

REGIONAL DISTRICT OF NANAIMO

COMMITTEE OF THE WHOLE

TUESDAY, JULY 14, 2009

7:00 PM

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

6 **Diane Brennan & Pam Hadikin, United Way Central Island**, re 2009 United Way Campaign.

Michael Weedon, BC Bioenergy Network, re BC Bioenergy Network Tripartite Collaboration Agreement.

MINUTES

7-11 Minutes of the regular Committee of the Whole meeting held June 9, 2009.

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

12 **Patty Biro, District 69 Electoral Area 'H' Commissioner**, re Resignation from District 69 Recreation Commission.

13-24 **Derk Corrigan, City of Burnaby**, re Local Government Liabilities Resulting from Building Construction Regulation – Request for Legislative Changes.

25 **Rosemary Bonanno, Vancouver Island Regional Library**, re Facilities Planning.

UNFINISHED BUSINESS

FINANCE AND INFORMATION SERVICES

FINANCE

26-29 Bylaw No. 148 – To Authorize Borrowing for Nanaimo Regional Hospital District 2008 Capital Expenditures.

- 30-33 Bylaw No. 1575 – To Authorize Temporary Borrowing for the Purchase of Land for the Nanoose Bay Bulk Water Service.
- 34-47 Bylaws No. 1565, 1566, 1445.03 & 1004.04 – In Relation to the Cedar Sewer Collection System.
- 48-49 Amendment to Regional District Signing Authorities and Appointment of Deputy Financial Administrator.
- 50-53 Amendment Bylaw No. 1532.01 – Amends the Cedar Sewer Service Rates and Regulations Bylaw by Temporarily Decreasing the Sewer Connection Fee.
- 54-66 Bylaw No. 1576 – To Regulate Burning and Fires Within a Portion of the Yellowpoint-Waterloo Fire Protection Service.

DEVELOPMENT SERVICES

BUILDING & BYLAW

- 67-70 Property Maintenance Contravention – 2499 Schirra Drive – Area ‘E’.
- Delegations wishing to speak to Property Maintenance Contravention at 2499 Schirra Drive – Area ‘E’.*
- 71-78 Amendment Bylaw No. 1418.01 – Amends the Bylaw Enforcement Ticket Regulation Bylaw by Adding the Waste Stream Management Licensing Bylaw.
- 79-82 Amendment Bylaw No. 787.12 – Extends the Building Inspection Service Area to Include the Regional District of Nanaimo Church Road Transfer Station.

PLANNING

- 83-99 Request for Urban Containment Boundary Amendment – City of Nanaimo.

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

- 100-115 BC Bioenergy Network Tripartite Collaboration Agreement.

COMMISSION, ADVISORY & SELECT COMMITTEE

District 69 Recreation Commission.

- 116-184 Minutes of the District 69 Recreation Commission meeting held June 25, 2009. (for information)
- 1. That the Youth Services Review: January – May 2009 Report, be received as information.*

2. *That the recommendations from the Youth Services Review Report for the design and development of a new youth recreation services plan for District 69 be approved and that \$10,000 be allocated in fiscal years 2009 and 2010 in the District 69 Recreation Coordination budget for consulting services to undertake the plan to commence in the fall of 2009 and conclude spring 2010.*
3. *That, respecting the District 69 Recreation Services Fees and Charges 2009/10 staff report, the new Fees and Charges category titled Golden in Appendices A and B for participants 85 years and older be changed to 80 years and older.*
4. *That the 2009/10 program, admission and rental fees for Oceanside Place be approved as highlighted in the staff report and outlined in Appendix A, as amended.*
5. *That the 2009/10 program, admission and rental fees for Ravensong Aquatic Centre as be approved as highlighted in the staff report and outlined in Appendix B, as amended.*
6. *That the 2009/10 Recreation Coordinating program fees and recovery rates, administration fee, and revenue-sharing percentage ratio for Term Instructor (Companies) agreements be approved as highlighted in the staff report and outlined in Appendix C.*
7. *That the District 69 Track and Field Facility Feasibility Study be approved as a resource document for the planning and development of track and field facility in District 69.*
8. *That Regional District staff continue to work with School District 69, City of Parksville, Town of Qualicum Beach, Oceanside Track and Field Club and the District 69 Sports Association to further explore the options identified in the District 69 Track and Field Facility Feasibility Study.*
9. *That the Regional Board appoint an alternate for each member of the Commission as provided in Bylaw No. 935.*

Nanoose Bay Parks and Open Space Advisory Committee.

185-186

Minutes of the Nanoose Bay Parks and Open Space Advisory Committee meeting held May 4, 2009. (for information)

That staff be directed to investigate further the design and construction of a community trail adjacent to the existing trail which forms part of Strata #3393 lands as it extends off Rockhampton Road.

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

187-188 Minutes of the Electoral Area 'G' Parks and Open Space Advisory Committee meeting held May 21, 2009. (for information)

Regional Solid Waste Advisory Committee.

189-191 Minutes of the Regional Solid Waste Advisory Committee meeting held June 18, 2009. (for information)

Regional Parks & Trails Advisory Committee.

192-237 Minutes of the Regional Parks & Trails Advisory Committee meeting held June 16, 2009. (for information)

1. *That the Mount Arrowsmith Regional Park – Park Use and Management Concerns staff report be received for information.*
2. *That the Regional Park Acquisition Criteria and Rating Framework be approved.*
3. *That the E&N Trail-with-Rail Feasibility Study be received to use as a guiding document for the future development of the E&N Rail Trail.*
4. *That the Regional District write a letter to the Chief Medical Officer at Vancouver Island Health Authority requesting his investigation into the use of Round Up on the E & N Rail Line and for his opinion if it presents a health problem with drinking water or to citizens who may come in direct contact with the herbicide.*

Regional Liquid Waste Advisory Committee.

238-240 Minutes of the Regional Liquid Waste Advisory Committee meeting held June 19, 2009. (for information)

Transit Select Committee.

241-273 Minutes of the Transit Select Committee meeting held June 17, 2009. (for information)

1. *That the 2009/2010 Annual Operating Agreement with BC Transit be approved.*
2. *That the Board direct staff to proceed with the Prideaux Street Exchange Upgrade Project.*
3. *That the two letters from Vancouver Island University be received for information and that staff be directed to send letters regarding cost sharing opportunities to School District No. 68, BC Transit and Vancouver Island*

University for an improved bus service from Cinnabar Valley/Chase River Area to John Barsby Community School, NDSS and Vancouver Island University/Malaspina International High School.

4. *That staff prepare a report to be brought to the August Board meeting that outlines the L'Association des francophones de Nanaimo request regarding transportation support for the Maple Sugar Festival.*
5. *That staff send a letter to Greyhound Canada supporting a non-idling policy.*

Sustainability Select Committee.

274-277

Minutes of the Sustainability Select Committee meeting held June 17, 2009. (for information)

1. *That the name of the Regional Growth Strategy be amended to Regional Sustainability Plan to reflect the revised focus on sustainability.*
2. *That the information regarding Regional Growth Strategy definitions be referred to staff for consideration in the revised Regional Growth Strategy.*
3. *That staff be directed to arrange a presentation on forest and resource management at a future Ideas and Updates Board Seminar.*

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

BOARD INFORMATION (Separate enclosure on blue paper)

ADJOURNMENT

IN CAMERA

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

Armstrong, Jane

From: Tonn, Nancy
Sent: June 16, 2009 12:31 PM
To: Armstrong, Jane
Subject: United Way presentation to the Committee of the Whole

-----Original Message-----

From: Diane Brennan [mailto:diane.brennan@shaw.ca]
Sent: June 16, 2009 12:24 PM
To: Tonn, Nancy
Cc: Pamela Hadikin
Subject: United Way presentation to the Committee of the Whole

Chairman Stanhope and Carol Mason:

On behalf of the United Way Central Island Campaign 2009, I would like to request an opportunity to address the Committee of the Whole on July 14th. Pam Hadikan, Community Development Coordinator and I would like to introduce the United Way 2009 campaign to the Committee and give a brief description of the campaign, the results of our recent community consultations in Nanaimo and Parksville Qualicum, and how the campaign will impact services provided in the central Island area.

Please advise me if your agenda can accommodate our presentation.
Thank youdb

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON TUESDAY, JUNE 9, 2009 AT 7:00 PM IN THE RDN BOARD CHAMBERS

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director G. Rudischer	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director E. Mayne	City of Parksville
Director T. Westbrook	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director L. Sherry	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director D. Johnstone	City of Nanaimo
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
N. Avery	Gen. Manager of Finance & Information Services
D. Trudeau	Gen. Mgr. of Transportation & Solid Waste Services
J. Finnie	General Manager of Water & Wastewater Services
P. Thorkelsson	General Manager of Development Services
T. Osborne	General Manager of Recreation & Parks
N. Tonn	Recording Secretary

DELEGATIONS

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

Mr. Renning raised concerns about an ongoing activity that contravenes RDN bylaws, including the length of time this activity has occurred and the increased activity, despite ongoing enforcement efforts.

The General Manager of Development Services updated the Committee on the property and noted that the matter is now in the hands of the District's solicitor.

MINUTES

MOVED Director McNabb, SECONDED Director Johnstone, that the minutes of the regular Committee of the Whole meeting held May 12, 2009 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Michael K. Hooper, Nanaimo Airport Commission, re Nanaimo Airport Improvement Project, Phase 2.

MOVED Director Burnett, SECONDED Director McNabb, that the correspondence from the Nanaimo Airport Commission regarding the Airport Commission's application to the Building Canada Fund Communities Component for Phase 2 of the Nanaimo Airport Improvement Project, be received.

CARRIED

Joan Harrison, City of Nanaimo, re UBCM Resolution Regarding 9-1-1 Call Answer Levy.

MOVED Director Burnett, SECONDED Director McNabb, that the correspondence from the City of Nanaimo regarding the Board's support for the City's UBCM resolution on a call answer levy for 9-1-1 service, be received.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Nanaimo Airport Improvement Project, Phase 2.

MOVED Director Holdom, SECONDED Director Holme, that the Board support the Nanaimo Airport Improvement Phase 2 Project, subject to the Regional District of Nanaimo obtaining the authority to regulate tree height through agreement with Transport Canada.

CARRIED

UBCM Resolution Regarding 9-1-1 Call Answer Levy.

MOVED Director Sherry, SECONDED Director Johnstone, that the Board send the City of Nanaimo a letter of support with respect to the City's UBCM 9-1-1 call answer levy resolution.

CARRIED

CORPORATE ADMINISTRATION SERVICES

ADMINISTRATION

Special Occasion License/Special Event Permit – Status Report.

MOVED Director Biggemann, SECONDED Director Johnstone, that the Special Occasion License/Special Event Permit status report be received for information.

CARRIED

FINANCE AND INFORMATION SERVICES

FINANCE

2008 Statement of Financial Information.

MOVED Director McNabb, SECONDED Director Bartram, that the 2008 *Financial Information Act* report be received and approved and be forwarded to the Ministry of Community Development.

CARRIED

Use of Development Cost Charges in 2008.

It was noted that the words “French Creek Bulk Water” should be replaced with the words “Nanoose Bay Bulk Water” in the list of development cost projects in the staff report.

MOVED Director McNabb, SECONDED Director Biggemann, that the report on development cost charges provided under Section 937.01 be received for information.

CARRIED

DEVELOPMENT SERVICES

BUILDING & BYLAW

Property Maintenance Contravention Update – 2128 Minto Avenue – Area ‘A’.

MOVED Director Burnett, SECONDED Director Bartram, that the Board receive this report on the outcome of the unsightly premises clean-up resolution for information.

CARRIED

RECREATION AND PARKS SERVICES

PARKS

UBCM Resolution on Regulating and Licensing Off-Road Vehicles.

MOVED Director Westbrook, SECONDED Director Kipp, that the proposed resolution and backgrounder on licensing and regulation of off-road vehicles be adopted and forwarded to the Union of BC Municipalities for tabling at its September 2009 meeting.

CARRIED

WATER AND WASTEWATER SERVICES

WATER

Amendment Bylaws No. 1124.07 & 889.50 – To Extend the Surfside and Northern Community Sewer Service Areas to Include Three Area ‘G’ Properties.

MOVED Director McNabb, SECONDED Director Biggemann, that “Surfside Sewer Local Service Area Boundary Amendment Bylaw No. 1124.07, 2009” be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Biggemann, that “Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.50, 2009” be introduced and read three times.

CARRIED

WASTEWATER

Amendment Bylaw No. 888.05 & No. 889.51 – To Amend the Apportionment Dates for the Southern and Northern Community Sewer Services.

MOVED Director Holdom, SECONDED Director Bartram, that “Southern Community Sewer Local Service Apportionment Amendment Bylaw No. 888.05, 2009” be introduced, read three times and forwarded to the Ministry of Community of Development for approval.

CARRIED

MOVED Director Holdom, SECONDED Director Bartram, that "Northern Community Sewer Local Service Apportionment Amendment Bylaw No. 889.51, 2009" be introduced, read three times and forwarded to the Ministry of Community Development for approval.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

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

MOVED Director Burnett, SECONDED Director Young, that the minutes of the Electoral Area 'A' Parks, Recreation and Culture Commission meeting held May 20, 2009 be received for information.

CARRIED

MOVED Director Burnett, SECONDED Director McNabb, that the Yellow Point Drama Group be informed that if the Area 'A' Recreation and Culture grant funding that they received to purchase a portable storage trailer was not used for the purpose stated in their Grant-in-Aid application, the Regional District requires reimbursement of the \$1,500 grant.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that the Electoral Area 'A' Grant-in-Aid request by South Wellington and Area Community Association (Reiki Level 1 program facility rental) in the amount of \$400 be approved.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that the Electoral Area 'A' Grant-in-Aid request by Cedar Family of Community Schools (camp equipment/supplies) in the amount of \$1,500 be approved.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that the Electoral Area 'A' Grant-in-Aid request from the Cedar Skate Park Association in the amount of \$1,500 be denied.

CARRIED

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

MOVED Director Young, SECONDED Director Burnett, that the minutes of the East Wellington/Pleasant Valley Parks and Open Space Advisory Committee meeting held April 7, 2009 be received for information.

CARRIED

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

MOVED Director Biggemann, SECONDED Director Holme, that the minutes of the Electoral Area 'F' Parks and Open Space Advisory Committee meeting held April 20, 2009 be received for information.

CARRIED

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

MOVED Director Bartram, SECONDED Director Holdom, that the minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee meeting held April 22, 2009 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Holdom, that the Area 'H' Community Park referred to as "Creekside Park" be changed to "Nile Creek Park".

CARRIED

Regional Liquid Waste Advisory Committee.

MOVED Director Holdom, SECONDED Director McNabb, that the minutes of the Regional Liquid Waste Advisory Committee meeting held May 7, 2009 be received for information.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:26 PM

CHAIRPERSON

DISTRICT 69 REC & PARKS	
Area	REC
Date	JUN 25 2009
Time	
Approved	<input checked="" type="checkbox"/>
Director	Chief

June 25, 2009

Frank Van Eynde
 Chairperson
 District 69 Recreation Commission

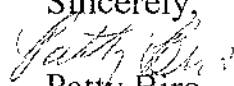
Dear Frank,

Please accept this letter of resignation from my position as the Recreation Commissioner from Area H, effective July 31, 2009.

I have enjoyed my association with the commission members and leave on good terms. I have come to respect many of you and am grateful for the opportunity to have worked cooperatively with the commission on committees for the betterment of residents in all areas of District 69.

I am unable to complete my term due to time constraints related to work and family. I have found it very difficult this year to both properly prepare and attend meetings. I am confident that someone from Area H with more time and energy will better serve the community.

I would like the commission to consider appointing alternate commissioners for the Electoral Areas. Alternates would ensure that all areas are represented better and on a regular basis. Currently the only commission member who has an alternate is the representative from the Regional District. I would be more than willing to continue with the Commission as the alternate. If it is appropriate, I would like to present this in the form of a motion, prior to my resignation.

Sincerely,

 Patty Biro



CITY OF BURNABY
OFFICE OF THE MAYOR
DEREK R. CORRIGAN
MAYOR

RDN			
CAO	<input checked="" type="checkbox"/>	GMF&IS	
GMDS	<input checked="" type="checkbox"/>	GMR&PS	
GMES		GMTS	
JUN 22 2009			
CHAIR		BOARD	<input checked="" type="checkbox"/>
<i>Communications</i>			
<i>C.O.W.</i>			

04 June 2009

Chair and Board of Directors
Nanaimo Regional District
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Chair and Board of Directors,

Burnaby City Council, at the open Council meeting held on 2009 June 01 received a comprehensive report from our City Solicitor prepared in response to Council's request for a review of the ongoing problems associated with municipal liabilities resulting from building construction regulation.

The report provides a detailed analysis of the recommendations arising from the Barrett Commission which included specific recommendations to address the inequity of the application of joint and several liability to municipalities. Particularly, the Commission found the discrepancy in treatment of municipal liability between the Local Government Act and the Vancouver Charter to be unacceptable.

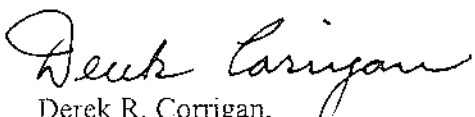
The Commission's recommendations specifically support the position taken by both the UBCM and member municipalities in requesting the Provincial Government remove the joint and several liability of municipalities under the Local Government Act and provide the same protection to all municipalities that is afforded to the City of Vancouver under the Vancouver Charter.

I recognize that this issue has been before the Provincial Government for some time, but I believe we must continue to press for the necessary legislative changes in order to safe guard our municipalities and citizens from potentially devastating legal action.

Your continued support for this issue and petitioning of the Province and local M.L.A.'s would be greatly appreciated.

For your information, a copy of our staff report is herewith enclosed.

Very truly yours,


Derek R. Corrigan,
Mayor

TO: CITY MANAGER **DATE:** 2009 May 07

FROM: CITY SOLICITOR

SUBJECT: LOCAL GOVERNMENT LIABILITY IN BUILDING REGULATION

PURPOSE: To Provide Council with Information on the Ongoing Problems Facing the City in Litigation Arising out of Building Construction Regulation

RECOMMENDATION:

1. **THAT** Council receive this report for its information.

REPORT

Council is aware that the City has over the last decade become increasingly involved as a defendant in civil legal actions relating to building construction.

This litigation typically involves buildings that have suffered damage from an alleged defect or defects in the design or construction of the building.

The City, like other municipalities in British Columbia, regulates the construction of buildings within its boundaries under its Building Bylaw. Standards of construction in B.C. are governed by the B.C. Building Code for all municipalities other than the City of Vancouver. The B.C. Building Code is mandated by the Province through a Provincial regulation. The Building Bylaw establishes the processes and procedures by which the City administers the Building Code. The Bylaw requires that the builder obtain a building permit from the City prior to commencing construction and occupancy approval prior to the occupancy of the completed building. As part of the regulatory process the Building Department carries out both a plan review prior to permit issuance and site inspections at a limited number of stages of construction as specified in the Bylaw.

For construction of buildings other than single family residences, the plan checker reviews the building plans for limited life safety related items. The plan checker is not an architect or engineer and relies on the registered professionals to ensure that the building design meets Building Code requirements. In this regard, the plan checker ensures that design drawings bear the registered professional's seal and relies on this and the letters of assurance from the registered professionals for all matters other than the limited life safety items.

To: City Manager
From: City Solicitor
Re: Local Government Liability in Building Regulation
2009 May 07 Page 2

The building inspection process can best be described as a spot audit process. The building inspector performs the limited inspections mandated by the Bylaw which, again, focus on life safety issues. The registered professionals are responsible for the review of construction to ensure that the building meets the design and complies with the Building Code, and they must provide the City with letters of assurance that they have carried out that review. The City building inspector is not on site at all times (the inspector's presence is in fact very limited) and, again, the inspector is not an architect or engineer.

It should also be borne in mind that the Building Code establishes minimum standards for construction and that many Building Code requirements for complex structures are design or performance based, in that they set a construction goal and leave it to the registered professional to achieve that goal in the design. Building Department staff are not qualified, and should not be expected, to second guess the registered professional on such matters.

The most common type of construction problem giving rise to legal actions against the City in recent years is that commonly known as the "leaky condo". This typically involves a multi-family residential development constructed in the late 1980's or early 1990's that has suffered water ingress damage resulting from the failure of the building envelope to shed water (wind-driven rain in particular) and prevent its entry into the wall assembly.

The leaky condo problem is not, of course, confined to Burnaby, but has occurred in communities throughout the Lower Mainland and Vancouver Island.

By Order in Council on April 17, 1998, the Province appointed a Commission of Inquiry under former Premier Dave Barrett to investigate and report on the leaky condo crisis. The Commission held 29 public hearings and received more than 730 written submissions. It reviewed current legislation, considered a number of public and private reports, and considered approaches taken in other jurisdictions.

The Commission reported its findings in June 1998, and in its report made 82 recommendations.

In the opening part of its report, the Commission stated:

"In addition to economic and climatic conditions, process and building science issues have led to a disintegration in the quality of construction. The building process has been undertaken in a largely unregulated, residential construction industry, driven to the lowest common denominator by ruthless, unstructured competition."

The Commission found that, aside from climatic factors, the two major factors that had led to the problem were:

1. The Residential Building Process

- lack of developer and contractor responsibility – often facilitated through protective corporate structures
- lack of skills, training and qualifications for construction trade workers
- architects unable to maintain professional responsibility in translating designs into quality structures
- inability of municipalities to effectively monitor building quality
- lack of information from the builder to the strata council on building maintenance
- inadequate home warranty program

2. Building Science

- poorly interpreted building code
- application of building designs and use of new building materials without an understanding of how they would perform in the coastal climate
- lack of conventional wisdom among all parties involved in the process regarding the requirements for effective building

In relation to the roles of the various parties involved in the construction of these buildings, the Commission stated:

“It is the Architect’s responsibility to ensure that the project’s design and construction substantially conform to the relevant building codes. It is the municipal inspector’s responsibility to ensure the code has not been violated. However, municipal officials approve plans for permit purposes and undertake minimal on-site inspections. Inspections do not cover building envelope design, but deal with foundations, sheathing, framing, insulation, and a final inspection for occupancy.”

“If it is not the municipality’s role to ensure the quality of construction, then whose is it, and what is the responsibility of the municipality’s inspection department? The ultimate responsibility for the quality of construction must rest with the developer/builder. The developer can then contract that responsibility to the professional architect or engineer.”

"It is the provincial government's role to establish codes and standards, while it is the developer's role to ensure that construction complies with standards. The registered professional (architect or engineer) has the responsibility of designing the building and ensuring field reviews are undertaken during construction. The role of the building official is to monitor the process."

The Commission found, however, that the general perception of the public as to the role and responsibilities of the municipal building inspector was quite different:

"It should be noted, however, that regardless of what the role of municipalities has become, there has been an expectation on the part of the consumer and the development industry that code compliance was being enforced by municipal inspectors. Municipal inspectors were being regarded as the interpreters of the code."

"It is apparent from the numerous statements and comments made to the Commission by frustrated and angry condo owners, that the role of local government, with respect to building inspection and plan checking, is widely misunderstood."

Unfortunately, the latter observation continues to reflect the situation. There is a general misunderstanding that prevails in the community that municipal building officials play a much greater role in the building process than they actually do, and that the issuance of an occupancy permit is in some sense not only a warranty by the municipality that the building complies in all respects with the Building Code, but confirmation that it is well built. As noted by the Barrett Commission, the role of the municipal building official is that of a monitor only. Building standards are the responsibility of the Province. The responsibility to ensure that the building design complies with Building Code requirements is that of the design professional and the responsibility to ensure that the building construction complies with the Building Code requirements and design is that of the developer and the registered professionals.

Perhaps the most important of the Barrett Commission's recommendations that was instituted by the Province was the enactment of the *Homeowner Protection Act*. This legislation established:

1. a licensing system for residential builders
2. statutory warranties of quality and habitability applicable to new residential construction
3. a requirement for mandatory third party warranty policies on new residential construction

4. the creation of the Homeowner Protection Office to administer the licensing of residential builders and the third party warranty system, and to carry out research and education in the field of the B.C. residential construction industry.

While it is expected that this legislation will go a long way toward improving residential construction, the legislation was not retroactive and has no effect on pre-1998 residential construction, and in particular the multi-family residential developments constructed in the 1980's and early 1990's. These continue to be the main source of litigation involving municipalities.

While there was some sense of optimism among municipalities and their legal advisors at the time of the Barrett Commission Report that municipalities and their building departments would not generally be held responsible in the litigation that was beginning to flow from the crisis, and that municipalities would not be looked to share in the repair costs, the reality has been otherwise.

The first, and to date only, leaky condo lawsuit that has gone to trial in B.C. is that of *The Owners Strata Plan NW3341 v. Canlan Icesports et al*, a 2001 decision of the B.C. Supreme Court (now commonly referred to as the "Delta decision"). In that case the City of Delta was found contributorily negligent to the extent of 20% for the negligent design and construction of the building, but due to the principle of joint and several liability ended up, staff understand, paying the bulk of the reported \$3 million judgment for repair costs

A review of the facts in the Delta decision do indicate that the building department arguably made some operational errors, such as accepting design drawings that did not bear an architect's seal and were not in fact prepared by a professional architect. Some comfort has since been taken that, where the municipality did rely on architectural drawings, did obtain the letters of assurance of the registered professionals as required by the Building Code or (prior to the 1992 Building Code) by Building Department policy, and did perform the inspections mandated by its own building bylaw, its actions would be distinguishable from those considered in the Delta case, and the municipality would not be held liable.

However, certain comments and findings in the Delta decision have left a degree of uncertainty and concern for municipalities. The court pointed out that the opening preamble to the Delta building bylaw stated that it was "to make provision for the administration and enforcement of the said Building Code" (emphasis added), which was typical of local building bylaws at that time including Burnaby's former building bylaw (but not its current Building Bylaw). The reasons for judgment may suggest that if the stated purpose of the building bylaw is the enforcement of the Building Code, municipalities cannot, by policy, limit plan review and building inspections to certain aspects of Building Code compliance only, and that the municipality is responsible for ensuring complete Building Code compliance for all elements of the structure, including the sufficiency of performance based design elements of the structure (such as the building envelope).

It is open to argument that the mere inclusion of this wording in the preamble of the Bylaw does not preclude the municipality from making a legitimate policy decision to limit the scope of its plan review and building inspections, and to rely in other respects on the assurances of the registered professionals involved in the building design and construction. The Delta decision was not appealed and, to staff's knowledge, no other leaky condo lawsuit has since gone to trial in B.C.. There remains uncertainty in the law of the municipality's responsibilities and liabilities in this area.

In the area of construction litigation municipalities are particularly disadvantaged by two statutory provisions:

1. The application of joint and several liability under section 4 of the *Negligence Act*.

Under the principle of joint and several liability, a successful plaintiff can recover all or any portion of its damage award against any defendant found contributorily negligent regardless of the proportionate liability of that defendant. So if a municipality is found even 1% contributorily negligent, the plaintiff can recover its entire damage award from the municipality.

2. The 30 year ultimate limitation period under the *Limitation Act*.

The limitation period for bringing an action in respect of a leaky condo building is 6 years. However, the limitation period does not begin to run until the building owners become aware or ought reasonably to have become aware of the faulty building design/construction. This typically does not occur until the building starts exhibiting water ingress related problems and an engineer is retained to investigate and report on the problem. The leaky condo legal actions in Burnaby typically involve buildings constructed in the late 1980's and early 1990's.

As a result, when legal action is ultimately commenced it is often twenty years since the building was constructed. As the developer typically incorporates a separate company for each project, the development company likely no longer exists or, if it does, is inactive and without assets. Many of the contractors, subcontractors and suppliers may no longer exist to answer for their share of fault. The architect, if still in business, typically has only \$500,000 professional insurance.

After the passage of so much time, the municipality is often the only defendant of substance left. As a result the plaintiffs focus their efforts on establishing some degree of negligence, no matter how small, on the municipality.

The Barrett Commission recognized the inequity of the application of joint and several liability to municipalities, and recommended change:

“Because of both a perceived and a real obligation on behalf of municipalities to carry out the enforcement of the Building Code, there are a significant number of litigation claims pending, naming the municipality as a defendant. Currently, municipalities are liable on a “joint and several” basis, for inspection activity that has not been properly carried out. This means that, in the absence of a developer (who may be protected by a numbered company, or who has gone bankrupt) and/or an architect or engineer with deep pockets, a municipality could be held financially responsible for all the costs related to a successful judgment. The City of Vancouver Charter was amended in 1995, by the Legislature, to eliminate all liability for inadequate inspection.

The Commission finds that the joint and several responsibility for municipalities is onerous. It also finds the discrepancy in treatment among municipalities unacceptable.

Recommendation #18: That the Municipal Act be modified to remove the joint and several liability of a municipality while retaining proportionate liability.

Recommendation #19: That the Vancouver Charter be amended to be compatible with the proportionate liability held by other municipalities. ”

The amendment to the *Vancouver Charter* that the Commission was alluding to is s.294(8), which provides:

“S.294(8) The city, or any officer or employee thereof, in inspecting and approving plans or in inspecting buildings, utilities, structures or other things requiring a permit for their construction, has no legal duty, on which a cause of action can be based, to ensure that plans, buildings, utilities, structures or other things so constructed, comply with the by-laws of the city or any other enactment. The city, or any officer or employee thereof is not liable for damages of any nature, including economic loss, sustained by any person as a result of neglect or failure of the city or officer or employee thereof to discover or detect contraventions of the by-laws of the city or other enactment or from the neglect or failure, for any reason or in any manner, to enforce such a by-law or enactment or for any damage from a failure to recommend, or resolve to file a notice in the land title office pursuant to section 336D. ”

To: City Manager
From: City Solicitor
Re: Local Government Liability in Building Regulation
2009 May 07.....Page 8

This section provides the City of Vancouver with a thorough immunity from liability arising out of its plan checking and building inspection functions in respect of bylaw compliance (the City of Vancouver is not bound to the B.C. Building Code, it has its own building bylaw containing a comprehensive building code).

At its regular meeting of March 23, 2009, Council received and adopted a report recommending submission of a number of resolutions to the UBCM and LMLGA for consideration at this years' conventions.

Among those resolutions was one requesting that the *Local Government Act* be amended to provide all B.C. local governments with statutory immunity similar to that provided to the City of Vancouver under s.294(8) of the *Vancouver Charter*:

"WHEREAS all local governments, with the exception of the City of Vancouver, face considerable liability risk and are being financially penalized as a result of legislation which does not provide immunity for building permit and inspection processes;

AND WHEREAS it is unacceptable that all local governments in British Columbia are not offered the same liability protection through provincial legislation:

THEREFORE BE IT RESOLVED that the UBCM recommend to the Provincial Government that the Local Government Act be amended to include blanket immunity from liability for approving building plans and inspecting buildings, similar to the Vancouver Charter (section 294, sub-section 8). "

Regarding this proposed resolution it was stated in the report:

"Burnaby, in concert with the UBCM and its members, has worked consistently since 1985 to propose various legislative reforms to the Provincial Government as part of a "Liability Action Program." One of the goals of this effort is to protect communities and all taxpayers from financial losses due, not to municipal liability, but to litigation affecting the construction industry. This ongoing effort has included several UBCM resolutions to include a review of joint and several liability as part of the Modernization Strategy. To date, there has been no substantial progress on the part of the Provincial Government to rectify this important matter that is continuing to have a direct and substantial financial impact on local governments and their citizens.

To: City Manager
From: City Solicitor
Re: Local Government Liability in Building Regulation
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The progressive change to this legislation clearly established design professionals as being responsible for code compliance. No municipality should incur liability for its permitting process, which makes design professionals responsible for code compliance; and the inspection process, which serves as an auditing function to promote that compliance. Despite a UBCM resolution in 1996 which called on the Provincial Government to make a similar amendment to the Municipal Act, no action has been taken to ensure that all municipal governments in the province are afforded the same protection as currently in place for the City of Vancouver.

The matter was further delayed by the Provincial Government as it awaited the recommendations of the "Commission of Inquiry into the Quality of Condominium Construction in British Columbia" (Barrett Report), undertaken in 1998 by Commissioner Dave Barrett. In its final report, it was stated that "The Commission finds that the joint and several responsibility for municipalities is onerous. It also finds the discrepancy in treatment among municipalities unacceptable." Among the recommendations of the inquiry were that the Municipal Act be modified to remove joint and several liability while retaining proportionate liability and that the Vancouver Charter be amended to be compatible with the liability held by other municipalities.

The Barrett Report provided the Provincial Government with a wide range of recommendations and actions for implementation. The City of Vancouver adopted a report which objected to the recommendation of the Barrett Report to amend the Vancouver Charter. Instead, the City of Vancouver recommended that the Municipal Act be modified to provide the same liability protection as under the Vancouver Charter to all other municipalities in the Province. To date the Provincial Government has not implemented any actions regarding joint and several liability and further has not provided municipalities with the blanket liability protection, in respect to their permitting and inspection functions, as currently held by the City of Vancouver.

The Modernization Strategy, which was initiated in 2004, is being implemented by the Office of Housing and Construction Standards, to rationalize the regulation of the construction/housing industry. As previously discussed in Section 2.1 of this report, this strategy will not advance the UBCM resolution regarding joint and several liability. Based on the Provincial Government's refusal to advance the UBCM recommendations regarding this issue,

Council requested that a further resolution be advanced calling for the protection of local government from any liability arising from their permitting and inspection functions.

Fundamentally, there would appear to be no logical basis for providing one B.C. local government with such a critical safeguard without providing it to the others.

In respect of the ultimate limitation period of 30 years, the Ministry of the Attorney General issued a Green Paper in February 2007 entitled "Reforming British Columbia's *Limitation Act*" which, amongst other things, raised the possibility of a reduction in the ultimate limitation period from 30 years to 10 years. The UBCM urged its members to submit a response to the Green Paper in support of this proposal and the City did so. The Province has yet to act on the Green Paper and the public response. There is some indication that the Province may be considering a 10 year limitation period in construction litigation as part of its Modernization Strategy for the building regulatory system.

In staff's view, the reduction of the ultimate limitation period for building construction liability from 30 years to 10 years would operate to significantly reduce municipalities' liability exposure in the area of building construction. The City should continue to support this legislative initiative.

As mentioned previously, only one leaky condo action including a municipality has proceeded to trial in B.C. The costs of litigating one of these actions can be staggering, given the number of parties involved, the complexity of the issues, the volume of documents, the number of lay and expert witnesses, and the number of counsel. With trials expected to stretch over months the legal and related trial costs can ultimately reach well over a million dollars. It should not therefore be surprising that these lawsuits have tended to settle without going to Court.

Discussions with other municipal solicitors and risk managers indicate that the general approach has been to settle these claims if a reasonable settlement contribution can be agreed upon, and avoid the cost, uncertainty and financial risk of proceeding to trial. While there seems to be a common desire to have another one of these lawsuits to go through to trial and on to appeal if necessary, to clarify the law, it appears that no one has yet been prepared to take this risk.

Perhaps the greatest legal inequity that arises in this litigation is that the developer, which owned and directed the construction project through a company incorporated solely for that purpose, and that reaped the profit on the sale of the finished units to the public, is generally not legally compellable to pay for the repair of its defective product.

Instead it is the registered professionals, construction contractor, sub-contractors and material suppliers, and local government that are being looked to. The ability of the design professionals, contractors, sub-contractors and suppliers to make any contribution of substance to a settlement often depends on whether they have insurance, which is increasingly becoming less often the case.

The decrease in available insurance has had the adverse effect of the local government increasingly becoming the plaintiff's prime target in these lawsuits, making it more difficult for the municipality to extract itself from the litigation with little or no contribution to the settlement. As a major (and perhaps only) "deep pocket" defendant in these lawsuits there now seems to be an expectation that the local government will be a major contributor to a settlement regardless of whether there is any evidence of negligence against it. Ability to pay, rather than fault, now seems to be the prime consideration in this litigation.

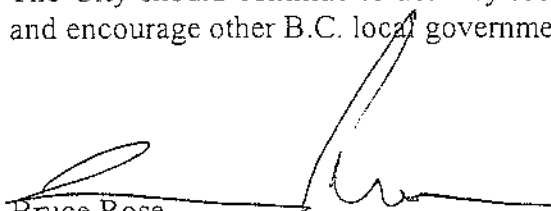
While the Barrett Commission described the role of the local government in the construction process as monitor only, it now seems that the local government is expected to be a warrantor or insurer of the finished product as well.

It should also be borne in mind that the local government is the only player directly involved in the entire construction process that isn't there to make a profit, it is involved to provide some level of protection to the public through its limited role as monitor. Moreover, the local government is not the one that designs or constructs the building. The worst that can ever be said of it is that in its role as monitor it neglected to identify someone else's error. Strictly from a public policy perspective it is wrong that the local government should be left to shoulder the loss.

The ultimate solution to this problem must be legislative, local governments must be provided with a reasonable level of protection in performing their building regulatory role, and not be faced with shouldering the financial burden when a building suffers water or any other form of damage, whether through poor design or poor workmanship, in aspects of construction for which they rely upon the design professionals or for which they do not inspect.

Ideally, all municipalities would be given the same thorough statutory protection that Vancouver has under s.294(8) of the *Vancouver Charter*. However, even changing municipal liability exposure to several rather than joint and several in building construction or reducing the ultimate limitation period to ten years (or both) would go a long way towards easing this inequitable and onerous burden.

The City should continue to actively lobby the Province to implement these legislative reforms and encourage other B.C. local governments to do so as well.



Bruce Rose
CITY SOLICITOR

BR:mka

Copy to Director Planning
Chief Building Inspector



CENTRAL SERVICES

Box 3333, 6250 Hammond Bay Rd., Nanaimo BC, Canada V9R 5N3
Phone: (250) 758-4697 Fax: (250) 758-2482
Email: info@virl.bc.ca Web: www.virl.bc.ca

June 23, 2009

Joe Stanhope, Chair
6300 Hammond Bay Road
Nanaimo, British Columbia, V9T 6N2

Administrative routing slip with checkboxes for CAO, GMF&IS, GMR&PS, GMTS, and BOARD, dated JUN 25 2009, with handwritten initials and 'Corresp.' written on it.

Dear Chairperson Stanhope and Directors:

Re: FACILITIES PLANNING

Vancouver Island Regional Library (VIRL) is pleased to advise that we are embarking on the creation of a Consolidated Facility Master Plan.

This plan will aid greatly in determining the proper standards for facilities in the future and will help ensure that an orderly provision of updating and renewing facilities is undertaken to maximize service to its members. The plan is expected to be completed in early 2010.

To assist Vancouver Island Regional Library in its planning process we would appreciate knowing if your area

- Has any plans or concerns regarding the provision of library space.
• If so when your area might be considering a new facility where a library might be housed.
• Has any other pertinent information that might affect our planning process.

Vancouver Island Regional Library is vitally interested in being part of your planning process where Library Facilities are concerned.

Your response, even if you have no current plans, would be appreciated.

Yours truly

Handwritten signature of Rosemary Bonanno

Rosemary Bonanno BA MLS
Executive Director

c.c. - Carol Mason, Chief Administrative Officer
George Holme, VIRL Board Member



CAD APPROVAL	OK
EAP	
DATE	Jul 14 '09
CEO	
BOARD	

**REGIONAL HOSPITAL
DISTRICT
MEMORANDUM**

TO: C. Mason
Chief Administrative Officer

DATE: June 8, 2009

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

FILE:

SUBJECT: A Bylaw to Authorize Borrowing for 2008 Capital Expenditures

PURPOSE:

To introduce for three readings and adoption "Nanaimo Regional Hospital District 2008 Capital Expenditure Borrowing Bylaw No. 148, 2009".

BACKGROUND:

The 2009 budget approval for capital grants to the Vancouver Island Health Authority is \$2,800,000. Of that amount, \$2,400,000 was raised through property taxes and the remaining \$400,000 would be borrowed. The same amounts have been authorized for each of the three years 2006, 2007 and 2008 and borrowing bylaws for 2006 and 2007 have been prepared and adopted. The borrowing bylaw for 2008 has not yet been introduced and in order to maintain the sequential tracking for these amounts, staff are introducing the bylaw at this time.

Bylaw No. 148, once adopted will permit staff to reimburse the Health Authority and to borrow as necessary, on an interim basis until the proposed 2008 capital expenditures are complete. Long term debt once secured will be amortized over a period of 15 years.

ALTERNATIVES:

1. Introduce and adopt the bylaw as presented.
2. Do not adopt the bylaw.

FINANCIAL IMPLICATIONS

Alternative 1

The total funding commitment for 2008 is \$2,800,000. The annual budget had been raising \$2,400,000 for several years and the optimal way to provide an additional \$400,000 was to borrow that amount with repayment over 15 years. The debt servicing costs are approximately \$40,000 per year. Since this time, the budget has been adjusted further and we are no longer borrowing a portion of the annual capital grants.

Alternative 2

We have already communicated our commitment to the Health Authority for \$2,800,000 in funding for their fiscal year 2008/2009. If the bylaw is not adopted our cash resources will be short by \$400,000 and the Health Authority may have considerable difficulty meeting its replacement and upgrading plans.

SUMMARY/CONCLUSIONS:

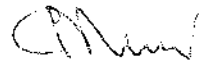
The 2008 Hospital District budget anticipated borrowing up to \$400,000 as part of its commitment to fund annual capital equipment/project expenses for the Vancouver Island Health Authority. The same amount was authorized in each of 2006, 2007 and 2008. A bylaw authorizing this borrowing has not yet been adopted and in order to maintain the sequential tracking of these approvals, Bylaw No. 148 is introduced at this time. Staff recommend adopting the bylaw as presented.

RECOMMENDATION:

1. That "Nanaimo Regional Hospital District 2008 Capital Expenditure Borrowing Bylaw No. 148, 2009" be introduced and read three times.
2. That "Nanaimo Regional Hospital District 2008 Capital Expenditure Borrowing Bylaw No. 148, 2009" be adopted.



Report Writer



C.A.O. Concurrence

NANAIMO REGIONAL HOSPITAL DISTRICT

2008 CAPITAL EXPENDITURE BORROWING BYLAW

BYLAW NO. 148

WHEREAS the Board of the Nanaimo Regional Hospital District proposes to expend money for capital expenditures described in Schedule 'A' attached hereto and forming an integral part of this bylaw;

AND WHEREAS those capital expenditures have received the approval required under Section 23 of the *Hospital District Act*;

NOW THEREFORE the Board of the Nanaimo Regional Hospital District enacts the following Capital Expenditure Bylaw as required by Section 32 and Section 33 of the *Hospital District Act*.

1. The Board hereby authorizes and approves the borrowing and expenditure of money necessary to complete the capital expenditures described in Schedule 'A' attached.
2. The Board authorizes and approves the borrowing of a net sum not exceeding \$400,000.00 upon the credit of the District by the issuance and sale of securities in a form and manner agreed to by the Municipal Finance Authority of British Columbia. The term of the securities and the repayment of the principal and interest shall be for a term not to exceed fifteen (15) years.
3. To meet the payments of principal and interest during the term of the securities, there shall be included in the estimates of the Regional Hospital District each year, the respective amounts of principal and interest falling due each year.
4. The Board hereby delegates to the General Manager, Finance & Information Services the necessary authority to settle the terms and conditions of the borrowings.
5. This bylaw may be cited for all purposes as "Nanaimo Regional Hospital District 2008 Capital Expenditures Borrowing Bylaw No. 148, 2009".

Introduced and read three times this 28th day of July, 2009.

Adopted this 28th day of July, 2009.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Chairperson

Sr. Mgr., Corporate Administration

SCHEDULE 'A'
NANAIMO REGIONAL HOSPITAL DISTRICT
2008 CAPITAL EQUIPMENT and PROJECTS

Capital Equipment	\$ 1,162,400
Capital Projects	\$ 1,637,600
Total capital requests	<u>\$ 2,800,000</u>
Source of funding	
2008 property taxes	\$ 2,400,000
Borrowed funds	\$ 400,000
Total capital approved	<u>\$ 2,800,000</u>
2008 Authorized Borrowing	<u>\$ 400,000</u>

Handwritten: Jul 14 '09

MEMORANDUM

TO: C. Mason
Chief Administrative Officer

DATE: June 27, 2009

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

FILE:

SUBJECT: Temporary Borrowing to Finance the Purchase of Land for the Nanoose Bay Bulk Water Service

PURPOSE:

To introduce a bylaw to secure funds to cover the purchase of land for the Nanoose Bay Bulk Water Service.

BACKGROUND:

In 2008 the Regional District purchased the property located at 2834 Northwest Bay Road in Nanoose Bay to secure a location for future infrastructure development for the bulk water service. The value of the purchase was \$324,216. Bylaw No. 1242 is one of a series of security issuing bylaws adopted in 2001, which cover projected phases of the bulk water system. Bylaw No. 1242 authorizes issuing long term debt up to \$1,476,000. A local government can borrow temporarily under a debt issuing bylaw for up to five years. Given the relatively small dollar value of this particular purchase, staff recommend temporarily borrowing against the authority under Bylaw No. 1242 and repaying the funds over a five year period from the annual operating budget.

ALTERNATIVES:

1. Approve the temporary borrowing bylaw with respect to the purchase of land for the Nanoose Bay Bulk Water Service as presented and include in the financial plan repayment of the principal and interest over a five year period.
2. Finance the purchase internally with repayment of principal and interest over a five year period.

FINANCIAL IMPLICATIONS:

The difference between the two approaches is not significant but as a principle it is important.

The cash for the purchase has been drawn from available cash balances in the Regional District's operating accounts. An internal accounting entry charges interest to the Nanoose Bay Bulk Water operating budget on the "borrowed" funds, at the same rate as offered under the Municipal Finance Authority's (the MFA) interim financing program. However, the Regional District does not have the benefit of the cash to earn interest after it has been used for this purchase. While interest rates are low for both investors and creditors, having the cash replenished by borrowed funds increases the amount of investment returns to the Regional District. Therefore staff recommend replenishing the operating account by borrowing the funds back from the MFA interim financing program.

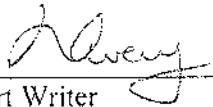
The estimated annual cost for this approach is \$68,000. The 2009 to 2013 financial plan includes this repayment approach and parcel taxes are projected to increase about \$10 per year.

SUMMARY/CONCLUSIONS:

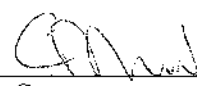
In early 2008 the Regional District concluded the purchase of the property at 2834 Northwest Bay Road for the Nanoose Bay Bulk Water Service. The service is authorized to borrow up to \$1,476,000 under Bylaw No. 1242 as part of the overall bulk water system development. Given the relatively small dollar value of this particular purchase, staff recommend using the MFA temporary financing program, under which funds can be borrowed for up to five years. The repayment of the principal and interest would be included in the next five years' operating budgets for the Nanoose Bulk Water Service. At current rates and number of properties, the approximate impact to parcel taxes is \$10 per year.

RECOMMENDATIONS:

1. That "Nanoose Bay Bulk Water Temporary Borrowing Bylaw No. 1575, 2009", be introduced and read three times.
2. That "Nanoose Bay Bulk Water Temporary Borrowing Bylaw No. 1575, 2009", be adopted.



Report Writer



C.A.O. Concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1575

**A BYLAW TO BORROW TEMPORARILY
BEFORE SECURING LONG TERM DEBT**

WHEREAS it is provided by section 823.2 of the *Local Government Act* that the Regional Board may, where it has adopted a loan authorization bylaw, without further assents or approvals, borrow temporarily from any person under the conditions therein set out;

AND WHEREAS the Regional Board has adopted Bylaw No. 1051, cited as "Regional District of Nanaimo Nanoose Bay Bulk Water Supply Loan Authorization Bylaw No. 1051, authorizing the acquisition of equipment and the construction of bulk water supply, in the amount of Seven Million, Seven Hundred and Thirty One Thousand Dollars (\$7,731,000.00);

AND WHEREAS the Regional Board has adopted Bylaws No. 1128, 1226, 1239, 1242, 1243, 1244 and 1245 as security issuing bylaws related to Bylaw No. 1051;

AND WHEREAS, funds have been borrowed under security issuing Bylaws No. 1128, 1226 and 1239 and Bylaws No. 1242, 1244 and 1245 remain with authorized but unsecured balances;

AND WHEREAS the Regional Board wishes to finance the purchase of land legally described as Lot 8, Plan 22076, DL 130, Nanoose District (2834 Northwest Bay Road);

AND WHEREAS the sale of debentures has been temporarily deferred;

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

1. The Regional Board is hereby authorized and empowered to borrow an amount or amounts not exceeding the sum of Three Hundred and Twenty Four Thousand, Seven Hundred and Sixteen Dollars (\$324,716.00), as the same may be required.
2. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Chair and the General Manager, Finance & Information Services.
3. The money so borrowed shall be used solely for the purposes set out in said Bylaw No. 1051.
4. The proceeds from the sale of debentures or so much thereof as may be necessary shall be used to repay the money so borrowed.

5. This bylaw may be cited as Nanoose Bay Bulk Water Temporary Borrowing Bylaw No. 1575, 2009.

Introduced and read three time this 28th day of July, 2009

Adopted this 28th day of July, 2009

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION



APPROVAL
DATE
July 14 '09
BY
NAME
BOARD

MEMORANDUM

TO: C. Mason
Chief Administrative Officer

DATE: July 7, 2009

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

FILE:

SUBJECT: Bylaws to establish additional authority to borrow for properties seeking inclusion into the Cedar Sewer collector system

PURPOSE:

To introduce for three readings bylaws to add new properties to the Cedar Sewer collection system and to borrow for their share of the capital costs.

BACKGROUND:

To date 20 properties have been the subject of bylaws establishing services to cover the costs of financing the construction of a sewer collector system in Cedar. A further seven properties have petitioned for inclusion. With these seven additional properties, all of the available connections have been taken. Should further properties wish to be included, the Regional District and the City of Nanaimo would need to amend an agreement covering access to the Duke Point treatment plant.

The capital costs for the seven additional properties are higher than those joining under the original petition, reflecting final capital costs higher than anticipated by the developer constructing the sewer line. A residential property petitioning at the beginning of the project paid approximately \$13,600 (before borrowing costs) for a connection. The owners who are the subject of the attached bylaws have agreed to pay \$25,809.50(before borrowing costs) per connection.

Four bylaws are necessary to add the seven additional properties.

- Bylaw 1565 Establishes a service to cover the financing costs related to the seven properties
- Bylaw 1566 Authorizes borrowing up to \$236,425 as a share of the capital costs
- Bylaw 1445.03 Amends the boundary of the Cedar Sewer collection system operating service
- Bylaw 1004.04 Amends the boundary of the Duke Point wastewater treatment service

ALTERNATIVES:

1. Approve the bylaws as presented.
2. Do not approve the bylaws.

FINANCIAL IMPLICATIONS:

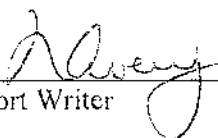
The property owners who are the subject of these bylaws have agreed to annual costs of \$2,346 for financing and \$700 for operating costs, for a total cost of \$3,046 per year. Valid petitions have been received from all of the property owners. Accordingly, there is no financial or other reason not to proceed with the bylaws.

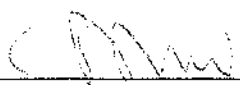
SUMMARY/CONCLUSIONS:

The Regional District established four new services covering 20 properties in 2007, to account for groups of properties wishing to be connected to a sewer line constructed in the Cedar village area. To date a further seven property owners have petitioned to for service connections. Four bylaws are introduced with this report. The bylaws will create a fifth service area for financing these seven properties' share of the capital costs and concurrently amend the boundaries of the Cedar Sewer operating service and the Duke Point wastewater treatment service area to include these additional properties for cost recoveries. With the adoption of these bylaws, all of the agreed to sewer connections to the Duke Point treatment plant are subscribed. Further connections will require amendments to the agreement covering access to the treatment plant between the City of Nanaimo and the Regional District.

RECOMMENDATIONS:

1. That "Cedar Sewer Small Residential Properties Stage 2 Capital Financing Service Establishment Bylaw No. 1565, 2009" be introduced for three readings and be forwarded to the Inspector of Municipalities for approval.
2. That "Cedar Sewer Small Residential Properties Stage 2 Loan Authorization Bylaw No. 1566, 2009" be introduced for three readings and be forwarded to the Inspector of Municipalities for approval.
3. That "Cedar Sewer Service Area Amendment Bylaw No. 1445.03, 2009" be introduced for three readings.
4. That "Duke Point Sewer Local Service Area Amendment Bylaw No. 1004.04, 2009" be introduced for three readings.


Report Writer


C.A.O. Concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1565

A BYLAW TO ESTABLISH A SERVICE FOR THE REPAYMENT OF DEBT TO CONSTRUCT A SEWER COLLECTOR SYSTEM

WHEREAS, the Board has established a sewer collection service area under “Cedar Sewer Service Area Establishment Bylaw No. 1445, 2005” and has by subsequent amendments included the properties which are the subject of this bylaw within the boundaries of the “Cedar Sewer Service Area”;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to establish a service for the properties which are the subject of this bylaw for the purpose of financing the construction, acquisition and improvement of sewage collection facilities within the Cedar Sewer Service Area;

AND WHEREAS a sufficient petition for this service has been received by the Regional District;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained under Section 801 of the *Local Government Act*;

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

1. **CITATION**

This bylaw may be cited for all purposes as the “Cedar Sewer Small Residential Properties Stage 2 Capital Financing Service Establishment Bylaw No. 1565, 2009”.

2. **SERVICE**

The service established by this bylaw is for the financing of the construction, acquisition and improvement of sewage collection facilities within the Cedar Sewer Service Area.

3. **BOUNDARIES**

(a) The boundaries of the Service Area shown on Schedule ‘A’ attached to this bylaw.

(b) The properties included in the boundaries are listed on Schedule ‘B’ attached to this bylaw.

4. **PARTICIPATING AREAS**

The “**Participating Area**” is a portion of Electoral Area ‘A’.

5. **COST RECOVERY**

As provided in Section 803 of the *Local Government Act*, the annual cost of providing the Service may be recovered by one or more of the following:

- (a) parcel taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
- (b) fees and charges imposed under Section 363 of the *Community Charter*;
- (c) revenues raised by other means authorized by the *Local Government Act* or another Act;
- (d) revenues raised by way of agreement, enterprises, gift, grant or otherwise.

6. **MAXIMUM REQUISITION**

In accordance with Section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned for the Service is the greater of:

- (a) \$21,465 (Twenty one thousand, four hundred and sixty five dollars), or;
- (b) the product obtained by multiplying the net taxable value of lands and improvements within the Service Area by a property tax value rate of \$25.96 per thousand dollars of assessment.

Introduced and read three times this 28th day of July, 2009.

Received the approval of the Inspector of Municipalities this ___ day of _____, 2009

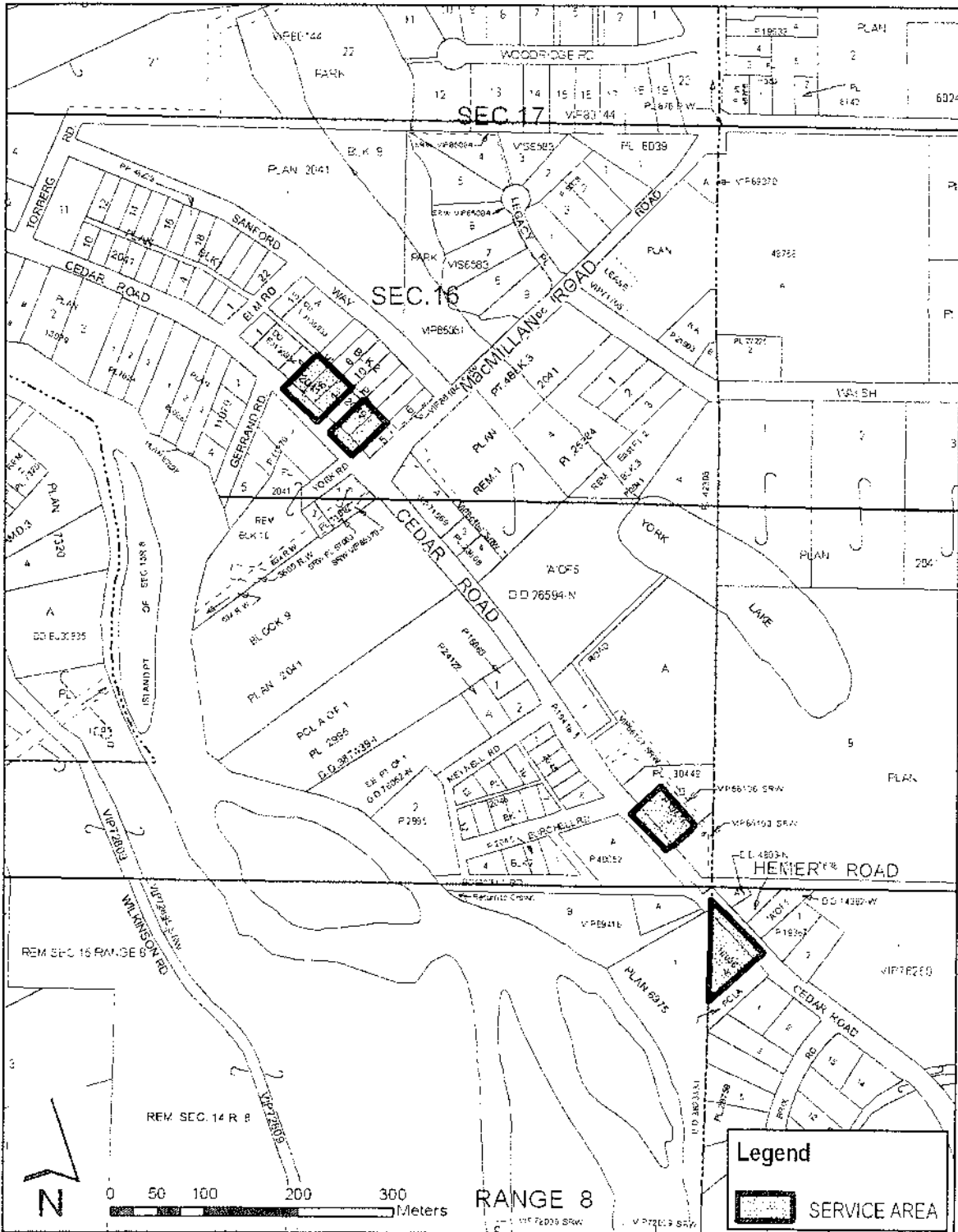
Adopted this ___ day of _____, 2009.

