

**REGIONAL DISTRICT OF NANAIMO**

**REGULAR BOARD MEETING  
TUESDAY, JANUARY 24, 2012  
7:00 PM**

*(RDN Board Chambers)*

**A G E N D A**

**PAGES**

- 1. CALL TO ORDER**
  - 2. DELEGATIONS**
  - 3. BOARD MINUTES**
- 9 - 16 Minutes of the Inaugural Board meeting held December 13, 2011, and the minutes of the Special Board meeting held January 10, 2012.
- 4. BUSINESS ARISING FROM THE MINUTES**
  - 5. COMMUNICATIONS/CORRESPONDENCE**
  - 6. UNFINISHED BUSINESS**
  - 7. STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**
- 7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE**
- 17 - 19 Minutes of the Electoral Area Planning Committee meeting held January 10, 2012. (for information)
- PLANNING**
- DEVELOPMENT PERMIT APPLICATIONS***
- Development Permit Application No. PL2011-166 – Marilyn Bennett – 991 Maple Lane Drive – Area ‘G’.** (Electoral Area Directors except EA ‘B’ – One Vote)
- That Development Permit Application No. PL2011-166 to permit the construction of an addition to the existing dwelling unit be approved subject to the conditions outlined in Schedules No. 1 to 2.*

**Development Permit Application No. PL2011-168 – Scott Bentzen – 729 and 735 Despard Avenue – Area ‘G’.** (Electoral Area Directors except EA ‘B’ – One Vote)

*That Development Permit Application No. PL2011-168, in conjunction with a subdivision application, be approved subject to the conditions outlined in Schedules No. 1 to 2.*

**DEVELOPMENT PERMIT WITH VARIANCE APPLICATIONS**

**Development Permit with Variance Application No. PL2010-093 – Meade – Lundine Lane – Area ‘G’.** (Electoral Area Directors except EA ‘B’ – One Vote)

**Delegations wishing to speak to Development Permit with Variance Application No. PL2010-093** (maximum speaking time 5 minutes).

- 1. That staff be directed to complete the required notification.*
- 2. That Development Permit with Variance Application No. PL2010-093 to permit the construction of a single-family dwelling be approved subject to the conditions outlined in Schedules No. 1 to 3.*
- 3. That staff report back to the Board on dealing with variances to frontage requirements and panhandle lots.*

**DEVELOPMENT VARIANCE PERMIT APPLICATIONS**

**Development Variance Permit Application No. PL2011-175 – Donald & Hilary Lane – 3048 Bay Road – Area ‘H’.** (Electoral Area Directors except EA ‘B’ – One Vote)

**Delegations wishing to speak to Development Variance Permit Application No. PL2011-175** (maximum speaking time 5 minutes).

- 1. That staff be directed to complete the required notification.*
- 2. That Development Variance Permit Application No. PL2011-175 to vary the maximum floor area of accessory buildings in the CD9 zone from 10 m<sup>2</sup> to 14 m<sup>2</sup> to legalize an existing accessory building be approved as outlined in Schedule No. 1.*

**Development Variance Permit Application No. PL2011-194 – Glencar Consultants Inc. – Bouman Place & Wembley Road – Area ‘G’.** (Electoral Area Directors except EA ‘B’ – One Vote)

**Delegations wishing to speak to Development Variance Permit Application No. PL2011-175** (maximum speaking time 5 minutes).

- 1. That that staff be directed to complete the required notification.*

2. *That Development Variance Permit Application No. PL2011-194 to reduce the setback from "Other Lot Lines" adjacent to the existing walkway (lane) within the subject properties be approved as outlined in Schedules No. 1, 2 and 3.*

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

20 - 25 Minutes of the Committee of the Whole meeting held January 10, 2012. (for information)

### **COMMUNICATIONS/CORRESPONDENCE**

**Gabriola Land Conservancy, re Cox Community Park.** (All Directors – One Vote)

*That the correspondence from Gabriola Land Conservancy regarding the Cox Community Park be received.*

**Debbie Comis, City of Parksville, re 2012 Council Appointments to the District 69 Recreation Commission, the Arrowsmith Water Service Management Board, and the Englishman River Water Service Management Board.** (All Directors – One Vote)

*That the correspondence from the City of Parksville regarding the 2012 Council Appointments for the District 69 Recreation Commission, the Arrowsmith Water Service Management Board and the Englishman River Water Service Management Board be received.*

**Laurie Gourlay, Mid Island Sustainability & Stewardship Initiative, re RDN Trans Canada Trail Route and Green Space.** (All Directors – One Vote)

*That the correspondence from Mid Island Sustainability & Stewardship Initiative be received.*

**Rob Steele, re Rerouting of the Trans Canada Trail.** (All Directors – One Vote)

*That the correspondence from Rob Steele regarding the Trans Canada Trail be received.*

### **FINANCE AND INFORMATION SERVICES**

#### **FINANCE**

**Bylaw No. 1651 – A Bylaw to Authorize Preparation of 2012 Parcel Tax Rolls.**

(All Directors – One Vote)

1. *That the "2012 Parcel Tax Assessment Roll Bylaw No. 1651, 2012", be introduced and read three times.*

(All Directors – 2/3)

2. *That the "2012 Parcel Tax Assessment Roll Bylaw No. 1651, 2012" be adopted.*
3. *That the Board appoint the Chairperson, the Senior Manager, Corporate Administration and the General Manager, Finance and Information Services to preside as the 2012 parcel tax review panel.*

**Bylaw No. 897.06 – A Bylaw to Include Electoral Area 'H' as a Participant in the Northern Community Transit Service.** (All Directors – One Vote)

*That "Northern Community Transit Service Amendment Bylaw No. 897.06, 2012" be introduced for three readings and be forwarded to the Inspector of Municipalities for approval.*

**2012 Proposed Budget Overview.** (All Directors – One Vote)

*That the report on the proposed 2012 budget be received.*

**Bylaw No. 1653 – A Bylaw to Establish a Cedar Community Policing Contribution Service.** (All Directors – One Vote)

1. *That the funding request from the Cedar Community Policing Office be supported commencing in 2012 subject to approval of Bylaw No. 1653.*
2. *That elector assent to establish annual funding in the amount of \$2,000 for the Cedar Community Policing Office from Electoral Area 'A', be obtained using the alternative approval process.*
3. *That "Cedar Community Policing Office Contribution Service Establishment Bylaw No. 1653, 2012" be introduced for first three readings and be forwarded to the Ministry of Community, Sport and Cultural Development for approval.*
4. *That the attached Cedar Community Policing Office Contribution Service Elector Response Form be approved.*

## **DEVELOPMENT SERVICES**

### **BUILDING, BYLAW & EMERGENCY PLANNING**

#### **Appointment of Animal Control Officer. (All Directors – One Vote)**

*That William Jonathan Mitchell of Coastal Animal Control Services of BC Limited be appointed as a Bylaw Enforcement Officer for the specific purpose of enforcing Regional District of Nanaimo Animal Control and Licensing Bylaws.*

### **REGIONAL AND COMMUNITY UTILITIES**

#### **WATER**

#### **Drinking Water and Watershed Protection Service Water Budget – Consultant Services Contract Award. (All Directors – Weighted Vote)**

*That the Water Budget Project / Phase One — RDN Vancouver Island, be awarded to Waterline Resources Inc. for \$170,000.*

#### **WASTEWATER**

#### **Bylaw No. 975.57 – Pump & Haul Amendment Bylaw to Exclude Strata Lot 180, Block 526, Strata Plan VIS 4673, Cameron Lot District – 1556 Pady Place – Area 'F'. (All Directors – One Vote)**

- 1. That the boundaries of the "Regional District of Nanaimo Pump & Haul Local Service Establishment Bylaw No. 975, 1995" be amended to exclude Strata Lot 180, Block 526, Strata Plan VIS4673, Cameron Land District.*
- 2. That the "Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.57, 2012" be introduced and read three times.*

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

#### **SOLID WASTE**

#### **Regional Landfill Security Services Contract Award. (All Directors – Weighted Vote)**

*That the Board award the contract for security services at the Regional Landfill to Footprints Security for a period of three years commencing March 1, 2012 at a total cost of \$275,946.00.*

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Trans Canada Trail.** (All Directors – One Vote)

*That staff be directed to report back to the Board on the feasibility of constructing a pedestrian bridge over the Nanaimo River along the dedicated Trans Canada Trail route and work in partnership with Trails BC on this initiative including sourcing potential grant funding through Trans Canada Trail and Parks Canada.*

**Port Theatre Operations Budget.** (All Directors – One Vote)

*That staff be directed to report back to the Board on the request to consider an annual cost of living increase to the contribution to the Port Theatre.*

**Gabriola Gun Club.** (All Directors – One Vote)

*That staff request an update from the Chief Firearms Officer and the Ministry of Forests, Lands and Natural Resource Operations, who are the lease holders, regarding the ongoing complaints associated with the Gabriola Rod, Gun & Conservation Club activities and that the staff report back to the Board.*

**7.3 DISTRICT 69 COMMUNITY JUSTICE SELECT COMMITTEE**

26 - 27 Minutes of the District 69 Community Justice Select Committee held Tuesday November 22, 2011. (for information).

(Electoral Areas E, F, G, H, Parksville, and Qualicum Beach – Weighted Vote)

- 1. That the 2012 requisition for funding to support the Oceanside Victim Services and Restorative Justice Programs remain the same as in 2011 (\$77,500).*
- 2. That a 2012 grant in the amount of \$5,943 for the Citizens on Patrol Society, District 69 be approved.*
- 3. That a 2012 grant in the amount of \$1,450.38 for the Corcan Meadowood Residents Association be approved.*

**7.4 EXECUTIVE STANDING COMMITTEE**

**7.5 COMMISSIONS**

**7.6 DISTRICT 69 RECREATION COMMISSION**

28 - 31 Minutes of the District 69 Community Justice Select Committee held Tuesday November 17, 2011. (for information).

(All Directors – One Vote)

1. *That the request from the Town of Qualicum Beach to be a joint applicant hosting a BC Senior Games event be put in abeyance until the new appointments to the District 69 Recreation Commission and the new municipal councils of the Town of Qualicum Beach and the City of Parksville are in place.*
2. *That staff be directed to prepare a report with regard to the financial implication, including staff resources and the capital costs required to host the BC Senior Games, and to explore the possible financial assistance to host the event from the two municipalities of Parksville and Qualicum Beach and the provincial and federal governments.*

**7.7 ELECTORAL AREA 'A' PARKS, RECREATION & CULTURE COMMISSION**

32 - 35 Minutes of the Electoral Area 'A' Parks, Recreation & Culture Commission meeting held November 16, 2011. (for information).

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

Selection Committee (Verbal report).

**8. ADMINISTRATOR'S REPORTS**

36 - 38 Agricultural Area Plan Update (All Directors – One Vote). *Consultant's Report Attachment No. 1 Included as a separate enclosure.*

39 - 54 Cedar Road Bioenergy Facility Expansion Sixth Amending Agreement. (All Directors – Weighted Vote).

55 - 59 Liquor License Application No. PL2011-169 Wheatsheaf Entertainment Centre Ltd. Lot A, Section 14, Range 1, Cedar District Plan VIP67433. (All Directors – One Vote).

60 - 71 Bylaw 1619 - Development Cost Charges for Regional Parks. (All Directors – One Vote).

72 - 86 Little Qualicum River Regional Park Management Plan Terms of Reference. (All Directors – One Vote).

87 - 89 2012 BC Transit Workshop – Request to Host. (Electoral Areas A, C, E, G, Nanaimo, Parksville, and Qualicum Beach – One Vote).

90 - 105 Country Club Centre Respite for Transit Operators. (Electoral Areas A, C, Nanaimo, and Lantzville – One Vote).

9. **ADDENDUM**
10. **BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**
11. **NEW BUSINESS**
12. **BOARD INFORMATION (Separate enclosure on blue paper)**
13. **ADJOURNMENT**
14. **IN CAMERA**

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



## REGIONAL DISTRICT OF NANAIMO

### MINUTES OF THE INAUGURAL MEETING OF THE BOARD OF THE REGIONAL DISTRICT OF NANAIMO HELD ON TUESDAY, DECEMBER 13, 2011 AT 7:00 PM IN THE RDN BOARD CHAMBERS

#### Present:

Director J. Stanhope	Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director J. Fell	Electoral Area F
Director W. Veenhof	Electoral Area H
Director M. Lefebvre	City of Parksville
Alternate	
Director A. Tanner	Town of Qualicum Beach
Director B. Dempsey	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director T. Greves	City of Nanaimo
Director G. Anderson	City of Nanaimo
Director D. Brennan	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
J. Finnie	Gen. Mgr., Regional & Community Utilities
T. Osborne	Gen. Mgr., Recreation & Parks Services
D. Trudeau	Gen. Mgr., Transportation & Solid Waste Services
N. Hewitt	Recording Secretary

#### CALL TO ORDER

The Chief Administrative Officer called the meeting to order and confirmed receipt of notification from the City of Nanaimo, the City of Parksville, the Town of Qualicum Beach and the District of Lantzville advising of their Council appointments to the Board for the year 2012.

#### INAUGURATION OF BOARD MEMBERS

The Honourable Judge Dohm conducted the inauguration proceedings including the Oaths of Office.

## **ELECTION OF BOARD CHAIRPERSON**

The Chief Administrative Officer called for nominations for the position of Chairperson for the year 2012.

Director Lefebvre nominated Director Stanhope.

There being no further nominations, the Chief Administrative Officer declared Director Stanhope Chairperson for 2012.

## **ELECTION OF DEPUTY CHAIRPERSON**

The Chief Administrative Officer called for nominations for the position of Deputy Chairperson for the year 2012.

Director Ruttan nominated Director Brennan.

There being no further nominations, the Chief Administrative Officer declared Director Brennan Deputy Chairperson for the year 2012.

The Chairperson thanked the Board for their confidence and is looking forward to the challenges ahead.

The Chairperson welcomed Alternate Director Tanner to the Board and welcomed Alternate Directors Burger and De Jong that were sitting in the audience.

## **BOARD MINUTES**

MOVED Director Holme, SECONDED Director Ruttan, that the minutes of the regular Board meeting held November 22, 2011 be adopted.

CARRIED

## **COMMUNICATIONS/CORRESPONDENCE**

MOVED Director Johnstone, SECONDED Director Young, that the notifications from the City of Nanaimo, City of Parksville, Town of Qualicum Beach and the District of Lantzville advising of their Council appointments to the Board for the year 2012 be received.

CARRIED

## **BYLAWS**

### **For Adoption.**

#### **Bylaw No. 813.48**

MOVED Director Kipp, SECONDED Director Lefebvre, that "French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.48, 2011" be adopted.

CARRIED

**Bylaw No. 889.61**

MOVED Director Dempsey, SECONDED Director Veenhof, that "Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.61, 2011" be adopted.

CARRIED

**ADMINISTRATOR'S REPORTS**

**Report of Election Results – 2011 Local Government Elections.**

MOVED Director Holme, SECONDED Director Bestwick, that the 2011 official election results be received for information.

CARRIED

**Board and Standing Committee Meeting Schedule for 2012.**

MOVED Director Holme, SECONDED Director Bestwick, that the 2012 meeting schedule be received for information.

CARRIED

**Proposed Schedule to Approve 2012 to 2016 Financial Plan.**

MOVED Director Bestwick, SECONDED Director Fell, that the following schedule for the review and adoption of the 2012 to 2016 Financial Plan be approved:

January 10, 2012	Committee of the Whole - 2012 Budget
January 17, 2012	Special Committee of the Whole - 2012 Budget
February 14, 2012	Committee of the Whole - 2012 to 2016 Financial Plan
Week of February 21, 2012	Release of budget edition of Regional Perspectives
March 13, 2012	Introduce Bylaw to adopt 2011 to 2015 Financial Plan
March 27, 2012	Adopt Financial Plan Bylaw

CARRIED

**2011 Departmental Accomplishments & Activities.**

MOVED Director Lefebvre, SECONDED Director Anderson, that the Board receive the summary of activities and departmental accomplishments for the Regional District of Nanaimo for 2011.

CARRIED

**NEW BUSINESS**

Chairperson congratulated the staff at Oceanside Place for saving the life of two patrons (September 21<sup>st</sup> and December 7<sup>th</sup>, 2011) with the use of the defibrillator and the knowledge from first aid training.

**Municipal Finance Authority of British Columbia**

Chairperson Stanhope updated Board members on a recent MFA meeting that he attended.

**ADJOURNMENT**

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

CARRIED

TIME: 7:27 PM.

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CHAIRPERSON

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SR. MGR., CORPORATE ADMINISTRATION

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE SPECIAL BOARD  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY, JANUARY 10, 2012 AT 9:01 PM IN THE  
RDN BOARD CHAMBERS**

**Present:**

Director J. Stanhope	Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director J. Fell	Electoral Area F
Director W. Veenhof	Electoral Area H
Director M. Lefebvre	City of Parksville
Director D. Willie	Town of Qualicum Beach
Director B. Dempsey	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Kipp	City of Nanaimo
Alternate	
Director F. Pattje	City of Nanaimo
Director T. Greves	City of Nanaimo
Director G. Anderson	City of Nanaimo
Director D. Brennan	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
J. Finnie	Gen. Mgr., Regional & Community Utilities
T. Osborne	Gen. Mgr., Recreation & Parks Services
D. Trudeau	Gen. Mgr., Transportation & Solid Waste Services
N. Hewitt	Recording Secretary

**ADMINISTRATOR'S REPORTS**

**Bylaws No. 813.49, 889.62, and 1062.04 – Inclusion of Properties into the French Creek Sewer, Northern Community Sewer, and the French Creek Village Streetlighting Service Areas – Electoral Area 'G'.**

MOVED Director Lefebvre, SECONDED Director Young, that "French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.49, 2012" be introduced and read three times.

CARRIED

MOVED Director Lefebvre, SECONDED Director Young, that "Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.62, 2012" be introduced and read three times.

CARRIED

MOVED Director Lefebvre, SECONDED Director Veenhof, that "French Creek Village Streetlighting Local Service Area Boundary Amendment Bylaw No. 1062.04, 2012" be introduced and read three times.

CARRIED

**Electoral Area 'A' Parks, Recreation & Culture Commission / Electoral Area Parks and Open Space Advisory Committees – Terms of Reference.**

MOVED Director Young, SECONDED Director Veenhof, that the amendments to the Terms of Reference for the following Advisory Committees be approved that will provide for the Electoral Area Director to be appointed as Chairperson as provided in Appendix 1:

- Electoral 'A' Parks, Recreation and Culture Commission
- Electoral Area 'B' Parks and Open Space Advisory Committee
- East Wellington / Pleasant Valley Parks and Open Space Advisory Committee
- Nanoose Bay Parks and Open Space Advisory Committee
- Electoral Area 'F' Parks and Open Space Advisory Committee
- Electoral Area 'G' Parks and Open Space Advisory Committee
- Electoral Area 'H' Parks and Open Space Advisory Committee

CARRIED

**Regional Parks and Trails Committee – Terms of Reference.**

MOVED Director Dempsey, SECONDED Director Houle, that the Regional Board approve the Terms of Reference to Regional Parks and Trails Committee as presented in Appendix I.

CARRIED

**Northern Community Economic Development Select Committee – Terms of Reference.**

MOVED Director Lefebvre, SECONDED Director Veenhof, that the Board establish a Northern Community Economic Development Select Committee and that the attached Terms of Reference for the Select Committee be approved.

CARRIED

**Drinking Water and Watershed Protection Advisory Committee and Sustainability Select Committee – Terms of Reference.**

MOVED Director Lefebvre, SECONDED Director Brennan, that the Terms of Reference for the Drinking Water and Watershed Protection Technical Advisory Committee and the Sustainability Select Committee, as presented in Appendices A & B to this staff report, be approved.

CARRIED

**Board Appointments – Standing, Select & Advisory Committees.**

MOVED Director Holme, SECONDED Director Brennan, that the appointments to the 2012 Regional District of Nanaimo Standing Committees be received for information.

CARRIED

MOVED Director Brennan, SECONDED Director Veenhof, that the appointments to the 2012 Regional District of Nanaimo Select Committees be received for information.

