

REGIONAL DISTRICT OF NANAIMO

**INAUGURAL BOARD MEETING
TUESDAY, DECEMBER 14, 2010
7:00 PM**

(RDN Board Chambers)

A G E N D A

PAGES

- 1. CALL TO ORDER**

The Chief Administrative Officer will call the meeting to order.
- 7 - 9 Notification from the City of Nanaimo, City of Parksville, Town of Qualicum Beach and the District of Lantzville advising of their Council appointments to the Board for the year 2011.
- ELECTION OF BOARD CHAIRPERSON**
- ELECTION OF DEPUTY CHAIRPERSON**
- 2. DELEGATIONS**
- 3. BOARD MINUTES**

10 - 31 Minutes of the regular Board meeting held November 23, 2010.
- 4. BUSINESS ARISING FROM THE MINUTES**
- 5. COMMUNICATIONS/CORRESPONDENCE**

32 **Donna Allen, School District 68**, re Request for Sidewalks, Electronic & Marked Crosswalks and Streetlighting in Cedar.

33 **Gregory Phelps, Comox Valley Regional District**, re CVRD Regional Growth Strategy.
- 6. UNFINISHED BUSINESS**

BYLAWS

For Adoption.

French Creek Sewer

Bylaw No. 813.46 (All Directors – One Vote)

That "French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.46, 2010" be adopted.

This bylaw extends the boundaries of the French Creek Sewer Service to include 2 Area 'G' properties (516 & 564 Wembley Road).

Bylaw No. 889.58 (All Directors – One Vote)

That "Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.58, 2010" be adopted.

This bylaw extends the boundaries of the French Creek Sewer Service to include 2 Area 'G' properties (516 & 564 Wembley Road).

French Creek Village Streetlighting

Bylaw No. 1062.03 (All Directors – One Vote)

That "French Creek Village Streetlighting Service Boundary Amendment Bylaw No. 1062.03, 2010" be adopted.

This bylaw extends the boundaries of the French Creek Village Streetlighting Service to include 2 Area 'G' properties (516 & 564 Wembley Road).

Bow Horn Bay Fire Protection

Bylaw No. 1385.07 (All Directors – One Vote)

That "Bow Horn Bay Fire Protection Service Amendment Bylaw No. 1385.07, 2010" be adopted.

This bylaw extends the boundaries of the Bow Horn Bay Fire Protection Service to include an Area 'H' property (2700 Marshland Road).

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

7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE

34 - 35

Minutes of the Special Electoral Area Planning Committee meeting held November 23, 2010. (for information)

AMENDMENT APPLICATIONS

Bylaw No. 500.365 to Support Zoning Amendment Application No. 2010-179 – Atkinson – 2913 Jameson Road – Area ‘C’. (Electoral Area Directors except EA ‘B’ – One Vote)

- 1. That Zoning Amendment Application No. PL2010-179 to rezone the subject property from Subdivision District ‘D’ to Subdivision District ‘F’ be approved excluding the conditions set out in Schedule No. 1.*
- 2. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.365, 2010" be introduced and read two times.*
- 3. That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.365, 2010" be delegated to Director Young or her alternate.*

Bylaw No. 500.366 to Support Zoning Amendment Application No. 2010 - 084 & Development Permit Application No. 2010-214 – BC Housing – 280 Lions Way – Area ‘H’ (Electoral Area Directors except EA ‘B’ – One Vote).

- 1. That the Summary of the public information meeting held on November 18, 2010 be received.*
- 2. That Application No. PL2010-084 to rezone a portion of the subject property from Public 1(PU 1) to Comprehensive Development (CD41) be approved subject to the conditions in Schedule No. 1.*
- 3. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.366, 2010" be introduced and read two times.*
- 4. That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.366, 2010" be delegated to Director Bartram or his alternate.*

DEVELOPMENT PERMIT WITH VARIANCE APPLICATIONS

Development Permit with Variances Application No. 2010-125 – Summit Signs – 587 Alberni Highway – Area ‘G’. (Electoral Area Directors except EA ‘B’ – One Vote)

Delegations wishing to speak to Development Permit with Variance Application No. 2010-125. (maximum speaking time 5 minutes)

That Development Permit with Variances Application No. PL2010-125 to permit the construction of a freestanding sign be denied.

OTHER

Bylaw No. 1432.01 – Amends the Development Approval Procedures & Notification Bylaw. (Electoral Area Directors except EA ‘B’ – One Vote)

That “Regional District of Nanaimo Development Approval Procedures and Notification Amendment Bylaw No. 1432.01, 2010” be introduced and read three times.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

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

36 - 39 Minutes of the District 69 Recreation Commission meeting held November 18, 2010. (for information)

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

40 - 48 Minutes of the Electoral Area ‘A’ Parks, Recreation and Culture Commission meeting held November 17, 2010. (for information)

- 1. That the Cedar Community Hall Association funding request be referred back to staff for clarification on the concerns raised by the Commission.*
- 2. That the Cedar Scouts Grant-In-Aid application for camping equipment in the amount of \$1,625 be approved.*
- 3. That Commissioner Rangno’s resignation be received.*
- 4. That staff investigate the development of either a certificate or letter of appreciation for retiring Electoral Area ‘A’ Parks, Recreation and Culture Commission members*

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

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

49 - 50 Minutes of the East Wellington/Pleasant Valley Parks and Open Space Advisory Committee meeting held November 8, 2010. (for information)

Electoral Area ‘B’ Parks and Open Space Advisory Committee. (All Directors – One Vote)

51 - 52 Minutes of the Electoral Area ‘B’ Parks and Open Space Advisory Committee meeting held October 7, 2010. (for information)

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

53 - 62 Minutes of the Drinking Water Watershed Protection Advisory Committee meeting held September 21, 2010 and November 23, 2010. (for information)

That the Drinking Water Watershed Protection Advisory Committee terms of reference be amended to include a representative from the Ministry of Transportation and Infrastructure.

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

63 - 65 Minutes of the Regional Liquid Waste Advisory Committee meeting held October 7, 2010. (for information)

Sustainability Select Committee. (All Directors – One Vote)

66 - 71 Minutes of the Sustainability Select Committee meeting held November 17, 2010. (for information)

1. That the correspondence regarding the Green Building Leaders Program be endorsed by the Board, signed by the Board Chair, and forwarded to the Green Building Leaders program coordinator for delivery to the Province.

2. That the letter also be forwarded to the AVICC and UBCM.

8. ADMINISTRATOR’S REPORTS

72 - 73 Municipal Finance Authority. (All Directors – One Vote)

74 - 84 2010 Departmental Accomplishments & Activities. (All Directors – One Vote)

85 - 86 2011 Meeting Schedule. (All Directors – One Vote)

87 - 91 Bylaws No. 1612, 1613 & 1614 – Establishes Reserve Funds for Nanaimo River Fire Protection Service, Fairwinds Streetlighting Service and Morningstar Streetlighting Service. (All Directors – One Vote; All Directors – 2/3)

92 - 94 Bylaw 1385.08 – Expands Cost Recovery Options for the Bow Horn Bay Fire Protection Service. (All Directors – One Vote)

- 95 - 101 Bylaw No. 500.364 to Support Zoning Amendment Application No. 2010-031 – Peter Mason Land Surveying – 1120 Keith Road – Area ‘H’. (Electoral Area Directors except EA ‘B’ – One Vote)
- 102 - 108 District 68 Animal Control Service – Renewal of Agreement with Coastal Animal Control Services of BC Ltd. (All Directors – Weighted Vote)
- 109 - 139 Whiskey Creek Water Service – Approval of Agreements to Acquire System and Adoption of Bylaws No. 1605 & 1606. (All Directors – Weighted Vote; All Directors – One Vote)

9. ADDENDUM

10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

11. NEW BUSINESS

12. BOARD INFORMATION (Separate enclosure on blue paper)

13. ADJOURNMENT

14. IN CAMERA

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

December 7, 2010

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

Dear Sir/Madam:

**2011 Council Appointments to Board of Directors
File No: 0400-50**

At the regular meeting of Council held December 6, 2010, Mayor Ed Mayne was appointed as Council's voting representative to the Regional District of Nanaimo Board of Directors for the year 2011. Councillor Chris Burger was appointed as Council's alternate representative.

Mayor Ed Mayne
1820 Amelia Drive
Nanoose Bay BC V9P 9C7

250 954-4661 (office)
E-mail: emayne@parksville.ca

Councillor Chris Burger
128 Moss Avenue
Parksville, BC V9P 1L5

250 240-8255 (cell)
250 954-3649 (home)
E-mail: chrisburger@parksville.ca

Sincerely,



LYNN KITCHEN
Deputy Corporate Administrator

cc: Mayor Ed Mayne
Councillor Burger



TOWN OF QUALICUM BEACH

INCORPORATED 1942

201 - 660 Primrose St.
P.O. Box 130
Qualicum Beach, B.C.
V9K 1S7

Telephone: (250) 752-6921
Fax: (250) 752-1243
E-mail: qbtown@qualicumbeach.com
Website: www.qualicumbeach.com

December 6, 2010

Maureen Pearse, Senior Manager
Corporate Administration
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Maureen Pearse:

Town of Qualicum Beach Appointments to the RDN Board

Further to our phone conversation, I can confirm that Council, at their Inaugural Council meeting held Monday, December 1, 2008 passed the following motion:

THAT Council appoints Mayor Teunis Westbroek as the Municipal Director on the Regional District of Nanaimo Board with the following alternates:

December 2008 - August 2009	Councillor Jack Wilson
September 2009 - May 2010	Councillor Barry Avis
June 2010 - February 2011	Councillor Kent Becker
March 2011 - November 2011	Councillor Mary Brouillette.

Accordingly, Councillor Becker will remain the alternate director until February 28, 2011 and Councillor Brouillette for the period March 2011 to November 2011.

Correspondence for the alternates can be forwarded to the Town's postal address or by e-mail to: Councillor Becker at kbecker@qualicumbeach.com; Councillor Brouillette at mbrouillette@qualicumbeach.com.

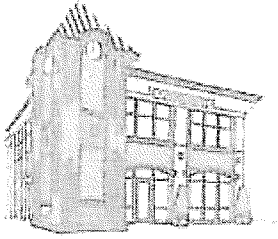
Please contact me at 205.738.2207 if you require any additional information.

Yours truly,

Heather Svensen
Deputy Corporate Administrator

/hs

N:\Letters\10\rdn appointments
File: 6530.01



District of Lantzville

Incorporated June 2003

November 23rd, 2010

Via email: mpearse@rdn.bc.ca

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

CAO'S OFFICE		
CAO	GMR&PS	
GMDS	GMT&SWS	
GMF&IS	GMR&CS	
DEC -1 2010		
SMCA	BOARD	✓
CHAIR	Corres.	

Attention: Maureen Pearse, Senior Manager, Corporate Administration

Dear Ms. Pearse

Re: Appointment of Municipal Director & Alternate Municipal Director

Please be advised that Council, at its Regular Meeting held Monday, November 22nd, 2010, re-appointed Mayor Colin Haime as Municipal Director and Councillor Brian Dempsey as Alternate Municipal Director to the Regional District of Nanaimo Board for the 2011 term ending December 14th, 2011.

We trust this is the information you require.

Yours truly

Donna Smith
Deputy Director of Corporate Administration
District of Lantzville

File: 0470-20-RDN
G: Corr/10/rdn.pearse.boardappointments.11
C: T. Graff, Chief Administrative Officer

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, NOVEMBER 23, 2010 AT 7:02 PM
IN THE RDN BOARD CHAMBERS**

Present:

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

Also in Attendance:

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

CALL TO ORDER

The Chairperson welcomed Alternate Directors Pinker, Burger, Dempsey, Unger and Pattje to the meeting.

BOARD MINUTES

MOVED Director Sherry, SECONDED Director Westbroek, that the minutes of the regular Board meeting held October 26, 2010 and the Special Board meeting held November 9, 2010 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Rick Jackson, Gabriola Volunteer Fire Department, re RDN Support for Secondary Access to Whalebone Subdivision.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Rick Jackson, Gabriola Volunteer Fire Department be received.

CARRIED

Dave & Sharon Anderson, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Dave and Sharon Anderson be received.

CARRIED

Donna Doucett, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Donna Doucett be received.

CARRIED

Nigel Gray & Cara MacDonald, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Nigel Gray and Cara MacDonald be received.

CARRIED

Bill Kelsall, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Bill Kelsall be received.

CARRIED

Wendy & William Malainey, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Wendy and William Malainey be received.

CARRIED

Harley Monts, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Harley Monts be received.

CARRIED

B. F. Nickel, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from B.F. Nickel be received.

CARRIED

Linda Stubbins, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Linda Stubbins be received.

CARRIED

Petition, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the petition from the French Creek Residents Association be received.

CARRIED

Linda Albert, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Linda Albert be received.

CARRIED

Robert Bate, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Robert Bate be received.

CARRIED

Paul Dabbs, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Paul Dabbs be received.

CARRIED

Jose, Karen & Charlie DeBorba, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Jose, Karen and Charlie DeBorba be received.

CARRIED

Mark & Diane Flinta, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Mark and Diane be received.

CARRIED

Darren Gaudreault, Island Dream Builders Inc. re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Darren Gaudreault of Island Dream Builders Inc. be received.

CARRIED

Clarke Gourlay, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Clarke Gourlay be received.

CARRIED

Han Heringa, Lost Lake Properties Ltd. re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Han Heringa, Lost Lake Properties Ltd. be received.

CARRIED

Greg Higgins, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Greg Higgins be received.

CARRIED

Michael Hill, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Michael Hill be received.

CARRIED

Robert Hill, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Robert Hill be received.

CARRIED

Don Hunter, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Don Hunter be received.

CARRIED

Michael Jessen, French Creek Residents' Association re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Michael Jessen be received.

CARRIED

Jim Kennedy, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Jim Kennedy be received.

CARRIED

Anne Knutson, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Anne Knutson be received.

CARRIED

Ken Knutson, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Ken Knutson be received.

CARRIED

Greg Matajic, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Greg Matajic be received.

CARRIED

P. Matajic, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from P. Matajic be received.

CARRIED

**Glenn McCurrie, re Development Permit with Variances Application No. PL2010-102 – Sims – 664
Johnstone Road – Area ‘G’**

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Glenn McCurrie be received.

CARRIED

**Mike Meade, re Development Permit with Variances Application No. PL2010-102 – Sims – 664
Johnstone Road – Area ‘G’**

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Mike Meade be received.

CARRIED

**Ray Nelson, re Development Permit with Variances Application No. PL2010-102 – Sims – 664
Johnstone Road – Area ‘G’**

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Ray Nelson be received.

CARRIED

**Gary Palak, re Development Permit with Variances Application No. PL2010-102 – Sims – 664
Johnstone Road – Area ‘G’**

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Gary Palak be received.

CARRIED

**John Purves, re Development Permit with Variances Application No. PL2010-102 – Sims – 664
Johnstone Road – Area ‘G’**

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from John Purves be received.

CARRIED

**M. Rudnisky, re Development Permit with Variances Application No. PL2010-102 – Sims – 664
Johnstone Road – Area ‘G’**

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from M. Rudnisky be received.

CARRIED

**Denise & David Sakai, re Development Permit with Variances Application No. PL2010-102 – Sims
– 664 Johnstone Road – Area ‘G’**

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Denise and David Sakai be received.

CARRIED

Chris Sturlis, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Chris Sturlis be received.

CARRIED

Trudi Sturlis, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Trudie Sturlis be received.

CARRIED

Steve Vogel, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Steve Vogel be received.

CARRIED

Anne & Ian Ward, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Anne and Ian Ward be received.

CARRIED

D. & M. Banting, Development Permit with Variances Application No. PL2010-175 – Allen – 2628 Andover Road - Area ‘E’.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from D. and M. Banting be received.

CARRIED

Anne & Peter Milne, Development Permit with Variances Application No. PL2010-175 – Allen – 2628 Andover Road - Area ‘E’.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Anne and Peter Milne be received.

CARRIED

Dave & Nancy Patterson, Development Permit with Variances Application No. PL2010-175 – Allen – 2628 Andover Road - Area ‘E’.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Dave and Nancy Patterson be received.

CARRIED

Nancy Patterson, Hollies Strata Association re Development Permit with Variances Application No. PL2010-175 – Allen – 2628 Andover Road - Area ‘E’.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Nancy Patterson of Hollies Strata Association be received.

CARRIED

Jackie & Gordon Roberts, Development Permit with Variances Application No. PL2010-175 – Allen – 2628 Andover Road - Area ‘E’.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Jackie and Gordon Roberts be received.

CARRIED

Ron & Linda Windrim, Development Permit with Variances Application No. PL2010-175 – Allen – 2628 Andover Road - Area ‘E’.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Ron and Linda Windrim be received.

CARRIED

Beryl & Derek Bonner, re Development Variance Permit Application No. PL2010-192 – Fern Road Consulting Ltd. – Shetland Place – Area ‘E’.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Beryl and Derek Bonner be received.

CARRIED

Karen & Robert Gillan, re Development Variance Permit Application No. PL2010-192 – Fern Road Consulting Ltd. – Shetland Place – Area ‘E’.

MOVED Director Johnstone, SECONDED Director Ruttan, that the correspondence from Karen and Robert Gillan be received.

CARRIED

BYLAWS

For Adoption.

Bylaw No. 500.358.

MOVED Director Burnett, SECONDED Director Holme, that “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.358, 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 the minutes of the Electoral Area Planning Committee meeting held November 9, 2010 be received for information.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Ed Annau, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Ed Annau be received.

CARRIED

Jack & Margery Biickert, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Jack and Margery Biickert be received.

CARRIED

Cliff & Nell Bowles, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Cliff and Nell Bowles be received.

CARRIED

John Carey, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from John Carey be received.

CARRIED

Kathleen Claxton, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Kathleen Claxton be received.

CARRIED

Ken Congpow, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Ken Congpow be received.

CARRIED

Ken Derham, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Ken Derham be received.

CARRIED

Terry Gay, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Terry Gay be received.

CARRIED

Anna Grieve, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Anna Grieve be received.

CARRIED

Brian Hale, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Brian Hale be received.

CARRIED

Tracey Hale, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Tracey Hale be received.

CARRIED

Mark Hanna, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Mark Hanna be received.

CARRIED

Dan Harford, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Dan Harford be received.

CARRIED

Elizabeth Harford, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Elizabeth Harford be received.

CARRIED

**Alfred Heringa, re Development Permit with Variances Application No. PL2010-102 – Sims – 664
Johnstone Road – Area ‘G’.**

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Alfred Heringa be received.

CARRIED

**Troy Heringa, re Development Permit with Variances Application No. PL2010-102 – Sims – 664
Johnstone Road – Area ‘G’.**

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Troy Heringa be received.

CARRIED

**J. E. Hoeljcher, re Development Permit with Variances Application No. PL2010-102 – Sims – 664
Johnstone Road – Area ‘G’.**

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from J.E. Hoeljcher be received.

CARRIED

**Catherine Howes, re Development Permit with Variances Application No. PL2010-102 – Sims – 664
Johnstone Road – Area ‘G’.**

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Catherine Howes be received.

CARRIED

**Randy Jenkins, re Development Permit with Variances Application No. PL2010-102 – Sims – 664
Johnstone Road – Area ‘G’.**

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Randy Jenkins be received.

CARRIED

**Bill Kerr, re Development Permit with Variances Application No. PL2010-102 – Sims – 664
Johnstone Road – Area ‘G’.**

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Bill Kerr be received.

CARRIED

**Jeannie Lundine, re Development Permit with Variances Application No. PL2010-102 – Sims – 664
Johnstone Road – Area ‘G’.**

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Jeannie Lundine be received.

CARRIED

Jim Lundine, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Jim Lundine be received.

CARRIED

Art McCann, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Art McCann be received.

CARRIED

Andrew Medd, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Andrew Medd be received.

CARRIED

John Medd, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from John Medd be received.

CARRIED

Francesca Michaluk, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Francesca Michaluk be received.

CARRIED

John Moore, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from John Moore be received.

CARRIED

Janice O’Reilly, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Janice O’Reilly be received.

CARRIED

Ken Reynolds, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Ken Reynolds be received.

CARRIED

Lucille Reynolds, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Lucille Reynolds be received.

CARRIED

Ellen & Jim Rothwell, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Ellen and Jim Rothwell be received.

CARRIED

Hulda Sauder, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Hulda Sauder be received.

CARRIED

Brite & Kris Sorensen, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Brite and Kris Sorensen be received.

CARRIED

Lawrence & Patricia Stahley, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Lawrence and Patricia Stahley be received.

CARRIED

Paul Turner, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Paul Turner be received.

CARRIED

David Wallace, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from David Wallace be received.

CARRIED

Lynda Whittaker, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Lynda Whittaker be received.

CARRIED

Steve Wilson, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Steve Wilson be received.

CARRIED

Irene & Joan World, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Irene and Joan World be received.

CARRIED

Michael Yarn, re Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Ruttan, that the correspondence from Michael Yarn be received

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Bylaw No. 500.364 to Support Zoning Amendment Application No. 2010-031 – Peter Mason Land Surveying – 1120 Keith Road – Area ‘H’.

MOVED Director Bartram, SECONDED Director Holme, that Zoning Amendment Application No ZA PL2010-031 be referred back to staff to discuss with the proponent.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. PL2010-201 with Frontage Relaxation – JE Anderson & Associates – 3175 & 3185 Farrar Road – Area ‘A’.

MOVED Director Burnett, SECONDED Director Bartram, that Development Permit Application No. PL2010-201, in conjunction with a two lot subdivision be approved subject to the conditions outlined in Schedule No. 1.

CARRIED

MOVED Director Burnett, SECONDED Director Bartram, that the request to relax the minimum 10% perimeter frontage requirement for proposed Lot B be approved.

CARRIED

DEVELOPMENT PERMIT WITH VARIANCE APPLICATIONS

Development Permit with Variances Application No. PL2010-102 – Sims – 664 Johnstone Road – Area ‘G’.

Ms. Chase, French Creek Residents’ Association, spoke in opposition of the application.

Ms. Sims, applicant, spoke in support of the application.

MOVED Director Bartram, SECONDED Director Holme, that Development Permit with Variances Application No. PL2010-102 to recognize the siting of an existing storage shed and to vary the parcel averaging provisions in conjunction with a three lot subdivision be approved subject to the conditions outlined in Schedules No. 1 - 2.

CARRIED

Development Permit with Variances Application No. PL2010-175 – Allen – 2628 Andover Road - Area ‘E’.

Mr. Milne spoke in opposition of the application.

Mr. Fletcher, agent for applicant, spoke in support of application.

MOVED Director Holme, SECONDED Director Bartram, that Development Permit with Variances Application No. PL2010-175 be approved subject to the conditions outlined in Schedules No. 1- 4.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. PL2010-182 – Belveal – 475 MacKenzie Road – Area ‘H’.

MOVED Director Bartram, SECONDED Director Burnett, that Development Variance Permit Application No. PL2010-182 to legalize the siting of an existing dwelling unit with a variance to the setback be approved subject to the conditions outlined in Schedules No. 1- 3.

CARRIED

Development Variance Permit Application No. PL2010-192 – Fern Road Consulting Ltd. – Shetland Place – Area ‘E’.

MOVED Director Holme, SECONDED Director Pinker, that Development Variance Permit Application No. PL2010-192, be approved subject to the conditions outlined in Schedules No. 1 - 3.

CARRIED

Development Variance Permit Application No. PL2010-193 – Fern Road Consulting Ltd - 3816 Island Highway West - Area ‘G’.

MOVED Director Bartram, SECONDED Director Holme, that Development Variance Permit Application No. PL2010-193 to permit the construction of a dwelling unit with a variance to the setback be approved subject to the conditions outlined in Schedules No. 1- 3.

CARRIED

Development Variance Permit Application No. PL2010-200 – Telford – 2358 & 2364 Pylades Drive - Area ‘A’.

MOVED Director Burnett, SECONDED Director Pinker, that Development Variance Permit Application No. PL2010-200 to vary the maximum permitted accessory building height in order permit the conversion of an existing dwelling unit to an accessory building be approved subject to the conditions outlined in Schedules No. 1- 3.

CARRIED

OTHER

Consideration of Park Land Dedication and/or Cash-in-Lieu of Park Land on Subdivision Application No. PL2009-154 – Fern Road Consulting Ltd. – 1031 Lowry’s Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Holme, that the request to pay 5% cash-in-lieu of park land in conjunction with Subdivision Application No. PL2009-154 be accepted.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that the monetary contribution of \$8,000.00 to the Electoral Area ‘G’ Parks Fund be accepted concurrently with the cash-in-lieu of park land payment.

CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

MOVED Director Johnstone, SECONDED Director Westbrook, that the minutes of the Committee of the Whole meeting held November 9, 2010 be received for information.

CARRIED

FINANCE AND INFORMATION SERVICES

FINANCE

Operating Results for the Period Ending September 30, 2010.

MOVED Director Westbrook, SECONDED Director Burger, that the summary report of financial results from operations to September 30, 2010 be received for information.

CARRIED

Resolution to Close Unused Borrowing Authorities Established Under Bylaws No. 1313, 1365, 1392, 1476, 1480 & 1486.

MOVED Director Holdom, SECONDED Director Westbroek, that the Municipal Finance Authority be advised that the following loan authorizations may be permanently closed:

Bylaw 1313/1365 District 69 Arena
Bylaw 1486/1392 Barclay Crescent Sewer
Bylaw 1480/1476 Regional Parks & Trail

CARRIED

DEVELOPMENT SERVICES

BUILDING & BYLAW

Property Maintenance Contravention Update – 225 DeCourcy Drive – Area ‘B’.

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

CARRIED

Property Maintenance Contravention Update – 2307 Gould Road West – Area ‘A’.

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

CARRIED

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER

Northern Community Sewer Service – Award of Centrifuge Tender & Release of DCC Funds for Dewatering Upgrade Project.

MOVED Director Holme, SECONDED Director Johnstone, that Maple Reinders Inc. be awarded a contract for the centrifuge installation for the tendered price of \$174,000.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that Northern Community Development Cost Charge funds in the amount of \$715,430 be approved as a source of funds for the French Creek Pollution Control Centre Dewatering upgrade project.

CARRIED

WATER

San Pareil Water Service - Infrastructure Improvements.

MOVED Director Holme, SECONDED Director Holdom, that the Board approve the review and confirmation of the pre-design estimates and direct staff, if the review is favourable, to proceed with the development of a petition to establish borrowing authority for the works and costs of improvements to the San Pareil Water Service Area.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

District 69 Recreation Commission.

