

**REGIONAL DISTRICT OF NANAIMO**

**REGULAR BOARD MEETING  
TUESDAY, FEBRUARY 24, 2015  
7:00 PM**

***(RDN Board Chambers)***

**A D D E N D U M**

**PAGES**

**5. COMMUNICATIONS/CORRESPONDENCE**

(All Directors – One Vote)

2 **Darin Guenette, BC Ferries**, re FAC Appointment Process 2015-2018.

3 **Kevin and Judy Varey**, re Development Variance Permit Application No. PL2014-142 – Rinehart – 1667 Strougler Road - Electoral Area 'E'.

4 **Steve Rae, School District 68**, re Feedback on the Enhanced Facilities for Learning Plan and the 2015-16 Budget.

5 **Jeannette Wyness**, re Liquor License Amendment Application No. PL2015-001 – Smoke 'N Water Restaurant Inc. BC 0998469 – 1-1600 Stroulger Road – Electoral Area 'E'.

6-7 **UBCM**, re Building Act Introduced.

**7.2. COMMITTEE OF THE WHOLE STANDING COMMITTEE**

***CORPORATE SERVICES***

***ADMINISTRATION***

8 **Amendment to Regional Growth Management Service** (All Directors – One Vote) – *Full text of bylaw was not included with the Regular Board agenda.*

*That "Regional Growth Management Service Amendment Bylaw No. 1553.03, 2015" be introduced and read three times and forwarded to the Inspector of Municipalities for approval.*

**9. ADMINISTRATOR'S REPORTS**

9-12 **Costs of Holding EAPC/Town Hall Meetings in Each Electoral Area Once Annually** (All Directors – Weighted Vote).



December 2014

Mr Howard Houle  
Area B Director  
Regional District of Nanaimo

**RE: FAC Appointment Process 2015-2018**

Dear Director Houle

BC Ferries coordinates public consultation throughout the coastal communities via Ferry Advisory Committees (FAC). These bodies are composed of volunteers who are interested in all aspects of ferry service and operations within their community. These committees function within a four-year term, and the next term begins in January 2015.

Therefore, BC Ferries is now working on setting the FAC members for this next term, and we would like to offer the opportunity for your organization to nominate an individual to sit on the committee. This person would ideally understand the perspectives your organization would like to ensure are part of the discussion during regular meetings with BC Ferries representatives.

The FAC process has proven itself to be very valuable for both BC Ferries and the communities that we serve. Committee members provide valuable information and insight into what aspects of ferry service are currently important to our customers throughout coastal communities. We have learned that when committees are comprised of representatives from a wide range of key stakeholder groups, the consultation process functions particularly well. Examples of desired interest groups include, but are not limited to, First Nations, regional districts, local government, Islands Trust, tourism, emergency services, seniors and business.

All expressions of interest will be gathered and appraised by BC Ferries in the upcoming month, with a goal of confirming committee members early in 2015. Replies are to be sent to me by the end of December, 2014. I am hopeful that with engaged committee members, the FAC process will continue to serve your community. If you have any questions, please feel free to call me.

Thank you,

Darin Guenette  
Manager, Public Affairs  
British Columbia Ferry Services Inc.

From: Kevin Varey  
Sent: Thursday, February 19, 2015 11:15 AM  
To: Planning Email  
Subject: Variance Permit Application No. PL2014-142

To Whom It May Concern:

In regards to Variance Permit Application No. PL2014-142. My wife and I live adjacent to this property in question, at 1505 Beaver Creek Wharf Rd. (Lot 157, Plan 26680). We have reviewed the information, as well talked to the Applicants. At this time we find NO REASON to be opposed to this Variance Application as set out in your correspondence.

Regards;  
Kevin & Judy Varey  
250-821-6211

**From:** Kelsey Toye [<mailto:Kelsey.Toye@sd68.bc.ca>]  
**Sent:** Monday, February 16, 2015 12:53 PM  
**Subject:** YOUR VOICE 2015 Invitation - Wed March 4



Dear valued stakeholder:

Nanaimo Ladysmith Public Schools district recently launched **Your Voice 2015** - an engagement process where the Board of Education is asking for feedback on the Enhanced Facilities for Learning Plan and the 2015-16 budget.