CARRIED

MOVED Director Bestwick, SECONDED Director Brennan, that the recommendations for appointments to the 2012 Regional District of Nanaimo Scheduled Standing Committees, Advisory Committees and Commissions be endorsed as follows:

Arrowsmith Water Service Management Committee – J. Stanhope, G. Holme, Alternate

Central South RAC for Island Coastal Economic Trust – J. Stanhope, G. Holme

Deep Bay Harbour Authority – B. Veenhof

District 69 Recreation Commission – B. Veenhof, J. Fell, Alternate

Englishman River Water Service Management Board – J. Stanhope

Mount Arrowsmith Biosphere Foundation – M. Young

Municipal Finance Authority – J. Stanhope, G. Holme, Alternate

Municipal Insurance Association (MIA) – J. Kipp

Nanaimo Parks, Recreation & Culture Commission – A. McPherson, M. Young

North Island 911 Corporation – J. Stanhope, M. Lefebvre, Alternate

Oceanside Tourism Association – G. Holme, J. Stanhope, Alternate

Te’Mew Treaty Negotiations Committee – B. Dempsey, G. Holme, Alternate

Vancouver Island Regional Library Board – G. Holme, H. Houle, Alternate

CARRIED

**2012 Service Area Work Plan Projects.**

MOVED Director Holme, SECONDED Director Bestwick, that the Board receive the service area work plan projects list for 2012 for information.

CARRIED

**ADJOURNMENT**

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

CARRIED

TIME: 9:21 PM

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CHAIRPERSON

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SR. MGR., CORPORATE ADMINISTRATION



**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE  
MEETING HELD ON TUESDAY, JANUARY 10, 2012 AT 6:30 PM  
IN THE RDN BOARD CHAMBERS**

**Present:**

Director G. Holme	Chairperson
Director A. McPherson	Electoral Area A
Director M. Young	Electoral Area C
Director J. Fell	Electoral Area F
Director J. Stanhope	Electoral Area G
Director W. Veenhof	Electoral Area H

**Also in Attendance:**

M. Pearse	Sr. Mgr., Corporate Administration
P. Thorkelsson	Gen. Mgr., Development Services
J. Holm	Mgr., Current Planning
N. Hewitt	Recording Secretary

**MINUTES**

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

CARRIED

**PLANNING**

***DEVELOPMENT PERMIT APPLICATIONS***

**Development Permit Application No. PL2011-166 – Marilyn Bennett – 991 Maple Lane Drive – Area ‘G’.**

MOVED Director Stanhope, SECONDED Director Veenhof, that Development Permit Application No. PL2011-166 to permit the construction of an addition to the existing dwelling unit be approved subject to the conditions outlined in Schedules No. 1 to 2.

CARRIED

**Development Permit Application No. PL2011-168 – Scott Bentzen – 729 and 735 Despard Avenue – Area ‘G’.**

MOVED Director Stanhope, SECONDED Director McPherson, that Development Permit Application No. PL2011-168, in conjunction with a subdivision application, be approved subject to the conditions outlined in Schedules No. 1 to 2.

CARRIED

***DEVELOPMENT PERMIT WITH VARIANCE APPLICATIONS***

**Development Permit with Variance Application No. PL2010-093 – Meade – Lundine Lane – Area ‘G’.**

MOVED Director Stanhope, SECONDED Director Young, that staff be directed to complete the required notification.

CARRIED

MOVED Director Stanhope, SECONDED Director Young, that Development Permit with Variance Application No. PL2010-093 to permit the construction of a single-family dwelling be approved subject to the conditions outlined in Schedules No. 1 to 3.

CARRIED

MOVED Director Stanhope, SECONDED Director Young, that staff report back to the Board on dealing with variances to frontage requirements and panhandle lots.

CARRIED

***DEVELOPMENT VARIANCE PERMIT APPLICATIONS***

**Development Variance Permit Application No. PL2011-175 – Donald & Hilary Lane – 3048 Bay Road – Area ‘H’.**

MOVED Director Veenhof, SECONDED Director Stanhope, that staff be directed to complete the required notification.

CARRIED

MOVED Director Veenhof, SECONDED Director Stanhope, that Development Variance Permit Application No. PL2011-175 to vary the maximum floor area of accessory buildings in the CD9 zone from 10 m<sup>2</sup> to 14 m<sup>2</sup> to legalize an existing accessory building be approved as outlined in Schedule No. 1.

CARRIED

**Development Variance Permit Application No. PL2011-194 – Glencar Consultants Inc. – Bouman Place & Wembley Road – Area ‘G’.**

MOVED Director Stanhope, SECONDED Director Young, that staff be directed to complete the required notification.

CARRIED

MOVED Director Stanhope, SECONDED Director Young, that Development Variance Permit Application No. PL2011-194 to reduce the setback from "Other Lot Lines" adjacent to the existing walkway (lane) within the subject properties be approved as outlined in Schedules No. 1, 2 and 3.

CARRIED

***OTHER***

**Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement – Couverdon Real Estate – Area ‘E’.**

MOVED Director Stanhope, SECONDED Director Young, that the request to relax the minimum 10% perimeter frontage requirement for proposed Lots 1 to 5, inclusive, be approved.

CARRIED

**ADJOURNMENT**

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

CARRIED

**Time:** 6:44 PM

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CHAIRPERSON

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE COMMITTEE OF THE WHOLE  
MEETING HELD ON TUESDAY, JANUARY 10, 2012 AT 7:00 PM  
IN THE RDN BOARD CHAMBERS**

**Present:**

Director J. Stanhope	Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director J. Fell	Electoral Area F
Director W. Veenhof	Electoral Area H
Director M. Lefebvre	City of Parksville
Director D. Willie	Town of Qualicum Beach
Director B. Dempsey	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director B. Bestwick	City of Nanaimo
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Alternate	
Director F. Pattje	City of Nanaimo
Director T. Greves	City of Nanaimo
Director G. Anderson	City of Nanaimo
Director D. Brennan	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
J. Finnie	Gen. Mgr., Regional & Community Utilities
T. Osborne	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 Pattje to the meeting.

**DELEGATIONS**

**Harold Sellers, Trails BC, re Trans Canada Trail.**

Mr. Sellers provided a visual and verbal overview on the objectives of the Trans Canada Trail and opportunities which currently exist.

**Don Gately, re Gabriola Gun Club.**

Mr. Gately spoke about the negative impact the Club has had on his life.

**Ode Howard, re Gabriola Gun Club.**

Mr. Howard requested that the Board follow up with the Integrated Land Management Agency regarding the proper use and compliance of the lease.

**Bruce Halliday, Port Theatre Society, re RDN Contribution to the Port Theatre Operations Budget.**

Mr. Halliday presented a verbal overview of the Port Theatre and requested consideration of an annual cost of living increase to the contribution received from the Regional District of Nanaimo.

**Kim Burden, Parksville & District Chamber of Commerce, re Funding for an Economic Development Assessment for the Oceanside Area.**

Mr. Burden presented a visual and verbal overview of the Parksville & District Chamber of Commerce and requested that the Board match the federal funding via the Northern Regional Economic Development Committee at a cost of \$9,450.

**MINUTES**

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

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

**Gabriola Land Conservancy, re Cox Community Park.**

MOVED Director Lefebvre, SECONDED Director Houle, that the correspondence from Gabriola Land Conservancy regarding the Cox Community Park be received.

CARRIED

**Debbie Comis, City of Parksville, re 2012 Council Appointments to the District 69 Recreation Commission, the Arrowsmith Water Service Management Board, and the Englishman River Water Service Management Board.**

MOVED Director Lefebvre, SECONDED Director Houle, that the correspondence from the City of Parksville regarding the 2012 Council Appointments for the District 69 Recreation Commission, the Arrowsmith Water Service Management Board and the Englishman River Water Service Management Board be received.

CARRIED

**Laurie Gourlay, Mid Island Sustainability & Stewardship Initiative, re RDN Trans Canada Trail Route and Green Space.**

MOVED Director Lefebvre, SECONDED Director Houle, that the correspondence from Mid Island Sustainability & Stewardship Initiative be received.

CARRIED

**Rob Steele, re Rerouting of the Trans Canada Trail.**

MOVED Director Lefebvre, SECONDED Director Houle, that the correspondence from Rob Steele regarding the Trans Canada Trail be received.

CARRIED

***FINANCE AND INFORMATION SERVICES***

**FINANCE**

**Bylaw No. 1651 – A Bylaw to Authorize Preparation of 2012 Parcel Tax Rolls.**

MOVED Director Holme, SECONDED Director Bestwick, that the "2012 Parcel Tax Assessment Roll Bylaw No. 1651, 2012", be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Bestwick, that the "2012 Parcel Tax Assessment Roll Bylaw No. 1651, 2012" be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Bestwick, that the Board appoint the Chairperson, the Senior Manager, Corporate Administration and the General Manager, Finance and Information Services to preside as the 2012 parcel tax review panel.

CARRIED

**Bylaw No. 897.06 – A Bylaw to Include Electoral Area 'H' as a Participant in the Northern Community Transit Service.**

MOVED Director Veenhof, SECONDED Director Lefebvre, that "Northern Community Transit Service Amendment Bylaw No. 897.06, 2012" be introduced for three readings and be forwarded to the Inspector of Municipalities for approval.

CARRIED

**2012 Proposed Budget Overview.**

MOVED Director Bestwick, SECONDED Director Bartram, that the report on the proposed 2012 budget be received and the 2012 budget be further reviewed at a Special Committee of the Whole meeting on January 17, 2012.

CARRIED

**Bylaw No. 1653 – A Bylaw to Establish a Cedar Community Policing Contribution Service.**

MOVED Director McPherson, SECONDED Director Young, that the funding request from the Cedar Community Policing Office be supported commencing in 2012 subject to approval of Bylaw No. 1653.

CARRIED

MOVED Director McPherson, SECONDED Director Young, that elector assent to establish annual funding in the amount of \$2,000 for the Cedar Community Policing Office from Electoral Area `A`, be obtained using the alternative approval process.

CARRIED

MOVED Director McPherson, SECONDED Director Young, that "Cedar Community Policing Office Contribution Service Establishment Bylaw No. 1653, 2012" be introduced for first three readings and be forwarded to the Ministry of Community, Sport and Cultural Development for approval.

CARRIED

MOVED Director McPherson, SECONDED Director Young, that the attached Cedar Community Policing Office Contribution Service Elector Response Form be approved.

CARRIED

***DEVELOPMENT SERVICES***

**BUILDING, BYLAW & EMERGENCY PLANNING**

**Appointment of Animal Control Officer.**

MOVED Director Bestwick, SECONDED Director Brennan, that William Jonathan Mitchell of Coastal Animal Control Services of BC Limited be appointed as a Bylaw Enforcement Officer for the specific purpose of enforcing Regional District of Nanaimo Animal Control and Licensing Bylaws.

CARRIED

***REGIONAL AND COMMUNITY UTILITIES***

**WATER**

**Drinking Water and Watershed Protection Service Water Budget – Consultant Services Contract Award.**

MOVED Director Brennan, SECONDED Director Anderson, that the Water Budget Project / Phase One — RDN Vancouver Island, be awarded to Waterline Resources Inc. for \$170,000.

CARRIED

**WASTEWATER**

**Bylaw No. 975.57 – Pump & Haul Amendment Bylaw to Exclude Strata Lot 180, Block 526, Strata Plan VIS 4673, Cameron Lot District – 1556 Pady Place – Area 'F'.**

MOVED Director Fell, SECONDED Director Bestwick, that the boundaries of the "Regional District of Nanaimo Pump & Haul Local Service Establishment Bylaw No. 975, 1995" be amended to exclude Strata Lot 180, Block 526, Strata Plan VIS4673, Cameron Land District.

CARRIED

MOVED Director Fell, SECONDED Director Bestwick, that the "Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.57, 2012" be introduced and read three times.

CARRIED

**TRANSPORTATION AND SOLID WASTE SERVICES**

**SOLID WASTE**

**Regional Landfill Security Services Contract Award.**

MOVED Director Ruttan, SECONDED Director Brennan, that the Board award the contract for security services at the Regional Landfill to Footprints Security for a period of three years commencing March 1, 2012 at a total cost of \$275,946.00.

CARRIED

**COMMISSION, ADVISORY & SELECT COMMITTEE**

**District 69 Community Justice Select Committee.**

MOVED Director Holme, SECONDED Director Ruttan, that the minutes of the District 69 Community Justice Select Committee meeting held Tuesday November 22, 2011 be received for information.

CARRIED

MOVED Director Holme, SECONDED Director Ruttan, that the 2012 requisition for funding to support the Oceanside Victim Services and Restorative Justice Programs remain the same as in 2011 (\$77,500).

CARRIED

MOVED Director Holme, SECONDED Director Ruttan, that a 2012 grant in the amount of \$5,943 for the Citizens on Patrol Society, District 69 be approved.

CARRIED

MOVED Director Holme, SECONDED Director Ruttan, that a 2012 grant in the amount of \$1,450.38 for the Corcan Meadowood Residents Association be approved.

CARRIED

**District 69 Recreation Commission.**

MOVED Director Holme, SECONDED Director Bestwick, that the minutes of the District 69 Recreation Commission meeting held Thursday November 17, 2011 be received for information.

CARRIED

MOVED Director Holme, SECONDED Director Willie, that the request from the Town of Qualicum Beach to be a joint applicant hosting a BC Senior Games event be put in abeyance until the new appointments to the District 69 Recreation Commission and the new municipal councils of the Town of Qualicum Beach and the City of Parksville are in place.

CARRIED



MOVED Director Holme, SECONDED Director Anderson, that staff be directed to prepare a report with regard to the financial implication, including staff resources and the capital costs required to host the BC Senior Games, and to explore the possible financial assistance to host the event from the two municipalities of Parksville and Qualicum Beach and the provincial and federal governments.

CARRIED

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

MOVED Director McPherson, SECONDED Director Brennan, that the minutes of the Electoral Area 'A' Parks, Recreation & Culture Commission meeting held November 16, 2011 be received for information.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Trans Canada Trail.**

MOVED Director Young, SECONDED Director Kipp, that staff be directed to report back to the Board on the feasibility of constructing a pedestrian bridge over the Nanaimo River along the dedicated Trans Canada Trail route and work in partnership with Trails BC on this initiative including sourcing potential grant funding through Trans Canada Trail and Parks Canada.

CARRIED

**Port Theatre Operations Budget.**

MOVED Director Brennan, SECONDED Director Kipp, that staff be directed to report back to the Board on the request to consider an annual cost of living increase to the contribution to the Port Theatre.

CARRIED

**Gabriola Gun Club.**

MOVED Director Houle, SECONDED Director Pattje, that staff request an update from the Chief Firearms Officer and the Ministry of Forests, Lands and Natural Resource Operations, who are the lease holders, regarding the ongoing complaints associated with the Gabriola Rod, Gun & Conservation Club activities and that the staff report back to the Board.

CARRIED

**ADJOURNMENT**

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

CARRIED

TIME: 9:00 PM

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CHAIRPERSON

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SR. MGR., CORPORATE ADMINISTRATION

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE DISTRICT 69 COMMUNITY JUSTICE  
SELECT COMMITTEE MEETING  
HELD ON TUESDAY, NOVEMBER 22, 2011 AT 1:00 PM  
IN THE OCEANSIDE PLACE MEETING ROOM, PARKSVILLE, BC**

**Present:**

Director Lou Biggemann	Chairperson
Director Teunis Westbrook	Town of Qualicum Beach
Director George Holme	Electoral Area E
Director Dave Bartram	Electoral Area H
Director Marc Lefebvre	City of Parksville

**Also in attendance:**

Nancy Avery	GM, Finance & Information Services
Tiffany Moore	Manager, Accounting Services
Sgt. Darrell Robertson	Oceanside RCMP Detachment

**CALL TO ORDER**

The Chairperson called the meeting to order at 1:07pm.

**DELEGATION**

**Victim Services, Restorative Justice and Community Dispute Resolution Program Update**

Sgt. Darrell Robertson, Oceanside RCMP Detachment updated the Committee regarding the Victim Services and Restorative Justice Programs. He indicated that he was requesting the same amount of funding for both programs for 2012. He provided examples of how the funds reduce the amount of time that the RCMP are required to spend on dispute resolution.

Director Westbrook requested an update on the pilot project call desk for incident reporting. {During the prior year, S/Sgt. Brian Hunter described a potential pilot project he was investigating where officers could call in reports to a “call desk” staffed by clerical employees, who would transcribe the call details into the records database.} Sgt. Darrell Robertson had no further details at the current time.

MOVED Director Westbrook, SECONDED Director Holme, that the delegation be received.

CARRIED

**MINUTES**

MOVED Director Westbrook, SECONDED Director Bartram, that the minutes of the District 69 Community Justice Select Committee meeting held October 27, 2010, be adopted.

CARRIED

**BUSINESS ARISING FROM THE DELEGATION**

MOVED Director Bartram, SECONDED Director Lefebvre, that the New Business be brought forward under Business Arising from Delegations.

CARRIED

There was a discussion regarding difficulties associated with Criminal Record checks for Volunteers in Electoral Areas and the possibility of having a member of the RCMP attend the Recreation office in Electoral Area H for example to accommodate Criminal Records checks. Sgt. Robertson will follow up with the Recreation Programmer in Electoral Area 'H' on this issue.

MOVED Director Westbroek, SECONDED Director Holme, that the District 69 Community Justice Select Committee recommend that the 2012 requisition for funding to support the Oceanside Victim Services and Restorative Justice Programs remain the same as in 2011 (\$77,500).

CARRIED

**ADMINISTRATION**

**Community Safety Grant-in-Aid Applications**

MOVED Director Westbroek, SECONDED Director Holme, that a 2012 grant in the amount of \$5,943 for the Citizens on Patrol Society, District 69 be approved.

CARRIED

MOVED Director Westbroek, SECONDED Director Holme, that a 2012 grant in the amount of \$1,450.38 for the Corcan Meadowood Residents Association be approved.

CARRIED

**ADJOURNMENT**

MOVED Director Holme, SECONDED Director Lefebvre, that the meeting adjourn.

CARRIED

TIME: 1:45 PM

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CHAIRPERSON

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE DISTRICT 69 RECREATION COMMISSION REGULAR  
MEETING HELD ON THURSDAY, NOVEMBER 17, 2011  
AT OCEANSIDE PLACE  
2:00PM**

- Attendance:** Reg Nosworthy, Electoral Area 'F', Deputy Chair  
Dave Bartram, Director, RDN Board  
Michael Procter, Electoral Area 'H'  
Jack Wilson, Councillor, Town of Qualicum Beach  
Eve Flynn, School District #69  
Teresa Patterson, Councillor, City of Parksville
- Staff:** Tom Osborne, General Manager of Recreation and Parks  
Dean Banman, Manager of Recreation Services
- Regrets:** Frank Van Eynde, Electoral Area 'E', Chair
- 

**CALL TO ORDER**

Chair Nosworthy called the meeting to order at 2:00pm.

**MINUTES**

MOVED Commissioner Procter, SECONDED Commissioner Wilson, that the Minutes of the District 69 Recreation Commission meeting held October 20, 2011, be approved.

CARRIED

**BUSINESS ARISING FROM THE MINUTES**

Mr. Osborne briefly reviewed the District 69 Recreation Commission Terms of Reference and the role of the RDN Board Select Committee with regard to the appointment of new Commissioners.

**UNFINISHED BUSINESS**

**BC Senior Games Joint Application**

Mr. Banman reported a meeting was recently held with Town of Qualicum Beach staff to discuss their invitation to be a joint applicant in hosting a future BC Senior Games event. It was requested that the Recreation and Parks Department provide primary support for the event application through the recreation services function. Mr. Banman stated the next possible date available to host a BC Senior Games event would not be until the year 2015.

Commissioner Flynn requested staff review why the previous event applications failed, stating she believed the failure was in part due to the lack of a track facility, which is still true today.

Commissioner Wilson stated he felt it was an opportunity for the local communities to work together to enhance the local sport facilities, to promote the area and as a means to increase tourism to Oceanside.

MOVED Commissioner Bartram, SECONDED Commissioner Wilson, that the request from the Town of Qualicum Beach to be a joint applicant in hosting a BC Senior Games event be put in abeyance until the new appointments to the District 69 Recreation Commission and the new municipal councils of the Town of Qualicum Beach and the City of Parksville are in place.

CARRIED

MOVED Commissioner Bartram, SECONDED Commissioner Wilson, that staff be directed to prepare a report with regard to the financial implications, including staff resources and the capital costs required to host the BC Senior Games and to explore the possible financial assistance to host the event from the two municipalities of Parksville and Qualicum Beach and the Provincial and Federal governments.

CARRIED

## REPORTS

### **Oceanside Place**

Mr. Banman provided a brief summary of the Oceanside Place October report, highlighting the following items:

- A Pepsi sponsored teen skate is scheduled to be held November 19. The sponsorship includes free admission, free product, glow sticks and pizza.
- The Dad and Kid Skate sessions held on Tuesday night have been well attended.
- Work has begun on the Winter Wonderland decorations. Most of the ice booking time during the event has been secured already.

