

REGIONAL DISTRICT OF NANAIMO

**REGULAR BOARD MEETING
TUESDAY, APRIL 28, 2015
7:00 PM**

(RDN Board Chambers)

A G E N D A

PAGES

- 1. CALL TO ORDER**
- 2. DELEGATIONS**
10 **Paul Manly and Captain Trevor Greene**, re Declaration Respecting People's Right to Live in a Healthy Environment.
- 3. BOARD MINUTES**
11-24 Minutes of the Regular Board meeting held Tuesday, March 24, 2015 (All Directors – One Vote).
- 4. BUSINESS ARISING FROM THE MINUTES**
- 5. COMMUNICATIONS/CORRESPONDENCE**
(All Directors – One Vote)
25 **UBCM**, re Progress Payment (SWPI-132: Englishman River Operational Treatment, 2011).
26 **Coralee Oakes, Minister of Community, Sport and Cultural Development**, re Unconditional Grant Funding Letter.
27 **Leonard Eugene Krog, MLA**, re Rail Trail Expansion through Nob Hill and Other South End Neighbourhoods.
- 6. UNFINISHED BUSINESS**
BYLAW ADOPTION
28-29 **Bylaw No. 1655.03 – Water User Rate Amendments 2015** (EAs 'A', 'E', 'F', 'G' – Weighted Vote).

That "Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.03, 2015" be adopted.

Westurne Heights Water Service Area – Establishment Bylaw and Associated Loan Authorization and Security Issuing Bylaws.

(All Directors – One Vote)

- 30-32 *That "Westurne Heights Water Service Area Establishment Bylaw No. 1718, 2014" be adopted.*

(All Directors – Weighted Vote)

- 33-34 1. *That "Westurne Heights Water Service Area Loan Authorization Bylaw No. 1719, 2014" be adopted.*

- 35-38 2. *That "Westurne Heights Water Service Area Security Issuing Bylaw No. 1720, 2014" be adopted.*

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

7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE

- 39-42 Minutes of the Electoral Area Planning Committee meeting held Tuesday, April 14, 2015 (For Information) (All Directors – One Vote).

DEVELOPMENT PERMIT APPLICATION

Development Permit Application No. PL2015-035 – 902 Barclay Crescent South, Electoral Area 'G' (Electoral Area Directors, except EA 'B' – One Vote).

That Development Permit No. PL2015-035 to permit the construction of a dwelling unit be approved subject to the conditions outlined in Attachments 2 and 3.

DEVELOPMENT PERMIT WITH VARIANCE APPLICATION

Development Permit with Variance Application No. PL2015-028 – 5509 Deep Bay Drive, Electoral Area 'H' (Electoral Area Directors, except EA 'B' – One Vote).

That Development Permit with Variance Application No. PL2015-028 be referred back to Regional District of Nanaimo staff.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. PL2015-020 – 403 & 395 Lowry's Road, Electoral Area 'G' (Electoral Area Directors, except EA 'B' – One Vote).

Delegations wishing to speak to Development Variance Permit Application No. PL2015-020 – 403 & 395 Lowry's Road, Electoral Area 'G'.

That Development Variance Permit No. PL2015-020 to reduce the required setback for buildings housing livestock from 30.0 metres to 24.0 metres be approved subject to the conditions outlined in Attachments 2 and 3.

Development Variance Permit Application No. PL2015-013 – 1005 Coldwater Road, Electoral Area 'G' (Electoral Area Directors, except EA 'B' – One Vote).

Delegations wishing to speak to Development Variance Permit Application No. PL2015-013 – 1005 Coldwater Road, Electoral Area 'G'.

That Development Variance Permit No. PL2015-013 to reduce the north westerly side yard setback from 8.0 metres to 2.0 metres to permit the construction of an accessory building be approved.

Development Variance Permit Application No. PL2015-030 – 85 Blackbeard Drive, Electoral Area 'H' (Electoral Area Directors, except EA 'B' – One Vote).

Delegations wishing to speak to Development Variance Permit Application No. PL2015-030 – 85 Blackbeard Drive, Electoral Area 'H'.

That Development Variance Permit No. PL2015-030 to reduce the setback from the watercourse on the subject property from 18.0 metres from the stream centre line to 10.0 metres from the present natural boundary be approved subject to the conditions outlined in Attachments 2 and 3.

Development Variance Permit Application No. PL2015-034 and Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement Subdivision Application No. PL2014-134 – 3389 Jingle Pot Road, Electoral Area 'C' (Electoral Area Directors, except EA 'B' – One Vote).

Delegations wishing to speak to Development Variance Permit Application No. PL2015-034 and Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement Subdivision Application No. PL2014-134 – 3389 Jingle Pot Road, Electoral Area 'C'.

- 1. That Development Variance Permit No. PL2015-034 to increase the permitted parcel depth for proposed Lot 1 from 40% to 43% of the length of the perimeter of the parcel and for proposed Lot 2 from 40% to 44% of the length of the perimeter of the parcel be approved subject to the conditions outlined in Attachments 2 and 3.*

2. *That the request to relax the minimum 10% perimeter frontage requirement for proposed Lot 1 and proposed Lot 2 in relation to subdivision application PL2014-134 be approved.*

ZONING AMENDMENT APPLICATIONS

43-44

Zoning Amendment Application No. PL2014-087 – Horne Lake Road and Inland Island Highway, Electoral Area ‘H’ – Amendment Bylaw 500.398 – 1st and 2nd Reading (Electoral Area Directors, except EA ‘B’ – One Vote).

1. *That the Summary of the Public Information Meeting held on January 26, 2015, be received.*
2. *That the conditions set out in Attachment 2 of the staff report be completed prior to Bylaw No. 500.398, 2015", being considered for adoption.*
3. *That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.398, 2015", be introduced and read two times.*
4. *That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.398, 2015", be chaired by Director Veenhof or his alternate.*

45-46

Zoning Amendment Application No. PL2015-021 – 2790/2800 Benson View Road, Electoral Area ‘C’ – Amendment Bylaw 500.399 – 1st and 2nd Reading (Electoral Area Directors, except EA ‘B’ – One Vote).

1. *That the Summary of the Public Information Meeting held on March 26, 2015, be received.*
2. *That the conditions set out in Attachment 2 of the staff report be completed prior to Bylaw No. 500.399 being considered for adoption.*
3. *That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.399, 2015", be introduced and read two times.*
4. *That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.399, 2015", be chaired by Director Maureen Young or her alternate.*

7.2. COMMITTEE OF THE WHOLE STANDING COMMITTEE

47-52

Minutes of the Committee of the Whole meeting held Tuesday, April 14, 2015 (For Information) (All Directors – One Vote).

COMMUNICATIONS/CORRESPONDENCE

(All Directors – One Vote)

Ken Cossey, Snuneymuxw First Nation, re Appointment to the Liquid Waste Management Plan Monitoring Committee.

That the correspondence received from Ken Cossey, Snuneymuxw First Nation, regarding appointment to the Liquid Waste Management Plan Monitoring Committee be received.

Laurie Gourlay, Vancouver Island & Coast Conservation Society, re World Water Day Request re Cassidy Aquifer.

That the correspondence received from Laurie Gourlay, Vancouver Island & Coast Conservation Society, regarding the World Water Day request regarding the Cassidy Aquifer be received.

Gary Fribance, Third Crossing Society, re Request for Letter of Support in Principle.

That the correspondence received from Gary Fribance, Third Crossing Society, regarding a request for a letter of support in principle be received.

Norman Abbey, Neighbours of Nob Hill Society, re Support for the Rail Trail Extension.

That the correspondence received from Norman Abbey, Neighbours of Nob Hill Society, regarding support for the Rail Trail extension be received.

UBCM, re Rural Advisory Council Announced.

That the correspondence received from the Union of BC Municipalities regarding the Province's new Rural Advisory Council be received.

UBCM, re Deadline Approaching for Urban Deer Recommendations.

That the correspondence received from the Union of BC Municipalities regarding the deadline approaching for urban deer recommendations be received.

FINANCE

2015 Gas Tax Transfer and Community Works Fund Project Update.

(All Directors – One Vote)

1. *That the report on the renewed Gas Tax Funding Program and on the use of Community Works Funds in 2014 be received for information.*

(Electoral Area Directors – Weighted Vote)

2. *That the 2015 and future Community Works Funds program attached as Schedules A and B be approved and that staff be authorized to continue work on the projects as needed.*

REGIONAL AND COMMUNITIES UTILITIES

WASTEWATER

French Creek Pollution Control Center Trickling Filter Roof Replacement Project Award

(All Directors – Weighted Vote)

1. *That the Board award the French Creek Pollution Control Center Trickling Filter Roof Replacement Project to Island West Coast Developments for \$574,302.00.*
2. *That the Board award the engineering services for the French Creek Pollution Control Center Trickling Filter Roof Replacement Project to AECOM for \$25,000.*

SepticSmart Education Program Progress Report (All Directors – One Vote).

That the Board receive the report for information.

STRATEGIC AND COMMUNITY DEVELOPMENT

ENERGY AND SUSTAINABILITY

Community Works Fund Contribution – Arrowsmith Agricultural Association

(All Directors – One Vote)

1. *That the Board supports the use of Community Works Funds allocated to Regional District of Nanaimo Electoral Area 'F' to contribute to a proposed new on-site wastewater treatment system for Arrowsmith Hall.*

(All Directors – Weighted Vote)

2. *That the Board direct staff to draft and execute a Contribution Agreement between the Arrowsmith Agricultural Association and the Regional District of Nanaimo to provide up to \$15,000 in Community Works Funds toward eligible costs for a proposed new on-site wastewater treatment system for Arrowsmith Hall.*

ADVISORY AND SELECT COMMITTEE, AND COMMISSION

Agricultural Advisory Committee.

Minutes of the Agricultural Advisory Committee meeting held Friday, March 27, 2015 (All Directors – One Vote).

That the minutes of the Agricultural Advisory Committee meeting held Friday, March 27, 2015, be received for information.

District 69 Recreation Commission.

Minutes of the District 69 Recreation Commission meeting held Thursday, March 19, 2015 (All Directors – One Vote).

That the minutes of the District 69 Recreation Commission meeting held Thursday, March 19, 2015, be received for information.

Grant Approvals (Parksville, Qualicum Beach, Electoral Areas 'E', 'F', 'G', 'H' – Weighted Vote).

1. *That the following District 69 Youth Recreation Grant applications be approved:*

893 Beaufort Squadron - training activities	\$2,500
Ballenas Secondary School - Dry Grad	\$1,200
Errington War Memorial Hall Association - Intercultural Music Project	\$1,100
The Nature Trust of BC - Brant Wildlife Festival/Youth Photo Exhibit	\$700
Oceanside Minor Lacrosse Association - Shark Attack Tournament	\$2,500

2. *That the following District 69 Community Recreation Grant applications be approved:*

Arrowsmith Community Recreation Association - Coombs Community Picnic	\$529
Corcan Meadowood Residents Association - Canada Day event	\$2,350
Errington Elementary School PAC - grade 3 swim program	\$2,500
Errington Elementary School - Tribune Bay subsidies for low-income families	\$2,500
Errington Therapeutic Riding Association - program expenses, horses, arena, and insurance	\$1,000
Oceanside Elementary School PAC - new playground construction	\$2,500
Town of Qualicum Beach - Select Committee on Beach Day Celebrations	\$1,500

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Urban Deer Recommendations (All Directors – One Vote).

That staff write a letter to the Union of BC Municipalities providing the Board's comments regarding the draft urban deer recommendations as outlined in Director Veenhof's email.

NEW BUSINESS

Board Procedure Bylaw (All Directors – One Vote).

That staff be directed to schedule an Executive Committee meeting for the purposes of reviewing the existing Board Procedure Bylaw and that the Executive Committee work to develop options for amendments to the Bylaw for consideration by the Board.

8. SCHEDULED STANDING, ADVISORY, AND SELECT COMMITTEES

Solid Waste Management Select Committee

53-54 Minutes of the Solid Waste Management Select Committee meeting held Wednesday, March 11, 2015 (For Information) (All Directors – One Vote).

