

**REGIONAL DISTRICT OF NANAIMO**  
**REGULAR BOARD MEETING**  
**TUESDAY, MARCH 23, 2010**  
**(immediately following the Hospital Board meeting)**

*(RDN Board Chambers)*

**A G E N D A**

**PAGES**

- 1. CALL TO ORDER**
- 2. DELEGATIONS**
  - 16 **Wendy Maurer, Vancouver Island Economic Alliance**, re Overview of the Link Project.
  - France Tellier & Violet Smith, John Howard Society**, re Overview of the Restorative Justice Program.
  - 17 **Carly Gronlund, Nanaimo Telephone Visiting Society**, re Society Overview.
- 3. BOARD MINUTES**
  - 18 - 30 Minutes of the regular Board meeting held February 23, 2010.
- 4. BUSINESS ARISING FROM THE MINUTES**
- 5. COMMUNICATIONS/CORRESPONDENCE**
  - 31 **Sheila Malcolmson, Islands Trust**, re Update - Natural Area Protection Tax Exemption Program.
- 6. UNFINISHED BUSINESS**
  - BYLAWS**
    - For Adoption.**
      - Bylaw No. 789.03 – Amends the Fairwinds Streetlighting Service Establishment Bylaw.** (All Directors – One Vote)

*That "Fairwinds Streetlighting Local Service Amendment Bylaw No. 789.03, 2010" be adopted.*

This bylaw increases the maximum requisition limit for the Fairwinds Streetlighting Service.

**Bylaw No. 804.06 – Amends the Area ‘F’ Community Parks Service Establishment Bylaw.** (All Directors – One Vote)

*That "Electoral Area ‘F’ Community Parks Local Service Amendment Bylaw No. 804.06, 2010" be adopted.*

This bylaw increases the maximum requisition limit for the Area ‘F’ Community Parks Service.

**Bylaw No. 861.02 – Amends the Joint Civic Properties & Recreation Commission Service Establishment Bylaw.** (All Directors – One Vote)

*That "Joint Civic Properties & Recreation Commission Local Service Amendment Bylaw No. 861.02" be adopted.*

This bylaw introduces several house-keeping amendments including changing the name of the service from Joint Civic Properties & Recreation Commission to Northern Community Recreation.

**Bylaw No. 1001.04 – Amends the Parksville Fire Protection Service Establishment Bylaw.** (All Directors – One Vote)

*That "Parksville Local Fire Protection Service Amendment Bylaw No. 1001.04, 2010" be adopted.*

This bylaw increases the maximum requisition limit for the Parksville Fire Protection Service.

**Bylaw No. 1553.02 – Amends the Regional Growth Management Service Establishment Bylaw.** (All Directors – One Vote)

*That "Regional Growth Management Service Amendment Bylaw No. 1553.02, 2010" be adopted.*

This bylaw increases the maximum requisition limit for the Regional Growth Management Service.

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

## 7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE

32 - 33 Minutes of the Electoral Area Planning Committee meeting held March 9, 2010. (for information)

### PLANNING

#### *OTHER*

**Request for Frontage Relaxation on Subdivision Application No. PL2009-716 - Townline Ventures Boat Harbour Ltd. - Kendall Road & Pylades Drive - Area 'A'.** (Electoral Area Directors except EA 'B' – One Vote)

*That the request to relax the minimum 10% perimeter frontage requirement for proposed Lots 2-7 inclusive be approved.*

**Greenhouse Gas Emission Targets in Official Community Plans.** (Electoral Area Directors except EA 'B' – One Vote)

- 1. That staff be directed to prepare the OCP bylaw amendments to address the requirement for greenhouse gas emission targets.*
- 2. That one public hearing be scheduled and be held in the RDN Board Chambers for all OCP bylaw amendments.*

## 7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

34 - 45 Minutes of the Committee of the Whole meeting held March 9, 2010. (for information)

### COMMUNICATIONS/CORRESPONDENCE

**Miles Phillips, Cowichan Energy Alternatives Society, re Request for Letter of Support.** (All Directors – One Vote)

*That the correspondence from the Cowichan Energy Alternatives Society requesting a letter of support for the "Vancouver Island Bio-Fuel Network (VIBN) Project" be received.*

**Bob Maling, Homeowner Protection Office, re Proposed Expansion of Building Inspection Service.** (All Directors – One Vote)

*That the correspondence from the Homeowner Protection Office in support of the proposed expansion of Building Inspection Services be received.*

**Chuck & Linda Addison, re Growth Strategy Amendment to Support Zoning & OCP Amendment Application No. 0604.** (All Directors – One Vote)

*That the correspondence from Chuck & Linda Addison be received.*

**Peter Alexander, BC Assessment, re Building Permits and BC Assessment.** (All Directors – One Vote)

*That the correspondence from BC Assessment regarding the proposed expansion of Building Inspection Services be received.*

**Bruce Cownden, Denise Sakai & Helen Sims, Oceanside Development & Construction Association, re Proposed Expansion of Building Inspection Service.** (All Directors – One Vote)

*That the correspondence from the Oceanside Development & Construction Association regarding the proposed expansion of Building Inspection Services be received.*

**Byron Gallant, Canadian Home Builders' Association - Central Vancouver Island, re Proposed Expansion of Building Inspection Service.** (All Directors – One Vote)

*That the correspondence from the Canadian Home Builders' Association regarding the proposed expansion of Building Inspection Services be received.*

## ***FINANCE AND INFORMATION SERVICES***

### **FINANCE**

**Policy A1.15 - Proposed Amendment to Provide for Reimbursement of Telecommunication Devices.** (All Directors – One Vote)

1. *That the Board support covering the cost of mobile telecommunication devices for Electoral Area Directors.*
2. *That Policy A1.15 be amended by adding the following sections:*
  5. *Mobile Telecommunication Devices*

*At the option of an Electoral Area Director, the Regional District will either provide the Director with a Blackberry or a monthly allowance of \$50 as reimbursement for a mobile telecommunication device. The allowance shall be provided on or about the first day of the month.*

6. *Annual Eligibility for Communication Services Allowances*

*In December of each year a Director shall on request, identify which communication services are in use by the Director. The monthly allowances shall be amended in accordance with that report commencing January 1 of each calendar year.*

**Bylaws No. 1532.02 & 1596 – Amend User Rates and Establish a Parcel Tax for the Cedar Sewer Service.**

**Bylaw No. 1532.02**

(All Directors – One Vote)

1. *That “Cedar Sewer Service Area Rates and Regulations Amendment Bylaw No. 1532.02, 2010” be introduced and read three times.*

(All Directors – 2/3)

2. *That “Cedar Sewer Service Area Rates and Regulations Amendment Bylaw No. 1532.02, 2010” be adopted.*

**Bylaw No. 1596**

(All Directors – One Vote)

1. *That “Cedar Sewer Service Parcel Tax Rate Bylaw No. 1596, 2010” be introduced and read three times.*

(All Directors – 2/3)

2. *That “Cedar Sewer Service Parcel Tax Rate Bylaw No. 1596, 2010” be adopted.*

**Bylaws No. 1567.01, 1568.01, 1569.01, 1336.07, 1483.04 & 1525.02 - Amend Parcel Tax Rates for Water, Sewer, Fire Protection and Crime Prevention/Community Justice Services.**

**Bylaws No. 1567.01**

(All Directors – One Vote)

1. *That “Water Services Parcel Tax Rates Bylaw No. 1567.01, 2010” be introduced and read three times.*

(All Directors – 2/3)

2. *That “Water Services Parcel Tax Rates Bylaw No. 1567.01, 2010” be adopted.*

**Bylaws No. 1568.01**

(All Directors – One Vote)

1. *That “Sewer Services Parcel Tax Rates Bylaw No. 1568.01 2010” be introduced and read three times.*

(All Directors – 2/3)

2. *That "Sewer Services Parcel Tax Rates Bylaw No. 1568.01, 2010" be adopted.*

**Bylaw No. 1569.01**

(All Directors – One Vote)

1. *That "Fire Protection Services Parcel Tax Rates Bylaw No. 1569.01, 2010" be introduced and read three times.*

(All Directors – 2/3)

2. *That "Fire Protection Services Parcel Tax Rates Bylaw No. 1569.01, 2010" be adopted.*

**Bylaw No. 1336.07**

(All Directors – One Vote)

1. *That "Driftwood Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1336.07, 2010" be introduced and read three times.*

(All Directors – 2/3)

2. *That "Driftwood Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1336.07, 2010" be adopted.*

**Bylaw No. 1483.04**

(All Directors – One Vote)

1. *That "Barclay Crescent Sewer Service Area Parcel Tax Rate Amendment Bylaw No. 1483.04, 2010" be introduced and read three times.*

(All Directors – 2/3)

2. *That "Barclay Crescent Sewer Service Area Parcel Tax Rate Amendment Bylaw No. 1483.04, 2010" be adopted.*

**Bylaw No. 1525.02**

(All Directors – One Vote)

1. *That "Crime Prevention and Community Justice Support Service Parcel Tax Rate Bylaw No. 1525.02, 2010" be introduced and read three times.*

(All Directors – 2/3)

2. That "Crime Prevention and community Justice Support Service Parcel Tax Rate Bylaw No 1525.02, 2010" be adopted.

**Operating Results for the Period Ending December 31, 2009.** (All Directors – One Vote)

*That the summary report of financial results for the year ending December 31, 2009 be received for information.*

## **DEVELOPMENT SERVICES**

### **BUILDING & BYLAW**

**Bylaws No. 787.13, 1250.05 & 1595 - Amend the Building Inspection Service Establishment, Regulatory and Fees & Charges Bylaws.**

#### **Bylaw No. 787.13**

(All Directors – One Vote)

1. That "Regional District of Nanaimo Building Inspection Extended Service Bylaw Amendment Bylaw No. 787.13, 2010," be introduced, read three times and forwarded to the Ministry of Community and Rural Development for approval.

#### **Bylaw No. 1250.05**

(All Directors – One Vote)

1. That "Regional District of Nanaimo Building Regulations Amendment Bylaw No. 1250.05, 2010" be introduced and read three times.

#### **Bylaw No. 1595**

(All Directors – One Vote)

1. That "Regional District of Nanaimo Building Regulation Fees and Charges Bylaw No. 1595, 2010" be introduced and read three times.

#### **Policy No. B2.1**

(All Directors – One Vote)

1. That Building Permit Fees Policy No. B2.1 be approved as amended.

**District 69 Animal Control Services - Kenneling Agreement.** (All Directors – Weighted Vote)

*That the agreement between the SPCA and the Regional District of Nanaimo for the sale of dog licenses and use of the animal shelter at 1565 Alberni Highway for the boarding of impounded dogs be approved for a two year term commencing April 1, 2010 and ending March 31, 2012.*

**PLANNING**

**Building Inspection Service – Proposed Policy Respecting the Requirement for Inclusion of New Subdivisions Within the Service Area.** (All Directors – One Vote)

*That the attached policy with respect to inclusion of new subdivisions within the building inspection area be endorsed with a revised effective date of October 1, 2010.*

**REGIONAL AND COMMUNITY UTILITIES**

**WASTEWATER**

**Bylaws No. 1021.08 & 889.55 - Amend the Boundaries of the Pacific Shores and Northern Community Sewer Services to Include an Area ‘E’ Property.** (All Directors – One Vote)

- 1. That “Pacific Shores Sewer Local Service Area Boundary Amendment Bylaw No. 1021.08, 2010” be introduced and read three times.*
- 2. That “Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.55, 2010” be introduced and read three times.*

**Bylaw No. 1577 - Reduction of Sewer Development Cost Charges for Not-for-Profit Rental Housing (Northern Community, Southern Community, Duke Point & Fairwinds Sewer Services).** (All Directors except EA ‘B’ – Weighted Vote)

*That “Regional District of Nanaimo Not-for-Profit-Rental Housing Sewer Development Cost Charge Reduction Bylaw No. 1577, 2010” be introduced, as amended, read three times and forwarded to the Inspector of Municipalities for approval.*

**Southern Community Sewer Service - Biosolids Contract Extension.** (All Directors – Weighted Vote)

*That Vancouver Island University be granted a two year extension to the initial contract for the hauling and beneficial reuse of biosolids from the Greater Nanaimo Pollution Control Centre at \$77 per tonne, through to February 28<sup>th</sup>, 2012.*



**Northern Community Sewer Service - Insurance Release for Roof Repair at French Creek Pollution Control Centre.** (All Directors – Weighted Vote)

*That the Board approves the execution of an Insurance Release for roof repairs at the French Creek Pollution Control Centre.*

**Northern & Southern Community Sewer Services - Assignment Award & Reserve Fund Expenditure Bylaws No. 1593 & 1594.** (All Directors – Weighted Vote)

1. *That the GNPCC and FCPCC wastewater treatment options assignments be awarded to AECOM for a maximum value of \$221,655, excluding GST.*

(Nanaimo, Lantzville, Parksville, Qualicum Beach, EAs 'C', 'E', 'F' 'G' & 'H' – Weighted Vote)

2. *That Northern Community Development Cost Charge funds in the amount of \$110,200 and Southern Community Development Cost Charge funds in the amount of \$79,600 be approved as a source of funds for these projects.*

**Bylaw No. 1593**

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

1. *That “Northern Community Sewer Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1593, 2010” be introduced and read three times.*

(Parksville, Qualicum Beach, EAs 'E', 'F' 'G' & 'H' – 2/3 Weighted)

2. *That “Northern Community Sewer Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1593, 2010” be adopted.*

**Bylaw No. 1594**

(Nanaimo, Lantzville, EA 'C' – Weighted Vote)

1. *That “Southern Community Sewer Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1594, 2010” be introduced and read three times.*

(Nanaimo, Lantzville, EA 'C' – 2/3 Weighted)

2. *That “Southern Community Sewer Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1594, 2010” be adopted.*

## WATER

**Convening for Action on Vancouver Island - 2009 Activities.** (All Directors – One Vote)

*That the Board continue to support staff participation in CAVI and attendance at CAVI learning activities associated with promoting water sustainability.*

**Update - Toilet Replacement Incentive Program.** (All Directors – One Vote)

*That the Board receive the Toilet Replacement Incentive Program Update report for information.*

**Bylaws No. 1340.02, 1342.02, 1343.02, 1346.02, 1384.02, 1435.01 & 1592 - Amend & Establish Water Restrictions in the San Pareil, Decourcey, French Creek, Surfside, Englishman River, Melrose and Nanoose Bay Peninsula Water Service Areas.**

### **Bylaw No. 1340.02**

(All Directors – One Vote)

1. *That “Regional District of Nanaimo San Pareil Water Uses Restrictions Amendment Bylaw No. 1340.02, 2010” be introduced for three readings.*

(All Directors – 2/3)

2. *That “Regional District of Nanaimo San Pareil Water Uses Restrictions Amendment Bylaw No. 1340.02, 2010” be adopted.*

### **Bylaw No. 1342.02**

(All Directors – One Vote)

1. *That “Regional District of Nanaimo Decourcey Water Uses Restrictions Amendment Bylaw No. 1342.02, 2010” be introduced for three readings.*

(All Directors – 2/3)

2. *That “Regional District of Nanaimo Decourcey Water Uses Restrictions Amendment Bylaw No. 1342.02, 2010” be adopted.*

### **Bylaw No. 1343.02**

(All Directors – One Vote)

1. *That “Regional District of Nanaimo French Creek Water Uses Restrictions Amendment Bylaw No. 1343.02, 2010” be introduced for three readings.*

(All Directors – 2/3)

2. That “Regional District of Nanaimo French Creek Water Uses Restrictions Amendment Bylaw No. 1343.02, 2010” be adopted.

**Bylaw No. 1346.02**

(All Directors – One Vote)

1. That “Regional District of Nanaimo Surfside Water Uses Restrictions Amendment Bylaw No. 1346.02, 2010” be introduced for three readings.

(All Directors – 2/3)

2. That “Regional District of Nanaimo Surfside Water Uses Restrictions Amendment Bylaw No. 1346.02, 2010” be adopted.

**Bylaw No. 1384.02**

(All Directors – One Vote)

1. That “Regional District of Nanaimo Englishman River Community Water Uses Restrictions Amendment Bylaw No. 1384.02, 2010” be introduced for three readings.

(All Directors – 2/3)

2. That “Regional District of Nanaimo Englishman River Community Water Uses Restrictions Amendment Bylaw No. 1384.02, 2010” be adopted.

**Bylaw No. 1435.01**

(All Directors – One Vote)

1. That “Regional District of Nanaimo Melrose Terrace Water Local Service Area Uses Restrictions Amendment Bylaw No. 1435.01, 2010” be introduced for three readings.

(All Directors – 2/3)

2. That “Regional District of Nanaimo Melrose Terrace Water Local Service Area Uses Restrictions Amendment Bylaw No. 1435.01, 2010” be adopted.

**Bylaw No. 1592**

(All Directors – One Vote)

1. That “Regional District of Nanaimo Nanoose Bay Peninsula Water Service Area Uses Restrictions Bylaw No. 1592, 2010” be introduced for three readings.

(All Directors – 2/3)

2. That “Regional District of Nanaimo Nanoose Bay Peninsula Water Service Area Uses Restrictions Bylaw No. 1592, 2010” be adopted.

**TRANSPORTATION AND SOLID WASTE SERVICES**

**SOLID WASTE**

**Bylaw No. 1531.02 - Amends the Solid Waste Disposal Service Regulations Bylaw by Increasing Tippling Fees.**

(All Directors – Weighted Vote)

1. That “Regional District of Nanaimo Solid Waste Management Regulation Bylaw No. 1531.02, 2010” be introduced and read three times.

(All Directors – 2/3 Weighted)

2. That “Regional District of Nanaimo Solid Waste Management Regulation Bylaw No. 1531.02, 2010” be adopted.

**COMMISSION, ADVISORY & SELECT COMMITTEE**

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

1. That the minutes of the District 69 Recreation Commission meeting held February 18, 2010 be received for information.

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

2. That the Cyclone Taylor Cup Tournament Committee Grant-In-Aid request for funding be rejected based on the information provided which shows that the Regional District, including both the City of Parksville and the Town of Qualicum Beach, is providing a subsidy of approximately \$9,000 for their event and that the budget provided contains an error of approximately \$2,200 in ice rental costs, which would indicate that, given the budget presented, additional funds would not be required for the tournament.

### **District 69 Youth Grants**

3. *That the following District 69 Recreation Youth Grants be approved:*

<u>Community Group</u>	<u>Amount Recommended</u>
<i>District 69 Minor Softball Association</i>	\$ 2,000
<i>Errington War Memorial Hall Association</i>	\$ 1,650
<i>District 69 Family Resource Association</i>	\$ 545
<i>Parksville Qualicum Community Foundation</i>	\$ 1,850
<i>Ravensong Aquatic Club</i>	\$ 2,500

### **District 69 Recreation Grants**

4. *That the following District 69 Recreation Community Grants be approved:*

<u>Community Group</u>	<u>Amount Recommended</u>
<i>Arrowsmith Community Enhancement Society</i>	\$ 861
<i>Errington Therapeutic Riding Association</i>	\$ 2,500
<i>Lighthouse Community Centre Society</i>	\$ 1,424
<i>Lighthouse Recreation Commission</i>	\$ 2,500
<i>Oceanside Community Arts Council</i>	\$ 836
<i>Oceanside Community Arts Council</i>	\$ 1,500
<i>Panters Hockey</i>	\$ 1,650
<i>Parksville Seniors Athletic Group</i>	\$ 2,000
<i>Ravensong Masters Swim Club</i>	\$ 2,500
<i>Vancouver Island Opera</i>	\$ 730

### **Nanoose Bay Parks and Open Space Advisory Committee. (All Directors – One Vote)**

- 1. That the minutes of the Nanoose Bay Parks and Open Space Advisory Committee meeting held February 1, 2010 be received for information.*
- 2. That the Regional District of Nanaimo send a letter to the Director of the Integrated Land Management Branch, regarding the local community concerns about loss of the boat ramp at Schooner Cove which is part of the water lease on L.D. 2084 and that this information be considered in future deliberations of this water lease.*
- 3. That the Fairwinds Development Corporation be requested to provide an update to the Electoral Area 'E' Parks and Open Space Advisory Committee regarding the proposed parkland allocations in their development plan.*

### **Regional Agricultural Advisory Committee. (All Directors – One Vote)**

- 1. That the minutes of the Agricultural Advisory Committee meeting held January 29, 2010 be received for information.*

2. *That the development of the Area Agricultural Plan be referred back to staff for further review and report back to the Board.*

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

1. *That the minutes of the Regional Liquid Waste Advisory Committee meeting held February 4, 2010 be received for information.*
2. *That staff prepare a strategy for an educational awareness program for the disposal of residential chemicals in the wastewater stream.*

**Sustainability Select Committee.** (All Directors – One Vote)

1. *That the minutes of the Sustainability Select Committee meeting held September 16, 2009 be received for information.*
2. *That the staff report on the Regional Growth Strategy Amendment to Support Zoning & OCP Amendment Application No. 0604 - Addison - 2610 Myles Lake Road -Electoral Area 'C' be deferred for one month.*

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Ruth Sharun, Nanaimo Marine Rescue Society, re Overview of Society Operations & Current Initiatives.** (All Directors – One Vote)

*That staff be directed to prepare a report on the request from the Nanaimo Marine Rescue Society for a contribution of \$25,000 to assist in the purchase of an enclosed vessel to serve the community's marine emergency response needs.*

**RISE AND REPORT**

**RECREATION AND PARKS SERVICES**

**PARKS**

**Regional Parks & Trails Service – Camp Moorecroft Property Acquisition Opportunity.** (All Directors – Weighted Vote)

*That the Regional District of Nanaimo pursue a partnership arrangement with the Nanaimo and Area Land Trust for the potential acquisition of the Camp Moorecroft lands in Electoral Area 'E' as a regional park.*

**7.3 EXECUTIVE STANDING COMMITTEE**

**7.4 COMMISSIONS**

**7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS**

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

46 - 48 Minutes of the Drinking Water & Watershed Protection Advisory Committee meeting held February 24, 2010. (for information)

*That the Terms of Reference for the Drinking Water and Watershed Protection Advisory Committee be amended to include representation by Islands Trust and that a letter be sent to Islands Trust to invite their participation on the committee.*

**8. ADMINISTRATOR'S REPORTS**

49 - 67 Area 'H' Community Parks - Licence Renewal Thompson Clarke-Ocean Trail. (All Directors – Weighted Vote)

68 - 72 Nanoose Fire Protection Service - Firehall Update. (All Directors – One Vote)

73 - 90 Dashwood Fire Protection Service - Fire Hydrant Use Agreement. (All Directors – Weighted)

91 - 94 Final 2010 Budget Adjustments. (All Directors – Weighted Vote; All Directors – 2/3 Weighted)

**9. ADDENDUM**

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

**11. NEW BUSINESS**

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

**13. ADJOURNMENT**

**14. IN CAMERA**

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

**Armstrong, Jane**

**From:** Trish [link1@viea.ca]  
**Sent:** January 25, 2010 11:55 AM  
**To:** Armstrong, Jane  
**Subject:** Re: Delegation Request....March 23rd Board (Vncr Island Economic Alliance)

Re: Request to be a Delegation

Dear Joe Stanhope:

The VIEA Link Team will be meeting with community leaders in your area during March. We believe that your organization plays an important role in providing the infrastructure and programs to help build a sustainable community for future generations. We request the opportunity to present our project to the Regional District Board at your March 23<sup>rd</sup>, 2010 meeting. We want you to be aware of the project and have a clear understanding how we are building a picture of economic activity on Vancouver Island.

