

REGIONAL DISTRICT OF NANAIMO

REGULAR BOARD MEETING

TUESDAY, MAY 28, 2013

7:00 PM

(RDN Board Chambers)

A G E N D A

PAGES

- 1. CALL TO ORDER**
- 2. DELEGATIONS**
12 **Ian MacDonnell**, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area ‘H’.
- 3. BOARD MINUTES**
13-30 Minutes of the Regular Board meeting held Tuesday, April 23, 2013 (All Directors – One Vote).
- 4. BUSINESS ARISING FROM THE MINUTES**
- 5. COMMUNICATIONS/CORRESPONDENCE**
31 **Tamie Nohr, District of Lantzville**, re “Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.58 (All Directors – One Vote).
32 **K. King, City of Nanaimo**, re “Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.58 (All Directors – One Vote).
- 6. UNFINISHED BUSINESS**
BYLAW THIRD READING
33-39 **Zoning Amendment Application No. PL2011-179 – Bylaw 500.382 – Jacqueline and John Pipes – 2925 Turnbull Road, Electoral Area ‘H’ – Introduced and given first and second reading on April 23, 2013** (Electoral Area Directors, except EA ‘B’ – One Vote).
 1. *That the report of the Public Hearing held on May 15, 2013 on “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.382, 2013,” be received.*

2. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.382, 2013," be read a third time.

BYLAW ADOPTION

- 40-43 **Zoning Amendment Application No. PL2012-035 – Bylaw 500.379 – 928323 BC Ltd. 691 Wembley Road, Electoral Area 'G' – Received third reading on April 23, 2013 (Electoral Area Directors, except EA 'B' – One Vote).**

That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.379, 2013," be adopted.

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

7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE

- 44-46 Minutes of the Electoral Area Planning Committee meeting held Tuesday, May 14, 2013 (for information) (All Directors – One Vote).

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. PL2013-040 – Westwood – Shorewood Drive, Electoral Area 'G'.

That Development Permit Application No. PL2013-040 to permit the construction of a dwelling unit be approved, subject to the conditions outlined in Schedules 1 to 3.

ZONING AMENDMENT APPLICATIONS

- 47-53 **Zoning Amendment Application No. PL2012-123 Bylaw 500.383 – Pilcher/Christensen/Masson – 2715 Turnbull Road, Electoral Area 'H'.**

1. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.383, 2013" be introduced and read two times.
2. That the public hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.383, 2013" be chaired by an Electoral Area Director or an alternate.

OTHER

54-67

Electoral Area 'A' Draft Cedar Main Street Village Plan – Bylaw No. 1620.01, 2013
(Electoral Area Directors, except EA 'B' – One Vote).

1. *That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Amendment Bylaw No. 1620.01, 2013" be given 1st and 2nd reading.*
2. *That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Amendment Bylaw No. 1620.01, 2013" has been considered in conjunction with the Regional District of Nanaimo's Financial Plan and Liquid and Solid Waste Management Plans.*
3. *That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Amendment Bylaw No. 1620.01, 2013" proceed to Public Hearing.*
4. *That the Public Hearing on "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Amendment Bylaw No. 1620.01, 2013" be delegated to Director McPherson or his alternate.*
5. *That staff proceed with the recommended public consultation actions identified in the staff report.*

Secondary Suites Study and Consultation Plan (Electoral Area Directors, except EA 'B' – One Vote).

1. *That staff be directed to proceed with the Secondary Suites Consultation Plan as outlined in Appendix 'A' of the staff report.*
2. *That the Secondary Suites Study as attached in Appendix 'B' of the staff report be received.*

NEW BUSINESS

Mobile Homes / Manufactured Homes CSA Certification (All Directors – One Vote) -
At the May 14, 2013 Electoral Area Planning Committee meeting Director Fell advised that he would be bringing forward the following motion for consideration at the May 28, 2013 Board meeting:

That the requirement that Mobile Homes / Manufactured Homes relocated into Electoral Areas bear CSA Certification stickers be discontinued.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

68-75

Minutes of the Committee of the Whole meeting held Tuesday, May 14, 2013 (for information) (All Directors – One Vote).

COMMUNICATION/CORRESPONDENCE

Debra Oakman, North Island 9-1-1 Corporation, re North Island 9-1-1 Corporation Articles – Amendment (All Directors – One Vote).

That the correspondence from the North Island 9-1-1 Corporation regarding amendments to the North Island 9-1-1 Articles be received.

James G. Smith, StopSmartMeters.ca Society, re Support for a Citizens' Initiative Petition for Democratic Process on the BC Hydro Smart Metering Program (All Directors – One Vote).

That the correspondence from the StopSmartMeters.ca Society regarding support for a Citizens' Initiative Petition for Democratic Process on the BC Hydro Smart Metering Program be received.

Len Walker, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area 'H' (All Directors – One Vote).

That the correspondence from Len Walker regarding Official Community Plan Application No. 2011-060 be received.

David G. Wallace, J.E. Anderson & Associates, re 1155 Leffler Road, Electoral Area 'F' – Building Bylaw Contravention (All Directors – One Vote).

That the correspondence from J.E. Anderson & Associates regarding a request to speak on behalf of the owners at 1155 Leffler Road, Electoral Area 'F' be received.

FINANCIAL SERVICES

2012 Financial Statements and Audit Findings Report (All Directors – One Vote).

- 1. That the Audit Findings Report and the financial statements of the Regional District of Nanaimo for the year ended December 31, 2012 be received.*
- 2. That the consolidated financial statements of the Regional District of Nanaimo for the year ended December 31, 2012 be approved as presented.*

Operating Results for the Period Ending March 31, 2013 (All Directors – One Vote).

That the summary report of financial results from operations to March 31, 2013 be received for information.

Recommendations for 2013 Applications to the Regionally Significant Projects Program (Gas Tax Revenue Transfer Programs) (All Directors – One Vote).

1. *That the Board support the projects as outlined in the staff report for the allocation of the \$7,451,489 identified by the Union of BC Municipalities for Regionally Significant Project funding.*
2. *That staff be directed to forward the list of projects to the Union for BC Municipalities for funding under the Regionally Significant Project Funding Program.*

Recommendations for the 2013 Use of Community Works Program Funds (All Directors – One Vote).

1. *That the 2013 Community Works Funds program attached as Schedules A and B to the staff report be approved and that staff be authorized to commence work immediately.*
2. *That staff be directed to complete an agreement with the North Cedar Improvement District to transfer Community Works funding allocated to Electoral Area 'A' for their Water Supply and Storage Infrastructure Study.*
3. *That staff be directed to complete an agreement with the Island Futures Society to transfer Community Works funding allocated to Electoral Area 'B' for their purchase of buses to be used in the Gabriola Island Community Bus system.*
4. *That the report on the use of Community Works Funds in 2012 be received for information.*

Strategic Community Investment Funds Agreement (All Directors – One Vote).

That the staff report be received as the final public statement of the use of \$184,075 of Strategic Investment funds for 2012.

76

Gabriola Island Recreation Service Reserve Fund Establishment Amending Bylaw 1671.01 (All Directors – One Vote / 2/3).

That "Gabriola Island Recreation Service Reserve Fund Establishment Amendment Bylaw No. 1671.01, 2013" be introduced and read three times.

That "Gabriola Island Recreation Service Reserve Fund Establishment Amendment Bylaw No. 1671.01, 2013" be adopted.

STRATEGIC AND COMMUNITY DEVELOPMENT

LONG RANGE PLANNING

Industrial Land Supply and Demand Study (All Directors – One Vote).

1. *That the report titled “Industrial Land Supply and Demand Study” be received.*
2. *That copies of the study be forwarded to the member municipalities and economic development organizations.*

BUILDING, BYLAW AND EMERGENCY SERVICES

872 Reid Road, Electoral Area ‘G’ – Unsightly Premises (All Directors – One Vote).

That the Board direct the owner of the property at 872 Reid Road, to remove from the premises those items as set out in the Resolution attached to the staff report within thirty (30) days, or the work will be undertaken by the Regional District of Nanaimo’s agents at the owner’s cost.

1802 Stalker Road, Electoral Area ‘B’ – Unsightly Premises (All Directors – One Vote).

That the Board direct the owner of the property at 1802 Stalker Road, to remove from the premises those items as set out in the Resolution attached to the staff report within ninety (90) days, or the work will be undertaken by the Regional District of Nanaimo’s agents at the owner’s cost.

1155 Leffler Road, Electoral Area ‘F’ – Building Bylaw Contravention (All Directors – One Vote).

That staff be directed to register a Notice of Bylaw Contravention on the title of the subject property legally described as Lot 1, District Lot 139, Plan 18583, Nanoose District (1155 Leffler Road), pursuant to Section 57 of the Community Charter.

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER SERVICES

Nanaimo Community Gardens Society Agreement – Greater Nanaimo Pollution Control Centre Greenhouses (All Directors – Weighted Vote).

That the Regional District of Nanaimo enter into a one year agreement from September 1, 2013 to August 31, 2014 with the Nanaimo Community Gardens Society for the use of the greenhouses at Greater Nanaimo Pollution Control Centre.

77-80

Bylaw 975.59 – Pump and Haul Bylaw Amendment – 610 Gallagher Way, Gabriola Island, Electoral Area ‘B’ (All Directors – One Vote).

- 1. That the boundaries of the Regional District of Nanaimo Pump and Haul Local Service Area Bylaw No. 975 be amended to include Lot 61, Section 18, Plan 21586, Gabriola Island, Nanaimo District (Electoral Area ‘B’).*
- 2. That “Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.59, 2013” be introduced and read three times.*

UTILITIES

Bylaws No. 813.50, 869.09 and 889.64 – Inclusion of 691 Wembley Road into Sewer and Streetlighting Service Areas, Electoral Area ‘G’ (All Directors – One Vote).

81-83

That “French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.50, 2013” be introduced and read three times.

84-86

That “Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.09, 2013” be introduced and read three times.

87-90

That “Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.64, 2013” be introduced and read three times.

RECREATION AND PARKS

RECREATION SERVICES

Cedar Heritage Centre Lease and Site Licence Agreement (2013-15) / Cedar School and Community Enhancement Society (All Directors – Weighted Vote).

That the proposed Lease and Site Licence agreement (Appendix 'A') between the Regional District of Nanaimo and the Cedar Community School and Enhancement Society for the operation and use of the Cedar Heritage Centre for a two (2) year, seven (7) month Term from June 1, 2013 – December 31, 2015 be approved.

COMMISSION, ADVISORY & SELECT COMMITTEE MINUTES AND RECOMMENDATIONS

Transit Select Committee (All Directors – One Vote).

That the minutes of the Transit Select Committee meeting held Thursday, April 18, 2013 be received for information.

Cruise Ship Shuttle Service – 2013 (Nanaimo, Lantzville, Parksville, Qualicum Beach, Electoral Areas A, C, E, G, H – Weighted Vote).

That the application made by the Nanaimo Port Authority for the Regional District of Nanaimo to provide bus service for cruise ships arriving in Nanaimo on May 11, 2013, May 12, 2013 and September 15, 2013, at the cost of the Nanaimo Port Authority, be approved.

Annual Operating Agreement Amendment #1 Between Regional District of Nanaimo and BC Transit for 2012-2013 (All Directors – Weighted Vote).

That the 2012/2013 Conventional and Custom Annual Operating Agreement (AOA) Amendment #1 with BC Transit be approved.

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

North Island 9-1-1 Corporation Articles – Amendment (All Directors – One Vote).

That the Regional District of Nanaimo authorizes the execution of the special resolution (appendix 'A') to make select alterations to the Articles of North Island 9-1-1 Corporation, as recommended by Singleton Urquhart LLO; and further that a waiver of notice (appendix 'B') be executed.

StopSmartMeters.ca Society, re Support for a Citizens' Initiative Petition for Democratic Process on the BC Hydro Smart Metering Program (All Directors – One Vote).

That Director Fell follow up with StopSmartMeters.ca Society regarding the matter of smart meters and produce, if appropriate, a motion for the Board's consideration.

NEW BUSINESS

Use of Actuary (All Directors – One Vote) – At the May 14, 2013 Committee of the Whole meeting Director Willie advised that he would be bringing forward the following motion for consideration at the May 28, 2013 Board meeting:

That staff be directed to prepare a report that examines the cost effectiveness of utilizing the services of an Actuary to more accurately project the unfunded liabilities related to employee benefits for the Regional District of Nanaimo.

Community Library Branch within Electoral Area 'A' (All Directors – One Vote) – At the May 14, 2013 Committee of the Whole meeting Director McPherson advised that he would be bringing forward the following motion for consideration at the May 28, 2013 Board meeting:

That staff be directed to contact Vancouver Island Regional Library and to enter into discussions on requirements to establish a new community library branch within Electoral Area 'A', and more specifically, within the Cedar Rural Village Centre.

BOARD INFORMATION

Mary Sjostrom, Union of BC Municipalities, re 2013 UBCM Provincial Election Platform (All Directors – One Vote).

That the correspondence from the Union of BC Municipalities regarding UBCM's 2013 Provincial Election Platform be received.

7.3 COMMISSIONS

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

91-94 Minutes of the Electoral Area 'A' Parks, Recreation, and Culture Commission meeting held on Wednesday, April 17, 2013 (for information) (All Directors – One Vote).

Recreation and Culture Grants (All Directors – One Vote).

That the following Electoral Area 'A' Recreation and Culture Grant applications be approved:

Cedar 4H Club – Portable Toilet, hand washing supplies, \$1500.00
Animal feed, Cellphone Rental, Animal lease or Purchase,
shavings, A.G Info Handouts, info signage.

1st Cedar Scouts – Camping gear – Wheeler coolers, \$1489.84
Propane tanks, Bows, Arrows, Coleman Stoves, Lanterns,
Lightweight Backpack stoves.

Cedar Family of Community Schools – Digital Camera \$450.00

Cedar Family of Community Schools – Equipment for \$944.00
Gymnastics – Foam learning beam, low-training beam,
Trestle climbing frame/Horizontal bar.

District 69 Recreation Commission

95-96 Minutes of the District 69 Recreation Commission meeting held on Thursday, April 18, 2013 (for information) (All Directors – One Vote).

7.4 SCHEDULED ADVISORY AND SELECT COMMITTEES

Electoral Area 'G' Parks and Open Spaces Advisory Committee

97-98 Minutes of the Electoral Area 'G' Parks and Open Spaces Advisory Committee meeting held Monday, March 11, 2013 (for information). (All Directors – One Vote).

That staff prepare a report on needs, costs, insurance, liability and availability of budget regarding capital upgrades and maintenance of the Little Qualicum Hall at Dashwood Community Park.

Agriculture Advisory Committee

99-100 Minutes of the Agriculture Advisory Committee meeting held Friday, April 5, 2013 (for information). (All Directors – One Vote).

Transit Select Committee

101-103 Minutes of the Transit Select Committee meeting held Thursday, May 16, 2013 (for information). (All Directors – One Vote).

104-121

**2013/2014 Conventional and Custom Annual Operating Agreement —
Regional District of Nanaimo / BC Transit (All Directors – Weighted Vote).**

That the 2013/2014 Conventional and Custom Annual Operating Agreement (AOA) with BC Transit be approved.

8. ADMINISTRATOR’S REPORTS

9. ADDENDUM

10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

11. NEW BUSINESS

12. BOARD INFORMATION

122-123

Karen Ayers, Ministry of Justice, Liquor Control and Licensing Branch, re Clarification of eligibility criteria for Catering Endorsements and clarification of where Catered Events may be held (All Directors – One Vote).

13. IN CAMERA

That pursuant to Sections 90 (1) (e), (f), and (i) of the Community Charter the Board proceed to an In Camera meeting for discussions related to land acquisitions, law enforcement, and solicitor-client privilege.

14. ADJOURNMENT

O'Halloran, Matt

Subject: Board meeting May 28 2013

Hi Matt

Could you please add my name as a delegation to the above board meeting with an allotted time of 10 minutes and confirm this when you have a moment.

I will be speaking to the ongoing process of the Deep Bay RVC consideration and the Impracticality of the of the BSI proposal and other related matters.

Thank you for your time and consideration in this matter.

Regards

Ian MacDonell

REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE REGULAR BOARD MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, APRIL 23, 2013 AT 7:00 PM IN THE
RDN BOARD CHAMBERS

In Attendance:

Director J. Stanhope	Chairperson
Director D. Brennan	Deputy Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Alternate	
Director F. Van Eynde	Electoral Area E
Director J. Fell	Electoral Area F
Director B. Veenhof	Electoral Area H
Director B. Dempsey	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director G. Anderson	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director T. Greves	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director D. Willie	Town of Qualicum Beach

Regrets:

Director G. Holme	Electoral Area E
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Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
J. Harrison	Director of Corporate Services
W. Idema	Director of Finance
T. Osborne	Gen. Mgr. Recreation & Parks
D. Trudeau	Gen. Mgr. Transportation & Solid Waste
G. Garbutt	Gen. Mgr. Strategic & Community Development
R. Alexander	Gen. Mgr. Regional & Community Services
J. Hill	Mgr. Administrative Services
N. Hewitt	Recording Secretary

CALL TO ORDER

The Chairperson welcomed Alternate Director Van Eynde to the meeting and introduced Geoff Garbutt, General Manager of Strategic and Community Development to the Board Members.

DELEGATIONS

Craig Wishart, Electronic Products Recycling Association, re Program for handling end-of-life electronics in BC, as per the Ministry of Environment Recycling Regulation.

Mr. Wishart provided a visual and verbal overview on the various programs for handling end-of-life electronics in BC.

Kim Burden, Parksville and District Chamber of Commerce, re Next Phase of the Oceanside Initiatives and Economic Development Strategy – Development of Business Attraction Marketing Tools.

Mr. Burden presented a verbal overview on phase 1 of the Oceanside Initiatives and outlined the next phase including development of business attraction marketing tools.

Dianne Eddy, Mapleguard Ratepayers' Association, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area 'H'.

Ms. Eddy spoke in opposition of the Baynes Sound Investments application and reported on a survey from residents of Electoral Area 'H', produced by the volunteers of the Mapleguard Ratepayers' Association regarding this application.

Ian MacDonnell, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area 'H'.

Mr. MacDonnell spoke in opposition of the Baynes Sound Investments application.

C.B. Chapman, re Development Permit pending for construction in Electoral Area 'A'.

Mr. Chapman withdrew his request to be a delegate.

LATE DELEGATIONS

13-256 MOVED Director Veenhof, SECONDED Director Lefebvre, that late delegations N. Eddy and J. Crawford be permitted to address the Board.

CARRIED

Nelson Eddy, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area 'H'.

Mr. Eddy spoke in opposition of the Baynes Sound Investments application.

Jim Crawford, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area 'H'.

Mr. Crawford spoke in support of the Baynes Sound Investments application as the Project Manager.

BOARD MINUTES

Minutes of the Regular Board meeting held Tuesday, March 26, 2013.

- 13-257 MOVED Director Johnstone, SECONDED Director Young, that the minutes of the Regular Board meeting held on Tuesday, March 26, 2013, be adopted.

CARRIED

COMMUNICATION/CORRESPONDENCE

Reg Nosworthy, re Resignation as the Electoral Area 'F' Representative on the District 69 Recreation Commission.

- 13-258 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Reg Nosworthy regarding resignation as the Electoral Area 'F' representative on the District 69 Recreation Commission be received.

CARRIED

Nancy Crozier, re Resignation as Appointee to the Electoral Area 'B' Parks and Open Spaces Advisory Committee.

- 13-259 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Nancy Crozier regarding resignation as the appointee to the Electoral Area 'B' Parks and Open Spaces Advisory Committee be received.

CARRIED

Ian Birtwell, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area 'H'.

- 13-260 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Ian Birtwell regarding OCP Application No. 2011-060 be received.

CARRIED

George and Marlene Dussault, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area 'H'.

- 13-261 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from George and Marlene Dussault regarding OCP Application No. 2011-060 be received.

CARRIED

Len Walker, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area 'H'.

- 13-262 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Len Walker regarding OCP Application No. 2011-060 be received.

CARRIED

Dianne Eddy, Mapleguard Ratepayers Association, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area ‘H’.

13-263 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Dianne Eddy regarding OCP Application No. 2011-060 be received.

CARRIED

George and Marlene Dussault, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area ‘H’.

13-264 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from George and Marlene Dussault regarding OCP Application No. 2011-060 be received.

CARRIED

Peter and Greta Taylor, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area ‘H’.

13-265 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Peter and Greta Taylor regarding OCP Application No. 2011-060 be received.

CARRIED

Len Walker, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area ‘H’.

13-266 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Len Walker regarding OCP Application No. 2011-060 be received.

CARRIED

Hans Hofmaier, re Development Variance Permit Application No. PL2013-015 – Allin – 1401 Marina Way, Electoral Area ‘E’.

13-267 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Hans Hofmaier regarding Development Variance Permit Application No. PL2013-015 be received.

CARRIED

Jill Davies, re Development Variance Permit Application No. PL2013-015 – Allin – 1401 Marina Way, Electoral Area ‘E’.

13-268 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Jill Davies regarding Development Variance Permit Application No. PL2013-015 be received.

CARRIED

V. Lynne Stafford, re Development Variance Permit Application No. PL2013-015 – Allin – 1401 Marina Way, Electoral Area ‘E’.

13-269 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from V. Lynne Stafford regarding Development Variance Permit Application No. PL2013-015 be received.

CARRIED

Steve and Eula Dale, re Development Variance Permit Application No. PL2013-015 – Allin – 1401 Marina Way, Electoral Area ‘E’.

- 13-270 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Steve and Eula Dale regarding Development Variance Permit Application No. PL2013-015 be received.
CARRIED

Carol Bell, re Development Variance Permit Application No. PL2013-015 – Allin – 1401 Marina Way, Electoral Area ‘E’.

- 13-271 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Carol Bell regarding Development Variance Permit Application No. PL2013-015 be received.
CARRIED

Howard and Judith Goebel, re Development Variance Permit Application No. PL2013-015 – Allin – 1401 Marina Way, Electoral Area ‘E’.

- 13-272 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Howard and Judith Goebel regarding Development Variance Permit Application No. PL2013-015 be received.
CARRIED

Melanie and Craig McConnell, re Development Variance Permit Application No. PL2012-157 – Fern Road Consulting Ltd. – 3511 Shetland Place, Electoral Area ‘E’.

- 13-273 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Melanie and Craig McConnell regarding Development Variance Permit Application No. PL2012-157 be received.
CARRIED

Anne and Ian Ward, re Development Variance Permit Application No. PL2012-157 – Fern Road Consulting Ltd. – 3511 Shetland Place, Electoral Area ‘E’.

- 13-274 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Anne and Ian Ward regarding Development Variance Permit Application No. PL2012-157 be received.
CARRIED

BYLAW ADOPTION

Bylaw 1655.01 - Water User Rate Amendments 2013.

- 13-275 MOVED Director Willie, SECONDED Director Lefebvre, that “Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.01, 2013” be adopted.
CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES & RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

Minutes of the Electoral Area Planning Committee meeting held Tuesday, April 9, 2013.

- 13-276 MOVED Director Veenhof, SECONDED Director Lefebvre, that the minutes of the Electoral Area Planning Committee meeting held Tuesday, April 9, 2013 be received for information.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Len Walker, re OCP Amendment Application No. 2011-060 – Baynes Sound Investments – Electoral Area ‘H’.

- 13-277 MOVED Director Veenhof, SECONDED Director Greves, that the correspondence from Len Walker regarding Official Community Plan Amendment Application No. 2011-060, be received.

CARRIED

Ann and Christian Jaeckel, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area ‘H’.

- 13-278 MOVED Director Veenhof, SECONDED Director Greves, that the correspondence from Ann and Christian Jaeckel regarding Official Community Plan Amendment Application No. 2011-060, be received.

CARRIED

Marci Katz, re OCP Amendment Application No. PL2011-060 – Baynes Sound Investments – Electoral Area ‘H’.

- 13-279 MOVED Director Veenhof, SECONDED Director Greves, that the correspondence from Marci Katz regarding Official Community Plan Amendment Application No. 2011-060, be received.

CARRIED

Becky Shave, re OCP Amendment Application No. PL2011-060 – Baynes Sound Investments – Electoral Area ‘H’.

- 13-280 MOVED Director Veenhof, SECONDED Director Greves, that the correspondence from Becky Shave regarding Official Community Plan Amendment Application No. 2011-060, be received.

CARRIED

Phyllis Gauthier Taylor, re OCP Amendment Application No. PL2011-060 – Baynes Sound Investments – Electoral Area ‘H’.

- 13-281 MOVED Director Veenhof, SECONDED Director Greves, that the correspondence from Phyllis Gauthier Taylor regarding Official Community Plan Amendment Application No. 2011-060, be received.

CARRIED

Bruce Cook, Lorindale Holdings Ltd., re OCP Amendment Application No. PL2011-060 – Baynes Sound Investments – Electoral Area ‘H’.

- 13-282 MOVED Director Veenhof, SECONDED Director Greves, that the correspondence from Bruce Cook regarding Official Community Plan Amendment Application No. 2011-060, be received.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. PL2012-106 – York Lake Equities Ltd. –1764, 1768 & 1774 Cedar Road, Electoral Area ‘A’.

- 13-283 MOVED Director McPherson, SECONDED Director Young, that Development Permit Application No. PL2012-106 in conjunction with a proposed lot line adjustment and three-lot subdivision be approved subject to the conditions outlined in Schedules 1 to 3.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. PL2012-157 – Fern Road Consulting Ltd. – 3511 Shetland Place, Electoral Area ‘E’.

Guy Fletcher spoke in favor.

- 13-284 MOVED Director Van Eynde, SECONDED Director Young, that Development Variance Permit Application No. PL2012-157 to reduce the minimum required setback from the interior side (west) lot line and rear lot line from 2.0 metres to 0.0 metres, be approved subject to the conditions outlined in Schedule 1.