55-56 Minutes of the Solid Waste Management Select Committee meeting held Thursday, April 2, 2015 (For Information) (All Directors – One Vote).

57-59 **Authority to Regulate Municipal Solid Waste** (All Directors – One Vote).

That the Authority to Regulate Municipal Solid Waste report be received.

60-62 **Disposal Facility Future Cost Projections** (All Directors – One Vote).

That the Disposal Facility Future Cost Projections report be received.

Englishman River Water Service

63-66 Minutes of the Englishman River Water Service Management Board meeting held Friday, March 13, 2015 (For Information) (All Directors – One Vote).

9. ADMINISTRATOR'S REPORTS

67-84 **Landfill Tip Fee Analysis** (All Directors – Weighted Vote).

85-93 **OCP and Zoning Amendment Applications No. PL2014-095 & PL2014-098 – 2930 Trans Canada Highway – Electoral Area 'A' – Amendment Bylaws 1620.03 and 500.397 – Third Reading** (Electoral Area Directors, except EA 'B' – One Vote).

94-103 **Licence Renewal for the Upper Half of the Arrowsmith CPR Regional Trail on Island Timberlands Property** (All Directors – Weighted Vote).

10. ADDENDUM

11. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

12. NEW BUSINESS

13. IN CAMERA

That pursuant to Sections 90(1) (c), and (f) of the Community Charter the Committee proceed to an In Camera Meeting for discussions related to labour relations, and law enforcement.

14. ADJOURNMENT

Re: Declaration Respecting People's Right to Live in a Healthy Environment

From: Paul Manly [<mailto:paulmanly@shaw.ca>]

Sent: Tuesday, April 14, 2015 10:48 AM

To: corpsrv

Subject: Delegation request

I would like to request to appear before the RDN board as a delegate on April 28th. If it is not possible to present at that meeting then the next committee of the whole date on May 12th.

Details of Presentation:

This delegation by Paul Manly and Captain Trevor Greene will present a resolution requesting that the City of Nanaimo pass a municipal declaration respecting people's right to live in a healthy environment.

This resolution is based on Dr. David Suzuki's Blue Dot project to have the right to a healthy environment added to the Canadian charter of rights and freedoms. The objective is to have municipalities across Canada adopt these resolutions and then enough provinces adopt these resolutions to fulfill the requirements for a change in the charter.

Presenter's information

Paul Manly

Address: 61 Garner Crescent

City: Nanaimo

Province: BC

Postal Code: V9A 2A5

Home Phone: (250) 754-9254

Email: paulmanly@shaw.ca

Bringing a presentation: Yes

Business Phone: (250) 729-1254

thanks

Paul Manly

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REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE REGULAR BOARD MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, MARCH 24, 2015 AT 7:00 PM IN THE
RDN BOARD CHAMBERS

In Attendance:

Director J. Stanhope	Chairperson
Director C. Haime	Deputy Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director B. Rogers	Electoral Area E
Alternate	
Director J. McLean	Electoral Area F
Director B. Veenhof	Electoral Area H
Director B. McKay	City of Nanaimo
Alternate	
Director D. Brennan	City of Nanaimo
Director J. Hong	City of Nanaimo
Director W. Pratt	City of Nanaimo
Director I. Thorpe	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director T. Westbroek	Town of Qualicum Beach

Regrets:

Director J. Fell	Electoral Area F
Director B. Bestwick	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director B. Yoachim	City of Nanaimo

Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
J. Harrison	Director of Corporate Services
W. Idema	Director of Finance
R. Alexander	Gen. Mgr. Regional & Community Utilities
G. Garbutt	Gen. Mgr. Strategic & Community Development
T. Osborne	Gen. Mgr. Recreation & Parks
D. Pearce	A/Gen. Mgr. Transportation & Solid Waste
M. O'Halloran	A/Mgr. Administrative Services
C. Golding	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order and acknowledged the Coast Salish Nations whose traditional territory the meeting takes place.

The Chairperson welcomed Alternate Director McLean to the meeting.

DELEGATIONS

Leifka Vissers, Altus Group / Telus, re TELUS proposal at 1421 Sunrise Drive, Electoral Area 'G'.

Leifka Vissers provided an overview of the outcome of public consultation, highlighting the negative consultation received and factors considered when siting the proposed communications tower, and asked for a letter of concurrence from the Board which the applicant can present to Industry Canada to receive approval for this site.

LATE DELEGATIONS

- 15-228 MOVED Director Westbrook, SECONDED Director Haime, that late delegations be permitted to address the Board.

CARRIED

Kelly Olson and Genelle Conn, re TELUS proposal at 1421 Sunrise Drive, Electoral Area 'G'.

Genelle Conn voiced her concerns regarding the potential health risks to her family due to the proposed placement of the cell tower and asked the Board to defer voting on the recommendation until other areas can be considered.

BOARD MINUTES

Minutes of the Regular Board meeting held Tuesday, February 24, 2015.

- 15-229 MOVED Director Veenhof, SECONDED Director Lefebvre, that the minutes of the Regular Board meeting held Tuesday, February 24, 2015, be adopted.

CARRIED

COMMUNICATION/CORRESPONDENCE

Malcolm Brodie; Greg Moore, Metro Vancouver, re Update on Metro Vancouver's Response to the Minister's Rejection of Bylaw 280.

- 15-230 MOVED Director Veenhof, SECONDED Director Houle, that the correspondence received from Malcolm Brodie and Greg Moore, Metro Vancouver, regarding an update on Metro Vancouver's response to the Minister's rejection of Bylaw 280 be received.

CARRIED

Terry Stranger, re Cell tower Sunrise Dr. Parksville.

- 15-231 MOVED Director Veenhof, SECONDED Director Houle, that the correspondence received from Terry Stranger regarding the proposed cell tower at Sunrise Drive in Parksville be received.

CARRIED

UNFINISHED BUSINESS

BYLAW ADOPTION

2015 Service Area Tax Requisition Amendment Bylaws.

15-232 MOVED Director Lefebvre, SECONDED Director Brennan, that "Southern Community Transit Service Area Amendment Bylaw No. 1230.05, 2015" be adopted.

CARRIED

15-233 MOVED Director Veenhof, SECONDED Director Lefebvre, that "Liquid Waste Management Planning Service Amendment Bylaw No. 1543.01, 2015" be adopted.

CARRIED

15-234 MOVED Director McPherson, SECONDED Director Houle, that "Electoral Area 'A' Community Parks Local Service Amendment Bylaw No. 798.09, 2015" be adopted.

CARRIED

Bylaws 813.54 and 889.70 – Inclusion of Electoral Area 'G' Property into the French Creek Sewer Service – 838 Reid Road.

15-235 MOVED Director Veenhof, SECONDED Director Lefebvre, that "French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.54, 2015" be adopted.

CARRIED

15-236 MOVED Director Veenhof, SECONDED Director Lefebvre, that "Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.70, 2015" be adopted.

CARRIED

Amendment to Regional Growth Management Service.

15-237 MOVED Director Haime, SECONDED Director McKay, that "Regional Growth Management Service Amendment Bylaw No. 1553.03, 2015" be adopted.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

Minutes of the Electoral Area Planning Committee meeting held Tuesday, March 10, 2015.

15-238 MOVED Director McPherson, SECONDED Director Veenhof, that the Minutes of the Electoral Area Planning Committee meeting held Tuesday, March 10, 2015, be received for information.

CARRIED

Proposed Telus Communications Tower – 1421 Sunrise Drive, Electoral Area 'G'.

15-239 MOVED Director Veenhof, SECONDED Director McPherson, that staff be directed to advise Industry Canada and the proponent of the telecommunication tower proposed at 1421 Sunrise Drive that:

- a) TELUS has satisfactorily completed its consultation with the Regional District of Nanaimo;
- b) The Regional District of Nanaimo is satisfied with TELUS' public consultation process; and
- c) The Regional District of Nanaimo will provide a letter of concurrence to Telus.

CARRIED

Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement – 3119 Jameson Road, Electoral Area 'C'.

- 15-240 MOVED Director Young, SECONDED Director Veenhof, that the request to relax the minimum 10% perimeter frontage requirement for the proposed lot be approved.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES & RECOMMENDATIONS

COMMITTEE OF THE WHOLE STANDING COMMITTEE

Minutes of the Committee of the Whole meeting held Tuesday, March 10, 2015.

- 15-241 MOVED Director Houle, SECONDED Director Veenhof, that the minutes of the Committee of the Whole meeting held Tuesday, March 10, 2015, be received for information.

CARRIED

COMMUNICATION/CORRESPONDENCE

Lynn and Robert Raffle, re Proposed Cell Tower at 1957 Plecas Road, South Wellington.

- 15-242 MOVED Director Veenhof, SECONDED Director Thorpe, that the correspondence received from Lynn and Robert Raffle regarding the proposed cell tower at 1957 Plecas Road, South Wellington be received.

CARRIED

Sharon Gaetz, Fraser Valley Regional District, re Minister of Environment's Rejection of Bylaw 280.

- 15-243 MOVED Director Veenhof, SECONDED Director Thorpe, that the correspondence received from Sharon Gaetz, Fraser Valley Regional District, regarding the Minister of Environment's rejection of Bylaw 280 be received.

CARRIED

John Hofman, Friends of the Morden Mine Society, re Emergency Work for Morden Mine.

- 15-244 MOVED Director Veenhof, SECONDED Director Thorpe, that the correspondence received from John Hofman, Friends of the Morden Mine Society, regarding emergency work for the Morden Mine be received.

CARRIED

Eric Ricker, Friends of the Morden Mine Society, re Application for Funding for Morden Mine.

- 15-245 MOVED Director Veenhof, SECONDED Director Thorpe, that the correspondence received from Eric Ricker, Friends of the Morden Mine Society, regarding the application for funding for Morden Mine be received.

CARRIED

FINANCE

Preliminary Operating Results for the Period Ending December 31, 2014.

- 15-246 MOVED Director Veenhof, SECONDED Director Rogers, that the summary report of financial results for Regional District of Nanaimo operations to December 31, 2014, be received for information.

CARRIED

Gas Tax – Strategic Priorities Fund Infrastructure Stream.

15-247 MOVED Director Haime, SECONDED Director Rogers, that the Board support the following projects for application by the Regional District of Nanaimo to the Gas Tax — Strategic Priorities Fund Infrastructure Stream for the April 15, 2015, application intake:

- Greater Nanaimo Pollution Control Centre Upgrades - \$62 million.
- Greater Nanaimo Marine Outfall Replacement - \$16 million.

15-248 MOVED Director Haime, SECONDED Director Rogers, that the Board continue to support application by the City of Parksville for the Englishman River Water Service project.

CARRIED

Bylaw No. 1722 – Regional District of Nanaimo 2015 to 2019 Financial Plan.

15-249 MOVED Director Brennan, SECONDED Director Veenhof, that "Regional District of Nanaimo Financial Plan 2015 to 2019 Bylaw No. 1722, 2015" be introduced and read three times.

CARRIED

15-250 MOVED Director Veenhof, SECONDED Director Brennan, that "Regional District of Nanaimo Financial Plan 2015 to 2019 Bylaw No. 1722, 2015" be adopted.

CARRIED

REGIONAL AND COMMUNITY UTILITIES

WATER AND UTILITY

Nanoose Bay Peninsula Water Service Development Cost Charge Bylaw.

15-251 MOVED Director Rogers, SECONDED Director Young, that the Board amend "Nanoose Bay Peninsula Water Service Development Cost Charge Bylaw No. 1715, 2014" as outlined in this report.

CARRIED

15-252 MOVED Director Rogers, SECONDED Director Haime, that the Board give second reading, as amended, to "Nanoose Bay Peninsula Water Service Area Development Cost Charge Bylaw No. 1715, 2014".

CARRIED

15-253 MOVED Director Rogers, SECONDED Director Haime, that the Board give third reading to "Nanoose Bay Peninsula Water Service Development Cost Charge Bylaw No. 1715, 2014" and forward it to the Ministry of Community, Sport and Cultural Development for approval.

