIP55641 DL22 Newcastle	CP
Blue Heron		Park VIP31044 DL82 Newcastle	CP	
Ocean Trail		Park VIP31751 DL82 Newcastle	CP	
Marshall		Park VIP34434 DL9 Newcastle	CP	
Huson		Park VIP34642 DL9 Newcastle	CP	
Pearl		Park VIP38181 DL27 Newcastle	CP	
Islewood		Lot 20 VIP41507 DL22 Newcastle	CP	
Bovaris 1		Park VIP41640 DL22 Newcastle	CP	
Bovaris 2		Lot 8 VIP41662 DL22 Newcastle	CP	
Kenmuir 1		Park VIP62179 DL19 Newcastle	CP	
Palm Pacific		Park VIP43604 DL40 Newcastle	CP	
Illusion Lake		Park VIP37698 Bk 360 Alberni	CP	
Kenmuir 2		Park VIP52606 DL9 Newcastle	CP	
Oakdowne main		Lots J & A VIP78305 DL89 Newcastle	CP	
Kelsey		Park VIP53143 DL36 Newcastle	CP	
Henry Morgan		Park VIP61726 DL36 Newcastle	CP	
Hwy 19A Northdowne		Park VIP66049 DL85 Newcastle	CP	
1950 Gazetted Hwy		Park VIP68932 DL20 Newcastle	CP	
Wildwood		Lot 38 VIP2018 DL85 Newcastle	CP	
Leon		Park VIP65473 DL9 Newcastle	CP	
Creckside		Lot C VIP85210 DL22 Newcastle	CP	
Oakdowne Annex 1	Pt Lot G VIP78305 DL89 Newcastle	CP		
Oakdowne Annex 2	Pt Lots B, H & I VIP78305 Newcastle	CT		
*Type	(RP) Regional Park (RCA) Regional Conservation Area (RT) Regional Trail (CP) Community Park (CT) Community Trail (WA) Water Access			

Chairperson

Sr. Mgr., Corporate Administration

Schedule 'B'

CAMPGROUND RULES APPLICABLE TO LEVEL 1 PARKS

1. Registration

At Horne Lake Regional Park, all campers must register and pay at the park office upon arrival. At Descanso Bay Regional Park, campers may proceed to the campground and set up camp in their reserved site, or in a site with no 'reserved' sign posted, and register and pay when authorized personnel make their rounds.

2. Fees

(a) *Horne Lake Regional Park*

High Season (mid-May to mid-September)

Wooded sites – \$20.00 per night

Waterfront and overflow sites – \$24.00 per night

Extra vehicle wood sites - \$10.00

Extra vehicle waterfront and overflow sites - \$12.00

Extra vehicle consecutive-day stays pass - \$75.00

Off-season (mid-September to mid-May)

Wooded, waterfront and overflow sites - \$10.00 per night

Extra vehicle - \$5.00

Non-profit Youth Group - \$2.50 per head per night

Boat Launch - \$6.00 per launch; \$50.00 for 10-launch pass

Programmed recreation, retail, rental and packages: as authorized by District Manager.

(b) *Descanso Bay Regional Park*

High Season (mid-May to mid-September)

All Sites - \$17.00 per night

Extra vehicle - \$8.50

Extra vehicle consecutive-day stays pass - \$55.00

Off-season (mid-September to mid-May)

All Sites - \$10.00 per night

Extra vehicle - \$5.00

Non-profit Youth Group - \$2.50 per head per night

Programmed recreation, retail and packages: as authorized by District Manager.

3. Number of People and Vehicles per Designated Campsite

At each designated campsite there may be no more than:

- (a) eight (8) people, including no more than four (4) adults, an adult being a person 18 years of age or older; and
- (b) one recreational vehicle (RV).

A second non-RV vehicle may be permitted by authorized personnel at a designated campsite for an additional nightly charge of 50 per cent of the campsite fee if space permits.

4. Length of Stay

The maximum length of stay for a camper is fourteen days per season, not necessarily consecutively. Additional stays may be allowed by authorized personnel if vacancies permit.

5. Campsite Condition

Campers must remove all garbage from their campsites and fire pits before vacating a site.

6. Noise

During the hours between 11 pm and 7 am, all campers shall be quiet. During the remainder of the day, noises or sounds generated at one campsite must not be sufficient to bother neighbouring campers.

7. Boat Launch Ramp at Horne Lake Regional Park

All vessels requiring a trailer must be launched at the boat launch ramp. All launchers must register and pay at the park office before launching a vessel, and carry with them when on the water any boating rules and maps provided at registration. The ramp opens at 7 am and closes by no later than 9:30 pm or dusk, whichever is earlier. All vessels must be out of the water by ramp closing time.