CARRIED

Development Variance Permit Application No. PL2013-015 – Allin – 1401 Marina Way, Electoral Area ‘E’

Richard Allin spoke in favor.

Steve Dale spoke in opposition.

Hans Hofmaier spoke in opposition.

Carol Bell spoke in opposition.

Guy Fletcher spoke in favour.

Lynne Stafford spoke in opposition.

- 13-285 MOVED Director Van Eynde, SECONDED Director Veenhof, that Development Variance Permit Application No. PL2013-015 to reduce the minimum setback from the natural boundary of the sea from 15.0 metres to 12.8 metres for a deck be approved subject to the conditions outlined in Schedule 1.

CARRIED

ZONING AMENDMENT APPLICATIONS

Zoning Amendment Application No. PL2011-19 –Jacqueline and John Pipes – 2925 Turnbull Road, Electoral Area ‘H’.

13-286 MOVED Director Veenhof, SECONDED Director McPherson, that the conditions set out in Schedule 1 of the staff report be amended such that the covenant requirements related to the provision of groundwater be met prior to building permit application for any residential dwelling on each parcel created through subdivision, rather than prior to final approval of subdivision.

CARRIED

13-287 MOVED Director Veenhof, SECONDED Director Young, that the conditions set out in Schedule 1 of the staff report be completed prior to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.382, 2013” being considered for adoption.

CARRIED

13-288 MOVED Director Veenhof, SECONDED Director Young, that “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.382, 2013” be introduced and read two times.

CARRIED

13-289 MOVED Director Veenhof, SECONDED Director Young, that the Public Hearing on “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.382, 2013” be chaired by Director Veenhof or his alternate.

CARRIED

OTHER

Reconsideration of RGS and OCP Amendment Application No. PL2011-060 – Baynes Sound Investments – Electoral Area ‘H’.

13-290 MOVED Director Veenhof, SECONDED Director Van Eynde, that the Electoral Area Planning Committee support a review of the application of the Baynes Sound Investments for a new Rural Village Centre at Deep Bay and that the application proceed through the process to amend the Electoral Area ‘H’ Official Community Plan and the Regional Growth Strategy.

CARRIED

Request to Accept Cash-in-Lieu of Park Dedication – Keith Brown Associates Ltd. – Boat Harbour Road, Electoral Area ‘A’.

13-291 MOVED Director McPherson, SECONDED Director Young, that the request to accept 5% cash-in-lieu of park land dedication in conjunction with Subdivision Application No. PL2012-141 be accepted.

CARRIED

Liquor Licence Amendment Application No. PL2013-008 – Wheatsheaf Entertainment Centre Ltd. – 1866 & 1870 Cedar Road, Electoral Area ‘A’.

13-292 MOVED Director McPherson, SECONDED Director Van Eynde, that the Board consider any written submissions or comments from the public regarding Liquor Licence Amendment Application No. PL2013-008.

CARRIED

13-293 MOVED Director McPherson, SECONDED Director Young, that the Board adopt the resolution attached to the Liquor Licence Amendment Application No. PL2013-008 staff report as Schedule 1.

CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

Minutes of the Committee of the Whole meeting held Tuesday, April 9, 2013.

13-294 MOVED Director Lefebvre, SECONDED Director Dempsey, that the minutes of the Committee of the Whole meeting held Tuesday, April 9, 2013 be received for information.

CARRIED

COMMUNICATION/CORRESPONDENCE

Director Greves left the meeting citing a possible conflict of interest with the next item.

Alistair Bryson, Chair, Capital Regional District, re Island Corridor Foundation and VIA Rail Negotiations.

13-295 MOVED Director Veenhof, SECONDED Director Dempsey, that the correspondence from the Capital Regional District regarding Island Corridor Foundation and VIA Rail Negotiations be received.

CARRIED

Director Greves returned to the meeting.

CORPORATE SERVICES

ADMINISTRATIVE SERVICES

Update on Board Appointments to Advisory Bodies.

13-296 MOVED Director Veenhof, SECONDED Director Houle, that the information report on Board appointments to advisory bodies be received.

CARRIED

INFORMATION TECHNOLOGY

2013 Report – Rogers Cell Tower Agreement and Renewal Extension.

- 13-297 MOVED Director Lefebvre, SECONDED Director Willie, that the Board approve the acceptance of a yearly rental rate of \$11,500 for the June 1, 2013 – May 31, 2018 agreement term and that staff investigate other cell tower rates before future renewals.
- CARRIED

FINANCIAL SERVICES

Bylaws No. 1679, 1680, 1681 and 1682 – Authorize the Use of Development Cost Charge Funds.

- 13-298 MOVED Director Lefebvre, SECONDED Director Willie, that “Northern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1679, 2013” be introduced and read three times.
- CARRIED
- 13-299 MOVED Director Lefebvre, SECONDED Director Willie, that “Northern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1679, 2013” be adopted.
- CARRIED
- 13-300 MOVED Director Brennan, SECONDED Director Ruttan, that “Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1680, 2013” be introduced and read three times.
- CARRIED
- 13-301 MOVED Director Brennan, SECONDED Director Ruttan, that “Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1680, 2013” be adopted.
- CARRIED
- 13-302 MOVED Director Lefebvre, SECONDED Director Willie, that “Northern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1681, 2013” be introduced and read three times.
- CARRIED
- 13-303 MOVED Director Lefebvre, SECONDED Director Willie, that “Northern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1681, 2013” be adopted.
- CARRIED
- 13-304 MOVED Director Ruttan, SECONDED Director Johnstone, that “Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1682, 2013” be introduced and read three times.
- CARRIED
- 13-305 MOVED Director Ruttan, SECONDED Director Brennan, that “Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1682, 2013” be adopted.
- CARRIED

Bylaws 1683 and 1684 – Authorize Expenditure of Bulk Water Development Cost Charge Funds.

- 13-306 MOVED Director Willie, SECONDED Director Houle, that an amount of \$126,505 be released from the French Creek Bulk Water general reserve fund to be applied to 2012 and 2013 bulk water infrastructure expenditures.
CARRIED
- 13-307 MOVED Director Van Eynde, SECONDED Director Houle, that “Nanoose Bay Bulk Water Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1683, 2013” be introduced and read three times.
CARRIED
- 13-308 MOVED Director Van Eynde, SECONDED Director Houle, that “Nanoose Bay Bulk Water Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1683, 2013” be adopted.
CARRIED
- 13-309 MOVED Director Lefebvre, SECONDED Director Willie, that “French Creek Bulk Water Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1684, 2013” be introduced and read three times.
CARRIED
- 13-310 MOVED Director Willie, SECONDED Director Lefebvre, that “French Creek Bulk Water Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1684, 2013” be adopted.
CARRIED

STRATEGIC AND COMMUNITY DEVELOPMENT

BUILDING, BYLAW AND EMERGENCY SERVICES

Animal Control and Licensing Amendment Bylaw No. 939.03, 2013; Animal Control Amendment Bylaw No. 941.04, 2013; and Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.02, 2013.

- 13-311 MOVED Director Veenhof, SECONDED Director Van Eynde, that “Animal Control and Licensing Amendment Bylaw No. 939.03, 2013” be introduced and read three times.
CARRIED
- 13-312 MOVED Director Veenhof, SECONDED Director Van Eynde, that “Animal Control and Licensing Amendment Bylaw No. 939.03, 2013” be adopted.
CARRIED
- 13-313 MOVED Director Brennan, SECONDED Director Fell, that “Animal Control Amendment Bylaw No. 941.04, 2013” be introduced and read three times.
CARRIED
- 13-314 MOVED Director Brennan, SECONDED Director Fell, that “Animal Control Amendment Bylaw No. 941.04, 2013” be adopted.
CARRIED

13-315 MOVED Director Brennan, SECONDED Director Johnstone, that “Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.02, 2013” be introduced and read three times.

CARRIED

13-316 MOVED Director Brennan, SECONDED Director Johnstone, that “Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.02, 2013” be adopted.

CARRIED

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER SERVICES

Bylaw No. 975.58 – Pump & Haul Bylaw Amendment to Include Lot 18, District Lot 78, Nanoose District, Plan 19688 (Electoral Area ‘E’).

13-317 MOVED Director Van Eynde, SECONDED Director Ruttan, that the boundaries of the “Regional District of Nanaimo Pump and Haul Local Service Establishment Bylaw No. 975, 1995” be amended to include Lot 18, District Lot 78, Nanoose District, Plan 19688 (Electoral Area ‘E’).

CARRIED

13-318 MOVED Director Van Eynde, SECONDED Director Ruttan, that “Regional District of Nanaimo Pump and Haul Local Service Amendment Bylaw No. 975.58, 2013” be introduced and read three times.

CARRIED

WATER SERVICES

Westurne Heights Study Area Petition Results and Service Area Establishing and Borrowing Bylaws (Bylaws 1677 and 1678).

13-319 MOVED Director Fell, SECONDED Director McPherson, that Regional District of Nanaimo “Westurne Heights Water Service Study Area Establishing Bylaw No. 1677, 2013” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

13-320 MOVED Director Fell, SECONDED Director McPherson, that Regional District of Nanaimo “Westurne Heights Water Service Study Area Loan Authorization Bylaw No. 1678, 2013” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

NEW BUSINESS

Agricultural Area Plan Recommended Implementation Action 1.1A.

- 13-321 MOVED Director Veenhof, SECONDED Director Fell, that this item be referred back to the Agricultural Advisory Committee to provide a recommendation on the proposed amendment to the terms of reference:

That the Agricultural Area Plan Recommended Implementation Action 1.1A, “consider updating the Agricultural Advisory Committee (AAC) Terms of Reference to allow the AAC to make comments on every application (exclusion, non-farm use, subdivision) that is forwarded to the Agricultural Land Commission (ALC)”, be referred to staff for a report on options to proceed; including in those options, the opportunity for optional Area Director comment to be incorporated into the process.

CARRIED

Rural Signage.

- 13-322 MOVED Director Veenhof, SECONDED Director Young, that staff be directed to prepare a report to the Board on a proposed consultative process with the intent of identifying rural signage concerns and reducing any impediments to effective signage.

CARRIED

SCHEDULED ADVISORY AND SELECT COMMITTEES

Electoral Area ‘H’ Parks and Open Spaces Advisory Committee.

- 13-323 MOVED Director Veenhof, SECONDED Director Lefebvre, that the minutes of the Electoral Area ‘H’ Parks and Open Spaces Advisory Committee meeting held on Thursday, February 21, 2013 be received for information.

CARRIED

Nanoose Bay Parks and Open Spaces Advisory Committee.

- 13-324 MOVED Director Van Eynde, SECONDED Director Brennan, that the minutes of the Nanoose Bay Parks and Open Spaces Advisory Committee meeting held on Monday, March 4, 2013 be received for information.

CARRIED

Electoral Area ‘F’ Parks and Open Spaces Advisory Committee.

- 13-325 MOVED Director Fell, SECONDED Director Van Eynde, that the minutes of the Electoral Area ‘F’ Parks and Open Spaces Advisory Committee meeting held on Wednesday, March 6, 2013 be received for information.

CARRIED

Northern Community Economic Development Select Committee.

- 13-326 MOVED Director Lefebvre, SECONDED Director Willie, that the minutes of the Northern Community Economic Development Select Committee meeting held on Tuesday, April 9, 2013 be received for information.
CARRIED

Northern Community Economic Development Program – Spring 2013 Proposals.

- 13-327 MOVED Director Lefebvre, SECONDED Director Willie, that funding for Digital Qualicum from the Innovation Island Technology Association be awarded funding in the amount of \$4,000.
CARRIED
- 13-328 MOVED Director Willie, SECONDED Director Lefebvre, that the funding for Lighthouse Country Village Signs from the Lighthouse Country Business Association be awarded full funding in the amount of \$5,000.
CARRIED
- 13-329 MOVED Director Willie, SECONDED Director Lefebvre, that the Qualicum Beach Airport Communications and Technology Upgrade from the Town of Qualicum Beach be awarded full funding in the amount of \$15,000; that staff be directed to initiate a dialogue with the Town of Qualicum Beach regarding future funding for the airport.
CARRIED
- 13-330 MOVED Director Willie, SECONDED Director Lefebvre, that the Nanoose Bay Community Signage Program from Nanoose Community Services be awarded funding in the amount of \$5,000.
CARRIED
- 13-331 MOVED Director Willie, SECONDED Director Lefebvre, that the funding for the Coombs Country Fair from the Arrowsmith Agricultural Association be awarded full funding in the amount of \$3,000.
CARRIED
- 13-332 MOVED Director Willie, SECONDED Director Lefebvre, that the funding for the MacMillan Arts Centre Centennial Project from the Oceanside Community Arts Council be awarded full funding in the amount of \$5,000.
CARRIED

Sustainability Select Committee.

- 13-333 MOVED Director Kipp, SECONDED Director Lefebvre, that the minutes of the Sustainability Select Committee meeting held on Tuesday, April 16, 2013 be received for information.
CARRIED

Community Energy and Emissions Plan.

- 13-334 MOVED Director Brennan, SECONDED Director Kipp, that the Community Energy and Emissions Plan be approved as presented.
CARRIED

Climate Energy and Action Plan.

- 13-335 MOVED Director Brennan, SECONDED Director Ruttan, that the proposed Climate and Energy Action Plan be approved as proposed.
CARRIED

Green Building Incentive Program 2013.

- 13-336 MOVED Director Brennan, SECONDED Director Ruttan, that the proposed 2013 Green Building Incentive Program be approved.
CARRIED

ADMINISTRATOR'S REPORTS

Reconsideration of RGS and OCP Amendment Application No. PL2011-060 – Baynes Sound Investments Lot A, District Lots 1 and 86, Newcastle District, Plan 48840; Lots B, District Lots 1 and 86, Plan 38463; Lot C, District Lot 86, Plan 38643 Electoral Area 'H'.

- 13-337 MOVED Director Veenhof, SECONDED Director Young, that the Board support a review of the application of the Baynes Sound Investments for a new Rural Village Centre at Deep Bay and that the application proceed through the process to amend the Electoral Area 'H' Official Community Plan and the Regional Growth Strategy.
CARRIED
- 13-338 MOVED Director Veenhof, SECONDED Director Young, that staff develop a consultation plan as it relates to Baynes Sound Investments Application No. PL2011-060.
CARRIED

Zoning Amendment Application No. PL2011-108 –Bylaw 500.381 – Addison - Lot 1, Section 7, Range 3, Cranberry District, Plan VIP68949 – 2610 Myles Lake Road, Electoral Area 'C'.

- 13-339 MOVED Director Young, SECONDED Director Kipp, that the report of the Public Hearing held on April 10, 2013 on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.381, 2013" be received.
CARRIED
- 13-340 MOVED Director Young, SECONDED Director Kipp, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.381, 2013" be read a third time.
CARRIED
- 13-341 MOVED Director Young, SECONDED Director Kipp, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.381, 2013" be adopted.
CARRIED

Zoning Amendment Application No. PL2012-035 – Bylaw 500.379 – 928323 BC Ltd. - Lot 1, District Lot 81, Nanoose District Plan 1799 – 691 Wembley Road, Electoral Area 'G'.

13-342 MOVED Director Van Eynde, SECONDED Director McPherson, that the report of the Public Hearing held on April 8, 2013 on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.379, 2013" be received.

CARRIED

13-343 MOVED Director Van Eynde, SECONDED Director Fell, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.379, 2013" be read a third time.

CARRIED

Vancouver Island Regional Library Borrowing Bylaws No. 1673, 1674, and 1675.

13-344 MOVED Director Brennan, SECONDED Director Johnstone, that "Regional Library Capital Financing Service Loan Authorization Bylaw No. 1673, 2013" be adopted.

CARRIED

13-345 MOVED Director Van Eynde, SECONDED Director Johnstone, that "Regional Library Capital Financing Service Security Issuing Bylaw No. 1674, 2013" be adopted.

CARRIED

13-346 MOVED Director Brennan, SECONDED Director Johnstone, that "Regional Library Capital Financing Service Interim Financing Bylaw No. 1675, 2013" be adopted.

CARRIED

13-347 MOVED Director Brennan, SECONDED Director Ruttan, that the Chair and the Chief Administrative Officer be authorized to execute the Indebtedness Agreement with Vancouver Island Regional Library.

CARRIED

Memorandum of Understanding – Regional District of Nanaimo / City of Parksville Water Supply Agreement – Nanoose Water Connection.

13-348 MOVED Director Lefebvre, SECONDED Director Veenhof, that the Board direct staff to execute the City of Parksville/Regional District of Nanaimo Water Supply Agreement Memorandum of Understanding with the City of Parksville for a 1-year period commencing May 1, 2013.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

District 69 Recreation Commission.

13-349 MOVED Director Fell, SECONDED Director Veenhof, that David Edgeley be appointed as the Electoral Area 'F' representative on the District 69 Recreation Commission.

CARRIED

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

13-350 MOVED Director Houle, SECONDED Director Young, that the Terms of Reference for the Electoral Area 'B' Parks and Open Space Advisory Committee be amended to include an appointee approved by the Regional Board from the Gabriola Recreation Society.

CARRIED

13-351 MOVED Director Houle, SECONDED Director Veenhof, that Sam Betts from the Gabriola Recreation Society be appointed to the Electoral Area 'B' Parks and Open Space Advisory Committee for a term that ends December 31, 2014.

CARRIED

Survey from Mapleguard Ratepayers Association re: Amendment Application No. PL2011-060 – Baynes Sound Investments.

13-352 MOVED Director Veenhof, SECONDED Director Lefebvre, that the survey from the residents of Deep Bay, Bowser and Electoral Area 'H' produced by the volunteers of the Mapleguard Ratepayers' Association be received by the Board and that it be entered into the public record of the consultation process as it relates to OCP Application No. PL2011-060.

CARRIED

13-353 MOVED Director Young, SECONDED Director Brennan, that pursuant to Sections 90 (1) (a), (g), (i), and (j) of the *Community Charter* the Board proceed to an In Camera meeting for discussions related to persons being considered for Board appointments, litigations, solicitor-client privilege, and third-party interests.

CARRIED

Time 9:25 p.m.

RISE & REPORT

Appointments to the Regional Solid Waste Advisory Committee.

13-354 MOVED Director Young, SECONDED Director Veenhof, that Frank Van Eynde be appointed as the General Public North representative for the Regional Solid Waste Advisory Committee.

CARRIED

13-355 MOVED Director Dempsey, SECONDED Director Lefebvre, that Jeremy Jones be appointed as the General Public South representative for the Regional Solid Waste Advisory Committee.

CARRIED

13-356 MOVED Director Brennan, SECONDED Director Ruttan, that Wally Wells be appointed as the Business Community South representative for the Regional Solid Waste Advisory Committee.

CARRIED

13-357 MOVED Director Veenhof, SECONDED Director Greves that Ed Walsh of Emterra Environmental be appointed as the Waste Management Private Sector representative for the Regional Solid Waste Advisory Committee.

CARRIED

13-358 MOVED Director Brennan, SECONDED Director Ruttan, that Jan Hastings of Nanaimo Recycling Exchange be appointed as the Waste Management Non-Profit representative for the Regional Solid Waste Advisory Committee.

CARRIED

13-359 MOVED Director Brennan, SECONDED Director Johnstone, that Dr. J.D. McTaggart-Cowan be appointed as the Environment Community representative for the Regional Solid Waste Advisory Committee.

CARRIED

13-360 MOVED Director Dempsey, SECONDED Director Willie, that the vacant position of Business Community North representative be re-advertised for the Regional Solid Waste Advisory Committee.

CARRIED

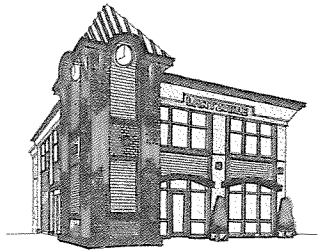
ADJOURNMENT

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

TIME: 9:39 PM

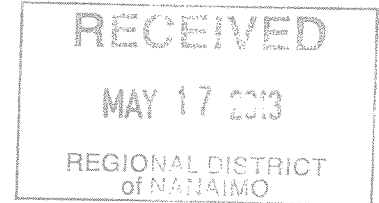
CHAIRPERSON

CORPORATE OFFICER



District of Lantzville

Incorporated June 2003



May 14, 2013

Dear Ms. Hill

Excerpt from the minutes of the Regular Meeting of Council of the District of Lantzville held Monday, May 13, 2013.

MOVED and **SECONDED** that the Council of the District of Lantzville waive the consent requirement under Section 801.4 of the Local Government Act by consenting to the adoption of "Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.58" and further that the Regional District be notified accordingly.

CARRIED

I hereby certify that the above resolution is a true and correct statement made by Council of the District of Lantzville at its Regular Meeting held Monday, May 13, 2013.

Tamie Nohr
Deputy Director of Corporate Administration
District of Lantzville

File: 0470-20-RDN
Q: 2013\Council Resolutions & Minute Excerpts\RDN_May 13.doc

2013-MAY-14

0400-50

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

Attention: Ms. Jacquie Hill, Manager of Administrative Services

Dear Ms. Hill:

**RE: Regional District of Nanaimo Pump and Haul Local Service Amendment
Bylaw No. 975.58, 2013**

At the Regular Meeting of Council held 2013-MAY-13, Council passed to following motion:

“It was moved and seconded that Council waive the consent requirements under Section 801.4 of the *Local Government Act* by consenting to the adoption of “Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.58, 2013” and that the Regional District of Nanaimo be notified accordingly.

If I can be of further assistance, please contact me directly at 250-755-4405.

Yours truly,



K. King,
LEGISLATIVE SERVICES



RDN REPORT		###
CAO APPROVAL		
EAP		
COW		
MAY 21 2013		
RHD		
BOARD	<input checked="" type="checkbox"/>	

MEMORANDUM

TO: Jeremy Holm
Manager, Current Planning

DATE: May 17, 2013

FROM: Angela Buick
Planner

FILE: PL2011-179

SUBJECT: Zoning Amendment Application No. PL2011-179 - Jacqueline and John Pipes
Lot 2, Block 360, Alberni District, Plan 35096 - 2925 Turnbull Road
Electoral Area 'H'

PURPOSE

To receive a summary of the minutes and submissions received at the Public Hearing and to consider Amendment Bylaw No. 500.382, 2013, for third reading.

BACKGROUND

Amendment Bylaw No. 500.382 (see Attachment 1) was introduced and given first and second reading on April 23, 2013. As per Board Resolution on April 23, 2013 the attached conditions (see Attachment 4) have been amended as follows:

“...that the conditions set out in Schedule 1 of the staff report be amended such that the covenant requirements related to the provision of groundwater be met prior to building permit application for any residential dwelling on each parcel created through subdivision, rather than prior to final approval of subdivision.”

This was followed by a Public Hearing held on May 15, 2013. The summary of the minutes and submissions is attached for the Board’s consideration (see Attachment 2).

The purpose of this Zoning Amendment Bylaw is to facilitate a three lot subdivision by amending a portion of the subject property’s (see Attachment 3) zoning from Rural 1, Subdivision District 'B' (8.0 ha minimum parcel size) to Rural 6, Subdivision District 'D' (2.0 ha minimum parcel size) in order to facilitate two 2.0 ha lots. The remainder portion will retain the Rural 1 zone and amend only the Subdivision District from ‘B’ to ‘CC’ (4.0 ha minimum parcel size) to facilitate the creation of one 4.0 ha lot.

ALTERNATIVES

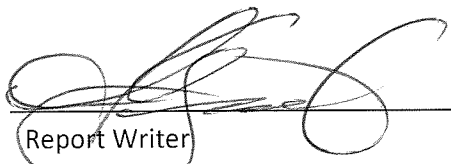
1. To receive the report of the Public Hearing and give third reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.382, 2013”.
2. To receive the report of the Public Hearing and deny “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.382, 2013”.

SUMMARY/CONCLUSIONS

The purpose of this Zoning Amendment Bylaw is to facilitate a three lot subdivision by amending a portion of the subject property’s zoning from Rural 1, Subdivision District 'B' (8.0 ha minimum parcel size) to Rural 6, Subdivision District 'D' (2.0 ha minimum parcel size) in order to facilitate two 2.0 ha lots. The remainder portion will retain the Rural 1 zone and amend only the Subdivision District from ‘B’ to ‘CC’ (4.0 ha minimum parcel size) to facilitate the creation of one 4.0 ha lot. The Bylaw was introduced and given first and second reading on April 23, 2013 and it proceeded to Public Hearing on May 15, 2013. The requirements set out in the Conditions of Approval (see Attachment 4) are to be completed by the applicant prior to the Board’s consideration of the Bylaw for adoption. Therefore, staff recommends that Bylaw No. 500.382, 2013, be considered for third reading.

RECOMMENDATIONS

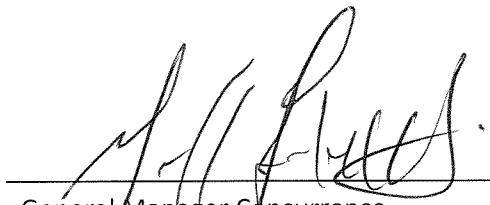
1. That the report of the Public Hearing held on May 15, 2013 on “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.382, 2013” be received.
2. That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.382, 2013” be read a third time.



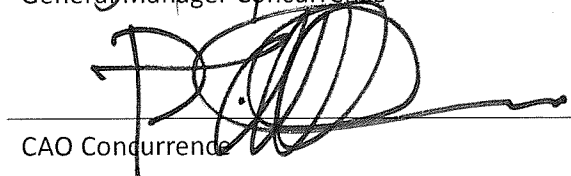
Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

Attachment 1

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 500.382

**A Bylaw to Amend "Regional District of Nanaimo Land Use
and Subdivision Bylaw No. 500, 1987"**

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

- A. This Bylaw may be cited as "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.382, 2013".
- B. "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987", is hereby amended as follows:
 - (1) By rezoning the lands shown on the attached Schedule '1' and legally described as Lot 2, Block 360, Alberni District, Plan 35096 from Rural 1 (RU1) Zone, Subdivision District 'B' to Residential 6 (RS6) Zone, Subdivision District 'D'; and Rural 1 (RU1) Zone, Subdivision District 'CC' as shown on Schedule 1.