CHAIRPERSON

SR. MGR. CORPORATE ADMINISTRATION

Champerson

Sr. Mgr., Corporate Administration



Schedule 'B' to accompany "Cedar Sewer Small Lot Residential Properties Stage 2 Capital Financing Service Establishing Bylaw No. 1565, 2009"

Chairperson

Sr Mgr., Corporate Administration

Properties in the Cedar Sewer Small Lot Residential Properties Stage 2 Capital Financing Service:

Folio	PID	Legal Description	Street Address	
768 3113.000	006636268	Lot 5, Block 2, Section 16, Range 8, Plan 2041	1668	CEDAR RD
768 3114.000	006636225	Lot 6, Block 2, Section 16, Range 8, Plan 2041	1672	CEDAR RD
768 3176.000	006644562	Lot 1, Section 16, Range 8, Plan 2049	1674	CEDAR RD
768 3178.000	006645046	Lot 3, Section 16, Range 8, Plan 2049	1682	CEDAR RD
768 3179.000	006645062	Lot 4, Section 16, Range 8, Plan 2049	VACANT	CEDAR RD
768 3128.300	003732967	Lot 3, Section 15, Range 8, Plan 19416	1782	CEDAR RD
768 3090.200	000280534	Lot A, Section 14, Range 1, Plan 16036	1823/1825/1827	CEDAR RD

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1566

**A BYLAW TO AUTHORIZE BORROWING FOR THE
PURPOSE OF CONSTRUCTING, ACQUIRING AND
UPGRADING SEWER COLLECTION FACILITIES**

WHEREAS Regional District of Nanaimo Bylaw No. 1565, 2009 established the "Cedar Sewer Small Residential Properties Stage 2 Capital Financing Service";

AND WHEREAS the Board wishes to provide for an amount required to finance the construction, acquisition and improvement of sewage collection facilities;

AND WHEREAS the estimated cost of acquiring, constructing or otherwise obtaining land, building or equipment is the sum of \$236,425;

AND WHEREAS the financing of this capital program is to be undertaken by the Municipal Finance Authority of British Columbia pursuant to proposed agreements between the Authority and the Regional District of Nanaimo;

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

1. The Board is hereby empowered and authorized to acquire and carry out or cause to be carried out the following capital program:

Construction of sewer collection system	\$236,425
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2. To borrow upon the credit of the Regional District a sum not exceeding \$236,425.
3. To acquire all such real and personal property, rights or authorities as may be requisite or desirable for, or in connection with, the foregoing capital program, and all related ancillary works and equipment deemed necessary by the Board for the management of the service authorized under "Cedar Sewer Small Residential Properties Stage 2 Capital Financing Service Establishment Bylaw No. 1565, 2009".
4. The maximum term for which debentures may be issued to secure the debt intended to be created by this bylaw is 20 years.

5. This bylaw may be cited for all purposes as "Cedar Sewer Small Residential Properties Stage 2 Loan Authorization Bylaw No. 1566, 2009".

Introduced and read three times this 28th day of July, 2009.

Received the approval of the Inspector of Municipalities this ____ day of _____, 2009.

Adopted this ____ day of _____, 2009.

CHAIRPERSON

SR. MGR, CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1445.03

**A BYLAW TO AMEND THE BOUNDARIES
OF THE CEDAR SEWER SERVICE AREA**

WHEREAS Regional District of Nanaimo Bylaw No. 1445 established the Cedar Sewer Service Area;

AND WHEREAS the Board has received sufficient petitions seeking an amendment to the boundaries of the service;

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

“Cedar Sewer Service Area Establishment Bylaw No. 1445, 2005” is hereby amended as follows:

1. The boundaries of the Cedar Sewer Service Area are revised to include the properties listed on Schedule ‘B’ to this bylaw.
2. Schedule ‘C’ attached hereto outlines the properties included by this boundary amendment.
3. Schedule ‘A’ of Bylaw No. 1445 is hereby repealed and replaced by a revised Schedule ‘A’ attached to this bylaw.
4. This bylaw may be cited as “Cedar Sewer Service Area Amendment Bylaw No. 1445.03, 2009”.

Introduced and read three times this 28th day of July, 2009.

Adopted this day of , 2009.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Chairperson

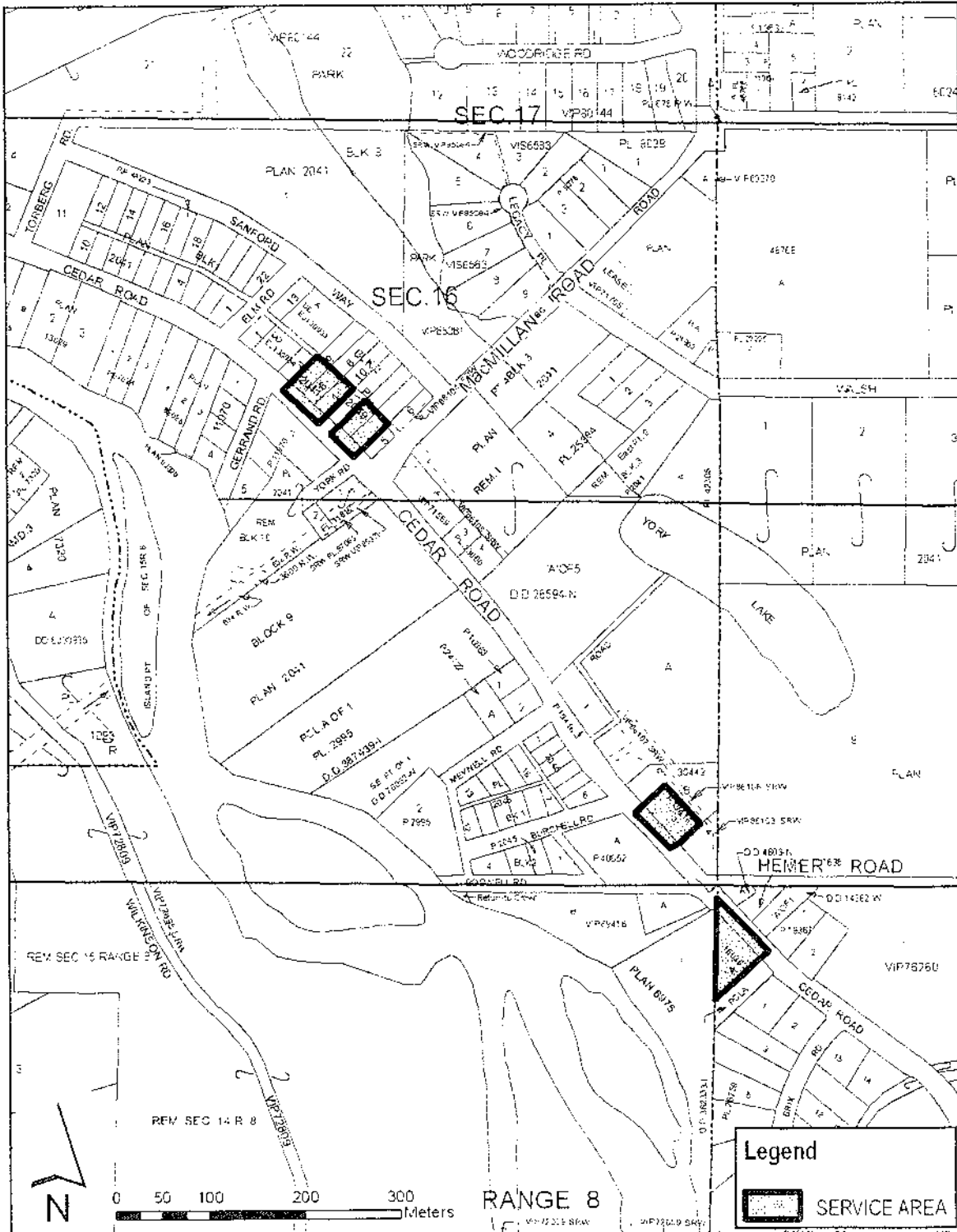
Sr Mgr., Corporate Administration

Properties included in this boundary amendment:

Folio	PID	Legal Description	Street Address	
768 3113.000	006636268	Lot 5, Block 2, Section 16, Range 8, Plan 2041	1668	CEDAR RD
768 3114.000	006636225	Lot 6, Block 2, Section 16, Range 8, Plan 2041	1672	CEDAR RD
768 3176.000	006644562	Lot 1, Section 16, Range 8, Plan 2049	1674	CEDAR RD
768 3178.000	006645046	Lot 3, Section 16, Range 8, Plan 2049	1682	CEDAR RD
768 3179.000	006645062	Lot 4, Section 16, Range 8, Plan 2049	VACANT	CEDAR RD
768 3128.300	003732967	Lot 3, Section 15, Range 8, Plan 19416	1782	CEDAR RD
768 3090.200	000280534	Lot A, Section 14, Range 1, Plan 16036	1823/1825/1827	CEDAR RD

Chairperson

Sr. Mgr. Corporate Administration



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1004.04

**A BYLAW TO AMEND THE BOUNDARIES OF THE
DUKE POINT SEWER LOCAL SERVICE AREA**

WHEREAS the boundaries of the Duke Point Sewer Service include properties within the City of Nanaimo and Electoral Area A;

AND WHEREAS the Regional District has received a petition to amend the boundaries to include additional properties within Electoral Area A;

AND WHEREAS the Board of the Regional District of Nanaimo has obtained the consent of two thirds of the participants pursuant to Section 802(1)(b) of the *Local Government Act*;

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

“Regional District of Nanaimo Duke Point Sewer Local Service Area Bylaw No. 1004, 1996” is amended as follows:

1. The boundaries of the Duke Point Sewer Local Service Area are revised to include the properties shown on Schedule ‘B’ to this bylaw.
2. Schedule ‘A’ to Bylaw 1004 is hereby deleted and Schedule ‘A’ attached hereto showing the amended boundaries of the service area, is substituted therefore.
2. Schedule ‘F’ to Bylaw 1004 is hereby deleted and Schedule ‘F’ attached hereto is substituted therefore.
3. This bylaw may be cited as “Duke Point Sewer Local Service Area Amendment Bylaw No. 1004.04, 2009”.

Introduced and read three times this 28th day of July, 2009.

Adopted this ____ day of _____, 2009.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

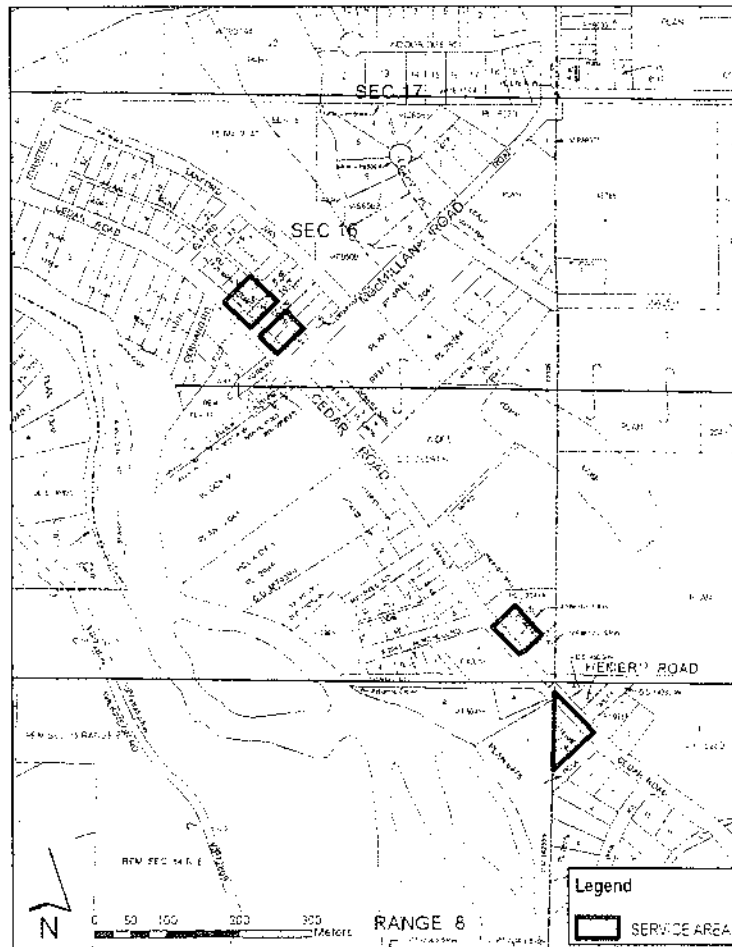
Schedule 'B' to accompany "Duke Point Sewer Local
Service Area Amendment Bylaw No. 1004.04, 2009"

Chairperson

Sr Mgr. Corporate Administration

Properties added to the Duke Point Sewer Local Service Area:

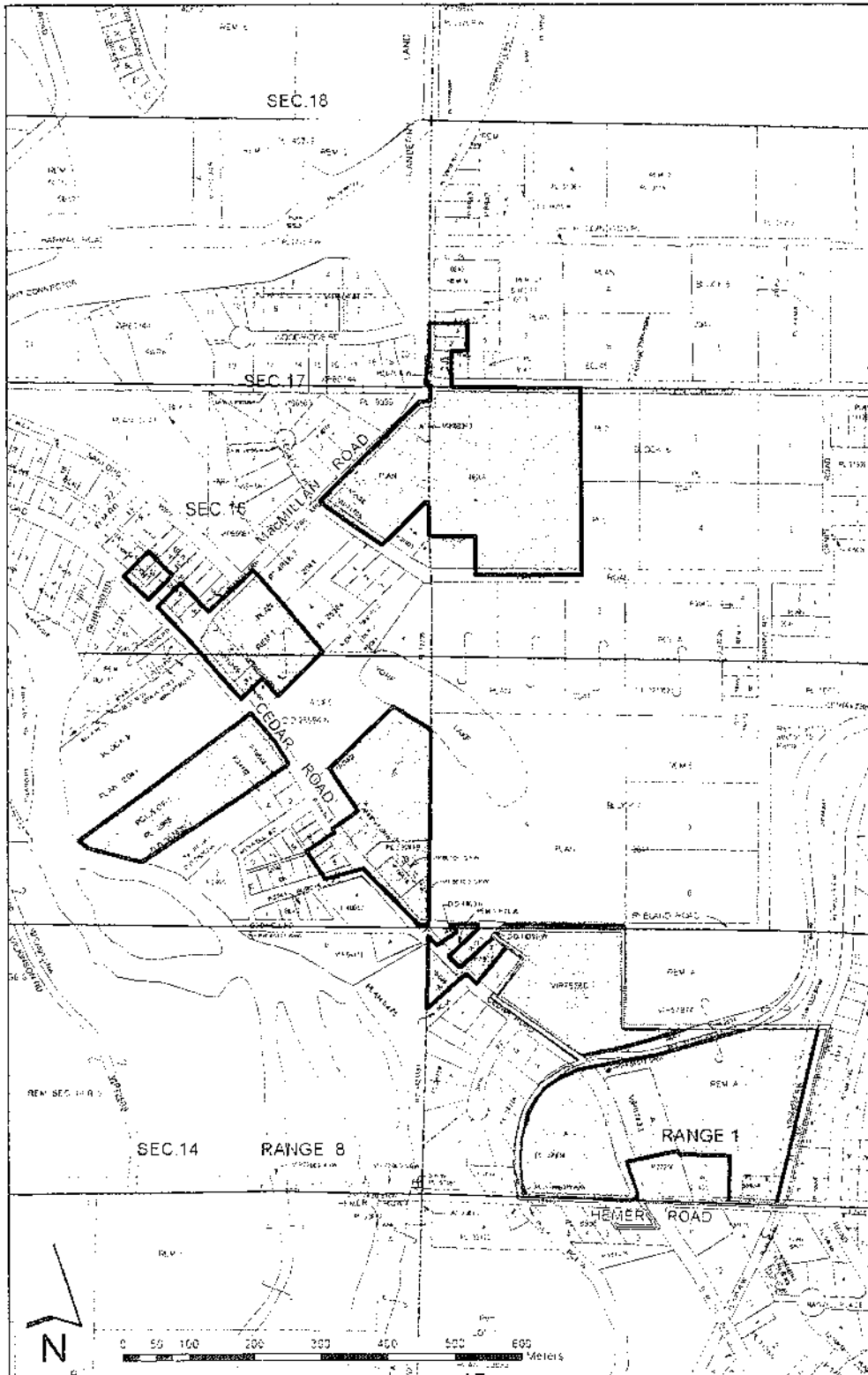
Folio	PID	Legal Description	Street Address
768 3113.00	006636268	Lot 5, Block 2, Section 16, Range 8, Plan 2041	1668 Cedar Rd
768 3114.000	006636225	Lot 6, Block 2, Section 16, Range 8, Plan 2041	1672 Cedar Rd
768 3176.000	006644562	Lot 1, Section 16, Range 8, Plan 2049	1674 Cedar Rd
768 3178.000	006645046	Lot 3, Section 16, Range 8, Plan 2049	1682 Cedar Rd
768 3179.000	006645062	Lot 4, Section 16, Range 8, Plan 2049	Vacant
768 3128.300	003732967	Lot 3, Section 15, Range 8, Plan 19416	1782 Cedar Rd
768 3090.200	000280534	Lot 6, Section 14, Range 1, Plan 16036	1823/1825/1827 Cedar Rd



Chairperson

Sr. Mgr., Corporate Administration

Electoral Area Participating Area





REGIONAL DISTRICT OF NANAIMO
COUNCIL SECRETARIAL SERVICES
✓ Jul 14 09
CITY OF NANAIMO
COUNCIL SECRETARIAL SERVICES

MEMORANDUM

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

DATE: July 2, 2009

FROM: W. Idema
Manager, Financial Reporting

FILE:

SUBJECT: Amendment to Signing Authorities for Banking and Investments and Appointment of Deputy Officer for Financial Administration

PURPOSE:

To update the signing authorities for banking and investment purposes and approve a resolution for the appointment of a Deputy Officer for Financial Administration.

BACKGROUND:

The signing authorities for financial instruments for the Regional District of Nanaimo and the Nanaimo Regional Hospital District include:

Chairperson	Deputy Chairperson
Chief Administrative Officer	General Manager, Finance & Information Services
Manager, Accounting Services	Manager, Financial Reporting

Two signatures are required on all cheques. For cheques less than \$1,000 the signatures are pre-printed. For cheques over \$1,000 the Chairperson's signature is pre-printed and a second manual signature is required.

Following a recent retirement, the Finance Department has hired a new Manager, Accounting Services and appointed Wendy Idema as the Manager, Financial Reporting. The Manager, Accounting Services will oversee the day to day operations of the finance department including signing supplier cheques. It is necessary to revise the signing authorities to current names of the position holders. Additionally, staff recommend appointing Wendy Idema as the Deputy Officer for Financial Administration pursuant to Section 199 of the *Local Government Act*.

ALTERNATIVES:

1. Approve the changes to the signing authorities and confirm Wendy Idema as the Deputy Officer for Financial Administration pursuant to Section 199 of the *Local Government Act*.
2. Recommend an alternative list of signing authorities.

FINANCIAL IMPLICATIONS:

There are no financial implications to these measures. Having sufficient backup for executing financial instruments ensures our financial affairs operate efficiently. Updating the resolution appointing a Deputy for Financial Administration is a housekeeping measure and ensures compliance with the *Local Government Act*.

SUMMARY/CONCLUSIONS:

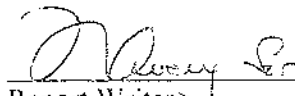
Following a recent retirement, the Finance Department has hired Tiffany Moore as the Manager, Accounting Services and appointed Wendy Idema as the Manager, Financial Reporting. As a consequence the Regional District must amend the names of the signing officers for our bank and investment accounts. There are no changes to the requirement for two signatures for all negotiable financial instruments (cheques, funds transfers, etc). Staff also recommend appointing Wendy Idema as Deputy Officer for Financial Administration pursuant to Section 199 of the *Local Government Act*.

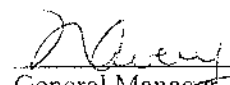
RECOMMENDATIONS:


1. That the signing authorities for financial instruments as outlined in agreements with TD Canada Trust, the Municipal Finance Authority, Canaccord Capital and BMO Nesbitt Burns reflect the following officer positions:

Chairperson	Joseph Stanhope
Deputy Chairperson	Larry McNabb
Chief Administrative Officer	Carol Mason
General Manager Finance & Information Services	Nancy Avery
Manager, Financial Reporting	Wendy Idema
Manager, Accounting Services	Tiffany Moore

2. That the foregoing authority extend to accounts in the name of the Regional District of Nanaimo and the Nanaimo Regional Hospital District.
3. That Wendy Idema, Manager, Financial Reporting be designated as the Deputy Officer for Financial Administration under Section 199 of the *Local Government Act*.


Report Writer


General Manager


C.A.O. Concurrence



C.A.C. APPROVAL	
E.A.C.	
COA	Jul 14 '09
R-D	
BOARD	

MEMORANDUM

TO: C. Mason
Chief Administrative Officer

DATE: July 6, 2009

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

FILE:

SUBJECT: Cedar Sewer Service Rates and Regulations – Amendment of Connection Fees

PURPOSE:

To introduce for approval a bylaw to reduce the connection fees within the Cedar Sewer Service Area on a temporary basis to encourage connections.

BACKGROUND:

The Cedar Sewer collection system is almost complete and property owners who have subscribed for a connection will soon be advised that they may commence connecting to the system. There are approximately 27 properties which have petitioned for connections and the system will function more efficiently the more properties are connected. The standard connection fee is \$300. In a manner similar to the Barclay Crescent sewer service, staff recommend a temporary reduction in the connection fee to \$80 for a one year period, to encourage owners to connect as quickly as possible.

ALTERNATIVES:

1. Approve a temporary reduction in the sewer connection fee as presented.
2. Change the proposed connection fee.
3. Make no changes to the connection fee.

FINANCIAL IMPLICATIONS:

Alternative 1

The proposed fee recovers a minimum of two hours of staff time to reach the area, conduct a final inspection and make the connection live. Other overhead costs including vehicle usage are not recovered.

Connection fees provide a temporary source of revenues to the annual budget. In this case reducing the fee will result in revenues of \$2,160 versus \$8,100. While there may be some increase in costs recovered through user fees from the properties affected, the benefit for early connection outweighs the slightly increased end cost to the user in the first year.

Alternative 2

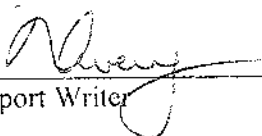
An alternative fee is equally defensible however, experience suggests that a deeper discount is more encouraging. Staff recommend the proposed fee of \$80.

SUMMARY/CONCLUSIONS:

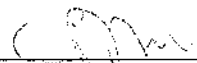
In anticipation of the imminent completion of the Cedar Sewer collector system, staff are proposing a temporary reduction in the connection fee to encourage owners to connect as quickly as possible. The standard fee is \$300 and for a one year period ending July 31, 2010, staff propose a fee of \$80. This will cover a minimum of two hours of staff time but does not recover the full cost of vehicle usage and overhead costs. The standalone affect of the reduction in revenues to the service area operating budget is slightly increased user fees, however from an engineering perspective the collector system operates most efficiently with more connections than fewer and staff recommend a discount to encourage early connection.

RECOMMENDATIONS:

1. That "Cedar Sewer Service Area Rates and Regulations Amendment Bylaw No. 1532.01, 2009" be introduced and read three times.
2. That "Cedar Sewer Service Area Rates and Regulations Amendment Bylaw No. 1532.01, 2009" be adopted.



Report Writer



C.A.O. Concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1532.01

**A BYLAW TO AMEND THE CEDAR SEWER SERVICE AREA
RATES AND REGULATIONS BYLAW NO. 1532**

WHEREAS The Board of the Regional District of Nanaimo adopted the Cedar Sewer Service Area Rates and Regulations Bylaw No. 1532 which provides for the regulation and use of sewer collection and wastewater treatment facilities in the service area;

AND WHEREAS the Board wishes to amend the rate for connecting to the sewer system on a temporary basis to encourage properties to connect to the collection system;

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

Cedar Sewer Service Area Rates and Regulations Bylaw No. 1532 is hereby amended by:

1. Schedule 'A' attached to "Cedar Sewer Service Area Rates and Regulations Bylaw No. 1532, 2007" is hereby repealed and replaced with Schedule 'A' attached to this bylaw.
2. This bylaw may be cited for all purposes as "Cedar Sewer Service Area Rates and Regulations Amendment Bylaw No. 1532.01, 2009".

Introduced and read three times this 28th day of July, 2009.

Adopted this 28th day of July, 2009.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Chairperson

Sr.Mgr., Corporate Administration

SCHEDULE 'A'

[Section 18.1]

SERVICE CONNECTION FEE

In addition to any fees for a Building Permit application the following Service Connection fees to defray the cost of laying a Sewer Connection shall be paid in accordance with section 18.1 of the Bylaw:

- (a) Connection Fee \$ 300.00
- (b) The Connection Fee in (a) above is reduced to \$80.00 for any Building Sewers completed under this bylaw and approved by the Regional District up to July 31, 2010.

NOTES:

Connection fees are for work within the road right-of-way. Further costs to physically connect the public sewer from the property line to a building are at the expense of the property owner.



GAO, APPROVAL: *[Signature]*
DATE: *July 17, 09*
BY: _____
FOR: _____

MEMORANDUM

TO: C. Mason
Chief Administrative Officer

DATE: July 6, 2009

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

FILE:

SUBJECT: Changes to bylaws regulating fires and burning within the Yellowpoint Waterloo Fire Protection Service Area

PURPOSE:

To introduce for approval amendments to the application of the Yellowpoint Waterloo fire regulatory bylaw.

BACKGROUND:

The current Yellowpoint Waterloo fire control bylaw reflects regulations used by the North Oyster Volunteer Fire Department. The Yellowpoint Waterloo area is now covered to the east by the North Cedar Improvement District and to the west by the Cranberry Volunteer Fire Protection District. Staff had expected that, at this point the Yellowpoint area would have been transferred under a boundary change to the North Cedar Improvement District, but the changes have been delayed due to the recent Provincial elections. As it appears that it will be some time before the boundaries of the service area are officially updated, staff are submitting bylaw changes to ensure the appropriate authority for both Districts during the 2009 fire season. The bylaw attached with this report will apply to those properties being serviced by the North Cedar Improvement District. The Cranberry Fire District uses the Provincial regulations and guidelines and does not have a formal regulatory bylaw.

The existing bylaw (Bylaw No. 1381) dealt with open air fires up to Category 2 (piles not exceeding 2m in height by 3m in width) and beach campfires, and was intended primarily to control fires during fire season between April 1st and October 31st. Bylaw No. 1576 similarly covers open air fires up to Category 2, after which Provincial regulations automatically apply. Both bylaws permit small vegetative debris fires outside of fire season, running from October 31st to April 15th of the following year. Permits for burning will now be obtained from the North Cedar Improvement District rather than the North Oyster Fire Department. Bylaw No. 1576 includes regulations covering conduct at a fire scene (i.e. no obstruction of the Fire Chief, fire personnel or fire vehicles) and provides that the Fire Chief of the North Cedar Improvement District may make inspections, charge fees for inspections and make orders regarding fire hazards and the safety of premises. A fine up to \$2,000 may be assessed for violations of the bylaw as provided under the *Offence Act*. From staff's experience the additional content of Bylaw No. 1576 is no more or less restrictive than similar bylaws from other jurisdictions.

Should the Board support Bylaw No. 1576, the changes will be advertised before adoption, primarily to let residents and property owners know that permits are now required from the North Cedar Improvement District.

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1576

A BYLAW TO REGULATE BURNING AND FIRES WITHIN A PORTION OF ELECTORAL AREA 'A'

WHEREAS authority is granted to the Regional District of Nanaimo under "Yellowpoint Waterloo Fire Protection Service Area Establishing Bylaw No. 1388, 2004" to provide fire protection services within defined portions of Electoral Areas 'A' and 'C';

AND WHEREAS the Board of the Regional District of Nanaimo has entered into an agreement with the North Cedar Improvement District to provide fire protection services to a portion of the service area within Electoral Area 'A';

AND WHEREAS it is deemed desirable to provide regulations over the area, which are consistent with those maintained by the North Cedar Improvement District;

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

1. This bylaw may be cited for all purposes as "Yellowpoint Fire Regulatory Bylaw No. 1576, 2009" and shall apply within the area outlined on the map attached hereto as Schedule 'A'.
2. **DEFINITIONS**

For the purposes of this bylaw, unless the context otherwise requires:

- a) "**Animal organic waste**" shall mean solid organic waste material of animal origin and includes flesh, carcasses, offal, hides, hair and feathers;
- b) "**Approved plastic container**" shall mean approved by a recognized testing authority;
- c) "**Authorized**" shall mean authorized by the Chief of the Fire Department or his designate;
- d) "**Authorized incinerator**" shall mean any metal or masonry container in good condition mounted on a non-combustible base, fitted with a metal screen or grill not greater than 25mm (1/2") mesh to restrict any sparks or flying debris;
- e) "**Board**" shall mean the Board of Trustees of the North Cedar Improvement District;
- f) "**Building**" shall mean any structure or building used or intended to be used for the support, shelter or enclosure of persons, animals or chattels;

- g) “**District**” shall mean the area served by the North Cedar Fire Department under an agreement between the Regional District of Nanaimo and the North Cedar Improvement District;
- h) “**Dwelling**” shall mean any building or parts of a building occupied or intended to be occupied as the residence of not more than one family;
- i) “**Extinguished**” shall mean no visible flame, sparks glowing embers or smoke;
- j) “**Fire Chief**” shall mean the Fire Chief of the North Cedar Improvement District or any person designate by him to act on his behalf.
- k) “**Fire Department**” shall include the fire department of the North Cedar Improvement District and the fire department of any other fire protection district or municipal corporation attending fires within the District;
- l) “**Fire Hazard**” shall mean any condition that is conducive to the destruction of life or property by fire, or will, or is likely to increase the extent or severity of the fire;
- m) “**Flash point**” shall mean the flash point of a flammable liquid as determined by the Tagliabue Closed Cut Tester of the Abel-Pensky Flash Point Tester methods;
- n) “**Forest Officer**” shall mean an employee of the Ministry of Forests District designated to issue Class ‘A’ burning permits;
- o) “**Garbage**” shall mean any animal, vegetable or food wastes or scraps;
- p) “**Gasoline**” shall mean any product or petroleum or any liquid that will flash or emit a flammable vapour below the temperature of one hundred ten degrees Fahrenheit (110⁰F), or forty four degrees Celsius (44⁰C);
- q) “**Occupant**” shall mean owner, agent, lessee, licensee or tenant of any building or premises to which any of the provisions of this bylaw shall apply;
- r) “**Person**” shall mean natural persons of either sex, associations, corporations, or co-partnerships, whether acting by themselves or by a servant, agent or employee and the heirs, executors, administrators, or assigns or other legal representatives of such persons to whom the context shall apply accordingly to law;
- s) “**Private residence**” shall mean any dwelling or building occupied or intended to be occupied as a residence.
- t) “**Refuse**” shall mean an approximately evenly proportioned mixture of rubbish and animal or vegetable waste material of low moisture content;

- u) “**Regional District**” shall mean the Regional District of Nanaimo;
- v) “**Rubber**” shall mean rubber goods, tires, plastics and tar and asphalt roofing materials;
- w) “**Rubbish**” shall mean any readily combustible inorganic dry waste material, but does not include animal or vegetable wastes;
- x) “**Vehicle**” shall mean every device upon or in which any person or property is, or may be, transported or driven on or upon a public highway;
- y) “**Permit**” shall refer to a Class ‘B’ burning permits a pile must not exceed 2 m (6ft) in height and 2 m in length/width.

3. Unless the context otherwise requires, wording importing the singular number shall include the plural and words importing the masculine gender shall include the feminine and the converse shall apply.

4. (1) Even where this bylaw and any regulations under the *Fire Services Act* or *Wildfire Act* deal with the same subject matters, any further or more stringent restrictions in this bylaw on the use of property or fire shall have full force and effect.

(2) In the event of any conflict, inconsistency or repugnancy between these bylaws and the *Environmental Management Act*, the *Environmental Management Act* shall, in all cases, prevail.

5. **RIGHT OF ENTRY**

(1) With the exception of a privately owned and occupied single family dwelling, the Fire Chief is hereby empowered to enter upon any land or premises for the purpose of making inspection or investigation:

(a) to inspect for conditions which may cause a fire, increase the danger of a fire or increase the danger to persons;

(b) to see that any flammable matter is rendered harmless or suitably safeguarded against fire by requiring the erecting of barricades; the posting of “no admittance” signs, or any other measures deemed necessary by the Fire Chief.

(2) No person shall obstruct the Fire Chief in making any entry authorized by this bylaw.

6. **NO HINDRANCE**

- (1) The Fire Chief shall be in full charge and control of the Fire Department and subject to the rules and regulations established by the North Cedar Improvement District Trustees and subject to an agreement regarding fire protection between the North Cedar Improvement District and the Regional District of Nanaimo, is charged with the duty of preventing and extinguishing fires; of protecting human life against the hazards of fires; and of the enforcement of regulations incorporated into this bylaw and of the regulations adopted pursuant to the *Fire Services Act* and *Wildfire Act*.
- (2) No person shall impede, obstruct, abuse or in any way hinder the Fire Chief or any officer or member of the Fire Department or any other person in attendance at any fire under the direction of the Fire Chief or any other officer or person lawfully in command at such fires.
- (3) At any time after the arrival of an officer or member of the Fire Department at the scene of a fire, the Fire Chief or any other officer or person lawfully in command at such fire is empowered to order the evacuation of the burning building or structure or of any building or structure which in his opinion is endangered by such fire and thereafter no person other than the Fire Chief or any officer or member of the Fire Department, police officer, or any other person in attendance at such fire with the knowledge and consent of the Fire Chief or any other officer or person lawfully in command of the fire fighting operations at such fire, in accordance with the *Fire Services Act* of British Columbia, shall remain in or shall enter any such building or structure or the space or area around or in the vicinity of such building or structure which has been ordered cleared of persons by said person in command.

7. **BREAKING BLOCKADE**

Except with the permission of the Fire Chief, no person shall be permitted to enter any burning building or within the lines across any alley, lane, street or area marked by ropes or guards.

8. **DRIVING OVER HOSE**

No person shall drive or run over any fire hose with any vehicle.

9. **ACCESS TO FIRE HYDRANTS**

- (1) No person shall place or maintain any object or matter on a sidewalk or street which interferes with free access or approach to any fire hydrant and/or standpipe.
- (2) No person shall park a vehicle within eighteen (18) feet of a fire hydrant.

- (3) No person shall obstruct or cause to be obstructed the vertical clearance of fifteen (15) inches from ground level to any fire hydrant. No person shall obstruct or cause to be obstructed the area around any fire hydrant to a radius of (6) feet.

10. **POST SUITABLE SIGNS TO PROHIBIT SMOKING**

As outlined in the *Tobacco Control Act*, where, in the opinion of the Fire Chief, smoking should be prohibited, he/she may give notice in writing to the occupant, he/she may give notice in writing to the occupant to post suitable signs that smoking is prohibited in or on such premises or buildings and the occupant thereof shall prohibit smoking in such premises or buildings. The term "smoking" shall include the carrying of a lighted pipe, cigar or cigarette.

11. **PENALTY**

Any person violating any such order or notice shall be deemed to be guilty of an infraction of this bylaw and shall be liable to the penalties herein imposed.

12. **DIRTY CHIMNEYS**

All chimneys to be constructed and maintained according to Provincial building regulations and fire insurance regulations.

13. **INSPECTION OF CHIMNEYS, FLUES, FURNACES**

- (1) Where he deems it necessary, the Fire Chief may examine carefully any chimney, flue, fireplace, hearth, oven, furnace, heater, boiler, stove, steam pipe, funnel or any other equipment he may deem to be a fire hazard.
- (2) Where any chimney, flue, fireplace, hearth, oven, furnace, heater, boiler, stove, steam pipe, funnel or any other equipment is found to be a fire hazard the Fire Chief shall notify the owner or occupant of the building of the condition and indicate the remedy and the time within which the condition shall be remedied.

14. **DUTY TO COMPLY**

Where any owner or occupant has received notice under Section 12(2), he/she shall comply with the notice within the time indicated.

15. **DEPOSITING ASHES**

- (1) No Person shall deposit any ashes or allow any ashes to be deposited or remain:
 - i) in any combustible container;
 - ii) on the floor of any building belonging or occupied by him: or

iii) in any metallic container which is within 300 mm (12 inches) of any woodwork or any other combustible material.

- (2) It shall be unlawful for any Person to deposit or allow or cause to be deposited, any paper, straw, hay, shavings, or other combustible or flammable material or things in or among any ashes or other materials or things taken from any stove, furnace or fireplace.

16. **NO OPEN FLAME OR SMOKE NEAR FLAMMABLE MATERIAL**

No person within the District, in that part of any building where there is an accumulation of hay, shavings, or other readily flammable material, or liquids, shall smoke or have in his possession any lighted pipe, cigar or cigarette, or light or carry any naked light, flame, or light not enclosed in a shade or other non-combustible guard.

17. **METAL RECEPTACLES FOR FLAMMABLE MATERIAL**

No person within the District shall keep any waste, rags, papers, or other substance liable by spontaneous combustion to cause fire, except in a container made of metal or other non-combustible material and with an airtight top or lid of the same type of material.

18. **CONTROL OF COMBUSTIBLE MATERIAL**

No Person shall deposit or allow to collect or be deposited, within the District any paper, rubbish, or other combustible material likely to cause or promote fire dangerous to buildings or other property.

19. **CLEARING OF ROOF**

No owner or occupant of any building within the District shall allow any paper, wood, debris or other combustible rubbish or material to accumulate upon the roof of the building.

20. **BURNING**

- (1) Except as provided in this bylaw, no Person shall light, ignite, or maintain any fire or permit or cause any fire to be lit, ignited, or maintained in the "open air" without first obtaining a written permit from the Fire Chief or designate, for a Category 2 open fire burning permit.

- (2) No material other than dry wood, paper or cardboard is used as a fuel to start, assist, or enhance the burning. Burning of the following is prohibited:

Demolition waste	tar paper	drywall
asphalt products	domestic waste	treated lumber
tires	fuel and lubricant containers	creosote railway ties
special waste	biomedical waste	rubber
asphalt	manure	paint
plastics	petroleum products	chemicals of any kind

21. **WRITTEN PERMIT**

- (1) A written permit shall not be valid after expiration thereof.
- (2) Fees for inspection of areas and premises involved with issuing of permits shall be set by the Trustees of the North Cedar Improvement District and collection of same shall accrue to the North Cedar Improvement District.

22. **ISSUANCE**

The Fire Chief or his/her designate may withhold or cancel any permit issued where, in his/her opinion, the igniting of a fire in any area may create a hazard to persons or property.

23. **NO NOXIOUS ODOURS OR HEAVY SMOKE EMISSIONS**

No Persons shall burn any rubber, garbage, animal organic waste, green vegetation or any materials which create a noxious odour and heavy smoke.

24. **CATEGORY 2 OPEN FIRE**

Under the Wildfire Regulation, a Category 2 open fire is a fire that:

- (a) Burns material in one pile not exceeding 2m in height and 3m in width; or
- (b) Burns stubble or grass over an area that does not exceed 0.2 hectares.

Persons may light, fuel or make use of a Category 2 open fire within 1km of forest or grassland when:

- (a) There are no bans or other restrictions in place for doing so;
- (b) Doing so is, and will continue to be safe;
- (c) A fuel break is established around the burn area;
- (d) While the fire is burning and there is risk of escape, the Person
 - (i) Maintains the fuel break;
 - (ii) Has an adequate fire suppression system available at the burn area;
 - (iii) Ensures the fire is watched and patrolled by a person equipped with at least one fire fighting hand tool in order to prevent the fire from escaping; and,
 - (iv) Ensures that the fire does not exceed the capacity of the people, fire fighting tools, and heavy equipment that are on site in order to take timely action to prevent a fire from escaping

Anyone who lights, fuels or makes use of a Category 2 open fire must also comply with the Ministry of Environment's Waste Management Act and Open Burning Smoke Control Regulation. Review "A Guide to the Open Burning Smoke Control Regulation," especially for prohibited materials (<http://www.env.gov.bc.ca/air/particulates/agttobsc.html>). The act requires individuals to check local venting conditions prior to ignition.

25. **AUTHORIZED INCINERATORS**

The owner of an authorized incinerator shall ensure:

- (1) that the authorized incinerator is maintained in a condition that provides for proper combustion of any material burned;
- (2) that while it is in use, the permit holder or some competent person appointed by him shall supervise any burning and ensure that any equipment necessary for fire control is available;
- (3) that the authorized incinerator is located at least 6 m (20 feet) from any dry grass, shrubbery, wooden fence, or any building.
- (4) that authorized incinerators be covered with 1/2" wire mesh.

26. **RESTRICTION, FIRES IN THE OPEN AIR OR IN ANY AUTHORIZED INCINERATOR**

- (1) Except a fire lawfully maintained by special written permit from the Fire Chief, no Persons shall ignite or have burning any fire in the "open air" or in an authorized incinerator:
 - (a) between sunset of one day and sunrise of the following day; or
 - (b) on Canada Day, B. C. Day or Labour Day holidays.
- (2) Except for the occasional lawful "open air" burning, burning from land clearing requires a Forestry permit.
- (3) No person is required to obtain a permit for the occasional burning of waste material from October 31st in any year to April 15th of the following year, but the burning bylaw regulations for Category 2 Open fires are still in effect.

27. **UNAUTHORIZED FIRES**

No Person shall light or maintain any fire either in the "open air" or in any form of container on any street, lane or boulevard allowance.

28. **DUTY TO SAFELY STORE**

Any Person who makes, uses or has charge of shavings, paper bags, litter or other combustible material shall, at the close of each day, ensure that they are safely stored or disposed so as to be safe from fire.

29. **REMOVE FIRE HAZARD**

(1) Any owner or occupant of real property in the District shall remove any matter or thing situated in or on any building or premises which in the opinion of the Fire Chief, is a fire hazard or increase the danger of fire.

(2) Any owner of any unoccupied building shall ensure that it is properly secured against entry by unauthorized persons.

(3) Where in the opinion of the Fire Chief, any fire hazard condition exists or any unoccupied building is not properly secured, the Fire Chief shall give written notice to the owner or occupant at his last known address or by posting a notice in a conspicuous place on the building or premises.

(4) In any notice under this section, the Fire Chief shall indicate the nature of the condition to be remedied, the manner in which the condition may be remedied, and the time within which the owner or occupant must comply.

30. **NO CLASS 'B' PERMIT REQUIRED**

No Person is required to obtain a permit for the occasional burning of waste material from October 31st in any year to April 15th of the following year unless proclaimed otherwise by the Fire Chief. The burning bylaw regulations for a Category 2 open fire are still in effect.

31. **UNAUTHORIZED FIRES**

No person shall light or maintain any fire either in the "open air" or in any form of container on any street, lane or boulevard allowance, without a proper permit.

32. **FIRE ESCAPES**

Each story above the ground floor of any building in the District used as a school, hotel apartment building, duplex or boarding-house, as those are defined in the local zoning bylaw, shall be provided by the owner with an adequate fire escape or adequate fire escapes, and the owner and the tenant, if any, shall maintain the same in good repair and condition.

33. **EXIT DOORS TO OPEN READILY**

No door to any exit leading to a fire escape in any building shall be closed or fastened except with a standard panic or exit bolt, which may be readily opened without the aid of a key or other device.

34. **GASOLINE STORAGE**

Except as authorized by a valid written permit issued by the Fire Chief, no Person shall store or keep gasoline within the District other than:

- (i) Gasoline not exceeding 45 litres (10 gallons) in closed metal containers or in approved plastic containers for outdoor storage only;
- (ii) Gasoline in the gasoline tank of an automobile, gasoline engine, motor boat, or airplane, whose tank is permanently connected to and supplies its engine.

35. **STORAGE OF EXPLOSIVE OR FLAMMABLE COMPOUND, LIQUID OR MATERIAL IN PUBLIC BUILDINGS**

Except in a place especially provided for the purpose and approved by the Fire Chief, it shall be unlawful for any person to keep, store or use any combustible explosive or flammable compound, liquid or material in any part of a building used or maintained as a hotel, apartment house, school or place of public assembly.

36. **DISPOSAL OF GASOLINE STORAGE TANKS**

All unused gasoline storage tanks on service station sites shall be either filled or be removed as regulated in the *Environmental Management Act*.

37. **ENFORCEMENT**

- (1) The Fire Chief may enter upon any premises in order to ascertain that the provisions of this bylaw are being obeyed.
- (2) No Person shall obstruct the Fire Chief or his designate in the discharge of his duty under this bylaw.
- (3) Costs for equipment, manpower and all damages incurred at any and all fires ignited without a permit shall be borne by the person or persons responsible for igniting such fire or fires.
- (4) Failure to obtain a burning permit or to comply with Bylaw 242 Burning Regulations could result in the resident being assessed a \$200.00 call out charge or a further fine as outlined in section 39 "Penalties" of the bylaw.

38. **REMOVAL OF FIRE HAZARDS**

The Fire Chief shall have the authority to have any building or properties which are, or will create a fire hazard removed, at the expense of the registered owner after written notice of the hazard and failure on the part of the registered owner to eliminate the fire hazard.

39. **PENALTY**

(1) Any person who violates any provisions of this bylaw shall be liable, upon conviction, to a maximum penalty of \$2,000.00 as authorized under the *Offence Act*.

(2) Where any violation continues, each day in which it continues to be unpaid will be subject to an interest rate of prime plus two percent.

40. **REPEAL**

“Yellowpoint-Waterloo Fire Protection Specified Area – Control of Fires During Fire Season Bylaw No. 1381, 2004” is hereby repealed.

Introduced and read three times this 28th day of July, 2009.

Adopted this 28th day of July, 2009.

CHAIRPERSON

SR. MGR, CORPORATE ADMINISTRATION



GEORGE...
✓ Jul 14 '09

MEMORANDUM

TO: Tom Armet
Manager, Building and Bylaw Services

DATE: June 26, 2009

FROM: Jack Eubank
Bylaw Enforcement Officer

FILE: 2009000084

SUBJECT: 2499 Schirra Drive – Electoral Area 'E' – Unsightly Premises

PURPOSE

To obtain Board direction regarding an on-going property maintenance contravention at the above-noted location.

BACKGROUND

Property: 2499 Schirra Drive, Electoral Area E, Nanoose Bay, BC

Legal Description: Lot 12 Plan 23588, District Lot 6, Nanoose Land District

Property Owner: Debra I. Aggett & Gerald I. Aggett
2499 Schirra Drive
Nanoose Bay, BC

Zoning: Residential 1, Bylaw 500

The subject property is located in a well kept residential area in the community of Nanoose Bay. In April 2009 staff received complaints from neighbours about the unsightly condition of the property. On April 20, 2009 a site inspection was conducted and the property was found to be strewn with auto parts, building material, a derelict vehicle and other garbage. *(see photos attachment No. 1)*. Staff issued verbal and written direction to the owners to rectify the problem within 30 days.

On May 29, 2009 the property was re-inspected and no clean-up had been undertaken by the owners. A second letter was sent to the property owners advising the matter would be referred to the Board for further action. As of the date of this report, the property condition remains unchanged.

It should be noted that staff received similar complaints in 2006 and 2007 resulting in sufficient clean-up being done on those occasions to satisfy the requirements of the Unsightly Premises Bylaw.

ALTERNATIVES

1. That the owners be directed by way of Board Resolution to remove the identified discarded and disused material from the property within fourteen (14) days, or the work will be undertaken by the Regional District of Nanaimo's agents at the owner's cost.
2. To not consider a clean up Resolution pursuant to "Unsightly Premises Regulatory Bylaw No. 1073, 1996."

FINANCIAL IMPLICATIONS

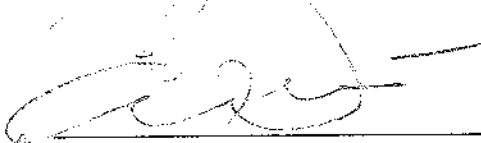
If the Board adopts a Resolution to have the identified material removed from the property, all expenses incurred by the Regional District of Nanaimo with respect to the clean-up are charged to the owner. If unpaid by December 31st in the year in which the work is done, the expenses will be added to and form part of the taxes payable on the subject property as taxes in arrears.

CONCLUSION


Staff received complaints that the subject property was kept in an unsightly manner. Despite direction from staff, the property owners have not cleaned up the property nor have they demonstrated a willingness to cooperate. Staff is therefore recommending that the owners be directed by Board Resolution to remove the accumulation of unsightly material and debris and bring their property into compliance with Regional District regulations.

RECOMMENDATION

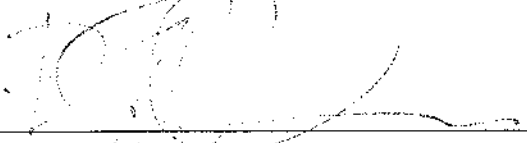
That should the property maintenance concerns not be rectified by July 28, 2009, pursuant to the “Unightly Premises Regulatory Bylaw No. 1073, 1996,” the Board directs the owners of the subject property to remove from the premises those items as set out in the attached Resolution within fourteen (14) days; or the work will be undertaken by the Regional District’s agents at the owners’ cost.



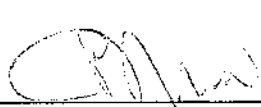
Report Writer



Manager Concurrence



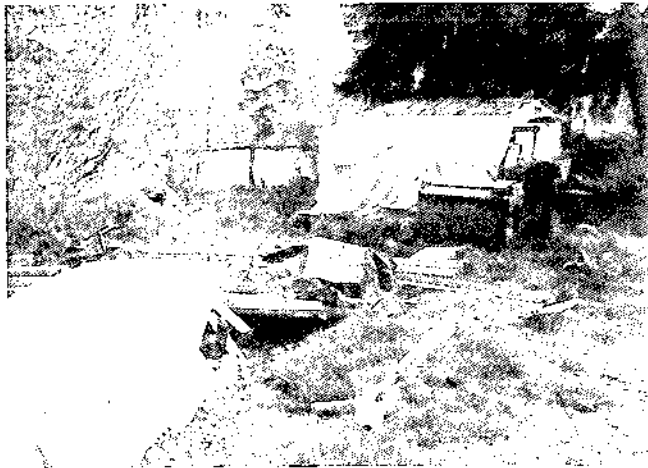
General Manager Concurrence



CAO Concurrence

COMMENTS:

Attachment No. 1



REGIONAL DISTRICT OF NANAIMO

RESOLUTION

UNSIGHTLY PREMISES REGULATORY BYLAW NO. 1073, 1996

MOVED Director, SECONDED Director, that pursuant to the provisions of the “*Unsightly Premises Regulatory Bylaw No. 1073, 1996*,” and amendments thereto, IT IS HEREBY RESOLVED that the owner(s)/occupier(s) of the respective premises set forth below be notified to remove the accumulation of the materials indicated and to take such remedial measures as are specified:

PROPERTY DESCRIPTION: Lot 2, District Lot 6, Plan 23588, Nanoose District

LOCATION: 2499 Schirra Drive
Nanoose Bay, BC

OWNER(S): Debra I. Aggett & Gerald L Aggett
2499 Schirra Drive
Nanoose Bay B.C.
V9P 9J9

UNSIGHTLY ACCUMULATION: Automobile parts, household garbage, discarded plumbing fixtures, wood debris and all other discarded and disused materials.

REMEDIAL MEASURES: To remove the automobile parts, household garbage, discarded plumbing fixtures, wood debris and all other discarded and disused materials leaving the property clean and tidy.

AND BE FURTHER RESOLVED that a Bylaw Enforcement Officer of the Regional District of Nanaimo BE AND IS HEREBY AUTHORIZED in default of such removal or remedial measures being undertaken by the owner(s) or occupier(s), within fourteen (14) days, to carry out or have such work carried out and the expense charged to the owner(s)/occupier(s). If unpaid by December 31st in the year in which the work is done, the expenses shall be added to and form part of the taxes payable on that real property as taxes in arrears.

I hereby certify the foregoing to be a true and correct copy of the resolution passed by the Board at its regular meeting held July 28, 2009.

DATED at Nanaimo, BC, this 29th day of July, 2009.

Senior Manager Corporate Administration



Handwritten notes and stamps at the top of the page, including a date stamp "Jul 14 '09".

MEMORANDUM

TO: Paul Thorkelsson
General Manager, Development Services

DATE: June 26, 2009

FROM: Tom Armet
Manager, Building and Bylaw Services

FILE: 3900-20-1418.01

SUBJECT: Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment
Bylaw No 1418.01

PURPOSE

To consider an amendment to the Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Bylaw that would include an additional regulatory bylaw and provide authority for staff to issue tickets when required.

BACKGROUND

In 2005 the Board adopted "Regional District of Nanaimo Waste Stream Management Licensing Bylaw No. 1386, 2004" to regulate the management of municipal solid waste and recyclable material. Article 6 of the bylaw provides definitions and prohibitions as follows:

6.1 *Definitions. In this article:*

"responsible person" means one or more of the following:

- a) a person who generated municipal solid waste or recyclable material that has been delivered, deposited, stored, or abandoned, and/or*
- b) a person who hauled municipal solid waste or recyclable material that has been delivered, deposited, stored, or abandoned, and/or*
- c) a person who had or has charge or control of the land or buildings on which municipal solid waste or recyclable material has been deposited, stored, or abandoned or to which municipal solid waste or recyclable material has been delivered.*

6.2 *Prohibition. No responsible person shall deliver, deposit, store, or abandon, cause or allow to be delivered, deposited, stored or abandoned, municipal solid waste or recyclable material on or within any lands or improvements except a facility that holds a valid and subsisting facility license within the area of the Regional District of Nanaimo unless the municipal solid waste or recyclable material:*

- a) is placed in a receptacle for scheduled curbside collection by a hauler or a local government, or*
- b) is taken to a facility outside the boundaries of the Regional District of Nanaimo that complies with all applicable enactments, including without limitation, land use bylaws.*

In 2007 the Board approved the establishment of a “Zero Waste Compliance Officer” position to assist in the administration and enforcement of the Waste Stream Management Licensing Bylaw. A key function of the position is to investigate and resolve incidents of illegal dumping in the Regional District. An effective and immediate option for staff is the ability to prosecute bylaw offences by the issuance of fines where the circumstances warrant such action. Alternatively, staff would require the assistance of our municipal solicitors in the preparation of court documents, a time consuming and costly process.

ALTERNATIVES

1. To consider “Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No 1418.01, 2009” for adoption.
2. To not consider “Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No 1418.01, 2009” and provide staff with further direction.

FINANCIAL IMPLICATIONS

Alternative #1

The inclusion of the Waste Stream Management Licensing Bylaw in the Bylaw Enforcement Ticket Regulation Bylaw is an efficient and effective option for the enforcement and prosecution of bylaw offences. There are no costs associated to the issuance of tickets (MTI) unless the offender disputes the allegation. In that case, the matter would advance to a Provincial Court hearing and legal costs could reach several thousand dollars. If the allegation is not disputed, there are no further costs to the Regional District.

Alternative #2

Without the ability to issue tickets, staff must rely on the RDN solicitor to prepare the necessary court documents to compel the alleged offender to court. This process is not only costly, but adds a considerable delay in bringing a matter before the courts.

VOTING

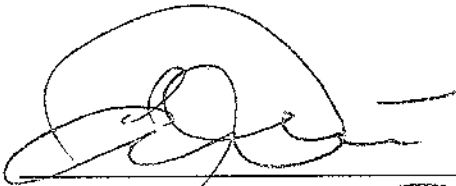
All Directors – one vote.

CONCLUSION

The Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Bylaw (No. 1418) authorizes designated staff to levy fines using tickets for bylaw contraventions. This amendment bylaw adds the Waste Stream Management Licensing Bylaw to the schedule of designated bylaws and provides staff with the ability to prosecute contraventions with tickets when the need arises.

RECOMMENDATION

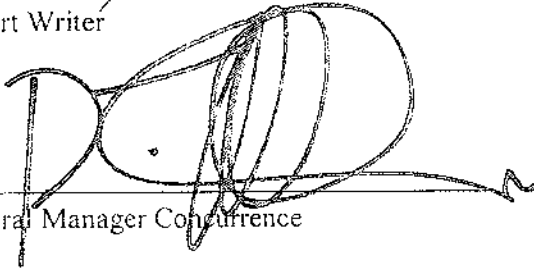
1. That "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No 1418.01, 2009" be introduced and read three times.
2. That "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No 1418.01, 2009" be adopted.



Report Writer



CAO Concurrence



General Manager Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1418.01

A BYLAW TO AMEND "REGIONAL DISTRICT OF NANAIMO BYLAW ENFORCEMENT
TICKET REGULATION BYLAW NO. 1418, 2005"

WHEREAS the Board enacted "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Bylaw No. 1418, 2005":

AND WHEREAS the Board wishes to amend the bylaw to include the authority to issue tickets under the Waste Stream Management Licensing Bylaw No. 1386;

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

1. Schedule '1' of "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Bylaw No. 1418, 2005"; is hereby repealed and replaced with Schedule '1' attached to and forming part of this bylaw.
2. The attached Schedule '32' shall be added and form part of this bylaw.
3. "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Bylaw No. 1418, 2005" Sections 4, 5 and 6 are hereby deleted and replaced with the following:

4. Designation of Offences

The words or expressions set forth in Column I of Schedules 2-32 to this bylaw designate the offence committed under the bylaw section number appearing in Column II opposite the respective words or expressions.

5. Designation of Fines

The amounts appearing in Column III, Column IV or Column V of Schedules 2-32 to this bylaw are the fines set pursuant to Section 265 of the *Community Charter* for the corresponding offences designated in Column I.

6. Schedules

For the purposes of this bylaw, Schedules 1-32 are attached to and form part of this bylaw.

4. This bylaw may be cited as "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No 1418.01"

Introduced and read three times this 28th day of July 2009.

Adopted this 28th day of July 2009.

CHAIRPERSON

SR. MGR. CORPORATE ADMINISTRATION

Schedule 'I' to accompany "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.01, 2009.