CARRIED

Bylaw No. 1655.03 – Water User Rate Amendments 2015.

15-254 MOVED Director McPherson, SECONDED Director McLean, that "Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.03, 2015" be introduced and read three times.

CARRIED

Sanitary Sewer User Rate Amendments.

15-255 MOVED Director Veenhof, SECONDED Director Brennan, that Surfside Sewer Rates and Regulation Amendment Bylaw No. 1241.07, 2015" be introduced and read three times.

CARRIED

15-256 MOVED Director Veenhof, SECONDED Director McKay, that "Surfside Sewer Rates and Regulation Amendment Bylaw No. 1241.07, 2015" be adopted.

CARRIED

15-257 MOVED Director Veenhof, SECONDED Director Rogers, that Fairwinds Sewerage Facilities Specified Area Rates Amendment Bylaw No. 765.15, 2015" be introduced and read three times.

CARRIED

15-258 MOVED Director Veenhof, SECONDED Director Rogers, that "Fairwinds Sewerage Facilities Specified Area Rates Amendment Bylaw No. 765.15, 2015" be adopted.

CARRIED

15-259 MOVED Director Lefebvre, SECONDED Director Houle, that "French Creek Sewer Specified Area Rates Amendment Bylaw No. 422.18, 2015" be introduced and read three times.

CARRIED

15-260 MOVED Director Lefebvre, SECONDED Director Houle, that "French Creek Sewer Specified Area Rates Amendment Bylaw No. 422.18, 2015" be adopted.

CARRIED

15-261 MOVED Director Brennan, SECONDED Director Veenhof, that "Barclay Crescent Sewer Rates and Regulations Amendment Bylaw No. 1472.06, 2015" be introduced and read three times.

CARRIED

15-262 MOVED Director Haime, SECONDED Director Veenhof, that "Barclay Crescent Sewer Rates and Regulations Amendment Bylaw No. 1472.06, 2015" be adopted.

CARRIED

15-263 MOVED Director McPherson, SECONDED Director Haime, that "Cedar Sewer Rates and Regulations Amendment Bylaw No. 1532.04, 2015" be introduced and read three times.

CARRIED

15-264 MOVED Director McPherson, SECONDED Director Haime, that "Cedar Sewer Rates and Regulations Amendment Bylaw No. 1532.04, 2015" be adopted.

CARRIED

Georgia Basin Inter-Regional Education Initiative.

15-265 MOVED Director Haime, SECONDED Director Veenhof, that continued participation in the Georgia Basin Inter-Regional Education Initiative as proposed by the Partnership for Water Sustainability in British Columbia be endorsed.

CARRIED

15-266 MOVED Director Haime, SECONDED Director Veenhof, that the Board continues to support staff participation in Partnership for Water Sustainability in British Columbia activities associated with water sustainability.

CARRIED

Garry Oak Drive and Spruce Lane Watermain Upgrade – Construction Tender Award.

15-267 MOVED Director Haime, SECONDED Director Rogers, that the Board approve Milestone Equipment Contracting Inc. be awarded the construction of the Garry Oak Drive and Spruce Lane Watermain Upgrade project for the Tender price of \$266,536.02 (excluding GST).

CARRIED

15-268 MOVED Director Rogers, SECONDED Director Haime, that "Nanoose Bay Peninsula Water Service Area Capital Improvements Security Issuing Bylaw No. 1723, 2015" be introduced and read three times.

CARRIED

15-269 MOVED Director Rogers, SECONDED Director Haime, that "Nanoose Bay Peninsula Water Service Area Capital Improvements Security Issuing Bylaw No. 1723, 2015" be adopted.

CARRIED

15-270 MOVED Director Lefebvre, SECONDED Director Veenhof, that "Nanoose Bay Peninsula Water Service Area Capital Improvements Interim Financing Bylaw No. 1724, 2015" be introduced and read three times.

CARRIED

15-271 MOVED Director Lefebvre, SECONDED Director Rogers, that "Nanoose Bay Peninsula Water Service Area Capital Improvements Interim Financing Bylaw No. 1724, 2015" be adopted.

CARRIED

WASTEWATER

Bylaw Amendment 988.09 to change the septage user fee to \$.23 per gallon.

15-272 MOVED Director Veenhof, SECONDED Director Thorpe, that "Regional District of Nanaimo Trucked Liquid Waste Disposal Amendment Bylaw No. 988.09, 2015" be introduced and read three times.

CARRIED

15-273 MOVED Director Veenhof, SECONDED Director Thorpe, that "Regional District of Nanaimo Trucked Liquid Waste Disposal Amendment Bylaw No. 988.09, 2015" be adopted.

CARRIED

Greater Nanaimo Pollution Control Centre – Engineering Services for the Secondary Treatment Project.

15-274 MOVED Director Brennan, SECONDED Director Thorpe, that the Board award the engineering for detailed design, tendering, construction, commissioning and post-construction services for the Greater Nanaimo Pollution Control Centre Secondary Treatment Project to AECOM for \$4,679,115.

CARRIED

TRANSPORTATION AND SOLID WASTE

SOLID WASTE

Cedar Road Landfill Gas/Cedar Road Bioenergy.

15-275 MOVED Director Veenhof, SECONDED Director Haime, that the Board receive the report for information.

CARRIED

STRATEGIC AND COMMUNITY DEVELOPMENT

LONG RANGE PLANNING

Use of Island Health Homelessness Funding.

- 15-276 MOVED Director Lefebvre, SECONDED Director Veenhof, that the Board receive the report for information and direct staff to send this information to Island Health with a letter thanking them for providing funding and indicating that there is a need for sustained funding to achieve the goal of ending homelessness.

CARRIED

2014 Annual Report on Regional Growth Strategy Implementation and Progress.

- 15-277 MOVED Director Veenhof, SECONDED Director Lefebvre, that the Regional Growth Strategy 2014 Annual Report be received.

CARRIED

- 15-278 MOVED Director Veenhof, SECONDED Director Lefebvre, that staff be directed to distribute and use the Regional Growth Strategy 2014 Annual Report as part of efforts to raise awareness and provide education about the Regional Growth Strategy and its implementation.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Establishment of a Watershed Board.

- 15-279 MOVED Director Lefebvre, SECONDED Director Veenhof, that the Regional District of Nanaimo agree in principle to participate in the establishment of a Watershed Board.

DEFEATED

NEW BUSINESS

Electoral Area 'A' Noise Bylaw Amendment.

- 15-280 MOVED Director McPherson, SECONDED Director Young, that staff be directed to investigate and report back to the Board on options to amend the existing provisions of the Noise Bylaw in effect in Electoral Area 'A' to address community concerns regarding intense noise and activities that generate intense noise over extended periods of time. Options for consideration should include the narrowing of the current times of day and/or days of the week during which the generation of noise is allowed.

CARRIED

SCHEDULED STANDING, ADVISORY, AND SELECT COMMITTEES

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

Minutes of the Electoral Area 'A' Parks, Recreation, and Culture Commission meeting held Wednesday, February 18, 2015.

- 15-281 MOVED Director McPherson, SECONDED Director Haime, that the minutes of the Electoral Area 'A' Parks, Recreation, and Culture Commission meeting held Wednesday, February 18, 2015, be received for information.

CARRIED

District 69 Recreation Commission.

Minutes of the District 69 Recreation Commission meeting held Thursday, February 19, 2015.

- 15-282 MOVED Director Veenhof, SECONDED Director Thorpe, that the minutes of the District 69 Recreation Commission meeting held Thursday, February 19, 2015, be received for information.
- CARRIED

Northern Community Economic Development Select Committee.

Minutes of the Northern Community Economic Development Select Committee meeting held Tuesday, February 24, 2015.

- 15-283 MOVED Director Lefebvre, SECONDED Director Veenhof, that the minutes of the Northern Community Economic Development Select Committee meeting held Tuesday, February 24, 2015, be received for information.
- CARRIED

Presentations to the Northern Community Economic Development.

- 15-284 MOVED Director Lefebvre, SECONDED Director Veenhof, that applicants may have the opportunity to present proposals during Northern Community Economic Development meetings.
- CARRIED

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

Minutes of the Electoral Area 'E' Parks and Open Space Advisory Committee meeting held Wednesday, February 25, 2015.

- 15-285 MOVED Director Rogers, SECONDED Director Haime, that the minutes of the Electoral Area 'E' Parks and Open Space Advisory Committee meeting held Wednesday, February 25, 2015, be received for information.
- CARRIED

Blueback Community Park – Revised Concept Plan and Cost Estimates.

- 15-286 MOVED Director Rogers, SECONDED Director McPherson, that the Blueback Community Park Development Plan Option 2 be endorsed, with the condition that a Qualified Plant Restoration Ecologist be hired to complete and on-site review and provide comment on how to best restore native vegetation to Blueback Park.
- CARRIED

Transit Select Committee.

Minutes of the Transit Select Committee meeting held Tuesday, March 3, 2015.

- 15-287 MOVED Director Westbroek, SECONDED Director Lefebvre, that the minutes of the Transit Select Committee meeting held Tuesday, March 3, 2015, be received for information.
- CARRIED

Route 15A VIU Connector (Jingle Pot) Service Review.

- 15-288 MOVED Director Young, SECONDED Director McPherson, that the Board defer making changes to Conventional Transit service in Electoral Area 'C' and direct staff to set up a public meeting to discuss Conventional and handyDART transit options in the area.
- CARRIED

Transit Select Committee Terms of Reference – Updated.

- 15-289 MOVED Director Westbroek, SECONDED Director Veenhof, that the amended Transit Select Committee Terms of Reference be adopted.

CARRIED

Parkville and Qualicum Beach Taxi Saver and Taxi Supplement Programs.

- 15-290 MOVED Director Westbroek, SECONDED Director Veenhof, that the proposed Taxi Saver and Taxi Supplement Programs be implemented.

CARRIED

2015-2016 Proposed Transit Service Expansion.

- 15-291 MOVED Director Westbroek, SECONDED Director Veenhof, that the Board approve the proposed 2015-2016 5,000 hour annual Conventional Transit expansion outlined in this report and amend the expansion to remove any changes to the #11 Lantzville route.

CARRIED

Transit Performance Report.

- 15-292 MOVED Director Westbroek, SECONDED Director Thorpe, that the Transit Performance Report be received for information.

CARRIED

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

Minutes of the Electoral Area ‘H’ Parks and Open Space Advisory Committee meeting held Friday, March 6, 2015.

- 15-293 MOVED Director Veenhof, SECONDED Director Haime, that the minutes of the Electoral Area ‘H’ Parks and Open Space Advisory Committee meeting held Friday, March 6, 2015, be received for information.

CARRIED

Electoral Area ‘G’ Parks and Open Space Advisory Committee.

Minutes of the Electoral Area ‘G’ Parks and Open Space Advisory Committee meeting held Monday, March 9, 2015.

- 15-294 MOVED Director Veenhof, SECONDED Director Lefebvre, that the minutes of the Electoral Area ‘G’ Parks and Open Space Advisory Committee meeting held Monday, March 9, 2015, be received for information.

CARRIED

Oceanside Elementary School Playground Funding Request.

- 15-295 MOVED Director Lefebvre, SECONDED Director Veenhof, that \$10,000 for 2015 be approved for the Oceanside Elementary School Playground, Phase I, funded by Electoral Area G Community Parks Reserves.

CARRIED

- 15-296 MOVED Director Lefebvre, SECONDED Director Veenhof, that \$10,000 be allocated in 2016 and 2017 Electoral Area G Community Parks Operations Budget for the Oceanside Elementary School Playground project.

CARRIED

Sustainability Select Committee.

Minutes of the Sustainability Select Committee meeting held Tuesday, March 17, 2015.

- 15-297 MOVED Director McPherson, SECONDED Director Rogers, that the minutes of the Sustainability Select Committee meeting held Tuesday, March 17, 2015, be received for information.

CARRIED

Green Building Action Plan 2015.

- 15-298 MOVED Director Haime, SECONDED Director McPherson, that the updated Green Building Action Plan 2015 be approved as proposed.

CARRIED

Green Building Incentive Program 2015.