DATE APPROVAL: <i>18</i>	
BY: _____	FOR: _____
TITLE: _____	DATE: _____
CHECKED: <input checked="" type="checkbox"/>	<i>May 26 '09</i>

MEMORANDUM

TO: Wendy Idema
 A/General Manager, Finance & Information Services

DATE: May 18, 2009

FROM: Wayne Thexton
 Manager, Budgets & Capital Planning

FILE:

SUBJECT: Barclay Crescent Sewer Service Area Development Cost Charges Bylaw 1557, 2009

PURPOSE

To consider "Barclay Crescent Sewer Service Area Development Cost Charges Bylaw No. 1557, 2009" for third reading.

BACKGROUND

The Board gave first and second reading to "Barclay Crescent Sewer Service Area Development Cost Charges Bylaw No. 1557, 2009" on February 24, 2009 with instruction that it proceed to public consultation prior to third reading.

Local governments are required to carry out a public consultation process to inform the development industry and other interested parties how the applicable development cost charges have been established. A public meeting was held at the St. Columba Presbyterian Church Hall at 921 Wembley Road, Parksville on April 15, 2009. A notice of the meeting was published in the local newspapers and mailed to the property owners in the Barclay Crescent Sewer service area. Several questions from attendees were answered during the course of this meeting. In addition, staff have been available to respond to phone, fax and email inquiries for the duration of the public consultation period which ended Friday, May 15, 2009. It is appropriate for Bylaw No. 1557 to be considered for third reading, after which it will be forwarded to the Inspector of Municipalities for approval.

ALTERNATIVES

1. To give Bylaw No. 1557 third reading and forward it to the Inspector of Municipalities for approval.
2. Do not give Bylaw No. 1557 third reading.

FINANCIAL IMPLICATIONS

Alternative 1

As outlined in the initial report to the Board dated January 29, 2009, the system expansion costs forecast within the next twenty years amount to \$120,000 based on an estimate that 18 lots and 5,000 square meters of commercial space could be created in that time period.

The DCC rates listed in Schedule 'A' to Bylaw No. 1557 are:

Residential use (Single Family, Multi Residential and Mobile Home Park)	\$1,059.16 per unit/lot
Commercial or Institutional use	\$4.77 per sq. meter

Alternative 2

The anticipated increase in properties connected to the Barclay Crescent Sewer system cannot be accommodated without periodic expansion of the system. If the DCC charges are not implemented, the RDN would have to borrow to fund future capital improvements to support development through subdivision.

SUSTAINABILITY IMPLICATIONS

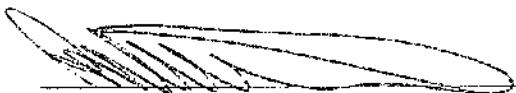
The environmental concerns in this area have been dealt with by the construction of a sewer collection system. A development cost charge bylaw in this case will reduce the likelihood that too many lots will be created before the collection system is expanded in an orderly fashion.

SUMMARY/CONCLUSIONS

The Board gave "Barclay Crescent Sewer Service Area Development Cost Charges Bylaw No. 1557, 2009" first and second readings on February 24, 2009 and instructed staff to proceed with public consultation. A public meeting was held at the St. Columba Presbyterian Church Hall on April 15, 2009. The public consultation period ended on Friday, May 15, 2009. No amendments to the original bylaw are necessary as a result of this consultation process. Bylaw No. 1557 can now be considered for third reading.

RECOMMENDATION

That "Barclay Crescent Sewer Service Area Development Cost Charges Bylaw No. 1557, 2009" be read a third time and forwarded to the Inspector of Municipalities for approval.



Report Writer



A/General Manager Concurrence



CAO Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1557

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES WITHIN THE BARCLAY CRESCENT SEWER SERVICE AREA

WHEREAS the Board may, pursuant to Section 933 of the *Local Government Act*, impose development cost charges under the terms and conditions of that section;

AND WHEREAS development cost charges may be imposed for the sole purpose of providing funds to assist the Regional District to pay the capital cost of providing, constructing, altering or expanding sewage facilities and other associated works in order to serve, directly or indirectly, the development for which the charges are imposed;

AND WHEREAS in establishing the development cost charges under this bylaw, the Board has considered the future land use patterns and development, and the phasing of works and services within the boundaries of the Barclay Crescent Sewer Service area;

AND WHEREAS the Board is of the opinion that the development cost charges imposed under this bylaw:

- (a) are not excessive in relation to the capital costs of prevailing standards of service;
- (b) will not deter development; and
- (c) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land,

within the Regional District of Nanaimo.

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

1. INTERPRETATION

In this bylaw:

"Building" means any structure and portion thereof, including mechanical rooms, that is used or intended to be used for the purpose of supporting or sheltering any use or occupancy.