Introduced and read two times this 9th day of April, 2013.

Public Hearing held this 15th day of May, 2013.

Read a third time this 28th day of May, 2013.

Adopted this ____ day of _____, 2013.

CHAIRPERSON

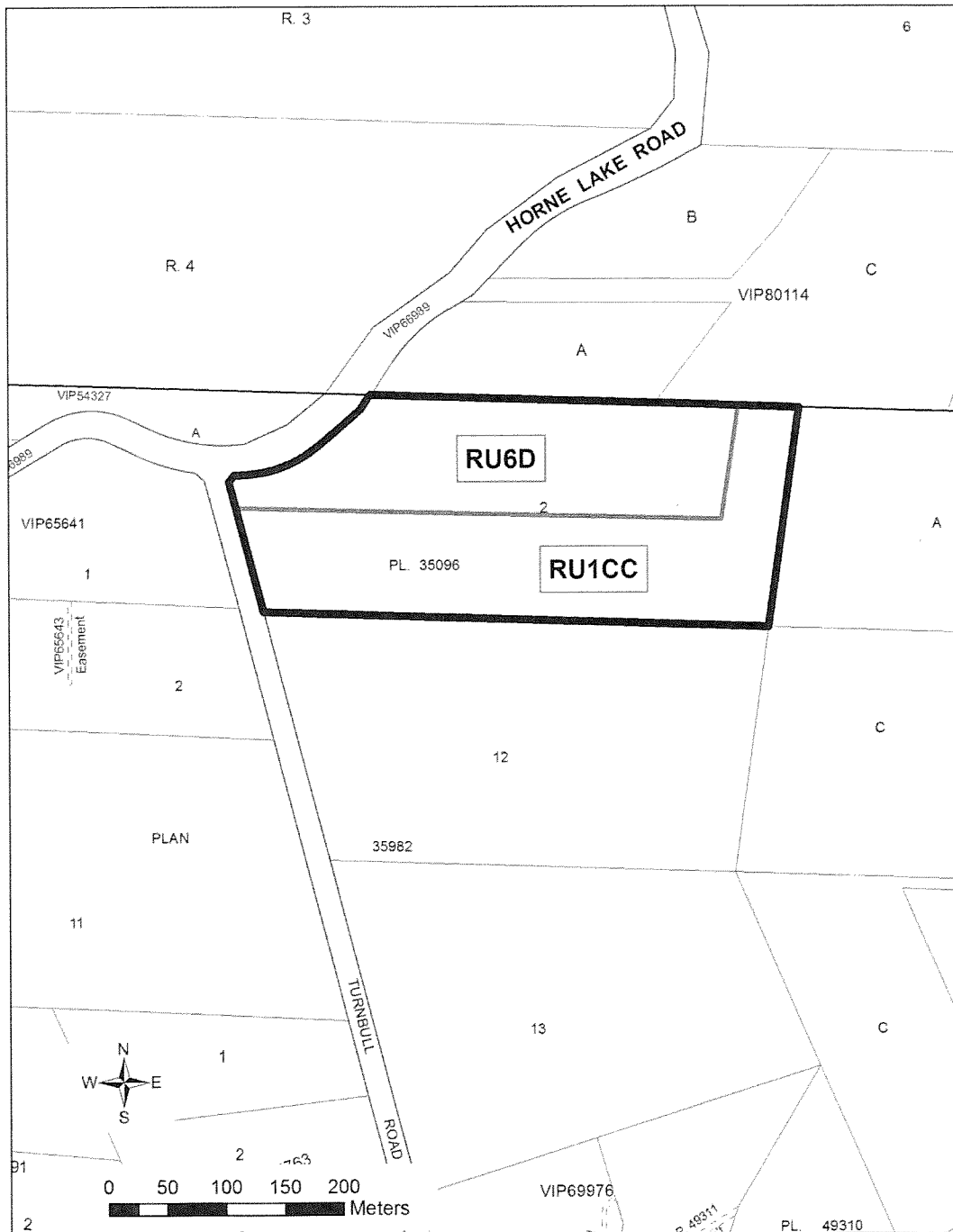
CORPORATE OFFICER

Schedule '1' to accompany "Regional District of Nanaimo
Land Use and Subdivision Amendment Bylaw No.
500.382, 2013."

Chairperson

Corporate Officer

Schedule '1'



Attachment 2

**Summary of the Public Hearing
Held at Lighthouse Community Hall
240 Lion's Way, Qualicum Beach
May 15, 2013 at 7:00 pm
To Consider Regional District of Nanaimo Land Use and Subdivision
Amendment Bylaw No. 500.382, 2013**

Summary of Minutes and Submissions

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

PRESENT:

Bill Veenhoff, RDN	Chairperson, Director, Electoral Area 'H'
Angela Buick, RDN	Planner
Tyler Brown, RDN	Planner
Jacqueline Pipes	Applicant

Two members of the public attended the meeting.

The Chairperson called the Hearing to order at 7:00 pm, introduced those present representing the Regional District, and outlined the procedures to be followed during the Hearing.

The Planner provided an explanation of the proposed amendment bylaw including a description of the proposed addition to the existing commercial building.

The Chairperson called for formal submissions with respect to Bylaw No. 500.382, 2013.

Ed, 475 MacKenzie, spoke to say he was in support of the proposed amendment application.

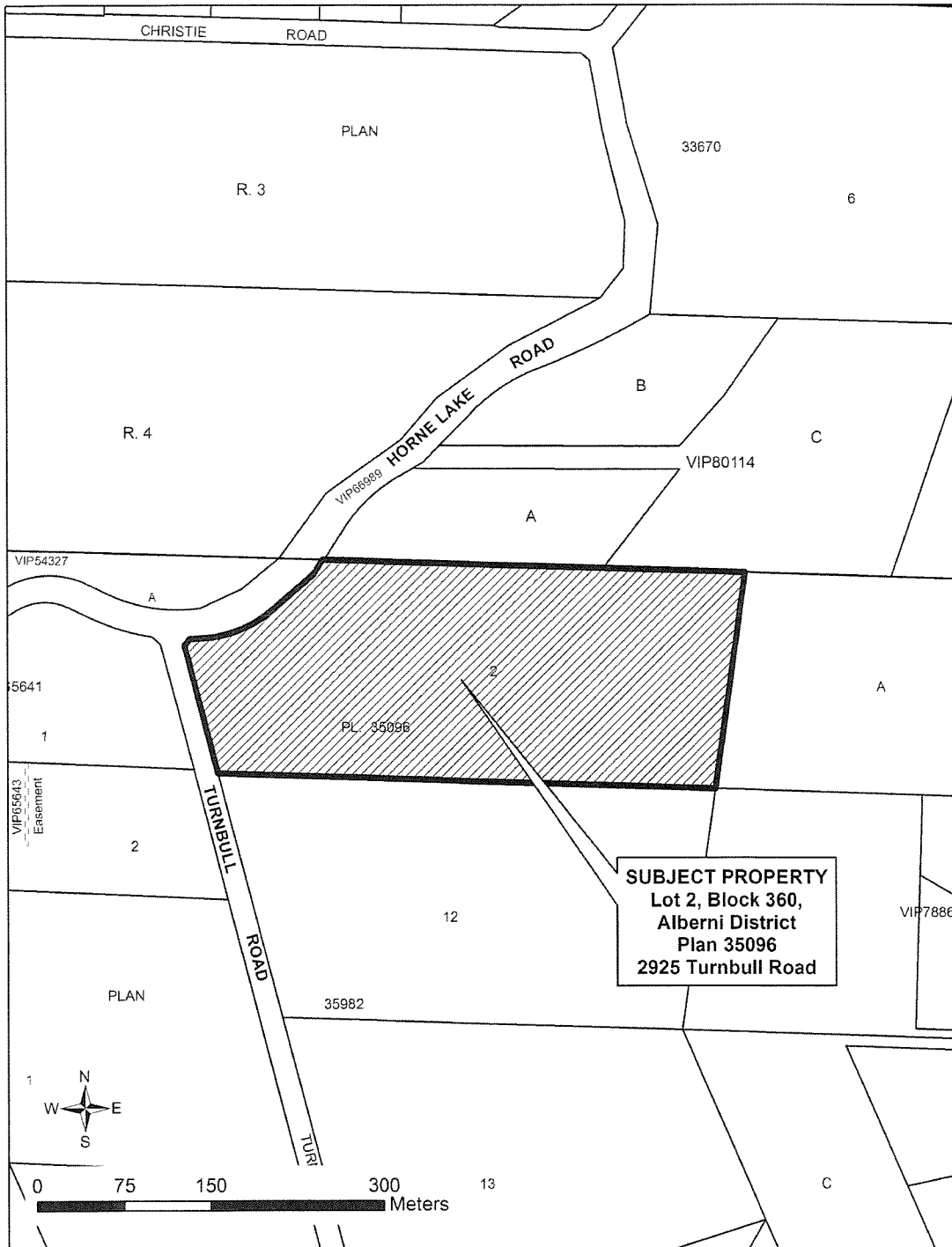
The Chairperson called for further submissions for the second time.

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

There being no further submissions, the Chairperson adjourned the Hearing at 7:08 pm.

Certified true and accurate this 15th day of May, 2013.

Attachment 3 Location of Subject Property



Attachment 4 Conditions of Approval for Zoning Amendment Application

The following items shall be registered at Land Titles office as a Section 219 Restrictive Covenant, prepared at the applicant's expense and to the satisfaction of the Regional District of Nanaimo prior to Amendment Bylaw No. 500.382, 2013 being considered for adoption:

1. The Preliminary Hydrogeological Assessment Report prepared by Lewkowich Engineering Associates Ltd. dated December 27, 2012 be registered on the title of the subject property, and require that future subdivision and construction activities be consistent with the recommendations contained in the report.
2. Require that wells on proposed Lots 1 and 2 be constructed, tested, and a report submitted to the RDN in compliance with Policy B1.21 prior to building permit application of any residential dwelling on each parcel created through subdivision (see Well Report Requirements below). In addition, require that the existing well on Lot 3 be tested by a qualified professional and a report submitted to the satisfaction of the Regional District, to ensure the well meets the Canadian Drinking Water Standards, and that a potable water supply of 3.5 m³ (3500L) per day is provided.

Well Report Requirements

The intent of the well report is to confirm that the well can adequately service the proposed lot and that it meets current well regulations. The report must be completed, dated and signed by a qualified professional and include/confirm the following:

- the date when the well was drilled along with a copy of the driller's log;
- the well identity number as indicated on the plate secured to the well;
- photographs of the well identity tag, 'stick up', and general location of the well;
- that the water meets the Canadian Drinking Water Standards. The report should include the test results of the well water and to have been completed within 6 months of the date of the report. The report must also identify where the parameters may have exceeded the Drinking Water Guidelines;
- that pump testing has been completed and witnessed by a qualified professional. The pump testing is required to have been run for the greater of twelve hours or until the water level stabilizes at the pumping rate of at least 2.5 litres/minute with a well recovery period monitored for the greater of 6 hours or until the water level recovers to a minimum of 90% of its pre-pumping water level. This pump test should be conducted only during the months of July through November (lowest water table).



RDN REPORT		###
CAO APPROVAL		
EAP		
COW		
MAY 21 2013		
RHD		
BOARD	<input checked="" type="checkbox"/>	

MEMORANDUM

TO: Jeremy Holm
Manager, Current Planning

DATE: May 14, 2013

FROM: Lainya Rowett
Senior Planner

FILE: PL2012-035

SUBJECT: Zoning Amendment Application No. PL2012-035 – Bylaw 500.379
928323 BC Ltd.
Lot 1, District Lot 81, Nanoose District, Plan 1799 – 691 Wembley Road
Electoral Area 'G'

PURPOSE

To consider “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.379, 2013” for adoption.

BACKGROUND

The proposed Amendment Bylaw No. 500.379 (see Attachment 1) was introduced and given first and second reading on March 26, 2013. A Public Hearing was held on April 8, 2013, and the Bylaw received third reading on April 23, 2013. The Ministry of Transportation and Infrastructure approved the Bylaw on May 1, 2013. Following the close of a Public Hearing no further submissions or comments from the public or interested persons can be accepted by members of the Board, as established by provincial case law. Having received the minutes of the Public Hearing eligible Board members may vote on the Bylaw.

As a condition of rezoning approval, and prior to the adoption of the Bylaw, the applicant was required to complete the following:

1. Provide a community amenity contribution in the amount of \$32,000 for the future development of a multi-use trail within the Stanhope Road right-of-way.
2. Provide a security for the future construction of a soft surface trail within the proposed park land dedication to the satisfaction of the General Manager of Strategic & Community Planning. The trail shall be secured prior to adoption and constructed prior to subdivision final approval.
3. Register a Section 219 restrictive covenant to ensure that future development on lots immediately adjacent to the park complies with the following criteria:
 - Fencing along the common boundary of the residential lot and the park shall be limited to low permeable fencing. It will also be encouraged that landscaping be maintained to provide visual surveillance to the park;

- Buildings and structures on lots where the rear lot line is common to the park shall be articulated with windows, porches, and decks that are oriented to provide maximum visual surveillance of the park. Points of access to the park, such as gates, will be encouraged to provide a direct connection to the park from each lot; and,
- Dumping of yard waste or refuse in the park area is prohibited.

In regards to conditions 1 and 2, the applicant has paid \$32,000 as a community amenity contribution for future trail improvements within Stanhope Road (an undeveloped road), and the applicant has secured the provision of a soft surface walking trail through the registration of a Section 219 covenant.

In regards to condition 3, the applicant has registered a Section 219 restrictive covenant on the property title to address the design of buildings and structures and fences along the common boundary between the proposed residential lots and park.

ALTERNATIVES


1. To adopt "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.379, 2013".
2. To not approve the Bylaw and provide alternate direction.

SUMMARY/CONCLUSIONS

The purpose of Amendment Bylaw No. 500.379, 2013 is to amend the zoning of the property located at 691 Wembley Road in Electoral Area 'G' to facilitate a proposed subdivision of the property into thirty-eight residential lots and park land dedication. The Amendment Bylaw was introduced and read two times on March 26, 2013; proceeded to Public Hearing on April 8, 2013; and received third reading on April 23, 2013. The Bylaw was approved by the Ministry of Transportation and Infrastructure on May 1, 2013, following which the applicant proceeded to complete the Conditions of Approval. Given that the applicant has addressed the Conditions of Approval, staff recommends that the Board adopt Amendment Bylaw No. 500.379, 2013.

RECOMMENDATION


That the "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.379, 2013" be adopted.



Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

Attachment 1

Proposed Amendment Bylaw No. 500.379, 2013

REGIONAL DISTRICT OF NANAIMO

Bylaw No. 500.379

**A Bylaw to Amend "Regional District of Nanaimo
Land Use and Subdivision Bylaw No. 500, 1987"**

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

A. This Bylaw may be cited as "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.379, 2013".

B. "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987", is hereby amended as follows:

1. By rezoning the lands shown on the attached Schedule '1' and legally described as

Lot 1 District Lot 81, Nanoose District, Plan 1799

from Rural 1 Zone, Subdivision District 'F' to Residential 1 Zone, Subdivision District 'Q'

Introduced and read two times this 26th day of March 2013.

Public Hearing held this 8th day of April 2013.

Read a third time this 23rd day of April 2013.

Approved by the Minister of Transportation and Infrastructure pursuant to the **Transportation Act** this 1st day of May 2013.

Adopted this ___ day of _____ 201__.

Chairperson

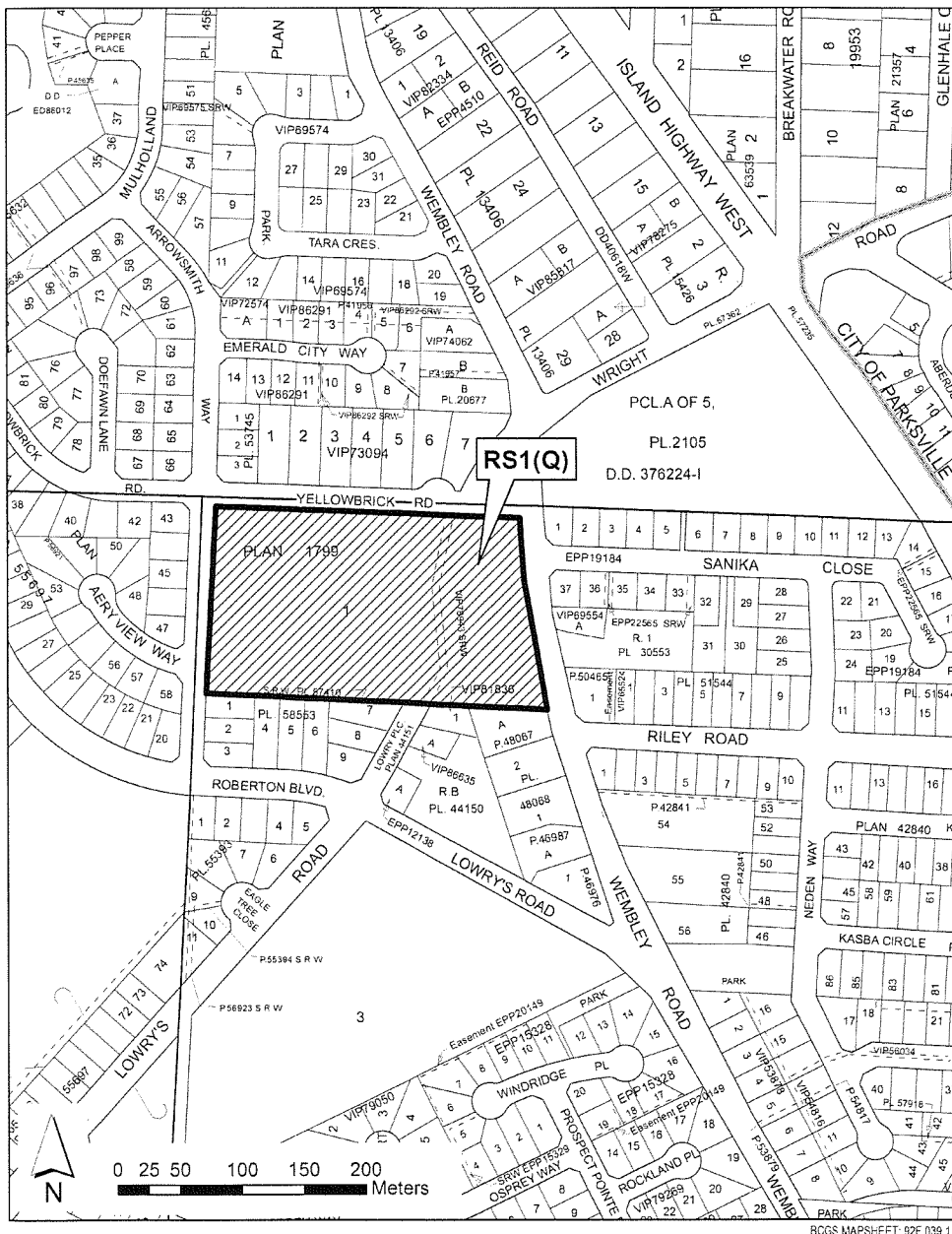
Corporate Officer

Schedule '1' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.379, 2013".

Chairperson

Corporate Officer

Schedule '1'



REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, MAY 14, 2013 AT 6:30 PM IN THE
RDN BOARD CHAMBERS**

In Attendance:

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 B. Veenhof	Electoral Area H

Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
J. Hill	A/Director of Corporate Services
D. Trudeau	Gen. Mgr. Transportation & Solid Waste
R. Alexander	Gen. Mgr. Regional & Community Utilities
G. Garbutt	Gen. Mgr. Strategic & Community Development
T. Osborne	Gen. Mgr. Recreation & Parks
J. Holm	Mgr. Current Planning
P. Thompson	Mgr. Long Range Planning
T. Armet	Mgr. Building, Bylaw & Emergency Planning Services
N. Tonn	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order.

ELECTORAL AREA PLANNING COMMITTEE MINUTES

MOVED Director Stanhope, SECONDED Director Veenhof, that the minutes of the Electoral Area Planning Committee meeting held April 9, 2013 be adopted.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. PL2013-040 – Westwood – Shorewood Drive, Electoral Area ‘G’.

MOVED Director Stanhope, SECONDED Director McPherson, that Development Permit Application No. PL2013-040 to permit the construction of a dwelling unit be approved, subject to the conditions outlined in Schedules 1 to 3.

CARRIED

ZONING AMENDMENT APPLICATIONS

Director Veenhof left the meeting citing a possible conflict of interest with the next Agenda item.

Zoning Amendment Application No. PL2012-123 –Pilcher/Christensen/Masson – 2715 Turnbull Road, Electoral Area ‘H’.

MOVED Director Fell, SECONDED Director Stanhope, that “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.383, 2013” be introduced and read two times.

CARRIED

MOVED Director Fell, SECONDED Director Stanhope, that the public hearing on “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.383, 2013” be chaired by an Electoral Area Director or an alternate.

CARRIED

Director Veenhof returned to the meeting.

OTHER

Electoral Area ‘A’ Draft Cedar Main Street Village Plan – Bylaw No. 1620.01, 2013.

MOVED Director McPherson, SECONDED Director Young, that “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.01, 2013” be given 1st and 2nd reading.

CARRIED

MOVED Director McPherson, SECONDED Director Young, that “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.01, 2013” has been considered in conjunction with the Regional District of Nanaimo’s Financial Plan and Liquid and Solid Waste Management Plans.

CARRIED

MOVED Director McPherson, SECONDED Director Young, that “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.01, 2013” proceed to Public Hearing.

CARRIED

MOVED Director McPherson, SECONDED Director Young, that the Public Hearing on “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.01, 2013” be delegated to Director McPherson or his alternate.

CARRIED

MOVED Director McPherson, SECONDED Director Young, that staff proceed with the recommended public consultation actions identified in the staff report.

CARRIED

Secondary Suites Study and Consultation Plan.

MOVED Director Veenhof, SECONDED Director Stanhope, that staff be directed to proceed with the Secondary Suites Consultation Plan as outlined in Appendix 'A' of the staff report.

CARRIED

MOVED Director Veenhof, SECONDED Director Stanhope, that the Secondary Suites Study as attached in Appendix 'B' of the staff report be received.

CARRIED

NEW BUSINESS

Notice of Motion – Mobile Homes / Manufactured Homes CSA Certification.

Director Fell noted that the following motion will be brought forward to the May 28, 2013 Board Agenda:

That the requirement that Mobile Homes / Manufactured Homes relocated into Electoral Areas bear CSA Certification stickers be discontinued.

ADJOURNMENT

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

CARRIED

TIME: 6:45 PM

CHAIRPERSON

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 500.383

A Bylaw to Amend “Regional District of Nanaimo
Land Use and Subdivision Bylaw No. 500, 1987”

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

- A. This Bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.383, 2013”.
- B. “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:
1. Under **PART 2, INTERPRETATION, DEFINITIONS** by adding the following definitions in alphabetical order:

“**agri-tourism** means a temporary and seasonal tourist oriented activity or service accessory to an agricultural use that promotes or markets products grown, raised, or processed on land that is classified as a ‘farm’ under the *Assessment Act* and in accordance with the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation*. Agri-tourism may include but is not limited to farm tours and demonstrations, farm related educational activities, and seasonal promotional events.

agri-tourism accommodation means the provision of temporary and seasonal accommodation accessory to an agricultural use for the travelling public within an agri-tourism accommodation sleeping unit on land that is classified as farm under the *Assessment Act*.

agri-tourism accommodation sleeping unit means a bedroom or other area used as a bedroom for the purpose of agri-tourism accommodation within an agri-tourism accommodation cabin, a tent or recreational vehicle in an agri-tourism accommodation campground or a bedroom within a dwelling unit.

farm retail sales means the sale to the public of products grown or raised on a farm, from that farm and may include the sale of non-farm products in accordance with the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation*.”

2. Under **PART 3 LAND USE REGULATIONS, SECTION 3.3 GENERAL REGULATIONS** by adding the following new text after Section 3.3.13:

“14) Farm Use Regulations

On lands located within the Agricultural Land Reserve the following activities are permitted farm uses in accordance with the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* and are subject to the following regulations:

a) Agri-Tourism

Agri-tourism activities, other than accommodation, are permitted on land located within the Agricultural Land Reserve that is classified as ‘farm’ under the *BC Assessment Act*, if the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm.

b) Farm Retail Sales

Farm retail sales is permitted on land located within the Agricultural Land Reserve if:

- i) All of the farm product offered for sale is produced on the farm on which the retail sales are taking place, or
- ii) At least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales is taking place and the total area, both indoors and outdoors, used for the retail sales of all products does not exceed 300 m².

15) Agri-Tourism Accommodation

- a) As exceptions to Section 3 of the *Agricultural Land Reserve use, Subdivision and Procedure Regulation*, on parcels within the Agricultural Land Reserve and where agri-tourism accommodation is a permitted accessory use, the following general provisions apply:
 - i) Agri-tourism accommodation use must be for rental only;
 - ii) Agri-tourism accommodation is permitted only on land classified as ‘farm’ under the *BC Assessment Act*;
 - iii) A maximum of ten (10) agri-tourism accommodation sleeping units including seasonal campsites, seasonal cabins or short term use of bedrooms within a dwelling unit are permitted in accordance with the *Agricultural Land Commission Act*;
 - iv) The total developed area for an agri-tourism accommodation use, including buildings, landscaping, driveways and parking shall occupy less than five percent (5%) of the total parcel area, in accordance with the *Agricultural Land Commission Act*.