Our team has collected and reviewed community planning documents from communities throughout Vancouver Island. We will use this information plus that gained from interviews and surveys conducted this spring to build a Vancouver Island strategy for economic leadership that will be presented to the VIEA Board in October 2010.

There is strong desire for regional collaboration on Vancouver Island to ensure the best use of all our resources. We look forward to presenting our project to your board.

We are building our calendar of community visits and appreciate confirmation of the date so we can schedule other community visits around it.

We look forward to hearing from you,

Wendy Maurer  
Project Manager  
[wendy@viea.ca](mailto:wendy@viea.ca)  
250 594 2010

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Trish Hoffman  
Executive Assistant/Office Manager  
(250) 594-2010  
VIEA - The Link Project...Linking Island Leaders <http://www.viea.ca/>  
Funded in whole or part through the Canada-British Columbia Labour Market Development Agreement.



**Armstrong, Jane**

**From:** Christine McCubbin [coord.telvisit@shaw.ca]  
**Sent:** February 23, 2010 12:49 PM  
**To:** Armstrong, Jane  
**Subject:** RDN Board Delegate - Telephone Visiting Society - March 23rd Board Meeting

**From:** Christine McCubbin [<mailto:coord.telvisit@shaw.ca>]  
**Sent:** January 20, 2010 11:47 AM  
**To:** Armstrong, Jane  
**Cc:** Ohalloran, Matt; Board: Carly GRONLUND (home)  
**Subject:** Re: NTVS awareness

*Hello Jane:*

*I would love to speak at the Board Meeting on February 23rd, **however** I am a Girl Guide leader and our meetings are Tuesday nights. BUT I just discussed this with Carly Gronlund, one of our Board Members (who was Program Coordinator before me) and she is able to attend the Feb 23rd meeting on behalf of NTVS.*

*The information you request is:*

- date of the meeting you wish to attend: Board Meeting February 23rd, 2010,
- your name, mailing address, e-mail address and phone number: Nanaimo Telephone Visiting Society, 208D - 2520 Bowen Road, Nanaimo, BC V9T 3L3 250-756-9455 NTVS Representative attending meeting: Carly Gronlund, Member, NTVS Board of Directors
- suggested title of the presentation: 'Nanaimo Telephone Visiting Society'
- a short statement, or written brief, that clearly outlines the topic and identifies any specific issues or concerns. Nanaimo Telephone Visiting Society is an outreach service that has been extending friendship, human contact and assistance to seniors living independently in Nanaimo for over 30 years. We currently have clients throughout the City of Nanaimo and Nanaimo Regional District. We are looking to increase our visibility in the community, knowing with improved community awareness it should be much easier to recruit volunteers and secure local funding sources.

*Could you please confirm that we have a speaking spot for the February 23rd meeting? We have brochures - approximately how many people would you expect at the meeting?*

*Thank you!*

*Christine McCubbin  
Program Coordinator  
Nanaimo Telephone Visiting Society  
[www.ntvs.ca](http://www.ntvs.ca)*

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE REGULAR MEETING OF THE BOARD  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY, FEBRUARY 23, 2010, AT 7:00 PM IN THE  
RDN BOARD CHAMBERS**

**Present:**

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Alternate	
Director Niwa	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. McNabb	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director L. Sherry	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director J. Kipp	City of Nanaimo

**Also in Attendance:**

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

**CALL TO ORDER**

The Chairperson welcomed Alternate Director Niwa to the meeting.

The Chairperson asked for a minute of silence to mark the passing of former Director and Alternate Director Isaac Neden of Electoral Area F. Mr. Neden was a long time resident of the Coombs area and assisted in the building of the Fire Department.

**BOARD MINUTES**

MOVED Director Westbrook, SECONDED Director McNabb, that minutes of the regular Board meeting held January 26, 2010 and the Special Board meeting held February 9, 2010, be adopted.

CARRIED

## COMMUNICATIONS/CORRESPONDENCE

### **Darren Hird, TELUS Mobility, re Proposed Telecommunications Tower, Melrose Road, Area 'F'.**

MOVED Director Westbrook, SECONDED Director Mayne, that the correspondence from Darren Hird, TELUS Mobility be received.

CARRIED

### **Bill Bennett, Ministry of Community & Rural Development, re Local Government Elections Task Force.**

MOVED Director Westbrook, SECONDED Director Mayne, that the correspondence from Bill Bennett, Minister of Community & Rural Development be received.

CARRIED

### **Krista Seggie, re Expansion of Building Inspection Service.**

MOVED Director Westbrook, SECONDED Director Mayne, that the correspondence from Krista Seggie be received.

CARRIED

### **Kevin McNeill, Nanaimo Search & Rescue Society, re Request for Annual Operating Grant.**

MOVED Director Westbrook, SECONDED Director Mayne, that the correspondence from Kevin McNeill, Nanaimo Search & Rescue Society be received.

CARRIED

### **Jim Gardner for Mary Gardner, re Development Permit with Variances Application No. 2010-008- Fern Road Consulting Ltd. – 6255 Island Highway West- Area 'H'.**

MOVED Director Westbrook, SECONDED Director Mayne, that the correspondence from Jim Gardner for Mary Gardner, be received.

CARRIED

### **Bruce Otto, re Development Variance Permit Application No. 2009 – 853 – Macrae – 3466 Simmons Place – Area 'E'.**

MOVED Director Westbrook, SECONDED Director Mayne, that the correspondence from Bruce Otto, be received.

CARRIED

## BYLAWS

### **Public Hearing & Third Reading.**

### **Report of the Public Hearing held February 8, 2010 with respect to Amendment Bylaws No. 1148.05 & No. 500.353 – Williamson & Associates - 510 Virostko Road - EA 'C'.**

MOVED Director Young, SECONDED Director Burnett, that the Report of the Public Hearing containing the Summary of Minutes and Submissions of the Public Hearing held February 8, 2010 as a result of public notification of “Regional District of Nanaimo Arrowsmith Benson – Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.05, 2010” and “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.353, 2010” be received.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that “Regional District of Nanaimo Arrowsmith Benson – Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.05, 2010” be given 3<sup>rd</sup> reading.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.353, 2010” be given 3<sup>rd</sup> reading.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that conditions as outlined in Schedule No. 1 be completed by the applicant to the satisfaction of the Regional District prior to consideration of adoption of Bylaw No. 1148.05, 2010 and Bylaw No. 500.353, 2010.

CARRIED

### **Public Hearing, Third Reading & Adoption.**

#### **Report of the Public Hearing held February 10, 2010 with respect to Amendment Bylaw No. 500.354 – Pacific Coast Waste Management – 4299 Biggs Road - EA 'C'.**

MOVED Director Bartram, SECONDED Director Holme, that Report of the Public Hearing containing the Summary of Minutes and Submissions of the Public Hearing held February 10, 2010 as a result of public notification of “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.354, 2010” be received.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.354, 2010” be given 3<sup>rd</sup> reading.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.354, 2010” be adopted.

CARRIED

### **STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**

#### **ELECTORAL AREA PLANNING STANDING COMMITTEE**

MOVED Director Bartram, SECONDED Director Holme, that minutes of the Electoral Area Planning Committee meeting held February 9, 2010, be received for information.

CARRIED

#### **COMMUNICATIONS/CORRESPONDENCE**

##### **Diane Sampson, re Bowser Rural Village Community Plan.**

MOVED Director Bartram, SECONDED Director Holme, that correspondence from Diane Sampson be received.

CARRIED

## PLANNING

### *DEVELOPMENT PERMIT APPLICATIONS*

#### **Development Permit Application No. 2010-021 – Procter – 6435 Island Highway West – Area 'H'.**

MOVED Director Bartram, SECONDED Director Holme, that Development Permit Application No. PL2010-021, to permit the construction of an accessory building, be approved subject to the conditions outlined in Schedule No. 1.

CARRIED

### *DEVELOPMENT PERMIT WITH VARIANCE APPLICATIONS*

#### **Development Permit with Variances Application No. 2010-008 – Fern Road Consulting Ltd. – 6225 Island Highway West – Area 'H'.**

MOVED Director Bartram, SECONDED Director Holme, that Development Permit with Variances Application No. PL2010-008 to permit the construction of a dwelling unit and detached garage and to recognize the siting of an existing bridge with variances to the watercourse setback be approved subject to the conditions outlined in Schedules No. 1- 3.

CARRIED

#### **Development Permit with Variance Application No. 2010-017 - Fern Road Consulting Ltd. - 771 Miller Road - Area 'G'.**

MOVED Director Bartram, SECONDED Director Young, that Development Permit with Variances No. PL2010-017 to permit the construction of single dwelling unit, detached garage and shed and vary the maximum building height, be approved subject to the conditions outlined on Schedules No. 1 – 3.

CARRIED

### *DEVELOPMENT VARIANCE PERMIT APPLICATIONS*

#### **Development Variance Permit Application No. 2009-853 - Macrae - 3466 Simmons Place - Area 'E'.**

Jim Macrae spoke in favour of the variance application and commented on the retaining wall construction and that a geotechnical report has been submitted to the Regional District.

Bruce Otto, adjoining lot owner, spoke in opposition of this application and discussed the concerns regarding siting of an existing retaining wall.

MOVED Director Holme, SECONDED Director Bartram, that Development Variance Permit Application No. PL2009-853 to legalize the siting of an existing retaining wall with setback variances from the front lot line, exterior lot line and interior side lot line be approved subject to the conditions outlined in Schedules No. 1- 2.

CARRIED

### *OTHER*

#### **Bylaw No. 1335.03 – Amends the Electoral Area 'H' Draft Official Community Plan to Include Bowser Village Centre Plan.**

MOVED Director Bartram, SECONDED Director Burnett, that draft Bowser Village Centre Plan be received.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that amendments to the draft Bowser Village Centre Plan be made as follows:

- 1) that Lisa Bhopalsingh's name be added to the acknowledgement page under RDN Staff.
- 2) that the Development Permit Area section on page 31 be amended under guideline D by adding the following words after the word 'supplier', "fire department and/or qualified professional".
- 3) That section 1.4 be amended to read:

The Plan Area consists of an area of 92.5 hectares outlined in red on Map 2 which is a combination of two areas: the triangular shape of the "Original Boundary Area" of the Bowser Village Centre as it was identified in the COP (approximately 50.7 hectares/125.5 acres), plus an additional rectangular area called the "Future Use Area" to the west along Crosley Road (approximately 41.8 hectares/103.5 acres).

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that Bylaw No. 1335.03, 2010 amending "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003" be given 1<sup>st</sup> and 2<sup>nd</sup> reading.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that Bylaw No. 1335.03, 2010 has been considered in conjunction with the Regional District of Nanaimo's Financial Plan and Waste Management Plans and Regional Growth Strategy to ensure consistency between them.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that Bylaw No. 1335.03, 2010 proceed to Public Hearing.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that Public Hearing on Bylaw No. 1335.03, 2010 be delegated to Director Bartram or his alternate.

CARRIED

Director Bartram thanked the participants involved with producing the Official Community Plan, Lisa Bhopalsingh, Paul Thompson, Paul Thorkelsson and the Directors for supporting the plan.

#### **COMMITTEE OF THE WHOLE STANDING COMMITTEE**

MOVED Director McNabb, SECONDED Director Bestwick, that Minutes of the Special Committee of the Whole meeting held January 26, 2010 and the regular Committee of the Whole meeting held February 9, 2010, be received for information.

CARRIED

#### **BUSINESS ARISING FROM DELEGATIONS**

##### **Land Use Plan of Coastal Douglas-Fir Ecosystems on Crown Land.**

MOVED Director Westbroek, SECONDED Director Bartram, that staff be directed to forward a letter by February 15, 2010 to the Ministry of Forests and Range and Minister Responsible for Integrated Land Management Bureau requesting that the provincial government expand the initiative to include all parcels of Crown Land within the Coastal Douglas Fir biogeoclimatic zone and to extend the initiative to protect all remaining parcels of Crown Land within the E & N land area, including DL 33.

CARRIED

***CORPORATE ADMINISTRATION SERVICES***

**ADMINISTRATION**

**2010 Service Area Work Plan Projects.**

MOVED Director Westbrook, SECONDED Director Mayne, that Board receive the service area work plan projects list for 2010 for information.

CARRIED

***DEVELOPMENT SERVICES***

**BUILDING & BYLAW**

**District 69 Animal Control Services – Service Contract & Kenneling Agreement.**

MOVED Director Bartram, SECONDED Director Westbrook, that a contract for Animal Control Services in District 69 with Coastal Animal Control Services of BC Limited be approved for a two year term commencing April 1, 2010 and ending March 31, 2012.

CARRIED

MOVED Director Westbrook, SECONDED Director Bartram, that staff be directed to negotiate a kenneling agreement with the Parksville/Qualicum SPCA for the Board's consideration.

CARRIED

**Expansion of Building Inspection Service in the RDN.**

MOVED Director Holme, SECONDED Director Holdom, that Board direct staff to prepare the required amendments to the Building Inspection Extended Service Establishment Bylaw No. 787, 1989 to expand the building inspection service area to include all electoral areas and that inspection service costs be recovered primarily through building permit fees and charges.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that Board direct staff to prepare the required amendments to the Building Regulation and Fees Bylaw No. 1250 to include the designated areas identified in this report within the regulation, effective October 1, 2010 and that building inspection regulations be expanded to the remaining lands within all electoral areas effective April 1<sup>st</sup>, 2011.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that Board direct staff to prepare a policy with respect to the requirement for inclusion within the building inspection service of all new lots created through subdivision as a condition of approval.

CARRIED

***REGIONAL AND COMMUNITY UTILITIES***

**WASTEWATER**

**Greater Nanaimo Pollution Control Centre, French Creek Pollution Control Centre and Nanoose Pollution Control Centre Upgrade and Expansion – Preliminary Request for Funding.**

MOVED Director Westbrook, SECONDED Director Mayne, that Board support a submission of a preliminary request for funding support from the Federal and Provincial governments for major upgrade and expansion projects at the Greater Nanaimo Pollution Control Centre, the French Creek Pollution Control Centre, and the Nanoose Bay Pollution Control Centre.

CARRIED

## WATER

### **Hamilton Marsh Water Licensing.**

MOVED Director Westbrook, SECONDED Director Johnstone, that Board receive the staff report on the Hamilton Marsh Water licensing for information.

CARRIED

### **Amendment Bylaws No. 619.16, 700.17, 1097.12, 1172.10, 1383.06, 1434.05 & 1468.05 – Increase Water User Rates in the French Creek, Surfside, Decourcey, San Pareil, Englishman River, Melrose and Nanoose Bay Peninsula Water Service Areas.**

MOVED Director McNabb, SECONDED Director Bartram, that “Regional District of Nanaimo Nanoose Bay Peninsula Water Supply Service Area Regulations and Rates Amendment Bylaw No. 1468.05, 2010” be introduced for three readings.

CARRIED

MOVED Director McNabb, SECONDED Director Bartram, that “Regional District of Nanaimo Nanoose Bay Peninsula Water Supply Service Area Regulations and Rates Amendment Bylaw No. 1468.05, 2010”, be adopted.

CARRIED

MOVED Director McNabb, SECONDED Director Bartram, that “Regional District of Nanaimo French Creek Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 619.16, 2010” be introduced for three readings.

CARRIED

MOVED Director McNabb, SECONDED Director Bartram, that “Regional District of Nanaimo French Creek Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 619.16, 2010” be adopted.

CARRIED

MOVED Director McNabb, SECONDED Director Bartram, that “Regional District of Nanaimo San Pareil Specified Area Water Regulations and Rates Amendment Bylaw No. 1172.10, 2010” be introduced for three readings.

CARRIED

MOVED Director McNabb, SECONDED Director Bartram, that “Regional District of Nanaimo San Pareil Specified Area Water Regulations and Rates Amendment Bylaw No. 1172.10, 2010” be adopted.

CARRIED

MOVED Director McNabb, SECONDED Director Bartram, that “Regional District of Nanaimo Englishman River Specified Area Water Regulations and Rates Amendment Bylaw No. 1383.06, 2010” be introduced for three readings.

CARRIED

MOVED Director McNabb, SECONDED Director Bartram, that “Regional District of Nanaimo Englishman River Specified Area Water Regulations and Rates Amendment Bylaw No. 1383.06, 2010” be adopted.

CARRIED

MOVED Director McNabb, SECONDED Director Bartram, that “Regional District of Nanaimo Surfside Properties Specified Area Water Regulations and Rates Amendment Bylaw No. 700.17, 2010” be introduced for three readings.

CARRIED



MOVED Director McNabb, SECONDED Director Bartram, that “Regional District of Nanaimo Surfside Properties Specified Area Water Regulations and Rates Amendment Bylaw No. 700.17, 2010” be adopted.

CARRIED

MOVED Director McNabb, SECONDED Director Bartram, that “Regional District of Nanaimo Melrose Specified Area Water Regulations and Rates Amendment Bylaw No. 1434.05, 2010” be introduced for three readings.

CARRIED

MOVED Director McNabb, SECONDED Director Bartram, that “Regional District of Nanaimo Melrose Specified Area Water Regulations and Rates Amendment Bylaw No. 1434.05, 2010” be adopted.

CARRIED

MOVED Director McNabb, SECONDED Director Bartram, that “Regional District of Nanaimo Decourcey Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1097.12, 2010” be introduced for three readings.

CARRIED

MOVED Director McNabb, SECONDED Director Bartram, that “Regional District of Nanaimo Decourcey Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1097.12, 2010” be adopted.

CARRIED

### ***TRANSPORTATION AND SOLID WASTE SERVICES***

#### **SOLID WASTE**

##### **Solid Waste Collection Service - Award of Residential Curbside Collection Contract.**

MOVED Director Holme, SECONDED Director McNabb, that Board award a five year contract to commence April 1, 2010 and end March 31, 2015 with the ability to renew for an additional five years for the collection of garbage, food waste and recyclables to Waste Services Inc. at a cost of \$10,852,447.

CARRIED

##### **Solid Waste Disposal Service - Award of Organic Waste Processing Contract.**

MOVED Director McNabb, SECONDED Director Johnstone, that Board award a five year contract to commence April 1, 2010 and end March 31, 2015 with the ability to renew for an additional five years, to process organic waste delivered to RDN disposal facilities to International Composting Corporation for a cost of \$5,323,985.

CARRIED

#### **COMMISSION, ADVISORY & SELECT COMMITTEE**

##### **Arrowsmith Water Service Management Committee.**

MOVED Director Westbrook, SECONDED Director Mayne, that minutes of the Arrowsmith Water Service Management Committee meeting held January 12, 2010 be received for information.

CARRIED

MOVED Director Mayne, SECONDED Director Holme, that Arrowsmith Water Service Management Committee recommend the Joint Venture’s adopt the Provisional Year 2010 Provisional Budget shown on Table 1, dated December 3, 2009.

CARRIED

**District 69 Recreation Commission.**

MOVED Director Bartram, SECONDED Director McNabb, that minutes of the District 69 Recreation Commission meeting held January 21, 2010 be received for information.

CARRIED

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

MOVED Director Burnett, SECONDED Director Young, that minutes of the Electoral Area 'A' Parks, Recreation and Culture Commission meeting held January 20, 2010 be received for information.

CARRIED

MOVED Director Burnett, SECONDED Director Ruttan, that the following recommendations be forwarded to the Board for consideration at the 2010 budget deliberations:

- a) That the Board support the 2010 Annual Budget and Five Year Capital and Financial Plan as presented for Electoral Area 'A' Recreation and Culture Services.
- b) That the Board support the 2010 Annual Budget and Five Year Capital and Financial Plan as presented for Electoral Area 'A' Community Parks.