"Commercial" means the use of land or buildings for any retail, tourist accommodation, restaurant, personal or professional services, entertainment or recreational use, and any other business use than industrial or institutional use.

"DCC" means a development cost charge.

"Dwelling Unit" means a self-contained room or suite of rooms capable of use for year round residential occupancy, but does not include a secondary suite as defined in the British Columbia Building Code.

"Gross Floor Area" means the total of the horizontal areas of all floors in a building, including the basement measured to the outside of the exterior walls of the building, but not including any floor area used exclusively for vehicle parking or vehicle access, any basement area where the ceiling is less than 1.8 metres above the floor, exits, vertical service spaces, and their enclosing assemblies.

"Industrial Use" means the use of land or buildings for any manufacturing, processing, repair, storage, wholesaling or distribution of goods.

"Institutional Use" means use of land or buildings for a school, hospital, correctional facility or care facility, including seniors' residence where a minimum of 20 percent of the floor area of all buildings located on the parcel is operated under a license issued pursuant to the *Community Care Facility Act (British Columbia)*.

"Lot" means a parcel created by registration of subdivision under the *Land Title Act (British Columbia)* or the Bare Land Strata regulation under the *Strata Property Act (British Columbia)*.

"Mobile Home" means a dwelling unit built in an enclosed factory environment in one or more sections, intended to be occupied in a place other than of its manufacture and includes mobile homes and modular homes which are either completely self contained or are incomplete, fastened together and completed on site.

"Mobile Home Park" means an unsubdivided parcel of land, not subdivided pursuant to the *Strata Property Act* and amendments thereto, to be used for the purpose of providing pads for the accommodation of 2 or more mobile homes, but specifically excludes a hotel.

"Multi Residential" means the residential use of land or a building for two or more dwelling units but does not include an institutional use.

"Service Connection" means an improvement which allows for the attachment of a building or a unit in a mobile home park to one or more public utilities.

"Single Family" means any building consisting of one dwelling unit, but excludes a mobile home.

"Vertical Service Space" means a shaft oriented essentially vertically that is provided in a building to facilitate the installation of building services including mechanical, electrical and plumbing installations and facilities such as elevators, refuse chutes and linen chutes.

2. CHARGES

- a) Except where prohibited by statute every person who obtains:
- i) approval of a subdivision for any purpose of a parcel of land under the *Land Title Act* or the *Strata Property Act* which creates fee simple or bare land strata lots which are zoned to permit no more than two dwelling units; or
 - ii) a building permit authorizing the construction, alteration or extension of a building or structure, including a building containing less than four self-contained dwelling units;
 - iii) for the purposes of Section 2(a)(ii), a building permit shall be considered to have a construction value in excess of \$50,000.00 where the value of construction proposed in respect of the parcel in the permit application under consideration, combined with building permits issued for the same parcel of land within the preceding two years, exceeds \$50,000.00;

shall pay, at the time of the approval of the subdivision or the issuance of the building permit, the applicable development cost charges as set out in Schedule 'A' attached to and forming part of this bylaw.

- b) The charges outlined on Schedule 'A' will apply to properties outlined on Schedule 'B', attached to and forming a part of this bylaw.
- c) The charges outlined on Schedule 'A' will be based on the actual use of the building not the zoning category of the property; and,
- i) where there is more than one use, each use is subject to the charge based on the actual use and there may be more than one category applied per building.
 - ii) mezzanines, storage or similar areas within a building are subject to development cost charges based on the same use that the majority area of the building contains.
 - iii) where a building is vacant and its future use cannot be determined, development cost charges are payable in accordance with the zoning category for the land upon which the building is situated.

3. EXCEPTIONS

- a) Section 2 does not apply to a subdivision or building in respect of which the imposition of a development cost charge is prohibited by statute.

- b) If by statute or by operation of law, this bylaw does not apply to an application to subdivide or an application for a building permit made prior to the adoption of this bylaw, any bylaw repealed by this bylaw shall remain unrepealed and in force and effect in relation to such applications, so far as is necessary to impose development cost charges under that bylaw at the time of subdivision approval or issuance of the building permit.
- c) Section 2 does not apply to the first dwelling unit constructed on a lot but applies to all subsequent residential units constructed.

4. **GRACE PERIOD**

The effective date of the rates contained within this bylaw will be 30 calendar days after the date of adoption.

5. **REMAINDER OF BYLAW TO BE MAINTAINED INTACT**

In the event that any portion of this bylaw is declared ultra vires, such portion shall be severed from this bylaw with the intent that the remainder of this bylaw shall continue in full force and effect.

6. **TITLE**

This bylaw may be cited for all purposes as "Barclay Crescent Sewer Service Area Development Cost Charges Bylaw No. 1557, 2009".