### **Northern Community Recreation Services and Ravensong Aquatic Centre**

Mr. Banman summarized the Northern Community Recreation Services and Ravensong Aquatic Centre October report, highlighting the following items:

- A Pepsi sponsored Dive-In Movie Night event for teens will be held November 25 at the aquatic centre.
- Aquatic staff have been working through the commissioning of the building. The equipment is up and running however, staff still are learning the new systems and working through some deficiencies.
- The Adult and Children Swim Fitness programs have been very successful.

Mr. Osborne announced Mr. Porteous, Superintendent of Arenas and Southern Recreation Services and Ms. Newsted, Senior Secretary, would both be retiring early in 2012.

### **Community Parks and Regional Parks and Trails Projects**

Mr. Osborne briefly reviewed the Community Parks and Regional Parks and Trails project for October, noting the following items:

- Staff will meet with Fairwind's representatives to discuss a memorial bench program. A review of the memorial bench program throughout the District will also take place.
- Staff are finishing up the work on the new Kopernick Trail, which links Errington Elementary School to Middlegate Road.
- Board approval has been received to apply for three grants, the Cedar Skatepark, the Meadowood Way project and the Henry Morgan Community Park project from the

Provincial Recreation Community Grant program. The grant deadline is December 28, 2011.

- Approximately one hundred residents attended the Moorecroft Regional Park Management Plan Open House held October 22.
- Staff will be working with the City of Parksville on a trail proposal to link Parksville Community Park with Rath Trevor Provincial Park.

### **Year to Date – Financial Statements**

Mr. Banman briefly reviewed the Financial Statements as of September 30, 2011, for the three functions, Ravensong Aquatic Centre, Northern Community Recreation and Oceanside Place Arena.

MOVED Commissioner Bartram, SECONDED Commissioner Flynn, that the Reports be received.

CARRIED

### **NEW BUSINESS**

Commissioner Bartram reported during a recent meeting with recreation staff and Lighthouse Recreation Commission representative Ms. Biro, two items came to light: one, an issue with the Class registration on-line approval system for credit card transactions in Electoral Area 'H'. He stated the problem has been occurring for quite some time and requested staff investigate to find a solution to the problem.

The second issue was regarding the distance rural residents, who would like to volunteer with the Recreation Department, must drive and the time involved for them to get a criminal record check processed at the RCMP office in Parkville. To help alleviate the problem, Commissioner Bartram stated he will raise the issue at the Community Justice Committee meeting to be held on November 22, requesting an arrangement be made where the RCMP could arrange a time they could visit outlying communities to collect the paperwork required as part of the criminal record check process.

### **COMMISSIONER ROUNDTABLE**

Commissioner Bartram thanked the Commission and staff for his term as representative for the Regional Board.

Commissioner Patterson reported the City of Parksville is considering the possible development of an *Off Leash* dog area in the Community Park. One location being considered is the former hover craft site. She also noted the continuing problems with ATV use and the construction of man made BMX jumps by the public in the community park.

Commissioner Wilson stated he had found the District 69 Recreation staff very capable and had also enjoyed his time as a Commissioner for the last nine years.

Commissioner Flynn stated, as there possibly will be new trustees as of the municipal election on Saturday, she would also like to thank staff for her term as Recreation Commissioner.

Commissioner Flynn reported the facility review portion, of the Community Dialogue, is now complete. She stated it was unfortunate the phase one strike had precluded District teachers from meeting with administrators to provide their input in the discussions.

Commissioner Nosworthy also thanked everyone and stated he enjoyed working with all and that he had found it inspiring to participate with a team such as the Commission who keeps their eye on the pulse of the Community.

Commissioner Nosworthy stated the Kopernick Trail is the very first trail constructed in Electoral Area 'F' and it is fantastic.

#### **ADJOURNMENT**

MOVED Commissioner Bartram, that the meeting be adjourned at 3:11 pm.

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Frank Van Eynde, Chair

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE ELECTORAL AREA 'A'  
PARKS, RECREATION AND CULTURE COMMISSION  
REGULAR MEETING HELD WEDNESDAY, NOVEMBER 16, 2011  
AT CEDAR COMMUNITY SECONDARY SCHOOL, 7:00PM**

**Attendance:** Joe Burnett, Director, RDN Board, Chair  
Marlies Newton  
Kerri-Lynne Wilson  
Angela Vincent-Lewis  
Carolyn Mead  
Bernard White  
Chris Pagan

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

**Regrets:** Shannon Wilson

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**CALL TO ORDER**

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

**MINUTES**

MOVED Commissioner Mead, SECONDED Commissioner K. Wilson, that the Minutes of the Electoral Area 'A' Parks, Recreation and Culture Commission meeting held September 22, 2011, be approved.

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

MOVED Commissioner K. Wilson, SECONDED Commissioner White, that the Correspondence L. Barnett, Cedar 4-H, re: Grant Final Report, be received.

CARRIED

**REPORTS**

**Parks:**

**Monthly Update of Community Parks and Regional Parks and Trails Projects**

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

Referencing questions previously raised regarding equestrian access through Hemer Park, Ms. McCulloch stated staff working with BC Parks, are striving to resolve the issue. She noted they have roughed out a trail plan, which is essentially a continuation of the Morden Colliery Regional



Trail. As this is a regional parks project Ms. McCulloch stated she would provide updates for the Commission's information.

Ms. McCulloch reported the Ritten Road boat launch project is scheduled to move forward in the spring, as noted on the work plan. The project will include a site survey, the development of a concept plan, and plan reviews by the Provincial Fisheries, Ministry of Transportation and Infrastructure, Mr. White and Mr. Rangno, prior to presentations to the public. With final approval the boat launch construction should begin in August or September of 2012.

Chair Burnett suggested a site visit for the Commission prior to the Community meeting would be appropriate once the concept drawings are available.

Ms. McCulloch reported Board approval had been received to apply for a BC Community Recreation Program grant in the amount of \$296,410 for the construction of the Cedar Skate Park. These funds would be in addition to the \$46,590 in fund raising dollars, and the \$139,000 already held in reserve for the project. Ms. McCulloch stated construction and tender documents are being prepared to ensure the project is "shovel" ready should the grant monies be approved.

The Commission discussed the importance of letters of support to the grant application and identified a number of groups who may be willing to submit their written support. Information regarding how to formulate the support letters will be distributed to the groups to assist with their submissions.

Ms. McCulloch reported that the Pebble Beach Porta Potty surround installation has been completed and that she was pleased with the look of the structure.

**Recreation:**

**Monthly Update Recreation and Culture Services**

Mr. Porteous presented a brief overview of the Recreation and Culture Services projects for September through to October.

Mr. Porteous briefly described the difficulty staff have in securing instructors in the Cedar area, which is a similar problem Department staff have been challenged with in other rural areas. Ms. Stuart, Recreation Programmer, has been recruiting some new staff to ensure successful implementation of program service delivery. Ms. Stuart will also be reinitiating the Leaders-In-Training program focusing on older teens who may require volunteer hours or community involvement as part of their school courses. This may in turn provide students an opportunity to continue with the Regional District as part time instructors after they graduate.

On a similar note, Mr. Porteous reported one of the summer program instructors, who is currently away at University but lives in the Cedar area, has agreed to lead the new Christmas Camp during her school break. She may be interested in working with the Department over the next number of years while she attends school.

Mr. Porteous informed the Commission that a ten dollar fee for programs was implemented due to the number of individuals wishing to drop in on programs rather than register for the whole sessions. This new fee will be discussed and further considered during the fees and charges discussions in 2012.

Mr. Porteous stated the new program calendar, which is more like a booklet rather than a fold out calendar, has been distributed. Staff will be exploring the opportunity to expand on this document regarding the number of pages and content provided.

MOVED Commissioner Vincent-Lewis, SECONDED Commissioner White, that the Reports be received.

CARRIED

### **Recreation and Culture Services Grant-In-Aid**

Mr. Porteous reported that no applications were received for the fall Grant-In-Aid program. He noted the remaining funds in 2011 will be rolled over to the 2012 budget. Mr. Porteous also stated the Commission and staff will need to further explore the Grant-In-Aid program in terms of the application process, promotion of the program, and whether or not surplus funds should be reallocated to the Reserve Fund. Staff will continue monitoring the number of applications that are received in 2012 with the next Grant-in-Aid process starting in February of 2012. Staff are considering a future workshop to inform and educate the public about the Grant-In-Aid program.

### **Commission Appointments 2012**

Mr. Porteous reminded Commissioners Vincent-Lewis, Pagan and Newton their terms as Commissioners are finished at the end of December 2011. They will be receiving information soon regarding this situation and if they are interested, they may reapply at that time.

## **BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

Mr. Porteous noted the Grant-In-Aid final report received from the Cedar 4-H Club indicated they had used the grant funds received appropriately and as indicated on their application form.

## **NEW BUSINESS**

Mr. Porteous reported staff are considering a small used black and white photocopier for the Cedar Heritage Centre. It is no longer being used in its current location at an RDN site, and the cost would be for the maintenance contract based on copy usage (minimum \$25 per month). Currently copies are done at the Cedar Land Fill Office or the RDN main office, which is not very convenient for staff. Mr. Porteous will report back to the Commission if the copier is satisfactory for the office and administrative operations.

## **COMMITTEE ROUND TABLE**

Commissioner Mead noted the regional trail survey forms at Hemer Park need to be restocked. She also stated the survey information is confusing as the signage has been removed or blown away and stated she would contact Ms. Michel for more signage and forms.

Commissioner Vincent-Lewis stated on her recent visit to Australia she was very impressed with the Australian playground designs which included the environmental and heritage aspects of the each area. She offered to share the information with Parks staff for their reference.

Commissioner K. Wilson stated she had participated in a half marathon in October and was very pleased to donate \$1,000 to the Threshold Haven Society, thanks to the many donations she received from the Community.

Commissioner K. Wilson noted an email she received from Mr. Keller, RDN Senior Planner, regarding complaints they had received about horse manure on Morden Colliery Trail and into Hemer Park. She stated she had forwarded the information to the equestrian community, with a suggestion riders go out and kick the manure off the trail. She also said she was prepared to clean up the trail herself or arrange a work party had the cleanup not been done. When she checked the trail she was happy to find the trail clear of manure, noting the equestrians are a good group of people who want to keep the park trails as multi-use facilities.

Commissioner Pagan referred to the recent City of Nanaimo non-smoking ban initiated in all city playgrounds and parks and that other municipalities, such as Abbotsford, have already instated a similar ban. He suggested that a non smoking ban be proposed in Regional District parks and trails and the issue should be an agenda item for the new Commission.

Commissioner Burnett reminded Commissioners of the Workshop to be held Saturday, November 26 (location to be announced).

#### **ADJOURNMENT**

MOVED Commissioner White, SECONDED Commissioner Vincent-Lewis, that the meeting be adjourned at 8:10pm.

#### **IN CAMERA**

MOVED Commissioner White, SECONDED Commissioner Vincent-Lewis, that pursuant to Section 90(1) (c) of the Community Charter the Board proceed to an In Camera Commission meeting to consider items related to personnel issues.

CARRIED

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Chair



**REGIONAL  
DISTRICT  
OF NANAIMO**

RDN REPORT		JAN 13 2012
CAO APPROVAL		
EAP		
COW		
RHD		
BOARD	✓	

**MEMORANDUM**

**TO:** Jeremy Holm  
Manager, Current Planning

**DATE:** January 12, 2012

**FROM:** Lainya Rowett  
Senior Planner

**FILE:** 0360 20 AAC

**SUBJECT:** **Agricultural Area Plan Update**

**PURPOSE**

To update the Board on the Agricultural Area Plan project and public engagement process.

**BACKGROUND**

In July 2011, staff provided a report to the Board outlining the selection of a project consultant for the RDN Agricultural Area Plan (AAP), the work plan activities and public engagement process. From August through November 2011, RDN staff, the project consulting team (the "Consultant"), and members of the Agricultural Area Plan (AAP) Steering Committee attended, and facilitated, various public open houses as part of the engagement process. The following report provides a summary of comments received from the public and stakeholders in the agriculture community as a result of this consultation. Additional information is provided about an agricultural video series that was produced by the project Consultant and the next steps in the work plan.

**DISCUSSION**

*Public Open Houses and Community Engagement*

Prior to the project open houses, RDN staff and the Consultant engaged the public and community organizations (e.g. farmers markets) to provide information about the Plan process, its objectives and consultation opportunities. This information was presented at the Coombs Fair and the Vancouver Island Exhibition (VIEx) in August 2011. Informative posters were displayed and postcards distributed with the project website address, [www.growingourfuture.ca](http://www.growingourfuture.ca).

The Consultant hosted two public open houses in Cedar on November 2, 2011 and in Errington on November 3, 2011 in partnership with RDN staff and members of the Steering Committee. Both events ran from 6:00 pm to 9:00 pm. Approximately 30 people attended the Cedar event and approximately 50 people attended the Errington event.

Both events included a guest speaker presentation, the Consultants' presentation of the agricultural land use inventory findings, followed by interactive, café-style round-table discussions. The format of these dialogues involved four groups with the following themes/questions concerning agriculture in the RDN to be discussed by participants:

- What is the vision for agriculture?
- What are the barriers to agriculture?
- What are the opportunities for agriculture?
- What is the role of local government?

Participants were invited to rotate among the tables and contribute to each conversation topic. The dialogues were highly interactive and generated much discussion. A summary of the comments from each event is contained in “Appendix 2 Full List of Issues Addressed at Open Houses” of the Consultant’s report (see Attachment No. 1)

#### *Stakeholder Focus Groups*

In addition to the open houses, press releases and general public engagement events, the first of three focus group sessions was held on November 4, 2011 at the RDN Administration Office. A selection of key stakeholders in the local agricultural community was identified prior to the meeting and invited to participate. Eleven individuals attended this session. The purpose of the meeting was to review the comments received at the two open houses and provide further discussion to inform the development of the draft recommendations for the Agricultural Area Plan. A summary of the focus group comments is provided in “Appendix 3 Full List of Issues Addressed at Focus Group Session #1” of the Consultant’s *Public Consultation Summary Report* (as circulated). The next focus group session (Session #2) is scheduled to be held at the RDN Administration Office on January 27, 2012.

#### *Communications Video Series Production*

As part of a creative engagement strategy, the project Consultant produced a short, three-part video series to be used for public view (e.g. on the project website, YouTube, at public meetings, on television). The purpose of the videos is to educate and inform citizens about the ‘farm to plate’ connection in agriculture in the RDN and to encourage people to get involved in the Plan process. The videos were developed based on a number of interviews conducted (October 2011) by the Consultant with a broad spectrum of individuals representing the public at farmers markets, agricultural producers, chefs, grocers and other key players in the agricultural community throughout the region as outlined in “Appendix 1 Filming Schedule for Video Footage” in the Consultant’s *Public Consultation Summary Report* (as circulated).

## **ALTERNATIVES**

This report is being presented for information only.

## **SUMMARY/CONCLUSION**

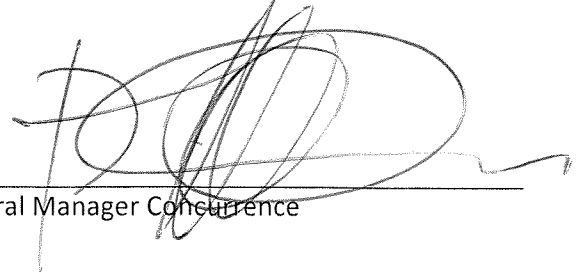
In the Fall of 2011 two public open houses, a stakeholder focus group session, and additional public engagement events, were conducted throughout the region to introduce the RDN Agricultural Area Plan project and provide opportunities for public consultation and stakeholder input on the vision, barriers and opportunities for local agriculture in the RDN. The comments received from this consultation, and from interviews conducted to produce an educational video series, will be used to inform the draft recommendations of the Plan. A video series produced from interviews within the community will be posted on the project website in February 2012. The project Consultant plans to conduct additional stakeholder focus group sessions at the end of January and March 2012, and develop draft recommendations for the Board’s consideration in Spring 2012.

**RECOMMENDATION**

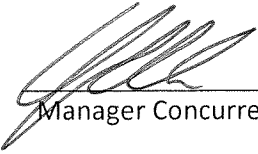
That the Board receive this report and the Public Consultation Summary Report and Agricultural Area Plan video series for information.



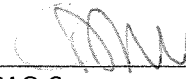
Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence



RDN REPORT		
CAO APPROVAL <i>(Signature)</i>		
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RHD		
BOARD	✓	

# MEMORANDUM

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

**DATE:** January 12, 2012

**FROM:** Carey McIver  
Manager of Solid Waste

**FILE:** 5360-46

**SUBJECT: Cedar Road Bioenergy Facility Expansion Sixth Amending Agreement**

**PURPOSE**

To obtain Board approval for a sixth amendment to the existing Development and Operating agreements with Cedar Road Bioenergy Inc. to allow for an expansion of their landfill gas utilization facility at the Regional Landfill.

**BACKGROUND**

Landfill gas (LFG) is created from the decomposition of organic waste in landfills. LFG is about 50 percent methane and 50 percent carbon dioxide by volume, which makes it a potent greenhouse gas.

The RDN has been a leader at reducing greenhouse gas emissions from the Regional Landfill. In 2002, staff completed a landfill gas utilization study with financial assistance from the Federation of Canadian Municipalities (FCM). In 2003, the Board awarded a tender to construct an aggressive LFG collection and flare system that would provide sufficient gas to support the use of LFG as a green energy source. Once again, FCM cost-shared 50 percent of this \$1.3 million project in exchange for the transfer of any emission reduction rights (carbon credits) arising from the project.

In 2005, following a Request for Proposals process, the Board approved Development and Operating Agreements with Cedar Road Bioenergy Inc. to provide for the design, construction and operation of a facility on the RDN Landfill to generate electricity using landfill gas as an alternative fuel source. In 2006, 2007, 2008 and 2009 the Board approved four amending agreements to the Development and Operating Agreements with Cedar Road Bioenergy to respond to various changes with respect to the project schedule and other requirements.

Cedar Road Bioenergy Inc. (Cedar Road) is a clean energy company that specializes in harvesting methane from landfill gas and converting it into useable energy. In 2010 Cedar Road completed their \$3.8 million, 1.3 megawatt methane-fueled electrical power plant. The facility currently uses two GE Jenbacher generating sets (gensets) in an innovative modular concept that allows for phased expansion of the 633 kilowatt modules as needed. Cedar Road sells the electricity that is generated to the BC Hydro Standing Offer Program under a 20 year Electricity Purchase Agreement executed in 2009.

### *Nanaimo Bioenergy Centre*

This project is one of the first of its kind in Canada to utilize methane from a small-to-medium sized landfill to generate electricity and potentially, transportation fuel and thermal heating. For this reason, in 2009 the BC Bioenergy Network, Cedar Road and the RDN entered into an agreement to establish the RDN landfill gas collection system and Cedar Road bioenergy facility as a collaborative development and demonstration centre where technology suppliers, small to medium sized local governments, and other stakeholders could identify best practices for sustainable landfill gas-to-energy projects at small to medium landfill sites in BC. In 2010 the partners agreed to change the name of the Collaborative Development and Demonstration Centre to the Nanaimo Bioenergy Centre.

### *Facility Expansion (Phase 2)*

Under the Development and Operating Agreements, while the RDN makes landfill gas (LFG) available to Cedar Road Bioenergy, Cedar Road Bioenergy takes the sole risk regarding technology performance, fuel supply reliability, debt financing and project equity requirements. To increase utilization efficiencies, in May 2011 Cedar Road proposed an expansion to the facility to include:

- An LFG storage facility to buffer and mitigate interruptions in the supply of landfill gas as well as enable the operation of both engines during periods of peak electricity load demand;
- A battery electricity storage facility to supply stand-by power during short-term loss from the BC Hydro grid;
- An LFG cleaning and processing system to reduce contaminants and associated maintenance costs for the engines;
- An above grade geothermal loop system to store and retrieve waste heat from the genset cooling systems to heat up facility equipment and infrastructure;
- A thermal waste heat recovery system to provide combined heat and power capability, thereby increasing the efficiency of the gensets and facilitating the development of a distributed energy infrastructure (district heating); and,
- An LFG processing and compression plant to produce a renewable natural gas (RNG) transportation grade fuel.

Given that this expansion would increase the royalty payable to the RDN under the Operating Agreement and meets the Board's strategic objectives related to climate change, energy and economic resilience, in June 2011 the Board approved a Fifth Amending (Facility Expansion) Agreement with Cedar Road.

### *Fifth Amending (Facility Expansion) Agreement*

The Facility Expansion Agreement allows the facility to expand as outlined above under the same terms and conditions as the Development Agreement. Under the Development Agreement the RDN agrees to supply LFG from the RDN landfill to Cedar Road. In return Cedar Road agrees to:



Design and construct the Facility Expansion at its sole expense in accordance with the design objectives set out in the amending agreement;

- Not commence construction until the facility design and performance criteria have been approved in writing by the RDN;
- Submit to the RDN for approval design development drawings and detailed design drawings for approval.