Chairperson

Senior Manager, Corporate Administration

**REGIONAL DISTRICT OF NANAIMO
BYLAW ENFORCEMENT TICKET REGULATION AMENDMENT
BYLAW NO. 1418.01, 2009**

SCHEDULE 1

Column I

Column II

Designated Bylaws

**Designated Bylaw Enforcement
Officers**

- | | |
|--|--|
| 1. Regional District of Nanaimo Building Regulations & Fees Bylaw No. 1250, 2001 | Manager of Inspection & Enforcement
Building Inspectors
Bylaw Enforcement Officers |
| 2. Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 | Manager of Inspection & Enforcement
Bylaw Enforcement Officers |
| 3. Regional District of Nanaimo Special Events Regulatory Bylaw No. 1010, 1996 | Members of the Royal Canadian Mounted Police
Bylaw Enforcement Officers |
| 4. Regional District of Nanaimo Gabriola Island Noise Control Regulatory Bylaw No. 1082, 1998 | Members of the Royal Canadian Mounted Police
Bylaw Enforcement Officers |
| 5. Regional District of Nanaimo Electoral Area 'C' Noise Control Regulatory Bylaw No. 1103, 1998 | Members of the Royal Canadian Mounted Police
Bylaw Enforcement Officers |
| 6. Regional District of Nanaimo Electoral Area 'A' Noise Control Regulatory Bylaw No. 1046, 1996 | Members of the Royal Canadian Mounted Police
Bylaw Enforcement Officers |
| 7. Animal Control and Licensing Bylaw No. 939, 1994 | Animal Control Officer
Bylaw Enforcement Officers |
| 8. Animal Control Regulatory Bylaw No. 1066, 1996 | Animal Control Officer
Bylaw Enforcement Officers |
| 9. Regional District of Nanaimo Sign Bylaw No. 993, 1995 | Bylaw Enforcement Officers |

SCHEDULE 1
(Continued)

Column I	Column II
Designated Bylaws	Designated Bylaw Enforcement Officers
10. Regional District of Nanaimo French Creek Fire Protection Local Service Area Outdoor Burning Bylaw No. 920, 1994	Bylaw Enforcement Officers
11. Regional District of Nanaimo Extension Fire Protection Specified Area Outdoor Burning Bylaw No. 1028, 1996	Bylaw Enforcement Officers
12. Animal Control Bylaw No. 941, 1994	Animal Control Officer Bylaw Enforcement Officers
13. Regional District of Nanaimo Electoral Area 'E' Noise Control Regulatory Bylaw No. 1054, 1996	Member of the Royal Canadian Mounted Police Bylaw Enforcement Officers
14. Regional District of Nanaimo Englishman River Community Water Uses Restrictions Amendment Bylaw No. 1384.01, 2005	Bylaw Enforcement Officers
15. Regional District of Nanaimo Decourcey Water Uses Restrictions Amendment Bylaw No. 1342.01, 2005	Bylaw Enforcement Officers
16. Regional District of Nanaimo Arbutus Park Water Uses Restrictions Amendment Bylaw No. 1350.01, 2005	Bylaw Enforcement Officers
17. Regional District of Nanaimo Fairwinds Water Uses Restrictions Amendment Bylaw No. 1349.01, 2005	Bylaw Enforcement Officers
18. Regional District of Nanaimo Wall Beach Water Uses Restrictions Amendment Bylaw No. 1347.01, 2005	Bylaw Enforcement Officers
19. Regional District of Nanaimo West Bay Water Uses Restrictions Amendment Bylaw No. 1348.01, 2005	Bylaw Enforcement Officers
20. Regional District of Nanaimo Surfside Water Uses Restrictions Amendment Bylaw No. 1346.01, 2005	Bylaw Enforcement Officers
21. Regional District of Nanaimo Nanoose Water Uses Restrictions Amendment Bylaw No. 1345.01, 2005	Bylaw Enforcement Officers

SCHEDULE 1
(Continued)

Column I	Column II
Designated Bylaws	Designated Bylaw Enforcement Officers
22. Regional District of Nanaimo Madrona Water Uses Restrictions Amendment Bylaw No. 1344.01, 2005	Bylaw Enforcement Officers
23. Regional District of Nanaimo French Creek Water Uses Restrictions Amendment Bylaw No. 1343.01, 2005	Bylaw Enforcement Officers
24. Regional District of Nanaimo Driftwood Water Uses Amendment Restrictions Bylaw No. 1341.01, 2005	Bylaw Enforcement Officers
25. Regional District of Nanaimo San Pareil Water Uses Restrictions Amendment Bylaw No. 1340.01, 2005	Bylaw Enforcement Officers
26. Regional District of Nanaimo (Errington) Fire Services Regulatory Bylaw No. 1006, 1995	Bylaw Enforcement Officers
27. Regional District of Nanaimo Parksville (Local) Fire Protection Service Area Outdoor Burning Bylaw No. 922, 1994	Bylaw Enforcement Officers
28. Regional District of Nanaimo (Dashwood) Fire Services Regulatory Bylaw No. 1390, 2004	Bylaw Enforcement Officers
29. Regional District of Nanaimo Park Use Regulations Bylaw No. 1399, 2004	Bylaw Enforcement Officers Park Operator and Park Staff
30. Regional District of Nanaimo Electoral Area F Zoning and Subdivision Bylaw No. 1285, 2002	Manager of Inspection & Enforcement Bylaw Enforcement Officers
31. Regional District of Nanaimo Waste Stream Management Licensing Bylaw No. 1386, 2004	Zero Waste Compliance Officer Bylaw Enforcement Officers

Schedule '32' to accompany "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.01, 2009.

Chairperson

Senior Manager, Corporate Administration

**REGIONAL DISTRICT OF NANAIMO
BYLAW ENFORCEMENT TICKET REGULATION
BYLAW NO. 1418.01, 2009**

SCHEDULE 32

Column I	Column II	Column III
Regional District of Nanaimo Waste Stream Management Licensing Bylaw No. 1386, 2004	Section No. of Bylaw 1386	Amount of Fine
1. Generate municipal solid waste or recyclable material that has been delivered, deposited, stored or abandoned at unlicensed location	6.1(a)	\$100.00
2. Haul municipal solid waste or recyclable material that has been delivered, deposited, stored or abandoned at unlicensed location	6.1(b)	\$100.00
3. Have charge/control of land/buildings on which municipal solid waste or recyclable material that has been delivered, deposited, stored or abandoned	6.1(c)	\$100.00



Handwritten notes: "CFO" and "July 14 '09" with a signature.

MEMORANDUM

TO: Paul Thorkelsson
General Manager, Development Services

DATE: June 26, 2009

FROM: Tom Armet
Manager, Building and Bylaw Services

FILE: 3900-20-787.12

SUBJECT: Amendment Bylaw No 787.12 – Inclusion in a Building Inspection Area
Electoral Area 'F' – 860 Church Road

PURPOSE

To consider an amendment bylaw for inclusion of a parcel located in Electoral Area 'F' into a Building Inspection Service Area.

BACKGROUND

The purpose of this report is to seek Board approval of an amendment bylaw for inclusion of the parcel legally described as Lot 2, District Lots 103 and 156, Plan VIP53572, Nanoose Land District, located at 860 Church Road, Electoral Area 'F', into a Building Inspection Service Area. (see Attachment No. 1 for location). The subject property is an 8.6 acre parcel owned by the Regional District of Nanaimo (RDN) and in use for the operation of the Church Road Transfer Station.

At the regular meeting held May 26, 2009, the Board adopted *Regional District of Nanaimo Building Inspection Bylaw Amendment Bylaw No. 787.09, 2009*. This bylaw extended the boundary of the Building Inspection Service Area to include all RDN owned properties. Due to an oversight, the subject property was not included in the schedule of properties at that time. This amendment bylaw will complete the inclusion of all properties currently owned by the Regional District of Nanaimo into the Building Inspection Service Area.

ALTERNATIVES

1. To consider "Regional District of Nanaimo Building Inspection Service Bylaw Amendment Bylaw No. 787.12, 2009." for adoption.
2. To not consider "Regional District of Nanaimo Building Inspection Service Bylaw Amendment Bylaw No. 787.12, 2009."

FINANCIAL IMPLICATIONS

This property is located within close proximity to the present Building Inspection Service Area boundary. Current staff levels are adequate to provide building inspection service to future development on this property. Permit fee revenues will largely offset the inspection activity portion of providing this service.

VOTING

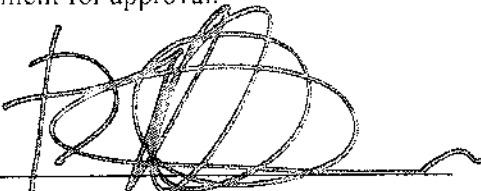
All Directors – one vote.

CONCLUSION

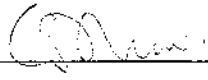
The Board's 2006-2009 Strategic Plan directed that a strategy to implement building inspection across all electoral areas be developed. In this context, on May 26, 2009 the Board adopted a bylaw to extend the Building Inspection Service Area boundary to include all Regional District of Nanaimo owned properties. Due to an oversight, the subject property was not included in the schedule of properties at that time. This amendment bylaw will complete the inclusion of all properties currently owned by the Regional District of Nanaimo into the Building Inspection Service Area.

RECOMMENDATION

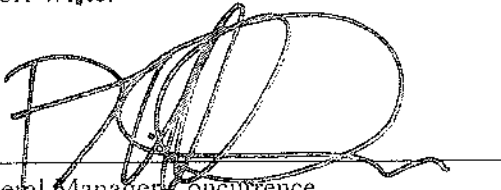
That "Regional District of Nanaimo Building Inspection Service Bylaw Amendment Bylaw No. 787.12, 2009," be introduced and read three times and forwarded to the Ministry of Community and Rural Development for approval.

Full


Report Writer



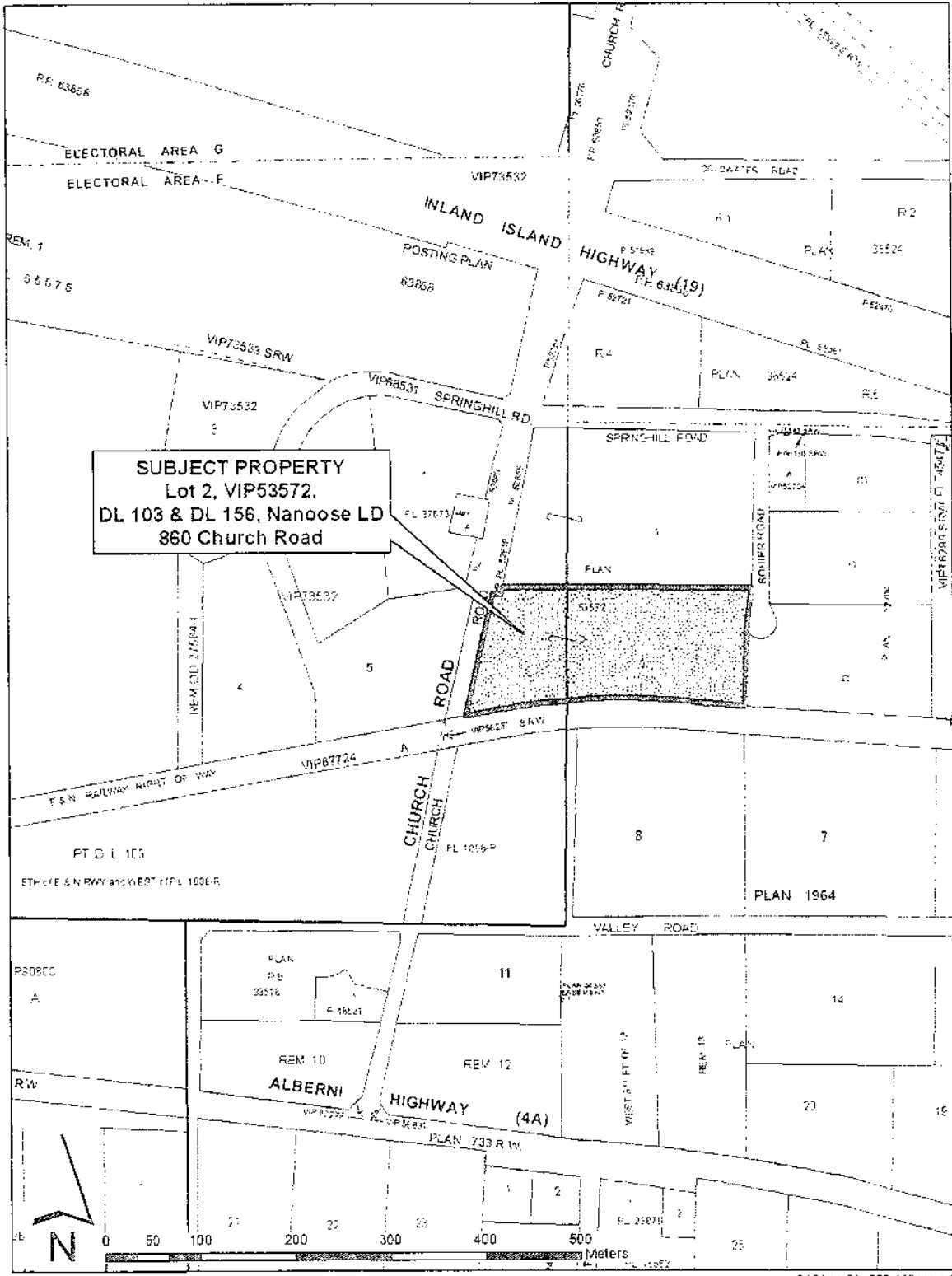
CAO Concurrence



General Manager Concurrence

COMMENTS:

ATTACHMENT NO. 1
SUBJECT PROPERTY MAP



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 787.12

**A BYLAW TO AMEND "REGIONAL DISTRICT OF NANAIMO
BUILDING INSPECTION EXTENDED SERVICE ESTABLISHMENT BYLAW NO. 787, 1989"**

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

AND WHEREAS the Board wishes to amend the boundaries of the Building Inspection Service Area to include Lot 2, District Lots 103 and 156, Plan VIP53572, Nanoose Land District, within Electoral Area 'F';

AND WHEREAS the Board has obtained the consents of two-thirds of the participants.

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

1. Schedule 'F' of "Regional District of Nanaimo Building Inspection Extended Service Bylaw No. 787, 1989" is hereby repealed and replaced with Schedule 'F' attached to and forming part of this bylaw.
2. This bylaw may be cited as "Regional District of Nanaimo Building Inspection Service Amendment Bylaw No. 787.12, 2009."

Introduced and read three times this 28th day of July 2009.

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

Adopted this day of , 2009.

CHAIRPERSON

SR. MGR. CORPORATE ADMINISTRATION



CAC APPROVAL

DATE: 1 July 14 '09

TO:

FROM:

BOARD:

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: June 19, 2009

FROM: Paul Thorkelsson
GM Development Services

FILE: 6520 20 NAN

SUBJECT: Urban Containment Boundary Amendment request from the City of Nanaimo -
Agricultural Land Reserve / Official Community Plan Mapping Error

PURPOSE

To present an Urban Containment Boundary (UCB) change request from the City of Nanaimo.

BACKGROUND

The City of Nanaimo (CoN) has proposed an Official Community Plan amendment and UCB change for lands in the Fielding Road area of the City. In reviewing application materials, it was identified by City staff that there is an inconsistency between the location of the UCB and Agricultural Land Reserve (ALR) in the area. The CoN has requested that the Regional District Board review and endorse the proposed UCB change needed to correct the inconsistency. A copy of the request letter from the CoN and excerpts from City staff report has been attached for the Board's reference. The Board will recall a similar request from the City of Nanaimo that was considered and adopted in March 2009.

DISCUSSION

The land in question falls between two land-use designations in the City's OCP. The portion of the lands currently designated 'Resource Protection' is bounded by this designation, the UCB and was intended to align with the ALR boundary. Copies of excerpts from the CoN staff report and proposed OCP Amendment Bylaw are attached for the Board's reference (see Schedule 1 of the proposed CoN Bylaw). According to the staff report, new information regarding the location of the ALR boundary as defined by the Agricultural Land Commission has been received. CoN OCP intends that the OCP 'Resource Protection' designation, UCB and ALR boundaries coincide. Accordingly a change to the UCB is required to correct what is in effect a mapping error in the ALR boundary in the CoN OCP.

Staff have reviewed the material provided and are of the opinion that the requested change is minor in nature, is consistent with the existing CoN OCP and aligned with the City's context statement with respect to the Regional Growth Strategy (RGS).

ALTERNATIVES

1. To endorse the proposed change to the City of Nanaimo Urban Containment Boundary.
2. To not endorse the proposed change to the City of Nanaimo Urban Containment Boundary.

SUSTAINABILITY IMPLICATIONS

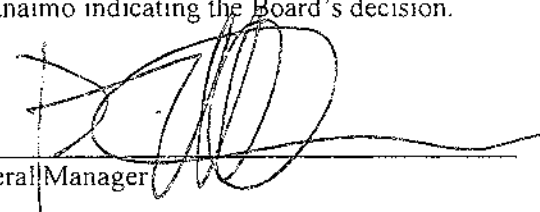
The RGS is a core document in the support and promotion of sustainability for the Regional District of Nanaimo. The goals and policies of the RGS set out a framework for the support of the Board's own strategic plan and goals. The UCB is the primary tool for the focus of development within urbanized areas and protection of rural areas and as such is an important part of the RGS and the sustainability goals of the region. As discussed in previous reports to the Board the CoN Context Statement reveals a high level of consistency between the City OCP and the RGS and suggests that the OCP is well aligned with the RGS. The UCB change proposed by the City is minor in nature and is consistent with the CoN OCP, Context Statement and the RGS.

CONCLUSION


The City of Nanaimo has submitted a request to consider a change to the Urban Containment Boundary. The proposed change is put forward to correct an existing error in location of the UCB with respect to the Agricultural Land Reserve boundary. The change to the UCB required to correct this mapping error is minor in nature and consistent with current CoN OCP Policy and Context Statement. Staff concur with the review provided by the City of Nanaimo and recommend the approval of the UCB change.

RECOMMENDATION

1. That the Regional District of Nanaimo Board endorse the proposed change to the City of Nanaimo Urban Containment Boundary and that the maps in the Regional Growth Strategy be updated at the next available opportunity to reflect this change.
2. That staff be directed to provide a letter to the City of Nanaimo indicating the Board's decision.



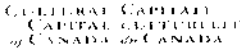
General Manager



CAO Concurrence

A/CAO

COMMENTS:



2009-JUN-12



Our File: OCP50

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

Attention: Board of Directors

Dear Sir / Madam:

Re: OCP Amendment Bylaw No. 6500.005

Please find enclosed OCP Amendment Bylaw No. 6500.005, which was considered at a Public Hearing held 2009-JUN-11.

The proposed bylaw seeks to amend the location of the Urban Containment Boundary (UCB) in the Fielding Road area to ensure consistency between the location of the UCB and the location of the Agricultural Land Reserve (ALR) boundary, in response to recently published ALR maps. Please note that there is no change to the City's policy of locating ALR lands outside the UCB and that the UCB and ALR boundaries should be concurrent.

In accordance with the Urban Containment and Fringe Area Management Implementation Agreement, we are now requesting the Regional District of Nanaimo review and endorse the proposed change.

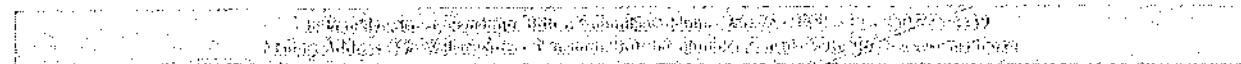
A copy of the report to Council, which explains the proposed amendment, is enclosed for your reference. If you require further information please do not hesitate to contact me.

Yours truly,

Andrew Tucker, MCIP
Director of Planning
Development Services Department
City of Nanaimo (250) 755-4450

AT/dj

cc: Mayor and Council
Carol Mason, Chief Administrative Officer, RDN
Paul Thorkelsson, General Manager, RDN
Jerry Berry, City Manager
Al Kenning, Deputy City Manager
Ted Swabey, General Manager, DSD
Andy Laidlaw, General Manager, Community Services
Doug Holmes, General Manager, Corporate Services
Prospero: p:\prospero\planning\ocp\ocp0050\2009 06 12 rdn endorsement.doc



2009-MAY-01

STAFF REPORT

REPORT TO: ANDREW TUCKER, DIRECTOR OF PLANNING

FROM: BRUCE ANDERSON, MANAGER OF COMMUNITY PLANNING

RE: OFFICIAL COMMUNITY PLAN GENERAL AMENDMENTS

PNAC'S RECOMMENDATION:

That Council consider approving the proposed general amendments to the City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500."

STAFF'S RECOMMENDATION:

That Council consider giving First and Second Reading to "OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2009 NO. 6500.005".

EXECUTIVE SUMMARY:

The City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" was adopted by Council in September 2008. Historically, Council has recognized that the Official Community Plan (OCP) bylaw is subject to revisions brought about by changing circumstances and public needs. Periodic general amendments are therefore required to maintain the effectiveness and accuracy of the OCP. Proposed changes addressed in this report include both text and map amendments.

BACKGROUND:

At its meetings of 2009-JAN-20 and 2009-FEB-17, PNAC made their recommendations on the proposed amendments noted below, and in all cases recommended that the proposal be approved.

Text Amendments

Amendment No. 1

Proposal: Update Figure 3 – Planning Areas

Rationale: The 'Planning Areas' information is based upon census data, and the intent of this amendment is to update Figure 3 – Planning Areas (*see Schedule A*) to reflect data provided by the 2006 census. Specifically, these amendments include:

- Rename Five Acres planning area to Harewood;
- Rename Harewood planning area to Old City / Vancouver Island University;
and
- Adjust boundaries for the Linley Valley / Long Lake / Departure Bay area and the Westwood / Harewood / Old City area to reflect the 2006 census tracts.

Staff Report

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Amendment No. 2

Proposal: Add Figure 4 - Floodplain

Rationale: Within the OCP (Bylaw No. 6500), general floodplain information would be included as Figure 4 – Floodplain (*see Schedule B*), thereby providing opportunities to determine whether given properties/areas may require further assessment as necessary.

Amendment No. 3

Proposal: Update Implementation Strategy to reflect completion of the Downtown Urban Design Plan and Guidelines, and the Harm Reduction and Housing First Strategy.

Rationale: Section 7.8 of the OCP identifies a range of measures to be implemented within a specified time period. Two of these items have been completed and the Implementation Strategy would show completion dates for the following:

Downtown Urban Design Plan and Guidelines	Completed 2008
Harm Reduction and Housing First Strategy	Completed 2008

Amendment No. 4

Proposal: Update references within the OCP to identify the South End neighbourhood as a distinct area.

Rationale: Currently, the OCP references a combined Southend / Nob Hill area. This proposal is intended to separate the two, identifying the South End as its own distinct area. This amendment would be reflected within the Neighbourhood designation, Neighbourhood and Area Planning, and Implementation sections of the OCP.

Map Amendments**Amendment No. 5**

Proposal: Redesignate a series of 14 properties within the Estevan Road area from Neighbourhood to Corridor.

Rationale: This amendment is intended to reflect the existing and/or anticipated land uses within the Estevan Road area by providing for a continuous stretch of mixed use development along major routes, and specifically between Terminal Park Mall and Brooks Landing. The properties affected by this proposed amendment, as shown on *Schedule C*, include:

1725 Estevan Road	2011 Estevan Road	888 Chestnut Street
1799 Estevan Road	2021 Estevan Road	889 Chestnut Street
1881 Estevan Road	833 Chestnut Street	892 Chestnut Street
1951 Estevan Road	850 Chestnut Street	1850 Island Hwy N
1997 Estevan Road	867 Chestnut Street	

Staff Report

Page 3

Amendment No. 6

Proposal: Rename DP Area from 'Nanaimo Parkway' to 'Natural Hazard'.

Rationale: With the implementation of the new OCP (Bylaw No. 6500), a number of mapping errors were identified. In this instance, a smaller DP area located near Hammond Bay Road and Bradbury Road (*see Schedule D*) was inadvertently labelled as 'Nanaimo Parkway'. This amendment will correct the error in labelling.

Amendment No. 7

Proposal: Correct mapping error for positioning of 7.5 metre setback on creek.

Rationale: With the implementation of the new OCP (Bylaw No. 6500), a number of mapping errors were identified. In this instance, the mapping for a 7.5 metre setback of a segment of creek along Jingle Pot Road was incorrectly positioned on Map 3. This amendment will correctly position the setback layer (*see Schedule E*).

Amendment No. 8

Proposal: Reposition the Heritage Conservation Area (HCA 1) boundary to coincide with the boundary of the Downtown Plan.

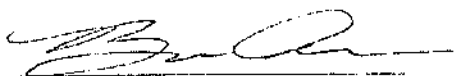
Rationale: Expanding the boundaries of the HCA 1 to reflect those of the Downtown Plan area will allow for the policies of the Downtown Plan and downtown design guidelines to be better implemented (*see Schedule F*).

Amendment No. 9

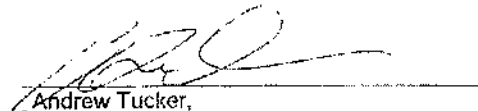
Proposal: Reposition the Urban Containment Boundary (UCB) for the property at 1560 Island Highway South, and redesignate the affected area from Resource Protection to Neighbourhood.

Rationale: The Resource Protection boundary located within the subject property corresponds to the UCB, which was originally intended to align with the existing Agricultural Land Reserve (ALR) boundary. New information regarding the ALR map location has been provided by the Agricultural Land Commission, which necessitates a map correction to align the UCB with the ALR and, accordingly, redesignate the subject area from Resource Protection to Neighbourhood (*see Schedule G*).

Respectfully submitted,



Bruce Anderson,
Manager of Community Planning
Development Services Department



Andrew Tucker,
Director of Planning
Development Services Department

dj
p:\prosper\planning\ocp\ocp00050\council report.doc
Council: 2009-MAY-11

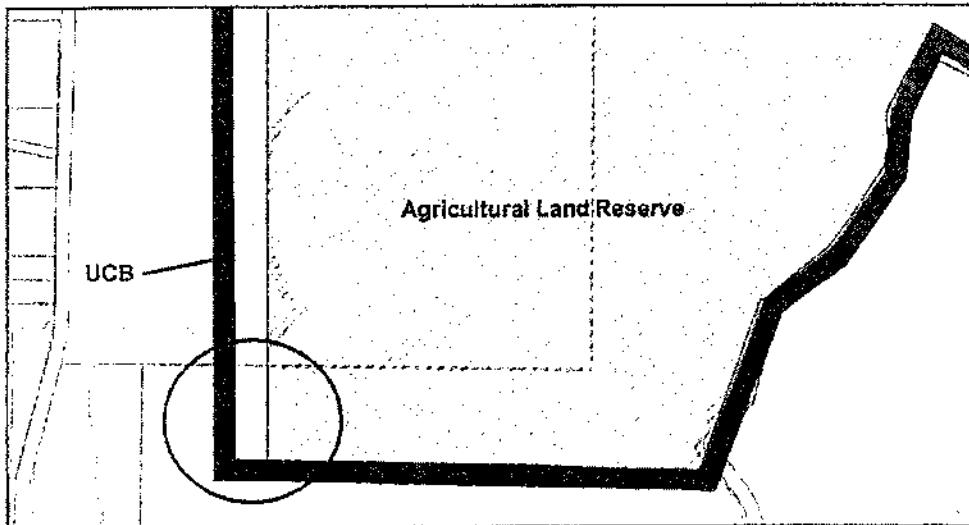


Ted Swabey, General Manager
Development Services Department

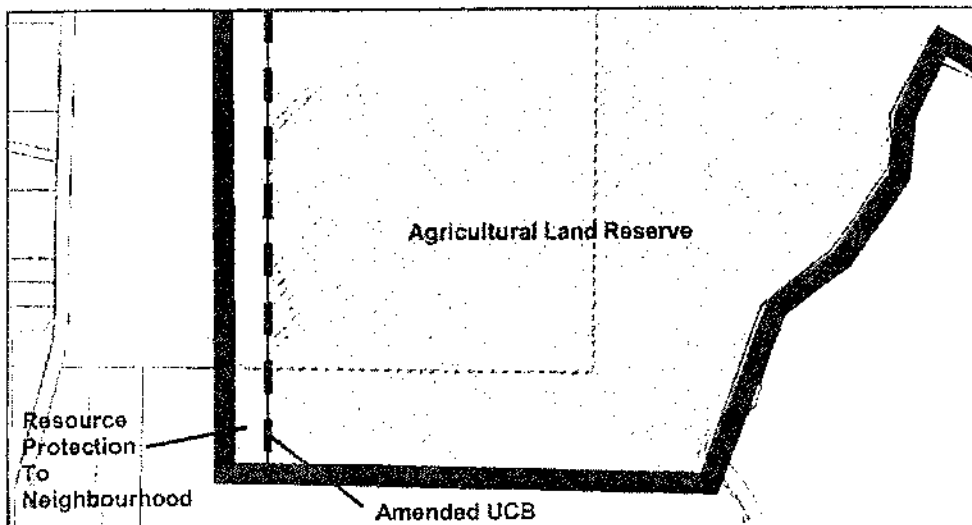
Staff Report

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Schedule G
UCB Alignment – Fielding Road



Existing



Proposed

CITY OF NANAIMO

BYLAW NO. 6500.005

A BYLAW TO AMEND THE CITY OF NANAIMO
"OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500"

WHEREAS the Council of the City of Nanaimo wishes to amend City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500";

THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2009 NO. 6500.005".
2. The City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is hereby amended as set out in Schedules A to I to this Bylaw.

PASSED FIRST READING 2009-MAY-11
PASSED SECOND READING 2009-MAY-11
PASSED SECOND READING, AS AMENDED 2009-MAY-25
PUBLIC HEARING HELD 2009-JUN-11
PASSED THIRD READING _____
ADOPTED _____

MAYOR

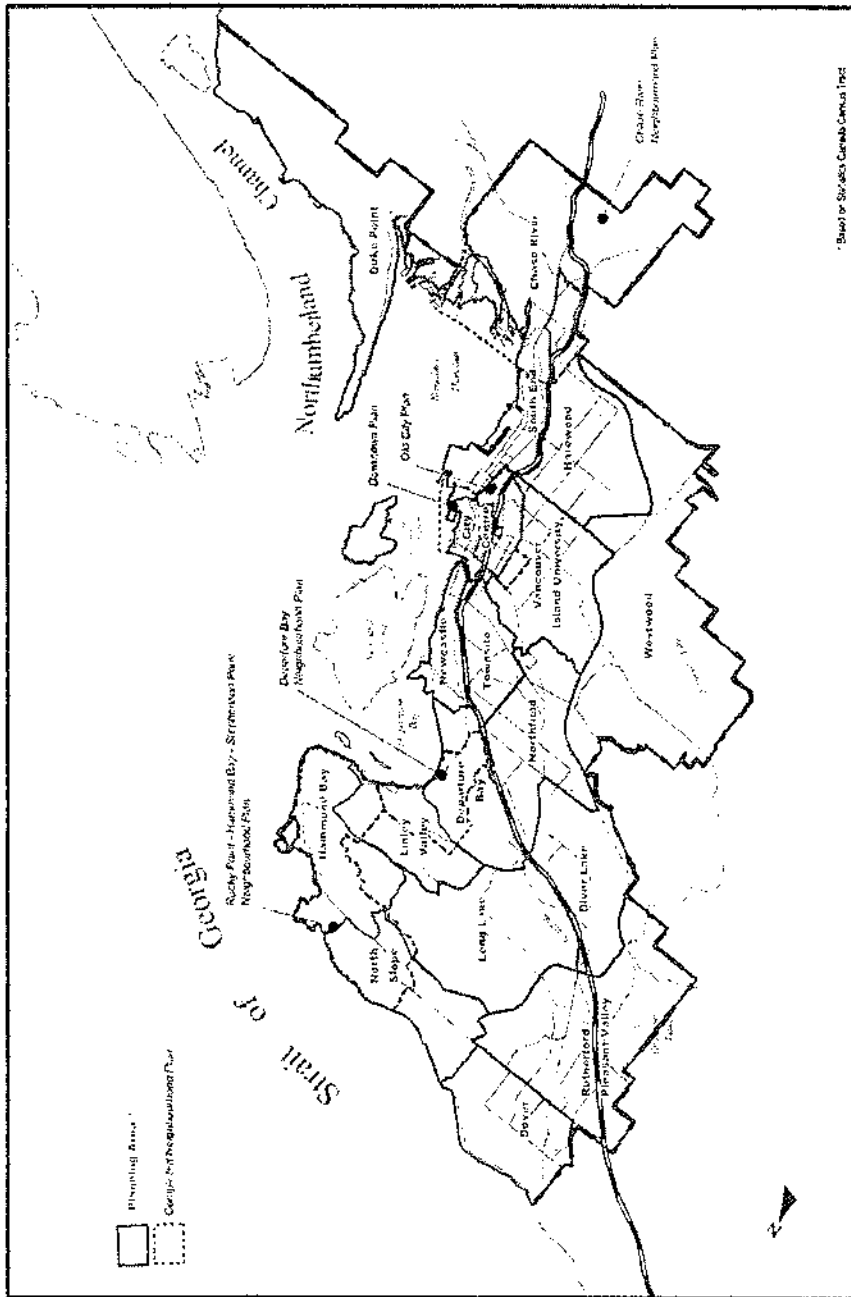
DIRECTOR,
LEGISLATIVE SERVICES

File: OCP00050
Applicant: City of Nanaimo

Bylaw 6500.005

SCHEDULE A

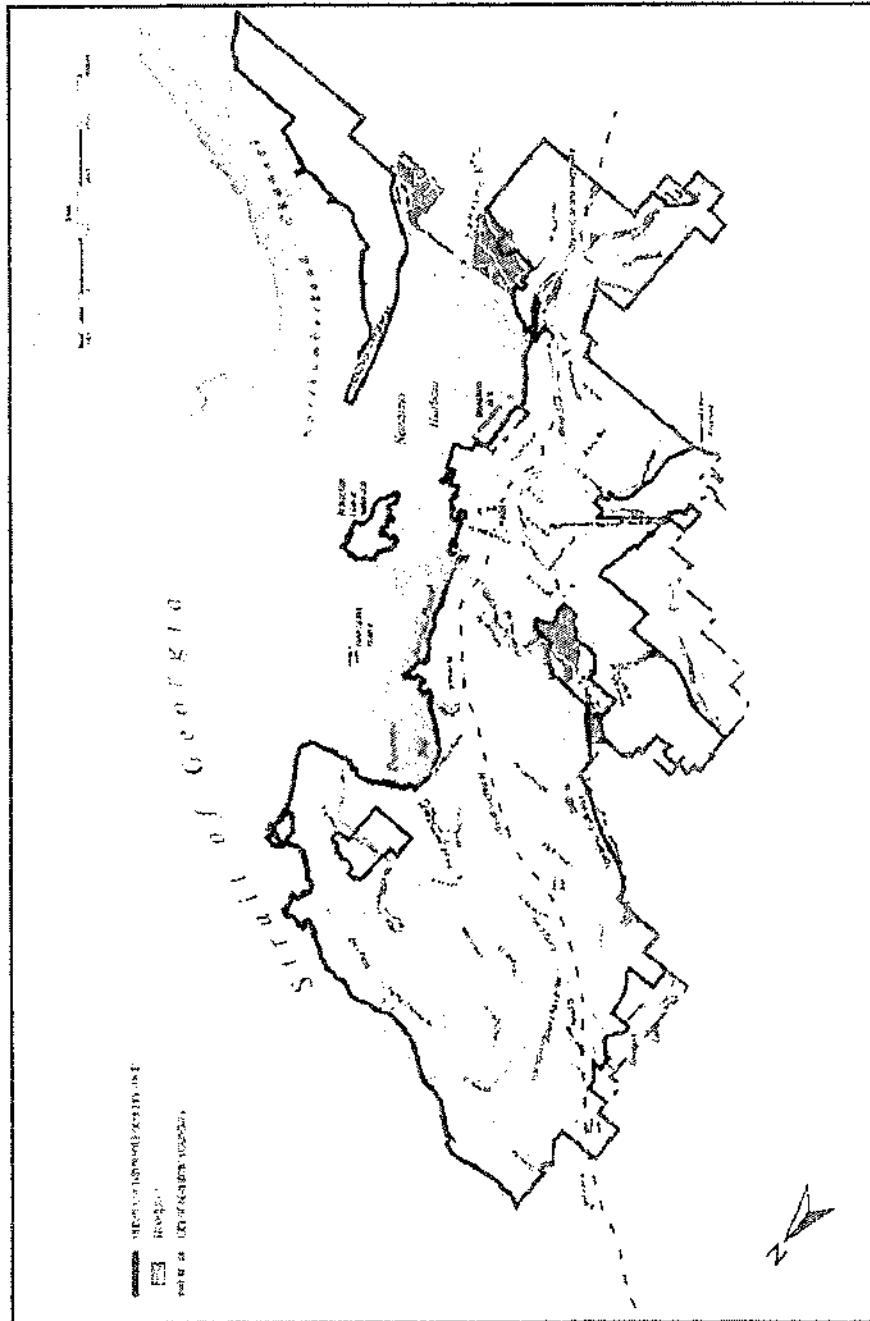
1. Figure 3 (Planning Areas and Neighbourhood and Area Plans) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is removed and replaced with the following Figure 3 (Planning Areas and Neighbourhood / Area Plans):



Bylaw 6500.005

SCHEDULE B

1. Figure 4 (Floodplain) is added to "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" as the following:



Bylaw 6500.005

SCHEDULE C

1. Section 7.8, Table 6 (Implementation Strategy) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is amended by:
 - a. Adding '2008' as a completion date for the Implementation Action 'Downtown Urban Design Plan and Guidelines'; and
 - b. Adding '2008' as a completion date for the Implementation Action 'Prepare Harm Reduction and Housing First Strategy'.

Bylaw 6500.005

SCHEDULE D

1. Subsection 2.3.17 (Neighbourhood) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is amended by deleting

This Plan supports the development of neighbourhood plans for Southend / Nob Hill and Stewart Avenue / Brechin Hill area within the next five years.

and replacing it with

This Plan supports the development of neighbourhood plans for the South End and Stewart Avenue / Brechin Hill areas within the next five years.

2. Subsection 7.1.10 (Neighbourhood and Area Planning) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is amended by deleting

- Southend / Nob Hill Neighbourhood

and replacing it with

- South End Neighbourhood

3. Section 7.8, Table 6 (Implementation Strategy) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is amended by deleting the Implementation Action

Develop Neighbourhood and Area plans

- Southend / Nob Hill
- Jingle Pot
- Linley Valley

and replacing it with

Develop Neighbourhood and Area plans

- South End
- Jingle Pot
- Linley Valley

Bylaw 6500.005

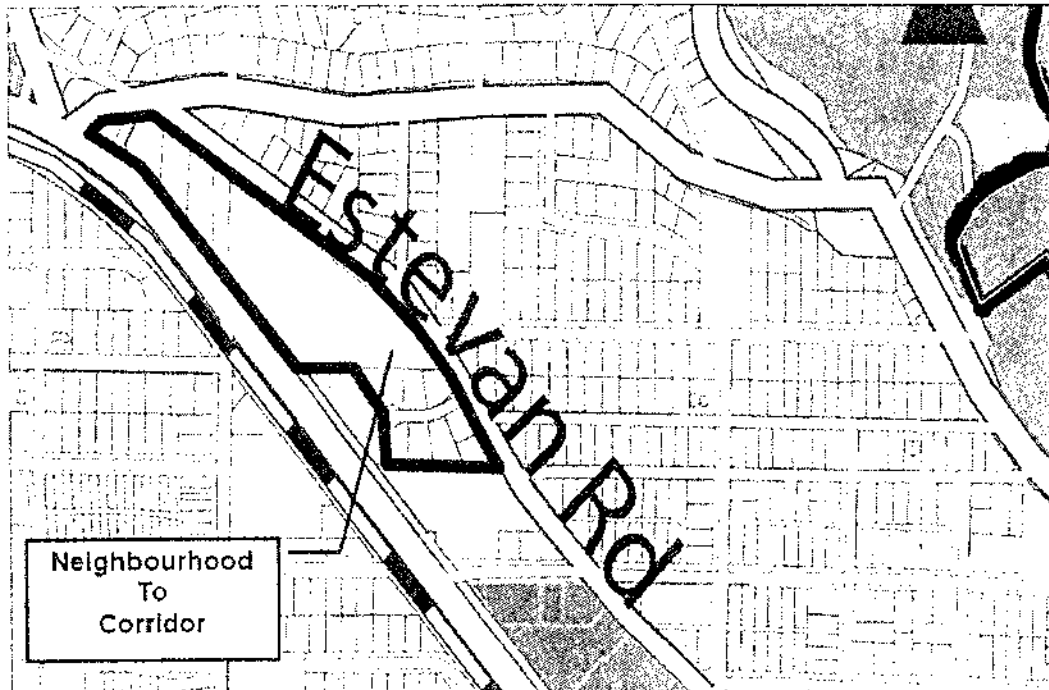
SCHEDULE E

1. Map 1 (Future Land Use Plan) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is amended as follows:

a. Redesignating the subject properties known as

- 1725 Estevan Road (Lot 7, Section 1, Nanaimo District, Plan 10145; PID 005 194 164)
- 1799 Estevan Road (Lot 8, Section 1, Nanaimo District, Plan 10145; PID 000 116 106)
- 1881 Estevan Road (Lot 1, Section 1, Nanaimo District, Plan 10145; PID 002 679 507)
- 1951 Estevan Road (That Part of Section 1, Nanaimo District, Shown Outlined in Red on Plan 1283R; PID 009 764 259)
- 1997 Estevan Road (That Part of Section 1, Nanaimo District, Shown Outlined in Red on Plan 515BL Except That Part in Plan 14969; PID 009 764 291)
- 2011 Estevan Road (Lot 2, Section 1, Nanaimo District, Plan 15542; PID 001 282 891)
- 2021 Estevan Road (Lot 1, Section 1, Nanaimo District, Plan 15542; PID 003 535 622)
- 833 Chestnut Street (Lot 6, Section 1, Nanaimo District, Plan 10145; PID 005 194 075)
- 850 Chestnut Street (Lot 2, Section 1, Nanaimo District, Plan 10145; PID 005 194 041)
- 867 Chestnut Street (Lot 5, Section 1, Nanaimo District, Plan 10145; PID 005 194 067)
- 888 Chestnut Street (Lot 3, Section 1, Nanaimo District, Plan 10145; PID 005 194 059)
- 889 Chestnut Street (Lot 4, Section 1, Nanaimo District, Plan 10145; PID 002 259 249)
- 892 Chestnut Street (Lot 1, Section 1, Nanaimo District, Plan 20724; PID 003 573 940)
- 1850 Island Hwy N (Lot 2, Section 1, Nanaimo District, Plan 13280; PID 000 130 842)

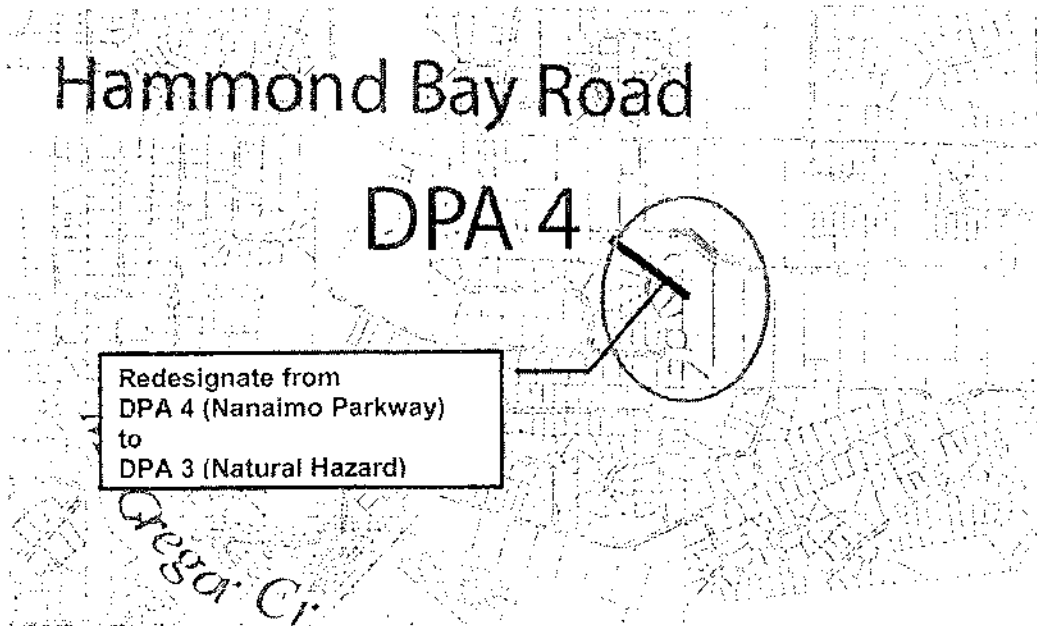
from "Neighbourhood" to "Corridor."



Bylaw 6500.005

SCHEDULE F

1. Map 3 (Development Permit & Heritage Conservation Areas) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is amended as follows:
 - a. Redesignating the development permit area at Bradbury Road and Alder Way from DPA 4 (Nanaimo Parkway Design) to DPA 3 (Natural Hazard Lands).

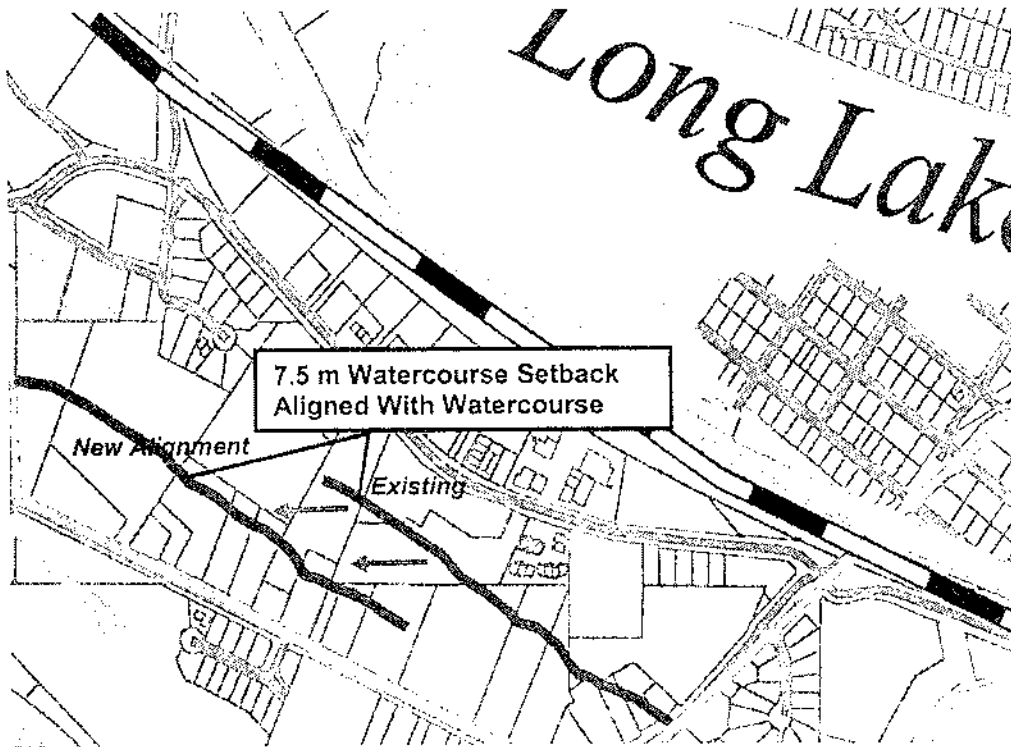


Bylaw 6500.005

SCHEDULE G

1. Map 3 (Development Permit & Heritage Conservation Areas) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is amended as follows:

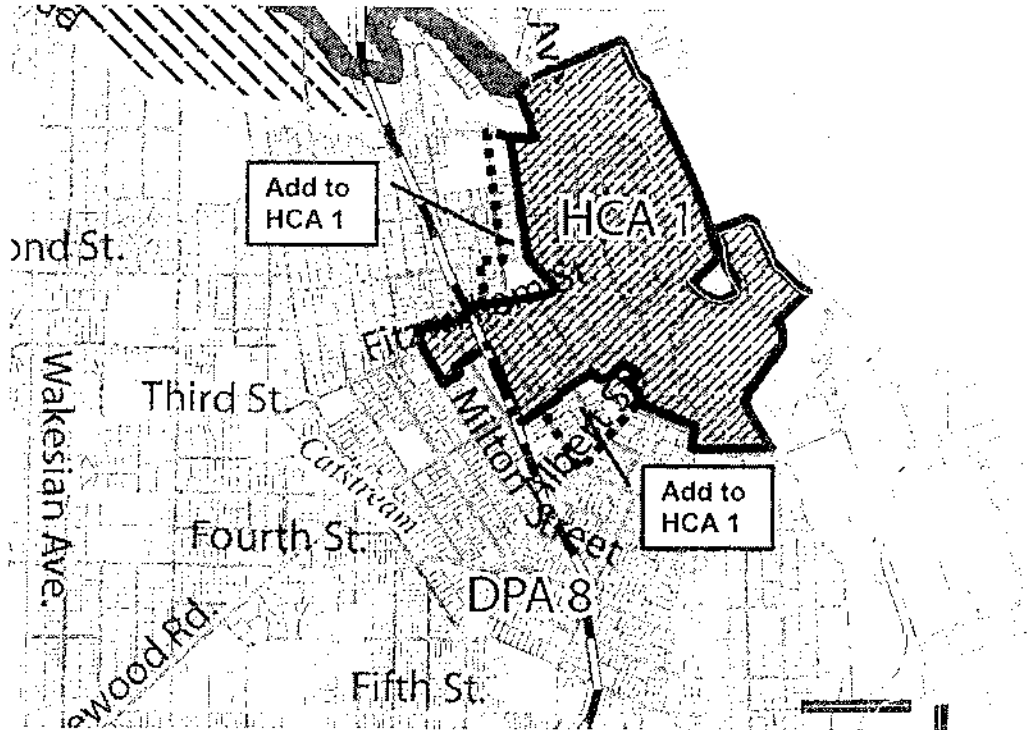
- a. Aligning a 7.5 metre watercourse setback with the watercourse location



Bylaw 6500.005

SCHEDULE H

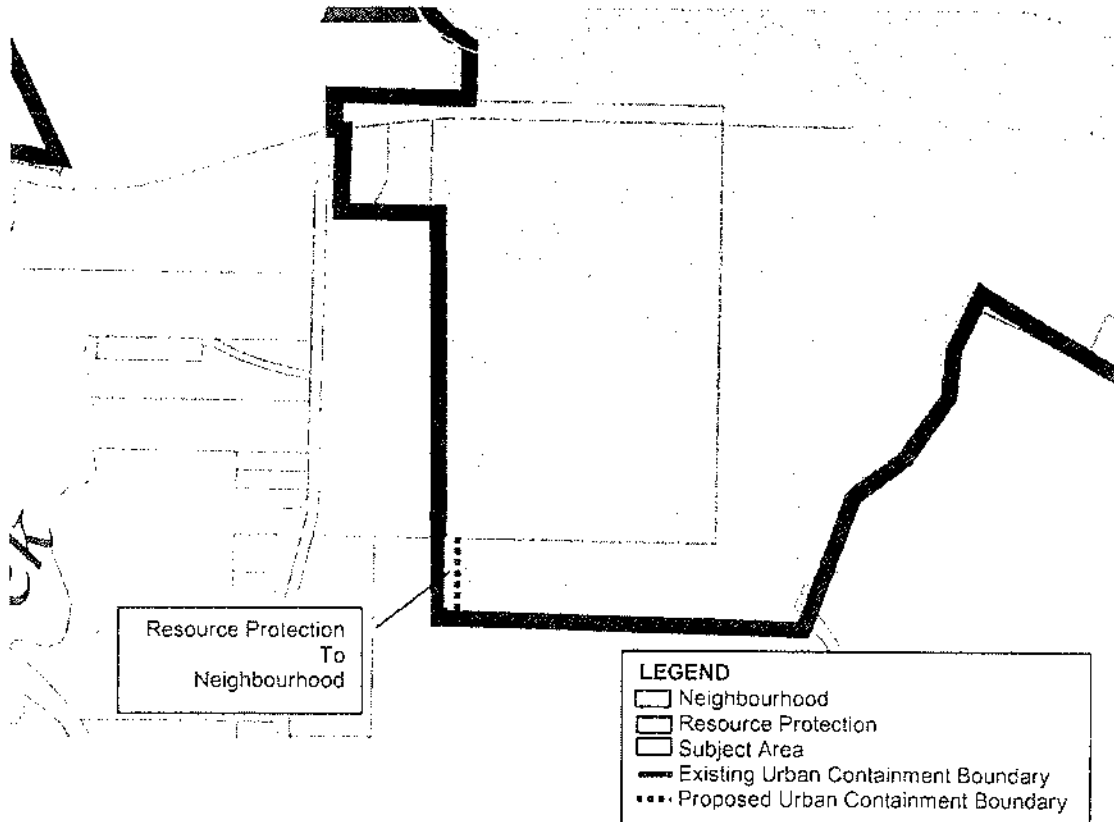
1. Map 3 (Development Permit & Heritage Conservation Areas) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is amended as follows:
 - a. Applying Heritage Conservation Area 1 (HCA 1) to the areas identified, near Wallace Street and Albert Street.



Bylaw 6500.005

SCHEDULE I

1. Map 1 (Future Land Use Plan) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is amended as follows:
 - a. Amend the Urban Containment Boundary to include a portion of lands at 1560 Island Highway South (Section 2, Nanaimo District, Except Parts in Plans 563, 630, 732, 1332, 1333, 1386, 2842, 2846, 2904, 3354, 28701, 507RW, 1415R, 31004, and 32065 and Except That Part 6.35 Acres Being The Right of Way of the Esquimalt and Nanaimo Railway as Registered Under No. 8328C and Except Indian Reserve and Except Parcel "A" (DD 379927I) and Except Part in Plan 10769, 48020, 49841, VIP61184 and Plan VIP62889; PID 008 062 030) within the Urban Containment Boundary; and
 - b. Redesignate the subject area known as a portion of lands at 1560 Island Highway South (Section 2, Nanaimo District, Except Parts in Plans 563, 630, 732, 1332, 1333, 1386, 2842, 2846, 2904, 3354, 28701, 507RW, 1415R, 31004, and 32065 and Except That Part 6.35 Acres Being The Right of Way of the Esquimalt and Nanaimo Railway as Registered Under No. 8328C and Except Indian Reserve and Except Parcel "A" (DD 379927I) and Except Part in Plan 10769, 48020, 49841, VIP61184 and Plan VIP62889; PID 008 062 030) from 'Resource Protection' to 'Neighbourhood.'





C/O APPROVAL	
DATE	July 14 '09
BY	
BOARD	

MEMORANDUM

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

DATE: July 3, 2009

FROM: Carey McIver
Manager of Solid Waste

FILE: 5360-42

SUBJECT: BC Bioenergy Network Collaboration Agreement

PURPOSE

To present a collaboration agreement between the BC Bioenergy Network, Cedar Road LFG Inc. and the Regional District of Nanaimo to the Board for consideration.

BACKGROUND

Established in April 2008 with a \$25 million grant from the BC government, the BC Bioenergy Network (BCBN) is an industry-led initiative with a mandate to develop and grow a world-class bioenergy industry in BC. BCBN targets the following eight value-streams for bioenergy production: solid wood residues; pulp and paper residues; harvesting and pelletizing; agricultural residues; municipal wastewater, municipal existing landfill waste (landfill gas); municipal solid waste (organics); and small and large community heating-gas-electricity greenhouse systems.

Landfill gas (LFG) is potent greenhouse gas with a global warming effect 21 times greater than carbon dioxide. In BC, LFG from decomposing garbage in landfills represents 5% of total greenhouse gas emissions. For this reason, in January 2009 the province enacted the Landfill Gas Management Regulation requiring owners and operators of regulated landfill sites to implement landfill gas collection and flare systems by 2016. There are roughly 30 small to medium sized local government operated landfill sites that are subject to this new regulation. Rather than simply flaring the LFG to destroy the carbon dioxide, the BC Bioenergy Network wants to see this gas used to produce green energy.

Cedar Road LFG Inc. (Cedar Road) is a BC bioenergy company that owns and operates a \$3 million demonstration landfill-gas-to-energy utilization facility at the Regional Landfill. Cedar Road have constructed their 1.5 MW electricity generation facility under development and operating agreements with the RDN. The RDN provides the site and supplies the gas while Cedar Road provides all the required materials, equipment and labour to generate power for sale to BC Hydro.

In March 2009 the BC Bioenergy Network and Cedar Road entered into an agreement to establish a collaborative development and demonstration centre (CDDC) where technology suppliers, small to medium sized local governments, and other stakeholders would identify best practices for sustainable LFG-to-energy projects at small to medium landfill sites in BC. Given that bioenergy from landfill gas is entirely dependent on the gas collection system, the BC Bioenergy Network has invited the RDN to become a party to the collaboration agreement.

Under the attached collaboration agreement, which has been reviewed and approved by RDN legal counsel, the three parties agree to establish a virtual development and demonstration centre at the RDN landfill that would consist of the RDN LFG collection system and the Cedar Road electricity generation facility. During the five year term of the agreement the parties will endeavour to establish a network of stakeholders involved in landfill gas bioenergy projects. The network will be governed by an Advisory Board that will consist of five representatives – one each from BCBN, Cedar Road and RDN as well as two other local government representatives.

The Advisory Board will establish the activities and objectives of the CDDC Network as well as selecting projects for demonstration. Important criteria for selection will be whether funding for projects is available from Sustainable Development Technology Canada or the Province of British Columbia's Innovative Clean Energy Fund. Approved projects and case studies will be posted on the CDDC website and at least once per year a conference will be held in Nanaimo to publicly describe the projects and to identify other projects that will encourage the development of sustainable LFG energy projects in BC.

ALTERNATIVES

1. Enter into the collaboration agreement with the BC Bioenergy Network and Cedar Road LFG Inc.
2. Do not enter into collaboration agreement with the BC Bioenergy Network and Cedar Road LFG Inc.

FINANCIAL IMPLICATIONS

Under Alternative 1 the cost to the RDN will relate to staff time only. The BC Bioenergy Network will provide administrative support to the Advisory Board as well as coordinate all communications activities including the website and annual conference.

Under Alternative 2 there are no costs to the RDN.

INTERGOVERNMENTAL IMPLICATIONS

Although landfill gas collection and utilization systems have been installed in the large landfills operated by Metro Vancouver and the Capital Regional District, the majority of regional districts throughout the province do not currently have the experience or expertise to undertake these projects. The CDDC Network will be instrumental in assisting these regional districts by sharing technology and governance experience related to public/private sector partnerships in the bioenergy sector.

ENVIRONMENTAL IMPLICATIONS

By identifying best-in-class landfill gas management technologies that can be applied in BC, the CDDC Network will contribute to a province-wide reduction in greenhouse gas emissions from landfills.

SUSTAINABILITY IMPLICATIONS

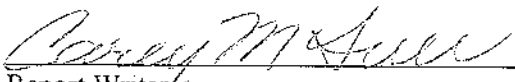
The Board's strategic objectives regarding energy, climate change and solid waste include engaging in partnerships to support the development and implementation of innovative projects that encourage industry, municipalities and other stakeholders to work together to access sustainable power supply sources. Participation in the CDDC Network will support this goal by developing partnerships with other regional districts and technology suppliers to establish a sustainable bioenergy industry in BC while significantly reducing greenhouse gas emissions.