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

CARRIED

District 69 Youth Grants

MOVED Director Bartram, SECONDED Director Westbroek, that the following Youth Grants be approved:

Community Group	Amount Recommended
Arrowsmith Community Enhancement Society (musical instruments)	\$ 2,500
Associated Family & Community Support Services (Ballenas Girls' Group)	\$ 1,080
Bard to Broadway (Oceanside Show Choir)	\$ 1,585
Family Resource Assn. - District 69 (youth floor hockey program)	\$ 2,500
Oceanside Kidfest Society (youth activity)	\$ 1,750
Oceanside Minor Baseball (pitching screens)	\$ 2,117
Ravensong Aquatic Club (pool rental)	\$ 4,500
Rough Diamonds Creative Arts Society (film editing software and sound equipment)	\$ 800

CARRIED

District 69 Recreation Grants

MOVED Director Bartram, SECONDED Director Westbroek, that the following Community Grants be approved:

Community Group	Amount Recommended
Oceanside Building Learning Together (Dad's Night Skating)	\$ 475
Parksville & District Musical Association (Striking a Chord public music program)	\$ 1,450
Qualicum Bay Lions (garbage can for ball field)	\$ 600

CARRIED

MOVED Director Bartram, SECONDED Director Westbroek, that the Healthy Choices Philosophy and Guiding Principles and implementation chart be approved for implementation by the Recreation and Parks Department as of October 21, 2010.

CARRIED

MOVED Director Bartram, SECONDED Director Westbroek, that the Youth Recreation Strategic Plan be adopted as a guiding document for implementation in 2011-2016 with impacts to the budget being presented each year during the annual budget process.

CARRIED

MOVED Director Bartram, SECONDED Director Westbroek, that correspondence from S. Stahley, Arrowsmith Community Enhancement Society, re: ACES/RDN Contract Renewal Review Arrowsmith Community Activity Coordinator (ACAC) Position and Function be referred back to staff to investigate the five proposals stated in the letter, the budget impact of the proposals, the philosophy and how the proposals would fit with current programming.

CARRIED

Nanoose Bay Parks and Open Space Advisory Committee.

MOVED Director Holme, SECONDED Director Ruttan, that the minutes of the Nanoose Bay Parks and Open Space Advisory Committee meeting held October 4, 2010 be received for information.

CARRIED

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

MOVED Director Biggemann, SECONDED Director Ruttan, that the minutes of the Electoral Area 'F' Parks and Open Space Advisory Committee meeting held October 18, 2010 be received for information.

CARRIED

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

MOVED Director Bartram, SECONDED Director Holdom, that the minutes of the Electoral Area 'G' Parks and Open Space Advisory Committee meeting held October 4, 2010 be received for information.

CARRIED

Regional Parks & Trails Advisory Committee.

MOVED Director Westbroek, SECONDED Director Bartram, that the minutes of the Regional Parks & Trails Advisory Committee meeting held October 5, 2010 be received for information.

CARRIED

District 69 Community Justice Select Committee.

MOVED Director Westbroek, SECONDED Director Bartram, that the minutes of the District 69 Community Justice Select Committee meeting held October 27, 2010 be received for information.

CARRIED

MOVED Director Westbroek, SECONDED Director Bartram, that the 2011 requisition for funding to support the Oceanside Victim Services and Restorative Justice Programs remain the same as in 2010 (\$77,500).

CARRIED

MOVED Director Westbroek, SECONDED Director Bartram, that a 2011 grant in the amount of \$8,328 for the Citizens on Patrol Society, District 69, be approved.

CARRIED

BOARD INFORMATION

RCMP Police Costs and Accountability.

MOVED Director Westbroek, SECONDED Director Bartram, that correspondence be sent to the local Member of Parliament, Federal Minister of Public Safety, Honourable Vic Toews, and the Federal President of Treasury Board, Honourable Stockwell Day, regarding local government concerns for the need for financial accountability and the need to develop an effective partnership in the development of police services.

CARRIED

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Transit Select Committee.

MOVED Director Holdom, SECONDED Director Dempsey, that the minutes of the Transit Select Committee meeting held November 2, 2010 be received for information.

CARRIED

MOVED Director Holdom, SECONDED Director Westbroek, that fares be left unchanged for another year and that staff be requested to bring back another report outlining options and the impact on tax requisitions.

CARRIED

ADMINISTRATOR'S REPORTS

Proposed 2011 Budget.

The General Manager of Finance and Information Services provided a brief overview of the 2011 Financial Plan.

MOVED Director Holdom, SECONDED Director Rudischer, that the proposed 2011 budget be received and be forwarded to a Special Committee of the Whole on January 18, 2011 for further review.

CARRIED

Proposed Schedule to Approve 2011 – 2015 Financial Plan.

MOVED Director Johnstone, SECONDED Director Burnett, that the following schedule for the review and adoption of the 2011 to 2015 financial plan be approved:

January 25, 2011	Presentation of 2011 to 2015 financial plan
February 16, 2011	Publication of budget edition of Regional Perspectives
March 8, 2011	Introduce bylaw to adopt 2011 to 2015 financial plan
March 22, 2011	Adopt financial plan bylaw

CARRIED

Bylaw No. 1385.07 – Extends the Boundary of the Bow Horn Bay Fire Protection Service to Include an Area 'H' Property - 2700 Marshland Road.

MOVED Director Bartram, SECONDED Director Holme, that "Bow Horn Bay Fire Protection Service Amendment Bylaw No. 1385.07, 2010" be introduced and read three times.

CARRIED

Northern & Southern Community Recreation Services - 2010 Facilities & Sportsfields Service Agreements.

MOVED Director Pinker, SECONDED Director Burnett, that the Regional District Board authorize a renewal of the District 68 Recreation Facility and Sports Field Agreement, attached as Appendix B, for a fifteen year term commencing January 1, 2011 and expiring December 31, 2025, with cost sharing based on the average of the last three surveys conducted.

CARRIED

MOVED Director Westbrook, SECONDED Director Holdom, that the Regional District Board authorize a renewal of the District 69 Sports Field Services Agreement, attached as Appendix C, for a fifteen year term commencing January 1, 2011 and expiring December 31, 2025, with cost sharing based on the average of the last three surveys conducted.

CARRIED

Northern & Southern Community Recreation Services – Extension Agreement for Service Delivery in Electoral Areas ‘B’ & ‘F’.

MOVED Director Rudischer, SECONDED Director Holdom, that the extension agreement between the Regional District of Nanaimo and the Gabriola Recreation Society expiring on May 31, 2011, be approved.

CARRIED

MOVED Director Biggemann, SECONDED Director Ruttan, that the extension agreement between the Regional District of Nanaimo and the Arrowsmith Community Enhancement Society expiring on May 31, 2011, be approved.

CARRIED

Area ‘A’ Community Parks Service - Towns for Tomorrow Grant Application Re Cedar Skate & Bike Park.

MOVED Director Burnett, SECONDED Director Johnstone, that the Regional District of Nanaimo Board approve the application to the Towns for Tomorrow Program for grant funding in order to proceed with the development and construction of a skate / bike park in Electoral Area A.

CARRIED

Nanoose Bay Bulk Water Service – Proposed Treatment Plant.

MOVED Director Holme, SECONDED Director Unger, that the Board direct staff to proceed with tendering the Nanoose Bay Peninsula Bulk Water Service Area Water Treatment Facility.

CARRIED

Bow Horn Bay Fire Protection Service – Revised Request From BC Ambulance Service to Erect Temporary Vehicle Shelter.

MOVED Director Bartram, SECONDED Director Bestwick, that the request by the BC Ambulance Service to erect a temporary vehicle shelter at the site of the Bow Horn Bay Fire Department, for the 2010/2011 winter/spring season be approved subject to the removal and replacement of the shelter with a permanent structure on or before June 30, 2011.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Rick Jackson, Gabriola Volunteer Fire Department, re RDN Support for Secondary Access to Whalebone Subdivision.

MOVED Director Rudischer, SECONDED Director Bartram, that staff be directed to organize a meeting with the significant authorities having jurisdiction over land use and roads on Gabriola (including the RDN, MOTI, Islands Trust) to discuss the concerns that have been raised and to investigate long term solutions to safety and emergency access on Gabriola Island.

CARRIED

NEW BUSINESS

Director Westbrook requested that the Board consider changing the Committee of the Whole meeting time to 2 p.m.

BOARD INFORMATION

Ministry of Community, Sport and Community Development, re New Initiative to Streamline Regional District Land Use Decisions.

MOVED Director Burnett, SECONDED Director Ruttan, that staff prepare a report with respect to the Ministry of Community, Sport and Community Development's pilot project to waive the requirement for ministerial approval of most Official Community Plans (OCP) and land use regulatory bylaws for two years.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 8:29 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION



SCHOOL DISTRICT 68 (NANAIMO-LADYSMITH)

Today's Learner – Tomorrow's Future

395 Wakesiah Avenue
Nanaimo, BC V9R 3K6
Telephone (250) 741-5240
Fax (250) 741-5309

CAO'S OFFICE			
CAO	<input checked="" type="checkbox"/>	GMR&PS	<input type="checkbox"/>
GMDS	<input type="checkbox"/>	GMT&SWS	<input type="checkbox"/>
GME&IS	<input checked="" type="checkbox"/>	GMR&CS	<input checked="" type="checkbox"/>
NOV 16 2010			
SMCA	<input type="checkbox"/>	BOARD	<input checked="" type="checkbox"/>
CHAIR	<input checked="" type="checkbox"/>	<i>Gregg</i>	<input type="checkbox"/>
<i>CAO</i>			

November 10, 2010

J. Stanhope, Chair
Nanaimo Regional District
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Mr. Stanhope:

At the Public Board meeting held on September 29, 2010 the Board of Education unanimously passed the following resolution

That the Board of Education of School District 68 (Nanaimo-Ladysmith) write to the Regional District, copy the Department of Highways and request that the upgrade and improvement project should include safe walkways and improve the walkway lighting.

The motion was made in relation to the highways recent resurfacing project that took place in Cedar this past summer. It is the Board's desire for the Regional District to install sidewalks, marked and electronic crosswalks and improved lighting as concluding elements of the recent project. The Board is very cognizant of the dangers the road systems near our schools in Cedar present and, not having the resources nor the responsibility for improving these systems ourselves, we must rely on the Regional District to work with the Department of Highways to see that necessary improvements take place.

To better ensure the safety of our students the Board would be interested in seeing the following improvements made in the area: (1) the provision of 1.5 meter sidewalks from MacMillan Road to Gould Road; (2) the installation of marked and electronic crosswalks on MacMillan, Furn, Woodbank and Gould roads; and, (3) improvements to the street lighting from MacMillan to Gould roads.

The Board would welcome the opportunity to further discuss this request at a mutually agreeable time and is therefore requesting this matter be include on the agenda of future meetings between our two organizations

Sincerely,

Donna Allen
Board Chair

Minister of Transportation
M. Munro, Superintendent of Schools
P. Sabo, Director of Facilities
Trustees

Office of the Chair

600 Comox Road, Courtenay, BC V9N 3P6
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Toll free: 1-800-331-6007
www.comoxvalleyrd.ca



Comox Valley
REGIONAL DISTRICT

CAO'S OFFICE			
CAO	✓	GMR&PS	
GMDS	✓	GMT&SWS	
GMF&IS		GMR&CS	
DEC - 1 2010			
SMCA		BOARD	✓
CHAIR	✓	Corres.	

File: 6410-20/CV

December 1, 2010

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

Sent via email: corpsrv@rdn.bc.ca

Dear Chair and Directors:

Re: Comox Valley Regional District Regional Growth Strategy Bylaw 120, 2010

On behalf of the Comox Valley Regional District, I would like to thank you for your letter dated November 18, 2010 and thank your board and staff members for considering the referral of our regional growth strategy bylaw in a timely manner.

I would like to take this opportunity to provide you with an update on the Comox Valley regional growth strategy.

The results of the referral process are as follows:

- Each of the four adjacent regional district boards has provided resolutions which accept the bylaw in its current form;
- The councils of Cumberland, Courtenay and Comox have each provided non-acceptance resolutions and have identified specific items that they wish to be amended in order to gain acceptance.

This matter was considered at a special board meeting held November 30, 2010 and the Comox Valley Regional District will now notify the minister of the non-acceptance of the bylaw and will further request that the minister direct the bylaw to a non-binding resolution process to be started during the week of December 13, 2010 and be completed by January 25, 2011.

If changes to the regional growth strategy are proposed as a result of this non-binding resolution process, the regional growth strategy will be submitted again to your regional district for acceptance in accordance with section 857 of the *Local Government Act*.

If you have any questions or if you require additional information, please contact Geoff Garbutt, executive manager of strategic and long range planning at 250-334-6077 or via email at ggarbutt@comoxvalleyrd.ca.

Sincerely,

G. Phelps

Gregory T. Phelps
Chair

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE SPECIAL ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, NOVEMBER 23, 2010 AT 6:30 PM
IN THE RDN BOARD CHAMBERS**

Present:

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

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Sr. Mgr., Corporate Administration
D. Lindsay	A/C Gen. Mgr., Development Services
N. Hewitt	Recording Secretary

CALL TO ORDER

The Chairperson welcomed Alternate Director Pinker to the meeting.

DELEGATIONS

Steve Atkinson, re Bylaw No. 500.365 to Support Zoning Amendment Application No. 2010-179 – Atkinson – 2913 Jameson Road – Area ‘C’.

Mr. Atkinson spoke in support of this application.

PLANNING

AMENDMENT APPLICATIONS

Bylaw No. 500.365 to Support Zoning Amendment Application No. 2010-179 – Atkinson – 2913 Jameson Road – Area ‘C’.

MOVED Director Pinker, SECONDED Director Holme, that Zoning Amendment Application No. PL2010-179 to rezone the subject property from Subdivision District ‘D’ to Subdivision District ‘F’ be approved excluding the conditions set out in Schedule No. 1.

CARRIED

MOVED Director Pinker, SECONDED Director Holme, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.365, 2010" be introduced and read two times.

CARRIED

MOVED Director Pinker, SECONDED Director Holme, that the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.365, 2010" be delegated to Director Young or her alternate

CARRIED

Bylaw No. 500.366 to Support Zoning Amendment Application No. 2010-084 & Development Permit Application No. 2010-214 – BC Housing – 280 Lions Way – Area ‘H’.

MOVED Director Stanhope, SECONDED Director Holme, that the Summary of the public information meeting held on November 18, 2010 be received.

CARRIED

MOVED Director Stanhope, SECONDED Director Holme, that Application No. PL2010-084 to rezone a portion of the subject property from Public 1(PU 1) to Comprehensive Development (CD41) be approved subject to the conditions in Schedule No. 1.

CARRIED

MOVED Director Stanhope, SECONDED Director Holme, that Application No. PL2010-214 for a development permit in relation to the proposed rezoning for the subject property be approved subject to the conditions included in Schedule No. 2.

CARRIED

MOVED Director Stanhope, SECONDED Director Holme, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.366, 2010" be introduced and read two times.

CARRIED

MOVED Director Stanhope, SECONDED Director Holme, that the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.366, 2010" be delegated to Director Bartram or his alternate.

CARRIED

DEVELOPMENT PERMIT WITH VARIANCE APPLICATIONS

Development Permit with Variances Application No. 2010-125 – Summit Signs – 587 Alberni Highway – Area ‘G’.

MOVED Director Stanhope, SECONDED Director Burnett, that Development Permit with Variances Application No. PL2010-125 to permit the construction of a freestanding sign be denied.

CARRIED

OTHER

Bylaw No. 1432.01 – Amends the Development Approval Procedures & Notification Bylaw.

MOVED Director Holme, SECONDED Director Stanhope, that “Regional District of Nanaimo Development Approval Procedures and Notification Amendment Bylaw No. 1432.01, 2010” be introduced and read three times.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 6:46 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE DISTRICT 69 RECREATION COMMISSION REGULAR
MEETING HELD ON THURSDAY, NOVEMBER 18, 2010
AT OCEANSIDE PLACE
2:00PM**

Attendance: Frank Van Eynde, Electoral Area 'E' Chair
Dave Bartram, Director, RDN Board
Michael Procter, Electoral Area 'H'
Reg Nosworthy, Electoral Area 'F'
Eve Flynn, School District #69
Jack Wilson, Councillor, Town of Qualicum Beach

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

Regrets: Teresa Patterson, Councillor, City of Parksville

CALL TO ORDER

Chair Van Eynde called the meeting to order at 2:04pm.

MINUTES

Commissioner Nosworthy noted under the heading Commissioner Roundtable the third bullet should read "...*was renamed as the Coombs Community Organization (CCO)*....".

MOVED Commissioner Bartram, SECONDED Commissioner Procter, that the Minutes of the District 69 Recreation Commission meeting held October 21, 2010, be approved as amended.

CARRIED

COMMUNICATION/CORRESPONDENCE

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

- Dean Banman, RDN, to Qualicum and District Curling Club, re: Financial Support Request Denied
- Karyn Doerksen, Oceanside Tourism, re: Sport Tourism Initiative.

CARRIED

REPORTS

Oceanside Place October Report

Mr. Banman presented a brief overview of the Oceanside Place October Report.

Northern Community Recreation Services and Ravensong Aquatic Centre October Report

Mr. Banman reported plans have been made and he is optimistic that the Aquatic Centre will be ready to open to the public on Monday, December 6, 2010.

The pool has been filled with water and will be brought up to temperature over the next few days. Systems which have been dormant over the construction period, will be turned on and tested and engineers will be on site to start up the air handling units etc. The roof has been completed and the solar panels should be installed shortly. The most significant item remaining is the exterior painting. The contractor requires temperatures in the plus 8 degrees Celsius range to ensure the durability of the painting is not compromised, so other options such as hoarding may be required to complete the work. Mr. Banman stated the items which still need to be completed will not take away from the public's swimming experience and may just require some temporary signage until done.

Mr. Osborne stated all the critical path items, such as the filtration and air handling systems, have been completed, however, the exterior painting is tied in with the completion of the project and the RInC grant, so other options to complete the painting may be required to finish the job. The next hurdle for the project will be the health permit, which is required for occupancy and public use of the facility. It is expected the permit should be issued on or about November 25.

Mr. Osborne noted if the health permit is issued and the date is confirmed with MP Lunney's office and Chair Stanhope, the Official Opening of the Ravensong Aquatic Centre will be held December 10, at 10:30am.

Mr. Osborne reported RInC grant funding approval was received to cover off the additional improvements to the facility in the amount of \$450,000.

Mr. Banman reported formal recall notifications have been forwarded to all staff. He also stated due to the long staff layoff some training which would include life saving simulations for the lifeguarding staff and administrative training for the office staff will take place next week.

Mr. Banman reported Ms. Anne Porteous, the Aquatic Programmer, was recently seconded for two days to work directly with the Red Cross Society of China to find best practices of the Canadian Red Cross with regard to swim lessons in China.

As a past member of the Canadian Red Cross Society Board of Directors and National Coordinator of Water Safety, Commissioner Flynn stated her congratulations to Ms. Porteous on her accolades from the Society with regard to assistance she provided to the delegation from China on behalf of the Society.

MOVED Commissioner Wilson, SECONDED Commissioner Procter, that the Reports be received.

CARRIED

Community Parks and Regional Parks and Trails September/October Report

Mr. Osborne presented a brief verbal update on the Community Parks and Regional Parks and Trails projects for September and October highlighting the following items:

- Staff have forwarded a formal response on the Fairwinds project to the Fairwinds Development group.
- Trail work continues on the Malcolm Property, to reconfirm the location of trails and the development of new trails.
- A development plan is being drafted for the Romain Road Park in Errington.
- A Community Trails Open House will be held November 30 in Electoral Area 'F'.
- Staff have had to deal with some road BMX riders in the Columbia Drive area.
- The two bridges have been installed on the Lighthouse Country Trail and trail work is underway. Parking lots have been established at the Lighthouse Community Centre.
- An audit was recently completed on the Lighthouse Country Trail to ensure it meets the standards of a fully accessible trail.
- The Regional District and The Nature's Trust have submitted a bid for the Camp Moorecroft property.
- Staff are very close to concluding a trail use agreement with the Island Corridor Foundation.
- The Development Cost Charges for Regional Parks Bylaw has been drafted and is under review by the City Managers.
- A meeting was recently held with the Hupacasath First Nation to review the Mt. Arrowsmith Regional Park Management Plan. The management plan should move forward to the Board in January.

Commissioner Bartram stated the work done on the Lighthouse Country Trail is awesome. He also noted the Lighthouse Business Association has requested they be included in the opening event for the trail.

Commissioner Nosworthy thanked staff for the work done on the parking lot on Meadowood Way.

MOVED Commissioner Bartram, SECONDED Commissioner Nosworthy, that the Community Parks and Regional Parks and Trails Report, be received.

CARRIED

COMMISSIONER ROUNDTABLE

Commissioner Bartram inquired if any youth from Bowser were involved in the District 69 Youth Recreation Strategy Review. If so, he thought they may be interested in being involved and involving other youth in the Community to provide the youth perspective in discussions and development of the Henry Morgan Park.

Commissioner Nosworthy highlighted the following items in Electoral Area 'F':

- The new Arrowsmith Community Events Community Calendar may be viewed at - arrowsmithcalendar.com.
- The Coombs Community Organization mandate is to focus on outdoor activities for families and youth, while the Activity Building at the Fairgrounds will host indoor activities.

- A 100th Anniversary Committee has been struck to celebrate the upcoming anniversary of the French Creek Community School and several other buildings in the Community.
- Munchkin Land will be established Coombs.
- Marimba and drum instruction will be provided at Parksville Elementary through an agreement with ACES. The music program has been very successful.

Commissioner Flynn stated, at start up, the school enrollment was, as projected, down 280 some students. She also noted more public consultation sessions will be held regarding the Facilities Review which is due to be completed by 2012.

ADJOURNMENT

MOVED Commissioner Bartram, that the meeting be adjourned, at 2:40pm.

Frank Van Eynde, Chair

REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE ELECTORAL AREA 'A'
PARKS, RECREATION AND CULTURE COMMISSION
REGULAR MEETING HELD WEDNESDAY, NOVEMBER 17, 2010
AT CEDAR SECONDARY SCHOOL, 7:00PM

Attendance: Joe Burnett, Director, RDN Board
Dawn Burnett
Marlies Newton
Chris Pagan
Shannon Wilson
Kerry-Lynn Wilson

Staff: Dan Porteous, Superintendent of Arenas and Southern Recreation Services
Elaine McCulloch, Parks Planner
Marilynn Newsted, Recording Secretary

Regrets: Shelagh Gourlay
Krista Seggie
Ryan Rangno

CALL TO ORDER

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

DELEGATIONS

MOVED Commissioner S. Wilson, SECONDED Commissioner K. Wilson, that the late Delegation Cedar School and Community Enhancement Society, be received.

CARRIED

Cedar School and Community Enhancement Society (CSCES)

Mr. Frank Garnish and Ms. Sharon Thompson addressed the Commission stating under the new proposed Regional District License to Occupy, CSCES would be unable to operate, as they would not be eligible to receive BC Lottery Gaming Funds. Ms. Thompson also noted under the new proposal many of the costs would be accrued to CSCES without many of the benefits, and therefore they request the Regional District review their new proposal using the 2005 Lease Agreement as a starting point and model. Mr. Garnish provided a document outlining some of the key concerns with the proposed agreement.

Chair J. Burnett thanked the delegation for their presentation expressing their concerns would be taken into consideration, and Mr. Porteous added negotiations between CSCES and Regional District staff are ongoing.

MINUTES

MOVED Commissioner D. Burnett, SECONDED Commissioner Newton, that the Minutes of the Electoral Area 'A' Parks, Recreation and Culture Commission meeting held September 15, 2010, be approved.

CARRIED

MOVED Commissioner Newton, SECONDED Commissioner D. Burnett, that the Minutes of the Electoral Area 'A' Parks, Recreation and Culture Commission Grant-In-Aid Sub Committee meeting held November 2, 2010, be approved.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

MOVED Commissioner S. Wilson, SECONDED Commissioner Pagan, that the following Correspondence be received:

- D. Porteous, RDN, to 401721BC Limited, re: Cedar Fire Hall Lease Extension.
- K. St. Cyr and B. Stupich, Cedar School and Community Enhancement Society, re: Grant Complete Report Cedar Fun Zone.
- M. Ryn, Cedar Community Hall, re: Cedar Community Hall Financial Support.
- V. Suddaby, re: Support Cedar Ball Hockey Challenge Proposal Recreation Facility.
- V. Suddaby, Cedar Skate Park Association, re: Request Letter of Support PreLoad Skate Park Site.
- K. Seggie, South Wellington Elementary PAC, re: Grant Complete Report Community Active Living Program.
- B. March, Yellow Point Drama Group, re: Grant Complete Report PA System
- J. Burnett, Electoral Area 'A' Parks, Recreation and Culture Commission, to Cedar Ball Hockey Challenge Association, re: Resurfacing North Cedar Intermediate School Outdoor Sports Courts.
- D. Porteous, RDN, to Cedar Skate Park Association, re: Concerns Outdoor Recreation Facility.
- D. Porteous, RDN, to Cedar Ball Hockey Challenge Association, re: Outdoor Recreation Facility

CARRIED

REPORTS

PARKS

Ms. McCulloch stated the Monthly Update of Community Parks and Regional Parks and Trails Projects for September will be presented at the next Commission meeting.

Cedar Community Hall Association – Funding Request

Ms. McCulloch reviewed the Cedar Community Hall Association's funding request for significant hall repairs including a new floor, exterior painting and an accordion style divider door. Commissioners voiced the following concerns with the funding request:

- How much money does the Regional District have in reserve funds?
- Has the Hall Association submitted financial statements?
- Was a tender process involved and/or were quotes received from reliable sources?
- What fundraising efforts have been done by the Hall Association to assist with the cost of repairs to the facility?
- Is the Cedar Community Hall Association eligible for property tax exemption?
- Is the Cedar Community Hall Association eligible for Provincial or Federal heritage building funding?

The Commission also discussed whether or not some kind of reciprocal arrangement could be developed in relation to the approval of funding that would provide for reduced or free rental rates for Regional District programs and events held at the Community Hall. The Commission agreed to table this discussion until the information requested pertaining to concerns addressed above is received

MOVED Commissioner S. Wilson, SECONDED Commissioner D. Burnett, that the Cedar Community Hall Association funding request be referred back to staff for clarification on the concerns raised by the Commission.

