

REGIONAL DISTRICT OF NANAIMO

REGULAR BOARD MEETING

TUESDAY, APRIL 26, 2011

7:00 PM

(RDN Board Chambers)

A G E N D A

PAGES

1. CALL TO ORDER

2. DELEGATIONS

Rob Christopher, Nanaimo Search & Rescue Society, re Annual Activity Update.

3. BOARD MINUTES

15 - 32 Minutes of the regular Board meeting held March 22, 2011 and the Special Board meeting held March 29, 2011.

4. BUSINESS ARISING FROM THE MINUTES

5. COMMUNICATIONS/CORRESPONDENCE

6. UNFINISHED BUSINESS

BYLAWS

Public Hearing & Third Reading.

33 - 37 **Report of the Public Hearing held April 11, 2011 on Bylaw No. 500.369 – RDN – 2834 Northwest Bay Road – Area ‘E’.** (Electoral Area Directors except EA ‘B’ – One Vote)

1. That the Report of the Public Hearing held April 11, 2011 on Bylaw No. 500.369 be received.

2. That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.369, 2011” be read a third time.

This bylaw rezones the subject property from Residential 1 (RS I) to Public 1 (PU 1) to permit a community water treatment plant.

38 - 43

Report of the Public Hearing held April 13, 2011 on Bylaw No. 1285.15 – J.E. Anderson & Associates – 908 & 920 Little Mountain Road – Area ‘F’. (Electoral Area Directors except EA ‘B’ – One Vote)

1. *That the Report of the Public Hearing held April 13, 2011 on Bylaw No. 1285.15 be received.*
2. *That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 1285.15, 2011” be read a third time.*

This bylaw rezones the subject properties from R-2.54 (Rural Residential 2.54) and R-2 (Rural Residential 2) to R-2 (Rural Residential 2) and R-2.54 (Rural Residential 2.54) to facilitate a lot line adjustment.

44 - 98

Report of the Public Hearing held March 28, 2011 on Bylaw No. 1620 – Electoral Area ‘A’ Official Community Plan. (Electoral Area Directors except EA ‘B’ – One Vote)

1. *That the Report of the Public Hearing held March 28, 2011 on Bylaw No. 1620 be received.*
2. *That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011" be amended at third reading as outlined in Schedule No. 1 of this report.*
3. *That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011" be read a third time, as amended, and forwarded to the Minister of Community, Sport and Cultural Development for approval.*

This bylaw establishes the Electoral Area 'A' Official Community Plan.

For Adoption.

Bylaws No. 500.367 & 1335.05 - Fern Road Consulting Ltd. - 6120 Island Highway West – Area ‘H’. (Electoral Area Directors except EA ‘B’ – One Vote)

1. *That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.367, 2011" be adopted.*
2. *That "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Amendment Bylaw No. 1335.05, 2011" be adopted.*

These bylaws re-designate the westerly portion of the subject property from Rural Lands to Resort Commercial Lands and rezone portions of the subject property from Rural I (RUID) and Commercial 5 (CM5B) to Commercial 5 (CM5K) and Comprehensive Development (CD42) to permit development of a 30 site recreational vehicle park.

Bylaw No. 975.54. (All Directors – One Vote)

That "Regional District of Nanaimo Pump and Haul Local Service Establishment Bylaw No. 975.54, 1995" be adopted.

This bylaw extends the boundaries of the Pump & Haul Service to include an Area 'E' Property (Lot 57, District Lot 78, Nanoose District, Plan 14275).

Bylaw No. 1626 & 1627. (All Directors – Weighted Vote)

1. That "Cedar Sewer Large Residential Properties Capital Financing Service Security Issuing Bylaw No. 1626, 2011" be adopted.

2. That "Cedar Sewer Large Residential Properties Capital Financing Service Interim Financing Bylaw No. 1627, 2011" be adopted.

These bylaws authorize temporary borrowing & issuance of securities for the Cedar Sewer Large Residential Properties Financing Service.

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

7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE

99 - 100 Minutes of the Electoral Area Planning Committee meeting held April 12, 2011. (for information)

PLANNING

AMENDMENT APPLICATIONS

Bylaw No. 500.370 to Support Zoning Amendment Application No. PL2010-123 – Landeca Services Inc. – 2956 & 2962 Ridgeway Road – Area 'C'. (Electoral Area Directors except EA 'B' – One Vote)

1. That Zoning Amendment Application No. PL2010-123 to rezone the subject property from Subdivision District 'D' to Subdivision District 'F' be approved subject to the conditions included in Schedule No. 1.

2. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.370, 2011" be introduced and read two times.

3. That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.370, 2011" be delegated to Director Young or her alternate.

Bylaw No. 500.371 & Consideration of Park Land Dedication and/or Cash-in-Lieu of Park Land to Support Zoning Amendment Application No. PL2010-216 – Fern Road Consulting Ltd. – Wembley Road – Area ‘G’. (Electoral Area Directors except EA ‘B’ – One Vote)

1. *That the Summary of the Public information Meeting held on March 30, 2011, be received.*
2. *That Zoning Amendment Application No. PL2010-216 to rezone the subject property from Rural 1 Subdivision District 'F' (RS IF) to Residential 1 Subdivision District 'Q' (RS IQ) be approved.*
3. *That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.371, 2011", be introduced and read two times.*
4. *That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.371, 2011", be delegated to Director Stanhope or his alternate.*
5. *That the request to accept the dedication of park land, as outlined in Schedule No. 1, be accepted.*

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. PL2011-047 – Keith Brown & Associates Ltd. – 1922 - 1940 Schoolhouse Road – Area ‘A’. (Electoral Area Directors except EA ‘B’ – One Vote)

That Development Permit Application No. PL2011-047 to permit the construction of an industrial warehouse building be approved subject to the conditions outlined in Schedules No. 1- 5.

DEVELOPMENT PERMIT WITH VARIANCE APPLICATIONS

Development Permit with Variance & Request for Frontage Relaxation Application No. PL2010-145 – Parrish – 2075 & 2081 Lazy Susan Drive – Area ‘A’. (Electoral Area Directors except EA ‘B’ – One Vote)

Delegations wishing to speak to Development Permit with Variance Application No. PL2010-145. (maximum speaking time 5 minutes)

1. *That Development Permit with Variance Application No. PL2010-145, in conjunction with a two lot subdivision be approved subject to the conditions outlined in Schedule No. 1.*
2. *That the request to relax the minimum 10% perimeter frontage requirement for the proposed new lot and for the remainder lot be approved.*

Reconsideration of Development Permit with Variance & Request for Frontage Relaxation Application No. PL2010-230 - Fern Road Consulting Ltd. - 6224, 6266, 6280 & 6290 Island Highway West - Area 'H'. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to Development Permit with Variance Application No. PL2010-230. (maximum speaking time 5 minutes)

- 1. That Development Permit with Variance Application No. PL2010-230 in conjunction with a lot line adjustment subdivision be approved subject to the conditions outlined in Schedule No. 1.*
- 2. That the request to relax the minimum 10% perimeter frontage requirement for proposed Lots A and B, be approved.*

Development Permit with Variance Application No. PL2011-014 – Fern Road Consulting Ltd. – Island Highway & Linx Road – Area 'H'. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to Development Permit with Variance Application No. PL2011-014. (maximum speaking time 5 minutes)

That Development Permit with Variance Application No. PL2011-014 be approved subject to the conditions outlined in Schedules No. 1 - 2.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. PL2011-036 – Stouffer – 1454 The Outrigger – Area 'E'. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to Development Variance Permit Application No. PL2011-036. (maximum speaking time 5 minutes)

That Development Variance Permit Application No. PL2011-036 to legalize the siting of an existing garage and carport with a variance to the setback from the front lot line be approved subject to the conditions outlined in Schedules No. 1-3.

OTHER

Consideration of Park Land Dedication and/or Cash-in-Lieu of Park Land & Request for Frontage Relaxation on Subdivision Application No. PL2010-169 – Glencar Consultants – 516 Wembley Road – Area 'G'. (Electoral Area Directors except EA 'B' – One Vote)

- 1. That the request to accept a combination of park land and cash-in-lieu of park as outlined in Schedule No. 1 in conjunction with Subdivision Application No. PL2010-169 be accepted.*

2. *That the offer to provide 0.83% of the appraised value of the subject property for park land development works in Electoral Area 'G' be accepted as outlined in Schedule No. 1.*
3. *That the request to relax the minimum 10% perimeter frontage requirements for proposed Lots 16, 17, 18, 19 and 20 be approved.*

Consideration of Park Land Dedication and/or Cash-in-Lieu of Park Land on Subdivision Application No. PL2011-018 – Fern Road Consulting Ltd. – 864 Cavin Road – Area ‘G’. (Electoral Area Directors except EA ‘B’ – One Vote)

That the request to pay 5% cash-in-lieu of park land in conjunction with Subdivision Application No. PL2011-018, be accepted.

Request for Frontage Relaxation on Subdivision Application No. PL2011-016 – Fern Road Consulting Ltd. – 403 Lowry’s Road – Area ‘G’. (Electoral Area Directors except EA ‘B’ – One Vote)

That the request to relax the minimum 10% perimeter frontage requirement be approved.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

101 - 107 Minutes of the Committee of the Whole meeting held April 12, 2011. (for information)

COMMUNICATIONS/CORRESPONDENCE

Board of Directors, Oceanside Development & Construction Association (ODCA), re RDN Liaison to ODCA. (All Directors – One Vote)

That the correspondence from the Oceanside Development and Construction Association be received.

FINANCE AND INFORMATION SERVICES

FINANCE

Proposed Amendment to Community Charter – Authority to Borrow Temporarily Between Reserves. (All Directors – One Vote)

That the following resolution be sent to the Ministry of Community, Sport and Cultural Development:

WHEREAS the Regional District of Nanaimo considers it desirable for Regional Districts to have the authority to transfer funds under section 189(4.1) and (4.2) of the Community Charter between capital reserve funds established in respect of different services as a means to address infrastructure requirements of an

essential nature and/or to minimize the cost of long term borrowing on its residents;

NOW THEREFORE BE IT RESOLVED that the Minister of Community, Sport and Cultural Development be requested to confer on regional districts the authority under section 189(4.1) of the Community Charter to transfer by bylaw funds held in capital reserve funds, between funds established in respect of different services provided that the regional district bylaw to authorize the transfer includes repayment terms to ensure return of the money used to the transferor reserve fund no later than the date when the funds are required for purposes of the transferor reserve fund and an interest rate that meets the requirements of section 189(4.2) of the Community Charter".

Bylaws No. 1632, 1633, 1634 & 1635 – Establish a Regional Library Capital Financing Service and Authorize Borrowing & Issuance of Securities in Relation to the Service. (All Directors – One Vote)

- 1. That the Regional District of Nanaimo support borrowing funds to be provided to the Vancouver Island Regional Library.*
- 2. That "Regional Library Capital Financing Service Establishment Bylaw No. 1632, 2011" be introduced, read three times and forwarded to the Inspector of Municipalities for approval and proceed to the Alternative Approval Process to receive elector assent.*
- 3. That the Elector Response Form as attached to this report be approved.*

(All Directors – Weighted Vote)

- 4. That "Regional Library Capital Financing Service Loan Authorization Bylaw No. 1633, 2011" be introduced, read three times and forwarded to the Inspector of Municipalities for approval and proceed to the Alternative Approval Process to receive elector assent.*
- 5. That "Regional Library Capital Financing Service Security Issuing Bylaw No. 1634, 2011" be introduced and read three times.*
- 6. That "Regional Library Capital Financing Service Temporary Borrowing Bylaw No. 1635, 2011" be introduced and read three times.*
- 7. That the Chair and Senior Manager, Corporate Administration be authorized to execute the Indebtedness Agreement attached to this report if approved.*

(All Directors – 2/3 Vote)

- 8. That elector assent for Bylaws No. 1632 and 1633 and the Indebtedness Agreement be obtained by using the alternative approval process for the entire service area.*

Strategic Priorities Fund – Grant Application Recommendations. (All Directors – One Vote)

1. *That the Regional District of Nanaimo support a funding application for the Greater Nanaimo Pollution Control Center 3rd digester at a cost of \$8.1 million, to the General Strategic Priorities Fund program.*
2. *That the Regional District of Nanaimo support a funding application for the Arrowsmith Water Service aquifer storage reservoir detailed design at a cost of \$1.6 million, to the General Strategic Priorities - Innovations Fund program.*
3. *That the Regional District of Nanaimo support a funding application for a Regional Transportation Data Model & Transportation Plans at a cost of \$400,000, to the General Strategic Priorities – Capacity Building program.*

DEVELOPMENT SERVICES

PLANNING

Official Community Plan Referral - Town of Qualicum Beach Bylaw No. 700. (All Directors – One Vote)

That the Regional District of Nanaimo Board receive this report for information and that the comments provided in the report be forwarded to the Town of Qualicum Beach.

Area Agriculture Plan Update. (All Directors – One Vote)

That the Board appoint the Agricultural Advisory Committee as the steering committee for the Area Agricultural Plan.

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER

Bylaw No. 889.60 – Reduces the Boundaries of the Northern Community Sewer Service by Excluding Fifty-Six Area ‘E’ Properties. (All Directors – One Vote)

That "Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.60, 2011" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

Greater Nanaimo Pollution Control Centre – Approval of Planning Grant Application to Update Odour Management Strategy. (All Directors – One Vote)

That the Board support an application to the Ministry of Community, Sport and Cultural Development for an Infrastructure Planning (Study) Grant application

for the Odour Management Strategy Update for the Greater Nanaimo Pollution Control Centre.

Bylaw No. 975.55 – Reduces the Boundaries of the Pump & Haul Service by Excluding an Area ‘B’ Property (1383 Sea Lover’s Lane). (All Directors – One Vote)

That "Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.55, 2011" be introduced and read three times.

WATER

Nanoose Bay Peninsula Water Service - Bill Adjustment for Area ‘E’ Property (3660 Dolphin Drive). (All Directors – One Vote)

- 1. That a water bill reduction at 3660 Dolphin Drive in the amount of \$1,488.51 be approved.*
- 2. That no further water bill reductions be considered for this property prior to May 31, 2017.*

Bylaw No. 1636 – Sets Rates & Regulations for the Whiskey Creek Water Service. (All Directors – One Vote)

- 1. That "Regional District of Nanaimo Whiskey Creek Water Service Area Rates and Regulations Bylaw No. 1636, 2011" be introduced and read three times.*

(All Directors – 2/3 Vote)

- 2. That "Regional District of Nanaimo Whiskey Creek Water Service Area Rates and Regulations Bylaw No.1636, 2011" be adopted.*

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

Bylaw No. 1591.01 – Amends the Solid Waste & Recycling Collection Service Rates & Regulations Bylaw. (Lantzville, Parksville, Qualicum Beach, Electoral Area Directors – Weighted Vote)

- 1. That "Solid Waste and Recycling Collection Service Rates and Regulations Amendment Bylaw No. 1591.01, 2011" be introduced and read three times.*

(Lantzville, Parksville, Qualicum Beach, Electoral Area Directors – 2/3 Vote)

- 2. That "Solid Waste and Recycling Collection Service Rates and Regulations Amendment Bylaw No. 1591.01, 2011" be adopted.*

COMMISSION, ADVISORY & SELECT COMMITTEE

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

That the minutes of the District 69 Recreation Commission meeting held March 17, 2011 be received for information.

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

- 1. That the minutes of the Electoral Area „A“ Parks, Recreation and Culture Commission meeting held March 9, 2011 be received for information.*
- 2. That the following Electoral Area „A“ Recreation and Culture Grants be approved:*

Community Group	Amount Recommended
<i>Cedar Family of Community Schools (families first programs)</i>	<i>\$ 1,500</i>
<i>Cedar Community Policing (drug awareness fair)</i>	<i>\$ 750</i>
<i>Comets Sports, Recreation and Culture Society (summer basketball camp)</i>	<i>\$ 800</i>
<i>Cedar 4-H Senior Advisory Council (Beban barnyard)</i>	<i>\$ 1,500</i>
<i>Cedar Community Association (defibrillator)</i>	<i>\$ 1,500</i>
<i>Friends of Morden Mine (brochures)</i>	<i>\$ 750</i>

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

That the minutes of the East Wellington/Pleasant Valley Parks and Open Space Advisory Committee meeting held February 21, 2011 be received for information.

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

- 1. That the minutes of the Nanoose Bay Parks and Open Space Advisory Committee meeting held February 7, 2011 be received for information.*
- 2. That the issue of the Parks Department organizing a workshop of District 69 Parks and Open Space Advisory Committees for the purpose of sharing experiences in developing and implementing projects for their areas be referred back to staff for a report.*
- 3. That the Parks staff submission concerning the Fairwinds OCP amendment be made available to the Electoral Area „E“ Parks and Open Space Advisory Committee for information.*

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

That the minutes of the Electoral Area „F” Parks and Open Space Advisory Committee meeting held February 28, 2011 be received for information.

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

That the minutes of the Electoral Area „H” Parks and Open Space Advisory Committee meeting held January 26, 2011 be received for information.

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

That the minutes of the Drinking Water & Watershed Protection Advisory Committee meeting held March 31, 2011 be received for information.

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Board of Directors, Oceanside Development & Construction Association (ODCA), re RDN Liaison to ODCA. (All Directors – One Vote)

That the request for a RDN liaison on the Oceanside Development and Construction Association be referred back to staff for a report.

Melissa Noel, Coastal Invasive Plant Committee, re Invasive Plant Management – Update for Local Governments. (All Directors – One Vote)

That the request for a partnership between the Coastal Invasive Plant Committee and the Regional District be referred back to staff for a report.

NEW BUSINESS

Island Corridor Foundation Railway. (All Directors – One Vote)

That staff send correspondence to Premier Christie Clark and to Transportation Minister, Blair Lekstrom requesting a \$15 million infrastructure investment to secure the future of Island Rail.

Electric Cars. (All Directors – One Vote)

That staff prepare a report that looks into the authority of the RDN to regulate the use of electric vehicles on roads in electoral areas.

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

108 - 111 **Regional Parks & Trails Advisory Committee.** (All Directors – One Vote)

Minutes of the Regional Parks & Trails Advisory Committee meeting held April 5, 2011. (for information)

1. *That staff be directed to prepare a cost analysis report on costs required to plan, develop and maintain the proposed parkland that would be dedicated by Fairwinds as shown in the Lakes District Neighbourhood Plan.*
2. *That staff apply to the Province of British Columbia for a permit for a Regional Trail corridor through District Lot 137 to establish a trail linkage between the proposed regional park in Fairwinds and Moorecroft Regional Park.*

112 - 159 **Emergency Management Select Committee.** (All Directors – Weighted Vote)

That the minutes of the Emergency Management Select Committee meeting held April 19, 2011 be received for information.

1. *That the Emergency Reception Centre License of Use Agreement between the Regional District of Nanaimo and the Arrowsmith Agricultural Association for a 4 year term commencing May 1st, 2011 and ending on April 30th, 2015, be approved.*
2. *That the Gabriola Island Emergency Social Services Director agreement between the Regional District of Nanaimo and Nancy Rowan be approved for a fifteen month term commencing January 1, 2011 and ending March 31, 2012.*
3. *That the Cedar/Extension Emergency Social Services Director agreement between the Regional District of Nanaimo and Andrea Bonkowski be approved for a fifteen month term commencing January 1, 2011 and ending March 31, 2012.*
4. *That the 2011 Neighborhood Emergency Preparedness Facilitator agreement between the Regional District of Nanaimo and Mr. Robert Dendoff be approved for a fifteen month term commencing January 1, 2011 and ending on March 31, 2012.*

(Electoral Area Directors - Weighted Vote)

5. *That the Board approve payment of the annual maintenance fee of the Royal Canadian Legion Bowser and District Branch (211) emergency generator beginning in 2012.*

(All Directors – One Vote)

6. *That the Board approve a letter of support to the Minister of Public Works and Government Services Canada for secondary/emergency access through Crown land to Whalebone subdivision on Gabriola Island.*
7. *That the Board support an application under the strategic Wildfire Prevention Initiative funding program for the implementation of a Wildland Urban Interface fuel management plan.*
8. *That the Board support an application under the strategic Wildfire Prevention Initiative funding program for the implementation of a Wildland Urban Interface fuel management plan.*

Transit Select Committee. (All Directors – One Vote)

160 - 191 That the minutes of the Transit Select Committee meeting held March 17, 2011 be received for information.

1. *That staff prepare a report on communication issues regarding the implementation of the UPASS at VIU and bring this back for further discussion at the Transit Select Committee.*
2. *That the Board receive the report on the Gabriola Island Transit Service Feasibility Study for information and direct staff to investigate the full financial impacts of the various expansion options and to work with BC Transit to prioritize the proposed service increase and update the RDN Transit Business Plan as required.*
3. *That the application made by the PIBC North Island Chapter 2011 Conference Sponsorship Committee for the RDN to provide transportation for tours that are part of the Conference 2011 be approved.*

(All Directors – Weighted Vote)

4. *That the 2010/2011 Annual Operating Agreement (AOA) Amendment #1 with BC Transit be approved.*

8. ADMINISTRATOR'S REPORTS

192 - 195 Waste Stream Management Licensing Application – Earthbank Resource Systems – Area ‘G’ (1424 Hodge’s Road). (All Directors – One Vote)

196 – 200 Southern Community Transit Service – Special Event Busing Request Nanaimo Port Authority Cruise Ship Shuttle. (Nanaimo, Lantzville, EAs ‘A’, ‘C’ – Weighted Vote)

9. ADDENDUM

10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

11. **NEW BUSINESS**
12. **BOARD INFORMATION (Separate enclosure on blue paper)**
13. **ADJOURNMENT**
14. **IN CAMERA**

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

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, MARCH 22, 2011, AT 7:05 PM IN THE
RDN BOARD CHAMBERS**

Present:

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

Also in Attendance:

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

CALL TO ORDER

The Chairperson welcomed Alternate Director Brian Dempsey to the meeting.

DELEGATIONS

Chuck Fenton, Arrowsmith Parks and Land-Use Council, re Environmental Criteria for the Fairwinds OCP Amendment Applications.

Mr. Fenton voiced his concerns with respect to the environmental assessment that has been provided by Fairwinds.

L. Christian Hansen, re Nanoose Bay Official Community Plan.

Mr. Hansen expressed his support for the Nanoose Bay Official Community Plan.

John Kehoe, Zeke Zak & Darren Jupe re Implications of the Lakes District Project for the Trades.

Mr. Kehoe, Mr. Zak and Mr. Jupe spoke in support of the neighbourhood plans and highlighted the economic values for tradespersons.

Bob Popple, Fairwinds Community Association, re Extent of Fairwinds Community Association Support for the Proposed Fairwinds Schooner Cove & Lakes District Neighbourhood Plans.

Mr. Popple spoke on behalf of the Fairwinds Community Association and discussed the support that the members of the FCA had for the development.

Brian Steane, re Fairwinds Proposed Development.

Mr. Steane discussed the positive attributes of the proposed Fairwinds Development Plan.

Christopher Stephens, re Coastal Douglas Fir in the Georgia Basin and the Nanoose Lakes District Proposal: Issues & Opportunities for Meeting the RDN's Sustainability Goals.

Mr. Stephens voiced his concerns regarding the RDN's conservation policy versus the Nanoose Lakes District proposal.

Gerry Thompson, re Proposed Fairwinds OCP Amendments.

Mr. Thompson spoke in support of the proposed Fairwinds OCP Amendments.

LATE DELEGATIONS

MOVED Director Holme, SECONDED Director Bestwick, that the late delegations be permitted to address the Board.

CARRIED

Neville & Lee Hunter, re Violations to Development Permit Application No. PL2011-003 – Fern Road Consulting Ltd. - Mariner Way – Area 'G'.

Mr. and Mrs. Hunter voiced concerns regarding the development on Mariner Way.

Rose Anne McQueen, re Violations to Development Permit No. PL2011-003 – Fern Road Consulting Ltd. - Mariner Way – Area 'G'.

Ms. McQueen has concerns related to the compliance of the conditions of the Development Permit.

Guy Fletcher, Fern Road Consulting Ltd., re Development Permit No. PL2011-003 – Fern Road Consulting Ltd. - Mariner Way – Area 'G'.

Mr. Fletcher represented Fern Road Consulting and outlined the steps taken to ensure that all conditions are being met.

DiAnne Hill, re Fairwinds Proposed Development.

Ms. Hill spoke in support of the proposed Fairwinds OCP Amendment Application.

Jim Lettic, re A Legacy of Planning - A Fresh Perspective on Proposed Area 'E' OCP Amendment Bylaws No. 1400.03 & 1400. 04.

Mr. Lettic voiced his concerns on Bylaws No. 1400.03 and 1400.04.

Ross Peterson, re Fairwinds Proposed Development - What's the Hurry? Let's Do This Right.

Mr. Peterson requested that the RDN refer this back to staff to review the policies.

Tony Ransom, Nanoose Naturalists, re Fairwinds Amended Neighbourhood Plan.

Mr. Ransom stated that with additional amendments and strict implications the Lakes District could be a model of Eco-Development.

Paul Fenske, Ekistics Town Planning, re Neighbourhood Plans for the Lakes District and Schooner Cove.

Mr. Fenske of Ekistics Town Planning agent to Fairwinds/Bentall discussed the steps taken for the neighbourhood plans and the public consultation process to date.

MINUTES

MOVED Director Johnstone, SECONDED Director Burnett, that the minutes of the regular Board meeting held February 22, 2011 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Grant Natland, re Request for Streetlighting in Area 'E'.

MOVED Director Holme, SECONDED Director Ruttan, that the correspondence from Grant Natland be received.

CARRIED

Carolyn Dodd, re Fairwinds Amended Neighbourhood Plan - Lakes District.

MOVED Director Holme, SECONDED Director Ruttan, that the correspondence from Carolyn Dodd be received.

CARRIED

BYLAWS

Public Hearing & Third Reading.

Report of the Public Hearing held March 14, 2011 on Bylaws No. 500.367 & 1335.05 - Fern Road Consulting Ltd. - 6120 Island Highway West – Area 'H'.

MOVED Director Bartram, SECONDED Director Young, that the report of the Public Hearing held March 14, 2011 on Bylaws No. 500.367 and 1335.05 be received.

CARRIED

MOVED Director Bartram, SECONDED Director Young, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.367, 2011" be read a third time.

CARRIED

MOVED Director Bartram, SECONDED Director Young, that "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Amendment Bylaw No. 1335.05, 2011" be read a third time.

CARRIED

Report of the Public Hearing held March 7, 2011 on Bylaw No. 500.368 – Pilcher & Associates Inc. - 2465 Apollo Drive – Area 'E'.

MOVED Director Holme, SECONDED Director Bartram, that the Report of the Public Hearing held March 7, 2011 on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.368, 2011" be received.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.368, 2011" be read a third time.

CARRIED

Report of the Public Hearing held February 24, 2011 on Bylaws No. 1148.07 and 1309.01 – Addison - 2610 Myles Lake Road - Area 'C'.

MOVED Director Young, SECONDED Director Burnett, that the report of the Public Hearing held February 24, 2011 on Bylaws No. 1148.07 and 1309.01 be received.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that "Regional District of Nanaimo Arrowsmith Benson – Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.07, 2011" be read a third time.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that "Regional Growth Strategy Bylaw No. 1309.01, 2011" be referred to affected local governments for acceptance.

CARRIED

Report of the Public Hearing held March 10, 2011 on Bylaw No 1285.16 – Bezaire - 1724 Alberni Highway – Area 'F'.

MOVED Director Bartram, SECONDED Director Biggemann, that the report of the Public Hearing held March 10, 2011 on "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.16, 2011" be received.

CARRIED

MOVED Director Bartram, SECONDED Director Biggemann, that "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.16, 2011" be read a third time.

CARRIED

For Adoption.

Bylaw No. 500.355 - Keith Brown & Associates - Fielding Road - Area 'A'.

MOVED Director Burnett, SECONDED Director Young, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.355, 2010" be adopted.

CARRIED

Bylaws No. 813.47, 889.59 & 869.08.

MOVED Director Burnett, SECONDED Director Holme, that "French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.47, 2011" be adopted.

CARRIED

MOVED Director Burnett, SECONDED Director Holme, that "Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.59, 2011" be adopted.

CARRIED

MOVED Director Burnett, SECONDED Director Holme, that "Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.08, 2011" be adopted.

CARRIED

Bylaws No. 861.03 & 1059.04.

MOVED Director Burnett, SECONDED Director Bartram, that "Northern Community Recreation Service Amendment Bylaw No. 861.03, 2011" be adopted.

CARRIED

MOVED Director Burnett, SECONDED Director Bartram, that "Southern Community Recreation Service Amendment Bylaw No. 1059.04, 2011" be adopted.

CARRIED

Bylaw No. 1388.05.

MOVED Director Burnett, SECONDED Director Holdom, that "Cassidy-Waterloo Fire Protection Service Amendment Bylaw No. 1388.05, 2011" be adopted.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

MOVED Director Bartram, SECONDED Director Lefebvre, that the minutes of the Electoral Area Planning Committee meeting held March 8, 2011 be received for information.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Holly Clermont, Garry Oak Ecosystems Recovery Team, re Fairwinds – Response to January 31, 2011 Public Information Meeting.

MOVED Director Johnstone, SECONDED Director Holme, that the correspondence from Holly Clermont of the Garry Oak Ecosystems Recovery Team be received.

CARRIED

Wally & Laurie Debling, re Fairwinds Lakes District & Schooner Cove Development Plans.

MOVED Director Johnstone, SECONDED Director Holme, that the correspondence from Wally and Laurie Debling be received.

CARRIED

Peter Law, re Rainwater and the Fairwinds Lakes District Plan.

MOVED Director Johnstone, SECONDED Director Holme, that the correspondence from Peter Law be received.

CARRIED

Don Lawseth, re Fairwinds Application to Amend the Nanoose Bay OCP.

MOVED Director Johnstone, SECONDED Director Holme, that the correspondence from Don Lawseth be received.

CARRIED

Joe Straka, re Fairwinds Lakes District Development – Process Leading to Regional Park Dedication.

MOVED Director Johnstone, SECONDED Director Holme, that the correspondence from Joe Straka be received.

CARRIED

Paul Grinder, Arrowsmith Parks and Land-Use Council, re Fairwinds Application to Amend the Nanoose Bay Official Community Plan.

MOVED Director Johnstone, SECONDED Director Holme, that the correspondence from Paul Grinder of the Arrowsmith Parks and Land-Use Council be received.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Bylaw No. 500.369 to Support Zoning Amendment Application No. PL2011-009 – RDN – 2834 Northwest Bay Road – Area ‘E’.

MOVED Director Holme, SECONDED Director Bartram, that the Summary of the Public Information Meeting held on February 17, 2011 be received for information.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that Application No. PL2011-009 to rezone the subject property from Residential 1 (RS 1) to Public 1 (PU 1) be approved subject to the conditions included in Schedule No. 1.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.369, 2011", be given 1st and 2nd reading.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.369, 2011", be delegated to Director Holme or his alternate.

CARRIED

Bylaw No. 1285.15 to Support Zoning Amendment Application No. PL2010-205 – J.E. Anderson & Associates – 908 and 920 Little Mountain Road – Area ‘F’.

MOVED Director Bartram, SECONDED Director Biggemann, that the application to rezone part of Lot 1, District Lot 136. Nanoose District, Plan 21407 from R-2.54 (Rural Residential 2.54) to R-2 (Rural Residential 2) be approved subject to the conditions outlined in Schedule No. 1.

CARRIED

MOVED Director Bartram, SECONDED Director Biggemann, that the application to rezone Lot B, District Lot 136, Nanoose District, Plan 41092 from R-2 (Rural Residential 2) to R-2.54 (Rural Residential 2.54) be approved subject to the conditions included in Schedule No. 1.

CARRIED

MOVED Director Bartram, SECONDED Director Biggemann, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 1285.15, 2011" be introduced and read two times.

CARRIED

MOVED Director Bartram, SECONDED Director Biggemann, that the public hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 1285.15, 2011" be delegated to Director Biggemann and co-chaired by Director Stanhope.

CARRIED

Bylaw No. 1400.03 - OCP Amendment - Fairwinds – The Lakes District Neighbourhood Plan – Area 'E'.

MOVED Director Holme, SECONDED Director Bartram, that the summaries of the Public Information Meetings held on June 28, 2010 and January 31, 2011, be received.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that "Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.03, 2011", be given 1st and 2nd reading.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that the Public Hearing on "Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.03, 2011" be delegated to Director Holme or his alternate.

CARRIED

Bylaw No. 1400.04 - OCP Amendment – Fairwinds - Schooner Cove Neighbourhood – Area 'E'.

MOVED Director Holme, SECONDED Director Bartram, that the summaries of the Public Information Meetings held on June 28, 2010 and February 1, 2011, be received for information.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that "Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.04, 2011", be given 1st and 2nd reading.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that the Public Hearing on "Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.04, 2011", be delegated to Director Holme or his alternate.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. PL2009-287 – Roberts – 2270 South Lake Road – Area 'H'.

MOVED Director Bartram, SECONDED Director Burnett, that Development Permit Application No. PL2009-287, to permit the construction of a cabin within 15 meters of the natural boundary of Horne Lake be approved subject to the conditions outlined in Schedules No. 1 - 2.

CARRIED

Development Permit & Site Specific Exemption Application No. PL2010-090 – Cowan – 2502 Blokker Road – Area 'E'.

MOVED Director Holme, SECONDED Director Bartram, that Development Permit and Site Specific Exemption Application No. PL2010-090 to permit the construction of a dwelling unit be approved subject to the conditions outlined in Schedules No. 1 - 3.

CARRIED

Development Permit Application No. PL2010-189 – McCaskell – 3728 Horne Lake Caves Road – Area 'H'.

MOVED Director Bartram, SECONDED Director Burnett, that Development Permit Application No. PL2010-189, to permit the construction of an addition to an existing cabin within 15 metres of the natural boundary of Horne Lake, be approved subject to the conditions outlined in Schedules No. 1 - 2.

CARRIED

Development Permit Application No. PL2010-223 – Low – 492 Martindale Road – Area 'G'.

MOVED Director Bartram, SECONDED Director Holme, that Development Permit Application No. PL2010-223 to permit the construction of a dwelling unit and an accessory building be approved subject to the conditions outlined in Schedules No. 1 to 3.

CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

MOVED Director Sherry, SECONDED Director Lefebvre, that the minutes of the Committee of the Whole meeting held March 8, 2011 be received for information.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

June Parsons, BC Seniors Game Society, re Invitation to Host BC Seniors Games.

MOVED Director Johnstone, SECONDED Director Holdom, that the correspondence from June Parsons of the BC Seniors Game Society be received.

CARRIED

FINANCE AND INFORMATION SERVICES

FINANCE

Bylaws No. 1626 & 1627 – Authorize Temporary Borrowing & Issuance of Securities for Cedar Sewer Large Residential Properties Financing Service.

MOVED Director Burnett, SECONDED Director Young, that "Cedar Sewer Large Residential Properties Capital Financing Service Security Issuing Bylaw No. 1626, 2011" be introduced and read three times.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that "Cedar Sewer Large Residential Properties Capital Financing Service Interim Financing Bylaw No. 1627, 2011" be introduced and read three times.

CARRIED

Bylaws No. 1628, 1629, 1630 & 1231.03 – Authorize Borrowing & Issuance of Securities for Camp Moorecroft Land Acquisition and Increase the Regional Parks & Trails Service Parcel Tax.

MOVED Director Holme, SECONDED Director Holdom, that upon completion of the purchase of the Camp Moorecroft Lands on March 2, 2011, the property legally described as Lot A, District Lot 110, Nanoose District, Plan 1777 PID 006-884-849 and Lot 1 of District Lots 52 and 110, Nanoose District, Plan 31217 PID 001-170-228 be designated as a Regional Park.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that the Regional Parks parcel tax rate be set at \$11.00 for 2011 and at \$12.00 commencing in 2012, and that a review of the rate be undertaken in conjunction with the 2013 budget.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that "Regional Parks and Trails Service Loan Authorization Bylaw No. 1628, 2011" be introduced, read three times and be forwarded to the Inspector of Municipalities for approval.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that "Regional Parks and Trails Service Security Issuing Bylaw No. 1629, 2011" be introduced, read three times and be held for adoption with Bylaw No. 1628.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that "Regional Parks and Trails Service Interim Financing Bylaw No. 1630, 2011" be introduced, read three times and be held for adoption with Bylaw No. 1628.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that the 2011 to 2015 financial plan be amended to reflect the Regional Parks parcel tax rates in accordance with the bylaws attached to this report.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that "Regional Parks and Trails Service Amendment Bylaw No. 1231.03, 2011" be introduced, read three times and be held for adoption with Bylaw No. 1628.

CARRIED

Preliminary Operating Results for Period Ending December 31, 2010.

MOVED Director Holdom, SECONDED Director Ruttan, that the summary report of financial results for the year ended December 31, 2010 be received for information.

CARRIED

Bylaws No. 1336.08, 1483.05, 1525.03, 1567.02, 1568.02 & 1569.02 - Amend Parcel Tax Rates for Water, Sewer, Fire Protection and Crime Prevention/Community Justice Services.

Bylaw No. 1336.08

MOVED Director Westbrook, SECONDED Director Holme, that "Driftwood Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1336.08, 2011" be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director Holme, that "Driftwood Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1336.08, 2011" be adopted.

CARRIED

Bylaw No. 1483.05.

MOVED Director Westbrook, SECONDED Director Holme, that "Barclay Crescent Sewer Service Area Parcel Tax Rate Amendment Bylaw No. 1483.05, 2011" be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director Holme, that "Barclay Crescent Sewer Service Area Parcel Tax Rate Amendment Bylaw No. 1483.05, 2011" be adopted.

CARRIED

Bylaw No. 1525.03.

MOVED Director Westbrook, SECONDED Director Holme, that "Crime Prevention and Community Justice Support Service Parcel Tax Rates Amendment Bylaw No. 1525.03, 2011" be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director Holme, that "Crime Prevention and Community Justice Support Service Parcel Tax Rates Amendment Bylaw No 1525.03, 2011" be adopted.

CARRIED

Bylaw No. 1567.02.

MOVED Director Westbrook, SECONDED Director Holme, that "Water Services Parcel Tax Rates Amendment Bylaw No. 1567.02, 2011" be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director Holme, that "Water Services Parcel Tax Rates Amendment Bylaw No. 1567.02, 2011" be adopted.

CARRIED

Bylaw No. 1568.02.

MOVED Director Westbrook, SECONDED Director Holme, that "Sewer Services Parcel Tax Rates Amendment Bylaw No. 1568.02 2011" be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director Holme, that "Sewer Services Parcel Tax Rates Amendment Bylaw No. 1568.02, 2011" be adopted.

CARRIED

Bylaw No. 1569.02.

MOVED Director Westbrook, SECONDED Director Holme, that "Fire Protection Services Parcel Tax Rates Amendment Bylaw No. 1569.02, 2011" be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director Holme, that "Fire Protection Services Parcel Tax Rates Amendment Bylaw No. 1569.02, 2011 be adopted.

CARRIED

Coastal Community Network - Request for Membership Dues.

MOVED Director Lefebvre, SECONDED Director Westbrook, that correspondence be sent to the Coastal Community Network advising them that the Regional District of Nanaimo declines to be a member at this time.