Following execution of the Facility Expansion Agreement (which allowed Cedar Road to obtain financing from various private and government sources), Cedar Road and the RDN agreed to amend:

- The Operating Agreement for the operation of the expanded facility;
- The Licence of Occupation for the use of the area at the Regional Landfill occupied by the expanded facility;
- The Waiver of Emissions Rights associated with any reduction in greenhouse gases that may result from the operation of their facility as required under the Project and Transfer Agreement executed in 2005 with FCM (in exchange for a \$580,000 grant to construct the landfill gas collection system).

The Facility Expansion Agreement also stipulates that Cedar Road would not commence any work on the Facility Expansion (other than design work) until it has executed and delivered an Amended Operating Agreement, Option to Purchase, and Waiver of Emission Rights as well as obtaining any necessary development related permits from the City of Nanaimo to permit work in relation to the Facility Expansion.

#### *Sixth Amending Agreement*

Since June 2011, Cedar Road has completed the design of their \$2.3 million facility expansion. The detailed design drawings have been approved by the RDN, approvals have been obtained from the Safety Authority for the gas storage facility and the RDN has obtained a Development Permit and Building Permit from the City of Nanaimo. Consequently staff has directed RDN legal counsel to prepare a Sixth Amending Agreement (see Appendix A) to allow Cedar Road to commence construction on their Facility Expansion. As discussed above, this agreement amends the Operating Agreement, the Licence of Occupation and the Waiver of Emissions Rights as well as the schedule contained in the Fifth Amending Agreement.

Under the Sixth Amending Agreement, Cedar Road will construct the LFG storage facility, battery electricity storage facility, above grade geothermal system, and LFG cleaning and processing system in 2012-2013. The thermal waste heat recovery system will be constructed 2013-14, and the LFG processing and compression plant will be installed in 2014-15. In accordance with the Collaboration Agreement between the RDN, the BC Bioenergy Network and Cedar Road, the Nanaimo Bioenergy Centre will accommodate third party innovative demonstration and test platforms in 2012-2015.

#### **ALTERNATIVES**

1. Approve the Sixth Amending Agreement with Cedar Road Bioenergy Inc.
2. Do not approve the Sixth Amending Agreement with Cedar Road Bioenergy Inc.

## **FINANCIAL IMPLICATIONS**

### *Alternative 1*

Under Alternative 1, Cedar Road will invest \$2.3 million in their Phase 2 expansion for a total project cost of \$6.1 million. As reported to the Board in past reports, the only direct costs to the RDN for this project have been legal services associated with the negotiation of agreements and engineering services to integrate the RDN collection and control plant with the Cedar Road facility. Staff estimates that the direct costs associated with the Phase 2 Expansion will be \$50,000 to upgrade the LFG control plant mechanical and instrumentation systems and \$40,000 in professional fees for design and construction coordination, SCADA re-configuration and commissioning.

These costs, which are included in the 2012 to 2016 Financial Plan, will be recovered from the royalty payment paid by Cedar Road to the RDN. This royalty payment, equal to 20% of the net profit earned by Cedar Road, is due on an annual basis once the project results in a positive net cash flow. Under a set of conservative assumptions, Cedar Road anticipates a positive net cash flow in 2013, equating to a royalty payment of \$37,000 without the expansion and \$69,000 with the expansion. Once Phase 2 is complete in 2015, the royalty payment will increase from \$40,000 to \$104,000 annually.

### *Alternative 2*

Under Alternative 2, if the Board does not approve the Sixth amending Agreement, although the RDN will save \$90,000 in 2012, the royalty payment will remain at \$40,000 for the 20 year term of the agreement.

## **INTERGOVERNMENTAL IMPLICATIONS**

Cedar Road is an active member of the Global Methane Initiative (GMI), an international partnership of 39 countries and over 1,000 Network Partners which seeks to address fugitive emissions of methane through the development, deployment and diffusion of clean technologies.

In 2011 Environment Canada was approached by the US Environmental Protection Agency, to support a Canadian venue for the next GMI Partnership Expo. This is a biennial international exhibition that showcases methane abatement project opportunities and technologies.

In September 2011, the RDN Board, as well as Metro Vancouver, the City of Vancouver, and the BC Minister of Environment, provided Environment Canada with letters of support for Vancouver as the next venue for the GMI Partnership Expo. The RDN Board also expressed interest in being a site visit host and willingness to participate in the local organizing committee. In October the GMI confirmed that Vancouver will host the next GMI Partnership Expo in March 2013.

Staff plans to host a tour of the Nanaimo Bioenergy Centre, the Green Bin Program, and the GNPCC Cogeneration Facility for interested participants attending the Expo. Under Alternative 1, if the Board approves the Sixth Amending Agreement, with the completion of the LFG storage facility in 2013, the Nanaimo Bioenergy Centre will provide an even stronger draw to some of the projected 1,200 Expo participants.

**SUSTAINABILITY IMPLICATIONS**

This project is an exemplary case of turning innovative ideas into action on the ground. The Nanaimo Bioenergy Centre will use proven technology in new ways to meet community energy needs from a clean, renewable source while generating skilled jobs and enhancing environmental performance. Consequently approval of the Sixth Amending Agreement will go towards meeting the Board’s strategic objectives related to Climate and Energy as well as Economic Resilience.

**SUMMARY/CONCLUSIONS**

Cedar Road Bioenergy Inc. is a clean energy company that specializes in harvesting methane from landfill gas and converting it into useable energy. In 2005 the Board approved Development and Operating Agreements with Cedar Road Bioenergy Inc. (Cedar Road) to provide for the design, construction and operation of a facility on the RDN Landfill to generate electricity using landfill gas. In 2010 Cedar Road completed their \$3.8 million, 1.3 megawatt methane-fueled electrical power plant.


Under the Development and Operating Agreements, while the RDN makes landfill gas (LFG) available to Cedar Road, Cedar Road takes the sole risk regarding technology performance, fuel supply reliability, debt financing and project equity requirements. With respect to fuel supply, the quantity of landfill gas that the RDN provides to Cedar Road has been less than forecasted in 2005. To increase utilization efficiencies, in May 2011 Cedar Road proposed an expansion to the facility to include: an LFG storage facility; a battery electricity storage facility; an LFG cleaning and processing system; an above grade geothermal system; a thermal waste heat recovery system; and, an LFG processing and compression plant to produce compressed natural gas transportation grade fuel.


Given that this expansion would increase the royalty payable to the RDN under the Operating Agreement and meets the Board’s strategic objectives related to climate change, energy and economic resilience, in June 2011 the Board approved a Fifth Amending (Facility Expansion) Agreement with Cedar Road.


Since June 2011, Cedar Road has completed the design of their \$2.3 million facility expansion. The detailed design drawings have been approved by the RDN, approvals have been obtained from the Safety Authority for the gas storage facility and the RDN has obtained a Development Permit and Building Permit from the City of Nanaimo. Consequently staff has directed RDN legal counsel to prepare the attached Sixth Amending (Operating and Other Agreements) Agreement to allow Cedar Road to commence construction on their Facility Expansion. Staff recommends that the Board approves the Sixth Amending Agreement with Cedar Road Bioenergy Inc.

**RECOMMENDATION**

That the Board approve the Sixth Amending Agreement with Cedar Road Bioenergy Inc.

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

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

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

**SIXTH AMENDING (OPERATING AND OTHER AGREEMENTS) AGREEMENT**

**THIS AGREEMENT** made this \_\_\_\_ day of \_\_\_\_\_, 2012.

BETWEEN:

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

(the "RDN")

OF THE FIRST PART

AND:

**CEDAR ROAD BIOENERGY INC.**  
(Inc. #C0893418)  
#106 – 36 Selby Street  
Nanaimo, BC V9R 2R5

(the "IPP")

OF THE SECOND PART

**WHEREAS:**

- A. The RDN and Suncurrent Industries Ltd. entered into a Development Agreement and Operating Agreement dated July 21, 2005 which was assigned to the IPP operating under the name Cedar Road LFG Inc. by agreement dated November 2, 2005;
- B. The RDN and the IPP entered into a Licence Agreement dated October 26, 2006 and an Option to Purchase Agreement date June 2, 2008;
- C. The RDN and the IPP, operating under the name Cedar Road LFG Inc., entered into an Operating Agreement, dated November 2, 2005;
- D. The Development Agreement and Operating Agreement were amended by an Amending Agreement dated October 26, 2006, by a Second Amending Agreement dated November 27, 2007, by a Third Amending Agreement dated June 12, 2008 and by a Fourth Amending Agreement dated March 30, 2009;
- E. Cedar Road LFG Inc. was continued into British Columbia under the name Cedar Road Bioenergy Inc. on October 21, 2010;
- F. Under the Development Agreement and Operating Agreement the IPP is to design, finance, construct, own and operate a bioenergy utilization facility at the RDN Landfill to convert biogas energy into electrical and thermal energy and biofuel for sale on a commercial basis;

- G. The IPP has entered into an energy purchase agreement with B.C. Hydro dated November 27, 2009 and achieved commercial operation on December 1, 2009 for the first electrical genset and December 8, 2010 for the second genset to sell 1.3 MW of electricity to B.C Hydro;
- H. The IPP has entered into an amended and restated collaboration agreement dated August 6, 2009 (the "Collaboration Agreement") with the B.C. Bioenergy Network and the RDN to develop a collaborative and innovative demonstration centre at the RDN Landfill to help disseminate best practices for sustainable landfill gas-to-energy projects to other small-to-medium-sized landfills;
- I. The RDN and IPP have amended the Development Agreement by way of a Fifth Amending Agreement dated August 29, 2011 to reflect the construction of additional works for the purpose of expanding the Facility for the purpose of increasing utilization efficiencies which is intended to increase the net profit of the IPP arising from or in connection with the operation of the Facility or use of the License Area and the Royalty payable to the RDN.

**NOW THIS AGREEMENT WITNESSES** that in consideration of the premises, the terms and conditions hereinafter contained and the payment of TEN (\$10.00) DOLLARS from the IPP to RDN, the sufficiency and receipt of which is hereby acknowledged, the parties covenant and agree each with the other as follows:

#### **1.0 DEVELOPMENT AGREEMENT**

1.1 The Development Agreement is amended as follows:

- (a) by amending Section 1.1 to delete the definition of "Facility Phase II Completion Date" and replace it with the following:

**"Facility Phase II Completion Date"** means the 31<sup>st</sup> day of December 2015;"

- (b) by deleting Schedule "E" to the Development Agreement and replacing it with Schedule "B" to this Agreement which will be come Schedule "E" to the Development Agreement.

#### **2.0 OPERATING AGREEMENT**

2.1 The Operating Agreement is amended as follows:

- (a) Section 1.1 is amended by:

- (i) adding a definition of "Facility Expansion" as follows:

**"Facility Expansion"** means the Facility Expansion as defined in the Development Agreement.

- (ii) adding a definition of "Development Agreement" as follows:

**"Development Agreement"** means the Development Agreement dated the 21<sup>st</sup> day of July, 2005 between the RDN and the IPP for the construction of the Facility, as amended by the parties as set out in Recitals D and H to this Agreement.

- (b) by adding a new section 1.11 as follows:

"A reference in this Agreement to the IPP shall be deemed to be a reference to the IPP whether operating under the name Cedar Road LFG Inc. or Cedar Road Bioenergy Inc."

- (c) by adding a new section 1.12 as follows:

"A reference in this Agreement to the Facility or the work shall be deemed to include the Facility Expansion.

- (d) Section 9.7(a) "Indemnity" is amended by deleting the second paragraph, and replacing it with the following:

"The IPP will indemnify and save harmless the RDN from any and all liability of any kind arising from the construction or operation of the Facility or Facility Expansion, or by reason of liens for non payment of labour or materials in connection with the Facility or Facility Expansion provided that the RDN will provide such co-operation, agency and/or representation as is reasonably required to support any application that might be made by IPP to remove or discharge any lien registered against the RDN Landfill."

### **3.0 COLLABORATION AGREEMENT**

- 3.1 The RDN acknowledges and agrees that a reference in the Collaboration Agreement to the Facility or the work includes the Facility Expansion.

### **4.0 OPTION TO PURCHASE**

The Option to Purchase dated the 2<sup>nd</sup> day of June, 2008 is amended as follows:

- 4.1 The definition of "Development Agreement" is deleted and replaced with the following:

"Development Agreement" means the Agreement dated the 21<sup>st</sup> day of July, 2005, between the RDN and the IPP for the construction of the Facility, as amended."

- 4.2 The definition of "Operating Agreement" is deleted and replaced with the following:

"Operating Agreement" means the Agreement dated the 2<sup>nd</sup> day of November, 2005, between the RDN and the IPP for the operation of the Facility, as amended."

4.3 A new section 4.3 is added as follows:

"The Owner shall assign to the Purchaser as of the Completion Date all right, title and benefit of any contract or agreement for the sale or transfer of any Emission Reduction Rights (as defined in the Development Agreement) arising from the operation of the Purchased Interest from and after the Completion Date and if the Completion Date occurs partway through a vintage year, the parties shall adjust amounts to the Completion Date."

4.4 A new section 16.2 is added to read as follows:

"Any reference to the IPP in this Agreement shall be deemed to be a reference to the IPP whether operating under the name Cedar Road LFG Inc. or Cedar Road Bioenergy Inc."

4.5 Schedule "A" of the Option to Purchase dated June 2, 2008 is amended to add the following words to the end of the paragraph: "including, for certainty, the "Facility Expansion"".

## **5.0 LICENCE AGREEMENT**

5.1 The Licence Agreement is amended by:

- (a) deleting Schedule "A" 'Licence Area' and replacing it with Schedule "A" attached to this Agreement;
- (b) deleting Schedule "B" 'Facility Description' and replacing it with Schedule "B" attached to this Agreement.

## **6.0 WAIVER AGREEMENT**

The IPP shall execute the Waiver of Emission Rights attached as Schedule "C" to this Agreement.

## **7.0 REFERENCE**

A reference to the Development Agreement, the Operating Agreement, the Collaboration Agreement or to the Licence is a reference to those Agreements as amended.

## **8.0 RATIFICATION**

Except as expressly amended by this Agreement, the parties ratify and confirm (as such pertains to the parties) the Development Agreement, the Operating Agreement the Licence and the Collaboration Agreement. The Development Agreement, the Operating Agreement, the Licence, the Collaboration Agreement and this Agreement shall be read and construed as one document.

**9.0 TIME**

Time shall remain of the essence of the Development Agreement, the Operating Agreement, the Licence Agreement, the Collaboration Agreement and of this Agreement.

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

**REGIONAL DISTRICT OF NANAIMO** )  
by its authorized signatories )  
 )  
\_\_\_\_\_)  
Chief Administrative Officer )  
 )  
\_\_\_\_\_)  
Senior Manager of Corporate Administration )

**CEDAR ROAD BIOENERGY INC.** by its )  
authorized signatories )  
 )  
\_\_\_\_\_)  
Name: )  
 )  
\_\_\_\_\_)  
Name: )



## SCHEDULE "A" Licence Area



## SCHEDULE "B"

### Licence Agreement Schedule "B" and Development Agreement Schedule "E"

#### Facility Description

#### PART 1

##### PHASE II FACILITY

The Phase II Facility, owned, constructed, maintained, and operated by Cedar Road Bioenergy Inc., shall include all works associated with the Phase II Facility, located at the RDN Landfill, for the purpose of generation and transmission and sale of electricity, thermal energy, biofuel for transport and electric vehicle charging.

The Phase II Facility shall be an extension of the Phase I Facility (collectively called the "Facility") and shall not adversely impact the operation of the Phase I Facility.

The Phase II Facility elements shall include the following elements:

- LFG storage facility;
- Battery electricity storage facility;
- LFG cleaning / processing systems;
- Above grade geothermal system;
- Thermal waste heat recovery system;
- LFG processing and compression plant to produce compressed biogas (RNG) grade Fuel, and
- Third party demonstration and testing platforms for collaboration.

The Phase II Facility expansion shall be constructed within the Amended License Area, as defined by the legal survey corner posts provided by the RDN within a fenced compound area.

The Phase II Facility shall conform to RDN and City of Nanaimo bylaws and applicable codes and regulations. In addition, no adverse environmental impacts or impacts to the LFG Collection System shall result from the operation of the Facility.

## **PART 2 – CONSTRUCTION REQUIREMENTS**

### **PHASE II FACILITY**

The Phase II Facility project objective is to increase utilization efficiencies associated with the Phase I Facility and demonstrate other landfill gas utilization technologies, while maintaining the paramount objective of the LFG Collection System; the optimized collection and destruction of methane gas.

The design of the Phase II Facility shall include, but is not limited to, the following objectives:

- Ongoing methane destruction efficiency greater than 98 percent (volumetric basis);
- minimized risk of environmental releases or impact during the construction, operation, maintenance, and decommissioning of the Phase II Facility;
- minimized impact to daily operation of the RDN Landfill;
- condensate management and connection to the RDN Landfill leachate collection system; and
- integration with the existing LFG Control Plant

## **PART 3: CONSTRUCTION SCHEDULE**

### **PHASE II FACILITY**

#### **Construction Phase**

The Construction Phase shall be undertaken incrementally for each element associated with the Phase II expansion of the Facility commencing in 2012, with a completion date of December 2015.

The construction schedule for each element is as follows:

- LFG storage facility (2012-2013);
- Battery electricity storage facility (2012 - 2013);
- LFG cleaning / processing systems (2012 - 2013);
- Above grade geothermal system (2012 - 2013);
- Thermal waste heat recovery system (2013 - 2014);
- LFG processing and compression plant (2014 - 2015); and
- Third party demonstration and test platforms 2012 - 2015

**SCHEDULE "C"**

**WAIVER OF EMISSION RIGHTS**

This Agreement made the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

BETWEEN:

**CEDAR ROAD BIOENERGY INC.**

(Inc. #C0893418)  
#106 – 36 Selby Street  
Nanaimo, BC V9R 2R5

(the "**Assignor**")

OF THE FIRST PART

AND:

**REGIONAL DISTRICT OF NANAIMO**

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

( "**RDN** ")

OF THE SECOND PART

**WHEREAS:**

- A. RDN owns and operates the RDN Landfill located at 1105 Cedar Road ("**Landfill**");
- B. RDN has installed and operates a landfill gas collection and flare system (the "**Project**") on the Landfill which may result in Emissions Reductions Rights (as defined below);
- C. The Assignor entered into Agreements with the RDN for the development and operation of an electricity-generating facility on the Landfill, making use of landfill gas from the System, and has provided works or services to the RDN under such Agreements;
- D. The RDN has entered into an agreement for the sale of Emission Reduction Rights arising from the Project to the Green Municipal Corporation.

**NOW THEREFORE** for good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the Assignor and RDN agree as follows:

- 1. The Assignor hereby irrevocably assigns, transfers, releases and conveys to RDN, free and clear of all security interests, liens and encumbrances, all of its current and future rights (including moral rights), title and interests, if any, in any greenhouse gas emission reductions (as broadly and inclusively defined by Environment Canada, any Province in Canada, the United States Environmental Protection Agency, and any State) and greenhouse gases (as set out in Annex A of the Kyoto Protocol to the United Nations Framework Convention on Climate Change) that result directly or indirectly from the operation of the Project as and whenever they occur, including, without limitation, all of

its rights (including moral rights), title and interests, if any, in current and future emission allowances, units, permits, credits, reductions, amounts and similar measures (collectively, the "**Emission Reduction Rights**").

- 2. From time to time subsequent to the date hereof, the Assignor will, at the expense of RDN for no additional consideration, promptly execute and deliver all such documents, and do all such other acts and things as the RDN may from time to time reasonably request be executed or done in order to better evidence or perfect or effectuate any provision of this Agreement and ensure the Emission Reduction Rights vest in RDN.
- 3. This Agreement shall be governed by the laws of British Columbia.
- 4. This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

**IN WITNESS WHEREOF** the Assignor and RDN has executed this Agreement on the day and year first above written.

**CEDAR ROAD BIOENERGY INC.** by its )  
authorized signatories )

\_\_\_\_\_) )  
Name: )

\_\_\_\_\_) )  
Name: )

**REGIONAL DISTRICT OF NANAIMO** )  
by its authorized signatories )

\_\_\_\_\_) )  
Chief Administrative Officer )

\_\_\_\_\_) )  
Senior Manager of Corporate Administration )



RDN REPORT	
CAO APPROVAL <i>[Signature]</i>	
EAP	
COW	
JAN 13 2012	
RHD	
BOARD	✓

**MEMORANDUM**

**TO:** Jeremy Holm  
Manager, Current Planning

**DATE:** January 12, 2012

**FROM:** Kim Farris  
Planner

**FILE:** PL2011-169

**SUBJECT:** **Liquor Licence Amendment Application No. PL2011-169**  
**Wheatsheaf Entertainment Centre Ltd.**  
**Lot A, Section 14, Range 1, Cedar District Plan VIP67433**  
**1866 & 1870 Cedar Road**  
**Electoral Area 'A'**

**PURPOSE**

To consider a request from Wheatsheaf Entertainment Centre Ltd. to amend the Liquor Licence for the Wheatsheaf Inn.