CARRIED

Cedar Estates: Morden Colliery Trail Upgrades and Restoration Update

Ms. McCulloch reported the Morden Colliery Trail plaza, trail re-vegetation and resurfacing work has been completed and the bridge work is almost done. A few items, the street lights, garbage can, and plaza benches are not yet installed and may be bonded by the developer if they are not completed by the time the developer wishes to commence the building phase of the subdivision. The conceptual design and cost estimate of the tipple structure, which is almost finished, will be presented to the Commission for review prior to construction.

Ms. McCulloch stated the developer is working with engineers and the 49th Parallel to install a culvert across the drainage ditch which crosses the 49th Parallel land and also to prepare a Statutory Right of Way for the same.

Ms. McCulloch, noting Chair J. Burnett's comments that the tipple structure was to be covered by the \$40,000 credit received for the sidewalks, stated she would confirm the financial obligation regarding the structure.

Thelma Griffiths Community Park Update

Ms. McCulloch stated six trees have been planted, the small 1987 park sign has been hung and the fence installed at Thelma Griffiths Community Park. The boardwalk, benches, garbage can and the kiosk still need to be installed.

Cedar Skate / Bike Park Update

Ms. McCulloch stated if Board approval is received, staff will submit a Towns for Tomorrow Provincial grant application, which if successful would provide a 75/25 cost sharing grant for the development of the Cedar Skate Park project. The grant deadline is January 14, 2011.

Cassidy Community Park and Playground Options

Ms. McCulloch stated at their October 26 meeting the Regional Board approved a motion that staff meet with School District #68 Administration to discuss land tenure options in order to develop a community park and playground in Cassidy at the original Waterloo School site.

Development Schedule Update

Ms. McCulloch presented the Electoral Area 'A' Park project priority schedule noting most projects have been moved ahead one year due to the possible implication of proceeding with the

Cedar Skate Park project. Ms. McCulloch requested the Commissioners review the current schedule and provide feedback at the next meeting.

Commissioners requested the Active Transportation Plan be available at the next meeting.

Morden Colliery Trail Volunteer Group

Ms. McCulloch stated as there have been extensive plantings done along the Morden Colliery Trail, which will require regular weeding and maintenance over the next two to three years to ensure their survival, the Department will work with a Morden Colliery Trail Volunteer Group to assist Park staff. Advertising for prospective volunteers will coincide with the park opening which will be held in the spring.

Commissioner S. Wilson inquired if it was possible for the new Morden Colliery Trail Volunteer Group to clear the Nelson Road boat ramp trail or provide other trail work. Ms. McCulloch will confirm and report back to the Commission.

RECREATION

Monthly Update Recreation and Culture Services September 2010

Mr. Porteous provided a brief overview of the Recreation and Cultural Services Report for September highlighting the demand for the preschool soccer programs that have been very popular and well received. Staff have been able to provide a number of classes throughout the weekdays and weekends to accommodate the demand, which initially included significant waitlists.

Cedar Heritage Centre

Mr. Porteous stated the Cedar Heritage Centre roof repair has been completed. The main areas of concern have been addressed; however, the building will continue to be monitored for any further leakage and addressed accordingly. Soffit venting has been added to the building to provide better ventilation.

The new exterior lighting fixtures should be installed at the entranceway trellis in the next few weeks.

Mr. Porteous stated lease negotiations are ongoing with CECES and staff are planning to present a report to the Commission in January 2011, for Board approval in February. Mr. Porteous pointed out the current Cedar Fire Hall lease has been extended until the end of February, 2011. Mr. Proctor, owner of the Hall, has indicated he does have a potential client wanting to rent the facility in March; therefore, it is imperative that the lease agreement with CECES be resolved. Staff will further explore the situation at the Fire Hall with the owner.

MOVED Commissioner S. Wilson, SECONDED Commissioner D. Burnett, that the Reports be received.

CARRIED

Grant-In-Aid

MOVED Commissioner D. Burnett, SECONDED Commissioner Newton, that the Cedar Scouts Grant-In-Aid application for camping equipment in the amount of \$1,625 be approved.

CARRIED

Electoral Area 'A' Parks, Recreation and Culture Commission Planning Meeting Update

Mr. Porteous stated a complete Planning Meeting package, once compiled, will be forwarded to Commissioners by email for review and feedback. The information will be reviewed with the Commission at the January 2011, meeting.

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Cedar School and Community Enhancement Society (CSCES) Delegation

Mr. Porteous stated staff had received the concerns outlined by CSCES only a few days prior to the Commission meeting, and had not yet been able to set up a meeting with CSCES representatives to address the concerns. He noted there certainly seemed to be some confusion with respect to some of the concerns addressed by the delegation with respect to the agreement. He further noted that staff will explore the key issue pertaining to the Society's concern regarding the term 'Licence to Occupy' rather than 'Lease' and the relationship for CSCES receiving BC Lottery gaming funds, which they require for their operations. Mr. Porteous also added the other issues will be considered in further negotiations and he was confident an agreement would be reached with the Society.

Cedar School and Community Enhancement Society (CSCES) Grant-In-Aid Final Report

Commissioner S. Wilson noted her concern regarding the lack of receipts supplied by groups, especially for consumable items, as a part of their Electoral Area 'A' Grant-In-Aid Final Reports. Mr. Porteous explained that based on the application process endorsed by the Commission and approved the Regional Board receipts are currently not required. Further discussion regarding the reporting process ensued; however, due to time available, the Commission requested the discussion be tabled until the January meeting.

NEW BUSINESS

Resignation Commissioner Rangno

Mr. Porteous reported he had recently received an email regarding Commissioner Rangno's resignation from the Commission, due to other pressing personal commitments.

MOVED Commissioner K. Wilson, SECONDED Commissioner Newton, that Commissioner Rangno's resignation be received.

CARRIED

MOVED Commissioner D. Burnett, SECONDED S. Wilson, that staff investigate the development of either a certificate or letter of appreciation for retiring Electoral Area 'A' Parks, Recreation and Culture Commission members.

CARRIED

Cedar Ball Hockey Association

Mr. Porteous addressed information received from Mr. Brassens, Cedar Ball Hockey Challenge Association, about their fund raising efforts for the 2011 Ball Hockey Tournament. Mr. Porteous noted Mr. Brassens's emphasis on encouraging the Commission to move forward with supporting the court resurfacing at the North Cedar Intermediate School. Mr. Porteous stated staff will be meeting with School District #68 staff in the near future to discuss the court resurfacing and a number of other recreation and parks service issues.

COMMITTEE ROUND TABLE

Commissioner Newton noted the Cedar Walking Group Program has had four to nine participants attend each walk over the five sessions.

Commissioner Pagan stated he was pleased about the possibility of the development of a playground in Cassidy.

Commissioner D. Burnett requested names tags be supplied to the Commissioners, which could be worn when they attend public events.

Commissioner S. Wilson inquired if the Regional District was a member of Federation of Canadian Municipalities, and if so, do the discounts associated with the organization include Commissioner's travel and hotel stays. Staff will investigate and report back to the Commission.

COMMITTEE INFORMATION

Mr. Porteous noted Commissioners whose terms are expiring in December will receive a letter and an application form if they wish to re-apply for re-appointment. The four Commissioners include Gourlay, S. Wilson, Seggie and Pagan. The vacancy as a result of Commissioners Rangno's resignation will also be filled.

ADJOURNMENT

MOVED Commissioner S. Wilson, that the meeting be adjourned at 9:15pm.

Chair



PY/CAO APPROVAL 1/11	
EAP	
COW	
RHD	
BOARD	
Cedar PRC - Nov 17 '10	

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: October 6, 2010

FROM: Tom Osborne
General Manager, Recreation and Parks Services

FILE:

SUBJECT: Cedar Community Hall Association – Grant Funding

PURPOSE

To consider providing funds from the Electoral Area ‘A’ Community Parks Function to assist with capital facility upgrades to the Cedar Community Hall.

BACKGROUND

The Cedar Community Hall Association owns and operates the Cedar Community Hall that is located at 2388 Cedar Road in Electoral Area ‘A’. The Hall is used for community recreation and public use purposes and is situated on lands owned by the non profit society.

On September 15, 2010 the Electoral Area ‘A’ Parks, Recreation and Culture Commission received a letter from the Hall Board (*attached as Appendix I*) requesting funding assistance from the Regional District to be used to repair and upgrade the 100 year old facility. The Commission then recommended to the Regional Board that staff write a report on funding options in order to consider the Hall Board’s \$48,000 request. The Hall Board is requesting \$27,000 for floor replacement, \$13,000 for exterior painting and \$8,000 for an accordion style divider door.

As with the six other Electoral Areas, the Electoral Area ‘A’ Community Park Function bylaw permits financial support for operations and improvements to facilities owned and operated by incorporated non-profit organizations. The RDN Board has supported in the past similar request in other Electoral Areas including the provision of capital funding to the Gabriola Community Hall (EA B), Arrowsmith Activity Centre (EA F), and the Lighthouse Community Centre (EA H).

The request from the Cedar Community Hall is in line with authorization that is provided through the Area A Community Parks Bylaw.

ALTERNATIVES

1. To approve the request from the Cedar Community Hall and fund the hall upgrades by providing \$27,000 in 2011 and \$21,000 in 2012 through the Area A Community Parks operating budget.
2. To approve the request from the Cedar Community Hall and fund the hall upgrades by providing \$48,000 through the Area A Community Parks operating reserve fund.
3. That funding from the Area A Community Parks function not be provided to the Cedar Community Hall for facility upgrades.

FINANCIAL IMPLICATIONS

1. Currently the 2011 Provisional Budget for the Community Park operating budget can accommodate the funding and stay within the projected tax requisition increase over the next five years with the proviso that no other unplanned significant projects are proposed prior to budget adoption in March 2011. In order to achieve this, Alternative 1 proposes to provide the grant funding in two installments over two years.
2. Alternative 2 considers the utilization of reserves that have been set aside for Community Park projects. At present there is \$298,425 in the operating reserve fund of which \$139,000 has been allocated to go toward the cedar skate park once other funding sources are secured. Therefore, \$159,424 is available to accommodate the funding request immediately.
3. Alternative 3 would not provide any RDN funding to the Cedar Community Hall.

CONCLUSION

The Cedar Community Hall Association owns and operates the Cedar Community Hall located in Electoral Area 'A'. The Hall is used for community recreation and public use purposes and is situated on lands owned by the non profit society.

The Hall Board has requested funding from the Regional District as follows: \$27,000 for floor replacement, \$13,000 for exterior painting and \$8,000 for an accordion style divider door.


The Electoral Area 'A' Community Park Function bylaw permits financial support for operations and improvements to facilities owned and operated by incorporated non-profit organizations.

Staff have reviewed options for the Commission and Board to consider. At this time the request can be funded by either the Area A Community Parks operating budget if granted in installments over two years. The request can be accommodated as well through the Area A Community Parks operating reserve fund.

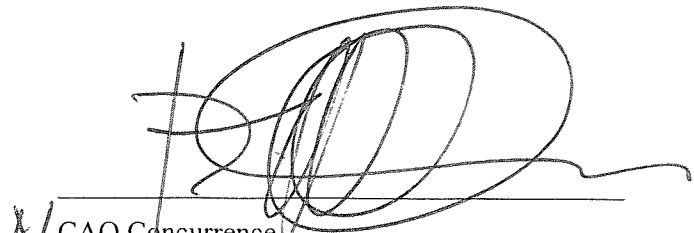
Given that the primary purpose of the reserve is to assist the development of large scale community park projects, such as the Cedar Skate Park, and the provisional operating budget and five year plan can accommodate the request over a two year period, staff are recommending Alternative 1.

RECOMMENDATIONS

That \$27,000 in 2011 and \$21,000 in 2012 be provided to Cedar Community Hall for hall upgrades funded by the Area A Community Parks operating budget pending final adoption of the 2011 Annual Budget and Five Year Financial Plan.



Report Writer



A/ CAO Concurrence

Appendix I

September 15, 2010

Joe Burnett
Regional Director of Area A
Regional District of Nanaimo

Dear Joe

Subject: Cedar Community Hall

RDN REC & PARKS	
GN. R & F	CAC
MGR Parks	MGR Rec
Arena	Acquisition
SLP 23 2010	
Parks	Rec
HOSAC	Commission
Director	Other

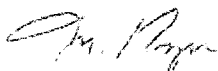
The Cedar Community Hall has operated for almost 100 years as a non-profit society serving the Communities of Cedar and Yellow Point. The Hall has never been a burden on the taxpayers of the Regional District of Nanaimo and has survived through volunteer labour and local fundraising. After several years of constant fundraising, the Board has recently replaced the roof and volunteer labour and rental revenue have kept up with regular maintenance. However, the roof emptied the fund for larger projects and the Board of Directors finds themselves faced with three major projects that need to be done and no funds to pay for them.

1. The floor needs to be replaced at a cost which has been estimated to be \$27,000. A reputable flooring company has reported that there are unacceptable levels of moisture in the subfloor so both the tile and the subfloor need to be taken out and replaced with tile or hardwood.
2. The exterior of the building needs to be painted at a cost of approximately \$13,000.
3. Accordion doors need to be installed between the main hall and the annex to increase rentals by dividing the hall into two units and making it more attractive to prospective renters. The doors will also cut down on the cost of cleaning and heating. The cost will be approximately \$8,000 installed.

We understand that Bylaws have changed and the Regional District is now helping other communities with similar financial needs. We saw a report in the Nanaimo Daily News that the Regional District of Nanaimo has given the Arrowsmith Activity Hall grants of \$25,000 (2009) and \$20,000 (2010) for similar projects and would like support for our community.

We thank you and the Recreational Services Committee of the Regional District of Nanaimo for your consideration and support in this matter.

Yours sincerely



Mayta Ryn
Board Member
Cedar Community Hall

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE EAST WELLINGTON AND PLEASANT VALLEY
PARKS AND OPEN SPACE ADVISORY REGULAR COMMITTEE MEETING
HELD, MONDAY, NOVEMBER 8, 2010, 7:00PM
AT EAST WELLINGTON FIRE HALL**

Attendance: Rick Heikkila, Chair
Maureen Young, Director, RDN Board
Judith Wilson
Bruce Erickson
Doug Cawthorne

Staff: Elaine McCulloch, Parks Planner

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

CALL TO ORDER

Chair Heikkila called the meeting to order at 7:10pm.

MINUTES

MOVED Mr. Erickson, SECONDED Ms. Young, that the Minutes of the East Wellington and Pleasant Valley Parks and Open Space Advisory Committee meeting held May 10, 2010, be approved.

CARRIED

REPORTS

Monthly Update of Community Parks and Regional Parks and Trails Projects April to August

Ms. McCulloch provided a brief summary of the Community Parks and Regional Parks and Trails projects for April through to August.

Meadow Drive Community Park Update

Ms. McCulloch reported that the Meadow Drive Community Park Development Plan for 2010 has been completed, except for some minor plantings that will be completed in the spring.

Development Priorities Review

Ms. McCulloch presented the draft 2011 Development Priorities to the Committee. The Committee discussed the order of projects. Staff will present an alternative schedule complete with budgeting implications at the next meeting.

MOVED Mr. Heikkila, SECONDED Ms. Wilson, that the Reports, be received.

CARRIED

COMMITTEE ROUND TABLE

Committee members requested a breakdown of the *projected* 2011 budget as well as the parks expenditures for 2010 be included on the next agenda.

ADJOURNMENT

MOVED Mr. Heikkila, SECONDED Mr. Cawthorne, that the meeting be adjourned at 8:51pm.

IN CAMERA

MOVED Mr. Heikkila, SECONDED Mr. Cawthorne, that pursuant to Section 90(1) (e) of the Community Charter the Committee proceed to an In Camera Committee meeting to consider items related to land issues.

CARRIED

Chair

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA 'B' PARKS AND OPEN SPACE ADVISORY
REGULAR COMMITTEE MEETING HELD THURSDAY, OCTOBER 7, 2010
AT GABRIOLA WOMEN'S INSTITUTE HALL
7:00PM**

Attendance: Tom Cameron, Chair
Gisele Rudischer, Director, RDN Board
Jennifer MacLeod
Catherine Williams
Cameron Murray

Staff: Elaine McCulloch, Park Planner

CALL TO ORDER

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

MINUTES

Mr. Murray noted the motion moved by Ms. MacLeod and seconded by Ms. Crozier "... *that staff designate the trail access from McCollum Road as a Side Trail, in lieu of a Main Trail...*" was omitted from the minutes.

MOVED Ms. Williams, SECONDED Ms. Rudischer, that the minutes of the Electoral Area 'B' Parks and Open Space Advisory Committee meeting held July 26, 2010, be approved as amended.

CARRIED

BUSINESS ARISING FROM MINUTES

Mr. Cameron clarified Ms. Brown's request for the Gabriola Island Community Hall funding.

COMMUNICATIONS/CORRESPONDENCE

MOVED Ms. Rudischer, SECONDED Ms. MacLeod, that the Correspondence L. Bell, Gabriola Island Local Trust Committee, re: 707 Community Park Management Plan, be received.

CARRIED

REPORTS

Monthly Update of Community Parks and Regional Parks and Trails Projects June to August

Ms. McCulloch briefly reviewed the Community Parks and Regional Parks and Trails Project Report for June through to August for the Committee.

Municipal Insurance Risk Control Survey -

Ms. McCulloch reported that after the Municipal Insurance Risk assessment of the B10, South Road Park and the B16, Joyce Lockwood Park, beach access points, the recommendation received requires immediate repairs be done to the stairways to meet BC Building Code requirement, as well as, the installation of directional signage.

MoT Beach Access Review Update

Mr. Cameron recommended the POSAC review the data accumulated during the previous beach access inventory process.

Ms. McCulloch advised the Regional District does not have authority on MOTI land, however, can apply for a permit to construct stairways and signage.

MOVED Ms. MacLeod, SECONDED Ms. Rudischer, that Committee members investigate the 27 Eastholm, the 43 Shaw and 52 Rowan beach access points prior to review at the next meeting.

CARRIED

Electoral Area 'B' Community Parks 2010 Development Schedule Review

Ms. McCulloch presented the draft Community Parks 2010 Development Schedule to the Committee.

Mr. Cameron requested a volunteer park stewardship program be included as a scheduled item for the 707 Acre Community Park, as noted on page 43 of the 707 Acre Community Park Management Plan.

MOVED Ms. Rudischer, SECONDED Ms. MacLeod, that the reports be received.

CARRIED

ADJOURNMENT

MOVED Ms. Rudischer, SECONDED Ms. Williams, that the meeting be adjourned at 9:30pm.

Chair

REGIONAL DISTRICT OF NANAIMO

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

HELD ON MONDAY, SEPTEMBER 21, 2010 AT 12:30 PM
IN THE RDN BOARDROOM

Present:	Director J. Stanhope	Chairperson
	Joe Burnett	Director Electoral Area A
	David Bartram	Director Electoral Area H
	Gisele Rudischer	Director Electoral Area B
	Deb Ferens	Islands Trust Representative
	Gilles Wendling	General Public Representative (South)
	Gordon Buckingham	General Public Representative (North)
	Doug Glenn (Alternate)	Vancouver Island Health Authority
	Pat Lapcevic	Ministry of Environment
	Faye Smith	Environment Community Representative
	Alan Gilchrist	Academic Community Representative (VIU)
	Domenico Iannidinardo	Forest Industry Representative
	Ken Epps (Alternate)	Forest Industry Representative
	Bonaventure Thorburn	Water Purveyors' Representative
	Shelley Bayne	Hydrogeology Representative
	John Deniseger	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 (Recording Secretary)
	David Reid	HB Lanarc
Regrets:	Makenzie Leine	Forest Industry Representative
	Lynne Magee	Vancouver Island Health Authority
	Oliver Brandes	Academic Community Representative

CALL TO ORDER

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

MINUTES

MOVED D. Bartram, SECONDED K. Epps, that the minutes of the Drinking Water Watershed Protection Advisory Committee meeting of June 7, 2010 be adopted. CARRIED

REPORTS

Introduction to Workshop. (M.Donnelly)

M. Donnelly introduced the "Watershed Snapshot Report 2010" and introduced D. Reid of Lanarc who assisted with the community scoping process.

Watershed Snapshot and Work Plan Development Workshop. (C.Metherall)

C. Metherall overviewed the issues and recommendations for each of the seven watersheds and opened the floor to comments. A summary of comments follows.

WATERSHED AREA 1: BIG QUALICUM, NILE, THAMES, ROSEWALL CREEK

Major Comments/Issues/Concerns:

- Observation well levels are okay now. The observation well is likely an accurate depiction of the aquifer levels. There is some variation, but there isn't evidence that the aquifer is being depleted. However, it would be good to know the sustainable yield for this area.
- Septic system runoff is a concern for the shellfish industry. MOE confirmed link between shellfish health and septic systems. Environment Canada and the VIU Shellfish Research Centre have information on the impacts. It appears to be effecting algal growth. There was discussion of potential actions to address the issue. Sewer systems, advanced septic systems, and septic system education were mentioned. Sewer infrastructure is very costly. Septic system education would help with improved maintenance and operation of septic system and would also help residents make more information decisions about septic systems compared to sewer systems.
- Remove action item for illegal dumping, as it is not a big priority here. Most of the illegal dumping is yard waste, because Area H is so far from the Church Road Transfer Station.

Comments on Recommendations:

1. Better groundwater monitoring. Develop a program/study to identify sustainable yield of aquifers.
Comment: The concern in this area is about future development and better understanding extraction. Therefore it would be appropriate to look at low-cost monitoring solutions. It may also be helpful to look for opportunities – ie., abandoned, unused wells for monitoring equipment to be installed - for observation wells in the unmonitored aquifers (421, 665, 661 – #662 will have a monitoring well installed in 2010 in the Little Qualicum area).
2. Surface water – work with stewardship groups to monitor all flows. Create a central repository for storing flow data for stewardship groups across the RDN.
Comment: Move to RDN-wide programs.
3. Work with Solid Waste to reduce illegal dumping.
Comment: Not a priority in this watershed alone. Include in Region-wide education programs.
4. Work with Wastewater on improved Septic education programs.
Comment: Move to Region-wide programs.

WATERSHED AREA 2: LITTLE QUALICUM RIVER

Major Comments/Issues/Concerns:

- Mobile home park may not have a big impact, as there are not many permanent residents.
- Development potential - With existing zoning, population could double.
- RDN should obtain information from DFO on flow monitoring on the LQR.
- Request Ministry of Transportation on Advisory Committee.
- Ministry of Transportation has low requirements for proof of water source – they look at drillers. recommendations are not looking at overall impact on aquifers.
- Grandon Creek is not on correct location on map.

Comments on Recommendations:

1. Residential monitoring program in Spider Lake area, OBS well in Little Qualicum River area.
Comment: These areas have separate issues – Spider Lake has limited development potential. LQRE could double. Add observation well to Little Qualicum River area in 2010. Consider residential monitoring program or look at capped well in park (determine if it is in the right aquifer).
2. Review need for observation well in Spider Lake area.
Comment: if needed, look at aquifer in park. Determine if it is in the right aquifer.
3. Communicate development concerns and supporting information to MOT.

Comment: This is already done, now that zoning bylaw is in place; this will be addressed in 2010 by motion to include MOT on committee.

4. Require subdivision and development proposals to include more in-depth information on long term capacity.

Comment: Move to RDN –wide recommendations.

5. Work with hydrogeologist to help us identify long term capacity and create a scientific framework for approving development.

Comment: Explore need to characterize this aquifer. This may include discussions with planning about development potential as well as discussion with MOE re productivity of the aquifer.

6. Work with Wastewater to improve septic system outreach in the area.

Comment: Move to RDN-wide programs.

WATERSHED 3: FRENCH CREEK, QUALICUM BEACH AND PARKSVILLE UPLANDS

Major Comments/Issues/Concerns:

- Timing of extraction on French Creek is harmful to ecosystem – extractions all happen in summer and dry up stream for fish – controlling timing of extraction would help.
- Golf course and agricultural extractions are very large and need to be quantified. Water license information does not tell actual use.
- Partnership with municipalities is important.
- Environmental Farm Plan Program information should be shared with Agricultural Committee and OCP.
- This is a good area to look at integrated rainwater management planning. Older developments also would need to be retrofitted to increase absorption. Poor quality rainwater not only effects shellfish and fish directly, but indirectly by impacting the vegetation and micro-invertebrates.

Comments on Recommendations:

1. Aquifer Characterization for the Parksville/Qualicum aquifers in the French Creek watershed. Work with municipalities and water suppliers in all work as it relates to Source Water Protection initiatives.
Comment: Invite EPCOR to participate.
2. Rural Water Quality Improvement Program – promote best management practices for septic systems, fuel storage, etc. and agriculture in partnership with Wastewater Services.
Comment: Potential *Pilot program area*.
3. Work with the Development Services Department to reduce impermeable surfaces in new development.
4. Implement the water balance model in partnership with the municipalities.
Comment: move to RDN-wide.
5. Determine water use information for major users such as golf courses and agriculture for sake of water budgeting.
Comment: Move to RDN-wide.

WATERSHED AREA 4: ENGLISHMAN RIVER

Major Comments/Issues/Concerns:

- Englishman River water is being sent out of the watershed, through the Arrowsmith Water Service, which is a concern.
- The community would appreciate information on the area being available (ie., new observation wells).
- There has been an increase in the health of the river over the past few years due to the work of MVIHES and Island Timberlands.

- There is an interest in EPCOR participating in the DWWP program. Epcor customers are already paying for the DWWP program. Epcor is interested in sharing information using old wells.
- There was a discussion over the AWS extraction. There was a concern that when AWS extracts its full license potential that this would impact water levels in the river for fish. However, increased extraction would require increased storage, so the effect on water levels would be minimal. A potential impact of dams and storage is increased water temperatures. It is important to work closely with fisheries during release period.

Comments on Recommendations:

1. Better understand groundwater-surface water interactions.
2. Determine if there is a need for an ongoing water quality survey of the tributaries and main stem of the river to protect the source of the local water supply. Partner with municipalities and water suppliers in the source water protection initiative.
3. Rural Water Quality Improvement Program – promote best management practices for septic systems, fuel storage, etc. and agriculture in partnership with Wastewater Services.
Comment: Potential *Pilot program area*.
5. Implement the water balance model in partnership with the municipalities.
Comment: Move to RDN-wide.
6. Partner with municipalities and water suppliers in all work as it relates to Source Water Protection initiatives.