- 15-299 MOVED Director Haime, SECONDED Director McPherson, that the proposed 2015 Green Building Incentive Program be approved.

CARRIED

- 15-300 MOVED Director Haime, SECONDED Director Rogers, that staff investigate the feasibility and financial implications of incorporating a Fortis BC rebate program for natural gas inserts into the Regional District of Nanaimo Green Building Incentive Program.

CARRIED

Strategic Energy Management Terms of Reference.

- 15-301 MOVED Director Haime, SECONDED Director McPherson, that the Strategic Energy Management Terms of Reference be approved as presented.

CARRIED

ADMINISTRATOR'S REPORTS

Award of Proposal for Two Single-Axle 4-Door Fire/Rescue Engines for Nanoose Bay and Coombs-Hilliers Volunteer Fire Departments.

- 15-302 MOVED Director McLean, SECONDED Director Rogers, that the report be received for information and that the Board direct staff to award Hub Fire Engines to supply two single-axle, 4-door fire/rescue engines for an estimated price of \$587,155 for Nanoose Bay and \$496,465 for the Coombs-Hilliers Volunteer Fire Departments.

CARRIED

- 15-303 MOVED Director Rogers, SECONDED Director Veenhof, that the Nanoose Bay Fire reserve funds in the estimated amount of up to \$560,000 be released for the purpose of purchasing a new fire/rescue engine.

CARRIED

- 15-304 MOVED Director McLean, SECONDED Director Rogers, that the Coombs-Hilliers Fire reserve funds in the estimated amount of up to \$475,000 be released for the purpose of purchasing a new fire/rescue engine.

CARRIED

Association of Vancouver Island and Coastal Communities Special Committee on Solid Waste Management.

15-305 MOVED Director McPherson, SECONDED Director Haime, that the Board support the Terms of Reference.

CARRIED

15-306 MOVED Director McPherson, SECONDED Director Haime, that the Chair and Deputy Chair of the Regional District of Nanaimo Regional Solid Waste Advisory Committee be appointees from the Regional District of Nanaimo, to the Association of Vancouver Island and Coastal Communities Committee.

CARRIED

15-307 MOVED Director McPherson, SECONDED Director Haime, that the Board support the use of Regional District of Nanaimo meeting rooms and facilities by the Association of Vancouver Island and Coastal Communities Committee.

CARRIED

15-308 MOVED Director McPherson, SECONDED Director Haime, that the Board support a reasonable and fair cost-sharing for funding support of the work of the Committee, as determined by the Committee and recommended by the Association of Vancouver Island and Coastal Communities Committee Chief Administrative Officers.

CARRIED

Proposed 10-year License Agreement with the City of Nanaimo for continued use of a portion of Regional District of Nanaimo-owned land at 1174 Island Highway South to accommodate a section of the Chase River Park Trail Network.

15-309 MOVED Director Thorpe, SECONDED Director Veenhof, that the 10 year License Agreement permitting the City to continue to use a portion of the Regional District of Nanaimo owned property at 1174 Island Highway South to accommodate a section of the City's Chase River Park trail network be approved.

CARRIED

Sunnybeach License Renewal – Electoral Area 'H'.

15-310 MOVED Director Veenhof, SECONDED Director Houle, that the Licence of Occupation for the Ministry of Transportation and Infrastructure water access at Sunnybeach Road in Qualicum Bay be renewed for a five year term, 2015-2020.

CARRIED

NEW BUSINESS

Morden Park Mine Site.

MOVED Director Thorpe, SECONDED Director Young, that staff prepare a report that investigates the viability of the Regional District of Nanaimo leasing the Morden Park mine site from the provincial government, including an estimate of associated costs and liabilities involved.

MOVED Director Rogers, SECONDED Director McLean, that the Board amend the main motion by adding the words "legality and" after "investigate the", and by adding the words "lease and ongoing operating costs" after the word "associated" and deleting the words "and liabilities involved."

DEFEATED

The vote was taken on the main motion.

- 15-311 MOVED Director Thorpe, SECONDED Director Young, that staff prepare a report that investigates the viability of the Regional District of Nanaimo leasing the Morden Park mine site from the provincial government, including an estimate of associated costs and liabilities involved.

CARRIED

Electoral Area 'F' Community Works Fund.

- 15-312 MOVED Director McLean, SECONDED Director Houle, that \$11,000 be allocated from the Electoral Area 'F' Community Works Fund for the construction of a 120 metre portion of the Arrowsmith Community Trail on the Price Road Allowance.

CARRIED

Electoral Area 'B' Parks & Open Space Advisory Committee Resignation.

- 15-313 MOVED Director Houle, SECONDED Director Young, that the Board accept the resignation of Ivan Bulic from the Electoral Area 'B' Parks & Open Space Advisory Committee.

CARRIED

Notice of Motion - Southern Community Economic Development Funding Agreement.

Director Houle noted that the following motion will be brought forward to the April 14, 2015 Committee of the Whole Agenda:

That staff be directed to prepare a report on the implications of Electoral Areas 'A', 'B', and 'C' withdrawing from the Southern Community Economic Development Funding Agreement.

Motion to Reconsider the Morden Park Mine Main Motion.

- 15-314 MOVED Director Veenhof, SECONDED Director Hong, that the Morden Park Mine main motion be reconsidered.

CARRIED

- 15-315 MOVED Director Rogers, SECONDED Director McLean, that staff prepare a report that investigates the viability of the Regional District of Nanaimo leasing the Morden Park mine site from the provincial government, including an estimate of associated costs and liabilities involved.

CARRIED

IN CAMERA

- 15-316 MOVED Director Veenhof, SECONDED Director Hong, that pursuant to Sections 90(1)(e), (i) and (j) of the *Community Charter* the Board proceed to an In Camera meeting for discussions related to land acquisitions, solicitor client privilege, and third party business interests.

CARRIED

TIME: 8:23 PM

ADJOURNMENT

MOVED Director Houle, SECONDED Director Lefebvre, that this meeting be adjourned.

CARRIED

TIME: 8:56 PM

CHAIRPERSON

CORPORATE OFFICER

Local Government Program Services

...programs to address provincial-local government shared priorities

RDN CAO'S OFFICE			
CAO	<input checked="" type="checkbox"/>	GM R&P	<input type="checkbox"/>
GMS&CD	<input checked="" type="checkbox"/>	GM T&SW	<input type="checkbox"/>
GM R&CU	<input checked="" type="checkbox"/>	DF	<input checked="" type="checkbox"/>
APR - 9 2015			
DCS	<input type="checkbox"/>	BOARD	<input checked="" type="checkbox"/>
CHAIR	<input checked="" type="checkbox"/>		

April 7, 2015

Chair Stanhope and Board
Nanaimo Regional District
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2



FIRST NATIONS'
Emergency Services
BRITISH COLUMBIA



BRITISH
COLUMBIA
www.gov.bc.ca

The Strategic Wildfire
Prevention Initiative is
managed by the
Provincial Fuel
Management Working
Group. For program
information, visit the
Funding Program section
at:

www.ubcm.ca

LGPS Secretariat

Local Government House
525 Government Street
Victoria, BC, V8V 0A8

E-mail: lgps@ubcm.ca
Phone: (250) 356-2947
Fax: (250) 356-5119

RE: Progress Payment (SWPI-132: Englishman River Operational Treatment, 2011)

Dear Chair and Board,

Thank you for submitting final reporting and for requesting a progress payment for the above noted fuel management project. The Provincial Fuel Management Working Group has reviewed and approved your request.

The final report notes the total cost for this project of \$45,145.52. The eligible grant is therefore \$40,630.97, or 90 per cent of the total project cost. As administrative and technical approvals of the final report submission have been granted, progress payment of up to 75 per cent of the eligible grant, or \$30,473.23, may be paid out.

Based on this, a cheque in this amount will follow shortly under separate cover. The balance of the eligible grant will be available when the review of spatial data is completed and fully approved.

On behalf of the Working Group, I commend your progress and wish you continued success in your community safety efforts.

Sincerely,

Peter Ronald
Programs Officer

cc: *Jani Drew, Emergency Coordinator, Nanaimo Regional District*
John Forrest, Acting Fuels Management Specialist, Coastal Fire Centre

From: LGIF CSCD:EX
Sent: Tuesday, April 14, 2015 1:17 PM
Subject: Unconditional Grant Funding Letter

Ref: 157818

Mr. Joe Stanhope, Chair
 and Members of the Board
 Regional District of Nanaimo
 6300 Hammond Bay Rd
 Nanaimo, BC V9T 6N2

Dear Chair Stanhope and Board Members:

2014 marked the end of the Strategic Community Investment Fund (SCIF) program. This was a multi-year program that accelerated Small Community, Regional District, and Traffic Fine Revenue Sharing grants in the early years of the program and reduced them in the later years.

Beginning in 2015, the Province of British Columbia will return to regular annual grant funding (similar to funding calculations prior to SCIF). However, there will be a one-time advance from the 2016 budget to the 2015 budget. Thus, this year's Regional District grants will be marginally higher (7% to 10%) than next year's grants.

The total value of 2015 grants for all regional districts will be \$4.7 million and will be paid in two installments (March and June), as follows:

Grant Program	Calendar Year 2015		
	March Payment	June Payment	Total Payment
	A	B	C=A+B
Regional District	1.6	3.1	4.7

The 2015 unconditional grant funding to your regional district will be as follows:

Unconditional Grant Funding	Purpose	Payment Date	Amount
Regional District	Local Government Services	March 26, 2015	\$38,896
		June 30, 2015	\$75,198

If you have any questions or comments regarding the grant payments, please feel free to contact Ms. Jennifer Richardson, Policy Analyst, by telephone at: 250 387-356-9609, or by email at: Jennifer.Richardson@gov.bc.ca.

Sincerely,
"Original signed by"
 Coralee Oakes
 Minister of Community, Sport and Cultural Development

From: Krog.MLA, Leonard Eugene

Sent: Wednesday, April 08, 2015 11:09 AM

Subject: RE: Rail Trail Expansion through Nob Hill and other South End Neighbourhoods

Dear Mayor McKay, Councillors, Regional District Directors and the Greater Nanaimo Cycling Coalition;

As the MLA for Nanaimo I simply wanted to offer my support to the motion unanimously passed by the Neighbours of Nob Hill Society, giving their support to the Rail Trail Extension through their neighbourhood. This is a wonderful project, worthy of community support at every level, and I simply wanted you to know that it certainly has my support as the MLA for Nanaimo. Thank you for your kind attention and good luck with this project.

Yours very truly,
Leonard Eugene Krog, MLA
Nanaimo

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1655.03

A BYLAW TO AMEND THE FEES AND CHARGES FOR
REGIONAL DISTRICT OF NANAIMO WATER SERVICES

WHEREAS The Board of the Regional District of Nanaimo adopted the “Regional District of Nanaimo Water Services Fees & Charges Bylaw No. 1655, 2012” which established fees and charges for water services;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to introduce water user rate increases of 2% in accordance with the 2015 Financial Plan;

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 the “Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.03, 2015”.

2. **Amendment**

“Regional District of Nanaimo Water Services Fees & Charges Bylaw No. 1655, 2012” is amended as follows:

By deleting Schedule ‘A’ of Bylaw No. 1655 and replacing it with the Schedule ‘A’ attached to and forming part of this bylaw.

3. **Effective Date**

The effective date of this Bylaw is May 1, 2015.

Introduced and read three times this 24th day of March, 2015.

Adopted this day of , 2015.

CHAIRPERSON

CORPORATE OFFICER

Chairperson

Corporate Officer

SCHEDULE 'A'

WATER RATES

1. (a) Calculated on the average daily consumption per unit:
 - i) For the first 0.7 cubic meters per day, \$0.98 per cubic meter.
 - ii) From 0.71 to 1.4 cubic meters per day, \$1.12 per cubic meter.
 - iii) From 1.41 to 2.1 cubic meters per day, \$1.43 per cubic meter.
 - iv) From 2.11 to 2.8 cubic meters per day, \$1.69 per cubic meter.
 - v) From 2.81 to 3.5 cubic meters per day, \$2.25 per cubic meter.
 - vi) Over 3.50 cubic meters per day, \$3.39 per cubic meter.
- (b) Minimum rate is \$0.31 per day.
- (c) Un-metered connections - \$3.00 per day.
- (d) Schools – As per (a) above plus \$80.00 per billing period.
- (e) Un-metered fire lines, \$65.00 per billing period.