SUMMARY/CONCLUSIONS

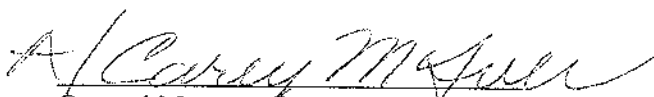
Established in April 2008 with a \$25 million grant from the BC government, the BC Bioenergy Network (BCBN) is an industry-led initiative with a mandate to develop and grow a world-class bioenergy industry in BC. Cedar Road LFG Inc. (Cedar Road) is a BC bioenergy company that owns and operates a \$3 million demonstration landfill gas-to-energy utilization facility at the Regional Landfill. In March 2009 the BC Bioenergy Network and Cedar Road entered into an agreement to establish a virtual collaborative development and demonstration centre (CDDC) where technology suppliers, small to medium sized local governments, and other stakeholders would identify best practices for sustainable landfill gas-to-energy projects at small to medium landfill sites in BC. Given that bioenergy from landfill gas is entirely dependent on the gas collection system, the BC Bioenergy Network has invited the RDN to become a party to the collaboration agreement.

RECOMMENDATIONS

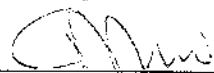
1. That the Board enter into a collaboration agreement with the BC Bioenergy Network and Cedar Road LFG Inc. to establish a Collaborative Demonstration and Development Centre (CDDC) to promote sustainable landfill gas-to-energy projects in BC.
2. That the Board appoint the Manager of Solid Waste to represent the RDN on the CDDC Network Advisory Board.



Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:

AMENDED AND RESTATED COLLABORATION AGREEMENT

THIS AMENDED AND RESTATED COLLABORATION AGREEMENT (this “**Agreement**”) is dated for reference as of June <*>, 2009 (“**Effective Date**”).

BETWEEN:

BC BIOENERGY NETWORK ASSOCIATION, a not-for-profit society constituted under the laws of the Province of British Columbia

(“**BCBN**”)

AND:

THE REGIONAL DISTRICT OF NANAIMO., a municipal corporation constituted under the laws of the Province of British Columbia

(“**RDN**”)

AND:

CEDAR ROAD LFG INC., a corporation constituted under the laws of the Province of Alberta and extra-provincially registered under the laws of the Province of British Columbia

(“**Cedar Road**”)

RECITALS:

A. BCBN has the mandate of supporting the development and deployment of bioenergy and associated biorefining production, technology development and research in British Columbia and is actively engaged in encouraging and promoting the adoption of successful technologies and components of technologies for widespread adoption in bioenergy value streams (the “**BCBN Mandate**”).

B. RDN owns and operates a landfill located at 1105 Cedar Road, in the City of Nanaimo, British Columbia (the “**Landfill**”) and which is operated subject to a waste management plan approved by the Minister of Environment of the Province of British Columbia.

C. RDN Board’s strategic goals and actions for 2006 – 2009 regarding energy, climate change and solid waste include engaging in partnerships to support the development and implementation of innovative projects to access sustainable power supply sources, increase overall energy efficiency and explore opportunities that encourage, industry, municipalities and stakeholders to work together to develop a regional eco-industrial network to reduce waste and increase economic performance including but not limited to the development of an eco-industrial park adjacent to the Landfill.

D. Cedar Road is a bioenergy solutions company that has constructed a pilot and demonstration facility for the utilization of landfill gas (the “**Facility**”) at the Landfill which Facility has a long term

contract in place to utilize all of the methane gas available from the Landfill for conversion into clean energy for sale.

E. BCBN and Cedar Road entered into a Collaboration Agreement on March 31, 2009 (the "**Collaboration Agreement**") to, amongst other things, establish a collaborative development and demonstration centre ("**CDDC**") in and through which technology suppliers, small to medium sized municipalities in British Columbia each having population of between 50,000 and 250,000 residents ("**SMSMs**") and other stakeholders (collectively, the "**Stakeholders**") would be encouraged to participate in the CDDC to observe, test and demonstrate bioenergy technologies and solutions in order to identify best practices for sustainable and economically and environmentally viable projects for utilization of existing waste facilities or "greenfield" land fill sites of SMSMs (the "**Objective**").

F. The Facility has the capacity to facilitate the establishment of the CDDC, Cedar Road has obtained such rights and licenses required for the establishment and operation of the CDDC.

G. The Objective and the RDN Strategic Goal are aligned and BCBN and Cedar Road wish to invite RDN to participate as a founding member of the CDDC to collectively establish a network of Stakeholders, which will include the Parties, to collaboratively work together to pursue the advancement of the Objective (the "**CDDC Network**") and RDN wishes to so participate.

H. BCBN, RDN and Cedar Road (each a "**Party**" and collectively, the "**Parties**") wish to enter into this Agreement to set out the terms and conditions pursuant to which they will establish and facilitate the governance and operation of the CDDC and the CDDC Network to carry out such testing, evaluation and demonstration of technologies and processes by the CDDC Network at or in connection with the CDDC to advance the aims of the Objective (the "**Projects**").

NOW THEREFORE, in consideration of the premises and of the mutual covenants and obligations hereinafter set forth, and other good and valuable consideration, the receipt and sufficiency of which each Party hereby acknowledges, the Parties hereto agree as follows:

1. CDDC NETWORK

1.1 During the Term of this Agreement (as set out below), the Parties will endeavour, on a non-exclusive basis, to establish the CDDC Network by <*>, 2009 by inviting Stakeholders to collaboratively work together and with the Parties to pursue the aims of the Objective.

1.2 The CDDC Network will be governed and operated by the Advisory Board in accordance with the terms set out in Section 2 below. The Parties, as founding members of the CDDC Network will have an integral role in establishing the CDDC Network and facilitating the governance of the CDDC Network and accordingly agree that their respective involvement in the CDDC Network will at all times be in accordance with the responsibilities set out in Section 1.3 to 1.5, below.

1.3 In connection with BCBN's participation in the CDDC Network, BCBN will:

- (a) encourage and invite the Stakeholders to participate in the CDDC Network;
- (b) independently and/or through the CDDC Network, encourage utility distributors and regulators (including Terasen Gas, BC Hydro and Ministry of Environment for the Province of British Columbia) to adopt policies that facilitate bioenergy distribution opportunities and encourage sustainable green energy pricing mechanisms in British Columbia;

- (c) identify academic institutions or individuals in the academia in British Columbia with interest in and expertise related to technological issues or gaps identified by the Advisory Board (as defined below) and will encourage the involvement of such institutions or individuals in the CDDC Network;
- (d) prepare an annual report for the CDDC Network describing the Projects (as defined below) and the results of the Projects, including an assessment of the potential application of the Projects in British Columbia SMSMs (the “**Annual Report**”);
- (e) provide economic and environmental information collected by BCBN in connection with the Objective with RDN, Cedar Road and other Stakeholders to further the aims of the Objective and other undertakings of CDDC and will encourage SMSMs to do the same;
- (f) facilitate the creation of a website dedicated to the undertakings of the CDDC Network (the “**Website**”); and
- (g) at its discretion, recommend to the Advisory Board, and encourage other members of the CDDC Network to recommend potential Projects to the Advisory Board.

1.4 In connection with RDN’s participation in the CDDC Network, RDN will subject to section 2.4:

- (a) encourage and invite technology suppliers, SMSMs in British Columbia, and other stakeholders to participate in the CDDC Network;
- (b) encourage local government and governmental bodies to adopt policies that facilitate bioenergy distribution opportunities and encourage sustainable green energy pricing mechanisms in British Columbia;
- (c) assist BCBN in preparing the Annual Report by providing information and content for incorporation in the Annual Report;
- (d) provide economic, environmental and governance information collected by RDN and related to RDN’s Strategic Goal with BCBN, Cedar Road and other Stakeholders to further the aims of the Objective and other undertakings of CDDC and will encourage SMSMs to do the same;
- (e) provide information and content for incorporation in the Website; and
- (f) at its discretion, recommend potential Projects to the Advisory Board and encourage other members of the CDDC Network to recommend potential Projects to the Advisory Board.

1.5 In connection with Cedar Road’s participation in the CDDC Network, Cedar Road will:

- (a) at all times be an active participant in the CDDC Network and will in conjunction with BCBN seek to identify “best in class” technologies for application in municipal landfills of SMSMs with a view to identifying Projects which have the potential to further the Objective;

- (b) provide economic and environmental information collected by Cedar Road and related to the Objective and the undertakings at CDDC with BCBN, RDN and other Stakeholders to further the aims of the Objective and will encourage SMSMs to do the same;
- (c) Subject to Section 2.5, will, without compensation from BCBN or RDN, make the Facility available to the CDDC Network as and when needed to carry out the Projects;
- (d) provide the Advisory Board with all relevant material setting out the RDN Obligations (as defined below in 2.5(c)) to facilitate informed consideration of proposed activities at the CDDC;
- (e) at its discretion, recommend to the Advisory Board, and encourage other members of the CDDC Network to recommend potential Projects to the Advisory Board; and
- (f) carry out the functions of the project manager in respect of each Project in accordance with each applicable Project Plan (as defined below).

2. ADVISORY BOARD

2.1 The Parties will establish an advisory group comprised of representatives of the Parties and SMSMs (the “**Advisory Board**”) by <*>, 2009. The Advisory Board will create a “Terms of Reference” to guide the CDDC Network members’ activities and cooperation in respect of the undertakings of the CDDC Network including the composition, structure and activities of the Advisory Board and the CDDC Network, the duration of the existence of the CDDC Network, communications and public relations protocols and other such matters as deemed appropriate by the Advisory Board including the matters set out in Section 2.3, by <*>, 2009 (the “**Terms of Reference**”).

2.2 The Advisory Board will initially be comprised of five (5) representatives appointed as follows:

- (a) one representative appointed by BCBN;
- (b) one representative appointed by RDN;
- (c) one representative appointed by Cedar Road; and
- (d) two representatives of SMSMs, the initial appointees of which will be selected by the Parties.

2.3 The Advisory Board mandate is to and the Advisory Board will undertake such activities as set out in the Terms of Reference, which will include the following:

- (a) establish the activities and objectives of the CDDC Network, always having regard to responsibilities of the Parties as set out in Sections 1.3 to 1.5 above;
- (b) be primarily responsible for the review and approval of Projects;
- (c) select Projects pursuant to an open expression of interest project submission system and will undertake a contracting process based on criteria established by BCBN, which criteria will include whether funding for the Projects is obtained from Sustainable Development Technology Canada or the Province of British Columbia’s ICE Fund;

- (d) define the major value streams and subcomponents thereof to be supported by the CDDC and will thereby establish a framework for the collaborative Projects undertaken or to be undertaken at the CDDC;
- (e) approve plans implemented in respect of each Project (each a “**Project Plan**”) for posting on the Website;
- (f) meet on a periodic basis, no less frequently than on a quarterly basis, to review the activities undertaken at, or with respect to, the CDDC and will plan for future undertakings of the CDDC Network to advance the aims of the Objective;
- (g) establish a communications protocol for the Projects undertaken and the activities of the CDDC;
- (h) make recommendations to regulators or applicable ministries of the Government of British Columbia, which recommendations will be aimed at elimination of policy barriers, including regulations and procedures and development of those policies, regulations, and procedures that encourage bioenergy development in British Columbia;
- (i) develop and publish case studies from time to time to set out the performance and success of the Projects; and
- (j) hold or cause the members of the CDDC Network to hold periodic conferences and/or workshops (no less frequently than on an annual basis) to publicly describe the progress of the Projects and to identify other projects that advance the aims of the Objective, the first such conference to be held in Nanaimo, British Columbia.

2.4 With respect to any proposed Project, RDN may reject the carrying out of that Project at the CDDC if the Project:

- (a) results in or may reasonably be expected to result in a breach of RDN’s obligations under the Grant Agreement dated April 15, 2005 between RDN and the Federation of Canadian Municipalities or the Project and Transfer Agreement dated <*> between RDN and Green Municipal Corporation (the “**Governing Agreements**”);
- (b) is in conflict with the Solid Waste Management Plan of RDN; or
- (c) is in conflict with any enactment applicable to the RDN or the RDN’s use of the Landfill, including, without limitation, the zoning bylaw of the City of Nanaimo (individually or collectively, “**Enactment**”).

2.5 With respect to each proposed Project, Cedar Road may reject any Project that:

- (a) results in or may reasonably be expected to result in a breach of Cedar Road’s obligations under its energy purchase agreements with BC Hydro or any subsidiary or affiliate of BC Hydro or the applicable laws and regulations relating to production, distribution and sale of electricity (collectively, the “**Regulatory Obligations**”);
- (b) results in or may reasonably be expected to result in a breach of a term or condition of the loan agreements between Cedar Road and its debt holders, including BCBN (collectively, the “**Funding Agreements**”);

- (c) results in or may reasonably be expected to result in a breach of a term or condition of licenses granted to Cedar Road by RDN or agreements entered into between Cedar Road and RDN pursuant to which Cedar Road has obtained rights to operate the Facility (the “**RDN Obligations**”); or
- (d) has a material negative financial impact on Cedar Road, as determined by Cedar Road acting reasonably, and the Parties are not able to agree to a mutually acceptable outcome that mitigates against the material negative financial impact on Cedar Road.

2.6 The CDDC Network will hold periodic conferences (no less frequently than on an annual basis) to publicly describe the progress of the Projects and to identify other projects that advance the aims of the Objective, the first such conference to be held in Nanaimo, British Columbia.

3. REPRESENTATIONS, WARRANTIES, COVENANTS, AND ACKNOWLEDGEMENTS

3.1 BCBN hereby represents, warrants, covenants and acknowledges as follows:

- (a) it is duly incorporated or organized and validly existing under the laws of the Province of British Columbia;
- (b) it has the necessary power, capacity, right and authority to enter into and deliver this Agreement and to perform its obligations hereunder;
- (c) if the Advisory Board does not approve a Project proposed by Cedar Road for inclusion in the CDDC within forty-five (45) days following Cedar Road’s recommendation, Cedar Road may independently implement, develop or carry out the proposed Project, provided that in no event shall Cedar Road implement, develop or carry out the proposed Project (as defined in Recital H above) in a manner that would materially de-value the CDDC or undermine the Objective or cause a breach under the RDN Obligations or the Regulatory Obligations; and
- (d) as of the Effective Date, BCBN is not aware of any impending or threatened action that may restrict the ability of BCBN to establish the CDDC or carry out such activities generally contemplated in this Agreement.

3.2 RDN hereby represents, warrants, covenants and acknowledges, as applicable, as follows:

- (a) it is duly incorporated and organized and validly existing under the laws of the Province of British Columbia;
- (b) it has the necessary power, capacity, right and authority to enter into and deliver this Agreement and to perform its obligations hereunder;
- (c) subject Section 2.4, RDN will to the greatest extent possible facilitate the activities of the CDDC Network and carrying out of the Objective;
- (d) if the Advisory Board does not approve a Project proposed by Cedar Road for inclusion in the CDDC within forty-five (45) days following Cedar Road’s recommendation, Cedar Road may independently implement, develop and/or carry out the proposed Project, provided that in no event shall Cedar Road implement, develop or carry out the proposed Project in a manner that would materially de-value the CDDC or undermine the

Objective or cause a breach under the RDN Obligations or the Regulatory Obligations; and

- (e) as of the Effective Date, RDN has the right to use and operate the Landfill and is not aware of any impending or threatened action pursuant to any Enactment that may restrict the ability of Parties to establish the CDDC or carry out such activities generally contemplated in this Agreement.

3.3 Cedar Road hereby represents, warrants and covenants as applicable, as follows:

- (a) it is duly incorporated or organized and validly existing under the laws of the Province of Alberta and extra-provincially registered in the Province of British Columbia;
- (b) it has the necessary power, capacity, right and authority to enter into and deliver this Agreement and to perform its obligations hereunder;
- (c) it will forthwith provide BCBN and the Advisory board with any information related to any changes to, or addition of new, RDN Obligations (as defined in Section 2.5(c) above) or the Regulatory Obligations (as defined in Section 2.5(a) above); and
- (d) it is not in default under the RDN Obligations, Funding Agreements, or the Regulatory Obligations.

3.4 Notwithstanding any provision of this Agreement to the contrary, the Parties acknowledge and agree that:

- (a) Cedar Road, in its own capacity, participates in a marketing and promotional capacity within the "Suncurrent" group of companies (the "**Suncurrent Group**");
- (b) The Facility is understood to be the first of many "Waste to Energy" utilization facilities and Cedar Road fulfills a pilot, demonstration and training role to support the start up and growth of other new facilities within the Suncurrent Group;
- (c) Cedar Road may, in its own capacity and without reference to BCBN, RDN, or CDDC Network, unless the Parties otherwise agree, continue to participate in its marketing and promotional role within the Suncurrent Group; and
- (d) Nothing in this Agreement shall be interpreted as fettering or impairing a statutory power or discretion of the RDN.

4. INDEMNITY AND INSURANCE

4.1 Cedar Road will be liable for and will indemnify and hold BCBN, its employees, officers, director and agents harmless against any expense, loss or damage in connection with or arising out of the actions, omissions or negligence of Cedar Road.

4.2 Cedar Road agrees to indemnify BCBN for any liability or expense due to claims for personal injury or property damage arising out of the furnishing, performance or use of the Facility, as well as any claim for payment of compensation or salary asserted by an employee of Cedar Road.

4.3 Cedar Road will acquire and maintain during the Term of this Agreement:

- (a) Commercial General Liability Insurance to include minimum limits of \$2 Million on an occurrence form basis protecting BCBN from claims for personal injury (including bodily injury and death) and property damage which may arise from or in connection with the performance of hereunder or from or out of any negligent act or omission of Cedar Road, its officers, directors, agents, contractors or employees; and
- (b) Such other insurance coverage as may reasonably be required by the Advisory Board.

Cedar Road will furnish all certificates of insurance (or copies of policies, if required by BCBN) to BCBN upon request.

5. LIMITATION OF LIABILITY

5.1 In no event shall a Party be liable to any other Party for any indirect, incidental, special or consequential damages, including loss of profits, revenue, data, or use, incurred by a party or any third party, whether in contract, negligence, strict liability or other legal or equitable theory, in any way arising from a Party's performance or non-performance of this Agreement, even if the other Party or other Parties have been advised of the possibility of such damages.

5.2 In no event shall a Party be liable for any direct damages in any way arising from a Party's performance or non-performance and under this Agreement in excess of Five Hundred Thousand Dollars.

6. CONFIDENTIALITY

6.1 "**Confidential Information**" means all information and data, including, without limitation, all business, planning, performance, financial, product, trade secret, technical, sales, marketing, contractual, employee, supplier and customer information and data, disclosed orally, in writing or electronically by a Party (the "**Disclosing Party**") to the other (the "**Receiving Party**") hereunder and designated as confidential by the Disclosing Party. Confidential Information shall not include information which:

- (a) is generally known or in the public domain at the time of disclosure;
- (b) was in the Receiving Party's possession before receipt from the Disclosing Party;
- (c) though originally Confidential Information, subsequently becomes a matter of public knowledge through no fault of the Receiving Party, as of the date of its becoming part of the public knowledge;
- (d) is rightfully received by the Receiving Party without obligations of confidence from a third party who is free to disclose the information; or
- (e) is in the nature of information referred to in Section 1.2(e) and 1.3(b) of this Agreement.

6.2 The Receiving Party shall maintain the confidentiality of all Confidential Information disclosed to it and shall take all necessary precautions against unauthorized disclosure of the Confidential Information. The Receiving Party shall not directly or indirectly disclose, allow access to, transmit or transfer any Confidential Information to any third party without the prior written consent of the Disclosing Party, except that the Receiving Party may disclose Confidential Information to those employees, advisors and contractors who (i) have a need to know the information for the purposes of advising on any matter in connection with the transactions contemplated in this Agreement; (ii) have been informed of the Receiving Party's obligations hereunder; and (iii) have entered into a confidentiality or similar agreement

with the Receiving Party that contains or imposes confidentiality and restricted use obligations that are consistent with the terms and conditions of this Agreement.

6.3 Upon the request of the Disclosing Party, the Receiving Party shall immediately return to the Disclosing Party all materials, including all copies in whatever form, containing any Confidential Information which are in the Disclosing Party's possession or under its control.

6.4 Each Party acknowledges and agrees that monetary damages may not be an adequate remedy to compensate the Disclosing Party for any breach of the Receiving Party's obligations hereunder in respect of Confidential Information. Accordingly, any Party agrees that, in addition to any and all other remedies available to the Disclosing Party under this Agreement or at law or in equity, the Disclosing Party shall be entitled to seek injunctive relief against the breach, or threatened breach of the confidentiality provisions of this Agreement, and specific performance of its obligations hereunder. The injunctive relief contemplated hereunder is in addition to any other legal or equitable remedies available.

6.5 The Parties acknowledge that despite anything in this Agreement, the RDN is subject to the disclosure requirements of the *Freedom of Information and Protection of Privacy Act* (British Columbia), and its obligations under this Agreement shall at all times be subject to that Act.

7. INTELLECTUAL PROPERTY

7.1 As between BCBN and Cedar Road, Cedar Road shall own all right, title, and interest in and to all other materials, products and deliverables developed or prepared for the CDDC and the CDDC Network ("**Work Product**"). BCBN hereby assigns all copyrights and other intellectual property rights, including economic and moral rights in the Work Product, without any remuneration in excess of the consideration set forth in this Agreement. Cedar Road agrees to provide BCBN with an irrevocable, perpetual, non-transferable, royalty-free, world-wide and non-exclusive license to use and distribute the Work Product to further the BCBN Mandate. Nothing in this Agreement shall be construed as an assignment of an intellectual property right of BCBN which pre-existed the date of this Agreement.

7.2 BCBN shall, at its own expense, execute, acknowledge and deliver, or cause its partners, officers, directors, employees, agents or contractors to execute, acknowledge and deliver any and all assignments, contracts or other instruments, including waivers of moral rights, to Cedar Road that may reasonably be required in order to vest all of the rights granted or to be granted to Cedar Road in the Work Product.

8. PUBLIC RELATIONS

8.1 Unless otherwise agreed by the Parties, after the execution of this letter:

- (a) The Parties will issue a press release with respect to the CDDC and the CDDC Network which press release shall be generally in the form set out in Schedule "A", provided however that the form of the press release may be modified by BCBN acting reasonably, based upon amendments recommended by the government of British Columbia.
- (b) BCBN may erect signage at the Facility titled "BC Bioenergy Network CDDC" or a similar name as determined by BCBN, and thereon include references to the CDDC and the CDDC Network, as well as the involvement of BCBN and the Regional District of Nanaimo.

- (c) The Parties may publicize their engagement in the CDDC and the activities of the CDDC on their respective websites, including without limitation, to include photographs of the CDDC and the Facility.

8.2 Except as set out in this paragraph 8, or as may be required by law, no public announcement or press release concerning the CDDC may be made by a Party without the prior written consent of the other Parties.

9. NOTICE

9.1 All communications and notices required or permitted to be given under this Agreement, will be given in writing and personally delivered, mailed (postage prepaid), or emailed in pdf. file format attached to email at its address as follows:

BC Bioenergy Network Association

1501 – 700 West Pender Street
Vancouver, B.C., Canada, V6C 1G8
Attention: Michael Weedon, Executive Director
Email: Michael.weedon@bcbioenergy.ca

Regional District of Nanaimo

Transportation & Solid Waste Services
6300 Hammond Bay Road
Nanaimo, British Columbia, V9T 6N2
Attention: Carey McIver
Email: clmciver@rdn.bc.ca

Cedar Road LFG Inc.

106 – 360 Selby Street
Nanaimo, British Columbia, V9R 2R5
Attention: Paul Liddy
Email: pliddy@suncurrent.ca

A Party may change its address for service by notice delivered to the other Parties as set out above.

10. TERM AND TERMINATION

10.1 The term of this Agreement will commence on the Effective Date and end five (5) years thereafter (the “**Initial Term**”) provided that the Initial Term will renew automatically for successive annual terms (each a “**Renewal Term**”) (the Initial term and all Renewal Terms, herein referred to as the “**Term**”), provided that a Party provides written notice to the other Parties, no less than ninety (90) days prior to the expiry of the Initial Term or the then current Renewal Term, of such Party’s intention not to renew this Agreement.

10.2 A Party may terminate this Agreement for cause provided that any material breach of this Agreement by the Party in breach remains uncured ninety (90) days following written notice thereof from the non-breaching Party to the breaching Party.

11. GENERAL PROVISIONS

11.1 This Agreement will be governed by and construed in accordance with the laws of British Columbia and the applicable laws of Canada. The Parties attorn to the jurisdiction of the courts in the Province of British Columbia.

11.2 This Agreement will, when duly executed supersede and replace all other existing agreements between the Parties with respect to the subject matter of this Agreement.

11.3 This Agreement may be executed in several counterparts and delivered by original or electronic means producing a printed copy, each of which shall be deemed to be an original and all of which together shall be deemed to constitute one and the same instrument.

11.4 This Agreement may not be amended, supplemented, restated or altered except by written instrument signed by the Parties. No indulgence or forbearance by a Party in respect of the matters set out in this Agreement will be deemed to constitute a waiver of the Parties rights. Any waiver of a Party's rights, in order to be binding upon a Party, must be expressed in writing and signed by such Party and then such waiver will only be effective in the specific instance and for the specific purpose for which it is given. Any costs, charges or expenses incurred by a Party in preparation for, in consequence of or as a result of this Agreement or the Parties' meetings and communications or any work done hereunder are to the sole account of the Party incurring same, unless otherwise agreed in writing.

11.5 This Agreement does not represent, and in no way implies a partnership, joint venture or other commercial relationship between the Parties, an authorization for a Party to act as the agent or representative of the other, or an encouragement to a Party to expend funds or other resources in the development of Projects.

11.6 Nothing contained in this Agreement shall be construed as prohibiting a Party from entering into a business arrangement with any other third party, whether or not such third party is in a similar line of business to the other Parties to this Agreement.

11.7 No Party may assign this Agreement without the consent of the other Parties, such consent may not be unreasonably withheld.

11.8 The terms of this Agreement will be binding upon, and enure to the benefit of the Parties and their respective successors and permitted assigns.

11.9 This Agreement constitutes the entire agreement between the Parties with respect to its subject matter and supersedes and replaces all previous agreements, negotiations, discussions, representations and warranties between the Parties with respect to its subject matter.

IN WITNESS WHEREOF the Parties have executed this Agreement as of the day and year first above written.

BC BIOENERGY NETWORK ASSOCIATION

Per: _____

Name: Michael Weedon
Title: Executive Director

REGIONAL DISTRICT OF NANAIMO

Per: _____

Carol Mason
Title: Chief Administrative Officer

Per: _____

Maureen Pearce
Title: Senior Manager
Corporate Administration

CEDAR ROAD LFG INC.

Per: _____

Name: Paul Liddy
Title: Managing Director

SCHEDULE "A"
FORM OF PRESS RELEASE

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE DISTRICT 69 RECREATION COMMISSION REGULAR
MEETING HELD ON THURSDAY, JUNE 25, 2009
AT OCEANSIDE PLACE
2:00PM

Attendance: Frank Van Eynde, Electoral Area 'F', Chairperson
Lou Biggemann, Director, RDN Board (Alternate)
Patty Biro, Electoral Area 'H'
Jack Wilson, Councillor, Town of Qualicum Beach
Reg Nosworthy, Electoral Area 'F'
Teresa Patterson, Councillor, City of Parksville

Staff: Tom Osborne, General Manager of Recreation and Parks
Dean Banman, Manager of Recreation Services
Dan Porteous, Superintendent of Arenas and Southern Recreation Services
Sandra Pearson, Superintendent of Aquatics and Northern Recreation Services
Mike Chestnut, Superintendent of Facility Operations
Jennifer Browett, Recreation Programmer
Marilynn Newsted, Recording Secretary

Regrets: Dave Bartram, Director RDN Board
Eve Flynn, Trustee, School District #69

CALL TO ORDER

Chair Van Eynde called the meeting to order at 2:02pm.

Chair Van Eynde introduced and welcomed Dean Banman, Manager of Recreation Services, to the Commission.

MINUTES

MOVED Commissioner Biggemann, SECONDED Commissioner Nosworthy, that the Minutes of the District 69 Recreation Commission meeting held May 21, 2009, be approved.

CARRIED

MOVED Commissioner Nosworthy, SECONDED Commissioner Biro, that the Minutes of the District 69 Recreation Commission Fees and Charges Committee meeting held June 17, 2009, be approved.

CARRIED

COMMUNICATION/CORRESPONDENCE

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

- D. Porteous to Arrowsmith Community Enhancement Society, Re: Area 'F' Recreation Services Agreement Funding.

- E. Flynn, Ballenas Dry Grad Committee, Re: Grant Thank You and Appreciation For Use Of Facility.
- T. Osborne to Western Economic Diversification Canada – BC. Re: Recreation Infrastructure Canada Funding Application – Ravensong Aquatic Centre – Repairs and Improvements.

CARRIED

FUNCTION REPORTS

Oceanside Place

Mr. Porteous presented the monthly update for Oceanside Place highlighting the following items:

- Two annual dry floor events were held in the facility during May, the Home Show and Ballenas Secondary School Dry Grad.
- The first ever, Senior Lacrosse Game was held at Oceanside Place. The event was well received by the public and staff will investigate the possibility of accommodating the event during the dry floor season in future years.
- The shrubbery beds in front of Oceanside Place have been grassed over and the curbing, which was damaged during snow removal in the winter, has been repaired.
- *The Get To Know Community Social* held May 28 at Oceanside Place was quite successful with 38 tables booked for the event. Those who attended enjoyed the event and were able to find out about many products and services available in the Community. Staff will review the event for next year and build upon the success of this year's program.

Ravensong Aquatic Centre

Ms. Pearson presented the monthly update for the Ravensong Aquatic Centre and the Recreation Coordinating Function highlighting the following items:

- Program staff have been very busy wrapping up the spring programs and also getting ready for the summer programs, with the hiring and training of new staff.
- Planning for the Fall/Winter Active Living Guide is well under way.
- A Triathlon Training Program was offered at Ravensong which was very successful.
- The programmer responsible for Inclusion has been very busy preparing for the summer camps, contacting parents/guardians about their children to ensure the summer is a safe and memorable event for everyone.
- The Department has entered into the second year in their agreement with Thrifty Foods -- Nutrition for Youth program. The first event this summer will be *Young Chefs On The Run*.
- The Department has received a Healthy Food and Beverage Grant, which will have an impact on our vending machines, concession, birthday parties and programs.
- Recreation Programmer, Tracy Stuart, has resigned as her family will be moving to Williams Lake.
- The shrubbery has been pruned, the display beds cleaned and bark mulch has been applied at Ravensong Aquatic Centre.

Commissioner Nosworthy requested staff include in a statistical report that will provide a further breakdown of the categories to show the actual percentage of the available pool/arena time that each user group uses.

Mr. Osborne noted the information could be provided at the fall meeting and could include where the user group is situated, as far as time allotment and the type of user.

Regional Parks and Trails and Community Parks

Mr. Osborne presented the monthly update for the Regional Parks and Trails and Community Parks (EA 'E' – 'H') highlighting the following items:

- Elaine McCulloch, Park Planner, will be leaving in two weeks on maternity leave.
- Lesya Fesiak has been hired as a PFT Community Park Planner until Ms. McCulloch returns, at which time she will become the Regional Park Planner.
- Graham Gidden has been hired as the TFT Regional Park Planner to cover Ms. McCulloch's maternity leave. Ms. McCulloch will resume the role as Community Park Planner on her return.
- The stairs have been replaced and hazard trees removed in Brickyard Community Park.
- A new community park bench will be installed in Harris Road Community Park in Area 'F'.
- ATV use in electoral areas continues to be a problem, especially in Area 'G'. In that regard the Regional Board adopted a resolution at their last meeting requesting the UBCM work with the Province on the licensing of off road use vehicles, such as ATV's and motor bikes.
- A 200 foot boardwalk has been installed in the Deep Bay Community Park in Area 'H'.
- Solar panels have been installed on the caretaker's house in Horne Lake Regional Park to augment the generator on site.
- Numerous fires have been set in the south end of the District, including four fires which occurred last Tuesday in the Nanaimo River Regional Park and a larger fire on Island Timberlands property last week. It is believed the fires are being set by an arsonist. The Regional District is working with the Coastal Fire Centre and the private forestry companies on messages to the Community about the dangers of fire and to be aware of the probability of an arsonist and that they remain vigilant and report any suspicious activity to the proper authorities.

MOVED Commissioner Wilson. SECONDED Commissioner Biro, that the Reports be received.
CARRIED

NEW BUSINESS

Ravensong Aquatic Centre – Repair and Expansion Update

Mr. Osborne reported two grant applications have been submitted to assist with the cost of the project. The Phase I Report should be received shortly, from the consulting team. Early indications suggest the costs will be \$4 million dollars or higher as anticipated. Should the report show that more work is required than originally identified, the project will continue and the repairs will be completed, however, the financing of the project may need to change, as required. Mr. Osborne stated a full report will be presented at the fall Commission meeting.

Mr. Osborne noted if grant funding is not received, there is potential for interim funding through the Regional District reserves to cover the cost of the repairs.

Mr. Osborne reported a Ravensong Aquatic Centre Facility Expansion Study Staff/Stakeholder Workshop was held June 24, at the Qualicum Beach Civic Centre. Two meetings were held, one in the morning to meet with Regional District Aquatic Centre staff and the afternoon meeting

included users of the facility, municipal staff, Commission members and patrons. Participants were requested to give their options on what areas of the aquatic centre are working and if an expansion were to take place which areas would they like to see improved.

A broad range of ideas were received. Many of the suggested improvements already had been anticipated by staff. Mr. Osborne stated it was made clear to the participants the workshop was an exploration exercise only, so that a determination could be made of what an expanded facility might look like and what it would cost to construct. This information would then be available when the economic climate improves and when the Commission and the Board determine the correct time for the expansion to take place.

Mr. Osborne stated the architect will prepare a report with the information received in the fall, which will then be presented to the same groups for follow up.

2010 Torch Relay

Mr. Porteous reported the 2010 Torch Relay will be in the Regional District for three days, beginning in Electoral Area 'A' (Cedar area) through to Nanaimo, then Nanoose Bay through to Parksville through to Coombs/Hilliers in Area 'F' and over to the West Coast, then finally back to Qualicum Beach through to Qualicum First Nations and Bowser in Area 'H'. All areas now have representation on the regional committee. The main focus of the committee is coordinating key promotional information, supporting the Rural Community committees with planning, and encouraging residents in all communities to be present and support the event when it occurs.

Youth Recreation Plan – District 69 Recreation Coordination

Ms. Pearson stated in January a consultant was attained to determine if the Department was on the right track with regard to youth services or if a review was required. She noted that there have been many successes with youth services over the years but that staff wanted to touch base with the Community and youth to determine if a review was required.

Youth Programmer, Jennifer Browett presented an overview of the process involved in the preparation of the Youth Recreation Plan. She noted staff initiated an internal review of the history, changes and successes of youth services back to the mid 1990's. With the information gained and the help of the consultant, a discussion paper was developed which covered the history, the rationale of creating a new plan, the purpose of the new plan and the process for creating the new plan.

The discussion paper was given to all RDN Recreation and Parks staff and also to a number of agencies, who are involved with the Regional District through Youth Link, for their input. Two focus group meetings were then held, one with programming staff and the second with the Youth Link Committee and also a few youth. With the information received from the two focus groups and written surveys, it was concluded that a new youth services plan was needed. It was strongly communicated that youth should play a role in developing the plan and that it include, a clear definition of what youth recreation is, have a focus on recreation services, contain ways the Regional District could work collaboratively with community organizations, have the capacity to implement the plan, strengthen connections between the Regional District, youth, the community and inter-generationally and include creativity.

Ms. Browett stated the project will be accomplished in three phases. A youth research team to work with other agencies, communities and youth, will be established to assist with the research and the development of the plan.

MOVED Commissioner Patterson, SECONDED Commissioner Wilson, that the Youth Services Review: January – May 2009 report, be received as information.

CARRIED

MOVED Commissioner Patterson, SECONDED Commissioner Wilson, that the recommendations from the Youth Services Review Report for the design and development of a new youth recreation services plan for District 69 be approved and that \$10,000 be allocated in fiscal years 2009 and 2010 in the District 69 Recreation Coordination budget for consulting services to undertake the plan to commence in the fall of 2009 and conclude spring 2010.

CARRIED

District 69 Recreation Services Fees and Charges 2009/10

Ms. Pearson presented a summary of the District 69 Recreation Services Fees and Charges Report with regard to the fees and charges at, Occanside Place and the Ravensong Aquatic Centre and program fees for the Recreation Coordinating Function. Ms. Pearson noted as part of the annual review process a survey of rates of other mid Island recreation departments was initiated. Those findings and suggested staff changes, as a result of numerous issues which have arisen in the Department over the past couple of years, were taken into consideration in the recommendations in the report.

Ms. Pearson noted the implementation of new fees and charges review timelines and the alignment of the admission fees at both facilities will be a benefit to both the customers and staff alike. With the alignment of admission rates, participants may now purchase a pass which may be used at either facility, making participating more affordable for the public and increase admission numbers at the facilities. If approved, plans to introduce a new swipe card system will be implemented. The swipe card system will allow for the collection of statistical data such as tracking in which area of the District users live and other pertinent information which was previously unavailable.

Ms. Pearson stated it is proposed that the adult and senior Aquafit admission fees be eliminated, as upon review with other facilities on the Island, the Regional District was the only community charging an addition fee for Aquafit sessions.

Ms. Pearson reported the special rate for swim/skate sessions, for example Toonie Swim/Skate sessions, will now be included in the annual fees and charges review. In addition, a number of changes have been made to the admission fee categories, with establishment of a new category for children two years and under (Tot), a minor adjust to the age range of the child and youth categories and the adult/senior categories. A new category for participants 85 years and older (Golden) has also been established.

Ms. Pearson stated the percentages with regard to programming of summer contract and holiday camps will be realigned at a 100% cost recovery for both and that the cost recovery for youth programs will be reduced from 100% to 75%. In addition, it is also recommended that the annual percentage increase for recreation programs be increased from 2% to 3%, as of September 1, 2009, and that a higher percentage may be applied if warranted dependent upon additional increases in direct program costs.

And lastly, Ms. Pearson stated the revenue-sharing percentage be adjusted to reflect a 70%/30% split to recognize the amount of advertising and promotional work done by staff when developing programs along with increased overhead costs.

Commissioner Van Eynde complimented the Fees and Charges Committee and staff on the amount of work and the common sense approach that went into the development of the Fees and Charges Report.

Commissioner Nosworthy noted Table 3 and Appendix A of the report should be corrected to read Child/Student rather than Child/Youth.

MOVED Commissioner Wilson, SECONDED Commission Biro, that the new Fees and Charges category titled Golden in Appendices A and B for participants 85 years and older be changed to 80 years and older.

CARRIED

MOVED Commissioner Biro, SECONDED Commissioner Nosworthy, that the 2009/10 program, admission and rental fees for Oceanside Place be approved as highlighted in the report and outlined in Appendix A, as amended.

CARRIED

MOVED Commissioner Biro, SECONDED Commissioner Nosworthy, that the 2009/10 program, admission and rental fees for Ravensong Aquatic Centre as be approved as highlighted in the report and outlined in Appendix B, as amended.

CARRIED

MOVED Commissioner Biro, SECONDED Commissioner Nosworthy, that the 2009/10 Recreation Coordinating program fees and recovery rates, administration fee, and revenue-sharing percentage ratio for Term Instructor (Companies) agreements be approved as highlighted in the report and outlined in Appendix C.

CARRIED

District 69 Track and Field Study

Mr. Porteous introduced Mr. Bob Yates from the consultant team, Yates, Thorne and Associates Inc., to give an overview of the process and the recommendations brought forward in the District 69 Track and Field Study.

The process was comprehensive including user surveys around the Province and Island, advice on costing, public meetings and focus groups. Initially, a draft plan was presented to the public and the District 69 Commission. Due to concerns regarding the Ballenas site and lack of information regarding potential sites for an outdoor sports complex, the Regional Board approved an extension to the project for further exploration of potential sites for an outdoor sports complex. The four options were, one, upgrade the current Ballenas Secondary School Track and Field Facility; two, rebuild the secondary school track as a training track; three, replace the existing track at Ballenas Secondary School; and four, build a new track at a new outdoor sports complex.

Two options were ultimately recommended, one, find a short term solution to the lack of/or inadequate quality of a track and field facility and the second, create a long term approach for a track and field facility through a larger outdoor sports complex as indicated in the 2006 Recreation Services Master Plan.

Mr. Porteous noted there is no funding at the present time to proceed with a track and field facility, however, the work done so far does provide significant information for use as a research document. He also added that staff did not concur with the complete upgrade proposed by the

consultant in option one at the Ballenas site. Staff did recommend that any future plans to upgrade the Ballenas site could be completed for much less than proposed as an asphalt track would not be required.

Mr. Porteous also noted the School District had approved similar recommendations from senior staff regarding the Track and Field Facility Feasibility Study at the last Board meeting two days prior. Although the School District also has no funds available, it would support upgrades to the Ballenas site and support the Regional District in exploring an outdoor sports complex, but could not be directly involved in such a project if option four was approved through the Regional District. If option one were approved through the Regional District Phase III funding through the School Community Connections Program would be still be considered.

MOVED T. Patterson, SECONDED P. Biro, that the District 69 Track and Field Facility Feasibility Study be approved as a resource document for the planning and development of track and field facility in District 69.

CARRIED

MOVED T. Patterson, SECONDED P. Biro, that Regional District staff continue to work with School District 69, City of Parksville, Town of Qualicum Beach, Oceanside Track and Field Club and the District 69 Sports Association to further explore the options identified in the District 69 Track and Field Facility Feasibility Study.

CARRIED

COMMISSIONER ROUNDTABLE

Commissioner Wilson noted he is recommending to Qualicum Beach Commission that a field house be constructed at the Community Parks.

Commissioner Biro presented her letter of resignation from the District 69 Recreation Commission due to time constraints related to work and family. She noted her youngest son had just been named to the Canadian Junior National Baseball team and she would be travelling to many of his games. Commissioner Biro stated she would be willing to sit as an alternate Commissioner should Commission consider instituting alternates for the electoral areas on the Commission.

MOVED Commissioner Biro, SECONDED Commissioner Nosworthy, that the Regional Board appoint an alternative for each member of the Commission as provided in Bylaw No. 935.

CARRIED

ADJOURNMENT

MOVED Commissioner Wilson, SECONDED Commissioner Nosworthy, that the meeting be adjourned at 3:37pm.

CARRIED

IN CAMERA

MOVED Commissioner Wilson. SECONDED Commissioner Nosworthy, that pursuant to Section (90) (1) (e) of the Community Charter the Commission proceed to an In Camera meeting to consider land issues.

CARRIED

Frank Van Eynde, Chair

- There is an expectation that youth will play a key role in not only providing input into the plan but also in implementing a process for the development of a new plan.
- There is a need to clarify/define key concepts such as ‘youth’ and ‘recreation’.
- There doesn’t appear to be an expectation that the plan look beyond recreation.
- There is a need to look at the ways in which the RDN can be supporting and working more collaboratively with community organizations.
- The notion of capacity emerged as a theme:
 - Acknowledging and valuing the capacity that exists. There is not only support for a new plan there is also a great deal of enthusiasm and willingness on the part of staff and community agencies to get involved, help out and support the RDN’s efforts
 - Ensuring capacity to carry out and implement the plan
 - Building knowledge and capacity by looking at what other communities have done
- The notion of connections emerged as a theme:
 - Connections with youth, within the community, between the RDN and community, inter-generational, with diverse groups and within current contexts (i.e. services already being delivered, RDN current vision, master plan etc.)
- The notion of creativity emerged as a theme:
 - The importance of and need for enhanced arts programs for youth
 - Exploring creative ways to engage with youth either through the arts and/or through technology

These two meetings provided valuable feedback on the rationale for a new plan, the proposed purpose, objectives and process for a new plan.

Recommendations:

The following recommendations incorporate feedback from those who participated in consultations during this phase of the project.

1. That the RDN move forward with the youth services review and development of a new Youth Plan for the period 2010 to 2015.
2. That the purpose of the plan be to:
 - a) review the current youth services delivery system;
 - b) define the vision, mission, values and guiding principles for RDN youth recreation services;
 - c) clarify the definition of recreation and youth;
 - d) assess and ensure that the RDN has the capacity to accomplish the objectives of the new plan;
 - e) clarify the role of the RDN with community based organizations and identify opportunities for partnerships and increased collaboration in the delivery of youth recreation services;
 - f) actively engage youth not only in providing input into the plan but in creating and implementing a process for the development of the new plan and in ongoing operations;
 - g) engage with diverse groups in the community (cultural, socio-economic, adults, seniors, youth and diverse groups of youth) in order to develop inclusive and accessible youth recreation services;

- h) identify key issues in the delivery of youth recreation services and formulate strategies to address these issues; and
- i) develop a new Youth Recreation Services Plan that will set the direction for the Regional District of Nanaimo youth recreation services from 2010 to 2015, with budget implications and timelines.

3. That the process for completion of the plan be as follows:

Phase One: Get started, review services, and profile the community

- Develop Terms of Reference
- Establish project steering committee
- Review and assess the current delivery system
- Research community demographics
- Complete an inventory of community agencies and community 'assets' related to youth recreation services
- Conduct research on best practices from other communities
- Develop data collection tools (surveys, interview questions, focus group formats)
- Develop a strategy for monitoring and evaluating the effectiveness of the Youth Plan

Phase Two: Gather Information/Consult/Research

- Internal Interviews/Survey
- Community Agency Interviews/Survey
- Youth Interviews/Surveys/Focus Groups
- Consultation with current youth recreation services users and non-users
- Parent/Community Member input

Phase Three: Develop the Youth Recreation Services Plan

- Prepare draft report
- Draft report reviewed by youth, agencies, community members, staff
- Prepare final report
- Present to District 69 Recreation Commission

4. That a youth research team is established in order to ensure youth engagement and ownership of the entire process. The research team, with key community agency representatives from organizations that provide youth recreation services could form the Steering Committee.
5. That the youth research team is adequately resourced including staff time, honorariums for youth researchers and funding for miscellaneous expenses (food and transportation).
6. That feedback received to date and documented in the Consultation Feedback documents (Appendix C and D) are referred to and considered during the process of completing the plan.
7. That the Youth Plan be fully integrated and congruent with current efforts in the community and directions within the Regional District of Nanaimo.

The Summary Report, submitted by Teri Derksen, titled "Youth Services Review: January – May 2009", is attached as Appendix I.

ALTERNATIVES

1. That the Youth Services review report be received as information and a new Youth Recreation Services Plan for District 69 be developed commencing September 2009.
2. That the Youth Services review report be received as information and alternative direction be provided.

FINANCIAL IMPLICATIONS

The work for phases 1-3, outlined above, will involve considerable research and consultation within the community and with youth. It is recommended that an external consultant be hired to complete the plan as it is beyond the scope and time available within the recreation programmer's duties. It is estimated that the project and consultation will be in the range of \$20,000. The 2009 operations budget for District 69 Recreation Coordinating has sufficient funds available to fund \$10,000 of the project starting in fall of 2009 and the remaining \$10,000 to be funded in 2010.

SUSTAINABILITY IMPLICATIONS

The most current plan for RDN Youth Recreation was created in 2000, nearly ten years ago. Due to the substantial changes within the Department and within the community, it is time for a full review, new vision and plan to ensure the RDN youth services delivery is effective, relevant, and sustainable. In some areas the RDN is offering programs that are well received by the youth population, but it is unknown if the Department is meeting the needs of the majority of District 69 youth. A new plan will provide a new vision, mission, values, and guiding principles for engaging youth and service delivery. A new plan will also address the capacity of the Department to accomplish the objectives, clarify our role, and set a new path for working collaboratively with community partners. It will provide a vision and direction, working with youth, to ensure relevancy and long term sustainability. Lastly the new plan will provide sustainability for the RDN from 2010 to 2015 with budget implications and timelines.

CONCLUSION

In the Fall of 2008, the Department determined that an internal review of its youth services was needed in order to review its successes and challenges, determine what has been accomplished over the last nine years, and more importantly determine the steps required to create a new vision and plan for the future.

Once the internal review was completed by staff, a youth services consultant was hired to provide an external perspective, and then work collaboratively with staff in determining the purpose and process for creating a new plan. The team created a draft history, purpose and objectives, and process for the development of a plan, and then consulted with RDN staff and community to get their input and feedback. This was a helpful and positive step as it confirmed that there was interest in developing a new recreation plan for youth, new definitions are needed, the Department can be working more closely in partnerships, and identified the themes of connections, capacity and creativity. The groups reviewed the history, purpose and process and provided feedback leading to several recommendations for creating a new plan. Lastly, a capital budget amount is requested for inclusion within the 2010 budget, with the majority of work to start in 2010.

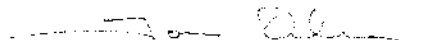
In conclusion, the Department is providing youth recreation services but without a vision, direction or plan for this delivery. The RDN needs to initiate a community and youth consultation process to determine how it will respond to community need and provide services, while recognizing the need for relevancy with the youth population and the role and the capacity of the Department to provide the

service. Engaging youth in the development of the plan is a high priority. This plan will provide a five year vision and strategic plan to provide direction to staff overseeing youth services.

RECOMMENDATION

1. That the "Youth Services Review: January – May 2009" report, be received as information.
2. That the recommendations from the Youth Services Review Report for the design and development of a new youth recreation services plan for District 69 be approved and that \$10,000 be allocated in fiscal years 2009 and 2010 in the District 69 Recreation Coordination budget for consulting services to undertake the plan to commence in the fall of 2009 and conclude spring 2010.

Report Writer



General Manager Concurrence



CAO Concurrence

Appendix 1

Regional District of Nanaimo

Youth Services Review: January – May 2009

Designing a process for the development of a new Youth Plan

Summary Report

Submitted to: Sandra Pearson, Superintendent of Aquatics and Northern Recreation Services
Jen Browett, Youth Recreation Programmer

Submitted by: Teri Derksen

Date: May 15, 2009

Introduction

This report summarizes a review of Regional District of Nanaimo (RDN) youth recreation services that took place between January and May 2009. The purpose of this review was to design a process for the development of a new Youth Plan. A key objective of the project team, which was made up of Sandra Pearson, Jen Browett and Teri Derksen, was to consult with RDN staff and community organization representatives in order to initiate dialogue on the project. A Discussion Paper and questionnaire were developed (see Appendix A) and distributed to RDN staff and community organizations. In addition, two consultation meetings were held, one with staff and one with community agency representatives. This paper summarizes the activities carried out during this five month period, highlights key findings from consultations and articulates recommendations for next steps. In addition, the appendices include key documents produced during this review.

Summary of Activities

Discussion Paper and Questionnaire

The Discussion Paper (see Appendix A) summarized the history of RDN youth recreation services and outlined a proposed purpose and process for the development of a new Youth Plan. It also included a questionnaire. The paper, questionnaire and an invitation to attend a consultation meeting were distributed to # programming and administrative staff and # community agencies. Seven staff and two community agency representatives returned completed questionnaires. Feedback from these questionnaires is included in the consultation feedback documents (Appendix C and D).

Consultation Meetings

Consultation meetings were held with staff and community agency representatives (See Appendix B for agendas). The meetings, which were two hours in length, were designed to engage people in the project and elicit feedback on the history of youth services, the rationale, purpose and the process for the development of a new plan. Nine community agency representatives, including three youth, attended the community meeting and six staff attended the staff meeting. Meetings were facilitated by Jen Browett and Teri Derksen. All of the feedback from the consultation meetings can be found in Appendix C and D.

Key Findings

The following key findings emerged from consultation meetings and questionnaires:

- There is clearly consensus within RDN staff and the community with regards to the need for a new youth plan including the need for a clear vision and mandate for youth recreation services.
- There is an expectation that youth will play a key role in not only providing input into the plan but also in implementing a process for the development of a new plan.
- There is a need to clarify/define key concepts like 'youth' and 'recreation'.
- There doesn't appear to be an expectation that the plan look beyond recreation.

- There is a need to look at the ways in which the RDN can be supporting and working more collaboratively with community organizations.
- The notion of capacity emerged as a theme:
 - Acknowledging and valuing the capacity that exists. There is not only support for a new plan there is also a great deal of enthusiasm and willingness on the part of staff and community agencies to get involved, help out and support the RDN's efforts.
 - Ensuring capacity to carry out and implement the plan
 - Building knowledge and capacity by looking at what other communities have done
- The notion of connections emerged as a theme:
 - Connections with youth, within the community, between the RDN and community, inter-generational, with diverse groups and within current contexts (i.e. services already being delivered, RDN current vision, master plan etc.).
- The notion of creativity emerged as a theme:
 - The importance of and need for enhanced arts programs for youth
 - Exploring creative ways to engage with youth either through the arts and/or through technology

Recommendations

The following recommendations draw on feedback received from Regional District of Nanaimo staff and community agency representatives that participated in consultations during this phase of the project.

1. That the RDN move forward with the youth services review and development of a new Youth Plan for the period 2010 to 2015.
2. That the purpose of the plan be to:
 - a) review the current youth services delivery system;
 - b) define the vision, mission, values and guiding principles for RDN youth recreation services;
 - c) clarify the definition of recreation and youth;
 - d) assess and ensure that the RDN has the capacity to accomplish the objectives of the new plan;
 - e) clarify the role of the RDN with community based organizations and identify opportunities for partnerships and increased collaboration in the delivery of youth recreation services;
 - f) actively engage youth not only in providing input into the plan but in creating and implementing a process for the development of the new plan and in ongoing operations;
 - g) engage with diverse groups in the community (cultural, socio-economic, adults, seniors, youth and diverse groups of youth) in order to develop inclusive and accessible youth recreation services;
 - h) identify key issues in the delivery of youth recreation services and formulate strategies to address these issues; and
 - i) develop a new Youth Recreation Services Plan that will set the direction for Regional District of Nanaimo youth recreation services from 2010 to 2015, with budget implications and timelines.

3. That the process for completion of the plan be as follows:

Phase One: Get started, review services, and profile the community

- Develop Terms of reference
- Establish project steering committee
- Review and assess the current delivery system
- Research community demographics
- Complete an inventory of community agencies and community 'assets' related to youth recreation services
- Conduct research on best practices from other communities
- Develop data collection tools (surveys, interview questions, focus group formats)
- Develop a strategy for monitoring and evaluating the effectiveness of the Youth Plan

Phase Two: Gather Information / Consult / Research

- Internal Interviews/Survey
- Community Agency Interviews/Survey
- Youth Interviews/Surveys/Focus Groups
- Consultation with current youth recreation services users and non-users
- Parent/Community Member input

Phase Three: Develop the Youth Recreation Services Plan

- Prepare Draft Report
- Draft report reviewed by youth, agencies, community members, staff
- Prepare Final Report
- Present to District 69 Recreation Commission and Board?

4. That a youth research team is established in order to ensure youth engagement and ownership of the entire process. The research team, with key community agency representatives from organizations that provide youth recreation services could form the Steering Committee.
5. That the youth research team is adequately resourced including staff time, honorariums for youth researchers and funding for miscellaneous expenses (food and transportation).
6. That feedback received to date and documented in the Consultation Feedback documents (Appendix C and D) are referred to and considered during the process of completing the plan.
7. That the Youth Plan be fully integrated and congruent with current efforts in the community and directions within the Regional District of Nanaimo.

APPENDIX A



Discussion Paper and Questions for a Proposed Youth Recreation Services Plan 2010 – 2015

A. Purpose of this Discussion Paper

The purpose of this paper is to engage Regional District of Nanaimo (RDN) Recreation and Parks staff and community agency representatives in discussions centered on; the need for a review of youth recreation services and the development of a new youth recreation services plan. This paper provides; some history, articulates the rationale for a review and development of a new plan, and proposes some methods for the RDN to move forward.

It is important to understand that at this stage, the department would like to engage people in the process, generate discussion and get feedback on the development of a new Youth Services Plan. In order to accomplish this goal, staff will:

- Circulate this discussion paper to RDN staff and YouthLINK members;
- Facilitate two meetings; one with Recreation Programming staff and one with interested YouthLINK members;
- Develop and circulate questionnaires to all staff within the Recreation and Parks department;
- Meet with and get feedback from all middle and high school principals; and
- Generate a report for District 69 Recreation Commission meeting (June 2009) regarding the next steps for developing a new Youth Recreation Services Plan.

The work has just begun on this initiative and your feedback, comments, thoughts and ideas at this stage of the process are vital. Please take the time to review this paper, consider the questions and share your comments.

Comments can be directed to (on or before April 24, 2009)

Jennifer Browett, Youth Recreation Programmer

Sandra Pearson, Superintendent of Aquatics and Northern Recreation Services Or confidentially via Marilyn Newsted at Oceanside Place Arena.

Phone: 250-248-3252 Fax: 250-248-3294 email: recparks@rdn.bc.ca

B. RDN Youth Services: History and Context

From 1990 to 2009, the Regional District of Nanaimo Recreation and Parks Department has gone through a number of changes in regards to the staffing, programming and delivery of youth recreation services in District 69. In 2000, the department undertook a full review of Youth Services and developed the *Youth Recreation Services Study*. This document included a number of recommendations, many of which have been tried or implemented with varying degrees of success. In the last eight years, there have been substantial changes within the Department and in the community and a full review and new vision is needed.

C. The Rationale for a New Youth Services Plan:

The following questions about youth program delivery have emerged and form the rationale for a review of youth services and the need for a new Youth Services Plan.

- 1) **How is the RDN meeting the recreation needs of the majority of young people in our community?**
In some areas the RDN is offering programs that are well received by youth, but are the RDN's services being well-received by the majority of young people? Where and how does the RDN need to be delivering effective recreation services? Are we meeting the needs of the majority of youth in the community?
- 2) **How is the RDN embracing opportunities?**
There is a strong youth services network in District 69 with a number of agencies providing opportunities for youth. How can the RDN work with these agencies, coordinate services and fully embrace all the opportunities that may exist?
- 3) **How is the RDN ensuring relevance for today's youth population?**
How best can the RDN conduct current, relevant, community-based research to support a new Youth Plan for 2010-2015? How can community capacity-building and youth asset-building be incorporated?
- 4) **What will be the RDN's new purpose and vision for youth recreation services?**
The 2000 Study provided strategies, yet the department would like to develop a clear purpose and vision for providing youth recreation services and programs.