**BACKGROUND**

The Wheatsheaf Entertainment Centre Ltd. has applied to the Provincial Liquor Control and Licensing Branch (LCLB) for a permanent amendment to the Wheatsheaf Inn’s liquor licence in order to change the establishment’s hours of liquor sale. The LCLB requires the Regional District of Nanaimo to provide a Board resolution commenting on the permanent liquor licence amendment prior to the LCLB’s approval.

The applicant has requested an amendment to the current liquor primary licence for the Wheatsheaf Inn located at 1866 Cedar Rd in Electoral Area 'A', and legally described as Lot A, Section 14, Range 1, Cedar District, Plan VIP67433 (*Attachment No. 1*). The subject property is zoned Commercial 5 (CM-5) pursuant to the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” and is approximately 0.89 ha in size. Commercial uses surround the subject property to the north and south and recreational uses to the west. The Cedar Estates Comprehensive Development Zone borders the eastern portion of the subject property.

The current hours of liquor sales for the pub are 11:00 am to 1:00 am Monday through Saturday and 11:00 am to midnight on Sunday. The applicant is requesting to change the hours of liquor sales by opening and closing liquor sales one hour earlier on Monday, Tuesday, Wednesday and Sunday. Therefore, the proposed hours of liquor sales are 10:00 am to midnight for Monday through Wednesday and 10:00 am to 11:00 pm on Sunday. Hours of liquor sale for Thursday, Friday, and Saturday will not change.

The Regional District of Nanaimo's Liquor Licence Applications Policy B1.6 states that the Board may consider a minor amendment application to an existing liquor licence, without the requirement to hold a public hearing, if the proposal will not negatively impact the surrounding community and it complies with the applicable RDN bylaws and policies. All other requirements of the Liquor Licence Applications Policy must be met, including the requirements for newspaper advertising.

## **ALTERNATIVES**

1. To approve the attached resolution in support of the application.
2. To amend, and then approve, the resolution in support of the application.
3. To not provide any resolution and have the Liquor Control and Licensing Branch undertake their own public input and consider the application without Board input.

## **LICENCE REQUIREMENTS IMPLICATIONS**

Prior to LCLB consideration, pursuant to the *Liquor Control and Licensing Act*, the applicant is required to obtain a resolution from the local government providing input on the proposed liquor licence amendment. The LCLB requires that the Board consider a number of issues including the potential for noise, the impact on the community, and the views of surrounding property owners, as detailed in the following Development Implications section of this report.

The Board resolution is required to take the form of the resolution attached as *Schedule No. 1*. Staff have prepared the content of the resolution for the Board's consideration. This resolution may be amended, as deemed necessary, to be satisfactory to the Board.

## **DEVELOPMENT IMPLICATIONS**

The requested change in hours of liquor sales reflects the desire to adequately serve the needs of the community and to be economically competitive with similar establishments. The applicants expressed a desire to increase hours of sales in the morning to provide a wider range of morning service and to keep competitive with other establishments which are servicing breakfast and brunch options.

The potential for noise to impact the surrounding community associated with the change in hours of liquor sales is minimal given the reduction to late night service. Approving the change in hours would most likely reduce late night noise during weekdays (Monday through Wednesday) and on Sundays for surrounding neighbours and would be a positive change for the community.

The Wheatsheaf Inn eastern property line abuts the Cedar Estates Comprehensive Development Zone which will consist of mostly residential uses once fully developed. The change in hours will reduce disturbance for the neighboring residences.

The Wheatsheaf Inn is located on Cedar Road, an arterial road for the Cedar community. Traffic along Cedar Road is an ongoing common concern for residents. The applicants suggest that a reduction to late night service will help to decrease late night traffic in the area.



## PUBLIC CONSULTATION IMPLICATIONS

As part of the required public notification process, pursuant to the Regional District of Nanaimo's Liquor Licence Applications Policy B1.6, the Regional District shall post a notice on the subject parcel advertising that the property is subject to a liquor license amendment application as well as place an advertisement in the local newspaper. In this case the notice was posted on the property prior to December 20, 2011, and will be published in the January 17<sup>th</sup> edition of the Nanaimo News Bulletin.

In addition, property owners and tenants located within a 200 metre radius, will receive a direct notice of the liquor licence amendment, and will have an opportunity to comment on the proposed amendment, prior to the Board's consideration of the application.

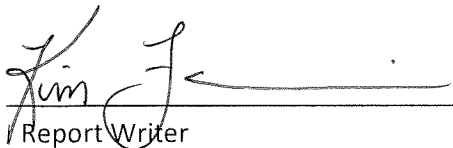
## SUMMARY/CONCLUSION

An application has been received from the Wheatsheaf Entertainment Centre Ltd. requesting the Board's support for an amendment to the Liquor Licence which would permanently amend the Wheatsheaf Inn's hours of liquor sales. The current hours of liquor sales are 11:00 am to 1:00 am on Monday through Saturday and 11:00 am to midnight on Sunday. The proposed hours of liquor sales are 10:00 am to midnight on Monday through Wednesday and 10:00 am to 11:00 pm on Sunday. Hours of liquor sales for Thursday, Friday, and Saturday will not change. This amendment requires a resolution from the Board before it can be processed by the Liquor Control and Licensing Branch.


Given the minimal impact of the proposed change to the Liquor Licence, staff recommend Alternative No. 1, that the Board support the application pending the outcome of the public consultation.

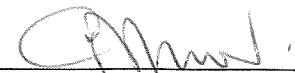
## RECOMMENDATIONS

1. That the Board consider any written submissions or comments from the public.
2. That the Board adopt the resolution attached to this report as *Schedule No. 1*.

  
Report Writer

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

  
Manager Concurrence

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

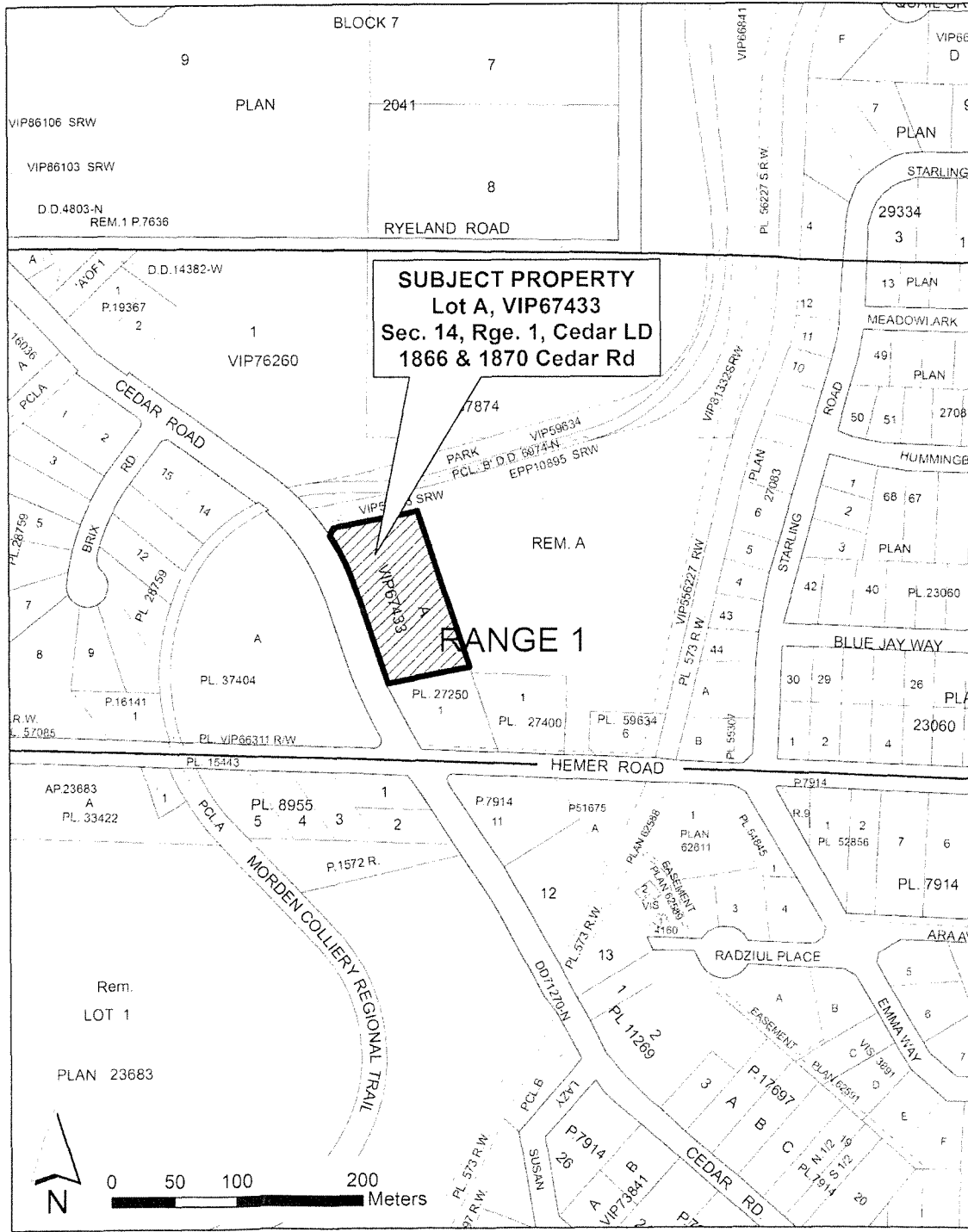
**Schedule No. 1**

**Resolution for Wheatsheaf Inn Liquor Licence Amendment  
Liquor Licence Amendment No. PL2011-169**

Be it resolved that:

1. The Board of the Regional District of Nanaimo recommends the amendment of the liquor licence to change the hours of liquor sales to 10:00 am to midnight on Monday through Wednesday and 10:00 am to 11:00 pm on Sunday for the Wheatsheaf Inn.
2. The Board's comments on the prescribed considerations are as follows:
  - (a) The potential for noise if the application is approved is minimal as the potential for noise to impact the surrounding community associated with the change in hours of liquor sales is minimal given the reduction to late night service.
  - (b) The impact on the community if the application is approved is considered to be minimal as the use of the property has been in place for many years, and the reduction to late night service will help to decrease late night traffic and unsafe driving along the road.
  - (c) The views of the residents were solicited and no notable objections to the application were received. A notice of the Board's intent to receive public input and consider a resolution regarding a proposed amendment to the existing liquor licence was delivered to owners and tenants in occupation of land within a distance of 200 metres from the property. The Regional District of Nanaimo also provided a similar notice in the local newspaper. All interested residents were invited to attend the Board meeting and provide comments on the proposal. Prior to considering the resolution attached as *Schedule No.1*, the Board asked for comments from the gallery on this application. A notice was also posted on the property advertising that the property is the subject of a development application and directing inquiries to the Development Services Department.

**Attachment No. 1**  
**Liquor Licence Amendment Application No. PL2011-169**  
**Subject Property Map**





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BOARD	✓	Jan. 24/12

# MEMORANDUM

**TO:** Carol Mason  
Chief Administrative Officer

**DATE:** January 16, 2012

**FROM:** Tom Osborne  
General Manager of Recreation and Parks

**FILE:**

**SUBJECT:** Development Cost Charges for Regional Parks – Bylaw 1619

## PURPOSE

To report on the stakeholder consultation plan for Board consideration prior to Board review and third reading of the "Regional Parks Development Cost Charges Bylaw No. 1619, 2011"

## BACKGROUND

The Regional Parks & Trails Plan 2005-2015 identified the potential for Development Cost Charges (DCCs) to be charged on new development for the provision of regional parks and trails, and recommended that the Recreation and Parks Department examine the potential for instituting DCCs for future regional parks and trails acquisition.

At the December 12, 2006 Inaugural Board meeting staff were directed to investigate the Development and implementation of a Regional Parks and Trails DCC bylaw. Since that time, staff have been working with consultants and senior staff from the RDN's member municipalities on this project and met with stakeholder groups.

During the initial review in 2007 the municipalities noted that some of their municipal parks are 'regionally significant' in that they draw a high proportion of users from outside their boundaries. In order to consider this, a criteria framework for inclusion of regionally significant municipal parks was developed and approved by the Regional Board.

Actual DCC revenues are difficult to estimate as they are dependent on many economic factors and on actual population and housing growth. However, the current acquisition sites of interest for regional parks and regionally significant municipal parks have an estimated combined purchase cost over the thirty year horizon of approximately \$65 million of which \$20 million would be eligible to have DCC revenue applied towards the costs.

In regard to improvements for existing regional parks, of the \$14 million in estimated costs for regional parks and regionally significant municipal parks, approximately \$4 million would be eligible for DCC funding over the 30 year time period used in the model.

At the November 22, 2011 Regional Board meeting the “Regional Parks Development Cost Charges Bylaw No. 1619, 2011” was presented and the following resolutions were approved:

1. That the “Regional Parks Development Cost Charges Bylaw No. 1619, 2011” be introduced and read two times.
2. That staff be directed to develop a consultation plan for 2012 that will solicit stakeholder group feedback and input on the Regional Parks Development Cost Charges Bylaw.

It is proposed to hold two stakeholder workshops be held in May 2012, one in the north part of the Regional District and one in the south. A preliminary invitation list is provided in Appendix I.

At the meetings, RDN staff and a consulting team from HB Lanarc Consultant will provide an overview and solicit feedback on the Bylaw its DCC calculations and related schedules. Following the meetings, the consulting team will provide a report for consideration that will include suggestions for adjustments to the Bylaw prior to final consideration by the Regional Board and approval from the Ministry of Community, Sport and Cultural Development in the fall of 2012.

#### ALTERNATIVES

1. That staff be directed to meet with the stakeholder groups identified in Appendix I to obtain feedback and input on the Regional Parks Development Cost Charges Bylaw 1619 prior to final consideration by the Regional Board.
2. That alternative direction be provided on the implementation of the Regional Parks Development Cost Charges Bylaw 1619.

#### FINANCIAL IMPLICATIONS

Development cost charges can be used to fund regional park land acquisitions and certain types of park improvements. The purchase cost of land identified for acquisition is estimated at \$65 million (excluding \$30 million in Crown Lands). The estimated cost for improvements for both regional parks and regionally significant municipal parks over a 30 year horizon is \$14 million, for a total of \$79 million.

After taking into account factors required under the Local Government Act in developing a DCC (i.e. sources of other funding, percentage benefit to existing users vs. future users and an “assist” factor), the net costs recoverable for a Regional Parks and Trails DCC program is estimated as:

Total value of land acquisitions/improvements	\$79.0 million
Less: Grants/Other sources of funding (25%)	<u>(19.8 million)</u>
	\$59.2 million
Allocated to existing users (59%)	<u>(34.9 million)</u>
	\$24.3 million
Assist factor (legislated at minimum of 1%)	<u>( 0.2 million)</u>
Total Recoverable for DCC purposes	<u>\$24.1 million</u>

Population in the region has been projected to grow at 1.8% annually, with residential occupancy estimated at 2.3 persons single residential unit, 1.7 persons per multi-residential unit and 1.2 persons per unit for congregate care buildings. Applying the proposed rates to the projected housing units suggested in the 2007 Urban Futures population report suggests DCC revenues of \$19 to \$20 million. Staff conclude that the anticipated DCC revenues are reasonably consistent with the expected housing development.

\$15,000 has been allocated in 2012 Regional Parks budget for the final phase of public consultation and preparing the submission of the Bylaw to the Ministry of Community, Sport and Cultural Development.

## **SUSTAINABILITY IMPLICATIONS**

Approval of the DCC Bylaw will provide a funding source that is linked to population growth and development in the region. With the assistance of DCC funding, the Regional District can continue to protect valuable ecosystems, as well as preserve important wildlife and habitat areas in addition to providing outdoor wilderness recreation areas for residents and guests of the region to enjoy in perpetuity.

## **CONCLUSION**

The Regional Parks & Trails Plan 2005-2015 identified the potential for Development Cost Charges (DCCs) to be charged on new development for the provision of regional parks and trails, and recommended that the Recreation and Parks Department examine the potential for instituting DCCs for future regional parks and trails acquisition.

At the December 12, 2006 Inaugural Board meeting staff were directed to investigate the development and implementation of a Regional Parks and Trails DCC bylaw. Since that time, staff have been working with consultants and senior staff from the RDN's member municipalities on this project and met with stakeholder groups.

At the November 22, 2011 Regional Board Meeting the "*Regional Parks Development Cost Charges Bylaw No. 1619, 2011*" was presented and the following resolutions were approved:

1. "*That the "Regional Parks Development Cost Charges Bylaw No. 1619, 2011" be introduced and read two times.*"
2. "*That staff be directed to develop a consultation plan for 2012 that will solicit stakeholder group feedback and input on the Regional Parks Development Cost Charges Bylaw.*"

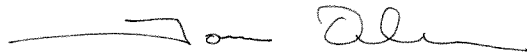
It is proposed to hold two stakeholder workshops in May 2012, one in the north part of the Regional District and one in the south. A preliminary invitation list is provided in *Appendix I*.

At the meetings, RDN staff and a consulting team from HB Lanarc Consultant will provide an overview and solicit feedback on the Bylaw its DCC calculations and related schedules. Following the meetings, the consulting team will provide a report for consideration that will include suggestions for adjustments to the Bylaw prior to final consideration by the Regional Board and approval from the Ministry of Community, Sport and Cultural Development in the fall of 2012.

As it has been four years since the RDN has met the stakeholders identified in Appendix I and the Bylaw is now close to final consideration by the Regional Board, it is recommended meetings be held this May and staff report back to the Regional Board on their comments and input before third reading of the Bylaw.

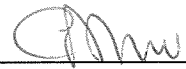
**RECOMMENDATION**

That staff be directed to meet with the stakeholder groups identified in Appendix I to obtain final feedback and input on the Regional Parks Development Cost Charges Bylaw 1619 prior to final consideration by the Regional Board.



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Report Writer



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C.A.O. Concurrence

**Appendix I –  
Regional Parks Development Cost Charges Bylaw Consultation Groups**

**Northern RDN**

Fairwinds Community and Resort  
Lighthouse Country Business Association  
Oceanside Development & Construction Association  
Parksville & District Chamber of Commerce  
Parksville, City of  
Qualicum Beach Chamber of Commerce  
Qualicum Beach, Town of  
School District 69 (Qualicum)  
RDN Directors for Areas E, F, G, H  
RDN Regional Parks & Trails Advisory Committee  
RDN staff – Administration, Parks, Finance, Planning

**Southern RDN**

Canadian Home Builders Association – Nanaimo chapter  
Greater Nanaimo Chamber of Commerce  
Islands Trust – general and Gabriola Island  
Lantzville, District of  
Nanaimo Economic Development Corporation  
Nanaimo, City of – Parks, Finance  
School District 68 (Nanaimo – Ladysmith)  
RDN Directors for Areas A, B, C + Board Chair  
RDN Regional Parks & Trails Advisory Committee  
RDN staff – Administration, Parks, Finance, Planning  
Vancouver Island Construction Association – Nanaimo office  
Vancouver Island Real Estate Board  
Vancouver Island University – facility development



Appendix II

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1619**

**A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES  
FOR THE PURPOSES OF REGIONAL PARKS**

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

AND WHEREAS development cost charges may be imposed for the purpose of providing funds to assist the Regional District to pay the capital cost of providing and improving park land, in order to serve, directly or indirectly, the development for which the charges are imposed;

AND WHEREAS the Board considers it desirable and reasonable to establish a development cost charge to assist in the cost of providing and improving regional park lands within the Regional District of Nanaimo;

AND WHEREAS in establishing the development cost charges under this bylaw, the Board has considered the matters referred to in subsection 934(4) of the *Local Government Act*, including the future land use patterns and development within the boundaries of the Regional District of Nanaimo;

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

- (a) are not excessive in relation to the capital costs of providing and improving park land;
- (b) will not deter development;
- (c) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land; and
- (d) will not discourage development designed to result in a low environmental impact

within the Regional District of Nanaimo;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained;

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

**1. Interpretation**

In this bylaw:

**"Building"** means any structure that is used or intended for supporting or sheltering any use or occupancy.

**"Congregate Care"** means a building or series of buildings containing residential living facilities intended as housing for persons age fifty-five (55) and older.