CARRIED

**Regional Agricultural Advisory Committee.**

MOVED Director Burnett, SECONDED Director Johnstone, that minutes of the Regional Agricultural Advisory Committee meeting held November 27, 2009 be received.

CARRIED

**SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS**

**Regional Parks & Trails Advisory Committee.**

MOVED Director McNabb, SECONDED Director Burnett, that minutes of the Regional Parks & Trails Advisory Committee meeting held February 2, 2010, be received for information.

CARRIED

MOVED Director McNabb, SECONDED Director Burnett, that "Regional District of Nanaimo Regional Parks and Trails Service Area Amendment Bylaw No. 1231.02" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

MOVED Director McNabb, SECONDED Director Burnett:

That Terms of Reference for the Mount Arrowsmith Massif Regional Park Management Plan be approved;

That staff be directed to issue a Request for Proposals for a Project Consultant for the development of the Mount Arrowsmith Massif Regional Park Management Plan;

That two members of the Regional Parks and Trails Advisory Committee be appointed to participate as members of the Mount Arrowsmith Massif Regional Park Management Plan Sub Committee;

That Regional Parks and Trails Advisory Committee members, Mr. Frank Van Eynde and Mr. Craig Young, be appointed to participate as members of the Mount Arrowsmith Massif Regional Park Management Plan Sub Committee;

That Terms of Reference for the Coats Marsh Regional Park Management Plan be approved;

That staff be directed to issue a Request for Proposals for a Project Consultant for the development of the Coats Marsh Regional Park Management Plan;

That two members of the Regional Parks and Trails Advisory Committee be appointed to participate as members of the Coats Marsh Regional Park Management Plan Sub Committee;

That Committee members, Ms. Maureen Young and Mr. Joe Stanhope, be appointed to participate as members of the Coats Marsh Regional Park Management Plan Sub Committee;

That Terms of Reference for the Horne Lake Parks Concept Plan be approved;

That staff be directed to issue a Request for Proposals for a Project Consultant for the development of the Horne Lake Parks Concept Plan;

That the section of the Morden Colliery Regional Trail between Cedar Road and Nanaimo River not be considered for trail development at this time and that the project be deferred until at least 2011 for consideration.

CARRIED

**Emergency Management Select Committee.**

MOVED Director Bartram, SECONDED Director Westbroek, that minutes of the Emergency Management Select Committee meeting held February 16, 2010, be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Westbroek, that staff be directed to proceed with the execution of a five year agreement to share Emergency Social Services and Emergency Communications resources in the District 69 area commencing April 1, 2010 and ending March 31, 2015.

CARRIED

MOVED Director Bartram, SECONDED Director Westbroek, that Jack Eubank and Brian Brack be appointed as Emergency Coordinator Alternates for the Regional District of Nanaimo.

CARRIED

MOVED Director Bartram, SECONDED Director Westbroek, that staff be directed to prepare an application for funding under the Preparing Fuel Management Prescription for Community Operational Fuel Treatments grant program, and if approved, that staff proceed with a RFP process to engage a qualified consultant.

CARRIED

MOVED Director Bartram, SECONDED Director Westbroek, that Board receive the report on the Emergency Program response to recent flooding and weather events for information.

CARRIED

**ADMINISTRATOR'S REPORTS**

**Descanso Bay Wharf Service – Proposed Service Expansion (Green's Landing Wharf, Gabriola Island).**

MOVED Director Rudischer, SECONDED Director Bartram, that staff be directed to make an application to BC Assets and Lands Corporation for transfer of ownership of waterlot 272 to the RDN for the purpose of operating Green's Landing Wharf and negotiate with Public Works and Government Services Canada for the transfer of Green's Landing Wharf to the RDN.

CARRIED

MOVED Director Rudischer, SECONDED Director Bartram, that a report be brought back for Board consideration to amend the Descanso Bay Wharf Service Bylaw No.1357 to include the Green's Landing Wharf and increase the tax requisition to cover the increased cost of operating and maintaining the additional wharf.

CARRIED

**Nanoose Bay Peninsula Water Service – Proposed Treatment Facility.**

MOVED Director Holme, SECONDED Director McNabb, that Board direct staff to proceed with the Nanoose Bay Peninsula Water Service Area Water Treatment Facility final design including tender documentation.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that staff prepare a Letter of Intent from the RDN Board to the Ministry of Community and Rural Development and the appropriate Federal Ministry Branch with copies to the area MLA and MP outlining the project need, benefits and projected costs.

CARRIED

**Oceanside Place - Reserve Fund Expenditure for Capital Equipment Replacement.**

MOVED Director Westbroek, SECONDED Director Mayne, that \$30,900 be released from the reserve fund for Oceanside Place to fund the replacement of a domestic hot water boiler and a dehumidifier wheel at the facility.

CARRIED

**Ravensong Aquatic Centre Project – Authorization Limits**

MOVED Director Westbroek, SECONDED Director Mayne, that following authorization purchasing limits be set for the Ravensong Aquatic Centre Remediation and Upgrade project:

Manager of Recreation Services	<\$50,000
General Manager, Recreation and Parks Services	<\$450,000
Chief Administrative Officer	<\$900,000
Regional Board	>\$900,000

CARRIED

**2010 to 2014 Financial Plan.**

The General Manager of Finance & Information Services provided an overview of the 2010 – 2014 Financial Plan.

MOVED Director McNabb, SECONDED Director Burnett, that Drinking Water & Watershed Protection Service program budget be reduced by \$66,000 to offset implementation of the Parks Coordinator position in 2010.

CARRIED

MOVED Director McNabb, SECONDED Director Burnett, that the Board receive the final report on the 2010 budget as amended and the 2010 to 2014 financial plan and direct staff to prepare the financial plan bylaw on that basis.

CARRIED

**ADDENDUM**

**Nanoose Fire Protection Service – Award of Pumper/Rescue Truck Proposal.**

MOVED Director Holme, SECONDED Director McNabb, that Hub Fire Engine be awarded the supply of a custom mini pumper/rescue vehicle for the Nanoose Bay Volunteer Fire Department at an estimated price of \$312,133 plus taxes.

CARRIED

MOVED Director Holme, SECONDED Director McNabb, that Nanoose Bay Fire reserve funds in the estimated amount of \$312,133 plus taxes be released for this purpose.

CARRIED

**Bow Horn Bay Fire Protection Services – BC Ambulance Service Request to Construct Vehicle Shelter & Renewal and Bow Horn Bay Firehall site**

MOVED Director Bartram, SECONDED Director Holdom, that BC Ambulance Service request to locate a vehicle shelter beside its crew quarters located on the Bow Horn Bay Firehall site, be approved, in principle, subject to concluding a renewed site occupancy agreement as outlined in this report.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Darren Hird, TELUS Mobility, re Proposed Telecommunications Tower, Melrose Road, Area ‘F’.**

MOVED Director McNabb, SECONDED Director Westbrook, that this correspondence be referred back to staff for a staff report.

CARRIED

**Kevin McNeill, Nanaimo Search & Rescue Society, re Request for Annual Operating Grant.**

MOVED Director McNabb, SECONDED Director Westbrook, that this correspondence be referred back to staff for a staff report.

CARRIED

**NEW BUSINESS**

**Electoral Area ‘B’ Parks & Open Space Advisory Committee.**

MOVED Director Rudischer, SECONDED Director Bartram, that Nancy Crozier be appointed to the Electoral Area B Parks and Open Space Advisory Committee for a term ending December 31, 2011.

CARRIED

**Electoral Area ‘F’ Parks & Open Space Advisory Committee.**

MOVED Director Niwa, SECONDED Director Holme, that Peter Doukakis & Linda Tchorz be appointed to the Electoral Area ‘F’ Parks and Open Space Advisory Committee for a term ending December 31, 2011.

CARRIED

**BOARD INFORMATION**

**Union of British Columbia Municipalities (UBCM) Executive Release.**

MOVED Director Burnett, SECONDED Director Young, that correspondence be sent to the Ministry of Community and Rural Development regarding the UBCM Environment Committee's recommendations to work with the Ministry of Community and Rural Development on developing an inter-ministry structure and framework for addressing local government small water system issues and calling for the creation of a provincial drinking water working group that would address water quality and infrastructure issues for communities of all sizes.

CARRIED

**Local Government Elections Task Force.**

Director Bartram noted that a Local Government Elections Task Force meeting was being held in March and requested that staff attend this session.

**ADJOURNMENT**

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

CARRIED

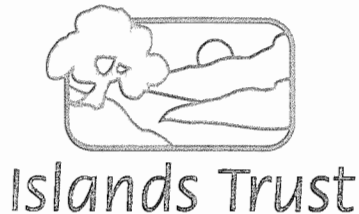
TIME: 8:35 PM

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CHAIRPERSON

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SR. MGR., CORPORATE ADMINISTRATION



200-1627 Fort Street Victoria BC V8R 1H8  
 Telephone **250.405.5151** Fax 250.405.5155  
 Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**  
 Email [information@islandstrust.bc.ca](mailto:information@islandstrust.bc.ca)  
 Web [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

March 1, 2010

File Number: NAPTEP-9

Chair Joe Stanhope and Board Members  
 Regional District of Nanaimo  
 6300 Hammond Bay Rd., Nanaimo, BC V9T 6N2

RDN	
CAO	GMR&PS ✓
GMDS	GMT&SWS
GMF&IS	GMWWWS
MAR - 2 2010	
SMCA	BOARD ✓
CHAIR	Colt ✓

Dear Chair and Board Members:

**Re: Natural Area Protection Tax Exemption Program (NAPTEP) Success**

In 2008, the Regional District of Nanaimo Board passed a resolution agreeing to the implementation of the Natural Area Protection Tax Exemption Program (NAPTEP) on islands within the shared jurisdiction of the Islands Trust and RDN. This letter is to update you on the recent success of this program.

Following your Board's approval of NAPTEP in the RDN, the Islands Trust Fund rolled out the program on Gabriola and nearby islands (RDN Areas B and E). Shortly afterward, we received our first application and I am pleased to tell you that this month, the first conservation covenant on Gabriola was registered through the program.

Stanley and Maxine McRae are the first landowners on Gabriola Island to receive the annual 65% property tax exemption recognizing the permanent protection afforded to their land through their donation of a conservation covenant. The seven hectare covenant protects a rocky meadow where lichens, camas, and orchids flourish. The covenant also protects a maturing forest where Douglas-fir and arbutus can be found.

Since NAPTEP was initiated in the Capital Regional District in 2005, it has been successful in attracting seventeen new conservation covenants, protecting nearly 60 hectares of sensitive island ecosystems. Some NAPTEP participants report saving more than \$3,000 annually with the program. NAPTEP shines as an example of a program that engages private landowners in ecosystem conservation. I look forward to the coming years as NAPTEP enjoys the same standard of success on Gabriola.

The Islands Trust Act directs us to preserve and protect the islands in cooperation with others, and the RDN is an important partner in this regard. Thank you for the support the Islands Trust has received from the Regional District of Nanaimo Board in bringing this conservation program to the Gulf Islands in the RDN.

Yours truly,

Sheila Malcolmson  
 Chair, Islands Trust Council  
[smalcolmson@islandstrust.bc.ca](mailto:smalcolmson@islandstrust.bc.ca)

pc: Director Gisele Rudischer, Regional District of Nanaimo  
 Director George Holme, Regional District of Nanaimo

*Preserving island communities, culture and environment*

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE  
MEETING HELD ON TUESDAY, MARCH 9, 2010, AT 6:30 PM  
IN THE RDN BOARD CHAMBERS

**Present:**

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

**Also in Attendance:**

M. Pearse	Senior Manager, Corporate Administration
P. Thorkelsson	General Manager, Development Services
D. Lindsay	Manager, Current Planning
P. Thompson	Manager, Long Range Planning
N. Hewitt	Recording Secretary

**MINUTES**

MOVED Director Burnett, SECONDED Director Young, that the minutes of the regular Electoral Area Planning Committee meeting held February 9, 2010 be adopted.

CARRIED

**PLANNING**

***OTHER***

**Request for Frontage Relaxation on Subdivision Application No. PL2009-716 - Townline Ventures Boat Harbour Ltd. - Kendall Road & Pylades Drive - Area 'A'.**

MOVED Director Burnett, SECONDED Director Young, that the request to relax the minimum 10% perimeter frontage requirement for proposed Lots 2-7 inclusive be approved.

CARRIED

**Greenhouse Gas Emission Targets in Official Community Plans.**

MOVED Director Holme, SECONDED Director Stanhope, that staff be directed to prepare the OCP bylaw amendments to address the requirement for greenhouse gas emission targets.

CARRIED

MOVED Director Holme, SECONDED Director Stanhope, that one public hearing be scheduled and be held in the RDN Board Chambers for all OCP bylaw amendments.

CARRIED



**ADJOURNMENT**

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

CARRIED

TIME: 6:41 PM

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CHAIRPERSON

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE COMMITTEE OF THE WHOLE  
MEETING HELD ON TUESDAY, MARCH 9, 2010 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
Alternate	
Director D. Niwa	Electoral Area F
Director D. Bartram	Electoral Area H
Director C. Haime	District of Lantzville
Director E. Mayne	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director D. Johnstone	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director L. Sherry	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director J. Kipp	City of Nanaimo
Alternate	
Director M. Unger	City of Nanaimo
Alternate	
Director F. Pattje	City of Nanaimo

**Also in Attendance:**

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

**CALL TO ORDER**

The Chairperson welcomed Alternate Directors Pattje, Unger and Niwa to the meeting.

## DELEGATIONS

### **Linda & Chuck Addison, re Growth Strategy Amendment to Support Zoning & OCP Amendment Application No. 0604.**

The delegation did not wish to speak at this time.

### **Anita Pangborne-LaHue, re Growth Strategy Amendment to Support Zoning & OCP Amendment Application No. 0604.**

This delegation was not in attendance.

### **Ruth Sharun, Nanaimo Marine Rescue Society, re Overview of Society Operations & Current Initiatives.**

Ms. Sharun presented a visual and verbal overview regarding the NMRS organization and the fundraising efforts to purchase an enclosed vessel to serve the community's marine emergency response needs and requested a contribution from the RDN in the amount of \$25, 000.

## MINUTES

MOVED Director McNabb, SECONDED Director Mayne, that the minutes of the regular Committee of the Whole meeting held February 9, 2010 be adopted.

CARRIED

## COMMUNICATIONS/CORRESPONDENCE

### **Miles Phillips, Cowichan Energy Alternatives Society, re Request for Letter of Support.**

MOVED Director Holme, SECONDED Director McNabb, that the correspondence from the Cowichan Energy Alternatives Society requesting a letter of support for the "Vancouver Island Bio-Fuel Network (VIBN) Project" be received.

CARRIED

### **Bob Maling, Homeowner Protection Office, re Proposed Expansion of Building Inspection Service.**

MOVED Director Holme, SECONDED Director McNabb, that the correspondence from the Homeowner Protection Office in support of the proposed expansion of Building Inspection Services be received.

CARRIED

### **Chuck & Linda Addison, re Growth Strategy Amendment to Support Zoning & OCP Amendment Application No. 0604.**

MOVED Director Holme, SECONDED Director McNabb, that the correspondence from Chuck & Linda Addison be received.

CARRIED

### **Peter Alexander, BC Assessment, re Building Permits and BC Assessment.**

MOVED Director Holme, SECONDED Director McNabb, that the correspondence from BC Assessment regarding the proposed expansion of Building Inspection Services be received.

CARRIED

**Bruce Cownden, Denise Sakai & Helen Sims, Oceanside Development & Construction Association, re Proposed Expansion of Building Inspection Service.**

MOVED Director Holme, SECONDED Director McNabb, that the correspondence from the Oceanside Development & Construction Association regarding the proposed expansion of Building Inspection Services be received.

CARRIED

**Byron Gallant, Canadian Home Builders' Association - Central Vancouver Island, re Proposed Expansion of Building Inspection Service.**

MOVED Director Holme, SECONDED Director McNabb, that the correspondence from the Canadian Home Builders' Association regarding the proposed expansion of Building Inspection Services be received.

CARRIED

***FINANCE AND INFORMATION SERVICES***

**FINANCE**

**Bylaw No. 149 - Regional Hospital District 2010 Annual Budget.**

MOVED Director McNabb, SECONDED Director Westbroek, that the 2010 Regional Hospital District annual budget be approved with the following components:

Property tax requisition	\$	6,294,940
Capital grant allowance (from property taxes)	\$	3,151,800

CARRIED

MOVED Director McNabb, SECONDED Director Westbroek, that "Nanaimo Regional Hospital District Annual Budget Bylaw No. 149, 2010 be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Westbroek, that "Nanaimo Regional Hospital District Annual Budget Bylaw No. 149, 2010" be adopted.

CARRIED

**Bylaw No. 1597 - 2010 to 2014 Financial Plan.**

MOVED Director McNabb, SECONDED Director Holdom, that "2010 to 2014 Financial Plan Bylaw No. 1597, 2010" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Holdom, that "2010 to 2014 Financial Plan Bylaw No. 1597, 2010" be adopted.

CARRIED

**Policy A1.15 - Proposed Amendment to Provide for Reimbursement of Telecommunication Devices.**

MOVED Director Bartram, SECONDED Director Mayne, that the Board support covering the cost of mobile telecommunication devices for Electoral Area Directors.

CARRIED

MOVED Director Bartram, SECONDED Director Mayne, that Policy A1.15 be amended by adding the following sections:

**5. Mobile Telecommunication Devices**

At the option of an Electoral Area Director, the Regional District will either provide the Director with a Blackberry or a monthly allowance of \$50 as reimbursement for a mobile telecommunication device. The allowance shall be provided on or about the first day of the month.

**6. Annual Eligibility for Communication Services Allowances**

In December of each year a Director shall on request, identify which communication services are in use by the Director. The monthly allowances shall be amended in accordance with that report commencing January 1 of each calendar year.

CARRIED

**Bylaws No. 1532.02 & 1596 – Amend User Rates and Establish a Parcel Tax for the Cedar Sewer Service.**

MOVED Director Burnett, SECONDED Director Young, that “Cedar Sewer Service Parcel Tax Rate Bylaw No. 1596, 2010” be introduced and read three times.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that “Cedar Sewer Service Parcel Tax Rate Bylaw No. 1596, 2010” be adopted.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that “Cedar Sewer Service Area Rates and Regulations Amendment Bylaw No. 1532.02, 2010” be introduced and read three times.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that “Cedar Sewer Service Area Rates and Regulations Amendment Bylaw No. 1532.02, 2010” be adopted.

CARRIED

**Bylaws No. 1567.01, 1568.01, 1569.01, 1336.07, 1483.04 & 1525.02 - Amend Parcel Tax Rates for Water, Sewer, Fire Protection and Crime Prevention/ Community Justice Services.**

MOVED Director Westbrook, SECONDED Director Johnstone, that “Water Services Parcel Tax Rates Bylaw No. 1567.01, 2010” be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director Johnstone, that “Water Services Parcel Tax Rates Bylaw No. 1567.01, 2010” be adopted.

CARRIED

MOVED Director Westbrook, SECONDED Director Johnstone, that “Sewer Services Parcel Tax Rates Bylaw No. 1568.01 2010” be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director Johnstone, that “Sewer Services Parcel Tax Rates Bylaw No. 1568.01, 2010” be adopted.

CARRIED

MOVED Director Westbrook, SECONDED Director Johnstone, that “Fire Protection Services Parcel Tax Rates Bylaw No. 1569.01, 2010” be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director Johnstone, that “Fire Protection Services Parcel Tax Rates Bylaw No. 1569.01, 2010” be adopted.

CARRIED

MOVED Director Westbrook, SECONDED Director Johnstone, that “Driftwood Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1336.07, 2010” be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director Johnstone, that “Driftwood Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1336.07, 2010” be adopted.

CARRIED

MOVED Director Westbrook, SECONDED Director Johnstone, that “Barclay Crescent Sewer Service Area Parcel Tax Rate Amendment Bylaw No. 1483.04, 2010” be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director Johnstone, that “Barclay Crescent Sewer Service Area Parcel Tax Rate Amendment Bylaw No. 1483.04, 2010” be adopted.

CARRIED

MOVED Director Westbrook, SECONDED Director Johnstone, that “Crime Prevention and Community Justice Support Service Parcel Tax Rates Bylaw No. 1525.02, 2010” be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director Johnstone, that “Crime Prevention and community Justice Support Service Parcel Tax Rates Bylaw No 1525.02, 2010” be adopted.

CARRIED

**Operating Results for the Period Ending December 31, 2009.**

MOVED Director Holdom, SECONDED Director Westbrook, that the summary report of financial results for the year ending December 31, 2009 be received for information.

CARRIED

***DEVELOPMENT SERVICES***

**BUILDING & BYLAW**

**Bylaws No. 787.13, 1250.05 & 1595 – Amend the Building Inspection Service Establishment, Regulatory and Fees & Charges Bylaws.**

MOVED Director Holdom, SECONDED Director Burnett, that “Regional District of Nanaimo Building Inspection Extended Service Bylaw Amendment Bylaw No. 787.13, 2010,” be introduced and read three times and forwarded to the Ministry of Community and Rural Development for approval.

CARRIED

MOVED Director Holdom, SECONDED Director Burnett, that “Regional District of Nanaimo Building Regulations and Fees Amendment Bylaw No. 1250.05, 2010” be introduced and read three times.

CARRIED

MOVED Director Holdom, SECONDED Director Burnett, that “Regional District of Nanaimo Building Regulations and Fees Amendment Bylaw No. 1250.05, 2010” be adopted.