The Board believes that we need to ask difficult questions when managing a budget of \$132 million. It may seem like a lot, but when you consider aging facilities, decreasing enrolment, budget deficits and little to no extra funding from the provincial government, you quickly realize that balancing the budget will involve making many tough choices.

In June 2013, the Board passed the "10-year Enhanced Facilities for Learning Plan." We intend to review the plan to ensure we are on the path to success. This is why we need your voice.

On **Wednesday, March 4** we will be hosting an invite only stakeholder meeting at Beban Park Recreation Centre (2300 Bowen Road, Nanaimo). The event, which starts at 10 a.m. and ends at noon, will host professionals from the various public and private businesses and organizations in and around Nanaimo.

The purpose of the round table meeting will be to hear directly from those in the community. The facilitator-led session will offer multiple opportunities to share your thoughts or ideas at the table and also with the entire group.

Trustees will be there to listen and gather your feedback. Your voice will help guide the Board in planning for the next steps in the budget development process and the future of the Enhanced Facilities for Learning Plan.

We encourage you to invite other key figures in your organization to take part.

To confirm your attendance contact Kelsey Toye by email [kelsey.toye@sd68.bc.ca](mailto:kelsey.toye@sd68.bc.ca) or by phone 250-741-5238 by **Friday February 27, 2015**.

We hope you join the conversation!

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Rae". The signature is fluid and cursive, with a prominent initial "S" and "R".

Steve Rae  
Board Chair

Jeannette Wyness  
1506 Beaver Creek Wharf Road  
Nanoose Bay, BC V9P 9C4

February 20, 2015

The Board of Directors  
The Regional District of Nanaimo  
c/o RDN Planning Department  
6300 Hammond Bay Road  
Nanaimo BC

RE: APPLICATION FOR AMENDMENT TO A LIQUOR LICENCE  
PL2015-001 - SMOKE 'N WATER RESTAURANT

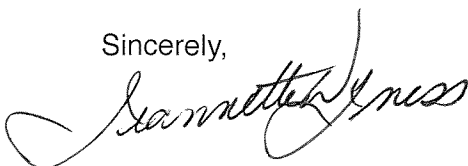
In response to the above mentioned application, I would like to express my concern regarding noise levels in my neighbourhood should "patron participation entertainment" be permitted at Smoke 'N Water Restaurant. The restaurant currently has an outdoor deck and it is located within the Pacific Shores complex where there are extensive lawn and patio areas.

In recent years, Pacific Shores has catered many weddings on their premises and in the summer they have set up tents and held the weddings outside on their lawn area. Amplified music and wedding guest announcements were extremely loud and continued late at night. We were forced to complain several times to Pacific Shores management regarding the excessive noise emitted from their property into the neighbourhood.

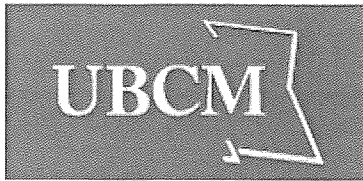
My greatest concern, should the amendment to the Liquor Licence be approved, would be amplified music or other form of entertainment emitting beyond the restaurant's indoor location. As Pacific Shores has demonstrated on many occasions, when not confined indoors their amplified entertainment is extremely objectionable and disturbing.

Being located within a residential area, Smoke 'N Water Restaurant and Pacific Shores should comply with the noise bylaw restrictions currently within our neighbourhood, Bylaw No.1054, Electoral Area E.

Sincerely,



Jeannette Wyness



## Building Act Introduced

Feb 18, 2015

The Province of B.C. has introduced new legislation to streamline building requirements and establish mandatory qualifications for local building officials. The legislative changes will remove the "concurrent authority" powers under the Community Charter with respect to the BC Building Code and will remove the references to the Code under the Local Government Act.