**"Dwelling Unit"** means a self-contained room or suite of rooms capable of use for year round residential occupancy.

**"Gross Floor Area"** means the gross floor area of a building or structure calculated to the outside of the exterior walls, including floor areas over 1.8 meters in height, canopies with an occupancy or use, and parking structures as the principle use, with the following exemptions: stairwells and elevators exceeding one floor only, gas canopies and parking portion of a structure.

**"Institutional"** means use of land or buildings by a public authority for the benefit of the public in general and includes, without limiting the generality of the foregoing, schools, hospitals, correctional facilities, arenas, fire halls, cemeteries, libraries, museums, and care facilities, including seniors' residences where a minimum of 20 percent of the gross floor area of all buildings located on the parcel is operated under a license issued pursuant to the *Community Care and Assisted Living Act*.

**"Manufactured Home"** means a manufactured home as defined in the *Manufactured Home Park Tenancy Act*.

**"Manufactured Home Park"** means a manufactured home park as defined in the *Manufactured Home Park Tenancy Act*.

**"Manufactured Home Site"** means a manufactured home site as defined in the *Manufactured Home Park Tenancy Act*.

**"Municipality"** means the City of Nanaimo, District of Lantzville, City of Parksville or Town of Qualicum Beach.

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

**"Recreational Vehicle"** means any camper, travel trailer, fifth wheel or motor home with a maximum width of 2.6 meters (8.53 feet) in transit mode which can be used to provide sleeping accommodation and which is capable of being licensed for highway use pursuant to the *Motor Vehicle Act*.

**"Single Residential"** means any building consisting of one dwelling unit, but excludes a recreational vehicle and/or a tent.

## 2. Charges

Except where prohibited by statute, every person who obtains:

- a) approval of a subdivision for any purpose of a parcel of land under the *Land Title Act* or the *Strata Property Act* which creates fee simple or bare land strata lots; or
- b) a building permit authorizing the construction, alteration or extension of a building or structure (including a building containing two or three self-contained dwelling units);
- c) for the purposes of Section 2(b), a building permit shall be considered to have a construction value in excess of \$50,000.00 where the value of construction proposed in respect of the parcel in the permit application under consideration, combined with building permits issued for the same parcel of land within the preceding two years, exceeds \$50,000.00

shall pay to the Regional District of Nanaimo the applicable Development Cost Charge in the amount and at the time as set out in Schedule "A", which is attached to and forms a part of this bylaw.

## 3. Mixed Use Buildings

Where a proposed building is to be used for more than one class of use under this bylaw, the charge for each portion of the building used for a separate class of use shall be calculated separately, based upon the relevant charge in Schedule "A", and the total amount of those charges shall be payable upon issuance of a building permit for the construction, alteration or extension of the building.

## 4. Areas Subject to Development Cost Charges

The charges under this bylaw shall apply within the boundaries of the Regional District of Nanaimo including, without limitation, the City of Nanaimo, the District of Lantzville, the City of Parksville and the Town of Qualicum Beach.

## 5. Collection of Charges

- a) Where development cost charges under this bylaw are collected within the City of Nanaimo, the District of Lantzville, the City of Parksville or the Town of Qualicum Beach, whether paid in full or by installments, the funds so collected shall be remitted by the municipality to the Regional District of Nanaimo by the 15<sup>th</sup> of the month following the month in which the charges were paid.

b) Where charges have been paid by installments, the municipality shall provide to the Regional District of Nanaimo a copy of the security provided at the same time it transfers funds under 6(a).

**6. Effective Date**

The effective date for the application of the rates contained within this bylaw is the date 90 days after the date this bylaw is adopted by the Board of the Regional District of Nanaimo.

**7. Remainder of Bylaw to Remain Intact**

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

**8. Title**

This bylaw may be cited for all purposes as "Regional Parks Development Cost Charges Bylaw No. 1619, 2011".

Introduced and given first and second readings this 22nd day of November, 2011.

Read a third time this      day of                      , 2012.

Approved by the Inspector of Municipalities this      day of                      , 2012.

Adopted this      day of                      , 2012.

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CHAIRPERSON

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SR. MGR., CORPORATE ADMINISTRATION

Schedule 'A' to accompany "Regional Parks  
Development Cost Charges Bylaw No. 1619,  
2011".

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Chairperson

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Sr. Mgr., Corporate Administration

**SCHEDULE 'A'**

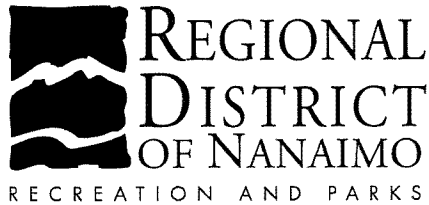
**Development Cost Charges for Providing and Improving Regional Parks**

1. The assist factor applied for the purposes of Regional Parks development cost charges shall be 1%.
2. All charges shall be paid in full prior to the approval of a subdivision or building permit unless paid by way of installments in accordance with B.C. Reg. 166/84.
3. Pursuant to section 2 of this bylaw, development cost charges shall be paid as follows:
  - a) Upon the subdivision of land zoned to permit single residential use, a charge of \$573.00 shall be paid in respect of each additional parcel created in the plan of subdivision.
  - b) Upon issuance of a building permit for the construction, alteration or extension of a single residential building or structure, a charge of \$573.00 shall be paid in respect of each additional dwelling unit authorized by the building permit.
  - c) Upon issuance of a building permit for the construction, alteration or extension of a multi-residential building or structure, a charge of \$424.00 shall be paid in respect of each additional dwelling unit authorized by the building permit.
  - d) Upon issuance of a building permit for the construction, alteration or extension of a congregate care building or structure, a charge of \$299.00 shall be paid in respect of each additional facility unit authorized by the building permit.
  - e) Upon issuance of a building permit for the construction, alteration or extension of a manufactured home park, a charge of \$474.00 shall be paid in respect of each additional manufactured home site authorized by the building permit.

### Appendix III - Regional Park DCC Calculation

<b>Regional Parks DCC Variables</b>	<b>Value</b>
Time Horizon (Years) <i>Time period used to calculate the total acquisition and improvement costs</i>	30
Priority Sites (1=only priority 1 sites)(2=priority 1 and 2 sites)( 3= all sites) <i>Priority sites set by the Regional Park Acquisition Plan - 1 high priority, 2 lower priority</i>	3
Land Acquisition Multiplier of Assessed or Comparable Value - Private Land - Crown Land <i>Private land estimated to cost 1.5 times the 2010 assessed value. Crown Land based assumption of acquiring lands at no cost due to land publicly owned.</i>	1.5 0
Survey/Legal/ Negotiation/Appraisal Costs per Parcel <i>Average cost to secure property</i>	\$10,000
Regional Parks Improvements Average Annual Budget <i>Based on figures provided by RDN Parks</i>	\$214,949
Regionally Significant Municipal Parks Improvements Annual Budget <i>Based on figures provided by Nanaimo, Lantzville, Parksville and Qualicum Beach</i>	\$234,000
% Funding from Grants, Volunteers or other revenue source <i>Based on expectation that 25% funding towards acquisition will come from other sources.</i>	25%
% Benefit to Existing Residents <i>Percentage that the existing RDN population (based on 2006 census) would represent of the future population in the assumed time horizon (30 years) at the assumed annual population growth rate of 1.8%.</i>	59%
% Assist Factor <i>Assist factor required under the Local Government Act. It is the contribution that the existing population is expected to provide to assist future growth in paying its portion of future infrastructure costs. The assist factor reduces the DCC rates by a certain proportion chosen by the local government; under the Act, the level must be at least 1%.</i>	1%
Annual Population Growth Forecast <i>Based on BC Statistic projections of 2% estimated in 2007 reduced to 1.8% percent to reflect current economic climate.</i>	1.8%
<b>Summary of</b>	
DCC per equivalent person	<b>\$249</b>
DCC rate per single family dwelling (2.3 persons) Sheltair Group Report 2007	<b>\$573</b>
DCC rate per multiple family dwelling (1.7 persons)	<b>\$424</b>
DCC rate per manufactured home unit (1.9 persons)	<b>\$474</b>
DCC rate per congregate care unit (1.2 persons)	<b>\$299</b>
<i>Dwelling and unit estimates based "Land Inventory &amp; Residential Capacity Analysis for RDN" report</i>	

<i>(Sheltair Group, Oct 2007)</i>	
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## MEMORANDUM

**TO:** Tom Osborne  
General Manager, Recreation and Parks Services

**DATE:** January 19, 2012

**FROM:** David Palidwor  
Acting Manager of Parks Services

**FILE:**

**SUBJECT:** Little Qualicum River Regional Park Management Plan Terms of Reference

### PURPOSE

To obtain approval of the Terms of Reference for undertaking a Management Plan for the Little Qualicum River Regional Park and appoint two Regional Parks and Trails Select Committee members to the Advisory Committee for the project, should the project be approved.

### BACKGROUND

The Little Qualicum River Regional Park (LQRRP) is a 44 hectare (108.5 acre) riparian corridor property located in Electoral Area 'F'. The RDN acquired the Little Qualicum River property in 1999 as parkland dedication from the Qualicum River Estates subdivision process. Unlike some other Regional Parks where management is through partnership or lease, the LQRRP is solely owned and managed by the RDN.

The Management Plan will guide the operations, development, and stewardship of the property based on a comprehensive analysis of the property's natural values and public consultation process. The plan will confirm the long-term vision, principles, goals and objectives for the LQRRP and identify shorter term management policies and actions for the period 2013-2022. The plan is to be reviewed after five years (2018) by a management steering committee and updated formally at ten-year intervals. This will be the Regional Park's first management plan since its acquisition 12 years ago.

A supplementary master park design plan will aid in communicating the vision and development in the Regional Park as well as the connection and integration with the adjacent Meadowood Way Community Park and Little Qualicum Falls Provincial Park.



**PROPOSED TERMS OF REFERENCE**

The Terms of Reference describes the parameters for the development of the park’s first management plan including a number of project objectives and resulting deliverables. It is proposed that the Regional District staff undertake the development of the Management Plan for Little Qualicum River Regional Park, drawing on professional services as needed during the process (eg. park survey work). The Terms of Reference also describes the establishment of a staff Working Group consisting of parks, recreation, operations and others as needed to coordinate the project and to review draft material with the aim to anticipate issues or implications related to implementation.

An Advisory Committee will also be established to provide advice and direction on materials produced prior to public review including: principles, vision statement, goals and objectives, issues, summaries from public input, management policies, and concept plans. The Advisory Committee will also review changes to the draft plan prior to presentation to the Regional Board.

The proposed composition of the Advisory Committee is: two representatives from the RDN Regional Parks and Trails Select Committee (RPTSC), the Area Director for Electoral Area ‘F’, two representatives from the Electoral Area ‘F’ Parks & Open Space Committee (POSAC), and one representative from the Qualicum First Nation.

**TIMEFRAME FOR PLAN COMPLETION**

Staff anticipate the project work can be completed by December 2012 with the following timeframe:

<b>2012</b>	<b>January to April</b>	<p><b>PHASE 1: Inventory Analysis &amp; Issue Identification</b></p> <ul style="list-style-type: none"> <li>Project Start-up Meeting</li> <li>Research, inventory &amp; analysis</li> <li>Base mapping</li> <li>Preliminary issues, program and vision development</li> <li>*Integration with Meadowood Way Community Park Design Process</li> <li>Advisory Committee Review</li> <li>Preparation and consultation with stakeholders and public</li> <li>Workshop (#1)</li> </ul>
	<b>April to July</b>	<p><b>PHASE 2: Goals, Objectives &amp; Program Development</b></p> <ul style="list-style-type: none"> <li>Draft principles, goals, objectives, policies &amp; action items</li> <li>Preliminary concept plan</li> <li>*Integration with Meadowood Way Community Park Design Process</li> <li>Advisory Committee Review</li> <li>Preparation and consultation with stakeholders and public</li> <li>Workshop (#2)</li> <li>Summarize</li> </ul>
	<b>August to November</b>	<p><b>PHASE 3: Final Plan &amp; Implementation</b></p> <ul style="list-style-type: none"> <li>Develop draft Management Plan</li> <li>*Integration with Meadowood Way Community Park Design Process</li> <li>Advisory Committee Review</li> </ul>

Preparation and consultation with stakeholders and public  
Open House (#3)  
Revise draft Plan  
Advisory Committee Review  
RPTSC Review  
Undertake final changes  
Submit final Management Plan for Board approval

\* Simultaneous to the development of the LQRRP Management Plan, parks staff will initiate the design project for the adjacent Meadowood Way Community Park. Integration between these two projects is essential and will be provided by:

- A single staff Working Group and single Advisory Committee to oversee both projects in tandem
- Shared public consultation events (workshops) that will present and seek feedback on both projects

## **ALTERNATIVES**

1. That the Terms of Reference for Little Qualicum River Regional Park Management Plan be approved and two members of the Regional Parks and Trails Select Committee be assigned to the project's Advisory Committee.
2. That the Terms of Reference for Little Qualicum River Regional Park Management Plan not be approved as presented and provide alternative direction to staff.

## **FINANCIAL IMPLICATIONS**

The management planning process will take approximately 1 year and will span the 2012 budget. The project is estimated to cost \$20,000 and would be funded through the Regional Parks and Trails Capital budget.

## **SUSTAINABILTY IMPLICATIONS**

Little Qualicum River Regional Park is essentially a river corridor park, hugging 2.7 km along the middle reaches of the Little Qualicum River. Steep banks and sensitive habitat limit substantial development within this park. Conservation of the forested and aquatic ecosystems within the Little Qualicum River watershed will be an important aspect of future management, including ongoing habitat enhancement works for steelhead within the river itself.

As part of the RDN's pursuit to reduce greenhouse gas emissions, the concept of carbon-banking has been discussed in relation to the Little Qualicum River. While no plans are in place, there is potential to further this discussion within the context of the park management plan.

## CONCLUSIONS

A Terms of Reference has been prepared to guide the preparation of the first Management Plan for the Little Qualicum River Regional Park, acquired through subdivision of Qualicum River Estates in 1999. The Terms of Reference proposes a consultation process that will allow for residents, organizations and government agencies to be involved in the Plan's preparation. The Management Plan will be coordinated by a staff Working Group and guided by an Advisory Committee to insure an agreeable and successful outcome. For reasons of efficiency, this planning process will be integrated with the Meadowood Way Community Park Design Process. The total project budget is \$20,000 allocated in the 2012 Regional Parks and Trails Capital Budget.

As it is good practice for the Regional District to undertake the development of management plans for regional parks that have been acquired, staff recommend approval of the Terms of Reference attached as Appendix I.

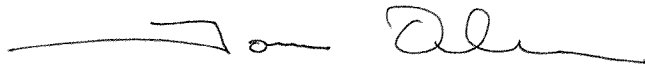
## RECOMMENDATIONS

1. That the Terms of Reference for the Little Qualicum River Regional Park Management Plan be approved.
2. That two members of the Regional Parks and Trails Select Committee be appointed to participate as members of the Advisory Committee for the Little Qualicum River Regional Park Management Plan and simultaneous Meadowood Way Community Park design.



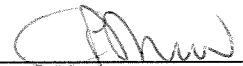
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Report Writer



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General Manager Concurrence



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CAO Concurrence

Appendix I

**Little Qualicum River Regional Park  
Management Plan  
Terms of Reference**

# Regional District of Nanaimo

## Little Qualicum River Regional Park Management Plan

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### TERMS OF REFERENCE

January 2012

1. INTRODUCTION
2. MANAGEMENT PLAN
3. REFERENCE MATERIAL



## TERMS OF REFERENCE

### 1. INTRODUCTION

The Regional District of Nanaimo (RDN) is preparing a Management Plan for the Little Qualicum River Regional Park (LQRRP), a 44 hectare (108.5 acre) riparian corridor property located in Electoral Area ‘F’. The RDN acquired the Little Qualicum River property in 1999 as parkland dedication from the Qualicum River Estates subdivision process. Unlike most other Regional Parks where management is through partnership with environmental organizations or lease from the Crown, the LQRRP is solely owned and managed by the RDN. This will be the Regional Park’s first management plan since its acquisition. It will guide the operations, development, and stewardship of the property based on a comprehensive analysis of property values and public and stakeholder consultation. The plan will confirm the long-term vision and goals for the LQRRP and identify shorter term management policies and actions for the period 2013-2022. The plan is to be reviewed after five years (2018) by a management steering committee and updated formally at ten-year intervals.

#### **Regional Context**

The Regional District of Nanaimo (RDN) manages 2026 hectares of regional park, trail, and conservation lands in the mid-Vancouver Island area along with another 584 hectares of neighbourhood or community park and trail. A Regional Parks and Trails Plan completed in 2005 sets out the goals of the RDN in respect to land management, stewardship and recreational use of regionally significant properties. Together, the RDN and its partners aim to protect and steward the lands while at the same time provide for rewarding and educational outdoor recreational experiences. A primary management goal for these lands will always be to strike a sustainable balance between protection and human use.

Specific to the LQRRP, the 2005 Regional Parks & Trails Plan suggests the addition of basic infrastructure including signs, toilets, parking, and trails (parking, an entrance sign and trail access have since been installed off Meadowood Way Rd).

#### **Site Description & Conservation Value**

The Little Qualicum River flows northeast from Cameron Lake to the Little Qualicum River Estuary in the Strait of Georgia. The estuary is protected as a Regional Conservation Area. Little Qualicum River Regional Park is in essence a river corridor park, located immediately downstream of the Little Qualicum Falls Provincial Park. Hugging both sides of one of Vancouver Island’s large rivers, it protects 2.7 km of the valuable riparian margins along the middle reaches of the river. The Little Qualicum River supports salmon and trout and numerous wildlife species. In stream restoration works (the installation of large wood debris) carried out in 2004, continue to be monitored by the BC Conservation Foundation (BCCF) to improve habitat for Steelhead within the park. As resource extraction (forestry and gravel) and residential development progress on surrounding lands, protection of the Little Qualicum River watershed becomes increasingly important. Tributaries that flow into the Little Qualicum River from surrounding lands could be subject to increased silt runoff and contamination, affecting downstream habitat for fish and other species that depend on the river.

The park occurs within the Coastal Douglas-fir Biogeoclimatic Zone (moist maritime subzone) and experiences the mildest climate in Canada. An Environmental Overview completed by Ursus Environmental in August 2011 describes six plant communities within the park ranging from treed swamps to dry upland mixed forest. The latter is of considerable conservation concern and red-listed by the BC Conservation Data Centre (CDC). In addition, the report describes the LQRRP to be "...minimally disturbed and supports natural forest cover." However, two areas of concern include the hydro corridor and roadside east of the private bridge where invasive vegetation was documented (including Scotch Broom, Canada Thistle, and Tansy Ragwort). The complete Environmental Overview is available for reference on the RDN website at [www.rdn.bc.ca](http://www.rdn.bc.ca).

### **Current Park Access & Uses**

The park is currently accessed at 3 locations: 1) From a parking lot for 5 cars on the east side of Meadowood Way Rd through a short section of forest trail leading into Little Qualicum Falls Provincial Park; 2) pedestrian access under the hydro corridor on Galvin Place (BC Hydro right of way); and 3) vehicle/pedestrian access off the private road originating from Corcan Road.

Other than the short trail that leads into the Provincial Park from the Meadowood Way parking lot, there are no formally developed trails within the Regional Park. At Galvin Place, a gate controls vehicular access into the Regional Park within the hydro corridor right of way. From the end of Corcan Road, the private gravel road switchbacks down towards the river. The private road is not actively gated and many local area residents use this road to access the Alberni Highway (Hwy 4). The private gravel road serves the gravel extraction operations in the area and passes over the Little Qualicum River through an easement within the Regional Park. In the vicinity of the bridge on both the east and west sides of the river, park users are able to easily access the water for swimming, picnicking and fishing. Other uses in the Regional Park are limited due to steep slopes, swamps and sensitive riparian habitat. ATV users are known to access the river near the bridge, as well as to access the park within the hydro corridor, riding between the Regional and Community Parks and adjacent gravel extraction site.