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1718

A BYLAW TO ESTABLISH A WATER SERVICE
IN A PORTION OF ELECTORAL AREA 'F'

WHEREAS under sections 796 and 800 of the *Local Government Act* a regional district may, by bylaw, establish and operate any service the Board considers necessary or desirable for all or part of the regional district;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to establish a water service in a portion of Electoral Area 'F';

AND WHEREAS a sufficient petition for the service has been received in accordance with section 797.4 of the *Local Government Act*;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained under section 801(1)(a) of the *Local Government Act*;

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

1. **Service**

A service is hereby established to acquire, construct, obtain and improve land, buildings, vehicles and equipment for the purpose of operating a service for the supply, treatment, conveyance, storage and distribution of water to be known as the "Westurne Heights Water Service Area".

2. **Boundaries**

The boundaries of the service area is that portion of Electoral Area 'F' shown outlined on Schedule 'A' of this bylaw.

3. **Participating Area**

Electoral Area 'F' is the only participating area in this service.

4. **Cost Recovery**

In accordance with section 803 of the *Local Government Act*, the annual cost of providing this service may be recovered by one or more of the following:

- (a) property value taxes imposed in accordance with Division 4.3 of the *Local Government Act*;
- (b) parcel taxes imposed in accordance with Division 4.3 of the *Local Government Act*;
- (c) fees and charges imposed under section 363 of the *Local Government Act*;
- (d) revenues raised by other means authorized by the *Local Government Act* or another Act; and
- (e) revenues received by way of agreement, enterprise, gift, grant or otherwise.

5. **Maximum Requisition**

In accordance with section 800.1 (1) (e) of the *Local Government Act*, the maximum amount that may be requisitioned annually in support of this service shall be the greater of:

- (a) nineteen thousand dollars (\$19,000.00); or
- (b) the amount obtained by applying a property value tax rate of \$6.00 per \$1,000 to the net taxable value of land and improvements in the service area.

6. **Citation**

This bylaw may be cited for all purposes as the "Westurne Heights Water Service Area Establishment Bylaw No. 1718, 2014".

Introduced and read three times this 27th day of January, 2015.

Received the approval of the Inspector of Municipalities this 16th day of March, 2015.

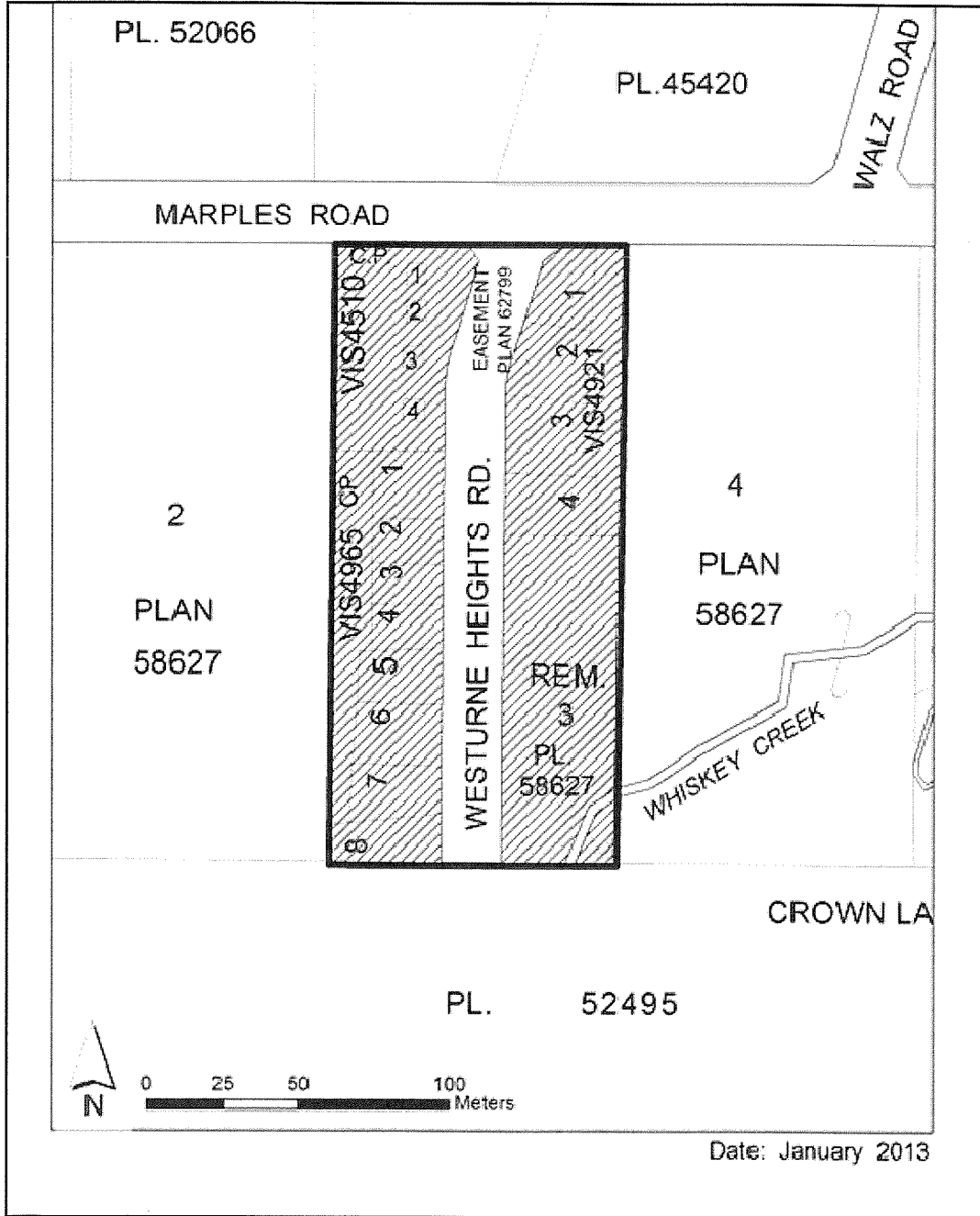
Adopted this day of , 2015.

CHAIRPERSON

CORPORATE OFFICER

Chairperson

Corporate Officer



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1719

**A BYLAW TO AUTHORIZE BORROWING FOR THE PURPOSE OF
ACQUIRING, CONSTRUCTING AND UPGRADING LAND, BUILDINGS,
VEHICLES AND EQUIPMENT FOR THE WESTURNE HEIGHTS WATER SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo established the Westurne Heights Water Service Area (the "Service") pursuant to Bylaw No. 1718 cited as "Westurne Heights Water Service Area Establishment Bylaw No. 1718, 2014;

AND WHEREAS the Board has obtained the consent of the electors in the Service Area by way of a sufficient petition in accordance with Section 823.1 of the *Local Government Act*, to borrow in order to acquire, construct and improve land, buildings, vehicles and equipment for the Service;

AND WHEREAS the estimated cost of acquiring, constructing or otherwise obtaining and improving land, buildings, vehicles and equipment for the Service is the sum of \$70,000;

AND WHEREAS the financing of this capital program is to be undertaken by the Municipal Finance Authority of British Columbia pursuant to proposed agreements between the Authority and the Regional District of Nanaimo;

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

1. The Board is hereby empowered and authorized to acquire all such real and personal property, rights or authorities as may be requisite or desirable for, or in connection with, the foregoing capital program, and all related ancillary works and equipment deemed necessary by the Board for the management of the service authorized under "Westurne Heights Water Service Area Establishment Bylaw No. 1718, 2014".
2. To borrow upon the credit of the Regional District a net sum not exceeding seventy thousand dollars (\$70,000).
3. The maximum term for which debentures may be issued to secure the debt intended to be created by this bylaw is 20 years.
4. This bylaw may be cited for all purposes as "Westurne Heights Water Service Area Loan Authorization Bylaw No. 1719, 2014".

Introduced and read three times this 27th day of January, 2015.

Received the approval of the Inspector of Municipalities this 16th day of March, 2015.

Adopted this day of , 2015.

CHAIRPERSON

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1720

A BYLAW TO AUTHORIZE THE ENTERING INTO OF AN AGREEMENT RESPECTING FINANCING BETWEEN THE REGIONAL DISTRICT OF NANAIMO (THE "REGIONAL DISTRICT") AND THE MUNICIPAL FINANCE AUTHORITY OF BRITISH COLUMBIA (THE "AUTHORITY")

WHEREAS the Authority may provide financing of capital requirements for regional districts and for their member municipalities by the issue of debentures, or other evidence of indebtedness of the Authority and lending the proceeds therefrom to the Regional District on whose request the financing is undertaken;

AND WHEREAS, pursuant to the provisions of Section 825 of the *Local Government Act*, the amount of borrowing authorized by the following Loan Authorization Bylaw, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder and the amount being issued under the authority thereof by this bylaw is as follows:

Regional District	L/A Bylaw No.	Purpose	Amount Borrowing Authorized	Amount Already Borrowed	Borrowing Authority Remaining	Term of Issue (Yrs.)	Amount of Issue
Nanaimo	1719	Westurne Heights Water Capital Financing Service	\$70,000	Nil	\$70,000	20	\$70,000

Total Financing pursuant to Section 825 \$70,000

AND WHEREAS the Regional Board, by this bylaw, hereby requests that such financing shall be undertaken through the Authority;

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

1. The Authority is hereby requested and authorized to finance from time to time the aforesaid undertakings at the sole cost and on behalf of the Nanaimo Regional District and its municipalities hereinbefore referred to, in Canadian Dollars or in such other currency or currencies as the Authority shall determine so that the amount realized does not exceed Seventy Thousand Dollars (\$70,000) in Canadian Dollars and/or the equivalent thereto and at such interest and with such discounts or premiums and expenses as the Authority may deem consistent with the suitability of the money market for sale of securities of the Authority.
2. Upon completion by the Authority of financing undertaken pursuant hereto, the Chairperson and Director of Finance of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements which said agreement or agreements shall be substantially in the form annexed hereto as Schedule 'A' and made part of this bylaw (such agreement or agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.
3. The Agreement in the form of Schedule 'A' shall be dated and payable in the principal amount or amounts of money in Canadian Dollars or as the Authority shall determine and subject to the *Local Government Act*, in such other currency or currencies as shall be borrowed by the Authority pursuant to Section 1 and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.
4. The obligations incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority and shall bear interest at a rate to be determined by the Treasurer of the Authority.
5. The Agreement shall be sealed with the seal of the Regional District and shall bear the signatures of the Chairperson and Director of Finance.
6. The obligations incurred under the said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Victoria and at such time or times as shall be determined by the Treasurer of the Authority.
7. If during the currency of the obligations incurred under the said Agreement to secure borrowings in respect of Westurne Heights Water Service Area Loan Authorization Bylaw No. 1719, the anticipated revenues accruing to the Regional District from the operation of the said Westurne Heights Water Service Area are at any time insufficient to meet the annual payment of interest and the repayment of principal in any year, there shall be requisitioned an amount sufficient to meet such insufficiency.

8. The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided however that if the sums provided for in the Agreement are not sufficient to meet the obligations of the Authority, and deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional District shall make provision to discharge such liability.
9. At the request of the Treasurer of the Authority and pursuant to Section 15 of the *Municipal Finance Authority Act*, the Regional District shall pay over to the Authority such sums and execute and deliver such promissory notes as are required pursuant to said Section 15 of the *Municipal Finance Authority of British Columbia Act*, to form part of the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.
10. This bylaw may be cited as “Westurne Heights Water Service Area Security Issuing Bylaw No. 1720, 2014”.

Introduced and read three times this 27th day of January, 2015.

Adopted this day of , 2015.