CARRIED

MOVED Director Holdom, SECONDED Director Burnett, that “Regional District of Nanaimo Building Regulation Fees and Charges Bylaw No. 1595, 2010” be introduced and read three times.

CARRIED

MOVED Director Holdom, SECONDED Director Burnett, that “Regional District of Nanaimo Building Regulation Fees and Charges Bylaw No. 1595, 2010” be adopted.

CARRIED

MOVED Director Holdom, SECONDED Director Burnett, that Building Permit Fees Policy No. B2.1 be approved as amended.

CARRIED

**District 69 Animal Control Services – Kennelling Agreement.**

MOVED Director Westbroek, SECONDED Director Bartram, that the agreement between the SPCA and the Regional District of Nanaimo for the sale of dog licenses and use of the animal shelter at 1565 Alberni Highway for the boarding of impounded dogs be approved for a two year term commencing April 1, 2010 and ending March 31, 2012.

CARRIED

**Expansion of Building Inspection Service in the RDN.**

MOVED Director Bartram, SECONDED Director Holme, that the attached policy with respect to inclusion of new subdivisions within the building inspection area be endorsed with a revised effective date of October 1, 2010.

CARRIED

***REGIONAL AND COMMUNITY UTILITIES***

**WASTEWATER**

**Bylaws No. 1021.08 & 889.55 - Amend the Boundaries of the Pacific Shores and Northern Community Sewer Services to Include an Area ‘E’ Property.**

MOVED Director Holme, SECONDED Director Bartram, that “Pacific Shores Sewer Local Service Area Boundary Amendment Bylaw No. 1021.08, 2010” be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that “Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.55, 2010” be introduced and read three times.

CARRIED

**Bylaw No. 1577 - Reduction of Sewer Development Cost Charges for Not-for-Profit Rental Housing (Northern Community, Southern Community, Duke Point & Fairwinds Sewer Services).**

MOVED Director Westbroek, SECONDED Director Young, that “Regional District of Nanaimo Not-for-Profit-Rental Housing Sewer Development Cost Charge Reduction Bylaw No. 1577, 2010” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

MOVED Director Westbroek, SECONDED Director Young, that Sewer Development Cost Charges for Not-for Profit Rental Housing be reduced by 100%.

CARRIED

The question was called on the motion as amended.

The motion CARRIED.

**Southern Community Sewer Service - Biosolids Contract Extension.**

MOVED Director McNabb, SECONDED Director Holdom, that Vancouver Island University be granted a two year extension to the initial contract for the hauling and beneficial reuse of biosolids from the Greater Nanaimo Pollution Control Centre at \$77 per tonne, through to February 28<sup>th</sup>, 2012.

CARRIED

**Northern Community Sewer Service - Insurance Release for Roof Repair at French Creek Pollution Control Centre.**

MOVED Director McNabb, SECONDED Director Westbroek, that the Board approves the execution of an Insurance Release for roof repairs at the French Creek Pollution Control Centre.

CARRIED

**Northern & Southern Community Sewer Services - Assignment Award & Reserve Fund Expenditure Bylaws No. 1593 & 1594.**

MOVED Director Holdom, SECONDED Director McNabb, that the GNPCC and FCPC wastewater treatment options assignments be awarded to AECOM for a maximum value of \$221,655, excluding GST.

CARRIED

MOVED Director Holdom, SECONDED Director McNabb, that Northern Community Development Cost Charge funds in the amount of \$110,200 and Southern Community Development Cost Charge funds in the amount of \$79,600 be approved as a source of funds for these projects.

CARRIED

MOVED Director Holdom, SECONDED Director McNabb, that “Northern Community Sewer Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1593, 2010” be introduced and read three times.

CARRIED

MOVED Director Holdom, SECONDED Director McNabb, that “Northern Community Sewer Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1593, 2010” be adopted.

CARRIED

MOVED Director Holdom, SECONDED Director McNabb, that “Southern Community Sewer Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1594, 2010” be introduced and read three times.

CARRIED

MOVED Director Holdom, SECONDED Director McNabb, that “Southern Community Sewer Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1594, 2010” be adopted.

CARRIED

**WATER**

**Convening for Action on Vancouver Island - 2009 Activities.**

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

CARRIED



**Update - Toilet Replacement Incentive Program.**

MOVED Director Bartram, SECONDED Director Mayne, that the Board receive the Toilet Replacement Incentive Program Update report for information.

CARRIED

**Bylaws No. 619.17, 700.18, 1097.13, 1172.11, 1383.07, 1434.06 & 1468.06 - Amend Water User Rates in the French Creek, Surfside, Decourcey, San Pareil, Englishman River, Melrose and Nanoose Bay Peninsula Water Service Areas.**

MOVED Director Holme, SECONDED Director McNabb, that this item be referred back to staff.

CARRIED

**Bylaws No. 1340.02, 1342.02, 1343.02, 1346.02, 1384.02, 1435.01 & 1592 - Amend & Establish Water Restrictions in the San Pareil, Decourcey, French Creek, Surfside, Englishman River, Melrose and Nanoose Bay Peninsula Water Service Areas.**

MOVED Director Holme, SECONDED Director Johnstone, that "Regional District of Nanaimo Nanoose Bay Peninsula Water Service Area Uses Restrictions Bylaw No. 1592, 2010" be introduced for three readings.

CARRIED

MOVED Director Holme, SECONDED Director Johnstone, that "Regional District of Nanaimo Nanoose Bay Peninsula Water Service Area Uses Restrictions Bylaw No. 1592, 2010" be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Johnstone, that "Regional District of Nanaimo San Pareil Water Uses Restrictions Amendment Bylaw No. 1340.02, 2010" be introduced for three readings.

CARRIED

MOVED Director Holme, SECONDED Director Johnstone, that "Regional District of Nanaimo San Pareil Water Uses Restrictions Amendment Bylaw No. 1340.02, 2010" be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Johnstone, that "Regional District of Nanaimo Decourcey Water Uses Restrictions Amendment Bylaw No. 1342.02, 2010" be introduced for three readings.

CARRIED

MOVED Director Holme, SECONDED Director Johnstone, that "Regional District of Nanaimo Decourcey Water Uses Restrictions Amendment Bylaw No. 1342.02, 2010" be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Johnstone, that "Regional District of Nanaimo French Creek Water Uses Restrictions Amendment Bylaw No. 1343.02, 2010" be introduced for three readings.

CARRIED

MOVED Director Holme, SECONDED Director Johnstone, that "Regional District of Nanaimo French Creek Water Uses Restrictions Amendment Bylaw No. 1343.02, 2010" be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Johnstone, that "Regional District of Nanaimo Surfside Water Uses Restrictions Amendment Bylaw No. 1346.02, 2010" be introduced for three readings.

CARRIED

MOVED Director Holme, SECONDED Director Johnstone, that “Regional District of Nanaimo Surfside Water Uses Restrictions Amendment Bylaw No. 1346.02, 2010” be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Johnstone, that “Regional District of Nanaimo Englishman River Community Water Uses Restrictions Amendment Bylaw No. 1384.02, 2010” be introduced for three readings.

CARRIED

MOVED Director Holme, SECONDED Director Johnstone, that “Regional District of Nanaimo Englishman River Community Water Uses Restrictions Amendment Bylaw No. 1384.02, 2010” be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Johnstone, that “Regional District of Nanaimo Melrose Terrace Water Local Service Area Uses Restrictions Amendment Bylaw No. 1435.01, 2010” be introduced for three readings.

CARRIED

MOVED Director Holme, SECONDED Director Johnstone, that “Regional District of Nanaimo Melrose Terrace Water Local Service Area Uses Restrictions Amendment Bylaw No. 1435.01, 2010” be adopted.

CARRIED

### ***TRANSPORTATION AND SOLID WASTE SERVICES***

#### **SOLID WASTE**

#### **Bylaw No. 1531.02 - Amends the Solid Waste Disposal Service Regulations Bylaw by Increasing Tipping Fees.**

MOVED Director Holme, SECONDED Director Sherry, that “Regional District of Nanaimo Solid Waste Management Regulation Bylaw No. 1531.02, 2010” be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Sherry, that “Regional District of Nanaimo Solid Waste Management Regulation Bylaw No. 1531.02, 2010” be adopted.

CARRIED

#### **COMMISSION, ADVISORY & SELECT COMMITTEE**

##### **District 69 Recreation Commission.**

MOVED Director Bartram, SECONDED Director Mayne, that the minutes of the District 69 Recreation Commission meeting held February 18, 2010 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Mayne, that the Cyclone Taylor Cup Tournament Committee Grant-In-Aid request for funding be rejected based on the information provided which shows that the Regional District, including both the City of Parksville and the Town of Qualicum Beach, is providing a subsidy of approximately \$9,000 for their event and that the budget provided contains an error of approximately \$2,200 in ice rental costs, which would indicate that, given the budget presented, additional funds would not be required for the tournament.

CARRIED

**District 69 Youth Grants**

MOVED Director Bartram, SECONDED Director Westbrook, that the following District 69 Recreation Youth Grants be approved:

<u>Community Group</u>	<u>Amount Recommended</u>
District 69 Minor Softball Association	\$ 2,000
Errington War Memorial Hall Association	\$ 1,650
District 69 Family Resource Association	\$ 545
Parksville Qualicum Community Foundation	\$ 1,850
Ravensong Aquatic Club	\$ 2,500

CARRIED

**District 69 Recreation Grants**

MOVED Director Bartram, SECONDED Director Westbrook, that the following District 69 Recreation Community Grants be approved:

<u>Community Group</u>	<u>Amount Recommended</u>
Arrowsmith Community Enhancement Society	\$ 861
Errington Therapeutic Riding Association	\$ 2,500
Lighthouse Community Centre Society	\$ 1,424
Lighthouse Recreation Commission	\$ 2,500
Oceanside Community Arts Council	\$ 836
Oceanside Community Arts Council	\$ 1,500
Panters Hockey	\$ 1,650
Parksville Seniors Athletic Group	\$ 2,000
Ravensong Masters Swim Club	\$ 2,500
Vancouver Island Opera	\$ 730

CARRIED

**Nanoose Bay Parks and Open Space Advisory Committee.**

MOVED Director Holme, SECONDED Director McNabb, that the minutes of the Nanoose Bay Parks and Open Space Advisory Committee meeting held February 1, 2010 be received for information.

CARRIED

MOVED Director Holme, SECONDED Director McNabb, that the Regional District of Nanaimo send a letter to the Director of the Integrated Land Management Branch, regarding the local community concerns about loss of the boat ramp at Schooner Cove which is part of the water lease on L.D. 2084 and that this information be considered in future deliberations of this water lease.

CARRIED

MOVED Director Holme, SECONDED Director McNabb, that the Fairwinds Development Corporation be requested to provide an update to the Electoral Area 'E' Parks and Open Space Advisory Committee regarding the proposed parkland allocations in their development plan.

CARRIED

**Regional Agricultural Advisory Committee.**

MOVED Director Burnett, SECONDED Director Johnstone, that the minutes of the Agricultural Advisory Committee meeting held January 29, 2010 be received for information.

CARRIED

**Area Agricultural Plan.**

MOVED Director Burnett, SECONDED Director Young, that this item be referred back to staff for further review.

CARRIED

**Regional Liquid Waste Advisory Committee.**

MOVED Director Holme, SECONDED Director McNabb, that the minutes of the Regional Liquid Waste Advisory Committee meeting held February 4, 2010 be received for information.

CARRIED

MOVED Director Holme, SECONDED Director Westbroek, that staff prepare a strategy for an educational awareness program for the disposal of residential chemicals in the wastewater stream.

CARRIED

**Sustainability Select Committee.**

MOVED Director McNabb, SECONDED Director Burnett, that the minutes of the Sustainability Select Committee meeting held September 16, 2009 be received for information.

CARRIED

MOVED Director Young, SECONDED Director McNabb, that the staff report on the Regional Growth Strategy Amendment to Support Zoning & OCP Amendment Application No. 0604 - Addison - 2610 Myles Lake Road -Electoral Area 'C' be deferred for one month.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Ruth Sharun, Nanaimo Marine Rescue Society, re Overview of Society Operations & Current Initiatives.**

MOVED Director McNabb, SECONDED Director Unger, that staff be directed to prepare a report on the request from the Nanaimo Marine Rescue Society for a contribution of \$25,000 to assist in the purchase of an enclosed vessel to serve the community's marine emergency response needs.

CARRIED

**NEW BUSINESS**

**Cyclone Taylor Cup Tournament Grants-in-Aid Request.**

Director Westbroek requested that a District 69 Recreation Commission meeting be held before the Board meeting on March 23 to review the accounting of the Cyclone Taylor Cup Tournament Grants-in-Aid so that clarification can be brought forward to the March 23 Board Meeting.

**ADJOURNMENT**

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

CARRIED

TIME: 8:00 PM

**RISE & REPORT**

**RECREATION AND PARKS SERVICES**

MOVED Director Westbroek, SECONDED Director Holme, that the Regional District of Nanaimo pursue a partnership arrangement with the Nanaimo and Area Land Trust for the potential acquisition of the Camp Moorcroft lands in Electoral Area 'E' as a regional park.

CARRIED

**ADJOURNMENT**

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

CARRIED

TIME: 8:40 PM

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CHAIRPERSON

## REGIONAL DISTRICT OF NANAIMO

### MINUTES FROM THE REGULAR MEETING OF THE DRINKING WATER AND WATERSHED PROTECTION ADVISORY COMMITTEE

HELD ON WEDNESDAY, FEBRUARY 24, 2010 AT 12:30 PM  
IN THE RDN BOARDROOM

<b>Present:</b>	Dave Bartram	Chairperson
	Gisele Rudischer	Director Electoral Area B
	Gordon Buckingham	General Public Representative (North)
	Gilles Wendling	General Public Representative (South)
	Lynne Magee	Vancouver Island Health Authority
	Pat Lapcevic	Ministry of Environment
	Faye Smith	Environment Community Representative
	Shelley Bayne	Hydrogeology Representative
	Alan Gilchrist	Academic Community Representative (VIU)
	Al Chatterton (alternate)	Forest Industry Representative
	Deb Epps (alternate)	Registered Professional Biologist Representative
	John Finnie	GM, Regional and Community Utilities, RDN
	Mike Donnelly	Manager of Water Services, RDN
	Christina Metherall	Drinking Water/Watershed Protection Coordinator, RDN
	Sara Ellis	Special Projects Assistant, RDN
	Bev Farkas	Recording Secretary
<b>Regrets:</b>	Director J. Stanhope	Chairperson
	Joe Burnett	Director Electoral Area A
	Makenzie Leine	Forest Industry Representative
	Domenico Iannidinaro	Forest Industry Representative
	Bonaventure Thorburn	Water Purveyors' Representative
	Oliver Brandes	Academic Community Representative
	John Deniseger	Registered Professional Biologist Representative

#### CALL TO ORDER

The Chair called the meeting to order at 12:30 and introductions were made.

#### MINUTES

The minutes of the Inaugural Drinking Water Watershed Protection Advisory Committee meeting of November 5, 2009 were approved. The minutes of the Drinking Water Watershed Protection Technical Working Group meeting held January 18, 2009 were deferred to the Communications / Correspondence section of the agenda.

#### REPORTS

##### Review of 2010 Programs

C. Metherall gave a presentation to the committee (attached) outlining the following components of the program as planned for 2010.

Key components of the 2010 program include the development of:

- Observation well network
- Private well safety education program
- Outreach and education program
- The DWWP Website
- Private well monitoring program
- Surface water quality monitoring partnership
- Information management
- Water suppliers working group
- Watershed prioritization and scoping

The following points were discussed:

- A great deal of potential exists for partnerships in the community.
- Small Water Purveyors – historical data would be helpful information – VIU network may be able to capture this information.
- Feedback sought from hydrogeologists prior to drilling 6 wells by end of 2010.
- A strong communication plan will be developed – social marketing very important aspect of program.
- Hydrogeology studies carried out as part of the Development Permit Application process are a valuable tool for residents and communities (*M.Donnely to confirm legal implications of releasing these studies*)
- Ministry of Environment is carrying out Attainment Monitoring on the Englishman River in 2010 as part of their ongoing program and on French Creek in partnership with the RDN.
- Information management includes gathering, managing and presenting information.
- The data collection and maintenance structure needs to be well planned before collecting data. Use existing dbases wherever possible; the information gathered can provide valuable information to planners and to communities.
- Over 200 private water purveyors in area; RDN wanting to discuss issues and concerns with smaller system purveyors (on VIHA list) in a non-regulatory manner. (*L Magee will provide contact information for Sustainable Infrastructure Society and Small Water Users Association of BC.*)
- Draft Stormwater Management Plan completed in 2002 went through process of prioritizing watersheds; this plan will form part of the information background for watershed prioritization and scoping, *a copy of this report will be made available to committee.*
- Must be seen as a region-wide program with benefit to all the region even if particular actions need to be taken in certain priority areas.
- Priority issues and actions will be different in different areas.
- Prioritization must be a defensible decision – science based and not a political decision.
- Watershed prioritization and scoping timeline for 2010: workshops and survey to Technical Working Group and then to the community in late May and develop workplan in spring/summer to take to the public by the end of the year.

## **NEW BUSINESS**

Discussion ensued regarding the fact that land use decisions for Gabriola Island are not made by the RDN and there is no representation by Islands Trust on the committee.

MOVED G. Rudischer and SECONDED D.Bartram that the Terms of Reference for the Drinking Water and Watershed Protection Advisory Committee be amended to include representation by Islands Trust and that a letter be sent to Islands Trust to invite their participation on the committee. CARRIED

The Chair informed the committee that the following recommendations were endorsed by the UBCM executive:

“work with the Ministry of Community and Rural Development on developing an inter-ministry structure and framework for addressing local government small water system issues.”

*and*

“call for the creation of a provincial drinking water working group that would address water quality and infrastructure issues for communities of all sizes.”

## **ADJOURNMENT**

The meeting was adjourned at 2:30 pm. The next meeting TBA.

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Chairperson





RDN REPORT		①
CAO APPROVAL		
EAP		
CDW		
RHD		
BOARD	✓	Mar 23 '10

**MEMORANDUM**

**TO:** Wendy Marshall  
Manager of Parks Services

**DATE:** March 8, 2010

**FROM:** Joan Michel  
Parks and Trails Coordinator

**FILE:**

**SUBJECT:** Licence Renewal Thompson Clarke-Ocean Trail -- Electoral Area 'H'

**PURPOSE**

To obtain approval to conclude a 2010-2015 Licence to Use Agreement between the RDN and Mr. and Mrs. G. Cousineau, landowners of 4891 Thompson Clarke Drive in Deep Bay, for the purpose of continuing the operation of a 182 metre long community trail in Electoral Area 'H' called Thompson Clarke – Ocean Trail.

**BACKGROUND**

In 2004, the Regional Board supported the initiation of the Thompson Clarke – Ocean Trail in Electoral Area 'H' through the undertaking of formal land use agreements with the owners of 4891 Thompson Clarke Drive, the Deep Bay Water Board (having right of way on the property) and the Ministry of Transportation (the trail includes a short stretch of undeveloped road allowance). In early 2005, a five-year Licence to Use agreement was concluded with the private landowners, a perpetual licence to use agreement approved by the landowners was concluded with the Water Board, and a permit to develop was secured from the Ministry of Transportation. The trail was developed in 2005 and has been operating successfully since then. It provides a popular and attractive trail link between Deep Bay and Bowser and offers the only legal public passage connection between the two communities aside from the Island Highway.

The 2005-2010 Licence to Use agreement with the Cousineaus has now expired and they have agreed to renew for another five years. The new agreement mirrors the old one with the exception of updated language further to trail development having been completed, and the description of a formal maintenance inspection regime.

**ALTERNATIVES**

1. To renew and execute a 2010-2015 Licence to Use agreement with Mr. and Mrs. G. Cousineau of Deep Bay in order to continue operation of the Thompson Clarke – Ocean Trail in Electoral Area ‘H’.
2. To provide alternative direction to staff.

**FINANCIAL IMPLICATIONS**

The cost of maintaining the developed Thompson Clarke – Ocean Trail, including carrying out monthly inspections, periodically topping up gravel surfacing, keeping ditches clear, and removing heavy fall-winter leaf detritus, can be undertaken through regular staff maintenance operations under the Electoral Area ‘H’ community parks and trails budget.

**SUMMARY**

The Regional Board approved the development of the Thompson Clarke – Ocean Trail in Electoral Area ‘H’ in 2004. The majority of the popular trail is situated on a private residential lot in Deep Bay. A five-year Licence to Use agreement was concluded between the RDN and the landowner in 2005 and the agreement has now expired. The landowner is satisfied with operations and prepared to enter into a second five-year agreement that will permit the continuation of the Thompson Clarke – Ocean Trail linking Deep Bay and Bowser in Electoral Area ‘H’.

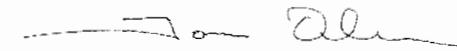
**RECOMMENDATIONS**

That the Regional District renew a Licence to Use Agreement with Mr. and Mrs. G. Cousineau for a five year term for the Thompson Clarke – Ocean Trail in Electoral Area ‘H’ as attached as *Appendix I*.