D. Proposed Purpose and Objectives for a Youth Recreation Services Plan

- 1) review the current youth services delivery system;
- 2) define the vision, mission, values and guiding principles for RDN youth recreation services;
- 3) assess the RDN's capacity to accomplish this vision;
- 4) clarify the role of the RDN with community based organizations and identify opportunities for partnerships in the delivery of youth recreation;
- 5) determine how the RDN will engage with youth in both the process of completing the review and in ongoing operations;
- 6) identify key issues in the delivery of youth recreation services and to formulate strategies to address these issues; and
- 7) develop a new Youth Recreation Services Plan that will set the direction for Regional District of Nanaimo youth recreation services from 2010 to 2015, with budget implications and timelines.

E. Proposed Process for a Youth Services Plan

Phase One: Get started, review services, profile the community

- Develop Terms of reference
- Establish project steering committee
- Review and assess the current delivery system
- Research community demographics
- Inventory of community agencies, community 'assets' related to youth services
- Developing data collection tools (surveys, interview questions, focus group formats etc)
-

Phase Two: Gather Information / Consult / Research

- Internal Interviews/Questionnaires
- Agency Interviews
- Youth Surveys
- Youth Focus Groups
- Parent/Community Member input

Phase Three: Develop the Youth Recreation Services Plan

- Prepare Draft Report
- Draft report reviewed by youth, agencies, community members, staff
- Prepare Final Report
- Present to District 69 Recreation Commission

Questionnaire:

- 1) Do you agree that there is a need for a review of RDN youth services and the development of a new Youth Services Plan? Why/why not?

- 2) Do you have anything to add or any comments on the context or rationale (section b and C) of RDN youth services for a new youth plan as outlined in this paper?

- 3) Please comment on the proposed purpose and objectives of a new Youth Services Plan as outlined in this paper (section d). Are these objectives relevant? Is there anything missing? Do you have any other comments?

- 4) Please comment on the proposed process for the creation of a new youth services plan as outlined in this paper (section e). Which activities within each of the proposed phases of the project do think are the most critical? What is missing from these proposed phases?

- 5) What do you see as the most important outcome for a new Youth Services Plan?

- 6) How would you like to be involved in the plan?

- 7) What other comments, suggestions or ideas do you have?

APPENDIX B

Regional District of Nanaimo
Proposed Youth Recreation Services Plan – 2010 – 2025
Staff and Community Consultation Meetings
Agenda

- 10:00 – 10:15** **Getting Started**
- Welcome & Introductions
 Purpose of the Meeting
- 10:15 – 10:45** **RDN Youth Services – History & Context**
- Large Group Discussion:*
1. History & Context
 2. Rationale for a New Youth Services Plan
- 10:45 – 11:45** **RDN Youth Services – The Future**
- Small Groups Discussion:*
1. Purpose & Objectives for a New Youth Plan
 2. Process for a Youth Services Plan
 3. Outcomes for Youth Services Plan
- 11:45 – 12:00** **Final Words**
- Parking Lot*
 How would you like to be involved?
 What other comments, suggestions or ideas do you have?

Youth Services History & Context – Large Group Discussion

History and Context

From 1990 to 2009, the Regional District of Nanaimo Recreation and Parks Department has gone through a number of changes in regards to the staffing, programming and delivery of youth recreation services in District 69. In 2000, the department undertook a full review of Youth Services and developed the *Youth Recreation Services Study*. This document included a number of recommendations, many of which have been implemented with varying degrees of success. In the last eight years, there have been substantial changes within the Department and in the community, and a full review and new vision is needed.

The Rationale for a new youth services plan

The following questions about youth program delivery have emerged and form the rationale for a review of youth services and the need for a new Youth Services Plan.

1. How is the RDN meeting the recreation needs of the majority of young people in our community?

In some areas the RDN is offering programs that are well received by the youth involved, but are these RDN services well known to the majority of youth, and if so, are these services being well-received by the majority of young people? Where and how does the RDN need to be delivering effective recreation services? Are we meeting the needs of youth in the community?

2. How is the RDN embracing opportunities?

There is a strong youth services network in District 69 with a number of agencies providing opportunities for youth. How can the RDN work with these agencies, coordinate services and fully embrace all the opportunities that may exist?

3. How is the RDN ensuring relevance for today's youth population?

How best can the RDN conduct current, relevant, community-based research to support a new Youth Plan for 2010-2015? How can community capacity-building and youth asset-building be incorporated?

4. What will be the RDN's new purpose and vision for youth recreation services?

The 2000 Study provided a focus on strategies, yet the department would like to develop a clear purpose and vision for providing youth recreation services and programs.

Discussion Questions

1. Do you have anything to add or any comments on the history and context of RDN Youth Services?
2. Please comment on the rationale for a new youth services plan as outlined above:
 - a. Do you agree that there is a need for a review of RDN youth services and the development of a new Youth Services Plan? Why/why not?
 - b. Are there any other reasons, others than those identified above, why the RDN should be reviewing youth services and developing a new Youth Recreation Services Plan?

Small Group Discussion – Topic One – The Purpose

Proposed Purpose & Objectives for a Youth Recreation Services Plan

- 8) review the current youth services delivery system;
- 9) define the vision, mission, values and guiding principles for RDN youth recreation services;
- 10) assess the RDN's capacity to accomplish this vision;
- 11) clarify the role of the RDN with community based organizations and identify opportunities for partnerships in the delivery of youth recreation;
- 12) determine how the RDN will engage with youth in both the process of completing the review and in ongoing operations;
- 13) identify key issues in the delivery of youth recreation services and to formulate strategies to address these issues; and
- 14) develop a new Youth Recreation Services Plan that will set the direction for Regional District of Nanaimo youth recreation services from 2010 to 2015, with budget implications and timelines.

Discussion Questions

1. Please comment on the proposed purpose and objectives of a new Youth Services Plan as outlined above:
 - a. Are these objectives relevant?
 - b. Is there anything missing?
 - c. Do you have any other comments?

Small Group Discussion – Topic Two – The Process

Proposed process for the development of a new Youth Recreation Services Plan

Phase One: Get started, review services, profile the community

- Develop Terms of reference
- Establish project steering committee
- Review and assess the current delivery system
- Research community demographics
- Inventory of community agencies, community 'assets' related to youth services
- Developing data collection tools (surveys, interview questions, focus group formats etc)

Phase Two: Gather Information / Consult / Research

- Internal Interviews/Questionnaires
- Agency Interviews
- Youth Surveys
- Youth Focus Groups
- Parent/Community Member input

Phase Three: Develop the Youth Recreation Services Plan

- Prepare Draft Report
- Draft report reviewed by youth, agencies, community members, staff
- Prepare Final Report
- Present to District 69 Recreation Commission

Discussion Questions:

1. Please comment on the proposed process for the creation of a new youth services plan as outlined above:
 - a. Which activities within each of the proposed phases of the project do you think are the most critical?
 - b. What is missing from these proposed phases?
 - c. Can you identify any ideas, community connections or resources that will assist in accomplishing any of the work set out in this proposed process?
 - d. Who should be involved in this process? Are there any key individuals/groups that should be involved?

Small Group Discussion – Topic Three – The Outcome

1. What do you see as the most important outcome for a new Youth Services Plan?

Small Group Discussion – Wrap-up and Report Back

For your report back to the larger group please complete these sentences:

1. We think that a new Youth Recreation Services plan should....
2. When developing a new Youth Recreation Services Plan it is really important to remember....
3. We hope that a new Youth Recreation Services plan will enrich the lives of youth by....

Parking Lot Questions

Please answer the following questions on the sticky notes provided and place them on the appropriate parking lot:

1. How would you like to be involved in the plan? Please identify yourself.
2. What other comments, suggestions or ideas do you have?

APPENDIX C – Feedback from community consultation meeting and questionnaires

Community Consultation Notes

In Attendance: Debra Joyce, Jamie Fletcher, Mehdi Naimi, Janet Dunnett, Rebecca Ryane, Jessi Easter, Jenn Buerge, Rollie Koop, Bashu Naimi

Facilitated by: Jen Browett & Teri Derksen

History and Context Large Group Discussion Questions

- 1) Do you have anything to add or any comments on the history and context of RDN Youth Services?
- 2) Please comment on the rationale for a new youth services plan as outlined above:
 - a. Do you agree that there is a need for a review of RDN youth services and the development of a new Youth Services Plan? Why/why not?
 - b. Are there any other reasons, others than those identified above, why the RDN should be reviewing youth services and developing a new Youth Recreation Services Plan?

History and Context – Comments

- I think it's important to be reviewing activities on a regular basis to ensure that they are still relevant, meeting the needs of the community and still being enjoyed/used.
- No nothing to add - looks well thought out!
- Why now?
- Need for review and development
- Community development – is a living process
- There have been changes in the community (not just RDN) so there is a need for a review
- Need to determine RDN role in community
- RDN big part of our community – it's good to be doing this
- Plan needs to be connected to the community
- Need for better partnerships – beyond information sharing
- Art Speak and Rough Diamonds – need support beyond financial/practical
- Expand philosophy within RDN to expressive and creative opportunities
- The focus on sports needs to shift to arts, music andother
- What is recreation?
- Is the slogan still relevant?
- Need to maintain low cost and accessible services
- What is the target group – look at all age ranges
- Keep things fresh and new – new 'spin' on programs

- Support for other community organizations needed – administration, legal – workshops for community organizations
- Responsiveness – how can RDN respond in timely manner?
- Community demographics – high # seniors – opportunity for inter-generational programs
- Asset Development
- Need to expand age range beyond 18 – need for services beyond 18 – young adulthood
- What is the philosophy? Should be – relational/focus relationships with youth, inter-generational, self-directed/peer-directed
- How do youth access services?
- What is our philosophy re: youth?
- Opportunities with schools and seniors
- YouthLINK – what is the mandate, role of RDN with youth LINK, opportunities exist
- Diversity and Inclusion
- \$ RDN – (note on notes – does this mean RDN has money, continue to support groups with money, programs need to be financially accessible, other? – flip chart not complete)
- Poverty – not only financial but in relationships with youth and between youth and adults in the community
- Yes (there is a need for a new plan) – there is clearly a gap. A gulf between the opportunities that kids from supportive or well to do families get, or those whose talents have emerged early. Honours societies, jazz ensembles, equestrians, organized sport etc. But the majority are milling around with nothing that has grabbed them or which is delivered in a respectful way. In that gulf are many problems = a clear orientation toward the elderly (e.g. Ravensong a leisure pool rather than an Olympic pool for hosting meets) that RDN didn't cause, can't change but which it has to see as having an impact on youth ? and sense they are not respected around here. (Found out about high pitched sound that is meant to move youth away from Qualicum town square constructed to be a ? place) Recreation is one of the only tools there is to truly respect youth and their needs as citizens. **BUT WAIT!** Your intro suggests a big review was done in 2000, and 'many recreations implemented'. Pretty weak confidence builder of capacity to do anything at this time?? (written survey (WS) – community member - ? = can't read writing)
- There needs to be a good reflection of % of youth in area to % of services targeted to them ...the equity math. (WS)
- There is a youth engagement motto , 'nothing about us, without us. Here it looks like the key stage, setting the TORS has not youth in it. This is a mistake I think. They've gotta feel they are consulted on the ground floor. Not 'later', in a 'focus group' thought that is surely essential too. (WS)

In summary

Is there a need for a review and new plan? Yes – responses were unanimous

Anything to add to the history/context – just that there have also been a lot of changes in the community

Proposed Purpose - Small Group Discussion Questions

Please comment on the proposed purpose and objectives of a new Youth Services Plan as outlined above:

- a. Are these objectives relevant?
- b. Is there anything missing?
- c. Do you have any other comments?

Proposed Purpose – Comments

- I think it's well laid out. I am glad to see that the vision, mission, and values are something to consider. I think it's important to start there so that you can "measure" all activities against them.
- #2 open to change the vision, mission statements
- #3 check capacity – important to achieve related to capacity
- #4 rather than community based organization check with the community on the whole – many people in the community are not part of an organization. Include more of the members of the community
- #5 Rather than engage youth – youth participation on the ground floor. Planning for ongoing review and operations
- Review and possibly redefine age – definition of youth - age 25, youth skills – ongoing process
- Transportation is a big issue in the area
- Objectives are good at this point but vague, and hard to comment
- Missing:
 - Defining the word recreation
 - Defining youth & possible age increase
 - Stratification between young and old
 - Mentoring and asset building
 - Building relationships with – diverse youth groups, young and old, RDN and other organizations – expanding partnerships
 - Fostering self-direction
- Youth grant program – excellent program that is being utilized
- Financial access program – utilized
- Fabulous that RDN is re-evaluating their purpose
- Slow & steady ideas/fast track
- Smaller ideas that come up from youth – youth to youth grants!
- Partnerships can move faster than RDN can
- Develop a process or protocol to channel help to community
- Diversity (of youth etc) is why we get such great ideas (and we do!)
- What resources are available in RDN to put to use to support community ideas?
- How RDN can support youth needs – not just grants, but idea behind grants
- Redefine – What is youth? What is recreation?
 - All I ever thought about was the pool, 'y-type stuff, summer programs,
- History of RDN – RDN does sports and RDN comfortable with that
- How do 40 developmental assets sup
- Most youth have interests – let's not be pessimistic
- Best advertizing is word of mouth

- Internet has changed communication totally – advertizing is now this way – trusted more
- It's a system – How does RDN stop being a silo operating its own thing
 - Arts Council/TOSH
 - Municipality
 - Schools and home schools
 - Health Systems
- These aren't purposes or objectives but ways of going about the work. Purposes: To be sure that tax dollars directed to youth most in need of support (there would be a special ? on services to youth with challenges? 2) to ensure equity in spending so youth gets its share of resources 3) to develop a plan that youth own so they will be the strongest stakeholders out there to see it work. The ones most likely to be vigilant if things slip. Youth are just a few years short of being 'in power' as adults and might just as well feel the uses of this power as adults in waiting. (WS)

Proposed Process – Small Group Discussion Questions:

1. Please comment on the proposed process for the creation of a new youth services plan as outlined above:
 - a. Which activities within each of the proposed phases of the project do think are the most critical?
 - b. What is missing from these proposed phases?
 - c. Can you identify any ideas, community connections or resources that will assist in accomplishing any of the work set out in this proposed process?
 - d. Who should be involved in this process? Are they any key individuals/groups that should be involved?

Proposed Process – Comments:

- I am glad you will be considering what the community is already offering for youth. I think it's important that different groups work together and are careful to not 'compete' with other activities going on. I've seen that working well in Bowser with Kim from the RDN.
- Everyone should be talking e.g. If Health has STD awareness and if RDN does, get together
- Nothing about us, without us – mantra for youth engagement – how can the target group be active in this not passive (i.e. called to a focus group)
- "Youth" is a separating word. Creates distance.
- The capacity of the community is best developed
- The way it feels to be involved in events is important
- RDN needs to know what is going on inside the experience of 'success' what makes success? What makes failure?
- The widest variety of information that can be imagined e.g., youth run focus group, a face book discussion, graffiti walls
- The answer that you get will depend on the questions that you ask. The set stage is key
- RDN is a neuron connected to other neurons and the synapses are the partnerships
- The power of word of mouth, the interconnectedness of relationships
- People are already connected, you just have to support the connections that are there
- Project steering committee – youth involvement/participation, youth friendly

- Focus groups – sometimes better at gathering information, feed into steering committee, times/days friendly – maybe connect through technology
- Tap into Leaders in Training
- Really listen to youth – involve them in the process – not token
- Concrete information – what are the problems, what #'s, segregate #'s, - Coombs needs, Parkville needs, Qualicum needs, Bowser needs
- Understanding better the statistics, precise needs not median information
- Use technology – twitter, face book, text, online forums, webex
- Better sharing of information
- Sources of information
- Where do we need more or different information
- More benefit to spread information
- Not duplicating work
- Phase One – inventory of community assets, developing data collection tools – this portion should be in depth and discussed with youth (random – diverse youth)
- Phase Two – youth focus group being led by youth and clarifying why it is important and telling them why it's important, parent input and parent engagement
- Phase Three - draft report reviewed by youth, agencies, community etc. Utilize community organizations i.e. Qualicum First Nations – w/engagement, The Hand w/focus groups and surveys
- Missing Youth have to set the way you will evaluation the effectiveness of the plan right at the beginning. I see no evaluation plan? How will you know when you are doing well? (WS)
- To build youth capacity as citizens by the way this review is done. (e.g. hire a youth team to do community based research, mentored of course but given lots of respect for their unique view of RDN rec. (WS)
- You need a baseline of how youth are doing now. How will you do that?
 - Can you study school records to see drop outs and what do youth do next after school?
 - Fully developing youth will go on to something else, I assume
 - Crime records, employment (WS)
- There is no environmental scan. How do the 'best performing youth communities look? Example I think is Pt. Coquitlam, but it would be relevant to research where something must be going right in similar sized areas? And then see why (youth crime rate stats might be a place to start because so available. Also look at "disaster areas" to see what stands out as 'wrong"? Pointers will come from that to 'what works?" (WS)

Small Group Discussion Questions – The Outcome

What do you see as the most important outcome for a new Youth Services Plan?

- Richer connection within the community
- Self direction in youth
- Collaboration
- Inclusion – pulling together – all kinds of information
- Optimum community integration
- Universality
- Accessibility
 - Travelling in, travelling out
 - Funding options
 - Physical space
 - Surfing trips, snowboarding, going to play land,
 - New exposures – able to see yourself doing that
 - Opening doors of possibility – stretch your limit (“Hey I can participate in the Olympic torch relay, hey I can help a the Halloween dance”)
- New experiences for struggling families that they would enjoy
- Narrow the disparities
- Youth are aware of the youth services plan
- Youth own youth services plan, because they were in on it
- Youth would be happier and more engaged (not drug based)
- Creating a plan that ensures youth growing up not just hanging out – they are developing skills
- Why is it all about friends – because friends take you seriously – create a plan where the youth are taken seriously, feel that they have been cared about.
- Finding and initiating activities that the youth will want to get involved in.
- It would be great if a plan became one of the motivators/tools to change the climate toward youth in District 69. Part of a ‘youth friendly community’ is that good things happen for youth. The other part is that the community respects youth. Check out the ‘40 developmental assets as a model and a motivator. (ws)

We think that a new Youth Recreation Services plan should....

- Creatively expand the definition of youth, recreation and services...feel natural (of course these things are happening, it’s what we like...youth initiated, and that youth base constantly expanding)
- Enrich the connections in the community and create self-direction in youth
- Families and youth need to see themselves in the plan

When developing a new Youth Recreation Services Plan it is really important to remember....

- To consider the feedback of youth and also remember the youth are not a cohesive whole
- How old you are
- You are not doing this all alone

- Steering group vs. focus group (youth?)

We hope that a new Youth Recreation Services plan will enrich the lives of youth by....

- Helping them value their relationships in the community and the relationships that are possible – adults/seniors/other diverse youth
- Important that families and youth see themselves in the plan
- Creating the setting in which youth realize their potential
- Identifying what youth (want) and provide it
- Accepting and responding to their needs
- Respect and take talents seriously
- All youth are not in the same box but some 'boxes' are better served by RDN/community than others.
- Connecting people, universal, integrated, accessible

Parking Lot

Additional comments:

- Solve not just talk about the resistance to youth activities in the community – 'not here', 'too risky', 'not enough money'
- Make results relevant now – not so far down the road – it's no longer relevant, Youth move fast.
- An online accessible database of resources activities etc. Shared among all organizations
- An idea of youth of The Hand still in preliminary stages
- Thank you so much. Hope and wish and know you will continue the exchange with the community
- Connections to schools – whatever happened to schools where 'lights never go out'
- Have to start with setting out "How to evaluate it?" – Usually this is done at the beginning
- The answers are out there listen and you will be fine.
- Keep it up! Keep looking at how we can support the youth and create positive events and opportunities for them.
- You should connect with Building Learning Together – Deborah Davenport – Community District Literacy Liaison. Munchinkland – Mother Goose – connect with school to develop C-Zone – incredible connection.
- There is a huge opportunity to build on the best ideas out there for shared facilities. How much more can schools become as lights never go out (community school model)/ That all facilities in the area get used whether RDN or not, ?, purchase of service (WS)
- A good objective would be to become a state of the art rec. services for youth (not as we would like them to be, but how they actually are). (WS)

How would you like to be involved?

- Attending these discussions and focus groups to become more informed of current programs and activities, to enable input and support for further growth. Jenn Buerge, G.J.J.S. – 248-3538 office, 228-0182 cell
- FRA wants/needs to be involved in the development of youth initiatives. Keep in touch! Collaboration, discussion, partnerships
- Assisting with disseminating of information/survey – Jaime Fletcher, AFCSS – 248-0076
- I am a community based researcher (from Uvic with MPA in this field) and I love to work with youth and I am available if there was the right thing to do to help – Janet D.
- YES! Roughdiamonds.ca - Mehdi Naimi
- Involve youth in EVERY part, not just focus groups and opinions but planning too. Rebecca Ryan The Hand.
- I believe that The Hand could help with RDN's vision by conducting youth surveys and organizing focus groups. The Hand. Bashu Naimi-Roy – bashunaimiroy@gmail.com
- I would really be pleased/interested in being part of the planning process – facilitate school age youth input, data sourcing/sharing, representing school district perspective
- I'd love to know about any activities going on in this part of the area and given opportunity to support them. I'm really not sure what those activities should be though! (Lynda)
- Always willing to help anyway anyhow (Christine, Public Health)
- I would like to stay informed, perhaps involved, but I really feel this is an opportunity for youth to be involved. We all know that we shouldn't do 'anything about us, without us' (WS)

APPENDIX D – Feedback from staff consultation meeting and questionnaires

Staff Consultation Meeting and Staff Surveys – Notes

Consultation Meeting:

Date: April 16, 2009

Time: 10:00 – 12:00

Attendees: Anne Porteous, Colleen Douglas, Dan Porteous, Cathy MacKenzie, Sandra Pearson, Kim Longmuir

Facilitators: Jen Browett and Teri Derksen

Large Group Discussion - History, Context, Rational

Discussion Questions

- 8) Do you have anything to add or any comments on the history and context of RDN Youth Services?

- 9) Please comment on the rationale for a new youth services plan as outlined above:
 - a. Do you agree that there is a need for a review of RDN youth services and the development of a new Youth Services Plan? Why/why not?
 - b. Are there any other reasons, others than those identified above, why the RDN should be reviewing youth services and developing a new Youth Recreation Services Plan?

Discussion Notes

- Another significant change over the years has been the development of new facilities – skate board parks, bmx, mountain bike park, facilities
- Outdoor Club started in 1996
- History looks complete
- History – some programs (not listed?) RDN was a partner in
- Teen swims and skates – 2003
- Girls on the Move – 1999
 - Evolved to attract younger girls
 - Resulted in a number of gender equity initiatives in sports
- Changes in staff structure (job descriptions, fte's) significant
- Why a different model for youth service delivery instead of a continuum?
- Relationships are key in history of youth programming
- Age of youth – how do we define youth?
- Different delivery system because of disengagement from family
- What will the scope of the plan be – how can it be integrated?
- How does youth plan tie into larger departmental initiatives
- YM/YWCA model – birth to death

- Need for youth 'specialist' because of the challenges in programming for youth
- Cost Recovery Budget – barrier in youth services
- Do parents stop contributing \$ to teens – varies in families
- Income is a barrier
- Supervision is a barrier
- Options other than organizational supports (?)
- How can we attract youth into adult programming?
- Recreation 'vs' sport
- What is the definition of recreation? How does RDN define Recreation?
- Currently feeling stuck – we have a rigid model. How do we move away from rigid model?
- Need resources to have input into the plan
- Yes,(there is a need for a review) 9 years seems long enough time from the last one. Hopefully the increased population/tax base will allow for more services.
- If the purpose/vision changes do some of the strategies from 2000 become moot? Maybe better to go all-in-one each 5 (or whatever) year period?
- Yes – youth services need a clear direction/vision, so that the programmer can have direction, set goals etc. (i.e. what is programmer's role?)
- Yes, community demographics and youth culture/needs have changed significantly. Services need to be addressed.
- I think the key to these sections (b and c) is the focus on the RDNs role especially in respect to 'effective deliver' and possible focus on pre-teen markets.
- Yes, the lack of activities for youth in this community leads to many problems.
- Nothing to add
- Yes, I have seen firsthand the endless hours and effort our Youth Programmer, Jen Browett has put into trying to generate some enthusiasm for youth services and the disappointment when programs and activities don't happen. A tough job!
- I think it is critical for the RDN youth programmer to work as a team with other community agencies, and not try to work independently. This would keep cost for programs down, by agencies donating space, instructors, etc. The youth team might not be the RDN programming team.
- Yes, because the youth of today are our future of our world. They need to be taught, trained, exercised, have adults take a chance on them, have the opportunity to formulate and be in the discussion with the adults. Basically, whatever plan has been implemented in the past was good for the past. Now we need to look toward the future and change what needs to be changed.
- Section B. If you're not moving forward, you're just standing still... just makes sense.
- No, the services are not well known in the community to the majority of the youth. There seems to be more of what adults THINK youth want followed by too much talk and not enough asking youth what they WANT followed by action. Effective delivery depends on the amount of respect and credit you give to youth for doing what they do... hanging out, listening to music, having fun, learning from mistakes. Unfortunately the majority of the people living within the borders of district 69 are generation x and older and the voices of the older generation are heard over the voices of youth whose needs need to be met.

Small Group Discussion: The Purpose

Group One

1 a) Yes – to Youth services

- tie into overall picture of rec & parks services

b) missing – the tie into overall picture

definition – youth – ages – identity

c) ensure community development/ direct services are explored

how would plan evaluate (successes) of process

How is success defined?

Ensure youth engaged at various levels

Timing? Plan for most diverse and capacity of youth engaged

Scope: Staff resources/Department/Community/who/what for

Group Two

- Compare each of these objectives to the overall services delivery
- Ensure that objectives serve the overall delivery
- Should be continuity in services from preschool – seniors
- What is continuum of plan?
- Don't broaden the plan too much; needs to fit overall plan
- Flexibility; adaptable responsiveness
- Who are we talking about? Define population group
- Youth Development; more organic
- Developmental phases; how does this transition look? Transition from dependence to independence in choices (incentives eg. Free seims at Gr. 9)

From completed surveys:

- If department capacity for program delivery is identified as insufficient, hopefully board is on side for other increased staff/support, or the ability to say no to increased demand
- Looks good – not sure if this is the place, but RDN needs clear definition of who youth are – 11 – 18 year, 11 – 15, 13 – 18??
- Good objectives! I think an inventory will be key to determine, what is being offered not to which new path and partnerships to take. Which role does RDN fit best into?
- Objectives relevant. I would stress input from youth because if they don't want to do the activities they won't come.
- The objectives look very thorough, but once again maybe the vision for youth has to be a 'community' based vision, not one agencies.

Process

Phase One

- Membership rates at various ages. When is youth hockey losing membership?
- Look into transportation needs e.g. How many youth are using movie bus
- Who should sit on steering committee?
- Demographics – girls to boys?

- 1a research, inventory, establish steering committee - who's who? Most important youth involved

Phase Two

- Time to engage non-departmental input
- Keep it simple
- Be sure to include other government groups/bodies
- Include business
- Community use of schools
- Research into what other communities are doing e.g. new wing in Saanich School
- School buses; how many children are bussed?
- 1 a. Youth focus groups and Youth Surveys
- 1b. ensure transition years are covered through research

Phase Three

- Looks good
- 1a Draft report review and present to District 69 Rec Comm.
- 1b best practices (Alberta, Ed/Cal, Lower Mainland)
- ensure youth are part of presentation process
- board approval
- 1c/d RCMP, schools, youth link, youth services, service clubs, churches, community events, skate park and other hangouts, extend to rural areas, present activities,
- online resources
- References – Mclure Society (Mcreary?)
- Youth!

From completed surveys:

- p. 1 #4 – research – need to know target market
- p 2 - #4 – youth surveys – tough to get plentiful information back/expect
- p.3 #4 – Present – the sharp end of the stick; good luck
- Activities that are the most critical – 1) demographics, 2) determining community assets 3) surveys – find out what youth want and what delivery will work.
- Looks well outlined. The final step is most important. Get it done!
- Critical: Phase One: Community demographics/ratio of boys to girls/age range of the majority of the youth (young or older end) number of youth in a community e.g. Area H does not have a large youth population
- Phase Two: - Gather information from youth who actually use the services/programs. There is a small population of youth that will never participate (not unlike many adults who don't)
- Phase Three – draft report needs to be reviewed by youth as they are going to be the ones to support it.
- Ask them, ask the teachers, ask the mentors, as employers who actually take the time to speak with youth or hire them and give them a chance to flourish. (If you want anyone to understand something sentences need to be written in plain English) "...community capacity-building and youth asset-building are hard to understand". Building youth assets need to be understood before they can be incorporated into any kind of growth; asking the community to take part and build upon itself needs the same understanding. As for finding a way for youth to build on their assets, they have to learn how to take control of them first. Teach them, mentor them, guide them. If adults don't give up the control they have over things and instead teach and trust than

no assets can be built. As for more community oriented activity, people need to feel as if they ARE part of the community and not feel discriminated against. For example, judgment, criticism etc. Though those things will happen no matter what, it would be nice to find a fun way for it to be lessened.

- I don't feel like there is anything missing. Everything listed sounds relevant. My comment would be to thoroughly go through the current youth services plan and dissect it. Collect all that is good and has continued to be good, and collect all that gone not gone well and completely dispose of it or find a way to alter it. If something is broken, it could be fixed but in all reality if it would take more to fix it than get a new one than why not. Lastly, word everything clearly, concisely and with no hidden agendas. People want to understand what they're reading, as clear as that message is, sometimes it's not always written that way!
- All items in all phases can't be fully completed without the others. But if I had to pick some of the most important items they would be: research community demographics, all of phase 2 and draft report reviewed. Possibly ask the younger generation of kids what they expect, likes, and dislikes so that one can anticipate the future generation coming up. (as young as 10)

What do you see as the most important outcome for a new Youth Services Plan?

- Clear definition
- Scope – all youth or mainstream? All activities, not just sport
- Clarity
- What are resources; budget; staff job description
- Departmental approach? One programmer?
- Transitional model
- Process vs. product
- Youth engagement
- Direction (clear path)
- Flexibility
- Inclusive
- Creative
- Knowing who is actually out there needing services, if it's low income or not, and how to reach those possible participants if they're aware of these services. If they're not at RS or OP or at school how do we survey/contact them?
- Clear vision for meeting needs of youth in future. Clear role of youth programmer
- Developing a cohesive community plan where RDN is in 'partnership with schools, families, justice, youth @ risk. Maybe targeting patrons prior to when they become youth.
- Increased activities for youth in the community
- Giving direction to the youth programmer so the programmer is able to move forward in a rewarding direction
- I feel as if things are done right, nothing is forced and youth feel they have someone to learn from and look up to than your new Youth Services Plan will be well received.

Incomplete Sentences

We think a new youth recreation services plan should...

- be flexible and responsive
- be educational and explanatory
- ever changing
- engage youth

When developing a new Youth Recreation Services plan it is really important to remember...

- organic
- focus on majority of youth and not just at risk, addicted population group
- continuum of choices
- move toward independent healthy choices
- not one person's responsibility (dept'l/driver)
- ...commit time and work through the process without criticism and inclusive

We hope that a new Youth Recreation Services Plan will enrich the lives of youth by...

- by enabling children to move from dependent choices (parent driven) to independent healthy choices
- including services for at risk, mid, low and high risk youth
- engaging individuals to value their leisure time
- helping them to help themselves (community development model)

Any other comments, suggestions, ideas...

- Exciting
- Good process being developed
- Consider overall department strategies, mission, vision
- Tie into next master plan rather than separate
- Consider timing for completion – don't crunch , budget considerations, resources, staff
- Strategic incentives – grade 9 passes, grade 6 memberships, art lessons, gym memberships, resume writing, concerts, movies?, healthy food vouchers, transit passes
- Great process today
- Will be great for programmers/team to have a mandate/focus –direction to go
- Best of luck – keep your stick on the ice.
- Have fun!
- Community partners are key. Decrease duplication of services and determine what is working to really reach the youth.
- A place for youth to hang out including pool tables, table tennis, video games etc. would be a cool idea if possible
- There needs to be a collaborate effort amongst the organizations. One organization cannot be taking on more initiative than another. There needs to be balance and cohesion. A meeting may not always give everyone a voice, a written forum or blog on the other hand gives people that chance to speak their needs without feeling they need to find the words or possibly take back any words of embarrassment.

- If we find a way to get the parents interested in the community, than that might help to get their youth more motivated to be a part as well. Leading by example is the key to many things. Though some are less motivated, it still takes a village to raise a child. Let's raise 'em up!

How would you like to be involved.

- Dan – peripherally, opportunities to review along the way, provide input, step back, looking like a good process being developed
- Anne – supporting staff through the process, resources
- Colleen – resource, review material when required/needed (within parameter of job)
- Cathy – liaise with sports leagues, provide info/history, liase with grant recipients
- Kim – share in discussion, help design questionnaire for youth, distribute materials, help with community demographic research
- sorry
- Yes!
- Would give input, help, anything needed.
- I can be involved in finding out demographics for Area H, helping with designing questionnaire for youth, distribution of materials
- Well, I like that fact that this was asked of me for starters. I would be willing to help in any way that I can.

It has been determined that the Ravensong Aquatic Centre and Recreation Coordinating functions implementation timelines could be changed with minimal impact, making the overall approach consistent with the Oceanside Place function, and benefiting both users and department staff. Key user groups at Ravensong Aquatic Centre utilize the school year term similar to Oceanside Place beginning in September through to spring of the following year. The ability to pay for a full season at one rate rather than having increases mid way through the season is beneficial to users when determining participant fees and annual budgets. The same process for the implementation of Recreation Coordinating programs would eliminate the need to promote to different prices for the same program over two seasons (fall and winter) due to the current fee changes that occur in January .

This change to the timelines would not significantly affect the recreation programs through the Recreation Coordinating function. However, patrons of Ravensong Aquatic Centre would experience some proposed fee increases four months earlier than anticipated, in September 2009 rather than the current timeline of January 2010. The other option would be to approve the change for the Recreation Coordinating function as of September 2009, and wait until January 2010 before implementing proposed changes to fees and charges at Ravensong Aquatic Centre. This option is not recommended as it would further delay establishing a consistent approach for all three functions and an opportunity to align fees at both facilities, which will be further explained later in the report.

1. **It is proposed the following recreation services fees and charges implementation timelines be established for the three Department functions (Oceanside Place, Ravensong Aquatic Centre and Recreation Coordinating) as follows: September of the same year following Board approval to August the next year, and to take affect September 2009.**

Fees and Charges - Oceanside Place / Ravensong Aquatic Centre Functions

Mid Island averages and alignment of facility admission fees:

As reported in 2008 the Regional Board approved a recommendation in 2003 that Oceanside Place admission fees be aligned with mid island averages referenced in Appendix D. The plan was to align the fees within a three year window; however, the Department has been unable to keep pace with the mid island average due mainly to larger percentage increases applied annually by municipalities and regional districts ranging between 5-10% compared to the Regional District of Nanaimo's annual increases of 2%.

Since opening in October 1995, Ravensong Aquatic Centre admission fees have historically been higher than the mid island averages; therefore, significant or specific annual adjustments to rate categories have not been recommended other than the proposed annual percentage increases across the board. However, over the years, with adjustments to the Oceanside Place admission fees and due to the pace of the mid island average annual increases Oceanside Place and Ravensong Aquatic Centre fees have now become more closely aligned. In 2008-09 two categories, Adults and Family, became the same rate, and it was noted last year that alignment of the other facility admission rates would be explored this year to provide consistency and improved customer service. Additionally, aligning the admission fees will provide an opportunity to offer an attractive, all inclusive membership program providing patrons with access to both facilities.

Table 1 shows some comparisons with respect to current admission fees and the annual fee increase of 2% 2009/10 in relation to the proposed five year fees and charges plan for both facilities established in 2008. It also highlights in bold the recommended admission fees for both Regional District facilities upon this year's review noting the percentage increase from the current fees at each facility. The City of Nanaimo fees are also included for comparison.

Table 1

	Children	Youth	Adults	Seniors	Family
OP Current Fees 2008 / 09	2.60	3.40	4.85	3.68	9.06
OP Current Proposed Fees 2009 / 10 at 2%	2.66	3.47	4.95	3.75	9.24
RAC Current Fees 2009	2.93	3.59	4.85	3.84	9.06
RAC Current Proposed Fees 2010 at 2%	2.99	3.66	4.95	3.92	9.24
RDN Recommended Fees (OP/RAC) 2009/10	2.70	3.50	5.00	3.90	9.50
Proposed % increase from current OP Fees	3.8%	2.9%	3.0%	6.0%	4.6%
Proposed % increase from current RAC Fees	- 7.9%	- 2.5%	3.0%	1.6%	4.6%
City of Nanaimo Fees May 2009 Comparison	2.75	4.25	5.50	4.25	11.00

Based on current admissions fees the proposed increases would range from a decrease of -7.9% (Children at RAC) to an increase of 6.0% (Seniors at OP). The alignment of fees is a challenge as there will need to be concessions, with some rates increasing and others decreasing in order to obtain full alignment. Subsequently, the prices of economy cards (10 x) and memberships discussed later in the report are calculated on the individual admission fees.

Table 2 outlines the mid island averages for admission fees from May of 2008 and 2009 noting the difference between the RDN recommended fees and the mid island averages.

Table 2

	Children	Youth	Adults	Seniors	Family
Mid Island Averages as of May 2008	2.60	3.40	4.86	3.78	10.00
Mid Island Averages as of May 2009	2.55	3.38	4.51	3.76	9.63
Difference of Recommended RDN Fees from Mid Island Averages	\$0.15	\$0.12	\$0.49	\$0.14	- \$0.13

As indicated in Table 2 the mid island average has actually decreased compared to 2008. This is due to a significant drop in the admission rates in Port Alberni due to challenging economic times and a desire to provide affordable rates to attract participation, as referenced in Appendix E.

With the lower admission fees in Port Alberni, the majority of the proposed Regional District admission fees would be positioned slightly above the mid island average with the exception of the Family rate. The proposed rate is \$0.13 lower and, while not the lowest of the mid island communities, it is well below other jurisdictions with the majority of communities ranging between \$10.00-\$11.00, as referenced in Appendix E. The Family rate would now be much more closely aligned with the mid island average compared to last year when it was \$0.94 lower.

Also, the majority of admission fees would be within \$0.15 of the averages. The one exception is the Adult rate, which turns out to be \$0.50 above the average and yet, still \$0.50 less than the City of Nanaimo, which remains higher in all categories.

2. It is proposed that all related admission fees at both RDN facilities become aligned and be set as outlined in Appendices A / B for September 2009.

Five year projections for admission and rental fees:

The current five year projections for fees and charges include a 2% annual increase for both admission and rental fees. Due to significant increases in annual operating costs over the past number of years, it is necessary to consider increasing the annual percentage rate. Continuing with the current 2% proposed increases, the Department cannot keep pace with the increased operational costs; therefore, putting more burden on the tax base each year. A further increase will generate additional funds from the users to offset the operating costs, which are likely to continue, and will also help to maintain the delicate balance between 'user pays' and 'tax requisitions' ratios. This increase will also assist in maintaining the mid island averages for admission fees.

For the benefit of patrons and front office efficiencies, it is also proposed that admission fees be increased annually by the established percentage rate and then rounded off to the nearest nickel or dime. Rounding off to even prices on admission fees is the typical format for the majority of Parks and Recreation Departments.

3. It is proposed that admission and rental fees for 2010-2014 be increased annually by 3% and that admission fees be rounded to the nearest nickel or dime as outlined in Appendices A / B.

It is important to reiterate that although five year fees and charges tables are established to reflect the Five Year budgeting cycle, fees and charges need to be reviewed on an annual basis and adjustments made accordingly based on information compiled regarding current trends, economic factors, mid island averages, budget considerations, etc.

Membership Fees:

As noted above, the opportunity to offer membership fees at both facilities is an attractive option for patrons. However, due to admission fees differing between Ravensong Aquatic Centre and Oceanside Place, the three and six month memberships have likewise had different fee structures and only applied to one specific facility. Thus, if an individual chose to regularly swim at the pool year-round, and regularly skate in the arena when the ice is in, they would need to purchase two separate facility memberships, in order to benefit from the reduced membership rates. Currently, Ravensong Aquatic Centre offers three and six month access cards while Oceanside Place only offers three month access cards.

The proposed concept for inclusive membership facility cards means patrons pay a reduced fee for the membership and can use this card for admission at both facilities, not just one facility. If approved, this would be a tremendous savings for patrons who use both facilities, and will likely encourage more patrons to use the facilities as financial barriers to participation are addressed with a combined fee.

This benefit may only be accomplished if the admission fees are aligned at both facilities. Current three and six month membership fees are calculated differently at each facility based on the admission fee. With the new aligned fees, memberships would be calculated as follows:

- ☐ three-month = regular admission rate based on usage of twice weekly for 13 weeks
- ☐ six-month = three month fee multiplied by 1.8 (similar to the City of Nanaimo)
- ☐ twelve-month = six month fee by 1.5 (similar to the City of Nanaimo)

In short, the longer membership a patron chooses the more money the patron saves.

Upon research of other facilities on Vancouver Island, the best practices within publicly funded recreation facilities indicates the high majority of departments provide a membership program that enables users to access all drop-in services within their facilities. Therefore, purchasing a membership (e.g. 3-month, 6-month, or 12-month) provides the patron with unlimited access to all drop-in offerings, times and services. Within the Regional District, this means access to public swimming and skating times. However, within most

municipalities/regional districts, this also provides access to the weight rooms, aerobics, drop-in sports, and even kindergym for some facilities. The department's point-of-sale computer system has a mechanism which will monitor where the pass is purchased and tracks where the pass is used. Thus there is an existing system to correctly track and code the revenues generated to the appropriate facility.

It is noted that the financial savings associated with memberships account for the absence of full ice in the arena during the entire year, as well as accommodating the shutdown period for maintenance (typically 3 weeks) at Ravensong Aquatic Centre. The full year membership means the patron is required to pay for the whole year, and may do so in monthly installments. It is anticipated that the annual membership will be a popular option.

Nearly all island recreation departments have a membership card system (with photo identification) which is managed through the CLASS database and point of sale. Class Membership management is a flexible and easy to use system that allows the department to sell community membership with photo ID cards and scan these cards for access control purposes. The software can then run reports to help manage passes, track upcoming membership expirations, view membership renewal and retention numbers, track usage within the facilities, and target market various programs to certain user-groups via email and mail. Membership Management also provides the ability to offer various types and levels of membership, with corresponding access control capability. When membership cards are "swiped" through a scanner, Class instantly verifies whether that pass is current and updates statistical and usage reports. Class management provides patrons quicker independent service, simply swiping their own cards upon entering the facilities rather than waiting in line. Additionally, the swipe card system allows an accurate record of the electoral and municipal areas where patrons are residing, as membership requires a family account to be created containing the mailing address and postal code. This will provide accurate reporting as to whom is purchasing memberships and using the facility.

- 4. It is proposed that a membership fee structure be implemented as outlined in Appendices A / B and that the costs for membership hardware and software for swipe cards/photo identification be considered within the 2010 budget process.**

Ravensong Aquatic Centre Aquafit Fees:

Since the inception of the facility a separate rate for Aquafit has been implemented. The separate rate was initially established to provide a revenue base to offset costs for paying trained Aquafit instructors, in addition to the on-deck lifeguards. Recently, a delegation of users from the facility presented information to the District 69 Recreation Commission requesting the Aquafit rate be dropped and that users only pay the admission fees for the use of the pool and services, based on their age category. The delegation provided evidence that no other department in the mid island area charges an additional fee for Aquafit programs.

The current rates for Aquafit are approximately one dollar higher than regular admission rates, and are proving too high for some patrons especially when using the facility on a more regular basis, thus providing a financial barrier to healthy living and active aging. It is recommended that this inequity is addressed for the September implementation date, and that both adult Aquafit and senior Aquafit admission fees are eliminated. There are financial implications to this recommendation as the Ravensong Aquatic Centre revenue will decrease slightly but will provide equity and encourage more physical activity and participation, leading to better health and lower health costs for individuals and communities.

- 5. It is proposed that the adult and senior Aquafit admission fees be eliminated as of September 2009.**

Special Rate for Swims/Skates:

Over the years some special rates have been applied to various skating and swimming special events. This concept was initiated to provide some low cost, accessible opportunities for individuals and families that may not necessarily be able to afford regular skating and swimming experiences at the regular rates. Most of these opportunities have been provided at a \$2 (Twoonie) rate and \$1 (Loonie) rate (i.e. Parent and Tot swim). However, this rate has not seen an increase since its inception in 2001 and was not included within the regular fees and charges program.

The special rate provides an avenue to discount special sessions for a variety of purposes including a 'shorter than normal' session, the use of a facility during quiet times, to promote a special themed swim and/or for other purposes. Given the increasing operational costs of the facilities and the consistent annual increases of other rate categories it is important to consider this special rate category in the overall fees and charges review.

- 6. It is proposed that a Special Rate category be added to the fees and charges tables and that the applicable fees be increased to \$2.50 for adults/seniors and \$1.25 for children/youth as of September 2009, and that the fees be included in the fees and charges review each year.**

Other Changes to Admission Fee Categories:

Admission fee categories were also reviewed and compared with other island departments in terms of age range and benefits. The City of Nanaimo's categories were closely reviewed and considered as it is often compared with the Regional District Recreation and Parks Department by many residents and visitors. This report recommends a close alignment to the City's age categories, with one additional proposal for seniors aged 85 years and older. These changes are outlined below.

Establish a New Category for Children (2 years and under) with free admission

Currently, the child category is for children aged 0-14 yrs. It is noted that young children in strollers are receiving little if any physical benefit from participating in skating sessions. Comparatively, it is obvious that young babies (3 months+) do realize many benefits and enjoyment while swimming. Many new parents and families with young children are on greatly reduced incomes after the birth/adoption of their children. Isolation is a contributing factor to stress and post-partum depression. It is recommended that eliminating a fee for children aged two years and under, will enable new parents to connect with other parents in a recreational setting, reducing financial barriers to participation and to establish early patterns for healthy active family lifestyles. This new category is consistent with the City of Nanaimo's category. Comparatively, in several municipalities particularly in Victoria, many offer free admission to children five years and under.

Adjust the age range of Child and Youth categories

The current category for children 0-14 years of age is a large age range: children are commonly referred in a Canadian context up to the age of 12. It is common understanding in many fields, not just recreation, that 13 years of age is considered a teenager or youth. The existing youth category is for those aged 15-18 years, which is inconsistent with recognition of youth ages within the community, and out of synch within the recreation department. The department's youth programs are typically for youth aged 11-18, to capture the middle and high school populations within School District 69. As this is a convenient and practical definition of youth and in alignment with the schools, it is proposed the name of the Youth category be changed to Student, and include ages 13-18 years. This would also be consistent with the City of Nanaimo categories and many other departments.

Adjust the age range of Adult - Seniors categories

Currently, the Adult category includes individuals 19-54 years of age, and Seniors are categorized as 55 years of age or older. In a comparison of mid-island recreation departments, a senior is considered someone aged 60 years and older. Due to the high percentage of seniors living in District 69, the Regional District is offering a considerable lower age than other mid-island communities and thus a higher subsidy to this category of adults. When discussing fee increases for seniors, it is often stated that many seniors are on fixed incomes and in difficult financial situations. This may be the case for some seniors, but not all, and is a similar issue to other all age brackets. Comparatively, many adult residents and families struggle on lower incomes and/or have other considerable expenses such as mortgages and daycare to consider. A significant percentage of families are single parent families with significantly lower incomes than two income families.

Looking within the Regional District transit system, seniors are identified as those aged 65 plus. In order to reflect standard practice in recreation, it is proposed the Adult category be changed to 19-59 years and that the Seniors category be adjusted to 60-84 years. These changes would also be consistent with the City of Nanaimo.

Lastly, in support and recognition of older seniors and their contributions to the community and province, it is proposed that a new category be added, for seniors aged 85 years and older, to have free access to the recreation facilities. This new category recognizes and rewards the older seniors' health and independence, and encourages participation in physical activity and social engagement in the community, thus preventing social isolation and helping to alleviate medical costs. Seniors in this category would be issued a membership card at no cost. Although the City of Nanaimo does not have this category, this recommendation is based on the YMCA philosophy and practice, providing services from birth to death, and honouring their older seniors with free annual memberships.

Revision of Oceanside Place Skate Rentals

Skate rental categories include Families, Parent and Tot, Child, Youth/Adult/Senior and School District #69. No changes are proposed for Families based on the value of the current discounted rate; however, with increased admission fees it is becoming cost prohibitive for individuals to skate if they are also required to pay for skates. As noted earlier the Parent and Tot category could be eliminated in favor of a special rate to be used for particular purposes, for example, certain times of the day or week to attract customers when the facilities are quiet. It is also proposed that Youth be included with Child and the fee for Child/Youth rental be reduced to the Special Rate of \$1.25, and that the School District rate also be set at this rate. The new Adult/Senior rental fee would be set at the Special Rate of \$2.50. These fees would be implemented to reduce barriers to participation and to hopefully attract more patrons to skate. If patrons were to purchase memberships, rentals would be included as part of the membership.

- 7. It is proposed that the new admission fee categories noted in Table 3 on the following page be approved as outlined in Appendices A / B.**

Table 3

CURRENT CATEGORIES	PROPOSED NEW CATEGORIES
PARENT & TOT	SPECIAL RATE
CHILDREN (0-14)	TOT (3 yrs & under)
CHILDREN (0-14)	CHILD (4-12 yrs)
YOUTH (15-18 yrs)	STUDENT (13-18 yrs)
ADULT	ADULT (19-59 yrs)
AQUAFIT (AD, SEN)	<i>eliminate</i>
SENIOR (55 yrs +)	SENIOR (60-84 yrs)
SENIOR (55 yrs +)	GOLDEN (85 yrs & over)
FAMILY	FAMILY
FAMILY W/ RENTAL	FAMILY W/ RENTAL
CHILD SKATE RENTAL	CHILD / YOUTH SKATE RENTAL
YOUTH / ADULT / SENIOR SKATE RENTAL	ADULT / SENIOR SKATE RENTAL
SD #69 SKATE RENTAL	SD #69 SKATE RENTAL

Fees and Charges - Recreation Coordinating Function

With respect to the Recreation Coordinating function the fee structure has been based on program recovery rates and a current annual 2% increase to established fees. Both the recovery rates and the annual increase have remained unchanged for the past number of years, and it is recommended that the majority of recovery rates continue to remain unchanged with the exception of Youth programs, Summer Contract Camps and the annual percentage rate. These changes are outlined below.

Summer Contract Camps and Holiday Camps

The summer camp programs have been traditionally subsidized at a 75% cost recovery rate. However, some summer camp programs are developed based on the guideline for the revenue-sharing percentage ratio for Term Instructors (Companies) as outlined in Clause 4 of Appendix C. This has caused some confusion for Recreation Programmers when developing their programs as these particular camps are based on 100% cost recovery of direct program costs in association with a shared percentage for the Term Instructor.

Also, somewhat confusing are the annual holiday camps (Christmas /Spring Break) planned throughout the year that are very similar to the summer camps and should fall into the same category for the 75% cost recovery rate.

To alleviate confusion the category titles need to be changed to reflect these program offerings and to maintain these programs in the same categories with the equitable recovery rates.

- It is proposed that a new category for Summer Contract Camps be added to the table in Appendix C and include a 100% cost recovery rate, and that the Summer Camps category be revised to include "and Holiday".

Youth Programs

Youth programming is a challenging area to plan and implement programs and events. As with all program services costs associated with equipment, supplies, instructor wages and facility rental costs continue to rise. Currently, the cost recovery rate for direct program costs for youth is 100%. When children reach the teenage

years, they may not continue to get the same financial support from their parents, and may not have access to other discretionary income to afford recreational opportunities. Over the years the Department has struggled to attract youth to various programs and is currently in the midst of a youth services review. To assist in the provision of youth programming a subsidized approach is recommended, whereby programs can be offered at more affordable and attractive prices.

- 9. It is proposed that the cost recovery rate for Youth programs be reduced to 75% as outlined in Appendix C.**

Annual percentage increase for programs

In keeping with annual percentage increases for admission and rental fees, an annual percentage rate for programs was established some years ago, and is currently projected at 2% over the next five years. To maintain consistency and assist in the recovery of increasing program costs a minimum increase of 3% is being proposed; however, it needs to be clarified that fees may need to be higher than 3% for any given program if the associated program costs have increased more than 3% annually. It should also be noted that given the volatility of program offerings in terms of registration, cancellations, participation ratios and new program development each year program revenue generation can be much more challenging to predict than admissions and rentals at facilities.

- 10. It is proposed that a minimum 3% increase be applied to all on-going program fees effective September 1, 2009 through August 31, 2014; however, a higher percentage may be applied from year to year if the recovery of program costs warrants such an increase in fees.**

Revenue-sharing percentage

The other key area of programming revenue is based on a revenue-sharing percentage when working with particular Term Instructors. Currently the guideline for Programmers when developing programs for a revenue-sharing percentage is 75% Term Instructor / 25% RDN. Given the increased direct and indirect operational costs including equipment, supplies, and facility rentals a 70% Term Instructor / 30% RDN is being considered. The LERN organization (i.e. a North American research and training agency for recreation professionals) has indicated recently that many recreation departments and colleges are entering into 65% / 35% contracts with term instructors. In Victoria, the District of Oak Bay has successfully moved in this direction. However, due to the rural nature of the Regional District and considerable driving time and costs for term instructors to get to outlying areas or drive from locations such as Nanaimo, the proposed 70% / 30% is a deemed sufficient for the time being.

- 11. It is proposed that the guideline for the revenue-sharing percentage ratio for Term Instructors (Companies) and the Regional District of Nanaimo agreements shall be 70% Term Instructor/ 30% RDN respectively as outlined in Appendix C.**

ALTERNATIVES

- To approve the 2009/10 program, admission and rental fees for Oceanside Place and Ravensong Aquatic Centre as highlighted in the report and respectively outlined in Appendix A and B, and the 2009/10 Recreation Coordinating function program fees and recovery rates, administration fee, and revenue-sharing percentage ratio for Term Instructor (Companies) agreements as highlighted in the report and outlined in Appendix C.

2. To not approve the fees and charges as outlined and provide alternative direction.

FINANCIAL IMPLICATIONS:

As earlier noted operational costs in relation to services provision over the past number of years have continued to increase significantly including, but not limited to gas prices, water, electricity bills, and wages. The proposed increases to the program, admission and rental fees in September 2009 and over the next five years in all three District 69 recreation functions are intended to generate additional revenues to assist in keeping pace with the ever increasing operational costs of service provision and help alleviate an ever increasing demand on the tax requisitions. These increases presented in the Appendices A-C are set in accordance with the current forecasted Five Year Financial Plan to meet the 2009-10 minimum projected revenue targets, and in all likelihood, based on current participation trends, should exceed these minimums.

Proposed changes to the admission fee categories for children, youth, adult and seniors should offset each other in terms of gains and losses. For example, lowering the youth age will provide additional revenue to offset the cost of free admissions for children below two years of age. By increasing the adult age to 59 additional revenues will also be garnered to offset providing additional revenues to offset rising operational costs.

If the fees and charges are not approved as presented in the report, and alternative recommendations to the fees and charges are presented by the Commission or Board, consideration needs to be given to the impact of those decisions. Lower percentages across the board would likely equate to fewer revenues and annual surpluses being depleted requiring readjustments to the overall Five Year Plan that could subsequently affect future operational and capital plans. Higher percentages could possibly equate to increased revenues; however, it is important to note that with all fees and charges increases, the market threshold will ultimately determine the increase or decrease in actual revenue as previously noted above. For example, by raising fees beyond the proposed 3% may not necessarily correlate in an equivalent increase in revenues; in actuality, it may have an adverse affect on revenues, whereby customers choose not to participate or more individuals and families apply for subsidized financial assistance.

SUSTAINABILITY / CITIZEN IMPLICATIONS

As long as the perceived value is deemed beneficial, customers will continue to participate; however, there will be a threshold by which they measure their involvement. In public recreation it is imperative to consider access issues for all community members, while maintaining financial accountability. The financial bottom line is just one factor that has to be considered; the social and healthy well being of area residents and visitors to the District also has to be considered. As well, the cost/benefit and supply/demand issues need to be monitored and maintained to ensure that the services and facilities will be used to their fullest potential, while at the same time being operated and maintained in a clean, safe and fiscally responsible manner, and with sensitivity to taxation subsidies and "user pay" formulas.

If the proposed fees and charges provide a financial barrier to some residents, additional support can be provided through the Financial Access Program provided through the Recreation and Parks Department. The new membership concept could also prove to be an attractive and more popular option for patrons providing savings while maintaining an active lifestyle.

Given these parameters in considering fees and charges, accessible and affordable recreation opportunities offered through the Recreation and Parks Department will continue to provide residents with a wide range of activity choices that will lead to healthier, active lifestyles assisting in the reduction of health care and other

related intervention costs including policing and services provided through the Ministry of Children and Family Development or other similar programs.

CONCLUSION

The annual fees and charges for the three District 69 recreation functions are required to be set for the upcoming 2009/10 season. In setting the fees a variety of factors have been considered, including Vancouver Island market rates, mid island averages from other organizations that provide public recreation services, increasing operational costs of service provision and projected revenue targets in the Five Year Financial Plan.

Staff are proposing a number of key changes to the fees and charges including timeline changes to the implementation of annual fees and charges, a 3% increase to the proposed annual percentage increases for program, admission and rental fees, the alignment of all related admission fees at both facilities, memberships to be implemented for use at both facilities, a revision of age categories to more closely align with the City of Nanaimo and to promote accessibility to very young and older patrons, and a subsidized recovery rate for youth programs.

There are financial implications with respect to the majority of the changes. For the most part, the Department should not experience any reduction in revenue; however, due to the volatility with respect to recreation services and the current economic climate it is difficult to project with certainty. Staff will continue to monitor revenues and expenditures and recalculate figures on an annual basis depending on the outcomes of Actual Budgets. Although some of the changes have been proposed to assist in alleviating the tax burden and maintaining a delicate balance between the tax requisitions and "user pay", many of the changes would benefit a number of patrons in their pursuit of active and healthy lifestyles.

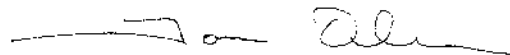
Given the information provided in the report it is recommended the Regional District approve the 2009-10 program, admission and rental fees for the Oceanside Place, Ravensong Aquatic Centre and Recreation Coordinating functions as outlined in Appendices A, B and C.