CHAIRPERSON

CORPORATE OFFICER

Chairperson

Corporate Officer

C A N A D A
PROVINCE OF BRITISH COLUMBIA

AGREEMENT
REGIONAL DISTRICT OF NANAIMO

The Regional District of Nanaimo (the "Regional District") hereby promises to pay to the Municipal Finance Authority of British Columbia (the "Authority") at its Head Office in Victoria, British Columbia, the sum of _____ in lawful money of Canada, together with interest thereon from the _____, at varying rates of interest, calculated semi-annually in each and every year during the currency of this Agreement; and payments of principal and interest shall be as specified in the table appearing on the reverse hereof commencing on the _____, provided that in the event the payments of principal and interest hereunder are insufficient to satisfy the obligations of the Authority undertaken on behalf of the Regional District, the Regional District shall pay over to the Authority such further sums as are sufficient to discharge the obligations of the Regional District to the Authority.

Dated at _____ British Columbia, this ____ of _____, 20__.

IN TESTIMONY WHEREOF and under the authority of Bylaw No. cited as "Westurne Heights Water Service Area Security Issuing Bylaw No. 1720, 2014", this Agreement is sealed with the Corporate Seal of the Regional District and signed by the Chairperson and the Director of Finance thereof.

Chairperson

Director of Finance

Pursuant to the *Local Government Act*, I certify that the within Agreement has been lawfully and validly made and issued and that its validity is not open to question on any ground whatever in any court of the Province of British Columbia.

Dated this ____ day of _____, 20__.

Inspector of Municipalities of British Columbia

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, APRIL 14, 2015 AT 6:30 PM IN THE
RDN BOARD CHAMBERS**

In Attendance:

Director B. Veenhof	Chairperson
Director A. McPherson	Electoral Area A
Director M. Young	Electoral Area C
Director B. Rogers	Electoral Area E
Director J. Fell	Electoral Area F
Alternate	
Director L. Derkach	Electoral Area G

Regrets:

Director J. Stanhope	Electoral Area G
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Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
J. Harrison	Director of Corporate Services
R. Alexander	Gen. Mgr. Regional & Community Utilities
G. Garbutt	Gen. Mgr. Strategic & Community Development
T. Osborne	Gen. Mgr. Recreation & Parks
J. Hill	Mgr. Administrative Services
J. Holm	Mgr. Current Planning
C. Golding	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order and respectively acknowledged the Coast Salish Nations whose traditional territory the meeting takes place.

The Chairperson welcomed Alternate Director Derkach to the meeting.

LATE DELEGATIONS

MOVED Director Young, SECONDED Director Fell, that late delegations be permitted to address the Board.

CARRIED

Garry Bentham re Development Permit with Variance Application No. PL2015-028 – Electoral Area ‘H’.

Garry Bentham described the rational and proposed works for Development Permit with Variance Application No. PL2015-028.

ELECTORAL AREA PLANNING COMMITTEE MINUTES

Minutes of the Regular Electoral Area Planning Committee meeting held Tuesday, March 10, 2015.

MOVED Director McPherson, SECONDED Director Fell, that the minutes of the regular Electoral Area Planning Committee meeting held March 10, 2015, be adopted.

CARRIED

DEVELOPMENT PERMIT APPLICATION

Development Permit Application No. PL2015-035 – 902 Barclay Crescent South, Electoral Area ‘G’.

MOVED Director Derkach, SECONDED Director Young, that Development Permit No. PL2015-035 to permit the construction of a dwelling unit be approved subject to the conditions outlined in Attachments 2 and 3.

CARRIED

DEVELOPMENT PERMIT WITH VARIANCE APPLICATION

Development Permit with Variance Application No. PL2015-028 – 5509 Deep Bay Drive, Electoral Area ‘H’.

MOVED Director Young, SECONDED Director Rogers, that Development Permit with Variance Application No. PL2015-028 be referred back to Regional District of Nanaimo staff.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. PL2015-020 – 403 & 395 Lowry’s Road, Electoral Area ‘G’.

MOVED Director Derkach, SECONDED Director Fell, that staff be directed to complete the required notification.

CARRIED

MOVED Director Derkach, SECONDED Director Fell, that Development Variance Permit No. PL2015-020 to reduce the required setback for buildings housing livestock from 30.0 metres to 24.0 metres be approved subject to the conditions outlined in Attachments 2 and 3.

CARRIED

Development Variance Permit Application No. PL2015-013 – 1005 Coldwater Road, Electoral Area ‘G’.

MOVED Director Derkach, SECONDED Director Fell, that staff be directed to complete the required notification.

CARRIED

MOVED Director Derkach, SECONDED Director Fell, that Development Variance Permit No. PL2015-013 to reduce the north westerly side yard setback from 8.0 metres to 2.0 metres to permit the construction of an accessory building be approved.

CARRIED

Development Variance Permit Application No. PL2015-030 – 85 Blackbeard Drive, Electoral Area ‘H’.

MOVED Director Rogers, SECONDED Director Fell, that staff be directed to complete the required notification.

CARRIED

MOVED Director Rogers, SECONDED Director Fell, that Development Variance Permit No. PL2015-030 to reduce the setback from the watercourse on the subject property from 18.0 metres from the stream centre line to 10.0 metres from the present natural boundary be approved subject to the conditions outlined in Attachments 2 and 3.

CARRIED

Development Variance Permit Application No. PL2015-034 and Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement Subdivision Application No. PL2014-134 – 3389 Jingle Pot Road, Electoral Area ‘C’.

MOVED Director Young, SECONDED Director McPherson, that staff be directed to complete the required notification for Development Variance Permit No. PL2015-034.

CARRIED

MOVED Director Young, SECONDED Director McPherson, that Development Variance Permit No. PL2015-034 to increase the permitted parcel depth for proposed Lot 1 from 40% to 43% of the length of the perimeter of the parcel and for proposed Lot 2 from 40% to 44% of the length of the perimeter of the parcel be approved subject to the conditions outlined in Attachments 2 and 3.

CARRIED

MOVED Director Young, SECONDED Director McPherson, that the request to relax the minimum 10% perimeter frontage requirement for proposed Lot 1 and proposed Lot 2 in relation to subdivision application PL2014-134 be approved.

CARRIED

ZONING AMENDMENT APPLICATIONS

Zoning Amendment Application No. PL2014-087 – Horne Lake Road and Inland Island Highway, Electoral Area ‘H’ – Amendment Bylaw 500.398 – 1st and 2nd Reading.

MOVED Director Rogers, SECONDED Director Young, that the Summary of the Public Information Meeting held on January 26, 2015, be received.

CARRIED

MOVED Director Rogers, SECONDED Director Young, that the conditions set out in Attachment 2 of the staff report be completed prior to Bylaw No. 500.398, 2015", being considered for adoption.

CARRIED

MOVED Director Rogers, SECONDED Director Young, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.398, 2015", be introduced and read two times.

CARRIED

MOVED Director Rogers, SECONDED Director Young, that the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.398, 2015", be chaired by Director Veenhof or his alternate.

CARRIED

Zoning Amendment Application No. PL2015-021 – 2790/2800 Benson View Road, Electoral Area 'C' – Amendment Bylaw 500.399 – 1st and 2nd Reading.

MOVED Director Young, SECONDED Director McPherson, that the Summary of the Public Information Meeting held on March 26, 2015, be received.

CARRIED

MOVED Director Young, SECONDED Director McPherson, that the conditions set out in Attachment 2 of the staff report be completed prior to Bylaw No. 500.399 being considered for adoption.

CARRIED

MOVED Director Young, SECONDED Director McPherson, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.399, 2015", be introduced and read two times.

CARRIED

MOVED Director Young, SECONDED Director McPherson, that the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.399, 2015", be chaired by Director Maureen Young or her alternate.

CARRIED

ADJOURNMENT

MOVED Director Rogers, SECONDED Director Fell, that this meeting be adjourned.

CARRIED

TIME: 6:52 PM

CHAIRPERSON

CORPORATE OFFICER

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500.398, 2015**

**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. 500.398, 2015”.
- B. The “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 90 Newcastle District Plan EPP41641

From Rural 1 (RU1) Subdivision District ‘B’ to Rural 6 (RU6) Subdivision District ‘D’

Introduced and read two times this ___ day of _____ 2015.

Public Hearing held this ___ day of _____ 20XX.

Read a third time this ___ day of _____ 20XX.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this ___ day of _____ 20XX.

Adopted this ___ day of _____ 20XX.

Chairperson

Corporate Officer

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500.399**

**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. 500.399, 2015”.
- B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:

By rezoning the lands shown on the attached Schedule ‘1’ and legally described as:

Lot 7, Section 9 and 10, Range 4, Mountain District, Plan 36191

from Rural 1 Zone, Subdivision District ‘D’ to Rural 1 Zone, Subdivision District ‘F’.

Introduced and read two times this ____ day of _____ 2015.

Public Hearing held this ___ day of _____ 2015.

Read a third time this ___ day of _____ 2015.

Adopted this ___ day of _____ 2015.

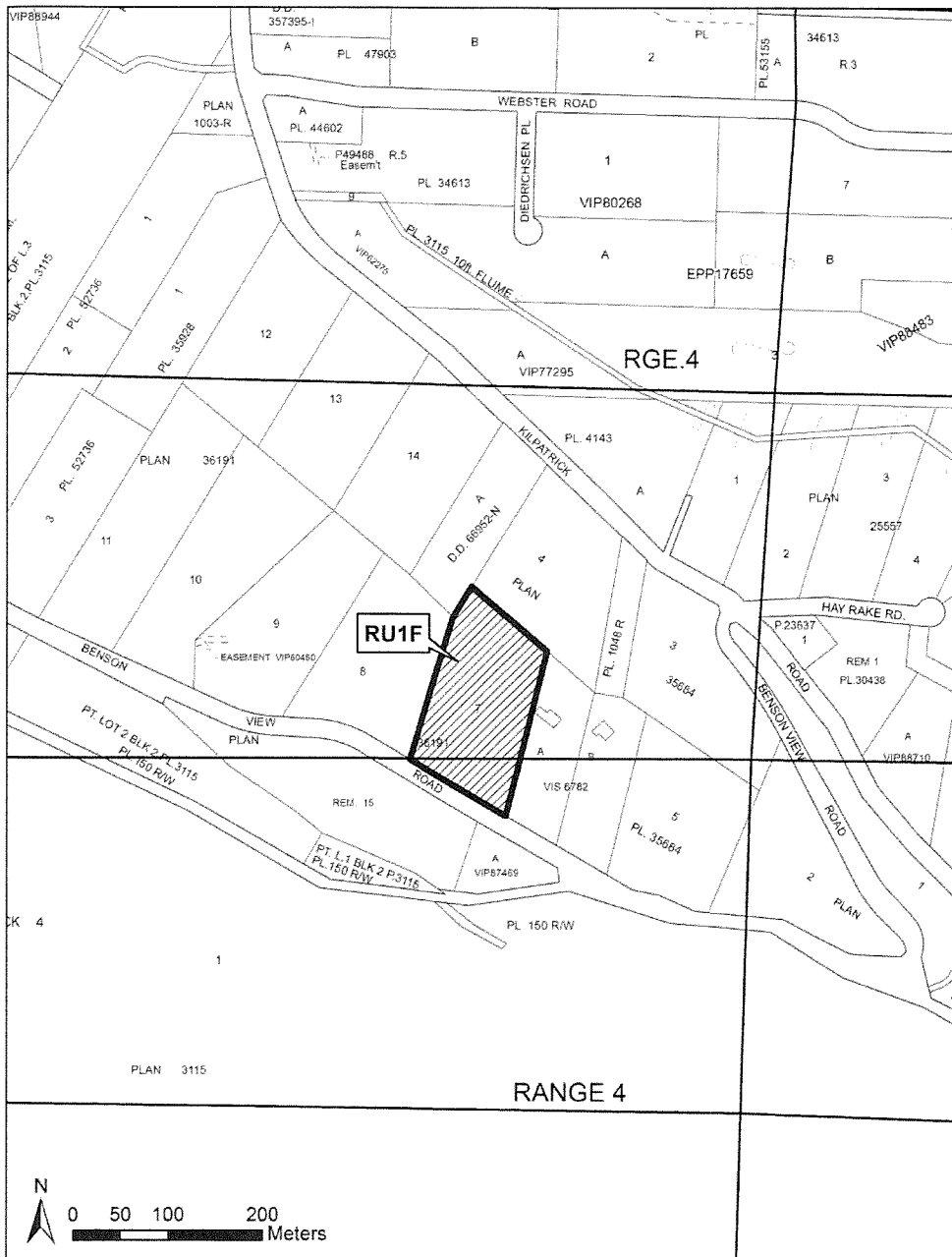
Chairperson

Corporate Officer

Chairperson

Corporate Officer

Schedule '1'



REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE REGULAR COMMITTEE OF THE WHOLE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, APRIL 14, 2015 AT 7:00 PM IN THE
RDN BOARD CHAMBERS

In Attendance:

Director C. Haime	A/Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director B. Rogers	Electoral Area E
Director J. Fell	Electoral Area F
Alternate	
Director L. Derkach	Electoral Area G
Director B. Veenhof	Electoral Area H
Director J. Hong	City of Nanaimo
Director I. Thorpe	City of Nanaimo
Director B. Yoachim	City of Nanaimo
Director M. Lefebvre	City of Parksville
Alternate	
Director B. Avis	Town of Qualicum Beach

Regrets:

Chairperson J. Stanhope	Electoral Area G
Director B. McKay	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director W. Pratt	City of Nanaimo
Director T. Westbroek	Town of Qualicum Beach

Also in Attendance:

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

CALL TO ORDER

The Chairperson called the meeting to order and welcomed Alternate Directors Avis and Derkach to the meeting.