\_\_\_\_\_  
Report Writer



\_\_\_\_\_  
Manager Concurrence



\_\_\_\_\_  
General Manager Concurrence



\_\_\_\_\_  
CAO Concurrence

## Appendix 1

### Licence to Use Agreement Thompson Clarke-Ocean Trail

**LICENCE TO USE**  
**THOMPSON CLARKE – OCEAN TRAIL**

**THIS AGREEMENT** dated for reference the \_\_\_\_ day of \_\_\_\_\_, 2010.

BETWEEN:

**GEORGE FELIX COUSINEAU and**  
**JOANNE CATHERINE COUSINEAU**

4891 Thompson Clarke Drive West  
Bowser, B.C.  
V0R 1G0

(the "**Landowners**")

OF THE FIRST PART

AND:

**REGIONAL DISTRICT OF NANAIMO**

6300 Hammond Bay Road  
Nanaimo, B.C.  
V9T 6N2

(the "**Regional District**")

OF THE SECOND PART

**WHEREAS:**

- A. The Landowners are the owners of that parcel of land described in Schedule "A" and shown outlined in red on the map in Schedule "B" (the "Lands");
- B. In 2005, the Landowners granted the Regional District a non-exclusive Licence to Use those portions of the Lands described in Schedule "C" (the "Trail Corridor") for the purpose of developing and operating a pedestrian and cyclist trail. Trail improvements as stipulated in the 2005 Licence to Use are described in Schedule "D". These improvements were completed by the Regional District;
- C. The Regional District now wishes to be granted a second non-exclusive Licence to Use the Trail Corridor for the purpose of maintaining the operation of the developed pedestrian and cyclist trail and the Landowners have agreed; and
- D. The Regional District continues to commit to maintain, operate and secure the Trail Corridor, and to assume liability for the public's use of the Trail Corridor.

**NOW THEREFORE THIS AGREEMENT WITNESSES** that in consideration of the fee paid by the Regional District to the Landowners and in consideration of the premises and covenants and agreements contained in this Agreement, the receipt and sufficiency of which is hereby acknowledged, the parties covenant and agree with each other as follows:

**1.0 RIGHT TO USE THE TRAIL CORRIDOR**

1.1 The Landowners, subject to the performance and observance by the Regional District of the terms, conditions, covenants and agreements contained in this Agreement and to earlier termination as provided in this Agreement, grant to the Regional District a non-exclusive right by way of licence for the Regional District, its agents, employees, contractors, and invitees to make use of the Right-of-way for the purpose of maintaining, using and occupying the Right-of-way as publicly accessible Trail under the community parks function of Electoral Area "H."

**2.0 RESERVATION OF RIGHTS**

2.1 The Landowners reserve to themselves from the grant and the covenants made by them to the Regional District under clause 1.1 above, the right for the Landowners, their agents, employees, contractors and invitees to have full and complete access to the Lands with respect to all of the Landowners' purposes and activities.

2.2 The Regional District acknowledges that this Agreement creates no interest in the Lands and that in the event the Landowners sell the Lands, the Regional District would be responsible for securing a new agreement with the new landowners or removing the Trail Corridor as per Section 16.0 below before a change in the possession of the Lands occurs.

**3.0 RIGHT OF WAY**

3.1 The Landowners and the Regional District acknowledge the existence on the Lands of Right of Way F95738 in favour of the Deep Bay Waterworks District, and the 2005 agreement concluded between the Regional District and the Deep Bay Waterworks District and approved by the Landowner, and attached hereto as Schedule "E", whereby the Regional District is granted licence to use the Right of Way for the purpose of the Trail Corridor.

**4.0 LICENSE FEE**

4.1 In consideration of the right to use the Trail Corridor, the Regional District shall pay to the Landowners a licence fee of One Dollar (\$1.00), payable in advance, on the first day of the Term.

**5.0 TERM**

5.1 The Term of the License granted under this Agreement shall be five (5) years commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 2010 and ending on the \_\_\_\_\_ day of \_\_\_\_\_, 2015 unless earlier terminated under this Agreement.

**6.0 IMPROVEMENTS**

6.1 The Regional District shall not construct or place any new structures or make any new improvements on the Lands unless agreed to in writing between the parties.

6.2 The Regional District shall maintain the signage along the Trail Corridor that advises the public

about route, conditions including hazards, and user restrictions.

- 6.3 The Regional District shall not fell or remove trees or large woody debris found on the Lands, or bring on or deposit any soil or fill on the Lands, or clear the Lands without the written permission of the Landowners.
- 6.4 Notwithstanding anything in Section 6.1, 6.2 and 6.3 above and after making reasonable effort to contact the Landowners, the Regional District shall have the right to take immediate action in removing any hazard on the Lands to public use of the Trail Corridor.
- 6.5 The Landowners agree that all approvals contemplated in this section are not to be unreasonably withheld.

## **7.0 OPERATIONS AND MAINTENANCE**

- 7.1 The Regional District shall be solely responsible for the operation and maintenance of the trail, signage, structures and other improvements developed and installed along the Trail Corridor by the Regional District.
- 7.2 The Regional District shall undertake at minimum monthly inspections of the Trail Corridor in order to ensure the trail is kept free of major leaf and tree detritus, water is draining off the trail as expected and the trail side ditches are clear of obstructions and meeting drainage requirements. The Regional District shall present a written monthly maintenance activity report to the Landowners, review it with the Landowners at site and obtain their written confirmation as to acceptability or required improvements.
- 7.3 Notwithstanding anything in Section 7.2 above, the Regional District shall respond without delay whenever contacted by the Landowners with a concern about the state of the trail.
- 7.4 The Regional District shall also respond without delay to any complaints received from the Landowners or the public about the public's use of the Trail Corridor, and shall be responsible for temporarily closing the Trail Corridor as required in order to deal with user problems.

## **8.0 REGULATION**

- 8.1 The Regional District will regulate and enforce public use of the Trail Corridor in accordance with *Park Use Regulations Bylaw No. 1399, 2004* and *Park Use Regulations Amendment Bylaw 1399.01, 2009*.

## **9.0 PUBLICITY**

- 9.1 The Regional District may promote the Trail Corridor within Electoral Area 'H' as community trail. The Regional District shall inform the public about the private ownership of the Lands and request that the public respect private property.

## **10.0 INDEMNIFICATION**

- 10.1 The Regional District releases and will indemnify and save harmless the Landowners, their officers, employees and agents from and against all lawsuits, damages, costs, expenses, fees or liabilities which the Regional District or anyone else may incur, suffer or allege by reason of the use of the Trail Corridor by the Regional District, its officers, agents, employees, contractors,

invitees or any member of the public or the carrying on upon the Lands of any activity in relation to the Regional District's use of the Lands, or the Regional District's non-compliance with any legal requirements, or breach of the Agreement by the Regional District except to the extent that such lawsuits, damages, costs, expenses, fees or liabilities are caused or contributed to by the Landowners or any employees, agents or invitees of the Landowners.

- 10.2 The Regional District agrees to take out and maintain during the Term, a policy of comprehensive general liability insurance against claims for personal injury, death or property damage arising out of the use and occupancy of the Trail Corridor by the Regional District in the amount of not less than Five Million Dollars (\$5,000,000.00) per single occurrence, naming the Landowners as an additional insured party thereto and shall provide the Landowners with a Certificate of Insurance.

## **11.0 NOTICES**

- 11.1 It is hereby mutually agreed:

Any notice required to be given under this Agreement shall be deemed to be sufficiently given if mailed from any government post office in the Province of British Columbia by prepaid registered mail addressed as follows:

- (i) if to the Landowners:

RR#1 S152 C34  
Bowser, B.C. V0R 1G0

- (ii) if to the Regional District:

6300 Hammond Bay Road  
Nanaimo, B.C. V9T 6N2

or at the address a party may from time to time designate, then the notice shall be deemed to have been received seventy-two hours after the time and date of mailing. If, at the time of mailing the notice, the delivery of mail in the Province of British Columbia has been interrupted in whole or in part by reason of a strike, slow-down, lock-out or other labour dispute, then the notice may only be given by actual delivery of it.

## **12.0 TERMINATION**

- 12.1 If the Regional District is in default on the payment of the License fee, or the payment of any other sum payable under this Agreement, or is in breach of this Agreement, and if the default continues for a period of 30 days after the giving of notice by the Landowners to the Regional District, then the Landowners may terminate this Agreement and reenter the Lands and the rights of the Regional District with respect to the Lands shall lapse and be absolutely forfeited.

- 12.2 This Licence may be terminated for any reason by the Landowners or the Regional District at any time upon one (1) month's written notice to the other party.

## **13.0 RENEWAL**

- 13.1 This Agreement may be renewed for a term of five (5) years upon mutual agreement by both parties.

**14.0 WAIVER**

14.1 Waiver of any default by a party shall not be interpreted or deemed to be a waiver of any subsequent default.

**15.0 FORFEITURE**

15.1 The Landowners, by waiving or neglecting to enforce the right to forfeiture of this Agreement or the right of reentry upon breach of this Agreement, do not waive the Landowners' rights upon any subsequent breach of the same or any other provision of this Agreement.

**16.0 FIXTURES AND CLEAN UP**

16.1 Should this Agreement be terminated and not replaced by a new agreement, the Regional District may remove any structures or improvements constructed on the Lands as referenced under this Agreement. Any structures or improvements not so removed by the Regional District shall become the sole property of the Landowners at no cost to the Landowners.

16.2 Should this Agreement be terminated and not replaced by a new agreement, the Regional District shall clean up and restore the Lands as reasonably as may be possible to the condition of the Lands prior to the development of the Trail Corridor, with the exception of structures or improvements that the Landowners have agreed to accept ownership of under Article 16.1 of this Agreement.

**17.0 INTERPRETATION**

- 17.1 (a) Where the singular or neuter are used in this Agreement they include the plural or the feminine or the masculine or the body politic where the context or the parties require.
- (b) The headings to the clauses in this Agreement have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.
- (c) This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, successors, administrators and permitted assignees.
- (d) This Agreement shall be construed in accordance with and governed by the laws applicable in the Province of British Columbia.
- (e) This Agreement shall not be interpreted as granting any interest in the Land to the Regional District.
- (f) All provisions of this Agreement are to be construed as covenants and agreements as though the word importing covenants and agreements were used in each separate paragraph.

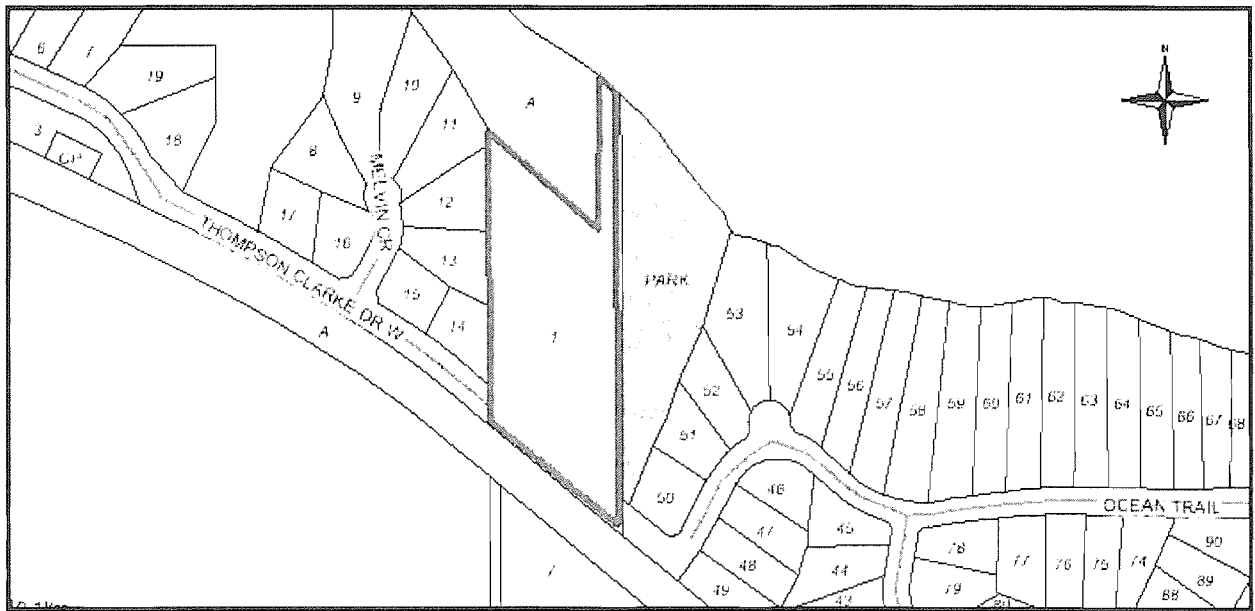




**SCHEDULE "A"**  
**Legal Description of the Lands**

Newcastle Land District, District Lot 82, Lot 1, Plan 31751

**SCHEDULE "B"**  
**Map of the Lands**



Area in red: Newcastle Land District, District Lot 82, Lot 1, Plan 31751

**SCHEDULE "C"**  
**The Trail Corridor**

For the purpose of this Agreement, the Trail Corridor shall consist of a three (3) metre wide strip of land incorporating a developed fenced trail and running approximately 143 metres from Thompson Clarke Drive West to Ocean Trail parallel to the southerly boundary of the Lands within a larger corridor that includes the Right-of-way F95738 and is approximately 5.2 metres and 9.7 metres from the said southerly boundary.

**SCHEDULE "D"**  
**Trail Improvements**

**1. Fencing**

Beginning at the stone gatepost on the south side of the Landowners' driveway where it meets Thompson Clarke Drive West, a 1.83 metre high cedar privacy fence shall be installed that runs approximately one (1) metre east, then approximately eight (8) metres south to a point approximately eight (8) metres from the southerly boundary of the Lands, then approximately 70 metres east on a line running parallel to the southerly boundary of the Lands. Running along the same line and connecting to the eastern end of the cedar fence shall be approximately 10 metres of 1.5 metre high post and wire fence. The fence line is situated approximately 0.6 metres south of the approximately one (1) metre wide Deep Bay Waterworks District water line corridor.

**2. Stile**

From the turn in the cedar fence approximately eight (8) metres from the driveway gatepost, a fence with stile shall be installed that runs approximately 4.3 metres south to the existing wooden fencepost at the tree line. The fence shall be approximately 1.22 metres high, open to view between rails, and shall contain a stile limiting passage into the Trail Corridor to pedestrians and cyclists. The stile shall be designed to open for trail maintenance purposes.

**3. Barrier Rock**

Approximately 10 metres southwest of the existing wooden fencepost, in the opening of the tree line separating the Landowners' lawns from the E&N Railway lands, large rip rap or other mass shall be installed and maintained in order to block access by unauthorized motorized vehicles.

**4. Trail Corridor between Two Existing Culverts**

Within the approximately 45 metre stretch of Trail Corridor between the two existing culverts, the existing path shall be widened to approximately 1.0 metres, ditched with culvert(s) added as necessary, and have broad earth and crushed rock filled steps added up and down the ravine. On the northern side of the path above the open culverts, rail fence or other material shall be placed to provide a substantial barrier between the trail and the drop-off and ensure a safe area above and around the culverts.

**5. Trail General**

Beginning at the stile at the western end of the Trail Corridor, and running parallel to and approximately 0.6 metres away from the cedar privacy fence, sod shall be removed and a 1.22 m wide path created that will slope slightly away from the fence and be surfaced with crushed rock. Between the path and the fence shall be a vegetative strip planted with *mahonia*, ferns and other small native plants. The surfaced

path, in some places crowned, shall continue to the eastern end of the Trail Corridor at a narrower width of approximately 1.0 metres. Shrubbery and tree branches shall be kept cut or tied back one metre each side of the surfaced path.

**6. Signage**

Information signage including the Regional District's logo and phone number, the trail name and user restrictions shall be placed on the side of the fence facing Thompson Clarke Drive West by the stile entrance. Inside the Trail Corridor, a sign that gives thanks to the Landowners and the Deep Bay Waterworks District shall be placed on the cedar privacy fence facing the path.

**SCHEDULE "E"**

**LICENCE TO USE SRW F95738  
THOMPSON CLARKE – OCEAN TRAIL**

**THIS AGREEMENT** dated for reference the \_\_\_\_ day of \_\_\_\_\_, 2005.

**BETWEEN:**

**DEEP BAY WATERWORKS DISTRICT**

5031 Mountain View Road  
Bowser, B.C.  
V0R 1G0

(the "**Waterworks District**")

OF THE FIRST PART

**AND:**

**REGIONAL DISTRICT OF NANAIMO**

6300 Hammond Bay Road  
Nanaimo, B.C.  
V9T 6N2

(the "**Regional District**")

OF THE SECOND PART

**WHEREAS:**

- A. The Waterworks District holds a Right-of-way shown outlined in red on the map annexed to this Agreement as Schedule "B" and more particularly described in Schedule "A" annexed to this Agreement (the "**Right-of-way**");

- B. The Regional District wishes to be granted a non-exclusive Licence to Use the Right-of-way for the purpose of a pedestrian and cyclist trail (the "**Trail**") and the Waterworks District has agreed;
- C. The Trail in this Agreement will form part of a larger trail corridor addressed in an agreement between the Regional District and the owners of Newcastle District, Lot 82, Plan 31751, Lot 1 (the "**Lands**") that contains the Right-of-way; and
- D. The Regional District commits to developing, maintaining, operating and securing the Trail, and assumes liability for the public's use of the Trail.

**NOW THEREFORE THIS AGREEMENT WITNESSES** that in consideration of the fee paid by the Regional District to the Waterworks District and in consideration of the premises and covenants and agreements contained in this Agreement, receipt and sufficiency of which is hereby acknowledged, the parties covenant and agree with each other as follows:

### **1.0 RIGHT TO USE THE RIGHT-OF-WAY**

- 1.1 The Waterworks District, subject to the performance and observance by the Regional District of the terms, conditions, covenants and agreements contained in this Agreement and to earlier termination as provided in this Agreement, grants to the Regional District a non-exclusive right by way of licence for the Regional District, its agents, employees, contractors, and invitees to make use of the Right-of-way for the purpose of developing, maintaining, using and occupying the Right-of-way as publicly accessible Trail under the community parks function of Electoral Area "H."

### **2.0 RESERVATION OF RIGHTS**

- 2.1 The Waterworks District reserves to itself from the grant and the covenants made by it to the Regional District under clause 1.1 above, the right for the Waterworks District, its agents, employees, contractors and invitees to have full and complete access to the Right-of-way with respect to all of the Waterworks District's purposes and activities.
- 2.2 Notwithstanding Section 2.1 above, the Waterworks District agrees to make all reasonable effort to contact Regional District Parks Department staff at 248-3252 prior to disturbing the Trail or any trail improvements so the Regional District may manage trail closure and if this is not possible, to ensure that contact with Parks Department staff is made as soon as possible after any disturbance.
- 2.3 The Waterworks District agrees that if in the pursuit of its purposes and activities it must disturb the Trail in such a way as to create a hazard or a potential hazard before Regional District Parks Department staff can attend to closing the Trail, the Waterworks District shall post a temporary 'No Entry: Trail Closed by Order of the Waterworks District' sign at the Thompson Clarke Drive West and at the Ocean Trail entrances to the Trail. The Regional District shall otherwise be responsible for all signage pertaining to trail closures.
- 2.4 The Regional District acknowledges that this Agreement creates no interest in the Right-of-way and that should the current owner of the Lands chose to sell the property, the Regional District would be responsible for securing a new agreement with the new landowner or for eliminating the Trail in accordance with Section 14.0 below before a change in the possession of the Lands occurs.

### **3.0 LICENSE FEE**

3.1 In consideration of the right to use the Right-of-way, the Regional District shall pay to the Waterworks District a licence fee of One Dollar (\$1.00), payable in advance, on the first day of the Term.

### **4.0 TERM**

4.1 A perpetual License to use the Right-of-way is granted under this Agreement on the condition that the Regional District is authorized by the landowner to use and occupy the Lands.

### **7.0 IMPROVEMENTS**

7.1 The Regional District shall improve the Right-of-way as required in order to provide safe continuous trail passage for pedestrians and cyclists between Thompson Clarke Drive West and Ocean Trail in Deep Bay and as detailed in Schedule "C". The Regional District shall make every effort to keep the Trail and associated improvements off the Waterworks District's water line and to install a barrier between the public and above-ground water pipes.

7.2 The Regional District shall not make, place, erect or maintain any building, structure, excavation, pile of material or obstruction in, under or upon the Right-of-way except those referred to in Section 5.1 above unless otherwise agreed to in writing between the parties. The Regional District shall consult directly with the Waterworks District Maintenance Manager before any excavation is carried out within the Right-of-way.

7.3 The Waterworks District agrees that all approvals contemplated in this section are not to be unreasonably withheld.

### **8.0. OPERATIONS AND MAINTENANCE**

7.5. The Regional District shall be solely responsible for the operation and maintenance of the Trail, signage, structures and other improvements developed and installed further to this Agreement.

6.2 If it becomes necessary for the Waterworks District to excavate the water main and disturb the Trail, the Waterworks District shall make all reasonable efforts to restore the Trail to its previous condition. If it becomes necessary for the Waterworks District to pass through trail fence, the Waterworks District shall make all reasonable efforts to disassemble and reassemble the fence and to avoid breakage.

6.3 Notwithstanding Section 6.2 above, the Waterworks District is not responsible for the repair of trail, signage, structures and other improvements developed and installed further to this Agreement and subsequently disturbed by to the Waterworks District while it carries out its purposes and activities on the Right-of-way.

### **8.0. REGULATION**

8.0 Public use of the Right-of-way shall be regulated by the Regional District's *Park Use Regulations Bylaw No. 1399, 2004*.