CARRIED

REGIONAL AND COMMUNITY UTILITIES

WATER

Bylaws No. 867.05 & 1049.06 – Extend the Boundaries of the Nanoose Bay Peninsula & Bulk Water Supply Services to Include an Area ‘E’ Property (2834 Northwest Bay Road).

MOVED Director Holme, SECONDED Director Holdom, that "Nanoose Bay Peninsula Water Service Area Amendment Bylaw No. 867.05, 2011" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that "Nanoose Bay Bulk Water Supply Local Service Area Amendment Bylaw No. 1049.06, 2011" be introduced and read three times.

CARRIED

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

Regional Landfill Service - Refuse Compactor Tender Award.

MOVED Director Westbrook, SECONDED Director Sherry, that Finning be awarded the supply of a CAT 826H steel wheeled refuse compactor for a purchase price of \$620,467 and guaranteed buyback of \$293,000 and that the General Manager, Financial and Information Services be authorized to execute a four year lease to finance this purchase.

CARRIED

Bylaw No. 1591.01 – Amends the Solid Waste & Recycling Collection Service Rates & Regulations Bylaw.

MOVED Director Westbrook, SECONDED Director Lefebvre, that "Solid Waste and Recycling Collection Service Rates and Regulations Amendment Bylaw No. 1591.01, 2011" be referred back to staff.

CARRIED

Waste Stream Management Licensing Application - Cascades Recovery Inc. – City of Nanaimo (800 Maughan Road).

MOVED Director Westbrook, SECONDED Director Lefebvre, that the Board receive the report on the Waste Stream Management License application from Cascades Recovery Inc. for information.

CARRIED

2010 Illegal Dumping and Landfill Bans Enforcement Report.

MOVED Director Westbrook, SECONDED Director Lefebvre, that the Board receive the 2010 Illegal Dumping Prevention Program and Landfill Bans report for information.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Biggemann, that the minutes of the District 69 Recreation Commission meeting held February 17, 2011 be received for information.

CARRIED

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

Community Group	Amount Recommended
Arrowsmith Community Enhancement Society (costumes)	\$ 255
Ballenas Dry Grad (food & entertainment)	\$ 1,000
Coombs Hilliers Recreation Community Organization (outdoor court)	\$ 2,500
District 69 Minor Softball (equipment & uniforms)	\$ 2,000
Errington War Memorial Hall Association (drums & drum bags)	\$ 1,183
District 69 Family Resource Association (programs)	\$ 1,700
Kwalikum Secondary School - Boxing Skills Program (equipment)	\$ 1,500
Kwalikum Secondary School - Dry Grad (event expenses)	\$ 1,000
Oceanside Track and Field Club (facility improvements)	\$ 3,500

CARRIED

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

Community Group	Amount Recommended
Errington Therapeutic Riding Association (program expenses)	\$ 1,154
Lighthouse Recreation Commission (program costs)	\$ 2,700
Parksville & District Association for Community Living (program expenses)	\$ 1,030
Parksville Qualicum Community Foundation (Venetian Carnival)	\$ 1,500
Parksville Seniors Athletic Group (softball equipment)	\$ 500
Qualicum and District Curling Club - 2011 BC Masters (event expenses)	\$ 1,000
Vancouver Island Opera (room rental & advertising)	\$ 1,220

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Rosemary Boanno & Adrian Maas, Vancouver Island Regional Library, re Construction Financing for Nanaimo North Library.

MOVED Director Holdom, SECONDED Director Johnstone, that this request to staff be referred for a report on how to implement the borrowing authority that has been requested.

CARRIED

NEW BUSINESS

Mayor's Task Force on Homelessness.

MOVED Director Lefebvre, SECONDED Director Westbroek, that Director Bartram be appointed to the Mayor's Task Force on Homelessness and that Director Stanhope be appointed as his alternate.

CARRIED

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

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

MOVED Director Bartram, SECONDED Director Young, that the minutes of the Electoral Area 'B' Parks and Open Space Advisory Committee meeting held February 1, 2011 be received for information.

CARRIED

Selection Committee.

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

MOVED Director Bartram, SECONDED Director Burnett, that Carolyn Mead and Bernard White be appointed to the Electoral Area 'A' Parks, Recreation & Culture Commission for terms ending December 31, 2012 and that Angela Vincent-Lewis be appointed for a term ending December 31, 2011.

CARRIED

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

MOVED Director Bartram, SECONDED Director Young, that Sarah Quinn be appointed to the Electoral Area 'G' Parks & Open Space Advisory Committee for a term ending December 31, 2011.

CARRIED

Sustainability Select Committee.

MOVED Director Kipp, SECONDED Director Lefebvre, that the minutes of the Sustainability Select Committee meeting held March 16, 2011 be received for information.

CARRIED

MOVED Director Kipp, SECONDED Director Lefebvre, that the RDN Sustainable Development Checklist and Guide be approved; and that the RDN Policy B1.14 be amended to reference the revised checklist.

CARRIED

MOVED Director Kipp, SECONDED Director Lefebvre, that the proposed Green Building Incentive Program be approved.

CARRIED

ADMINISTRATOR'S REPORTS

Nanoose Bay Fire Protection Service - Fire Hydrant Use Agreement.

MOVED Director Holme, SECONDED Director Burnett, that the Fire Hydrant Use Agreement between the Regional District of Nanaimo and the Ruming Road Water (2004) Society be approved and that staff be authorized to execute the agreement.

CARRIED

Bylaw No. 1631 - 2011 to 2015 Financial Plan.

MOVED Director Holdom, SECONDED Director Bestwick, that "2011 to 2015 Financial Plan Bylaw No. 1631, 2011", as amended, be introduced and read three times.

CARRIED

MOVED Director Holdom, SECONDED Director Bestwick, that "2011 to 2015 Financial Plan Bylaw No. 1631, 2011" be adopted.

CARRIED

Bylaw No. 975.54 – Extends the Boundaries of the Pump & Haul Service to Include an Area ‘E’ Property (Lot 57, District Lot 78, Nanoose District, Plan 14275).

MOVED Director Holme, SECONDED Director Burnett, that the boundaries of the “Regional District of Nanaimo Pump and Haul Local Service Establishment Bylaw No. 975, 1995” be amended to include Lot 57, Section 78, Nanoose District, Plan 14275 (Electoral Area ‘E’).

CARRIED

MOVED Director Holme, SECONDED Director Burnett, that the “Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.54, 2011” be introduced and read three times.

CARRIED

Public Transit Agreement and Public Transit Infrastructure Grants.

MOVED Director Holdom, SECONDED Director Bestwick, that the use of PTA/PTIP Federal Gas Tax Transfer Program funds for electronic fare boxes and vehicle debt servicing in the amount of \$577,126, in lieu of the priority signaling project, be ratified.

CARRIED

NEW BUSINESS

Municipal Finance Authority of British Columbia

Chairperson Stanhope announced that the Municipal Finance Authority retained “AAA” credit rating from Fitch Ratings, Moody’s Investor Services, and Standard & Poor’s. This rating reflects the overall credit quality of MCABC’s loan portfolio, strong legal framework through which it borrows on behalf of members, and the authority’s solid liquidity profile.

BOARD INFORMATION

Pest Management – Southern Railway.

MOVED Director Bartram, SECONDED Director Holme, that the Board send a letter to Southern Railway expressing its concern with respect to the application of pesticides and requests a response on the use of alternative methods along the Island Corridor.

CARRIED

ADJOURNMENT

MOVED Director Holme, SECONDED Director Johnstone, that pursuant to Section 90(1) (c) of the Community Charter the Board proceed to an In Camera meeting to consider items related to personnel matters.

CARRIED

TIME: 8:55 PM

The meeting reconvened at 9:05

Bylaw No. 1417.03.

MOVED Director Holdom, SECONDED Director Bartram, that the “Regional District of Nanaimo Officers and Management Employees Terms and Conditions of Employment Amendment Bylaw No. 1417.03, 2011” be introduced and read three times.

CARRIED

MOVED Director Holdom, SSECONDED Director Bartram, that the "Regional District of Nanaimo Officers and Management Employees Terms and Conditions of Employment Amendment Bylaw No. 1417.03, 2011" be adopted.

CARRIED

ADJOURNMENT

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

TIME: 9:06 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE SPECIAL MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, MARCH 29, 2011, AT 6:18 PM IN THE
RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director G. Rudischer	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director M. Lefebvre	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Alternate	
Director F. Pattje	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director L. Sherry	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Sr. Mgr., Corporate Administration
N. Avery	Gen. Mgr., Finance & Information Services
P. Thorkelsson	Gen. Mgr., Development Services
D. Trudeau	Gen. Mgr., Transportation & Solid Waste Services

CALL TO ORDER

BYLAWS

Bylaws No. 805.06, 940.04 & 1388.04.

MOVED Director Holdom, SECONDED Director Holme, that "Electoral Area 'G' Community Parks Service Amendment Bylaw No. 805.06, 2011" be adopted.

CARRIED

MOVED Director Holdom, SECONDED Director Holme, that "Electoral Area 'F' Animal Control Service Amendment Bylaw No. 940.04, 2011" be adopted.

CARRIED

MOVED Director Holdom, SECONDED Director Holme, that "Cassidy-Waterloo Fire Protection Service Amendment Bylaw No. 1388.04, 2011" be adopted.

CARRIED

Bylaw No. 1319.01.

MOVED Director Rudischer, SECONDED Director Holme, that "Electoral Area 'B' Cultural Centre Contribution Amendment Bylaw No. 1319.01, 2011" be adopted.

CARRIED

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Arrowsmith Water Service Management Committee.

MOVED Director Holme, SECONDED Director Holdom, that the minutes of the Arrowsmith Water Service Management Committee meeting held March 17, 2011 be received for information.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that the 2011 Arrowsmith Water Service Annual Budget be approved.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that the Arrowsmith Water Service Management Board approve extension of the Arrowsmith Water Service Joint Venture Agreement to June 30, 2011.

CARRIED

ADMINISTRATOR'S REPORTS

Report of the Nanoose Bay Firehall Referendum – Bylaws No. 1616, 1617 & 1618.

MOVED Director Holme, SECONDED Director Holdom, that the official results of the Nanoose Bay Fire Hall Referendum be received for information.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that "Nanoose Bay Fire Protection Service Loan Authorization Bylaw No. 1616, 2011" be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Burnett, that "Nanoose Bay Fire Protection Service Security Issuing Bylaw No. 1617, 2011" be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that "Nanoose Bay Fire Protection Service Temporary Borrowing Bylaw No. 1618, 2011" be adopted.

CARRIED

Bylaw 1631.01 – Amends the 2011 to 2015 Financial Plan.

MOVED Director Holdom, SECONDED Director Johnstone, that "2011 to 2015 Financial Plan Bylaw No. 1631.01, 2011" be introduced and read three times.

CARRIED

MOVED Director Holdom, SECONDED Director Bestwick, that "2011 to 2015 Financial Plan Amendment Bylaw No. 1631.01, 2011" be adopted.

CARRIED

NEW BUSINESS

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

MOVED Director Biggemann, SECONDED Director Holme, that Keble Scheaff be appointed to the Electoral Area 'F' Parks & Open Space Advisory Committee for a term ending December 31, 2012.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 6:30 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION



RDN REPORT	
CAO APPROVAL <i>(initials)</i>	
EAP	
COW	
APR 15 2011	
RHD	
BOARD	<input checked="" type="checkbox"/> <i>Apr 26 '11</i>

MEMORANDUM

TO: Dale Lindsay
Manager, Current Planning

DATE: April 15, 2011

FROM: Susan Cormie
Senior Planner

FILE: PL2011-009

SUBJECT: Report of the Public Hearing and 3rd Reading of Bylaw 500.369, 2011
Regional & Community Utilities, Regional District of Nanaimo
Lot 8, District Lot 130, Nanoose District, Plan 22076 - 2834 Northwest Bay Road
Electoral Area 'E'

PURPOSE

To receive the report of the Public Hearing containing the summary of the minutes and submissions of the Public Hearing held on April 11, 2011 and further, to consider Bylaw No. 500.369, 2011, for third reading.

BACKGROUND

Bylaw No. 500.369 was introduced and given 1st and 2nd reading on March 22, 2011. This was followed by a Public Hearing held on April 11, 2011. The summary of the minutes and submissions is attached for the Board's consideration (*see Attachment No. 2*).

The purpose of this zoning amendment bylaw is to rezone the subject property from Residential 1 to Public 1 in order to permit a community water treatment plant (*see Attachment No. 1 for location of subject property*).

ALTERNATIVES

1. To receive the Report of the Public Hearing and give 3rd reading to "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.369, 2011".
2. To receive the report of the Public Hearing and deny "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.369, 2011".

SUMMARY

The purpose of Bylaw No. 500.369, 2011 is to rezone the subject property to in order to permit a community water treatment plant. The amendment bylaw was introduced and given 1st and 2nd reading on March 22, 2011 and proceeded to Public Hearing on April 11, 2011. The requirements set out in the Conditions of Approval (*see Schedule No. 1*) are to be completed by the applicant prior to the Board's consideration of the bylaw for adoption. Therefore, staff recommends that Bylaw No. 500.369, 2011 be considered for 3rd reading.

RECOMMENDATIONS

1. That the report of the Public Hearing held on April 11, 2011 on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.369, 2011" be received.
2. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.369, 2011" be read a third time.



Report Writer



General Manager Concurrence



Manager Concurrence



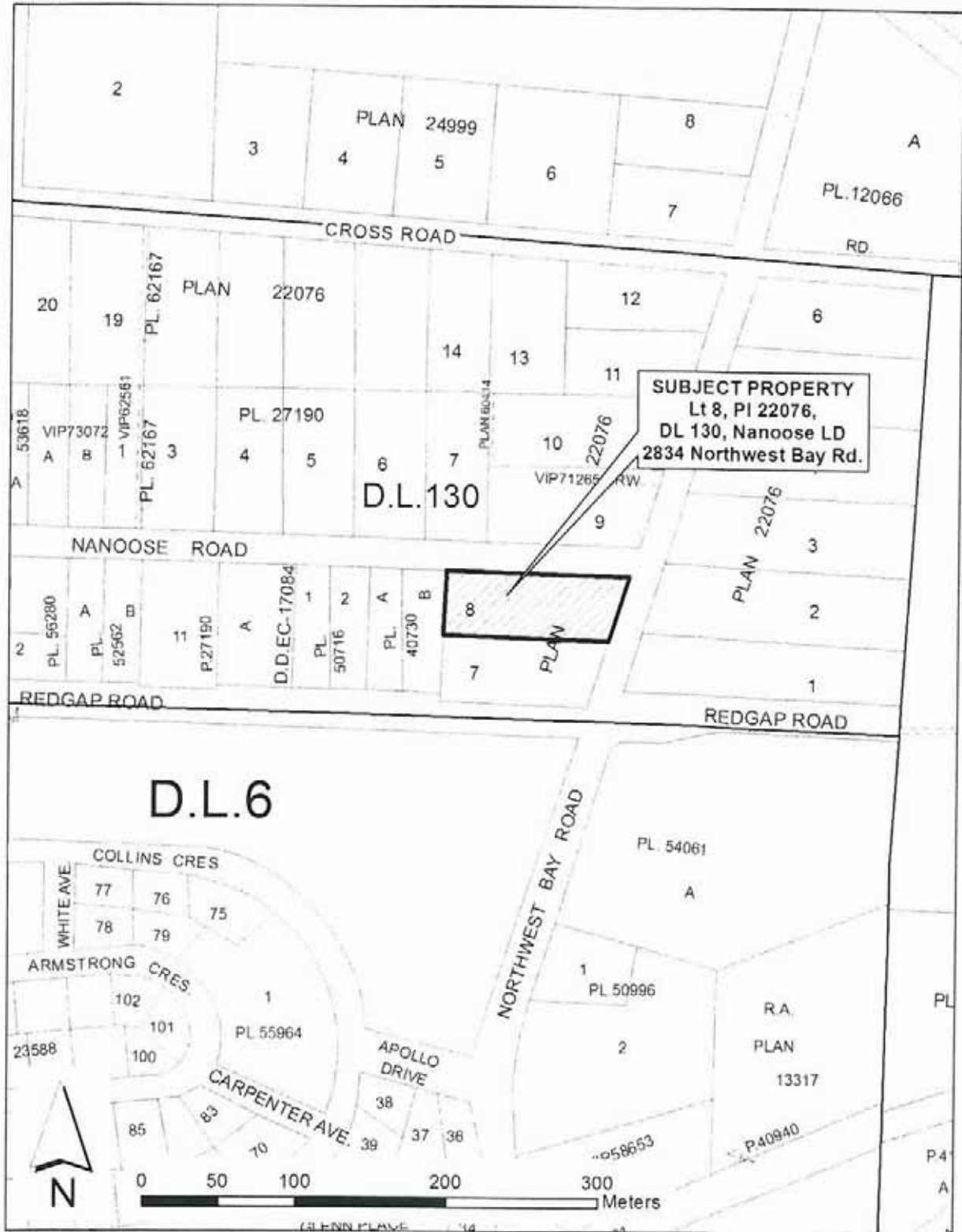
CAO Concurrence

Schedule No. 1
Conditions of Approval
Zoning Amendment Application No. PL2011-009

The applicant is to provide the following documentation prior to the corresponding Amendment Bylaw being considered for 4th reading:

1. Confirmation that the property has been included within a community water service area.

Attachment No. 1
Location of Subject Property



Attachment No. 2
Summary of the Public Hearing
Held at Nanoose Place, 2925 Northwest Bay Road, Nanoose Bay on April 11, 2011 at 7:00 pm
To Consider Regional District of Nanaimo Land Use and Subdivision
Amendment Bylaw No. 500.369 2011

Summary of Minutes and Submissions

Note that these minutes are not a verbatim recording of the proceedings, but summarize the comments of those in attendance at the Public Hearing.

PRESENT:

George Holme	Chairperson, Director, Electoral Area 'E'
Wayne Moorman	Manager, RDN Engineering Services
Susan Cormie	Senior Planner

There were 5 persons in attendance.

The Chairperson called the Hearing to order at 7:03 p.m., introduced those present representing the Regional District, and outlined the procedures to be followed during the Hearing.

The Senior Planner provided an outline of the Bylaw including a summary of the proposal.

The Chairperson called for formal submissions with respect to Bylaw 500.369, 2011.

Peter Hill, 2037 Claudet Road, Nanoose Bay, asked what sort of treatment will be done.

Wayne Moorman, Manager of RDN Engineering, explained that the water will be treated for manganese and iron.

Mr. Hill asked if there will be any other treatment.

Wayne Moorman, Manager of RDN Engineering, explained that there will be chlorine added to the water which is being done now.

Sheila Nelson, 2485 Island Highway East, Nanoose Bay, asked is it easy to provide treatment to a domestic water system.

Wayne Moorman, Manager of RDN Engineering, explained that yes, there are domestic systems available which treat water at a reasonable cost.

The Chairperson called for further submissions for the first time.

The Chairperson called for further submissions for the second time.

The Chairperson called for further submissions a third time.

The Chairperson called for further submissions a final time.

There being no further submissions, the Chairperson adjourned the Hearing at 7:10 p.m.

Certified true and accurate this 15th day of April, 2011.

Susan Cormie
Recording Secretary



RDN REPORT	
CAO APPROVAL <i>CLW</i>	
EAP	
COW	
APR 15 2011	
RHD	
BOARD	✓ <i>Open 24 '11</i>

MEMORANDUM

TO: Dale Lindsay
Manager, Current Planning

DATE: April 15, 2011

FROM: Kristy Marks
Planner

FILE: PL2010-205

SUBJECT: Report of the Public Hearing and 3rd Reading of Bylaw No. 1285.15
J.E. Anderson & Associates
Lot 1, District Lot 136, Nanoose District, Plan 21407 and Lot B, District Lot 136, Nanoose District, Plan 41092 - 908 & 920 Little Mountain Road
Electoral Area 'F'

PURPOSE

To receive the report of the Public Hearing containing the summary of the minutes and submissions of the Public Hearing held on April 13, 2011 and further, to consider Bylaw No. 1285.15, 2011, for 3rd reading.

BACKGROUND

Bylaw No. 1285.15 was introduced and given 1st and 2nd reading on March 22, 2011. This was followed by a Public Hearing held on April 13, 2011. The summary of the minutes and submissions is attached for the Board's consideration (*see Attachment No. 2*).

The purpose of this zoning amendment bylaw is to rezone part of Lot 1, District Lot 136, Nanoose District, Plan 21407 from R-2.54 (Rural Residential 2.54) to R-2 (Rural Residential 2) and to rezone Lot B, District Lot 136, Nanoose District, Plan 21407 from R-2 (Rural Residential 2) to R-2.54 (Rural Residential 2.54) in order to facilitate a lot-line adjustment subdivision (*see Attachment No. 1 for location of subject property*).

ALTERNATIVES

1. To receive the report of the Public Hearing and give 3rd reading to "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.15, 2011".
2. To receive the report of the Public Hearing and deny "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.15, 2011".


SUMMARY

The purpose of Bylaw No. 1285.15, 2011 is to rezone the subject property to permit a lot line adjustment subdivision. The amendment bylaw was introduced and given 1st and 2nd reading on March 22, 2011 and proceeded to Public Hearing on April 13, 2011. The requirements set out in the Conditions of Approval (*see Schedule No. 1*) are to be completed by the applicant prior to the Board's consideration of the bylaw for adoption. Therefore, staff recommends that Bylaw No. 1285.15, 2011, be considered for 3rd reading.

RECOMMENDATIONS

1. That the Report of the Public Hearing held April 13, 2011 on Bylaw No. 1285.15, 2011 be received.
2. That "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.15, 2011" be read a third time.


Report Writer


General Manager Concurrence


Manager Concurrence


CAO Concurrence

**Schedule No. 1
Conditions of Approval**

The applicant is to provide the following documentation prior to the Amendment Application being considered for fourth reading:

1. The applicant must submit confirmation of Preliminary Layout Approval from the Ministry of Transportation and Infrastructure (MOTI) prior to the application being considered for fourth reading.

**Attachment No. 1
Location of Subject Property**



BCGS Map Sheet No 92F 030 3.1

Attachment No. 2
Summary of the Public Hearing
Held at The Bradley Centre, 975 Shearman Road, Coombs
April 13, 2011 at 6:30 pm
To Consider Regional District of Nanaimo Land Use and Subdivision
Amendment Bylaw No. 1285.15 2011

Summary of Minutes and Submissions

Note that these minutes are not a verbatim recording of the proceedings, but summarize the comments of those in attendance at the Public Hearing.

PRESENT:

Lou Biggemann
Kristy Marks
Doug Holme

Chairperson, Director, Electoral Area 'F'
Planner
Agent

There were 0 persons in attendance.

The Chairperson called the Hearing to order at 6:40 p.m., introduced those present representing the Regional District, and outlined the procedures to be followed during the Hearing.

The Planner provided an outline of the Bylaw including a summary of the proposal.

The Chairperson called for formal submissions with respect to Bylaw 1285.15, 2011.

There were no formal submissions with respect to Bylaw 1285.15, 2011.

The Chairperson called for further submissions for the second time.

The Chairperson called for further submissions a third and final time.

There being no further submissions, the Chairperson adjourned the Hearing at 6:45 p.m.

Certified true and accurate this 15th day of April, 2011.

Kristy Marks
Recording Secretary

CAO APPROVAL <input checked="" type="checkbox"/>	
EAP	
COW	
APR 14 2011	
RHD	
BOARD	✓ Apr 26 '11

TO: Paul Thompson
Manager of Long Range Planning

DATE: April 13, 2011

FROM: Greg Keller
Senior Planner

FILE: 6480 01 EAA

SUBJECT: Electoral Area 'A' Official Community Plan - Bylaw No. 1620, 2011

PURPOSE

To receive the Report of the Public Hearing containing the Summary of the Minutes and Submissions of the Public Hearing held March 28, 2011 on "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011" (Bylaw No. 1620), and consider the Bylaw for 3rd reading.

BACKGROUND

The Electoral Area 'A' Official Community Plan (OCP) review process has been underway since May 2008. Recent actions on this planning project include the following:

1st and 2nd Reading

The Regional Board granted 1st and 2nd reading to Bylaw No. 1620 at its regular meeting held on February 22, 2011.

Community Information Meeting

Prior to the Public Hearing, a community information meeting was held from 4:00 – 8:30 pm on March 7, 2011 at the Cranberry Community Hall. Approximately thirty people attended event. The purpose of the meeting was to provide an opportunity for the community to obtain information on the draft OCP and to ask questions prior to the Public Hearing. Overall discussions were of a positive nature. Comments received at the meeting were available at the Public Hearing.

Bylaw Referrals

The Bylaw was referred to the City of Nanaimo; Cowichan Valley Regional District; Fisheries and Oceans Canada; Canadian Wildlife Service; Transport Canada; School District No. 68; Vancouver Island Health Authority; Cranberry Fire Protection District; Nanaimo Airport; British Columbia Hydro; Terasen Gas; Ministry of Community Sport and Cultural Development; Ministry of Transportation and Infrastructure; Ministry of Natural Resource Operations; British Columbia Parks; Ministry of Forests and Range; Ministry of Agriculture; Ministry of Energy, Mines, and Petroleum Resources; Integrated Land Management Bureau; Agricultural Land Commission; Snuneymuxw First Nation; Stzuminus First Nation; Archaeological Branch; Ministry of Natural Resource Operations; and the North Cedar Improvement District. Responses from referral agencies were available prior to and at the Public Hearing for public inspection and are included as part of the written submissions and comments included in *Attachment No. 1*.

Public Hearing

A Public Hearing was held pursuant to the *Local Government Act* on March 28, 2011 with approximately eighty people in attendance (*see Schedule No. 2 for the Report of the Public Hearing*).

ALTERNATIVES

1. To receive the Report of the Public Hearing, grant 3rd reading to Bylaw No. 1620, and refer the Bylaw to the Ministry of Community Sport and Cultural Development for approval.
2. To receive the Report of the Public Hearing and grant 3rd reading to Bylaw No. 1620 with amendments as outlined in *Schedule No. 1* and refer the Bylaw to the MCSCD for approval.
3. To receive the Report of the Public Hearing on Bylaw No. 1620 and not grant 3rd reading and provide staff with further direction.

PUBLIC CONSULTATION IMPLICATIONS

Bylaw No. 1620 is the result of a comprehensive planning process involving extensive public consultation with the Citizen's Committee, residents, property owners, stakeholders, municipal, provincial, First Nations, and federal agencies. Throughout this process, community preferences and values were identified, clarified, and discussed to ensure the Plan is reflective of community values and addresses the objectives and goals of the Regional Growth Strategy and the applicable government agencies.

Staff are proposing a number of minor amendments to the OCP in response to comments received at the community information meeting, the Public Hearing, and from agency and community feedback. These amendments, included as *Schedule No. 1*, are considered to be technical or minor in nature, do not affect the use or density, and are consistent with the overall direction of the OCP. Other amendments that may alter use or density will be brought forward for the Board's consideration after the new OCP is adopted.

INTERGOVERNMENTAL IMPLICATIONS

Should the Regional Board grant 3rd reading to Bylaw No. 1620, the Bylaw will be referred to the MCSCD for Ministerial approval. In consideration of its approval, the Ministry will take into account the comments of the agencies to which the Bylaw has been referred. Comments were received from the Agricultural Land Commission, the Ministry of Agriculture and Lands, MCSCD, and Archaeology Branch of the Ministry of Forests, Lands, and Natural Resource Operations. The referral response letters were available for public inspection prior to and at the Public Hearing and are included in *Attachment No. 1*. Following 3rd reading and the Minister's approval, the Board may consider adoption of Bylaw No. 1620.

SUMMARY/CONCLUSIONS

The Regional Board gave 1st and 2nd reading to Bylaw No. 1620 during its regular Board meeting held on February 22, 2011. In accordance with the *Local Government Act*, the Agricultural Land Commission has been provided a formal opportunity to consider the Bylaw prior to the Public Hearing. Bylaw No. 1620 has also been considered in conjunction with the RDN financial and waste management plans. In addition, formal referrals were sent to applicable provincial and federal agencies, First Nations, and other agencies with interests in the Plan Area.

A Public Hearing was held on March 28, 2011 with approximately eighty residents in attendance. The Summary of the minutes and written submissions to the Public Hearing are attached for the Board's consideration. In response to comments received from the agency referrals and other community and staff input, some minor changes (*outlined in Schedule No. 1*) to the Bylaw are recommended.

All requirements of the *Local Government Act* have been fulfilled and Bylaw No. 1620 may now be considered for 3rd reading.

RECOMMENDATIONS

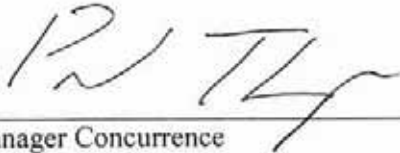
1. That the Report of the Public Hearing held on March 28, 2011 on Bylaw No. 1620, be received.
2. That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011", be amended at third reading as outlined in *Schedule No. 1* of this report.
3. That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011", be read a 3rd time, as amended, and forwarded to the Minister of Community, Sport, and Cultural Development for approval.



Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

Schedule No. 1

Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011

Summary of the proposed changes to be considered by the Board at 3rd reading

The following is a list of proposed amendments to the Electoral Area 'A' Official Community Plan at 3rd reading.

Page (January 18, 2011 draft)	Policy/ Section	Potential Amendment/Concern	Rationale/Concern
5	Definitions	Amend the last sentence of the definition of Community Sewer Service to read as follows: "It consists of a wastewater collection system, wastewater treatment plant, recycling the treated liquid or releasing it to a water body or to the ground, and proper disposal of bio solids for beneficial use".	To maintain consistency with RDN Liquid Waste Management Plan
10	Scope	Add the following after the first sentence: "The Plan Area is home to three Snuneymuxw First Nation reserves located near the mouth of the Nanaimo River. Although these lands are located within Electoral Area 'A', policies in this Plan do not apply to the Snuneymuxw reserves".	In response to a request by the Ministry of Community, Sport, and Cultural Development.
13	Regional Context Statement	Under RGS Goal 5, amend to read as follows: "The Area 'A' OCP seeks to enhance rural integrity by supporting agricultural, forestry and environmental goods and services, resource uses, as well as providing opportunities for more efficient use of land by supporting alternative approaches to subdivision and development such as conservation design, clustering, and density transfer".	In response to suggestion by a community member that reference should be made to forestry and the environment.
26	Policy 4.1.10	Add the following sentence to policy 4.1.10: "The RDN shall notify applicants if the subject property includes a recorded protected archaeological site or an area of significant archaeological potential".	In response to a request from the Archaeology Branch of the Ministry of Forests, Lands, and Natural Resource Operations
26	Policy 4.1.13	Add the following to Policy 4.1.13: "Approval from the Agricultural Land Commission shall be required where a covenant would prohibit agricultural activities on lands within the Agricultural Land Reserve".	In response to comments from the Agricultural Land Commission.
28	Section 4.2	Add the following to the second implementation action: "Approval from the Agricultural Land	In response to comments from the Agricultural Land

Page (January 18, 2011 draft)	Policy/ Section	Potential Amendment/Concern	Rationale/Concern
		Commission shall be required where a covenant would prohibit agricultural activities on lands within the Agricultural Land Reserve".	Commission.
41	Section 5.0	Under the heading "Groundwater Resources" amend the last sentence to read as follows: "Managing groundwater resources should ensure that water is available to support the ecosystem while recognizing the needs of agriculture, industrial, and residential uses".	In response to a request from the Agricultural Land Commission.
41	Section 5.0	Change the term "Industrial Agriculture" to "Commercial Agriculture" throughout Section 5.	In response to a request from the Agricultural Land Commission.
42	Section 5.1	Change the word "viable" to "productive".	In response to a request from the Agricultural Land Commission.
43	Section 5.1	In the 4 th implementation action, add reference to the Ministry of Agriculture.	In response to a request from the Agricultural Land Commission.
44	Policy 5.1.17	Amend to read as follows: "The use of agricultural practices which minimize the impacts on the environment, improve water use efficiency, reduce the use of chemical fertilizers, and reduce dependence on fossil fuels, such as permaculture, shall be encouraged".	In response to a suggestion from the Ministry of Agriculture.
44	Policy 5.1.14	Amend the policy to read as follows: "This Plan supports the use of conservation covenants for the preservation of environmentally sensitive features. However, it is recognized that agricultural considerations must be taken fully into account when the use of a conservation covenant for the preservation of environmentally sensitive features is being contemplate".	In response to a request from the Agricultural Land Commission.
47	5.2	Add a new policy after policy 5.2.8 that reads as follows: "The RDN may support the provision of community water on lands outside of the GCB for the purpose of facilitating increased agricultural productivity".	In response to a suggestion made by the Agricultural Land Commission. This amendment is intended to address the water deficit and to promote higher value crops and

Page (January 18, 2011 draft)	Policy/ Section	Potential Amendment/Concern	Rationale/Concern
			local food production which require irrigation to be viable.
49	6.1 Cedar Estates Land Use Designation	Amend the title from 'Cedar Estates Mixed Use' to 'Cedar Estates' and remove reference to commercial use in the introduction.	When this designation was amended (prior to 1 st and 2 nd reading) to remove commercial use as a use which could be supported, the title was not changed to reflect the actual intent and the description was not changed to remove reference to commercial use.
52	Policy 6.2.12	Amend Policy 6.2.12 to read as follows: "Development within this designation shall not take the form of Big Box retail, highway commercial, strip commercial, warehouse, or uses that include a drive through window".	This was a typo which was intended to be amended to be consistent with policy 6.2.4. The amendment does not change the use or density supported. Policy 6.2.4 indicates uses which may be supported.
57	Policy 6.5.6	Amend Policy 6.5.6(a) to read as follows: a. A detailed report prepared by a professional Hydrogeologist or Engineer registered in the province of British Columbia and experienced in hydrogeological investigations detailed which provides the following: i. an assessment of the characteristics and behavior of the upper and lower aquifers at their most stressed time of the year which includes two cross sections of each aquifer which define the groundwater body and determine where the water comes from. The assessment must also examine the location of proposed wells and their interaction with the Cassidy Aquifers; ii. an assessment of the aquifer to determine	In response to concerns raised at the Public Hearing relating to the protection of the Cassidy Aquifers.

Page (January 18, 2011 draft)	Policy/ Section	Potential Amendment/Concern	Rationale/Concern
		<p>its suitability for providing a sustainable potable water supply for the proposed development and both existing and potential development within the Cassidy Rural Village Land Use designation. The assessment must take into consideration potential changes in water levels and quality due to factors such as upland resource activities, agriculture, climate change and changing precipitation patterns, and current and future demands from other existing users of the Cassidy aquifer;</p> <ul style="list-style-type: none"> iii. an assessment of the on-site soil conditions and potential risks to groundwater quality and human health associated with the disposal of treated wastewater to determine if the site is suitable for a wastewater treatment plant with adequate capacity to service the proposed development and both existing and potential development within the Cassidy Rural Village Land Use designation; iv. a risk analysis based on the uses being proposed which identifies any potential risks to groundwater quality and provides recommendations and requirements for mitigating the risk of aquifer contamination; v. recommendations for monitoring groundwater quality; and, vi. a professional statement which indicates and provides assurance that the proposed development would not have a negative impact on water quantity or quality in the Cassidy aquifers if conducted in the manner recommended by the hydrogeological investigation. 	
59	6.5.13	<p>Add the following to the list of community amenities: "formalized public access in perpetuity to off-site outdoor recreational areas".</p>	<p>In response to concerns raised at the Public Hearing.</p>
60	6.5.20	<p>Add a new policy as 6.5.20 which reads as follows: "The development must include provisions to</p>	<p>In response to concerns raised at the Public Hearing.</p>

Page (January 18, 2011 draft)	Policy/ Section	Potential Amendment/Concern	Rationale/Concern
		protect agriculture from the impacts of non-farm use in accordance with " <i>A Guide to Edge Planning Promoting Compatibility Along Urban-Agricultural Edges</i> published in 2009 by the Ministry of Agriculture as amended or replaced from time to time".	
61	6.5.21	Add a new policy as 6.5.21 that reads as follows: "Despite this Plan or any other RDN bylaw, the development must include a wastewater treatment facility that at minimum produces class A effluent as defined by the <i>Municipal Sewage Regulation</i> as amended or replaced from time to time".	In response to concerns raised at the Public Hearing.
72	Introductory paragraph, South Wellington Light Industrial Commercial Area	Amend the third sentence to read as follows: "Residents of South Wellington wish to transition from a heavy industrial land base towards light industrial uses which are compatible with surrounding residential uses and provide increased opportunities for local employment".	In response to a comment made at the Public Hearing. To be consistent with the policies contained in this section.
72	Policy 8.4.2	Amend the last sentence of policy 8.4.2 to read as follows: "Commercial retail uses which are more appropriately located in an urban area such as large format retail shall be discouraged."	To clarify the intent of the policy.
76	8.8 – Nanaimo Airport	Add the following after the second paragraph. "The airport lands are located above the Cassidy Aquifer which is known to be highly vulnerable to surface contamination. Aquifer protection is of utmost importance to Plan Area residents. Therefore the community wishes to ensure that all activities on airport lands are conducted in a manner which minimizes the risk of groundwater contamination. In response to these concerns, the RDN shall strongly encourage the NAC, when proposing activities on airport lands which have the potential to impact the Cassidy Aquifer, to take proactive aquifer protection measures such as the preparation of a hydrogeological assessment and conducting work under the supervision of a Hydrogeologist or qualified Engineer to ensure that the aquifer is protected against the impacts of development".	Concern over aquifer vulnerability has led to a request to incorporate a statement in the OCP which recognizes the importance of aquifer protection.
86	Section 9.1	Add a new Policy following Policy 9.1.32 that	In response to a

Page (January 18, 2011 draft)	Policy/ Section	Potential Amendment/Concern	Rationale/Concern
		reads as follows: "All trails proposed on lands located within the ALR shall require approval from the Agricultural Land Commission and should be developed and used in accordance with the Ministry of Agriculture publication titled " <i>A Guide to Using and Developing Trails in Farm and Ranch Areas</i> ".	request from the Agricultural Land Commission.
90	Section 10.1	Add the following to the introduction under subsection "Social and Cultural Implications": "The Plan Area contains a number of archaeological sites. The Province protects these sites, whether known or unrecorded, through the <i>Heritage Conservation Act</i> . This protection applies to both private and Crown land and a provincial heritage permit is required prior to altering or developing within an archaeological site".	In response to a request from the Archaeology Branch of the Ministry of Forests, Lands, and Natural Resource Operations
100	Implementation Actions	Delete the word "feasibility" from the implementation action.	To clarify what information is needed.
101	Policy 11.4.7	Amend policy 11.4.7 to read as follows: "The use of pump and haul services as a temporary solution for the removal of wastewater may be supported where an existing septic disposal system has failed, where a connection to a community sewer system is not possible, and/or where there is no alternative means of resolving the treatment problem through on-site measures for existing developed parcels".	To clarify that the use of pump and haul as a means of managing wastewater is a temporary solution.
147	12.9	Amend Exemption 1 to read as follows: "Subdivision of land which results in three or fewer lots and the parcel proposed to be subdivided has not been subdivided within the past five years".	To ensure that properties cannot be subdivided in half repeatedly without the requirement for a Development Permit.
148	12.9	Amend guideline 1(ii) to read as follows: "the results and professional interpretation of a minimum 72 hour pumping test to occur at least once per subdivision or greater number as recommended by the Professional Hydrogeologist or Engineer based on the scale of development and aquifer characteristics";	To clarify that one pumping test per subdivision (not lot) is required.