DELEGATIONS

Dr. Paul Hasselback, Island Health, re Presentation on the Local Health Area Profiles for the Nanaimo Area.

Dr. Paul Hasselback delivered a slide presentation and overview of local area health profiles within Districts 68 and 69.

Gail Adrienne and Paul Chapman, Nanaimo and Area Land Trust, re Nanaimo River Watershed Roundtable.

Gail Adrienne provided the Board with a brief history of the Nanaimo River Watershed and how it has evolved to where it is today. Paul Chapman spoke about the events which have been held throughout the community and the hope that participation with stakeholders will increase in the future.

COMMITTEE OF THE WHOLE MINUTES

Minutes of the Regular Committee of the Whole meeting held Tuesday, March 10, 2015.

MOVED Director Veenhof, SECONDED Director Thorpe, that the minutes of the regular Committee of the Whole meeting held March 10, 2015, be adopted.

CARRIED

COMMUNICATION/CORRESPONDENCE

Ken Cossey, Snuneymuxw First Nation, re Appointment to the Liquid Waste Management Plan Monitoring Committee.

MOVED Director Lefebvre, SECONDED Director Houle, that the correspondence received from Ken Cossey, Snuneymuxw First Nation, regarding appointment to the Liquid Waste Management Plan Monitoring Committee be received.

CARRIED

Laurie Gourlay, Vancouver Island & Coast Conservation Society, re World Water Day Request re Cassidy Aquifer.

MOVED Director Lefebvre, SECONDED Director Houle, that the correspondence received from Laurie Gourlay, Vancouver Island & Coast Conservation Society, regarding the World Water Day request regarding the Cassidy Aquifer be received.

CARRIED

Gary Fribance, Third Crossing Society, re Request for Letter of Support in Principle.

MOVED Director Lefebvre, SECONDED Director Houle, that the correspondence received from Gary Fribance, Third Crossing Society, regarding a request for a letter of support in principle be received.

CARRIED

Norman Abbey, Neighbours of Nob Hill Society, re Support for the Rail Trail Extension.

MOVED Director Lefebvre, SECONDED Director Houle, that the correspondence received from Norman Abbey, Neighbours of Nob Hill Society, regarding support for the Rail Trail extension be received.

CARRIED

UBCM, re Rural Advisory Council Announced.

MOVED Director Lefebvre, SECONDED Director Houle, that the correspondence received from the Union of BC Municipalities regarding the Province's new Rural Advisory Council be received.

CARRIED

UBCM, re Deadline Approaching for Urban Deer Recommendations.

MOVED Director Lefebvre, SECONDED Director Houle, that the correspondence received from the Union of BC Municipalities regarding the deadline approaching for urban deer recommendations be received.

CARRIED

FINANCE

2015 Gas Tax Transfer and Community Works Fund Project Update.

MOVED Director Veenhof, SECONDED Director Houle, that the report on the renewed Gas Tax Funding Program and on the use of Community Works Funds in 2014 be received for information.

CARRIED

MOVED Director Veenhof, SECONDED Director Houle, that the 2015 and future Community Works Funds program attached as Schedules A and B be approved and that staff be authorized to continue work on the projects as needed.

CARRIED

REGIONAL AND COMMUNITIES UTILITIES

WASTEWATER

French Creek Pollution Control Center Trickling Filter Roof Replacement Project Award.

MOVED Director Houle, SECONDED Director Lefebvre, that the Board award the French Creek Pollution Control Center Trickling Filter Roof Replacement Project to Island West Coast Developments for \$574,302.00.

CARRIED

MOVED Director Houle, SECONDED Director Lefebvre, that the Board award the engineering services for the French Creek Pollution Control Center Trickling Filter Roof Replacement Project to AECOM for \$25,000.

CARRIED

SepticSmart Education Program Progress Report.

MOVED Director Avis, SECONDED Director Thorpe, that the Board receive the report for information.

CARRIED

STRATEGIC AND COMMUNITY DEVELOPMENT

ENERGY AND SUSTAINABILITY

Community Works Fund Contribution – Arrowsmith Agricultural Association.

MOVED Director Fell, SECONDED Director Rogers, that the Board supports the use of Community Works Funds allocated to Regional District of Nanaimo Electoral Area 'F' to contribute to a proposed new on-site wastewater treatment system for Arrowsmith Hall.

CARRIED

MOVED Director Fell, SECONDED Director Rogers, that the Board direct staff to draft and execute a Contribution Agreement between the Arrowsmith Agricultural Association and the Regional District of Nanaimo to provide up to \$15,000 in Community Works Funds toward eligible costs for a proposed new on-site wastewater treatment system for Arrowsmith Hall.

CARRIED

ADVISORY AND SELECT COMMITTEE, AND COMMISSION

Agricultural Advisory Committee.

Minutes of the Agricultural Advisory Committee meeting held Friday, March 27, 2015.

MOVED Director Houle, SECONDED Director Veenhof, that the minutes of the Agricultural Advisory Committee meeting held Friday, March 27, 2015, be received for information.

CARRIED

District 69 Recreation Commission.

Minutes of the District 69 Recreation Commission meeting held Thursday, March 19, 2015.

MOVED Director Veenhof, SECONDED Director Lefebvre, that the minutes of the District 69 Recreation Commission meeting held Thursday, March 19, 2015, be received for information.

CARRIED

Grant Approvals.

MOVED Director Veenhof, SECONDED Director Thorpe, that the following District 69 Youth Recreation Grant applications be approved:

893 Beaufort Squadron - training activities	\$2,500
Ballenas Secondary School - Dry Grad	\$1,200
Errington War Memorial Hall Association - Intercultural Music Project	\$1,100
The Nature Trust of BC - Brant Wildlife Festival/Youth Photo Exhibit	\$700
Oceanside Minor Lacrosse Association - Shark Attack Tournament	\$2,500

CARRIED

MOVED Director Avis, SECONDED Director Yoachim, that the following District 69 Community Recreation Grant applications be approved:

Arrowsmith Community Recreation Association - Coombs Community Picnic	\$529
Corcan Meadowood Residents Association - Canada Day event	\$2,350
Errington Elementary School PAC - grade 3 swim program	\$2,500
Errington Elementary School - Tribune Bay subsidies for low-income families	\$2,500
Errington Therapeutic Riding Association - program expenses, horses, arena, and insurance	\$1,000
Oceanside Elementary School PAC - new playground construction	\$2,500
Town of Qualicum Beach - Select Committee on Beach Day Celebrations	\$1,500

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

URBAN DEER RECOMMENDATIONS

MOVED Director Veenhof, SECONDED Director Hong, that staff write a letter to the Union of BC Municipalities providing the Board's comments regarding the draft urban deer recommendations as outlined in Director Veenhof's email.

CARRIED

NEW BUSINESS

Board Procedure Bylaw.

MOVED Director Veenhof, SECONDED Director Rogers, that staff be directed to schedule an Executive Committee meeting for the purposes of reviewing the existing Board Procedure Bylaw and that the Executive Committee work to develop options for amendments to the Bylaw for consideration by the Board.

CARRIED

Southern Community Economic Development Funding Agreement.

This item was withdrawn.

Liquid Waste Management Plan Monitoring Committee.

The Chairperson announced the appointments of Directors McPherson, Thorpe, Rogers and Lefebvre to the Liquid Waste Management Plan Monitoring Committee.

IN CAMERA

MOVED Director Avis, SECONDED Director Hong, that pursuant to Sections 90(1)(a), (c), and (f) of the *Community Charter* the Committee proceed to an In Camera Meeting for discussions related to Board appointments, labour relations, and law enforcement.

CARRIED

TIME: 7:56 PM

ADJOURNMENT

MOVED Director Houle, SECONDED Director Lefebvre, that this meeting be adjourned.

CARRIED

TIME: 8:12 PM

CHAIRPERSON

CORPORATE OFFICER

DISTRICT OF NANAIMO

MINUTES OF THE SOLID WASTE MANAGEMENT SELECT COMMITTEE MEETING HELD ON WEDNESDAY, MARCH 11, 2015 AT 1:30 PM IN THE RDN COMMITTEE ROOM

Present:

Director A. McPherson	Chairperson
Director H. Houle	Electoral Area 'B'
Director M. Young	Electoral Area 'C'
Director B. McKay	City of Nanaimo
Director J. Kipp	City of Nanaimo
Alternate	
Councillor B. Avis	Town Of Qualicum Beach

Also in Attendance:

D. Pearce	A/Gen. Mgr., Transportation & Solid Waste Services, RDN
L. Gardner	Manager of Solid Waste, RDN
S. Horsburgh	Senior Solid Waste Planner, RDN
P. Thorkelsson	CAO, RDN
R. Graves	Recording Secretary, RDN
Director B. Rogers	Electoral Area 'E'

Regrets:

Director T. Westbroek	Town of Qualicum Beach
Director J. Stanhope	Electoral Area 'G'

CALL TO ORDER

The meeting was called to order at 1:33pm by the Chairperson.

MINUTES

CORRESPONDENCE

REPORTS

Review of Stage One.

S. Horsburgh gave a presentation to provide the committee with an update of the current Solid Waste Management Plan (SWMP). S. Horsburgh reviewed some of the key policy drivers which include "Zero Waste" diversion targets, ensuring that the landfill is designed and operated to maximize environmental protection, banning waste materials from disposal in the landfill, organics diversion strategy, waste stream management licensing and user pay. Discussion ensued with respect to Extended Producer Responsibility (EPR), MMBC and NOW organics.

Approval of Consultation and Communications Plan - Survey.

L. Gardner updated the Committee of the SWMP consultation objectives. This included ensuring the plan is collaborative and reflects a broad range of perspectives, opportunities to educate the public about the SWMP and gather input future options for managing waste and meet the Ministry of the Environment consultation expectations.

The SWMP includes the public consultation objectives and includes opportunities to educate the public about the SWMP and the role of the public and technical advisory committee(s), stakeholder consultation, municipal consultation and First Nations consultation. Currently we are at the information stage and later in the Plan we will engage the public in more dialogue.

Review of Solid Waste Issues and Work Plan.

S. Horsburgh reviewed the Issues and Work Plan handout. This plan is a condensed version which outlines the information that we are going to be bringing forward to our Advisory Committee and will guide them to develop and understand what the issues are and give the sense of what we are currently doing to address each issue.

This table identifies emerging issues that came from a variety of meetings that were held to date. A Solid Waste Haulers and Recyclers meeting held September 2013, a Solid Waste Planning workshop held for RDN Board members in May 2014, a Zero Waste community day workshop held in October 2014 and, two meetings of the Regional Solid Waste Advisory Committee held in October and December 2014.