RECOMMENDATIONS

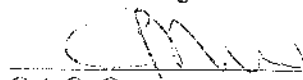
1. That the 2009/10 program, admission and rental fees for Oceanside Place be approved as highlighted in the report and outlined in Appendix A.
2. That the 2009/10 program, admission and rental fees for Ravensong Aquatic Centre as be approved as highlighted in the report and outlined in Appendix B.
3. That the 2009/10 Recreation Coordinating program fees and recovery rates, administration fee, and revenue-sharing percentage ratio for Term Instructor (Companies) agreements be approved as highlighted in the report and outlined in Appendix C.



Report Writers



General Manager Concurrence



C.A.O. Concurrence

Appendix A

Oceanside Place Admissions and Facility Rental Rates

APPENDIX A

OCEANSIDE PLACE ADMISSIONS

	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
Category	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST
Tot (0-3)	2.60	Free	Free	Free	Free	Free
Child (4-12)	2.60	2.70	2.75	2.85	2.95	3.05
Student (13-18)	3.40	3.50	3.60	3.70	3.80	3.90
Adult (19-59)	4.85	5.00	5.15	5.30	5.45	5.60
Senior (60-79)	3.68	3.90	4.00	4.10	4.20	4.30
Golden (80+)	3.68	Free	Free	Free	Free	Free
Family	9.06	9.50	9.80	10.10	10.40	10.70
Special Rate	2.00	2.50	2.60	2.70	2.80	2.90
Special Rate		1.25	1.30	1.35	1.40	1.45
Family w/ Skate Rental	13.29	13.60	14.00	14.40	14.80	15.25
Child / Student Skate Rental	1.76	1.25	1.30	1.35	1.40	1.45
Adult / Senior Skate Rental	3.02	2.50	2.60	2.70	2.80	2.90
School District 69 Skate Rental	1.76	1.25	1.30	1.35	1.40	1.45
Skate Sharpening (price incl. pst and gst)	4.74	4.90	5.05	5.20	5.35	5.50

OCEANSIDE PLACE RENTALS

Category

Tournament Rates

Adult Tournament	104.16	107.28	110.50	113.82	117.23	120.75
Senior Tournament	101.45	104.49	107.63	110.86	114.18	117.61
Minor Tournament	62.14	64.00	65.92	67.90	69.94	72.04
Commercial Events Prime	143.39	147.69	152.12	156.68	161.38	166.23
Commercial Events Non Prime	122.16	125.82	129.60	133.48	137.49	141.61

Winter Rates (September 1 - March 31)

Adult Prime	133.84	137.86	141.99	146.25	150.64	155.16
Adult Non Prime	109.37	112.65	116.03	119.51	123.09	126.79
Minor Prime	71.11	73.24	75.44	77.70	80.03	82.43
Minor Non Prime	62.14	64.00	65.92	67.90	69.94	72.04
Senior Prime	133.84	137.86	141.99	146.25	150.64	155.16
Senior Non Prime	101.45	104.49	107.63	110.86	114.18	117.61
Hockey / Skating Schools	133.84	137.86	141.99	146.25	150.64	155.16
School Rentals Prime	69.03	71.10	73.23	75.43	77.69	80.02
School Rentals Non Prime	62.14	64.00	65.92	67.90	69.94	72.04
Commercial Events Prime	211.91	218.27	224.82	231.56	238.51	245.66
Commercial Events Non Prime	167.30	172.32	177.48	182.81	188.29	193.94

Shoulder Season Rates (April 1 - August 31)

Adult Prime	113.76	117.17	120.68	124.31	128.03	131.88
Adult Non Prime	92.96	95.75	98.62	101.58	104.62	107.76
Minor prime	61.64	63.48	65.39	67.35	69.37	71.45
Minor Non Prime	52.79	54.38	56.01	57.69	59.42	61.20
Senior Prime	113.76	117.17	120.68	124.31	128.03	131.88
Senior Non Prime	89.52	92.21	94.97	97.82	100.76	103.78
Hockey / Skating Schools	98.44	101.39	104.43	107.57	110.79	114.12
School Rentals Prime	61.64	63.48	65.39	67.35	69.37	71.45
School Rentals Non Prime	52.79	54.38	56.01	57.69	59.42	61.20
Commercial Events Prime	195.20	201.05	207.08	213.29	219.69	226.28
Commercial Events Non Prime	111.53	114.88	118.32	121.87	125.53	129.29

OCEANSIDE PLACE RENTALS		2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
Category		Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST
Dry Floor							
Adult Prime		61.34	63.18	65.08	67.03	69.04	71.11
Adult Non Prime		50.19	51.70	53.25	54.84	56.49	58.18
Minor prime		44.61	45.95	47.33	48.75	50.21	51.72
Minor Non Prime		39.04	40.21	41.42	42.66	43.94	45.26
Senior Prime		61.34	63.18	65.08	67.03	69.04	71.11
Senior Non Prime		44.61	45.95	47.33	48.75	50.21	51.72
Hockey / Skating Schools Prime		66.91	68.91	70.98	73.11	75.30	77.56
School Rentals Prime		44.61	45.95	47.33	48.75	50.21	51.72
School Rentals Non Prime		39.04	40.21	41.42	42.66	43.94	45.26
Commercial Events Prime		195.20	201.05	207.08	213.29	219.69	226.28
Commercial Events Non Prime		111.53	114.88	118.32	121.87	125.53	129.29
Commercial Events Set Up		55.76	57.43	59.15	60.92	62.75	64.64
Other Amenities							
The Pond (Leisure Ice)							
Ice In Prime		42.39	43.66	44.97	46.32	47.71	49.14
Ice In Non Prime		36.33	37.42	38.54	39.70	40.89	42.12
Ice In in conjunction with full sheet		18.17	18.71	19.27	19.85	20.44	21.06
Ice Out Prime		30.27	31.18	32.12	33.08	34.07	35.09
Ice Out Non Prime		24.21	24.94	25.69	26.46	27.25	28.07
Ice Out In Conjunction with full sheet		18.17	18.71	19.27	19.85	20.44	21.06
Multipurpose Room							
Full Room		33.47	34.48	35.51	36.58	37.68	38.81
Half Room		16.73	17.23	17.75	18.28	18.83	19.39
Commercial Full Room		39.04	40.21	41.42	42.66	43.94	45.26
Commercial Half Room		22.30	22.97	23.66	24.37	25.10	25.85
Full Room w/ Ice/Floor Rental		22.30	22.97	23.66	24.37	25.10	25.85
Half Room w/ Ice/Floor Rental		11.16	11.50	11.84	12.20	12.56	12.94
Day Rate (Full Room)		196.82	202.73	208.81	215.07	221.53	228.17
Day Rate (Half Room)		98.41	101.36	104.40	107.53	110.76	114.08
Meeting Room (Note: All regular Ice User Groups will have 3 hrs/month free access)							
Meeting Room		5.31	5.47	5.64	5.81	5.98	6.16
Meeting Room w/ Ice / Floor rental		5.31	5.47	5.64	5.81	5.98	6.16

APPENDIX B

Ravensong Aquatic Centre Admissions and Facility Rental Rates

APPENDIX B

RAVENSONG AQUATIC CENTRE ADMISSIONS

	2009	2009/10	2010/11	2011/12	2012/13	2013/14
Category	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST
Tot (0-3)	Free	Free	Free	Free	Free	Free
Child (4-12)	2.93	2.70	2.75	2.85	2.95	3.05
Student (13-18)	3.59	3.50	3.60	3.70	3.80	3.90
Adult (19-59)	4.84	5.00	5.15	5.30	5.45	5.60
Senior (60-79)	3.84	3.90	4.00	4.10	4.20	4.30
Golden (80+)	Free	Free	Free	Free	Free	Free
Family	9.06	9.50	9.80	10.10	10.40	10.70
Special Rate	2.00	2.50	2.60	2.70	2.80	2.90
Special Rate		1.25	1.30	1.35	1.40	1.45

RAVENSONG AQUATIC CENTRE RENTALS

	2009	2009/10	2010/11	2011/12	2012/13	2013/14
Category	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST
Children's Community Groups + Schools						
Main Pool	71.86	74.02	76.24	78.53	80.88	83.31
Whirl-Leisure Pool	35.96	37.04	38.15	39.30	40.48	41.69
Per Lane	12.20	12.57	12.94	13.33	13.73	14.14
Pool All	107.82	111.06	114.39	117.82	121.36	125.00
Youth Community Groups						
Main Pool	80.72	83.15	85.64	88.21	90.86	93.58
Whirl-Leisure Pool	40.33	41.54	42.79	44.07	45.39	46.75
Per Lane	13.58	13.98	14.40	14.84	15.28	15.74
Pool All	121.05	124.69	128.43	132.28	136.25	140.34
Adult Community Groups						
Main Pool	107.15	110.37	113.68	117.09	120.60	124.22
Whirl-Leisure Pool	53.57	55.18	56.83	58.54	60.29	62.10
Per Lane	17.97	18.50	19.06	19.63	20.22	20.83
Pool All	160.73	165.56	170.52	175.64	180.91	186.33
Swim Club - Children						
Main Pool	73.98	76.20	78.49	80.84	83.27	85.77
Whirl-Leisure Pool	37.01	38.12	39.27	40.44	41.66	42.91
Per Lane	12.56	12.93	13.32	13.72	14.13	14.56
Pool All	111.00	114.33	117.76	121.29	124.93	128.67
Swim Club - Youth						
Main Pool	83.08	85.57	88.14	90.78	93.50	96.31
Whirl-Leisure Pool	41.53	42.77	44.06	45.38	46.74	48.14
Per Lane	13.99	14.41	14.84	15.28	15.74	16.21
Pool All	124.64	128.37	132.23	136.19	140.28	144.49

RAVENSONG AQUATIC CENTRE RENTALS

	2009	2009/10	2010/11	2011/12	2012/13	2013/14
Category	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST
Swim Club - Adult						
Main Pool	110.30	113.61	117.02	120.53	124.15	127.87
Whirl-Leisure Pool	55.14	56.79	58.49	60.25	62.06	63.92
Per Lane	18.49	19.05	19.62	20.21	20.81	21.44
Pool All	165.45	170.41	175.52	180.79	186.21	191.80
Birthday Party Rental/Program						
1 hr (pool admission/leader)	60.23	62.03	63.90	65.81	67.79	69.82
1 1/2 (pool admission (pool/party/leader)	158.00	162.74	167.63	172.66	177.83	183.17
1 hr (exclusive pool rental only)	107.82	111.06	114.39	117.82	121.36	125.00
Commercial						
Main Pool	179.03	184.40	189.93	195.63	201.49	207.54
Whirl-Leisure Pool	89.52	92.21	94.97	97.82	100.76	103.78
Per Lane	29.84	30.74	31.66	32.61	33.59	34.59
Pool All	287.33	295.95	304.83	313.98	323.40	333.10
Patio (4 hr maximum)	20.62	21.24	21.88	22.53	23.21	23.91
Guards						
Additional Guard(s) per 1 hr sessions	33.90	34.92	35.97	37.05	38.16	39.30

MEMBERSHIPS (OP and RAC)

	2009	2009/10	2010/11	2011/12	2012/13	2013/14
Category	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST	Total inc. 5% GST
3 Month						
Child (4-12)		70.20	71.50	74.10	76.70	79.30
Student (13-18)		91.00	93.60	96.20	98.80	101.40
Adult (19-59)		130.00	133.90	137.92	141.70	145.60
Senior (60-79)		101.40	104.00	106.60	109.20	111.80
Family		247.00	254.80	262.60	270.48	278.20
6 Month						
Child (4-12)		126.36	128.70	133.38	138.06	142.74
Student (13-18)		163.80	168.48	173.16	177.84	182.52
Adult (19-59)		234.00	241.02	248.25	255.06	262.08
Senior (60-79)		182.52	187.20	191.88	196.56	201.24
Family		444.60	458.64	472.68	486.86	500.76
12 Month						
Child (4-12)		189.54	193.05	200.07	207.09	214.11
Student (13-18)		245.70	252.72	259.74	266.76	273.78
Adult (19-59)		351.00	361.53	372.38	382.59	393.12
Senior (60-79)		273.78	280.80	287.82	294.84	301.86
Family		666.90	687.96	709.02	730.29	751.14

APPENDIX C

Recreation Coordinating Fees

1. A minimum 3% increase to all on-going program fees effective September 1, 2009 through to August 31, 2014; however, a higher percentage may be applied from year to year if the recovery of program costs warrant such an increase in fees.
2. Recovery rate categories for Recreation Coordinating function shall be as follows:

Category:	Recovery Rates (%)
Pre-School Programs (5 yrs. & under)	100
Children's Programs (Kindergarten – Grade 5)	100
Youth Programs (Grade 6 – 12)	75
Adult Programs (19 yrs. and above)	125
Summer and Holiday Camps	75
Contract Camps	100
Family Programs	75
Leadership Development	75

3. The administration fee included in the development of programs shall be 15%.
4. The guideline for the revenue-sharing percentage ratio for Term Instructors (Companies) and the Regional District of Nanaimo agreements shall be 70% / 30% respectively.

APPENDIX D

MID ISLAND FEES AND CHARGES Current as of May 2009 or projected for 2009/2010.

Light Grey Shade = Lowest Rates

Dark Grey Shade = Highest Rates

Location:	Children	Youth	Adults	Seniors	Family
Campbell River	2.63	3.63	5.30	3.94	10.61
Comox Valley SC (projected for 09/10)	2.35	2.75	4.50	3.60	9.40
Comox Valley AC (projected for 09/10)	2.65	3.20	5.05	4.20	10.80
Cowichan Arena /Aquannis Centre	2.75	3.25	4.50	3.25	9.00
Cowichan Aquatic Centre	2.50	4.00	5.00	4.00	
Fuller Lake	2.50	3.50	4.50	3.50	10.00
Port Alberni***	2.00	2.00	2.00	2.00	6.00
Powell River	2.80	3.80	4.20	5.10	10.20
Nanaimo	2.75	4.25	5.50	4.25	11.00
Mid Island (MI) Averages May 2009	2.55	3.38	4.51	3.76	9.63
Note: Some departments may not have yet adjusted projected rates for 2010; therefore, averages may increase by year end.					
***Note: PA is significantly dropping fees for 2009 due to economic climate in PA to increase attendance.					
Mid Island (MI) Averages May 2008	2.60	3.40	4.86	3.78	10.00
Mid Island (MI) Averages May 2007	2.46	3.29	4.58	3.54	9.44
Current status RDN - OP (08/09)	2.60	3.40	4.85	3.68	9.06
Current status RDN - RAC (2009)	2.93	3.59	4.84	3.84	9.06
RDN - OP (09/10) Proposed in 08 @ 2%	2.66	3.47	4.95	3.75	9.24
RDN - RAC (2010) Proposed in 08 @ 2%	2.99	3.66	4.95	3.92	9.24
Recommended New RDN Rate	2.70	3.50	5.00	3.90	9.50
Difference to MI Average	0.15	0.12	0.49	0.14	-0.13
Compared to City of Nanaimo	-0.05	-0.75	-0.50	-0.35	-1.50



FORM 2116 (REV. 07/08)
CAC APPROVAL
EAP
COM
R-D
BOARD
<i>Dist 69 - June 25 '09</i>

MEMORANDUM

TO: Tom Osborne
General Manager of Recreation and Parks

DATE: June 16, 2009

FROM: Dan Porteous
Superintendent of Arenas and
Southern Recreation Services

FILE:

SUBJECT: District 69 Track and Field Facility Study

PURPOSE

To provide information and recommendations regarding the District 69 Track and Field Facility Feasibility Study.

BACKGROUND

The 2006 Recreation Services Master Plan outlined recommendations regarding the development of a track and field facility. The District 69 Recreation Commission was interested in pursuing these recommendations. In March 2008 the Regional Board approved a recommendation supporting a joint grant application between the Regional District and School District 69 for funds from the School Community Connections Program to be used for a track and field facility feasibility study. The two organizations were successful in their bid for funding. Subsequently, a Committee was established including staff of the Recreation and Parks Department and the School District. The consulting firm of Yates, Thorn and Associates Inc. was retained to work on the study in April 2008.

The study considered two options, a location for a stand alone track and field facility or a larger space for an outdoor sports complex that could include a track and field facility along with other key sports fields and amenities. The concept of an outdoor sports complex had also been identified in the 2006 Master Plan. Based on the findings, the consultant completed a draft report recommending a new track and field facility be constructed at Ballenas Secondary School, which was presented to the public and to the District 69 Recreation Commission. Based on feedback from the community and the Commission the Regional Board approved an extension to the study in February of 2009.

This extension provided time to further explore potential sites in District 69 large enough to develop an outdoor sports complex. To this end, workshops were held with key stakeholders from the municipalities of Parksville and Qualicum Beach, Commission representatives of the District 69 electoral areas, members of the Sports Association, the Oceanside Track and Field Club, and Regional District staff. During the workshops a long list of potential sites were identified and criteria established for creating a short list.

The consultant's report examines key issues and identifies key outcomes highlighted as follows:

The Current Situation

A track once existed at Kwalikum Secondary School; however, it is no longer used and is returning to a grass field. Considerable work would need to be completed to consider this site for a new, larger track and field facility due to size limitations of the field and the school property. Such development would likely require slope stabilization and possible land acquisition outside the existing school's property boundaries. The site could be considered for a smaller training facility; however, the utilization of the existing track and field facility at Ballenas Secondary School is more viable for this purpose as it is still functional.

Although a track and field facility exists at Ballenas Secondary School, it is in need of upgrades for prolonged use. Currently, it is the only functional facility in the District still used by the school and the local Track and Field club. The Oceanside Track and Field Club has seen a resurgence in the number of members over the past few years in which the Club, along with the School District, continue to work as best they can to develop the skills and experience of young athletes in the District. Due to its existence and current use, it is the preferred site for any plans to upgrade or development as a stand alone facility.

Learning from Other Track and Field Facilities in BC

The consultant looked at 12 other communities with track and field facilities. Key findings concluded that successful tracks are municipally owned while School District tracks are not well maintained due to a lack of funding for maintenance and repair. This has implications with respect to future investment and development, possible joint operations and maintenance with other non-profit or government organizations if a school site is considered for new development.

Operational costs are generally low; however, capital development and replacement costs are high. Track surfaces can have approximately a 12 year life span.

Track and Field facilities can be multi-purpose in nature and can serve the communities in a variety of ways to achieve social and physical well being of community residents. Larger facilities can even provide economic benefits when used for sport related special events such as the Senior or Winter Games. To be useful in this nature tracks must have at least 8 lanes, along with seating, lighting and other key amenities.

Design Parameters and Guiding Principles

The Study provides for a number of design parameters and guiding principals to assist in future decision making processes when considering the development of a track and field facility. These are outlined as follows and are in no particular order:

Doing It Right

Considerable public feedback suggested that such a key community investment needs to be well planned with a long term vision and broad scope to ensure the facility is properly developed and managed including some key factors as indicated below.

Ensuring Event Potential

This relates to the development of a site that provides for future success in terms of attracting larger meets and possible Games. This would suggest a site with a minimum of 8 lanes and key amenities as indicated in 'Learning from Other Track and Field Facilities in BC' above.

Community Access

Ease of access in relation to maximizing community access is essential; therefore, geographic location, time constraints, parking, and other transportation issues would need to be carefully considered.

Clear Financial Plan for the Long-Term Replacement of the Track Surface

The long term operational needs and financial framework to meet those needs must be well established to ensure success. Track surfaces have approximately a 12 year replacement cycle that will need to be considered.

Primacy of Track and Field

This pertains to the need for focused attention to the training and event priorities of a track and field facility, and that field use in relation to track and field sports is not compromised due to the priorities of other sports field users.

Meeting the Needs of the School District

The needs of the School District must be considered in relation to any short term or long term plans that are developed. If a track and field facility is enhanced or developed on school property, the impact on other school programs must be considered. However, if a site is developed on non-school property, issues regarding future school access must also be taken into consideration.

The Options

Although a need is recognized in terms of developing a new facility, there are different approaches to accomplish such development. The study considered four potential options outlined as follows:

Option 1 – Upgrade the existing Track and Field facility at the Ballenas Secondary School site to include curbs, resurfacing, and possibly low level lighting (approximate cost = \$600,000-\$850,000). This would be a short term alternative of 8-10 years, and would create an enhanced public facility with limitations including the inability to host larger key events. A significant portion of this cost (approximately, \$140,000) would be to resurface the track with an asphalt base. Although this surface is not conducive for athletes who wear spikes/cleats for events, the consultant's perspective is that this initial investment would lay the foundation for future resurfacing of a synthetic track if it was later determined the facility at Ballenas school be the preferred site. The asphalt surface would benefit casual walkers and for training and running events where spikes/cleats would not be used.

Option 2 – Development of a quality training track with curbs, synthetic track surface, lighting, but with limited lanes of four to six maximum (approximate cost = \$1.5 million). This type of track would also have similar limitations as Option 1 with respect to hosting larger key events. Such a facility could have potential at either the Ballenas Secondary School or the Kwalikum Secondary School; however, as earlier indicated, the Kwalikum site would require further development in addition to the track and field facility.

Option 3 – Develop a full eight lane track and field facility (approximate cost = \$2.0-\$2.5 million). This could be accommodated at the Ballenas Secondary School site with two suggested orientations (the Kwalikum Secondary School site is not large enough to be considered for this option). The first orientation would be to utilize the footprint of the existing track and field, which would not impede upon the other existing field (a future development priority for the school). The second orientation would be to run perpendicular to the existing site; however, although this

orientation is most suitable for adding some amenities, it only allows for one quality field within the track and field facility, completely covering up the other existing school field.

Both of these orientations have significant limitations with respect to adding amenities and future growth potential, and school based challenges with respect to field priorities.

Option 4 – Build a track and field facility at a new, larger outdoor sports complex. This would be a long term approach that would provide for a full 8 lane facility, key amenities and future potential enhancements if desired. Such a site would also provide for other key sport/recreation fields that could be incorporated into future design work such as ball diamonds, soccer / football pitch, tennis courts and/or field lacrosse. This fourth option is based on the expansion phase of the study that identified potential sites large enough to incorporate these additional fields and/or amenities (approximate cost for the track and field facility would also be \$2.0-\$2.5 million). There would be significant costs associated with land acquisition and site planning for an outdoor sports complex in addition to the track and field facility.

Option 4 would include a site selection process. As indicated previously, the extension phase of this study provided for a long list of potential sites, of which the consultant has short listed to four key areas for future consideration. Selected areas were established based on a set of criteria as noted in the study and include the south end of Parksville around Shelley Road, near the Parksville and Qualicum Beach Highway 19 intersections, and in the Church Road area. Due to private land ownership issues, specific details have not been disclosed in this staff report and the attached executive summary. Additional work would be required to explore these areas more closely to identify a specific site for future acquisition and development, resolving any issues with respect to private land ownership and/or the Agricultural Land Reserve.

Feasibility Study Recommendations

Based on the study findings the consultant is recommending a two tiered approach to the development of a Track and Field facility in District 69.

1. Upgrade the current Ballenas Secondary School track and field site.
2. Establish a long term approach to acquire land and develop a new outdoor sports complex, with a track and field facility being one of the first facilities to be developed on the site.

This two tiered approach would provide a short term solution with significant upgrades to accommodate current users and provide an enhanced track and field facility until a future site could be acquired and developed. An application for School Community Connections Program Phase III funding would be considered for Option 1 as these funds would only be available for one to two years. The remainder of funds would need to be acquired through other means such as tax requisitions, grants and fundraising. Long term planning related to the second recommendation would be the next phase, creating a vision that would be broader serving to meet the needs of the greater community of users.

It should be noted that RDN staff do not concur with the consultant's resurfacing approach in Option 1. Instead, a revised Option 1 could still be considered. Upgrades to the facility could be limited to curbing, possible low level lighting and enhancements to some of the amenities and fitments regarding field activities. The track would be maintained as a cinder field rather than laying asphalt. As indicated in the consultant's report, due to funding constraints, "...it may be necessary to scale back this option, to even a more utilitarian level". Based on figures in the

study, limiting the upgrades would cost significantly less, more likely in the range of \$100,000-\$300,000 depending on priorities and available funding. This option would still prove beneficial in the short term to all athletes, students, and casual users alike until a long term plan can be explored and potentially realized.

From a Regional District perspective there is a priority project underway that needs to be factored into the timing of upgrading an existing track and field facility or constructing a new track and field complex. The Ravensong Aquatic Centre is in need of immediate remedial and repair work that will be completed over the next two years. This project does have significant cost implications that need to be addressed and may defer other recreation service initiatives in the near future, for example, any Regional District funding directed towards a track and field facility.

Considering the costs for a track and field facility, attention needs to be given to the current economic climate which may also limit the amount of public funds available, and delay the process to upgrade the current track and field facility or develop a new outdoor sports complex and/or stand alone track and field facility.

A copy of the Executive Summary is attached for reference as Appendix I. The Track and Field Facility Study is provided under separate cover for In Camera consideration due to private land issues.

ALTERNATIVES

1. To approve the District 69 Track and Field Facility Feasibility Study as a resource for the future planning and development of a track and field facility in District 69.
2. To not approve the District 69 Track and Field Feasibility Study and provide alternative direction.

FINANCIAL IMPLICATIONS

Currently there are no funds in either the School District or Regional District budgets allotted to upgrade the current site, develop a new track and field facility or to acquire property and plan for the development of an outdoor sports complex. Costs associated with the development of a new stand alone track and field facility are estimated between 1.5 and 2.5 million dollars. Costs associated with an outdoor sports complex would be considerably higher due to the acquisition of land and other planned sport/recreation related play fields and amenities.

If the study is approved, financial implications will need to be further determined in the future with respect to the long term approach of Option 4. On-going operational costs would also have to be established and budgeted for. Regional District involvement with such development would likely require a referendum although other financial strategies would be considered at the time including local government funding, borrowing/repayment opportunities, provincial/federal grants, and community fundraising. The project would need to be prioritized with respect to annual budgets and work plans. Other competing priorities within the Recreation and Parks Department and the Regional District as a whole would also have to be considered.

It may be feasible in the short term to continue supporting the School District and Track and Field Club with upgrades to the current track and field facility as indicated by the consultant in Option 1. Some of the upgrades could be managed over a period of time to enhance what is currently available, and the consultant's cost estimation of \$600,000-\$850,000 could be substantially reduced to \$100,000- \$300,000. This project would be accomplished with much less financial commitment from the Regional District and the School District depending on the availability of

grants, fundraising and other revenue sources that could be generated. Specific financial implication would have to be determined once work got underway.

If the study is approved, Community School Connections Program Phase III funding may be applied for. This funding provides up to a quarter of the costs of a project to a maximum of \$125,000. As earlier indicated, any funding approved through this Program would be applied to upgrading the Ballenas site as it is stipulated these funds would need to be used within the next two years.

If the study is not approved there would be no financial implications to consider with respect to the Regional District. However, Phase III funding from the Community School Connections Program would no longer be available, which may affect upgrades to the Ballenas site. The Track and Field Club and School District would continue to use and maintain the track and field facility in its current state.

SUSTAINABILITY IMPLICATIONS

The Regional District continues to grow and with this growth, increased demands and expectations for a variety of opportunities to enhance the lifestyles of the residents for the long term.

The Recreation Services Master Plan provided recommendations to explore additional sport and recreation facilities to meet the ever growing need is necessary to ensure the physical, social, emotional and mental well being of residents is attained through active, healthy lifestyles.

Due to the long term planning that will be necessary, the short term approach of upgrading the current site will at least provide enhanced training opportunities and casual use for many residents in the District, especially young, upcoming athletes through community and school programs. Upgrades to the facility will assist in maintaining what already been deemed beneficial until a better facility may be realized.

CONCLUSION

A District 69 Track and Field Facility Feasibility Study was recently completed by the consulting firm of Yates, Thorn and Associates Inc. on behalf of the Regional District and School District 69. The study reviewed a number of options for the development of a track and field facility including upgrades to various school sites and exploration of potential sites for a larger outdoor sports complex that could house a new track and field facility.

Based on the Study findings, the consultant has recommended that upgrades to the Ballenas site be explored as a short term option to provide current users with a higher quality training area. The consultant also recommended that a long term approach be further explored to identify, acquire, plan and develop an outdoor sports complex that would include a track and field facility.

Although RDN staff do not concur with the comprehensive upgrades to the Ballenas site as indicated by the consultant, the short term approach of supporting upgrades to the facility is warranted and may be done at a significantly reduced cost than outlined in the study. The second, long term approach does provide a vision for a much needed facility with respect to the growth of the District and the demands for sport/recreation fields and opportunities.

Given the current economic climate and funding priority with respect to the immediate financial commitments for the Ravensong Aquatic Centre, and the significant costs to realize such a vision for an outdoor sports complex, the Regional District would need to consider the Track and Field

Facility Feasibility Study as a long term planning guide. This process would need to be ongoing and specifically considered in the annual budget processes and prioritized work plans to ensure the efforts of staff can be maximized. The School District 69, Oceanside Track and Field Club and the District 69 Sports Association have expressed their interest in working together with the Regional District to further these efforts for the benefit of the users and community at large.

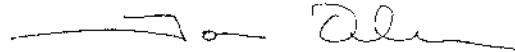
It is therefore recommended that the District 69 Track and Field Facility Feasibility Study be approved as a resource document to assist in the planning and development of track and field facility options for District 69 and that Regional District staff continue to work with the School District, the Track and Field Club, the District 69 Sports Association, along with the District 69 municipalities to further explore the options identified in the study for short and long term benefits.

RECOMMENDATIONS:

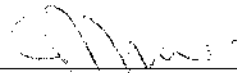
1. That the District 69 Track and Field Facility Feasibility Study be approved as a resource document for the planning and development of track and field facility in District 69.
2. That Regional District staff continue to work with School District 69, City of Parksville, Town of Qualicum Beach, Oceanside Track and Field Club and the District 69 Sports Association to further explore the options identified in the District 69 Track and Field Facility Feasibility Study.



Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:

APPENDIX 1

Introduction

This report has been prepared with funding from the School Community Connections program managed for the BC Provincial Government by the Union of BC Municipalities. The report looks at the issues and options for developing a new track and field facility to serve the residents of District 69.

A community track is a basic sport facility; many athletes – soccer, football, baseball, etc. - use it to train; community groups use it for 24 hour relays for charity fundraising; the elementary school track teams go there to get inspiration; and the community uses it for casual walking.

The Regional District of Nanaimo and School District 69 started discussions about potential School Community Connections projects in November 2007, and agreed to investigate the potential for a new or upgraded track and field facility to serve the District. Approval for phase two of the project was received in March 2009, and Yates, Thorn & Associates Inc. was retained to manage the project and to fully investigate all aspects associated with developing a new track and field facility.

Historically, there were two track and field facilities in District 69, located at the two secondary schools, Balenas and Kwahikum. The district's primary current track and field venue is at Balenas Secondary School. It probably dates from or shortly after the construction of the school in 1977. It has a red cinder base and is approximately 400m in length. The track is in poor condition.

There are currently three main user groups of the Balenas Secondary School track and field facility: the Oceanside Track and Field Club, the school itself, and casual use by occasional and largely individual runners and joggers.

In 2008, the Regional District of Nanaimo received the recommendations of a Recreation Services Master Plan. The principal outdoor facility recommendation was to consider the development of a sports complex, a track and field facility, and regional trails. The consultants did note with regard to the track and field facility that it *could be located at the proposed sport complex, or it could be located at a secondary school site, such as Balenas*.

As part of the planning for the new facilities, the learning from other track and field facilities was gathered. This learning is summarized as follows:

- Successful tracks are municipally owned - School District tracks are not well maintained.
- Most are built for an event, therefore to event standards.
- Operating costs are low, but capital replacement cost is high – the track surface has 8/12 year life.
- Tracks are used for many functions beyond athletics - community walkers, charity events - location boosts uses e.g. city centre.
- Rental income is from major events and rental of the field (where charges levied), not from track and field.
- Eight lanes are standard.
- A field in the middle limits use for field events - especially if it is artificial turf.
- Events at almost any level, and certainly provincial and up, require many more amenities than generally provided.

In addition to the key criteria of cost to construct and maintain, and ease of implementation, a set of guiding principles were developed:

- Do it right! – Ensure that the facility is well planned and executed.
- Build it such that it has event potential.

- Design it so that community access is maximized
- Make sure that there is a clear financial plan for the long-term replacement of the track surface
- Focus that the needs of the track and field community are paramount
- Ensure that the facility meets the needs of District 69 schools

Four options, some with variants within them, were identified.

- Option 1 – Upgrading the current Ballenas Secondary School Track and Field Facility
- Option 2 – Rebuilding a Secondary School Track as a Training Track
- Option 3 – Replacing the Existing Track at Ballenas Secondary School with a full eight lane competition track
- Option 4 – Building a new track at a new outdoor sports complex

All these options offered different levels of facility for different costs. Option 1 could be completed for approximately \$709,000, option 2 for \$1.5m, option 3 for closer to \$2.5m, option 4 would also cost approximately \$2.5m, but would require considerable additional financing to acquire and provide infrastructure to the new site.

While not part of the initial terms of reference for the project, additional work was authorized to determine whether there was a site possible for option 4 – a new outdoor sports complex. Two site identification focus groups were held at which a long list of sites was brainstormed and evaluation criteria determined. Following this analysis it was agreed that a site for a new outdoor sports complex could be found in one of four areas of the District – close to the south end of Parksville, close to the two highway 19 intersections, and in the Church Road area, currently zoned for industrial uses.

Funding for a new track and field facility can come from a variety of sources:

- The School Community Connections program can provide up to \$125,000 as long as this contribution is no more than 25% of total project costs.
- The School District could contribute to the overall project if it is on their land.
- The local governments in the region (Regional District, Cities of Parksville and Town of Qualicum Beach) could contribute although this would likely require a referendum or similar to approve a capital expenditure of this magnitude.
- There are several provincial/federal programs for capital project funding.

The study recommendations are as follows:

1. That two strategies be developed, one for a short term approach and one for a long term approach.
2. That the short term approach be option 1, namely using the funding within the SCC program to upgrade the current Ballenas Secondary School track, with the other local government and community partners contributing \$375,000 to the SCC \$125,000, and that the project be scaled as far back as necessary to meet this financial target.
3. That the long term approach be to continue with the planning and acquisition of land for a new outdoor sports complex, with a track and field facility being one of the first facilities to be developed in that sports complex.

It should be noted that no funding is currently committed to this project by either the Regional District or the School District.

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA 'E' PARKS AND OPEN SPACE ADVISORY REGULAR COMMITTEE MEETING HELD MONDAY, MAY 4, 2009, AT 7:00PM AT NANOOSE PLACE

Attendance: George Holme, Director, RDN Board
Frank Van Eynde
Gabrielle Cartlidge
Stephen Watson
Scott Wroe

Staff: Elaine McCulloch, Parks Planner

Regrets: Bonnie Whipple

CALL TO ORDER

Chair Van Eynde called the meeting to order at 7:10pm.

MINUTES

MOVED F. Van Eynde, SECONDED G. Holme, that the Minutes of the Electoral Area 'E' Parks and Open Space Advisory Committee meeting held May 4, 2009, be approved.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

MOVED G. Holme, SECONDED S. Wroe, that the following Correspondence be received:

- W. and N. Kokura, re: Strata #3393 and Community Parks and Trails
- C. Mason to W. and N. Kokura, re: Strata #3393 and Community Parks and Trails
- W. and N. Kokura, re: Reply Strata #393 and Community Parks and Trails

CARRIED

BUSINESS ARISING FROM COMMUNICATIONS/CORRESPONDENCE

MOVED S. Watson, SECONDED G. Cartlidge, that staff be directed to investigate further the design and construction of a community trail adjacent to the existing trail which forms part of Strata #3393 lands as it extends off Rockhampton Road.

CARRIED

REPORTS

Five Year Project Plans

Ms. McCulloch updated the Committee on the new process for developing Five Year Project Plans. With the growth of the parks system, both regional and community, demands for projects are exceeding the available staff time and funds to complete the work. Developing Five Year Project Plans will provide direction for staff and provide better planning for budget purposes and utilization of staff resources.

Committee members reviewed the existing Area 'E' park inventory and provided feedback on park classification and development priorities. Staff will incorporate the information received and report back at the next meeting.

MOVED S. Wroe, SECONDED S. Watson, that the Reports be received.

CARRIED

COMMITTEE ROUND TABLE

Ms. Carlidge reported the majority of the suggestions made by the Committee regarding the Fairwinds/Schooner Cove project have been incorporated into the draft plan. Both the suggestion to include children's play equipment and the creation of walking trails in the open spaces were included.

ADJOURNMENT

MOVED G. Holme, SECONDED F. Van Eynde, that the meeting be adjourned at 9:30p.m.

IN CAMERA

MOVED G. Holme, SECONDED F. Van Eynde, that pursuant to Section (90) (1) (e) of the Community Charter the Committee proceed to an In Camera meeting to consider land issues.

CARRIED

Chair

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA 'G' PARKS AND OPEN SPACE ADVISORY
REGULAR COMMITTEE MEETING HELD THURSDAY, MAY 21, 2009
AT OCEANSIDE PLACE
7:00PM**

Attendance: Joe Stanhope, Director, RDN Board
Brian Coath
Jacqueline Thomson
Minnie Corbett

Staff: Elaine McCulloch, Parks Planner

Regrets: Aileen Fabris, Chair

CALL TO ORDER

Mr. Coath called the meeting to order at 7:07pm.

MINUTES

MOVED J. Stanhope, SECONDED J. Thomson, that the Minutes of the Electoral Area 'G' Parks and Open Space Advisory Committee meeting held January 15, 2009, be approved.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

MOVED M. Corbett, SECONDED J. Thomson, that the following Correspondence be received:

- M. Pearse to Brian Coath, Re: Re-Appointment to Advisory Committee
- M. Pearse to Jacqueline Thomson, Re: Re-Appointment to Advisory Committee
- M. Pearse to Minnie Corbett, Re: Re-Appointment to Advisory Committee

CARRIED

REPORTS

Five Year Project Plan

Ms. McCulloch reviewed the Five Year Project Plan and the existing Area 'G' park inventory and provided feedback on park classifications and development priorities. Staff will incorporate the Committee's recommendations in the plan.

MOVED B. Coath, SECONDED J. Stanhope, that the Reports be received.

CARRIED

COMMITTEE ROUND TABLE

Ms. Thomson requested a volunteer cleanup crew be organized for the Miller Road site.

Ms. Thomson requested staff investigate the removal of ivy from the trail down to the beach and that they report back to the Committee on the process.

Mr. Coath stated he was impressed with the gravel which was spread on the Admiral Tyron lookout, making the area almost wheelchair accessible. He will contact staff regarding the placement of more gravel.

Mr. Coath requested staff investigate the replacement of the temporary sign on the Admiral Tyron Boulevard with a proper industry standard sign and report back to the Committee on their findings.

ADJOURNMENT

MOVED J. Stanhope, SECONDED J. Thomson, that the meeting be adjourned at 9:25pm.

CARRIED

Chair

**REGIONAL DISTRICT OF NANAIMO
REGIONAL SOLID WASTE ADVISORY COMMITTEE
REGULAR MEETING
HELD ON THURSDAY, JUNE 18, 2009
OLIVER WOODS COMMUNITY CENTRE**

Present:	George Holme	Chair, Director, RDN
	Lou Biggemann	Director, RDN
	Al Leuschen	Ministry of Environment
	Gary Franssen	City of Nanaimo
	Michael Schellinck	Waste Management – Non Profit Sector
	Melissa Kriegerfox	Waste Management – Private Sector
	Wally Wells	General Public - South
	Janet Sawatsky	General Public - North
	Shari Young	Landfill Site Liaison Committee
	John Cheek	Business Community – South
	Al Cameron	Town of Qualicum Beach
	Doug Glenn	Vancouver Island Health Authority
	Paul Liddy	Cedar Road LFG
	Antonia Pineiro	Cedar Road LFG
	Michael Weedon	BC Bioenergy Network
	Sandy Ferguson	BC Bioenergy Network
	Chris LoScerbo	VIU Student
	Alex Conly	VIU Student
 Also in Attendance:		
	Dennis Trudeau	GM Transportation & Solid Waste Services, RDN
	Carey McIver	Manager of Solid Waste, RDN
	Jeff Ainge	Zero Waste Program Coordinator, RDN
	Sharon Horsburgh	Senior Zero Waste Coordinator, RDN
	Maggie Warren	Superintendent of Scale & Transfer Services, RDN
	James Mathers	Environmental Technician, RDN
	Maude Mackey	Zero Waste Compliance Officer, RDN
	Rebecca Graves	Recording Secretary, RDN

CALL TO ORDER

The Chairperson called the meeting to order at 4:02 pm. Introductions were made.

MINUTES

Gary Franssen commented in regards to the Assessment of New Treatment Technologies Draft Report. The RDN will ensure the minutes are clarified as per Wally Wells' comments from the previous meeting to reflect that other members of the Committee also shared Mr. Mike Schellinck's views with respect to New Treatment Technologies.

MOVED Lou Biggeman, SECONDED Wally Wells that the minutes be amended as follows;

The Assessment of New Treatment Technologies Draft Report was discussed however, the Committee did not come to any conclusions.

CARRIED

That the minutes of the Regional Solid Waste Advisory Committee meeting of January 15, 2009 be adopted as amended.

CARRIED

That the minutes of the Regional Solid Waste Advisory Committee meeting of March 19, 2009 be adopted as amended.

CARRIED

REPORTS

RESIDENTIAL FOOD WASTE COLLECTION STATUS REPORT

Jeff Ainge provided a verbal update to the committee on the Food Waste Collection final report provided to the Federation of Canadian Municipalities. The report was well received at FCM, and the final disbursement of grant money has been approved by them.

With regards the Request for Proposals for the curbside collection contract, it was issued at the end of May and will close July 17, 2009.

Mike Schellinck asked if the RFP was just to collect food waste and no garbage and recycling. Jeff Ainge replied that the contract will include food waste, garbage and recycling.

BANNING OF PLASTIC BAGS PRESENTATION (Slide presentation attached).

Jeff Ainge gave a powerpoint slide presentation on the issue of plastic bags. Background was given on what other countries and communities are doing regarding banning or taxing "single-use" plastic bags. Some countries don't have the infrastructure but encourage reuse. Other jurisdictions have been able to be more regulatory such as South Australia which has implemented a state-wide ban. A commercial from South Australian television was played (www.byobags.com.au). The Regional District does not have the authority to ban distribution at retail outlets, nor can it impose a tax. The retail sector has acknowledged the proliferation of bags is a concern and they have announced steps to promote reuse and reduction.

The opportunity exists to link the collection of food waste with reduction of check-out style plastic bags. During the pilot food waste program, containers and a supply of compostable bags were provided. When the compostable bag supply ran out people starting calling because of the cost to purchase more bags. Although lining the bin is optional most people are in the habit of using plastic bags to line their in-home garbage containers. This behaviour was transferred to the food waste container(s). If we could work with retailers to have an option for compostable checkout bags, we could see a reduction in plastic at the landfill and good participation in the food waste program when it is implemented.

Gary Franssen commented on behalf on the City of Nanaimo (CON). The City has been collecting bags in their curbside recycling program. When introduced it was a clean stream (not contaminated and all one type of plastic) but now the grocers are changing by providing biodegradable bags. This creates a situation where the material can be contaminated because virgin plastic and biodegradable plastics can not be processed together. The CON would like to provide an option to have residents access compostable bags that can then be used in kitchen waste bins for a better price and have the grocers give them out.

Melissa Kriegerfox commented that with respect to Thrifty's move to remove plastic bags entirely, what would be the point of then having them provide a compostable bag? She thought the issue of plastic bag reduction and food waste collection need to be kept separate or it gets too confusing.

Jeff Ainge commented that having compostable bags at the check out counter gives the resident and retailer options especially if the bag could be used in the kitchen food waste bin.

John Cheek commented that he has seen plastic bags with food waste coming in to ICC. He wondered if an option would be that we could provide some sort of tote with paper in it to resolve the problem of contaminated food waste at ICC.

Jeff Ainge agreed with the comment and explained that that is an option we give people when they phone in. We recommend using paper, newspaper, milk cartons or compostable line bags to reduce the "yuck" factor.

Al Cameron asked Jeff if he had checked with Ladysmith stores because apparently they offer compostable bags.

Al Leuschen wanted clarification if the plastic bags were banned from the landfill and wondered what the vision was to handle the residuals?

Jeff Ainge replied that he was offering background on the issue, however if the wet waste requiring use of liners was removed from the garbage (and put in food waste collection) there may not be the same need for plastic bags to line in-home garbage containers.

LANDFILL GAS MANAGEMENT REGULATION REPORT

Carey McIver gave a verbal presentation on Solid Waste and climate change. The RDN has a Draft Community Energy and Emissions Plan and the province introduced a new landfill gas regulation as of Jan. 1, 2009. With the gas collections system, at best, we can get a 75% reduction. (Slide presentation attached).

LANDFILL GAS COLLECTION SYSTEM REPORT

James Mathers presented the Landfill Gas Collection System outline and discussed the composition of methane gas and carbon dioxide along with other traces of gases. (Slide presentation attached).

LANDFILL GAS UTILIZATION SYSTEM REPORT

Background on LFG Utilization facility was presented by the Cedar LFG Operations Engineer and VIU students enrolled in the Green Building Renewable Energy Technology Program. They discussed how this project is an example of green technology as power will be generated from methane and will be transformed into energy that can be utilized in our community. Cedar Road has been awarded a Community Initiative Award. They are working on a collaborative agreement with community partners to local opportunities for energy utilization. Their vision is to be a leading bio-energy example for Nanaimo.

BC BIOENERGY NETWORK PARTNERSHIP AGREEMENT REPORT

Michael Weedon gave a brief presentation on BC Bioenergy Network and outlined their mandate which is to reduce GHG Emissions, network with BC companies and to leverage funding to maximize green energy opportunities. They are a not for profit organization and are separate from the government. He explained that a 25 million dollar grant was received from the BC government that can be used to help to develop BC's green industry. BC Bioenergy have a co-investment strategy and are attempting to develop pilot projects to build a sustainable bioenergy industry in BC. **Carey McIver** invited them to make a presentation to the Committee of the Whole on July 14 or 28, 2009.

ADJOURNMENT

The meeting was adjourned at 6:00 pm. The next meeting of the Regional Solid Waste Advisory Committee is tentatively scheduled for Thursday, September 17, 2009 from 4:00 – 6:00 pm. (location TBA).

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE
REGIONAL PARKS AND TRAILS ADVISORY COMMITTEE MEETING
HELD ON TUESDAY, JUNE 16, 2009, 12:00PM
IN THE RDN COMMITTEE ROOM**

Attendance: Director Larry McNabb, Chair
Director Joe Stanhope
Director Maureen Young
Director Teunis Westbrook
Director Dave Bartram
Frank Van Eynde
Peter Rothermel
Craig Young

Staff: Tom Osborne, General Manager of Recreation and Parks
Wendy Marshall, Manager of Park Services
Marilynn Newsted, Recording Secretary

CALL TO ORDER

Chair McNabb called the meeting to order at 12:00pm.

MINUTES

MOVED T. Westbrook, SECONDED D. Bartram, that the Minutes of the Regional Parks and Trails Advisory Committee meeting held April 7, 2009, be approved.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

MOVED F. Van Eynde, SECONDED D. Bartram, that the following Correspondence be received:

- T. Osborne to Nanaimo and Area Land Trust Society, Re: Funding Agreement and Payment
- T. Osborne to Friends of the Morden Mine Society, Re: Funding Agreement and Payment
- T. Osborne to Vancouver Island Conservation Land Management Program, Re: Coats Conservation Area Caretaker Agreement
- L. Ekelund, Re: Morison Creek Used As Campground
- Friends of the Morden Mine, Re: Grant Thank You

CARRIED

REPORTS

Mount Arrowsmith Regional Park – Park Use and Management Concerns

Ms. Marshall presented a brief review of the correspondence received from Mr. Peter Bolten, in the fall of 2008, stating his concerns regarding park use and the management of Mount Arrowsmith Regional Park, including inadequate staking of the property during the Nominal Rent Tenure Application, off leash dogs, updating and inadequate posting of bylaws, restricting of night time access to the park and accessibility. Ms. Marshall stated staff did follow staking procedures as outlined by the Integrated Land Management Bureau during the application process. The off leash dogs and other user issues in general, will be addressed under the management plan, which is to be completed next year. The park bylaw has been in place since 2004, and other than a minor amendment to include campgrounds which was just done, there are no plans to amend it further at this time. The bylaw does state Regional Parks are closed overnight, mainly to control overnight campers. The entire bylaw is not posted in the parks, however, specific portions of the bylaw are posted when user issues arise and information kiosk are in place.

MOVED F. Van Eynde, SECONDED D. Bartram, that the Mount Arrowsmith Regional Park – Park use Concerns Report be received for information.

CARRIED

Park Acquisition Criteria and Rating Framework

Ms. Marshall presented an overview of the Regional Park Acquisition Criteria and Rating Framework prepared by HB Lanarc. Ms. Marshall noted during the development process of the regional park development cost charges, it became apparent there was a need to understand when looking at existing parks in the municipalities, which parks would be considered regionally significant. Also, as more and more acquisition requests were being received, by the Department, a more comprehensive criteria breakdown was required, so the properties could be assessed more effectively.

The Regional Park Acquisition Criteria and Rating Framework, consists of twenty criteria headings, each with a one to ten rating scale. On review of the criteria and rating framework with the municipalities, staff discovered some values which did not necessarily apply to municipal parks that were in existence. Therefore, the criteria was broken down further into three different groups, A, B and C. Depending on the type of park to be assessed, one of the three groups would be used.

MOVED D. Bartram, SECONDED T. Westbrook, that the Regional Park Acquisition Criteria and Rating Framework be approved.

CARRIED

E & N Rail Trail Feasibility Study

Ms. Marshall briefly reviewed the Rail-with-Trail Feasibility Study final report, noting a Community Tourism Program grant was received to prepare a feasibility study of the E & N Line with the exception of Nanaimo which is in the advance stages of trail development along the rail corridor. The Department also worked with Lantzville, Parksville and Qualicum Beach on a study of the line from Cassidy to Deep Bay and across to Cathedral Grove, investigating the

feasibility of putting a trail along the rail line. The consultants reviewed maps, travelled the entire route and analyzed ground conditions, accessibility, drainage and the profile of the land. The entire route was then divided into sections, which included ratings and the cost of construction for each section. The rough cost for the entire trail is \$28 million, which is to be used as a guide line for the construction the entire trail.

Ms. Marshall noted, this is a very long term project which will take many years to complete. The feasibility study is a starting point only and identifies where it could be feasible to begin construction, where the easy sections to construct are, which sections are not feasible and also where there is existing trail or trail around a section is required. Ms. Marshall stated this is only the very beginning, the next step would be to have detailed plans prepared for the most feasible sections.

MOVED T. Westbrook, SECONDED F. Van Eynde, that the E&N Trail-with-Rail Feasibility Study be received to use as a guiding document for the future development of the E&N Rail Trail.

CARRIED

Mt. Benson Regional Park Management Plan

Ms. Marshall reported over one hundred people attended the Mt. Benson Regional Park Management Plan Open House held April 16. Over three hundred comment forms were returned and have been reviewed by the consultant. Keeping the park as it is, a natural environment and wilderness, was the request on the majority of comment forms. Also the request for more accessibility, both by road or by gondola to the top was high on the list. Ms. Marshall noted some of the requests such as road or gondola access could be prohibitive due to the high costs involved and/or the lack or ownership of the surrounding land.

A meeting with the consultant to review the surveys was held and staff are in the process of preparing a vision statement and the guiding principals, prior to meeting with the sub committee at the beginning of July.

Monthly Update of Community Parks and Regional Parks and Trails Projects for March 2009

Ms. Marshall reviewed the Monthly Update of Community Parks and Regional Parks and Trail Projects for March 2009, highlighting the following items:

- Coats Marsh Regional Park Official Opening was held May 22 on Gabriola Island. Ms. Marshall thanked Director Stanhope for his participation in the opening ceremonies.
- Staff are reviewing the Little Qualicum River Estuary Draft Management Plan.
- Solar panels have been installed at Horne Lake Regional Park to help ease the electricity problem.
- The new camping fees have been implemented at both campgrounds.
- The grant application for the Lighthouse Community Trail has been submitted.

MOVED F. Van Eynde, SECONDED M. Young, that the Reported be received.

CARRIED

Mr. Van Eynde expressed his appreciation to staff for attending the weekend sessions of the Fairwinds Development.

COMMITTEE ROUND TABLE

Mr. Rothermel stated his concerns about the spraying of Round Up along the E & N Rail Line and the possible health issues for hikers, children and pets.

MOVED T. Westbroek, SECONDED P. Rothermel, that the Regional District write a letter to the Chief Medical Officer at Vancouver Island Health Authority requesting his investigation into the use of Round Up on the E & N Rail Line and for his opinion if it presents a health problem with drinking water or to citizens who may come in direct contact with the herbicide.

CARRIED

COMMITTEE INFORMATION

The Mount Arrowsmith Regional Park Official Opening will be held on September 18 or 19, 2009.

ADJOURNMENT

MOVED T. Westbroek, SECONDED D. Bartram, that the meeting be adjourned at 12:48pm.

IN CAMERA

MOVED T. Westbroek, SECONDED D. Bartram, that pursuant to Section (90) (1) (e) of the Community Charter the Committee proceed to an In Camera meeting to consider land issues.

CARRIED

Chair



FOR REFERENCE
CAC APPROVAL
EAP
CCM
TRD
BOARD
RPTAC June 16 '09

MEMORANDUM

TO: Tom Osborne
General Manager, Recreation and Parks Services

DATE: June 8, 2009

FROM: Wendy Marshall
Manager of Parks Services

FILE:

SUBJECT: Mount Arrowsmith Regional Park – Park Use and Management Concerns

PURPOSE

To provide information on letters written by Peter Bolton to the Ministry of the Environment, regarding the Regional District’s application for tenure for Mount Arrowsmith and other park use matters.

BACKGROUND

In October 2008, staff received a letter from Scott Benton, Ministry of Environment, in response to a letter sent by Peter Bolton outlining several concerns regarding the RDN application for tenure over Mount Arrowsmith Massif and the future administration of the site attached as Appendix I. Other letters of similar vein were received after in the months that followed.

At the October 28, 2008, Regional Board Meeting the following resolution was approved:

“That staff prepare a report with regard to the issues raised in the correspondence from S. Benton, Ministry of Environment to Mr. Peter Bolton, regarding the proposed Mt. Arrowsmith Massif Regional Park.”

DISCUSSION

In 2008, a notice was placed on a trail leading to Mount Arrowsmith and in local papers, as required, as part of the application for nominal rent tenure for Block 1300. The notices outlined the RDN’s application and provided contact information to discuss any issues or concerns regarding the application. The concerns outlined in the July 29th letter are discussed below.

Posting of Notices

Mr. Bolton suggests that there were inadequate announcements and notices regarding the public comment period for the Nominal Rent Tenure. Staff placed the notices in accordance with the specifications outlined by the Integrated Land Management Bureau (ILMB) and copies of our ads were forwarded to ILMB. Usually, the ILMB requires staking of notices around the boundary of the property being considered for tenure. Due to the size of Block 1300 and the fact that most of the property corners were

inaccessible. ILMB agreed that posting notices along trails leading to Block 1300 would provide better accesses and opportunity for the public to see the signs. At no time did the ILMB raise any concerns regarding the RDN's public notices or the newspaper articles.

Pet Policies and Code of Conduct

In all letters to the Ministry, Mr. Bolton raises concerns regarding dogs in the Mount Arrowsmith site and other Regional Parks. Mr. Bolton is concerned that "off leash dogs" could damage sensitive ecosystems. Under the Parks Regulation Bylaw 1399.01, dogs are to be under control, meaning leashed or responding to voice commands, in all Regional Parks. The RDN is required, as part of the licence agreement for Mount Arrowsmith, to conduct a Park Management planning process in 2010. Dogs and the management of sensitive ecosystems will be examined at that time and any recommendations implemented.

The parks "Code of Conduct" is contained in the Parks Regulation Bylaw 1399.01. To date, the bylaw rules have not been posted at park sites unless there has been a specific issue such as ATVs. RDN Park information kiosks do outline expected behaviours and other items to be aware of when visiting the Regional District's parks.

Policies on Fees, Parking and Overnight User Group Time Restrictions

Bylaw 1399.01 prohibits park use between 11:00 pm and 7:00 am except for camping at the two campsites. These rules are in place in order to manage over night camping, reduce fire risk and to reduce partying. Over night parties lead to vandalism and excess garbage and campfires putting the park at risk for a forest fire. The Parks Department is not resourced to manage over night campers in sites outside of the two Regional campgrounds. These rules have been in place since 2004 and have not changed since then.

ALTERNATIVE

This report is being presented for information only.

SUSTAINABILITY IMPLICATIONS

The protection of ecosystems and the impact of dogs and humans on these areas will be addressed in the management planning process in 2010. One of the goals of the management plan will be to protect the sensitive habitats and areas of significance for First Nations, while providing low impact recreational opportunities at the site.

SUMMARY

In 2008, the Ministry of the Environment received several letters from Peter Bolton regarding the Regional District's application for tenure for Mount Arrowsmith. Mr. Bolton had concerns regarding the posting of the staking notices as required under the lease application; the RDN's pet policy and code of conduct in parks; and policies on fees, parking and overnight user group time restrictions.

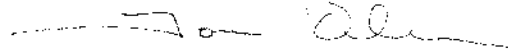
The Ministry of the Environment did not have any concerns with the staking notice and application by the RDN and awarded the Nominal Rent Tenure in November, 2008. The issues of dogs and sensitive habitat will be addressed in the management planning process for the Regional Park to be carried out in 2010.

RECOMMENDATIONS

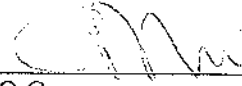
That the Mount Arrowsmith Regional Park – Park Use Concerns report be received for information.



Report Writer

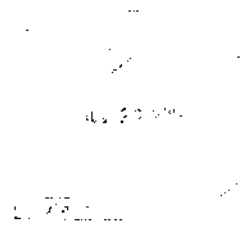


General Manager Concurrence



CAO Concurrence

APPENDIX 1



Revised: 07/17/09
MAY 21 2009

Mr. Bolton
1344 Luskville Lane
Vancouver, BC V6W 6

Re: Mount Arrowsmith

Dear Mr. Bolton:

Thank you for your letter of October 10, 2008 regarding the status of Mount Arrowsmith. The Ministry of Environment and the Ministry of Community Development has together sponsored a terminal rental agreement with Mount Arrowsmith and the Regional District of Nanaimo (RDN) for the purposes of designating it a regional park. The terminal rental agreement is subject to the RDN's policy No. 02-01-2008.