Page (January 18, 2011 draft)	Policy/ Section	Potential Amendment/Concern	Rationale/Concern
156	Policy 13.1	Amend to read as follows: "The RDN supports an incorporation study for Electoral Area 'A'".	In response to concerns raised at the Public Hearing.

Schedule No. 2
REPORT OF THE PUBLIC HEARING HELD MONDAY, MARCH 28, 2011 AT 7:00 PM
AT CEDAR COMMUNITY HALL, 2388 CEDAR ROAD
TO CONSIDER REGIONAL DISTRICT OF NANAIMO ELECTORAL AREA 'A'
OFFICIAL COMMUNITY PLAN BYLAW NO. 1620, 2011

Note: That this Report is not a verbatim recording of the proceedings, but is intended to summarize the comments of those in attendance at the Public Hearing.

Present for the Regional District of Nanaimo:

Joe Burnett	Chair, Director, Electoral Area 'A'
Joe Stanhope	Director, Electoral Area 'G' and RDN Board Chairperson
Maureen Young	Director, Electoral Area 'C'
George Holme	Director, Electoral Area 'E'
Carol Mason	Chief Administrative Officer
Paul Thorkelsson	General Manager of Development Services
Paul Thompson	Manager of Long Range Planning
Greg Keller	Senior Planner

There were approximately eighty people in attendance at the Public Hearing.

Written submissions were received during the Public Hearing from:

Bonnie Stevenson and Mark Paisly, 1892 York Road
Munro Mabey, 5689 David Road
Teri Hyde, 13101 Cameron Road
Margaret and Thomas O'Sullivan, 13100 Minn Road
Jack Anderson, 1653 Cedar Road
Laurie Gourlay, 3689 Cedar Road
George Rullo, 5680 Takala Road
Lavonne Garnett, 2219 Gomerich Road
David Dunaway, South Wellington
Jonathan Hartman, 13101 Cameron Road
Janelle Park, 1821 Cedar Road
Jan and Fred Tukham, 5455 Carmichael Road
Marguerite Morrison, 5470 Carmichael Road
Louise Shuker (address unknown)
Ken Greene, 3280 Hallberg Road
Gordon Bamford (address unknown)
Anne Fiddick, 1431 Ivor Road

The Chair, Director Burnett opened the meeting at 7:00 pm and introduced those attending the meeting from the RDN.

The Chair, Director Burnett stated the purpose of the Public Hearing and requested that staff provide a description of the Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011.

Greg Keller, Senior Planner provided a description of the Bylaw.

The Chair, Director Burnett outlined the Public Hearing procedures and invited submissions with respect to the proposed Bylaw from the audience.

Bonnie Stevenson and Mark Paisly, 1892 York Road said they opposed the development permit area for protection of the NCID community wells. They have been in negotiation with them for 17 months and believes this interferes with the negotiations. They feel the DPA will affect their property values, use of their property and will increase the costs to develop their property. She feels they were being treated unfairly as they are the only ones affected by the DPA. She also felt that there was not enough notice of the proposed new policies and DPA. She wants NCID to pay for what they want. They provided a written submission.

Laurie Gourlay, 2689 Cedar Road believes the net sum of the plan is questionable and feels it would be better to keep the old plan. He stated that the plan is not a community plan but rather a Board plan and the Board has inserted its own wording. We will be recommending that the Minister reject the plan. He believes the plan favours corporate interests and misleading information was provided at public meetings. Democracy is not being served and incorporation is the only way to get fair treatment. He is president of MISSI and had to threaten the RDN with legal action regarding the preferential treatment given to the Nanaimo Airport. The RDN is ignoring the vulnerability of the aquifers and has broken the public trust. This is a Board plan and the RDN should treat the citizens with respect. He provided a written submission.

Brian Collen on behalf of Jack Anderson, 1653 Cedar Road. Mr Collen read a written submission prepared by Mr. Anderson, a former RDN Planner, a member of MISSI, and member of the Citizen's Advisory Committee. He has never witnessed a more extensive public consultation process and now wants to make sure the OCP is not forgotten. He learned very much during the OCP review process including the vulnerability of aquifers, the impact of climate change, the need to protect the Cassidy Aquifer, the need for village centers to be complete and compact and not be developed under old ways of thinking, that the community welcomes sustainable development initiatives, that there is an opportunity for the RDN and community to be involved in planning for the Nanaimo Airport and supports the development of green neighbourhoods such as that proposed at Kirkstone Place. He thanked the Citizen Committee members and community for their involvement in the review and is proud of the document.

Janelle Park, 1821 Cedar Road, has lived on Cedar Road since 1972 and has frontage on to the road. She questions why her property was left out of the Cedar Main Street designation. If it is because of the requirement for a riverfront park then it is not going to happen as the land along the river is either in the flood plain or there is a very steep bank. A park will not be developed here. The Cedar Main Street calls for commercial mixed use. She has concerns with proportion so the plan including pedestrian and cycling access along Cedar Road, a conflict between Sections 6.1.3 and 6.1.10 regarding maximum density, and section 6.1.12 regarding the number of stories for seniors housing, and not considering the flood plain, the natural environment and natural hazards with respect to sewer servicing. Older properties should be given option to connect at their own cost. She submitted a written submission.

Greg Winlow, 13205 Doer Road, CVRD, the Cassidy Aquifer stretches into the CVRD. His well is in the Cassidy Aquifer and he is opposed to anything that affects the aquifer. He is opposed to development over the aquifer as it needs to be protected.

George Shepherd, Code Road, CVRD, his well is in the Cassidy Aquifer. There is no protection and no way to hold the developer responsible. If the water is affected then someone needs to be responsible.

Mark Samson, 1551 Cordon Road, CVRD, He didn't hear about the meeting until this morning. He does not support the Island Timberlands development. At the very least it should remain as agricultural land. He is concerned about the aquifer and does not want it to be ruined.

George Rullo, 5680 Takala Road, CVRD, is opposed to the Cassidy expansion. There shouldn't be residential next to farming. He is 1kilometre from the development and he will be impacted. There should not be development over the aquifer. A person cannot buy ALR land and develop it but forest companies

can buy forest land and then develop. There is a double standard. Forest land should be protected. He submitted a written submission.

Teri Hyde, 13101 Cameron Road, CVRD, she lives ½ kilometre for the proposed Cassidy expansion and is seriously opposed. This is a rural area with many farms including organic. This is rezoning over an aquifer. Sewage treatment cannot deal with pharmaceuticals. She doesn't want the polluted water that comes with development. She proved a written submission.

Ann Fiddick, 1431 Iver Road, on page 151, the policy should be changed to read that the RDN supports an incorporation study for all of Area 'A' not just Cedar.

Lavonne Garnett, 2219 Gomerich Road supports the policies on green development and sustainability. Some changes are needed. She is concerned about the Cassidy Aquifer. South Wellington does not want development and wants change to "more intense development". She is concerned about municipalities controlling development in rural areas. She wants incorporation to include all of Area A. She feels like she is being ignored. There is too much development. She wants development options to no development. She provided a written submission.

Nick Dudink, 2219 Gomerich Road wants everybody to work on becoming a municipality and get rid of the RDN.

Mary Marcotte, 4110 Yellowpoint Road, CVRD, is the Director for Electoral Area H in the CVRD. She is concerned about water and watersheds. We share aquifers. Page 151 does not mention the CVRD. We need to cooperate more on water and watershed protection.

Mike Fall, 13065 Cameron Road, CVRD, There are financial implications to allowing the Cassidy expansion. The land was first provided through the E&N Grant and then sold to MacMillan Bloedel to grow trees. If it gets rezoned the owner should have to pay back taxes at the raw land rate to the date of purchase. He built a home in 1991 and the well is now dry. There should not be development on the Cassidy Aquifer. This is diabolical.

Gail Jewsbury, 1527 Vowels Road, said writing an OCP takes a lot of effort but the community has not been heard. Her well has run dry. She moved to Cassidy to farm and does not support the proposed development. The former director made some backroom deals. She does not support the OCP and wants to leave Cassidy as is.

Johnathan Hartman, 13101 Cameron Road, CVRD, lives close to the proposed development. He referred to Bylaw 1240.03, 2007. Should not expand the UCB, should not develop lands over and aquifer and shouldn't expand Cassidy. The aquifer is highly vulnerable to contamination. The best way to protect it is to keep the forest land in place. The CVRD purchased 230 acres of land. The BC government should purchase these lands and convert them back to Crown land if Island Timberlands is not able to make a living of them. He provided a written submission.

The Chair, Director Burnett asked if there were any other comments or submissions.

The Chair, Director Burnett asked for a second time if there were any other comments or submissions.

The Chair, Director Burnett asked for a third time if there were any other comments or submissions. Hearing none, the Chair thanked those in attendance and announced that the Public Hearing was closed.

The Hearing concluded at 8:08 pm.

Director Joe Burnett
Director Electoral Area 'A'

Recording Secretary

Attachment No. 1
Forming Part of the Report of the Public Hearing Attached as Schedule No. 2
Written Submissions and Comments Received at and Prior to the Public Hearing

Keller, Greg

From: Haddow, Wayne AL:EX <Wayne.Haddow@gov.bc.ca>
Sent: Friday, March 18, 2011 12:27 PM
To: Keller, Greg
Cc: Cheetham, Roger ALC:EX
Subject: FW: RDN Area A OCP

Hi Greg,

I tried your 'areaaocppreview@rdn.bc.ca' email and was not successful so here is the resend.

All the best Wayne

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

Hi Greg,

Thanks for the opportunity to comment on the OCP for Area A of the RDN. The Ministry of Agriculture agrees with and supports the comments provided by the ALC in their letter to the RDN dated March 14th. Based on a review of the document the following comments are provided:

- Agriculture is given significant importance in the plan's vision. Rightly so given the areas **potential** for meeting food demands in the RDN.
- The goals are also generally supportive of agriculture.
- The policy/objectives in turn reflect both the vision and goals. Generally the Ministry of Agriculture finds most of the policy/objectives (policy) to be supportive of agriculture. More specifically:
 - Policy 5.1.8, encourages the RDN to provide feedback to the ALC regarding decisions affecting the ALR is supported, especially given the staff capabilities within the RDN.
 - Plan implementation: DDPA's are encouraged for managing development adjacent to the ALR/Agricultural Zone as it is in these areas where the majority of agricultural/non-farm conflicts arise.

- Policy 5.1.18 Could encourage the adoption of conservation practices which improve water use efficiency for farms which irrigate.

- Policy 5.1.23 Potentially Area A could be the initial focus for a detailed land use inventory for agriculture forming the basis of an agricultural plan. The land use inventory would likely consider both potential irrigation water demand from potential production and current land use for all ALR parcels.

Given the plans support to agriculture the plans adoption is encouraged.

Wayne Haddow P.Ag.
Regional and First Nations Agrologist
BC Ministry of Agriculture and Lands
5785 Duncan Street, Duncan B.C.
V9L 5G2
250-746-1212 wk

Keller, Greg

From: Sanders, Karen on behalf of email, planning
Sent: Tuesday, March 22, 2011 4:15 PM
To: Keller, Greg
Subject: FW: Regional District of Nanaimo Electoral Area 'A' Official Community Plan Review

From: Schmidt, Heike CSCD:EX [mailto:Heike.Schmidt@gov.bc.ca]
Sent: Tuesday, March 22, 2011 3:46 PM
To: A, Area
Cc: email, planning
Subject: Re: Regional District of Nanaimo Electoral Area 'A' Official Community Plan Review

Hello Greg,

Thank you for referring "Regional District of Nanaimo Electoral Area 'A' Official Community Plan, bylaw No. 1620, 2011" to the Ministry of Community, Sport and Cultural Development for comment. Please consider this email as MCSCD's response to your referral. We would like to provide you with some considerations that may facilitate your future request for the Ministry of Community, Sport and Cultural Development's approval:

Please ensure that you have referred this bylaw to the appropriate ministries and agencies and that you provide a record of the results of your referral efforts with your bylaw submission. The information you provide with your bylaw approval request will be reviewed for First Nations consultation. I have included a link to the *Interim Guide to First Nations Engagement on Local Government Statutory Approvals* for your information: http://www.cscd.gov.bc.ca/lpd/library/First_Nations_Engagement_Guide.pdf

The Draft RDN Electoral Area 'A' OCP provides some information about the First Nation history within the area of the RDN Electoral Area 'A' but only little information on the First Nation communities that are currently living within or adjacent to the boundaries of RDN Electoral Area 'A'. When describing the RDN Electoral Area 'A' context in chapter '2.3 Scope' of the Draft OCP, consider also including a brief description of the Snuneymuxw First Nation community and the location of the reserves in relation to the RDN Electoral Area 'A'.

Finally, prior to submitting your bylaw for approval, you may also wish to highlight the advocacy policies throughout the OCP document for the appropriate ministries and agencies to take into consideration.

I trust that this will help you in your ongoing work on the proposed amendment.

Regards,
Heike Schmidt

Heike Schmidt, MCIP, Dipl.- Ing. (GER)
Planning Systems Analyst
Ministry of Community, Sports and Cultural Development
Intergovernmental Relations and Planning Division
Tel: 250.356.0283
Fax: 250.387.6212
Email: heike.schmidt@gov.bc.ca



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

17th March 2011

Reply to the attention of Roger Cheetham
ALC File: 46396

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

Dear Sir:

Re: Electoral Area "A" Official Community Plan

With reference to your referral dated 23rd February 2011 we have found the plan to be generally consistent with the *Agricultural Land Commission Act* and have no major concerns or suggestions. The comments of the staff of the Commission are as follows:

3.3 Community Goals - Growth Management (page 22)

1. There is a typographical error – agricultural should read agriculture.
4. We suggest that not only mention be made of the need to ensure that demand for water (which includes agriculture's requirements) is met but that this is done in an equitable manner having regard to all competing demands.

4.1 Environmentally Sensitive Ecosystems and Species of Concern.(page 24)

Many of the areas that have been identified as ESAs are privately owned. The achievement of the ecosystem protection envisaged in this section is therefore heavily dependent upon the gaining of the support of property owners. Accordingly we suggest that in the introductory paragraphs mention be made of the need to work with private land owners and gain their support in order to achieve many of the objectives of this section. Insofar as the Commission's interests are concerned we note that many of the identified ESAs are located within the ALR and the ecosystem protection sought in this section might be at odds with agricultural interests. We therefore suggest that the objectives and policies recognize the need to balance environmental protection with agricultural interests when considering ESAs in the ALR.

With regard to Advocacy Policy 4.1.13 mention should be made of the need to obtain the Commission's approval for covenants that prevent agricultural activity for land within the ALR.

4.2 Freshwater Management (pages 27-28)

We note that under the Implementation Measures at the top of page 28 and the Advocacy Policies under 4.2.7 the Approving Officer is requested to require conservation covenants to protect riparian areas. Mention should also be made of the need for Commission approval for covenants in the ALR.

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File # 46396

5.0 Creating a Local Food System (page 41)

Groundwater Resources (page 41). Bearing in mind this section falls under the section related to food production and as the supply of water for agriculture often takes a back seat to residential and industrial development we suggest that the emphasis of this policy be changed by amending the last sentence along the following lines:

"Managing groundwater resources should ensure that water is available to support agriculture while recognizing the needs of ecosystems and industrial and residential uses."

Industrial Agriculture (page 41). We suggest that the word "commercial" be substituted for the word "industrial" where used in this section.

5.1 Agricultural. (pages 42 – 47).

In general we are pleased to note the policies, objectives and action items in this section of the plan. We believe that as a whole they represent a significant step forward with regard to the plan's support for agriculture. In particular we support the preparation of an agricultural plan which we are pleased to note has been identified as an immediate action item.

Designations. We have no objection to the two Institutional designations that recognize the Cedar Community Senior Secondary School and the Tamagawa Nanaimo Campus Private School, both of which have been approved by the Commission. Neither do we have any difficulty with the areas included in the Parkland/Green Space/Natural Areas designation located to the west of Holden Lake and the small portion within the Morden Colliery Provincial Park.

We do, however, have some concerns with regard to the Nanaimo Airport designation that applies to a significant area within the ALR to the east of the airport lands. The soils upon which the airport is located have high capability for agriculture and a good portion is being used for such purposes. In 2008 the Commission approved an extension of the runway under Resolution 421/2008, the Nanaimo Airport Authority agreeing to a reduction of the buffering adjacent to the runway from 200 to 50 feet and also to the provision of access and safety measures to ensure the safety of using this land for agriculture. In addition to a condition relating to safety and access the Commission imposed a condition requiring that water continue to be provided to the adjacent farm as previously required under ALC Resolution Number 220/1997 when the Commission approved the golf course and the exclusion from the ALR of the western portions of the airport.

In the light of the above, agriculture should be encouraged for those portions of the airport lands that are not needed for airport related activities. Accordingly we suggest that Section 6.8 on page 76 be amended to indicate clearly that the bulk of the designation is located within the ALR, has high agricultural capability and should be used for agriculture until and unless needed to accommodate the expansion of the airport for airport related activities. Alternatively and preferably from the Commission's perspective the designation of the eastern sections of the airport lands could be

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changed to Agricultural. If changes are not made to accommodate agriculture, issues of inconsistency with the *Agricultural Land Commission Act* would be raised.

It would be appreciated if the Commission could be informed of what action is proposed to be taken by the Regional District to overcome this potential inconsistency.

Policies 5.1.3 and 5.1.10. (pages 42-43) We suggest that you substitute the word "productive" for the word "viable".

Policy 5.1.8 (page 43) We are pleased to note the inclusion of this policy. The Commission has on a number of occasions in the past requested that the RDN provide comment on applications forwarded to the Commission. We wish to take this opportunity of reiterating that such comments, including staff reports and the comments of Agricultural Advisory Committees are very helpful to the Commission when it reviews applications. Accordingly we would prefer that the word "consider" be removed from the policy.

Implementation Actions (page 43) We are pleased with all of the actions included in this section. With regard to the action relating to Board comment to the Commission on ALC applications we would prefer that wording along the following lines be added at the end of the sentence to read as follows:

"Write a report to the board with recommendations supporting the submission of board comments to the Agricultural Land Commission on applications in terms of the *Agricultural Land Commission Act*"

We are fully supportive of the suggestion that the Commission work with the Approving Officer. As the Ministry of Agriculture has also been closely involved in the issue (see http://www.al.gov.bc.ca/resmgmt/sf/publications/823100-2_Guide_to_Edge_Planning.pdf) we suggest that the Ministry be added.

Policy 5.1.13. (page 43) This policy raises interesting issues relating to density rights. We recognize that at times benefits could accrue to agriculture by concentrating development in residential clusters, particularly if the clusters are on land with limited agricultural potential and the consolidation relates to land with higher agricultural potential. We note that the policy requires consistency with the Growth Strategy (which seeks to discourage subdivision in rural areas) but under (b) reference is made to the RDN zoning bylaw which commonly permits significantly more parcels than are desirable from an agricultural standpoint. For clarification we consider that it is important that a note be added to this section that makes it clear that, for land within the ALR, the Commission's approval is required and, notwithstanding the minimum parcel size provisions in the zoning bylaw, the Commission will only permit subdivision that is in the interests of agriculture. Accordingly the potential number of subdivisions permitted in terms of the zoning bylaw may not be realized.

Policy 5.1.14. (page 44) We question the location of this policy in this section in that, as written, it is not a pro-agricultural policy. We suggest that it rather be reframed along the following lines:

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File # 46396

"This plan recognizes the need for agricultural considerations to be taken fully into account when the use of a conservation covenant for the preservation of environmentally sensitive features is being contemplated."

Policy 5.1.15. and Implementation Action (page 44). We are not sure what is envisaged in this policy and implementation action and suggest that they both be clarified, in the light of which we would like to give them further consideration.

Implementation Actions (page 44). As Appendix 3 suggests that the possibility of increasing the minimum parcel size should be explored (with which we agree) we suggest that it be made clear that the action is to explore the possibilities of increasing the minimum parcel sizes. Without reference to Appendix 3, the impression might otherwise be gained that the action is not specifically focused on such increase.

8.8 Nanaimo Airport (page 76). Please refer to our above comments under the heading "Designations".

9.1 Active Transportation Network (page 80-86). We suggest the following be added in an appropriate location within this section:

- A reference to the need for Commission approval for trails located within the ALR. (In addition to the comment under policy 10.1.20).
- A comment on the need to work with private land owners to ensure that trail locations are acceptable and located where there will be no detrimental impact on agricultural activities.

Policy 10.1.13 (page 91). We suggest that a comment be added that confines parkland acquisition of cleared land for recreational purposes to areas outside the ALR.

11.3 Community Water Services (page 97) We note that there is no mention made in this section of the possibility of community water being made available to meet agricultural needs. We suggest that a policy be added that provides for this possibility.

12.1 Environmentally Sensitive Features DPA (pages 105 -110). Many of these areas are located on privately owned land within the ALR. We note that a number of agricultural activities are permitted in accordance with the *Farm Practices Protection (Right to Farm) Act* but land clearing is not specifically mentioned. We accordingly request that this be added and suggest a similar wording to that under number 6. of the Watercourse and Fish Protection DPA. If the RDN does not wish to exempt clearing of land from the DPA application process we would wish to discuss this matter further in view of the possible implications for agriculture including issues of consistency with the *Agricultural Land Commission Act*. We also suggest that pump houses be excluded.

12.3 Nanaimo River Floodplain DPA (pages 119 – 121). It is noted that the bulk of this DPA is located within the ALR. We therefore have similar comments to those relating to the Environmentally Sensitive Features DPA.

12.4 Farm Land Protection DPA (122-124). We are pleased to note the inclusion of a DPA to protect farmland. We question whether or not the proposed 15 meter width adjacent to the ALR boundary is sufficient to ensure development in accordance with the

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Ministry of Agriculture's Guide to Edge Planning and suggest that consideration be given to widening the strip to 30 meters. The Commission's experience has been that Approving Officers do not always follow the guidelines when issuing development approvals and an increase to 30 meters would strengthen the RDN's position in this regard.

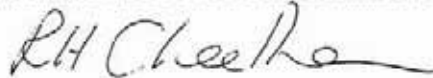
13.0 Cooperation Among Jurisdictions, Policy 13.5 (page 151) With reference to the comments in the Agricultural section the Commission would strongly support a change in RDN policy relating to comment on ALC applications. It is suggested that the policy be changed by substituting the word "will" for the words "should consider providing".

It has been our experience over the years that many commendable policies and objectives identified in the OCP process fail to be implemented. We therefore suggest that you prioritize the measures that are identified in the plan with a time frame for implementation and an annual audit of the plan be undertaken, along the lines of that for the Growth Strategy

Yours Truly

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:



Roger Cheetham, Regional Planner

cc: Wayne Haddow, Regional Agrologist, Duncan

rc/46396m1



March 23, 2011

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

Re: RDN Draft Electoral Area 'A' OCP

Dear Greg:

I have had the opportunity to review the Regional District of Nanaimo's draft OCP for Electoral Area A, and I note that archaeological site management is included in *Section 4.1 (Policy 4.1.10)*. Thank you for including archaeological concerns in the OCP and for giving me the opportunity to provide comments.

Since archaeological sites are places with evidence of past human occupation, we recommend that archaeological site management be discussed either in a section on heritage, or in a section solely on archaeological sites. OCPs should include a short explanation of archaeological sites in order to help constituents understand their responsibilities when developing their properties. This discussion would ideally embody the following two concepts:

1. Archaeological sites contain unique information about the province's past. These sites are protected under the *Heritage Conservation Act*, and a provincial heritage permit is required before development within a site may take place.

Example OCP wording:

Part of the plan area's heritage includes archaeological sites—the physical evidence of how and where people lived in the past. For 98% of the time people have lived in this area, no written records were made. Archaeological sites and oral tradition are the only vestiges of this rich history extending back many thousands of years.

*The plan area contains xx recorded archaeological sites and has the potential to contain more. The Province protects these sites, whether known or unrecorded, through the *Heritage Conservation Act*. This protection applies to both private and Crown land and means that you must have a provincial heritage permit to alter or develop within an archaeological site.*

Ministry of Forests, Lands
and Natural Resource
Operations

Archaeology Branch

Mailing Address:
PO Box 9816 Stn. Prov. Govt
Victoria BC V8W 9W3

Phone: (250) 953-3334
Fax: (250) 953-3340

Location:
43 – 1250 Quadra St.
Victoria, BC V8W 2K7

Page 2

2. Local governments are allowed access to the provincial archaeological site database through the Remote Access to Archaeological Data (RAAD) website. Our records show that eight staff members at the RDN currently have RAAD access. Our recommended process for local governments is as follows:
 - a. Check RAAD for overlaps between proposed development and protected archaeological sites, or areas of significant archaeological potential.
 - b. Notify development applicants of any overlaps so that they may follow up with the Archaeology Branch or a professional archaeologist.

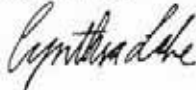
If the RDN adopts (or is already using) this check-and-notify process, then we also recommend including some additional detail in the OCP about the process that development proponents can expect to follow when archaeological sites are identified on their property.

Example OCP wording:

Development permit applicants will be notified if the subject property overlaps with a recorded protected archaeological site or an area of significant archaeological potential. Notification will include direction to engage a professional consulting archaeologist. The archaeologist will determine whether an archaeological impact assessment is necessary to manage development related impacts to an archaeological site. Altering a protected archaeological site will require a Provincial Heritage Alteration Permit prior to land altering activities.

If you have any questions, please do not hesitate to contact me. You can find some general information about local governments and archaeology in the Local Governments section of our website: www.tti.gov.bc.ca/archaeology/local_governments

Regards,
Cynthia Lake



Archaeological Inventory Officer
Archaeology Branch
Cynthia.R.Lake@gov.bc.ca

Keller, Greg

From: Jean and Dave Haley <jd.haley@shaw.ca>
Sent: Sunday, March 27, 2011 6:48 PM
To: A, Area
Cc: 'D & J Burnett'
Subject: Submission for the Public Hearing for the Electoral Area OCP.

Hi Greg – this is to submit my comments on the draft Electoral Area 'A' OCP – dated January 18, 2011. These comments are a follow up to our discussions at the Information Meeting held on March 7, 2011.

- 1) Do the terms Qualified Environmental Professional (QP) and Qualified Professional (QP) include foresters, biologists and agrologists?

I do understand that you have used a definition already existing in other documents but am concerned that the current wording of "scientist, engineer or technologist" could exclude the professions identified above. I suggest that this be clarified.

- 2) RGS Goal # 5 – Enhance Rural Integrity; p.13

I request that the wording be changed:

FROM – The Area 'A' OCP seeks to enhance rural integrity by supporting agriculture and resource uses.....

TO – The Area 'A' OCP seeks to enhance rural integrity by supporting agriculture, forestry and environmental goods and services resource uses....

(Emphasis added).

- 3) Section 8 – Creating a Vibrant and Sustainable Economy, Sub-Section 8.1 Forestry, p. 70

I request the addition of an Advocacy Policy 8.1.17 which would enable a similar implementation action (found on page 43) be established and that the diagram and policies found in Section 12.4 can be expanded to apply to Rural Resource Lands and the Eco-Forestry land designations. It is suggested that the new Advocacy Policy 8.1.17 would read as follows:

"to work with the provincial government, the Private Managed Forest Land Council and local landowners in order to implement a legislative and/or policy change in order that Development Permit Areas (DPAs) can be designated on land adjacent to the Rural Resource and Eco-Forestry lands to ensure adequate buffers are provided and to reduce the impacts of non-forestry development on forestry lands."

For your information, I will be making a similar request to the Private Managed Forest Land Council.

- 4) Appendix 3 – Controlling Growth on Lands Located Outside of GCBs (p.159 and 160).

I request that the options shown be expanded to include a policy and associated procedures whereby development credits could be transferred from agricultural or forest land to land more suitable for compact development. This would provide financial and moral support to the owners of agriculture and forest land and support all or most of the eleven (11) goals of the Regional Growth Strategy.

I suggest that information on such a policy and procedures is available from the provincial government and that an example exists on Denman Island as to how this might work in practice. In addition, there are other incentives that exist in Ontario and Nova Scotia which provide incentives to landowners to maintain agriculture and forest lands in support of community goals.

If there are any questions, please contact me at 250-748-9166.

Yours truly

David Haley, RPF

Official Community Plan (OCP)
Area A, Regional District of Nanaimo (RDN)

Potential New Objective and Policies:

Coastal Douglas-fir (CDF) Ecosystem Green Infrastructure Conservation Strategy

Objective: To protect older forest, riparian areas, and wetlands in the Coastal Douglas-fir (CDF) biogeoclimatic zone as vital community resources for the RDN.

Background: In Canada, the CDF zone occurs only on southeastern Vancouver Island, on the Gulf Islands, on small portions of the Sunshine Coast, and on the Fraser River Delta (Eng 1992). The zone covers about 2,161 sq. km. in total, representing only one-quarter of one percent of British Columbia's total land area (948,600 sq. km.). Almost three-quarters of the CDF zone occurs within the Sensitive Ecosystem Inventory study area (p.4, *Sensitive Ecosystems Inventory: East Vancouver Island and Gulf Islands, 1993-1997, Volume 1: Methodology, Ecological Descriptions and Results, Ward, P. et al. 1998, Technical Report Series No. 320, Canadian Wildlife Service, Pacific and Yukon Region, British Columbia.*) Similar climate conditions and plant communities do occur in Washington, in the Puget trough and on the San Juan Islands, and also in Oregon in the Willamette valley (Nuszdorfer et al. 1991).

The ecosystems within the CDF zone provide great value to the communities they surround, including watershed protection that ensures the quantity and quality of water for the communities, provision of critical wildlife habitat through the maintenance of biological diversity, high levels of carbon capture, fisheries values, recreation, and birdwatching, that in turn, increase the economic benefits supporting real estate and tourism. However, CDF ecosystems are under severe threat from development and logging, and with this, the vital services from these forests.

Nearly 50 % of the CDF ecosystems have been completely destroyed, and of the remaining portion, less than 2% is in an undisturbed, mature or old growth state. This is the highest level of deforestation and alteration of any ecosystem in the province (source: *Taking Nature's Pulse: The Status of Biodiversity in British Columbia* by Biodiversity BC) CDF forests are now classified as being of global conservation concern, and with them, countless endangered species including forest birds, amphibians and rare plants. It is critical that the values of the remaining viable areas of the CDF be recognized for their conservation value and that policies be set in place to ensure their protection to ensure a sustainable environment for present and future generations.

View: The RDN recognizes the importance that CDF ecosystems play in maintaining (i) the quality of life, (ii) a thriving economy, and (iii) sustainability of the environment including climate, watersheds, ecosystems and biological diversity. The RDN recognizes the values of protecting CDF ecosystems, and the tools and opportunities that exist for CDF conservation. All lands within the boundaries of Area A lie within the CDF zone.

CDF Conservation Goal: The RDN wishes to ensure the protection of key areas of CDF within the boundaries of Area A, according to the following criteria: size, quality and rarity. While the RDN recognizes that original undisturbed old growth is virtually non-existent in the CDF zone, older second growth has and will soon attain many of the CDF ecosystem service and habitat conservation values. The RDN has the goal of achieving protection of older second growth and any old growth CDF forests in a functioning ecosystem state. CDF forests bordering rivers, streams, oceanfront areas, wetlands, and watersheds form a critical component of the watershed and connect the CDF with other ecological zones and aquatic habitats. Such sensitive areas are of especially high conservation value.

Policies:

- (a) The RDN will identify and map remaining CDF ecosystems or related watercourses of ecological importance, and develop a comprehensive strategy to secure, promote beneficial management of and protection of these lands.
- (b) The RDN considers the protection and restoration of CDF ecosystems and associated wildlife and vegetation to be of priority when considering proposed changes in land use or designation.
- (c) The RDN will require the protection of two parts upland habitat to every part wetland as a policy for forested wetlands.
- (d) The RDN will continue to encourage private property owners to collaborate on conservation measures such as property swaps, extra density for smaller foot-prints, registered conservation covenants and other creative conservation measures.
- (e) When applications are received to develop or subdivide lands containing Coastal Douglas-fir ecosystems or related watercourses, the RDN will hire, through a fee paid by the proponent, an appropriate consultant to assess the structural stage and conservation values of the CDF ecosystem according to the criteria mentioned in the conservation goal. Development applications for lands with Coastal Douglas-fir ecosystems will only be supported if the proposed plan does not destroy more than 10% CDF Conservation Goal criteria forests on the property, or fragment an intact forest meeting conservation criteria. Fragmentation of forests is a primary threat to vulnerable songbirds, plant communities and other sensitive species.
- (f) The RDN will support the development of lands that have been well managed from a conservation point of view provided the development includes satisfactory conservation measures. The RDN will only consider development on forested lands when these have been subject to beneficial and responsible management, and a sound conservation strategy can be incorporated into the proposed development.
- (g) The RDN will look negatively at applications for development rezoning where the land has been logged or clearcut.
- (h) The RDN will use conservation zoning where feasible and appropriate and will also pursue creative development/conservation arrangements to achieve protection of key CDF ecosystems.
- (i) The RDN will identify areas of CDF with conservation values meeting criteria for protection under the CDF Conservation Goal as targets for future park acquisition and conservation area designation, and direct funds to preserve these areas as they become available. This will be a RDN priority.
- (j) Such acquisitions as identified in section (h) above will be protected with a registered conservation covenant that will be placed in partnership with an appropriate land trust to ensure the permanent protection of these ecosystems.

Edit of Recommendation to Town of Qualicum Beach OCP Project by M. Jessen, Mar. 28, 2011

Bylaw 1620

- THE ACCEPTANCE OF BYLAW NO 1240.03 adopted Jan 23, 2007 SHOULD BE ENOUGH TO STOP EXPANSION OF THE URBAN CONTAINMENT AREA OF CASSIDY VILLAGE. CASSIDY VILLAGE IS ALR. TO THE NORTH, T.F.L. TO IMMEDIATE SOUTH, ALR IN CURD SOUTH OF THAT AREA.
- ADDITION AND DEVELOPMENT OF LANDS ABOVE CASSIDY AQUIFER IS IRRESPONSIBLE. AND INAPPROPRIATE
- RURAL LIFESTYLE OF RESIDENTS OF SURROUNDING ALR'S WILL BE DETRIMENTALLY EFFECTED.
- EXPANSION OF CASSIDY VILLAGE FOR THE SAKE OF URBAN DEVELOPMENT TO OFFSET POTENTIAL COSTS OF FUTURE WATER/SEWER TREATMENTS IS CONTRADICTIONARY TO SUSTAINING RURAL LIFESTYLES OF CURRENT RESIDENTS WHOM THE RDN IS SUPPOSEDLY TRYING TO SUPPORT.
- THE CASSIDY AQUIFER MAY VERY WELL HAVE A HIGH CURRENT VOLUME OF FRESH WATER. YET THE AFFORMENTIONED BYLAW 1240.03 CLEARLY SHOWS THE CASSIDY AQUIFER IS EXTREMELY VULNERABLE TO CONTAMINATION, THE BEST WAY TO PROTECT THIS FRESH WATER SOURCE IS TO ALLOW THE TFL. TO REMAIN IN PLACE AND THE CURRENTLY LOGGED SECTIONS TO BE RE-GROWN.

JONATHAN HARTMAN
13101 CAMERON ROAD
LAOYSHITH

Janelle Park, 1821 Cedar Road, Nanaimo. BC. V9X 1L6.

I have resided at this location since 1972 – I access my community through 25 feet of frontage on Cedar Road – my property originally crossed Cedar Road and occupied a small triangle of land there big enough for a lemonade stand. My mailing address is 1821 Cedar Road, my water consumption meter is read on Cedar Road, my property assessment comes to Cedar Road, I am in the middle of the proposed Main Street Cedar – what reason does the committee have in mind for excluding this property from the designation all other properties in this area were given? If the reason stems from Sect. 6.2.2 .f. River frontage park and River access trail...it's not going to happen – potential may look great on a map, 4 acres on the Nanaimo River, however, one half of the river frontage is flood plain, which rules prohibit development on, the other half of river frontage is a sheer 60 foot drop off bank.. The only area of potential use of this property exists at the Cedar Road point of access...

I have concerns in regard to several sections of the Draft Electoral Area A OCP.

6.1 CEDAR MAIN STREET – Is this a misnomer isn't half of the proposed Cedar Main Street is in the Cranberry Land District.

This designation calls for a mixed use, commercial residential corridor, which is intended to create a vibrant place for local residents to live, work, shop, access services, socialize and recreate.

To accomplish even some of these there is a desperate need for sidewalks – which would also require road widening.

The recent resurfacing of Cedar Road left pedestrians and cyclists with less paved shoulder than existed previously.

The current Community Plan which has been in place for some time called for higher standards of roads and better pedestrian/cyclist accessibility.

- without much success – the only sidewalk in existence on Cedar Road is in front of the 49th Parallel Development.
- This area needs progress in the accomplishing of previous goals not rewriting OCP.

Grandiose plans are great but actions by the RDN would be much more preferable. This suggested designated area needs a lot of improvement before it is given special status.

6.1 CEDAR ESTATES MIXED USE

Par. 1 I do not recall Commercial Uses as part of the designated uses when the Cedar Estates Development was given approval by the RDN. 49th Parallel which abuts this development has existed for more than 10 years and still has vacant commercial space available for use.

6.1.3 and 6.1.10 Is there a CONFLICT between these???

6.1.3 calls for a maximum Residential density that may go as high as 43 units per hectare while

6.1.10 states that development within this designation is strongly encouraged to provide community gardens and edible landscaping.

6.1.12 Senior Supportive Housing MAY be a maximum of 3 storeys in height.

MAY or SHALL – I believe there is a legal distinction – MAY means they could go higher SHALL is specific not subject to change.

When RDN gave permission for the balance of sewage disposal to be used by the Cedar Estates – they did not give any forethought to one of the community plans concerns – Section 12.3 Nanaimo River Floodplain.

12.3.i. 919.1(a) protection of the natural environment, its ecosystems and biological diversity.

12.3.ii.919.1(b) protection of development from hazardous conditions.

Older properties on the Nanaimo River close to the sewer line should have been given the option to connect – at their own cost of course.

Should this option still exist – or should it arise in the future – RDN planners should be giving it prompt attention.

* I wish to be on record that the wording
on page 151 ^{Policy} Sec 13.1 be changed to
read that the
RDN supports a study to determine
whether or not it is feasible for Area A
to become an incorporated municipality.

Area A OCP Public Hearing

Statement from Jack Anderson to be read into minutes by Brian Collen - March 28, 2011

My name is Jack Anderson & I live at 1653 Cedar Road

I am a member of the OCP Citizen's Committee representing MISSI (Mid-Island Sustainable Stewardship Initiative)

I am a former Planner with the RDN and currently a consultant encouraging Sustainable land development and Green Building Design out of my Greenplan office

I have never witnessed a more extensive public consultation process as was utilized in the development of this OCP now before the community for endorsement. This involved nearly 50 community meetings in a 2 ½ year span.

Much has been learned over the course of this process but it is critical to realize that the OCP must not be forgotten and it is the community that will keep the document alive and not be a dust collector for occasional reference by our RDN Planning staff.