Introduced and given first and second readings this 24th day of February, 2009.

Read a third time this ____ day of _____, 2009.

Approved by the Inspector of Municipalities this ____ day of _____, 2009.

Adopted this ____ day of _____, 2009.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Chairperson _____

Sr. Mgr., Corporate Administration _____

SCHEDULE 'A'

Development Cost Charges for Sanitary Sewer Works and Services

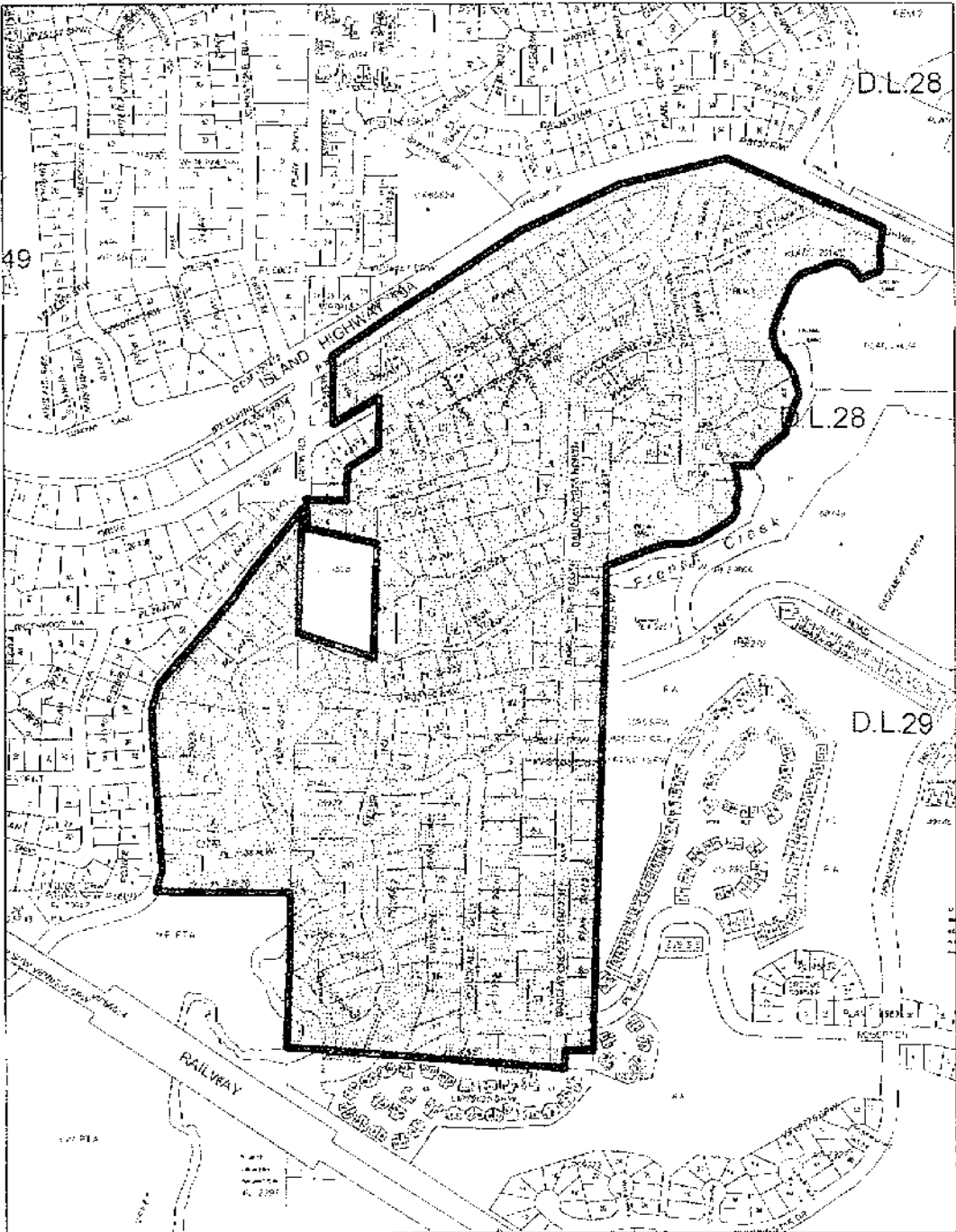
1. Pursuant to Section 2 of this bylaw, development cost charges shall be levied in those areas outlined on the map attached hereto as Schedule 'B'.
2. The assist factor for sewerage collection works and services shall be 1%.
3. All charges shall be paid in full prior to the approval of a subdivision or building permit unless paid by way of installments in accordance with BC Reg 166/84.
4. The Development Cost Charge Schedule is as follows:

Category	Subdivision	Building Permit
Single family	\$1,059.16 per lot being created	\$1,059.16 per dwelling unit constructed
Multi residential		\$1,059.16 per dwelling unit constructed
Mobile Home Park	\$1,059.16 per service connection being created	\$1,059.16 per service connection being created
Institutional		\$4.77 per square meter of building gross floor area
Commercial		\$ 4.77 per square meter of building gross floor area

Chairperson

Sr. Mgr., Corporate Administration

SCHEDULE 'B'





CAO APPROVAL	LN
EA#	
ROW#	
CD	
BOARD	✓ May 26 '09

MEMORANDUM

TO: Carey McIver
Manager Solid Waste

DATE: May 13, 2009

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

FILE: 5330-20-RL

SUBJECT: Regional Landfill 2009 Construction Projects
Tender Award

PURPOSE

To consider tenders for the 2009 Construction Projects at the Regional Landfill.

BACKGROUND

The approved 2009 capital plan for the Regional Landfill includes funds for the following three major construction projects: Cell 1 Remediation Phase 2, Cell 1 North Berm Construction Phase 1, and Cell 1 Southwest Berm Expansion. For construction efficiencies these projects were combined into one tender with the engineering services provided by XCG Consultants Ltd as per the contract awarded in January 2009.

The project includes the re-use of salvaged soil material for berm construction, over excavating of the existing trench for the storm water line, re-use of existing manholes, and maintaining the existing sanitary line. The design for this project was based on existing as-built drawings for the storm water line, the existing geogrid berm and a geotechnical investigation. Based on the existing information it was concluded that there is a potential for additional work such as replacement of non-suitable soil material for berm construction, additional soil backfill material, replacement of manholes and the sanitary line. Consequently work for replacement of non-suitable soil material, import of additional backfill and drainage material, replacement of manholes and the sanitary line was included in the tender as Additional Unit Prices as a contingency measure.

On May 12, 2009 the following bidders submitted tenders:

Bidder	Schedule A North Berm Construction Phase 1	Schedule B Cell 1 Remediation Phase 2	Schedule C Cell 1 Southwest Berm Expansion	Total
Knappett Industries Ltd.	\$481,276.50	\$226,509.50	\$1,082,475.00	\$1,790,261.00
Hazelwood Construction	\$482,544.18	\$348,686.97	\$1,123,371.23	\$1,954,602.38
Windley Contracting Ltd.	\$464,177.59	\$309,775.50	\$1,410,007.23	\$2,183,960.32
Fournier Excavating Ltd.	\$627,720.00	\$319,561.00	\$1,302,591.00	\$2,249,872.00
IDL Projects Inc	\$738,205.50	\$312,083.50	\$1,522,479.50	\$2,572,768.50

The Form of Tender for the project was structured on a best case basis, placing work items that may not be required in the Schedule of Additional Unit Prices. This was done in order that the bidders were tendering on the smallest scope of work possible to complete the works. This approach restricts the liability of the RDN to claims for reduction in the scope of work.

As noted previously, the requirement for replacement of non-suitable soil material, the import of additional backfill and drainage material, and the replacement of manholes and the sanitary line, may significantly increase the scope of the project. Consequently the evaluation of bid price was based upon the average of the total price for Schedules A, B, and C as well as the Schedule of Additional Unit Prices.

The unit quantities for the Additional Unit Prices were provided to the bidders solely for the purpose of evaluating the proposals to ensure that the bidders did not inflate additional unit price items. The evaluation, including the Schedule of Additional Unit Prices, did not change the order of the bid prices. Due to unforeseeable conditions with the potential for additional work, XCG Consultants recommends a contingency of \$358,000.00 to be included in the project budget.

Knappett Industries Ltd. bid provides the best combination of Unit Prices and Additional Unit Prices and will result in the lowest contract price based on core work and additional work items.

ALTERNATIVES

1. Award the contract to Knappett Industries Ltd. for the tendered price of \$1,790,261.00 with a construction contingency of \$358,000.
2. Do not award the contract.

FINANCIAL IMPLICATIONS

Alternative 1

The budget estimate included in the 2009 capital plan is \$2,924,200 for the construction and engineering costs associated with Cell 1 Remediation Phase 2, Cell 1 North Berm Construction Phase 1, and Cell 1 Southwest Berm Expansion.

Based on the final tender amounts the total cost of the project is as follows:

Table 1: 2009 Regional Landfill Construction Project Cost Estimates

	<i>Budget</i>	<i>Final Estimate</i>
Construction	\$2,204,560	\$1,790,261.00
Construction Contingency	\$389,040	\$358,000
Engineering	\$330,600	\$268,000
Engineering Contingency	N/A	\$62,600
Total	\$2,924,200.00	\$2,478,861.00

As shown in the table above, there are sufficient funds in the 2009 budget to proceed with this project.