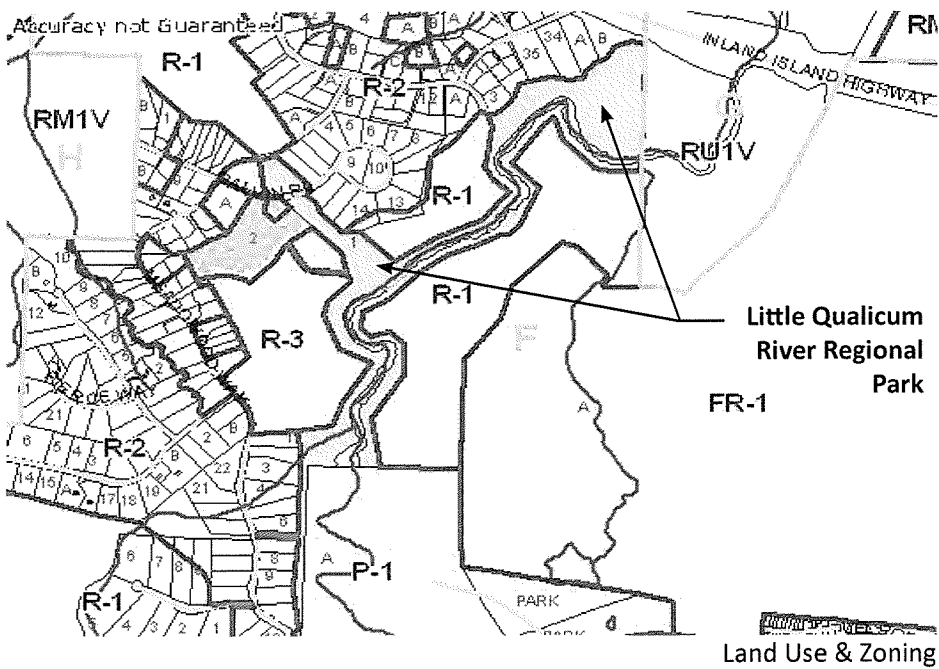
### **Land Use / Electoral Area 'F' Official Community Plan**

The LQRRP site is zoned Parks & Open Space 1 (P-1) in the Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002. The park is surrounded to the east and west by lands zoned Rural and Village Residential (R-1 & R-3) and are privately owned by Wicklow West Holdings. Meadowood Way Community Park borders the LQRRP to the west and will serve the Qualicum River Estates Village Centre as it develops. Approximately 20 Rural Residential (R-2) lots currently abut the park on the west and north edges. To the south, the Little Qualicum Falls Provincial Park adjoins the LQRRP. Electoral Area 'G' borders the park to the northeast (zoned RU-1V: Rural 1, and owned by Island Timberlands). A hydro corridor travels through the park from southeast to northwest.

Refer to park maps on page 4.



Park Location  
 \* Existing Access





## 2. MANAGEMENT PLAN

Development of the Little Qualicum River Regional Park Management Plan will begin in early 2012, and will be prepared by RDN Recreation and Parks staff for completion by the end of 2012.

### **Preliminary Issues, Opportunities and Constraints**

The Management Plan will guide the operations, development and stewardship of the park for a ten-year period from 2013-2022 and will address a number of issues and identify a number of opportunities. Parks Staff have generated the following preliminary list that will be broadened and better understood through the public consultation process:

#### *Parking & Access*

- Is additional parking required? how much and where?
- Should the access through private lands be formalized?
- In what condition is the private bridge? Should there be another bridge crossing (pedestrian)?
- Is the Community Park an opportunity to provide shared parking and washroom facilities?

#### *Erosion/Soils*

- Are there any areas along the river bank that will need to be shored up? What type of access is there to these places?
- Is there any future risk anticipated with the adjacent residential lands?
- Is there a geotechnical report from the subdivision process or will one need to be commissioned?

#### *Habitat Management*

- What is the status of the fish habitat enhancement activities installed in the river in 2004 by MWLAP and BCCF and what are future plans to continue this work?
- Are there opportunities for additional habitat enhancement activities (wildlife tree protection, invasive species removal)?
- How should the invasive plants be managed?
- Where are the sensitive areas that need protection including Douglas-fir forest, riparian habitat, spawning and rearing areas, and treed and shrubby swamps?

#### *Trails & Connections*

- Where are the unsanctioned ATV access points and do they need to be managed?
- How does the community envision trail connections between the Regional Park and adjacent Community Park and residential areas?

#### *Recreation & Education*

- What are the current park uses by local residents and visitors (kayaking, fishing, etc.)?
- What are the recreational, educational and cultural opportunities?
- What historical values exist, including traditional use by First Nations?

#### *Partnerships & Collaboration*

- What are possible ongoing site stewardship and maintenance strategies and their budget requirements?
- Is there an opportunity to work with the private land owners for habitat management activities?
- What past and continuing research activities exist and what are future research opportunities?

#### *Parkland Acquisition*

- Should the park boundary be expanded?

#### *Adjacent Lands*

- What are the impacts of current surrounding land uses and potential impacts from future uses?
- How will the long park/residential edge condition be managed (hazard trees, encroachment, fencing, habitat impacts to forest and to receiving waters from runoff, unsanctioned access points, human/wildlife conflicts etc.)?
- What facilities/activities are appropriate in the BC Hydro ROW? How will facilities or activities interact with Hydro access to the power lines? Are there health concerns with electromagnetic energy?
- What are the partnership opportunities for managing invasive plant species in the corridor? Are there plans to expand the Hydro lines?
- What are the planned activities on the RU-1V lands?

### **Public Consultation**

The RDN will undertake a comprehensive public engagement process, consistent with the RDN ‘Public Consultation Policy.’ At various stages during the development of the Management Plan, Staff will acquire information and seek feedback from the public and stakeholders. Several modes of engagement are proposed and include: Workshops, Online Questionnaires (using Survey Monkey), email and telephone correspondence, including interviews with key stakeholders. The RDN website will serve as a window into the project and the various means of participation. An Advisory Committee will be appointed to provide advice and recommendations during the process.

General advertising for engagement events will occur, with specific invitations provided to stakeholder groups. A preliminary list of stakeholders is included below.

Community/Stewardship Organizations:	Corcan-Meadowood Community Association, BC Conservation Foundation (BCCF), Mid-Vancouver Island Habitat Enhancement Society, Qualicum Beach Streamkeepers, Mid-island ATV Club, Parksville & Qualicum Beach Fish & Game Club, Mount Arrowsmith Biosphere Foundation, Arrowsmith Naturalists, WiTS (wildlife tree stewardship – BC Nature), Parksville Chamber, Qualicum Beach Chamber, Nanaimo and Area Land Trust
Government Agencies:	BC Parks, Ministry of Environment – Parks & Protected Areas Division, Ministry of Environment, Ministry of Forests and Range, Department of Fisheries & Oceans, Qualicum First Nation, City of Nanaimo, City of Parksville, District of Lantzville, Town of Qualicum Beach

Other Organizations: Wicklow West Holdings, BC Hydro, Dashwood Fire Department (Fire Hall #1 & Meadowood Fire Hall), Island Timberlands, School District 69, Vancouver Island University

## Project Objectives

A number of objectives will be met during the establishment of the Little Qualicum River Regional Park Management Plan:

1. Determine a long-term vision, broad goals and detailed policies to guide park decision-making;  
*Deliverables:* Vision statement; specific goals, objectives, and; policies for management themes developed in the process.
2. Employ a comprehensive public consultation process that engages the public and stakeholders on the future use and management of this park;  
*Deliverables:* Workshop and survey materials; Summaries of Input
3. Integrate the results from the concurrent park design process for Meadowood Way Community Park, as necessary.  
*Deliverables:* Summary document and graphics
4. Prepare a master plan that graphically reflects the vision and consultation results;  
*Deliverables:* Coloured master plan that defines and designates areas within the park for specific uses
5. Describe targeted actions for park facility development that are prioritized and presented with budget and timeline requirements for implementation.  
*Deliverables:* Implementation plan including priorities and budget estimates spreadsheets

The completed Management Plan will provide RDN management and staff with clear management direction for environmental conservation, recreational programming, and park facility development for the next 10 years. The document will serve to guide decision-making and provide direction on key park issues. A supplementary master park design plan will aid in communicating the vision and development in the Regional Park as well as the connection and integration with the adjacent Meadowood Way Community Park and Little Qualicum Falls Provincial Park.

## Content and Standards

Although no specific document layout or design is specified, the following information or sections will be included in the completed Management Plan document: Introduction, Baseline Inventory Summary, Public Consultation Summary, Outline of Management Issues, Vision Statement, Management Goals & Objectives, Management Policies, Park Development Schedule, Park Development Costs, Park Master Plan. A clear and succinct writing style is will be used. The use of tables, matrices, charts, maps and photographs will support written content where applicable. Previous park management plans completed for the RDN Recreation and Parks department are available for reference on the RDN website at [www.rdn.bc.ca](http://www.rdn.bc.ca), on the Recreation and Parks page under “Parks and Trails Plans.”

## **Project Management**

The development of the Management Plan will be coordinated by a Staff Working Group and guided by an Advisory Committee.

The proposed composition of the Staff Working Group is: two Parks Planners, the Manager of Parks Services, and one Recreation Programmer. In addition, other RDN staff resources including Planning, Mapping and Parks Operations staff will be brought into the project as specific information or feedback is needed. The Staff Working Group will meet to discuss and review project timeline, progress, and next steps. The Staff Working Group will also review draft material with the aim to anticipate issues or implications related to implementation.

The proposed composition of the Advisory Committee is: two representatives from the RDN Regional Parks and Trails Select Committee (RPTSC), two representatives from the Electoral Area 'F' Parks & Open Space Committee (POSAC), one representative from the Qualicum First Nation, and the Area Director for Electoral Area 'F'. This committee will provide advice and direction on materials produced prior to public review including: principles, vision statement, goals and objectives, issues, summaries from public input, management policies, and concept plans. The Advisory Committee will also review changes to the draft plan prior to presentation to the Regional Board.

RDN staff will be responsible for all aspects of project implementation including: administrative tasks, liaison and communication, technical output, research, writing, public consultation preparation and participation, master plan development and cost estimation.

## **Project Budget**

The budget allocation for this work is \$20,000 and is expected to cover all fees, expenses, and applicable taxes. Anticipated expenditures include outside consultants for survey, geotechnical and environmental works.

The proposed project schedule follows below.

## Schedule and Process

2012	<b>January to April</b>	<b>PHASE 1: Inventory Analysis &amp; Issue Identification</b> Project Start-up Meeting Research, inventory & analysis Base mapping Preliminary issues, program and vision development *Integration with Meadowood Way Community Park Advisory Committee Review Preparation and consultation with stakeholders and public Workshop (#1)
	<b>April to July</b>	<b>PHASE 2: Goals, Objectives &amp; Program Development</b> Draft principles, goals, objectives, policies & action items Preliminary concept plan *Integration with Meadowood Way Community Park Advisory Committee Review Preparation and consultation with stakeholders and public Workshop (#2) Summarize
	<b>August to November</b>	<b>PHASE 3: Final Plan &amp; Implementation</b> Develop draft Management Plan *Integration with Meadowood Way Community Park Advisory Committee Review Preparation and consultation with stakeholders and public Open House (#3) Revise draft Plan Advisory Committee Review RPTAC Review Undertake final changes Submit final Management Plan for Board approval

### *\* Integration with Meadowood Way Community Park Design*

Simultaneous to the development of the Management Plan for the LQRRP, the RDN will be preparing a Park Design for the adjacent Meadowood Way Community Park. Integration between these two projects is essential and will be provided by:

- A single Staff Working Group and single Advisory Committee to oversee both projects in tandem
- Shared public consultation events (workshops) that will present and seek feedback on both projects

### 3. REFERENCE MATERIAL

#### **RDN Public Consultation Policy**

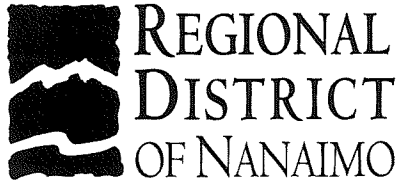
The Regional District of Nanaimo's Public Consultation/Communication Framework Policy No.A1.23 measures a successful project as one that provides for meaningful and on-going public involvement. The success of the public process component of the LQRRP Management Plan will be achieved through meeting the following goals:

- Anyone likely to be affected by a decision shall have opportunities for input into that decision;
- The consultation process shall allow for a meaningful level of involvement;
- All positions and input received will be considered; not all input can and will be accommodated;
- The process shall recognize and take into account the different characteristics and abilities of the community;
- The process shall recognize interdepartmental issues and concerns, and shall involve and coordinate internal staff resources as necessary or appropriate.
- The integrity of broad public involvement must be paramount to the process and must not be superseded by any individual or interest group;
- The RDN shall provide feedback, in a timely manner, about how public input has been utilized in Board decisions, and how the public will be affected;
- An evaluation component shall be built in to the process to allow those involved to learn from past experiences and to ensure the proper use of resources.

The public input process must use a varied approach to obtaining input in order to maximize participation (interviews with appropriate community, government and corporate organizations, public surveys, Workshops, Open Houses, etc).

#### **Summary of Available Reference Documents and Reports:**

Electoral Area 'F' Zoning & Subdivision Bylaw, No. 1285, 2002 (<http://rdn.bc.ca/cms.asp?wpID=260>)  
Environmental Overview of Little Qualicum River Regional Park, Ursus Environmental, 2011  
Regional Parks & Trails Plan 2005-2015, RDN (<http://rdn.bc.ca/cms.asp?wpID=766>)



RDN REPORT	
CAC APPROVAL <i>CPW</i>	
EAP	
CCW	
JAN 19 2012	
RHD	
BOARD	

# MEMORANDUM

**TO:** Dennis Trudeau  
General Manager, Transportation & Solid Waste Services

**FROM:** Daniel Pearce  
Manager, Transit Operations

**SUBJECT:** 2012 BC Transit Workshop – Request to Host

**DATE:** January 19, 2012

**FILE:** 8770-01

## PURPOSE

To obtain Board approval for the RDN to host the 2012 BC Transit Workshop in Nanaimo.

## BACKGROUND

On January 17, 2012, correspondence (*see Appendix 1*) was received from BC Transit requesting the support of the Regional District of Nanaimo (RDN) to host the 2012 BC Transit workshop in Nanaimo.

BC Transit will be holding their annual workshop called *Connections* on Tuesday, April 3, Wednesday, April 4 and Thursday, April 5, 2012.

As the host community BC Transit would like the RDN to:

1. provide a representative for the Workshop Committee (approximately 10 hours).
2. host a venue for an early evening reception (approximate cost of \$1500.00).
3. provide local volunteers during the workshop (approximately 12 hours of staff time).
4. officially welcome the delegates at the opening ceremony.
5. assist with information about your community.
6. provide transportation as needed for events throughout the conference, e.g. dinner, travel.

The request to host a venue for a workshop reception (approximately \$1500.00) exceeds the total value of \$500.00 that is outlined as criteria in the Contributions to Third Party Events RDN Policy A2.18 that was adopted by the Board in 2011. The report is being brought forward to the Board because BC Transit wants to begin planning the workshop as soon as possible.

Having BC Transit hold their 2012 Workshop in Nanaimo will create economic benefits for the region due to delegates staying in hotels and having meals in the area.

## ALTERNATIVES

1. That the Board approve the RDN to host the 2012 BC Transit Workshop in Nanaimo and \$1500.00 towards the 2012 workshop reception.
2. That the Board not approve the RDN to host the 2012 BC Transit Workshop in Nanaimo and \$1500.00 towards the 2012 workshop reception.

## FINANCIAL IMPLICATIONS

There are sufficient funds in the 2012 Transit budget to accommodate this request.

## 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. Having *Connections*, the BC Transit 2012 Workshop, in Nanaimo will showcase the RDN transit system and encourage visitors to our area.

## CONCLUSIONS


BC Transit will be holding their annual workshop, *Connections*, on Tuesday, April 3, Wednesday, April 4 and Thursday, April 5, 2012 in Nanaimo.

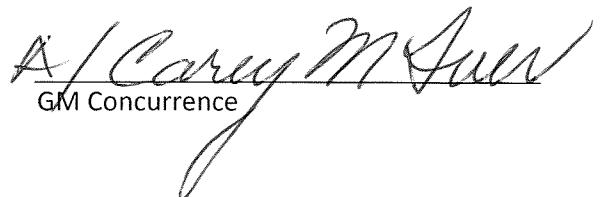
BC Transit has requested that the RDN host the BC Transit workshop. As part of the request from BC Transit, the RDN would be responsible for providing assistance to the workshop, officially welcoming the delegates at the opening ceremony and providing \$1500.00 towards the workshop reception.

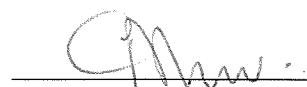
The request to host a workshop reception (approximately \$1500.00) exceeds the total value of \$500.00 that is outlined as criteria in the Contributions to Third Party Events RDN Policy A2.18. Therefore staff are seeking approval from the Board to approve the RDN to host the 2012 BC Transit Workshop in Nanaimo and \$1500.00 towards the 2012 workshop reception.

## RECOMMENDATION

That the Board approve the RDN to host the 2012 BC Transit Workshop in Nanaimo and \$1500.00 towards the 2012 workshop reception

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

  
\_\_\_\_\_  
GM Concurrence

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



## APPENDIX 1



January 17, 2012

Daniel Pearce  
Manager, Transit Operations  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2

### Connections - BC Transit 2012 Workshop April 3 – 5, 2012

Daniel,

Thank you for RDN's interest in hosting the BC Transit Workshop in Nanaimo. The annual workshop provides an opportunity for all partners to share information and continue to build relationships to support transit throughout the Province.

Each year BC Transit's annual workshop provides an economic benefit to the host community by attracting over 100 delegates from across the province. Last year we hosted over 130 delegates in Penticton.

As the host community, we ask that the Regional District of Nanaimo:


1. provide a representative for the Workshop Committee (approximately 10 hours)
2. host a venue for an early evening reception (approximate cost of \$1500)
3. provide local volunteers during the workshop (approximately 12 hours of staff time) in 2002 we used Tourism Nanaimo staff which was very successful
4. officially welcome the delegates at the opening ceremony
5. assist with information about your community
6. provide transportation as needed for events throughout the conference, eg dinner travel

The workshop is designed as a cost-neutral function. The registration fees and sponsorships cover the costs of the Workshop.

The Conference Centre has been booked and we are confirming hotels to accommodate our delegates. The website will be launched later next week and invitations will be sent to our partners.

I look forward to confirmation of the RDN's involvement, and together we can present another successful Transit Workshop.

Regards

  
Anita Wasiuta  
Manager, Marketing



RDN REPORT		
CAQ APPROVAL <i>(Signature)</i>		
EAP		
COW		
JAN 19 2012		
RHD		
BOARD		

# MEMORANDUM

**TO:** Daniel Pearce  
Manager, Transit Operations

**DATE:** January 16, 2012

**FROM:** Darren Marshall  
Superintendent, Fleet & Custom Operations

**FILE:** 8500-20-CCRE

**SUBJECT:** Country Club Centre Respite for Transit Operators

## PURPOSE

To consider the Country Club Centre Lease Agreement between the Regional District of Nanaimo and Country Club Centre. The lease agreement provides a washroom and break area for Regional District of Nanaimo (RDN) transit drivers

## BACKGROUND

As the levels of service in the RDN transit system increase, it is efficient for the RDN to establish driver respites at specific exchange sites to lower the amount of travel time when a bus is not in service. The RDN Transit system currently has one drivers' respite at the Prideaux Transit Exchange. Country Club Centre is another main exchange point for the transit system and it is anticipated that a respite in Country Club Centre will help reduce the amount of time that a bus is not in service in order for a driver to travel to an authorized break location. System efficiency is expected to improve with the additional respite at Country Club.

The proposed lease agreement (Appendix 1) is for five (5) years with a 2% escalation clause. The leased area includes one washroom facility and a small sitting area for the transit operators.

The report is being brought forward to the Board due to RDN staff only receiving the Lease Agreement on January 17, 2012.

## ALTERNATIVES

1. Approve the Lease Agreement with Country Club Centre for a five (5) year term.
2. Provide alternative direction to staff.

## FINANCIAL IMPLICATIONS

The annual lease cost is \$19,800 with an escalation of 2% per year. The lease costs have been included in the 2012 budget.

## SUSTAINABILITY IMPLICATIONS

The Transportation Department is working continuously on improving the viability and efficiency of public transit. Having a secondary respite area at the Country Club Centre transit exchange will allow transit operators to take their breaks at the exchange, thus reducing the amount of emissions being released by transit vehicles. It will also help to reduce the amount of wear on the buses by lowering the amount of time they are traveling (not in service).