I would like to highlight some of the discoveries that have been made in the process of developing this OCP and the role our community may have in ensuring we move forward with the implementation that is inherent in the document.

- We have learned about the vulnerability of our aquifers, (Yellowpoint Aquifer and Cassidy Aquifer) and we have provided DPA designations to protect the Yellowpoint Aquifer encouraging rainwater harvesting to minimize demand on the limited supply challenges of this resource. We must be equally diligent to protect the much greater Cassidy aquifer that offers water resources for future generations with much of it so unfortunately located below the Cassidy Airport and thus Environmental Assessments must be demanded of the community to ensure this aquifer isn't put in peril.
- We have learned that as our communities become more resilient to the global impacts of peak oil and climate change that we will need to focus on local people and local economies and hence ensuring we create community centers within easy reach of the population. In Cedar we have the opportunity to create a Cedar Main Street and the community must come out to the charrette to advise of what we specifically welcome as resources not necessitating visits to our larger neighbouring community of Nanaimo or Ladysmith.
- We have learned that we can create a neighbourhood center in South Wellington on the lands between the School and Rutledge Store and that the development of this facility must go through a zoning amendment process and hence the community must insist that the nature of the development is for facilities that support the needs of South Wellington community not an extension of facilities to attract the traveling highway traffic.

- We have learned that the South Wellington community may welcome the minor expansion of the industrial land around Kipp Road (if the greater community determines that industrial land is needed), but that the developer must recognize that the community's support for a future zoning amendment, that could potentially significantly increase the property value of currently undesirable residential land, will only be there if the developers give back financially to the community, potentially offering major contributions such as the much valued pedestrian bridge crossing of the Nanaimo River on the Morden- Colliery Trail to link Cedar and South Wellington. This trail and footbridge we have learned from the Regional Parks Planner can be easily upped in RDN priority if the community raises their collective voice and a private sector commitment can assist this process significantly.
- We have learned that the Cassidy community may also welcome a neighbourhood center and has offered support for a Growth Containment Boundary expansion of the lands owned by Island Timberlands. I trust the developer has also learned that the community will only support the necessary zoning amendment if they are given the key community resource facilities lacking in this area of Area A and that the nature of the community must illustrate a focus on sustainable development not commonly recognized by past Island Timberlands practices. I trust the developer has also learned that this neighbourhood development will not be supported if it follows such outdated unsustainable land use patterns as evident in the likes of Cable Bay or whatever they choose to call it now.
- We have learned through both West Coast Environmental Law and subsequently from the RDN's own solicitor that the community via the RDN does have some regulatory authority over development on the airport lands, specifically the non-aeronautical related land uses. We trust that both the RDN staff and elected officials and the Nanaimo Airport Commission have learned that we as citizens of the community do not oppose the key transportation options the airport offers but we will not passively sit back and watch unregulated development of this community land resource particularly if it threatens the aquifer. We hope they realize now there is a great opportunity to engage with this enlightened community to find uses that we can support as the Airport also seeks viability. Numerous times I have encouraged Mike Hooper specifically to engage in a community charette where the community can discuss key features we might welcome such as a Center for Sustainable Development showcasing solar and other renewable energy systems and permaculture practices that could be easily accessed by school groups from the redeveloping VIA rail network that comes so close to these community lands.
- We have learned that the community welcomes sustainable development initiatives and that we have entrenched new concepts such as the possibility of ecovillages where intentional communities of people can come together to practice sustainable agriculture ^{W/CAT} offers new models of community and food security. We have seen that this community welcomes the protection of our rural nature of farming but that we have begun to question whether the institutions we have counted on to protect farming such as the ALC may in fact be in need of a review of their policies to find ways to ensure farming can be more sustainable and not forced into mono-culture farming practices robbing the land of its fertility and making it dependant on oil based fertilizers and pesticides. This newly enlightened community can prove to be a great resource to

the ALC to reconsider new directions and policies appropriate to the transitioning future we are all encountering.

- We have learned that this community welcomes the opportunity to explore sustainable neighbourhood development and with the potential rezoning of the Kirkstone Place lands we have an opportunity to set precedents for how we can create a model sustainable neighbourhood based on socially, environmentally and fiscally responsible principles. This neighbourhood has the opportunity to engage the community in visualizing something most special and unique and it can be a standard on which we can use to illustrate how future neighbourhood development should be created throughout the RDN.

This has been a major learning experience for us all and I thank the many Citizen Committee members and the fellow citizens that have become engaged in this process and I welcome the opportunity to continue this dialogue to ensure the vision we have created in this document is not lost in its implementation. It was my goal at the outset of this process to ensure the OCP would reflect a true understanding of the word sustainability and that if it did, our future generations that live in Area A will be indebted to our efforts. I am proud of this document and what it stands for and encourage the community to endorse it and stay involved.

Respectfully submitted

Jack Anderson

Remarks to the Area A Public Hearing on the Official Community Plan

March 28/11

Remarks to the Area A Public Hearing on the Official Community Plan

Cedar Community Centre, March 28/11

Many OCPs are emphasizing sustainability in the last year or two, and the green initiatives in this Plan shouldn't be any less appreciated.

However, the net sum of this Plan is questionable, and the residents may be less served than they would have been by simply keeping the last OCP in place.

I say this because the RDN representative at the last public meeting to discuss this Plan, just a couple of weeks ago, admitted that the RDN Board had inserted into this Plan their own wishes and wording - above that of the residents who have invested more than two years in good faith.

There cannot be an honest claim then that this document is actually an OCP - an Official Community Plan. With the Regional Board determining the wording, priorities and boundaries there is no doubt that this is an 'Official Board Plan' for the communities and residents of Area A.

As such my recommendation to the BC Minister of Community, Sport and Cultural Development, who will review it, would be to reject it - since the process, recommendations and democratic tenets underlying this Plan are suspect.

From all appearances there has been favouritism to special and corporate interests - from the false and misleading information that the RDN distributed at its public meetings with respect to claiming it did not have jurisdiction over the airport lands, to tree-topping around the airport and Timberland forests being re-zoned for residential development, to fast-tracking South Wellington Industrial land re-zoning, and to the recent convenient changes in wording that fails to recognize the initiatives of those who are seeking, largely because of the highly suspect RDN process and favouritism to windfall developers ...that fails to adequately recognize them, those who are seeking incorporation as a municipality.

Incorporation seen as the only alternative that residents of the Area have in order to ensure they will be able to make local decisions in a democratic and just manner ...and not have decisions imposed upon them - decided in secret, in back-room deals of the corporations and in-camera Board meetings of the Regional District of Nanaimo.

Indeed MISSI, the Mid Island Sustainability and Stewardship Initiative non-profit society that I am privileged to be president of, had to threaten to take the RDN to Court over its preferential treatment and deference to the interests of the Nanaimo Airport Commission.

And, despite the RDN's own lawyers finally admitting that MISSI and the residents of Area A were correct when they read the law, and wanted the RDN to assert zoning regulations that would protect the aquifers under the airport, the RDN have since made several attempts to circumvent the law - finally giving up the rights of the public, of Area A residents as expressed in the previous OCP - hiving off the airport lands in this Official Board Plan, and directing such decisions to protect the public's rights to yet other meetings yet to be announced ...meetings that

March 28/11

will no doubt be stacked with those who favour a development-first approach, the public interest almost an afterthought.

Similarly I must also note that there has been a willingness shown by the RDN to ignore serious, substantive and ongoing problems that Area A will have to face in coming years.

Specifically, the vulnerability of the water supply to both the rapidly depleting Yellowpoint aquifer, which has dropped an alarming 40 feet in ten years; as well as the Cassidy aquifers under the airport and Island Highway, which are threatened by contamination as well as many competing claims on the water within them ...the City of Nanaimo, town of Ladysmith, Nanaimo Airport Commission, Timberlands, Harmac pulp mill, Cable Bay development proponents to name just a few.

Despite being repeatedly informed of these problems, and despite levying a water tax to all residents, a tax that collects some \$500,000 annually; and despite the Yellowpoint aquifer being identified by the BC Ministry of Environment as the 2nd most vulnerable aquifer on Vancouver island ...and despite having the funds and the means to address these problems facing Area A residents, the RDN have refused to prioritize the protection of the water supply in this area.

In summary then, this Official Board Plan is very telling in what it chooses not to address, what it purposely ignores, and what it sets aside until decisions can be made when the public aren't present or engaged.

For all these reasons I am compelled to say that this document, the process and weighted decision-making that favours boosterism at the public's expense, has broken the public trust - setting aside accountability and balance. It is not an accurate reflection of the public interest, nor does it adequately serve the communities and residents of Area A.

I would finally however note my deepest appreciation to those on the Citizen's Committee of Area A, as well as to the residents who have in good faith brought their concerns forward, and addressed the interests of the communities.

Hope springs eternal, and this is the start of spring. It is my hope that the RDN Board will learn from this experience, and start to treat the residents and communities of Area A, and the Region, with respect. And that those Board members who cannot, or will not do so, will not stand or will be defeated in the upcoming fall municipal elections.

Thank you.

LG

- submission of Laurie Gourlay, March 28/11
2011 V-COGE BOOK PUBLISHING INC. VQA 18.1

March 28, 2011

Bonnie Stevenson
Mark Paisley
1892 York Road, Cedar, BC
250-722-3556

Regarding: Amendments proposed at 3rd reading of Electoral Area 'A' Official Community Plan:

- policy 4.4.15
- policy 4.4.16
- policy 4.4.17
- policy 12.10

We, Bonnie Stevenson and Mark Paisley, are the owners of 1892 York Road in Electoral Area A, Cedar, BC. Our property has 2 of North Cedar Improvement District's community wells on it and they are operated under the jurisdiction of Statutory Right of Ways. As soon as we applied for a subdivision in October 2009, NCID approached us with interest in purchasing a portion of our property. We have now been in negotiations and discussions for the past 17 months with NCID as they have wanted to purchase our property for well head protection. NCID has come to us with several different interests in our land from 1 acre parcels, ¼ acre parcels to establishing a new Right of Ways as a means for them to implement well head protection and facilitate Vancouver Island Health Authorities instructions to construct a new cleansing system for the community water. The current cleansing system (pump house/chlorination station) is in trespass on our property. NCID has presented us agreements and proposals offering cash, sewer lines, extra water connections and a water hook up for an accessory building, despite the current water moratorium they placed on our proposed building application to the RDN.

After carefully reviewing the OCP review online at the RDN website several times, I still wanted to be sure that there was nothing that was going to negatively impact our property. I phoned Greg Keller of the RDN, today, only to learn that new amendments' were proposed at the 3rd reading by NCID. We have had no public notice of these amendments, nor was it anywhere to be found on the RDN website and we feel that our property is seriously impacted by these proposed changes more than any other land owner in Cedar.

We strongly oppose these proposed amendments; policy 4.4.15, policy 4.4.16, policy 4.4.17, policy 12.10. As they are 11th hour amendments, it can only be construed as interfering with our current negotiations with NCID. Our property and development rights are at risk with these new policies and we feel that, if implemented, RDN would be assisting NCID in devaluing our property.

Regards,

Bonnie Stevenson
Mark Paisley

Nanaimo Regional District

March 24, 2011

RE: Island Timberland Proposed Cassidy Village Concept

Area A

To Whom It May Concern

I live about one kilometer from Cassidy and am opposed to the proposed development by Island Timberlands. As a resident of the area I have a number of important concerns related to the scale and placement of this development. The Cassidy area is one of the most densely populated areas in the region, it sits on top of one of the largest aquifers on Vancouver Island, it is situated in an idyllic rural area.

Changing the urban containment boundary to dramatically increase density on its own makes little sense, however increasing density over an aquifer that has unlimited ecological and monetary value to present and future generations makes no sense at all. With water management becoming increasingly necessary and prudent, major aquifers should be protected like any other drinking water system. To allow dense housing over such a resource is waiting for an accident to happen. I am sure housing developments would not be allowed near present drinking water lakes or resources for fear of contamination, why here then? What is the logic that overrides the safety and preservation of such a precious resource as water?

Rezoning forest resource land changes the rural complexion of the area dramatically. A population increase of this magnitude in an area that is already poorly planned is not in the best interest of anyone and makes little sense. Please reconsider this proposal, protect your water supply and only add developments that match or add to the rural and ecologically sensitive nature of the area.

Yours truly



Munro Mabey

5689 David Rd. Ladysmith, BC. V9G 1M1

Teri Hyde
13101 Cameron Rd,
Ladysmith, BC
V9g 1M1

March 28, 2011,

Nanaimo Regional District,

I would like to strongly protest the expansion of the Urban Containment Boundary in Area A and the proposed development in the Cassidy area on what is currently a forestry resource area.

I moved to this area almost 20 years ago because of its quiet rural nature. There are a number of farms and small acreages and nearby forests where many people hike, horseback ride and enjoy nature. Although this area is rural there are a wide variety of shopping areas within 5 to 15 minutes of Cassidy while any urban areas are far enough away to be convenient but not obtrusive.

Adding a subdivision containing a large number of houses and businesses will destroy the rural ambience and add a great deal of noise, traffic and pollution. It will also increase the need for more police presence, will this be provided? Many people who live in this area do so because of the rural character, this development will destroy that.

The proposed development is directly over the Cassidy Aquifer, an important and highly vulnerable aquifer that is already under attack from the existing population that resides on it. At a time when there is a worldwide call to preserve and protect our dwindling supply of pure clean drinking water it seems criminally irresponsible to be considering further development directly over an aquifer. Although there have been assurances that the aquifer will be protected, once the area has been rezoned it will be too late. Even with precautions in place there is no way to guarantee the future compliance of every resident or business owner occupying land above the aquifer and damage or overuse is almost certain to occur at some point. Pharmaceuticals have been proven to remain in the water after even the most thorough sewage treatment, other chemicals such as pesticides and herbicides can leach into the aquifer from above, is this what you want in your drinking water? The only way to avoid contamination is to leave the land as forest.

Please preserve our rural integrity and our pure water supply by not expanding the Urban Containment Boundary and rezoning Forestry Resource Lands in Area A to allow development.

Thank you,



Teri Hyde

13100 Minn Road
Ladysmith, B.C.
V9G 1M1

For the attention of the Nanaimo Regional District

We the undersigned are very concerned that the development being planned for the Timberlands Cameron Road area could have a damaging effect on the Cassidy Aquifer.

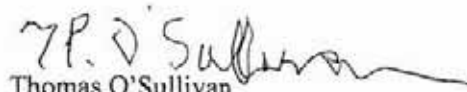
As we are sure you know a lot of people in Area H of the Cowichan Regional District depend on the Aquifer for their water supply and feel that they have had no say in this process especially as all the meeting concerning this development have been held in other district some distance away from Cassidy.

We would also ask the Nanaimo Regional District, that if at some time in the future, despite what all the experts say, and the Aquifer and therefore our wells are polluted, by any development they allow, would they be prepared to provide the resident in this area with safe water, and can we have this written into any approval that is given for any development that is permitted.

We would also like to point out that the amount of water that the Cassidy Aquifer produces is a very valuable commodity and one day may be needed for the citizens of both Nanaimo and Ladysmith and therefore should be protected and as little development as possible should take place on it.



Margaret O'Sullivan



Thomas O'Sullivan

GEORGE RULLO

March 28, 2011

Dear Friend,

I am writing this letter to inform you of my opposition to the proposed Cassidy Development.

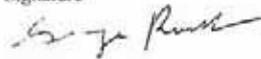
As a commercial poultry farmer in the CVRD area I feel the planned development to put a high density subdivision in a low density rural area with no buffers between agricultural lands and the proposed development is poorly thought out. The land south of Timberland Road serves as a buffer to the existing residents of the area. Developing this property will no doubt lead to the urban rural conflicts so common in the Lower mainland. My farm lies approximately one kilometer from this development and will no doubt be impacted by this.

The proposed development also sits on one of Vancouver Islands largest aquifers. This resource is far more valuable to this area than an out of place sub division. There is no to guarantee the aquifer will not be compromised with a proposal such as this sitting above it. There are many residents in the Yellow Point and Cedar area that would love to have access to an irreplaceable clean water source such as this.

Further to my opposition of this proposal is the fact that as a farmer I cannot buy ALR land and turn it into a high value zoning such as this proposal without the scrutiny and the approval of the ALC and the regional district. But the forest companies can buy forest lands at bargain prices clear cut then rezone to a higher value. They then build these kinds of developments take their profits and leave the residents to live with the results removing these lands out of the forest base forever. I feel that this double standard for land use should stop. The forest lands should be in a forest land reserve just like agricultural lands and be subject to the same scrutiny and approval process as farm land now has. After all the forest industry in B.C. is among the largest industries in this province and should be looked after and protected from the kind of reckless land use policies now in place.

Sincerely,

Signature



See
agenda
attached

March 28/11

Jan 25/10 Anne Fiddich brought up discussion of RDN to support Area "A" in becoming a municipality.

After the meeting, I inquired if this had been entered into the draft OCP. It appeared that it had not, so I asked Anne if she would check into it again.

Feb 22/10 Anne Fiddich brought up the discussion re the RDN to support Area A in becoming a municipality. She asked that the section on Cooperation Among Jurisdictions be changed from "Local" to "Area 'A'". Greg Keller said that it would be changed. This was not recorded in the ^{minutes} OCP. Shortly after, I asked Brian Colton if it had been changed. He said that since it had been raised, it should appear "as Area 'A'" in the OCP. (See E-mails).

Later, the Term Policy 13.2 appeared without the change requested. ~~It was~~ Instead, the wording has been changed from "support" to "recognize" local community areas - A group of Area A residents are exploring the possibility of incorporation of all municipalities like the municipality "support" ^{recognize} Area A + surrounding areas."

Laurie Smith

Untitled -

28/03/11 3:40 PM

From: Lavonne Garnett [mailto:lvagam@yahoo.ca]

Sent: Monday, March 14, 2011 9:57 PM

To: Jack Anderson; Anne Fiddick; Bert Vermaskari; Brian Collen; Chris Pagan; Devon Wyatt; Donna Sweeney; Gary Laird; Henrik Kreiberg; Jill Maibach; Joanne McLeod; Joe Burnett; Lynn Clark; Michael Hooper; Ray Digby; Sharon Stannard; Zita Hartman; Keller, Greg

Cc: Thistle Consulting Services; David; Krista Seggie; alee mcpherson; Bruce Partridge

Subject: RE: December 14 Citizen's Committee Meeting

Hi Greg, Joe and RDN Area "A" OCP Review Committee!

I have been unable to attend more recent OCP meetings, and am just now reading over some sections. I have some comments and requests for changes:

In the South Wellington section, 8.4, I do appreciate that there is reference to protection of our groundwater, improvement of visual impact of industrial developments on the highway and a move toward light industrial rather than industrial development.

Changes requested:

1) However, the words "more intense" (preamble) light industrial does give me concern, and I am asking that "more intense" (light industrial) be removed.

2) 8.4.6 Has the word "containment" been changed to "contaminant"?

3) Re OCP Section 13 Co-operation Among Jurisdictions: 13.1 "This plan recognizes the desire of some community members to conduct an incorporation study looking at the feasibility of Cedar and surrounding area to become a municipality."

Please note: January 25, 2010 there was discussion at our OCP meeting, regarding Area "A" becoming a municipality. After that meeting, I asked Anne Fiddick if this statement re Area "A" was actually put into the OCP. She said she would bring it up at the next meeting, which she did on February 22 at the Cranberry Fire Hall.

Untitled

28/01/11 3:40 PM

Anne asked that the wording in the OCP be changed, in 12.1 Cooperation Among Jurisdictions (a handout), which says:

"The Regional District of Nanaimo supports a feasibility study of the incorporation of Cedar into its own municipality."

Anne asked that the word "Cedar" be changed to "Area 'A'". Greg Keller said that it would be changed. As you can see in the communications below (the bottom-most one to start), on January 25, 2010 previous to the meeting, I had asked 3 OCP Review Committee members to request that change. Above this message, Brian Collen had responded to my request, stating that "Anne raised the issue and it was noted at tonight's meeting so it should appear as Area A in the draft OCP."

I see that this was missed in the minutes of the meetings, January 25, 2010 and February 22, 2010. I wonder what caused the following changes from Section 12.1:

"The Regional District of Nanaimo supports a feasibility study of the incorporation of Cedar into its own municipality"

to

Section 13.1: the word "support" changed to "recognize"; and, "supports Cedar" now changed to "recognizes the desire of some community members".

There are people from the entire Area "A" who would be interested in learning about incorporation, which leads into a feasibility study. I am requesting that 13.1 go back to the original phrase, with replacement of the word "Cedar" to "Area 'A'", as had been agreed to by the OCP Review Committee on February 22, 2010, that is, change to:

Final OCP version 13.1 (amended from draft 12.1): "The Regional District of Nanaimo supports a feasibility study of the incorporation of Area "A" into its own municipality."

I look forward to answers from Greg Keller and Joe Burnette by E-mail, and trust that the OCP Review Committee will address these items at the March 17th, 2011 meeting.

Respectfully,

Page 4 of 7

untitled

28/03/11 3:40 PM

Lavonne Garnett

Gomerich Road

Nanaimo, BC

--- On Mon, 3/14/11, Brian Collen <bcollen@shaw.ca> wrote:

From: Brian Collen <bcollen@shaw.ca>

Subject: Re: My old Email

To: "Lavonne Garnett" <lavgarn@yahoo.ca>

Received: Monday, March 14, 2011, 1:04 PM

Thanks for this Lavonne, it helped narrow down my search and I found the following from the **January 25, 2010 OCP Citizens Committee meeting minutes**;

12.0 Cooperation Among Jurisdictions

Greg Keller explained that not much has changed in this section since the previous OCP. The group discussed the process for the incorporation of all areas in Area 4E: A4E™.

The following is what was in the February 13, 2010 OCP draft;

Policy 13.2

The Regional District of Nanaimo supports an incorporation study looking at the feasibility of Cedar and surrounding area becoming a municipality.

Hope this helps.

Brian Collen

bcollen@shaw.ca

On 2011-03-13, at 3:59 PM, Lavonne Garnett wrote:

Untitled

28/03/11 3:40 PM

Brian, this is what I found in my Sent box:

--- On Tue, 1/26/10, Collen Brian <bcollen@shaw.ca>
>> wrote:
>>>
>>>
>>> From: Collen Brian <bcollen@shaw.ca>
>>> Subject: Re: municipality
>>> To: "Lavonne Garnett" <lavgarn@yahoo.ca>
>>> Received: Tuesday, January 26, 2010, 12:20 AM
>>>
>>> Hello Lavonne,
>>>
>>>
>>>
>>> Anne raised the issue and it was noted at tonight's
>> meeting so it should
>>> appear as Area A in the draft OCP.
>>>
>>>
>>>
>>> Best wishes,
>>>
>>> Brian
>>>
>>>
>>>
>>> On 25-Jan-10, at 1:58 PM, Lavonne Garnett wrote:
>>>
>>>
>>>
>>>
>>> Brian, at our meeting yesterday, we discussed the part
>>> in the OCP, #12 or
>>> so, about the RDN supporting Cedar to become a
>>> municipality. I was to let
>>> you know that Joanne, Anne or yourself, if you so
>>> choose, will ask to have
>>> that section changed from "Cedar" to "Area A" tonight,
>>> as that section is to
>>> be looked at. That could make for interesting
>>> discussion, or it may be
>>> simple. I certainly hope that it gets the support.
>>>

Untitled 1

28/03/11 3:40 PM

From: Gidney N. Cloyd (myrdsdin@gmail.com)
To: GKeller@rdn.bc.ca; quaillanding@shaw.ca;
Date: Mon, March 21, 2011 10:28:43 AM
Cc: lavgarn@yahoo.ca; jack@greenplan.ca; fiddick@island.net; coastalexploration@shaw.ca;
bdcollen@gmail.com; chris_pagan@hotmail.com; devon.wyatt@telus.net; dsweeney@island.net;
grlaird@shaw.ca; kreibergh@shaw.ca; sontera57@yahoo.ca; yesteryear@shaw.ca; lynnica@ncid.bc.ca;
mhooper@nanaimoairport.com; smokno@shaw.ca; sharongreene@shaw.ca; daisyhillmeadows@shaw.ca;
Thistle@shaw.ca; myrdsdin@telus.net; theseggies@shaw.ca; alecmepheron@shaw.ca; brucepart@telus.net;
douglas.routley.mla@leg.bc.ca; CMason@rdn.bc.ca;
Subject: RE: December 14 Citizen's Committee Meeting

Hello, Greg:

As we should all remember -- your records notwithstanding -- in the wake of the Shuker matter, there are no official records documenting the discussions and concerns of the Area 'A' OCP Review Committee/process.

And so, with regards to your suggestion for a further diminution of the OCP's support for an investigation of incorporation by the citizens/residents of Area 'A'. I'd suggest that a reference to the records of the ad hoc committee seeking to investigate the feasibility of incorporation by Area 'A' will show that a majority of participants are residents of South Wellington; a portion of Area 'A' that is neither a part of Cedar nor of Cedar's environs, South Wellington: that distinct part of Area 'A' (immediately adjacent to the City of Nanaimo's southern boundary and straddling both the ICF E&N Railway line and the TransCanada Highway) which the pending Area 'A' OCP still refuses to recognize as a community -- a slight that has far reaching, negative implications in the quest towards implementing the principles of sustainability and livability expressed in the RGS. Thus, that Lavonne Garnett's and Anne Fiddick's recollection of events surrounding the language to be used is the more correct record; hence a move away from your wish for language of a vague and generalized nature towards language reflecting the greater clarity of purpose that is found within the communities of Area 'A'.

David S. Dunaway

South Wellington, British Columbia

Hi Lavonne

Page 1 of 7

Untitled

28/03/11 3:40 PM

I was out of the office yesterday so was unable to respond to your email. Please see my response below.

1. Preamble comment: If you recall. As part of the OCP review process, a land inventory of South Wellington was done. The inventory found that there is a predominance of outdoor industrial uses. The inventory also found that many sites were being underutilized. The results of the inventory combined with input from area residents provided guidance for the draft OCP to support a transition from heavy industrial uses which are primarily outdoor uses to light industrial uses which rely more on buildings. This is consistent with the desire to improve the aesthetic of South Wellington, protect the environment, and provide opportunities for local employment.

2. This is a typo which will be corrected. Thanks

3. Incorporation study policy: I took a look at the minutes you referred to below and did not find anything that would suggest what you're saying. There was some indication that the topic of incorporation was brought up, but no detailed discussion was recorded. That being said, because of uncertainties and number of potential outcomes, it sounds reasonable to me that policy 13.1 on page 151 be amended so it is less specific. I suggest that this policy be amended to read as follows:

"This Plan recognizes the desire of some community members to conduct an incorporation study." This leaves the door open to any number of potential possibilities.

If you want more information on the incorporation process, please visit http://www.cscd.gov.bc.ca/lgd/boundaries/municipal_incorporation.htm

Regards,

Greg Keller

Re: Meeting at Cedar Community Hall - Mar. 28, 2011

Regional District of Nanaimo
Nanaimo, B. C.

To whom it may concern:

We are living within the Cowichan Regional District, however our property line abuts the Nanaimo Regional District Boundary.

We are concerned with any development on the parcel of land adjacent to our property. We feel that we have not been informed with regards to any development here.

We are gravely concerned with the effect this will have on an already very vulnerable aquifer. If any development were to proceed, we would like to be informed of the sewage disposal and the amount of water that will be required from such a development.

A development here will definitely affect our current rural life style. We do have a few questions such as:

Why have you not included those within the area, RDN or CVRD that will be directly affected? Good neighbourly association.

What kind of sewage disposal system will be sought?

Where will the run off etc. be diverted to?

We would like to request answers to these questions among many more.

In the meantime we are opposed to any development within and on the aquifer.

Sincerely

Fred Tukham & Jan Tukham

Jan Tukham & Fred Tukham
5455 Carmichael Road
Ladysmith, B. C.
V9G 1L8

March 28, 2011

5476 Commercial Rd,

Langford, BC

V1C 1L3

March 25, 2011

Dear Council Members

I am absolutely convinced that if Finlayson Regional District could even consider water as important on the priority list for when you are planning for the future and more money is far more important than the future of water availability, then you'd get to get priorities in proper order. Money is the life of people - (hasn't) a real future for everyone in this area and the given population money into the area.

Please reconsider your priorities

Margaret Dickson

224-4146

115 - what are you doing to protect the water??

Dear Ms. Mason,

First of all, I found it difficult to review this matter but feel I must revisit this in order to set the record straight as apparently I will not have the opportunity to do so after the Area A OCP Public Hearing March 28, 2011

Long story short,

A member of the Citizens Committee for the Area A Draft Review called me several times the day of the Citizens Committee meeting held at NCID on November 09, 2009 to express his desire to advocate for me as a member of the committee. He explained he wanted to help resolve my concerns regarding the minutes. These are the minutes that had continually (omitted the motion,) that trails would not be mapped on private land without the owners consent, that we had previously discussed. He inquired about any information I had, could I email copies and said he would be discussing a resolution to my concerns further with Joe Burnett and Greg Keller that day. We discussed that he would arrange a meeting with Keller and Burnett to take place just prior to the Citizens Committee meeting. We would all meet and he would speak on my behalf because he was a Committee member. We also discussed the addition of two words to be added as an amendment to the Sept 14, 2011 minutes. During these conversations he assured me the matter would be straightened out.

I approached Joe Burnett and Greg Keller when I arrived at NCID my "committee advocate" remained seated with the other Committee members. I asked Mr. Burnett and Greg Keller that there be an amendment to the minutes of September 14, 2009 to address:

Moved L. Clark, SECONDED M. Hooper, that the summary of the Area 'A' Citizen's Committee meeting held on July 13, 2009 be adopted and that the committee recognize that discussion took place at the July 13, 2009 meeting and previous meetings "that trails would not be mapped on private land without the owners consent." CARRIED

Amendment to read- (and approved) that trails would not be mapped on private land without the owners consent

I felt this was a reasonable approach to addressing the continual omitted motion of July 13, 2009

I was called to the floor at the meeting by the RDN Chair Joe Burnett and asked to speak to the Committee members. I was not prepared, however I came forward, spoke and thereafter took my seat. Joe Burnett read a motion he had prepared he said he thought "would work." asking for endorsement by a committee member. The Citizens Committee members had been provided a directive from the RDN which I was not privy to until the meeting. Manoeuvring took place and a new motion was discussed rather than the approach of acknowledging the omitted motion to be added to the minutes or amendment to the wording of the minutes of Sept 14, 2009

The mover of the (omitted motion) could not remember the original wording. I had tried to speak to this however Burnett called me out of order. The "advocate committee member" asked about proceeding with the amendment, or to speak to the (omitted motion) but was told by Burnett there was a motion on the floor. The directive was discussed as contravening the (omitted motion). I tried to give the letter that I had received on behalf of the RDN that supported my position and (omitted motion) to the "advocate Committee member" but he did not accept. The Chair would not "allow" me to defend my position. The "advocate Committee member" did not support my position and voted the other way. The journey for me began in the latter part of 2008 of trying to address the misrepresentation of my family's property.

Even the summary of the minutes of this meeting, November 09, 2009 again is incorrect. The minutes read Louise Shuker suggested that a motion was made but never put into the minutes of July 13, 2009 that trails not be mapped on private land.

The meeting minutes should read

that trails would not be mapped on land (without the owners consent.)

The Chair asked if the Committee members wanted to consider a motion as requested by Louise Shuker. The request was put forward to the Committee members for endorsement by the Chair Mr. Burnett, for consideration of a motion he read to the Citizens Committee that he thought would work. He suggested two ways of doing this, and it wasn't designed to address the (omitted motion) or make an amendment to the motion as I had requested.

I feel some consolation that the new draft OCP RDN maps presented at the March Open House did not map trails on my property and other's private property (to my knowledge). I am very concerned that this promotes trespassing and I feel it is wrong. I have since discovered the "advocate Committee member" is very active in the development of trails. I am still concerned that the Community Active Transportation Map still includes Map A currently used AT and Map B desired AT improvements and identifies a trail on our property as existing which it is not nor is it an existing informal pathway. The map includes a potential trail added to the non existing trail.

As previously discussed I am aware of the role of motions made at the Citizens Committee meetings in regard to their relationship with the RDN however I feel that you should be informed of these discrepancies' regarding the OCP process. I believe the correspondence and events surrounding this matter should be considered by the RDN board when reviewing the Area A Draft Document Bylaw 1620, 2011.

Policy 10.1.23 re Community Trail Study

The water trail could be established quickly versus the land based trail along the bank of the river because the RDN will have to purchase/lease land from willing landowners while the river surface is public

The water trail can be used to promote acquisition of parkland and public access for the land based trail

OCP policy in Section 6 "the REN will support and encourage obtaining properties along the Nanaimo River"

I as well as others have already addressed these concerns regarding trails along and a trail in the river to the RDN and I hope these concerns are being distributed to the Board for consideration when including these policies.

Regards,
Louise Shuker

Ken Greene
3280 Hallberg Road
P.O. Box 147 Cassidy B.C.
V0R 1H0

March 28th, 2011

To whom it may concern:

As a resident of the Cassidy area and having resided at the same address for 40 years I wish to voice my opposition to the proposed development located on Timberlands Road and the Island Highway. This is not the first time I have voiced my opposition to this project. I have attended when possible every meeting and I resent the last minute rush to do so created by this time frame.

Yours truly;

A handwritten signature in cursive script, appearing to read 'Ken Greene', written in black ink.

Ken Greene

I am writing to express my objections to the planned development in the Cassidy Timberlands area:

- 1) Placing more development over a very valuable aquifer which already previous uncontrolled A) airport which is in the process of being enhanced B) Metal recycling business which has been leaking by-products into the ground for years , users wells in that specific area are already experiencing pollutions problems.
- 2) The aquifer has been explained at one of the companies previous information session as consisting of a upper and lower aquifer, the upper aquifer, being under the trailer park and experiencing pollution from the existing septic tanks, how long before these residents drill down to the lower aquifer ?
- 3) The experts provided by Timber West are unable determine the long term capacity of the aquifer, this leads to asking what guarantees do present residents have in regards to water supply or the new residents in the future.
- 4) Surely you are not so naive as to think pollution will not occur from the residential development planned, as we know the discussions before us are for the first stage we all know that after the first section, the other property in the same area will be developed.
- 5) The increased development will impact the surrounding agricultural land with traffic, litter ,stress on livestock.

Yours,

Gordon Bamford

250-245-5223

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, APRIL 12, 2011 AT 6:30 PM
IN THE RDN BOARD CHAMBERS**

Present:

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

Also in Attendance:

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

DELEGATIONS

Jim Crawford & Cynthia Hildebrand, Baynes Sound Investments Ltd., re Proposed Rezoning Application for Lands in Area 'H'.

Ms. Hildebrand of Baynes Sound Investments Ltd. presented a visual and verbal overview of the proposed residential subdivision and RV resort.

MINUTES

MOVED Director Stanhope, SECONDED Director Holme, that the minutes of the regular Electoral Area Planning Committee meeting held March 8, 2011 be adopted.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Bylaw No. 500.370 to Support Zoning Amendment Application No. PL2010-123 – Landeca Services Inc. – 2956 & 2962 Ridgeway Road – Area 'C'.

MOVED Director Young, SECONDED Director Burnett, that Zoning Amendment Application No. PL2010-123 to rezone the subject property from Subdivision District 'D' to Subdivision District 'F' be approved subject to the conditions included in Schedule No. 1.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.370, 2011" be introduced and read two times.

CARRIED

OTHER

Consideration of Park Land Dedication and/or Cash-in-Lieu of Park Land & Request for Frontage Relaxation on Subdivision Application No. PL2010-169 – Glencar Consultants – 516 Wembley Road – Area ‘G’.

MOVED Director Stanhope, SECONDED Director Holme, that the request to accept a combination of park land and cash-in-lieu of park as outlined in Schedule No. 1 in conjunction with Subdivision Application No. PL2010-169 be accepted.

CARRIED

MOVED Director Stanhope, SECONDED Director Holme, that the offer to provide 0.83% of the appraised value of the subject property for park land development works in Electoral Area ‘G’ be accepted as outlined in Schedule No. 1.

CARRIED

MOVED Director Stanhope, SECONDED Director Holme, that the request to relax the minimum 10% perimeter frontage requirements for proposed Lots 16, 17, 18, 19, and 20 be approved.

CARRIED

Consideration of Park Land Dedication and/or Cash-in-Lieu of Park Land on Subdivision Application No. PL2011-018 – Fern Road Consulting Ltd. – 864 Cavin Road – Area ‘G’.

MOVED Director Stanhope, SECONDED Director Burnett, that the request to pay 5% cash-in-lieu of park land in conjunction with Subdivision Application No. PL2011-018, be accepted.

CARRIED

Request for Frontage Relaxation on Subdivision Application No. PL2011-016 – Fern Road Consulting Ltd. – 403 Lowry’s Road – Area ‘G’.

MOVED Director Stanhope, SECONDED Director Holme, that the request to relax the minimum 10% perimeter frontage requirement be approved.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 6:57 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON TUESDAY, APRIL 12, 2011 AT 7:00 PM IN THE RDN BOARD CHAMBERS

Present:

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

Also in Attendance:

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

CALL TO ORDER

Chairperson welcomed Alternate Director Brian Dempsey to the meeting.

DELEGATIONS

Melissa Noel, Coastal Invasive Plant Committee, re Invasive Plant Management – Update for Local Governments.

Ms. Noel presented a visual and verbal overview of the Coastal Invasive Plant Committee and requested that the Regional District and Coastal Invasive Plant Committee work together in partnership.

MINUTES

MOVED Director Holme, SECONDED Director Westbrook, that the minutes of the regular Committee of the Whole meeting held March 8, 2011 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Oceanside Development & Construction Association (ODCA), re RDN Liaison to ODCA.

MOVED Director Holme, SECONDED Director Holdom, that the correspondence from the Oceanside Development and Construction Association be received.

CARRIED

FINANCE AND INFORMATION SERVICES

FINANCE

Proposed Amendment to Community Charter – Authority to Borrow Temporarily Between Reserves.

MOVED Director Holdom, SECONDED Director Burnett, that the following resolution be sent to the Ministry of Community, Sport and Cultural Development:

WHEREAS the Regional District of Nanaimo considers it desirable for Regional Districts to have the authority to transfer funds under section 189(4.1) and (4.2) of the *Community Charter* between capital reserve funds established in respect of different services as a means to address infrastructure requirements of an essential nature and/or to minimize the cost of long term borrowing on its residents;

NOW THEREFORE BE IT RESOLVED that the Minister of Community, Sport and Cultural Development be requested to confer on regional districts the authority under section 189(4.1) of the *Community Charter* to transfer by bylaw funds held in capital reserve funds, between funds established in respect of different services provided that the regional district bylaw to authorize the transfer includes repayment terms to ensure return of the money used to the transferor reserve fund no later than the date when the funds are required for purposes of the transferor reserve fund and an interest rate that meets the requirements of section 189(4.2) of the *Community Charter*."

CARRIED

Bylaws No. 1632, 1633, 1634 & 1635 – Establish a Regional Library Capital Financing Service and Authorize Borrowing & Issuance of Securities in Relation to the Service.