Alternative 2

The Cell 1 Remediation Phase 2, Cell 1 North Berm Construction Phase 1, and Cell 1 Southwest Berm Expansion are essential components of the remedial action plan identified in the Landfill Design & Operations Plan to address the issues and concerns outlined in the 2007 Hydrogeological Study. The construction of the South West Berm Expansion also needs to be completed this year to provide disposal capacity after Cell 2 has reached the intermediate elevation to June 2010. If the Board does not proceed with this project in the 2009 construction season, there will not be sufficient disposal capacity after June 2010 and other parts of the project will need to be constructed in 2010.

ENVIRONMENTAL IMPLICATIONS

The Regional Landfill must be operated in accordance with the design, performance and operational requirements of the Operational Certificate (OC) for the site issued by the Ministry of Environment in 2004. The OC requires that leachate must be collected and conveyed to a municipal sewage treatment system. Now that the 2007 Hydrogeological Study has confirmed the potential for off-site impacts from the leachate mounding in Cell One, it is incumbent upon the RDN to show due diligence and expedite the remediation of the Cell One storm water management and leachate collection systems and take action to mitigate the infiltration of water into the landfill.

SUSTAINABILITY IMPLICATIONS


In November 2004, after consultation with the community in the vicinity of the landfill and staff from the City of Nanaimo regarding a range of potential options for the site, the Board approved the construction of a park as the preferred post-closure use. The creation of a community amenity such as a park was seen as a sustainable approach that balanced social, environmental and economic concerns at the site. This sustainable park concept cannot be implemented until the stormwater management and leachate collection systems in Cell One have been remediated.

CONCLUSIONS

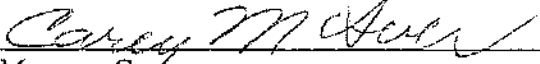
The approved 2009 capital plan for the Regional Landfill includes funds for the following three major construction projects: Cell 1 Remediation Phase 2, Cell 1 North Berm Construction Phase 1, and Cell 1 Southwest Berm Expansion. For construction efficiencies these projects were combined into one tender with the engineering services provided by XCG Consultants Ltd as per the contract awarded in January 2009. On May 12, 2009 Knappett Industries Ltd. submitted the low tender for this project (including estimated additional unit price items). XCG recommends the award of the contract to Knappett Industries Ltd. for the tendered amount of \$1,790,261.00 with a construction contingency of \$358,000. There are adequate funds in the 2009 budget to fund this project.

RECOMMENDATION

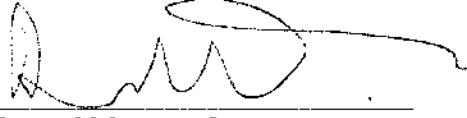
That the Board award the Regional Landfill 2009 Construction Projects to Knappett Industries Ltd. for the tendered amount of \$1,790,261.00 with a construction contingency of \$358,000.00.

for 

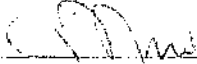
Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

COMMENTS:



RDN REPORT	
CAD APPROVAL	1 ✓
EAP	
CCP	
RHD	
BOARD	✓ May 26 '09

MEMORANDUM

TO: Paul Thorkelsson
General Manager of Development Services

DATE: May 19, 2009

FROM: Geoff Garbutt
Manager, Current Planning

FILE: 3360 30 0802

SUBJECT: Request to Amend Conditions of Approval in Conjunction with Amendment Bylaw No. 500.347, 2009
JE Anderson, BCLS on behalf of D Morgan
Electoral Area 'H' – Spider Lake Road, Spider Lake Area

PURPOSE

To consider a request to amend the Conditions of Approval in conjunction with a zoning amendment application in the Spider Lake area of Electoral Area 'H'.

BACKGROUND

This report concerns a request from the applicant to amend the Conditions of Approval in conjunction with the zoning amendment application on the parcel legally described as Lot 20, Block 360, Newcastle District, Plan 37698 and located adjacent to Spider Lake Road in the Spider Lake Area of Electoral Area 'H' (see Attachment No. 1 for location of subject property).

The Board may recall that this amendment application is to rezone the parent parcel from Subdivision District 'B' (8.0 ha minimum parcel size with or without community services) to Subdivision District 'CC' (4.0 ha minimum parcel size with or without community services) in order to facilitate a two-lot subdivision of the parent parcel (see Schedule No. 2 for proposed plan of subdivision).

The corresponding Amendment Bylaw No. 500.347 was introduced and given 1st and 2nd reading on January 27th, 2009 subject to a number of conditions being met prior to consideration of adoption of the bylaw. One of the Conditions of Approval is that the parent parcel be included within a RDN Building Services Area. A Public Hearing held on Thursday, February 19, 2009 and the Summary of the Minutes and Submissions was received by the Board on March 24, 2009. The Board also gave 3rd reading to the amendment bylaw at that time.