The new Act raises questions about the about the validity of a number of local government bylaws, such as those that require sprinklers in residential homes or restrict the type of building materials that can be used in wildfire areas or in floodplain areas.

The new Building Act (Bill 3), which was introduced on February 12, 2015, will enable the following provisions:

- Authorize the Minister to enact building codes and other regulations relating to building and requires the Minister to hear certain requests for variations from those codes and regulations;
- Limit the jurisdiction of local authorities in respect of building;
- Provide for the qualification and regulation of officials who take certain decisions on behalf of local authorities in relation to building codes and other regulations relating to building, and provides for delegation outside government of the administration of the qualification and regulation of those officials;
- Continue the Building Code Appeal Board; and
- Provide for the recovery of costs to the government of variation requests and applications to the Building Code Appeal Board.

The new building legislation applies to all areas of the Province, except the City of Vancouver, which has its own building requirements. The legislation takes precedence over the Community Charter, the Fire Services Act, the Islands Trust Act, the Local Government Act, and the University Act. A local building requirement has no effect to the extent that it relates to a matter that is subject to the BC Building Code or prescribed by regulation as a restricted matter by the Province.

Local government under the new legislation may apply for a variation to the Building Code or the Province could identify by regulation a list of building activities that may continue to be regulated by local government. Requests for a variation to the Building Code may be subject to new cost recovery charges by the Province.

A two-year transition period has been proposed to give local governments time to amend its bylaws and a four-year transition period has been proposed to ensure that building inspection staff meet the mandatory Provincial training qualifications.

UBCM is looking for local government views on the new legislation introduced by the Province. Questions or comments should be directed to Ken Vance, Senior Policy Advisor, UBCM.

Additional information on the changes proposed to the building regulatory system are available on the Ministry of Mines, Energy and Natural Gas website.

### **Follow Us On**

- Twitter: @ubcm

---

Copyright © 2012 UBCM. All rights reserved.



**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1553.03**

**A BYLAW TO AMEND THE APPORTIONMENT RATIO FOR ELECTORAL AREA B**

WHEREAS the Board has adopted Regional Growth Management Service Establishment Bylaw No. 1553, 2008;

AND WHEREAS the Board wishes to amend the apportionment ratio for Electoral Area B from 100% to 50% to recognize that the Regional Growth Strategy does not apply to Electoral Area 'B' but to include Electoral Area 'B' with regard to other Regional Growth matters that do not pertain to the regional growth strategy bylaw;

AND WHEREAS the approval of the municipal participating areas has been obtained under section 801.4 of the *Local Government Act*;

AND WHEREAS the approval of the electoral participating areas has been obtained under section 801.5 of the *Local Government Act*;

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

1. This bylaw may be cited for all purposes as "Regional Growth Management Service Amendment Bylaw No. 1553.03, 2015.
2. Section 5 is deleted in its entirety and replaced with the following:

The costs shall be apportioned among the participating areas at 100% of the total cost for Nanaimo, Lantzville, Parksville and Qualicum Beach and Electoral Areas 'A', 'C', 'E', 'F', 'G' and 'H' and 50% of the total cost for Electoral Area 'B' on the following basis:

50% pro-rata to each participant using the converted values for land and improvements in the Service area and 50% pro-rata to each participant on the basis of the most recent census population for each participant in the Service area.

Introduced and read three times this     day of

Approved by the Inspector of Municipalities this             day of

Adopted this     day of

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Officer



RDN REPORT		#
CAO APPROVAL		#
EAP		
CoW		
FEB 23 2015		
RHD		
BOARD	✓	

## MEMORANDUM

**TO:** Paul Thorkelsson  
Chief Administrative Officer

**DATE:** February 20, 2015

**FROM:** Wendy Idema/Jeremy Holm  
Director of Finance/Manager of Current Planning

**FILE:**

**SUBJECT:** **Costs of Holding EAPC/Town Hall Meetings in Each Electoral Area Once Annually**

### PURPOSE

To provide an estimated cost associated with holding an Electoral Area Planning Committee (EAPC) meeting in each Electoral Area once annually for consideration in the 2015 budget.