MOVED Director Holme, SECONDED Director Holdom, that the Regional District of Nanaimo support borrowing funds to be provided to the Vancouver Island Regional Library.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that "Regional Library Capital Financing Service Establishment Bylaw No. 1632, 2011" be introduced, read three times and forwarded to the Inspector of Municipalities for approval and proceed to the Alternative Approval Process to receive elector assent.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that "Regional Library Capital Financing Service Loan Authorization Bylaw No. 1633, 2011" be introduced, read three times and forwarded to the Inspector of Municipalities for approval and proceed to the Alternative Approval Process to receive elector assent.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that "Regional Library Capital Financing Service Security Issuing Bylaw No. 1634, 2011" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that "Regional Library Capital Financing Service Temporary Borrowing Bylaw No. 1635, 2011" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that elector assent for Bylaws No. 1632 and 1633 and the Indebtedness Agreement be obtained by using the alternative approval process for the entire service area.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that the Chair and Senior Manager, Corporate Administration be authorized to execute the Indebtedness Agreement attached to this report if approved.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that the Elector Response Form as attached to this report be approved.

CARRIED

Strategic Priorities Fund – Grant Application Recommendations.

MOVED Director Holdom, SECONDED Director Johnstone, that the Regional District of Nanaimo support a funding application for the Greater Nanaimo Pollution Control Center 3rd digester at a cost of \$8.1 million, to the General Strategic Priorities Fund program.

CARRIED

MOVED Director Holdom, SECONDED Director Johnstone, that the Regional District of Nanaimo support a funding application for the Arrowsmith Water Service aquifer storage reservoir detailed design at a cost of \$1.6 million, to the General Strategic Priorities - Innovations Fund program.

CARRIED

MOVED Director Holdom, SECONDED Director Johnstone, that the Regional District of Nanaimo support a funding application for a Regional Transportation Data Model & Transportation Plans at a cost of \$400,000, to the General Strategic Priorities – Capacity Building program.

CARRIED

DEVELOPMENT SERVICES

PLANNING

Official Community Plan Referral - Town of Qualicum Beach Bylaw No. 700.

MOVED Director Westbroek, SECONDED Director Lefebvre, that the Regional District of Nanaimo Board receive this report for information and that the comments provided in the report be forwarded to the Town of Qualicum Beach.

CARRIED

Area Agriculture Plan Update.

MOVED Director Burnett, SECONDED Director Bartram, that the Board appoint the Agricultural Advisory Committee as the steering committee for the Area Agricultural Plan.

CARRIED

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER

Bylaw No. 889.60 – Reduces the Boundaries of the Northern Community Sewer Service by Excluding Fifty-Six Area ‘E’ Properties.

MOVED Director Holme, SECONDED Director Holdom, that "Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.60, 2011" be introduced and read three times.

CARRIED

Greater Nanaimo Pollution Control Centre – Approval of Planning Grant Application to Update Odour Management Strategy.

MOVED Director Sherry, SECONDED Director Unger, that the Board support an application to the Ministry of Community, Sport, and Cultural Development for an Infrastructure Planning (Study) Grant application for the Odour Management Strategy Update for the Greater Nanaimo Pollution Control Centre.

CARRIED

Bylaw No. 975.55 – Reduces the Boundaries of the Pump & Haul Service by Excluding an Area ‘B’ Property (1383 Sea Lover’s Lane).

MOVED Director Rudischer, SECONDED Director Bartram, that "Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.55, 2011" be introduced and read three times.

CARRIED

WATER

Nanoose Bay Peninsula Water Service - Bill Adjustment for Area ‘E’ Property (3660 Dolphin Drive).

MOVED Director Holme, SECONDED Director Bartram, that a water bill reduction at 3660 Dolphin Drive in the amount of \$1,488.51 be approved.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that no further water bill reductions will be considered for this property prior to May 31, 2017.

CARRIED

Bylaw No. 1636 – Sets Rates & Regulations for the Whiskey Creek Water Service.

MOVED Director Biggemann, SECONDED Director Bartram, that "Regional District of Nanaimo Whiskey Creek Water Service Area Rates and Regulations Bylaw No. 1636, 2011" be introduced and read three times.

CARRIED

MOVED Director Biggemann, SECONDED Director Bartram, that "Regional District of Nanaimo Whiskey Creek Water Service Area Rates and Regulations Bylaw No.1636, 2011" be adopted.

CARRIED

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

Bylaw No. 1591.01 – Amends the Solid Waste & Recycling Collection Service Rates & Regulations Bylaw.

MOVED Director Westbrook, SECONDED Director Holme, that "Solid Waste and Recycling Collection Service Rates and Regulations Amendment Bylaw No. 1591.01, 2011" be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director Holme, that "Solid Waste and Recycling Collection Service Rates and Regulations Amendment Bylaw No. 1591.01, 2011" be adopted.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Biggemann, that the minutes of the District 69 Recreation Commission meeting held March 17, 2011 be received for information.

CARRIED

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

MOVED Director Burnett, SECONDED Director Holdom, that the minutes of the Electoral Area 'A' Parks, Recreation and Culture Commission meeting held March 9, 2011 be received for information.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that the following Electoral Area 'A' Recreation and Culture Grants be approved:

<i>Community Group</i>	<i>Amount Recommended</i>
Cedar Family of Community Schools (families first programs)	\$ 1,500
Cedar Community Policing (drug awareness fair)	\$ 750
Comets Sports, Recreation and Culture Society (summer basketball camp)	\$ 800
Cedar 4-H Senior Advisory Council (Beban barnyard)	\$ 1,500
Cedar Community Association (defibrillator)	\$ 1,500
Friends of Morden Mine (brochures)	\$ 750

CARRIED

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

MOVED Director Young, SECONDED Director Holdom, that the minutes of the East Wellington/Pleasant Valley Parks and Open Space Advisory Committee meeting held February 21, 2011 be received for information.

CARRIED

Nanoose Bay Parks and Open Space Advisory Committee.

MOVED Director Holme, SECONDED Director Holdom, that the minutes of the Nanoose Bay Parks and Open Space Advisory Committee meeting held February 7, 2011 be received for information.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that the RDN Parks Department organize a workshop of District 69 Parks and Open Space Advisory Committees for the purpose of sharing experiences in developing and implementing projects for their areas be referred back to staff for a report.

MOVED Director Holme, SECONDED Director Bartram, that this issue be referred back to staff for a report.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that the RDN Parks staff submission concerning the Fairwinds OCP amendment be made available to the Electoral Area 'E' Parks and Open Space Advisory Committee for information.

CARRIED

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

MOVED Director Biggemann, SECONDED Director Holdom, that the minutes of the Electoral Area 'F' Parks and Open Space Advisory Committee meeting held February 28, 2011 be received for information.

CARRIED

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

MOVED Director Bartram, SECONDED Director Lefebvre, that the minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee meeting held January 26, 2011 be received for information.

CARRIED

Drinking Water & Watershed Protection Advisory Committee.

MOVED Director Bartram, SECONDED Director Young, that the minutes of the Drinking Water & Watershed Protection Advisory Committee meeting held March 31, 2011 be received for information.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Board of Directors, Oceanside Development & Construction Association (ODCA), re RDN Liaison to ODCA.

MOVED Director Westbroek, SECONDED Director Bartram, that the request for a RDN liaison on the Oceanside Development and Construction Association be referred back to staff for a report.

CARRIED

Coastal Invasive Plant Committee, re Invasive Plant Management.

MOVED Director Bartram, SECONDED Director Holdom, that the request for a partnership between the Coastal Invasive Plant Committee and the Regional District be referred back to staff for a report.

CARRIED

NEW BUSINESS

Island Corridor Foundation Railway

MOVED Director Sherry, SECONDED Director Lefebvre, that staff send correspondence to Premier Christie Clark and to Transportation Minister, Blair Lekstrom requesting a \$15 million infrastructure investment to secure the future of Island Rail.

CARRIED

Electric Cars.

MOVED Director Lefebvre, SECONDED Director Westbrook, that staff prepare a report that looks into the authority of the RDN to regulate the use of electric vehicles on roads in electoral areas.

CARRIED

ADJOURNMENT

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

CARRIED

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

CARRIED

TIME: 8:00 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE
REGIONAL PARKS AND TRAILS ADVISORY COMMITTEE MEETING
HELD ON TUESDAY, APRIL 5, 2011, 12:00PM
IN THE RDN COMMITTEE ROOM**

Attendance: Director Bill Holdom, Chair
Director Joe Stanhope, Deputy Chair
Director Maureen Young
Director Dave Bartram
Director Teunis Westbroek
Frank Van Eynde
Craig Young

Staff: Carol Mason, Chief Administrative Officer
Tom Osborne, General Manager of Recreation and Parks
Wendy Marshall, Manager of Parks Services
Dale Lindsay, Manager of Current Planning
Lesya Fesiak, Parks Planner
Marilynn Newsted, Recording Secretary

Regrets: Peter Rothermel

Also in Attendance: Director George Holme

CALL TO ORDER

Chair Holdom called the meeting to order at 12:04pm.

Mr. Osborne introduced Ms. Lesya Fesiak to the Committee. Mr. Osborne stated Ms. Fesiak will be in regular attendance at the Regional Parks and Trails Advisory Committee meetings to assist with her role as the Regional Parks Planner.

Mr. Osborne also introduced Mr. Dale Lindsay, Manager of Current Planning and Director George Holme, noting both gentlemen were in attendance to assist with any questions which may arise regarding the Fairwinds development and proposed regional park dedication.

MINUTES

MOVED J. Stanhope, SECONDED D. Bartram, that the Minutes of the regular Regional Parks and Trails Advisory Committee meeting held February 1, 2011, be approved.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

MOVED M. Young, SECONDED D. Bartram, that the following Correspondence be received:

- G. Holme, RDN Director, to Ministry of Natural Resource Operations, Re: Proposed Private Moorage Northwest Bay, Nanoose Bay.
- E. Dombrowski, Save Moorecroft Community Group, Re: Thank You Moorecroft Regional Park.
- M. Little, Re: Congratulations Acquisition Moorecroft.
- H. Nickson, Re: Thank You Moorecroft Purchase.
- P. Koughan, Re: Congratulations Moorecroft Purchase.
- H. Kratz, Parksville/Qualicum KAIROS, Re: Congratulations Moorecroft Acquisition.
- S. and D. Gray, Re: Moorecroft Thank You.
- T. Osborne to L. Riley, Re: Clarification Moorecroft Development Process.
- T. Osborne to Nature Conservancy of Canada, Re: Moorecroft Regional Park – Baseline Documentation Report.
- D. Pilling, Staples McDannold Stewart, Re: Pending Registration Coats Property Easement.
- D. Grey, Greater Nanaimo Cycling Coalition, Re: Support Extension Multi-Use Trail E & N Rail Corridor.
- D. Pilling, Staples McDannold Stewart, Re: Final Registration Coats Property Easement.
- B. Pearce, Arrowsmith Parks and Land Use Council, Re: Moorecroft Acquisition/Conservation Coastal Douglas Fir Ecosystem.
- T. Osborne to P. Bolton, Re: Horne Lake Regional Park Power Source.
- C. Macfie, Re: RDN/Nature Trust Congratulations Saving Moorecroft.
- T. Osborne to L. Riley, Re: Request Use of Moorecroft Regional Park - Residential Youth Workshop.
- Munchkin Central Family Daycare, Re: Thank You Saving Moorecroft/Fundraising Proceeds.
- D. Pilling, Staples McDannold Stewart, Re: Moorecroft Land Acquisition - Form 'A' Freehold Transfer.
- M. Jessen, French Creek Residents' Association, Re: Applaud Staff and RDN Directors Moorecroft Acquisition

CARRIED

REPORTS

Monthly Update of Community Parks and Regional Parks and Trails Projects

Ms. Marshall presented a brief summary of the Community Parks and Regional Parks and Trails projects for December through to February, highlighting the following items which have taken place since the reports were written:

- The Coats Marsh Regional Park Draft Management Plan Open House will be held Tuesday, April 19, between 5:00pm to 8:00pm, at the Women's Institute Hall, on Gabriola Island.
- The Horne Lake Regional Park Draft Concept Plan is almost complete. Meetings have been held with the Park Operator, potential stakeholders for future recreational programming and BC Parks for their input.
- Lighthouse Country Regional Trail – A contractor was retained to finish a small amount of edging along the trail. Staff will complete the few outstanding items, such as culverts, over the summer months. The official opening is scheduled to take place in the fall.
- Moorecroft Regional Park – The majority of staff time has been taken up with work at this park. To date nine large bins of material from the buildings have been removed from the site. Hazmat assessments are being done on buildings marked for removal. Buildings are being secured, signs installed and hazard trees assessed. The gates have been installed and the

entrance sign erected. The pelletry will be removed and the area cleaned up this week. As the current caretaker will not be staying and prior to retaining another on site caretaker, some repair work on the Caretaker's house needs to be done and some safety issues at the back of the house need to be resolved. Staff will remain in constant communication with the Nature Conservancy of Canada, to keep them aware of all the work taking place on the site. The official opening of the park is scheduled for June 18.

- Mr. Mark Dobbs, the Regional Parks Operations Coordinator will be leaving the Department. Mr. Chris van Ossenbruggen, Parks Technician, will fill the position.

Fairwinds – Lakes District Neighbourhood Plan – Proposed Park Dedication

Mr. Osborne presented an overview of the Fairwinds Lakes District Neighbourhood Plan and the proposed parkland dedication. He noted in the 1995 Parks System Plan, the Notch was envisioned to come on as a regional park and again in the 2001 Nanoose Bay Parks and Open Space Plan for Nanoose Bay, Enos Lake, along with other areas (The Lookout, Dolphin Lake and wildlife corridors) were identified as potential parkland.

Mr. Osborne stated, working with the Fairwinds developer, staff used the two documents as a guide in their efforts to attain parklands which made sense and had value from a recreational and wildlife protection point of view. In the most part, they were successful and the Regional District will acquire approximately 118 hectares of potential regional parkland and about 3 hectares of community park land as part of the development proposal.

It is understood the developer will construct the amenities in the regional and community parks and will in turn hand those over (land and structure) to the Regional District. It is anticipated the parkland will be developed in phases and once identified through a management plan process, will be put in place.

MOVED T. Westbroek, SECONDED D. Bartram, that staff be directed to prepare a cost analysis report on costs required to plan, develop and maintain the proposed parkland that would be dedicated by Fairwinds as shown in the Lakes District Neighbourhood Plan.

CARRIED

Regional Trail Corridor/Enos Lake to Moorecroft Regional Park – District Lot 137

Mr. Osborne provided a verbal update on discussions regarding Lot 137, which is Provincial Crown land adjacent to the Fairwinds proposed regional park and ultimately connects to Moorecroft Regional Park. He stated the mandate of the Regional Parks and Trail System is to connect trail from park to park. Now that Moorecroft Regional Park has been established there is an opportunity to apply to the Province to indicate interest in securing a trail corridor though the Crown Land.

MOVED T. Westbroek, SECONDED F. Van Eynde, that staff apply to the Province of British Columbia for a permit for a Regional Trail corridor though District Lot 137 to establish a trail linkage between the proposed regional park in Fairwinds and Moorecroft Regional Park.

CARRIED

BC Marine Trail Gulf Island Section

Mr. Osborne noted the BC Marine Trail Gulf Island Trails Section information provided, noting the Grand Opening Celebration of the BC Marine Trails Network, is to be held Saturday, May 14, 2011. Mr. Osborne pointed out Descanso Bay Regional Park is designated as one of the camping sites and also the possible increased use of the Nelson Road boat ramp in Electoral Area 'A' as part of the marine trail.

MOVED D. Bartram, SECONDED F. Van Eynde, that the Reports be received.

CARRIED

ADJOURNMENT

MOVED F. Van Eynde, SECONDED T. Westbroek, that the meeting be adjourned at 1:12pm.

CARRIED

IN CAMERA

MOVED F. Van Eynde, SECONDED T. Westbroek, 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 EMERGENCY MANAGEMENT SELECT COMMITTEE
MEETING HELD ON TUESDAY, APRIL 19, 2010 AT 3:00 PM
IN THE RDN COMMITTEE ROOM**

Present:

Director D. Bartram	Chairperson
Director J. Burnett	Electoral Area A
Director G. Rudischer	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F

Also in Attendance:

C. Mason	Chief Administrative Officer
P. Thorkelsson	General Manager, Development Services
T. Armet	Manager - Building, Bylaw and Emergency Planning Services
J. Drew	Emergency Services Coordinator
M. Sparks	Recording Secretary

CALL TO ORDER

The meeting was called to order at 3:08 p.m. by the Chair.

MINUTES

MOVED Director Holmes, SECONDED Director Young, that the Minutes of the Emergency Management Select Committee held on October 19, 2010, be adopted.

CARRIED

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

MOVED Director Holmes, SECONDED Director Burnett, that the correspondence dated March 2, 2011 from Ken Vance, Senior Policy Advisor UBCM re Provincial Mobilization Plan for Emergency Services, be received.

CARRIED

REPORTS

Electoral Area 'F' Emergency Reception Centre

MOVED Director Biggemann, SECONDED Director Burnett, that the Emergency Reception Centre License of Use Agreement between the Regional District of Nanaimo and the Arrowsmith Agricultural Association for a 4 year term commencing May 1, 2011 and ending April 30, 2015, be approved.

CARRIED

Bowser Legion Reception Center Generator

MOVED Director Holme, SECONDED Director Young, that the Board approve payment of the annual maintenance fee of the Royal Canadian Legion Bowser and District Branch (211) emergency generator beginning in 2012.

CARRIED

District 68 Emergency Social Services Director Agreements

MOVED Director Rudischer, SECONDED Director Burnett, that the Gabriola Island Emergency Social Services Director agreement between the Regional District of Nanaimo and Nancy Rowan be approved for a fifteen month term commencing January 1, 2011 and ending March 31, 2012.

MOVED Director Rudischer, SECONDED Director Burnett, that the Cedar/Extension Emergency Social Services Director agreement between the Regional District of Nanaimo and Andrea Bonkowski be approved for a fifteen month term commencing January 1, 2011 and ending March 31, 2012.

CARRIED

Neighbourhood Emergency Preparedness Program Facilitator Agreement

MOVED Director Holme, SECONDED Director Biggemann, that the 2011 Neighborhood Emergency Preparedness Facilitator agreement between the Regional District of Nanaimo and Mr. Robert Dendoff be approved for a fifteen month term commencing January 1, 2011 and ending on March 31, 2012.

CARRIED

Secondary/Emergency Access – Whalebone Subdivision/Gabriola Island

MOVED Director Rudischer, SECONDED Director Burnett, that the Board approve a letter of support to the Minister of Public Works and Government Services Canada for secondary/emergency access through Crown land to Whalebone subdivision on Gabriola Island.

CARRIED

Shoreline Drive/Deep Bay Landslide Response, Electoral Area 'H'

MOVED Director Holme, SECONDED Director Burnett, that the report on the Regional District of Nanaimo response to landslide events on Shoreline Drive be received for information.

CARRIED

Strategic Wildfire Prevention Regarding Emergency Program

MOVED Director Rudishcer, SECONDED Director Holme, that the Board support an application under the *strategic Wildfire Prevention Initiative* funding program for the implementation of a Wildland Urban Interface fuel management plan.

CARRIED

ADJOURNMENT

MOVED Director Holme, SECONDED Director Biggemann, that this meeting be adjourned.

CARRIED

TIME: 3:59 p.m.

CHAIRPERSON



RDN REPORT	
CAO APPROVAL	
EAP	
COW	
ATD: 11-0001	
RHD	
BOARD	
<i>Emerg Select - Apr 17 '11</i>	

MEMORANDUM

TO: Tom Armet, Manager
Building, Bylaw and Emergency Planning Services

DATE: April 8, 2011

FROM: Jani M. Drew, Emergency Coordinator

FILE: 7130-01 RC

SUBJECT: Electoral Area 'F' Emergency Reception Centre

PURPOSE

To obtain Board approval to proceed with a License of Use Agreement between the RDN and the Arrowsmith Agricultural Association (AAA) for the establishment of an Emergency Reception Centre in Electoral Area F.

BACKGROUND

As part of ongoing risk mitigation, the need for a new emergency reception center (RC) has been identified in Electoral Area F. There are currently no RCs in the area, with the closest ones located in Nanoose Bay, Parksville and Qualicum Beach.

Staff was in contact with members of the AAA shortly after their new building began. They were very interested in it being used as a community meeting place for area residents during an emergency or disaster. However, it took several years for the building to complete, and we are just now able to proceed with formally designating the building as an RC in our Emergency Plan. Ongoing discussions with executive members of the AAA indicate they are amenable to signing an Agreement for the RDN to use the facility in the capacity of an RC during an emergency or disaster. The Agreement is appended as Attachment A.

The structure does not have a generator, but meets all the requirements of being a good RC. Oceanside ESS will recruit an RC Manager and local area volunteers to staff it during an emergency. The Mid Island Radio Association (MIRA) will also evaluate the building for emergency communications needs. Future ESS training, activation drills and Neighborhood Emergency Preparedness workshops are planned for this location.

ALTERNATIVES

1. Approve the License of Use Agreement with the Arrowsmith Agricultural Association for an Emergency Reception Centre.
2. Not approve the Agreement and provide further direction to staff.

FINANCIAL IMPLICATIONS


The cost to the RDN for the term of the Agreement is \$1.00 per year, payable in advance. The total cost of equipment required to make the facility a fully operational RC is approximately \$2,500 and will be spread over several years to take advantage of Joint Emergency Preparedness funding initiatives. The costs of initial basic supplies are included in 2011 Emergency Planning budget.

SUMMARY/CONCLUSIONS

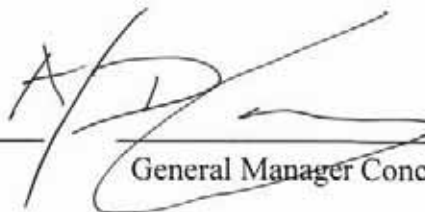
Weather events over the past several winters have highlighted the need for more Emergency Reception Centers within the RDN to enhance effective response and community recovery. The new Arrowsmith Agricultural Association building at the Coombs Fairground has been identified as a suitable facility and location for an Emergency Reception Centre in Electoral Area F. The Arrowsmith Agricultural Association is agreeable to the establishment of an RC in the building and staff is recommending entering into the multi-year Agreement as attached.

RECOMMENDATION

That the Emergency Reception Centre License of Use Agreement between the Regional District of Nanaimo and the Arrowsmith Agricultural Association for a 4 year term commencing May 1st, 2011 and ending on April 30th, 2015, be approved.




Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

COMMENTS:

ATTACHMENT 'A'

LICENCE OF USE

THIS AGREEMENT dated for reference the ____ day of _____, 2011.

BETWEEN:

ARROWSMITH AGRICULTURAL ASSOCIATION

Box 13
Coombs, BC V0R 1M0

(herein called the "Association")

OF THE FIRST PART

AND:

REGIONAL DISTRICT OF NANAIMO

6300 Hammond Bay Rd.
Nanaimo, BC V9T 6N2

(Herein after called the "Regional District")

OF THE SECOND PART

WHEREAS:

A. The Association is the registered owner in fee simple of lands legally described as:

Lot A (DD 14541N)
Salvation Army Lot 15
Nanoose District
Plan 1939
Except Parcel 1 (DD 20284N) and Parcel 2 (DD 57485N)

(The "Lands")

B. The Regional District wishes to be granted this License to Use the Lands in the Event of an Emergency as defined in the *Emergency Program Act*, RSBC 1996, Chapter 111 and the Society has agreed;

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the fee paid by the Regional District to the Association and in consideration of the premises and covenants and agreements contained in this Agreement, the Regional District and the Association covenant and agree with each other as follows:

1. RIGHT TO OCCUPY

The Association, subject to the performance and observance by the Regional District of the terms, conditions, covenants and agreements contained in this Agreement grants to the Regional District a right by way of license for the Regional District, its agents, employees and invitees to use the Lands in the event of an Emergency for the purpose of an Emergency Reception Center and for occasional practice drills with sufficient notice, including all necessary ancillary uses such as parking and for no other purpose.

2. RESERVATION OF RIGHTS

The Association reserves to itself the right for the Association, its agents, employees, contractors and invitees to have full and complete access to the Lands to carry out any operations associated with the Association's use of the Lands at all times, except in the case of an emergency.

3. LICENSE FEE

In consideration of the right to use, the Regional District shall pay to the Association a license fee of \$1.00 per year payable in advance. Such license fee shall be payable on the 1st day of the Term.

4. TERM

The Term of the License granted under this Agreement shall be four (4) years commencing on the 1st day of May, 2011 and ending on the 30th day of April, 2015.

5. CONSTRUCTION

The Regional District shall not construct or place any buildings or structures or make any improvements on the Lands.

6. INSURANCE

The Regional District will take out and maintain during the term of the License, a policy of general public liability insurance against claims for bodily injury, death or property damage arising out of the use of the Lands by the Regional District in the amount of not less than two million dollars per single occurrence with such greater amount as the Association may from time to time designate, naming both the Association and the Regional District as an additional insured thereto and shall provide the Association with a certified copy of such policy or policies.

7. INDEMNIFICATION

The Regional District releases and will indemnify and save harmless the Association, its officers, employees and agents from and against all lawsuits, damages, costs, expenses, fees or liabilities which the Regional District or anyone else may incur, suffer or allege by reason of the use of the Lands by the Regional District, its agents, employees or invitees, or the carrying on upon the Lands of any activity in relation the Regional District's use of the Lands.

8. NOTICES

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

(a) If to the Association:

Box 13
Coombs BC V0R 1M0

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

For the REGIONAL DISTRICT OF NANAIMO

Carol Mason
Chief Administrative Officer

)
)
)
) (Seal)
)
)
)
)

Maureen Pearse
Senior Manager, Corporate Administration

**For the ARROWSMITH AGRICULTURAL
ASSOCIATION**

Authorized Signatory

)
)
) (Seal)
)
)
)
)
)
)

Authorized Signatory



RDN REPORT	
CAO APPROVAL	
EAP	
COW	
APR 15 2011	
RHD	
BOARD	
<i>Emerg. Subst - Gen 19'11</i>	

MEMORANDUM

TO: Tom Armet, Manager
Building, Bylaw and Emergency Planning Services

DATE: April 11, 2011

FROM: Jani M. Drew, Emergency Coordinator

FILE:

SUBJECT: Bowser Legion Reception Centre Generator

PURPOSE

To obtain Board direction on the payment of the Bowser and District Branch (211) of the Royal Canadian Legion emergency generator annual maintenance fees.

BACKGROUND

The Bowser Legion was established as an emergency reception center on May 28, 2007, via Licence of Use Agreement with the RDN. During an emergency, a reception centre is a central place where evacuees go to register and be referred for Emergency Social Services (ESS). The RDN Emergency Program is responsible for providing basic reception centre operational supplies and working with local ESS volunteers needed to activate and staff the centre.

The RDN has a capital plan to purchase generators for designated RC's so they can be operable during extended power outages. The Emergency Program has utilized partial federal joint emergency preparedness program (JEPP) funding to install generators at the Rollo RC on Gabriola Island and the Lighthouse RC in the Qualicum Bay area. In 2009, Bowser Legion representatives requested that an older, surplus generator at the Greater Nanaimo Pollution Control Centre (GNPCC) be donated to them to provide emergency power. A letter of Agreement was signed and the unit was transported to the Bowser Legion for installation.

Installation proved problematic as the generator was 30 years old and designed for a much larger building and electrical load. In November 2010, the Bowser Legion advised staff they had exchanged the donated generator for a used single-phase, 100 kw unit with an anti-spill containment fuel tank that was compatible with their needs. The Bowser Legion paid for all installation costs and housed it in a shipping container installed on a cement pad.

ALTERNATIVES

1. To approve allocating funds in the 2012 Emergency Planning annual budget to pay for annual maintenance of the Bowser Legion emergency generator;
2. Not approve payment of annual maintenance and provide further direction to staff.

FINANCIAL IMPLICATIONS

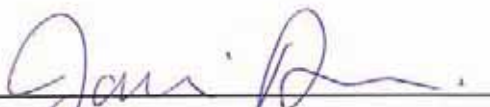



The Bowser Legion is requesting that the RDN pay for the annual maintenance fees excluding potential repairs. Legion staff ensures monthly checks are complete. The Emergency Program currently budgets \$1,500 per generator for annual maintenance for each Reception Centre that has a new generator installed. This amount is determined by Simpson Maxwell (awarded the supply and install contracts), and covers fuel replacement, diagnostic testing and annual maintenance. While the RDN did not pay to install the generator at the Bowser Legion, emergency power capacity enables the RDN to provide expanded ESS service to evacuees.

SUMMARY/CONCLUSIONS

The RDN has a License of Use Agreement to use the Bowser Legion (211) as an Emergency Reception Centre. The RDN provided a surplus generator to the Bowser Legion, which proved to be incompatible with their building. The Bowser Legion was able to trade the RDN's donated generator for one that was suitable for their building, and paid for installation costs and a shipping container to house it securely.

RECOMMENDATION

That the Board approve payment of the annual maintenance fee of the Royal Canadian Legion Bowser and District Branch (211) emergency generator beginning in 2012.

 _____ Report Writer	 _____ General Manager Concurrence
 _____ Manager Concurrence	 _____ CAO Concurrence



CAG APPROVAL	
EAP	
EQW	
APR 15 2011	
RHD	
BOARD	
<i>Emergency Select - April 19 '11</i>	

MEMORANDUM

TO: Tom Armet, Manager
Building, Bylaw and Emergency Planning Services

DATE: April 11, 2011

FROM: Jani M. Drew, Emergency Coordinator

FILE: 2240 – 20 ESS

SUBJECT: District 68 Emergency Social Services Director Agreements

PURPOSE:

To obtain Board approval of the 2011 Emergency Social Service Director Agreements for Gabriola Island and Cedar /Extension.

BACKGROUND:

The *Emergency Program Act, Local Authority Emergency Management Regulation, Section 2 (f)* specifies that local governments must:

“Coordinate the provision of food, clothing, shelter, transportation and medical services to victims of emergencies or disasters...”

Emergency Social Services (ESS) is the province wide community based emergency response system. ESS provides services required to preserve the well being of people affected by an emergency or disaster. Recipients of ESS are citizens who have been displaced from their residence by a disaster or emergency, as well as stranded travelers or response workers on assignment during a disaster or emergency. Emergency Social Services volunteers register evacuees, and make referrals for food, lodging, clothing and family reunification and provide numerous other disaster assistance services.

Emergency Management British Columbia (EMBC) provides the essential legal authority to recognize volunteer groups in responding to emergency situations. Registered Public Safety Lifeline volunteers (ESS, Search and Rescue and Amateur Radio) are eligible for Worker’s Compensation benefits and basic expenses, with additional support available in the way of coordination and training. The Regional District of Nanaimo (RDN) currently provides support for local groups to secure ESS provision to all Electoral Areas.

Gabriola Island currently has 42 members led by ESS Director Nancy Rowan. Under the 2010 Agreement, which included Terms of Reference for the position, Ms. Rowan was paid an honorarium in the amount of \$2,000.

ESS in Electoral Areas ‘A’ and ‘C’ is affected by different age demographics than Gabriola Island or the Oceanside area, and also has a larger area of coverage. Since there are fewer retirees that have available time to volunteer, there continues to be recruitment challenges. There are currently 5 members led by ESS Director Andrea Bonkowski. Under the 2010 Agreement, which included Terms of Reference for the position, Ms. Bonkowski was paid an honorarium in the amount of \$2,000.

Further to providing ESS supplies, training support, and making reception centers operational, the Emergency Program follows the *Canadian Code for Volunteer Involvement* to ensure we not only attract new volunteers, but retain existing members. Best practices in volunteer management include ensuring members feel valued for their contributions through recognition, making them feel they belong in the overall Emergency Program, and that their skills, hours of contribution and willingness to help others is acknowledged by staff, elected officials and the public. ESS Directors are expected to be available 24/7 to

respond to emergency events, similar to volunteer Fire Chiefs. (Proposed agreements - see Attachment "1" and "2").

ALTERNATIVES

1. Approve the 2011 ESS Director Agreements for Gabriola Island and Cedar/Extension.
2. Do not approve the 2011 ESS Director Agreements for Gabriola Island and Cedar/Extension and provide staff with further direction.

FINANCIAL IMPLICATIONS

The Regional District of Nanaimo is required to coordinate Emergency Social Services as part of the Electoral Area Emergency Program. Volunteer ESS Directors play an integral role in this vital service. ESS Directors generally spend in excess of 10 hours a week fulfilling their roles and provide excellent value to the Emergency Program. Currently the RDN budgets for basic operating costs and honorariums for ESS Directors and continued support is necessary to ensure ongoing recruitment and retention.

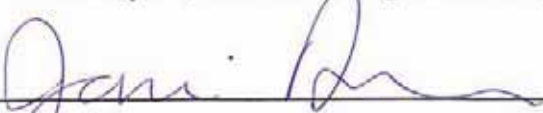
In 2010, the Emergency Program paid \$2,000 to each District 68 ESS Director and the same amount has been included in the 2011 budget. In order to align EMSC meeting dates with budget approval timelines, the 2011 term will be extended to March 31st, 2012. This one-time fifteen month term will include a 2012 first quarter payment of \$500.00. After this adjustment to switch contract renewal timeframes, if approved, the next term would be for twelve months, April 1st, 2012, to March 31st, 2013. Agreements are being brought forward to the Board for consideration to formalize these arrangements. Increases to these amounts may be considered in the 2012 budget.

CONCLUSION


The two volunteer ESS Directors in District 68 are skilled and dedicated individuals who are expected to be available at all times to respond to emergency events. Annual honorariums to the ESS Directors are a demonstrable way to recognize the excellent value they provide to the Emergency Program. With the approval of these two Agreements, the RDN will have secured ESS services through all the Electoral Areas for 2011. Staff recommends that the fifteen month agreements be approved retroactively to January 1, 2011.

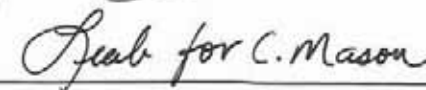
RECOMMENDATIONS:

1. That the Gabriola Island Emergency Social Services Director agreement between the Regional District of Nanaimo and Nancy Rowan be approved for a fifteen month term commencing January 1st, 2011 and ending March 31st, 2012.
2. That the Cedar/Extension Emergency Social Services Director agreement between the Regional District of Nanaimo and Andrea Bonkowski be approved for a fifteen month term commencing January 1st, 2011 and ending March 31st, 2012.


Report Writer


Manager Concurrence


General Manager Concurrence


CAO Concurrence

COMMENTS:

ATTACHMENT 1

**REGIONAL DISTRICT OF NANAIMO
CONSULTING SERVICES AGREEMENT**

THIS AGREEMENT dated for reference the _____ day of _____, 2011.

BETWEEN:

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

(hereinafter called the "Regional District")

AND:

Andrea Bonkowski
1333 Scotchtown Road
Nanaimo, BC V9X 1R9

(hereinafter called the "Consultant")

NOW THIS AGREEMENT WITNESSETH:

THAT in consideration of the terms, conditions and covenants hereinafter set forth, the Regional District and the Consultant covenant and agree each with the other as follows:

1. Definitions

- 1.1. *AGREEMENT* means this Agreement for Services, which incorporates any Schedule attached hereto.
- 1.2. *EMERGENCY PROGRAM COORDINATOR* means the Regional District Emergency Coordinator or Alternates, or any person designated by the Emergency Coordinator.
- 1.3. *SERVICES* means the Consultant's duties and responsibilities to the Regional District as set out in Schedule "A".
- 1.4. *SERVICE AREA* means the land within the boundaries of Electoral Area "A" and "C".

2. Term

The Consultant will provide the Services during the period (hereinafter called the "Term") commencing on January 1st, 2011 and ending on March 31st, 2012, unless sooner terminated as hereinafter provided.

3. Payment

The Regional District will pay to the Consultant, for the Services, the amount, in the manner and at the times set out in Schedule "B" attached hereto. The Consultant agrees to accept the amount as full payment and reimbursement. No additional amounts may be charged by the Consultant.

4. Authority of Consultant

The consultant shall have no right or authority, express or implied, to commit or otherwise obligate the Regional District in any manner whatsoever except to the extent specifically provided herein or as specifically authorized in writing by the Regional District.

5. Independent Contractor

The Consultant will be an independent contractor and not the servant, employee or agent of the Regional District.

6. Assignment and Sub-contracting

The Consultant will not, without the prior written consent of the Regional District subcontract this Agreement or any portion thereof.

7. Ownership of Documents and Confidentiality

- (a) The Consultant agrees to keep in strictest confidence all confidential information which the Consultant may acquire in connection with or as a result of divulge or disclose to any unauthorized third party or 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 Consultant concerning research, development, patent, copyright, systems and procedures.
- (b) All right, title and interest, including all copyrights, trade secret rights, trademark rights, patent rights and all other intellectual and industrial property rights of any nature throughout the world relating thereto (whether or not patentable), in all reports, documents, concepts, programs, operating procedures, products, databases, works of authorship, designs, developments, compilations of information and documentation thereof, flowcharts, and specifications, including any modifications or improvements thereof, and information made, conceived or developed, in whole or in part, by the Consultant during the term of this Agreement that relate to the Services (collectively the "Work Products"), will belong solely and exclusively to the Regional District.
- (c) On the termination of this Agreement for any reason, the Consultant shall deliver to the Regional District all documents, notebooks, charts, files and records relating to the provision of the Services including copies, summaries and notes in the possession or control of the Consultant.

8. Conflict

The Consultant shall not, during the term, perform a service for or provide advice to any person, firm or corporation where the performance of the service or the provision of the advice may or does, in the reasonable opinion of the Regional District, give rise to a conflict of interest between the obligations of the consultant to the Regional District under this Agreement, and the obligations of the Consultant to such other person, firm or corporation.

9. Indemnity

The Consultant will indemnify and save harmless the Regional District from any and all losses, claims, damages, or expenses arising from or due to the negligence of the Consultant in performing the functions and responsibilities of the Consultant under the terms of this Agreement or the Consultant's breach of the terms of this Agreement.

10. Work Safe and Liability Coverage

It is understood that while operating under a Task Number issued by the EMBC during an emergency response or recovery action, the Consultant and her Emergency Social Services volunteer team will be covered by the Province for Work Safe and liability. During routine ESS work, the Consultant meets the criteria to be insured by the Regional District's insurance carrier, MIA. Insurance details can be referred to in Schedule "B".

11. Termination

Notwithstanding any other provision of this Agreement:

- (a) If the Consultant fails to comply with any provision of this Agreement, then, and in addition to any other remedy or remedies available to the Regional District, the Regional District may, at its option, terminate this Agreement by giving written notice of termination to the Consultant.
- (b) Either Party may terminate this Agreement at any time upon giving the other Party seven (7) days notice of such termination.

If either such option is exercised by the Regional District, the Regional District will be under no further obligation to the Consultant except to pay the Consultant such amount as the Consultant may be entitled to receive, pursuant to Schedule 'B', for services provided and expenses incurred to the date the said notice is given or delivered to the Consultant. The Consultant will refund to the Regional District any payment already made to the Consultant not yet earned.

12. Prior Dealings

All prior negotiations and agreements between the parties relating to the subject matter of this Agreement are superseded by this Agreement. There are no representations, warranties, understandings or agreements other than those expressly set forth in the Agreement or subsequently agreed to in writing, which writing shall be executed by a duly authorized officer of the party to be bound thereby.