## **8.0 INDEMNIFICATION**

8.1 The Regional District releases and will indemnify and save harmless the Waterworks District, their officers, employees and agents from and against all lawsuits, damages, costs, expenses, fees or liabilities which the Regional District or anyone else may incur, suffer or allege by reason of the use of the Right-of-way by the Regional District, its officers, agents, employees, contractors, invitees or any member of the public or the carrying on within the Right-of-way of any activity in relation to the Regional District's use of the Right-of-way, or the Regional District's non-compliance with any legal requirements, or breach of the Agreement by the Regional District except to the extent that such lawsuits, damages, costs, expenses, fees or liabilities are caused or contributed to by the Waterworks District or any employees, agents or invitees of the Waterworks District.

## **9.0 NOTICES**

9.1 It is hereby mutually agreed:

Any notice required to be given under this Agreement shall be deemed to be sufficiently given if mailed from any government post office in the Province of British Columbia by prepaid registered mail addressed as follows:

(i) if to the Waterworks:

RR#1 S150 C4  
Bowser, B.C. V0R 1G0

(ii) if to the Regional District:

6300 Hammond Bay Road  
Nanaimo, B.C. V9T 6N2

or at the address a party may from time to time designate, then the notice shall be deemed to have been received seventy-two hours after the time and date of mailing. If, at the time of mailing the notice, the delivery of mail in the Province of British Columbia has been interrupted in whole or in part by reason of a strike, slow-down, lock-out or other labour dispute, then the notice may only be given by actual delivery of it.

## **10.0 TERMINATION**

10.1 If the Regional District is in default on the payment of the License fee, or the payment of any other sum payable under this Agreement, or is in breach of this Agreement, and if the default continues for a period of 30 days after the giving of notice by the Waterworks District to the Regional District, then the Waterworks District may terminate this Agreement and the rights of the Regional District with respect to the Right-of-way shall lapse and be absolutely forfeited.

10.2 This Agreement is terminated when the Regional District no longer enjoys the landowner's authorization to use the Lands.

10.3 This Agreement may be terminated for any reason by the Waterworks District or the Regional District at any time upon three (3) months' written notice to the other party.

**11.0 WAIVER**

11.1 Waiver of any default by a party shall not be interpreted or deemed to be a waiver of any subsequent default.

**12.0 FORFEITURE**

12.1 The Waterworks District, by waiving or neglecting to enforce the right to forfeiture of this Agreement or the right of reentry upon breach of this Agreement, does not waive the Waterworks District's rights upon any subsequent breach of the same or any other provision of this Agreement.

**13.0 FIXTURES AND CLEAN UP**

13.1 Should this Agreement be terminated and not replaced by a new agreement, the Regional District may remove any structure or improvement constructed on the Right-of-way under this Agreement. Any structures or improvements not so removed by the Regional District shall become the sole property of the owners of the Lands.

13.2 Should this Agreement be terminated and not replaced by a new agreement, the Regional District shall clean up and restore the Right-of-way as reasonably as may be possible to the condition of the Right-of-way prior to the commencement of the term of this agreement, with the exception of structures or improvements that the owners of the Lands have agreed to accept ownership of under Article 13.1 of this Agreement.

**14.0 INTERPRETATION**

- 14.1 (a) Where the singular or neuter are used in this Agreement they include the plural or the feminine or the masculine or the body politic where the context or the parties require.
- (b) The headings to the clauses in this Agreement have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.
- (c) This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, successors, administrators and permitted assignees.
- (d) This Agreement shall be construed in accordance with and governed by the laws applicable in the Province of British Columbia.
- (f) This Agreement shall not be interpreted as granting any interest in the Land to the Regional District.
- (f) All provisions of this Agreement are to be construed as covenants and agreements as though the word importing covenants and agreements were used in each separate paragraph.



**IN WITNESS WHEREOF** the parties hereto have set their hands as follows:

Signed this \_\_\_ day of \_\_\_\_\_, 2005 )  
 )  
\_\_\_\_\_)  
\_\_\_\_\_)  
Deep Bay Waterworks District )

The **REGIONAL DISTRICT OF NANAIMO**, )  
this \_\_\_\_\_ day of \_\_\_\_\_ 2005 )  
by its authorized signatories: )  
 )  
 )  
\_\_\_\_\_)  
Chief Administrative Officer )  
 )  
\_\_\_\_\_)  
General Manager, Corporate Services )

**SCHEDULE "A"**  
**Description of the Right-of-way**

As described in the Right-of-way Agreement F95738 dated 9 June 1977 –

Part 1

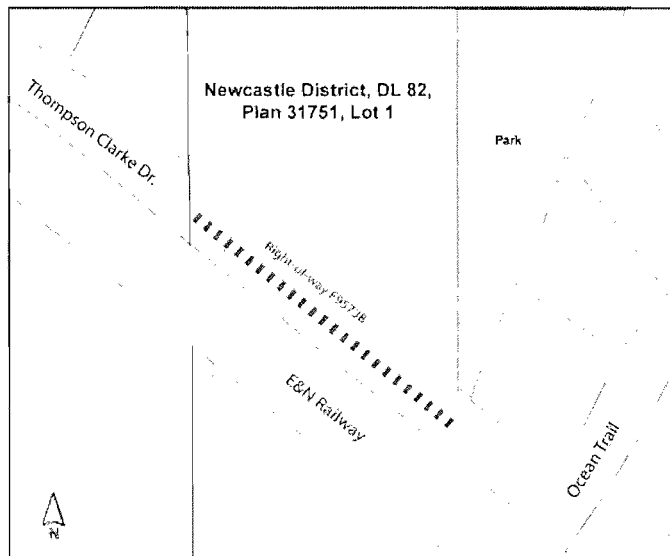
All that portion of Parcel B (D.D.2240-N) now called Lot 1 Plan 31751 of Lot 82, Newcastle District, lying between two lines drawn parallel to the southernmost boundary of the said Parcel B and perpendicularly distant northeasterly respectively twenty-eight and five-tenths feet and thirty-one and five-tenths feet from the said boundary.

Part 2

All that portion of Parcel B (D.D.2240-N) now called Lot 1 Plan 31751 of Lot 82, Newcastle District, lying between two lines drawn parallel to the southernmost boundary of the said Parcel B and perpendicularly distant northeasterly respectively twenty feet and twenty-eight and five-tenths feet from the said boundary.

The civic address for the lands containing the Right-of-way is 4891 Thompson Clarke Drive West, Bowser, BC V0R 1G0.

**SCHEDULE "B"**  
**Map of the Right-of-way**



## **SCHEDULE "C"** **Trail Improvements**

### **1. Fencing**

Beginning at the stone gatepost on the south side of the Landowners' driveway where it meets Thompson Clarke Drive West, a 1.83 metre high cedar privacy fence shall be installed that runs approximately one (1) metre east, then approximately eight (8) metres south to a point approximately eight (8) metres from the southerly boundary of the Lands, then approximately 70 metres east on a line running parallel to the southerly boundary of the Lands. Running along the same line and connecting to the eastern end of the cedar fence shall be approximately 10 metres of 1.5 metre high post and wire fence. The fence line is situated approximately 0.6 metres south of the approximately one (1) metre wide Deep Bay Waterworks District water line corridor.

### **2. Stile**

From the turn in the cedar fence approximately eight (8) metres from the driveway gatepost, a fence with stile shall be installed that runs approximately 4.3 metres south to the existing wooden fencepost at the tree line. The fence shall be approximately 1.22 metres high, open to view between rails, and shall contain a stile limiting passage into the Trail Corridor to pedestrians and cyclists. The stile shall be designed to open for trail maintenance purposes.

### **3. Barrier Rock**

Approximately 10 metres southwest of the existing wooden fencepost, in the opening of the tree line separating the Landowners' lawns from the E&N Railway lands, large rip rap or other mass shall be installed and maintained in order to block access by unauthorized motorized vehicles.

### **4. Trail Corridor between Two Existing Culverts**

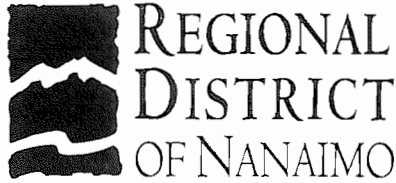
Within the approximately 45 metre stretch of Trail Corridor between the two existing culverts, the existing path shall be widened to approximately 1.0 metres, ditched with culvert(s) added as necessary, and have broad earth and crushed rock filled steps added up and down the ravine. On the northern side of the path above the open culverts, rail fence or other material shall be placed to provide a substantial barrier between the trail and the drop-off and ensure a safe area above and around the culverts.

### **5. Trail General**

Beginning at the stile at the western end of the Trail Corridor, and running parallel to and approximately 0.6 metres away from the cedar privacy fence, sod shall be removed and a 1.22 m wide path created that will slope slightly away from the fence and be surfaced with crushed rock. Between the path and the fence shall be a vegetative strip planted with *mahonia*, ferns and other small native plants. The surfaced path, in some places crowned, shall continue to the eastern end of the Trail Corridor at a narrower width of approximately 1.0 metres. Shrubbery and tree branches shall be kept cut or tied back one metre each side of the surfaced path.

### **6. Signage**

Information signage including the Regional District's logo and phone number, the trail name and user restrictions shall be placed on the side of the fence facing Thompson Clarke Drive West by the stile entrance. Inside the Trail Corridor, a sign that gives thanks to the Landowners and the Deep Bay Waterworks District shall be placed on the cedar privacy fence facing the path.



EAP		
COW		
FILE		
BOARD	✓	Mar 23 '10

## MEMORANDUM

**TO:** C. Mason  
Chief Administrative Officer

**DATE:** March 11, 2010

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

**SUBJECT:** Nanoose Bay firehall redevelopment update and approval to continue

### PURPOSE:

To report on progress to date with the Nanoose Bay firehall redevelopment project and to obtain approval to proceed to final design.

### BACKGROUND:

Members of the Nanoose Bay Fire Protection Society, staff and the firm of Johnston Davidson Architecture have completed design development with respect to the Nanoose Bay firehall. The first stage of design followed the principles in the Regional District's Green Building Policy and at this time the building easily meets the equivalent LEED Silver standard.

Specific decisions which have been made to date include:

- Use of geothermal heating
- Wood frame and roof structure as much as possible
- Radiant floor heating throughout the building
- Rainwater harvesting
- Low maintenance exterior finishes

The functionality of the building has been improved by locating workshop and equipment storage spaces along a central spine, with administrative and vehicle bays on either side. The redevelopment design provides a better public entrance to the building as well as providing training spaces which can be divided to accommodate multiple firefighter groups at the same time. Illustrations of the proposed design are attached to this report.

The firm of Windley Contracting Ltd. is acting as the construction and cost consultant and has prepared a preliminary budget for the design. The preliminary costing was discussed at a project building committee meeting held March 8<sup>th</sup> and the Board of the Nanoose Fire Protection Society has approved proceeding to final design on the basis of the design work to date.

**ALTERNATIVES:**

1. Receive the update report on the redevelopment of the Nanoose Bay firehall for information and approve continuing to final design with the firm of Johnston Davidson Architects.
2. Do not proceed further at this time.

**FINANCIAL IMPLICATIONS:**

Alternative 1

The budget estimate for construction of a replacement firehall is \$2.85 million. Based on that pricing, staff estimate an overall project budget as follows:

Construction	\$2,848,915
Construction contingency	382,175
Design contingency	50,960
Taxes	57,435
	<hr/>
	\$3,339,485

This exceeds the budget target of \$3 million dollars, but even at this early stage several items have been identified could be reduced in scale and price. In order to conclusively finalize the budget it is recommended that the project proceed to final design.

Johnston Davidson have provided a fee estimate for final design, tendering and construction supervision in the amount of \$224,695 (plus disbursements). Staff proposes to limit expenditures at this time to final design work and construction drawings, pending approval of the project by the community. The budget estimate this work is estimated at \$182,550. This would cover architectural, mechanical, electrical, civil engineering, landscape consultant and estimated disbursements. Reserve funds in the amount of \$121,000 are available to fund a portion of the final design work and the proposed 2010 budget includes \$62,000 for this work. Staff recommend approving the use of the reserve funds and continuing work with Johnston Davidson architects as the prime consultant.

**SUSTAINABILITY IMPLICATIONS:**

Many of the buildings components are conventional designs; however, energy efficiency was a primary consideration to the long term operating costs. This building would be the first Regional District building to use a geothermal heating/cooling system. The current concept is to use water from reservoirs to be built as part of the proposed water treatment plant which would be sited across the street from the firehall. A preliminary energy model suggests that the designed heating/cooling system is at least 25% more energy efficient than a conventional system in a comparably sized small office/warehouse type building. Importantly, the building will provide a cleaner, safer and more efficient operating and learning space for the volunteers who provide fire protection to the properties and residents in Nanoose Bay.

**SUMMARY/CONCLUSIONS:**

A design development proposal has been completed for the Nanoose Bay firehall. The preliminary budget estimate to construct the building, including project contingencies is \$3.3 million, slightly over the budget target of \$3.0 million dollars. However, staff and the consultants have already identified project elements

that could be reduced in price. The Nanoose Bay Fire Protection Society reviewed the design proposal and at their meeting held March 16<sup>th</sup> approved proceeding to final design. The budget to complete design work and bring the project to tender ready status is estimated at \$182,550. The Nanoose Bay Fire Service building reserve fund has \$121,000 to cover a portion of the costs and the 2010 budget includes \$62,000 for the remainder. Staff recommend approving the use of the reserve funds and continuing work with Johnston Davidson Architects as the prime consultant.

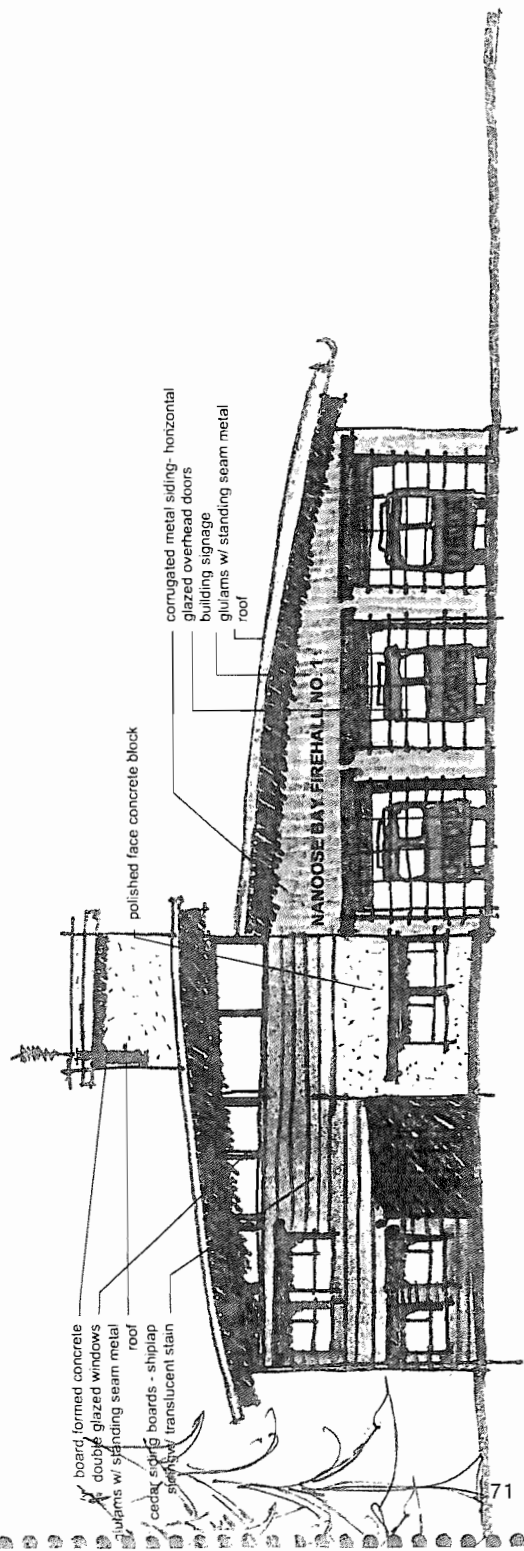
**RECOMMENDATIONS:**

1. That Johnston Davidson Architecture + Planning Inc. continue to be retained as the prime consultant for the redevelopment of the Nanoose Bay firehall.
2. That staff be authorized to spend up to \$182,550 to complete final design work and tendering documents for the Nanoose Bay Firehall.
3. That up to \$121,000 be released from the Nanoose Bay Fire Service building reserve fund for the purposes of final design.

  
Report Writer

  
CAO Concurrency

**COMMENTS:**

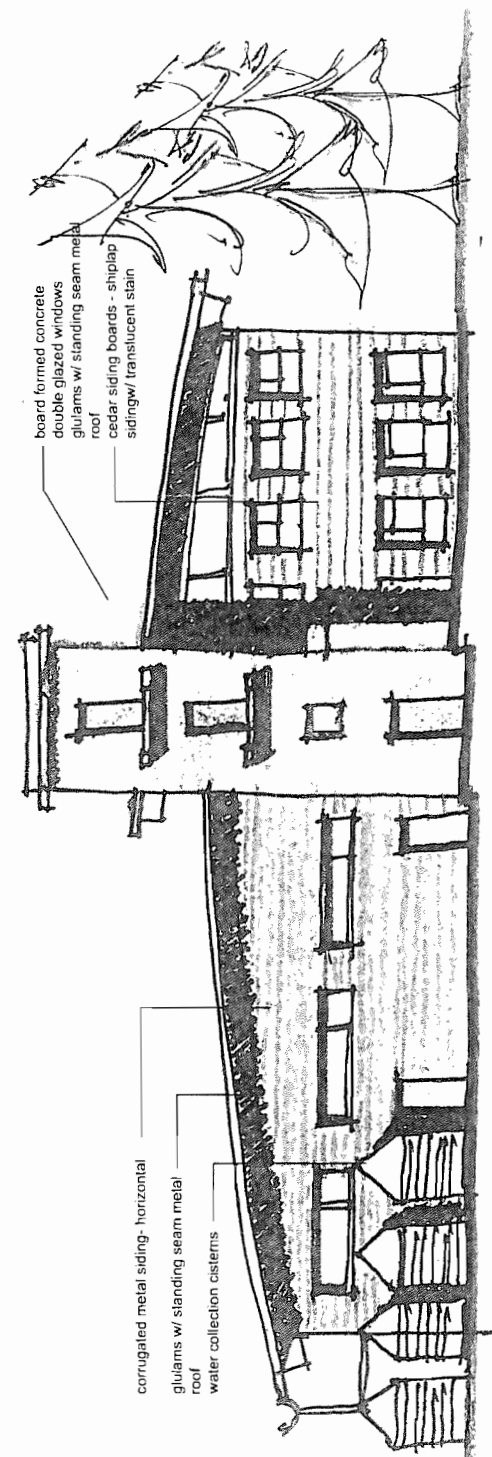


board formed concrete  
 double glazed windows  
 glulams w/ standing seam metal  
 roof  
 cedar siding boards - shiplap  
 translucent stain

polished face concrete block

corrugated metal siding - horizontal  
 glazed overhead doors  
 building signage  
 glulams w/ standing seam metal  
 roof

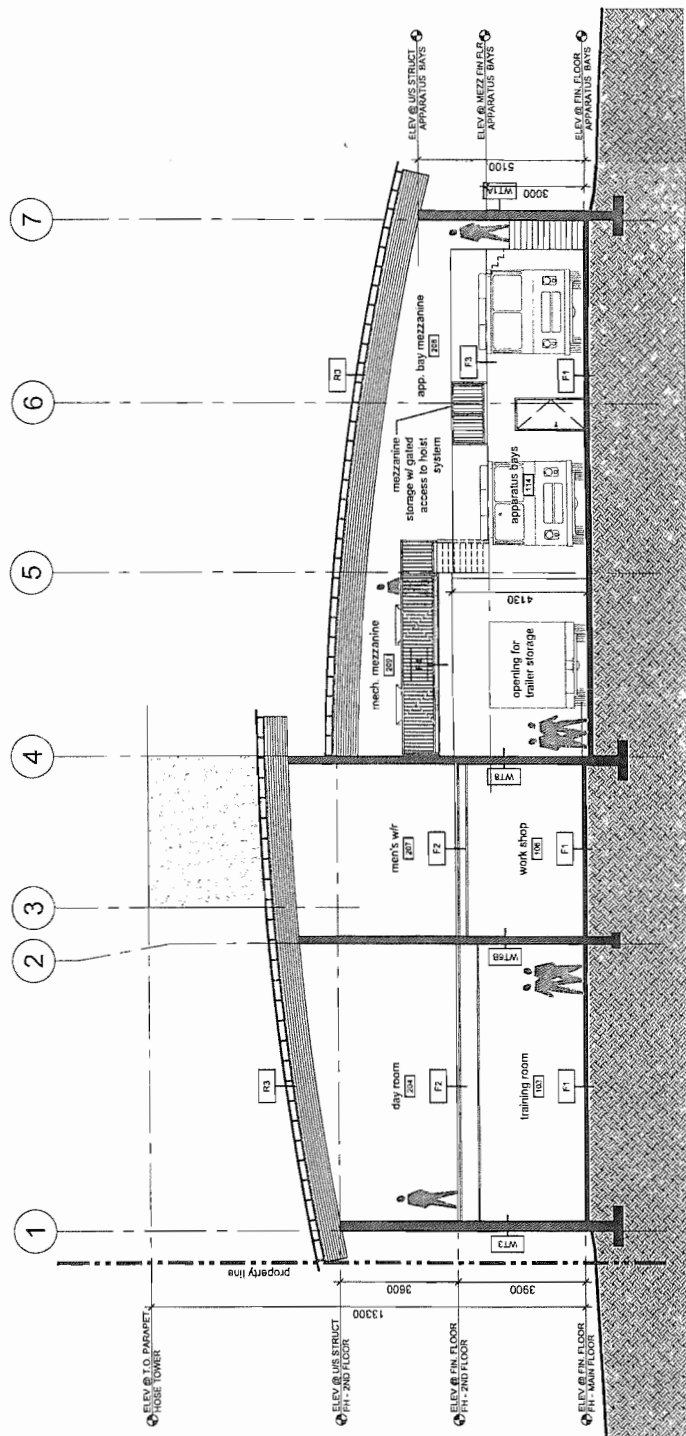
**south elevation**



corrugated metal siding - horizontal  
 glulams w/ standing seam metal  
 roof  
 water collection cisterns

board formed concrete  
 double glazed windows  
 glulams w/ standing seam metal  
 roof  
 cedar siding boards - shiplap  
 siding w/ translucent stain

**north elevation**



**Design Development**  
 Nanoose Volunteer  
 Fire Department  
**Cross section**





CAG APPROVAL	
EAP	
COW	
R-D	
BOARD	✓ Mar 23 '10

# MEMORANDUM

**TO:** C. Mason  
Chief Administrative Officer

**DATE:** March 12, 2010

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

**SUBJECT:** Final adjustments to 2010 tax revenue value in financial plan

**PURPOSE:**

To provide a final update on adjustments to the 2010 year of the financial plan and adopt an amended 2010 to 2014 Financial Plan Bylaw No. 1597.