### BACKGROUND

The following motion was approved at the February 10, 2015 Committee of the Whole meeting for consideration at the February 24 Board meeting:

*That an Electoral Area Planning Committee meeting be held once annually in each Electoral Area and that the meeting be followed by a town hall session. Regional District of Nanaimo staff are to report back on the financial implications and recommendations for additional funding to the Electoral Area Administration budget to support these meetings which are to commence in 2015.*

Electoral Area Planning Committee meetings are currently held on the second Tuesday of the month commencing at 6:30 p.m. in the RDN Board Chambers immediately preceding the Committee of the Whole (CoW) meeting. EAPC currently meets ten times annually with no scheduled meeting in August or December.

EAPC is comprised of Electoral Area Directors (except Electoral Area 'B' since planning functions for this area are provided by the Islands Trust) and, through its Terms of Reference as established by "Regional District of Nanaimo Board Procedure Bylaw No. 1512, 2006", considers matters pertaining to Electoral Area Planning under Part 26 of the *Local Government Act*.

For the purpose of this report, although EA 'B' is not included in the EAPC process, it could be included in a town hall meeting schedule. As such, the estimated costs provided in this report are those associated with holding an EAPC and/or town hall meeting once annually in each of EA 'A', 'B', 'C', 'E', 'F', 'G' and 'H'.

### DISCUSSION

Staff are recommending that any meetings to be held in the electoral areas either as EAPC or town hall meetings be held in addition to the existing EAPC meetings that are held in conjunction with the Committee of the Whole. The existing schedule of EAPC/CoW two weeks prior to the Board allows for efficient processing of development applications, particularly when notification is required. The current

EAPC and RDN Board schedule allows Staff to provide notification within the statutory notification timeline in order that the RDN Board may consider the application at its next scheduled meeting which occurs two weeks following the EAPC meeting.

Development applications are brought forward to EAPC in as timely a manner as possible and typically, any given EAPC agenda will contain applications from a number of Electoral Areas. As such the predictable and more-or-less regionally central location of the EAPC meeting provides a level of fairness and consistency regardless of which Electoral Area a development application originates in. If the Board should choose to hold an EAPC meeting in each 'rural area' once annually, the Board should be aware that there is no certainty that any applications from the host Electoral Area would be on the EAPC agenda and, in fact, applications on the agenda could be from an Electoral Area at the opposite end of the RDN.

In order to maintain the existing business function of EAPC and the timelines for development applications, it may be preferable to consider alternative approaches to meeting in electoral areas once annually. There are a number of approaches to 'rural area' meetings that could be considered. These approaches range from simple and inexpensive to more involved and costly and among other possibilities could include:

- *Dialogue with a Director* – an informal advertised coffee-shop discussion with community members. This would be essentially an unstructured one-on-one with the EA Director.
- *EA Director's Open House* – somewhat more structured than the Dialogue with a Director, but would not include a formal agenda and would likely not include Staff.
- *Town Hall Meeting* – more structured than the EA Director's Open House and would include an agenda, possibly Staff presentations on agenda topics when appropriate, and an opportunity for discussion on agenda topics. This meeting could be held in conjunction with additional EAPC meetings in each area.
- Directors may wish to consider broadening the Terms of Reference for the EAPC and use the proposed additional meetings in the EAs as opportunities to review/discuss/debate a wider range of issues in the communities.
- *RDN Service Area Discussion* – a structured meeting specific to an existing or proposed RDN service area (or areas) and could be similar to public information meetings the RDN already holds in relation to specific services. This could be held in conjunction with additional EAPC meetings in each area.
- *Rural Area Board, or Committee of the Whole Meetings* – where a Regional District covers a very large territory and has a widely dispersed population, it is not uncommon to have the Board, or Committee of the Whole meeting in different parts of the Regional District on an infrequent but regular basis. The location for such meetings sometimes coincides with a major project in the host Electoral Area. This approach could be quite involved and expensive to administer and may not be best suited to the RDN given its relatively compact nature.