- b) An agri-tourism accommodation campground must be developed in accordance with the following regulations:
 - i) Every campsite shall be unpaved and not exceed 150 m² in area;
 - ii) Washroom and drinking water facilities shall be provided for in accordance with the Vancouver Island Health Authority's regulations and/or provincial regulations;
 - iii) A maximum consecutive or non-consecutive stay of ninety (90) calendar days per visitor within any twelve (12) month period within any campsite on the parcel. The relocation of recreational vehicle (RVs) or campers to other sites within the parcel does not constitute the start of a new stay.

- c) An agri-tourism accommodation cabin must be developed in accordance with the following regulations:
 - i) The maximum gross floor area of an agri-tourism accommodation cabin shall not exceed 50 m²;
 - ii) Washroom and drinking water facilities shall be provided for in accordance with the Vancouver Island Health Authority's regulations and/or provincial regulations;
 - iii) A maximum of one kitchen facility shall be permitted within each agri-tourism accommodation cabin;
 - iv) A maximum consecutive or non-consecutive stay of ninety (90) days per visitor in any twelve (12) month period within any cabin on the parcel. The relocation of a visitor to another cabin within the parcel does not constitute the start of a new stay;
 - v) One (1) parking space per agri-tourism accommodation cabin is required."

- 3. Under **PART 3 LAND USE REGULATIONS, Section 3.1 Zones** by adding the following zoning classification and corresponding short title after Section 3.4 Regulations for Each Zone:

"Agriculture 1 (AG1)"

- 4. By adding Section 3.4.1 (AG1)

as shown on Schedule '1' which is attached to and forms part of this Bylaw.

- 5. By rezoning the lands shown on the attached Schedule '2' and legally described as

Lot A, Block 360, Newcastle and Alberni Districts, Plan 40890

from Rural 1 (RU1), Subdivision District 'B' to Agriculture 1 (AG1), Subdivision District 'B'

6. Under **PART 3 LAND USE REGULATIONS, Schedule 3B Off Street Parking and Loading Spaces, Table 1 Required Number of Off Street Parking Spaces** by adding the following new text:

before Animal Care "Agri-tourism Accommodation Cabin"	one per 20.0 m ² of floor area: one per cabin"
after Fairground "Farm Retail Sales"	one per two employees plus one per 100 m ² of site area one per 5 m ² of floor area plus one per two employees"

Introduced and read two times this ___ day of _____ 20__

Public Hearing held this ___ day of _____ 20__

Read a third time this ___ day of _____ 20__

Adopted this ___ day of _____ 20__

Chairperson

Corporate Officer

Chairperson

Corporate Officer

Schedule '1'

Section 3.4.1

AGRICULTURE 1

AG1

3.4.1.1 Permitted Uses and Minimum Site Area

Required Site Area with:

Permitted Principal Uses	Community Water & Community Sewer System	Community Water Only	No Community Service
a) Agriculture	n/a	n/a	n/a
b) Aquaculture	5000 m ²	5000 m ²	5000 m ²
c) Residential Use	n/a	n/a	n/a
d) Silviculture	n/a	n/a	n/a

Permitted Accessory Uses

- a) Agri-tourism Accommodation
- b) Home Based Business

3.4.1.2 Maximum Number and Size of Buildings and Structures

Agri-tourism accommodation cabins	combined floor area of 500 m ²
Accessory buildings	combined floor area of 400 m ²
Dwelling units/parcel	
i) on a parcel having an area of 2.0 ha or less	1
ii) on a parcel having an area of 2.0 ha or more	2
Height	9.0 m
Parcel coverage	25%

3.4.1.3 Minimum Setback Requirements

Buildings and structures for housing livestock or for storing manure

All lot lines 30.0 m

All other buildings and structures

All lot lines 8.0 m

3.4.1.4 Other Regulations

Agri-tourism accommodation shall be developed in accordance with Section 3.3.15 of "Regional District of

Nanaimo Land Use and Subdivision Bylaw No. 500, 1987.”

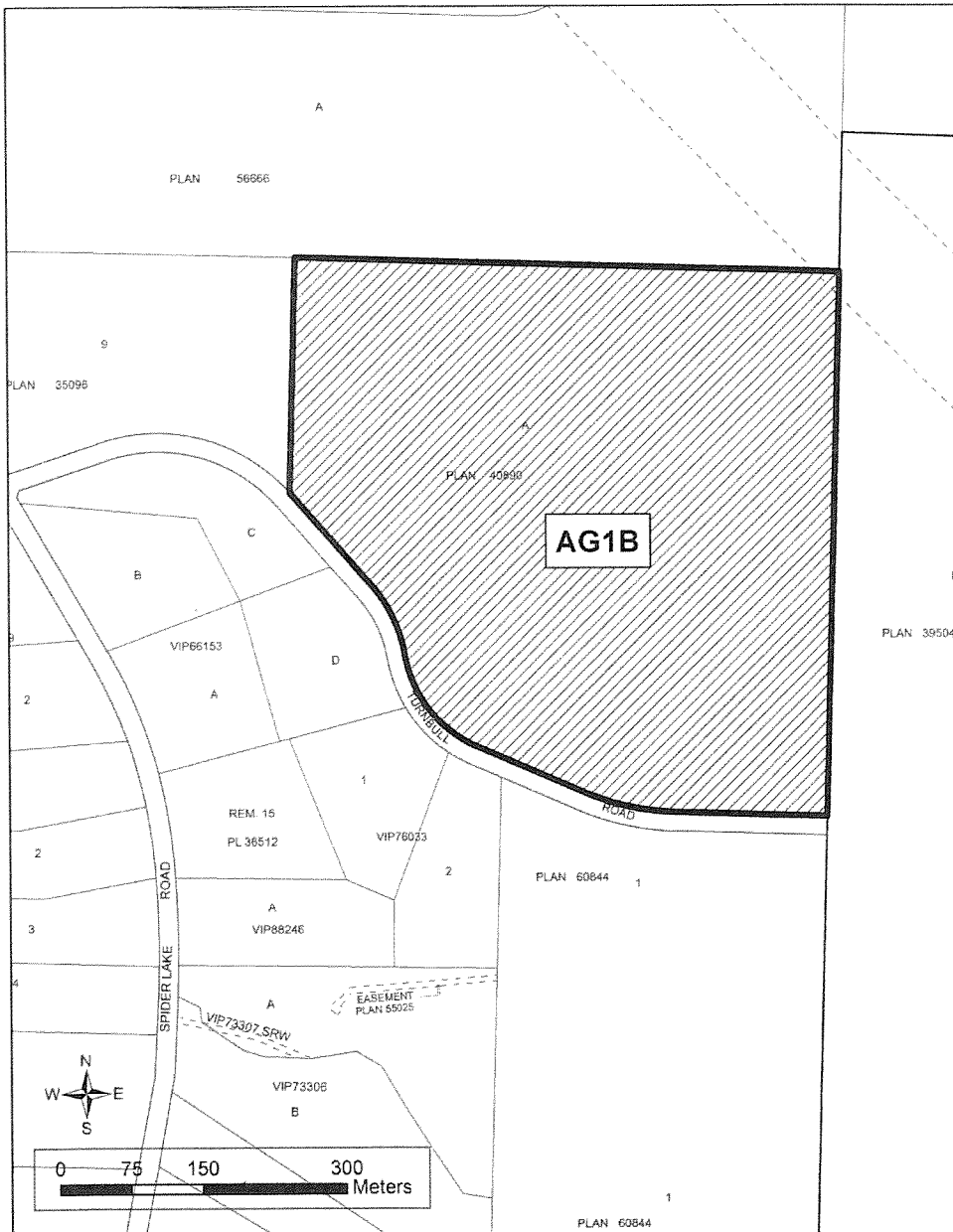
Despite any regulation in this Bylaw, land established as “Agricultural Land Reserve” pursuant to the ***Agricultural Land Reserve Act*** is subject to the ***Agricultural Land Reserve Act*** and ***Regulations***, and applicable orders of the Land Reserve Commission.

Schedule '2' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.383,2013"

Chairperson

Corporate Officer

Schedule '2' Map



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1620.01

**A Bylaw to Amend Regional District of Nanaimo Electoral Area 'A'
Official Community Plan Bylaw No. 1620, 2013**

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

1. This Bylaw may be cited as "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Amendment Bylaw No. 1620.01, 2013".
2. The "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011" is hereby amended as set out in Schedule '1' of this Bylaw.

Introduced and read two times this ____ day of ____, 2013.

Considered in conjunction with the Regional District of Nanaimo Financial Plan and any applicable Waste Management Plans this ____ day of ____, 2013.

Public Hearing held this ____ day of ____, 2013.

Read a third time this ____ day of ____, 20XX.

Received approval pursuant to Section 882 of the *Local Government Act* this ____ day of ____, 20XX.

Adopted this ____ day of ____, 20XX.

Chairperson

Corporate Officer

REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1620.01
Schedule '1'

1. Schedule A of "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011" is hereby amended as follows:

a. Table of Contents

- i) By adding the following heading at the end of the Table of Contents "*Village Plans Which Form Part of this Plan*".
- ii) By adding "*Schedule B: Cedar Main Street Village Plan*" under the heading described in (i) above.

b. Section 2.3 Scope

By deleting the last paragraph and replacing with the following:

The Plan Area, including the lands subject to the Cedar Main Street Village Plan, is designated a 'development approval information area' pursuant to the RDN's Impact Assessment Bylaw No. 1165, 1999. This Bylaw outlines information requirements for zoning amendments, development permit applications, and applications for a temporary industrial or commercial use permit. The Cedar Main Street Village Plan is attached to and forms part of this Bylaw to provide detailed guidance on future land use and community preference and desirable changes within the Cedar Main Street Plan Area.

c. Section 2.5 Organization of the Plan

- i) By adding the following text to the end of the paragraph:

The Electoral Area 'A' Official Community Plan includes Schedule A and Maps 1-10 which specify the policies and Development Permit Area Guidelines applicable to all of The Plan Area and Schedule B and Maps 1-4, the Cedar Main Street Village Plan which provides policies and Development Permit Area Guidelines specific to Cedar Main Street.

The Cedar Main Street Village Plan forms part of this OCP. The location and boundary of the Cedar Main Street Village Plan is shown on Map No. 3 Land Use Designations and Growth Containment Boundaries.

- ii) By deleting Figure No. 2 - OCP Structure and replacing it with the diagram included in Attachment 1.

d. **6.2 Cedar Main Street**

By deleting Section 6.2 and replacing with the following:

6.2 Cedar Main Street Village Plan

The Cedar Main Street Village Plan (Schedule B) is the principal guiding document for all land use decisions within the Cedar Main Street Village Plan. The Village Plan is based on the results of a Community Design Charrette held in 2012 and was adopted as a bylaw amendment to this OCP. The Design Ideas, Land Use Designations, Development Policies, Development Permit Area Guidelines, and implementation actions of the Village Plan detail community preferences and desirable changes within Cedar Main Street.

Future land use and other improvements within Cedar Main Street must be consistent with both the Official Community Plan and the Cedar Main Street Village Plan. Where a particular issue is not covered by the Cedar Main Street Plan, the Electoral Area 'A' Official Community Plan will take precedence within the Cedar Main Street Plan Area. Where a conflict exists between the OCP and the Cedar Main Street Village Plan, the designation or policies of the Cedar Main Street Village Plan will take precedence.

e. **12.6 Cedar Main Street Development Permit Area**

By deleting Section 12.6 and replacing it with the following:

This DPA includes the properties identified within the Cedar Main Street Development Permit Area on Map No. 10. Refer to the Cedar Main Street Development Permit Area Guidelines contained in Section 6 of the Cedar Main Street Village Plan attached as Schedule B.

f. **Maps**

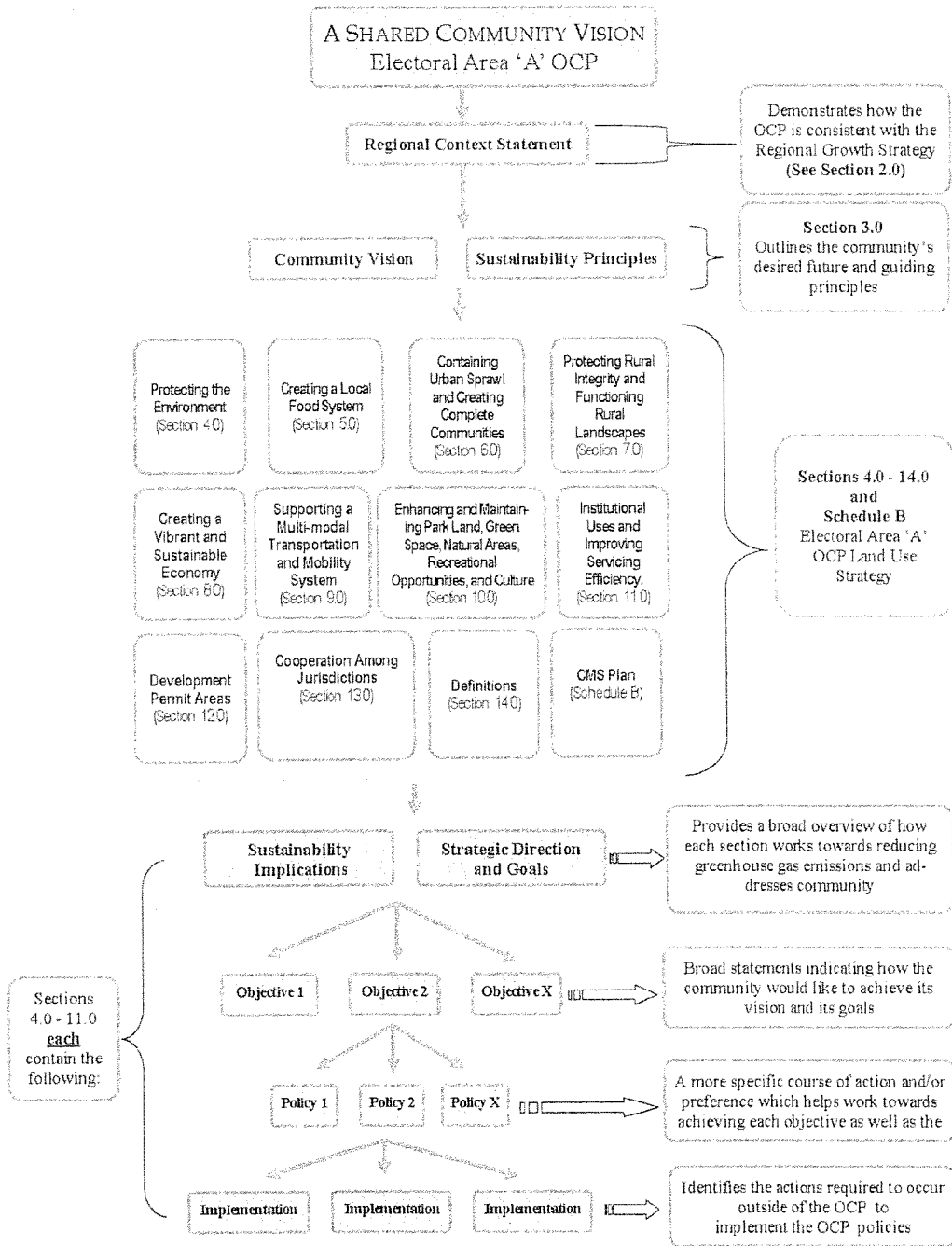
The following Maps which form part of Bylaw 1620, 2011 are hereby amended as follows:

- i) *Map No. 3 is deleted and replaced with Attachment 2.*
- ii) *Map No. 5 is deleted and replaced with Attachment 3.*
- iii) *Map No. 6 is deleted and replaced with Attachment 4.*
- iv) *Map No. 7 is deleted and replaced with Attachment 5.*
- v) *Map No. 10 is deleted and replaced with Attachment 6.*

- 2. "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011" is hereby amended by attaching Schedule 'B' cited as the "*Cedar Main Street Village Plan*" attached as Schedule 2 of this Bylaw.

REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1620.01

Attachment 1



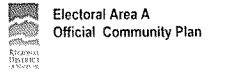
REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1620.01

Attachment 2

Map No. 3 Land Use Designations and Growth Containment Boundaries



A Shared Community Vision



MAP NO. 3
Land Use Designations
And
Growth Containment Boundaries

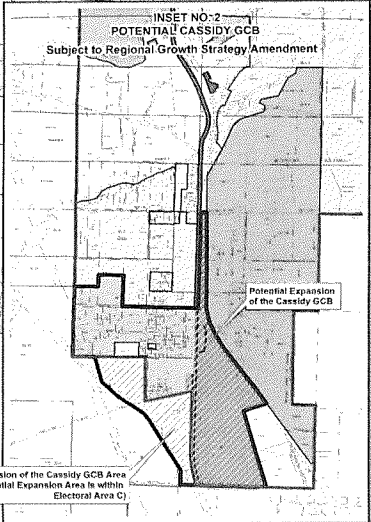
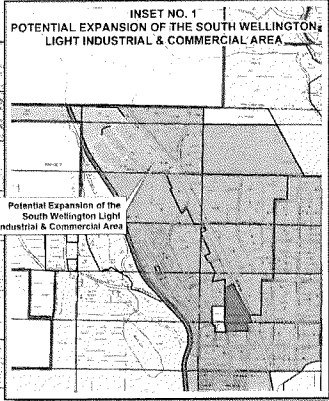
Legend

- Electoral Area Boundary
- Plan Area Boundary
- Growth Containment Boundary
- Potential Expansion of the South Wellington Light Industrial & Commercial Area (see Inset No. 1)
- Proposed Expansion of the Cassidy GCB (see Inset No. 2)
- (Subject to Regional Growth Strategy Amendments)
- Cedar Village Services Line (2010)

Land Use Designations

- Cedar Estates
- Cedar Main Street*
- Suburban Residential
- Cassidy Rural Village
- South Wellington Rural Community Centre
- Cassidy Rural Village Potential Expansion Area
- Kirkstone Place
- Rural Residential
- Agricultural
- Rural
- Rural Resource
- South Wellington Light Industrial & Commercial
- Cassidy Light Industrial & Commercial
- Commercial
- Commercial Mixed Use*
- Institutional
- Industrial
- Nanaimo Airport
- Parkland / Greenspace / Natural Area
- Ecoforestry
- Transportation Corridor

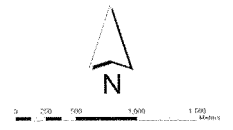
* See Schedule B - Cedar Main Street Village Plan for land use policies and designations within this plan area.



SEE INSET NO. 2 FOR POTENTIAL EXPANSION OF THE CASSIDY GCB AREA

Cartographer: Graphic Officer:

BYLAW NO. 1620, 2011
(INCLUDES AMENDMENTS
UP TO BYLAW NO. 1620.01, 2013)






REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1620.01

Attachment 3

Map No. 5 Water Service Planning Area

Legend

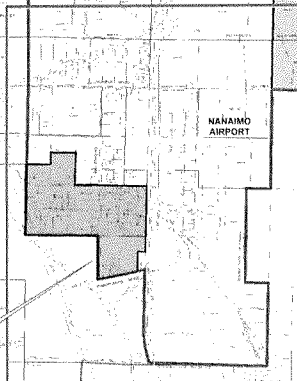
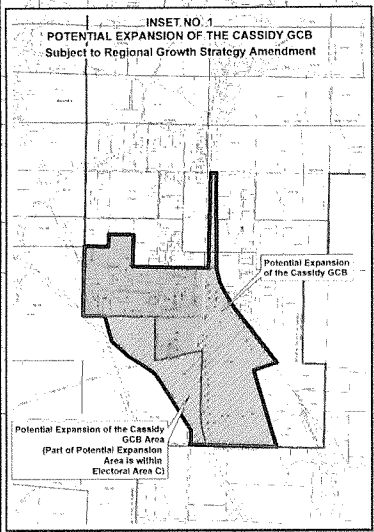
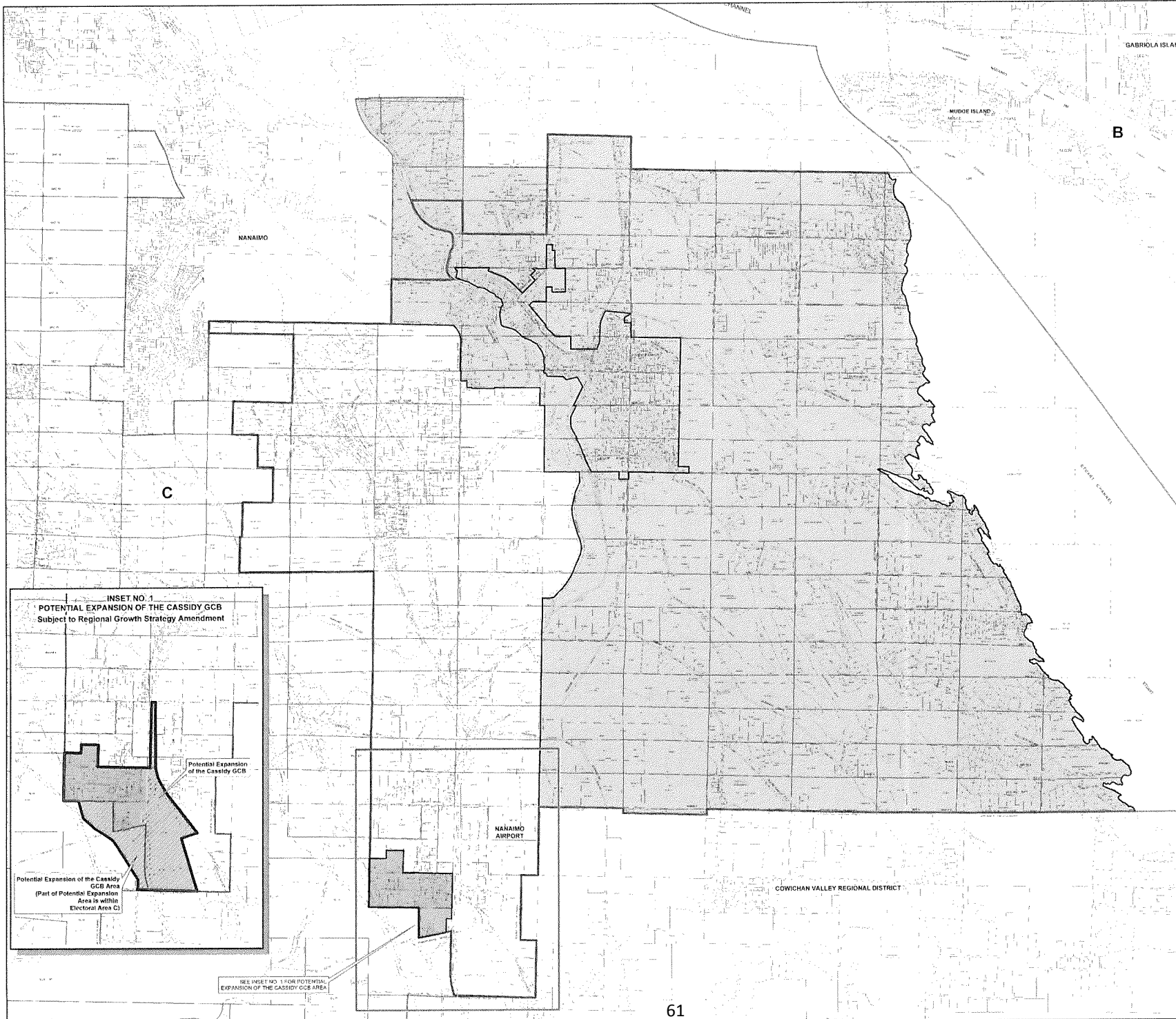
-  Electoral Area Boundary
-  Plan Area Boundary
-  Growth Containment Boundary

 Potential Expansion of the Cassidy GCB (see Inset No. 1)
(Subject to Regional Growth Strategy Amendment)

 Cedar Village Sewer Line (2010)

Water Service Planning Areas

-  North Cedar Improvement District
-  Cedar GCB Water Service Planning Area (see within the North Cedar Improvement District Boundary)
-  Cassidy GCB Water Service Planning Area



SEE INSET NO. 1 FOR POTENTIAL EXPANSION OF THE CASSIDY GCB AREA

Drawn by: Geomatics Office

BYLAW NO. 1620, 2011
(INCLUDES AMENDMENTS
UP TO BYLAW NO. 1620.01, 2013)









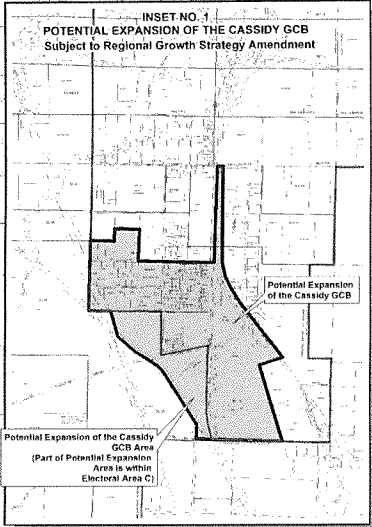
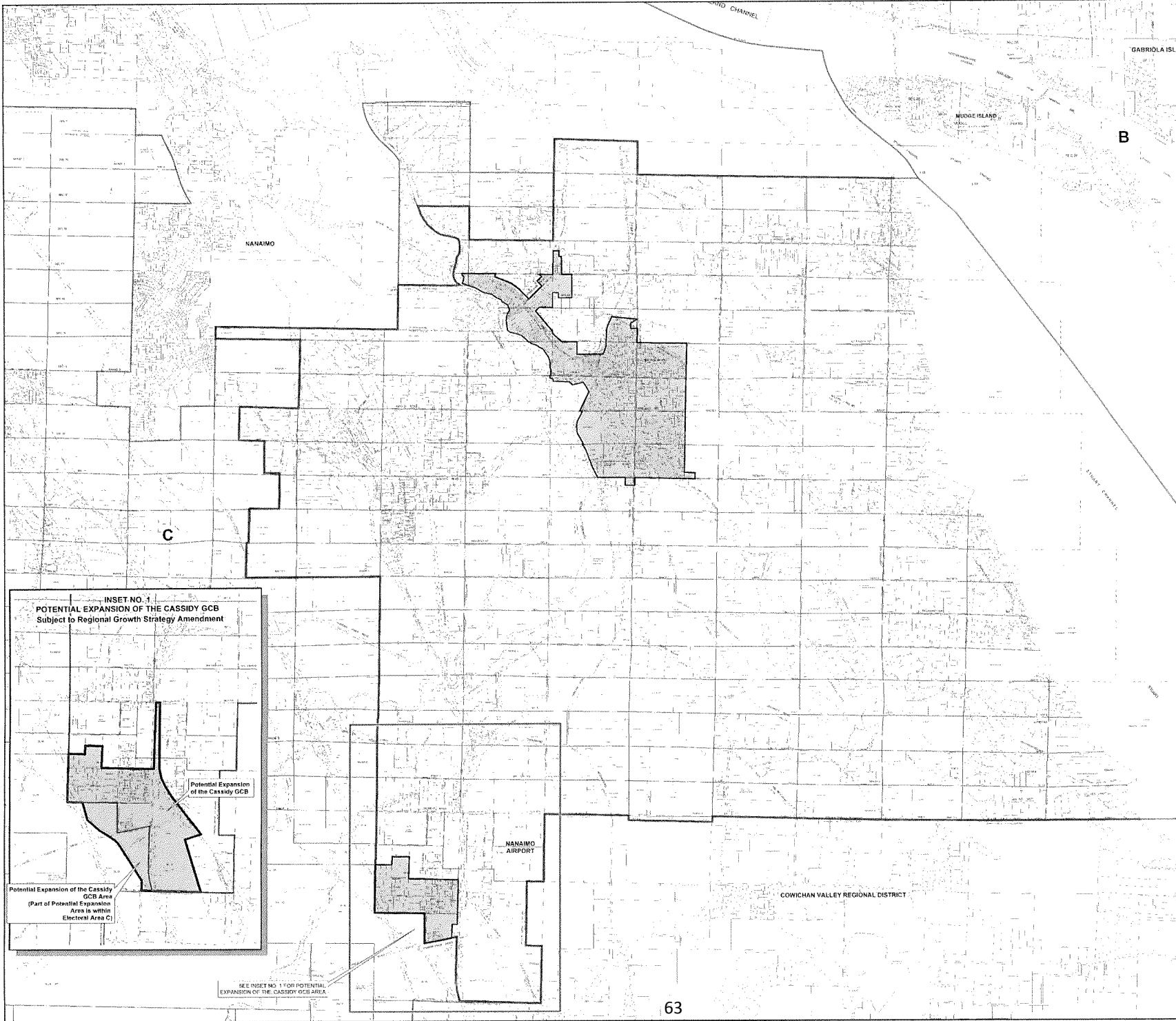
REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1620.01

Attachment 4

Map No. 6 Community Sewer Servicing Area

Legend

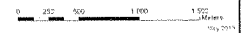
-  Electoral Area Boundary
-  Plan Area Boundary
-  Growth Containment Boundary
-  Proposed Expansion of the Cassidy GCB (See Inset No. 1)
(Subject to Regional Growth Strategy Amendment)
-  Cedar Village Sewer Lines (2010)
-  Community Sewer Servicing Area



SEE INSET NO. 1 FOR POTENTIAL EXPANSION OF THE CASSIDY GCB AREA.