Since that time, the applicant no longer wishes to be included in a building services area. The applicant has also expressed a concern with the application of a minimum 4.0 ha parcel size subdivision district ('CC') instead of the minimum 2.0 ha parcel size subdivision district ('D') that has been used on other similar zoning amendment applications in the Spider Lake area.

ALTERNATIVES

1. To rescind 3rd reading of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.347, 2009" given on March 24, 2009 and amend the Conditions of Approval by removing Condition No. 2 to include the parent parcel in a RDN Building Services Area and consider Amendment Bylaw No. 500.347, 2009 for 3rd reading.

2. To not rescind "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.347, 2009" at 3rd reading and not amend the Conditions of Approval.

CONDITIONS OF APPROVAL IMPLICATIONS

Due to a miscommunication, the applicant no longer wishes to have his parcel included within a RDN Building Services Area. In reviewing the proposed subdivision, there are no geotechnical issues associated with the parent parcel which typically has implications for future construction on the subject property. Also, in accordance with the applicable development guidelines, a Hydrogeological Assessment Report for the protection of the aquifer will be registered on title of the new lots as a condition of rezoning. Given the concern by the applicant and the application of restrictive covenants registered on the title of the subject property, the requirement for inclusion of the subject property within an RDN building inspection service area has been removed as a condition of approval (*See Schedule No. 1 for Amended Conditions of Approval*).

MINIMUM PARCEL SIZE / SUBDIVISION DISTRICT IMPLICATIONS

With respect to the applicant's concern for the application of proposed Subdivision District 'CC' on the subject property, the introduction of a 4.0 ha parcel size subdivision reflects the minimum parcel size that is permitted under the relevant Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003 (OCP) policies for lands designated Rural. The shape of the parent parcel and lack of road frontage restricts the ability of this property to be rezoned to a minimum permitted parcel size of 2.0 ha under the Rural OCP designation.

The introduction of Subdivision District 'CC' eliminates any potential for confusion as to the ability of further subdivision of the proposed parcels and negates the requirement for an additional covenant which restricts further subdivision. Staff continues to recommend that this parent parcel be considered under the minimum 4.0 ha parcel size subdivision district and notes that future similar zoning amendment applications will be considered under the same subdivision district.

VOTING

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

SUMMARY

This is a request to amend the Conditions of Approval in conjunction with Amendment Bylaw No. 500.347, 2009, the purpose of which is to rezone Lot 20, Block 360, Newcastle District, Plan 37698, located adjacent to Spider Lake Road in the Spider Lake area of Electoral Area 'H', to facilitate a two lot subdivision of the parent parcel. The applicant does not support the inclusion of the subject property in a RDN Building Services Area and has also expressed a concern with the application of the proposed 4.0 ha parcel size subdivision district ('CC').

With respect to the applicant's concern for the proposed new Subdivision District 'CC' (4.0 ha minimum parcel size), the proposed subdivision district reflects the policies in the Electoral Area 'H' OCP for lands designated Rural and removes the requirement for an additional covenant restricting further subdivision on the subject property. The application of this subdivision district ensures that there is no misunderstanding as to the subdivision and development potential for these lots in the future.

With respect to the request to remove the condition to include the property in a RDN Building Services area, given the concern by the applicant and covenants registered on the title of the subject property for aquifer protection, the requirement for inclusion of the subject property within an RDN building inspection service area has been removed from the conditions of approval. The amended Conditions of

Approval, which deletes the requirement for inclusion in an RDN building inspection service area, is set out in *Schedule No. 1* of this report and are to be completed prior to the Board's consideration of the amendment bylaw for adoption.

Staff recommends that 3rd reading of Bylaw No. 500.347, 2009 given on March 24, 2009 be rescinded, that the amended Conditions of Approval be received, and that Bylaw No. 500.347 be reconsidered for 3rd reading.

RECOMMENDATIONS

1. That 3rd reading of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.347, 2009" given on March 24, 2009 be rescinded.
2. That the Amended Conditions of Approval, as outlined in Schedule No. 1, be received and that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.347, 2009" be given 3rd reading.
3. That the Amended Conditions of Approval, as outlined in Schedule No. 1, be completed by the applicant to the satisfaction of the Regional District prior to consideration of adoption of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.347, 2009".