WATERSHED AREA 5: NANOOSE TO SOUTH WELLINGTON

Major Comments/Issues/Concerns:

- Look at old mine shafts in area and how they add complexity.
- There is a net import of water from the Nanaimo River watershed through the city of Nanaimo's water service. There is also an import of water into the Nanoose area through the Arrowsmith water service.
- Suggested that it might be valuable to consider a restriction on additional wells for irrigation in areas with low water supply.
- People need to be educated that through water, they are part of a community and their actions affect their neighbours.

Comments on Recommendations:

1. Groundwater quality monitoring study in South Wellington (nitrates, bacteria, chemicals(?))
Comment: In areas of high density septic system, test water quality in ditches and stream as well.
2. Move forward with "WellSmart" and "SepticSmart" education opportunities.
Comment: Move to RDN wide.
3. Work with Development Services Department to strengthen guidelines for development in water limited areas. – RDN wide – ensure the bedrock aquifers are included as at-risk.

WATERSHED 6: NANAIMO RIVER AND SOUTH AREA A

Major Comments/Issues/Concerns:

- Development has been impacting adjacent wells in Yellow Point.
- Look at aquifer connection to river and the impacts of low flow on estuary health, if there is interest in partnership with the City of Nanaimo, Port of Nanaimo, and Snuneymuxw First nation.
- See if BCCF has information on lake levels from BCCF as this may provide information on aquifer health.

Comments on Recommendations:

1. Work with Development Services to strengthen the OCP to require a more rigorous approach to determining long term water supply for new development and protect the resource.
2. Move forward with “WellSmart” and “SepticSmart” education opportunities.
Comment: RDN-wide.
3. Monitor groundwater levels in private wells – Yellowpoint.
4. Monitor new observation well in Yellowpoint.
5. Water Quality Survey – South Wellington.
6. Develop longer term water quality monitoring program in vulnerable aquifers that have industrial land uses (i.e. Cassidy).
Comment: Raise priority of vulnerable aquifers.

WATERSHED AREA 7: GABRIOLA ISLAND

1. Develop groundwater monitoring strategies to better understand water levels as well as water use.
2. Move forward with “WellSmart” and “SepticSmart” education opportunities.
Comment: Move to RDN wide.
3. Explore the permitting of cisterns and other rainwater gathering devices to assist with water supply on existing lots. Suggestion: Mandate rainwater cisterns in new development (potentially use Bill 27?)
4. Develop a program to obtain well records and locate wells.

Comments on RDN-wide recommendations:

Science:

- Develop water budgets for each of the seven (7) major watershed areas.
- Develop indicators for assessing drinking water and watershed health, to be monitored on a yearly basis across the region to track program success. This would be part of the Regional Growth Strategy success indicators.
Comment: These indicators should be developed early so that they can show program success.
- Work with MOE to develop monitoring program for climate change.
Comment: Potentially snowpack monitoring station at Arrowsmith.
- Develop a user-friendly interface for sharing knowledge gathered so far (web-based GIS and website) and begin compiling water related reports for publication on the RDN website.

Additional Recommendations:

- Start groundwater monitoring by working with major water users (ie., water purveyors).
- Determine indicators of water consumption by monitoring (metering) representative volunteer golf courses, agricultural extractions, commercial water users, water suppliers, etc.
- Create a central repository for storing flow data (low and high flows) across the RDN; work with stewardship groups to monitor flows.
Comment: Develop a program where volunteers monitor flows at multiple points in stream, and can enter information online (potentially community mapping network partnership or with internal Information Services program). Consider working with VIU on a data collection training program.

Stewardship:

- Develop an interactive website to share water information and stewardship resources.
- Continue summer outreach activities, i.e. residential irrigation review.
Comments:
 - Help people understand why they need to conserve water. People need to understand before they have a desire to protect; create a story for each river system.

- Do home water use assessments (like home energy assessments) - outdoor water use is the main discretionary water use so irrigation assessments are likely the most effective – the living watersmart website has a home water use assessment, so this resource should be brought to all irrigation assessment visits.
- Include information on hazardous waste disposal and the impacts of illegal dumping in watershed protection education.
- Targeted outreach activities in high water use areas using community based social marketing .
- Water conservation incentive programs as supported by the Innovative Options for Sustainable Water Use report.
- Outreach to residences/business/industry in vulnerable areas(aquifers, riparian areas).
Comment: It is important to also do targeted outreach for riparian landowners. There are many resources available for that (Living by the Water, Stewardship BC, Green Shores, The Land Conservancy, etc.). Aquifer protection materials may need to be developed. This should also be done in conjunction with the development permit process.
- Promote Environmental Farm Plan program and look for potential partnerships.
- WellSMART, SepticSmart.
- Water purveyor working group.

Policy and Planning

- Develop Low Impact Development Engineering standards.
- Work with Building Department and BCBC to communicate options for rainwater and grey water use; communicate changes to BCBC as updated regulations come into effect.
- Update Landscape Design Standards.
- Develop bylaws dictating construction practices, including sediment and erosion control, spill preparedness, etc.
- Review requirements for water assessments for subdivision and development proposals, update where needed to include more in-depth information on long term impact and capacity.

Comments:

- Use groundwater bylaws toolkit as a resource as well as the following suggestions:
- Include in RDN-wide – improved standards for hydrogeological assessments including provision of information on long term impacts for subdivision and development proposals.
- Ensure hydrogeological assessments are recent and include information on current uses.
- Suggest RDN requires mandatory testing of wells for submission with applications.
- Require a certain rate of tests for subdivisions over a certain amount of lots and for smaller lot sizes.
- Require watershed protection bylaws for subdivisions with more than 20 lots, so that developers look at cumulative effect of 20 wells.
- Look at using the water balance model or other rainwater management tools in partnership with the municipalities.

Comments:

- Create limits to impermeable surfaces.
- Move towards Integrated Rainwater Management Plan using tools such as Beyond the Guidebook.
- Look at options for retrofitting older developments as well.
- Strengthen Regional Growth Strategy language regarding protection of drinking water and watersheds.

ADJOURNMENT

The meeting was adjourned at 4:10 pm. The next meeting is October 5, 2010 at 12:30 in RDN Board Chambers.

REGIONAL DISTRICT OF NANAIMO

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

HELD ON TUESDAY, NOVEMBER 23, 2010 AT 12:30 PM
IN THE RDN BOARDROOM

Present:	Director J. Stanhope	Chairperson
	Joe Burnett	Director Electoral Area A
	David Bartram	Director Electoral Area H
	Gisele Rudischer	Director Electoral Area B
	Deb Ferens	Islands Trust Representative
	Gilles Wendling	General Public Representative (South)
	Gordon Buckingham	General Public Representative (North)
	Pat Lapcevic	Ministry of Environment
	Lynne Magee	Vancouver Island Health Authority
	Faye Smith	Environment Community Representative
	Alan Gilchrist	Academic Community Representative (VIU)
	Al Chatterton (Alternate)	Forest Industry Representative
	Ken Epps (Alternate)	Forest Industry Representative
	Shelley Bayne	Hydrogeology Representative
	John Deniseger	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
	Paul Thompson	Manager of Long Range Planning, RDN
	Bev Farkas	Recording Secretary, RDN
Regrets:	Oliver Brandes	Academic Community Representative
	Bonaventure Thorburn	Water Purveyors' Representative

CALL TO ORDER

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

BUSINESS ARISING

That the Drinking Water Watershed Protection Advisory Committee terms of reference be amended to include a representative from the Ministry of Transportation and Infrastructure.

MINUTES

MOVED D. Bartram, SECONDED J. Burnett, that the minutes of the Drinking Water Watershed Protection Advisory Committee meeting of September 21, 2010 be adopted. CARRIED

REPORTS

Drinking Water Watershed Protection Work Plan Discussion and Next Steps. (C. Metherall)

C. Metherall reviewed the Watershed Snapshot Report 2010 and the Action Schedule with the committee. The following points were discussed:

Region-wide Recommendations

- The term “aquifer” is used often in document – there is a need to refer to surface water as well as groundwater.

Program 1(3)

- Opportunities for rainwater harvesting are different for indoor or outdoor use and existing or new building – the province is presently working on changes to legislation.
- Financial institutions do not presently recognize rainwater as a viable water source and this is reflected in loan availability.
- It is important to make connections between Green Building program and Drinking Water and Watershed Protection rainwater capture initiatives.
- Promoting rainwater harvesting may encourage development in areas with limited water resources.

Program 2(4)

- Some indicators from the Regional Growth Management Advisory Committee (2006) will be used as some are very pertinent, especially those relating to groundwater.

Program 2(5)

- Budget structure will be developed with professionals.
- Partnerships with other organizations, including stewardship groups, VIU, other government agencies will be imperative when refining budgets.

Program 2(7)

- Information will be gathered in areas with no water meters (such as Electoral Area B) by asking residents to volunteer to have meters installed.

Program 2(8)

- Inform stewardship groups about what data is required so they can provide it.

Program 2(9)

- Water purveyors have already shown great interest in participating.

Program 2(10)

- Also involve other agencies and landowners.
- Need municipalities to be involved in program, City of Nanaimo may have an interest in partnering on Nanaimo River.

Program 2(14)

- Concern for impact of development on aquifers. There are areas where we have concerns (ie. Surfside, Fairwinds) and this list should be expanded.
- Developers are looking at focused area – assessments need to be on much broader spectrum and look at long-term impacts to surrounding properties.
- Rezoning is the best way to influence development – subdivision conditions can be set in DP areas and OCPs have to show requirements for DPs.
- MOE has for many years encouraged rainwater management in LWMP as it is viewed as waste. Regional districts do not have stormwater functions and work with municipalities to address rainwater management impacts.

Program 7(23)

- A snowpack station may now be monitoring on Mt. Arrowsmith.

Individual Watershed Recommendations:

Watershed #5 South Wellington to Nanoose

- Note on maps all golf courses or do not show any on maps.

Watershed #6 Nanaimo River Watershed and South Area A

- Ask Nanaimo Airport to share their well monitoring data.

Watershed #7 Gabriola Island

- Concerns about septic and water quality – recommend adding as Rural Water Quality Improvement Program Pilot Project.

The next step will be to amend the Watershed Snapshot Report 2010 with suggestions from this meeting and present as information to the RDN Board. At that time staff will recommend the municipalities be invited to attend DWWPAC meetings as unofficial members to better understand the focus and direction of this committee.

After presenting the report to the Board it will be presented to the public via news releases, website, Regional Perspectives and letters to those who participated in workshops for their input. The report will then go to the Board for final approval.

Drinking Water Watershed Protection Program Updates (C.Metherall)

C. Metherall reviewed programs such as the WellSMART program and the Irrigation Review program which were very successful in 2010.

Geological Survey of Canada Program Update (P.Lapcevic)

P.Lapcevic informed the committee that the Geological Society of Canada has been working on characterizing priority aquifers across the country and has received 3-5 years funding to do a characterization project on the island for the Nanaimo Lowlands which covers the area from Mill Bay to Deep Bay. The well data base has been updated and they are mapping the area. They will potentially focus on Parksville and Qualicum Beach and hopefully do some predictive modeling. Updates will be brought to the Committee.

Englishman River Groundwater – Surface Water Interactions Study (G.Wendling)

G.Wendling noted that residents provided wells for monitoring in 2008. In 2009 six data loggers were in place and data was collected over a one year period, indicating the variation of water levels, the rate at which levels drop and when the levels drop. It shows how quickly and when recovery takes place. Comparisons can take place after the 2010 results are calculated. There are now 12 data loggers and 26 monitoring wells. It has been confirmed that Little Mountain is a recharge area. This work is being done with funding from the Royal Bank of Canada and the RDN, who has supplied money for public outreach and the data loggers. G. Wendling reported that there will be progress reports on the interaction between groundwater and surface water.

Surface Water Quality Monitoring Project (J.Deniseger)

Standard and biological monitoring is being done between late August and the end of September. Six sites in Englishman River Watershed are being monitored at summer low flow and fall/winter rainy period. Five sites in the French Creek Watershed are being monitored although there is not enough water in some parts of French Creek to do biological monitoring. Attainment monitoring is done for one year at a time and checked again after 5 years. TV reporters were invited to tape some of the biological monitoring.

First Nations Consultation (J.Finnie)

J. Finnie indicated that there are up to eight First Nations within the RDN with an interest in activities taking place on RDN land, however there are only three First Nations that have reserves in the RDN. It was suggested that an information package about the Drinking Water Watershed Protection Plan and the Committee be sent to Snuneymuxw, Qualicum and Nanoose First Nations with an offer to make a presentation to their councils. This will be discussed further with the CAO of the RDN.

ADJOURNMENT

Chair Stanhope thanked the committee for their contributions noting the importance of this committee to the RDN Board. The meeting was adjourned at 2:30 pm. The next meeting TBA.

Chairperson

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE
LIQUID WASTE ADVISORY COMMITTEE
LIQUID WASTE MANAGEMENT PLAN REVIEW
HELD ON THURSDAY, OCTOBER 7,, 2010
IN THE RDN BOARD CHAMBERS**

Present:	George Holme	Meeting Chair, Director Electoral Area 'E'
	Joe Burnett	Director Electoral Area 'A'
	Teunis Westbroek	Director, RDN
	Bill Holdom	Director, RDN
	Bob Weir	Town of Qualicum Beach
	Mike Squire	City of Parksville
	Fred Spears	District of Lantzville
	John Elliott	City of Nanaimo
	Blake Medlar	Ministry of Environment
	Kirsten White	Ministry of Environment
	Christianne Wilhelmson	Environment Representative
	Michelle Jones	Business Representative (North)
	Frank Van Eynde	Public Representative (North)
	Douglas Anderson	Public Representative (South)
	Blair Nicholson	Business Representative (South)

Also in attendance:

John Finnie	General Manager, Regional & Community Utilities, RDN
Sean De Pol	Manager of Wastewater Services, RDN
Lindsay Dalton	Wastewater Coordinator, RDN
Ellen Hausman	Wastewater Coordinator, RDN
Lorena Mueller	Engineering Technician, RDN
Bev Farkas	Recording Secretary, RDN
Stephen Henderson	Observer

Absent:

Snenal Lakshmi	Environment Canada
Gary Anderson	Vancouver Island Health Authority
James Wesley	Snuneymuxw First Nation

Note: Action items in minutes are *italicized*.

CALL TO ORDER

Chairman Holme called the meeting to order at 12:35 p.m.

MINUTES

MOVED F. Van Eynde, SECONDED B. Holdom, that the minutes of Regional Liquid Waste Advisory Committee regular meeting of June 3, 2010 be approved. CARRIED

REPORTS

Draft Liquid Waste Management Plan (L.Dalton)

L. Dalton outlined the format of the updated Liquid Waste Management Plan (LWMP) and invited discussion on the content of the LWMP. The following comments were made about the document:

Director Westbroek suggested that the updated LWMP needed to better define long-range goals and major milestones, and should identify opportunities for pollution prevention.

Director Holdom requested clarification on financing options upgrade and expansion plans at the Greater Nanaimo Pollution Control Centre (GNPCC). Director Holdom then suggested that there are few ways to truly resolve the issue of pharmaceuticals in influent. Potential solutions include a levy applied to producers or consumers of pharmaceutical products. However, the best solution may be to upgrade and expand treatment infrastructure at the GNPCC.

C. Wilhelmson provided comment on the content of the updated LWMP saying that the vision for wastewater management in the region needs to be strengthened. In particular, measurables and benchmarks should be identified. C. Wilhelmson then encouraged the RDN to look at implementing codes of practice as part of the Source Control Program.

D. Anderson said that the LWMP should be easily understood by the general public. To create a document that is immediately readable to the general public, the programs should be preceded by an explanation of current conditions and past commitments relative to the specific program. D. Anderson also suggested that if the document is to go forward to the Ministry of Environment, it should be endorsed by the Municipalities. D. Anderson also suggested that the budget for particular programs be better explained to distinguish between annualized costs and capital costs.

K. White from the Ministry of Environment (MOE) stated that additional clarification was required to ensure that the updated LWMP is aligned with commitments of the 1997 LWMP, the Environmental Management Act, and will comply with regulations governing the management of municipal liquid waste. Included among those are point source discharges, inflow and infiltration, and opportunities for resource recovery. The MOE also felt that the amendment should reflect a stronger leadership role in addressing private on-site systems, source control and rainwater programs.

Director Holdom made the point that there is limited money available for expansion and upgrade projects at the GNPCC. The City of Nanaimo was recently instructed to construct, operate, and maintain a water filtration plant. The costs associated with this plant and the upgrades required at the GNPCC will require borrowing and will cause increased costs for residents of the City of Nanaimo.

S. Henderson suggested that in section 2.0 of the updated LWMP, a sub-section on priority issues should be added.

D. Anderson re-stated that the LWMP will require the support of municipalities and should go to the MOE prior to public consultation to ensure that the updated LWMP is on the right track.

Director Westbroek added that the updated LWMP should have a clear objective and should be focused on long range goals that improve the region for future generations.

Director Holdom suggested that the City of Nanaimo was undertaking several inflow and infiltration mitigation strategies but suggested that perhaps metering might prove to be a viable option.

J. Elliott provided an overview of efforts to improve inflow and infiltration in the City of Nanaimo.

F. Spears suggested that the Sewer Use Bylaw should be better used in the Source Control Program chapter.

J. Finnie made a comment about First Nation consultation, stating that Wastewater Services was pursuing strategies to enhance dialogue with resident First Nations.

The MOE has met with RDN and indicated the need for additional clarification. MOE is preparing further comments to forward to RDN. *MOE will provide the RDN with written comment on the draft LWMP update.*

NEXT MEETING

TBA

ADJOURNMENT

Chairman Holme adjourned the meeting at 2:10 pm.

G. Holme, Chairman

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE SUSTAINABILITY SELECT COMMITTEE
MEETING HELD ON WEDNESDAY, NOVEMBER 17, 2010
IN THE RDN COMMITTEE ROOM**

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director C. Pinker	Electoral Area C
Director D. Bartram	Electoral Area H
Director J. Kipp	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director T. Westbroek	Town of Qualicum Beach

Also in Attendance:

P. Thorkelsson	General Manager of Development Services
Chris Midgley	Manager, Energy & Sustainability
Ting Pan	Sustainability Coordinator
Karen Sanders	Recording Secretary

CALL TO ORDER

The meeting was called to order at 2:04 pm by the Chair.

MINUTES

MOVED Director Bartram, SECONDED Director Burnett that the minutes of the Sustainability Select Committee meeting held on September 15, 2010, be adopted.

CARRIED

REPORTS

Green Building Leaders Program

MOVED Director Holdom, SECONDED Director Bartram, that the correspondence regarding the Green Building Leaders Program be endorsed by the Board, signed by the Board Chair, and forwarded to the Green Building Leaders program coordinator for delivery to the Province.

CARRIED

MOVED Director Holdom, SECONDED Director Bartram, that the letter also be forwarded to the AVICC and UBCM.

CARRIED

Community Energy and Emissions Plan Update

MOVED Director Kipp, SECONDED Director Holdom, that that Appendix A to the Community Energy and Emissions Plan Update report be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Holdom that that Appendix B to the Community Energy and Emissions Plan Update report be received for information

Carbon Neutral Operations presentation was provided as an update to the Committee:

NEW BUSINESS

A Notice of Motion by Director Westbrook requesting staff to prepare and “Anti Idling Bylaw”

ADJOURNMENT

MOVED Director Westbrook, SECONDED Director Holdom, that this meeting be adjourned.

CARRIED

Time: 3:40 pm

CHAIRPERSON



CAO APPROVAL	
EAP	
COV	
RHD	
BOARD	
Sustainability - Nov 17 10	

MEMORANDUM

TO: Paul Thorkelsson
General Manager, Development Services

DATE: November 8, 2010

FROM: Chris Midgley
Manager, Energy and Sustainability

FILE: 6780-50

SUBJECT: Green Building Leaders Program

PURPOSE

To provide the Sustainability Select Committee with an update on participation in the Green Building Leaders Program, and to recommend that the attached letter be signed and returned to the Green Building Leaders Program coordinator for subsequent delivery to the Province.

BACKGROUND

Since January, 2010, the Regional District of Nanaimo has participated in a Green Building Leaders program organized by the Pembina Institute. RDN participation was solicited by the Pembina Institute as a result of the Region’s active approach to better understanding and promoting green building.

The purpose of the group has been to identify regulatory tools that have shown promise elsewhere in reducing residential energy use and emissions in the residential sector, and to assess the applicability and impact of implementing these policies in BC jurisdictions.

Generally speaking, the approaches that have been considered include:

- Setting higher energy efficiency standards for new homes and buildings, beyond planned changes to the BC Building Code;
- Requiring existing homes and buildings to meet minimum energy performance standards; and
- Requiring that some portion of the energy needs for new homes and buildings be met by renewable energy that is produced on-site or in the community.

The purpose of the attached letter is to present these regulatory options to the Province, emphasizing the importance of these policies in achieving provincial emission reduction targets, and to express in-principle support for Provincial action in advancing these regulations.

The content of the letter has been arrived at by consensus between the Green Building Leaders partners: Campbell River, City of North Vancouver, Dawson Creek, Fort St. John, Smithers, Terrace, Tofino, Whistler, the Cowichan Valley Regional District and the Regional District of Nanaimo.

In the opinion of staff, the RDN has injected pragmatism into the group’s conversations. Based on the experience of expanding Building Inspection Services region-wide, the RDN offers a unique perspective into the public tolerance for increased regulation in the building sector. As a result, the policies identified in the letter represent balance between the desire to take strong and immediate action and an understanding of what is practically achievable in our communities, with the support of local residents.

ALTERNATIVES

1. That the attached letter be endorsed by the Board, signed by the Board Chair, and forwarded to the Green Building Leaders program coordinator for delivery to the Province.
2. That the attached letter not be endorsed, signed and circulated.

FINANCIAL IMPLICATIONS

Staff time dedicated to participation in the Green Building Leaders program is minimal, ranging from zero, up to a maximum of 10 hours per month. No additional costs are associated with RDN partnership in the Green Building Leaders program.

SUSTAINABILITY IMPLICATIONS

The Board Strategic Plan directs staff to continue to implement the Green Building Action Plan. Participation in the Green Building Leaders program fulfills the following objectives of that plan:

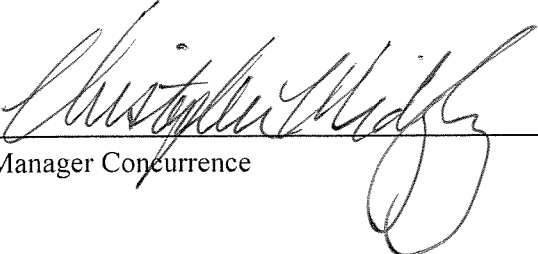
- To develop tools and policies that encourage the adoption of green building practices in the community; and
- To build partnerships to advance green building practices in the region

SUMMARY

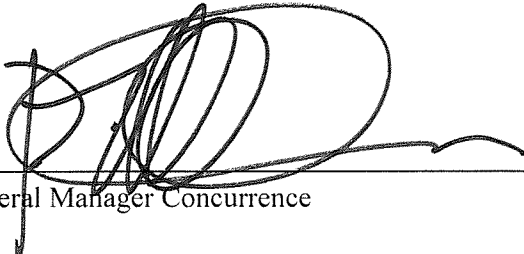
The attached letter is an outcome of conversations between a group of local governments that have shown leadership in advancing green building in the Province, facilitated by the Pembina Institute. The letter proposes policies that the Province could consider for the building sector, and primarily the residential sector, in order to better achieve established emission reduction targets. As a partner in the Green Building Leaders group, the RDN has worked to ensure that recommendations to the Province are balanced, and rooted in moving forward as pragmatically and reasonably as possible.

RECOMMENDATION

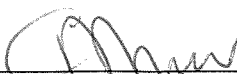
That the attached letter be endorsed by the Board, signed by the Board Chair, and forwarded to the Green Building Leaders program coordinator for delivery to the Province.



Manager Concurrence



General Manager Concurrence



CAO Concurrence

Local government logos to go here

DATE

Honourable Naomi Yamamoto
Minister of State for Building Code Renewal
Government of British Columbia

Honourable Bill Bennett
Minister of Energy
Government of British Columbia

Honourable Stephanie Cadieux
Minister of Community, Sport and Cultural Development
Government of British Columbia

Dear Minister of State Yamamoto, Minister Bennett and Minister Cadieux,

British Columbia has made a bold commitment to fight climate change. The province has committed to reducing total provincial emissions to 6% below 2007 levels by 2012, 33% below 2007 levels by 2020, and 80% below 2007 levels by 2050. This commitment and the actions taken to date are important contributions to the global effort to reduce emissions, and we commend the provincial government's efforts to take action on climate change and to build a green economy in B.C.

Achieving B.C.'s reduction targets will require aggressive action in all sectors of our economy – including homes and buildings. Energy consumption from homes and buildings accounts for approximately 12% of B.C.'s total greenhouse gas emissions, and emissions from this sector will need to decline for the province to achieve its targets.

The Green Building Leaders¹ are a group of forward-looking local governments that have come together in partnership with the Pembina Institute to explore how to improve energy efficiency and increase the use of renewable energy in new and existing buildings in B.C. We have focused on energy efficiency and renewable energy regulations that are a step beyond what the provincial government or any local governments in B.C. are currently implementing. We see these types of approaches as one of the ways to meet B.C.'s greenhouse gas reduction targets while creating economic opportunities throughout the province.

Although local governments in B.C. are taking action to reduce emissions and are committed to increasing those efforts, our research so far indicates that local governments have limited ability to regulate new and existing buildings given the current jurisdiction.² Given this, we urge and support the provincial government to explore and, if feasible, implement opportunities in the following area:

- Setting higher energy efficiency standards for new homes and buildings, beyond the planned changes to the B.C. building code,

¹ Partner communities include: Campbell River, City of North Vancouver, Cowichan Valley Regional District, Dawson Creek, Fort St. John, Regional District of Nanaimo, Smithers, Terrace, Tofino, and Whistler. See www.greenbuildingleaders.ca for more details.

² Deborah Curran, *Jurisdiction Options for Energy Efficiency and Renewable Energy in Buildings* (Vancouver, BC: The Pembina Institute, 2010), <http://www.greenbuildingleaders.ca/docs/gbl-discussionpaper-withcover.pdf> (accessed Oct. 1, 2010).