Overseer: Corporate Officer

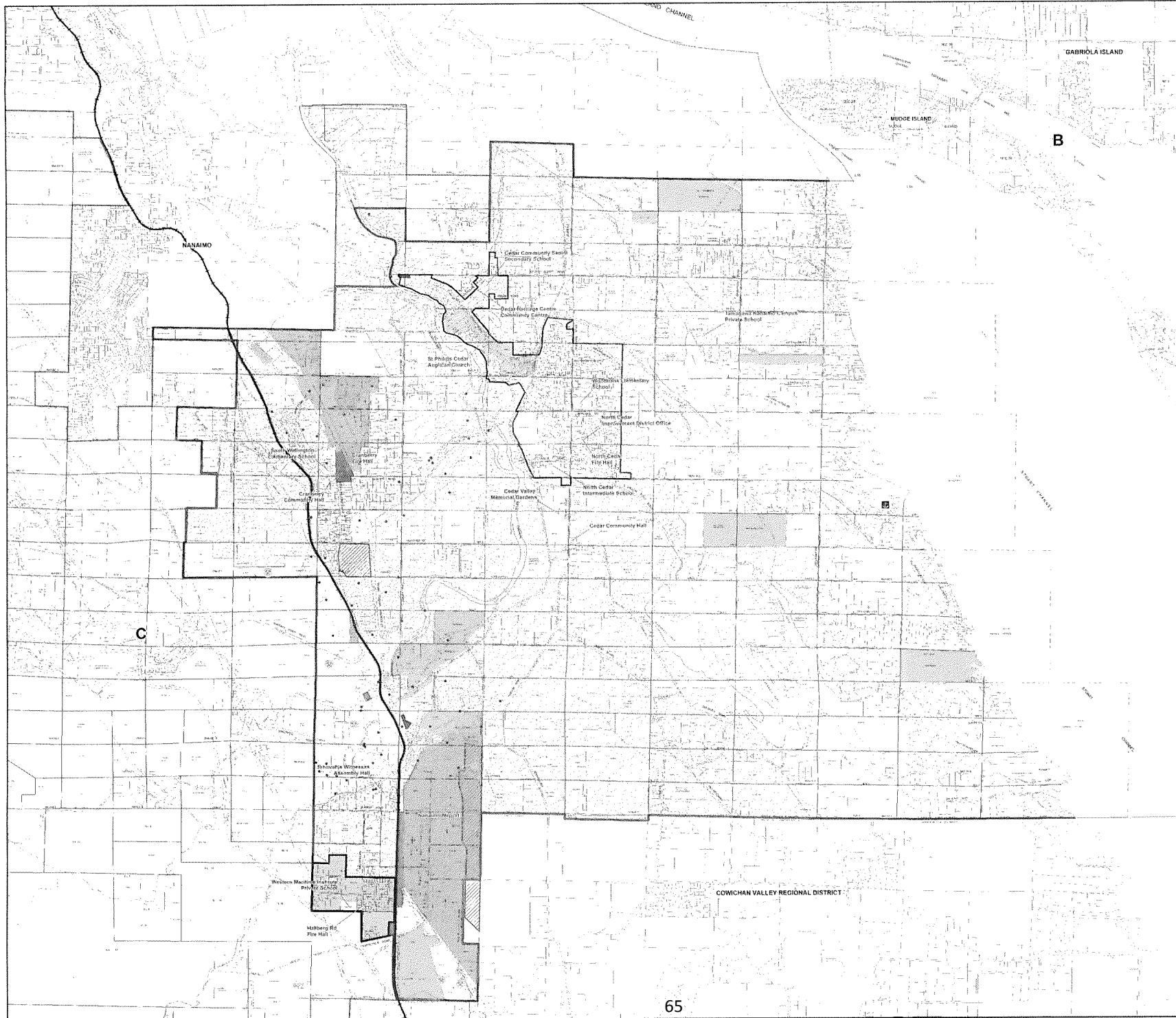
BYLAW NO. 1520, 2011
(INCLUDES AMENDMENTS
UP TO BYLAW NO. 1520.01, 2013)



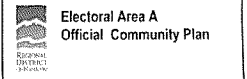
REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1620.01

Attachment 5

Map No. 7 Features that Support the Economy



A Shared Community Vision



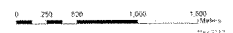
MAP NO. 7
Features that Support
the Economy

Legend

- Electoral Area Boundary
- Plan Area Boundary
- Growth Containment Boundary
- E & N Railway
- Golf Course
- Boat Harbour Marina
- Private Managed Forest Land
(Based on BC Assessment Authority Mapping and BC Private Managed Forest Land Council - January 23, 2015 and is subject to change)
- Agricultural Land Reserve
Updated by November 2010
NOTE: The Agricultural Land Reserve is shown on this Map to provide only an indication of the general size of the Reserve in the City and is not intended to be used as a boundary. To determine the details of the Agricultural Land Reserve boundaries refer to the Current Map of the Agricultural Land Commission.
- Gravel Pit
SOURCE: R201 Aggregates Study - 1999
- Old Coal Mine Shaft
- Old Coal Mine
SOURCE: Water - Sewer System
- Cedar Estates
- Cedar Main Street
- Cassidy Village
- Institutional
- Commercial
- Commercial Mixed Use
- Industrial
- South Wellington Rural Community Centre
- Cassidy Light Industrial & Commercial
- Nanaimo Airport
- Transportation Corridor (E & N Railway)
(Designated based on Map No. 3 Land Use Designation)

Drawn by: Original Office

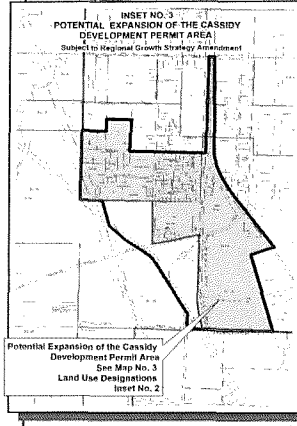
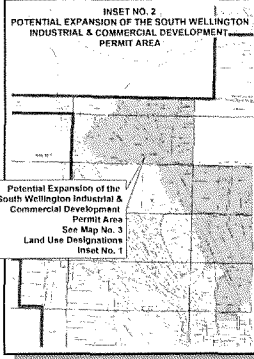
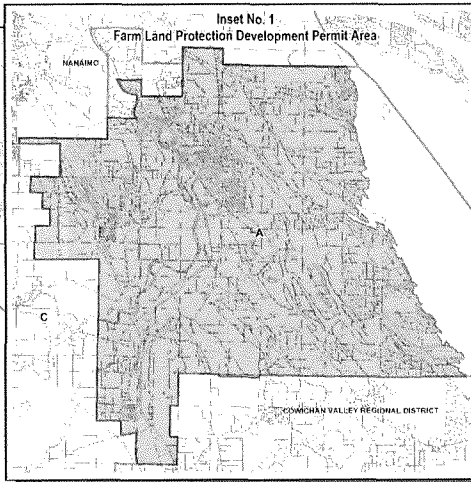
BYLAW NO. 1620, 2011
(INCLUDES AMENDMENTS
UP TO BYLAW NO. 1620 01, 2013)



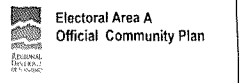
REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1620.01

Attachment 6

Map No. 10 Development Permit Areas for the Purpose of Form and
Character and Protecting Farm Land



A Shared Community Vision

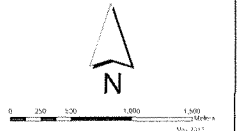


MAP NO. 10
Development Permit Areas
for the Purpose of Form & Character
and Protecting Farm Land

- Legend**
- Electoral Area Boundary
 - Plan Area Boundary
 - Growth Containment Boundary
- Development Permit Areas**
- Farm Land Protection Development Permit Area - All land adjacent to ALR land
 - South Wellington Light Industrial - Commercial Development Permit Area
 - Cedar Main Street Development Permit Area
 - Cassidy Development Permit Area
 - Cedar Development Permit Area

Cartographer: _____
Copies: _____

BYLAW NO. 1620, 2011
(INCLUDES AMENDMENTS
UP TO BYLAW NO. 1620.01, 2013)



REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE REGULAR COMMITTEE MEETING OF THE WHOLE
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, MAY 14, 2013 AT 7:03 PM IN THE
RDN BOARD CHAMBERS

In Attendance:

Director J. Stanhope	Chairperson
Director D. Brennan	Deputy 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 B. Veenhof	Electoral Area H
Director B. Dempsey	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director G. Anderson	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director T. Greves	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director D. Willie	Town of Qualicum Beach

Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
J. Hill	A/Director of Corporate Services
W. Idema	Director of Finance
T. Osborne	Gen. Mgr. Recreation & Parks
D. Trudeau	Gen. Mgr. Transportation & Solid Waste
R. Alexander	Gen. Mgr. Regional & Community Utilities
G. Garbutt	Gen. Mgr. Strategic & Community Development
T. Armet	Mgr. Building, Bylaw & Emergency Planning Services
N. Tonn	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order.

DELEGATIONS

Judith Roux, Island Futures / Gabriola Community Bus Committee, re Proposed Funding of \$30,000 for Buses on Gabriola Island.

Judith Roux, Bob Andrews, Bob McKechnie, and Fay Weller, speaking on behalf of the Island Futures / Gabriola Community Bus Committee, provided an overview of the bus transportation proposal including a history of the research done over the past five years and the launching of their three year pilot study to test the feasibility of a public transit service on Gabriola Island. The Committee requested funding for Electoral Area 'B' under the Community Works Fund, for a capital expenditure to purchase two used buses, their retrofit and communication equipment.

Cory Vanderhorst, Meyers Norris Penney LLP, re 2012 Audited Financial Statements and Audit Findings Report.

Mr. Vanderhorst provided a verbal and visual overview of the 2012 Audited Financial Statements and Audit Findings Report.

COMMITTEE OF THE WHOLE MINUTES

MOVED Director Ruttan, SECONDED Director Bestwick, that the minutes of the Regular Committee of the Whole meeting held April 9, 2013, be adopted.

CARRIED

COMMUNICATION/CORRESPONDENCE

Debra Oakman, North Island 9-1-1 Corporation, re North Island 9-1-1 Corporation Articles – Amendment.

MOVED Director Veenhof, SECONDED Director Anderson, that the correspondence from the North Island 9-1-1 Corporation regarding amendments to the North Island 9-1-1 Articles be received.

CARRIED

James G. Smith, StopSmartMeters.ca Society, re Support for a Citizens' Initiative Petition for Democratic Process on the BC Hydro Smart Metering Program.

MOVED Director Veenhof, SECONDED Director Anderson, that the correspondence from the StopSmartMeters.ca Society regarding support for a Citizens' Initiative Petition for Democratic Process on the BC Hydro Smart Metering Program be received.

CARRIED

Len Walker, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area 'H'.

MOVED Director Veenhof, SECONDED Director Anderson, that the correspondence from Len Walker regarding Official Community Plan Application No. 2011-060 be received.

CARRIED

David G. Wallace, J.E. Anderson & Associates, re 1155 Leffler Road, Electoral Area 'F' – Building Bylaw Contravention.

MOVED Director Veenhof, SECONDED Director Anderson, that the correspondence from J.E. Anderson & Associates regarding a request to speak on behalf of the owners at 1155 Leffler Road, Electoral Area 'F' be received.

CARRIED

UNFINISHED BUSINESS

BYLAW ADOPTION

Bylaw No. 975.58 – Pump & Haul Bylaw Amendment to Include Lot 18, District Lot 78, Nanoose District, Plan 19688 (Electoral Area 'E').

MOVED Director Brennan, SECONDED Director Holme, that "Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.58, 2013" be adopted.

CARRIED

FINANCIAL SERVICES

2012 Financial Statements and Audit Findings Report.

MOVED Director Veenhof, SECONDED Director Willie, that the Audit Findings Report and the financial statements of the Regional District of Nanaimo for the year ended December 31, 2012 be received.

CARRIED

MOVED Director Veenhof, SECONDED Director Willie, that the consolidated financial statements of the Regional District of Nanaimo for the year ended December 31, 2012 be approved as presented.

CARRIED

Operating Results for the Period Ending March 31, 2013.

MOVED Director Holme, SECONDED Director McPherson, that the summary report of financial results from operations to March 31, 2013 be received for information.

CARRIED

Recommendations for 2013 Applications to the Regionally Significant Projects Program (Gas Tax Revenue Transfer Programs).

MOVED Director Houle, SECONDED Director Veenhof, that the Board support the projects as outlined in the staff report for the allocation of the \$7,451,489 identified by the Union of BC Municipalities for Regionally Significant Project funding.

CARRIED

MOVED Director Houle, SECONDED Director Veenhof, that staff be directed to forward the list of projects to the Union for BC Municipalities for funding under the Regionally Significant Project Funding Program.

CARRIED

Recommendations for the 2013 Use of Community Works Program Funds.

MOVED Director Houle, SECONDED Director Lefebvre, that the 2013 Community Works Funds program attached as Schedules A and B to the staff report be approved and that staff be authorized to commence work immediately.

CARRIED

MOVED Director Houle, SECONDED Director Lefebvre, that staff be directed to complete an agreement with the North Cedar Improvement District to transfer Community Works funding allocated to Electoral Area 'A' for their Water Supply and Storage Infrastructure Study.

CARRIED

MOVED Director Houle, SECONDED Director Lefebvre, that staff be directed to complete an agreement with the Island Futures Society to transfer Community Works funding allocated to Electoral Area 'B' for their purchase of buses to be used in the Gabriola Island Community Bus system.

CARRIED

MOVED Director Houle, SECONDED Director Lefebvre, that the report on the use of Community Works Funds in 2012 be received for information.

CARRIED

Strategic Community Investment Funds Agreement.

MOVED Director Holme, SECONDED Director Bestwick, that the staff report be received as the final public statement of the use of \$184,075 of Strategic Investment funds for 2012.

CARRIED

Gabriola Island Recreation Service Reserve Fund Establishment Amending Bylaw 1671.01.

MOVED Director Houle, SECONDED Director Veenhof, that "Gabriola Island Recreation Service Reserve Fund Establishment Amendment Bylaw No. 1671.01, 2013" be introduced and read three times.

CARRIED

MOVED Director Houle, SECONDED Director Veenhof, that "Gabriola Island Recreation Service Reserve Fund Establishment Amendment Bylaw No. 1671.01, 2013" be adopted.

CARRIED

STRATEGIC AND COMMUNITY DEVELOPMENT

LONG RANGE PLANNING

Industrial Land Supply and Demand Study.

MOVED Director Veenhof, SECONDED Director Lefebvre, that the report titled "Industrial Land Supply and Demand Study" be received.

CARRIED

MOVED Director Veenhof, SECONDED Director Lefebvre, that copies of the study be forwarded to the member municipalities and economic development organizations.

CARRIED

BUILDING, BYLAW AND EMERGENCY SERVICES

872 Reid Road, Electoral Area 'G' – Unsightly Premises.

MOVED Director Holme, SECONDED Director Ruttan, that the Board direct the owner of the property at 872 Reid Road, to remove from the premises those items as set out in the Resolution attached to the staff report within thirty (30) days, or the work will be undertaken by the Regional District of Nanaimo's agents at the owner's cost.

CARRIED

1802 Stalker Road, Electoral Area 'B' – Unsightly Premises.

John Bishop, owner of the property at 1802 Stalker Road, noted the difficulties in removing the items from his property and requested that the Board extend the deadline to ninety (90) days to enable him to satisfy the requirements.

MOVED Director Houle, SECONDED Director Veenhof, that the Board direct the owner of the property at 1802 Stalker Road, to remove from the premises those items as set out in the Resolution attached to the staff report within ninety(90) days, or the work will be undertaken by the Regional District of Nanaimo's agents at the owner's cost.

CARRIED

1155 Leffler Road, Electoral Area 'F' – Building Bylaw Contravention.

Mr. Dave Wallace, J.E. Anderson & Associates, spoke on behalf of the property owners and provided a chronological order of events regarding the building bylaw contravention and the owners' proposed plan to rectify the non-compliance issues.

MOVED Director Fell, SECONDED Director Holme, that staff be directed to take no further legal action against the property at 1155 Leffler Road until such time as the matter of exclusion of the property from the Agricultural Land Reserve has been concluded with the Agricultural Land Commission.

DEFEATED

MOVED Director Ruttan, SECONDED Director Brennan, that staff be directed to register a Notice of Bylaw Contravention on the title of the subject property legally described as Lot 1, District Lot 139, Plan 18583, Nanoose District (1155 Leffler Road), pursuant to Section 57 of the *Community Charter*.

CARRIED

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER SERVICES

Nanaimo Community Gardens Society Agreement – Greater Nanaimo Pollution Control Centre Greenhouses.

It was noted that within the staff report, the words "Bowen Park" should be replaced with the words "Beban Park".

MOVED Director Johnstone, SECONDED Director McPherson, that the Regional District of Nanaimo enter into a one year agreement from September 1, 2013 to August 31, 2014 with the Nanaimo Community Gardens Society for the use of the greenhouses at Greater Nanaimo Pollution Control Centre.

CARRIED

Bylaw 975.59 – Pump and Haul Bylaw Amendment – 610 Gallagher Way, Gabriola Island, Electoral Area 'B'.

MOVED Director Houle, SECONDED Director Veenhof, that the boundaries of the Regional District of Nanaimo Pump and Haul Local Service Area Bylaw No. 975 be amended to include Lot 61, Section 18, Plan 21586, Gabriola Island, Nanaimo District (Electoral Area 'B').

CARRIED

MOVED Director Houle, SECONDED Director Veenhof, that "Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.59, 2013" be introduced and read three times.

CARRIED

UTILITIES

Bylaws No. 813.50, 869.09 and 889.64 – Inclusion of 691 Wembley Road into Sewer and Streetlighting Service Areas, Electoral Area ‘G’.

MOVED Director Holme, SECONDED Director Lefebvre, that “French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.50, 2013” be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Lefebvre, that “Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.09, 2013” be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Lefebvre, that “Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.64, 2013” be introduced and read three times.

CARRIED

RECREATION AND PARKS

RECREATION SERVICES

Cedar Heritage Centre Lease and Site Licence Agreement (2013-15) / Cedar School and Community Enhancement Society.

MOVED Director McPherson, SECONDED Director Fell, that the proposed Lease and Site Licence agreement (Appendix ‘A’) between the Regional District of Nanaimo and the Cedar Community School and Enhancement Society for the operation and use of the Cedar Heritage Centre for a two (2) year, seven (7) month Term from June 1, 2013 – December 31, 2015 be approved.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE MINUTES AND RECOMMENDATIONS

Transit Select Committee.

MOVED Director Brennan, SECONDED Director McPherson, that the minutes of the Transit Select Committee meeting held Thursday, April 18, 2013 be received for information.

CARRIED

Director Veenhof requested that the Transit Select Committee meeting minutes be amended as follows:

NEW BUSINESS

RDN Future Plan

Director Veenhof asked that the RDN look into the service that the Comox Valley Regional District provides to Fanny Bay and extending it to Electoral Area ‘H’. D. Pearce noted that it would be addressed in the RDN Future Plan.

Cruise Ship Shuttle Service – 2013.

MOVED Director Brennan, SECONDED Director Willie, that the application made by the Nanaimo Port Authority for the Regional District of Nanaimo to provide bus service for cruise ships arriving in Nanaimo on May 11, 2013, May 12, 2013 and September 15, 2013, at the cost of the Nanaimo Port Authority, be approved.

CARRIED

Annual Operating Agreement Amendment #1 Between Regional District of Nanaimo and BC Transit for 2012-2013.

MOVED Director Brennan, SECONDED Director McPherson, that the 2012/2013 Conventional and Custom Annual Operating Agreement (AOA) Amendment #1 with BC Transit be approved.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

North Island 9-1-1 Corporation Articles – Amendment.

MOVED Director Brennan, SECONDED Director Ruttan, that the Regional District of Nanaimo authorizes the execution of the special resolution (appendix 'A') to make select alterations to the Articles of North Island 9-1-1 Corporation, as recommended by Singleton Urquhart LLO; and further that a waiver of notice (appendix 'B') be executed.

CARRIED

Notice of Motion – Use of Actuary.

Director Willie noted that the following motion will be brought forward to the May 28, 2013 Board Agenda:

That staff be directed to prepare a report that examines the cost effectiveness of utilizing the services of an Actuary to more accurately project the unfunded liabilities related to employee benefits for the Regional District of Nanaimo.

StopSmartMeters.ca Society, re Support for a Citizens' Initiative Petition for Democratic Process on the BC Hydro Smart Metering Program.

MOVED Director Fell, SECONDED Director Young, that Director Fell follow up with StopSmartMeters.ca Society regarding the matter of smart meters and produce, if appropriate, a motion for the Board's consideration.

CARRIED

NEW BUSINESS

Notice of Motion – Community Library Branch within Electoral Area 'A'.

Director McPherson noted that the following motion will be brought forward to the May 28, 2013 Board Agenda:

That staff be directed to contact Vancouver Island Regional Library and to enter into discussions on requirements to establish a new community library branch within Electoral Area 'A', and more specifically, within the Cedar Rural Village Centre.

BOARD INFORMATION

Mary Sjostrom, Union of BC Municipalities, re 2013 UBCM Provincial Election Platform.

MOVED Director Holme, SECONDED Director Brennan, that the correspondence from the Union of BC Municipalities regarding UBCM's 2013 Provincial Election Platform be received.

CARRIED

IN CAMERA

MOVED Director Holme, SECONDED Director Brennan, that pursuant to Section 90 (1) (e), (f), (i), and (j) of the *Community Charter* the Board proceed to an In Camera meeting for discussions related to land acquisition, law enforcement, solicitor-client privilege and third-party interests.