Report Writer



General Manager Concurrence



CAO Concurrence

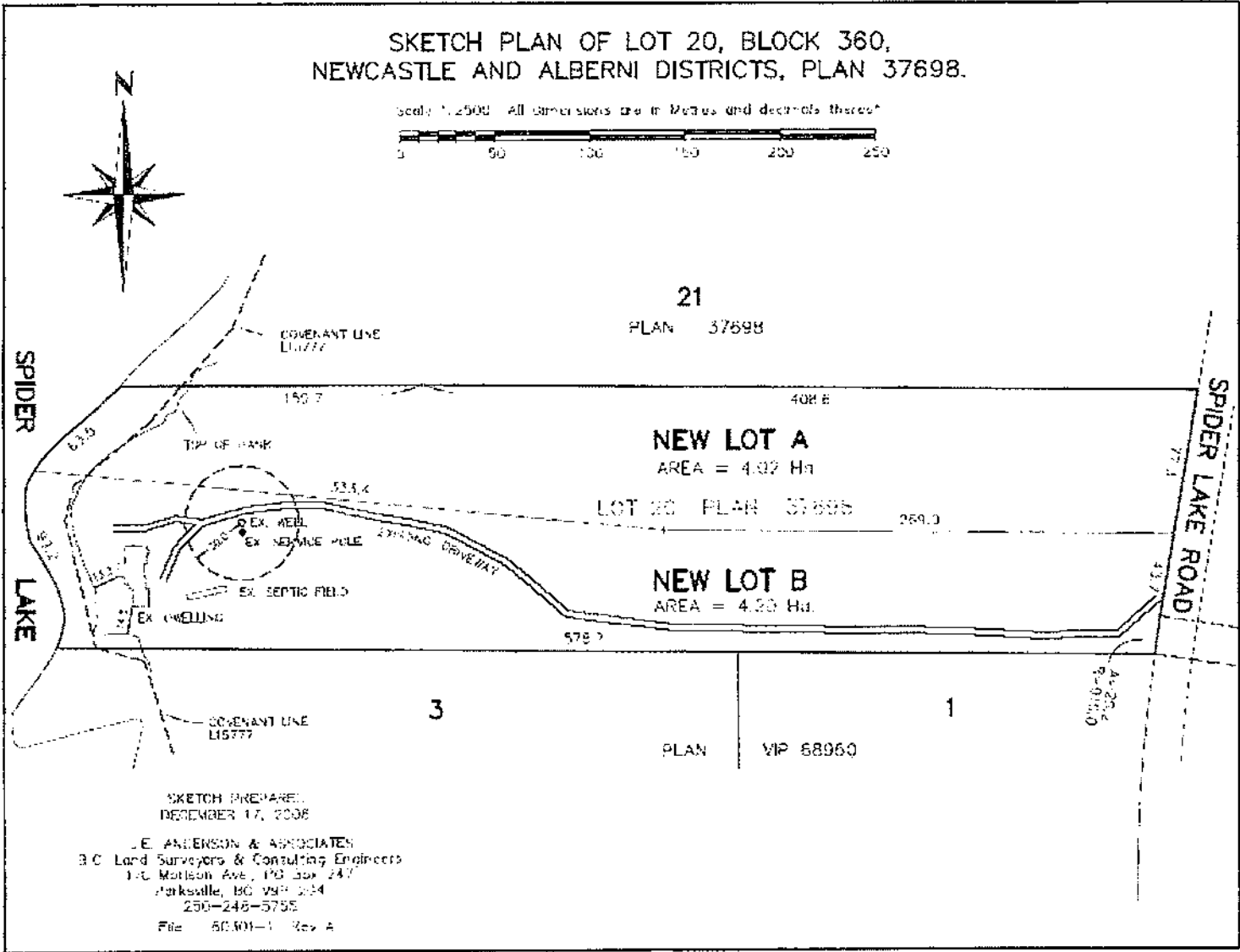
COMMENTS:

Schedule No. 1
Amended Conditions for Approval
Amendment Application No. ZA0802
Lot 20, Block 360, Newcastle District, Plan 37698

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

1. All covenants are to be prepared and registered by the applicant to the satisfaction of the Regional District prior to consideration of 4th reading. Draft covenant documents are to be forwarded to the RDN for review prior to registration at Land Title Office, Victoria, BC. For all proposed parcels, the following section 219 covenants shall be registered on title:
 - a) A section 219 covenant restricting:
 - i) No further subdivision of the land, including a subdivision pursuant to the *Strata Property Act*,
 - c) A section 219 covenant registering the Hydrogeological Assessment Report prepared by H₂O Environmental Ltd., dated August 26, 2008.
 - d) A section 219 covenant restricting the subdivision of the parent parcel as set out in the proposed plan of subdivision attached as Schedule No. 2 to this staff report.

Schedule No. 2
Proposed Plan of Subdivision
Amendment Application No. ZA0802



Attachment No. 1
Location of Subject Property
Amendment Application No. ZA0802