Under a terminal rental agreement, the Province retains ownership of the land, but authorizes a separate entity, such as a regional district, to manage the land for a particular purpose. In the case of Mount Arrowsmith, the land will be used for a regional park.

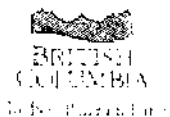
Should you have any interest or concerns about the establishment of Mount Arrowsmith as a regional park, or about the management of the land, please contact the Regional District of Nanaimo.

Sincerely,

Scott Bragg
Executive Director
Parks and Recreation Area Inquiries
Ministry of Environment

per: Tom Gwynne, Manager, Recreation and Parks, Regional District of Nanaimo

Ministry of Environment
2009-06-08 10:00 AM
1344 Luskville Lane
Vancouver, BC V6W 6



625-836-0000

JUN 22 2009

Ms. Helen
11010 University
Vancouver, BC V6R 1A6

Dear Ms. Helen:

The Ministry of Environment, Great Lakes and Water Protection (MELWP) is currently developing a
management plan for the Mount Arrowsmith Massif Regional Park. The plan will be developed by the
MELWP, in consultation with the Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) and
the Ministry of Parks, Recreation and Culture (MPC).

The plan will be developed in accordance with the 2007 Environmental Strategy and the
2008 Environmental Strategy. The plan will be developed in accordance with the
Environmental Strategy and the 2008 Environmental Strategy. The plan will be developed in
accordance with the Environmental Strategy and the 2008 Environmental Strategy.

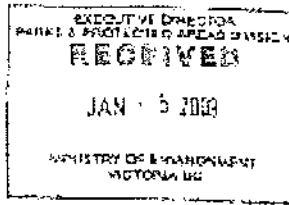
The plan will be developed in accordance with the Environmental Strategy and the 2008 Environmental Strategy.

Yours truly,

Scott Hunt
Executive Director

Ministry of Environment, Great Lakes and Water Protection
11010 University
Vancouver, BC V6R 1A6

Environment Canada
11010 University
Vancouver, BC V6R 1A6



Dec 29, 2008

Staff Centre
Exec. Director of Parks

Dear Mr. Scott Brown

Thank you for replying to two of my letters regarding Mt. Arrowsmith, in particular your letter from yesterday, at which I have made it my business to respond as quickly as possible. Although you seem to have read clearly in some aspects of concern in the public literature, I would find it very surprising if you have not had at least some conversation about the contrast with you.

The example would be St. John's City. The reality leading to the old-time judge etc. in Mt. Arrowsmith should be left open for those of us with substantial concern. Since I could find 22 to connect with people, I was reduced to less than 1 hour. The whole town (despite the way of nearly 1 hour) divided + solidly people.

Since you were deep involved and solidly involved, solidly involved in actual threat of being down to people (or all of a threat to dispute list list moment).

On the point, in October since I was defeated with the Ministry Environment Plans explains this with specialty concerning with public calls and Engineering calls for to less extend reference there]. On about

Oct. 29, 2008, two like days at English man full graphs, a historic plunge into full, and disappeared, dispute found to leave affairs.

But invited, yet no one named my written concern. This very early could have

tragedy, further abilities and for adults.
Children on K.O.P.'s bikes pose a
problem for riding, young, or disabled
users. We can adapt by developing
rest areas at intervals with an accessible
infantile hospital.

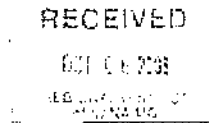
Information for Mt. Arrowsmith and
other Out-lands
And if not the public using the services,
with the services and user agencies.

With increasing population growth in
various islands, this island and addressing
by these departments and significant following
of complaints to include through
R.M. management.

It is not up to the public management
to be self-governing. Any facility or it should
have spaces for training and safety, and
access.

Yours truly
Peter Butler

2009
E. Butler
11/11/09



Reference: 99884

DEF 11111

Mr. James Smith
1374 Fernon Dr
Vancouver, BC V6P 1K5

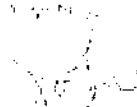
Dear Mr. Smith:

Thank you for your letter of July 29, 2009 dated 11:45 AM. As the Deputy Wildlife Officer, Wildlife BC is providing your comments to the Park Management Unit of Mount Arrowsmith Regional District of Nanaimo. We are currently reviewing your comments and will respond as soon as possible.

The British Columbia government has a number of laws that govern the operation of parks. Law 11111 is a proposed amendment to the operation of this park. The proposed amendment is to allow the use of the park for recreational purposes. The proposed amendment is to allow the use of the park for recreational purposes. The proposed amendment is to allow the use of the park for recreational purposes.

You will receive a letter from the park manager of your letter of July 29, 2009 dated 11:45 AM. The letter will be sent to the Regional District of Nanaimo. The letter will be sent to the Regional District of Nanaimo. The letter will be sent to the Regional District of Nanaimo.

Thank you for your comments. We will continue to protect and preserve the park.

Sincerely,

Wendy Marshall
Deputy Wildlife Officer
Wildlife BC

Wendy Marshall, Wildlife Officer, Regional District of Nanaimo, 770 Highway 10, Nanaimo, BC V9X 1N7

Mount Arrowsmith Regional Park
1374 Fernon Dr
Vancouver, BC V6P 1K5
Tel: 604-273-3333
Fax: 604-273-3333
www.marsmithpark.com

includes sensitive ecosystem representation, water source protection, accessibility, priority from past plans and acquisition cost to name a few. Each criterion will be rated on a score of 1 (low) to 10 (high) and the report explains how the scores will be determined.

The criteria have also been placed into Group A, B or C. Group A contains Conservation Values, Recreation Values and Other. Group B contains Socio-Political Values and group C is Affordability. All groups of criteria will be used when assessing and prioritizing existing proposed sites in electoral areas, assessing new sites in electoral areas as they are proposed and assessing potential park sites in municipalities for their "regional significance". When assessing existing municipal parks for their "regional significance" only Group A will be used.

ALTERNATIVES

1. That the Regional Park Acquisition Criteria and Rating Framework be approved.
2. That the Regional Park Acquisition Criteria and Rating Framework not be approved and alternative direction be provided.

FINANCIAL IMPLICATIONS

To use these criteria successfully, the criteria needs to be applied to existing Regional Parks and to priority sites listed in the Regional Parks and Trails Plan to create a baseline score and then rate municipal parks and electoral area community parks that are candidates for regional parks development cost charges. This will take a considerable amount of time and a consultant will have to be hired to complete these assessments in conjunction with staff. Costs for this stage need to be confirmed and will be included in the 2010 operations budget for Regional Parks.

Once the baseline score is determined, the next step for staff will be to continue with the creation of development cost charges for Regional Parks. This will involve working with a consultant and with the municipalities to refine the work that was initiated in 2007.

SUSTAINABILITY IMPLICATIONS

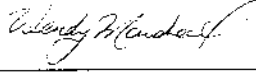
Six of the criteria are listed under the Conservation heading including Sensitive Ecosystems, Endangered Species, Key Habitat/Wildlife Corridor and Water Source Protection.

SUMMARY

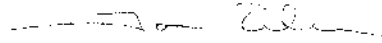
Recent Regional Park acquisition assessments and the need for clarification on "regional significance" of municipal parks as part of the Regional Park DCC development, led to the need to develop a Regional Park Acquisition Criteria and Rating Framework. The framework contains twenty criteria grouped under five headings. Each criterion is assessed on a rating scale of 1 to 10. The five headings are then listed under Group A, B or C. For most situations, all groups will be used. For determining "regional significance" of existing municipal parks and electoral area community parks, only group A will apply. The criteria will need to be applied to existing Regional Parks and the priority list from the Regional Parks and Trails Plan to determine a base score. Once the baseline score is determined, the next step for staff is to continue with the creation of development cost charges for Regional Parks.

RECOMMENDATIONS

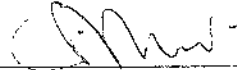
That the Regional Park Acquisition Criteria and Rating Framework be approved.



Report Writer



General Manager Concurrence



CAO Concurrence

Appendix I

Regional Park Acquisition Criteria and Rating Framework

Appendix I

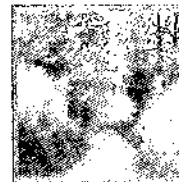
Regional Park Acquisition Criteria and Rating Framework

Regional Park Acquisition Criteria & Rating Framework



A Study for the
Regional District of Nanaimo
Recreation & Parks Department

FINAL REPORT 17 JUNE 2009



THE LANARC

PLANNING DESIGN SUSTAINABILITY

Acknowledgements

The authors extend thanks to Tom Osborne and Wendy Marshall (RDN Recreation and Parks Dept.) for their oversight and contributions to this project.

Harriet Rueggeberg, Land use/Environmental Planner
Kelsey Cramer, Student Intern
HB Lanarc Consultants Ltd.

**A Proposed
REGIONAL PARK ACQUISITION
CRITERIA AND RATING FRAMEWORK
For the Regional District of Nanaimo**

17 June 2009

Acknowledgements

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1. INTRODUCTION

The goal of the Regional Parks & Trails Plan 2005-2015 (RPTP) for the Regional District of Nanaimo (RDN) is to secure for all time a system of regional parks and trails that:

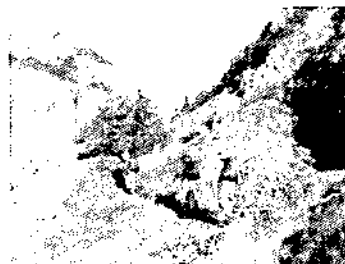
- Represents key landscapes and ecosystems of the Region;
- Encompasses unique natural, historic, cultural and archaeological features;
- Assist in protecting watersheds and important habitats as part of the RDN's broader land use planning mandate;
- Promotes the enjoyment and appreciation of regional parks and trail in a manner that assures their qualities are unimpaired for generations to come;
- Provides education and interpretation of the Region's natural features;
- Links components within the system as well as with other parks and trails in the Region and adjacent Regional Districts;
- Provides opportunities to all RDN residents to access and enjoy regional parks and trails; and
- Assists the economy of the Regional District by attracting tourists and generating revenue, as appropriate, to support the parks and trails system.

The Plan (p. 29-30) identifies several criteria to guide acquisition of lands for future regional parks:

- Priority sites from past plans;
- Regional significance;
- Level of public interest;
- Gaps in representation with respect to key landscapes, sensitive ecosystems, and distribution across all electoral areas;
- Availability for acquisition; and
- Opportunities that arise.

In addition, future trail planning and development are to be guided by the following criteria (p.36-37):

- Links to parks and open spaces;
- Links to communities;
- Gaps within and links to existing trails;
- Existing corridors;
- Availability; and
- Level of public interest and support.



Mt Arrowsmith – Judges Route

Regional Context

Since adopting the Regional Parks and Trails Plan, the RDN Recreation and Parks Department has received a variety of acquisition proposals from landowners, community groups and corporate interests. The existing criteria have been useful in assessing these proposals, but have been found wanting in clarity in some cases or missing significant parameters in others.

Municipal Context

In addition, the RDN wishes to derive a clear definition of "regional significance" that could be applied to municipal parks, as well as to community parks in the electoral areas, for the potential purposes of:

- Including costs of applicable improvements in existing “regionally significant” municipal and electoral area community parks in the calculation of a future Regional Park Development Cost Charge (RP-DCC);
- Considering whether potential future sites located within municipal boundaries are “regionally significant” and could therefore be included in acquisition cost estimates in the calculation of a future RP-DCC; and/or
- Considering whether existing or future parks within municipal boundaries that meet “regionally significant” criteria could be the subject of a cost-sharing and/or co-management arrangement between the municipality and the RDN.

1.1 Objectives

The objectives of this study are to:

1. Review, revise and expand upon the criteria for assessing properties proposed for regional park acquisition based on the goals of the Regional Parks and Trails Plan.
2. Establish a method for applying the acquisition criteria in an objective and replicable manner when assessing sites proposed for acquisition.
3. Clarify criteria for determining parks or park sites within municipalities, or existing electoral area community parks, that are of 'regional significance'.

2. METHODS

1. Criteria for acquiring land for new parks or conservation areas were researched and summarized. The focus was on agencies with a regional (or greater) mandate and with goals similar to those of the RDN’s regional park system, and included:
 - other regional districts in BC.
 - BC Parks and Parks Canada.
 - county, regional and state agencies in the US and other countries.
 - land trusts and similar nongovernment agencies.

The assembly and review of acquisition criteria was not intended to be exhaustive, but rather to compare the range of characteristics that are being considered in park acquisition by other agencies to those currently used by the RDN. We also sought ideas for criteria that would be relevant to the RDN context and which RDN staff may be implicitly using already.

Methods for scoring or rating potential acquisitions against a set of criteria were also researched.

2. A list of potential acquisition criteria was compiled based on the RDN’s existing criteria and examples from elsewhere. Two possible rating schemes were also framed.
3. The draft criteria and rating schemes were ‘tested’ with Parks staff on a sample of current land acquisition proposals. This led to several revisions to the criteria and a preferred rating system based on staff’s needs.
4. A draft report that presented the criteria and rating system was prepared and circulated to municipal staff, and a meeting held with these municipal staff to discuss the proposed framework.
5. After receiving comments, this report was finalized.

3. RESULTS

3.1 Review of Acquisition Criteria from Elsewhere

Explicitly stated acquisition criteria used by local governments were rather difficult to find in a search of related documents. In some cases, acquisition criteria were inferred from goals and objectives in park master plans and other planning documents.

Explicit criteria were more commonly found in the literature published by land trusts, perhaps because this is a major focus of the mandate of land trusts.

3.2 Proposed Acquisition Criteria

Our review resulted in 20 acquisition criteria grouped under the following headings:

- Conservation values
- Recreation values
- Socio-political values
- Affordability
- Other.

The 20 proposed criteria are described in Table 1. The occurrence of equivalent criteria in use by other agencies is summarized in Table 2.

The 20 proposed criteria include all but two of the criteria currently included in the RPTP. The excluded criteria are:

- *Opportunities that arise*: "...sometimes the opportunity simply arises through development applications, donation or sale to acquire a 'prime' parcel that meets the goals of the regional parks and trails system – even when the parcel may not have been previously identified as being of interest. These opportunities should not be foregone." (RPTP 2005:30) Though this is a legitimate policy, it is not a criterion against which a proposed site can be assessed. Therefore, we recommend that this factor not be included as an assessment criterion but certainly be retained as a RPTP policy.
- *Regional significance*: "Potential sites must be of interest to the whole region; more localized sites may be considered within the community park mandate" (RPTP 2005:29). "Regional significance" is a vague characteristic to quantify on its own. In effect, most of the criteria in the following list collectively define "regional significance"; e.g., public interest, landscape representation, conservation value, recreation value, etc. Attempting to assess "regional significance" in addition to these other criteria might be considered double-counting. Our recommendation is to remove "regional significance" from the assessment criteria list but retain the term as part of the Plan's general policies.

Note, however, that this argument differs from the need to define "regional significance" with respect to municipal parks for the purpose of determining future regional park development cost charges (DCCs). This is discussed in detail in section 4.



Hamilton Marsh

Table 1: Proposed Criteria for Regional Park Acquisition

Criteria	Description (RPTP = Regional Parks & Trails Plan 2005-2015)
Conservation Values	
1. Landscape representation*	<p>"Key landscapes" identified in the RPTP (p.25) include:</p> <ul style="list-style-type: none"> ▪ <u>Forests</u>: generally well represented in the Regional Park system, except for drier Garry oak/Arbutus woodlands. ▪ <u>Rivers/streams</u>: fairly well represented in the Regional Park system; however, their importance as wildlife and recreational corridors makes them an ongoing priority. ▪ <u>Lakes</u>: somewhat represented in the system, and in high public demand. ▪ <u>Ocean/coastline</u>: somewhat represented and in high public demand. ▪ <u>Mountain/alpine</u>: low representation, moderate to high public demand. <p>In addition, <u>unique landscapes</u> that may stand out as local or regional landmarks (e.g., knolls, waterfalls, canyons, etc.) are considered to be important landscape features to be represented in the regional park system.</p>
2. Sensitive ecosystem representation*	<p>Sensitive ecosystems are based on the "Sensitive Ecosystem Inventory for southern Vancouver Island and the Gulf Islands" (SEI, 1997), and encompass: <u>Coastal bluffs</u>; <u>Terrestrial herbaceous communities</u>; <u>Older forest</u>; <u>Woodlands</u>; <u>Cliff/dune/spit communities</u>; <u>Wetlands</u>; <u>Riparian areas</u>; <u>Flooded fields</u>; and <u>2nd growth forest</u> (RPTP 2005:25).</p> <p>Specific sites that represent these ecosystems were identified in the SEI. Preserving and managing these identified sites within regional parks can be one of the best ways of ensuring the survival of these ecosystems and their ongoing contribution to regional biodiversity.</p> <p>However, it is well known that the SEI missed many sites that represent these ecosystems, particularly those less than 1 ha in size. Therefore, proposed sites should be assessed not only for the presence of <u>known</u> (i.e., SEI-based) Sensitive Ecosystems but also for the presence of any of these sensitive ecosystems. Assessment by a qualified environmental professional (QEP) <u>may</u> be required to determine presence of Sensitive Ecosystems.</p> <p>Note that "flooded fields" and "2nd growth forests" are considered "important ecosystems" (i.e., they provide habitat, ecological functions, etc.) but are not as sensitive, rare and/or threatened as the other six ecosystems. The rating system tries to reflect this relative significance of a "sensitive" vs. "important" ecosystem.</p>
3. Endangered species	<p>This criterion relates to the presence or likely presence of a "<u>red-listed</u>" (designated extirpated, endangered, or threatened in BC) or "<u>blue-listed</u>" (considered to be of special management concern in BC) species, subspecies or plant communities. Assessment by a Qualified Environmental Professional (QEP) <u>may</u> be required to inform this criterion, if there is insufficient baseline data to allow staff to assess.</p>
4. Key habitat or wildlife corridor	<p>A proposed site may be part of a significant wildlife corridor (e.g., waterway, wetland complex, ridgeline, interconnected forest habitats or meadows), or contains habitat that support species of management concern (e.g., wintering grounds, staging area, nesting habitat/bird colonies). Assessment by a QEP <u>may</u> be required.</p>
5. Cultural, historic or heritage value	<p>Protecting sites of historic, archaeological or cultural significance is a consideration in regional park acquisition, along with the ability to display and interpret the feature to the public. Interpretive opportunity may depend on such factors as: significance to the history of the region; accessibility to and/or viewability of the feature (e.g., the feature may be on</p>

Criteria	Description (RPTP = Regional Parks & Trails Plan 2005-2015)
	a steep slope or bluff but can be readily seen from a valley bottom or other viewpoint); and physical condition of the feature and/or the ability to restore it.
6. <i>Water source protection</i>	Protection of watersheds and aquifers that form all or part of a community water supply is an important function that a regional park can play.
Recreation Values	
7. <i>Trail or park connectivity</i>	A proposed site may connect readily to an existing park or fill in an important gap in the regional park and trail system, thereby augmenting a regional recreational corridor.
8. <i>Experiential value</i>	A proposed site may support existing recreational opportunities (e.g., hiking trails, kayaking destination, caving) and/or have the ability to support activities that are in high demand (e.g., rock climbing, bird watching, kayaking) if appropriate support facilities were put in place.
9. <i>Educational value</i>	Due to its natural features and the presence of, or ability to construct structures such as trails, boardwalks, signage, shelters or buildings, a proposed site may offer opportunities to inform the general public or support education programs about the natural or cultural history of the Region, thereby raising awareness and a sense of stewardship about these values.
10. <i>Scenic value</i>	Scenic value depends on the presence of a quality viewscape and the 'viewability' of that viewscape from places that people can access; e.g., from roads/highways, accessible viewpoints, communities, the water.
11. <i>Accessibility</i>	Consider whether the site can be accessed readily by vehicle or public transportation.
12. <i>Complements and/or is of utility to the parks and trails system</i>	<p>A proposed site may:</p> <ul style="list-style-type: none"> • Add to/enhance and/or protect (act as a buffer to) an existing park. • Provide space for services or facilities (parking, washrooms, fire protection, water security) to the park/trail system.
Socio-political Values	
13. <i>Geographical equity*</i>	The regional park and trail system should be represented across all electoral areas (RPTP 2005:29). Besides filling in gaps on an electoral area basis, it is desirable to distribute regional parks on a north-central-south sub-regional basis.
14. <i>Priority sites from past Plans*</i>	<p>"There are 10 priority sites identified in the 1998 and 2003 Acquisition Programs that have still not been secured. These sites remain primary considerations in future acquisitions. Other sites identified in the 1995 Parks System Plan but not prioritized will also be considered if other criteria apply." (RPTP 2005:29)</p> <p>While past identification and prioritization should continue to be a criterion, it is only one of many in the 2008 context. The sites identified from previous plans should be assessed against <u>all</u> of the criteria to ensure that these sites do not displace other sites of equal or greater value as regional parks.</p>
15. <i>Level of public interest*</i>	"This is an obvious criterion gauged through public input in this review process, as well as past and future interaction with the residents of the Region." (RPTP 2005:29)
16. <i>Level of Threat</i>	This is an 'urgency' criterion that tries to take into consideration whether the site may be sold for other purposes, lost to potential development activities, or subject to irreversible degradation through public or private use/misuse - and how imminent any of these threats may be.

Criteria	Description (RPTP = Regional Parks & Trails Plan 2005-2015)
Affordability	
17. Availability for acquisition	The willingness of the landholder to sell and/or donate the land can be the linchpin in a property acquisition. A "0" score here is likely cause for a significant delay if not abandonment of the proposal.
18. Acquisition Cost	<p>Cost is an obvious factor in any land acquisition. Aspects to consider include:</p> <ul style="list-style-type: none"> ▪ Assessed value. ▪ Asking price relative to assessed value. Some agencies have a maximum amount over assessed value that they are willing to pay from both a pragmatic as well as principled perspective (e.g., TLC - 10%?). ▪ Price negotiability. ▪ Whether other potential funding partners are interested and the capacity of those funding partners. ▪ Potential for partial or full donation, with or without tax credit. ▪ In the case of Crown land, whether the land can be acquired under a long-term lease as a "nominal rent tenure" or equivalent. ▪ In the case of more 'expensive' properties (e.g., waterfront), whether the property lends itself to being subdivided and a portion that does not contain appreciable conservation, recreation or socio-political values sold for sufficient funds to significantly offset the cost of the property.
19. Maintenance Cost	Parks with a lot of buildings, landscaping and other infrastructure (e.g., campsites) tend to be "high maintenance" compared to parks that can be enjoyed in a more-or-less natural or undeveloped state (trails and a few signs only are needed).
Other	
20. Size	A minimum size is desirable for consideration as a regional park in order to meet the goals of the regional park and trail system. However, the minimum desirable size may vary based on the features and land values associated with those features. A minimum size of 5 acres (2 ha) is desirable if it contains lake or coastal waterfront, and a minimum of 50 acres (20 ha) in all other cases.

* indicates a criterion currently in the RPTP.



Wallace Point



The Notch

Table 2: Park land acquisition criteria use by other agencies

	1. Landscaps representation	2. Sensitive ecosystem / biodiversity	3. Species at risk	4. Key habitat/ wildlife corridor	5. Historic/ heritage/ cultural value	6. Watershed protection	7. Trail/ park connectivity	8. Experiential value	9. Educational/ research value	10. Scenic value	11. Accessibility	12. Complementarity /utility to system	13. Geographical equity	14. Priority sites from past Plans	15. Level of public interest	16. Level of Threat	17. Availability for acquisition	18. Acquisition cost or Partnership potential	19. Maintenance cost	20. Size
Governments:	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Auckland Regl Council (NZ)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
BC Parks		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Capital Regional District	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Central Okanagan Reg District	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cowichan Valley Reg District	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Metro Vancouver (SVRD)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Minn-SL Parks Metro Council	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Parks Canada	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Sarasota County, Florida		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
SE Michigan Council of Gov'ts	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Land Trusts/ NGOs:		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
PC Trust for Public Lands	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Nanaimo Area Land Trust		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
The Nature Trust of BC	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Greenlink Challenge (Orl MNR & MCC)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Lalrus Region Conserv. Trust (New Hampshire)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Mohawk Hudson Land Conservancy (New York)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
World Land Trust		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

3.3 Proposed Rating System

A system for assigning a score or rating to each criterion was developed, modeled after systems used by BC Parks ("Land Evaluation and Acquisition Framework"), the BC Trust for Public Lands, and the Nanaimo and Area Land Trust. It rates a prospective site against each criterion on the basis of 1 to 10, where:

Level to which site meets criterion:									
Low	Low-Medium		Medium			Medium-High		High	
1	2	3	4	5	6	7	8	9	10
Rating									

- 0 = no value or Acquisition Not Recommended
 ? = insufficient information to make an assessment

Table 3 demonstrates how each criterion would be scored on a scale of 1 to 10. This system allows a relatively 'fine grain' rating in that there is wide score range, as compared to a scale of say 1 to 3. It also treats all criteria equally - i.e., criteria are not 'weighted' by having different scales or maximum possible scores. The only exception is the "size" criterion, where the maximum possible score is 5 - to acknowledge but also reduce the importance of parcel size relative to other more critical values.

Table 3: Proposed Ratings for Acquisition Criteria

Criteria	Ratings
Conservation Values	
1. <i>Landscape representation*</i>	<p><i>Landscapes represented by the proposed site are:</i></p> <p>(1) Low = already well represented in the park system and there is not much public demand for more.</p> <p>(5) Medium = somewhat represented and there is moderate demand for more; or may have some value as a unique landscape.</p> <p>(10) High = not well represented in the park system and in high demand, or represents a strikingly unique landscape with high landmark value.</p>
2. <i>Sensitive ecosystem representation*</i>	<p><i>The proposed site contains:</i></p> <p>(1) Low = very small portion of an important or sensitive ecosystem (SE).</p> <p>(3) Low Medium = part of an important ecosystem or small portion or very small representative of a SE.</p> <p>(5) Medium = an important ecosystem, part of a designated SEI site or an equivalent SE that may have some disturbance.</p> <p>(10) High = a designated SEI site or equivalent SE of significant size and in pristine condition, more than one SE, or at least one significantly-sized SE + important ecosystem.</p>
3. <i>Endangered species</i>	<p><i>In the proposed site:</i></p> <p>(1) Low = a blue-listed species is <u>suspected</u> to occur based on specific habitat characteristics occurring on the site.</p>

Criteria	Ratings
	<p>(5) Medium – 1-3 blue-listed species are known to occur.</p> <p>(10) High – at least one red-listed is known or suspected or 3 or more blue listed species are known to occur.</p>
<p>4. Key habitat or wildlife corridor</p>	<p>The proposed site has:</p> <p>(1) Low - limited wildlife habitat/corridor significance (e.g., peripheral to known habitats).</p> <p>(5) Medium – moderate wildlife corridor or habitat significance.</p> <p>(10) High – known wildlife corridor or critical habitat.</p>
<p>5. Cultural, historic or heritage value</p>	<p>The proposed site contains:</p> <p>(1) Low – a minor heritage feature and provides limited opportunity for historical/cultural interpretation.</p> <p>(3) Low Moderate – contains a heritage feature that requires significant restoration but which would once restored, provide some opportunity for interpretation and appreciation.</p> <p>(5) Moderate- contains a heritage or cultural feature that requires some restoration but that once restored, would provide considerable opportunity for interpretation and appreciation.</p> <p>(7) Moderate High - contains a heritage feature of considerable interest from the surrounding community or regional population.</p> <p>(10) High – a heritage feature of considerable interest from the surrounding region and has some provincial or even national heritage value.</p>
<p>6. Water source protection</p>	<p>The proposed site encompasses or overlays, and would thereby protect:</p> <p>(1) Low – a minimal amount of a community watershed or aquifer.</p> <p>(5) Medium – a considerable area of a community watershed or aquifer.</p> <p>(10) High - almost all of a watershed or aquifer serving a community.</p>
<p>Recreation Values</p>	
<p>7. Trail or park connectivity</p>	<p>The proposed site:</p> <p>(1) Low - is isolated but might be connectable to the regional park/trail system within 10-20 years.</p> <p>(5) Moderate - is connectable to park/trail system within 5 years.</p> <p>(10) High - enhances existing park and/or connects directly to the trail system.</p>
<p>8. Experiential value</p>	<p>The proposed site:</p> <p>(1) Low - contains one or two features with limited experiential value or would require considerable investment to provide an experience</p> <p>(3) Low Mod – could support some high demand experiences with some investment</p> <p>(5) Moderate – supports existing high demand experiences to moderate extent or moderate potential to do so with some investment</p> <p>(7) Mod High – supports existing high demand experiences already</p> <p>(10) High - supports existing high demand experiences already and has potential to support more</p>

Criteria	Ratings
9. Educational value	The proposed site: (1) Low – contains few features that offer opportunities for educational interpretation. (5) Moderate – has some features of educational and interpretive value and can support a moderate amount of infrastructure and use for this purpose. (10) High – contains significant features of interpretive value, and has facilities or can support facilities for intensive public interpretation and education.
10. Scenic value	The scenic value of the proposed site is: (1) Low – seen from limited viewpoint(s), pleasant but not spectacular panorama. (5) Moderate – viewable from a limited no. of viewpoints, rewarding view. (10) High – breath-taking and seen from many places and/or by many people.
11. Accessibility	The proposed site is: (1) Low – difficult to access by vehicle (e.g., long rough logging road), or greater than 10 minute walk to enter park. (5) Moderate – within a 5-10 minute walk of an accessible parking area over a public trail system. (10) High – readily accessible by car.
12. Complementarity and/or utility to the parks and trails system	The proposed site provides: (1) Low – limited enhancement or utility purpose (5) Moderate – moderate enhancement or utility purpose (10) High – significant enhancement and/or utility purpose in providing service space for an existing park or as a hub on the trail system.
Socio-political Values	
13. Geographical equity*	The proposed site: 0 – does not fill a geographical gap, and indeed may increase the imbalance among electoral areas or sub-regions. (1) Low – addresses disparity to a very limited extent. (5) Moderate – provides some balancing of geographical representation. (10) High – contributes significantly to balancing geographical representation.
14. Priority sites from past Plans*	The proposed site: (1) Low – contains part of an unprioritized sites identified in the 1995 Parks System Plan (3) Low-Mod – partially includes a priority site OR one of the other sites identified in the 1995 Parks System Plan (5) Moderate – Contains part of a priority site. (8) Mod High – satisfactorily encompasses a priority site (10) High – satisfactorily encompasses a priority site – complementary high value land.
15. Level of public interest*	The proposed site is subject to: (1) Low – minor localized public interest (5) Moderate – measurable public interest from more than local area (10) High – Significant public interest from a wide area in the Region.

Criteria	Ratings
16. Level of Threat	The proposed site is under: (1) Low – low threat from pending development or degradation (> 10 years). (5) Moderate - threat of development or severe damage within 5-10 years. (10) High – development or irreversible damage is imminent; “protect now or never”.
<i>Affordability</i>	
17. Availability for acquisition	(1) Low - landholder is mildly interested under the right conditions and/or price and/or there are encumbrances on the land that limit its availability or usability as a future park (5) Moderate - landholder is moderately motivated to sell the land for park purposes; may be a few encumbrances of minor importance. (10) – landholder is highly motivated to sell with partial donation, no encumbrances.
18. Acquisition Cost	The cost of the proposed site is: 0 – astronomical, clearly over-priced and non-negotiable. (1) Low – Negotiable and within maximum limit, little or no potential for cost sharing with funding partners. (5) Moderate – Negotiable to a moderate price with good potential for some cost-sharing or partial donation by owner. (7) Mod High – Negotiable and very fair, high potential for cost-sharing with funding partners and/or partial donation by owner. (8-9) High – is Crown land and the Provincial or Federal government is willing to provide long-term tenure at a relatively nominal fee. (10) Very High – Owner (private or Crown) is willing to donate the entire site.
19. Maintenance Cost	The proposed site would require: (1) – a significant amount of staff time and financial resources to maintain the on-site structures (5) – a moderate amount of staff time and financial resources to maintain the on-site facilities and structures (10) - very little staff time and financial resources to maintain.
<i>Other</i>	
20. Size	(5) The proposed site is: - a minimum of 5 acres if it contains lake or coastal waterfront, or - a minimum of 50 acres in all other cases. (0) The proposed site does not meet the above minimum desirable size.
	MAXIMUM POSSIBLE SCORE: 195

3.4 Test Case

Appendix 1 contains a sample checklist based on the proposed criteria and rating system. An example application is shown using one of the sites currently in the RPTP priority list – Goinsburg Swamp; the scores reflect a preliminary ‘test run’ conducted by the author with RDN parks staff, and are intended only to illustrate the potential use of the criteria and rating framework.

4. ASSESSING “REGIONAL SIGNIFICANCE”

“Regional significance” becomes an independent assessment factor when considering parks and potential park sites within municipalities for the purposes of including them in Regional Park DCC calculations and/or considering joint RDN-municipality administration.



Horewood Plains

4.1 Existing Municipal and EA Community Parks

When the RDN initially proposed establishing a RP-DCC, municipal staff noted that some of the existing municipal parks could be considered “regionally significant” in that they draw a high proportion of users from outside the municipal boundaries. The same can be said for some community parks in the electoral areas. Municipal and RDN staff suggested that the costs for major improvements to these municipal and community parks should be included in the calculation of a RP-DCC.¹

For this purpose, regional significance would be defined by the following:

- the municipal or community park reflects the goals of the RPTP, and scores highly in the acquisition criteria relating to Conservation Values, Recreation Values and Size; and
- the municipal or community park attracts a high level of interest and use from outside the municipality or immediate community.

In other words, for the purposes of a future Regional Park DCC, a “regionally significant” municipal or community park is a ‘natural’ park that has proven to be a significant attraction or destination for users from outside the municipality’s boundaries or beyond the immediate community. Playing fields or other ‘active’ recreational facilities that may attract users from the region do not fit the “Regional Park” mandate. Examples might include Linley Valley and Westwood Lake Parks in Nanaimo, the Brown Property in Qualicum Beach, Top Bridge Municipal Park in Parksville, Top Bridge Community Park in Area G, and the future Foothills property in Lantzville.

It is not the intent to “take over” these parks as regional parks; the RDN has neither the capacity nor desire to do so. Identifying their regional significance would be solely for the capacity to include costs of planned major improvements in calculating a future RP-DCC calculation.

4.2 Potential Park Sites within Municipalities

In theory, a regional park and trail system should “know no municipal boundaries”. To date, potential sites for future regional parks have been identified only in the electoral areas. However, there is no reason why proposed sites within municipal boundaries could not be considered “regionally significant” for the purposes of:

- a) including the cost of acquisition in calculating a RP-DCC; and/or
- b) at the municipality’s request, considering a cost-sharing and/or co-management arrangement between the municipality and the RDN.

Given its current commitments to existing regional parks and the backlog of potential sites in electoral areas, it is highly unlikely that the RDN would seek to acquire a site within a municipality

¹ See “Development Cost Charges for Regional Park Acquisition and Improvement : a study for the RDN” (Lanarc Consultants Ltd., 2007), page 11.

independently – i.e., without at least the involvement if not the leadership of the municipal government.

However, for the purposes of either (a) or (b), regional significance would be defined, and the RDN could become involved, if the site reflects the goals of the RPTP and scores highly in all of the regional park acquisition criteria.

4.3 Summary – Using the Criteria and Rating Framework

For the purpose of applying the Regional Park acquisition criteria and rating framework, the criteria can be divided into 3 groups -

Group A	Group B	Group C
Conservation 1. Landscape representation 2. Sensitive ecosystem rep'n 3. Endangered species 4. Key habitat/wildlife corridor 5. Cultural, historic, heritage value 6. Water source protection Recreation 7. Trail or park connectivity 8. Experiential value 9. Educational value 10. Scenic value 11. Accessibility 12. Complements or of utility to parks & trails system Other 20. Size	Socio-political 13. Geographical equity 14. Priority sites from past Plans 15. Level of public interest 16. Level of threat	Affordability 17. Availability for acquisition 18. Acquisition Cost 19. Maintenance Cost

- and then applied in the following contexts:

CONTEXT	CRITERIA		
	Group A	Group B	Group C
1. Assess and prioritize <u>current</u> proposed sites in electoral areas being considered for regional parks.	✓	✓	✓
2. Assess <u>new</u> sites in electoral areas as they are proposed – evaluate/prioritize against current proposed sites.	✓	✓	✓
3. Assess <u>existing municipal and community</u> parks for their “regional significance” – to include costs of applicable improvements in RP-DCC calculations.	✓ + *		
4. Assess <u>potential</u> park sites in <u>municipalities</u> for “regional significance” for purpose of: a. including acquisition cost in RP-DCC calculation; or b. considering cost-sharing and/or co-management between municipality and RDN	✓	✓	✓

* - level of use by people from outside municipality.

5. STUDY CONCLUSIONS AND RECOMMENDATIONS

This study has drawn upon a review of park planning and management literature to derive a more comprehensive list of criteria for assessing proposals for park land acquisition than currently exists in the Regional Parks and Trails Plan 2005-2015. It also has developed a preliminary system for rating site proposals against these criteria.

The proposed system is intended as an initial step in creating an acquisition assessment framework that the RDN can use with confidence. It is also intended as a tool to assist the RDN and member municipalities in building a park and trail system that is truly “regionally significant”.

It is recommended that this proposed system be:

- Continue to be reviewed by RDN staff, municipal representatives and the RPTAC.
- Applied on a preliminary basis to all the current acquisition proposals to confirm that the system makes sense intuitively as well as to identify further refinements.
- Continue to evolve over time to increase its functionality as a tool for assessing park acquisition proposals.

APPENDIX A

RDN Regional Parks Acquisition Criteria and Rating System – SCORE SHEET
DRAFT 28-Oct-08

Proposed Site:	Gainsburg Swamp (trial run)
Assessed by:	
Date of assessment:	27 Oct 2008

Low	Low-Med	Medium	Med-High	High					
1	2	3	4	5	6	7	8	9	10

0 = No value or acquisition not recommended

? = insufficient information to assess

Criteria	Rating Scheme	Points	Comments to support assigned points
Conservation Values			
1. Landscape representation?	Landscapes represented by the proposed site are: (1) Low – already well represented in the park system and there is not much public demand for more. (5) Medium – somewhat represented and there is moderate demand for more, or may have some value as a unique landscape. (10) High – not well represented in the park system and in high demand, or represents a strikingly unique landscape with high land-mark value.	9	
2. Sensitive ecosystem representation?	The proposed site contains: (1) Low – very small portion of an important or sensitive ecosystem. (3) Low-Medium – part of an important ecosystem or small portion or very small representative of a SE. (5) Medium – an important ecosystem, part of a designated SEI site or an equivalent SE that may have some disturbance. (10) High – a designated SEI site or equivalent SE of significant size and in pristine condition, more than one SEs, or at least one significantly-sized SE – important ecosystem.	9	
3. Endangered species	In the proposed site: (1) Low – a blue listed species is <u>suspected</u> based on specific habitat characteristics occurring on the site. (5) Medium – 1-3 blue listed species are <u>known</u> to occur. (10) High – at least one red-listed is known or suspected or 1-3 blue listed species are known to occur.	8	
4. Key habitat or wildlife corridor	The proposed site has: (1) Low – limited wildlife habitat/corridor significance (e.g., peripheral to known habitats). (5) Medium – moderate wildlife corridor or habitat significance. (10) High – known wildlife corridor or critical habitat.	9	
5. Cultural, historic or heritage value	The proposed site contains: (1) Low – a minor heritage feature and provides limited opportunity for historical/cultural interpretation. (3) Low/Moderate – contains a heritage feature that requires significant restoration but which, once restored, provide some opportunity for interpretation and appreciation. (5) Moderate – contains a heritage or cultural feature that requires some restoration but that once restored, would provide considerable opportunity for interpretation and appreciation. (7) Moderate-High – contains a heritage feature of considerable interest from the surrounding community or regional population. (10) High – a heritage feature of considerable interest from the surrounding region and has some provincial or even national heritage value.	3	? Needs research
6. Water source protection	The proposed site encompasses or overlays, and would thereby protect: (1) Low – a minimal amount of a community watershed or aquifer. (5) Medium – a considerable area of a community watershed or aquifer. (10) High – almost all of a watershed or aquifer serving a community.	9	
Recreation Values			
7. Trail or park connectivity	The proposed site: (1) Low – is isolated but might be connectable to the regional park/trail system within 10-20 years. (5) Moderate – is connectable to park/trail system within 5 years. (10) High – enhances existing park and/or connects directly to the trail system.	9	

Criteria	Rating Scheme	Points	Comments to support assigned points
8. Experiential value	The proposed site: (1) Low – contains one or two features with limited experiential value or would require considerable investment to provide an experience (2) Low/Med – could support some high demand experiences with some investment (3) Moderate – supports existing high demand experiences to moderate extent or moderate potential to do so with some investment (4) Mod/High – supports existing high demand experiences already (5) High – supports existing high demand experiences already and has potential to support more	6	Limited capacity to support people use
9. Educational value	The proposed site: (1) Low – contains few features that offer opportunities for educational interpretation (2) Moderate – has some features of educational and interpretive value and can support a moderate amount of infrastructure and use for this purpose. (3) High – contains significant features of interpretive value, and has facilities or can support facilities for intensive public interpretation and education	9	
10. Scenic value	The scenic value of the proposed site is: (1) Low – seen from limited viewpoints), pleasant but not spectacular panorama (2) Moderate – viewable from a limited no. of viewpoints, rewarding view (3) High – breath-taking and seen from many places and/or by many people	5	
11. Accessibility	The proposed site is: (1) Low – difficult to access by vehicle (e.g., long rough logging road), or greater than 10 minute walk to enter park (2) Moderate – within a 5 – 10 minute walk of an accessible parking area over a public trail system (3) High – readily accessible by car.	9	
12. Complementarity and/or utility to the parks and trails system	The proposed site provides: (1) Low – limited enhancement or utility purpose (2) Moderate – moderate enhancement or utility purpose (3) High – significant enhancement and/or utility purpose in providing service space for an existing park or as a hub on the trail system.	7	
Socio-political Values			
13. Geographical equity*	The proposed site: (1) Low – does not fill a geographical gap, and indeed may increase the imbalance among EAs or sub-regions (2) Low – addresses disparity in geographical representation to a very limited extent. (3) Moderate – provides some balancing of geographical representation (4) High – contributes significantly to balancing geographical representation.	8	
14. Priority sites from past Plans*	The proposed site: (1) Low – contains part of an un-prioritized sites identified in the 1995 Parks System Plan (2) Low/Med – partially includes a priority site OR one of the other sites identified in the 1995 Parks System Plan (3) Moderate – Contains part of a priority site (4) Mod/High – satisfactorily encompasses a priority site (5) High – satisfactorily encompasses a priority site + complementary high value land.	10	
15. Level of public interest*	The proposed site is subject to: (1) Low – minor localized public interest (2) Moderate – measurable public interest from more than local area (3) High – Significant public interest from a wide area in the Region.	2	Could change if Province comes back with another development proposal
16. Level of threat	The proposed site is under: (1) Low – low threat from pending development or degradation (in 10 years) (2) Moderate – threat of development or severe damage within 5-10 years (3) High – development or irreversible damage is imminent, "protect now or never".	4	Could change if Province comes back with another development proposal

Criteria	Rating Scheme	Points	Comments to support assigned points
Affordability			
17 - Availability for acquisition	(1) Low - Landholder is mildly interested under the right conditions and/or price and/or there are encumbrances on the land that limit its availability or usability as a future park. (5) Moderate - Landholder is moderately motivated to sell the land for park purposes, may be a few encumbrances of minor importance. (10) - Landholder is highly motivated to sell, with partial donation and encumbrances.	5	Majority of land is Crown; Province needs to be asked if willing to provide long term lease at nominal rate.
18 - Acquisition cost	The cost of the proposed site is: (0) - astronomical, nearly over priced and non-negotiable. (1) - Low - Negotiable and with maximum limit, little or no potential for cost sharing with funding partners. (5) - Moderate - Negotiable to a moderate price with good potential for some cost sharing or partial donation by owner. (7) - Mod High - Negotiable or a very fair, high potential for cost-sharing with funding partners and/or partial donation by owner. (8-9) Very High - is Crown land and the Provincial or Federal government is willing to provide long term tenure at a relatively nominal fee "in the public interest". (10) High - Owner (or sale of Crown) is willing to donate the entire site.	9	See note about approaching Province; this score assumes best case scenario.
19 - Maintenance cost	The proposed site would require: (1) - a significant amount of staff time and financial resources to maintain the on-site structures. (5) - a moderate amount of staff time and financial resources to maintain the on-site facilities and structures. (10) - very little staff time and financial resources to maintain.	6	Assumes fairly extensive boardwalking will be needed and require maintenance.
Other			
20 - Size	(5) The proposed site is: - a minimum of 5 acres if it contains lake or coastal waterfront, or - a minimum of 50 acres in all other cases. (0) If the proposed site does not meet the above minimum desirable size.	5	
	TOTAL POINTS:	143	
	Out of total Possible Points of	195	

DISCUSSION

In order to assess the corridor, the consultants studied orthophotos and maps before undertaking field reconnaissance by "high rail" vehicle along the tracks in late November, 2008. The rail line was divided into subsections and each subsection was assessed for the following parameters:

- a) Construction factors – Each of the subsections were examined for access for trail construction: clearing and grubbing requirements; drainage requirements; and sub-grade preparation. Each of the four factors was given a numeric score of Easy (1), Moderate (2) or Difficult (3).
- b) Grade profile – 8 possible grade types were identified and given a letter designation, A - H.
- c) Difficulty Code – the grade profile and construction factors scores were combined to give a Difficulty Code for each subsection.
- d) Overall Rating – A rating of Easy, Moderate, Difficult, Very Difficult or Not Practical was assigned to each subsection based on the Difficulty Code.

From the Difficulty Code, a cost per meter of trail was derived for each subsection. The cost for each subsection includes the trail construction cost, culvert costs and costs for any rail crossings. The costs are broken down for each electoral area and each municipality.

Before staff can move forward with trail construction, an agreement needs to be signed between the ICF and the RDN and the municipalities. Staff are currently working on an agreement and once it is signed, staff will then assess the feasibility study and create a list of priority sections. Detailed designs will need to be created for the priority sections before construction can begin.

ALTERNATIVES

1. That the E&N Trail-with-Trail Feasibility Study be received to use as a guiding document for the future development of the E&N Rail Trail.
2. That the E&N Trail-with-Rail Feasibility Study be received and alternative direction be provided.

FINANCIAL IMPLICATIONS

The total estimated cost for the rail trail is \$28.20 million. The costs are a rough estimate as final costs will depend on the detailed plans for each site and the year that each subsection is constructed. The application to the Community Tourism Program included funds for the creation of detailed plans for the first sections of the trail to be constructed in a suitable stretch of the rail line in an electoral area. Table 6 below is an excerpt from the Feasibility Study shows the break down of costs per jurisdiction.

Table 6: Summary Statistics by Jurisdiction

Jurisdiction ¹	Distance (m)	% NP ²	% DD ³	% D ²	% M & E ²	Cost Estimate ³ (\$million)	Aver \$ per meter trail ⁴
RDN Area A	9152	3%	15%	15%	67%	\$3.10	\$339
Lantzville ⁵	4907	-	11%	39%	50%	\$1.95	\$397
RDN Area E	12626	15%	21%	22%	43%	\$4.10	\$325
Parksville	3191	17%	0%	44%	39%	\$1.26	\$396
RDN Area G	13188	3%	0%	0%	97%	\$3.47	\$274
Qualicum Beach	6647	0%	7%	0%	93%	\$2.04	\$307
RDN Area H	21290	12%	5%	13%	69%	\$6.56	\$308
RDN Area F (Alberni) ⁶	16422	2%	0%	22%	76%	\$5.71	\$348
Totals	87423	0%	0%	0%	0%	\$28.20	\$325
⁵ [NFN	1431					\$0.52	\$361]
	88854						

NOTES:

- Distances assigned to each jurisdiction are approximate. Corridor sections were defined initially according to identifiable landmarks; section boundaries were later adjusted to align more with jurisdictional boundaries in order to assign distances and costs more accurately to each jurisdiction. Where the corridor runs through Area G and Parksville repeatedly, distances were estimated using the maps and costs assigned on a percentage basis (see page 13).
- Rating percentages (NP, DD, D, M&E) are approximate.
- “Cost Estimate” - no costs were estimated for sections or subsections rated as “NP” (not practical). Please see Box 1 (page 3) for items included/excluded from cost estimates.
- “Average \$ per meter” figures reflect relative differences in the difficulty of construction rather than absolute average costs.
- The length of corridor estimated to extend through the Nanoose First Nation land is removed from the Lantzville estimate – see bottom line of table for NFN portion. The section from the Lantzville boundary to Nanoose Beach Road is included in RDN Area E (previously included in Lantzville in draft report).
- These figures apply only to the portion of the Alberni line that was assessed (i.e., eastern 16 km); for the time being, the remainder of the Alberni line within the RDN would be rated NP.

SUSTAINABILITY IMPLICATIONS


The R&N rail trail will provide a flat route suitable for use as an active transportation route which will help to reduce greenhouse gas emissions in the region.

SUMMARY

With funds from the Community Tourism Program, RDN staff worked with HB Lanare to undertake a feasibility study of the E&N Rail corridor for future trail by rail development. The Feasibility Study addressed the portions of the corridor that pass through electoral areas A, E, F, G, and H and the municipalities of Lantzville, Parksville and Qualicum Beach – a total length of about 98.6 KM. The corridor was divided into subsections and each area studied for construction factors and profile to create a Difficulty Code and an Overall Rating. Costs were then applied to each subsection based on the Difficulty Code and any culvert or rail crossing requirements. The total estimated cost for the trail is \$28.20 million.

RECOMMENDATIONS

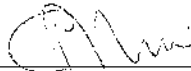
That the E&N Trail-with-Trail Feasibility Study be received to use as a guiding document for the future development of the E&N Rail Trail.



Report Writer



General Manager Concurrence



CAO Concurrence

Appendix I

E&N Trail-with-Trail Feasibility Study

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE LIQUID WASTE ADVISORY COMMITTEE LIQUID WASTE MANAGEMENT PLAN REVIEW HELD ON FRIDAY, JUNE 19, 2009 IN THE RDN BOARD CHAMBERS

Present:

George Holme	Meeting Chair, Director Electoral Area 'E'
Joe Burnett	Director Electoral Area 'A'
John Elliott	City of Nanaimo
Mike Squire	City of Parksville
Bob Weir	Town of Qualicum Beach
Fred Spears	District of Lantzville
Gary Anderson	Vancouver Island Health Authority
Gary Tuyls	Public Representative (North)
Blair Nicholson	Business Representative (South)
Douglas Anderson	Public Representative (South)
Michelle Jones	Business Representative (North)

Also in attendance:

Ed Mayne	Director, City of Parksville
Sean De Pol	Manager of Wastewater Services, RDN
Lindsay Dalton	Wastewater Coordinator, RDN
Paul Thompson	Manager of Long Range Planning, RDN
Susan Palmer	Regional Growth Strategy Consultant
Sara Ellis	Special Projects Assistant, RDN
Bev Farkas	Recording Secretary, RDN

Absent:

John Finnie	General Manager, Water and Wastewater Services, RDN
Bill Holdom	Director, RDN
Teunis Westbroek	Director, RDN
Kirsten White	Ministry of Environment
Blake Medlar	Ministry of Environment
James Wesley	Snuneymuxw First Nation
Snenal Lakshmi	Environment Canada
Frank Van Eynde	Public Representative (North)
Christianne Wilhelmson	Environment Representative
Ellen Hausman	Environmental Technician, RDN

Note: Action items in minutes are *italicized*.

CALL TO ORDER

Chairman Holme called the meeting to order at 12:35 p.m. G. Holme introduced Susan Palmer, Regional Growth Strategy Consultant and Steve Henderson of Island Timberlands.

MINUTES

MOVED G. Tuyls, SECONDED G. Anderson, that the minutes of Regional Liquid Waste Advisory Committee regular meeting of May 7, 2009 be approved.

CARRIED

REPORTS

Regional Growth Strategy

Paul Thompson, Manager of Long Range Planning gave a presentation (attached to minutes) discussing the Regional Growth Strategy review and noted that while the RGS is an important document as it relates to Wastewater Services in the RDN, the Liquid Waste Management Plan will be relied upon to provide more detail.

Rural Areas Discussion Paper

L. Dalton provided information on the Rural Areas Discussion Paper (attached to minutes) provided to the committee members. The following discussion points were made:

The discussion paper was in relation to Section 3.5, Rural Areas, of the LWMP.

Having intensively reviewed this section of the LWMP, Staff have concluded that this section should be divided into 2 distinct parts: Onsite Systems and Community Sewer in Electoral Areas.

In the presentation, Staff also amended the definitions of Community Sewer and Onsite Systems. Community Sewer is located in designated growth areas and refer to any wastewater treatment system that is owned by the RDN. Onsite Systems are located outside areas designated growth areas and refer to any privately owned type 1, 2, or 3 septic system. The discussion paper will be amended to reflect these changes.

The LWMP supports the RGS and will continue to limit new community sewer systems to those areas determined to be necessary under updated OCPs or to address problem areas (threats to environment or health) in existing development.

Outlined in the existing LWMP is a 3 phase process for assessment and implementation of Community Sewer projects; this section will be updated and will remain in the LWMP.

Community sewer to support desired population densities in designated growth areas or to remedy environmental and health problems are often difficult to implement as they are predicated on a public assent process and require that users pay for service. Hence, community sewer is often cost prohibitive to property owners and developers and is rarely pursued by property owners.

Presently the RDN does not qualify for provincial/federal grant programs as it does not meet the requirement of either a 1-hectare minimum zoning bylaw or a soil analysis:

- A one hectare minimum parcel size bylaw would require updating OCPs and would be a requirement of all properties in the RDN. Such a bylaw would have to be retroactive and amalgamate all historical zoning.
- A soil analysis is cost prohibitive as it would also apply to properties across the whole region, (maps have been prepared). It may be possible to put the onus on property owners proposing development on properties of less than 1 hectare but uncertain if the Ministry would accept this and if it would be eligible for funding.

RDN is arranging a meeting with the Province to discuss a clear definition for funding purposes.

To provide support to property owners with onsite systems, the RDN has the SepticSmart education program. This program has been very well received and is very important to educate owners about basic maintenance of their systems.

Also, \$15, 000 has been allocated to a mandatory septic maintenance program feasibility study.

UBCM has made a motion addressing concerns regarding installing septic systems near wells. In addition a report by Sewerage System Regulations Coalition has been submitted to UBCM.

NEW BUSINESS

S. Henderson, Senior Land Manager, Island Timberlands requested that he be permitted to become a committee member. S. DePol responded that the Terms of Reference for the committee do not permit an additional member in this capacity. As membership was advertised in spring of 2008 it would not be advisable to open up the committee for new members at this time.

NEXT MEETING

The next meeting will be held Thursday, September 3, 2009 from 12:30 to 3:00 pm at the RDN Committee Room.

ADJOURNMENT

Chairman Holme adjourned the meeting at 1:50 pm.

G. Holme, Chairman

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE TRANSIT SELECT COMMITTEE MEETING HELD ON WEDNESDAY, JUNE 17, 2009 AT 12:00 NOON IN THE COMMITTEE ROOM

Present:

Director L. McNabb	Chairperson
Director J. Burnett	Electoral Area 'A'
Director M. Young	Electoral Area 'C'
Director G. Holme	Electoral Area 'E'
Director J. Stanhope	Electoral Area 'G'
Director B. Bestwick	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director T. Westbrook	Town of Qualicum Beach
Director E. Mayne	City of Parkville
Director C. Haime	District of Lantzville
Brian Clemens	City of Nanaimo

Also in Attendance:

C. Mason	CAO, RDN
D. Trudeau	Gen. Manager, Transportation & Solid Waste Services, RDN
L. Kiteley	Manager, Transit Projects and Planning, RDN
B. Farkas	Recording Secretary, RDN
M. Moore	BC Transit
W. Le Roux	BC Transit
Nicole Langlois	L'Association des Francophones de Nanaimo
Joanne Hogan	L'Association des Francophones de Nanaimo

CALL TO ORDER

The meeting was called to order at 12:00 pm by the Chair and introductions were made.

DELEGATIONS

Joanne Hogan, L'Association des francophones de Nanaimo re: Transportation Support for Maple Sugar Festival During 2010 Olympics.

Ms. Hogan presented the Committee with information on L'Association des francophones de Nanaimo's (LAFN) 10th Annual Maple Sugar Festival to be held February 17 – 21, 2010 (presentation attached). The LAFN is requesting transportation be provided by way of pickup at both Departure Bay and Duke Point ferry terminals during the three day event and transporting passengers to Beban Park and returning them to the ferry terminals. The LAFN is requesting a firm commitment from the RDN by August 28, 2009. A report will be prepared by staff and forwarded to the August Board meeting.

MINUTES

MOVED Director Stanhope. SECONDED Director Westbrook that the minutes of the Transit Select Committee meeting held March 19, 2009 be adopted. CARRIED

REPORTS

Electoral Areas Feasibility Studies.

D. Trudeau noted that timelines outlined in the letter can be accommodated.

U-PASS Update.

D. Trudeau noted that the Committee will be updated with information regarding a student referendum at the next Transit Select Committee meeting.

Transit Facility Update.

D. Trudeau noted that capital infrastructure funding remains in place and the construction project is ahead of schedule. The footings have been poured for the building and occupancy is anticipated in December 2009.

Annual Operating Agreement.

MOVED Director Holdom, SECONDED Director Mayne, that the 2009/2010 Annual Operating Agreement with BC Transit be approved. CARRIED

Downtown Transit Exchange.

MOVED Director Bestwick, SECONDED Director Stanhope, that the Board direct staff to proceed with the Prideaux Street Exchange Upgrade Project. CARRIED

ADDENDUM

A letter from Deborah Marshall, Planning Assistant, Travel, Vancouver Island University – International Education was presented to the Committee. VIU is requesting improved bus service from Cinnabar Valley/Chase River Area to John Barsby Community School, NDSS and Vancouver Island University/Malaspina High School.

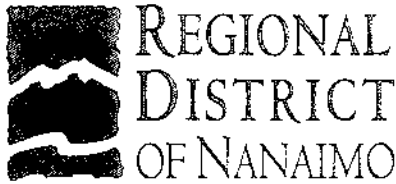
A letter from Dr. Graham Pike, Dean of International Education, Vancouver Island University, was also presented to the Committee in support of this request.