- Requiring existing homes and buildings to meet minimum energy performance standards
- Requiring that some portion of the energy needs for new homes and buildings be met by renewable energy that is produced on-site or in the community.

As a means to support effective implementation of the regulations above, we also urge the provincial government to:

- Require all homes and buildings to have a rating that clearly communicates how efficiently it uses energy
- Implement financing tools that make energy efficiency and renewable energy solutions accessible to all British Columbians and B.C. businesses.

While these regulations have been used extensively in other jurisdictions, we recognize that further work will be required to customize them to the B.C. context. To show that we are committed to finding these solutions, the Green Building Leaders are now exploring how to make renewable energy requirements work in B.C. We are also building support for the use of local improvement charges to finance renewable energy and energy efficiency in our communities. We welcome the province's input and involvement in these initiatives.

We believe there is room to go beyond the existing province-wide regulations on new and existing buildings, and in general, we would prefer to see province-wide implementation of green building policy instead of a community-by-community approach. We also recognize that some communities will want to move more quickly than others, and as such, we support approaches that allow leading local governments to opt-in to higher standards if province-wide implementation is not immediately possible. This model of regulatory change is similar to how the water efficiency and solar-ready regulations were implemented.

Addressing climate change is a huge challenge, and all levels of government will have to work together to identify and implement solutions. B.C. is a leading jurisdiction in North America in taking bold action on climate change, and we support continued work to identify and implement solutions to reduce greenhouse gas emissions from new and existing buildings. We will continue to work toward this goal, and we invite the provincial government to join us.

Sincerely,

The Green Building Leaders (*individual signatures to go here*)

Cc:

Hon. Murray Coell, Minister of Environment, Government of British Columbia

Hon. Moira Stilwell, Minister of Small Business, Technology, and Economic Development, Government of British Columbia

Hon. John Yap, Minister of State for Climate Action, Government of British Columbia

Ms. Bev Van Ruyven, Deputy CEO & Executive Vice-President, BC Hydro

Mr. Doug Stout, Vice President, Energy Solutions and External Relations, Terasen

Mr. Gary MacIssac, Executive Director, Union of B.C. Municipalities

Mr. Matt Home, Director of BC Energy Solutions, Pembina Institute



RDN REPORT	
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MEMORANDUM

TO: Board of Directors **DATE:** December 6, 2010

FROM: Joe Stanhope
Municipal Finance Authority Member/Trustee

SUBJECT: Municipal Finance Authority Update

PURPOSE:

To provide a background and update on the activities of the Municipal Finance Authority of BC. (MFABC or MFA)

BACKGROUND:

The MFABC was created in 1970 to serve BC municipalities and regional districts to provide long-term financing, interim financing, lease financing and pooled investments. The MFA balance sheet now exceeds \$6.5 billion and is managed by a team of nine professional staff based in Victoria. Pooled investments reached \$2.2 billion this year.

Investors regard the MFA as the benchmark of municipal credit. MFA has the lowest borrowing costs of any municipal issue in Canada and has excellent market access. They were the first municipal issuer to access the market post-crisis in November 2008. The MFA has a broad investor base, including institutional investors in Canada and the USA (asset managers, insurance companies, pension funds, etc.) as well as Canadian retail investors.

The MFA membership consists of 38 elected officials appointed by their regional district boards from 28 regional districts. The responsibilities of the members are the election of the Chair and the 10 member Board of Trustees, the review and authorization of requests for financing, and to approve the annual operating budget. There are four Trustees from the Greater Vancouver Regional District, one from the Capital Regional District, and five Trustees elected from the other 26 regional districts. The responsibilities of the Trustees are executive and administrative oversight (including finance and audits), human resources and investment advisory.

Recently the MFA placed \$230 million worth of 10-year bonds at a yield of 3.64%. This ultimately translates into what BC taxpayers have to pay for local government borrowing. In the current world of finance this represents good news for all BC residents as it is the lowest 10-year borrowing rate in the MFA's forty year history. This latest issue was taken up by investors extremely quickly and even attracted 'new' international investors.

The excellent credit rating of the MFA is shared by all BC local governments and hospital districts. By borrowing through the MFA, BC residents benefit from some of the lowest debt rates in North America. Only the federal government and the provinces of BC, Alberta and Ontario share the AAA rating of the MFA.

The average local government debt load in BC is less than \$1,000 per capita. The debt load of each local government is closely monitored by the Ministry of Community, Sport, and Cultural Development, and the MFA. Compared to the situation of some cities in the USA, a few municipalities are facing huge debt load and/or deficits relative to the size of the community. The enormous debt level brings with it the specter of high interest rates, tax increases over 100%, or possible bankruptcy declaration.

As far as MFA's liquidity is concerned, MFABC has the most 'bullet' debt outstanding of any Canadian municipal issuer. This is a good thing as 'bullet' is a bond term meaning the principal is paid in full on the maturity date. In contrast, a serial bond has the principal repaid annually.

FINANCIAL IMPLICATIONS

With its statutory credit strength and good management, MFABC is recognized as the leading municipal issuer in Canada. While the MFA continues to borrow at superior rates when compared to all other municipalities in Canada, all other Canadian municipalities are priced as a spread over MFA. MFA relends to all their members at the same low rate, regardless of the size of each community they serve in BC.

SUMMARY

The MFA was established April 2, 1970 under the Municipal Finance Authority Act to provide financing and short-term investments for regional districts and other prescribed institutions in BC. There have been no defaults or late payments. The MFA Financial Forum and AGM will be held in Victoria on March 23 & 24, 2011.

RECOMMENDATION

That this report be received for information.



Joe Stanhope



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MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: December 1, 2010

FROM: Linda Burgoyne
Administrative Assistant

SUBJECT: 2010 Departmental Activities and Accomplishments

PURPOSE:

To provide the Board with the annual summary of departmental activities and accomplishments for 2010.

BACKGROUND:

The departments within the service areas continued to have a very busy and productive year. Activities included the continuation and implementation of the strategic priorities and action areas of the Board's Strategic Plan.

The following is a summary of departmental activities and accomplishments, as well as works in progress, for 2010.

CORPORATE ADMINISTRATION

Corporate Administration:

- Coordinated Electoral Area Director and Board Seminars, as well as the regular Board and Committee meetings
- Continued to provide website enhancements
- Grants-in-Aid funding was distributed to twenty organizations for social programs and services

Human Resources

- Completed 53 recruitment and selection panels
- Amended the Evacuation Plan for the Administration Building
- Updated the RDN's Health and Safety Program
- Completed general health and safety inspections of three worksites
- Coordinated monthly Joint Health and Safety Committee meetings and follow-up on WorkSafe BC claims and employee health and safety concerns
- Coordinated eight training sessions in which 102 employees participated
- Provided assistance to Recreation and Parks on personnel management during the RAC shutdown period for remedial upgrades

Communications:

- Produced an Electoral Area Update Newsletter for each of the seven Electoral Areas (Fall 2010)
- Coordinated three Regional Perspectives publications (Budget 2010, Building Inspection 2010 and Winter 2010)

- Provided ongoing support to departments for communications initiatives
- Produced 79 media releases (to date) for departments and liaised with media as needed
- Continued to maintain and build media relations with reporters and management at all local media outlets
- Coordinated the Green Bin Program announcement event for the Fall 2010 start dates
- Assisted with publicity and planning for all major RDN projects and announcements including electoral area and regional planning initiatives, regional park acquisitions, community events, Board initiatives, infrastructure upgrades and expansions, and emergency response operations

FINANCE AND INFORMATION SERVICES

Financial Services:

Financial Reporting

- Completed changes to capital asset record keeping in preparation for the 2009 financial statements which are in full compliance with new reporting standards regarding tangible capital assets
- Improved accounting systems with respect to tracking major capital projects
- Met reporting requirements for Recreational Infrastructure Canada grant funding related to the Ravensong Pool renovations and Lighthouse Country trail improvements which were funded by the Job Opportunities Program and Island Coastal Economic Trust
- Assisted the Manager, Energy & Sustainability to develop reporting tools for carbon emissions and offset cost calculations
- Began research into asset management software to lead an internal review of implementation recommendations

Accounting Services

- Oversaw the implementation of the HST across the organization
- Improved use of the CityView property information system to streamline new customer accounts setup
- Assisted with training the Zero Waste Enforcement Officer to use the CityView property system to track garbage & recycling collection customer anomalies
- Began a review of a Transit payroll software interface to ensure accuracy and usability pending a full review and potential change in the software product
- Began a review of all accounting procedures to ensure they are accurate and up to date following new software implementations
- Oversaw a major upgrade to accounting software and the associated staff training

Other

- Established an Electoral Area Fire Services Advisory Committee to improve communications with volunteer fire departments
- Completed the design of the new Nanoose Bay Firehall to proceed to referendum in 2011

Information & GIS Services:

Information Services

- A server virtualization was used to eliminate six servers thereby lowering electrical consumption in the central data centre
- Deployed Windows 7 and Office 2010 across all desktop computers and coordinated training for staff
- Upgraded the Windows domain to the Windows Server 2008 and deployed a new firewall

- Deployed site replication software to remote sites for secure data backup
- Completed an analysis of telephone systems upgrade study and provided recommendations for 2011 implementations
- Assisted with upgrading telephone and data systems for the Ravensong Aquatic Center and Church Road Transfer Station major capital projects
- Provided ongoing development support to the CityView property system software
- Began a review of the electronic file management services transition to use Sharepoint software

Geographic Information Services

- Began GPS capture of trails, utility infrastructure (manholes, street lights, wells and reservoirs) and bus stops
- Provided map and analysis support for:
 - Drinking Water/Watershed Protection
 - Green Bin deliveries
 - EA 'A' OCP
 - Bowser Village Plan
 - Regional Growth Strategy
 - Emergency Planning programs
- Scanned the historical map series for archive storage
- Developed a map layer of mobile homes
- 750 map files created/edited
- 180 addresses assigned
- 157 property plans processed – subdivided properties, changes to reference plans, easements, etc.
- Applied 2009 photos to map
- Updated software providing web map services

DEVELOPMENT SERVICES

Building Inspection:

- Bylaws to facilitate the expansion of Building Inspection in all Electoral Areas were adopted
- Substantial staff resources from Development and Corporate Services were utilized throughout the year for the organization of public events, preparation of communications and response to the public in relation to the expansion of Building Inspection
- Nine public events were held in the Electoral Areas affected by the service expansion
- Approximately 880 building permits were processed (up from 550 in 2009)
- Field Inspectors conducted approximately 5,000 inspections of new construction.
- Permit turn-around time reduced to an average of 4 weeks on major projects and 2 weeks on smaller projects.
- Public use of department web pages for general information, updates and permitting statistics continued to rise.
- Approximately 90% of identified building bylaw infractions resolved prior to legal action being required.

Bylaw Enforcement:

- Staff handled approximately 390 files of varying complexities as well as over 1,600 public inquiries
- Legal action on several enforcement files (EA's 'F' and 'G' zoning and EA 'F' dog destruction) continued in 2010
- Two unsightly premises requiring significant clean-up were reported to the Board for clean-up resolutions. One property cleaned up by contractor and the other dealt with by the owner
- Two matters reported to District of Lantzville Council for consideration of legal action

- Protocols established with Nanaimo and Oceanside RCMP on response/investigation of nuisance properties and noise bylaw issues
- Public use of website for complaints and general information continues to rise
- Animal Control Agreements for kenneling services and facility use negotiated and approved by the Board

Emergency Planning:

- Flood response:
 - Evacuation alert, Nanaimo River
 - Coordinated response with Snuneymuxw First Nation
 - Response in Little Qualicum River, debris jam removed
- One ESS level one call out for a structure fire
- Emergency generator installed at Lighthouse Reception Centre
- 4 Fuel Management Prescriptions (UBCM grant projects) underway
- Dashwood Community Wildfire Protection Plan completed
- Nanoose Bay/Lantzville/Nanoose First Nation Community Wildfire Protection Plan completed
- D69 Emergency Social Services cost sharing agreement approved
- Reception Centre agreements renewed for Cedar and Lighthouse
- 28 Neighbourhood Emergency Planning/Preparedness workshops done and eight new groups started
- one extreme weather based scenario table top exercise completed
- two emergency communications drills completed
- three Emergency Management Select Committee meetings held with 13 matters reported

Current Planning:

- Processed a higher than projected number of applications in 2010 in a thorough and timely manner
- Completed review of Home Based Business regulations, recommendations coming forward as part of general housekeeping amendments to Bylaw 500 (Q1 2011)
- Completed review of section 946 subdivision regulations, recommendations coming forward as part of general housekeeping amendments to Bylaw 500 (Q1 2011)
- Area Agriculture Plan discussion initiated including grant application
- Assisted with implementation of building expansion, including the drafting of new policy related to subdivision applications outside of existing inspection areas
- Completed draft of a subdivision servicing bylaw
- Two Agriculture Advisory Committee meetings were held
- Completed an update of all application forms in addition to making all forms ‘on-line fillable’
- Review and update of the planning web site
- Ongoing implementation of the property data base

Long Range Planning:

- A review of the Electoral Area ‘A’ Official Community Plan continued through 2010 and included the following activities/actions:
 - Advisory committee meetings held on a regular basis
 - several public meetings held
 - several meetings with interest groups, residents and property owners
 - report on aquifer vulnerability was completed
 - report on sewer servicing was completed
 - first and second draft of the revised OCP

- The Bowser Village Centre Plan was adopted that included the following activities/actions:
 - OCP bylaw amendment process was completed including final revisions to the plan and public hearing
- Bylaw amendments were made to six Electoral Area OCPs (all except EA 'A') to incorporate GHG emission reduction targets, policies and actions to meet the requirements of Bill 27
- Implementation of the Electoral Area 'G' OCP was reinitiated by introducing four new bylaws to amend Bylaw 500. A public consultation strategy was developed and carried out which included a newsletter sent to all residents and three open houses

Regional Growth Strategy:

- A review of the Regional Growth Strategy continued in 2010 that included the following activities/actions:
 - Regular meetings with municipal staff to discuss the content of the draft of the revised RGS. Regular updates were made to the RGS review web site
 - Presentations on the Draft RGS were made to elected officials
 - Preparation of a revised draft of the RGS based on input from the municipalities and Electoral Area directors
 - Nine information support sheets were prepared to provide background on the proposed goals and policies in the revised Draft RGS
 - Intergovernmental Advisory Committee (IAC) meetings were held
 - Regular updates to the Shaping Our Future web site
- Two applications to amend the Regional Growth Strategy and relevant OCPs were processed
- Follow-up to the Affordable Housing Study was initiated with research and analysis for the development of a report and action plan for the types of measures the RDN can take to address housing affordability and the provision of a range of housing types
- Continued to develop capacity to use Community Viz for use as a modeling tool to show the impacts of different development scenarios

Energy and Sustainability:

- Completed *Overcoming Barriers to Green Building* research project. Revising Sustainability Checklist to incorporate recommendations
- Completed *Green Building Speaker Series* with sessions in each Electoral Area, and a *Green Skyline Tour* at 12 buildings across the Region
- *Integrated Design Process (IDP)* manual project and workshop to facilitate implementation of RDN Green Building Policy. Project initiated, completion Q4 2010
- Installed real-time energy monitoring software in 7 facilities (2 to follow)
- Draft *Strategic Energy Management Plan* underway. Draft available Q4 2010. (Part of participation in in BC Hydro Energy Manager Program)
- Draft *Community Energy and Emissions Plan* to be completed, Q4 2010
- Completed *Emissions Inventories and Forecasts for Electoral Areas*, refined inventories and forecasts for individual Electoral Areas
- *Emissions Reduction Measures – Suite of Options* available Q4 2010
- Research project underway examining opportunities for enhanced CO₂ uptake and sequestration in regional parks and on rural residential lands. Aim of project is to find local opportunities to achieve Carbon Neutral Operations
- Spreadsheet tool developed to serve as foundation for Corporate Carbon Accounting, a key step in pursuit of Carbon Neutral Operations
- Three Corporate Sustainability Policies Developed:
 - Green Housekeeping Program
 - Plug-in Hybrid Electric Vehicle Parking Policy
 - RDN Energy Policy (Electricity)

- Initiated *Lunch and Learn* sessions to raise awareness about climate change, energy conservation and emissions among staff
- Assisting with LEED Certification process for Administration and Transit Administration Buildings
- RDN and Member Municipalities designated as *SolarBC* Solar Community
- Received almost \$60,000 in grants for 2 solar hot water systems: RDN Transit Administration Building and Ravensong Pool
- Provided outreach and communications material in support of the expansion of Building Inspection Services
- Held three Sustainability Select Committee meetings

REGIONAL AND COMMUNITY UTILITIES

Water Services:

Administration/Planning

- Completed final design of the proposed NBPWSA water treatment plant
- Initiated NBPWSA DCC & Capital Charge study
- Completed the French Creek wells hydrogeological review
- Completed annual water system reports for all RDN service area systems
- Completed pre-design engineering for the San Pareil water system
- Reviewed and updated RDN sprinkling regulations
- Updated the Water Services website

Water Systems Operations

- Completed GWUDI assessment of San Pareil Well #1
- Installed well sequencing controls in Nanoose Bay
- Redeveloped Madrona #4 and French Creek #7 wells
- Upgraded the Outrigger Road PRV
- Installed chlorine analyzers in Nanoose Bay and French Creek
- Completed resealing the Dolphin Beach reservoir
- Undertook groundwater level and water quality monitoring of the Claudet Road well
- Installed new water meters in the Melrose water system
- Cleaned and serviced reservoirs in the FCWSA and NBPWSA systems
- Completed the annual fire hydrant maintenance program
- Installed water sampling stations in all NBPWSA and FCWSA service areas
- Replaced the West Bay pump house system controls
- Replaced the San Pareil main supply line from the reservoir

Drinking Water & Watershed Protection

- Completed the watershed scoping and prioritization project
- Converted three unused production wells into groundwater monitoring wells
- Completed the 2010 Team WaterSmart program in partnership with member municipalities
- Completed the 2010 Toilet Rebate program
- Developed a residential irrigation system review program to reduce outdoor water use
- Completed the 2010 school watershed education program
- Developed WellSmart a private well owners education program, in partnership with MOE, BCGWA, VIHA and local labs
- Initiated the Groundwater Observation Well program with MOE
- Partnered in the RDN/MVIHES Englishman River ground and surface water interaction study

- Partnered in the RDN/MOE/MVIHES French Creek & Englishman River surface water quality monitoring project
- Initiated the RDN Community Water Supply Systems Working Group
- Partnered with GSC to characterize the Englishman River and local aquifer interactions

Wastewater Services:

Administration/Planning

- Completed the GNPCC Upgrade process selection review
- Completed the FCPCC Expansion process selection review
- Developed a DCC policy for Not-for-Profit housing
- Commenced review of NBP wastewater DCC program
- Commenced detailed design of the GNPCC Digester #3 upgrade project
- Implemented Preventative Maintenance and Asset Management Plans for wastewater facilities
- Initiated the Harmac Facility co-treatment options review

Wastewater Systems Operations

- Cogeneration - Utilized 100% of GNPCC waste gas to produce heat & electricity
- Completed an inspection and assessment of the GNPCC outfall
- Completed the Lee Road Pump Station upgrade
- Completed manhole repairs on the Qualicum Beach interceptor line
- Installed a new GenSet for NBPCC Pump Station #5
- Beneficially reused 100% of biosolids from the RDN treatment facilities
- Beneficially reused FCPCC effluent at the Morningstar Golf Course
- Held public open houses at the GNPCC & FCPCC

Liquid Waste Management Planning:

- Prepared a draft updated Liquid Waste Management Plan
- Completed the 2010 SepticSmart program
- Liaised with BC Ferries on a sewage pump shore program

Engineering Services:

- Prepared community water, sewer and streetlighting standards for inclusion into new servicing standards bylaw
- Completed oversight of Cedar Estates community sewer project works
- Provided engineering advice and input on Meadowood Firehall project
- Completed oversight of the NBPWSA water treatment plant design
- Completed engineering assessment and acquisition process for the Whiskey Creek water utility

RECREATION AND PARKS SERVICES

Community Parks:

- Development Plan for Morden Colliery Community Park – EA ‘A’
- Repair Nelson Boat Launch - EA ‘A’
- Planting and fencing installed at Thelma Griffiths Park - EA ‘A’
- 707 Community Park Management Plan Complete – EA ‘B’
- Fire Department Access Improvements at 707 Community Park - EA ‘B’
- Directional signage installed at Cox Community Park - EA ‘B’
- \$12,200 in funding provided to the Gabriola Island Community Hall for upgrades
- Completion of Extension Miners Community Park Phase I– EA ‘C’
- Completion of Meadow Drive Community Park Phase II – EA ‘C’

- Park dedication review of Fairwinds Development Plan – EA ‘E’
- Malcolm Property Trail Development – EA ‘F’
- \$20,000 in funding provided to the development the Arrowsmith Agricultural Hall – EA ‘F’
- Open House and initiation of Community Trail Concept Plan – EA ‘F’
- Dashwood Community Park playground installation – EA ‘G’
- Completion of building, electrical and fire code improvements for Women Institute Hall at Dashwood Community Park - EA ‘G’
- Rose Community Park Pedestrian Bridge Installation – EA ‘H’
- Concluded first renewal of private land trail agreement for Thompson Clarke – Ocean Trail – EA ‘H’
- \$16,000 in Funding provided to the development and maintenance of the Lighthouse Community Centre – EA ‘H’
- Multiple subdivision parkland dedication assessments carried out - all Electoral Areas

Regional Parks:

- \$250,000 Job Opportunity Program Funding applied for and received for Lighthouse Country Regional Trail
- Lighthouse Country Regional Trail – Nash & Ridgewil Bridges / Parking and Staging Areas / Trail Development / Pedestrian – Cyclist Railway Crossing
- Little Qualicum River Estuary Regional Conservation Area Management Plan completed
- Mount Benson Regional Park / Witchcraft Lake Parking and Floating Boardwalk completed in partnership with the City of Nanaimo
- Wildfire Management Plans completed
- UV treated water system installed at Descanso Bay Regional Park
- Top Bridge and Horne Lake Regional Park site locations for feature film and Dutch TV program
- Two-poster kiosk installation initiated along Trans Canada Trail
- Trans Canada Trail grant of \$16,000 received for Timberlands Road trailhead and trail connector - Trail now linked up between Haslam Creek and Ladysmith
- Mount Arrowsmith Management plan nearly completed
- UBCM Community Tourism Program completed and final funds received
- Horne Lake Concept Plan nearing completion
- Volunteer Park Warden program implemented and training session held
- Trail work and re-vegetation carried out in partnership with NALT at Mount Benson Regional Park
- House repairs and upgrades completed at Horne Lake
- Assessments for parkland acquisitions carried out

Recreation Services - RDN

- Coordination of 2010 Torch Relay and associated events in the rural communities
- Partnership with RDN Water Utilities on WellSmart workshops

Area A Recreation and Culture

- Established key items for EA ‘A’ Recreation and Culture Services delivery including, Vision/ Mission Statement, Fees and Charges Policy, Financial Assistance and Inclusion programs
- Offered first set of community programs with approximately 200 participants registered
- Developed first Leaders in Training Program for EA ‘A’
- Received Public Awareness Grant in the amount of \$4,000 to support the Let’s Get Active Area ‘A’ Campaign

Northern Community Recreation Services and Facilities

- Upgrading of Ballenas School track in partnership with School District #69 and Oceanside Track and Field Association
- Implementation of CLASS Membership Registration System for Northern Community Recreation, Oceanside Place and Ravensong Aquatic Centre
- Applied for and received \$49,000 for solar panels from Solar BC and Natural Resources Canada - installed at Ravensong Aquatic Centre
- Ravensong Aquatic Centre remediation and upgrade project with utilization of \$1M RInC grant
- Obtained three new partnerships (Save-on Foods, Fraternal Order of Eagles, Qualicum Foods) with community organizations for free swims at Ravensong
- Development of Youth Recreation Strategic Plan in District 69 for 2011-2016
- Increase in Northern Community Adult Programs registration and revenues
- Over 40 community projects and initiatives supported by District 69 Recreation Community and Youth Grants
- Received Walk BC Grant for \$3,000 to initiate walking program geared at adults aged 35-54 years old, throughout the region including Electoral Areas 'A', 'B', 'F' and 'H', as well as Parksville and Qualicum Beach
- ***Healthy Choices for Oceanside***, the promotion of healthy eating project (\$8,250 grant) to be implemented over 3-years at Oceanside Place and the Ravensong Aquatic Centre
- Partnership with NALT on wild plant workshops
- Coordinated over 3,000 field bookings in District 69
- Coordinated the 30th annual Terry Fox Run in Parksville
- Development and implementation of the District 69 Recreation Commission Performance Recognition Program
- Completion of District 68 and 69 Recreation and Sport Field User Survey
- Leaders in Training Summer program exceeded 1,670 volunteer hours in District 69
- Increased participation in inclusion program
- Secured second year sponsorship agreement with the Parksville Lions Club to provide free family skate sessions at Oceanside Place
- Worked with the local Oceanside Generals Junior B Hockey team to host the Provincial Cyclone Taylor Cup Tournament
- Hosted the first Vancouver Island Regional Development Program for Skate Canada Figure Skating
- Hosted the Spirit of BC Skate in February as a final tribute to the Olympics

TRANSPORTATION AND SOLID WASTE SERVICES

Transportation Services:

- Continued implementation of the Transit Business Plan which outlines expansions that meet provincial goals of doubling ridership by 2015
- Implemented the Gas Tax and Public Transit Agreement capital projects:
 - Prideaux Street Exchange Upgrade
 - Vancouver Island University Exchange
 - Custom software, Stratagen Software
 - Installed new shelters at major transit exchanges
- Implemented an 5,000 hour expansion increase to Routes #5 and #6
- Provided a 100% accessible fleet
- Began design for the fuel island, wash bay, high bay/body bay
- Electronic fare boxes installation and implementation
- Installed rear facing seat modification
- Implemented a digital bus line up board

- Provided service to passengers on cruise ships through a partnership with the Downtown Nanaimo Partnership group
- Installed new information posts for customers at the main Transit exchanges which will make the system easier to use
- The Transit fleet is running on B-20 Bio-Diesel which will help the region reduce the amount of greenhouse gases emitted

Solid Waste

Zero Waste Programs:

- Initiated the development of a database of multi-family developments representing over 11,000 townhouses and 5,700 apartments to increase recycling and food waste collection services in this sector by private haulers
- Processed and/or monitored the following number of Waste Stream Management Licenses for privately operated recycling facilities:
 - New Licenses – 2
 - Applications in Process – 4
 - Cancelled Licenses/Withdrawn Applications: 4
 - Total Licensed Sites: 8
- Prepared two region-wide Zero Waste newsletters in support of the Green Bin Program
- Issued 42 material disposal ban violation notices including follow-up action with the hauler and/or generator
- Investigated 102 illegal dumping complaints with 22 tonnes of waste cleaned up by RDN contractor:
 - 27 files resulted in names being located and individuals directed to clean up or warned about their actions
 - 11 additional ID signs were erected in historical ID areas
 - GPS mapping of these signed locations initiated/continuing
 - Media interviews/press releases (general & specific)
 - Resident association contact resulting in ‘door hanger’ initiative for subdivision/park use
 - Supported ‘Great Canadian Shoreline Clean-up’ with approval of six disposal waivers
 - Supported ‘Invasive Council of BC Community Weed Pull Event’ in Cedar with disposal waiver approval
 - Ongoing liaison with Forestry wood lot security & users, area RCMP and MOE staff
- Awarded an organics contract processing region-wide organics
- Oversaw facility upgrades to meet contract requirements for waste acceptance, odour management, compost curing and material delivery at the organics processing facility

Residential Curbside Collection Program:

- Awarded a new curbside collection contract to the Electoral Areas, Parksville and Lantzville, and an organics contract for Qualicum Beach
- Produced and distributed two program newsletters and one utility notice insert
- Planned and implemented a new collection program to include curbside food waste collection for 52,000 households in all four municipalities and the electoral areas:
 - Maintained existing service levels during the planning and roll-out phases
 - Issued and awarded a contract for the supply and distribution of 52,000 food waste collection containers (including the City of Nanaimo)
 - Lead a collaborative planning process that included the four municipal partners
 - Rebranded the Zero Waste Program to reflect the change to Beyond Composting
 - Prepared and fulfilled an extensive collaborative communications strategy which included traditional and social media outlets, region-wide community outreach, and revamped web presence

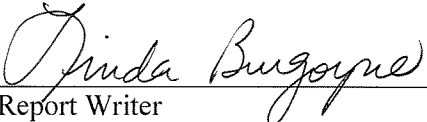
- Hosted 15 information open houses throughout the region over a four week period
- Produced education and promotional material for the launch of the new program including a new “Curbside Collection Guide” and a household glass recycling fact sheet
- Produced new 15 month collection calendars for the 17 collection routes, and assisted the Town of Qualicum Beach in preparing specific scheduling information for their eight routes
- Coordinated the preparation, production, receipt and assembly of all the residential information package components prior to distribution with the food waste containers
- Amassed and collated service account data for the 26,000 homes served by this program
- Oversaw the distribution of new food waste collection containers and program information to 26,000 homes, and liaised with City of Nanaimo on the distribution to their residents
- Managed a temporary call centre which received in excess of 3,300 calls over a 10 week period
- Worked closely with the collection contractor during the commencement of the new collection program to ensure the best possible service was provided during the transition

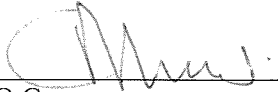
Solid Waste Disposal Facilities:

- Completed a tri-regional district solid waste study to assess thermal treatment technologies for municipal solid waste on behalf of the RDN, CVRD and CRD
- Obtained approval from the Minister of Environment to amend the Solid Waste Management Plan to include the Regional Landfill Design and Operations Plan
- Completed the retrofit, redevelopment and expansion of the Church Road Transfer Station to meet LEED Gold certification and provide transfer services for food waste
- Installed 30,000 m² of geo-membrane interim cover system on Cell Two of Regional Landfill
- Installed an additional seven landfill gas extraction wells and two manifold stations to improve the efficiency of the landfill gas collection system at the Regional Landfill
- Completed safety upgrades to the self-haul drop-off area at the Regional Landfill
- Awarded a contract for bird control services at the Regional Landfill
- Awarded a tender for the replacement of the rubber tire loader at the Regional Landfill
- Organized and hosted a BC Bioenergy Network Municipal Collaborative Landfill Gas Collection and Utilization Workshop in cooperation with the BC Solid Waste Management Association and the Pacific Carbon Trust to provide information, best practices, and potential funding sources for landfill gas collection and utilization options for over 40 participants representing solid waste departments, elected municipal representatives, suppliers and funding partners from British Columbia and Alberta.

RECOMMENDATION:

That the Board receive the summary of activities and departmental accomplishments for the Regional District of Nanaimo for 2010.


Report Writer


CAO Concurrence



RDN REPORT		
CAO APPROVAL <i>[Signature]</i>		
EAP		
COW		
DEC - 8 2010		
RHD		
BOARD	✓	Dec. 14/10

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: December 1, 2010

FROM: Maureen Pearse
Senior Manager, Corporate Administration

FILE:

SUBJECT: Board and Standing Committee Meeting Schedule for 2011

PURPOSE

To advise Board members on the meeting schedule for 2011.

BACKGROUND

Pursuant to Section 7 of Board Procedure Bylaw No. 1512, except for the Inaugural meeting, regular meetings of the Board are held on the fourth Tuesday of each month at 7:00 pm. Electoral Area Planning (EAPC) and Committee of the Whole (COW) meetings are held on the second Tuesday of each month at 6:30 and 7:00 pm.

Consistent with Board Policy, there is no August EAPC or COW meetings and business normally dealt at these meetings is accommodated at the next Board meeting. The list of meeting dates is provided to the Board for information.

ALTERNATIVES

1. That the 2011 meeting schedule be received for information.
2. That the Board provide alternate direction.

FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSIONS

A list of regular meeting dates for the Board and Standing Committees has been prepared for information.

RECOMMENDATION

That the 2011 meeting schedule be received for information.

Maureen Pearse
Report Writer

[Signature]
C.A.O. Concurrence

REGIONAL DISTRICT OF NANAIMO

Board & Committee Meeting Dates – 2011

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

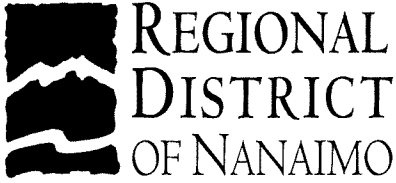
January 11	EAP/Committee of the Whole
January 25	Board Meeting
February 8	EAP/Committee of the Whole
February 22	Board Meeting
March 8	EAP/Committee of the Whole
March 22	Board Meeting
March 29	Ideas & Updates (Tentative)
April 12	EAP/Committee of the Whole
April 26	Board Meeting
May 10	EAP/Committee of the Whole
May 24	Board Meeting
May 31	Ideas & Updates (Tentative)
June 14	EAP/Committee of the Whole
June 28	Board Meeting
July 12	EAP/Committee of the Whole
July 26	Board Meeting
August 23	Board Meeting
August 30	Ideas & Updates (Tentative)
September 13	EAP/Committee of the Whole
October 4	Board Meeting
October 11	EAP/Committee of the Whole
October 25	Board Meeting
November 8	EAP/Committee of the Whole
November 22	Board Meeting
November 29	Ideas & Updates (Tentative)
December 13	Inaugural Board Meeting

2011 Conferences:

AVICC Conference - April 8 -10 (Sidney)

FCM Conference – June 3 – 6 (Halifax)

UBCM Conference – September 25 – October 30 (Vancouver)



SDM REPORT		
CAO APPROVAL <i>(Signature)</i>		
EAP		
COW		
RHD		
BOARD	✓	Dec 14 '10

MEMORANDUM

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

DATE: November 30, 2010

FROM: W. Idema
Manager, Financial Reporting

FILE:

SUBJECT: Nanaimo River Fire Protection, Fairwinds Streetlighting, Morningstar Streetlighting Reserve Funds

PURPOSE:

To introduce for three readings and adoption the following reserve fund bylaws:

- “Nanaimo River Fire Protection Service Capital Reserve Fund Bylaw No. 1612, 2010”.
- “Fairwinds Streetlighting Local Service Area Reserve Fund Bylaw No. 1613, 2010”.
- “Morningstar Streetlighting Local Service Area Reserve Fund Bylaw No. 1614, 2010”.

BACKGROUND:

As the fiscal year end approaches there will be unexpended maintenance funds in the following service area accounts: the Nanaimo River Fire Protection Service, the Fairwinds Streetlighting Service Area and the Morningstar Streetlighting Service.

The Nanaimo River Fire Protection Service was established to construct a new firehall on Nanaimo River Rd. in Electoral Area C. A crown land grant has been secured but construction of a firehall design has been deferred pending a review of the budget for the building.

Both the Fairwinds and Morningstar Streetlighting service areas have ornamental streetlight standards, which will require replacement over time.

In order to retain these funds for those future purposes, staff propose establishing formal capital reserve funds. Bylaws 1612, 1613 and 1614 all have a common purpose - to provide a source of funding for the acquisition, repair, replacement or improvement of the capital infrastructure in the service area.

ALTERNATIVES:

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

FINANCIAL IMPLICATIONS:

If the bylaws are adopted, initial transfers to the reserve funds in 2010 are estimated as follows:

- Nanaimo River Fire Protection Service Capital Reserve Fund \$35,000
- Fairwinds Streetlighting Local Service Area Reserve Fund \$15,000
- Morningstar Streetlighting Local Service Area Reserve Fund \$11,000

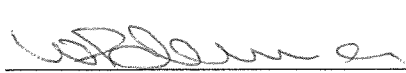
SUMMARY/CONCLUSIONS:

Reviews of the 2010 fiscal year end results for the Nanaimo River Fire Protection Service, the Fairwinds Streetlighting Service and the Morningstar Streetlighting Service indicate there will be unexpended maintenance funds on hand at December 31.


In order to retain these funds for future capital purposes, staff propose establishing capital reserve funds. Bylaws 1612, 1613 and 1614 all have a common purpose - to provide a source of funding for the acquisition, repair, replacement or improvement of the capital infrastructure in the service area.

RECOMMENDATION:

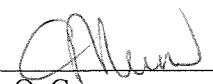
1. That "Nanaimo River Fire Protection Service Capital Reserve Fund Establishment Bylaw No. 1612, 2010" be introduced and read three times.
2. That "Nanaimo River Fire Protection Service Capital Reserve Fund Establishment Bylaw No. 1612, 2010" be adopted.
3. That "Fairwinds Streetlighting Local Service Area Reserve Fund Establishment Bylaw No. 1613, 2010" be introduced and read three times.
4. That "Fairwinds Streetlighting Local Service Area Reserve Fund Establishment Bylaw No. 1613, 2010" be adopted.
5. That "Morningstar Streetlighting Local Service Area Reserve Fund Establishment Bylaw No. 1614, 2010" be introduced and read three times.
6. That "Morningstar Streetlighting Local Service Area Reserve Fund Establishment Bylaw No. 1614, 2010" be adopted.



Report Writer



General Manager Concurrence



C.A.O. Concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1612

**A BYLAW TO ESTABLISH A RESERVE FUND FOR
THE NANAIMO RIVER FIRE PROTECTION SERVICE**

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

AND WHEREAS it is considered desirable to establish a reserve fund to provide for costs related to the acquisition, repair, replacement or improvement of the capital infrastructure of the Nanaimo River Fire Protection Service established pursuant to Bylaw No.1440, cited as “Nanaimo River Fire Protection Service Area Establishment Bylaw No. 1440, 2005”;

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

1. There is hereby established a reserve fund, pursuant to Section 814(3) of the *Local Government Act*, to be known as the “Nanaimo River Fire Protection Service Capital Reserve Fund”.
2. Money from the current revenue of the Nanaimo River Fire Protection Service, to the extent to which it is available, or as otherwise provided in the *Local Government Act*, may from time to time be paid into the reserve fund.
3. The money set aside may be invested in the manner provided by the *Local Government Act* until its use is required.
4. Money in the reserve fund shall be used for capital improvements, major repairs, expansions, acquisitions or expenditures of a like nature for the Nanaimo River Fire Protection Service.
5. This bylaw may be cited as the “Nanaimo River Fire Protection Service Reserve Fund Establishment Bylaw No. 1612, 2010”.

Introduced and read three times this 14th day of December, 2010.

Adopted this 14th day of December, 2010.

CHAIRPERSON

SR. MGR. CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1613

**A BYLAW TO ESTABLISH A RESERVE FUND FOR
THE FAIRWINDS STREETLIGHTING LOCAL SERVICE**

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

AND WHEREAS it is considered desirable to establish a reserve fund to set aside funds to provide for costs related to the acquisition, repair, replacement or improvement of the capital infrastructure of the Fairwinds Streetlighting Local Service established pursuant to Bylaw No.789, cited as “Fairwinds Streetlighting Local Service Establishment Bylaw No. 789, 1989”;

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

1. There is hereby established a reserve fund, pursuant to Section 814(3) of the *Local Government Act*, to be known as the “Fairwinds Streetlighting Local Service Reserve Fund”.
2. Money from the current revenue of the Fairwinds Streetlighting Local Service, to the extent to which it is available, or as otherwise provided in the *Local Government Act*, may from time to time be paid into the reserve fund.
3. The money set aside may be invested in the manner provided by the *Local Government Act* until its use is required.
4. Money in the reserve fund shall be used for capital improvements, major repairs, expansions, acquisitions or expenditures of a like nature for the Fairwinds Streetlighting Local Service Area.
5. This bylaw may be cited as the “Fairwinds Streetlighting Local Service Reserve Fund Establishment Bylaw No. 1613, 2010”.

Introduced and read three times this 14th day of December, 2010.

Adopted this 14th day of December, 2010.

CHAIRPERSON

SR. MGR. CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1614

**A BYLAW TO ESTABLISH A RESERVE FUND FOR
THE MORNINGSTAR STREETLIGHTING LOCAL SERVICE AREA**

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

AND WHEREAS it is considered desirable to establish a reserve fund to provide for costs related to the acquisition, repair, replacement or improvement of the capital infrastructure of the Morningstar Streetlighting Local Service Area established pursuant to Bylaw No. 869, cited as "Morningstar Streetlighting Local Service Area Establishment Bylaw No. 869, 1992"

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

1. There is hereby established a reserve fund, pursuant to Section 814(3) of the *Local Government Act*, to be known as the "Morningstar Streetlighting Local Service Area Reserve Fund".
2. Money from the current revenue of the Morningstar Streetlighting Local Service Area, to the extent to which it is available, or as otherwise provided in the *Local Government Act*, may from time to time be paid into the reserve fund.
3. The money set aside may be invested in the manner provided by the *Local Government Act* until its use is required.
4. Money in the reserve fund shall be used for capital improvements, major repairs, expansions, acquisitions or expenditures of a like nature for the Morningstar Streetlighting Local Service Area.
5. This bylaw may be cited as the "Morningstar Streetlighting Local Service Area Reserve Fund Establishment Bylaw No. 1614, 2010".

Introduced and read three times this 14th day of December, 2010.

Adopted this 14th day of December, 2010.

CHAIRPERSON

SR. MGR. CORPORATE ADMINISTRATION



CAO APPROVAL	
EAP	
COW	
RHD	
BOARD	✓ Dec 14 '10

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: November 30, 2010

FROM: Nancy Avery
General Manager, Finance & Information Services

File:

SUBJECT: Bylaw 1385.08 – Bow Horn Bay Fire Service – taxation method amendment

PURPOSE:

To update the methods by which taxes are levied for the Bow Horn Bay Fire Protection Service.

BACKGROUND:

The Regional District became the local government authority for the Bow Horn Bay Fire Protection Service in 2004 and has been raising taxes by property values since that time. Following a recent consolidation of bylaw amendments for the Bow Horn Bay Fire Protection Service, staff observed an omission in the original establishing bylaw. The original bylaw identifies parcel taxes, other revenues and grants as sources of revenues for the service, but omits reference to levying taxes on the basis of property values. A review of a property tax invoice from 2003, indicates that property taxes were always levied on the basis of property values. There is no record that the intent was, once the Regional District was the authority, to levy a parcel tax and staff can only conclude that the bylaw is in error. The Ministry of Community, Sport and Cultural Development has been contacted and advised staff that they would accept an amendment to correct the omission.

ALTERNATIVES:

1. Amend Bylaw 1385 to add the omitted reference to raising property taxes on the basis of property values.
2. Do not amend the bylaw.

FINANCIAL IMPLICATIONS:

Alternative 1

Under this alternative the bylaw would comply with the current and historical practice of levying property taxes by property value.

Alternative 2

If a parcel tax were to be implemented, there would be a shift in the payment of property taxes from high value properties to lower value properties. Overall there is no net impact to the Regional District itself – the amount of taxes received is the same under either method.

In 2010 the estimated parcel tax rate would be \$180 per property. By comparison a property valued at \$350,000 would have paid about \$180 using the property value method. Based on information available from the BC Assessment Authority, it appears that the average property value in the service area is about \$350,000 – meaning about half of the 1,100 properties are valued at less than \$350,000 and about half are valued higher than \$350,000.

It is possible to establish a parcel tax rate based on size as a proxy for property value. If there was a desire to have a variable parcel tax rate, considerable time would need to be spent determining a fair application of a rate based on parcel size. The end result is likely to be similar to the current practice of a levy based on property value.

A parcel tax for fire protection services is highly unusual. A property based levy is similar in nature to purchasing property insurance, which is based on the value of the buildings. Staff do not recommend changing the method of recovery.

SUMMARY/CONCLUSIONS:

Staff have identified an apparent error in the original establishing bylaw for the Bow Horn Bay Fire Protection Service. The bylaw indicates that property taxes would be levied using the parcel tax method, when in fact; taxes have always been levied using property values. The Province has been contacted and have advised staff that they will accept amendment Bylaw No. 1385.08 as a housekeeping amendment.

RECOMMENDATION:

That “Bow Horn Bay Fire Protection Service Amendment Bylaw No. 1385.08, 2011” be introduced for three readings and be forwarded to the Inspector of Municipalities for approval.



Report Writer

CAO Concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1385.08

A BYLAW TO AMEND THE METHOD OF RAISING TAXES
FOR THE BOW HORN BAY FIRE PROTECTION SERVICE

WHEREAS the Regional District of Nanaimo established the Bow Horn Bay Fire Protection Service pursuant to Bylaw No. 1385 cited as “Bow Horn Bay Fire Protection Service Establishment Bylaw No.1385, 2004”;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to confirm that the method of recovering costs for the service includes the use of property value based taxes;

AND WHEREAS the Board of the Regional District of Nanaimo has obtained the consent of 2/3 of the participants pursuant to Section 802(1)(b) of the *Local Government Act*;

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

1. Amendment

“Bow Horn Bay Fire Protection Service Establishment Bylaw No. 1385, 2004” is amended as follows:

(a) By deleting Section 4 and replacing it with the following:

4. The annual cost of providing the service may be recovered by one or more of the following methods in accordance with Section 803 (1) of the Local Government Act:
 - i. Property value taxes imposed in accordance with Division 4.3 (Requisition and Tax Collection);
 - ii. Parcel taxes imposed in accordance with Division 4.3;
 - iii. Fees and charges imposed under Section 363 (Imposition of Fees and Charges);
 - iv. Revenues raised by other means authorized under this or another Act;
 - v. Revenues received by way of agreement, enterprise, gift, grant or otherwise

2. Citation

This bylaw may be cited as the “Bow Horn Bay Fire Protection Service Amendment Bylaw No. 1385.08, 2011”.

Introduced and read three times this 14th day of December, 2011.

Received the approval of the Inspector of Municipalities this day of , 2011.

Adopted this day of , 2011

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION



RHD		
BOARD	✓	Dec 14 '10

MEMORANDUM

TO: Dale Lindsay
Manager, Current Planning

DATE: November 30, 2010

FROM: Elaine Leung
Planner

FILE: PL2010-031

SUBJECT: **Zoning Amendment Application No. PL2010-031**
Peter Mason – The Osborn Cabin Corporation
Lot 24, Block 360, Newcastle and Alberni Districts, Plan 37698 Except Part in Plan
VIP64862 – 1120 Keith Road
Electoral Area 'H'

PURPOSE

To consider an application to rezone the subject property in order to facilitate a two lot subdivision.

BACKGROUND

The Regional District of Nanaimo has received an application from Peter Mason on behalf of The Osborn Cabin Corporation to rezone a parcel in the Spider Lake area of Electoral Area 'H' for the purposes of facilitating a two lot subdivision. The proposed parcels will be 4.2 hectares and 4.0 hectares in area, and are proposed to be serviced by individual on site septic disposal systems and wells.

The Board may recall that this application originally appeared before the Board at the regular meeting of November 23, 2010. At the meeting the Board moved that the application be referred back to staff for further discussion with the proponent.

The original staff report included a recommended condition of approval to register a covenant that would require a report from a professional engineer at the time of subdivision verifying that a well had been provided on the proposed lot, and that the well was capable of supplying potable water at a year round rate of 3.5 m³ per day. This recommended condition of approval is based on staff's recent attempt to establish a consistent approach to evaluating water availability through rezoning. As this application was made prior to the development of the established approach, the applicant was advised to obtain a hydrogeological report in support of their application.

The application complied with the original requirements established by staff and included a hydrogeological report from Levelton Engineering. As the applicant has complied with the requirements which were outlined at the time of submission, and as the hydrogeological report concludes that there is adequate potable water to support the subdivision, staff are recommending the rezoning proceed without the previously recommended conditions of approval.

The subject property which currently supports two dwelling units (*see Attachment No. 1*) is 8.28 ha and zoned Rural 1. It is designated within Subdivision District 'B' (*8.0 ha minimum parcel size with or without community services*) pursuant to the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987." Keith Road is to the north of the subject property, and Spider Lake is to the east.

ALTERNATIVES

1. To approve the application to rezone the subject property from Subdivision District 'B' to Subdivision District 'CC' for 1st and 2nd reading and proceed to Public Hearing.
2. To deny the amendment application.

OFFICIAL COMMUNITY PLAN IMPLICATIONS

Electoral Area 'H' Official Community Plan Bylaw No. 1335, (OCP) designates the subject property within the Rural Land Use designation. The Rural Lands designation includes policy which supports a parcel size of 4.0 hectares. The OCP also supports 2.0 ha lots under the Rural Lands designation subject to a number of conditions including one dwelling per lot and no frontage variances. As the subject property cannot be subdivided into 2.0 ha lots without frontage relaxation the minimum lot size that can be considered for this lot is 4.0 ha.

DEVELOPMENT IMPLICATIONS

Under the current Rural 1 zone, the parent parcel is permitted a maximum of two single dwelling units. However, by subdividing the parent property, this will result in the potential increased density of two additional dwelling units, for a total of four dwelling units.

On-Site Servicing

With respect to site servicing, the applicant has submitted a preliminary hydrogeological assessment which notes that in the opinion of the professional, there is adequate water supply for the proposed use. The Vancouver Island Health Authority (VIHA) has no objections to the proposed application.

Riparian Assessment

The applicants have submitted a Riparian Assessment which concludes that the Streamside Enhancement Protection Area (SPEA) from Spider Lake is 15.0 metres. The assessment indicates that the current proposed development is for subdivision only, and therefore there is no need for environmental monitoring or post-development reporting.

Sustainability Implications

In keeping with Regional District of Nanaimo Board policy, the applicant has completed the "Sustainable Community Builder Checklist". The rezoning if approved will result in two additional units beyond which is currently permitted, however the proposed additional density is keeping with the intent of the Official Community Plan. Based on the findings of the preliminary hydrogeological assessment there is adequate water to support the proposed use without negatively impacting the aquifer.

Intergovernmental Implications

Referrals were forwarded to the Ministry of Transportation, the Vancouver Island Health Authority, and the Local Fire Chief.

Comments received are as follows:

Ministry of Transportation – Comments indicated there were no objections to the proposed rezoning. However, further review, including access and construction requirements will be addressed at the subdivision stage.

Vancouver Island Health Authority (VIHA) – The health inspector indicated there were no concerns with the proposal.

Local Fire Chief – The local fire chief had no objections with the proposal.


SUMMARY

This is an amendment application to rezone the subject property from Subdivision District ‘B’ (8.0 ha minimum) to Subdivision District ‘CC’ (4.0 ha minimum) in order to permit a two lot subdivision.


With respect to provision of on-site services, the applicants have provided a report prepared by a Professional Engineer and well log data which demonstrates that the proposed lot can be serviced through on-site wells. The Vancouver Island Health Authority has indicated that it has no objections with the proposed application.

RECOMMENDATIONS

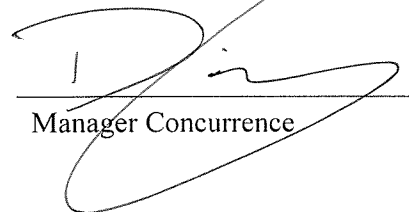
1. That Zoning Amendment Application No. ZA PL2010-031 to rezone the subject from Subdivision District ‘B’ to Subdivision District ‘CC’ be approved.
2. That “Bylaw No. 500.364, 2010” be introduced and read two times.
3. That the public hearing on “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.364, 2010” be delegated to Director Bartram or his alternate.




Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 500.364

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO LAND USE AND
SUBDIVISION BYLAW NO. 500, 1987**

WHEREAS the Board of the Regional District of Nanaimo wishes to amend “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”;

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

1. This bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.364, 2010”.
2. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” is hereby amended as follows:
 - (1) **Schedule ‘4A’, SUBDIVISION DISTRICT MAPS**, is amended from Subdivision District ‘B’ to Subdivision District ‘CC’ for the land legally described as:

Lot 24, Block 360, Newcastle and Alberni Districts, Plan 37698 Except Part in Plan VIP64862

and as shown on Schedule No. ‘1’ which is attached to and forms part of this Bylaw.

Introduced and read two times this day of , 2010.

Public Hearing held this of , 2011.

Read a third time this day of , 2011.

Adopted this day of , 2011.

Chairperson

Sr. Mgr., Corporate Administration



RDN REPORT		
CAO APPROVAL (W)		
EAP		
COW		
DEC - 8 2010		
RHD		
BOARD	✓	Dec. 14/10

MEMORANDUM

TO: Paul Thorkelsson
General Manager, Development Services

DATE: December 1, 2010

FROM: Tom Armet, Manager
Building, Bylaw & Emergency Planning Services

FILE: 2320 20 2010

SUBJECT: Animal Control Services 2011/2013 – District 68

PURPOSE

To obtain Board direction on the delivery of animal control services in District 68.