CARRIED

TIME: 8:48 PM

CHAIRPERSON

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1671.01

A BYLAW TO ESTABLISH A RESERVE FUND FOR
THE GABRIOLA ISLAND RECREATION SERVICE

WHEREAS the Board of the Regional District of Nanaimo wishes to amend "Gabriola Island Recreation Service Reserve Fund Establishment Bylaw No. 1671, 2012";

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

1. **Citation**

This Bylaw may be cited as "Gabriola Island Recreation Service Reserve Fund Establishment Amendment Bylaw No. 1671.01, 2013".

2. **Amendments**

"Gabriola Island Recreation Service Reserve Fund Establishment Bylaw No. 1671, 2012" is amended as follows:

1. By deleting the second paragraph beginning with "AND WHEREAS", and replacing it with the following:

"AND WHEREAS it is considered desirable to establish a reserve fund in order to provide recreation services or to acquire, construct, manage or otherwise provide property for pleasure, recreation and similar public uses, including recreation and cultural facilities of all types for the Gabriola Island Recreation Service established pursuant to Bylaw No. 1023, cited as "Gabriola Island Recreation Service Establishment Bylaw No. 1023, 1996"."

2. By deleting section 4 and replacing it with the following:

"4. Money in the reserve fund shall be used to provide recreation services or to acquire, construct, manage or otherwise provide property for pleasure, recreation and similar public uses, including recreation and cultural facilities of all types in consultation with the Gabriola Recreation Society."

Introduced and read three times this ____ day of _____, 2013.

Adopted this ____ day of _____, 2013.

CHAIRPERSON

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 975.59

**A BYLAW TO AMEND THE BOUNDARIES OF THE
PUMP & HAUL LOCAL SERVICE**

WHEREAS the Regional District of Nanaimo established a Pump and Haul Service pursuant to Bylaw No. 975, cited as “Regional District of Nanaimo Pump & Haul Local Service Establishment Bylaw No. 975, 1995”;

AND WHEREAS the Board of the Regional District of Nanaimo has been petitioned by the property owner to expand the boundaries of the service area to include the land legally described as:

- Lot 61, Section 18, Plan 21586, Gabriola Island, Nanaimo District.

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with section 802 of the *Local Government Act*;

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

1. Citation

This bylaw may be cited for all purposes as “Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.59, 2013”.

2. Amendment

“Regional District of Nanaimo Pump & Haul Local Service Establishment Bylaw No. 975, 1995” is amended by deleting Schedule ‘A’ and replacing it with the Schedule ‘A’ attached to and forming part of this bylaw.

Introduced and read three times this day of , 2013.

Adopted this day of , 2013.

CHAIRPERSON

CORPORATE OFFICER

Schedule 'A' to accompany "Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.59, 2013".

Chairperson

Corporate Officer

BYLAW NO. 975.59

SCHEDULE 'A'

Electoral Area 'B'

1. Lot 108, Section 31, Plan 17658, Nanaimo Land District.
2. Lot 6, Section 18, Plan 17698, Nanaimo Land District.
3. Lot 73, Section 31, Plan 17658, Nanaimo Land District.
4. Lot 26, Section 12, Plan 23619, Nanaimo Land District.
5. Lot 185, Section 31, Plan 17658, Nanaimo Land District.
6. Lot A, Section 31, Plan VIP84225, Gabriola Island, Nanaimo District
7. Lot 120, Section 31, Plan 17658, Nanaimo Land District.
8. Lot 108, Section 12, Plan 23435, Nanaimo Land District.
9. Lot 75, Section 13, Plan 21531, Nanaimo Land District.
10. Lot 85, Section 18, Plan 21586, Nanaimo Land District.
11. Lot 14, Section 21, Plan 5958, Nanaimo Land District.
12. Lot 108, Section 13, Plan 21531, Nanaimo Land District.
13. Lot 84, Sections 12 & 13, Plan 21531, Nanaimo Land District.
14. Lot 72, Section 13, Plan 21531, Nanaimo Land District.
15. Lot 61, Section 18, Plan 21586, Gabriola Island, Nanaimo District.

Electoral Area 'E'

1. Lot 1, District Lot 72, Plan 17681, Nanoose Land District.
2. Lot 17, District Lot 78, Plan 14212, Nanoose Land District.
3. Lot 32, District Lot 68, Plan 26680, Nanoose Land District.
4. Lot 13, Block E, District Lot 38, Plan 13054, Nanoose Land District.
5. Lot 13, District Lot 78, Plan 25828, Nanoose Land District.
6. Lot 58, District Lot 78, Plan 14275, Nanoose Land District.
7. Lot 28, District Lot 78, Plan 15983, Nanoose Land District.
8. Lot 23, District Lot 78, Plan 14212, Nanoose Land District.
9. Lot 23, District Lot 78, Plan 28595, Nanoose Land District.
10. Lot 53, District Lot 78, Plan 14275, Nanoose Land District.
11. Lot 12, District Lot 8, Plan 20762, Nanoose Land District.
12. Lot 57, District Lot 78, Plan 14275, Nanoose District
13. Lot 18, District Lot 78, Plan 19688, Nanoose District

Electoral Area 'F'

1. Lot 2, District Lot 74, Plan 36425, Newcastle Land District.

Electoral Area 'G'

1. Lot 28, District Lot 28, Plan 26472, Nanoose Land District.
2. Lot 1, District Lot 80, Plan 49865, Newcastle Land District.

Electoral Area 'H'

1. Lot 22, District Lot 16, Plan 13312, Newcastle Land District.
2. Lot 29, District Lot 81, Plan 27238, Newcastle Land District.
3. Lot 46, District Lot 81, Plan 27238, Newcastle Land District.
4. Lot 9, District Lot 28, Plan 24584, Newcastle Land District.
5. Lot 41, District Lot 81, Plan 27238, Newcastle Land District.
6. Lot 20, District Lot 16, Plan 13312, Newcastle Land District.
7. Lot 1, District Lot 40, Plan 16121, Newcastle District.
8. Lot 27, Plan 16121, District Lot 40, Newcastle Land District.

City of Nanaimo

1. Lot 43, Section 8, Plan 24916, Wellington Land District.

District of Lantzville

1. Lot 24, District Lot 44, Plan 27557, Wellington Land District.
2. Lot A, District Lot 27G, Plan 29942, Wellington Land District.
3. Lot 1, District Lot 85, Plan 15245, Wellington Land District.

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 813.50

**A BYLAW TO AMEND THE BOUNDARIES OF THE
FRENCH CREEK SEWER SERVICE**

WHEREAS the Regional District of Nanaimo established the French Creek Sewer Service pursuant to Bylaw No. 813, cited as “French Creek Sewerage Facilities Local Service Establishment Bylaw No. 813, 1990”;

AND WHEREAS the Board of the Regional District of Nanaimo has been petitioned by the property owner (s) to extend the boundaries of the service area to include the land (s) shown outlined in black on Schedule ‘B’ of this bylaw and legally described as:

- Lot 1, District Lot 81, Nanoose District, Plan 1799;

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with section 802 of the *Local Government Act*;

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

1. Citation

This bylaw may be cited for all purposes as “French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.50, 2013”.

2. Amendment

“French Creek Sewerage Facilities Local Service Establishment Bylaw No. 813, 1990” is amended as follows:

By deleting Schedule ‘A’ of Bylaw No. 813 and replacing it with Schedule ‘A’ attached to and forming part of this bylaw.

Introduced and read three times this ____ day of _____, 2013.

Adopted this ____ day of _____, 2013.

CHAIRPERSON

CORPORATE OFFICER

Schedule 'A'

MAP OF REVISED SERVICE AREA BOUNDARIES
TO BE ATTACHED ONCE ADOPTED,
AND IS AVAILABLE FOR VIEWING
WITH THE CORPORATE OFFICER

Chairperson

Corporate Officer



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 869.09

A BYLAW TO AMEND THE BOUNDARIES OF THE
MORNINGSTAR STREETLIGHTING SERVICE

WHEREAS the Regional District of Nanaimo established the Morningstar Streetlighting Service pursuant to Bylaw No. 869, cited as “Morningstar Streetlighting Local Service Area Establishment Bylaw No. 869, 1992”;

AND WHEREAS the Board of the Regional District of Nanaimo has been petitioned by the property owner to extend the boundaries of the service area to include the land shown outlined in black on Schedule ‘B’ of this bylaw and legally described as:

- Lot 1, District Lot 81, Nanoose District, Plan 1799.

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with Section 802 of the *Local Government Act*;

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

1. Citation

This bylaw may be cited as “Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.09, 2013”.

2. Amendment

“Morningstar Streetlighting Local Service Area Establishment Bylaw No. 869, 1992” is amended as follows:

By deleting Schedule ‘A’ of Bylaw No. 869 and replacing it with Schedule ‘A’ attached to and forming part of this bylaw.

Introduced and read three times this ____ day of _____, 2013.

Adopted this ____ day of _____, 2013.

CHAIRPERSON

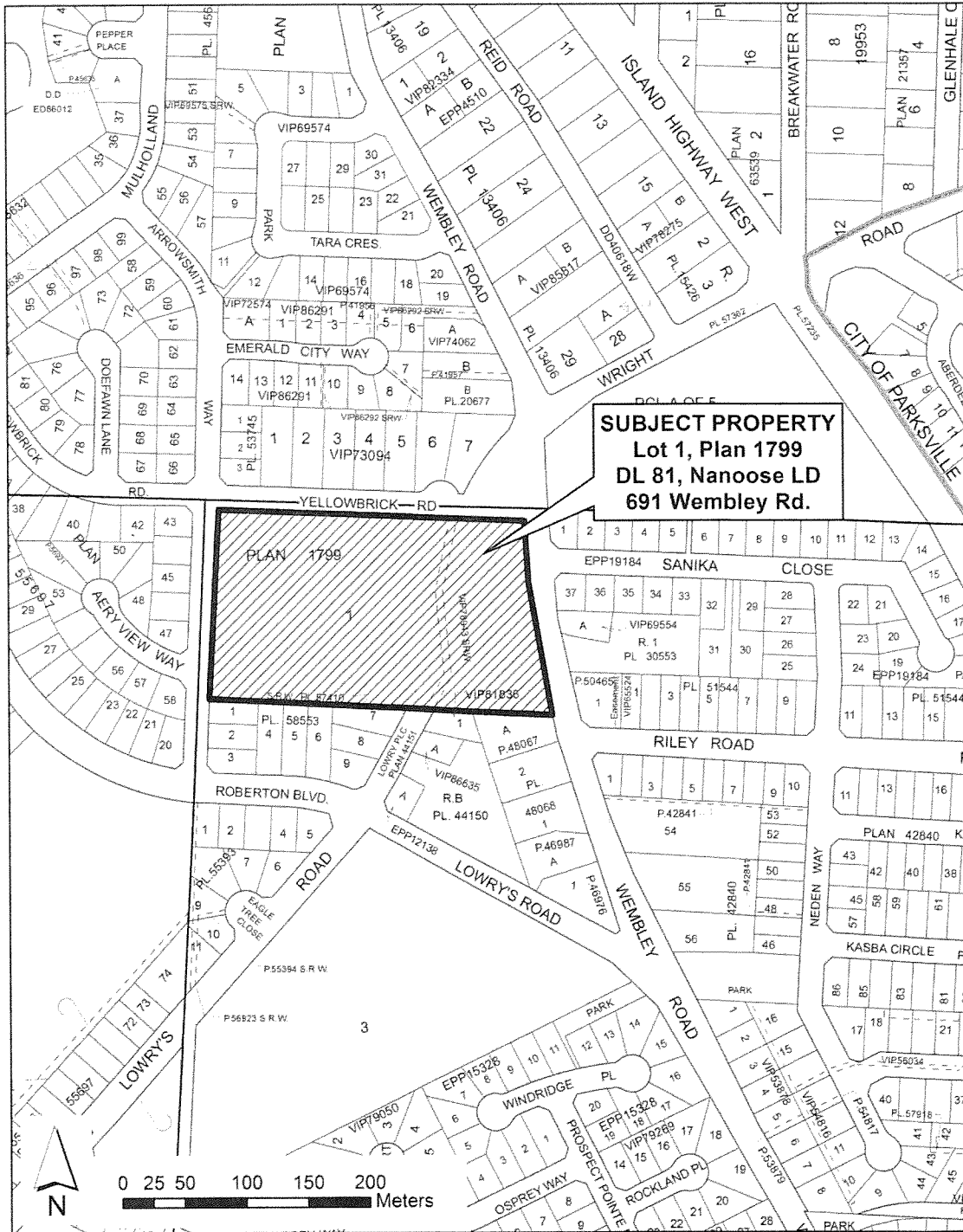
CORPORATE OFFICER

Schedule 'A'

MAP OF REVISED SERVICE AREA BOUNDARIES
TO BE ATTACHED ONCE ADOPTED,
AND IS AVAILABLE FOR VIEWING
WITH THE CORPORATE OFFICER

Chairperson

Corporate Officer



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 889.64

A BYLAW TO AMEND THE BOUNDARIES OF THE
NORTHERN COMMUNITY SEWER SERVICE

WHEREAS the Regional District of Nanaimo established the Northern Community Sewer Service pursuant to Bylaw No. 889, cited as “Regional District of Nanaimo Northern Community Sewer Local Service Conversion Bylaw No. 889, 1993”;

AND WHEREAS the Board of the Regional District of Nanaimo has been petitioned by the property owner (s) to extend the boundaries of the service area to include the land (s) shown outlined in black on Schedule ‘B’ of this bylaw and legally described as:

- Lot 1, District Lot 81, Nanoose District, Plan 1799;

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with section 802 of the *Local Government Act*;

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

1. Citation

This bylaw may be cited as “Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.64, 2013”.

2. Amendment

“Regional District of Nanaimo Northern Community Sewer Local Service Conversion Bylaw No. 889, 1993” is amended as follows:

By deleting Schedules ‘C’ and ‘E’ of Bylaw No. 889 and replacing them with Schedules ‘C’ and ‘E’ attached to and forming part of this bylaw.

Introduced and read three times this ____ day of _____, 2013.

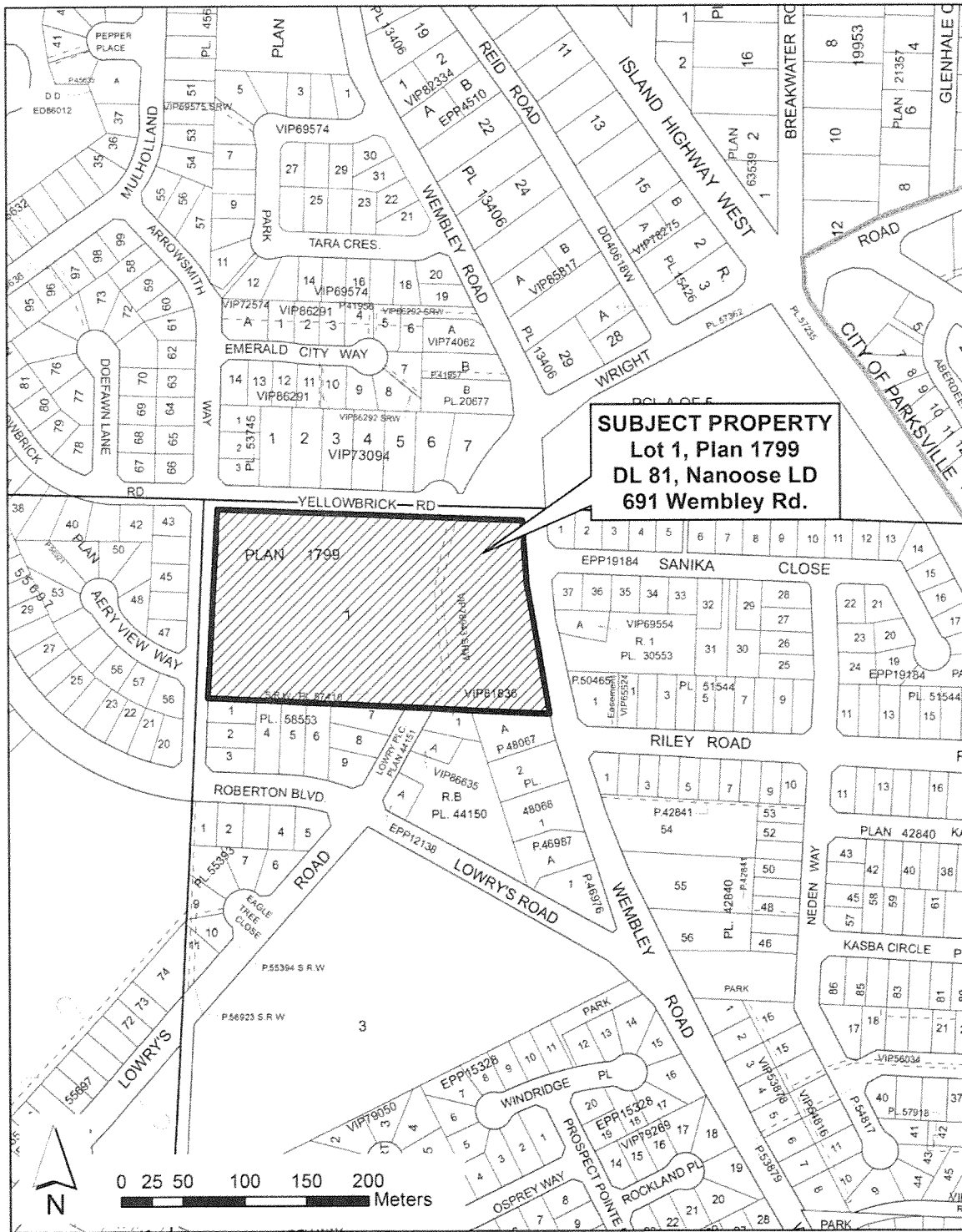
Adopted this ____ day of _____, 2013.

CHAIRPERSON

CORPORATE OFFICER

Chairperson

Corporate Officer



Schedule 'C'

MAP OF REVISED SERVICE AREA BOUNDARIES
TO BE ATTACHED ONCE ADOPTED,
AND IS AVAILABLE FOR VIEWING
WITH THE CORPORATE OFFICER

Schedule 'E'

MAP OF REVISED SERVICE AREA BOUNDARIES
TO BE ATTACHED ONCE ADOPTED,
AND IS AVAILABLE FOR VIEWING
WITH THE CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE ELECTORAL AREA 'A'
PARKS, RECREATION AND CULTURE COMMISSION
REGULAR MEETING HELD
WEDNESDAY, APRIL 17, 2013 AT 7:00PM
AT CEDAR HERITAGE CENTRE

Attendance: Alec McPherson, RDN Director, Chair
 Eike Jordan
 Bernard White
 Jim Fiddick
 Angela Vincent
 Carolyn Mead
 Patti Grand
 Chris Pagan

Staff: Sandra Pearson, Superintendent of Recreation Program Services
 Elaine McCulloch, Parks Planner
 Ann-Marie Harvey, Recording Secretary

Regrets: Kerri-Lynne Wilson

CALL TO ORDER

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

MINUTES

MOVED Commissioner Fiddick, SECONDED Commissioner Jordan that the minutes of the Regular Electoral Area 'A' Parks, Recreation and Culture Commission meeting held February 20, 2013 be received. CARRIED

MOVED Commissioner Vincent, SECONDED Commissioner Jordan that the minutes of the Electoral Area 'A' Parks, Recreation and Culture Commission Grant Sub-Committee meeting held March 6, 2013 be received. CARRIED

BUSINESS ARISING FROM THE MINUTES

MOVED Commissioner Vincent, SECONDED Commissioner Jordan, that the following Electoral Area 'A' Recreation and Culture Grant applications be approved:

Community Group	Current Request 2013	Recommended 2013
Cedar 4H Club Portable Toilet, hand washing supplies, Animal feed, Cellphone Rental, Animal lease or Purchase, shavings, A.G Info Handouts, info signage.	\$1500.00	\$1500.00
1st Cedar Scouts Camping gear – Wheeler coolers, Propane tanks, Bows, Arrows, Coleman Stoves, Lanterns, Lightweight Backpack stoves.	\$1489.84	\$1489.84

Cedar Family of Community Schools Digital Camera for Photography program (Fall 2012 application resubmitted in January 2013)	\$450.00	\$450.00
Cedar Family of Community Schools Equipment for Gymnastics – Foam learning beam, low-training beam, Trestle climbing frame/Horizontal bar.	\$944.00	\$944.00

CARRIED

Ryn Donation Update

Ms. McCulloch reported that she reviewed all information regarding a potential donation from the estate of Mr. Ryn. Additionally she spoke with RDN planning and finance staff who identified an \$18,207.76 cash in-lieu of parkland contribution paid in 2005 by Ms. Ryn's husband's company in relation to a subdivision approval. Ms. McCulloch has subsequently spoken to Ms. Ryn and it was determined that no further follow up was necessary.

CORRESPONDENCE/COMMUNICATIONS

MOVED P. Grand SECONDED C. Mead that the following Correspondence be received:

M. Ryn, Cedar Community Association to D. Banman, RDN, RE: Cedar Community Hall – Funding Utilized

D. Slater, St. Phillip Cedar Anglican Church, to S. Pearson, RDN, RE: Floor Painting with Grant in Aid.

CARRIED

REPORTS**PARKS****Monthly Update of Community and Regional Parks and Trails Projects – Feb/Mar – 2013 (handout)**

Ms. McCulloch gave an update of the Area A Community Parks and Trails Projects. She noted that the Nelson Rd. boat launch stairs have been repaired and re-opened for public use. Commissioner Fiddick said that in the first storm, it looks like the stairs could be wiped out again. Ms. McCulloch will provide further information regarding the stair design at a future meeting.

Habitat Conservation Trust Fund (HCTF) who funded \$21,000 towards the Quenell Lake Car-top Boat Launch, is pleased with the work that has been done.

Cedar Skate and Bike Park Project Timeline(handout) and Design Plan(attached)

Ms. McCulloch reviewed the detailed design and construction timeline for the skateboard/bike park. Commissioner White asked if there was a covered area in the design. Ms. McCulloch said a covered sitting area may be a possibility in a future phase. Ms. McCulloch noted that with the lease of the adjacent lot for parking, the main entrance to the park is now on the west side; the south entrance will remain as an emergency/maintenance access.

The Commission discussed the naming of skateboard/bike park and the possibility of the youth being involved, as well as The Cedar Skate Park Association. Chair McPherson said he will contact Vicki Suddaby.

MOVED Commissioner Jordan SECONDED Commissioner Grand that the Reports be received.

CARRIED

NEW BUSINESS

Cedar Heritage Centre - Capital improvements Update

Ms. Pearson reported that the HVAC improvements were completed and building feels comfortable and warm. The Cedar Heritage Centre should notice a difference in their expenses as the new system will be much more energy efficient. RDN Staff will meet in the near future to plan out the timing for the final efficiency updates (i.e., doors) and the 2013 capital projects (i.e., exterior painting, gutters and downspouts and landscaping).

Cedar School and Community Enhancement Society Agreement (*verbal*)

Ms. Pearson gave an update of the renewal of the CSES agreement. She noted that the agreement was not ready for the deadline for this meeting but it was agreed that it would be emailed to Commission members for their review and then forwarded to the next Regional Board meeting as per Director McPherson's suggestion.

Ms. Pearson noted the most significant change in the agreement is that it is now a Lease agreement, not a Licence of Use agreement due to the changes with not having RDN staff at the building. This new agreement also includes funding to assist CSCES through a monthly management fee and a monthly utility fee until the energy efficiency upgrades are completed this year.

Electoral Area 'A' Recreation and Culture Budget 2013 Revision (March 26/13)

Chair McPherson spoke to the revision of the Electoral Area 'A' tax requisition for 2013 by an increase of \$25,000 for reserve fund purposes. The current bylaw allows the tax requisition funding to increase from the current tax level from .10 to .15 to collect the additional \$25,000.

Parks - 5 Year Goals and Projects

The Commission had a discussion regarding the Five Year Parks Goals and Projects Plan. The Commissioners discussed and prioritized several project on the Five year plan and will finish the list at the next meeting in June. When the feedback discussions are completed, Ms. McCulloch will prioritize the projects in the Planning Worksheet for review.

COMMISSIONER ROUND TABLE

Commissioner Pagan – The proposed School District 68 facility plan has serious implications in Area 'A' especially regarding the closure of community fields and gyms.

Commissioner Grand – Reported she was a School Board trustee in Ontario and at that time, they could not close a school unless it sat unused for 5 years and had explored options for repurposing. She enquired as to whether the same process is required for School District 68. Director McPherson said it was a different process in the Province of BC.

Commissioner Jordan – She opposes any school closures and thinks the community will speak against it. She has had requests from people for an outdoor sports field with play park and exercise equipment.

Commissioner Vincent. – Would like to focus on trails and kids access around schools.

Commissioner Mead – School closures would affect children’s recreation that use the school facilities.

B. White – Was surprised about the news of SD68 potential school closures. He is careful as to where he takes his children due to the dangerous roads. Transportation needs to be a priority. Will talk to Director McPherson about the local transit plan.

IN CAMERA

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

Time: 9:20pm

ADJOURNMENT

This meeting was adjourned at 9:28pm

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE
DISTRICT 69 RECREATION COMMISSION REGULAR MEETING
HELD ON THURSDAY, APRIL 18, 2013 AT 2:00pm
AT OCEANSIDE PLACE – MULTI-PURPOSE ROOM

Attendance: Scott Tanner, Councillor, Town of Qualicum Beach
Ross Milligan, Trustee, District #69 School Board
Bill Veenhof, Director, RDN Board Appointee
Gordon Wiebe, Electoral Area 'E'
Joe Stanhope, Director, RDN Board, Electoral Area 'G'
Julian Fell, RDN Director, Area 'F'

Staff: Tom Osborne, General Manager of Recreation and Parks
Dean Banman, Manager of Recreation Services
Ann-Marie Harvey, Recording Secretary

Regrets: Richard Leontowich, Electoral Area 'H'
Peter Morrison, Councillor, City of Parksville

CALL TO ORDER

Deputy Chair Tanner called the meeting to order at 2:06pm.