**BACKGROUND:**

On March 9<sup>th</sup>, the Regional District’s 2010 to 2014 Financial Plan Bylaw No. 1597 was introduced for first three readings. Since that date staff have completed certifying the 2010 parcel tax rolls and have made one further adjustment to the annual budget with respect to the redevelopment of the Nanoose Bay firehall.

The number of parcels for levying the Regional Parks parcel tax increased in 2010 by 930 and the 2010 budget has been amended to account for an additional \$9,300 in revenues for capital acquisitions and development.

With respect to the Nanoose Bay firehall redevelopment project, following a review of the financial plan with the Electoral Area Director, an additional \$50,000 has been added to the requisition. A planned contribution to a vehicle reserve fund of \$40,000 would be deferred for both 2010 and 2011, to allow a total of \$90,000 to be set aside for the building project. Should the project receive public support those funds would be used to reduce the amount to be borrowed.

Schedules A and A-1 to the budget bylaw have been amended and are attached to this report for information.

**ALTERNATIVES:**

1. Approve a 2010 budget with amended total tax revenues of \$33,810,756 as outlined above and approve Bylaw No. 1597 as amended.
2. Do not amend the budget for the Nanoose Bay firehall project and approve Bylaw 1597 as amended for additional Regional Parks tax revenues only.

**FINANCIAL IMPLICATIONS:**

Alternative 1

Under Alternative 1 the amendment with respect to Regional Parks adds no additional tax cost to taxpayers – it simply adjusts the tax to be collected by the number of existing parcels. The proposed adjustment of \$50,000 to the Nanoose Bay Fire budget will add \$2.65 per \$100,000 to taxpayers in the fire protection service. The financial plan projections for this service indicate that over the course of 2010 and 2011, this adjustment will enable the service area to set aside about \$180,000 in reserves for the redevelopment of the building. The financial plan indicates that sufficient funds will be available for the next vehicle purchase in 2015.

**SUMMARY/CONCLUSIONS:**


Two final adjustments are recommended for the 2010 year within the 2010 to 2014 financial plan.

The 2010 parcel tax rolls have been certified and the number of parcels subject to the Regional Parks levy of \$10.00 has increased by 930. An additional \$9,300 has been recorded as revenues for this service.

It is proposed that the Nanoose Bay Fire Protection service budget be increased by \$50,000 in order to add this amount to the building reserve over 2010 and 2011. The \$50,000 will be combined with \$40,000 previously budgeted for the vehicle reserve fund, to accumulate up to \$180,000 by the end of 2011 for the project. The financial plan indicates that sufficient funds will be available for the next vehicle purchase in 2015.

**RECOMMENDATION:**

1. That 2010 to 2014 Financial Plan Bylaw No. 1597 be amended to show total tax revenues of \$33,810,757 to include additional revenues for the Regional Parks Service (\$9,300) and the Nanoose Bay Fire Protection Service (\$50,000).
2. That “2010 to 2014 Financial Plan Bylaw No.1597, 2010” as amended be adopted.

  
Report Writer

  
CAO Concurrency

**COMMENTS:**



Chairperson

**FINANCIAL PLAN SUMMARY  
2010 to 2014 FINANCIAL PLAN**

Sr.Mgr., Corporate  
Administration

	2010 Budget	2011	2012	2013	2014	Subtotal
<b>Revenues</b>						
Property taxes	(29,801,919)	(32,503,192)	(35,026,074)	(37,429,124)	(39,891,398)	(174,486,087)
Parcel taxes	(3,714,258)	(3,945,787)	(4,144,526)	(4,360,785)	(4,583,174)	(20,584,150)
Municipal agreements	(294,580)	(304,920)	(313,465)	(322,220)	(331,193)	(1,566,378)
	<u>(33,810,757)</u>	<u>(36,753,899)</u>	<u>(39,484,065)</u>	<u>(42,112,129)</u>	<u>(44,805,765)</u>	<u>(196,636,615)</u>
Operating revenues	(1,683,385)	(1,761,715)	(1,857,791)	(1,876,674)	(1,905,369)	(9,084,934)
Interest income	(250,000)	(250,000)	(250,000)	(250,000)	(250,000)	(1,250,000)
Transit fares	(3,519,830)	(3,972,029)	(4,126,749)	(4,365,551)	(4,524,206)	(20,508,365)
Landfill tipping fees	(8,154,000)	(8,326,620)	(8,742,951)	(9,180,099)	(9,639,104)	(44,042,774)
Recreation fees	(332,040)	(431,681)	(440,315)	(449,122)	(460,472)	(2,113,630)
Recreation facility rentals	(547,450)	(558,399)	(569,567)	(580,958)	(592,577)	(2,848,951)
Recreation vending sales	(16,240)	(16,240)	(16,240)	(16,240)	(16,240)	(81,200)
Recreation concession	(4,500)	(4,500)	(4,500)	(4,500)	(4,500)	(22,500)
Recreation - other	(365,690)	(373,003)	(380,463)	(388,072)	(395,834)	(1,903,062)
Utility user fees	(4,005,483)	(4,133,703)	(4,276,088)	(4,411,707)	(4,438,153)	(21,265,134)
Operating grants	(10,564,642)	(5,343,069)	(5,276,119)	(5,582,224)	(5,913,217)	(32,679,271)
Planning grants	(1,971,850)	(1,158,630)	(274,510)	(274,510)	(274,510)	(3,954,010)
Grants in lieu of taxes	(119,400)	(119,400)	(119,400)	(119,400)	(119,400)	(597,000)
Interdepartmental recoveries	(4,011,010)	(3,968,751)	(3,967,471)	(4,040,004)	(4,113,934)	(20,101,170)
Transfer from reserves	(18,832,680)	(1,197,942)	(622,502)	(657,502)	(657,502)	(21,968,128)
Miscellaneous	(5,348,380)	(5,981,480)	(5,672,619)	(5,362,494)	(5,312,494)	(27,677,467)
Prior year (surplus)/deficit	(9,926,280)	(4,215,384)	(3,597,887)	(3,624,736)	(4,429,170)	(25,735,182)
<b>Total Revenues</b>	<u>(103,463,617)</u>	<u>(78,566,445)</u>	<u>(79,679,237)</u>	<u>(83,295,922)</u>	<u>(87,852,447)</u>	<u>(430,553,317)</u>
<b>Expenditures</b>						
Administration	3,472,317	3,481,528	3,491,336	3,501,243	3,511,250	17,457,674
D68E911	1,000	1,000	1,000	1,000	1,000	5,000
Community grants	37,698	34,188	34,188	34,188	34,188	174,450
Legislative	353,145	434,146	345,957	345,957	426,886	1,906,091
Professional fees	2,591,066	1,886,961	1,631,961	1,631,961	1,631,961	9,373,910
Building Ops	2,357,548	2,384,158	2,377,684	2,407,586	2,428,150	11,955,126
Veh & Equip ops	5,599,578	6,060,451	6,375,620	6,746,073	7,121,665	31,903,387
Operating Costs	13,563,080	12,585,955	12,891,226	13,407,845	13,656,113	66,104,219
Program Costs	429,241	419,427	419,986	420,553	421,129	2,110,336
Wages & Benefits	22,934,211	24,579,136	25,833,889	27,253,020	28,611,696	129,211,952
Transfer to other gov/org	4,925,962	5,148,725	5,297,451	5,435,270	5,620,720	26,408,128
Debt financing	7,878,250	6,404,285	7,157,852	7,716,237	8,837,815	37,994,439
Contributions to reserve funds	4,541,226	6,298,421	6,838,516	7,266,500	7,179,655	32,124,318
Capital	30,570,911	4,313,555	2,339,640	1,361,245	1,732,870	40,195,931
<b>SubTotal</b>	<u>99,255,233</u>	<u>74,031,936</u>	<u>75,036,306</u>	<u>77,528,678</u>	<u>81,215,098</u>	<u>334,140,199</u>
<b>New debt</b>	0	938,622	1,020,195	1,340,074	1,433,585	4,466,730
<b>Total expenditures</b>	<u>99,255,233</u>	<u>74,970,558</u>	<u>76,056,501</u>	<u>78,868,752</u>	<u>82,648,683</u>	<u>409,876,821</u>
<b>(Surplus)/deficit</b>	<u>(4,208,384)</u>	<u>(3,595,887)</u>	<u>(3,622,736)</u>	<u>(4,427,170)</u>	<u>(5,203,764)</u>	<u>(19,488,184)</u>
<b>Source and Application of Funds</b>						
<b>Capital Fund</b>						
<b>Source of Funds</b>						
Transfers from Operating	(30,570,611)	(4,313,255)	(2,339,340)	(1,360,945)	(1,732,570)	(40,316,721)
Transfers from Reserve Funds	(13,810,495)	(7,961,740)	(15,937,915)	(12,719,629)	(12,795,790)	(63,225,569)
Borrowed Funds	(6,574,380)	(9,164,940)	(12,772,822)	(14,646,396)	(53,817,236)	(96,975,774)
Other sources	(4,392,939)	(1,588,720)	(1,134,439)	(1,800)	(650,989)	(7,768,887)
<b>Total Sources of Funds</b>	<u>(55,348,425)</u>	<u>(23,028,655)</u>	<u>(32,184,516)</u>	<u>(28,728,770)</u>	<u>(68,996,585)</u>	<u>(208,077,371)</u>
<b>Funds Applied</b>						
Operating capital	52,816,595	13,863,715	19,411,694	14,082,374	15,179,349	115,353,727
Loan authorizations	6,574,380	9,164,940	12,772,822	14,646,396	53,817,236	96,975,774
<b>Total Funds Applied</b>	<u>59,390,975</u>	<u>23,028,655</u>	<u>32,184,516</u>	<u>28,728,770</u>	<u>68,996,585</u>	<u>212,119,921</u>
<b>Reserve Funds</b>						
Transfers from Operating Fund	(4,531,226)	(6,288,421)	(6,828,516)	(7,256,500)	(7,169,655)	(32,074,318)
Other Sources (DCC's etc)	(2,469,815)	0	0	0	0	(2,469,815)
Transfers to Capital Fund	7,544,385	8,881,880	3,393,600	731,000	1,864,790	22,415,655
Transfers to Operating Fund	(4,144,550)	(57,500)	(20,000)	(20,000)	(20,000)	(4,262,050)
<b>Reserve Fund Transactions</b>	<u>3,432,379</u>	<u>6,537,754</u>	<u>744,174</u>	<u>(2,405,535)</u>	<u>(1,911,880)</u>	<u>2,238,342</u>

Chairperson

Sr. Mgr. Corporate Administration



**CORPORATE SERVICES  
2010 to 2014 FINANCIAL PLAN  
SUMMARY OF TAX REQUISITIONS**

	2010 Budget	2011	2012	2013	2014
General Government Administration	\$ (735,910)	\$ (765,346)	\$ (795,960)	\$ (827,798)	\$ (860,910)
Electoral Areas Only - Property Taxes	(300,000)	(303,000)	(375,000)	(460,000)	(550,000)
Electoral Areas Only - Municipal Agreement	(18,000)	(21,000)	(22,000)	(23,000)	(24,000)
Grants-in-Aid	(59,360)	(59,360)	(59,360)	(59,360)	(59,360)
Feasibility Studies	(8,375)	(6,000)	(6,000)	(4,000)	-
D68 E911	(81,820)	(84,275)	(86,803)	(89,407)	(92,089)
D69 E911	(529,875)	(559,218)	(590,179)	(609,884)	(630,181)
D69 Community Justice	(77,500)	(77,500)	(77,500)	(77,500)	(77,500)
D68 Restorative Justice	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)
Fire Protection - Coombs-Hilliars	(304,795)	(380,994)	(476,243)	(571,492)	(685,790)
Fire Protection - Dashwood	(347,800)	(417,360)	(500,832)	(575,957)	(662,351)
Fire Protection - French Creek	(368,990)	(391,129)	(416,552)	(443,628)	(472,464)
Fire Protection - Parksville Local	(114,215)	(118,784)	(123,535)	(128,476)	(133,615)
Fire Protection - Cassidy	(165,080)	(170,080)	(175,080)	(180,080)	(185,080)
Fire Protection - Errington	(241,670)	(253,754)	(263,904)	(274,460)	(285,438)
Fire Protection - Extension	(125,915)	(132,211)	(138,822)	(145,763)	(205,763)
Fire Protection - Nanoose Bay	(524,855)	(561,595)	(600,907)	(642,970)	(687,978)
Fire Protection - Wellington	(55,480)	(57,509)	(59,759)	(62,098)	(64,530)
Fire Protection - Bow Horn Bay	(192,305)	(241,920)	(354,016)	(476,717)	(500,553)
Fire Protection - Nanaimo River	(17,795)	(18,685)	(19,619)	(20,600)	(21,630)
Fire Protection - Meadwood	(137,515)	(185,226)	(185,226)	(185,226)	(185,226)
<b>Subtotal Regional District Services</b>	<b>(4,412,255)</b>	<b>(4,809,946)</b>	<b>(5,332,297)</b>	<b>(5,863,416)</b>	<b>(6,389,458)</b>
Vancouver Island Regional Library	(1,477,240)	(1,521,557)	(1,567,204)	(1,614,220)	(1,662,647)
<b>Total Corporate Services</b>	<b>\$ (5,889,495)</b>	<b>\$ (6,331,503)</b>	<b>\$ (6,899,501)</b>	<b>\$ (7,477,636)</b>	<b>\$ (8,052,105)</b>



CAC APPROVAL	
EAP	
GOW	
RHD	
BOARD	✓ Mar 23 '10

# MEMORANDUM

**TO:** C. Mason  
Chief Administrative Officer

**DATE:** March 12, 2010

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

**SUBJECT:** Fire Hydrant Use Agreement – Private Water Utility

**PURPOSE:**

To obtain approval to execute an agreement to use fire hydrants owned and operated by a private water utility.

**BACKGROUND:**

The Dashwood Fire Protection service area boundaries were expanded in 2008 to include properties along Meadowood Way in Electoral Area 'F'. Part of the area is a Strata development which has a small community water system with fire hydrants. The Dashwood Fire Department wishes to use the fire hydrants for fire fighting purposes within the Strata development. The use of the hydrants will reduce dependence on the capacity of the tankers located at the new firehall in the area. The Strata has had their system tested by the Fire Underwriters Survey for insurance rating purposes and have been advised that the system as tested meets the standards for an insurance rating of fire hydrant protected.

The attached agreement for the use of the fire hydrants has been reviewed by the Regional District's legal counsel and the Strata. The Strata President has advised staff that the agreement contents have been approved and they are prepared to execute the agreement.

The agreement includes the following points:

- 1) the initial term of the agreement is from March 23, 2010 to December 31, 2010 and will be renewed automatically for two further five year periods ending by December 31, 2024, unless terminated at an earlier date
- 2) the Regional District may hook up and use the hydrants for practice and fire fighting with no charge for use or for water consumed
- 3) the Regional District is relying on the Strata that it can provide fire flows at its hydrants throughout the term
- 4) the Strata Corporation is entirely responsible for operations and maintenance of the hydrants and the water system
- 5) the Strata Corporation will ensure there is an annual maintenance routine performed at a minimum, in accordance with the agreement

- 6) the Strata Corporation will indemnify and save the Regional District harmless from any and all claims arising from the use of the hydrants in accordance with the agreement
- 7) If the Regional District damages a fire hydrant it is responsible for repairs and/or replacement as necessary

**ALTERNATIVES:**

1. Approve the agreement as presented and authorize staff to execute the agreement.
2. Provide other direction with respect to the agreement.

**FINANCIAL IMPLICATIONS:**

Alternative 1

There are no immediate financial implications with respect to the agreement. As noted, should the Regional District damage or destroy a fire hydrant it will be our responsibility to repair or replace it. With respect to having water supplies available, the fire department indicates that water supplies in this area are limited and access to these fire hydrants significantly improves the outcome of fires in the Strata area. As a longer term project, the department would like to find alternative locations within the service area to locate additional water tanks for firefighting purposes.


**SUMMARY/CONCLUSIONS:**

The Little Qualicum River Village Estates Strata, located within the Meadowood portion of the Dashwood Fire Protection service area, has constructed a private water utility with fire hydrants. The system was certified for fire fighting purposes in October 2009 by the Fire Underwriters Survey and since that time, staff and the Strata have been working on an agreement to permit the volunteer fire department to use the fire hydrants. The Strata president recently advised staff that the draft agreement has been approved by their executive.

The agreement provides access to the fire hydrants for practice and firefighting at no charge to the Regional District. The agreement, unless terminated, would run, with renewals from March 23, 2010 to December 31, 2024. As outlined in this report, the agreement includes standard indemnity and insurance provisions that the Strata must comply with, as well as covering the annual maintenance of the hydrants by the Strata. The agreement has been reviewed by our legal counsel and has been amended where necessary. Staff recommends approving the agreement as presented.

**RECOMMENDATION:**

That the Fire Hydrant Use Agreement between the Regional District of Nanaimo and Strata Corporation VIS 4673 be approved and that staff be authorized to execute the agreement.

  
\_\_\_\_\_  
Report Writer

  
\_\_\_\_\_  
CAO Concurrence

**COMMENTS:**

**FIRE HYDRANT USE AGREEMENT**

**THIS AGREEMENT** made this \_\_\_\_ day of \_\_\_\_\_, 2010

BETWEEN:

**STRATA CORPORATION**

VIS 4673  
c/o 1773 Country Rd.  
Qualicum Beach, B.C.  
V9K 2S3

(hereinafter called the “Strata Corporation”)

OF THE FIRST PART

AND:

**THE REGIONAL DISTRICT OF NANAIMO**

6300 Hammond Bay Road  
Nanaimo, BC  
V9T 6N2

(hereinafter called the “Regional District”)

OF THE SECOND PART

WHEREAS:

- A. The District is authorized by its Bylaw No. 964 and subsequent amendments to provide fire protection services to the Dashwood Fire Protection Local Service area ( the ‘Service Area’) within Electoral Areas ‘F’, ‘G’ and ‘H’;
- B. The Strata Corporation owns and operates a private water utility with fire hydrants known as the Little Qualicum River Village Private Water Utility (the “Water System”);
- C. The Strata Corporation has carried out a test of the Water System and has been advised by the Fire Underwriters Survey in correspondence dated October 6, 2009, which is attached to and forms part of this Agreement, that based on the test its water system is adequate for fire insurance grading purposes;
- D. The Regional District wishes to use and the Strata Corporation has agreed to permit the use of its fire hydrants connected to the Water System for fire fighting purposes by the Regional District’s Dashwood Volunteer Fire Department (hereinafter called “DVFD”);

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the terms and in consideration of the mutual covenants and agreements hereinafter contained, it is agreed as follows:

**1. TERM**

- 1.1 The term of this agreement commences on March 23, 2010 and ends on December 31, 2014 (the “Term”).
- 1.2 This agreement shall renew automatically for two further terms as follows, unless terminated earlier as provided herein:

January 1, 2015 to December 31, 2019  
January 1, 2020 to December 31, 2024

**2. ACCESS AND USE**

- 2.1 The Regional District and/or the DVFD will have the right to:
  - (a) inspect, flow test and check any or all hydrants;
  - (b) advise the Strata Corporation of any deficiencies noted in the supply of water to a hydrant;
  - (c) operate hydrants and hook up hoses for the purposes of fire fighting and practice;
  - (d) draw water at no charge for fire fighting and for practice.