13. Waiver

The failure of either party at any time to require the other party's performance of any obligation under this Agreement shall not affect the right to require performance of that obligation in the future. Any waiver by either party of any such breach or any such provision hereof shall not be construed as a waiver or modification of this provision itself, or a waiver or modification of any other right under this Agreement.

14. Miscellaneous

All provisions of this Agreement in favor of the Regional District and all rights and remedies of the Regional District, either at law or equity, will survive the expiration or sooner termination of this Agreement.

IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year first above written.

For the REGIONAL DISTRICT OF NANAIMO:)
)
)
)
)
_____)
Emergency Coordinator)
)

For the Consultant:)
)
)
)
)
_____)
Emergency Social Services Director)
)

SCHEDULE "A"

SCOPE OF WORK

The Consultant shall provide the Emergency Social Services Director duties as outlined below:

EMERGENCY SOCIAL SERVICES DIRECTOR JOB DESCRIPTION:

Responsible for the planning, development, implementation, and management of an Emergency Social Services program to enable the Electoral Area "A" and "C" communities to recover quickly and effectively after a disaster. The ESSD provides essential services to survivors and responders affected by an emergency/disaster. The Consultant reports to the Regional District Emergency Coordinator, or their Alternate.

DUTIES

BEFORE AN EMERGENCY:

- Appoint at least one alternate directors and ensure one is in place if the Consultant is out of the service area;
- Establish an ESS planning team and a regular meeting schedule;
- Determine and delegate planning responsibilities;
- Maintain support and motivation of team members;
- Oversee the orientation, training and evaluation of team members;
- Oversee the establishment of supplier agreements for services (food, clothing, lodging, etc.);
- Liaise with provincial, regional and community supports, e.g. Emergency Program;
- Coordinator, Provincial Emergency Program (PEP), Canadian Red Cross, St. John Ambulance, The Salvation Army, media and others;
- Oversee the development and maintenance of community ESS plans and activation procedures;
- Attend community Emergency Planning Committee meetings as a member of the overall team that includes Fire, Police, Health, School Board, etc.;
- Promote public awareness of ESS program and emergency planning through displays, presentations, etc.

DURING AN EMERGENCY:

- Implement the ESS plan at the request of Emergency Program Coordinator, CAO, Board Chairperson or designate, and assume responsibility for the ESS response and/or initial recovery;;
- Report to the Emergency Coordination Centre (ECC) or designated location;
- Secure a PEP Task Registration Number for ESS Level I call outs and communicate the PEP Task # to the ESS team;
- Consult with members of the ECC to identify general ESS requirements;
- Ensure communication links between the ECC and all ESS response sites;
- Consult with ESS team to manage human and material resources;
- Monitor situation by compiling information on immediate and projected ESS needs;
- Upon direction from ECC, begin demobilization process.

AFTER AN EMERGENCY:

- Ensure ESS workers clean up and return borrowed supplies and equipment;
- Receive and compile operational reports from all ESS sites;
- Ensure ESS workers receive an operational review and emotional debriefing;
- Ensure follow up where required;
- Forward all required information to the Regional District in a timely manner.

SCHEDULE "B"

FEES & EXPENSES

Total compensation to be paid to the Consultant by the Regional District of Nanaimo shall not exceed a maximum of \$2,500, made in five (5) payments:

Payment Date	March 31/11	June 30/11	September 30/11	December 31/11	March 31/12
Fees	\$500.00	\$500.00	\$500.00	\$ 500.00	\$500.00
TOTAL	\$2,500.00				

M.I.A. Insurance Coverage:

Regional District insurance coverage for Emergency Program volunteers includes driving to/from the place of volunteer work. Limits to insurance are:

1. Principal Sum: \$40,000, sliding scale dependent upon the injury or loss of life
2. Weekly indemnity: Total disability: \$300, partial disability, \$150
3. Accident reimbursement benefit: \$2,500 (i.e.: ambulance transport etc.)

ATTACHMENT "2"

**REGIONAL DISTRICT OF NANAIMO
CONSULTING SERVICES AGREEMENT**

THIS AGREEMENT dated for reference the _____ day of _____, 2011.

BETWEEN:

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

(hereinafter called the "Regional District")

AND:

Nancy Rowan
360 Calderview Place
Gabriola Island, BC V0R 1X2

(hereinafter called the "Consultant")

NOW THIS AGREEMENT WITNESSETH:

THAT in consideration of the terms, conditions and covenants hereinafter set forth, the Regional District and the Consultant covenant and agree each with the other as follows:

2. Definitions

- 2.1. *AGREEMENT* means this Agreement for Services, which incorporates any Schedule attached hereto.
- 2.2. *EMERGENCY PROGRAM COORDINATOR* means the Regional District Emergency Coordinator or Alternates, or any person designated by the Emergency Coordinator.
- 2.3. *SERVICES* means the Consultant's duties and responsibilities to the Regional District as set out in Schedule "A".
- 2.4. *SERVICE AREA* means the land within the boundaries of Electoral Area "A" and "C".

2. Term

The Consultant will provide the Services during the period (hereinafter called the "Term") commencing on January 1st, 2011 and ending on March 31st, 2012 unless sooner terminated as hereinafter provided.

3. Payment

The Regional District will pay to the Consultant, for the Services, the amount, in the manner and at the times set out in Schedule "B" attached hereto. The Consultant agrees to accept the amount as full payment and reimbursement. No additional amounts may be charged by the Consultant.

4. Authority of Consultant

The consultant shall have no right or authority, express or implied, to commit or otherwise obligate the Regional District in any manner whatsoever except to the extent specifically provided herein or as specifically authorized in writing by the Regional District.

5. Independent Contractor

The Consultant will be an independent contractor and not the servant, employee or agent of the Regional District.

6. Assignment and Sub-contracting

The Consultant will not, without the prior written consent of the Regional District subcontract this Agreement or any portion thereof.

7. Ownership of Documents and Confidentiality

- (a) The Consultant agrees to keep in strictest confidence all confidential information which the Consultant may acquire in connection with or as a result of divulge or disclose to any unauthorized third party or 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 Consultant concerning research, development, patent, copyright, systems and procedures.
- (b) All right, title and interest, including all copyrights, trade secret rights, trademark rights, patent rights and all other intellectual and industrial property rights of any nature throughout the world relating thereto (whether or not patentable), in all reports, documents, concepts, programs, operating procedures, products, databases, works of authorship, designs, developments, compilations of information and documentation thereof, flowcharts, and specifications, including any modifications or improvements thereof, and information made, conceived or developed, in whole or in part, by the Consultant during the term of this Agreement that relate to the Services (collectively the "Work Products"), will belong solely and exclusively to the Regional District.
- (c) On the termination of this Agreement for any reason, the Consultant shall deliver to the Regional District all documents, notebooks, charts, files and records relating to the provision of the Services including copies, summaries and notes in the possession or control of the Consultant.

8. Conflict

The Consultant shall not, during the term, perform a service for or provide advice to any person, firm or corporation where the performance of the service or the provision of the advice may or does, in the reasonable opinion of the Regional District, give rise to a conflict of interest between the obligations of the consultant to the Regional District under this Agreement, and the obligations of the Consultant to such other person, firm or corporation.

9. Indemnity

The Consultant will indemnify and save harmless the Regional District from any and all losses, claims, damages, or expenses arising from or due to the negligence of the Consultant in performing the functions and responsibilities of the Consultant under the terms of this Agreement or the Consultant's breach of the terms of this Agreement.

10. Work Safe and Liability Coverage

It is understood that while operating under a Task Number issued by the Provincial Emergency Program during an emergency response or recovery action, the Consultant and her Emergency Social Services volunteer team will be covered by the Province for Work Safe and liability. During routine ESS work, the Consultant meets the criteria to be insured by the Regional District's insurance carrier, MIA. Insurance details can be referred to in Schedule "B".

11. Termination

Notwithstanding any other provision of this Agreement:

- (a) If the Consultant fails to comply with any provision of this Agreement, then, and in addition to any other remedy or remedies available to the Regional District, the Regional District may, at its option, terminate this Agreement by giving written notice of termination to the Consultant.
- (b) Either Party may terminate this Agreement at any time upon giving the other Party seven (7) days notice of such termination.

If either such option is exercised by the Regional District, the Regional District will be under no further obligation to the Consultant except to pay the Consultant such amount as the Consultant may be entitled to receive, pursuant to Schedule 'B', for services provided and expenses incurred to the date the said notice is given or delivered to the Consultant. The Consultant will refund to the Regional District any payment already made to the Consultant not yet earned.

12. Prior Dealings

All prior negotiations and agreements between the parties relating to the subject matter of this Agreement are superseded by this Agreement. There are no representations, warranties, understandings or agreements other than those expressly set forth in the Agreement or subsequently agreed to in writing, which writing shall be executed by a duly authorized officer of the party to be bound thereby.

13. Waiver

The failure of either party at any time to require the other party's performance of any obligation under this Agreement shall not affect the right to require performance of that obligation in the future. Any waiver by either party of any such breach or any such provision hereof shall not be construed as a waiver or modification of this provision itself, or a waiver or modification of any other right under this Agreement.

14. Miscellaneous

All provisions of this Agreement in favour of the Regional District and all rights and remedies of the Regional District, either at law or equity, will survive the expiration or sooner termination of this Agreement.

IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year first above written.

For the Regional District of Nanaimo:)
)
)
)
)
_____)
Emergency Coordinator, Building, Bylaw)
and Emergency Planning Services)
)

For the Consultant:)
)
)
)
_____)
Emergency Social Services Director)
)
)
)
)

SCHEDULE "A"

SCOPE OF WORK

The Consultant shall provide the Emergency Social Services Director duties as outlined below

EMERGENCY SOCIAL SERVICES DIRECTOR JOB DESCRIPTION:

Responsible for the planning, development, implementation, and management of an Emergency Social Services program to enable the Electoral Area "B" community to recover quickly and effectively after a disaster. The ESSD provides essential services to survivors and responders affected by an emergency/disaster. The Consultant reports the Regional District Emergency Coordinator, or their Alternate.

DUTIES

BEFORE AN EMERGENCY:

- Appoint at least one alternate directors and ensure one is in place if the Consultant is out of the service area;
- Establish an ESS planning team and a regular meeting schedule;
- Determine and delegate planning responsibilities;
- Maintain support and motivation of team members;
- Oversee the orientation, training and evaluation of team members;
- Oversee the establishment of supplier agreements for services (food, clothing, lodging, etc.);
- Liaise with provincial, regional and community supports, e.g. Emergency Program;
- Coordinator, Provincial Emergency Program (PEP), Canadian Red Cross, St. John Ambulance, The Salvation Army, media and others;
- Oversee the development and maintenance of community ESS plans and activation procedures;
- Attend community Emergency Planning Committee meetings as a member of the overall team that includes Fire, Police, Health, School Board, etc.;
- Promote public awareness of ESS program and emergency planning through displays, presentations, etc.

DURING AN EMERGENCY:

- Implement the ESS plan at the request of Emergency Program Coordinator, CAO, Board Chairperson or designate, and assume responsibility for the ESS response and/or initial recovery;;
- Report to the Emergency Coordination Centre (ECC) or designated location;
- Secure a PEP Task Registration Number for ESS Level I call outs and communicate the PEP Task # to the ESS team;
- Consult with members of the ECC to identify general ESS requirements;
- Ensure communication links between the ECC and all ESS response sites;
- Consult with ESS team to manage human and material resources;
- Monitor situation by compiling information on immediate and projected ESS needs;
- Upon direction from ECC, begin demobilization process.

AFTER AN EMERGENCY:

- Ensure ESS workers clean up and return borrowed supplies and equipment;
- Receive and compile operational reports from all ESS sites;
- Ensure ESS workers receive an operational review and emotional debriefing;
- Ensure follow up where required;
- Forward all required information to the Regional District in a timely manner.

SCHEDULE "B"

FEES & EXPENSES

Total compensation to be paid to the Consultant by the Regional District of Nanaimo shall not exceed a maximum of \$2,500, made in five (5) payments:

Payment Date	March 31/11	June 30/11	September 30/11	December 31/11	March 31/12
Fees	\$500.00	\$500.00	\$500.00	\$ 500.00	\$500.00
TOTAL	\$2,500.00				

M.I.A. Insurance Coverage:

Regional District insurance coverage for Emergency Program volunteers includes driving to/from the place of volunteer work. Limits to insurance are:

1. Principal Sum: \$40,000, sliding scale dependent upon the injury or loss of life
2. Weekly indemnity: Total disability: \$300, partial disability, \$150
3. Accident reimbursement benefit: \$2,500 (i.e.: ambulance transport etc)



RDN REPORT	
CAO APPROVAL	
EAP	
COW	
APR 15 2011	
RHD	
BOARD	
<i>Emergency Subject - Apr 19'11</i>	

MEMORANDUM

TO: Tom Armet, Manager
Building, Bylaw and Emergency Planning Services

DATE: April 8, 2011

FROM: Jani M. Drew, Emergency Coordinator

FILE: 7130-04 NEP

SUBJECT: Neighbourhood Emergency Preparedness Program Facilitator Agreement

PURPOSE

To update the Board on the Neighborhood Emergency Preparedness Program and obtain approval to renew the Neighborhood Emergency Preparedness Program Facilitator service agreement for an additional one year term.

BACKGROUND

The RDN Neighborhood Emergency Preparedness Program (NEPP) involves both personal/family preparedness planning and training as a neighborhood to respond safely and effectively during a disaster. The degree to which the next emergency or disaster can be effectively handled in a neighborhood is directly related to how well families and neighbors in that neighborhood have prepared for it. The RDN supports this grass roots level community development as part of the ongoing public education component of the emergency planning function.

Two workshops are provided – the first is introductory and the second provides the new NEPP group with a road map to becoming a self-sustaining group. In addition to providing front end support, the RDN provides NEPP groups with ongoing assistance via provision of public awareness materials, flyers, posters and maps and certain training like Rapid Damage Assessment or Red Cross – First Aid. Public preference is to hold the workshops during evenings or weekends and in the past staff provided these popular workshops. However, since the workshops took place outside of regular work hours, it was challenging to meet the demand and to stimulate additional interest.

Since 2009 Mr. Robert Dendoff has been engaged as the NEPP Facilitator via annual service contract. In 2010, workshops were held in most Electoral Areas and the District of Lantzville, reaching 563 people. So far in 2011, 4 workshops have taken place, and others are already booked for Lantzville, Gabriola Island, Fairwinds/Nanoose, Beachcomber/Nanoose, Lighthouse, Little Qualicum, French Creek and Coombs. Public feedback has been very positive and demand for new workshops continues to grow. An additional benefit to the NEPP workshops is that it provides an opportunity to recruit Emergency Social Services volunteers.

ALTERNATIVES

1. To approve the 2011 Neighborhood Emergency Preparedness Program Service Agreement;
2. To not approve the 2011 Neighborhood Emergency Preparedness Program Service Agreement and provide staff with further direction.

FINANCIAL IMPLICATIONS

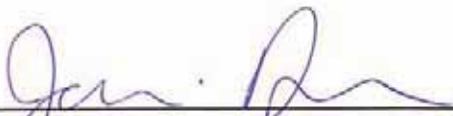
Mr. Dendoff is continuing in his role as NEP Facilitator, as he had many 2011 workshops booked while still in his 2010 contract term. The 2011 Emergency Planning Budget includes \$7,000 to continue this program and respond to the growing demand for workshops. In order to align EMSC meeting dates with budget approval timeframes, the 2011 term will be extended to March 31st, 2012. This one-time fifteen month term will include a 2012 first quarter payment of \$1,750. After this adjustment to switch contract renewal timeframes, if approved, the next term would be for twelve months, April 1st, 2012 to March 31st, 2013. Should the NEP program continue to grow as substantially as it has been doing, an increase may be considered for the 2012 Emergency Planning budget.

CONCLUSION


The RDN Emergency Program includes a focus on public education and building disaster resilience through the Neighborhood Emergency Preparedness (NEP) program. A consultant has provided service by contract since 2009 and the NEP program has significantly grown since that time. Continuation of the NEP Facilitator agreement with Mr. Dendoff will meet the demand and continue to build community resilience in the event of a disaster.

RECOMMENDATION


That the 2011 Neighborhood Emergency Preparedness Facilitator agreement between the Regional District of Nanaimo and Mr. Robert Dendoff be approved for a fifteen month term commencing January 1st, 2011 and ending on March 31st, 2012.



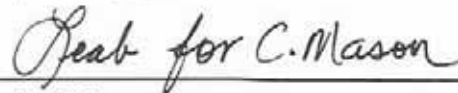
Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

COMMENTS:

Attachment 'A'

**REGIONAL DISTRICT OF NANAIMO
CONSULTING SERVICES AGREEMENT**

THIS AGREEMENT dated for reference the _____ day of _____, 2011.

BETWEEN:

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

(hereinafter called the "Regional District")

AND:

Robert Dendoff
2831 Glen Eagle Crescent
Nanaimo BC V9T 1R8

(hereinafter called the "Consultant")

NOW THIS AGREEMENT WITNESSETH:

THAT in consideration of the terms, conditions and covenants hereinafter set forth, the Regional District and the Consultant covenant and agree each with the other as follows:

1. Definitions

- 1.1. *AGREEMENT* means this Agreement for Services, which incorporates any Schedule attached hereto.
- 1.2. *EMERGENCY PROGRAM COORDINATOR* means the Regional District Emergency Coordinator or Alternates, or any person designated by the Emergency Coordinator.
- 1.3. *SERVICES* means the Consultant's duties and responsibilities to the Regional District as set out in Schedule "A".
- 1.4. *SERVICE AREA* means the land within the boundaries of Electoral Areas "A", "B", "C", "E", "F", "G" and "H" and the District of Lantzville.

2. Appointment

The Regional District retains the Consultant to provide the Services (herein called the "Services") described in Schedule 'A' which is attached hereto and forms part of this Agreement.

3. Term

The Consultant will provide the Services during the period (hereinafter called the "Term") commencing on January 1, 2011 and ending on March 31, 2012, unless sooner terminated as hereinafter provided.

3. Payment

The Regional District will pay to the Consultant, for the Services, the amount, in the manner and at the times set out in Schedule 'A' attached hereto. The Consultant agrees to accept the amount as full payment and reimbursement. No additional amounts may be charged by the Consultant.

4. Authority of Consultant

The consultant shall have no right or authority, express or implied, to commit or otherwise obligate the Regional District in any manner whatsoever except to the extent specifically provided herein or as specifically authorized in writing by the Regional District.

5. Independent Contractor

The Consultant will be an independent contractor and not the servant, employee or agent of the Regional District.

6. Assignment and Sub-contracting

The Consultant will not, without the prior written consent of the Regional District subcontract this Agreement or any portion thereof.

7. Ownership of Documents and Confidentiality

- (a) The Consultant agrees to keep in strictest confidence all confidential information which the Consultant may acquire in connection with or as a result of divulge or disclose to any unauthorized third party or 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 Consultant concerning research, development, patent, copyright, systems and procedures.
- (b) All right, title and interest, including all copyrights, trade secret rights, trademark rights, patent rights and all other intellectual and industrial property rights of any nature throughout the world relating thereto (whether or not patentable), in all reports, documents, concepts, programs, operating procedures, products, databases, works of authorship, designs, developments, compilations of information and documentation thereof, flowcharts, and specifications, including any modifications or improvements thereof, and information made, conceived or developed, in whole or in part, by the Consultant during the term of this Agreement that relate to the Services (collectively the "Work Products"), will belong solely and exclusively to the Regional District.
- (c) On the termination of this Agreement for any reason, the Consultant shall deliver to the Regional District all documents, notebooks, charts, files and records relating to the provision of the Services including copies, summaries and notes in the possession or control of the Consultant.

8. Conflict

The Consultant shall not, during the term, perform a service for or provide advice to any person, firm or corporation where the performance of the service or the provision of the advice may or does, in the reasonable opinion of the Regional District, give rise to a conflict of interest between the obligations of the consultant to the Regional District under this Agreement, and the obligations of the Consultant to such other person, firm or corporation.

9. Indemnity

The Consultant will indemnify and save harmless the Regional District from any and all losses, claims, damages, or expenses arising from or due to the negligence of the Consultant in performing the functions and responsibilities of the Consultant under the terms of this Agreement or the Consultant's breach of the terms of this Agreement.

10. Work Safe and Liability Coverage

The Consultant meets the criteria to be insured in certain circumstances by the Regional District's insurance carrier, MIA. Insurance details can be referred to in Schedule "B".

11. Termination

Notwithstanding any other provision of this Agreement:

- (a) If the Consultant fails to comply with any provision of this Agreement, then, and in addition to any other remedy or remedies available to the Regional District, the Regional District may, at its option, terminate this Agreement by giving written notice of termination to the Consultant.
- (b) Either Party may terminate this Agreement at any time upon giving the other Party seven (7) days notice of such termination.

If either such option is exercised by the Regional District, the Regional District will be under no further obligation to the Consultant except to pay the Consultant such amount as the Consultant may be entitled to receive, pursuant to Schedule 'B', for services provided and expenses incurred to the date the said notice is given or delivered to the Consultant. The Consultant will refund to the Regional District any payment already made to the Consultant not yet earned.

12. Prior Dealings

All prior negotiations and agreements between the parties relating to the subject matter of this Agreement are superseded by this Agreement. There are no representations, warranties, understandings or agreements other than those expressly set forth in the Agreement or subsequently agreed to in writing, which writing shall be executed by a duly authorized officer of the party to be bound thereby.

13. Waiver

The failure of either party at any time to require the other party's performance of any obligation under this Agreement shall not affect the right to require performance of that obligation in the future. Any waiver by either party of any such breach or any such provision hereof shall not be construed as a waiver or modification of this provision itself, or a waiver or modification of any other right under this Agreement.

SCHEDULE "A"

SCOPE OF WORK

The Consultant shall provide emergency preparedness presentations to residents of the Service Area. The primary focus and purpose of presentations/workshops will be to develop the Neighborhood Emergency Preparedness Program (NEPP). NEPP is designed to encourage disaster resilience by teaching individuals and their families to become personally prepared for emergencies or disasters, for a period of up to one week.

The consultant will use the NEPP manual developed by the Provincial Emergency Program as the core methodology, as well as the *Neighborhood Emergency Preparedness Program Guide* for facilitators. Additional materials, teaching aids and presentations must be pre-approved by the Regional District of Nanaimo, Emergency Coordinator to ensure that branding and messaging is consistent with existing Emergency Program public awareness initiatives.

The Regional District will provide photocopying and existing workshop aids and presentation materials. The Consultant will provide one hundred and twenty (120) hours of service and must keep computer records of presentation contacts, locations, dates, time spent, and submit sign in sheets for workshop participants. Monthly records are to be submitted in electronic form to the Building, Bylaw and Emergency Planning Department Secretary for Regional District records management.

The Consultant will seek out various existing groups (i.e.: service groups or resident's associations) to arrange workshops. Additionally, the Emergency Coordinator will post a notice on the RDN website that workshops can be booked by contacting the RDN.

The Regional District of Nanaimo will provide identification to the Consultant, who will wear it during presentations. The Consultant will at all times while representing the RDN dress and act in a professional manner.

SCHEDULE "B"**FEES & EXPENSES**

Total compensation to be paid to the Consultant by the Regional District of Nanaimo shall not exceed a maximum of \$8,750, made in five (5) payments. The \$8,750 *includes* 150 hours (based on \$50 per hour) to be spent on workshops/presentations, and \$1,250 for related expenses.

Date of Payment	March, 2011	June, 2011	September 31, 2011	December 31, 2011	March, 2012
Fees	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00
Expenses	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$250.00
Total	\$1,750.00	\$1,750.00	\$1,750.00	\$1,750.00	\$1,750.00
TOTAL CONTRACT AMOUNT:	\$8,750.00				

M.I.A. Insurance Coverage:

Regional District insurance coverage for Emergency Program volunteers includes driving to/from the place of volunteer work. Limits to insurance are:

1. Principal Sum: \$40,000, sliding scale dependent upon the injury or loss of life
2. Weekly indemnity: Total disability: \$300, partial disability, \$150
3. Accident reimbursement benefit: \$2,500 (i.e.: ambulance transport etc)



FOR THE	
COUNCIL	
EAP	
CCW	
APR 13 2011	
RHD	
BOARD	
Emergency Select - Apr 19 '11	

MEMORANDUM

TO: Tom Armet, Manager
Building, Bylaw and Emergency Planning Services

DATE: April 11, 2011

FROM: Jani M. Drew, Emergency Coordinator

FILE:

SUBJECT: Secondary/Emergency Access – Whalebone Subdivision/Gabriola Island

PURPOSE

To obtain Board direction on the need for secondary/emergency access through Crown land to the Whalebone subdivision on Gabriola Island.

BACKGROUND

In October 2010, the RDN Emergency Program hosted a table top exercise, with an extreme weather scenario. Gabriola Island was selected as the scenario location since it has additional evacuation and notification challenges. During the exercise planning phase, staff met with first responders and other stakeholder agencies and the common concern expressed was the lack of emergency/secondary access to the Whalebone subdivision. Lack of emergency access to this same area was also identified as problematic in the Gabriola Island Community Wildfire Protection Plan (2008).

The table top design included isolating the Whalebone subdivision and during the actual exercise, many further challenges became apparent. The after action report recommended that access issues be followed up, and shortly after the exercise, stakeholders (Islands Trust, Ministry of Highways and Infrastructure, Gabriola Fire Department, RDN staff and Area 'B' Director Rudischer) met to discuss secondary access options. The most straight forward secondary access is through Crown land (Section 15 as per Attachment "A" map), currently set aside for future treaty negotiations. Each party agreed that a letter outlining their area of jurisdiction and concerns may assist in obtaining the necessary approval from the federal government.

ALTERNATIVES

1. Approve a letter of support for secondary/emergency access through Crown land to the Whalebone subdivision on Gabriola Island.
2. Not approve a letter of support and provide staff with further direction.

FINANCIAL IMPLICATIONS

There are no financial implications in sending a letter of support.

SUMMARY/CONCLUSIONS

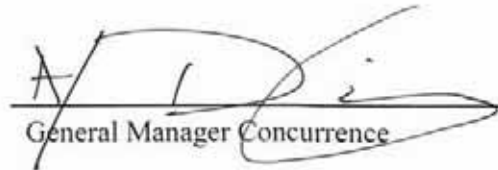
Lack of secondary access to the Whalebone subdivision on Gabriola Island presents problems for residents, emergency response personnel and the RDN, which is responsible for emergency evacuations. If the one existing access road is cut off due to extreme weather or other event, there is no way to provide emergency services to that densely populated portion of Gabriola Island. A meeting with stakeholders indicated a potential secondary access route through Crown land. Letters of support from all stakeholders will assist in this matter receiving favorable consideration by the federal government.

RECOMMENDATION

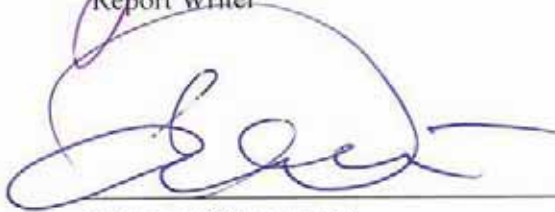
That the Board approve a letter of support to the Minister of Public Works and Government Services Canada for secondary/emergency access through Crown land to Whalebone subdivision on Gabriola Island.




Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence



EAP		
COV		
RHD		
BOARD		
Emergency Select - April 11/11		

MEMORANDUM

TO: Tom Armet, Manager
Building, Bylaw and Emergency Planning Services

DATE: April 11, 2011

FROM: Jani M. Drew, Emergency Coordinator

FILE: 7130-03-02 SLIDES

SUBJECT: Shoreline Drive/Deep Bay Landslide Response, Electoral Area 'H'

PURPOSE

To update the Board on the recent landslide response in the Deep Bay area and to clarify the roles and responsibilities of the RDN.

BACKGROUND

The RDN has been involved in several landslides in the Deep Bay area near Seaview Drive and Shoreline Drive (see Attachment A). The only jurisdiction of the RDN in these matters is emergency response - notification, evacuation, and provision of emergency social services if required (*Sec 12, Emergency Program Act*). It is important to note that all the properties involved are privately owned, and any drainage management or mitigation issues are strictly a civil matter between the property owners.

Shoreline Drive separates several oceanfront homes (majority are occupied seasonally) from a steep, upland escarpment that has a vertical height of about 30 metres. Upslope of the escarpment is a broad topographic plateau, where residences on Thompson Clark and Seaview have property boundaries that terminate near the crest of the escarpment (see Attachment B). In 2005, a property on Seaview had a portion of their back yard slump downslope (see Attachment C) and there have been other documented minor landslides occurring during major winter weather events that have impacted Shoreline Drive and residences in 2009 (see Attachment D), 2010 and most recently, February 12, 2011 (see Attachment E).

When there has been heavy precipitation in a relatively short period of time, or an extended period of rain, the soil becomes saturated and erodes, causing debris slides that sweep trees and other matter down the slope, across Shoreline Drive, and onto the front of 4985 Shoreline Drive, which has been impacted in at least two other debris slides that the RDN has been involved with. This specific location has repeat slides as there is an established debris channel that terminates directly across the road from the impacted property.

On February 12, 2011, the Deep Bay area received very heavy precipitation over a 24 hour period. Rainfall records from the nearest Environment Canada (EC) climate station in Courtenay indicated that 37.2 mm of rain fell in a 24 hour period, however, a local resident recorded an amount nearly double that figure. Typical landslide-triggering events on the east side of Vancouver Island are associated with precipitation events in excess of 50 mm in a 24 hour period.

On February 12, 2011, two landslides occurred on Shoreline Drive, and a Ministry of Transportation and Infrastructure (MoTI) engineer attended and determined that the debris could not be removed by EMCON until the next day as it was still raining and moving the debris could potentially trigger another slide, endangering EMCON staff or others in the area. No residents required emergency social services; however, five residences were cut off overnight and would not have been able to receive timely medical or fire response if needed. The following day EMCON attended and removed the debris, but their engineer warned that further slides were still possible.

Based on this information, the RDN, in consultation with Emergency Management BC, hired a geotechnical firm (EBA) to conduct an assessment of immediate risk to homes below and adjacent to the slide area. The report indicated that several days of little or no rain were required to dry the ground out enough to provide more ground stability and until that point; the residences were not safe to be occupied. Since the rain continued and the ground was still saturated, on February 14, 2011 in consultation with Emergency Management BC, the RDN declared a State of Local Emergency, and issued an Evacuation Order for three properties (4985, 4979 and 4989) on Shoreline Drive. The involved residences were not occupied at the time; however, copies of the Declaration and Order were posted just in case the property owners returned unexpectedly.

The Declaration and Order expired on February 21st, and staff met on site with Deep Bay Fire Department and Arrowsmith Search and Rescue staff to assess the site for safety issues and determine operational response options. RDN staff created a specific Shoreline Drive Landslide Response Protocol since repeat slides can be anticipated. Part of the protocol includes notifying affected residents when the RDN is aware that a precipitation event is anticipated that may trigger a landslide.

Residents are encouraged to have personal recovery plans in place - specifically having alternative accommodation if they are not able to get back home if the road is cut off, or enough supplies to last if they are trapped in their homes until a slide could be cleared. Staff has commenced a Neighbourhood Emergency Preparedness Program in the area and will work with residents to establish walk-out routes, communication and reunification plans etc.

The owners of the impacted house (4985) returned from Vancouver shortly after the slide occurred and met their insurance adjuster on site. Several days later they hired a contractor who removed the debris from their property and created a two tiered dry stack retaining wall by the edge of the road. EMCON placed several concrete barriers on the slope side of Shoreline Drive, directly below the debris channel in an effort to slow down future anticipated debris flows (picture appended as Attachment F).

ALTERNATIVES

1. To receive this report for information.
2. To receive this report for information and provide further direction to staff.

FINANCIAL IMPLICATIONS

The cost of the EBA geotechnical report was \$5,000 however, Emergency Management BC will provide 100% reimbursement. No other response costs were incurred or are anticipated other than staff time.

PUBLIC CONSULTATION IMPLICATIONS

The geotechnical report provided to the RDN included a number of recommendations regarding the geotechnical conditions and hazards of this area. The recommendations of the report are aligned with the previous work undertaken by the RDN in informing residents of the potential hazards. Staff are reviewing the final report from the consultant and expect to undertake additional recommendations shortly.

SUMMARY/CONCLUSIONS

On February 12th, 2011, two landslides occurred on Shoreline Drive in the Deep Bay area. The slide deposited approximately 300 m³ of material (mud and large uprooted trees) on the road and driveway/front yard of 4985 Shoreline Drive, which had damage to the front garage area. Concerns regarding the potential for continued landslip activity led the RDN to declare a State of Local Emergency and prepare an Evacuation Order for 4985, 4979 and 4989 Shoreline Drive. The RDN rescinded the Declaration and Order on February 21st, 2011 and has since completed a site specific response protocol

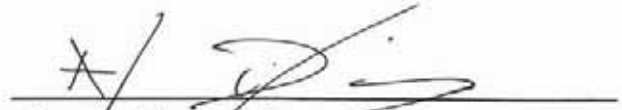
and is working on a new Neighbourhood Emergency Preparedness group in the area to increase residents' disaster resilience.

RECOMMENDATION

That the report on the Regional District of Nanaimo response to landslide events on Shoreline Drive be received for information.



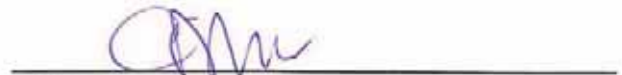
Report Writer



General Manager Concurrence



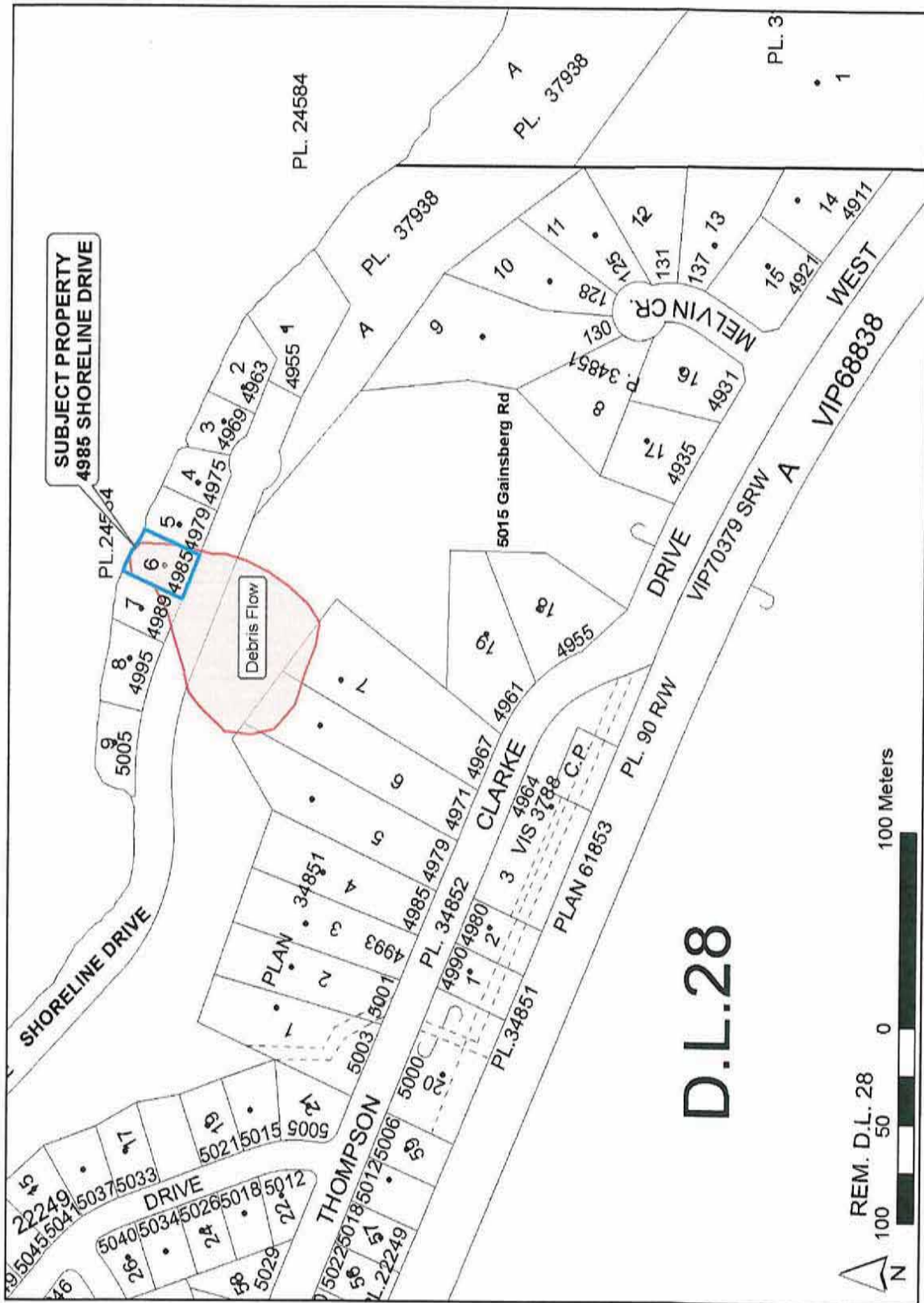
Manager Concurrence



CAO Concurrence

COMMENTS:

Attachment A – Debris Flow Map



Attachment C – 5041 Seaview 2005 Landslip



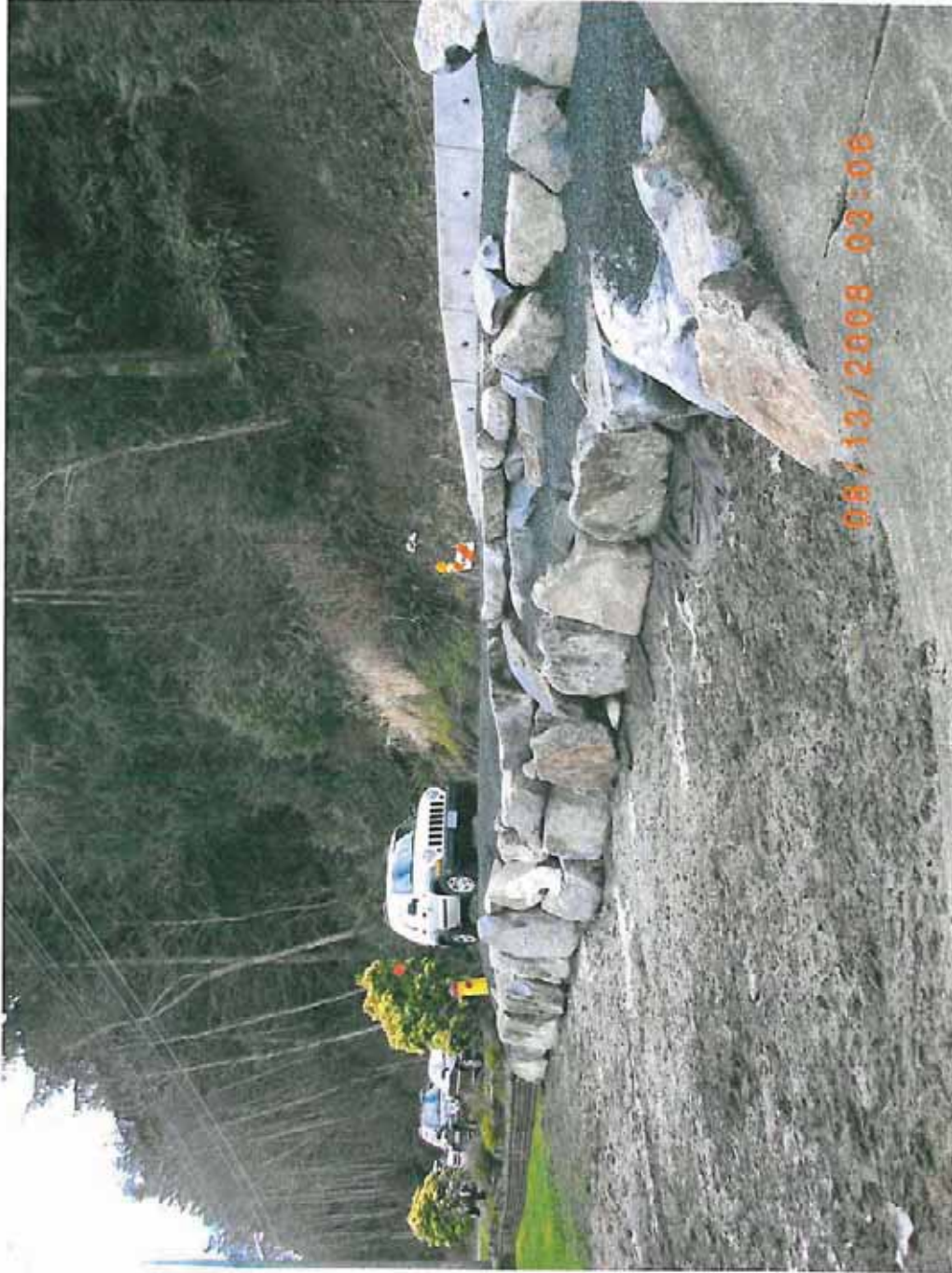
Attachment D – 4985 Shoreline Drive – November 2009



Attachment E - 4985 Shoreline Drive - February 2011



Attachment F – Mitigation by Property Owner and MoTI





RUN REPORT	
CAO APPROVAL <i>(Signature)</i>	
EAP	
COM	
APR 11 2011	
RHD	
BOARD	
Emerg. Subject - April 19 '11	

MEMORANDUM

TO: Tom Armet, Manager
Building, Bylaw and Emergency Planning Services

DATE: April 11, 2011

FROM: Jani M. Drew, Emergency Coordinator

FILE: 1855 FUEL MGMT

SUBJECT: Strategic Wildfire Prevention Initiative Grant Application

PURPOSE

To obtain Board support for a *Strategic Wildfire Prevention Initiative* (SWPI) grant application to implement a Wildland Urban Interface fire management plan.