MINUTES

MOVED Commissioner Veenhof, SECONDED Commissioner Milligan that the Minutes of the Regular District 69 Recreation Commission meeting February 21, 2013 be received.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

MOVED Commissioner Veenhof, SECONDED Commissioner Wiebe that the following correspondence be received:

R. Nosworthy, Area F Recreation Commissioner, to D. Banman, RDN, RE: Resignation
D. Banman, RDN to T. Coates, Town of Qualicum Beach, RE: BC Senior Games 2015/2016
S. Pearson, RDN to S. Stahley, ACES, RE: Additional Regional District Funding

CARRIED

REPORTS

Monthly Update – Oceanside Place –February 2013
Monthly Update – Oceanside Place –March 2013

Mr. Banman updated the Commission with a summary of the Oceanside Place reports.

Monthly Update – Ravensong Aquatic Centre – February 2013
Monthly Update – Ravensong Aquatic Centre – March 2013

Mr. Banman updated the Commission with a summary of the Ravensong reports.

Monthly Update – Northern Recreation Program Services – February 2013

Monthly Update – Northern Recreation Program Services – March 2013

Mr. Banman updated the Commission with a summary of the Northern Recreation Program Services reports.

Monthly Update of Community and Regional Parks and Trails Projects February/March 2013.

Mr. Osborne updated the Commission with a summary of the Community and Regional Parks and Trails Projects in District 69.

MOVED Commissioner Stanhope, SECONDED Commissioner Morrison that the functions reports be received.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Mr. Banman noted Commissioner Nosworthy's resignation is due to his increased commitment to Arrowsmith Community Enhancement Society.

MOVED Commissioner Veenhof, SECONDED Commissioner Fell, that that staff send a letter of thanks to Mr. Nosworthy for his time serving on the Commission.

CARRIED

Mr. Banman advised the Commission that until the Area F representative is appointed, Director Fell will fill the spot on the Commissioner. After the person is appointed, a new Chair of the Commission will be elected. In that time, Deputy Chair Tanner will fill the position of Chair.

NEW BUSINESS

Performance Recognition

Mr. Banman reminded the Commission of the Performance Recognition Ceremony that would take place following the May Commission meeting. He noted that to date there had been no submissions and if by the deadline there were none, he would advise the Commission.

Fees & Charges Sub-Committee

Commissioner Wiebe volunteered to fill Mr. Nosworthy's place on the Fees and Charges Sub-Committee.

MOVED Commissioner Fell, SECONDED Commissioner Veenhof, that Commission Wiebe be appointed to the Fees and Charges Sub Committee to replace Mr. Nosworthy.

ADJOURNMENT

MOVED Commissioner Fell to adjourn the meeting at 2:45pm.

CARRIED

REGIONAL DISTRICT ON NANAIMO

MINUTES OF THE ELECTRAL AREA "G" PARKS AND OPEN SPACE ADVISORY
REGULAR COMMITTEE MEETING
MONDAY, MARCH 11, 2013 4:30 PM
OCEANSIDE PLACE MEETING ROOM

Attendance: Joe Stanhope, Director, RDN Board
Brian Coath
Ann Douglas
Michael Foster
Rick Horte
Helen Simms

Staff: Elaine McCulloch, Parks Planner
David Palidwor, Superintendent of Parks Planning and Development

CALL TO ORDER

Director Stanhope called the meeting to order at 4:30 PM.

MINUTES

MOVED A. Douglas, SECOND B. Coath that the Minutes of the December 10, 2012 meeting be received.

CARRIED

CORRESPONDENCE

MOVED A. Douglas, SECOND B. Coath that the following correspondence be received:

Susan Mohan, Coordinator for Little Qualicum/Dashwood Emergency Preparedness to RDN, RE: Request for Funds-Building Maintenance Little Qualicum Hall.

CARRIED

BUSINESS ARISING FROM THE MINUTES

REPORTS

Monthly Update of Community & Regional Parks and Trail Projects – November and December 2012
Monthly Update of Community & Regional Parks and Trail Projects – January 2013

Ms. McCulloch gave a summary of the Area G projects for November, December and January.

Proposed Park Land Dedication in Conjunction with Proposed Rezoning and Subdivision of Lot 1, District Lot 81, Nanoose District, Plan 1799 691 Wembley Road, Electoral Area 'G'

MOVED A. Douglas, SECONDED R. Horte, that the Committee supports the proposed park land dedication in conjunction with proposed rezoning and subdivision of Lot 1, District Lot 81, Nanoose District, Plan 1799 691 Wembley Road.

CARRIED

MOVED A. Douglas SECOND R Horte; that the reports be received.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Coordinator for the Little Qualicum/Dashwood Emergency Preparedness; Susan Mohan is requesting a fund allocation for urgent maintenance of Little Qualicum Hall; letter attached to agenda.

MOVED B. Coath, SECOND, M. Foster that staff prepare a report on needs, costs, insurance, liability and availability of budget regarding capital upgrades and maintenance of the Little Qualicum Hall at Dashwood Community Park.

CARRIED

NEW BUSINESS

Parkland Classification

Mr. Palidwor gave an overview of Community Parks and Trails Strategy.

B. Coath asked that consideration should be given to eliminating small and unused community parks

Mr. Palidwor requested volunteers from the Advisory Committee to access and comment on definition of each community park. B. Coath, A. Douglas, R. Horte volunteered for this project.

ROUND TABLE

M. Foster – Gives his regrets for the next meeting.

AJOURNMENT

MOVED: B. Coath that the meeting be adjourned at 5:30pm.

REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE AGRICULTURAL ADVISORY COMMITTEE
MEETING HELD ON FRIDAY, APRIL 5, 2013 AT 2:00 PM
IN THE RDN COMMITTEE ROOM

Present:

Director D. Johnstone	Chairperson
Director H. Houle	Electoral Area B
Director J. Fell	Electoral Area F
C. Evans	Representative (South)
A. Benson	Representative (South)
A. Brown	Representative (North)
C. Springford	Regional Agricultural Organization
J. McLeod	Regional Agricultural Organization
K. Reid	Shellfish Aquaculture Organization

Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
T. Armet	A/ General Manager of Strategic and Community Development
J. Holm	Manager, Current Planning
L. Rowett	Senior Planner
G. Keller	Senior Planner
N. Hewitt	Recording Secretary

Regrets:

R. Wahlgren	Representative (North)
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CALL TO ORDER

The meeting was called to order at 2:00 pm by the Chair.

MINUTES

MOVED H. Houle, SECONDED A. Brown, that the minutes of the Agricultural Advisory Committee meeting held on June 22, 2012 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

New Directions from ALC (August 2012).

MOVED J. Fell, SECONDED H. Houle, that the correspondence from the Agriculture Land Commission regarding the new direction, be received.

CARRIED

BC Agri Tourism Alliance – Re: Highway Signage for Agritourism (January 2013).

MOVED J. Fell, SECONDED H. Houle, that the correspondence from the BC Agri Tourism Alliance regarding the highway signage for Agritourism, be received.

CARRIED

Vancouver Island Coast Regional Agricultural Framework for Action (August 2012).

MOVED J. Fell, SECONDED H. Houle, that the correspondence from the Vancouver Island Coast Regional Agriculture Framework for Action, be received.

CARRIED

REPORTS

Staff provided an overview on the following reports:

- Adopted Agricultural Area Plan (AAP)
- Regional Agricultural Advisory Committee Workshop
- RDN Agricultural Land Use Inventory and Water Demand Model (verbal report)
- Revised AAC Terms of Reference

Adopted Agricultural Area

Chairperson Johnstone requested that all members review the 130 action items from the Agricultural Area Plan and prioritize the top 20 items.

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Staff distributed copies of the Urban Farming Guidebook for information.

ADJOURNMENT

MOVED K. Reid, SECONDED H. Houle, that this meeting be adjourned.

CARRIED

Time: 3:36 pm

CHAIRPERSON

DISTRICT OF NANAIMO

**MINUTES OF THE TRANSIT SELECT COMMITTEE
MEETING HELD ON THURSDAY, MAY 16, 2013 AT 11:00 AM
IN THE COMMITTEE ROOM**

Present:

Director D. Brennan	Chairperson
Director A. McPherson	Electoral Area 'A'
Director M. Young	Electoral Area 'C'
Director G. Holme	Electoral Area 'E'
Director J. Stanhope	Electoral Area 'G'
Director B. Veenhof	Electoral Area 'H'
Director M. Lefebvre	City of Parksville
Director D. Willie	Town of Qualicum Beach
Director B. Dempsey	District of Lantzville
Director B. Bestwick	City of Nanaimo
Director T. Greves	City of Nanaimo

Also in Attendance:

P. Thorkelsson	Chief Administrative Officer, RDN
D. Trudeau	Gen. Mgr, Transportation & Solid Waste Services, RDN
D. Pearce	Manager, Transit Operations, RDN
B. Clemens	Director of Finance, City of Nanaimo
S. Beasley	Executive Director, VIU Students' Union
K. Brooker	Chairperson, VIU Students' Union
F. McFarlane	Recording Secretary, RDN

CALL TO ORDER

The meeting was called to order at 11:00 am by the Chair. Chair Brennan noted that regrets have been received from Myrna Moore, Senior Regional Transit Manager, BC Transit.

DELEGATION

Chair Brennan welcomed Kirsten Brooker, Chairperson, Vancouver Island University (VIU) Students' Union, and Stephen Beasley, Executive Director, VIU Students' Union, and congratulated Chairperson Brooker on her successful election and new position. She stated this meeting is an opportunity to hear from the students' viewpoint how the transit system can be improved to better meet the needs of the students.

Stephen Beasley stated it is beneficial for both the VIU Students' Union and the RDN to work together on commonalities and to try to build a more productive partnership.

[11:10 Paul Thorkelsson joined the meeting.]

Director Lefebvre indicated the lack of connections for students from the Parksville/Qualicum Beach area, particularly later in the day. S. Beasley explained that VIU needs to better coordinate their class

schedules with transit. Scheduling can be problematic since each department sets their own schedules. It was discussed that meetings involving the Students' Union, faculty, administration and transit would be advantageous.

Director Bestwick noted the City of Nanaimo is currently undergoing a review of the City's Master Transportation Plan and strongly encouraged that the VIU Students' Union be involved in this process.

Director Lefebvre asked if routing was changed, how many more students would use transit. S. Beasley noted that it is more than a routing issue, transit must meet a range of needs including cost, connectivity, capacity and frequency. S. Beasley further noted that the Students' Union completed a survey and was able to create a map with the students' address. Director McPherson stated it would be helpful to know the number of students in Electoral Area 'A.'

Director Stanhope asked whether capacity is an issue and D. Trudeau noted that most expansions since 2005 have affected VIU. S. Beasley stated that these expansions have made a huge difference in a lot of lives and they are very thankful for that.

MINUTES

Director Veenhof requested that in the minutes of the April 18, 2013 Transit Select Committee, under New Business, RDN Future Plan, the wording be changed to read "Director Veenhof asked that the RDN look into the service that the Comox Valley Regional District provides to Fanny Bay and extending it to Electoral Area 'H.' D. Pearce noted that it would be addressed in the RDN Future Plan." With this change, the following motion was made.

MOVED Director Holme, SECONDED Director Stanhope that the minutes of the regular Transit Select Committee meeting held April 18, 2013 be adopted. CARRIED

REPORTS

2013/2014 Conventional and Custom Annual Operating Agreement — Regional District of Nanaimo / BC Transit

D. Trudeau noted that the increases in the AOA are due to inflation and increase in service.

Director Lefebvre asked whether the increase in the cost of fuel would affect the AOA. D. Trudeau noted that BC Transit does bulk fuel purchases and that going forward with the new CNG buses, half of our fuel will be natural gas.

Director McPherson requested that in future AOA's, the figures indicate the dollar increase related to inflation and the dollar increase related to service increases. D. Trudeau advised this will be noted for the next AOA.

MOVED Director Stanhope, SECONDED Director Veenhof that the 2013/2014 Conventional and Custom Annual Operating Agreement (AOA) with BC Transit be approved. CARRIED

BUSINESS ARISING FROM THE MINUTES OF APRIL 18, 2013

Director Lefebvre advised that he had talked to D. Pearce who confirmed that he had met with the Director of the new Oceanside Health Centre regarding both conventional and custom service to the facility.

ADJOURNMENT

MOVED Director Stanhope, SECONDED Director Lefebvre, that pursuant to Section 90(1) (g) of the *Community Charter* the Board proceed to an In Camera Committee meeting to consider items related to legal issues. CARRIED

NEXT MEETING

The next meeting of the Transit Select Committee is set tentatively for Thursday, July 18, 2013, in the RDN Committee Room.

CHAIRPERSON

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

DATE: May 9, 2013

FROM: Daniel Pearce
Manager, Transit Operations

FILE: 2240-20-TROA

SUBJECT: 2013/2014 Conventional and Custom Annual Operating Agreement –
Regional District of Nanaimo / BC Transit

PURPOSE

To bring forward the 2013/2014 Conventional and Custom Annual Operating Agreement (AOA) for the Regional District of Nanaimo Transit System, with BC Transit, for consideration and approval.

BACKGROUND

The Annual Operating Agreement (AOA) (*Appendix 1*) between the Regional District of Nanaimo (RDN) and BC Transit is renewed on an annual basis and provides the cost-sharing service arrangements for Conventional and Custom Transit services in Districts 68 and 69 for the period of April 1, 2013 to March 31, 2014. The 2013/2014 AOA reflects an additional 5000 hours of Conventional transit service and 3750 Custom hours of service that were implemented in March 2014.

The AOA is an agreement governing items such as service specifications, payment schedules, fares and days/hours of service that will be provided for cost-sharing purposes. As with previous AOA's there are costs that fall outside of the scope of the annual agreement. These items include the RDN interdepartmental administration charges, fare product commissions paid to vendors, building rentals, bus stop maintenance, training for existing staff members (drivers), advertising done outside the AOA marketing budget and janitorial services.

FINANCIAL ANALYSIS
Conventional Transit:

The main changes in the AOA that should be noted include:

CONVENTIONAL	2012/2013 Amendment #1 AOA	2013/2014 AOA	\$ CHANGE	% CHANGE
Fixed Costs (total cost, overhead, admin. wages)	\$895,700	\$913,571	\$17,871	2%
Variable Hourly (total cost, drivers' wages and benefits)	\$5,249,500	\$5657,328	\$407,828	8%
Variable Distance (total cost, fuel and tires)	\$1,989,700	\$2,188,417	\$198,717	10%
Fleet Maintenance (total cost, running, major and accident repairs)	\$1,073,900	\$1,177,000	\$103,100	10%
Fleet Insurance (total cost)	\$59,100	\$55,430	-\$3,670	-6%
Lease Fees (local share, mainly buses)	\$1,115,500	\$1,224,948	\$109,448	10%
BC Transit Management Services (local share)	\$629,300	\$648,146	\$18,846	3%

The costs above reflect a new conventional schedule that was expanded by an additional 5000 hours of annual service in March 2013. The changes noted above are the line items that make up the majority of the overall costs outlined in the AOA. The Conventional Transit costs are cost-shared with BC Transit at a current rate of 46.67%.

The main increases to the Conventional system in the 2013/2014 AOA are for increased variable hourly costs that include drivers' wages and benefits as well as costs of fuel, tires and maintenance. Fuel costs have increased based on a budget amount of \$1.30 per litre, versus \$1.26 per litre in 2012/2013.

The March 2013 expansion included three additional conventional buses being added to the fleet.

Custom Transit:

The main changes in the AOA that should be noted include:

CUSTOM	2012/2013 Amendment #1 AOA	2013/2014 AOA	\$ CHANGE	% CHANGE
Fixed Costs (total cost, overhead, admin. wages)	\$199,300	\$203,300	\$4,000	2%
Variable Hourly (total cost, drivers' wages and benefits)	\$866,500	\$1,019,603	\$153,103	18%
Variable Distance (total cost, fuel and tires)	\$154,500	\$181,697	\$27,197	18%
Fleet Maintenance (total cost, running, major and accident repairs)	\$129,800	\$144,310	\$14,510	11%
Lease Fees (local share, mainly buses)	\$139,000	\$246,550	\$107,550	77%
BC Transit Management Services (local share)	\$109,500	\$112,765	\$3,265	3%

The costs above reflect a new Custom schedule that was expanded by an additional 3750 hours of annual service in March 2013. The changes noted above are the line items that make up the majority of the overall costs outlined in the AOA. The Custom Transit costs are cost-shared with BC Transit at a current rate of 66.69%.

Staff had concerns with the Custom lease fee cost increases and asked BC Transit staff to provide detailed information on the cost of the new Arboc Custom buses. Staff were able to determine that the lease fees included in the AOA were only budget numbers and the RDN will be charged based on actual numbers, which BC Transit staff have said will be lower. RDN transit staff will continue to monitor lease fee costs to ensure actual costs are being charged. The lease fee costs have also increased due to thirteen (13) Custom buses being replaced in the 2013/2014 years.

In addition, BC Transit staff informed RDN staff that they use a 5% amortization rate for Custom vehicle lease fees. Finance staff have said that the Municipal Finance Authority of BC (MFA) lending rate for five (5) years is 2.15%. Staff are waiting for further information from BC Transit on why the MFA rate is not used.

The other main increases to the Custom system are for increased driver wages, fuel, tires and maintenance.

The March 2013 expansion included two additional Custom buses being added to the fleet.

ALTERNATIVES

1. That the Board approve the 2013/2014 Conventional and Custom Transit Annual Operating Agreement as presented.
2. That the Board not approve the 2013/2014 Conventional and Custom Transit Annual Operating Agreement and provide further direction to staff.

FINANCIAL IMPLICATIONS

Under Alternative 1 the 2013/2014 Conventional and Custom Transit AOA total budget is \$14,354,874, which is an increase of \$1,199,168 from the 2012/2013 AOA Amendment #1. Transportation Services staff and Financial Services staff have reviewed these costs and they are in line with the approved RDN 2013 budget for transit services.

Under Alternative 2, if the Board does not approve the AOA, it will remove BC Transit's obligation to cost-share in the service.

SUSTAINABILITY IMPLICATIONS

The Transportation Services Department is working continuously on improving the viability and efficiency of public transit. The Annual Operating Agreement is a fundamental agreement that allows the Regional District of Nanaimo to enter into a cost-sharing arrangement with BC Transit. Residents within the RDN rely on public transit, whether it is for Conventional or Custom transit. The options provided by public transit enable residents to leave their cars at home while they take the bus to work, to school, to medical appointments or for other equally important reasons.

SUMMARY/CONCLUSION

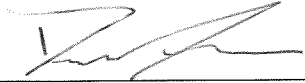
BC Transit has forwarded the Annual Operating Agreement covering the period April 1, 2013 to March 31, 2014 for the RDN Conventional and Custom (handyDART) Transit services. Transportation Services staff and Financial Services staff have reviewed this AOA in conjunction with the approved RDN 2013 budget for transit services.

The 2013/2014 Conventional and Custom Transit AOA indicates a budget of \$14,354,874 that is cost-shared between the RDN and BC Transit. Staff have reviewed the AOA costs for Conventional Transit and these can be explained by increased costs due to inflation and actual increases in service.

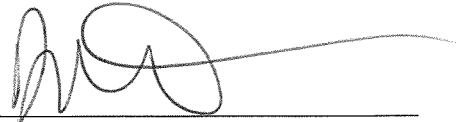
Staff recommend that the Board approve the 2013/2014 Conventional and Custom Transit Annual Operating Agreement with BC Transit.

RECOMMENDATION

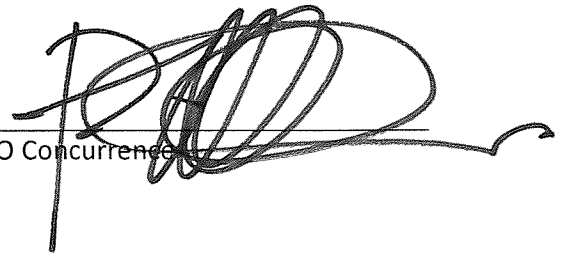
That the 2013/2014 Conventional and Custom Annual Operating Agreement (AOA) with BC Transit be approved.



Report Writer



General Manager Concurrence



CAO Concurrence

APPENDIX 1

NANAIMO

ANNUAL OPERATING AGREEMENT

Between

THE REGIONAL DISTRICT OF NANAIMO

And

BRITISH COLUMBIA TRANSIT

APRIL 1, 2013 TO MARCH 31, 2014

INFORMATION CONTAINED IN SCHEDULE "C" – BUDGET AND SCHEDULE "D" – PAYMENT SCHEDULE IS SUBJECT TO FREEDOM OF INFORMATION & PROTECTION OF PRIVACY ACT.

CONSULT WITH BC TRANSIT PRIOR TO RELEASING INFORMATION IN THESE SCHEDULES TO INDIVIDUALS OR COMPANIES OTHER THAN THOSE WHO ARE PARTY TO THIS AGREEMENT.

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SCHEDULES

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ANNUAL OPERATING AGREEMENT

BETWEEN: THE REGIONAL DISTRICT OF NANAIMO
(the "Municipality" and the "Operating Company")

AND: BRITISH COLUMBIA TRANSIT
(the "Authority")

WHEREAS the Municipality and the Authority are authorized to share in the costs of providing a Public Passenger Transportation System pursuant to the British Columbia Transit Act

WHEREAS the Municipality is authorized to operate, manage and maintain a Public Passenger Transportation System within the Nanaimo Regional Transit Service Area.

WHEREAS the parties hereto have entered into a Master Operating Agreement effective which sets out the general rights and responsibilities of the parties hereto

AND WHEREAS the parties hereto wish to enter into an Annual Operating Agreement which sets out, together with the Master Agreement, the specific terms and conditions for the operation of the Public Passenger Transportation System for the upcoming term.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants herein contained, the parties covenant and agree with each other as follows:

SECTION 1 – DEFINITION OF TERMS

- 1.1 Definitions: Unless agreed otherwise in the Annual Operating Agreement, the definitions set out in the Master Agreement shall apply to this Annual Operating Agreement including:
- (a) "Annual Operating Agreement" shall mean this Annual Operating Agreement and any Annual Operating Agreement Amendment negotiated and entered into by the parties subsequent hereto;
 - (b) "Master Agreement" shall mean the Master Joint Operating Agreement, including any amendments made thereto;

SECTION 2 – INCORPORATION OF MASTER AGREEMENT

- 2.1 Incorporation of Master Agreement into Annual Operating Agreement: Upon execution, this Annual Operating Agreement shall be deemed integrated into the Master Agreement and thereafter the Master Agreement and the current Annual Operating Agreement shall be read together as a single integrated document and shall be deemed to be the Annual Operating Agreement for the purposes of the British Columbia Transit Act, as amended from time to time.
- 2.2 Amendments to Master Agreement: The parties agree to amend the Master Agreement as follows:
- (a) To remove Section 13 in its entirety and replace it with the following:

"SECTION 13 - INSURANCE

13.1 Insurance: The Operating Company and the Authority shall purchase and maintain in force throughout the term of this Master Agreement, insurance policies covering the perils specified herein as set out below. As evidence of insurance coverage, the Operating Company shall deposit with the Authority, copies of the insurance policies the Operating Company is required to purchase in accordance with this Master Agreement and the Annual Operating Agreement.

13.2 Minimum Insurance Coverage Requirements: The following insurance coverage shall be purchased and maintained throughout the term of this Master Agreement and the

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Annual Operating Agreement:

1. Vehicle Insurance:

a) The Operating Company shall purchase and maintain insurance on all vehicles used by the Operating Company in the operation of the Public Passenger Transportation System under this Master Agreement as follows:

i) Third party liability insurance of Five Million Dollars (\$5,000,000.00) per occurrence purchased from the Insurance Corporation of British Columbia.

b) The Authority shall purchase and maintain insurance on all revenue vehicles used by the Operating Company in the operation of the Public Passenger Transportation System under this Master Agreement as follows:

i) Third Party Liability insurance in excess of Five Million Dollars (\$5,000,000.00) to a minimum limit of Twenty-Five Million Dollars (\$25,000,000.00).

ii) Collision or upset insurance \$5,000.00 deductible.

iii) Comprehensive insurance covering hazards such as fire, theft, vandalism, glass breakage, falling trees, wind-storms, etc. \$500.00 deductible.

2. Physical Assets Leased from the Authority :(where applicable)

a) The Authority shall purchase and maintain insurance on all Physical Assets leased from the Authority, pursuant to the terms of the individual lease agreements with the Operating Company and respecting said Physical Assets.

b) Without limiting the generality of the foregoing, such insurance shall be in the name of the Authority and shall include a waiver of subrogation against the Operating Company. The insurance shall be in accordance with the laws in force and in effect in the Province of British Columbia and Canada.

c) The amount of such insurance for the respective categories of Physical Assets shall be not less than as follows:

i) Buildings and Structures Including Leasehold Improvements. The Authority shall purchase and maintain insurance on all buildings and structures on a standard all risk form including boiler explosion, flood and earthquake where applicable, in an amount not less than the full replacement value thereof as determined by the Authority.

ii) Other Chattels and Equipment. The Operating Company shall purchase and maintain insurance on all chattels and equipment not otherwise insured under this Schedule against loss or damage from all risks, in an amount not less than the full replacement value thereof.

d) The Authority may, in its sole discretion, self insure part or all of the insurance requirements hereunder.

3. Physical Assets Owned by the Operating Company or Leased from a Party other than the Authority

a) The Operating Company shall purchase and maintain insurance on all Physical Assets owned or leased by them from a party other than the Authority, to the same extent as specified in Section (2), above, except that contrary to Section (2) the Operating Company shall determine the full replacement value thereof.