The above 'rural area' meeting approaches are presented for reference and represent a very brief exploration of options, but have not been considered in any detail within the limited scope of this report.

## **ALTERNATIVES**

1. To receive this report for information.
2. To receive this report for information and direct Staff to include costs associated with holding additional combined EAPC/town hall meetings once annually in each rural area in the 2015-2019 financial plan.
3. To receive this report for information and provide alternate direction to staff.

## **FINANCIAL IMPLICATIONS**

As an EAPC meeting is generally limited to a half hour in duration and immediately precedes the Committee of the Whole meeting, the costs associated with holding EAPC meetings are currently negligible. Given that the EAPC meeting currently precedes Committee of the Whole, there is no additional travel and remunerations costs as both meetings are covered as one within the base remuneration. Should the Board choose to maintain the status quo, with regard to EAPC meetings and to also not consider an alternative approach to 'rural area' meetings, there would be no financial implications.

Should the Board choose to hold an EAPC/town hall meeting in each electoral area once annually, travel expenses, facility rental, advertising, and secretarial staff wages would be applicable. The cost of each meeting would vary depending on travel distances and facility rental costs; much of the additional costs would be for advertising as multiple ads may be required in each area.

Total costs of adding an EAPC/town hall meeting in each electoral area are estimated at between \$10,000 and \$12,000 annually, which averages to approximately \$1,450 to \$1,725 per area. A \$10,000 increase to the Electoral Areas requisition results in a service area impact of \$0.10 per \$100,000 of assessed value. Currently the 2015 requisition for Electoral Areas is \$410,495, which is a 6.9% increase over 2014 largely as a result of the revised remuneration schedule for EA Directors and the personal computer allowance payable in the first year of office to each Director. An additional \$10,000 would add 2.6% to this requisition.

## **STRATEGIC PLAN IMPLICATIONS**

In the 2013-2015 Strategic Plan, one of the action areas identified by the Board is to enhance the reputation of the RDN as a valuable and effective level of government for delivering services, exploring regional issues, and creating opportunities for dialogue with residents. Related to this action area, the Board has prioritized reinforcing recognition of the RDN in communications to increase RDN presence in municipalities and electoral areas and engaging residents and other stakeholders about RDN decision-making and progressing toward regional goals and objectives. Regardless of the approach to 'rural area' meetings taken by the Board, these action areas of the 2013-2015 Strategic Plan would support 'rural area' meetings in addition to the public information meetings that presently occur in rural areas.

## **SUMMARY/CONCLUSIONS**

At the Regional District of Nanaimo Committee of the Whole meeting held February 10, 2015, the Board requested that staff prepare a report on costs associated with holding an EAPC/town hall meeting in each rural area once annually, and that the report be completed for the current budget discussions.


In order to ensure the maintenance of the current timing/notification process for processing development applications on a monthly basis, staff are recommending that the existing EAPC meeting schedule, held in conjunction with the Committee of the Whole meetings, be maintained and that an additional EAPC/town hall meeting be added to the annual schedule in each electoral area including EA 'B' (town hall meeting only in this area).

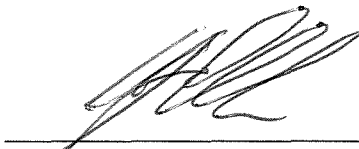
Should the Board choose to hold an EAPC/town hall meeting in each electoral area once annually, the estimated annual cost is between \$10,000 and \$12,000, which equates to approximately \$1,450 to \$1,725 per area depending on advertising requirements and additional mileage/staffing costs. This would have a service area impact of \$0.10 per \$100,000 of assessed value.


If this is the direction the Board chooses, staff can then work with the EA Directors on the specific timing, content and intent of those meetings as part of the 2015 work plan.

**RECOMMENDATIONS**

That this report be received for information and that the Board direct staff to add \$10,000 to the Electoral Areas Service 2015 requisition and that staff work with EA Directors on the specific timing, content and intent of those meetings in each electoral area once annually for inclusion in the 2015 – 2019 financial plan and the 2015 work plans.

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

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

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