BACKGROUND

On April 7th, 2011, the Province announced new SWPI funding to be used by local governments and First Nations to reduce the risk of interface wildfires where forests and grasslands meet cities and towns. Since the funding program commenced in 2004, more than 230 Community Wildfire Protection Plans (CWPPs) have been completed by local governments and First Nations.

The RDN's Hazard Vulnerability Risk Analysis indicates that the number one threat in the region is Wildland Urban Interface (WUI) fire. In order to help mitigate WUI risk, the RDN has completed ten CWPPs for fire service areas that have been identified as being at high risk of interface fire.

Last year, the RDN used 100% SWPI funding to complete three fuel management prescriptions (Gabriola Island, Mount Benson/East Wellington area and Englishman River area) for areas that the CWPPs indicated an extreme threat of WUI existed. The prescriptions are shelf ready plans to implement operational fuel treatments in these areas and were coordinated by a consultant, Emergency Planning and Parks staff. An operational fuel treatment was planned for in 2011 however in September 2010 the Province announced that funding for the SWPI was cut. This new funding announcement allows for a continuation of the original Emergency Planning work plan and staff considers Gabriola Island to be the top priority of the three completed prescriptions.

The final phase of SWPI funding to access is the *Community Operational Fuel Treatment Program*. The purpose of this program is to assist communities in the treatment of forest fuels identified during the planning process, in order to mitigate the potential impacts of wildfire in the interface. The objective is to improve community safety and reduce the risk of wildfire to public safety and/or property damage. Fuel management activities in this program include spacing live trees, removal of dead trees or cleaning up low branches, needles and woody debris that could potentially fuel a fire.

The RDN meets the application pre-condition that local interface fire risk has been identified by Provincial Strategic Threat Analysis Data, as well as Community Wildfire Protection Plans. In order to qualify, fuel treatments must progress from within the interface area and may extend beyond the boundaries of the local government. Projects are anticipated to be cooperative in nature and may include consideration of and contributions from adjacent stakeholders. RDN Parks staff was involved in the fuel management prescriptions project, specifically the "Sensitive Sites Guidelines and Best Management Practices" and in identifying areas that had a fire protection benefit to regional and community parks.

ALTERNATIVES

1. Approve the grant application under the *Strategic Wildfire Prevention Initiative* funding program.
2. Not approve the grant funding application and provide further direction to staff.

FINANCIAL IMPLICATIONS

In 2010, three fuel management prescriptions were completed for areas that the CWPPs indicated an extreme threat of WUI fire existed. Provincial (SWPI) funding may now be available and staff considers Gabriola Island as being the highest priority of the three treatment plans. The total cost of the Gabriola Island fuel treatment plan is approximately \$82,600 and the funding program will provide up to 75% of this cost. The 2011 Emergency Planning budget includes an allocation of \$25,000 towards a fuel treatment plan and should grant funding be approved, the RDN share of the cost is approximately \$20,600. That amount may be further reduced by in-kind contributions as well as a potential \$5,000 contribution from Parks in early 2012. The project costs for the East Wellington and Englishman River area treatment plans are significantly higher and if provincial funding is available in future years, these costs can be considered in the 2012 and 2013 budget process.

PUBLIC CONSULTATION IMPLICATIONS

Information notices will be provided to residents located near the proposed operational treatment area prior to commencement of the work. If enough public interest is generated, the RDN can host a public information session to describe WUI risk, mitigation and prevention.

SUMMARY/CONCLUSIONS

Wildland Urban Interface fire poses a significant risk to Electoral Area residents, as indicated by the RDN's Hazard Vulnerability Risk Analysis. In order to mitigate this risk, provincial funding was used to complete Community Wildfire Protection Plans (CWPP). Further *Strategic Wildfire Prevention Initiative* funding was used by the RDN in 2010 to complete three fuel management prescriptions. The prescriptions focused on areas identified in CWPPs to be at highest risk for interface fire and are specific plans to implement an operational fuel management treatment. In September 2010, the province announced that funding was cut, however, on April 7th, 2011, new funding was announced. Using the new funding to carry out an operational treatment is the next project phase in mitigating risk from Wildland Urban Interface fire.

RECOMMENDATION

That the Board support an application under the *Strategic Wildfire Prevention Initiative* funding program for the implementation of a Wildland Urban Interface fuel management plan.



Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE TRANSIT SELECT COMMITTEE MEETING HELD ON THURSDAY, MARCH 17, 2011 AT 12:00 NOON IN THE COMMITTEE ROOM

Present:

Director B. Holdom	Chairperson
Director M. Young	Electoral Area 'C'
Director G. Holme	Electoral Area 'E'
Director J. Stanhope	Electoral Area 'G'
Director D. Johnstone	City of Nanaimo
Director M. Unger	City of Nanaimo
Director T. Westbrook	Town of Qualicum Beach
Director M. Lefevbre	City of Parksville

Also in Attendance:

C. Mason	CAO, RDN
D. Trudeau	Gen. Mgr, Transportation & Solid Waste Services, RDN
D. Pearce	Manager, Transit & Planning, RDN
Director G. Rudischer	Electoral Area 'B'
M. Moore	BC Transit
B. Clemens	City of Nanaimo
F. McFarlane	Recording Secretary, RDN

CALL TO ORDER

The meeting was called to order at 12:00 pm by the Chair.

DELEGATION

Jim Ramsay, Fay Weller, Judith Roux re Gabriola Transit Feasibility Study.

The delegation from the Ad Hoc Gabriola Transit Committee consisted of Fay Weller, Judith Roux and Jim Ramsay, all of whom spoke on the importance of implementing public transit on Gabriola Island. Fay Weller noted that several public meetings have been held on Gabriola Island regarding public transit options, both taxi saver and bus. Judith Roux provided statistical information in support of public transportation on Gabriola. Gabriola Island, the current population of which is estimated at 4700, is more densely populated than either Bowen or Salt Spring Island, both of which have public transit systems in place. Jim Ramsay also spoke strongly of the need for public transit on Gabriola and was very supportive of the local government management aspect outlined in the study.

Director Lefevbre questioned the possibility of utilizing school buses in conjunction with conventional buses and suggested there be discussion with the School Board.

MOVED Director Stanhope, SECONDED Director Holme, that the delegation be received.

CARRIED

MINUTES

MOVED Director Holme, SECONDED Director Stanhope that the minutes of the regular Transit Select Committee meeting held November 2, 2010 be adopted. CARRIED

COMMUNICATIONS/CORRESPONDENCE

Tom Day, BC Transit, re Preparation to Develop a Transportation Plan for Nanaimo in 2012.

A copy of correspondence to the City of Nanaimo regarding the development of a Transportation Plan for Nanaimo in 2012 was received.

Dennis Trudeau, Regional District of Nanaimo, re Public Transit Agreement and Public Transit Infrastructure Program Funding Agreement Reallocation.

Correspondence sent to the Union of British Columbia Municipalities regarding a redistribution of funds was received.

Katie Marocchi, Anthem Postnikoff, Chris Bergen, T. Sorchy, Board of Vancouver Island University Students' Union.

Correspondence was received from the VIUSU Board regarding their concerns over the manner in which the UPASS program has been designed and implemented. Further internal research must be conducted and analysed prior to continuing discussions.

Dennis Trudeau, Regional District of Nanaimo, re correspondence to the Board of Directors, Vancouver Island University Students' Union re UPASS program.

A copy of the response to the VIUSU Board of Directors from D. Trudeau was received.

MOVED Director Lefevbre, SECONDED Director Holme, that staff prepare a report on communication issues regarding the implementation of the UPASS at VIU and bring this back for further discussion at the Transit Select Committee. CARRIED

Dennis Trudeau, Regional District of Nanaimo, re Local Government Transit Meeting.

Correspondence to Manuel Achadinha, BC Transit, regarding the Local Government transit meeting held January 28, 2011, was received.

Manuel Achadinha, BC Transit, response to correspondence regarding the Local Government Transit meeting.

Correspondence was received from M. Achadinha, BC Transit, in response to the meeting of Local Government Transit officials.

Vito Triggiano, Terasen Gas, re correspondence re Natural Gas Vehicle Incentive Program – Phase 1.

Correspondence was received from Vito Triggiano, Terasen Gas, regarding the Commercial Natural Gas vehicle (NGV) Incentive Program – Phase 1.

Director Lefevbre commented on the possible reduction in gas consumption with the use of these vehicles. D. Trudeau noted that the Transit Select Committee has confirmed their interest in the commercial natural gas vehicle incentive program and are moving forward to be included in this.

MOVED Director Lefevbre, SECONDED Director Johnstone, that the above correspondence be received.

CARRIED

BC TRANSIT UPDATE

Myrna Moore, Regional Transit Manager.

M. Moore, Regional Transit Manager, Vancouver Island Coastal Municipal Systems, briefly updated members of the Committee. She advised that:

- The 2011-2012 Annual Operating Agreement will be sent out next week for information.
- Budgets for the second and third years (2012-2013 and 2013-2014) will be sent out shortly.
- The 2011 BC Transit Workshop: *Developing Customer Values* is scheduled for May 3-5, 2011, in Penticton. This will include sessions on:
 - financial outlook;
 - municipal round table; and,
 - system rankings and allocation of services hours.

MOVED Director Holme; SECONDED Director Lefevbre that the report from BC Transit be received.

CARRIED

REPORTS

Gabriola Island Transit Feasibility Study.

D. Trudeau briefly reviewed the report on the Gabriola Island Transit Feasibility Study.

MOVED Director Johnstone, SECONDED Director Lefevbre, that the Board receive the report on the Gabriola Island Transit Service Feasibility Study for information and direct staff to investigate the full financial impacts of the various expansion options and to work with BC Transit to prioritize the proposed service increase and update the RDN Transit Business Plan as required.

CARRIED

Director Lefevbre proposed that the School Board be contacted to determine whether there is some way that running conventional buses and school buses could be compatible. D. Trudeau noted that there had been discussions in the past with the School Board but without success. Once an update is done any new information will be brought back to the Committee. Director Holdom asked and it was confirmed that school buses are for the exclusive use of students although students can use conventional buses as well. Director Lefevbre noted that if a deal could be reached with the School Board, it would give Nanaimo Regional Transit (NRT) guaranteed ridership for ten months of the year.

2010/2011 Annual Operating Agreement Amendment 1.

Director Lefevbre asked if the costs shown in the report, which relate to the fuel aspect (p. 32), take into account the fuel increases that have just occurred. D. Trudeau stated they do not. The RDN has a bulk fuel contract arrangement and are now very close to what has been budgeted. If bulk fuel costs continue to rise above this, BC Transit will have to approve another amendment.

Director Stanhope questioned whether the Nova buses will be extended. D. Trudeau noted that the AOA includes a debt service component that identifies the Nova buses. The Nova buses will be retained for next year as well. Director Stanhope stated that, in effect, the RDN will be maintaining what we have but not getting any newer buses.

MOVED Director Lefevbre, SECONDED Director Unger, that the 2010/2011 Annual Operating Agreement (AOA) Amendment #1 with BC Transit be approved.

CARRIED

Special Event Busing Request (2011 PIBC Annual Conference).

Director Lefevbre asked how many people will be attending this event and C. Mason suggested there would be around 500-600. Director Holdom felt the RDN would benefit from sponsoring transportation.

MOVED Director Holme, SECONDED Director Lefevbre, that the application made by the PIBC North Island Chapter 2011 Conference Sponsorship Committee for the RDN to provide transportation for tours that are part of the Conference 2011 be approved. CARRIED

Free Fare for Class Rides Program.

MOVED Director Westbroek, SECONDED Director Johnstone that the Board authorize staff to approach the School District No. 68 (Nanaimo- Ladysmith) and confirm their acceptance of a one (1) year trial period of the *Free Fare for Class Rides* program. CARRIED

COMMITTEE INFORMATION

With regard to the information handout, "Mayors want CRD to steer transit plans," Director Stanhope expressed his concern about the sustainability and accountability of local transit planning.

ADJOURNMENT

MOVED Director Holme, SECONDED Director Lefevbre, that pursuant to Section 90(1) (g) of the Community Charter the Transit Select Committee proceed to an In Camera Committee meeting to consider items related to legal matters. CARRIED

TIME: 1:00 PM

NEXT MEETING

The next meeting of the Transit Select Committee is set tentatively for Thursday, May 19, 2011 in the RDN Committee Room.

CHAIRPERSON

TO: Dennis Trudeau
General Manager, Transportation & Solid Waste Services

DATE: March 14, 2011

FROM: Daniel Pearce
Manager, Transit and Planning

FILE: 8500-30-GIFS

SUBJECT: Gabriola Island Transit Service Feasibility Study

PURPOSE

To present the Gabriola Transit Service Feasibility Study to the Board.

BACKGROUND

RDN staff has a work plan that includes transit service studies in Electoral Areas A, B, E, F, and H. BC Transit indicated that they would work with Regional District of Nanaimo (RDN) staff and be responsible for the completion of the studies. The first study has now been completed (*Appendix A*) and addresses Gabriola Island, Electoral Area 'B'.

The permanent population of Electoral Area 'B', which includes Gabriola, DeCourcy and Mudge Islands, was 4,050 in 2006. It is estimated that the population doubles in the summer due to visitors and seasonal residents. As a whole, the population of Gabriola Island is older than that of the Regional District and the BC average. Population is most dense on the western end of the island, which consists of predominantly single family dwellings.

The main services of the island are located in the Gabriola Village, within walking distance of the intersection of North and South Roads. These services include shopping, library, post office, museum, some medical and dental services, banking and the Agricultural Hall. There are also services located in the Twin Beaches area at Silva Bay. The main medical treatment centre for the island is located at Twin Beaches; however, there are plans to move it to the Gabriola Village at some future point. The Island has an elementary school and trade/continuing education courses but there is no secondary school or formal post-secondary school.

The existing transportation options serving Gabriola residents include:

- Walking and Cycling- Bicycle route plan under development;
- BC Ferries - daily service between Nanaimo harbour and Descanso Bay on Gabriola;
- Nanaimo Regional Transit (NRT) - does not currently serve Gabriola Island but many residents use the system when they arrive in Nanaimo;
- School District No. 68 (Nanaimo-Ladysmith) School busing - provides transportation on the island to Gabriola Elementary and to elementary and secondary schools in Nanaimo;
- Gabriola Island Taxi - operates seven days a week using a sedan (seating for 4 passengers); and,
- Other transportation providers, including seaplane travel to Vancouver on Tofino Air and a passenger van owned and operated by the Haven Resort to pick up and drop off guests.

The feasibility study assesses the number of people, general service expectations and ridership potential for each district passenger market for transit. Commuter service and midday service were the key markets that were observed on Gabriola Island. Overall the potential markets would be described as medium for commuter service and low for midday service.

The study outlines a number of transit service concepts that are used when forming the service options. The transit service concepts include:

- Taxi supplement - uses a private carrier and private vehicles (usually those of a taxi company) to deliver scheduled service on routes or door-to-door services on an as-needed basis;
- Taxi Saver - provides people with a disability, who are registered with NRT System, a 50% subsidy towards the cost of taxi rides; and,
- Paratransit - uses a transit vehicle or vehicles, normally a smaller minibus in smaller towns or more rural setting, to provide service. Paratransit services can include everything from door-to-door, demand responsive services for people with disabilities to buses serving stops on fixed routes and schedules.

The study outlines a number of transit options addressing the potential markets and destinations, special considerations and existing transportation providers. The options include:

- **Service Option 1: Taxi Saver Program.** This option would implement a Taxi Saver Program, enabling registered people with a disability on Gabriola Island the ability to access up to \$60 in taxi rides per month for \$30. It would primarily serve people with a disability and seniors with cognitive or mobility impairments. This option could be implemented as a stand-alone program or to complement Option 2 or 3.
- **Service Option 2: Scheduled Commuter Trips with Two Midday Flex-Routed Trips.** This option provides four scheduled trips per weekday (two in the morning, two in the afternoon) to meet the most popular commuter ferry times. It also provides two midday flex-routed trips each day from Monday to Saturday. These trips would operate on the same routing as the commuter service but would have additional time added to the schedule to enable the bus to pick up or drop off people with disabilities who are registered with NRT System.
- **Service Option 3: Scheduled Commuter Trips with Three Midday Flex-Routed Trips.** This option operates the same number of commuter trips as Option 2 but increases the number of midday trips from two to three to offer better frequency. Midday service in this option would operate using the flex-routed model, enabling deviations off route for people with disabilities who are registered with NRT System.

The service options range from a Taxi Saver Program with no service hours to a scheduled bus service that has 3,630 service hours. The RDN has experienced solid and sustained ridership increases, which have resulted in many requests for service improvements. To address that need a Transit Business Plan was completed and approved by the Board in 2008. The Transit Business Plan outlines short and medium range service options (*Appendix B*) that are intended to improve service and double ridership by 2018. Any new service option proposals will have to be prioritized within the existing list of service options in the Transit Business Plan.

Prior to transit service being implemented on Gabriola Island the steps below would need to be considered:

- Prioritization - prior to implementation, BC Transit would work with staff to rank the implementation of the Gabriola transit services against the requests for other service expansions within the RDN and amend the RDN Transit Business Plan as required. In addition BC Transit

would have to rank the expansion against other communities throughout BC. This could considerably delay implementation.

- Funding - BC Transit and the RDN would have to secure funding prior to implementation. If one of the parties cannot provide the funding, then service would be too expensive to implement.
- Detailed Implementation Plan - once funding was confirmed, a detailed implementation plan would be created. This plan would provide detailed operational planning to confirm routes and schedules. The implementation plan would also include a detailed financial report on the impact to the participants of the transit function and legislative requirements to add Electoral Area 'B' to the regional transit funding service area.

ALTERNATIVES

1. That the Board receive the report on the Gabriola Island Transit Service Feasibility Study for information and direct staff to investigate the full financial impacts of the various expansion options and to work with BC Transit to prioritize the proposed service increase and update the RDN Transit Business Plan as required.
2. That the Board receive the report on the Gabriola Island Transit Service Feasibility Study and provide alternative direction to staff.

FINANCIAL IMPLICATIONS

The report outlines various scenarios and cost implications. Historically staff has found that BC Transit forecasts have tended to project lower cost estimates than the actual cost of implementation. A detailed financial analysis of the proposed service integrated with the existing transit function will be required to ensure that the Board has a full understanding of the cost before proceeding further.

SUSTAINABILITY IMPLICATIONS

The Transportation Services Department is working continuously on improving the viability and efficiency of public transit. The Gabriola Island Transit Feasibility Study provides important information for the future link between transit in Nanaimo and transit on Gabriola Island. The use of cleaner running buses, combined with the use of biodiesel fuel, demonstrates NRT's commitment to reducing its carbon footprint, which is in keeping with the RDN's Corporate Climate Change Plan.

CONCLUSIONS

As requested, RDN staff in conjunction with BC Transit planning staff has developed a transit service feasibility study for Gabriola Island.


The study outlines a number of transit options including a Taxi Saver Program, Scheduled Commuter Trips with Two Midday Flex-Routed Trips and Scheduled Commuter Trips with Three Midday Flex-Routed Trips.

Based upon recent budget experiences staff needs to carefully investigate the financial impacts of these and other transit expansion options that develop from studies being prepared by BC Transit. In addition the RDN Transit Business Plan will have to be updated so options resulting from BC Transit studies can be prioritized. Prior to proceeding with the implementation of any service on Gabriola Island, the transit

service area will need to be amended to include Electoral Area 'B' and BC Transit funding will need to be secured.

RECOMMENDATION


That the Board receive the report on the Gabriola Island Transit Service Feasibility Study for information and direct staff to investigate the full financial impacts of the various expansion options and to work with BC Transit to prioritize the proposed service increase and update the RDN Transit Business Plan as required.



Report Writer



General Manager



CAO Concurrency



RDN REPORT	
CAO APPROVAL	
EAP	
COW	
MAR 11 2011	
RHD	
BOARD	
TSC - Mar. 17/11	

MEMORANDUM

TO: Dennis Trudeau
General Manager, Transportation & Solid Waste Services

DATE: March 7, 2011

FROM: Daniel Pearce
Manager, Transit & Planning

FILE: 2040-20-TROA

SUBJECT: 2010/2011 Conventional Transit Annual Operating Agreement Amendment #1
- Regional District of Nanaimo / BC Transit

PURPOSE

To bring forward the 2010/2011 Annual Operating Agreement Amendment #1 for the Nanaimo Regional Conventional Transit System with BC Transit for consideration and approval.

BACKGROUND

The Annual Operating Agreement (AOA) Amendment #1 (see *Appendix 1*) between the Regional District of Nanaimo (RDN) and BC Transit is an amendment to the original 2010/2011 AOA and provides the cost sharing service arrangements for Conventional Transit services in Districts 68 and 69 for the period of January 2, 2011 to March 31, 2011.

The AOA Amendment #1 reflects the annual service enhancement of 1200 hours that was implemented on January 2, 2011 in the Conventional Transit System. Highlights of the service enhancement include:

- #8 South/#9 North routes - more frequent weekday service;
- #15 VIU Connector - additional trips with routing changes through Jinglepot Road in both directions between Wakesiah Avenue and the Third Street connector; and,
- Minor schedule changes to a number of routes to improve transfer connection.

The AOA is an agreement governing items such as service specifications, payment schedules, fares and days/hours of service that will be provided for cost sharing purposes.

FINANCIAL ANALYSIS

Conventional Transit:

The main changes in the AOA that should be noted include:

Conventional	2010/2011 Base AOA	2010/2011 Amendment #1 AOA	\$ Change	% Change
Fixed Costs (overhead, admin wages)	\$852,521	\$852,521	\$0	0%
Variable Hourly (drivers' wages & benefits)	\$4,761,685	\$4,787,142	\$25,457	0.5%
ICBC Insurance	\$108,500	\$111,023	\$2,523	2.3%
Variable Distance (fuel and tires)	\$1,389,632	\$1,401,044	\$11,412	0.8%
Maintenance (running, major & accident repairs)	\$910,551	\$945,923	\$35,372	3.9%
Debt Service (local share, mainly buses)	\$927,668	\$963,209	\$35,541	3.8%

The costs above reflect a new schedule that was expanded by an additional 1,200 hours on January 2, 2011. The changes noted above are the line items that make up the majority of the overall costs outlined in the AOA. The Conventional Transit costs are cost shared with BC Transit at a current rate of 46.67%.

The major increases to the Amendment #1 AOA are for increased maintenance and debt service related to the January 2, 2011 expansion. The expansion included one additional vehicle being added to the fleet.

ALTERNATIVES

1. That the Board approve the 2010/2011 Annual Operating Agreement Amendment #1 as presented.
2. That the Board not approve the 2010/2011 Annual Operating Agreement Amendment #1 and provide further direction to staff.

FINANCIAL IMPLICATIONS

Under Alternative 1, the 2010/2011 Conventional Transit AOA Amendment #1 budget of \$10,034,052 will be cost shared between the RDN and BC Transit. This represents a \$51,549 (0.5%) increase to the RDN from the 2010/11 original AOA budget.

Under Alternative 2, if the Board does not approve the AOA, it will remove BC Transit's obligation to cost share in the service.

SUSTAINABILITY IMPLICATIONS

The Transportation Services Department is working continuously on improving the viability and efficiency of public transit. The Annual Operating Agreement is a fundamental agreement that allows the Regional District of Nanaimo to enter into a cost sharing arrangement with BC Transit. Residents within the RDN rely on public transit, whether it is for conventional or custom transit. The options provided by public transit enable residents to leave their cars at home while they take the bus to work, to school, to medical appointments or for other equally important reasons. The use of cleaner running buses, combined with the use of biodiesel fuel, demonstrates the commitment by Nanaimo Regional Transit to reducing its carbon footprint, which is in keeping with the RDN's Corporate Climate Change Plan.

SUMMARY/CONCLUSION

BC Transit has forwarded the Annual Operating Agreement Amendment #1 covering the period January 2, 2011 to March 31, 2011 for the RDN Conventional Transit Systems. Transportation Services staff has reviewed this AOA, in conjunction with the RDN 2011 budget, for transit services.


The 2010/2011 Conventional Transit AOA Amendment #1 indicates a budget of \$10,034,052, which is cost shared between the RDN and BC Transit. Staff has reviewed the AOA costs for Conventional Transit and these can be explained by actual increases in service.

The debt service costs include the lease fees for the vehicles that make up our Conventional Transit fleet. These costs have increased due to an additional vehicle being added to our fleet. The debt service costs in the AOA indicate that the RDN will be retaining the newer Nova buses for the term of the agreement, which is to the end of April 2011.

Staff recommends that the Board approve the 2010/2011 Annual Operating Agreement Amendment #1 with BC Transit.

RECOMMENDATION


That the 2010/2011 Annual Operating Agreement (AOA) Amendment #1 with BC Transit be approved.



Report Writer



General Manager Concurrence



CAO Concurrence

APPENDIX 1



January 17, 2010
File: NAN.1

Dennis Trudeau
General Manager, Transportation Services
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Mr. Trudeau:

Subject: 2010/11 Nanaimo Regional Conventional Transit Annual Operating Agreement (AOA) Amendment #1, effective January 2, 2011.

Attached please find an amendment to the Nanaimo Regional Transit System Annual Operating Agreement for your approval. Effective January 2, 2011, this amendment reflects the:

- #8 South/#9 North routes – more frequent weekday service.
- #15 VIU Connector – additional trips with routing changes through Jinglepot Road in both directions between Wakesiah Avenue and the Third Street connector.
- Minor schedule changes to a number of routes to improve transfer connection

The amendment includes:

- Schedule "B" – Service Specifications reflecting the additional hours of service
- Schedule "C" – Budget reflecting additional costs relating to the additional service hours

Once the agreements have received signature/seal from the Regional District Board, please forward all originals to the undersigned for execution by BC Transit.

Please call if you have any questions regarding this amendment.

Myrna Moore
Regional Transit Manager,
Vancouver Island Coastal
BC Transit

*Copy: Chris Brown, BC Transit
Peter Rantucci, BC Transit*

Attachments: Schedule B, Schedule C, 2010/11 Nanaimo Regional Conventional Transit AOA Amendment #1

NANAIMO

ANNUAL OPERATING AGREEMENT

Between

THE REGIONAL DISTRICT OF NANAIMO

And

BRITISH COLUMBIA TRANSIT

**APRIL 1, 2010 TO MARCH 31, 2011
(Amendment #1 effective January 2, 2011)**

INFORMATION CONTAINED IN SCHEDULE "C" - BUDGET AND SCHEDULE "D" - PAYMENT SCHEDULE IS SUBJECT TO FREEDOM OF INFORMATION & PROTECTION OF PRIVACY ACT.

CONSULT WITH BC TRANSIT PRIOR TO RELEASING INFORMATION IN THESE SCHEDULES TO INDIVIDUALS OR COMPANIES OTHER THAN THOSE WHO ARE PARTY TO THIS AGREEMENT.

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SCHEDULES

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Continued from page 6 of 11

ANNUAL OPERATING AGREEMENT

BETWEEN: THE REGIONAL DISTRICT OF NANAIMO
(the "Municipality" and the "Operating Company")

AND: BRITISH COLUMBIA TRANSIT
(the "Authority")

WHEREAS the Municipality and the Authority are authorized to share in the costs of providing a Public Passenger Transportation System pursuant to the British Columbia Transit Act.

WHEREAS the Municipality is authorized to operate, manage and maintain a Public Passenger Transportation System within the Nanaimo Regional Transit Service Area.

WHEREAS the parties hereto have entered into a Master Operating Agreement effective which sets out the general rights and responsibilities of the parties hereto.

AND WHEREAS the parties hereto wish to enter into an Annual Operating Agreement which sets out, together with the Master Agreement, the specific terms and conditions for the operation of the Public Passenger Transportation System for the upcoming term.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants herein contained, the parties covenant and agree with each other as follows:

SECTION 1 – DEFINITION OF TERMS

- 1.1 **Definitions:** Unless agreed otherwise in the Annual Operating Agreement, the definitions set out in the Master Agreement shall apply to this Annual Operating Agreement including:
- (a) "Annual Operating Agreement" shall mean this Annual Operating Agreement and any Annual Operating Agreement Amendment negotiated and entered into by the parties subsequent hereto;
 - (b) "Master Agreement" shall mean the Master Joint Operating Agreement, including any amendments made thereto;

SECTION 2 – INCORPORATION OF MASTER AGREEMENT

- 2.1 **Incorporation of Master Agreement into Annual Operating Agreement:** Upon execution, this Annual Operating Agreement shall be deemed integrated into the Master Agreement and thereafter the Master Agreement and the current Annual Operating Agreement shall be read together as a single integrated document and shall be deemed to be the Annual Operating Agreement for the purposes of the British Columbia Transit Act, as amended from time to time.

SECTION 3 – TERM AND RENEWAL

- 3.1 **Term and Renewal:** The term of this agreement shall be from April 1, 2010 to March 31, 2011 except as otherwise provided herein. It is acknowledged by the parties that in the event of termination or non-renewal of the Annual Operating Agreement, the Master Agreement shall likewise be terminated or not renewed, as the case may be.

2010/2011 Conventional Transit Annual Operating Agreement Amendment #1

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2011/11

SECTION 4 – SCHEDULES

4.1 Schedules: The schedules attached hereto shall form part of the Annual Operating Agreement and be binding upon the parties hereto as though they were incorporated into the body of this Agreement.

- a) Schedule "A" – Transit Service Area
- b) Schedule "B" - Service Specifications
- c) Schedule "C" - Budget
- d) Schedule "D" – Payment Schedule
- e) Schedule "E" – Tariff-Fares

SECTION 5 – MISCELLANEOUS PROVISIONS

- 5.1 Amendment: This Annual Operating Agreement and the Schedules attached hereto may be amended only with the prior written consent of all parties.
- 5.2 Assignment: This Annual Operating Agreement shall not be assignable without the prior written consent of the other parties.
- 5.3 Enurement: The Annual Operating Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors.
- 5.4 Pets on Buses: Notwithstanding the provisions of Section 9.7 of the Master Joint Operating Agreement, pets on buses are permitted under guidelines agreed to by the parties to this agreement.
- 5.5 For Conventional service, for the period beginning on April 1, 2010 and ending on March 31, 2011, as authorized under section 18 of the British Columbia Transit Regulation, B.C. Reg. 30/91, the municipality shall contribute a percentage equal to 53.31% (municipal share) plus \$878,000 and the authority shall contribute a percentage equal to 46.69% (provincial share) minus \$878,000 of the amounts required to defray the classes of expenses prescribed in Section 8 (1) (a) (i), (iii) and (iv) of that regulation.

For Custom/Paratransit service, for the period beginning on April 1, 2010 and ending on March 31, 2011, as authorized under section 18 of the British Columbia Transit Regulation, B.C. Reg. 30/91, the municipality shall contribute a percentage equal to 33.31% (municipal share) plus \$123,984 and the authority shall contribute a percentage equal to 66.69% (provincial share) minus \$123,984 of the amounts required to defray the classes of expenses prescribed in Section 8 (1) (b) (ii), (iii) and (iv) of that regulation.

2010/2011 Conventional Transit Annual Operating Agreement Amendment #1

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2010/11

SECTION 6 - Notices and Communication

All notices, claims and communications required or permitted to be given hereunder shall be in writing and shall be sufficiently given if personally delivered to a responsible officer of the party hereto to whom it is addressed or if mailed by prepaid registered mail, to:

Regional District of Nanaimo
c/o Manager of Transportation Services
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

and to

BC Transit
c/o Chief Operating Officer
520 Gorge Road East
Victoria, BC V8W 2P3

and, if so mailed during regular mail service, shall be deemed to have been received five (5) days following the date of such mailing.

**AMENDMENT #1
NANAIMO CONVENTIONAL
2010/2011 ANNUAL OPERATING AGREEMENT**

This will confirm our agreement to amend, Schedule "B" – Service Specification and Schedule "C" Budget of the Annual Operating Agreement.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals and where a party is a corporate entity the seal of such party has been affixed hereto in the presence of its duly authorized officer this _____ day of _____

THE CORPORATE SEAL OF THE REGIONAL DISTRICT OF NANAIMO has been hereto affixed in the presence of:

	Initial	Date
Content (Mgr)		
Approved (GM)		
Legal Form (SMCA)		
Authority (CAO)		

THE COMMON SEAL OF BRITISH COLUMBIA TRANSIT has been hereto affixed in the presence of:

CHIEF OPERATING OFFICER

CHIEF FINANCIAL OFFICER

2010/2011 Conventional Transit Annual Operating Agreement #1

2010/11

SCHEDULE "A" - Transit Service Area Boundaries

The boundaries of the Municipal Transit Service Area shall be defined as follows:

The boundaries of the Nanaimo Regional Transit Service Area shall include the corporate boundaries of the City of Nanaimo, the City of Parksville, the Town of Qualicum Beach and the District of Lantzville and Electoral Areas A, D, E, G and H of the Regional District of Nanaimo.