4. Comprehensive General Liability Insurance:

a) The Authority shall take out and maintain comprehensive general liability insurance (CGL) covering the operation of the Public Passenger Transportation System specified in Schedule "B" of the Annual Operating Agreement on an occurrence basis in an amount not less than Twenty-Five Million Dollars (\$25,000,000.00). Such insurance shall include the Operating Company and the Municipality as an additional insured party and further, the policy shall apply to each insured in the same manner and to the same extent as if a separate policy has been issued to each of the insured parties.

b) The Authority's CGL does not extend to cover non-transit activities a company may be engaged in. If the Operating Company performs work outside of the terms of this Master Agreement and/or the Annual Operating Agreement, the Operating Company will require separate insurance coverage for that work which provides a waiver of subrogation in favour of BC Transit.

5. Additional Covenants:

- a) The Operating Company covenants that it shall not knowingly permit, suffer, allow or connive at the use or operation of any vehicle in respect of this Master Agreement by any person, or in any way, or for any purpose, contrary to the provisions of this Master Agreement or the provisions of the Insurance (Vehicle) Act or any other applicable legislation and related regulations. The Operating Company shall indemnify and save harmless the Authority from any breach of this covenant.
- b) It is mutually understood and agreed that the responsibilities to acquire and maintain policies of insurance pursuant to this Master Agreement and/or the Annual Operating Agreement shall be restricted and limited to the provisions of this Section 13."

SECTION 3 – TERM AND RENEWAL

- 3.1 Term and Renewal: The term of this agreement shall be from April 1, 2013 to March 31, 2014 except as otherwise provided herein. It is acknowledged by the parties that in the event of termination or non-renewal of the Annual Operating Agreement, the Master Agreement shall likewise be terminated or not renewed, as the case may be.

SECTION 4 – SCHEDULES

- 4.1 Schedules: The schedules attached hereto shall form part of the Annual Operating Agreement and be binding upon the parties hereto as though they were incorporated into the body of this Agreement.
- a) Schedule "A" – Transit Service Area
 - b) Schedule "B" - Service Specifications
 - c) Schedule "C" - Budget
 - d) Schedule "D" – Payment Schedule
 - e) Schedule "E" – Tariff-Fares

SECTION 5 – MISCELLANEOUS PROVISIONS

- 5.1 Amendment: This Annual Operating Agreement and the Schedules attached hereto may be amended only with the prior written consent of all parties.
- 5.2 Assignment: This Annual Operating Agreement shall not be assignable without the prior written consent of the other parties.
- 5.3 Enurement: The Annual Operating Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors.
- 5.4 Pets on Buses: Notwithstanding the provisions of Section 9.7 of the Master Joint Operating Agreement, pets on buses are permitted under guidelines agreed to by the parties to this agreement.
- 5.5 Alternative Funding Arrangements: For the period beginning on April 1, 2013 and ending on March 31, 2014, the Municipality shall contribute 100% of the Municipal Flex Funded amount identified in Schedule C, and the Municipality and the Authority shall share the balance of the remaining costs according to their funding contribution shares as per Section 7 of the British Columbia Transit Regulation, B.C. Reg 30/91.

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SECTION 6 – NOTICES AND COMMUNICATION

All notices, claims and communications required or permitted to be given hereunder shall be in writing and shall be sufficiently given if personally delivered to a responsible officer of the party hereto to whom it is addressed or if mailed by prepaid registered mail, to:

Regional District of Nanaimo
c/o Manager of Transportation Services
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

and to

BC Transit
c/o Chief Operating Officer
520 Gorge Road East
Victoria, BC V8W 2P3

and, if so mailed during regular mail service, shall be deemed to have been received five (5) days following the date of such mailing.

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IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals and where a party is a corporate entity the seal of such party has been affixed hereto in the presence of its duly authorized officer this day of

THE CORPORATE SEAL OF THE REGIONAL
DISTRICT OF NANAIMO has been hereto
affixed in the presence of:

THE COMMON SEAL OF BRITISH
COLUMBIA TRANSIT
has been hereto affixed in the presence of:

CHIEF OPERATING OFFICER

CHIEF FINANCIAL OFFICER

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SCHEDULE "A" - Transit Service Area Boundaries

The boundaries of the Municipal Transit Service Area shall be defined as follows:

The boundaries of the Nanaimo Regional Transit Service Area shall include the corporate boundaries of the City of Nanaimo, the City of Parksville, the Town of Qualicum Beach and the District of Lantzville and Electoral Areas A, D, E, G and H of the Regional District of Nanaimo.

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SCHEDULE "B" – Service Specifications

Nanaimo Regional Base Budget Official AOA 2013/2014

Schedule 'B'

Effective Apr 01, 2013

Scheduled Revenue Service

13/14 Apr to Jun (Apr 01, 2013 to Jun 29, 2013)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Apr 01, 2013	May 20, 2013	
Hrs/Day	376.68	376.68	376.68	376.68	376.67	261.45	136.93	136.93	136.93	
Kms/Day	9,219.73	9,219.73	9,219.73	9,219.73	9,288.92	6,471.99	3,210.20	3,210.20	3,210.20	
13/14 Jan to Aug (Jun 30, 2013 to Aug 31, 2013)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Jul 01, 2013	Aug 05, 2013	
Hrs/Day	325.12	325.12	325.12	325.12	325.12	261.45	136.93	136.93	136.93	
Kms/Day	7,969.43	7,969.43	7,969.43	7,969.43	7,969.43	6,471.99	3,210.20	3,210.20	3,210.20	
13/14 Sep to Dec (Sep 01, 2013 to Dec 21, 2013)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Sep 02, 2013	Oct 14, 2013	Nov 11, 2013
Hrs/Day	376.68	376.68	376.68	376.68	376.67	261.45	136.93	136.93	136.93	136.93
Kms/Day	9,219.73	9,219.73	9,219.73	9,219.73	9,288.92	6,471.99	3,210.20	3,210.20	3,210.20	3,210.20
13/14 Dec to Jan (Dec 22, 2013 to Jan 04, 2014)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Dec 26, 2013		
Hrs/Day	325.12	325.12	325.12	325.12	325.12	261.45	136.93	136.93		
Kms/Day	7,969.43	7,969.43	7,969.43	7,969.43	7,969.43	6,471.99	3,210.20	3,210.20		
13/13 Jan to Mar (Jan 05, 2014 to Mar 31, 2014)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Feb 10, 2014		
Hrs/Day	376.68	376.68	376.68	376.68	376.67	261.45	136.93	136.93		
Kms/Day	9,219.73	9,219.73	9,219.73	9,219.73	9,288.92	6,471.99	3,210.20	3,210.20		

Extra Revenue Service

	Apr. 2013	May, 2013	Jun, 2013	Jul, 2013	Aug, 2013	Sep, 2013	Oct, 2013	Nov, 2013	Dec, 2013	Jan, 2014	Feb, 2014	Mar, 2014
Extra Overload Hours	20.00	15.00				55.32	35.00	20.00	20.00	20.00	20.00	19.00
Extra Overload Kilometres	420.00	420.00				1,300.00	745.00	420.00	420.00	420.00	420.00	420.00
Extra Special Events Hours				45.35								
Extra Special Events Kilometres				546.24								

Adjusted Revenue Service

	Apr. 2013	May, 2013	Jun, 2013	Jul, 2013	Aug, 2013	Sep, 2013	Oct, 2013	Nov, 2013	Dec, 2013	Jan, 2014	Feb, 2014	Mar, 2014

2013/2014 Calendar Specification

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Exceptions	Total	Exception Days
Apr 01, 2013 to Apr 30, 2013	4	5	4	4	4	4	4	4	1	30
May 01, 2013 to May 31, 2013	5	4	5	4	4	4	4	4	1	31
Jun 01, 2013 to Jun 29, 2013	4	4	4	4	4	5	4	4	0	28
Jun 30, 2013 to Jun 30, 2013	0	0	0	0	0	0	0	1	0	1
Jul 01, 2013 to Jul 31, 2013	4	5	5	4	4	4	4	4	1	31
Aug 01, 2013 to Aug 31, 2013	3	4	4	4	5	5	4	4	1	31
Sep 01, 2013 to Sep 30, 2013	4	4	4	4	4	4	5	1	30	Nov 11, 2013 Remembrance Day 2013 (Mon)
Oct 01, 2013 to Oct 31, 2013	5	5	5	4	4	4	4	4	1	31
Nov 01, 2013 to Nov 30, 2013	5	4	4	4	4	5	4	1	30	Dec 25, 2013 Christmas Day 2013 (Wed)
Dec 01, 2013 to Dec 21, 2013	3	3	3	3	3	3	3	0	21	Dec 26, 2013 Boxing Day 2013 (Thu)
Dec 22, 2013 to Dec 31, 2013	2	2	0	0	1	1	2	2	10	Jan 01, 2014 New Years Day 2014 (Wed)
Jan 01, 2014 to Jan 04, 2014	0	0	0	1	1	1	0	1	4	Feb 10, 2014 Family Day 2014 (Mon)
Jan 05, 2014 to Jan 31, 2014	4	4	4	4	4	4	4	4	27	
Feb 01, 2014 to Feb 28, 2014	5	4	4	4	4	4	4	4	1	28
Mar 01, 2014 to Mar 31, 2014	5	4	4	4	4	4	5	0	31	
Total	45	52	50	51	52	52	52	11	365	11 Exceptions

Monthly Summary

Month	Conventional Transit							
	Revenue Hours				Revenue Kilometers			
	Scheduled	Extra	Adjusted	Total	Scheduled	Extra	Adjusted	Total
April, 2013	9,648.69	20.00		9,668.69	236,030.05	420.00		236,250.05
May, 2013	10,027.36	15.00		10,042.36	245,118.97	420.00		245,538.97
June, 2013	9,533.46	0.00		9,533.46	233,062.31	0.00		233,062.31
July, 2013	8,883.09	45.35		8,928.44	217,266.42	546.24		217,812.66
August, 2013	8,819.42	0.00		8,819.42	215,766.96	0.00		215,766.96
September, 2013	9,408.94	55.32		9,464.26	229,820.52	1,300.00		231,120.52
October, 2013	10,025.37	35.00		10,060.37	245,048.78	745.00		245,794.78
November, 2013	9,535.45	20.00		9,555.45	233,151.50	420.00		233,571.50
December, 2013	9,149.15	20.00		9,169.15	223,488.83	420.00		223,919.83
January, 2014	9,785.32	20.00		9,805.32	230,338.98	420.00		230,758.98
February, 2014	8,895.33	20.00		8,915.33	217,390.59	420.00		217,810.59
March, 2014	9,910.14	15.00		9,925.14	242,302.04	420.00		242,722.04
Total	113,621.72	269.67	0.00	113,891.39	2,777,619.57	5,531.24	0.00	2,783,151.21

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SCHEDULE "B" – Service Specifications

Nanaimo Custom Base Budget Official AOA 2013/2014

Schedule 'B'

Effective Apr 01, 2013

Scheduled Revenue Service

(13/14 Full Year (Apr 01, 2013 to Mar 31, 2014))							
	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Hrs/Day	82.00	104.00	104.00	102.00	100.00	24.00	6.00
Kms/Day	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Flexible Hours

	Apr. 2013	May, 2013	Jun, 2013	Jul, 2013	Aug, 2013	Sep, 2013	Oct, 2013	Nov, 2013	Dec, 2013	Jan, 2014	Feb, 2014	Mar, 2014
	53.20	53.20	53.20	53.20	53.20	53.20	53.20	53.20	53.20	53.20	53.20	53.20

Extra Revenue Service

	Apr, 2013	May, 2013	Jun, 2013	Jul, 2013	Aug, 2013	Sep, 2013	Oct, 2013	Nov, 2013	Dec, 2013	Jan, 2014	Feb, 2014	Mar, 2014

Adjusted Revenue Service

	Apr, 2013	May, 2013	Jun, 2013	Jul, 2013	Aug, 2013	Sep, 2013	Oct, 2013	Nov, 2013	Dec, 2013	Jan, 2014	Feb, 2014	Mar, 2014

2013/2014 Calendar Specification

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Exceptions	Total	Exception Days
Apr 01, 2013 to Apr 30, 2013	4	5	4	4	4	4	4	1	30	Apr 01, 2013 Easter Monday 2013 (Mon)
May 01, 2013 to May 31, 2013	3	4	5	5	5	4	4	1	31	May 20, 2013 Victoria Day 2013 (Mon)
Jun 01, 2013 to Jun 30, 2013	4	4	4	4	4	4	5	0	30	Jul 01, 2013 Canada Day 2013 (Mon)
Jul 01, 2013 to Jul 31, 2013	4	5	5	4	4	4	4	1	31	Aug 05, 2013 BC Day 2013 (Mon)
Aug 01, 2013 to Aug 31, 2013	3	4	4	5	5	5	4	1	31	Sep 02, 2013 Labour Day 2013 (Mon)
Sep 01, 2013 to Sep 30, 2013	4	4	4	4	4	4	5	1	30	Oct 14, 2013 Thanksgiving Day 2013 (Mon)
Oct 01, 2013 to Oct 31, 2013	3	5	5	5	4	4	4	1	31	Nov 11, 2013 Remembrance Day 2013 (Mon)
Nov 01, 2013 to Nov 30, 2013	3	4	4	4	5	5	4	1	30	Dec 25, 2013 Christmas Day 2013 (Wed)
Dec 01, 2013 to Dec 31, 2013	5	5	3	3	4	4	5	2	31	Dec 26, 2013 Boxing Day 2013 (Thu)
Jan 01, 2014 to Jan 31, 2014	4	4	4	5	5	4	4	1	31	Jan 01, 2014 New Years Day 2014 (Wed)
Feb 01, 2014 to Feb 28, 2014	3	4	4	4	4	4	4	1	28	Feb 10, 2014 Family Day 2014 (Mon)
Mar 01, 2014 to Mar 31, 2014	5	4	4	4	4	5	5	0	31	
Total	45	52	50	51	52	52	52	11	305	11 Exceptions

Monthly Summary

Month	Custom Transit								
	Revenue Hours			Revenue Kilometers			Total		
	Scheduled	Extra	Flexible	Adjusted	Total	Scheduled	Extra	Adjusted	Total
April, 2013	2,200.00		53.20		2,253.20	0.00			0.00
May, 2013	2,320.00		53.20		2,373.20	0.00			0.00
June, 2013	2,128.00		53.20		2,181.20	0.00			0.00
July, 2013	2,304.00		53.20		2,357.20	0.00			0.00
August, 2013	2,240.00		53.20		2,293.20	0.00			0.00
September, 2013	2,104.00		53.20		2,157.20	0.00			0.00
October, 2013	2,324.00		53.20		2,377.20	0.00			0.00
November, 2013	2,136.00		53.20		2,189.20	0.00			0.00
December, 2013	2,084.00		53.20		2,137.20	0.00			0.00
January, 2014	2,298.00		53.20		2,351.20	0.00			0.00
February, 2014	2,014.00		53.20		2,067.20	0.00			0.00
March, 2014	2,210.00		53.20		2,263.20	0.00			0.00
Total	26,364.00	0.00	638.40	0.00	27,002.40	0.00	0.00	0.00	0.00

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Schedule C

Nanaimo Regional Conventional Transit

Official AOA 2013/2014

TRANSIT REVENUE	
Farebox Cash	\$1,463,563
Tickets & Passes	\$1,940,071
BC Bus Pass	\$754,786
Advertising	\$37,660
TOTAL REVENUE	\$4,196,080
EXPENDITURES	
Fixed Costs	\$913,571
Variable Hourly Costs - Scheduled Service	\$5,643,933
Variable Hourly Costs - Extra Service	\$13,395
Variable Fuel Costs - Scheduled Service	\$2,109,287
Variable Fuel Costs - Extra Service	\$4,200
Variable Tire Costs - Scheduled Service	\$74,781
Variable Tire Costs - Extra Service	\$149
Fleet Maintenance	\$1,134,490
Major Repairs Contingency	\$7,500
Accident Repairs	\$35,010
ICBC Insurance	\$113,913
Fleet Insurance	\$55,430
Information Systems	\$23,654
P.S.T.	\$51,126
TOTAL DIRECT OPERATING COSTS	\$10,180,438
Training (Education & Seminars)	\$14,703
Marketing	\$81,159
Municipal Administration	\$177,385
BCT Management Services	\$648,146
TOTAL OPERATING COSTS	\$11,101,832
Lease Fees - Vehicles (Local Share)	\$1,294,250
Lease Fees - Equipment (Local Share)	\$46,123
Lease Fees - PTIP (Local Share)	-\$115,425
TOTAL LEASE FEES - LOCAL SHARE	\$1,224,948
TOTAL COSTS	\$12,326,779
COST SHARING	
Municipal Share of Costs	\$6,675,272
Municipal Flex Funded Amount	\$878,000
Less: Total Revenue	\$4,196,080
Less: Municipal Administration	\$177,385
Net Municipal Share of Costs	\$3,179,807
Authority Share of Costs*	\$4,773,507
STATISTICS	
Scheduled Revenue Hours	113,621.72
Extra Revenue Hours	269.67
Scheduled Revenue Kilometres	2,777,619.97
Extra Revenue Kilometres	5,531.24
Total Passengers	2,791,635
<i>Conventional Passengers</i>	<i>2,791,635</i>

*Does not include Authority share of Lease Fees

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Schedule C

Nanaimo Custom Transit

	Official AOA 2013/2014
TRANSIT REVENUE	
Farebox Cash	\$237,710
TOTAL REVENUE	\$237,710
EXPENDITURES	
Fixed Costs	\$203,300
Variable Hourly Costs - Scheduled Service	\$1,019,603
Variable Fuel Costs - Scheduled Service	\$173,916
Variable Tire Costs - Scheduled Service	\$7,781
Fleet Maintenance	\$106,660
Major Repairs Contingency	\$35,000
Accident Repairs	\$2,650
Taxi Supplement	\$40,000
Taxi Saver Program	\$20,000
Taxi Saver Recoveries	-\$10,000
ICBC Insurance	\$16,217
Fleet Insurance	\$5,120
Information Systems	\$3,030
P.S.T.	\$8,159
TOTAL DIRECT OPERATING COSTS	\$1,631,435
Training (Education & Seminars)	\$3,172
Marketing	\$5,305
Municipal Administration	\$28,868
BCT Management Services	\$112,765
TOTAL OPERATING COSTS	\$1,781,545
Lease Fees - Vehicles (Local Share)	\$246,214
Lease Fees - Equipment (Local Share)	\$336
TOTAL LEASE FEES - LOCAL SHARE	\$246,550
TOTAL COSTS	\$2,028,095
COST SHARING	
Municipal Share of Costs	\$798,684
Municipal Flex Funded Amount	\$123,984
Less: Total Revenue	\$237,710
Less: Municipal Administration	\$28,868
Net Municipal Share of Costs	\$656,090
Authority Share of Costs*	\$1,105,428
STATISTICS	
Scheduled Revenue Hours	27,002.40
Total Passengers	77,424
Custom/Para Passengers - Vans	73,088
Custom/Para Passengers - Taxi Supplement	2,299
Taxi Saver Passengers	2,037

*Does not include Authority share of Lease Fees

Schedule "D" - Payment Schedule

**Nanaimo Regional Conventional Transit and Custom Transit
2013/2014 AOA BUDGET**

1) Payment Schedule

The Authority agrees to pay the Operating Company a monthly payment on the following basis:

a) for Specified Service in Schedule "B":

- i) \$76,130.95 for Fixed Monthly Payment for conventional transit service; plus
- ii) \$16,941.69 for Fixed Monthly Payment for custom transit service; plus
- iii) \$49.67 per Revenue Hour for conventional transit service; plus
- iv) \$37.76 per Revenue Hour for custom transit service; plus
- v) \$0.7594 per Revenue Kilometre for fuel for conventional transit service; plus
- vi) \$0.0269 per Revenue Kilometre for tires for conventional transit service.

b) for Deleted Fixed Costs as outlined in Section 6 (2), an amount equal to 1/365 of the Fixed Monthly Costs amount contained in Schedule "C" shall be deducted for each day or part day.

c) for Added Service or Deleted Service within the regular hours of system operation specified in Schedule "B":

- i) \$49.67 per Revenue Hour for conventional transit service; plus
 - ii) \$37.76 per Revenue Hour for custom transit service; plus
 - iii) \$0.7594 per Revenue Kilometre for fuel for conventional transit service.
 - iv) \$0.0269 per Revenue Kilometre for tires for conventional transit service.
- with allowance for wage premium payments (up to 1.5 times the regular Revenue Hour payment), if applicable, when service is added beyond the regular hours of operation.

d) for Maintenance:

- i) \$43.38 per hour for labour by a licensed mechanic for the maintenance of transit vehicles.

e) for fuel costs, in the event diesel fuel costs should exceed \$1.3000 / litre a payment will be made in accordance with Section 6 (3) of this agreement to compensate the Operating Company for the actual cost of all diesel fuel consumed to a maximum of 1,616,041.21 litres for Scheduled Revenue Kilometres in Schedule "B". This maximum number of litres will be adjusted in proportion to Extra or Deleted Revenue Service Kilometres.

f) Prior to conducting a Special Group Trip, the Operating Company must apply for and receive from BC Transit, a pre-approval to conduct the trip, the cost recovery rates to be charged and the method of payment.

Information contained in Schedule "C" - Budget and Schedule "D" - Payment Schedule is subject to the Freedom of Information and Protection of Privacy Act.

Consult with BC Transit prior to releasing information in these Schedules to individuals or companies other than those who are party to the Agreement.

Nanaimo A.O.A.

2013/14

SCHEDULE "E" – Tariff-Fares

Fare Zones:

The boundaries of fare zones for this Tariff are described as follows:

Zone 1 - Regional District of Nanaimo

This zone encompasses that area within the existing transit service area.

Fares:

Conventional Transit Service:

Effective as of March 1, 2012

	<u>Zone 1</u>
a) Single Cash Fares:	
i) Adult	\$2.50
ii) Senior	\$2.25
iii) Youth (6-18 yrs)	\$2.25
iv) University Student	\$2.50
v) Child under 6 years,	Free when accompanied by an adult.
v) Accessible Transit Attendant,	Free
b) Tickets:	
i) 10 x \$2.50 fares, sold for	\$22.50
ii) 10 x \$2.25 fares, sold for	\$20.25
c) BC Bus Pass valid for the current calendar year and available through the Government of British Columbia BC Bus Pass Program.	
c) CNIB Identification Card available from the local office of the CNIB.	
d) BC Transit Employee Bus Pass	
e) One-Day Pass:	
i) Adult	\$6.25
ii) University Student**	\$6.25
ii) Senior/Youth	\$5.50
f) Monthly Pass	
i) Adult	\$67.50
ii) University Student**	\$55.00
iii) Senior/Youth	\$41.00
g) University Student Semester Pass	\$176.00

**Passes are available on VIU campus only.

Custom Transit Service:

Effective April 1, 2007

Registered User and Companion:

a) 5 Prepaid Tickets	\$17.50
b) 20 Prepaid Tickets	\$65.00
Attendant accompanying registered user	Free

Note: Visitors may register for temporary handyDART service. Proof of registration in another jurisdiction or proof of eligibility is required.

Date: May 21, 2013

To: All LCLB staff
All Industry Associations
All Local Government, First Nations, and Police Agencies

Re: Clarification of Eligibility Criteria for Catering Endorsements and Clarification of Where Catered Events may be Held at Licensed Establishments

The purpose of this policy directive is to clarify the eligibility requirements for catering endorsements and to clarify where catered events may be held at a licensed establishment. This supplements the information in policy directive 13-01.

Eligibility

Catering endorsements are intended to allow licensees to provide a full range of food and liquor service for their clients' events. The intention is that these events will primarily be held "off-site" (i.e., at locations other than the applicant's licensed establishment). A catering endorsement may not be used to alter the primary focus of the establishment or alter the terms and conditions under which the establishment operates on a day to day basis.

Licensees must hold a food primary or liquor primary licence to be eligible to apply for a catering endorsement.

Applicants must be able to demonstrate that:

- their licensed establishment prepares food on-site as part of its business;
- they have the infrastructure and personnel necessary to provide catering services. This includes a requirement to have a full commercial kitchen at their licensed establishment;
- their catering services will be focused on the preparation and service of food at other people's events; and
- the catered events will typically be held off-site.

Examples of liquor primary establishments that typically would qualify for a catering endorsement would be hotels, pubs, convention centres and conference centres.

The following are examples of liquor primary establishments that are generally considered ineligible for a catering endorsement due to the limited nature of their liquor primary licence (i.e. the establishments are event driven or do not provide significant food service):

- stadiums, concert halls, theatres and other live-event establishments;
- gaming facilities;

- motor vessels, trains, and aircraft;
- nightclubs; and
- airport lounges.

Events at Licensed Establishments

A licensee with a food primary or liquor primary licence may cater to events on the same property as their licensed establishment, as long as the event is held outside the establishment's licensed area (the area "red-lined" on the floor plan), and the licensee primarily caters to events held off-site.

On-site events must generally take place in an unlicensed banquet room or the equivalent, rather than other unlicensed areas of the establishment. Catered events may also be held on-site in unlicensed outdoor areas such as a courtyard, lawn or rose-garden, but may not take place in parking-lots.

Catered events may be held within the licensed area of a food primary or liquor primary establishment if the licensee applies to temporarily suspend its licence. This may only be done 4-6 times per year.

FURTHER INFORMATION

Further information regarding liquor control and licensing in British Columbia is available on the Liquor Control and Licensing Branch website at www.pssg.gov.bc.ca/lclb. If you have any questions regarding these changes, please contact the Liquor Control and Licensing Branch toll free in Canada at 1-866-209-2111 or 250-952-5787 if calling from the Victoria area.

Original signed by:

Karen Ayers
Assistant Deputy Minister and General Manager