BACKGROUND

In December 2009 the Board approved a one year contract with Coastal Animal Control Services of BC Ltd for the enforcement of the Animal Control Bylaw in District 68 (Electoral Areas A, B, C, District of Lantzville). The current contract expires on December 31, 2010 and Coastal has expressed their interest in renewing the contract. Coastal was also awarded the contract for animal control services in District 69 with that contract term expiring on March 31, 2012.

In addition to the Regional District of Nanaimo, Coastal provides animal control services in Nanaimo, Duncan, Ladysmith and Lake Cowichan. The company has a strong record of professional service delivery to those municipalities and staff is confident that Coastal has the resources, skills and ability to continue providing this same level of service to the Regional District of Nanaimo.

ALTERNATIVES

1. Renew the contract with Coastal Animal Control Services of BC Limited for animal control services in District 68.
2. Do not renew the contract and provide further direction to staff.

FINANCIAL IMPLICATIONS

The delivery of animal control services requires specialized equipment, facilities and training and there are no other contractors with the requisite skills and ability to provide the service on behalf of the Regional District. Awarding the contract directly to Coastal would therefore be the most cost effective and efficient means of maintaining the service in District 68. Undertaking an RFP process at this time would have possible implications for the timing of a renewed contract and budgeting. Coastal has offered to continue providing animal control services in District 68 at the same level with a 2% inflationary increase. The recommended 2% increase is not annual increase but rather is intended to fix the contract rate at \$49,058.65 per annum for the 3 year term of the contract. This represents an additional cost of \$962 per annum over the previous rate which has been unchanged for the past two years. The marginal increase is reflected in the 2011 budget for the function.

CONCLUSION

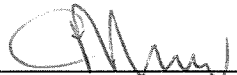
The delivery of animal control services requires specialized equipment, facilities and training and there are very few contractors who have the ability to effectively perform this role on behalf of local governments. Coastal Animal Control Services of BC Limited has been providing an effective, professional service to the Regional District and staff is recommending renewal of the contract for a three year term at the rate of \$49,058.65 per annum.

RECOMMENDATIONS

1. That the contract for Animal Control Services in District 68 with Coastal Animal Control Services of BC Limited commencing January 1, 2011 and ending December 31, 2013 be approved.



Report Writer



CAO Concurrence



General Manager Concurrence

Attachment No. 1

**AGREEMENT
FOR ANIMAL CONTROL SERVICES
IN DISTRICT 68**

THIS AGREEMENT made this ____ day of _____ 2010.

BETWEEN:

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

(hereinafter called the “Regional District”)

OF THE FIRST PART

AND:

COASTAL ANIMAL CONTROL SERVICES OF BC LIMITED
2202 Herd Road
Duncan, BC V9L 3A6

(hereinafter called the “Contractor”)

OF THE SECOND PART

WHEREAS the Regional District has agreed to engage the Contractor and the Contractor has agreed to be engaged by the Regional District in respect of the Contract as hereinafter described on the terms and conditions set out in this Agreement.

NOW THEREFORE the Regional District and the Contractor, in consideration of their mutual duties and responsibilities and in consideration of the payment to be made by the Regional District to the Contractor agree as follows:

1. CONTRACT TERM

The term of the Contract shall commence January 1, 2011, and end December 31, 2013, subject to earlier termination as herein provided. After December 31, 2013, the term of this Agreement shall be month to month unless the parties have otherwise agreed.

2. CONTRACTOR DUTIES - GENERAL

- (1) Operate and perform the duties and responsibilities of the Animal Control Officer on behalf of the Regional District of Nanaimo.
- (2) Pay all costs involved in the performance of the foregoing operation.
- (3) Maintain the operation of the animal control shelter.
- (4) Ensure that all impoundment facilities meet Veterinary Standards, including a suitable area for the impoundment of vicious dogs.
- (5) Provide for the euthanasia of animals by a veterinarian when deemed necessary.
- (6) Ensure that no animals will be released for research purposes whether alive or dead.
- (7) Arrange for veterinary care for those animals so requiring the same when impounded and will bear the costs of this if no owner can be found for the animal.
- (8) Provide all equipment necessary for the performance of its obligations under the Contract, including but not limited to, motor vehicles, radio communication, and telephone communication.
- (9) Allow officers and employees of the Regional District, at all reasonable times, to access to all records, books and documents maintained by the Contractor under this Agreement.
- (10) Permit the use of its name and telephone number in all advertising of the Regional District relating to the enforcement of Animal Control Bylaw No. 1066.
- (11) Comply with all Bylaws of the Regional District, and of the municipal jurisdiction in which the Shelter is located (if applicable), and all relevant Federal and Provincial laws.
- (12) Permit the posting of a sign or signs to identify the shelter as an authorized Regional District animal shelter as it pertains to the Animal Control Bylaws.

3. CONTRACTOR DUTIES - BYLAW NO. 1066 (Electoral Areas A, B, C, & District of Lantzville)

- (1) Provide uniformed animal control officers to respond to complaints about the control of dogs in Electoral Areas A, B, C, and District of Lantzville as they relate to the enforcement of Bylaw No. 1066, for four and a half (4.5) hours per week per Electoral Area and District of Lantzville or eighteen (18) hours per week for all of the Electoral Areas and District of Lantzville.
- (2) Respond to after hours complaints as required.
- (3) Provide animal control officers to receive stray dogs which are turned in to the Shelter and to pick up confined stray dogs on a complaint-driven basis.
- (4) Provide portable radio and telephone communication for its employees while on patrol.
- (5) Make recommendations to Regional District of Nanaimo staff on matters requiring the commencement of legal proceedings including the issuance of Municipal Ticket Informations.
- (6) Diligently enforce the provisions of the Animal Control Bylaw No. 1066, including necessary court appearances.

4. PAYMENTS, FEES AND OTHER CHARGES

- (1) Pay to the Regional District all sums charged, levied or received by the Contractor from the owners of animals pursuant to the provisions of the Bylaws, except for impound or maintenance fees.
- (2) Deliver to the Regional District of Nanaimo all fees collected on a monthly basis.
- (3) Deliver to the Regional District on or before the 15th day of every month an invoice and written statement on all matters dealt with up to and including the last day of the preceding month showing:
 - Moneys received on behalf of the Regional District.
 - The number of animals impounded.
 - The number of animals detained in the shelter, and the length of time impounded.
 - A copy of the listing of complaints received each month by Regional District Electoral Area and District of Lantzville.

5. INDEMNITY

- (1) Take out and maintain a policy of general public liability insurance against claims for bodily injury, death or property damage arising out of the performance of its covenants under this Agreement in an amount not less than \$2,000,000 per single occurrence and with the Regional District of Nanaimo named as an additional named insured, and provide a copy of such policy and any renewals thereof.
- (2) Indemnify and save harmless the Regional District from and against any and all actions, causes of actions, suits, demands, losses, costs or expenses of any nature or kind whatsoever which the Regional District may sustain, incur or be put to arising out of the neglect or otherwise of the Contractor in the performance of the covenants on its part to be performed pursuant to the terms of this Agreement.

6. AMENDMENT

The parties hereto may consent from time to time to amend the terms of the Agreement. Notice of a proposed change shall be made in writing to the other party ninety (90) days before the date upon which such amendment is to take effect, unless the notice period is waived by the consent of both the Regional District and the Contractor.

7. INDEPENDENT CONTRACTOR

- (1) Nothing herein shall constitute or be deemed or construed as constituting the Contractor as a servant or employee of the Regional District but the Contractor shall at all times be and remain an independent contractor with the Regional District.
- (2) Nothing in the Contract will constitute a joint venture by the parties.

8. ASSIGNMENT AND SUBCONTRACTING

- (1) The Contractor will not, without the prior written consent of the Regional District, assign or subcontract this Agreement or any portion thereof.

9. OWNERSHIP OF DOCUMENTS, PROPERTY AND CONFIDENTIALITY

- (1) The Contractor shall keep proper records and books of accounts. The Regional District shall have access to the records and books of accounts at all reasonable times for such purposes as the interest of the Regional District shall require.
- (2) Any chattels owned by the Regional District and used by the Contractor pursuant to the terms of the Contract shall be maintained by the Contractor in the same condition as it was at the date of the Contract. Such chattels shall be returned to the Regional District in the state of good repair at the termination of the Contract. Similarly, any chattels missing for any reason shall be replaced forthwith with ownership in the Regional District.
- (3) The Contractor agrees to keep in strictest confidence all confidential information which the Contractors may acquire in connection with or as a result of divulge or disclose to any unauthorized third party of parties any information at any time without the prior written consent of the Regional District. The term 'confidential information' includes but is not limited to information emanating from the Regional District, its affiliates, agents, customers, either conceived or developed by the Contractor concerning research, development, patent, copyright, system and procedures.
- (4) On termination of this Agreement for any reason, the Contractor shall deliver to the Regional District all documents, notebooks, charts, files, and records relating to the provision of the Services including copies, summaries, notes in the possession or control of the Consultant.

10. DISCUSSIONS BETWEEN PARTIES

The parties hereto agree that any negotiations between the parties or amendments to the Contract will be made by the Contractor's named appointee and the Manager of Inspection and Enforcement.

11. DUTIES OF THE REGIONAL DISTRICT

- (1) Print and supply to the Contractor, Violation Tickets in accordance with the Regional District of Nanaimo MTI Bylaw (Municipal Ticketing authority).
- (2) Collect fines and conduct all prosecutions arising from violations of bylaws.
- (3) Advertise Animal Control related matters, as required.
- (4) In consideration of the Contractor performing the duties and services on its part to be performed pursuant to the terms of this Agreement, the Contractor shall be paid for its services as follows:

The Regional District of Nanaimo shall pay to the Contractor monthly, during this agreement, the sum of \$4,088.22 plus taxes.

11. TERMINATION

- (1) Either party, upon (ninety) 90 days notice in writing to the other party, may terminate the Contract, unless the notice period is waived by the consent of both the Regional District and the Contractor.
- (2) In the event of a default of the Contractor in performing any of the covenants on its part to be performed pursuant to the terms of this Agreement and such default continuing for a

period of ten (10) days after notice thereof has been given by the Regional District to the Contractor, the Regional District may, at its option, terminate this Agreement without prejudice to any other remedy it may have against the Contractor in respect of such default either under the terms of this Agreement or at law or in equity.

IN WITNESS HEREOF the Regional District and the Contractor have executed this Agreement as of the day, month and year first above written.

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

)
)
)
)

Chairperson

)
)

(seal)

Senior Manager Corporate Administration

)
)

The Corporate Seal of the
**COASTAL ANIMAL CONTROL
SERVICES OF BC LIMITED**
was hereto affixed in the presence of:

)
)

)
)

Contractor

)
)

)
)

(seal)



RDN REPORT		
CAO APPROVAL		
EAP		
COW		
DEC - 8 2010		
RHD		
BOARD	✓	Dec. 14 / 10

MEMORANDUM

TO: John Finnie, P.Eng.
General Manager
Water and Wastewater Services

DATE: December 3, 2010

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

FILE: 5500-31-WC-01

SUBJECT: **Whiskey Creek Water District
Approval of Agreements to Acquire System**

PURPOSE

To consider the agreements and legal documents associated with acquisition of the Whiskey Creek Water District.

BACKGROUND

In September 2010 the Board approved the acquisition of the Whiskey Creek Water Service and gave three readings to the Whiskey Creek Water System Establishment ByLaw No. 1605, 2010 and the Whiskey Creek Water System Loan Authorization ByLaw No. 1606, 2010. These bylaws have now been approved by the Inspector of Municipalities. The bylaws can be adopted once the RDN Board approves the relevant transfer and sale agreements with the Whiskey Creek Water District.

The RDN has prepared the following agreements and legal documents for execution (attached):

- (1) Lands and Waterworks/Utility Transfer Agreement
- (2) Contract of Sale of Goods (Absolute)
- (3) Assignment of Water Licences Agreement
- (4) Transfer of Charge (Statutory Right of Way No. N34724)

Staff are recommending that the Board approve these documents for execution. Once the documents to transfer the utility have been executed by the RDN and the Whiskey Creek Water District, the transfer of the existing water licenses from the Whiskey Creek Water District to RDN will be approved by the Comptroller of Water Rights.

ALTERNATIVES

- 1 Direct Staff to execute the agreements and legal documents.
- 2 Provide alternate direction.


SUMMARY/CONCLUSIONS

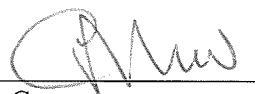
The RDN Board has approved the acquisition of the Whiskey Creek Water System and can adopt the Whiskey Creek Water Services Establishment ByLaw No. 1605, 2010 and the Whiskey Creek Water Service Loan Authorization ByLaw No. 1606, 2010 once the RDN Board approves execution of the relevant transfer and sale documents. The agreements and legal documents are attached for Board information and staff are recommending the Board provide direction to execute these documents.

RECOMMENDATIONS

1. That the Land and Waterworks/Utility Transfer Agreement between the Whiskey Creek Water District and the Regional District of Nanaimo be approved.
2. That the Contract of Sale of Goods (Absolute) between the Whiskey Creek Water District and the Regional District of Nanaimo be approved.
3. That the Assignment of Water Licenses Agreement between the Whiskey Creek Water District and the Regional District of Nanaimo be approved.
4. That the Transfer of Charge Agreement between the Whiskey Creek Water District and the Regional District of Nanaimo be approved.
5. That the Whiskey Creek Water Services Establishment Bylaw No. 1605, 2010 be adopted.
6. That the Whiskey Creek Water Services Loan Authorization Bylaw No. 1606, 2010 be adopted.


Report Writer


General Manager Concurrence


CAO Concurrence

LANDS AND WATERWORKS/UTILITY TRANSFER AGREEMENT

THIS AGREEMENT dated for reference the 6th day of December, 2010.

BETWEEN:

WHISKEY CREEK WATER DISTRICT

(Inc. # BC0041787)

979 Poplar Way

Qualicum Beach, BC V9K 1V9

(the "**Utility**" or the "**Vendor**")

OF THE FIRST PART

AND:

REGIONAL DISTRICT OF NANAIMO

6300 Hammond Bay Road

Nanaimo, BC V9T 6N2

(the "**Regional District**" or the "**Purchaser**")

OF THE SECOND PART

WHEREAS:

- A. The Utility owns and operates a system of waterworks a part of which is located on the Lands.
- B. The Utility wishes to transfer the Lands and the system of waterworks owned by the Utility to the Regional District;
- C. The Regional District has agreed to enter into this Agreement to provide for the transfer of the Lands and the Works and undertaking of the Utility described in this Agreement to the Regional District and the acquisition of the Lands and the Works of the Utility and the right, title and interest of the Utility in the other assets of the Utility as described in this Agreement, by the Regional District to be operated as a service by the Regional District;
- D. The Utility has agreed to transfer or release to the Regional District the amount of money held in the Utility's Replacement Reserve Trust Fund and other funds held by the Utility in connection with its operations.

NOW THIS AGREEMENT WITNESSES that in consideration of the covenants hereinafter provided, the parties covenant and agree each with the other as follows:

1.0 DEFINITIONS

1.1 In this Agreement:

"Completion Date" means the 31st day of December, 2010 or other date agreeable to the parties.

"Lands" means "Lot 10" and "Lot 62", both of which are owned in fee simple by the Utility.

"Lot 10" means those lands legally described as: Lot 10, District Lot 74, Cameron District, Plan 29012.

"Lot 62" means those lands legally described as: Lot 62, District Lot 74, Newcastle District, (partly situate in Cameron District) Plan 31160.

"Operating Fund" means those monies held in the Utility's operating fund account.

"Permitted Encumbrances" means all the exception, reservations, legal notations, charges and encumbrances listed in Schedule "C".

"Purchase Price" means the sum of **TEN (\$10.00) DOLLARS**.

"Replacement Reserve Trust Fund" means the fund established by the Comptroller of Water Rights for the Province of British Columbia under Order in Council No. 1620, dated December 15, 1993.

"Reserve Fund" means those monies held in the Utility's reserve fund account.

"Right of Way" means the Statutory Right of Way in section 1 of Schedule "A".

"Water Licences" means the Conditional Water Licences described in section 2 of Schedule "A"

"Works" means the concrete reservoir, buildings, pumping stations, pump houses, pumps, storage pond, water treatment/filter system and a distribution system of pipes, valves and fire hydrants comprising the Utility's water utility undertaking wherever located together with all fencing, fittings, facilities and appurtenances related thereto, including, without limitation, the physical assets described in section 3 of Schedule A.

2.0 PURCHASE PRICE

2.1 The Purchase Price shall be payable by the payment of the Purchase Price subject to adjustments as set out in this Agreement on or before the Completion Date.

3.0 TRANSFER

3.1 The Utility shall, upon the Completion Date:

- (a) transfer to the Regional District absolutely, free and clear of all registered and unregistered charges, encumbrances and claims, except the Permitted Encumbrances, all of its right, title and interest to the Lands and all of its right, title and interest in and to the Works;

- (b) transfer and assign all its rights and interests in the Right of Way, the Water Licences and any other permit, right, license or instrument relating to the operation of the Works as a water system to the Regional District and for that purpose the Utility agrees to enter into, prior to the Completion Date, a Contract of Sale of Goods (Absolute) with respect to the Works in the form attached hereto as Schedule "B";
 - (c) pay or release to the Regional District the full amounts contained in the Replacement Reserve Trust Fund, plus interest accrued to the Completion Date;
 - (d) pay or release to the Regional District the full amount of the Operating Fund and the Reserve Fund, plus interest accrued thereon to the Completion Date.
- 3.2 The Utility represents to the Regional District that as of the date of this Agreement there is the sum of at least \$6,588.19 in the Replacement Reserve Trust Fund, and the Utility covenants and agrees not to spend any money from such fund from the date of execution of this Agreement without the consent of the Regional District.
- 3.3 The Utility represents to the Regional District that as of the date of this Agreement there is the sum of at least \$30,144.89 **[NTD: to be updated]** in the Operating Fund and at least \$29,561.46 in the Reserve Fund, and the Utility covenants and agrees not to spend any money from such funds from the date of execution of this Agreement without consent of the Regional District.
- 3.4 The Utility shall provide to the Regional District an accounting of the funds in the Replacement Reserve Trust Fund as at the Completion Date prepared by the Utility's accountants satisfactory to the Regional District. If there are any additional amounts in such Trust Fund as of the Completion Date, or if there are any amounts that should be in such Trust Fund, the Utility shall also pay or release such amounts to the Regional District on the Completion Date. This clause shall survive the transfers contemplated by this Agreement.
- 3.5 The Utility shall on the Completion Date provide to the Regional District a bank statement for the Operating Fund and the Reserve Fund showing the amounts in such funds as at the Completion Date.
- 3.6 All taxes (including penalty taxes), rates, local improvements and other charges of a similar nature that are payable in respect of the Lands, the Works and the Water Licences or the Right of Way prior to and including the Completion Date shall be paid by the Utility.
- 3.7 The Utility shall deliver vacant possession of the Lands and possession of the Right of Way and the Works and its interest in the Water Licences to the Regional District by midnight on the Completion Date.
- 3.8 The Regional District will pay the Harmonized Services Tax, if applicable, in respect of the transfers contemplated by this Agreement.
- 3.9 The Utility shall deliver to the Regional District on or before the Completion Date the Bill of Sale for the Works under section 3.1(b), a Transfer and Assignment in registrable form necessary to register the Regional District's interest in the Lands and the Right of Way, respectively, under the provisions of the *Land Title Act* of British Columbia and to otherwise complete the conveyance contemplated by this Agreement.

- 3.10 All documents are to be prepared by the solicitor for the Regional District and all costs pertaining to the preparation and registration of these documents shall be borne by the Regional District. Documents required to clear title, if any, shall be prepared by the solicitor for and at the expense of the Regional District. Nothing in this section shall make the Regional District liable for any cost or claim payable in respect of such documents required to clear title.

Adjustments

- 3.11 Adjustment of prepaid water rates and charges, taxes, water, sewer, electrical and garbage rates and other items subject to adjustment shall be made as of the Completion Date.

Risk

- 3.12 The Lands and the Works shall be at the risk of the Utility until midnight on the Completion Date and in the event of loss or damage to the same occurring before such date and time by reason of fire, tempest, lightning, earthquake, flood or other Act of God, explosion, riot, civil commotion, insurrection or war, the Regional District may, at its option, cancel this Agreement and shall thereupon be entitled to the return of any monies paid hereunder. After midnight on the Completion Date, the Works shall be at the risk of the Regional District.

4.0 REGIONAL DISTRICT ACCESS

- 4.1 Prior to the transfer of the Land and the Works, the Utility agrees that the Regional District may enter onto the Lands and the land that are subject of the Water Licences to carry out testing, examinations, inspection of the Works or sampling of water conveyed by the Works and may do all things necessary or convenient for the purpose of carrying out such testing, examination, inspection or sampling, and may for that purpose bring its employees and contractors onto such lands.

5.0 DISCLOSURE AND REPRESENTATIONS

- 5.1 The Utility covenants and agrees with the Regional District that it shall, within two (2) weeks of the date of execution of this Agreement by the Utility, make complete disclosure to the Regional District of all information, documentation, reports or correspondence from any professional consultant retained by the Utility pertaining to the Works or any aspect of the undertaking of the Utility in relation to the Works.
- 5.2 The Utility grants to the Regional District its authority to obtain access to and copies of any records or information held by regulatory agencies including, without limitation, the Water Management Branch.
- 5.3 The Utility warrants and represents to the Regional District as representations and warranties that are to survive the execution and transfer of the Works contemplated by this Agreement, as follows:
- (a) there are no judgments or executions, liens, orders under the *Bankruptcy and Insolvency Act* (Canada) or other liens, charges or encumbrances registered or unregistered, outstanding against the Works, Lands or other assets or interests to be transferred under this Agreement;

- (b) except as may be otherwise set out in this Agreement, there are no outstanding debts, accounts or assessments due and owing or to become due and owing to any person, corporation, agency or governmental body in respect of the Works or the Lands or for any work, labour, service or materials provided to or performed in relation to the Works on the Lands under which a lien or charge has arisen pursuant to the *Builders Lien Act* (British Columbia);
- (c) the Utility is not in breach of any agreement to which it is a party in relation to the Works or the Lands, including any easement, right of way, licence, permit or service contract relating to the Works or the Lands or the operation of the Utility.
- (d) the Utility is rightfully and absolutely possessed of and has good title to the Lands, Right of Way and the Works;
- (e) the Utility rightfully holds the Water Licences in its name and has full authority and right to assign them in accordance with this Agreement;
- (f) the Regional District will, upon the Completion Date, and subject only to this Agreement, have possession and enjoyment of the Lands, Right of Way and the Works for its own use and benefit without any interruption, claim or demand by the Utility;
- (g) to the best of the Utility's knowledge, except as expressly disclosed in writing by the Utility to the Regional District, there are no environmental contaminants on the Lands or the Right of Way or affecting the Works; and there are no orders, notices, charges or proceedings and the Utility has no knowledge of any reason for the making or commencing of any orders, notices, charges or proceedings in relation to the presence of environmental contaminants on the Lands, Right of Way or affecting the Works;
- (h) the Utility has disclosed to the Regional District all notices, orders or other correspondence relating to the presence on the Lands, Right of Way or in relation to the Works of any environmental contaminants;
- (i) the Utility has disclosed to the Regional District all orders, notices, charges and correspondence of any governmental or other authority including an association of insurance underwriters of which it has knowledge affecting the Lands, Right of Way, the Works or the undertaking of the Utility or the water supplied by the Utility;
- (j) The Utility has disclosed to and by this Agreement transferred to the Regional District all rights of way, easements, licences or other agreements relating to the Lands, the Works or the undertaking of the Utility;
- (k) as of the Completion Date the Utility shall have no further right, title or interest under the Water Licences;
- (l) the Utility shall forward to the Regional District any water rates or other charges it may receive after the Completion Date in respect of any period following the Completion Date;
- (m) the Utility's only liability is a debt owing to the Royal Bank of Canada, Parksville Branch, in the amount of approximately \$8,432.00 under a loan agreement dated

October 15, 2005, for a total amount of \$99,000.00; and

- (n) the Utility is a body corporate duly incorporated and validly existing under the laws of British Columbia and duly qualified to purchase and own the Lands and the Works and the Utility has full power, authority and capacity to enter into this Agreement and carry out the transactions contemplated herein, and any action required to allow the Utility to carry out the transactions contemplated hereby have been duly and validly authorized by all necessary corporate proceedings.

5.4 The Regional District represents to the Utility as representations that are to survive the execution and transfer of the Works contemplated by this Agreement, as follows:

- (a) The Regional District will assume all of the obligations of the Utility related to the Works and the Utility's water utility undertaking, and will indemnify and save the Utility harmless from all costs, charges or expenses of any nature or kind whatsoever for which the Utility shall become liable as a direct or indirect result of the acts or omissions of the Regional District related to the Works and the Utility's water utility undertaking after the Completion Date.
- (b) If the Regional District collects any water rates or other charges under the Utility's water utility undertaking for any period prior to the Completion Date, the Regional District shall forward same to the Utility by way of mail, postage prepaid.

6.0 CONDITIONS OF CLOSING

Purchaser's Conditions Precedent

6.1 The obligation of the Purchaser to complete the purchase of the Lands, the Works and the interest in the Water Licences and all other property contemplated under this Agreement on the Completion Date is subject to the following conditions precedent being in effect or satisfied within the time herein provided:

- (a) the Comptroller of Water Rights or such other authorized person for the Ministry of Environment, shall have approved in writing of the transfer of the Works and the assignment of the Water Licences and the Utility's interest therein, from the Utility to the Regional District as contemplated under this Agreement, ten (10) days prior to the Completion Date;
- (b) the Utility shall have delivered to the Regional District the resolution of the members of the Utility approving the transfer of the Lands, Right of Way, interest in the Water Licences and the Works to the Regional District;
- (c) the Board of the Regional District has adopted a resolution to authorize the transfer contemplated by this Agreement and the Regional District has adopted a Bylaw for the establishment of a service area to operate the Whiskey Creek Water System as a service of the Regional District;
- (d) the Utility has repaid in full, to the satisfaction of the Regional District, its loan from the Royal Bank of Canada, referred to under paragraph 5.3(m) hereof.

6.2 It is acknowledged and agreed that the adoption of the resolution and Bylaw referred to in subparagraph 6.1(c) are within the absolute discretion of the Board of the Regional District.