MOVED Director Holme, SECONDED Director Stanhope, that the two letters from Vancouver Island University be received for information and that staff be directed to send letters regarding cost sharing opportunities to School District No. 68, BC Transit and Vancouver Island University for an improved bus service from Cinnabar Valley/Chase River Area to John Barsby Community School, NDSS and Vancouver Island University/Malaspina International High School. CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

L'Association des francophones de Nanaimo, re Transportation Support for the Maple Sugar Festival.

MOVED Director Stanhope, SECONDED Director Westbrook, that staff prepare a report to be brought to the August Board meeting that outlines their request. CARRIED



INDEX OF ITEMS: *CV*
 C.O. APPROVAL
 EAP
 COW
 R-E
 BOARD
Transit - June 17 '09

MEMORANDUM

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

DATE: May 25, 2009

FROM: Laura Kiteley
 Manager, Transit Projects and Planning

FILE: 2240-20-TROA

SUBJECT: 2009/2010 Annual Operating Agreement -
 Regional District of Nanaimo / BC Transit

PURPOSE

To bring forward the 2009/2010 Annual Operating Agreement for the Nanaimo Regional Conventional and Custom Transit system with BC Transit for consideration and approval.

BACKGROUND

The Annual Operating Agreement (AOA) (see *Appendix 1*) between the Regional District of Nanaimo (RDN) and BC Transit is renewed on an annual basis and provides the cost sharing service arrangements for Conventional and Custom Transit (handyDART) services in Districts 68 and 69 for the period of April 1, 2009 to March 31, 2010.

The AOA is an agreement governing items such as service specifications, payment schedules, fares and days/hours of service that will be provided for cost sharing purposes.

FINANCIAL ANALYSIS

Conventional Transit:

The total costs included for Transit in the AOA for 2009/2010 are \$9,056,192. This represents a \$290,730 (3.3%) increase from the 2008/09 budget. The overall changes to note include:

Conventional	2008/2009 Base AOA	2009/2010 Base AOA	\$ Change	% Change
Fixed Costs (overhead, admin wages)	\$803,583	\$827,690	\$24,107	3.0%
Variable Hourly (drivers' wages and benefits)	\$4,398,491	\$4,497,475	\$98,985	2.3%
Variable Distance (fuel and tires)	\$1,285,899	\$1,234,980	-\$50,919	-4.0%
Maintenance (running, major and accident repairs)	\$872,900	\$889,725	\$16,825	1.9%
Debt Service (local share, mainly buses)	\$697,687	\$727,806	\$30,119	4.3%
Flex Funding	\$841,000	\$841,000	\$0	0.0%

The costs above reflect the same schedule that was run in 2008/2009, with no expansion. When the expansion is approved by BC Transit, an amendment to this agreement will be forthcoming.

Fixed costs have been given an inflationary lift of 3% from 2008-09, in line with BC Transit budget allocations.

Variable hourly costs have increased \$98,985 (2.3%) due to an increase in both drivers' wage rates and fringe benefit costs.

Variable distance costs have decreased \$50,919 (-4.0%) due to the projected fuel price per litre dropping from \$1.35 in the 2008/09 AOA to \$1.00 in the 2009/10 AOA.

Debt service costs have increased \$30,119 (4.3%) due to the introduction of two replacement vehicles for the Nanaimo fleet.

Custom Transit:

The total costs included for Custom Transit in the AOA for 2009/2010 are \$1,571,627. This represents a \$156,555 (11.1%) increase from the 2008/09 Amendment budget. The 2009/2010 budget represents the full-year service expansion of 2,400 annual service hours introduced September 2nd, 2008. The overall changes to note include:

Custom	2008/2009 Amendment #1 AOA	2009/2010 Base AOA	\$ Change	% Change
Fixed Costs (overhead, admin wages)	\$176,210	\$184,189	\$7,978	4.5%
Variable Hourly (driver's wages and benefits)	\$770,442	\$827,619	\$57,177	7.4%
Variable Distance (fuel and tires)	\$150,524	\$121,633	-\$28,891	-19.2%
Maintenance (running, major and accident repairs)	\$65,169	\$85,382	\$20,213	31.0%
Debt Service (local share, mainly buses)	\$80,955	\$123,361	\$42,406	52.4%
Flex Funding	\$123,000	\$123,000	\$0	0.0%

Fixed costs have increased by \$7,978 (4.5%) due to the associated costs of the full year expansion, plus the inflationary lift of 3%, in line with BC Transit budget allocations.

Variable hourly costs have increased by \$57,177 (7.4%) due to a rise in payroll hours of 4%, associated with the full year expansion. Increases to both the wage rates and fringe benefits of 3.2% for drivers have also contributed to higher variable hourly costs.

Variable distance costs have decreased \$28,891 (-19.2%) due to the projected fuel price per litre dropping from \$1.35 in the 2008/09 Amendment #1 AOA to \$1.00 in the 2009/10 AOA.

Maintenance costs have increased \$20,213 (31.0%) due to an increase in the estimated cost of fleet maintenance.

Debt service has increased \$42,406 (52.4%) due to the replacement of 4 older buses, scheduled to happen midway through the 2009/10 year.

The costs above reflect the same schedule that was run with the amended AOA that occurred in September of 2008. When the 2009/10 expansion is approved by BC Transit, an amendment to this agreement will be forthcoming.

ALTERNATIVES

1. To approve the 2009/2010 Annual Operating Agreement.
2. To not approve the 2009/2010 Annual Operating Agreement.

FINANCIAL IMPLICATIONS

1. The total cost of the 2009/2010 Custom and Conventional Transit budget with BC Transit is \$10,627.82.00 that will be cost shared between the RDN and BC Transit, and is currently identified in the annual transit budget.
2. Not approving the AOA will remove BC Transit's ability to cost share in the service.

SUSTAINABILITY IMPLICATIONS

The Transportation Services Department is working continuously on improving the viability and efficiency of public transit. The Annual Operating Agreement is a fundamental agreement that allows the Regional District of Nanaimo to enter into a cost sharing arrangement with BC Transit. Residents within the Regional District of Nanaimo rely on public transit, whether it is for transit or custom transit, as the options provided by public transit enable residents to leave their cars at home while they take the bus to work, to school, for medical appointments or for other equally important reasons. The use of cleaner running buses combined with the use of biodiesel fuel demonstrates RDN Transit's commitment to reducing its carbon footprint, which is in keeping with the RDN's Corporate Climate Change Plan.

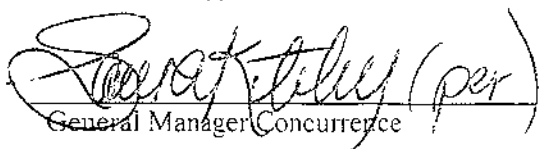
SUMMARY/CONCLUSION


BC Transit has forwarded the Annual Operating Agreement covering the period April 1, 2009 to March 31, 2010 for the RDN Custom (handyDART), and Conventional Transit Systems. Transportation Services staff has worked with BC Transit on the development of this AOA, in conjunction with the Regional Board's approval of the pertinent 2009 Annual Transit Budgets. Staff recommends that the Board approve the 2009/2010 Annual Operating Agreement with BC Transit.

RECOMMENDATION

That the 2009/2010 Annual Operating Agreement (AOA) with BC Transit be approved.


Report Writer


General Manager Concurrency


CAO Concurrency

APPENDIX 1

Information & Performance Summary
Nanaimo Regional Conventional Transit

ANNUAL OPERATING AGREEMENT	Official AOA 2008/2009	Official AOA 2009/2010	Variance \$/#	%
BUDGET SUMMARY				
Total Costs	\$8,765,462	\$9,056,192	\$290,730	3.3%
Total Revenue	\$3,328,978	\$3,406,920	\$77,942	2.3%
BCT Share of Costs	\$3,374,181	\$3,495,861	\$121,679	3.6%
Net Municipal Share	\$1,912,380	\$2,000,866	\$88,526	4.6%
PERFORMANCE SUMMARY				
Level of Service				
Population Served	95,200	96,800	1,600	1.7%
Number of Vehicles in Service	32	32	0	0.0%
Revenue Hours of Service	97,142	96,444	-698	-0.7%
Effectiveness				
Annual Revenue Passengers	2,420,000	2,450,000	30,000	1.2%
Total Revenue Passengers per Capita	25.4	25.3	-0.1	-0.4%
Total Passengers per Hour	25	25	0	2.0%
Total Cost per Passenger	\$3.62	\$3.70	\$0.07	2.1%
Cost Recovery	37.98%	37.62%	0.00	-0.9%
Total Operating Cost of Service per Revenue Hour	\$83.05	\$86.35	\$3.30	4.0%
Total Cost of Service per Revenue Hour	\$90.23	\$93.90	\$3.67	4.1%

NANAIMO

ANNUAL OPERATING AGREEMENT

Between

THE REGIONAL DISTRICT OF NANAIMO

And

BRITISH COLUMBIA TRANSIT

APRIL 1, 2009 TO MARCH 31, 2010

**INFORMATION CONTAINED IN SCHEDULE "C" – BUDGET AND SCHEDULE "D" – PAYMENT SCHEDULE IS SUBJECT TO FREEDOM OF INFORMATION & PROTECTION OF PRIVACY ACT.
CONSULT WITH BC TRANSIT PRIOR TO RELEASING INFORMATION IN THESE SCHEDULES TO INDIVIDUALS OR COMPANIES OTHER THAN THOSE WHO ARE PARTY TO THIS AGREEMENT.**

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ANNUAL OPERATING AGREEMENT

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Nanaimo A.O.A.

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2009/10

ANNUAL OPERATING AGREEMENT

BETWEEN: THE REGIONAL DISTRICT OF NANAIMO
(the "Municipality" and the "Operating Company")

AND: BRITISH COLUMBIA TRANSIT
(the "Authority")

WHEREAS the Municipality and the Authority are authorized to share in the costs of providing a Public Passenger Transportation System pursuant to the British Columbia Transit Act.

WHEREAS the Municipality is authorized to operate, manage and maintain a Public Passenger Transportation System within the Nanaimo Regional Transit Service Area.

WHEREAS the parties hereto have entered into a Master Operating Agreement effective which sets out the general rights and responsibilities of the parties hereto.

AND WHEREAS the parties hereto wish to enter into an Annual Operating Agreement which sets out, together with the Master Agreement, the specific terms and conditions for the operation of the Public Passenger Transportation System for the upcoming term.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants herein contained, the parties covenant and agree with each other as follows:

SECTION 1 – DEFINITION OF TERMS

- 1.1 **Definitions:** Unless agreed otherwise in the Annual Operating Agreement, the definitions set out in the Master Agreement shall apply to this Annual Operating Agreement including:
- (a) "Annual Operating Agreement" shall mean this Annual Operating Agreement and any Annual Operating Agreement Amendment negotiated and entered into by the parties subsequent hereto;
 - (b) "Master Agreement" shall mean the Master Joint Operating Agreement, including any amendments made thereto;

SECTION 2 – INCORPORATION OF MASTER AGREEMENT

- 2.1 **Incorporation of Master Agreement into Annual Operating Agreement:** Upon execution, this Annual Operating Agreement shall be deemed integrated into the Master Agreement and thereafter the Master Agreement and the current Annual Operating Agreement shall be read together as a single integrated document and shall be deemed to be the Annual Operating Agreement for the purposes of the British Columbia Transit Act, as amended from time to time.

SECTION 3 – TERM AND RENEWAL

- 3.1 **Term and Renewal:** The term of this agreement shall be from April 1, 2009 to March 31, 2010 except as otherwise provided herein. It is acknowledged by the parties that in the event of termination or non-renewal of the Annual Operating Agreement, the Master Agreement shall likewise be terminated or not renewed, as the case may be.

SECTION 4 – SCHEDULES

4.1 Schedules: The schedules attached hereto shall form part of the Annual Operating Agreement and be binding upon the parties hereto as though they were incorporated into the body of this Agreement.

- a) Schedule "A" – Transit Service Area
- b) Schedule "B" - Service Specifications
- c) Schedule "C" - Budget
- d) Schedule "D" – Payment Schedule
- e) Schedule "E" – Tariff-Fares

SECTION 5 – MISCELLANEOUS PROVISIONS

5.1 Amendment: This Annual Operating Agreement and the Schedules attached hereto may be amended only with the prior written consent of all parties.

5.2 Assignment: This Annual Operating Agreement shall not be assignable without the prior written consent of the other parties.

5.3 Enurement: The Annual Operating Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors.

5.4 Pets on Buses: Notwithstanding the provisions of Section 9.7 of the Master Joint Operating Agreement, pets on buses are permitted under guidelines agreed to by the parties to this agreement.

5.5 For Conventional service, for the period beginning on April 1, 2009 and ending on March 31, 2010, as authorized under section 18 of the British Columbia Transit Regulation, B.C. Reg. 30/91, the municipality shall contribute a percentage equal to 53.31% (municipal share) plus \$841,000 and the authority shall contribute a percentage equal to 46.69% (provincial share) minus \$841,000 of the amounts required to defray the classes of expenses prescribed in Section 8 (1) (a) (i), (iii) and (iv) of that regulation.

For Custom/Paratransit service, for the period beginning on April 1, 2009 and ending on March 31, 2010, as authorized under section 18 of the British Columbia Transit Regulation, B.C. Reg. 30/91, the municipality shall contribute a percentage equal to 33.31% (municipal share) plus \$123,000 and the authority shall contribute a percentage equal to 66.69% (provincial share) minus \$123,000 of the amounts required to defray the classes of expenses prescribed in Section 8 (1) (b) (i), (iii) and (iv) of that regulation.

Nanaimo A.O.A.

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SECTION 6 - Notices and Communication

All notices, claims and communications required or permitted to be given hereunder shall be in writing and shall be sufficiently given if personally delivered to a responsible officer of the party hereto to whom it is addressed or if mailed by prepaid registered mail, to:

Regional District of Nanaimo
c/o Manager of Transportation Services
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

and to

BC Transit
c/o Chief Operating Officer
520 Gorge Road East
Victoria, BC V8W 2P3

and, if so mailed during regular mail service, shall be deemed to have been received five (5) days following the date of such mailing.

Nanaimo A.O.F. _____ 5 _____ 2009-10

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals and where a party is a corporate entity the seal of such party has been affixed hereto in the presence of its duly authorized officer this _____ day of _____

THE CORPORATE SEAL OF THE REGIONAL DISTRICT OF NANAIMO has been hereto affixed in the presence of:

THE COMMON SEAL OF BRITISH COLUMBIA TRANSIT has been hereto affixed in the presence of:

CHIEF OPERATING OFFICER

CHIEF FINANCIAL OFFICER

Nanaimo A.O.A.

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2009/10

SCHEDULE "A" - Transit Service Area Boundaries

The boundaries of the Municipal Transit Service Area shall be defined as follows:

The boundaries of the Nanaimo Regional Transit Service Area shall include the corporate boundaries of the City of Nanaimo, the City of Parksville, the Town of Qualicum Beach and the District of Lantzville and Electoral Areas A, D, E, G and H of the Regional District of Nanaimo.

Nanaimo A.C.A.

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SCHEDULE "B" – Service Specifications

Nanaimo Regional Base Budget Official AOA 2008/2010

Schedule "B"

Effective Apr 01 2009

Scheduled Revenue Service

2009/10 NAN Spring (Apr 01, 2009 to Jun 27, 2009)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Apr 13, 2009	May 18, 2009	
Yrs/Day	316.06	316.06	316.06	316.06	317.41	238.35	120.56	103.52	103.52	
Kms/Day	6,786.83	6,786.83	6,786.83	6,786.83	6,876.52	5,065.57	2,821.88	2,247.70	2,247.70	

2009/10 NAN Summer (Jun 28, 2009 to Sep 03, 2009)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Jul 01, 2009	Aug 03, 2009	
Yrs/Day	274.52	274.52	274.52	274.52	276.87	238.35	120.56	103.52	103.52	
Kms/Day	5,870.56	5,870.56	5,870.56	5,870.56	5,960.25	5,065.57	2,821.88	2,247.70	2,247.70	

2009/10 NAN Fall (Sep 04, 2009 to Dec 19, 2009)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Sep 07, 2009	Oct 12, 2009	Nov 11, 2009
Yrs/Day	316.06	316.06	316.06	316.06	317.41	238.35	120.56	103.52	103.52	103.52
Kms/Day	6,786.83	6,786.83	6,786.83	6,786.83	6,876.52	5,065.57	2,821.88	2,247.70	2,247.70	2,247.70

2009/10 NAN Winter Break (Dec 20, 2009 to Jan 02, 2010)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Dec 28, 2009	Dec 31, 2009	
Yrs/Day	274.52	274.52	274.52	274.52	276.87	238.35	120.56	103.52	274.52	
Kms/Day	5,870.56	5,870.56	5,870.56	5,870.56	5,960.25	5,065.57	2,821.88	2,247.70	5,870.56	

2009/10 NAN Winter Break (Jan 03, 2010 to Mar 31, 2010)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun			
Yrs/Day	316.06	316.06	316.06	316.06	317.41	238.35	120.56			
Kms/Day	6,786.83	6,786.83	6,786.83	6,786.83	6,876.52	5,065.57	2,821.88			

Extra Revenue Service

	Apr. 2009	May 2009	Jun. 2009	Jul. 2009	Aug. 2009	Sep. 2009	Oct. 2009	Nov. 2009	Dec. 2009	Jan. 2010	Feb. 2010	Mar. 2010
Extra Overload Hours	20.00	20.00	20.00	10.00	10.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00
Extra Overload Kilometers	420.00	420.00	420.00	210.00	210.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00
Extra Special Events Hours				45.89								
Extra Special Events Kilometers				548.24								

Adjusted Revenue Service

	Apr. 2009	May 2009	Jun. 2009	Jul. 2009	Aug. 2009	Sep. 2009	Oct. 2009	Nov. 2009	Dec. 2009	Jan. 2010	Feb. 2010	Mar. 2010

2009/2010 Calendar Specification

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Exceptions	Total	Exception Days
Apr 01, 2009 to Apr 30, 2009	3	4	5	3	3	4	4	2	30	Apr 10, 2009 Good Friday 2009 (Fri)
May 01, 2009 to May 31, 2009	3	4	4	4	4	5	5	1	31	Apr 13, 2009 Easter Monday 2009 (Mon)
Jun 01, 2009 to Jun 30, 2009	4	4	4	4	4	4	5	0	27	May 18, 2009 Victoria Day 2009 (Mon)
Jun 28, 2009 to Jun 30, 2009	1	1	0	0	0	0	1	0	3	Jul 01, 2009 Canada Day 2009 (Wed)
Jul 01, 2009 to Jul 31, 2009	4	4	4	4	5	4	4	1	31	Aug 03, 2009 BC Day 2009 (Mon)
Aug 01, 2009 to Aug 31, 2009	4	4	4	4	4	5	5	1	31	Sep 07, 2009 Labour Day 2009 (Mon)
Sep 01, 2009 to Sep 06, 2009	0	1	1	1	1	1	0	0	6	Oct 12, 2009 Thanksgiving Day 2009 (Mon)
Sep 06, 2009 to Sep 30, 2009	3	4	4	4	3	3	4	1	25	Nov 11, 2009 Remembrance Day 2009 (Wed)
Oct 01, 2009 to Oct 31, 2009	3	4	4	4	5	5	4	1	31	Dec 25, 2009 Christmas Day 2009 (Fri)
Nov 01, 2009 to Nov 30, 2009	5	4	3	4	4	4	5	1	30	Dec 26, 2009 Boxing Day 2009 (Sat)
Dec 01, 2009 to Dec 19, 2009	2	3	3	3	3	5	2	0	19	Dec 31, 2009 New Year Eve 2009 (Thu)
Dec 20, 2009 to Dec 31, 2009	2	2	2	1	0	0	2	3	12	Jan 01, 2010 New Years Day 2010 (Fri)
Jan 01, 2010 to Jan 02, 2010	0	0	0	0	0	1	0	1	2	
Jan 03, 2010 to Jan 31, 2010	4	4	4	4	4	4	5	0	28	
Feb 01, 2010 to Feb 28, 2010	4	4	4	4	4	4	4	0	28	
Mar 01, 2010 to Mar 31, 2010	5	5	5	4	4	4	4	0	31	
Total	47	52	51	51	49	51	52	12	585	12 Exceptions

Monthly Summary

Month	Convention of Transit							
	Revenue Hours				Revenue Kilometers			
	Scheduled	Extra	Adjusted	Total	Scheduled	Extra	Adjusted	Total
April, 2009	7,847.41	20.00		7,867.41	189,003.17	420.00		189,423.17
May, 2009	8,211.02	20.00		8,231.02	176,870.00	420.00		177,290.00
June, 2009	8,295.28	20.00		8,315.28	178,586.28	420.00		179,006.28
July, 2009	7,190.35	55.89		7,246.24	162,588.27	756.24		163,344.51
August, 2009	7,397.87	10.00		7,407.87	158,454.91	210.00		158,664.91
September, 2009	8,002.88	20.00		8,022.88	172,214.81	420.00		172,634.81
October, 2009	8,405.52	20.00		8,425.52	181,024.95	420.00		181,444.95
November, 2009	7,970.32	20.00		7,990.32	171,714.74	420.00		172,134.74
December, 2009	7,914.88	20.00		7,934.88	170,181.10	420.00		170,601.10
January, 2010	8,105.15	20.00		8,125.15	174,532.81	420.00		174,952.81
February, 2010	7,748.24	20.00		7,768.24	166,845.16	420.00		167,265.16
March, 2010	8,691.42	20.00		8,711.42	187,205.85	420.00		187,625.85
Total	95,178.10	205.89	0.00	95,443.99	2,089,241.41	5,185.24	0.00	2,074,407.09

Nanaimo A.C.A.

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Nanaimo Custom Base Budget Official AOA 2009/2010

Schedule 'B'

Effective Apr 01, 2009

Scheduled Revenue Service

2009 Full Year (Apr 01, 2009 to Mar 31, 2010)

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	
Per Day	80.00	80.00	80.00	80.00	80.00	32.00	20.00	
Kilometre/Day	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Flexible Hours

	Apr. 2009	May 2009	Jun. 2009	Jul. 2009	Aug. 2009	Sep. 2009	Oct. 2009	Nov. 2009	Dec. 2009	Jan. 2010	Feb. 2010	Mar. 2010
	38.00	38.00	38.00	38.00	38.00	38.00	38.00	38.00	38.00	38.00	38.00	38.00

Extra Revenue Service

	Apr. 2009	May 2009	Jun. 2009	Jul. 2009	Aug. 2009	Sep. 2009	Oct. 2009	Nov. 2009	Dec. 2009	Jan. 2010	Feb. 2010	Mar. 2010

Adjusted Revenue Service

	Apr. 2009	May 2009	Jun. 2009	Jul. 2009	Aug. 2009	Sep. 2009	Oct. 2009	Nov. 2009	Dec. 2009	Jan. 2010	Feb. 2010	Mar. 2010

2009/2010 Calendar Specification

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Exceptions	Total	Exception Days
Apr 01, 2009 to Apr 30, 2009	3	4	5	5	3	4	4	2	30	Apr 10, 2009 Good Friday 2009 (Fri)
May 01, 2009 to May 31, 2009	3	4	4	4	5	5	5	1	31	Apr 13, 2009 Easter Monday 2009 (Mon)
Jun 01, 2009 to Jun 30, 2009	6	5	4	4	4	4	4	0	30	May 18, 2009 Victoria Day 2009 (Mon)
Jul 01, 2009 to Jul 31, 2009	4	4	4	4	5	4	4	1	31	Jul 01, 2009 Canada Day 2009 (Wed)
Aug 01, 2009 to Aug 31, 2009	4	4	4	4	4	4	5	1	31	Aug 03, 2009 BC Day 2009 (Mon)
Sep 01, 2009 to Sep 30, 2009	3	5	5	4	4	4	4	1	30	Sep 07, 2009 Labour Day 2009 (Mon)
Oct 01, 2009 to Oct 31, 2009	3	4	4	5	5	5	4	1	31	Oct 12, 2009 Thanksgiving Day 2009 (Mon)
Nov 01, 2009 to Nov 30, 2009	5	4	3	4	4	4	5	1	30	Nov 11, 2009 Remembrance Day 2009 (Wed)
Dec 01, 2009 to Dec 31, 2009	4	5	5	3	3	0	4	2	31	Dec 25, 2009 Christmas Day 2009 (Fri)
Jan 01, 2010 to Jan 31, 2010	4	4	4	4	4	5	5	1	31	Dec 26, 2009 Boxing Day 2009 (Sat)
Feb 01, 2010 to Feb 28, 2010	4	4	4	4	4	4	4	0	28	Jan 01, 2010 New Year's Day 2010 (Fri)
Mar 01, 2010 to Mar 31, 2010	5	5	5	4	4	4	4	0	31	
Total	47	57	51	52	46	51	52	11	362	11 Exceptions

Monthly Summary

Month	Revenue Hours					Revenue Kilometers			
	Scheduled	Extra	Flexible	Adjusted	Total	Scheduled	Extra	Adjusted	Total
April, 2009	1,806.00		38.00		1,844.00	0.00			0.00
May, 2009	1,890.00		38.00		1,928.00	0.00			0.00
June, 2009	1,968.00		38.00		2,006.00	0.00			0.00
July, 2009	1,858.00		38.00		1,896.00	0.00			0.00
August, 2009	1,850.00		38.00		1,888.00	0.00			0.00
September, 2009	1,888.00		38.00		1,926.00	0.00			0.00
October, 2009	1,920.00		38.00		1,958.00	0.00			0.00
November, 2009	1,828.00		38.00		1,866.00	0.00			0.00
December, 2009	1,936.00		38.00		1,974.00	0.00			0.00
January, 2010	1,690.00		38.00		1,728.00	0.00			0.00
February, 2010	1,808.00		38.00		1,846.00	0.00			0.00
March, 2010	2,048.00		38.00		2,086.00	0.00			0.00
Total	22,752.00	0.00	458.00	0.00	23,210.00	0.00	0.00	0.00	0.00

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Schedule C**Nanaimo Regional Conventional Transit**

	Official AOA 2009/2010
TRANSIT REVENUE	
Farebox Cash	\$1,044,366
Tickets & Passes	\$1,566,550
BC Bus Pass	\$745,584
Advertising	\$50,420
TOTAL REVENUE	\$3,406,920
EXPENDITURES	
Fixed Costs	\$827,690
Variable Hourly Costs - Scheduled Service	\$4,497,475
Variable Hourly Costs - Extra Service	\$12,424
Variable Distance Costs - Scheduled Service	\$1,234,980
Variable Distance Costs - Extra Service	\$3,083
Maintenance - Running Repairs	\$889,725
Maintenance - Accident Repairs	\$15,500
ICBC Insurance	\$105,000
Captive Insurance	\$23,984
Information Systems	\$16,400
TOTAL DIRECT OPERATING COSTS	\$7,626,261
Marketing	\$75,000
Municipal Administration	\$152,525
BCT Management Services	\$474,600
TOTAL OPERATING COSTS	\$8,328,386
Debt Service - Vehicles (Local Share)	\$679,382
Debt Service - Equipment (Local Share)	\$16,803
Debt Service - Component (Local Share)	\$31,621
TOTAL DEBT SERVICE - LOCAL SHARE	\$727,806
TOTAL COSTS	\$9,056,192
COST SHARING	
Municipal Share of Costs	\$4,719,331
Municipal Flex Funded Amount	\$841,000
Less: Total Revenue	\$3,406,920
Less: Municipal Administration	\$152,525
Net Municipal Share of Costs	\$2,000,886
Authority Share of Costs	\$3,495,861
STATISTICS	
Scheduled Revenue Hours	96,178.10
Extra Revenue Hours	265.69
Scheduled Revenue Kilometres	2,069,241.45
Extra Revenue Kilometres	5,166.24
Total Passengers	2,450,000
Conventional Passengers	2,450,000

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Schedule C**Nanaimo Custom Custom Transit****Official AOA
2009/2010**

TRANSIT REVENUE	
Farebox Cash	\$216,825
TOTAL REVENUE	\$216,825
EXPENDITURES	
Fixed Costs	\$184,189
Variable Hourly Costs - Scheduled Service	\$827,619
Variable Distance Costs - Scheduled Service	\$121,633
Maintenance - Running Repairs	\$85,382
Taxi Supplement	\$40,000
Taxi Saver Program	\$20,000
Taxi Saver Recoveries	-\$10,000
KBC Insurance	\$18,763
Captive Insurance	\$9,647
Information Systems	\$27,000
TOTAL DIRECT OPERATING COSTS	\$1,324,233
Marketing	\$5,000
Municipal Administration	\$26,485
BCT Management Services	\$92,548
TOTAL OPERATING COSTS	\$1,448,266
Debt Service - Vehicles (Local Share)	\$120,330
Debt Service - Equipment (Local Share)	\$3,032
TOTAL DEBT SERVICE - LOCAL SHARE	\$123,361
TOTAL COSTS	\$1,571,627
COST SHARING	
Municipal Share of Costs	\$564,807
Municipal Flex Funded Amount	\$123,000
Less: Total Revenue	\$216,825
Less: Municipal Administration	\$26,485
Net Municipal Share of Costs	\$444,497
Authority Share of Costs	\$883,820
STATISTICS	
Scheduled Revenue Hours	23,208.00
Total Passengers	76,250
Custom/Para Passengers - Vans	70,000
Custom/Para Passengers - Taxi Supplement	3,500
Taxi Saver Passengers	2,750

Schedule "D" - Payment Schedule**Nanaimo Regional Conventional Transit and Custom Transit
2009/2010 AOA BUDGET****1) Payment Schedule**

The Authority agrees to pay the Operating Company a monthly payment on the following basis:

a) for Specified Services in Schedule "B":

- i) \$84,323.23 for Fixed Monthly Payment; plus
- ii) \$46.76 per Revenue Hour for conventional transit service; plus
- iii) \$35.66 per Revenue Hour for custom transit service; plus
- iv) \$0.5968 per Revenue Kilometre for conventional transit service.

b) for Deleted Fixed Costs as outlined in Section 6 (2), an amount equal to 1/365 of the Fixed Monthly Costs amount contained in Schedule "C" shall be deducted for each day or part day.**c) for Added Service or Deleted Service within the regular hours of system operation specified in Schedule "B":**

- i) \$46.76 per Revenue Hour for conventional transit service; plus
- ii) \$35.66 per Revenue Hour for custom transit service; plus
- iii) \$0.5968 per Revenue Kilometre for conventional transit service with allowance for wage premium payments (up to 1.5 times the regular Revenue Hour payment), if applicable, when service is added beyond the regular hours of operation.

d) for Maintenance:

- i) \$40.48 per hour for labour by a licensed mechanic for the maintenance of transit vehicles.

e) for fuel costs, in the event diesel fuel costs should exceed \$1,0000 / litre a payment will be made in accordance with Section 6 (3) of this agreement to compensate the Operating Company for the actual cost of all diesel fuel consumed to a maximum of 1,184,722.62 litres for Scheduled Revenue Kilometres in Schedule "B". This maximum number of litres will be adjusted in proportion to Extra or Deleted Revenue Service Kilometres.**f) Special Group Trips cost recovery shall be credited to the Authority on the monthly contractors invoice.**

Information contained in Schedule "C" - Budget and Schedule "D" - Payment Schedule is subject to the Freedom of Information and Protection of Privacy Act.

Consult with BC Transit prior to releasing information in these Schedules to individuals or companies other than those who are party to the Agreement.

Schedule "E" – Tariff-Fares

Fare Zones:

The boundaries of fare zones for this Tariff are described as follows:

Zone 1 - Regional District of Nanaimo

This zone encompasses that area within the existing transit service area.

Fares:

Conventional Transit Service:

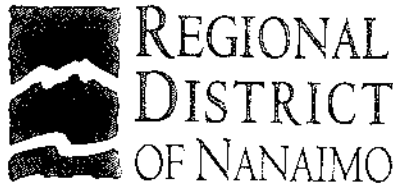
- a) Single Cash Fares:
 - i) Adult \$2.25
 - ii) Senior \$2.00
 - iii) Youth (6-18 yrs) \$2.00
 - iv) College Student \$2.25
 - v) Child under 6 years, Free when accompanied by an adult.
 - vi) Accessible Transit Attendant, Free
- b) Tickets:
 - i) 10 x \$2.25 fares, sold for \$20.25
 - ii) 10 x \$2.00 fares, sold for \$18.00
- c) BC Bus Pass valid for the current calendar year.
- c) CNIB Pass available from the local office of the CNIB.
- d) BC Transit Employee Bus Pass
- e) One-Day Pass:
 - i) Adult - \$5.75
 - ii) College Student - \$4.50
 - ii) Senior/Youth - \$4.50
- f) Monthly Pass
 - i) Adult - \$60.75
 - ii) College Student - \$49.50
 - iii) Senior/Youth - \$37.00
- g) Semester Pass
 - i) College Student - \$158.50

Custom Transit Service:

Registered Users and Companions:

- a) Cash fare \$3.25
- b) 5 Prepaid Tickets \$16.25
- c) 20 Prepaid Tickets \$60.00
- Attendants Accompanying Registered Users Free

Note: Visitors (elsewhere in B.C. and outside B.C.) are eligible for temporary handyDART service.



MANAGERIAL APPROVAL	U/V
REP	
CCW	
R-D	
BOARD	

Transit Select - June 17 '09

MEMORANDUM

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

DATE: June 5, 2009

FROM: Jason Adair
A/Manager, Fleet and Operations

FILE: 8500-04-PRFI

SUBJECT: Prideaux Street Transit Exchange Upgrade

PURPOSE

To present staff's recommendation to use \$132,000 of the received \$1,777,838 from the Public Transit Agreement and Public Transit Infrastructure Program Funding to upgrade the Prideaux Street Transit Exchange.

BACKGROUND

Two transit infrastructure grants totaling \$1,777,838 were obtained by the Regional District of Nanaimo (RDN) through the Federal Gas Tax Funding program. There are a total of eight projects that were submitted and approved for grant funding. Two projects, the purchase of fuel efficient Smart Cars for crew vehicles and a Custom Transit Software Upgrade, have been completed to date using this funding; the Prideaux Street Exchange Upgrade would be the third of eight scheduled projects.

Prideaux Street Exchange Upgrade

A Prideaux Street Exchange upgrade would provide better public access, shelters, lighting, landscaping and an overall aesthetic improvement to the exchange. As this is one of the most important exchanges for the RDN Transit System, making this exchange more attractive and usable may increase overall ridership and will improve the overall image of the Transit System due to the increased functionality of the exchange. Staff has directed the consultant to include improvements that would be easily relocated to a new facility once a new exchange is found. The other outlined improvements will provide a lasting improvement to the neighborhood. A preliminary design with associated costs is attached in Appendix A.

Improvements to the Prideaux Street Exchange include:

1. two new transit shelters;
2. four new lighting poles;
3. two new passenger benches;
4. street furniture - table and chairs;
5. installation of interlocking pavers on the passenger island;
6. two solar powered waste receptacles;
7. general improvement of all associated landscaping; and,
8. an upgrade to the passenger island to make boarding and disembarking easier for persons with disabilities.

The cost for these outlined improvements is \$132,000.

ALTERNATIVES

1. That the Board approve the outlined improvements to the Prideaux Street Transit Exchange.
2. That the Board not approve the outlined improvements to the Prideaux Street Transit Exchange.

FINANCIAL IMPLICATIONS

Alternative #1:

If this project is approved, additional staff resources will be required to prepare tender documents and manage consultants and contractors. Except for the staffing required to manage the completion of the construction process, the RDN will use grant money to move forward on the Prideaux Street Exchange improvements. These grants received do not require cost-sharing from the RDN.

Alternative #2:

If the Prideaux Street Exchange project is not approved grant funding will not be needed.

SUSTAINABILTY IMPLICATIONS

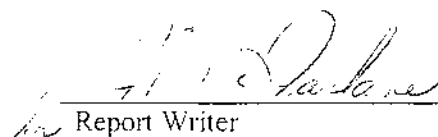
Ensuring that the negative impacts on the environment due to greenhouse gas emissions are reduced can be achieved by reducing automobile use in the Regional District. Providing a better transit service will encourage greater use of the system and help to reduce automobile use and their resulting greenhouse gas emissions.

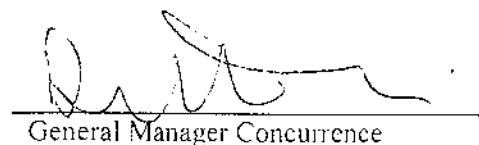
SUMMARY/CONCLUSIONS

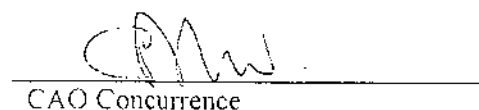
Two significant infrastructure grant programs under the Federal Gas Tax Funding program have been obtained by the RDN for transit projects. There is a total of \$1,777,838 that can be used by the RDN to fund capital projects for transit. The upgrade of the Prideaux Street Transit Exchange will provide better public access, shelters, lighting, landscaping and an overall aesthetic improvement to the exchange. As this is one of the most important exchanges for the RDN Transit System, making this exchange more attractive and usable may increase overall ridership and will improve the overall image of the Transit System. Based on the foregoing, staff recommends that the Board approves the Prideaux Street Exchange improvements.

RECOMMENDATION

That the Board direct staff to proceed with the Prideaux Street Exchange Upgrade Project.


Report Writer


General Manager Concurrence


CAO Concurrence

APPENDIX A



May 25 2009

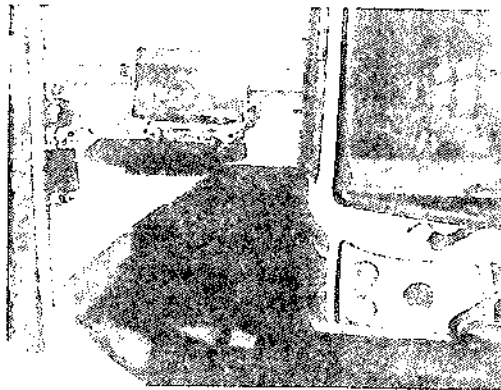
Mr. Dennis Trudeau, General Manager
 Transportation Services
 Regional District of Nanaimo
 6200 Hammond Bay Road
 Nanaimo, BC V9T 6K2

Subject: Proposed Improvements to the Prideaux Street Exchange – File 1022

Dear Dennis,

Attached is a drawing of several improvements which could be made to the Prideaux Street Exchange. In developing these suggestions we attempted to make changes which could either be reused after the exchange moves or would be a legacy for the area residents.

The proposal addresses one problem. Drivers have difficulty pulling buses up to a point where a wheelchair ramp could be deployed. In addition, passengers alighting from the rear door do so to grade level rather than a curb. This is difficult for many with mobility difficulties. It may be possible to realign the curb to solve these problems.



Our recommendations are as follows:

	Priority	Cost
2 new Daytech Vanguard shelters 1 – 15', 1-10'	High	\$27,000
2 SiteLink Lighting poles with accessories installed	Med	\$15,000
2 King Luminaire poles with accessories installed	High	\$11,000
Remove existing asphalt	High	\$4,500
Interlocking pavers for passenger island and sidewalk	High	\$18,500
Big Belly solar receptacle	Med	\$6,000

PAGE 1



2 Neocombo benches	Med	\$7,000
NYNY Table top table and chairs	Med	\$4,000
5 Planters set of three	Med	\$5,000
Modify east curb line and extend platform to support passenger unloading from rear doors (verify movement in field)	High	\$7,000
9 Large single planters	Med	\$4,500
Remove weeds from embankment and hydroseed with wildflower mix	Med	\$1,500
Power wash barriers	Med	\$500
Paint barriers and add reflective tape, signs	Med	\$3,000
Sub total		\$114,500
Contingency @15%		\$17,500
Total		\$132,000

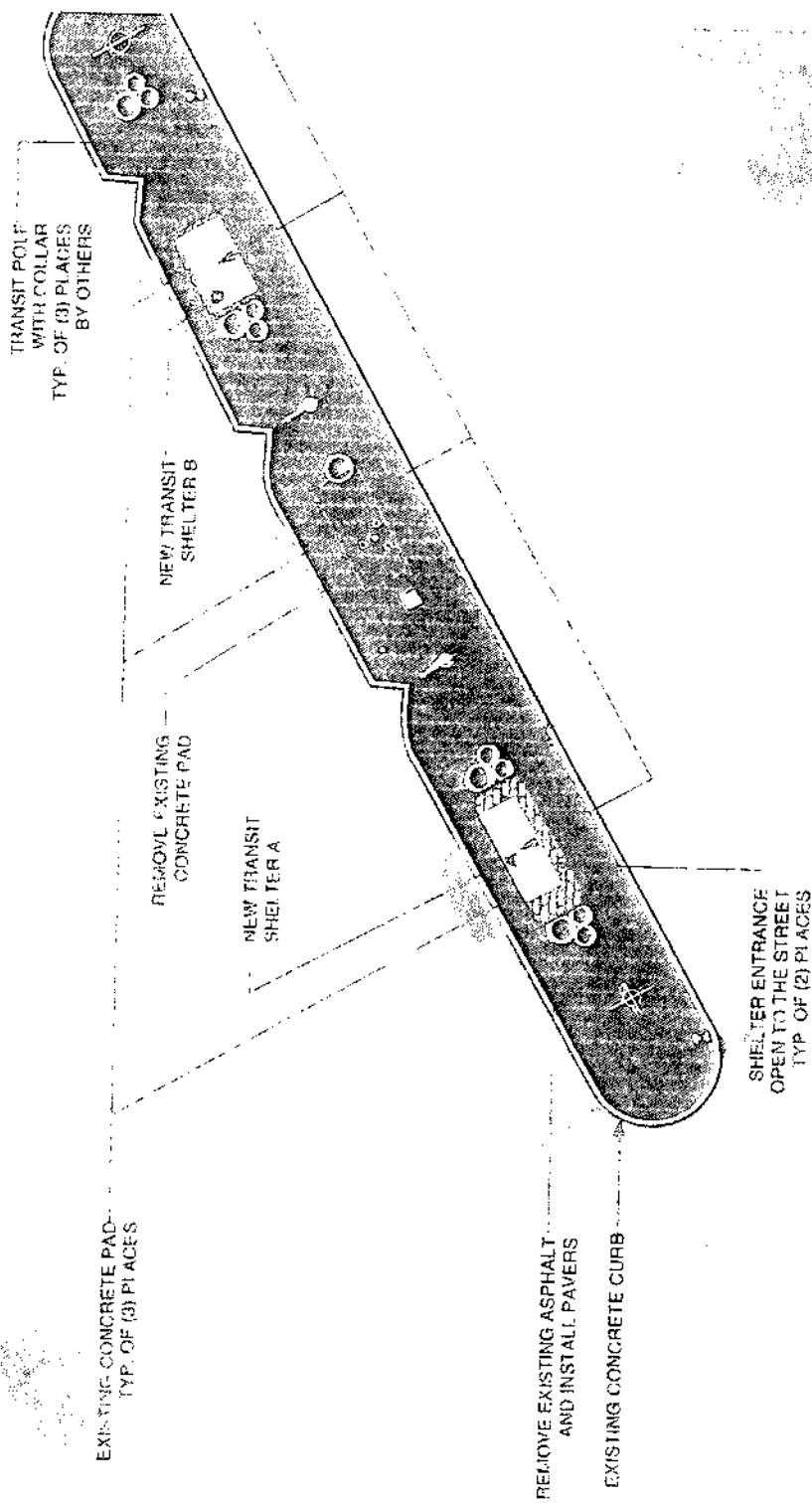
Specifications for the equipment have been provided. Please give me a call to discuss any changes you need or next steps.

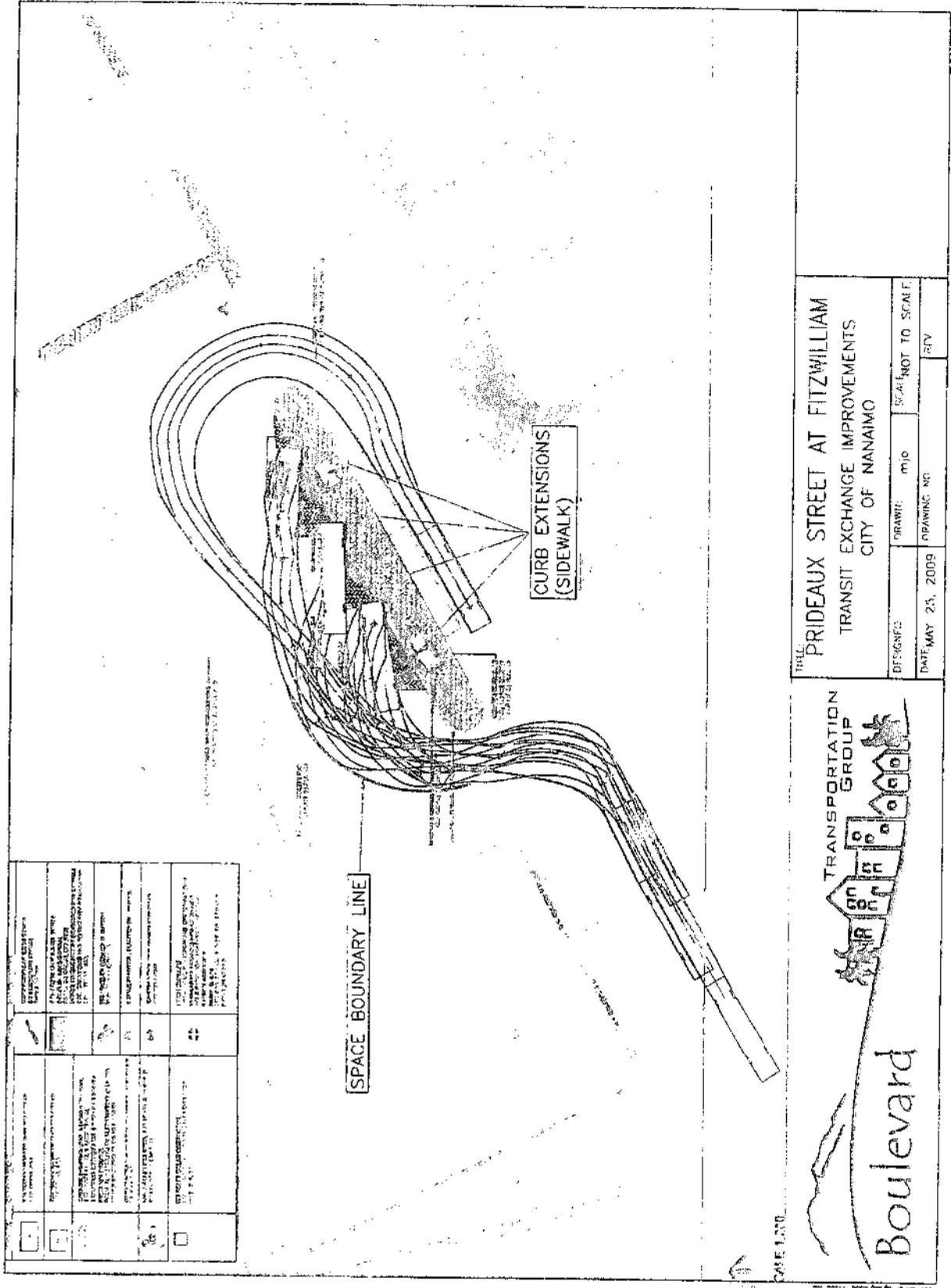
Sincerely,

J. D. Hemstock, P. Eng.

Attach: three site drawings

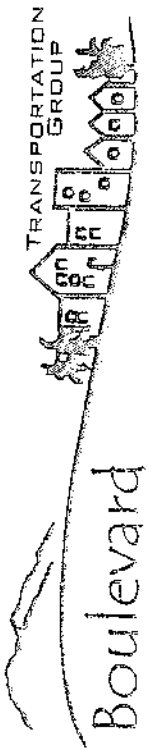
PAGE 2





<input type="checkbox"/>	CONSTRUCTION AREA	CONSTRUCTION AREA
<input checked="" type="checkbox"/>	EXISTING SIDEWALK	EXISTING SIDEWALK
<input type="checkbox"/>	PROPOSED SIDEWALK	PROPOSED SIDEWALK
<input type="checkbox"/>	PROPOSED CURB	PROPOSED CURB
<input type="checkbox"/>	PROPOSED SPACE BOUNDARY LINE	PROPOSED SPACE BOUNDARY LINE
<input type="checkbox"/>	PROPOSED TRANSIT STOP	PROPOSED TRANSIT STOP
<input type="checkbox"/>	PROPOSED TRANSIT STOP PLATFORM	PROPOSED TRANSIT STOP PLATFORM
<input type="checkbox"/>	PROPOSED TRANSIT STOP CANOPY	PROPOSED TRANSIT STOP CANOPY
<input type="checkbox"/>	PROPOSED TRANSIT STOP SEATING	PROPOSED TRANSIT STOP SEATING
<input type="checkbox"/>	PROPOSED TRANSIT STOP BIKING	PROPOSED TRANSIT STOP BIKING
<input type="checkbox"/>	PROPOSED TRANSIT STOP BIKING	PROPOSED TRANSIT STOP BIKING

TITLE PRIDEAUX STREET AT FITZWILLIAM TRANSIT EXCHANGE IMPROVEMENTS CITY OF NANAIMO		
DESIGNED	DRAWN: mjo	SCALE: NOT TO SCALE
DATE: MAY 25, 2009	DRAWING NO.	RTY





RDN / L'AFN
Transportation
Partnership for 2010

L'Association des francophones
de Nanaimo
celebrates the 10th anniversary
of the Maple Sugar Festival

FRANCOPHONENANAIMO.ORG




We're excited!

L'Association des francophones de Nanaimo will be celebrating its biggest event's 10th anniversary in 2010!

And the festivities are taking place right in the middle of the 2010 Winter Olympic and Paralympic Games.

The Maple Sugar Festival du Sucre d'Érable takes place from February 17 to 21, 2010!



There will be tourists everywhere!

International tourists will be visiting the Lower Mainland. These visitors will include trips to nearby Vancouver Island!

We will help them travel to Vancouver Island's premiere fun winter event – **The Maple Sugar Festival du Sucre d'Érable** – an opportunity to experience French Canadian culture and fun right in BC!

Interesting facts!

- Thirty-one of the 80 countries participating in the Vancouver Games (think athletes, their families, and the fans, of course) are members of **l'Organisation Internationale de la Francophonie**.
- A total of 1,024 athletes from these member countries participated at the 2006 Torino Games. In comparison, 424 athletes represented North American and Commonwealth nations.
- **Our Target Market:** The athletes, families, fans, and journalists from these member countries!

Our Potential Partners*

- A Channel
- The Nanaimo News Bulletin
- Island Radio
- City of Nanaimo
- The Francophone community of BC

**The circumstances of the economic downturn has left a number of potential participants in a “holding pattern.” We are here today to obtain your firm commitment. We sincerely believe that we can galvanize our community in this effort.*

Let's make the fun accessible!

RDN Transit Partnership details:

- We will host a three-day weekend Maple Sugar Festival once again.
- As you know, we wish to make our special Festival accessible to our target market.
- International tourists (European and Asian) anticipate accessible public transportation.
- RDN Transit fulfills this need by offering transportation to foot passengers from the Lower Mainland to Beban Park during the weekend of our event.

Time is of the essence!

We are here right now to request your firm commitment to bring international tourists to Vancouver Island and our Festival at this fabulous time in BC's history.

Once we have received your expression of firm commitment (no later than August 28, 2009, please), the Francophone Association will continue meeting with our other future partners to get the ball rolling on this terrific opportunity for Nanaimo!



Merci ! / Thank you!

FRANCOPHONENAIMO.ORG

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE SUSTAINABILITY SELECT COMMITTEE
MEETING HELD ON WEDNESDAY, JUNE 17, 2009 AT 2:00 PM
IN THE RDN COMMITTEE ROOM

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director M. Young	Electoral Area C
Director D. Bartram	Electoral Area H
Director E. Mayne	City of Parksville
Director C. Haime	District of Lantzville
Director B. Holdom	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director T. Westbrook	Town of Qualicum Beach

Also in Attendance:

C. Mason	Chief Administrative Officer
P. Thorkelsson	General Manager of Development Services
P. Thompson	Manager of Long Range Planning
K. Sanders	Recording Secretary

CALL TO ORDER

The meeting was called to order at 2:01 pm by the Chair.

MINUTES

MOVED Director Burnett, SECONDED Director Mayne, that the minutes of the Sustainability Select Committee meeting held on April 15, 2009 be adopted. CARRIED

REPORTS

RGS Review Interim Update - June 2009

The Manager of Long Range Planning provided an overview of the RGS Review Interim Update.

Discussion on this item included public input, challenges in reaching a broad range of interests, public input vs public support, and the need for education and awareness.

MOVED Director Westbrook, SECONDED Director Kipp, that the report on RGS Review Interim Update -- June 2009 be received. CARRIED

MOVED Director Westbrook, SECONDED Director Kipp, that staff be directed to draft a revised RGS based on sustainability principles taking into consideration the results of the community engagement process. CARRIED

MOVED Director Westbrook, SECONDED Director Burnett, that the name of the Regional Growth Strategy be amended to Regional Sustainability Plan to reflect the revised focus on sustainability.

CARRIED

MOVED Director Kipp, SECONDED Director Burnett, that the amendment to amend the name of the Regional Growth Strategy consider amending the name to Regional Growth and Sustainability Strategy.

DEFEATED

The Water For Action Program will be addressing many water related issues and would benefit by having the municipalities involved. Potential benefits in both conservation and servicing are possible with more partnerships.

The Committee requested a map showing all of those lands in the electoral areas that had subdivision potential.

NEW BUSINESS

Director Bartram provided information regarding RGS definitions.

MOVED Director Bartram, SECONDED Director Kipp that the information be received.

CARRIED

MOVED Director Bartram, SECONDED Director Kipp that the information be referred to staff for consideration in the revised RGS.

CARRIED

New initiatives in the City of Nanaimo include an updated Habitat Atlas, pesticide awareness and an Urban Forest Strategy.

MOVED Director Stanhope, SECONDED Director Westbrook that staff are to arrange a presentation on forest and resource management at a future Ideas and Updates.

CARRIED

ADJOURNMENT

MOVED Director Westbrook, SECONDED Director Bartram, that this meeting be adjourned.

CARRIED

TIME: 3:05 PM

CHAIRPERSON

PRESENTATION TO THE SUSTAINABILITY
COMMITTEE 17TH June 2009

Objective:

1. To make a motion that staff review several current and proposed new RGS definitions with a view towards incorporating them into the RGS and/or making the definitions applicable and understandable to Electoral Area residents.

2. To make a motion to acknowledge in the RGS text that unincorporated Electoral Area Rural Village Centres are the historic and traditional core community boundaries that the RDN, in consultation with the community, must develop comprehensive sustainable guidelines for their growth so as to build the foundation for their future.

Background: I attended all the public RGS meetings and over the past 10 months been intimately involved in the Electoral Area H Village Centre Planning Process. This process has two goals:

- a. To carry out a planning process based on Sustainability Principles; and

- b. To prepare a village plan/plans which provides comprehensive guidelines for the development of village centres, and which recognizes the relationship of the village centres to one another and to the surrounding areas.

From these experiences, I have learned that residents easily grasp sustainability principles and are very supportive, but have a difficult time understanding the meaning of several current RGS definitions and have either revised or proposed new ones. It seems that the difficulty with the definitions is that they are not specific enough and can lead to many different interpretations. Perhaps the problem is *planner speak*. In addition, I have learned that Electoral Area residents generally desire their Village Centres to develop along the lines of a complete sustainable rural village to include servicing infrastructure and regulatory policies and bylaws. I believe the fundamental shift in the RGS from growth to encompassing all sustainability goals supports this new RGS vision for Village Centres in the Electoral Areas.

Definitions:

1. **Urban Containment Boundary (UCB):** Urban containment and Urban Containment Boundary, as they are currently used in the RGS, are the most difficult terms for Electoral Area Residents to understand. Electoral Area residents do not consider themselves urban as it does not describe their lifestyle or where they live. Rural describes their lifestyle. (Denser portions of Electoral Area G are perhaps the exception). I suspect this is the result of planners formal design education in municipal scenarios rather than rural communities and the use of *planner speak* terms. In discussion with Royal Roads, Professor Dr. Chris Ling and BCIT Rural Architect Designer Peter Levar, the problem is acknowledged and is being corrected.

Smart Growth BC classifies urban as greater than 10 dwelling units/hectare, suburban as 2.5 – 10 dwelling units/ hectare and rural as less than 2.5 dwelling units/hectare. Most of the RDN Electoral Areas are less than 2.5 dwelling units/hectare.

Urban containment and Urban Containment Boundary is used in the current RGS to describe density and a boundary to limit growth outside “urban centres”. This definition is extended to describe Electoral Area Village nodes and Village Centres, as “Urban Containment Boundaries.” I would propose that we do not use the term Urban Containment or Urban Containment Boundary unless it only applies to municipalities.

One option to describe containment in other jurisdictions, in terms of density and compact communities is to use land use and zoning. Another option is from Smart Growth BC which acknowledges the difference between Urban and Rural and uses the term “Rural Containment Boundary”. They describe “Urban and Rural Containment Boundaries” as geographically-based lines on a map indicating the edge between land available for development (and infill and redevelopment) and land that is to remain part of the green infrastructure of the region (wetlands, farmland, and forested land). These containment boundaries define the limit of infrastructure servicing and planned future development. What is important, I believe, is the acknowledgment of the difference between urban and rural as we are a diverse Regional District.

2. Village Centre: The current RGS uses the terms Village Node and Village Centre synonymously as well as the term nodal development. The Electoral Area H Village Centre Advisory Planning Group has requested that the term Village Node and nodal development be eliminated from the RGS lexicon as it does not describe anything they understand. They prefer the term Village Centre.

Proposed Definition: The historic and traditional community unincorporated boundary inside which can be developed sustainable mixed-use higher density residential, commercial, institutional and recreational zoning that support the areas rural character and quality of life and includes places to live, work, learn, play and access services when supported by appropriately scaled public works infrastructure and which will be linked to the surrounding neighbourhoods through green space, parks, roads, walking trails, and bicycle paths.

3. Green Field Protection Boundary: It was clear during the public RGS meetings and the Electoral Area H Village Planning Process that the residents want a boundary to protect the Regions green fields.

Proposed Definition: A boundary which separates the Agricultural Land Reserve lands, Resource Management land uses, Riparian Areas, Ecologically Sensitive Areas and Regional Parks and Trails, from other RDN land use designations and incorporated municipal boundaries, for the purposes of recreation or watershed and/or environmental protection. It is proposed that only green industry be permitted. Some examples include wind power generation, hydro power generation, forestry, agriculture and recreation.