## CONCLUSIONS

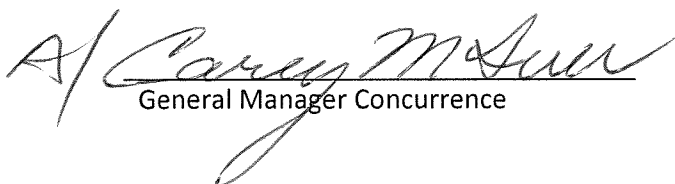
The RDN Transit system currently has one transit respite for drivers' breaks at the Prideaux transit exchange. A respite at the Country Club Centre transit exchange would help create efficiencies in the transit system by reducing the amount of time that a bus is traveling (not in service) in order that the transit operators can take a break at an authorized location. All costs associated with the respite are allocated in the 2012 budget. Due to efficiencies with a more centralized respite location, staff recommend the Board approve the lease agreement.

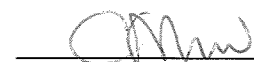
## RECOMMENDATION

That the Lease agreement between the Regional District of Nanaimo and Country Club Centre for a five (5) year term be approved.

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

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

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

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

**APPENDIX 1**

Page 1 of 14

**OFFER TO LEASE**

The Premises located at  
Unit 5B – 3200 North Island Highway  
Country Club Shopping Centre  
Nanaimo, British Columbia, V9T 1W1

between

**COUNTRY CLUB CENTRE LTD.**

Unit 406 – 4190 Lougheed Highway  
Burnaby, BC V5C 6A8

*(Landlord)*

and

**REGIONAL DISTRICT OF NANAIMO**

6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2

*(Tenant)*

INITIALS	
Landlord	Tenant

**OFFER TO LEASE RETAIL PREMISES**

**Country Club Shopping Centre  
Nanaimo, British Columbia**

TO: **COUNTRY CLUB CENTRE LTD.**, (the Landlord)

We, **REGIONAL DISTRICT OF NANAIMO** (the "Tenant") of 6300 Hammond Bay Road, Nanaimo, BC V9T 6N2 offers to Lease the Premises from **COUNTRY CLUB CENTRE LTD.** (the "Landlord") of Unit 406 – 4190 Lougheed Highway, Burnaby, British Columbia, V5C 6A8, upon the terms and conditions set out in this Offer to Lease and the Landlord's standard form of lease (the "Standard Lease"), a copy of which is attached to this Offer to Lease as Schedule "C". The Lease resulting from this Offer to Lease (the "Lease") shall be in the form of the Standard Lease completed in accordance with the terms of this Offer to Lease. Capitalized terms and definitions used in this Offer to Lease have the same meanings as in the Standard Lease.

**1. BASIC TERMS**

The following basic terms are part of this Offer to Lease and shall be incorporated in the Lease where the same correspond with basic terms to be completed in the Lease.

- (a) **Date of this Offer:** January 12, 2012
- (b) **Indemnitor:** N/A
- (c) **Premises:** **Unit No. 5B** (the "Premises") as shown outlined in red on the Plan attached as Schedule "A" to this Offer to Lease.
- (d) **Square Feet of Space in the Premises:** approximately **Four Hundred and Sixty-eight (468)** square feet.
- (e) **Term:** The term of the Lease shall be for the period of time beginning on the Commencement Date determined pursuant to clause 1(f) and ending **Five (5) years** after the last day of the calendar month in which the day immediately preceding the Commencement Date occurs.
- (f) **Commencement Date:** The earlier of:
  - (i) the first day following the expiry of the Fixturing Period;
  - (ii) the day on which the Premises are first opened for business by the Tenant; and

INITIALS	
Landlord	Tenant

(iii) April 1, 2012.

(g) **Delivery Date:** March 1, 2012.

(h) **Annual Gross Rent:**

Lease Year	Annual Gross Rent	Gross Monthly Rent
One (1)	\$19,800.00	\$1,650.00

On January 1, 2013 and on the first (1<sup>st</sup>) day of January of each and every year thereafter during the Term, the Gross Rent payable by the Tenant during the ensuing calendar year shall be equal to the Gross Rent payable during the immediately preceding year plus Two Percent (2%).

(i) **Percentage Rent Rate:** DELETED INTENTIONALLY.

(j) **Permitted Use of Premises (Section 5.01 of the Standard Lease):**  
 The Premises shall be used and occupied for the use of a respite facility for the Regional District bus drivers/operators and for no other purpose. No use shall be permitted that contravenes the exclusive use clauses of other tenants as outlined in Schedule "H" of the Standard Lease.

(k) **Tenant's Business Name (Section 5.01 of the Standard Lease):**  
 "Regional District of Nanaimo" and under no other name.

(l) **Initial Promotion Contribution (Section 6.01 of the Standard Lease):**  
 NOT APPLICABLE.

(m) **Annual Promotion Contribution (Section 6.02 of the Standard Lease):**  
 DELETED INTENTIONALLY.

(n) **Deposit:** One Thousand, Eight Hundred and Forty-eight Dollars (\$1,848.00) (includes Sales Taxes).

(o) **Food Court Tenant:**  No  Yes

(p) **Plan Review Charge (Schedule "G"):** DELETED INTENTIONALLY.

2. **NET LEASE** - DELETED INTENTIONALLY.

3. **RENT ADJUSTMENT** - DELETED INTENTIONALLY.

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4. PROMOTION FUND – DELETED INTENTIONALLY.

5. SALES TAX

The Tenant shall pay all Sales Taxes, as defined in Section 9.05 of the Standard Lease on all Rent payable under this Offer to Lease and the Lease.

6. DEPOSIT

Upon presentation of this Offer to Lease to the Landlord, the Tenant shall pay to the Landlord the sum set out in Section 1(n) to be held by the Landlord, without interest, as a security deposit under this Offer to Lease. If this Offer to Lease is not accepted by the Landlord or if the Landlord's Conditions in clause 14 of this Offer to Lease are not removed, such amount shall be returned to the Tenant forthwith. If the Landlord is entitled to and does terminate this Offer to Lease under Section 15 or 16, the Landlord may retain such amount on account of damages without prejudice to any other right or remedy of the Landlord. Otherwise, **One Thousand, Eight Hundred Forty-eight Dollars (\$1,848.00)** of such amount shall be applied to the first monthly instalment of Annual Gross Rent payable under the Lease, plus applicable Sales Tax, and the balance shall be held as the Security Deposit pursuant to Section 4.17 of the Lease.

7. FIXTURING PERIOD

Subject to the terms and conditions of this Offer to Lease, the Tenant shall occupy the Premises for a period of up to **Thirty-one (31) days** (the "Fixturing Period") commencing on the Delivery Date of March 1, 2012 until the Commencement Date to perform and complete the Tenant's Work. During the Fixturing Period the Tenant shall not be responsible for payment of Annual Gross Rent, but the Tenant shall be responsible for the cost of utilities consumed in the Premises and shall be bound by all other terms of this Offer to Lease and the Lease during the Fixturing Period.

8. LANDLORD'S WORK

The Landlord shall complete the Landlord's Work, if any, as set out in Schedule "G-1" of the Standard Lease, subject to Schedule "B" herein. Except for the Landlord's Work, if any, the Tenant shall accept the Premises "as is". The Landlord shall not be liable for any loss or damage if the Premises are not ready for possession by the Tenant by the Delivery Date due to strikes, labour controversies, inability to obtain materials, force majeure, Acts of God or any other cause or causes beyond the Landlord's control.

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9. **TENANT'S WORK**

The Tenant shall complete the Tenant's Work in accordance with Schedule "G-2" of the Standard Lease. All plans and specifications, including those for signage, must have prior written approval by the Landlord as provided in Schedule "G-2" before any Tenant's Work commences.

10. **CONDUCT OF BUSINESS**

The Tenant shall throughout the Term occupy the Premises and use the Premises for the use described in clause 1(j) of this Offer to Lease under the business name set forth in clause 1(k) of this Offer to Lease.

11. **SPECIAL TERMS AND CONDITIONS**

The Special Terms and Conditions set forth in Schedule "B" of this Offer to Lease, if any, shall form a part of this Offer to Lease.

12. **INDEMNITOR – DELETED INTENTIONALLY.**

13. **FINANCIAL INFORMATION – DELETED INTENTIONALLY.**

14. **LANDLORD'S CONDITIONS**

The Landlord's obligations under this Offer to Lease shall be subject to the following conditions:

- (a) approval of the terms and conditions of this Offer to Lease by the directors or senior management of the Landlord; and
  - (b) approval of GWL Realty Advisors Ltd., on behalf of RMA Real Estate LP.
- (the "Landlord's Conditions")

The Landlord's Conditions are solely for the benefit of the Landlord and may be waived by the Landlord by notice in writing to the Tenant on or before that day which is FOURTEEN (14) days after acceptance of this Offer to Lease by the Landlord. If the Landlord fails to advise the Tenant by notice in writing on or before the date specified that the Landlord's Conditions have been satisfied or waived then the agreement to lease arising from acceptance of this Offer to Lease shall be null and void and the Deposit shall be returned to the Tenant. In consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the Tenant agrees that although the Landlord's obligations under this Offer to Lease are subject to the Landlord's Conditions, this Offer to Lease shall not be void, or voidable by the Tenant, unless the time for removal of the Landlord's Condition expires without the Landlord's Conditions being satisfied or waived.

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15. **EXECUTION OF THE LEASE**

The Lease shall be prepared by the Landlord in the form of the Standard Lease, incorporating the terms of this Offer to Lease. The Tenant acknowledges that the Standard Lease deals with the provisions of this Offer to Lease in greater detail and includes additional provisions not contained in this Offer to Lease. If there is any inconsistency between this Offer to Lease and the Standard Lease, the Standard Lease shall govern and take precedence except as expressly agreed in this Offer to Lease. The Lease shall be executed by the Tenant and, if applicable the Indemnitor, and shall be delivered to the Landlord within FOURTEEN (14) days of receipt thereof from the Landlord. The Tenant acknowledges and agrees that it will not be permitted to enter into possession of the Premises prior to execution of the Lease.

If the Tenant and, if applicable the Indemnitor, fail to execute and deliver the Lease within FOURTEEN (14) days of receipt thereof from the Landlord, the Landlord may at any time thereafter by written notice to the Tenant:

- (a) terminate the rights of the Tenant under this Offer to Lease; or
- (b) confirm to the Tenant that the Term shall nevertheless commence on the Commencement Date and that the Landlord and the Tenant and, if applicable the Indemnitor, shall be bound by the terms and conditions of the Lease as if the Lease had been executed by all of the parties.

16. **LANDLORD'S REMEDIES**

If the Tenant is in default under this Offer to Lease, the Landlord may, except as provided in clause 15, terminate this Offer to Lease on FIVE (5) days written notice.

17. **NO REPRESENTATIONS**

There are no representations, warranties or other agreements in any way related to this Offer to Lease except those expressly stated herein.

18. **TIME OF THE ESSENCE**

Time is of the essence of this Offer to Lease.

19. **NO ASSIGNMENT**

This Offer to Lease shall not be assigned by the Tenant.

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20. **NOTICE**

Any notice given under this Offer to Lease shall be in writing and shall be delivered personally or mailed by registered mail, to the Tenant and the Indemnitor at their addresses set forth in Clause 1(b) and 1(c) respectively, and if to the Landlord c/o:

**COUNTRY CLUB CENTRE LTD.  
#406 – 4190 Lougheed Highway  
Burnaby, B.C. V5C 6A8**

**Attn: Property Manager**

Any notice will be deemed to have been given at the time of personal delivery, or if mailed, on the third postal delivery day after the date of mailing thereof. Any party may designate by notice, in the manner above set forth, a different address to which notices are to be mailed. If it is reasonably anticipated that, due to mail service being disrupted, such notice, if mailed, will not be received by the third postal delivery day following mailing, then such notice must be personally delivered.

21. **GOVERNING LAW**

This Offer to Lease shall be construed in accordance with and governed by the laws of the Province of British Columbia.

22. **OFFER AND ACCEPTANCE**

The Landlord shall not be deemed to have made an offer to the Tenant by furnishing to the Tenant a copy of this Offer to Lease with the blanks completed. No agreement to lease shall arise between the parties hereto until acceptance of this Offer to Lease by the Landlord. Upon acceptance of this Offer to Lease by the Landlord there shall be a binding agreement and all the terms and conditions of this Offer to Lease and the Standard Lease shall apply.

23. **INTERPRETATION**

In this Offer to Lease all references to any party shall be read with such changes in number and gender as the context or reference to the parties may require. The division of this Offer to Lease into sections and the insertion of headings are for convenience only and shall not affect the construction or interpretation of this Offer to Lease.

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24. **AGENCY DISCLOSURE (Landlord)**

The Landlord and the Tenant acknowledge and agree in accordance with Section 25.1 of the Real Estate Services Act (BC), Northwest Realty Inc. (the "Licensee") has disclosed it is representing the Landlord in respect of this transaction, and is, or expects to receive remuneration from the Landlord resulting from the Tenant entering into a Lease agreement.

25. **ACCEPTANCE**

This Offer to Lease is open for acceptance by the Landlord, and shall be irrevocable by the Tenant, until 3:00 p.m. Vancouver Local Time on \_\_\_\_\_, 2012, after which time, if not accepted, it shall become null and void.

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This **Offer to Lease** is offered by the Tenant this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**REGIONAL DISTRICT OF NANAIMO**

Per:

\_\_\_\_\_  
Authorized Signatory

\_\_\_\_\_  
Name and Title

**LANDLORD'S ACCEPTANCE**

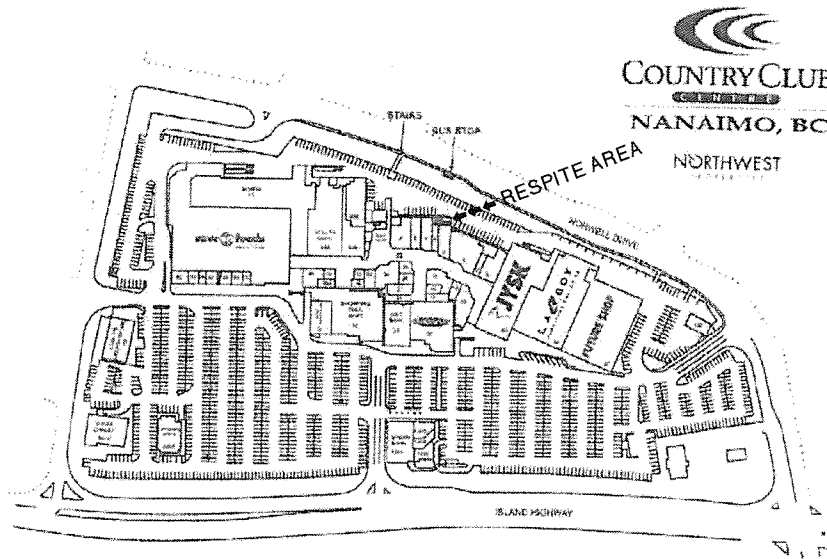
This **Offer to Lease** is accepted by the Landlord this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**COUNTRY CLUB CENTRE LTD.**

By: \_\_\_\_\_  
Christoph Richter, Authorized Signatory

**SCHEDULE "A"**

**PLAN OF PROJECT SHOWING PREMISES**



**\*\* PLAN IS NOT TO SCALE AND IS FOR REFERENCE PURPOSES ONLY \*\***

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**SCHEDULE "B"**

**SPECIAL TERMS AND CONDITIONS**

**1. Security**

As security for the due payment by the Tenant of the rent reserved under the Lease and the due performance by the Tenant of all covenants, agreements, provisos and conditions of the Tenant to be performed under the terms of the Lease, the Tenant hereby grants to the Landlord a first lien, charge and security interest on all goods, chattels, trade fixtures, furniture, machinery, equipment and inventory of the Tenant situate on, in or about the Premises or elsewhere. This clause shall constitute a security agreement within the meaning of the Personal Property Security Act (British Columbia) and on default of the Tenant in repayment of the Improvement Loan or under the terms of the Lease, the Landlord shall have, in addition to any other rights and remedies it may be entitled to under the Lease or otherwise, all rights and remedies of a secured party under the Personal Property Security Act. The parties expressly acknowledge and agree that the provisions of this paragraph shall not merge with the execution of the Lease, and shall continue to be enforceable by the Landlord notwithstanding the expiry or early termination of the Lease.

**2. Landlord's Work**

Notwithstanding Section 8 - Landlord's Work herein, the Tenant shall take initial possession of the Premises on an "as is" basis, except for the following, which shall be done at the Landlord's sole cost and expense:.

- (a) Supply and install 1-hour fire rated demising walls to be taped, sanded to underside of roof deck with fire blocking;
- (b) Provide heating and cooling to the Premises;
- (c) Install pull station and emergency exit lighting as required;
- (d) Supply and install one (1) 100 amp panel, 120/208 volt 3 phase, 4 wire with a 42 circuit breaker panel complete with six (6) 15 amp and two (2) 20 amp breakers and disconnect switch;
- (e) Supply and install one (1) 100 amp electric meter;
- (f) Supply and install four (4) electrical outlets throughout Premises (locations to be specified by Tenant); and
- (g) Supply and install new access door to exterior.

Landlord reserves the right to re-use any existing materials it may have, provided they are in good reusable condition.

INITIALS	
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The Landlord shall ensure that the mechanical systems serving the Premises including fire sprinklers, fire alarms, plumbing, HVAC, electrical and lighting are fully operational on the first day of the Fixturing Period.

3. **Tenant's Work**

The Tenant shall complete the Tenant's Work in accordance with Schedule "G-2" of the Standard Lease at its sole cost and expense, including but not limited to:

- (a) Supply and install a hot water tank, if required by the Tenant;
- (b) Supply and install VC tile and rubber base throughout Premises;
- (c) Paint all walls with One (1) coat primer and Two (2) coats paint in a neutral colour chosen by the Tenant;
- (d) Reconfigure sprinklers as required to meet code;
- (e) Supply and install t-bar ceiling with 2 x 4 fluorescent lighting;
- (f) Supply and install plumbing for kitchen sink, including hot and cold water with drain;
- (g) Provide and install kitchen cabinets, countertop and sink; and
- (h) Provide own furnishing and appliances.

4. **Option to Extend**

If the Tenant:

- (a) pays the Rent and observes and performs all of the terms and conditions in this Offer and the Lease to be observed and performed by the Tenant, punctually, and in accordance with the provisions of this Offer and the Lease;
- (b) has not made any assignment for the benefit of creditors, become bankrupt or insolvent, or taken the benefit of any Act now or hereafter in force for bankrupt or insolvent debtors; and
- (c) has not had a receiving order made against it and no receiver or other person has taken possession of effective control of the assets or business of the Tenant or a substantial portion thereof pursuant to any security or other agreement or by any other means whatsoever;

then the Tenant may extend the Lease (the "Option to Extend") by notice in writing given to the Landlord no earlier than Twelve (12) months and no later than Nine (9) months before the expiry of the Term for an additional term of Five (5) years on the same terms and conditions as herein set forth, save and except that:

- (i) Any provisions in this Lease for tenant allowances, tenant inducements, or free rent shall only apply to the initial Term and not to any extended term;

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- (ii) there will be no further right to extend; and
- (iii) the Annual Gross Rent, (which will not be less than the Annual Gross Rent paid during the Twelve (12) months preceding the expiry of the existing Term) will be the fair market rent at the time of the exercise of the option for space of comparable size, quality, fixturing and location to that of the Premises, as determined by agreement between the Landlord and the Tenant, or if they fail to agree within Six (6) months prior to the expiration of the then existing Term, the Option to Extend shall be null and void.

5. Option to Terminate (Landlord)

Provided the Landlord has entered into a bona fide offer to lease for an adjacent unit or units and in the event the Premises are required for any such adjacent tenant, the Landlord shall have right to terminate the Lease anytime during the initial Term and any extension thereof, with no less than Four (4) months prior written notice.

6. Option to Terminate (Tenant)

Provided the Tenant is not in default of the Lease, it shall have a right to terminate the Lease (the "Termination Right"), by giving the Landlord Sixty (60) days prior written notice. Such termination shall be effective on the date which is Sixty (60) days from the date of the notice (the "Termination Date").

Should the Tenant exercise this Termination Right within the first Four (4) years of the Term it shall pay to the Landlord an amount which shall be the equivalent of Twelve (12) months Gross Rent, plus Sales Taxes. Should the Tenant exercise this Termination Right in the last year of the Term, the Tenant shall pay an amount to the Landlord, which shall be the equivalent of Gross Rent, plus Sales Taxes to and including the end of the Lease Term.

Notwithstanding paragraphs #5 and this #6, all Rent shall be adjusted as of the Termination Date in accordance with the provisions stated herein and it is expressly understood all amounts due and owing by the Tenant shall become due and payable in full as of the Termination Date.

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SCHEDULE "C"

LANDLORD'S STANDARD LEASE

The Tenant hereby acknowledges receipt of the Landlord's standard form Lease.

Dated at \_\_\_\_\_, British Columbia this \_\_\_\_\_ day of  
\_\_\_\_\_, 2012.

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