- 6.3 If the conditions precedent in section 6.1 are not met or satisfied on or before the Completion Date, the Regional District may cancel this Agreement.
- 6.4 All of the conditions precedent in section 6.1 are for the Purchaser's sole benefit and each may be waived unilaterally by the Purchaser, at the Purchaser's election. If the Purchaser does not give the Vendor notice of the satisfaction or waiver of all of such conditions precedent within the time therein provided then the Purchaser's obligation to purchase the Lands, Works, Right of Way and interest in the Water Licences will be at an end.

7.0 VENDOR'S CONDITIONS

- 7.1 The obligation of the Vendor to complete the purchase of the Works is subject to the following conditions precedent being in effect or satisfied within the time herein provided:
- (a) the Comptroller of Water Rights or such other authorized person for the Ministry of Environment, shall have approved in writing the release of the monies in the Replacement Reserve Trust Fund as contemplated by this Agreement.
 - (b) the Comptroller of Water Rights or such other authorized person for the Ministry of Environment, shall have provided the Utility with notice of cancellation of all Certificates of Public Convenience and Necessity and all orders of the Comptroller against the Utility have been cancelled.
- 7.2 If the conditions set out in section 7.1 are not met on or before the Completion Date, the Utility may cancel this Agreement with notice to the Regional District.
- 7.3 The conditions in section 7.1 are for the Vendor's sole benefit and may be waived unilaterally by the Vendor, at the Vendor's election. If the Vendor does not give the Purchaser notice of the satisfaction or waiver of such condition precedent within the time therein provided then the Vendor's obligation to sell the Land, the Works, the Right of Way and the interest in the Water Licences shall be at an end.

8.0 TIME

- 8.1 Time shall be of the essence of this Agreement. Unless the Purchase Price is paid and the other terms of this Agreement complied with by the Regional District within the times mentioned, the Utility may, at its option, cancel this Agreement and in such event the Deposit may, at the option of the Utility, be forfeited to the Utility as liquidated damages without prejudice to the Utility's other remedies.

9.0 ACCEPTANCE

- 9.1 Upon acceptance by the Regional District, this Agreement shall form an interim agreement for the sale and purchase of the Land, the Works, the Right of Way and the interest in the Water Licences and of the Utility's undertaking as contemplated by this Agreement, upon the terms and conditions herein set forth, it being specifically contemplated by the parties hereto that this transaction will be consummated and documented in the manner herein set forth. This said interim agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

10.0 BINDING AGREEMENT

10.1 That this Agreement shall enure to the benefit of and be binding upon the parties hereto, their respective successors and assigns.

11.0 NOTICES

11.1 Any notice required to be given hereunder by any party shall be deemed to have been well and sufficiently given if mailed by prepaid registered mail, sent by facsimile transmission to, or delivered at, the address of the other party hereinafter set forth:

If to the Utility:

979 Poplar Way
Qualicum BC V9K 1V9

Attention: Mr. William Crowther

If to the Regional District:

6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Attention: Mr. Wayne Moorman

12.0 STATUTORY POWERS

12.1 This Agreement shall not be interpreted as prejudicing or affecting the rights and powers of the Regional District and the Utility in the exercise of its functions under any public and private statutes, bylaws, orders or regulations, all of which may be fully and effectively exercised as if this Agreement had not been executed and delivered by the parties.

13.0 ENFORCEABILITY

13.1 If any provision of this Agreement is unenforceable or invalid for any reason whatever, such unenforceability or invalidity shall not affect the enforceability or validity of the remaining provisions of this Agreement and such provisions shall be severable from the remainder of this Agreement.

14.0 ENTIRE AGREEMENT

14.1 The provisions herein constitute the entire Agreement between the parties hereto and supersede all previous expectations, understandings, communications, representations and agreements, whether verbal or written, between the parties with respect to the subject matter hereof.

15.0 AMENDMENT

15.1 No amendment to this Agreement shall be enforceable unless the same is in writing and signed by the parties hereto.

16.0 FORCE AND EFFECT

16.1 This Agreement will remain in force and effect until terminated by agreement between the Utility and the Regional District, and for certainty, the covenants, representations and warranties contained in this Agreement survive the transfer of the Works contemplated by this Agreement.

17.0 LAW APPLICABLE

17.1 This Agreement shall be governed by and construed according to the laws of the Province of British Columbia.

18.0 OTHER DOCUMENTS

18.1 Each party to this Agreement will at all times execute and deliver at the request of the other party all such further documents, deeds, and instruments and must do and perform such acts as may be reasonably necessary to give full effect to the intent and meaning of this Agreement.

19.0 WAIVER

19.1 The waiver by a part of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

20.0 HEADINGS

20.1 The headings in this Agreement are inserted for convenience and reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.

21.0 LANGUAGE

21.1 Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.

22.0 CUMULATIVE REMEDIES

22.1 No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.

EXECUTED BY THE UTILITY at _____, British Columbia, this ____ day of _____, 2010.

WHISKEY CREEK WATER DISTRICT)

by its authorized signatories)
)
)
)
_____)
Name:)
)
)
_____)
Name:)

EXECUTED BY THE REGIONAL DISTRICT at Nanaimo, British Columbia, this ____ day of _____, 2010.

REGIONAL DISTRICT OF NANAIMO

by its authorized signatories:)
)
)
)
_____)
Name:)
)
)
_____)
Name:)

SCHEDULE "A"

The Works

1. Right of Way over Lot 10 and Lot 62

- #N34724

2. Water Licences

- Conditional Water Licence 39791
- Conditional Water Licence 45726

3. Physical Assets

- Raw water storage pond on Lot 62
- Intake pumps on Lot 62
- Water Treatment and filter system and building in which it is housed, located at the storage pond site on Lot 62
- Chain link fencing around Lot 10 and Lot 62
- Concrete water reservoir for treated water on Lot 10
- Distribution system pumphouse and standby generator advancement to the concrete reservoir on Lot 10
- Water distribution system
- 129 water connections and meters serving the system customers
- All water pipes, valves, hydrants, meters and appurtenances necessary for the supply of water to customers of system

CONTRACT OF SALE OF GOODS (ABSOLUTE)

THIS CONTRACT dated the _____ day of December, 2010

BETWEEN:

WHISKEY CREEK WATER DISTRICT
(Inc. No. BC0041787)

979 Poplar Way
Qualicum Beach, BC V9K 1V9

(the "**Seller**")

OF THE FIRST PART

AND:

REGIONAL DISTRICT OF NANAIMO

6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

(the "**Buyer**")

OF THE SECOND PART

WHEREAS:

- A. The Seller has agreed to enter into an agreement to provide for the transfer of a system of waterworks to the Buyer, under the terms of an agreement dated for reference the 6th day of December, 2010 (the "**Agreement**") respecting, inter alia, the Works as defined in the Agreement.
- B. The Seller has agreed to sell to the Buyer, and the Buyer has agreed to purchase the all of said Works under the terms of the Agreement as described in Schedule "A" to this Contract;

NOW THIS INDENTURE WITNESSES:

In consideration of and for the sum of TEN (\$10.00) DOLLARS of lawful money of Canada, and other good and valuable consideration, paid by the Buyer to the Seller at or before the sealing and delivery of this Contract, the receipt whereof the Seller hereby acknowledges, the Seller hereby sells, assigns, transfers and sets over all and singular the Works, and all the right, title, interest, property, claim and demand of the Seller thereto and therein, unto the Buyer, to and for its sole and only use forever.

- 1. The Seller hereby covenants, promises and agrees to and with the Buyer:

- (a) that the Works are now in the possession of the Seller as defined in the *Sale of Goods Act*;
- (b) that the Seller is now rightfully and absolutely possessed of and entitled to the Works hereby sold and assigned, and to all and every part of it;
- (c) that the Seller now has in itself a good right to sell and assign the Works unto the Buyer in the manner aforesaid and according to the true intent and meaning of this Contract;
- (d) that to the best of the Seller's knowledge and belief, the Works are free and clear of all mortgages, liens, charges, pledges, security interests, or encumbrances of every nature and kind whatsoever;
- (e) that the Buyer shall and may from time to time, and at all times hereafter, peaceably and quietly have, hold, possess and enjoy the Works hereby sold and assigned, and all and every part of it, to and for its own use and benefit without any manner of hindrance, interruption, molestation, claim or demand whatsoever of, from or by it, the Seller, or any person claiming under the Seller, subject only to the terms and conditions of the Agreement, and the rights and obligations of the Buyer and Seller as set out in the Agreement;
- (f) that the Seller, shall and will from time to time, and at all times hereafter, upon every reasonable request of the Buyer, but at the expense of the Buyer, make, do and execute, or cause or procure to be made, done and executed, all such further acts, deeds and assurances of the Works hereby sold and assigned unto the Buyer, in the manner aforesaid, and according to the true intent and meaning of this Contract, as shall be reasonably required by the Buyer.

2. The parties to this Contract hereby covenant and agree as follows:

- (a) that the Works hereby sold are sold on an as-is, where-is basis and that the Seller makes no representations or warranties to the Buyer of any nature whatsoever regarding the condition of the Works;
- (b) that the Buyer shall pay any and all taxes, duties, rates and charges that may be imposed by any federal, provincial, or local government as a result of this sale, and that the Buyer will indemnify and save the Seller harmless from any liability for any such tax, duty, rate or charge.

3. This contract shall be governed by the laws of British Columbia.

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

WHISKEY CREEK WATER DISTRICT by its)
authorized signatories:)

_____)
Name:)

_____)
Name:)

REGIONAL DISTRICT OF NANAIMO by its)
authorized signatories:)

_____)
Name:)

_____)
Name:)

SCHEDULE "A"

The Works

1. **Right of Way over Lot 10 and Lot 62**
 - #N34724

2. **Water Licences**
 - Conditional Water Licence 39791
 - Conditional Water Licence 45726

3. **Physical Assets**
 - Raw water storage pond on Lot 62
 - Intake pumps on Lot 62
 - Water Treatment and filter system and building in which it is housed, located at the storage pond site on Lot 62
 - Chain link fencing around Lot 10 and Lot 62
 - Concrete water reservoir for treated water on Lot 10
 - Distribution system pumphouse and standby generator advancement to the concrete reservoir on Lot 10
 - Water distribution system
 - 129 water connections and meters serving the system customers
 - All water pipes, valves, hydrants, meters and appurtenances necessary for the supply of water to customers of system

ASSIGNMENT OF WATER LICENCES AGREEMENT

THIS AGREEMENT made this _____ day of December, 2010

BETWEEN:

WHISKEY CREEK WATER DISTRICT
(Inc. No. BC0041787)

979 Poplar Way
Qualicum Beach, BC V9K 1V9

(the "**Assignor**")

OF THE FIRST PART

AND:

REGIONAL DISTRICT OF NANAIMO

6300 Hammond Bay Road
Victoria, BC V9K 1V9

(the "**Assignee**")

OF THE SECOND PART

WHEREAS:

- A. The Assignor holds the following water licences from the Province:
- (a) Conditional Water Licence 39791, a copy of which is attached and Schedule "A" hereto;
 - (b) Conditional Water Licence 45726, a copy of which is attached as Schedule "B" hereto
- (collectively the "**Water Licences**");
- B. The Assignor is transferring its water utility undertaking to the Assignee and wishes to assign its interest in the Water Licences to the Assignee and the Province has consented;
- C. The transfer of the assets and rights and licences of the Assignor has been approved by the Comptroller of Water Rights by letter dated _____, 2010, a copy of which is attached to this Agreement as Schedule "C".

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the premises, the covenants hereinafter contained and for other valuable consideration, the

sufficiency and receipt of which is hereby acknowledged, the parties hereto covenant and agree each with the other as follows:

1. The Assignor does hereby assign to the Assignee all its right, title and interest in and under the Water Licences.
2. The Assignee covenants and agrees that it will perform all of the obligations of the Assignor under the Water Licences to all intents and purposes as if it had executed the Water Licences.
3. This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, administrators and permitted assignees.

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

WHISKEY CREEK WATER DISTRICT by its)
authorized signatories:)

_____)
Name:)

_____)
Name:)

REGIONAL DISTRICT OF NANAIMO by its)
authorized signatories:)

_____)
Name:)

_____)
Name:)

SCHEDULE "A"

Conditional Water Licence 39791

WATER RESOURCES BRANCH
WATER RIGHTS DIVISION

DEPARTMENT OF LANDS, FORESTS
AND WATER RESOURCES

THE PROVINCE OF BRITISH COLUMBIA—WATER ACT
CONDITIONAL WATER LICENCE

Westleria Estates Ltd. of Box 715, Parksville, B.C.

It is hereby authorized to divert and use water as follows:—

- (a) The sources of the water supply is/are **Crocker Creek.**
- (b) The points of **diversion** are located as shown on the attached plan.
- (c) The date from which the licence shall have precedence is **16th November, 1970.**
- (d) The purpose for which the water is to be used is **waterworks.**
- (e) The maximum quantity of water which may be **diverted is 21,000 gallons a day,** and such additional quantity as the Engineer may from time to time determine should be allowed for lesser.
- (f) The period of the year during which the water may be **used is the whole year.**
- (g) The conditions under which the water may be used and to which the licence is appurtenant is **the undertaking of the licensee as set out in a Certificate of Public Convenience and Necessity issued under Order in Council No. 2635/1970, and any substitution thereof or amendment thereto.**
- (h) The works authorized to be constructed are **diversion structure, pump and pipe,** which shall be located approximately as shown on the attached plan.
- (i) The construction of the said works **shall be commenced on or before the 30th day of April, 1973, and shall be completed and the water beneficially used on or before the 31st day of December, 1975.**

Original signed by: H. D. DeBeck
H. D. DeBeck,
Comptroller of Water Rights.

File No. 0300412 Date issued: 1 October 1972

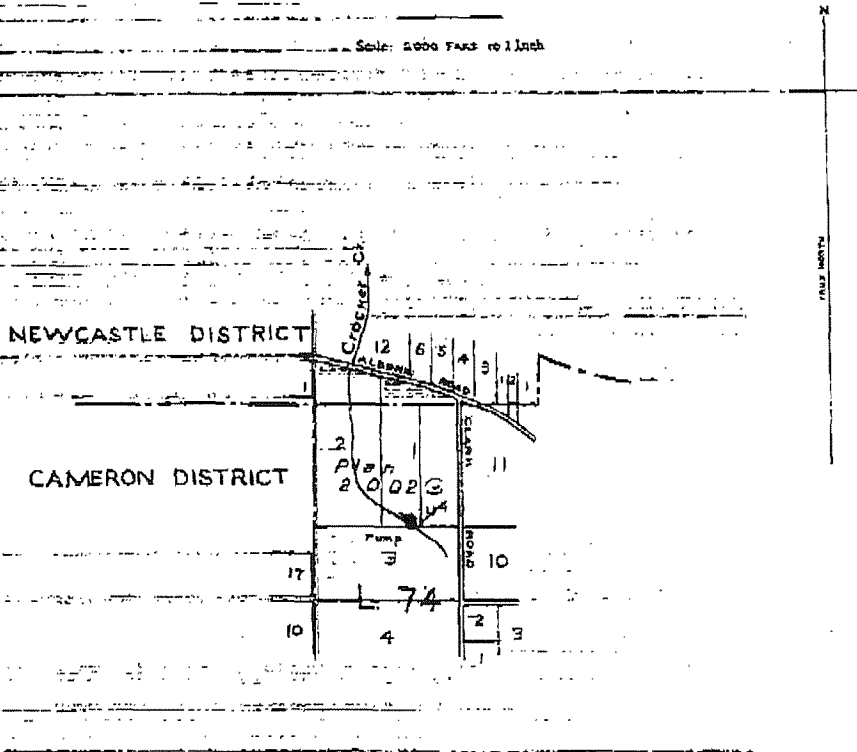
Conditional Licence No. 39791

COPY FOR ENGINEER



NANAIMO WATER DISTRICT

Scale: 2000 Feet to 1 inch



LEGEND

Point of Diversion

W.E. Map

Pipe

20114753

[Signature]
Surveyor

Nanaimo District

Date: 15th Oct 1972

CL 29791

File: 0300472

SCHEDULE "B"

Conditional Water Licence 45726

WATER RESOURCES SERVICE
WATER RIGHTS BRANCHDEPARTMENT OF LANDS, FORESTS,
AND WATER RESOURCESTHE PROVINCE OF BRITISH COLUMBIA—WATER ACT
CONDITIONAL WATER LICENCEWhiskey Creek Utilities Ltd., c/o Pearson Realty Ltd., Box 399,
Parksville, B.C. V0R 2S0

It is hereby authorized to divert and use water as follows:—

- (a) The source of the water supply is **Crocker Creek.**
- (b) The number of diversions **2** are located as shown on the attached plan.
- (c) The date from which this licence shall have precedence is **22nd February, 1973.**
- (d) The purpose for which the water is to be used is **waterworks.**
- (e) The maximum quantity of water which may be diverted is **43,500 gallons a day,**
and such additional quantity
as the Engineer may from time to time determine should be allowed for losses.
- (f) The period of the year during which the water may be used is **in the whole year.**
- (g) ~~The licensee shall be bound to construct and maintain the works authorized to be constructed and shall be responsible to~~
the undertaking of the licensee as set out in a Certificate of
Public Convenience and Necessity issued under Order in Council
No. 2636/1970, and any substitution thereof or amendment thereto.
- (h) The works authorized to be constructed are **diversion structure, pump, pipe and
reservoir,**
which shall be located approximately as shown on the attached plan.
- (i) The construction of the said works has been commenced, and shall be completed
and the water beneficially used on or before the 31st day of
December, 1978.
- (j) All water authorized to be diverted and used shall pass through
a meter installed at the pumphouse.
- (k) This licence may be cancelled on one years notice in writing by
the Comptroller of Water Rights, if and when a major public supply
of water is made available.
- (l) All works shall be transferred free of charge to the public
body if so directed by the Comptroller of Water Rights.

Original signed by H. D. DeBeck
H. D. DeBeck,
Comptroller of Water Rights.

File No. 0316428 Date issued: 1 April, 1976

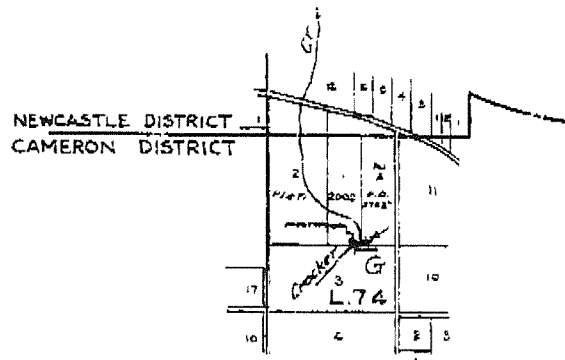
Conditional Licence No. 45726

COPY FOR ENGINEER

British Columbia

NANAIMO WATER DISTRICT

Scale: 2000 Feet to 1 inch



LEGEND

Point of Diversion ●
 W.R. Map Sheet 4788
 Pipe ————

Signature: *[Handwritten Signature]*

Date: 1st Apr. 1976
 CL 45726
 File 0316428

Nanaimo Division

SCHEDULE "C"

Province's Consent

**LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART 1 Province of British Columbia**

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

STAPLES McDANNOLD STEWART

Barristers & Solicitors

2nd Floor, 837 Burdett Avenue

Victoria

BC V8W 1B3

Tel: 250-380-7744

Fax: 250-380-3008

File: 195 593/DP/ads

Deduct LTSA Fees? Yes

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

SEE SCHEDULE

STC? YES

3. NATURE OF INTEREST

Transfer of Charge

CHARGE NO.

N34724

ADDITIONAL INFORMATION

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms D.F. No.

(b) Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

WHISKEY CREEK WATER CORPORATION (INC. NO. BC0041787)

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

REGIONAL DISTRICT OF NANAIMO

6300 HAMMOND BAY ROAD

NANAIMO

V9T 6N2

BRITISH COLUMBIA

CANADA

7. ADDITIONAL OR MODIFIED TERMS:

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

(as to both signatures)

Execution Date

Y	M	D

Transferor(s) Signature(s)

WHISKEY CREEK WATER CORPORATION by its authorized signatory(ies)

Name: _____

Name: _____

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM E**

SCHEDULE

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

000-437-379 LOT 10, DISTRICT LOT 74, CAMERON DISTRICT, PLAN 29012

STC? YES

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

**000-437-409 LOT 62, DISTRICT LOT 74, NEWCASTLE DISTRICT (PARTLY SITUATE IN
CAMERON DISTRICT) PLAN 31160**

STC? YES

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

STC? YES

TERMS OF INSTRUMENT - PART 2

WHEREAS:

- A. The Grantor is the registered owner of Statutory Right of Way No. N34724, a copy of which is attached hereto as Schedule "A" (the "Right of Way") registered against title to the following properties:

(PID)	(Legal Description)
000-437-379	Lot 10, District Lot 74, Cameron District, Plan 29012
000-437-409	Lot 62, District Lot 74, Newcastle District, (partly situate in Cameron District) Plan 31160

- B. The Grantee is the Regional District of Nanaimo.
- C. The Grantor agrees to assign to the Grantee all of its rights, interest and title to the Right of Way.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the premises, the covenants hereinafter contained and the further other valuable consideration, the sufficiency and receipt of which is hereby acknowledged, the Grantor does hereby assign to the Grantee all its rights, title and interest in and to the Right of Way and the Grantee hereby accepts this assignment.

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 hereto hereby acknowledge that this Agreement has been duly executed and delivered by the parties executing Form C attached hereto.

SCHEDULE "A"

Statutory Right of Way No. N34724

LAND REGISTRY

N 34724

'84 APR 30 A9:35

VICTORIA, B.C.

LAND TITLE ACT

FORM 17

PLEASE SEND ALL NOTICES TO FRANK L. KITTO REGISTRY P.O. BOX 1057, VICTORIA, B.C. V8W 2S6 AUTHORIZED AGENT

Note: Before submitting this application, applicants should check and satisfy themselves as to the tax position, including taxes of the Crown Provincial, a municipality and improvement, water and irrigation districts.

NATURE OF INTEREST: CHARGE

TRUE VALUE: Nominal

Herewith Fee of \$10⁰⁰

NATURE OF CHARGE: Statutory Right of Way

Full name, address and telephone number of person presenting application:

Address of person entitled to be registered as owner if different than shown in instrument.

necessary for the operation and maintenance of grantee's pipe & valve

Signature of Applicant or Authorized Agent

FORM 1

(Section 25)

MEMORANDUM OF REGISTRATION

STATUTORY RIGHT OF WAY

Registered on application received on the day and time written hereon:

THIS AGREEMENT made the 30th day of MARCH, A.D., 1984

R E HOOPER, Registrar of the Victoria Land Title Office

BETWEEN:

WHISKEY CREEK UTILITIES LTD., (Inc. No. 115,244) P.O. Box 399 Parksville, B.C. V0R 2S0

04/30/84 A2325 CHG NOM 10.00

(hereinafter called the "Grantor")

OF THE FIRST PART

AND:

WHISKEY CREEK UTILITIES LTD., (Inc. No. 115,244) P.O. Box 399 Parksville, B.C. V0R 2S0

(hereinafter called the "Grantee")

OF THE SECOND PART

WHEREAS the Grantor is the registered owner in fee simple of:

Lot 10, D.L. 74, Cameron District, Plan 29012 (Port Alberni Assessment District)

and

Lot 62, D.L. 74, Newcastle District, Plan 31160 (Port Alberni Assessment District).

- page two -

AND WHEREAS the Comptroller of Water Rights for the Province of British Columbia requires that a Statutory Right of Way be entered into between the parties hereto and with the terms and conditions hereinafter detailed;

AND WHEREAS the Grantor has agreed to grant to the Grantee a Statutory Right of Way over Lot 10, D.L. 74, Cameron District, Plan 29013 and Lot 62, D.L. 74, Newcastle District, Plan 31160 for the pumping, transporting and storage of water and the Grantee has requested of the Grantor that the Grantor do such;

WITNESSETH that for and in consideration of the sum of One Dollar (\$1.00) of lawful money of Canada, and other good and valuable consideration, now paid by the Grantee to the Grantor (receipt whereof is hereby acknowledged by the Grantor) THE GRANTOR DOETH HEREBY GRANT AND CONVEY to the Grantee a Statutory Right of Way for a pump, water pipe line and a water storage tank, and all ancillary objects and things in connection with such, and for the purpose of pumping, transporting and storage of water; such grant being over that part of all and singular whose certain parcels or tracts of land and premises situate, lying and being in the Port Alberni Assessment District, Province of British Columbia, more particularly known and described as:

Lot 10, D.L. 74, Cameron District, Plan 29012

and

Lot 62, D.L. 74, Newcastle District, Plan 31160
(hereinafter referred to as the "Statutory Right of Way Lands")

WITH FULL RIGHT AND AUTHORITY of ingress and egress over the Statutory Right of Way Lands for the Grantee, its servants, agents, and all persons duly authorized by it in its behalf from time to time, with such vehicles, implements, and other things as may be necessary for the purposes of constructing and maintaining upon the said Statutory Right of Way Lands the said pump, pipe line and storage tank and said ancillary objects and/or things for the purposes as aforesaid, reserving to the Grantor, however, for all purposes connected with the use and enjoyment of the hereinbefore described Statutory Right of Way Lands the right, at all reasonable times, to pass and re-pass over the said Statutory Right of Way Lands with such vehicles, implements as may be necessary or desired without causing damage to the said pump, pipe line, and said storage tank, and the said ancillary objects and/or things.

IT IS HEREBY UNDERSTOOD AND AGREED that this Statutory Right of Way agreement shall be construed as a covenant running with the land and that no part of the fee of the soil shall be vested in the Grantee by these presents.

- page three -

IT IS SPECIFICALLY UNDERSTOOD AND AGREED that the within agreement may not be revoked without the express permission of the Comptroller of Water Rights.

THIS AGREEMENT AND THE STATUTORY RIGHT OF WAY hereby granted shall be binding upon and enure to the benefit of the successors and assigns of the parties hereto respectively.

IN WITNESS WHEREOF these presents have been executed by the parties hereto on the day and year first above written.

THE CORPORATE SEAL OF WHISKEY CREEK UTILITIES LTD. as Grantor was hereto affixed in the presence of:



AUTHORIZED SIGNATORY



AUTHORIZED SIGNATORY

THE CORPORATE SEAL OF WHISKEY CREEK UTILITIES LTD. as Grantee was hereto affixed in the presence of:



AUTHORIZED SIGNATORY



AUTHORIZED SIGNATORY