**3. RESPONSIBILITIES OF THE STRATA CORPORATION**

- 3.1 The Strata Corporation is entirely responsible for the operation and maintenance of the Water System and fire hydrants and availability of water for firefighting purposes.
- 3.2 The Strata Corporation acknowledges that the Regional District is relying on the representations of the Strata Corporation that it can provide fire flows at its hydrants in accordance with the tests carried out by the Fire Underwriters Survey, for the purposes of and throughout the term of this agreement.
- 3.3 The Strata Corporation hereby grants to the Regional District’s DVFD permission to use all fire hydrants connected to the Water System for the purposes of practicing or providing fire protection to all Lands and improvements within the Strata Plan VIS 4673.
- 3.4 The Strata Corporation will ensure that the Regional District’s DVFD is notified in a timely manner of the identification number of hydrants as and when they are:
  - i. damaged or out of service for whatever reason
  - ii. being repaired



- iii. draining poorly  
and in all cases
- iv. when they are back in service

- 3.5 The Strata Corporation will provide the Regional District within ONE (1) MONTH of the signing of this Agreement a copy of a drawing showing the location of all hydrants appropriately numbered, water mains, storage and pumping facilities, and shall advise the DVFD prior to the installation of new hydrants in order to provide the DVFD the opportunity to comment on the locations.
- 3.6 The Strata Corporation shall ensure that fire hydrants are serviced at least annually by competent personnel ensuring that at a minimum the items listed on Schedule 'A' to this Agreement are completed and shall provide a copy of the annual maintenance record to the Regional District contact as identified in this Agreement on or before January 15 of each year.
- 3.7 The Strata Corporation and the Regional District agree to work cooperatively to determine fire hydrant upgrades which will assist the DVFD to provide fire protection in the Strata Corporation. The cost of upgrades will be agreed upon between the Strata Corporation and the Regional District.
- 3.8 Should a fire hydrant be damaged beyond use or be destroyed through no fault of the Regional District, the Strata Corporation shall replace same as soon as possible. The cost to replace a fire hydrant will be the responsibility of the Strata Corporation unless the damage is the result of the negligent use of the hydrant by the DVFD.

#### **4. RESPONSIBILITIES OF THE REGIONAL DISTRICT**

- 4.1 The DVFD shall use the fire hydrants in a professional, careful and prudent manner consistent with proper fire-fighting practices to avoid damage to the hydrants.
- 4.2 The Regional District shall be responsible for repairing or replacing damaged fire hydrants if the damage is a result of the negligent use of the fire hydrants by the Regional District's DVFD.

#### **5. INDEMNITY AND INSURANCE**

- 5.1 The Strata Corporation agrees to indemnify and save harmless the Regional District and the DVFD, their officers, volunteers or employees from any and all actions, claims, suits or judgments (collectively "Liability") arising out of or in connection with the use of fire hydrants under this Agreement except to the extent that such Liability arises from the negligence of the Regional District or from a suspension or discontinuance of water supply beyond the control of the Strata Corporation.
- 5.2 The Strata Corporation shall on demand provide evidence that it maintains a current policy of commercial general liability in an amount of not less than \$5,000,000 with coverage for bodily injury, property damage and death, showing the Regional District of Nanaimo as an additional insured with respect to this Agreement..

**6. AMENDMENT AND TERMINATION**

- 6.1 This Agreement may be amended by written mutual agreement delivered in accordance with Section 6.3.
- 6.2 This Agreement may be terminated by the giving of 90 days written notice, by either party to the other.
- 6.3 Notices shall be addressed to:

To the Strata Corporation  
  
 Strata Corporation VIS 4673  
 c/o 1773 Country Rd.  
 Qualicum Beach, B.C.  
 V9K 2S3

Attention: President

To the Regional District of Nanaimo

Regional District of Nanaimo  
 6300 Hammond Bay Rd.  
 Nanaimo, B.C.  
 V9T 6N2

Attention: General Manager, Finance & Information Services  
 Telephone 250-390-4111  
 Fax 250-390-6572

**7. CONTINUING AGREEMENT**

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

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

Strata Corporation VIS 4673	)
	)
	)
_____	)
Chairperson	)
	)
_____	)
Secretary	)

REGIONAL DISTRICT OF NANAIMO )  
)  
)  
)  
)  
\_\_\_\_\_  
Chairperson )  
)  
)  
)  
\_\_\_\_\_  
Sr. Mgr. Corporate Administration )

SCHEDULE 'A'

Copy of Correspondence dated October 6, 2009 from Fire Underwriters Survey



## FIRE UNDERWRITERS SURVEY

A SERVICE TO INSURERS AND MUNICIPALITIES

an Risk Management Services

October 6<sup>th</sup>, 2009

Attention: Ozzie Jimmo, President of Strata Council

Re: Fire Underwriters Survey – Little Qualicum Private Water Utility

Properties on the Little Qualicum Private Water Utility within the Meadowood Fire Protection Area were previously graded as having a provisionally recognized water system. A recent survey and assessment of the water supply system confirmed the adequacy of the system for fire insurance grading purposes.

The following fire insurance grading classifications will now be assigned to the properties on the Little Qualicum Private Water Utility within the Meadowood Fire Protection Area:

### Dwelling Protection Grade (D.P.G.)<sup>1</sup> – Split Grade

DPG	3A	applies to hydrant protected areas
DPG	3B	applies to fire station protected areas
DPG	5	applies to unprotected areas

The DPG is a numerical grading system scaled from 1 to 5. One (1) is the highest grading possible with 5 indicating little or no fire protection present. This grading reflects the ability of a community to handle fires in small buildings.

<u>Grade – 3A</u>	Applies to properties insured under Personal Lines within 300 metres of a recognized fire hydrant connected to the Little Qualicum Private Water Utility.
<u>Grade – 3B</u>	Applies to properties insured under Personal Lines that are not within 300 metres of a recognized fire hydrant connected to the Little Qualicum Private Water Utility, but are within 8 km road travel of a recognized fire hall within the boundaries of the Meadowood Fire Protection Area.
<u>Grade – 5</u>	Applies to properties insured under Personal Lines that are not within 8 km road travel of a recognized fire hall within the boundaries of the

<sup>1</sup> Personal Lines: Insurance covering the liability and property damage exposures of private individuals and their households as opposed to Commercial Lines. Typically includes all detached dwellings that are designated single family residential or duplex.

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# FIRE UNDERWRITERS SURVEY

A SERVICE TO INSURERS AND MUNICIPALITIES

an RISK Management Services

## Meadowood Fire Protection Area.

Note that the fire insurance grades are directly related to the roster levels, available apparatus, and other notable assets for fire protection. Should fire protection levels be reduced in any significant way, the Dashwood Fire Department should report changes to the offices of Fire Underwriters Survey for evaluation. Fire Insurance Grades are based on the information provided through the survey process. The information provided through the Nanaimo Regional District and the Dashwood Fire Department is assumed to be correct and accurate. Grades are subject to change without notice.

### Water Supply Summary – Little Qualicum Private Water Utility

The water system is fed by a reservoir having a capacity of 83300 l.gal. The system is gravity fed, supplied by 200 mm (8”) mains that supply 150 mm (6”) lines.

### Flow Test Results and Summary

On September 26th, 2009, a representative of the Fire Underwriters Survey and a representative of the Little Qualicum Private Water Utility conducted flow tests on the system.

A summary of the hydrant flow tests is presented in the table below. Flow tests 1 through 4b were conducted in Britannia Beach and flow tests 5a through 7 were conducted in Furry Creek. The details of these results can be found in Appendix A.

Test #	Location	Actual Flow USGPM	Actual Flow IGPM	Rated Capacity @ 20 PSI USGPM	Rated Capacity @ 20 PSI IGPM
1	Hydrants #1 and #2	1331	1109	2501	2083
2	Hydrants #10 and #11	1044	870	1397	1164
3	Hydrants #15 and #17	959	799	1673	1393
4	Hydrants #5 and #6	1430	1191	3656	3046

The data indicates that a minimum of 1164 IGPM @ 20 psi is available. Note that flow test results may vary from what is actually available during fire conditions dependent upon factors affecting the water distribution system including but not limited to: seasonal and daily fluctuations such as reservoir levels, domestic/industrial demands, and problems within system such as main breaks, pump failures, etc.

In order to determine whether or not the water system is capable of providing an adequate amount of water for the risks located within the community, a detailed risk assessment should be conducted. The risk assessment should include a detailed analysis of fire risk in the built environment throughout the community to determine required fire flows.

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# FIRE UNDERWRITERS SURVEY

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an Risk Management Services

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## FIRE UNDERWRITERS SURVEY

A SERVICE TO INSURERS AND MUNICIPALITIES

---

a Risk Management Services

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We would like to thank the Little Qualicum Private Water Utility representative, Mr. Malcom Tomlinson, for his valuable and courteous assistance in conducting flow tests throughout the community.

Please note that this report is Private and Confidential. The underlying data of this report has been developed for fire insurance grading and classification purposes. This report may also be used by the stakeholders to assist in planning the future direction of the Britannia Beach fire protection services.

Please contact the undersigned if there are any questions or comments regarding the intent, content, and recommendations made throughout this report.

Sincerely,

Sunjeev Sodi, CTech  
Public Fire Protection Specialist  
Fire Underwriters Survey

---

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# *APPENDIX A*

## *HYDRANT FLOW TEST RESULTS*

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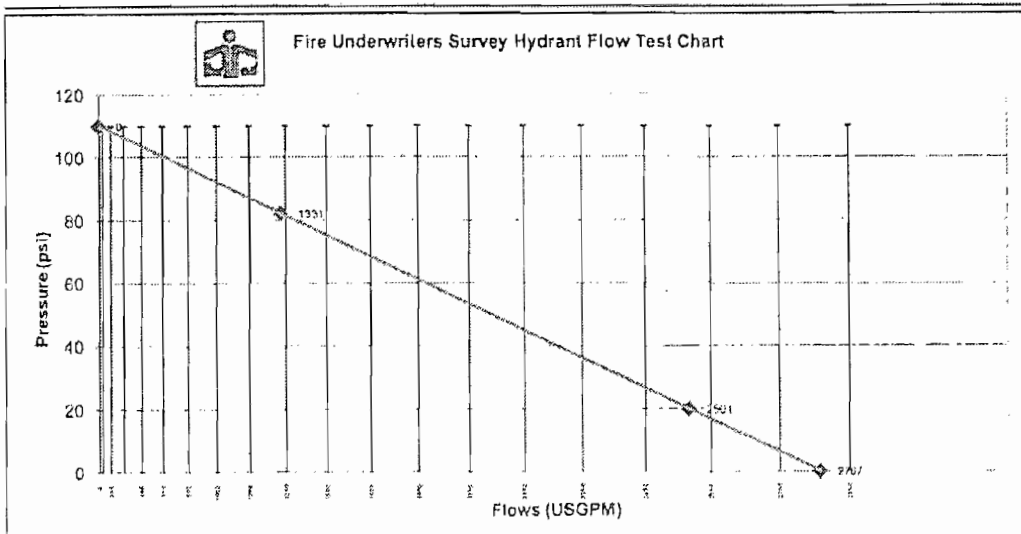
# WATER FLOW TEST REPORT

**FIRE UNDERWRITERS SURVEY**  
INTERNATIONAL ASSOCIATION OF FIRE INSURANCE UNDERWRITERS



*Available Fire Flow Calculator*

Name of Risk	NR	Test No.	1	
Municipality	Little Quikem Private Water Utility	Test By	Samuel Sedt	
Purpose of Test	Fire Insurance Grading	Date	20-Sep-09	
Type of Construction	Wood Frame			
Ground Floor Area			- of stories	2
Occupancy	Sprinklered? no			
Exposures	Front	n.a.	Rear	n.a.
	Left	n.a.	Right	n.a.
	Size of Main	6 inch	Dead End	
	Source Reliable		Two Ways	
	Comments	If not explain		
<b>TEST DATA:</b>				
Location of test hydrants		Residual	Hydrant 1	
		Flow	Hydrant 2	
<b>FLOW HYDRANT(S)</b>				
	SIZE OPENING	2.5	Office #2	Office #3
	Coefficient	0.99		
	PISTON READING	52		
	GPM	1331	0	0
<b>TOTAL FLOW DURING TEST</b>				
		1331	USGPM	
		5637	1 MIN	
		1169	10 GPM	
<b>STATIC READING</b>		110	PSI	RESIDUAL
				82
				PSI
<b>RATED CAPACITY</b>				
		2501	USGPM	At 6 PSI
		2403	10 GPM	2587
		8467	1 MIN	2322
				10450
				1 MIN
<b>REMARKS</b>				



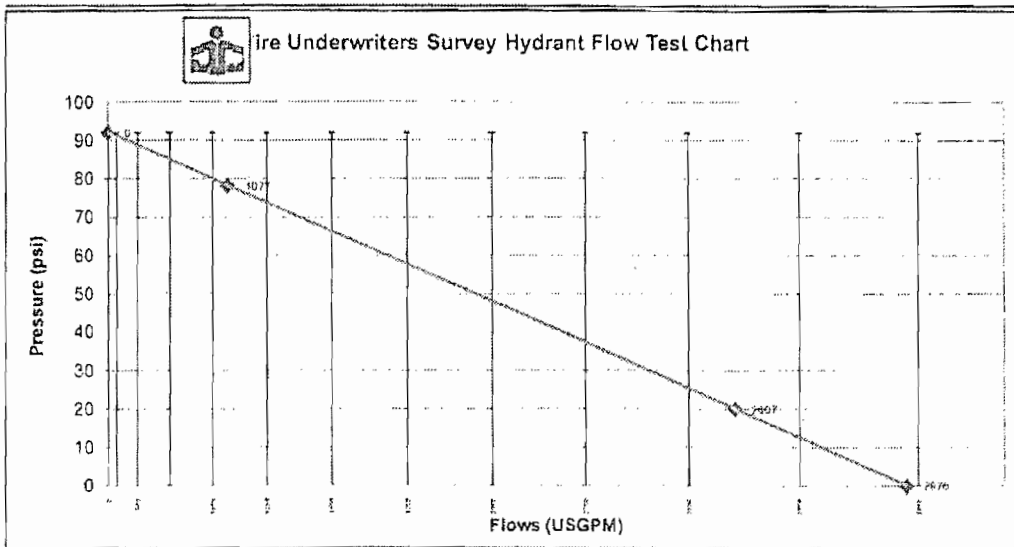
# WATER FLOW TEST REPORT

FIRE UNDERWRITERS SURVEY



*Available Fire Flow Calculator*

Name of Risk	SER	Test No	4
Municipality	Little Quilcum Private Water Utility	Test By	Sanjeev Sodhi
Purpose of Test	Fire Insurance Grading	Date	20-Sep-09
Type of Construction	Wood Frame		
Ground Floor Area		# of stories	2
Occupancy		Sprinklered?	no
Exposures	Front 0.2    Rear 0.2    Left 0.2    Right 0.2		
Size of Main	6 inch	Dead End	X
Source Reliable		Two Ways	
Customers		Loop	
<b>TEST DATA:</b>			
Location of test hydrants, Residual	Hydrant 5		
Flow	Hydrant 6		
<b>FLOW HYDRANT(S)</b>		Outlet #2	Outlet #3
			Outlet #4
SIZE OPENING	2.4		
CORRECTION	0.99		
PILOT READING	34		
GPM	1177	0	0
<b>TOTAL FLOW DURING TEST</b>	1177 USGPM		
	497.5 L MIN		
STAT. READING	92 PSI	RESIDUAL	78 PSI
<b>RAILED CAPACITY</b>	2867 USGPM	AT 0 PSI	2976 USGPM
	1171 GPM		1179 GPM
	967 L MIN		1126 L MIN
<b>REMARKS</b>			



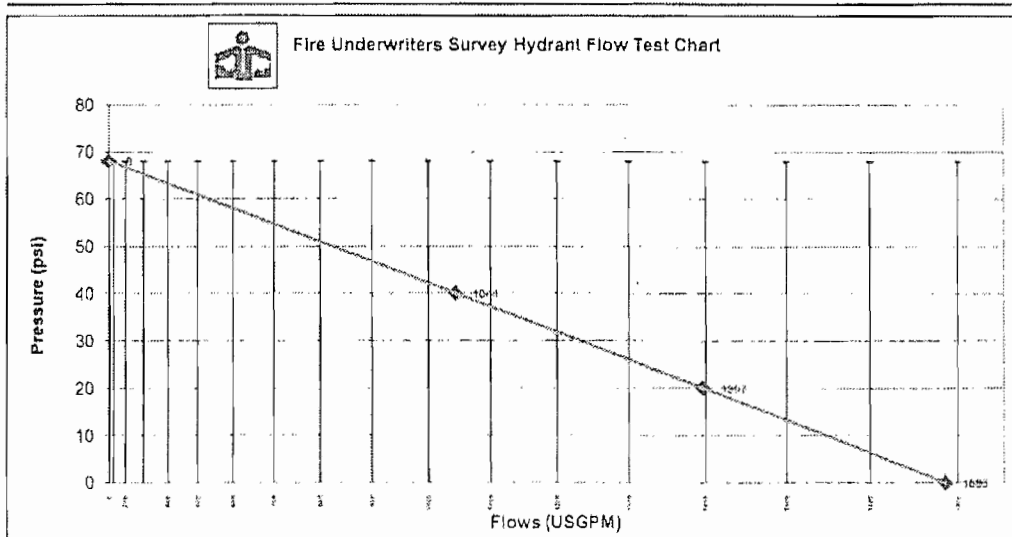
# WATER FLOW TEST REPORT

FIRE UNDERWRITERS SURVEY



*Available Fire Flow Calculator*

Name of Risk	SFR	Test No.	2
Municipality	Little Quakem Private Water Utility	Test By	Stanley Sady
Purpose of Test	Fire Insurance Grading	Date	20-Sep-09
Type of Construction	Wood Frame		
Ground Floor Area		# of stories	2
Occupancy		Sprinklered	no
Exposures	Front n/a	Rear n/a	Left n/a
	Right n/a		
Size of Main	6 inch	Dead End	N
	Two Ways		
Source Reliable	If not explain		
Comments			
<b>TEST DATA:</b>			
Location of test hydrant	Hydrant 10		
Flow	Hydrant 11		
FLOW HYDRANT(S)		Office #2	Office #1
			Office #4
SIZE OPENING	2.5		
COEFFICIENT	0.59		
PISTON READING	32		
GPM	1024	8	9
TOTAL FLOW DURING TEST	1034 USGPM		
	2983 L/MIN		
	879 GPM		
STATIC READING	68 PSI	RESIDUAL	40 PSI
RATED CAPACITY	1397 USGPM	AT 0 PSI	1685 USGPM
	3167 GPM		3495 GPM
	6289 L/MIN		6990 L/MIN
REMARKS			



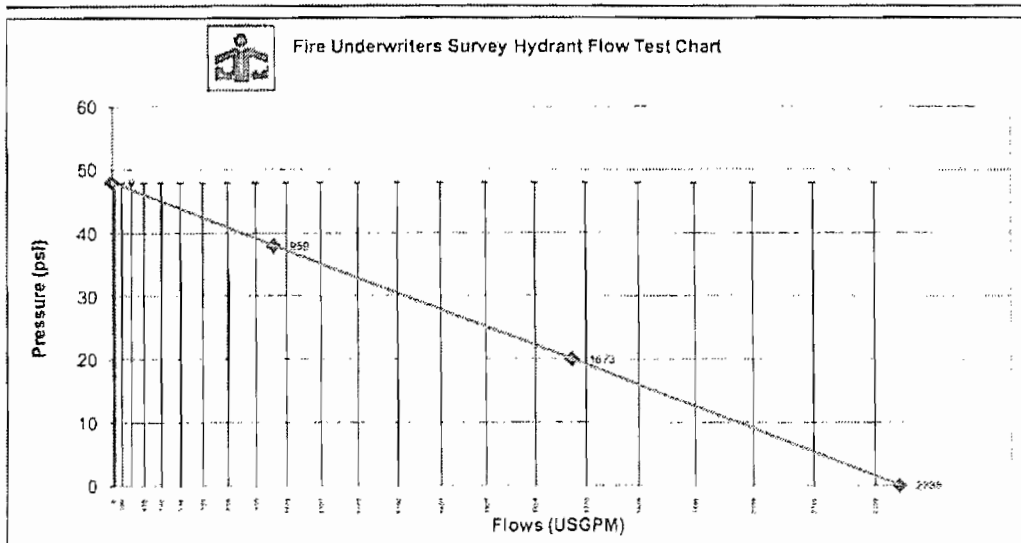
# WATER FLOW TEST REPORT

FIRE UNDERWRITERS SURVEY



*Available Fire Flow Calculator*

Name of Risk	SR	Test No	2
Municipality	Little Quakam Private Water Utility	Test By	Sunjeev Sodhi
Purpose of Test	Fire Insurance Grading	Date	20-Sep-99
Type of Construction	Wood Frame		
Ground Floor Area		of stories	2
Occupancy		Sprinklered?	No
Exposures	Front n/a    Rear n/a    Left n/a    Right n/a		
	Size of Main	Design	Two Ways    Loop
	Source Reliable	If not explain	
	Comments		
<b>TEST DATA</b>			
Location of test hydrant		Residual	Hydrant 15
Flow			Hydrant 17
<b>FLOW HYDRANT(S)</b>			
	SIZE OPENING	Office #2	Office #3    Office #4
	CORRECTION		
	PILOT READING		
	GPM	0	0
<b>TOTAL FLOW DURING TEST</b>			
	959	USGPM	
	3831	1 MIN	
	799	10 PM	
STATIC READING	48	PSI	RESIDUAL 38 PSI
<b>RAISED CAPACITY</b>			
	1973	USGPM	41.0 PSI    23.8F    USGPM
	1493	10 PM	18.54    10 PM
	6332	1 MIN	8.73    1 MIN
<b>REMARKS</b>			



## SCHEDULE 'B'

### HYDRANT SERVICE PROGRAM

(To be done once per calendar year)

1. Dismantle and check all gaskets.
2. Check drip valve rubber.
3. Check rubber on main gate.
4. Check all working parts for wear.
5. Grease threads with water repellent grease (Arcon #1 squeeze tubes).
6. Check for proper draining.
7. Pressure test for leaks.
8. Check for high water and freezing.
9. Repair and replace all parts as required by normal use and wear and tear.
10. Paint and re-paint as required to ensure that colours are vivid and paint in good condition.
11. Keep maintenance records of each hydrant.
12. Brushing out as required.