SCHEDULE "B" - Service Specifications

Nanaimo Regional Base Budget Official AOA Amendment # 1

21/03/2011

Nanaimo Regional Base Budget Official AOA Amendment # 1 2010/2011

Schedule "B"
 Effective April 01, 2010

Scheduled Revenue Service

2011 RAR Spring (Apr 01, 2010 to Jun 26, 2010)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Apr 05, 2010	May 24, 2010	
Per Day	236.83	232.82	239.83	246.83	253.83	260.83	267.83	125.47	125.47	125.47
Per Week	7,105.45	7,105.45	7,195.45	7,405.45	7,615.45	7,825.45	8,035.45	8,814.07	8,814.07	8,814.07

2011 RAR Summer (Jun 27, 2010 to Sep 04, 2010)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Jul 05, 2010	Aug 22, 2010	
Per Day	292.00	292.00	292.00	292.00	292.00	292.00	292.00	125.47	125.47	125.47
Per Week	6,272.00	6,272.00	6,272.00	6,272.00	6,272.00	6,272.00	6,272.00	8,814.07	8,814.07	8,814.07

2011 RAR Fall (Sep 05, 2010 to Dec 18, 2010)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Sep 05, 2010	Oct 11, 2010	Nov 11, 2010
Per Day	230.83	230.83	230.83	230.83	230.83	230.83	230.83	125.47	125.47	125.47
Per Week	7,105.45	7,105.45	7,105.45	7,105.45	7,105.45	7,105.45	7,105.45	8,814.07	8,814.07	8,814.07

2011 RAR Winter Break (Dec 19, 2010 to Jan 01, 2011)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Dec 19, 2010		
Per Day	292.00	292.00	292.00	292.00	292.00	292.00	292.00	125.47	125.47	125.47
Per Week	6,272.00	6,272.00	6,272.00	6,272.00	6,272.00	6,272.00	6,272.00	8,814.07	8,814.07	8,814.07

2011 RAR Winter (Jan 02, 2011 to Mar 01, 2011)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun			
Per Day	237.25	237.25	237.25	237.25	237.25	237.25	237.25			
Per Week	7,424.25	7,424.25	7,424.25	7,424.25	7,424.25	7,424.25	7,424.25			

Extra Revenue Service

	Apr. 2010	May 2010	Jun 2010	Jul 2010	Aug 2010	Sep 2010	Oct 2010	Nov 2010	Dec 2010	Jan 2011	Feb 2011	Mar 2011
Extra Overhead Hours	10.00	10.00	10.00			10.00	10.00	10.00	10.00	10.00	10.00	10.00
Extra Overhead Materials	210.00	210.00	210.00			210.00	210.00	210.00	210.00	210.00	210.00	210.00
Extra School Service Hours				45.88								
Extra School Service Materials				545.74								

Adjusted Revenue Service

	Apr. 2010	May 2010	Jun 2010	Jul 2010	Aug 2010	Sep 2010	Oct 2010	Nov 2010	Dec 2010	Jan 2011	Feb 2011	Mar 2011

2010/2011 Calendar Specifications

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Exceptions	Total	Exception Class
Apr 01, 2010 to Apr 30, 2010	4	4	4	4	4	4	4	0	28	
May 01, 2010 to May 31, 2010	4	4	4	4	4	4	4	1	31	Apr 02, 2010 Good Friday 2010 (Fri)
Jun 01, 2010 to Jun 26, 2010	3	3	3	3	3	3	3	0	24	May 24, 2010 Victoria Day 2010 (Mon)
Jun 27, 2010 to Jun 30, 2010	1	1	1	0	0	0	0	0	4	Jul 01, 2010 Canada Day 2010 (Thu)
Jul 01, 2010 to Jul 31, 2010	4	4	4	4	4	4	4	1	31	Aug 02, 2010 BC Day 2010 (Mon)
Aug 01, 2010 to Aug 31, 2010	4	4	4	4	4	4	4	0	31	Jun 26, 2010 Labour Day 2010 (Sat)
Sep 01, 2010 to Sep 04, 2010	4	4	4	4	4	4	4	0	16	Oct 11, 2010 Thanksgiving Day 2010 (Sat)
Sep 05, 2010 to Sep 30, 2010	3	3	3	3	3	3	3	1	28	Nov 11, 2010 Remembrance Day 2010 (Thu)
Oct 01, 2010 to Oct 31, 2010	3	3	3	3	3	3	3	1	31	Dec 24, 2010 Boxing Day 2010 (Sat)
Nov 01, 2010 to Nov 30, 2010	3	3	3	3	3	3	3	1	30	Jan 01, 2011 New Year Day 2011 (Sat)
Dec 01, 2010 to Dec 19, 2010	3	3	3	3	3	3	3	0	27	
Dec 20, 2010 to Dec 31, 2010	2	2	2	2	2	2	2	0	13	
Jan 01, 2011 to Jan 01, 2011	0	0	0	0	0	0	0	0	1	
Jan 02, 2011 to Jan 31, 2011	3	3	3	3	3	3	3	0	27	
Feb 01, 2011 to Feb 28, 2011	4	4	4	4	4	4	4	0	28	
Feb 29, 2011 to Mar 01, 2011	4	4	4	4	4	4	4	0	31	
Total	41	41	41	37	37	37	37	11	347	11 Exceptions

Monthly Summary

Month	Revenue Hours				Conventional Transit				
	Scheduled	Extra	Adjusted	Total	Scheduled	Revenue Hours	Extra	Adjusted	Total
April 2010	8,237.89	10.00		8,247.89	172,568.83	510.00			173,078.83
May 2010	8,209.52	10.00		8,219.52	187,542.84	210.00			187,752.84
June 2010	8,854.82	10.00		8,864.82	186,308.14	210.00			186,518.14
July 2010	8,254.10	45.88		8,299.98	172,711.22	348.29			173,059.51
August 2010	7,881.15	0.00		7,881.15	170,332.81	7.50			170,340.31
September 2010	8,182.14	10.00		8,192.14	183,087.82	210.00			183,297.82
October 2010	8,611.72	10.00		8,621.72	187,143.87	210.00			187,353.87
November 2010	8,558.80	10.00		8,568.80	186,762.78	210.00			186,972.78
December 2010	8,474.41	30.25		8,504.66	183,891.30	430.00			184,321.30
January 2011	8,828.97	0.00		8,828.97	191,866.12	105.00			191,971.12
February 2011	8,235.78	0.00		8,235.78	181,538.84	105.00			181,643.84
March 2011	8,248.47	0.00		8,248.47	203,898.47	105.00			204,003.47
Total	121,685.53	140.88	0.00	121,826.41	3,316,218.82	2,841.94	0.00	0.00	3,319,060.76

Revenue & Expense Statement

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2010/11

Nanaimo Custom Base Budget Official AOA 2010/2011

Schedule 'B'

Effective Apr 01, 2010

Scheduled Revenue Service

10/11 Full Year (Apr 01, 2010 to Mar 31, 2011)								
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	
Frs/Day	89.00	10.00	88.00	89.00	89.00	90.00	90.00	
Kms/Day	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Flexible Hours

	Apr. 2010	May 2010	Jun. 2010	Jul. 2010	Aug. 2010	Sep. 2010	Oct. 2010	Nov. 2010	Dec. 2010	Jan. 2011	Feb. 2011	Mar. 2011
	38.00	33.00	38.00	39.00	37.00	38.00	38.00	38.00	38.00	38.00	38.00	38.00

Extra Revenue Service

	Apr. 2010	May 2010	Jun. 2010	Jul. 2010	Aug. 2010	Sep. 2010	Oct. 2010	Nov. 2010	Dec. 2010	Jan. 2011	Feb. 2011	Mar. 2011

Adjusted Revenue Service

	Apr. 2010	May 2010	Jun. 2010	Jul. 2010	Aug. 2010	Sep. 2010	Oct. 2010	Nov. 2010	Dec. 2010	Jan. 2011	Feb. 2011	Mar. 2011

2010/2011 Calendar Specification

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Exceptions	Total	Exception Days
Apr 01, 2010 to Apr 30, 2010	3	4	4	4	4	4	4	2	30	Apr 02, 2010 Good Friday 2010 (Fri)
May 01, 2010 to May 31, 2010	4	4	4	4	4	4	4	1	31	Apr 05, 2010 Easter Monday 2010 (Mon)
Jun 01, 2010 to Jun 30, 2010	4	4	4	4	4	4	4	0	30	May 24, 2010 Victoria Day 2010 (Mon)
Jul 01, 2010 to Jul 31, 2010	4	4	4	4	4	4	4	1	31	Jul 01, 2010 Canada Day 2010 (Thu)
Aug 01, 2010 to Aug 31, 2010	4	4	4	4	4	4	4	1	31	Aug 03, 2010 BC Day 2010 (Mon)
Sep 01, 2010 to Sep 30, 2010	2	4	4	4	4	4	4	1	30	Sep 06, 2010 Labour Day 2010 (Mon)
Oct 01, 2010 to Oct 31, 2010	3	4	4	4	4	4	4	1	31	Oct 11, 2010 Thanksgiving Day 2010 (Mon)
Nov 01, 2010 to Nov 30, 2010	3	4	4	4	4	4	4	1	30	Nov 11, 2010 Remembrance Day 2010 (Thu)
Dec 01, 2010 to Dec 31, 2010	4	4	4	4	4	4	4	2	31	Dec 25, 2010 Christmas Day 2010 (Sat)
Jan 01, 2011 to Jan 31, 2011	5	4	4	4	4	4	4	1	31	Jan 01, 2011 Boxing Day 2010 (Sun)
Feb 01, 2011 to Feb 28, 2011	4	4	4	4	4	4	4	0	28	
Mar 01, 2011 to Mar 31, 2011	4	4	4	4	4	4	4	0	31	Jan 01, 2011 New Years Day 2011 (Sat)
Total	41	52	52	51	51	50	51	11	320	11 Exceptions

Monthly Summary

Month	Revenue Hours				Revenue Kilometers			
	Scheduled	Extra	Flexible	Adjusted Total	Scheduled	Extra	Adjusted Total	
April 2010	1,809.75		28.00	1,837.75	0.00		0.00	
May 2010	1,860.00		26.00	1,886.00	0.00		0.00	
June 2010	1,908.00		38.00	1,946.00	0.00		0.00	
July 2010	1,810.00		38.00	1,848.00	0.00		0.00	
August 2010	1,926.00		38.00	1,964.00	0.00		0.00	
September 2010	1,898.00		38.00	1,936.00	0.00		0.00	
October 2010	1,880.00		38.00	1,918.00	0.00		0.00	
November 2010	1,898.00		38.00	1,936.00	0.00		0.00	
December 2010	1,950.00		38.00	1,988.00	0.00		0.00	
January 2011	1,908.00		38.00	1,946.00	0.00		0.00	
February 2011	1,808.00		38.00	1,846.00	0.00		0.00	
March 2011	2,048.00		38.00	2,086.00	0.00		0.00	
Total	22,860.00	0.00	436.00	23,296.00	0.00	0.00	0.00	

Nanaimo AOA Amendment #1

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Schedule C

Nanaimo Regional Conventional Transit

Official AOA Amendment # 1 2010/2011

TRANSIT REVENUE	
Farebox Cash	\$1,017,720
Tickets & Passes	\$1,660,491
BC Bus Pass	\$764,400
Advertising	\$49,169
TOTAL REVENUE	\$3,491,781
EXPENDITURES	
Fixed Costs	\$852,521
Variable Hourly Costs - Scheduled Service	\$4,780,528
Variable Hourly Costs - Extra Service	\$6,614
Variable Distance Costs - Scheduled Service	\$1,399,441
Variable Distance Costs - Extra Service	\$1,603
Maintenance - Running Repairs	\$914,262
Maintenance - Accident Repairs	\$31,661
ICBC Insurance	\$111,023
Captive Insurance	\$26,387
Information Systems	\$58,223
H.S.T.	\$88,184
TOTAL DIRECT OPERATING COSTS	\$8,270,447
Marketing	\$75,000
Interest Credit	-\$41,818
Municipal Administration	\$165,409
BCT Management Services	\$601,805
TOTAL OPERATING COSTS	\$9,070,843
Debt Service - Vehicles (Local Share)	\$941,768
Debt Service - Equipment (Local Share)	\$21,441
TOTAL DEBT SERVICE - LOCAL SHARE	\$963,209
TOTAL COSTS	\$10,034,052
COST SHARING	
Municipal Share of Costs	\$5,330,814
Municipal Flex Funded Amount	\$878,000
Less: Total Revenue	\$3,491,781
Less: Municipal Administration	\$165,409
Net Municipal Share of Costs	\$2,551,624
Authority Share of Costs	\$3,825,239
STATISTICS	
Scheduled Revenue Hours	101,685.30
Extra Revenue Hours	140.69
Scheduled Revenue Kilometres	2,218,215.63
Extra Revenue Kilometres	2,541.24
Total Passengers	2,495,912
Conventional Passengers	2,495,912

AMOUNTS IN \$ THOUSANDS 10 2010/11

Schedule C

Nanaimo Custom Transit

Official AOA
 2010/2011

TRANSIT REVENUE	
Farebox Cash	\$231,300
TOTAL REVENUE	\$231,300
EXPENDITURES	
Fixed Costs	\$189,714
Variable Hourly Costs - Scheduled Service	\$834,596
Variable Distance Costs - Scheduled Service	\$126,789
Maintenance - Running Repairs	\$90,075
Taxi Supplement	\$40,000
Taxi Saver Program	\$20,000
Taxi Saver Recoveries	-\$10,000
ICBC Insurance	\$16,700
Captive Insurance	\$10,613
Information Systems	\$27,000
H.S.T.	\$15,703
TOTAL DIRECT OPERATING COSTS	\$1,361,190
Marketing	\$5,000
Interest Credit	-\$6,875
Municipal Administration	\$27,224
BCT Management Services	\$106,341
TOTAL OPERATING COSTS	\$1,492,880
Debt Service - Vehicles (Local Share)	\$143,566
Debt Service - Equipment (Local Share)	\$3,058
TOTAL DEBT SERVICE - LOCAL SHARE	\$146,624
TOTAL COSTS	\$1,639,504
COST SHARING	
Municipal Share of Costs	\$602,603
Municipal Flex Funded Amount	\$123,984
Less: Total Revenue	\$231,300
Less: Municipal Administration	\$27,224
Net Municipal Share of Costs	\$468,063
Authority Share of Costs	\$912,917
STATISTICS	
Scheduled Revenue Hours	23,316.00
Total Passengers	80,000
Custom/Para Passengers - Vans	73,400
Custom/Para Passengers - Taxi Supplement	3,700
Taxi Saver Passengers	2,900

Schedule "D" - Payment Schedule

Nanaimo Regional Conventional Transit and Custom Transit 2010/2011 AOA BUDGET

1) Payment Schedule

The Authority agrees to pay the Operating Company a monthly payment on the following basis:

a) for Specified Service in Schedule "B":

- i) \$86,852.92 for Fixed Monthly Payment; plus
- ii) \$47.01 per Revenue Hour for conventional transit service; plus
- iii) \$35.79 per Revenue Hour for custom transit service; plus
- iv) \$0.8066 per Revenue Kilometre for fuel for conventional transit service.
- v) \$0.0243 per Revenue Kilometre for tires for conventional transit service.

b) for Deleted Fixed Costs as outlined in Section 6 (2), an amount equal to 1/365 of the Fixed Monthly Costs amount contained in Schedule "C" shall be deducted for each day or part day.

c) for Added Service or Deleted Service within the regular hours of system operation specified in Schedule "B":

- i) \$47.01 per Revenue Hour for conventional transit service; plus
 - ii) \$35.79 per Revenue Hour for custom transit service; plus
 - iii) \$0.8066 per Revenue Kilometre for fuel for conventional transit service.
 - iv) \$0.0243 per Revenue Kilometre for tires for conventional transit service.
- with allowance for wage premium payments (up to 1.5 times the regular Revenue Hour payment), if applicable, when service is added beyond the regular hours of operation.

d) for Maintenance:

- i) \$40.88 per hour for labour by a licensed mechanic for the maintenance of transit vehicles.

e) for fuel costs, in the event diesel fuel costs should exceed \$1.0400 / litre a payment will be made in accordance with Section 6 (3) of this agreement to compensate the Operating Company for the actual cost of all diesel fuel consumed to a maximum of 1,284,770.50 litres for Scheduled Revenue Kilometres in Schedule "B". This maximum number of litres will be adjusted in proportion to Extra or Deleted Revenue Service Kilometres.

f) Prior to conducting a Special Group Trip, the Operating Company must apply for and receive from BC Transit, a pre-approval to conduct the trip, the cost recovery rates to be charged and the method of payment.

Information contained in Schedule "C" - Budget and Schedule "D" - Payment Schedule is subject to the Freedom of Information and Protection of Privacy Act.

Consult with BC Transit prior to releasing information in these Schedules to individuals or companies other than those who are party to the Agreement.



RDN REPORT	
CAO APPROVAL <i>(Signature)</i>	
EAP	
COW	
MAR - 9 2011	
RHD	
BOARD	

MEMORANDUM

TO: Dennis Trudeau
General Manager, Transportation & Solid Waste Services

DATE: March 7, 2011

FROM: Daniel Pearce
Manager, Transit & Planning

FILE: 8500-10-COUR

SUBJECT: 2011 Planning Institute BC Annual Conference
- Special Event Busing Request

PURPOSE

To consider the Special Event busing request submitted by PIBC North Island Chapter 2011 Conference Sponsorship Committee for the upcoming 2011 PIBC Annual Conference on Tuesday, May 31, 2011 and Wednesday, June 1, 2011 or Thursday, June 2, 2011.

BACKGROUND

On February 1, 2011, correspondence (*see Appendix*) was received from the Planning Institute of British Columbia (PIBC) North Island Chapter 2011 Conference Sponsorship Committee requesting the support of the Regional District of Nanaimo (RDN) in an upcoming planning conference on Tuesday, May 31, 2011 and Wednesday June 1, 2011 or Thursday, June 2, 2011.

The PIBC will be holding their annual conference called "The Planning Tapestry: Weaving Our Way Together" from May 31, 2011 to June 2, 2011 in Nanaimo. As part of the conference three tours are being organized over a two day period.

The PIBC North Island Chapter 2011 Conference Sponsorship Committee is requesting the use of RDN buses, at no charge, for tours on Tuesday, May 31, 2011 and Wednesday, June 1, 2011 or Thursday, June 2, 2011. The RDN support to the Conference by providing transportation for several tours would be considered a silver level sponsor, which would include the benefits below:

- Program Content and Online Visibility. The RDN's name and logo will appear in the conference onsite program, as well as on the conference webpage, with an optional link to the RDN website.
- Signage Prominence. The RDN's name and logo will appear throughout the conference.
- Conference Registration. The RDN will receive one discounted (half price) registration to the entire conference.

And one of the following:

- Nutrition Breaks (one of four available). The RDN will be exclusively linked with a morning or afternoon nutrition break on either Wednesday June 1, 2011, or Thursday June 2, 2011.

- Conference Internet Cafe. The RDN would be exclusively linked with the conference's Internet Cafe, where delegates will visit regularly to go online, check email and more.

The request for two buses from 8:00 am to 5:00 pm on Tuesday, May 31, 2011 and two buses for four hours on the afternoon of Wednesday, June 1 or Thursday, June 2 meets the requirement of the RDN policy on the use of buses for Special Events in that the event is held within the RDN Transit service and is community oriented and open to participation by all members of the public.

ALTERNATIVES

1. That the Board approve the application for buses to be used for the 2011 PIBC Annual Conference.
2. That the Board not approve the application for buses to be used for the 2011 PIBC Annual Conference and provide further direction to staff.

FINANCIAL IMPLICATIONS

Staff estimates that providing two buses for eight hours on Tuesday, May 31 and two buses for four hours on Wednesday, June 1, 2011 or Thursday June 2, 2011 will cost the RDN approximately \$2400.00 in operating costs.

SUSTAINABILITY

Given the essential role of public transit in a sustainable region, all efforts of the Transportation Services Department are founded on generating positive implications for the sustainability of the region. In particular, providing residents a meaningful alternative to the private automobile, which in turn reduces greenhouse gas emissions and mitigates the effects of climate change, is one of the primary goals of the Transit Department. Additionally, providing cleaner running buses that maximize the use of biofuel further demonstrates the commitment by Nanaimo Regional Transit to reduce its carbon footprint, which is in keeping with the RDN's Corporate Climate Change Plan as well as the Board's policy on environmental stewardship.

SUMMARY/CONCLUSIONS

The PIBC will be holding their annual conference called "The Planning Tapestry: Weaving Our Way Together" from May 31, 2011 to June 2, 2011 in Nanaimo.

The PIBC Conference Sponsorship Committee has made an application under the Special Events Policy requesting that buses be provided, at no charge, for tours on Tuesday, May 31, 2011 and Wednesday, June 1, 2011 or Thursday, June 2, 2011.

The request from the PIBC Conference Committee to provide buses on Tuesday, May 31, 2011 and Wednesday, June 1, 2011 or Thursday, June 2, 2011 meets the criteria as outlined in RDN Policy C3.1 that was adopted by the Board in 1998; it is a community-oriented event, open to all members of the public and the event is within the Transit service area. Staff believes that providing the service will have residual benefits to the RDN through the marketing of the service and spin off economic benefits.

Therefore staff recommend that the Board approve alternative #1 and support the use of buses at the PIBC Annual Conference.

RECOMMENDATION

That the application made by the PIBC North Island Chapter 2011 Conference Sponsorship Committee for the RDN to provide transportation for tours that are part of the Conference 2011 be approved.



Report Writer



GM Concurrence



CAO Concurrence

APPENDIX 1



2011 PIBC Annual Conference
The Planning Tapestry: Weaving Our Way Together
January 2011

2011-FEB-01

Regional District of Nanaimo
Transportation Services and Solid Waste
6300 Hammond Bay Road
Nanaimo, BC V9T 3V4

Attention: Daniel Pearce, Manager, Transit and Planning

Dear Mr. Pearce:

Re: Request for 'In Kind' sponsorship for Planning Conference

This year, the Planning Institute of British Columbia (PIBC) will be holding their annual conference entitled 'The Planning Tapestry: Weaving Our Way Together' from May 31st to June 3rd 2011 in Nanaimo.

We have asked the Regional District of Nanaimo (RDN) to consider being a conference sponsor (please see the attached sponsorship package). The conference is an important and unique opportunity to showcase the RDN's initiatives and promote our region. The RDN's planning department has asked for us to suggest options for the RDN to provide 'In Kind' Sponsorship.

There is an opportunity for the RDN to support the Conference through 'In Kind' sponsorship by providing transportation for several tours that are scheduled as part of the Conference. Depending upon the 'In Kind' value of the RDN's sponsorship, we can provide a range of promotional options including a complimentary booth at our trade show and advertising/credits throughout the conference in various forms.

Our anticipated schedule and transportation needs are as follows:

Tuesday, May 31st 2011

Tour Descriptions	2 full day (8am – 5pm) Farm Tours Departing from and returning to the Vancouver Island Conference Centre
Tour location	Cowichan Valley Regional District
Transportation needs	2 full size buses

Wednesday June 1st OR Thursday June 2nd 2011

Tour Description	1 Afternoon Half Day Farm Tour Departing from and returning to the Vancouver Island Conference Centre
Tour location	Regional District of Nanaimo
Transportation needs	1 full size bus
Tour Description	1 Morning Half Day Green Building Tour Departing from and returning to the Vancouver Island Conference Centre
Tour location	Regional District of Nanaimo
Transportation needs	1 full size bus



2011 PIBC Annual Conference
The Planning Tapestry: Weaving Our Way Together
January 2011

We can provide more details about the tour times and routes nearer to the Conference, once registration numbers have been confirmed.

Please note that the half day farm tour will be coordinated by the RDN's Long Range Planning Department whose conference proposal was selected by the Conference Programming Committee. The half day Green Building tour will be co-facilitated by the RDN and the City of Nanaimo.

Lisa Bhopalsingh, Senior Planner in the RDN's Long Range Planning Department is our staff contact at the RDN. Please do not hesitate to contact either myself or Lisa if you have any questions about this request. We look forward to hearing back from you.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "Rob Lawrance".

Rob Lawrance, MCIP
Chair
2011 Conference Sponsorship Committee
PIBC North Island Chapter

A handwritten signature in black ink, appearing to read "Lisa Bhopalsingh".

Lisa Bhopalsingh
Senior Planner
Long Range Planning
Regional District of Nanaimo

Encl.

cc. Paul Thompson, Manager, Long Range Planning Department, Regional District of Nanaimo



RUN MEMO	
CAO APPROVAL <i>(Signature)</i>	
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MAR 11 2011	
RHD	
BOARD	

MEMORANDUM

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

FROM: Daniel Pearce
Manager, Transit and Planning

SUBJECT: *Free Fare for Class Rides Program*

DATE: March 7, 2011

FILE: 8500-20-DISC

PURPOSE

To request that the Board allow a one (1) year trial period to waive transit fares for school classes kindergarten through Grade 12 located within the Nanaimo Regional Transit system, who would like to use the transit system for field trips.

BACKGROUND

Establishing a program for classes to use the transit system free for the purpose of a field trip will ensure that a maximum number of students are learning about the transit system with the goal of encouraging them to use transit in the future.

The *Free Fare for Class Rides* program would encourage classes to use public transit, giving students the opportunity to learn about the transit system. Classes using the transit system would also help reduce the amount of vehicle emissions that are released from a traditional school bus having to travel to and from a school for the purpose of a field trip. Similar programs exist in Kamloops and Prince George with positive results.

The general principals of the *Free Fare for Class Rides* program are:

- classes must apply for the program a minimum of one (1) week prior to their trip by contacting the Transportation Services Department;
- an approved class must travel together;
- each class can apply to the program once a school year; and,
- classes must travel on a regular scheduled Nanaimo Regional Transit route during non-peak hours of 9:00 am to 2:30 pm.

ALTERNATIVES

1. That the Board authorize staff to implement a one (1) year trial period to allow free transit for school classes K-12 located within the Nanaimo Regional Transit service area, who would like to use the transit system for field trips.
2. That the Board decline the request for a one (1) year trial to allow free transit for school classes K-12 located within the Nanaimo Regional Transit service area.

FINANCIAL IMPLICATIONS

Waiving the fare for an entire class would be an estimated loss of \$60 per trip in revenue. Having the program operate during non-peak hours would result in no revenue passengers being impacted by classes using the transit system and helps to promote ridership during non-peak times. If the Board does not support the program, it is likely that the school would either utilize schools buses or not participate in the field trip. This would result in no revenue being collected.

A similar program was implemented in Prince George with approximately 28 classes taking advantage of the program. It is anticipated that as many as 75 classes in Nanaimo would take advantage of the program.

SUSTAINABILITY IMPLICATIONS

The Transportation Services Department is working continuously on improving the viability and efficiency of public transit. The *Free Fare for Class Rides* program will encourage classes to use public transit, giving students the opportunity to learn about the transit system and help reduce the number of vehicles on the roadway. The use of cleaner running buses, combined with the use of biodiesel fuel, further demonstrates the commitment of Nanaimo Regional Transit to reducing its carbon footprint, which is in keeping with the RDN's Corporate Climate Change Plan.

CONCLUSIONS

The one (1) year trial of the *Free Fare for Class Rides* program will encourage classes to take transit and will assist in students being introduced to transit at a young age, learning how the system works and understanding how it can benefit them and their community.


Revenue would not be received if the schools never took transit for field trips and the benefit of having students experience the convenience of using Nanaimo Regional Transit will promote future transit use. Therefore staff recommends Alternative 1, to implement a one year trial period to offer the *Free Fare for Class Rides* program.

RECOMMENDATION

That the Board authorize staff to implement a one (1) year trial period for the *Free Fare for Class Ride* program.



Report Writer



General Manager



CAO Concurrence



RDN DEPUTY	
CAD APPROVAL <i>[Signature]</i>	
EAP	
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APR 15 2011	
RHD	
BOARD	✓ <i>Apr 26 '11</i>

MEMORANDUM

TO: Carey McIver
Manager of Solid Waste

DATE: April 12, 2011

FROM: Sharon Horsburgh
Senior Zero Waste Coordinator

FILE: 4320-100-012

SUBJECT: Waste Stream Management License Application –
Earthbank Resource Systems 1424 Hodges Road, Electoral Area G

PURPOSE

To notify the Board that Earthbank Resource Systems has applied for a Waste Stream Management License for their commercial composting facility located at 1424 Hodges Road in Electoral Area G.

BACKGROUND

In 2005, the RDN Board adopted Waste Stream Management Licensing Bylaw (WSML) No. 1386. This bylaw operates under the RDN Solid Waste Management Plan which defines a regulatory system for the management of all privately operated municipal solid waste and recyclable material operations. The intent of the WSML regulatory framework is to set a high standard of operation for waste management facilities in the Regional District of Nanaimo.

License Application Evaluation Process

Under Bylaw 1386, staff considers the following matters with respect to facility applications:

- a) potential risk posed to the environment and/or public health,
- b) protection of the environment,
- c) comments from the host municipality relating to compliance with local zoning or other bylaws that may affect a facility design and/or operating plan,
- d) comments from persons who consider themselves adversely affected,
- e) compliance with the RDN Solid Waste Management Plan,
- f) compliance by the applicant with the requirements to pay fees and report quantities received and stockpiled.

Once all requirements under the WSML bylaw are completed and evaluated to the satisfaction of the General Manager, the General Manager may issue a facility license with terms and conditions that may be necessary to protect the environment and to achieve the objectives of the bylaw and the SWMP.

With respect to comments from persons who consider themselves adversely affected, the WSML bylaw requires facility operators to notify the public of their application through advertisements in the local newspaper and visible signage at the facility property line. The public has 45 days from the date of posting to contact staff with their concerns. Staff will then convey these concerns to the applicant and allow the applicant to respond. Although there is no requirement in the bylaw to notify the Board, staff will inform the Board when a facility license application enters the public notification process. The facility license application from Earthbank Resource Systems (Earthbank) is currently at the public notification stage of the evaluation process.

Earthbank Resource Systems Application

In accordance with WSML Bylaw 1386, Earthbank submitted a facility license application in November 2005. Due to the fact that this commercial fish waste composting operation was not in compliance with RDN land use regulations, staff chose not to evaluate this application until zoning issues were resolved. In August 2009 the Board approved two Temporary Use Permits to address the land use non-conformity. One of the conditions of the Temporary Use Permits was that Earthbank obtain a valid WSML license. Consequently Earthbank submitted an updated license application in December 2009.

Since that time staff has engaged a qualified professional, PJM Global Waste Strategies (PJM) to evaluate this updated license application. PJM have reviewed the site operating plan submitted by Earthbank and have confirmed that it meets all the requirements of the WSML Bylaw 1386 with respect to facility operating requirements and environmental protection. However, with respect to leachate and odour management PJM recommend additional leachate management, odour management and material tracking requirements as a condition of licensing.

Leachate Management

The Earthbank fish waste composting facility has operated since 1996 when an operations and effluent disposal permit was issued by the Ministry of Environment, Lands and Parks. The legislation under which the original operating permit was issued was replaced in 2002 by the Organic Matter Recycling Regulation which is administered by the Ministry of Environment.

Although the facility generally operates within the Organic Matter Recycling Regulation requirements, based on concerns raised in a 2007 compliance report, the Ministry of Environment requested that Earthbank provide them with an updated leachate management plan prepared by a qualified professional certifying that no adverse impact to the environment was occurring as was noted in the compliance report.

Accordingly, Earthbank engaged EBA Engineering Consultants Ltd (EBA) to prepare a hydrogeological impact assessment report. Based on the information and findings presented in their 2009 report, EBA concluded that the Earthbank compost facility represented a low likelihood of adverse impairment to surface and groundwater. However, as a precautionary measure, EBA recommended that Earthbank should monitor and report on surface and groundwater quality on an annual basis.

Although this is not currently a requirement under the Organic Matter Recycling Regulation, PJM recommends that Earthbank follow through on EBA's recommendations related to surface and groundwater monitoring, along with an interpretation of results and water quality trends prepared by a qualified professional. Staff have discussed this requirement with Earthbank and they have agreed to a twice per year monitoring and reporting program to be prepared by a qualified professional.

Odour Management

There is always a risk that composting will offend the senses from time to time given the nature of composting. As such siting and operating methods are always significant considerations when permitting facilities. The Earthbank operation triggered a number of complaints in its early days of operation and since that time they have worked hard to develop procedures that minimize odour generation. Odour complaints are now reported to be significantly less frequent and Earthbank indicates they take immediate action if and when a complaint is received.

Nevertheless, PJM recommend that Earthbank maintain and provide quarterly reports on odour complaints received and mitigating actions taken with respect to odours attributed to their operations. This will then be monitored by the RDN and the frequency adjusted as appropriate.

Material Tracking Information

Earthbank accepts the following quantities of materials on a monthly and annual basis:

Material	Monthly (tonnes)	Annual (tonnes)
Unprocessed land clearing waste	590	7,080
Processed land clearing waste	590	7,080
Fish waste	400	4,800
Hog fuel	100	1,200
Saw dust	50	600
Total	1,730	20,760

Based on the results of the public notification process, the General Manager may issue a facility license under terms and conditions described above.

ALTERNATIVES

No alternatives are presented in this report as it is being submitted for information.

FINANCIAL IMPLICATIONS

Earthbank Resource Systems will provide the RDN with a security deposit in the amount of \$10,000 as a guarantee to be used for site cleanup should the business cease to operate and abandon materials on site.

INTERGOVERNMENTAL IMPLICATIONS

Regional District staff will take the lead and work closely with Ministry of Environment staff who also regulate Earthbank Resource Systems under the Organic Matter Recycling Regulation (OMRR).

SUSTAINABILITY IMPLICATIONS

The WSML Bylaw is part of the region’s Zero Waste strategy and is an integral part of our goal to divert waste from the landfill. Diverting material away from the landfill and into recycling contributes to the region’s sustainability by saving expensive landfill capacity as well as reducing greenhouse gas emissions.

SUMMARY/CONCLUSIONS

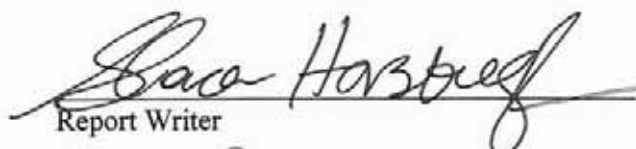
This report is to inform the Board that Earthbank Resource Systems has applied for a facility license under Waste Stream Management Licensing Bylaw (WSML) No. 1386. The subject property, located at 1424 Hodge's Road in Electoral Area G, is designated Rural 1. However, in August 2009 the Board approved two Temporary Use Permit applications, which allows the commercial composting site to continue operating for a two-year period on the subject properties. A permit condition of the Temporary Use Permits requires Earthbank to apply for an RDN WSML permit, which would permit and regulate the composting operation on the subject properties.

Earthbank Resource Systems has prepared a Site Operating Plan that meets the requirements of Bylaw 1386 and staff has directed Earthbank to proceed with the public notification process as required under the bylaw.

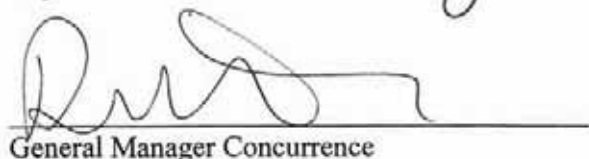
Once all requirements under the WSML bylaw are completed and evaluated to the satisfaction of the General Manager, the General Manager may issue a facility license with terms and conditions that may be necessary to protect the environment and achieve the objectives of the bylaw and the SWMP.

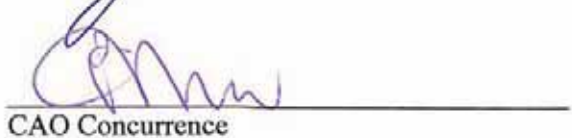
RECOMMENDATION

That the Board receives the report on the Waste Stream Management License application from Earthbank Resource Systems for information.


Report Writer


Manager Concurrence


General Manager Concurrence


CAO Concurrence



RDN REPORT	
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EAP	
COW	
APR 19 2011	
RHD	
BOARD	✓ April 26 '11

MEMORANDUM

TO: Dennis Trudeau
General Manager, Transportation & Solid Waste Services

FROM: Daniel Pearce
Manager, Transit & Planning

SUBJECT: Nanaimo Port Authority Cruise Ship Transit Shuttle Service

DATE: April 19, 2011

FILE: 2240-20-DNP

PURPOSE

To consider the Special Event busing request submitted by the Nanaimo Port Authority for cruise ships arriving in Nanaimo on May 7, 2011, May 20, 2011, September 10, 2011 and September 25, 2011.

BACKGROUND

Correspondence dated April 15, 2011 (see *Appendix 1*) was received from the Nanaimo Port Authority requesting the participation of the Regional District of Nanaimo (RDN) Transit for upcoming cruise ship arrivals on May 7, 2011, May 20, 2011, September 10, 2011 and September 25, 2011.

The Nanaimo Port Authority has requested that a shuttle bus service be established on the dates of cruise ship arrivals to provide service to the cruise ship passengers. On each vessel it is likely that there will be 2,000 passengers on board, with usually at least three-quarters of the passengers disembarking the ship for self-interest purposes.

The Nanaimo Port Authority will be paying all costs associated with the shuttle bus service.

Staff has recommended to the Nanaimo Port Authority that on the morning of May 7th, two (2) Nova buses and two (2) Polar buses be used from 0830 to 1130 hours in order to get the majority of the passengers away from the cruise ship terminal. After 1130 hours, the two (2) Nova buses would be removed from service and replaced with two (2) Polar buses for the remainder of the day. A bus will leave the terminal every five minutes during the day for a total of 97 trips. Staff will assess the May 7th service and make service adjustments as necessary for the remaining dates.

The RDN will have sufficient spare vehicles to accommodate this request.

The request meets the RDN policy on the use of buses for Special Events in that the event is within the transit service area and the event is community oriented; however, only cruise ship passengers would be able to use the service.

BC Transit has been advised of the request.

ALTERNATIVES

1. Approve the application from the Nanaimo Port Authority to provide shuttle bus service for cruise ships on May 7, 2011, May 20, 2011, September 10, 2011 and September 25, 2011.
2. Do not approve the application from the Nanaimo Port Authority to provide shuttle bus service on May 7, 2011, May 20, 2011, September 10, 2011, and September 25, 2011 and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

Staff has confirmed the Nanaimo Port Authority will pay all costs associated with providing shuttle bus service on May 7, 2011, May 20, 2011, September 10, 2011 and September 25, 2011. The estimated cost of the proposed service for all four days is \$10,700.

SUSTAINABILITY

Given the essential role of public transit in a sustainable region, all efforts of the Transportation Services Department are founded on generating positive implications for the sustainability of the region. In particular, providing residents a meaningful alternative to the private automobile, which in turn reduces greenhouse gas emissions and mitigates the effects of climate change, is one of the primary goals of the Transit Department. Additionally, providing cleaner running buses that maximize the use of biofuel further demonstrates the commitment by Nanaimo Regional Transit to reduce its carbon footprint, which is in keeping with the RDN's Corporate Climate Change Plan as well as the Board's policy on environmental stewardship.

CONCLUSIONS


The Nanaimo Port Authority has made a request to provide shuttle bus service for cruise ships arriving in Nanaimo on May 7, 2011, May 20, 2011, September 10, 2011 and September 25, 2011.

The Nanaimo Port Authority has made an application under the Special Events Policy requesting that bus shuttle service be established in the downtown core, on the dates of cruise ship arrivals, to provide bus service for cruise ship passengers.


Staff recommends the request since supporting it is a good opportunity to raise Transit's profile, Nanaimo Port Authority is covering the costs and adequate resources are available for the service.

RECOMMENDATION


That the application made by the Nanaimo Port Authority for the Regional District of Nanaimo to provide bus service for cruise ships arriving on Nanaimo on May 7, 2011, May 20, 2011, September 10, 2011, and September 25, 2011, at the Port Authority's cost, be approved.

For 

Report Writer



GM Concurrence



CAO Concurrence

APPENDIX 1

Page 1 of 2



PORT OF
NANAIMO

Nanaimo Port Authority
P.O. Box 131, 104 Front St.
Nanaimo, B.C., Canada V9R 5K4
Tel: 250-753-4146
Fax: 250-753-4899
e-mail: info@nps.ca

Administration portuaire de Nanaimo
C.P. 131, 104 rue Front
Nanaimo (C.-B.) Canada V9R 5K4
Tél: 250-753-4146
Télé: 250-753-4899
courriel: info@nps.ca

April 15, 2011

Mr. Daniel Pearce
Manager Transit & Planning
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Dear Mr. ^{Daniel} Pearce:

Re: Shuttle Buses for Cruise Days

It was a pleasure to meet with Peter Kuziek, Darren Marshall and you on April 16th to discuss the prospects for using the RDN buses to provide shuttle bus services to the cruise passengers from the new cruise terminal, located at the Nanaimo Assembly Wharf, to various downtown locations, along a predetermined route.

It is our hope to partner with the Regional District of Nanaimo for a closed network system, using various sizes of buses to move the passengers from the new cruise terminal and provide a regular scheduled service through the downtown area and up to the Old City Quarter before returning to the cruise centre. There will be four cruise ships visiting Nanaimo this season on May 7, May 20, September 10 and September 25. Each vessel is likely to have 2,000 passengers onboard and typically at least three-quarters of the passengers will make their way into the community for independent exploration purposes.

Normally the passengers going on shore excursions are the first off the ship, and then the rest of the passengers follow at various stages over the morning. Usually the shore excursions start around 0830 with the majority gone by 0930 hours. I anticipate the majority of self exploration visitors will start coming off around 0930 to 1000 hours, and most will have left the ship by noon. The ships also have about 900 crew and likely the crew will start departing after noon. For your reference, when the ships tendered passengers to shore, typically no more than 10% of the crew would come in, however, with the ship at dock, I anticipate this could increase to 25%.

With the first ship arrival on May 7th, the departure time is 1700 hours and generally all passenger have to be back on the ship at 1630 to allow for a head count etc. The second ship on May 20th is arriving at 1100 hours and will depart at 1900, so return time will be no later than 1830. I will reconfirm these times.

/s/

APPENDIX 1
Page 2 of 2



PORT OF NANAIMO

- 2 -

We had discussed the prospect of using a variety of small and large buses for the visits, which I think will work extremely well. For the first visit on May 7th, I would rather have overcapacity built into the system to avoid any extended delays for the cruise visitors. The next visit on May 20th is likely to be a bit different than the first in that the passengers will have already had breakfast on the ship and be ready to disembark quickly after the shore excursions depart, so the volume may come very quickly. These are all issues we can discuss closer to the date.

We hope to work with the RDN on this initial year of the cruise terminal opening, and look forward to your confirmation that buses can be provided for the cruise transportation services.

Yours truly,

Douglas P. Peterson
Manager of Marketing & Sales

/lb