S. Horsburgh reviewed the Work Plan with topic areas that are based on the Stage 1 report. The Work Plan is being developed and an Issues Memorandum will be going forward to the Board.

Future Waste Generation Projections.

L. Gardner gave an overview of the presentation with topics that included why waste projection is important, provincial and local forecasting of waste generation and limitations.

Some factors that will play a role in future waste generation and the type of service that may be considered will include:

- Regional Growth – aging population, increased densification in some areas
- Industry Product Stewardship programs – rate of successful diversion
- Waste Export – where is the waste in our region being disposed of
- Consumerism – are individual buying habits staying the same or are individuals buying more or less.

The RDN has a mature waste management system and has all of the elements to promote higher levels of diversion.

[3:40pm Director McKay left the meeting.]

NEW BUSINESS

Director Kipp requested bringing forward a resolution to start the process of reviewing post future closure of the Landfill.

P. Thorkelsson requested that Committee support AVICC initiative to create a working group to review Vancouver Island/Sunshine Coast solid waste issues.

ADJOURNMENT

MOVED Director Houle that the meeting be adjourned.

CARRIED

NEXT MEETING

TBA.

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE SOLID WASTE MANAGEMENT SELECT COMMITTEE
MEETING HELD ON THURSDAY, APRIL 2, 2015 AT 1:30 PM
IN THE RDN COMMITTEE ROOM**

Present:

Director J. Stanhope	Chairperson
Director A. McPherson	Electoral Area 'A'
Director H. Houle	Electoral Area 'B'
Director M. Young	Electoral Area 'C'
Director B. McKay	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director T. Westbroek	Town of Qualicum Beach
Director M. Lefebvre	City of Parksville

Also in Attendance:

D. Pearce	A/Gen. Mgr., Transportation & Solid Waste Services, RDN
L. Gardner	Manager of Solid Waste, RDN
S. Horsburgh	Senior Solid Waste Planner, RDN
P. Thorkelsson	CAO, RDN
R. Graves	Recording Secretary, RDN

Regrets:

Director B. Yochim	City of Nanaimo
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CALL TO ORDER

The meeting was called to order at 1:32pm by the Chairperson.

MINUTES

MOVED Director Lefebvre SECONDED Director Westbroek that the minutes from the Solid Waste Select Committee meeting held March 11, 2015 be received.

CARRIED

CORRESPONDENCE

ADVISORY COMMITTEE

MOVED Director Lefebvre SECONDED Director McKay that the minutes from the Solid Waste Advisory Committee meeting held December 11, 2014 be received for information only.

CARRIED

MOVED Director Lefebvre SECONDED Director Westbroek that the draft minutes from the Solid Waste Advisory Committee meeting held February 19, 2015 be received for information only.

CARRIED

REPORTS

Authority to Regulate Municipal Solid Waste.

S. Horsburgh introduced the report on information regarding flow management as a measure to regulate Municipal Solid Waste generated in the Region. The Regional District of Nanaimo is proposing to review waste flow management options as part of the SWMP process to require that waste residue generated in the RDN is disposed of at a regional facility.

MOVED Director Lefebvre SECONDED Director Westbroek that the Authority to Regulate Municipal Solid Waste report be received.

CARRIED

Disposal Facility Future Cost Projections.

L. Gardner introduced a staff report for 25 year landfill cost projections under three different scenarios as follows: 1) Waste Volume Decrease – 22,000 tonnes (no flow management); 2) 80% Waste Diversion with no flow management; 3) 80% Waste Diversion with flow management in place.

MOVED Director Kipp SECONDED Director McPherson that the Disposal Facility Future Cost Projections report be received.

CARRIED

Solid Waste Tipping Fee Analysis.

L. Gardner introduced a staff report presenting an alternate tip fee structure based on a tiered per tonne fee and the introduction of a transaction fee. The objective of the alternate fee structure is to stabilize revenue while the SWMP is under review.

MOVED Director Westbrook SECONDED Director Lefebvre that the Solid Waste Tipping Fee Analysis report be received.

CARRIED

NEW BUSINESS

Chair Stanhope commented that Energizer is introducing a new campaign that 40% of their batteries will be recyclable. The Chair questioned if the RDN will start accepting batteries for recycling? L.Gardner commented that if private recycling industries are providing that service the RDN would not compete with industry.

Director Westbrook displayed a garbage can lid that a Grade 4 class designed for Qualicum's Town Hall square elaborated and on recycling efforts within the school community.

Director Kipp enquired if the Committee should take a tour of local recycling facilities? Staff was directed to arrange a tour.

ADJOURNMENT

Moved Director Lefebvre SECONDED Director Westbrook that the meeting be adjourned.

CARRIED

NEXT MEETING

TBA.

CHAIRPERSON

TO: Daniel Pearce
A/General Manager, Transportation and Solid Waste

DATE: March 27, 2015

FROM: Sharon Horsburgh
Senior Solid Waste Planner

Meghan Larson
Special Projects Assistant

FILE: 5365-00

SUBJECT: Authority under the RDN's Solid Waste Management Plan to Regulate Municipal Solid Waste

PURPOSE

To bring forward a report on information regarding flow management as a measure to regulate Municipal Solid Waste (MSW) generated in the Region.

BACKGROUND

The RDN has experienced a significant reduction in tipping fee revenue over the last two years. While the majority of this revenue loss is likely due to the export of residual waste out of the Regional District of Nanaimo (RDN) by private haulers, additional waste diversion activity may also be contributing to the shortfall. The loss of revenue associated with waste flow out of the RDN has a significant impact on the financial sustainability of the RDN solid waste management system. The recent trend in regional government has been to consider flow management as a regulatory tool to maintain the sustainability of current regional solid waste management systems.

In February 2015, the RDN hired Carey McIver & Associates to undertake a detailed analysis of the extent to which waste export is occurring, what the motivation is for waste export, what barriers exist to waste export and, based on the foregoing, an opinion on whether or not waste export is likely to increase and on what timeline. The RDN has experienced a significant reduction in tipping fee revenue since 2012. Based on a detailed examination of RDN scale data, RDN disposal facilities experienced a net reduction of 7,251 tonnes of MSW from commercial haulers over two years from 2013 to 2014. This equates to an average net loss of 3,625 tonnes annually. Indicators, as noted above, suggest that the amount of waste being transferred out of region, referred to as "leakage," has the potential to increase if the RDN does not consider options to address the loss of revenue to RDN disposal facilities.

One option under consideration is the authority to regulate waste flow by local governments. On October 17, 2014 the Minister of Environment denied approval of Metro Vancouver's proposed Bylaw 280, which would have regulated waste flow to prevent leakage. In denying approval of the Bylaw, the Minister cited concerns of creating a monopoly, increased illegal dumping, negative effects on recycling of packaging and printed paper and destabilizing private sector collection and handling. This decision by the Minister has the potential to exacerbate leakage in both Metro and the RDN.

Metro Vancouver concluded that without regulatory controls on waste export, if large loads continue to be charged at a rate higher than the competitive market, commercial haulers will exit the regional system at an increasing rate. They also noted that large loads subsidize small loads because the cost of managing large loads is less on a per tonne basis than small loads. As a result, on February 14, 2015, Metro Vancouver responded to the risk of increasing leakage by adopting Bylaw 288 (Tipping Fee Bylaw) that reduces the tip fee for large loads. They have also introduced a Transaction Fee recognizing there are fixed costs regardless of load size, e.g. scales, tip floor, attendant staff. The basis of the fee structure is as follows:

- Previous Rate:
 - \$109 per tonne for all loads
 - Minimum \$10 load per load
- Bylaw 288 Rates:
 - Transaction Fee: \$5 per load + per tonne charge
 - Minimum Fee including Transaction Fee: \$15 per load
 - Per Tonne Charge:
 - Small Loads < 1 tonne: \$130 per tonne to a max of \$109
 - Medium Loads < 9 tonnes: \$109 per tonne to max \$720
 - Large Loads > 9 tonnes: \$80 per tonne

Metro Vancouver believes this rate structure is still high enough to encourage waste diversion and that waste currently being exported will return to the Metro system over the next five years. Continuing with a user pay model, fees are forecasted to increase over the next five years as follows: small loads at \$157/tonne, medium loads at \$138/tonne and large loads at \$85/tonne. Had Metro continued with a set rate of \$109/tonne for large loads, tip fees were forecasted to increase to over \$200/tonne under a user pay model for the same period, which would only serve to exacerbate waste export and further increases to tip fees. Metro Vancouver recognized the uncertainties with the alternatives explored but concluded that adjusting the tip fees is a necessary step to address long term sustainability of the solid waste function.

Discussion

One of the major issues identified for review in the 2015 Solid Waste Management Plan (SWMP) is how to finance the Solid Waste Management System in the RDN. Currently, the majority of funding for the Solid Waste function is drawn from RDN tipping fees. Since 2014, expenses are exceeding revenues with the deficit being funded by increasing the tax requisition. Private waste export of MSW was identified during Stage 1 of the SWMP Review as an issue that could destabilize the current RDN waste management system.

The regulatory provisions of the Provincial *Environmental Management Act*, extend authority to Regional Districts to regulate Solid Waste according to the region's SWMP. If the Board chooses to include flow management in the draft SWMP, there are two options: (i) prepare a Bylaw for approval with the draft plan; or (ii) submit the plan for approval to the Minister and prepare a Bylaw that would require consultation and later be submitted to the Province for final adoption.

Authority to manage municipal solid waste and recyclable material generally referred to as "flow control" can cover:

- the types, quality or quantities of municipal solid waste or recyclable material that may be brought onto or removed from a site;
- the burning of any class or quantity of municipal solid waste or recyclable material;

- set fees for the services of a waste hauler and require waste haulers to acts as agents of the regional district to collect and remit fees.

Staff will be providing the Board with updates on the SWMP as the stakeholder and public consultation processes are completed, including information on options to move forward with flow management in the both the short and long term.

ALTERNATIVES

There are no alternatives for this report.

FINANCIAL IMPLICATIONS

There are no financial implications with this report.

STRATEGIC PLAN IMPLICATIONS

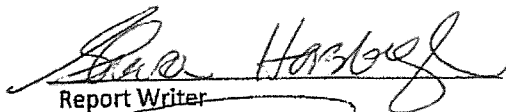
Solid Waste flow management impacts the RDN Strategic Plan's ability to consider future options for waste management, disposal and facility development to meet the needs of a growing population.

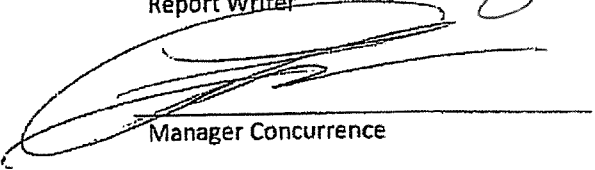
SUMMARY / CONCLUSIONS

The regulatory provisions of the Provincial *Environmental Management Act* extends authority to Regional Districts to regulate Solid Waste. The RDN is proposing to review waste flow management options as part of the SWMP process and to potentially develop a Bylaw designed to ensure waste generated in the RDN is handled at a regional facility. The intent of the Bylaw will be to create a level playing field for participants, ensure a cost effective and equitable solid waste management system, support future waste diversion targets and promote private sector innovation and economic opportunities.

RECOMMENDATIONS

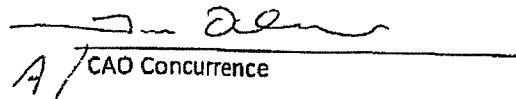
That the Board receive this report for information.


Report Writer


Manager Concurrence


Report Writer


A/General Manager Concurrence


A/CAO Concurrence

TO: Daniel Pearce
A/General Manager, Transportation and Solid Waste

DATE: March 27, 2015

FROM: Jane MacIntosh
A/Superintendent of Landfill Operations

FILE: 5365-00

SUBJECT: Disposal Facility Future Cost Projections

PURPOSE

To bring forward a report on information regarding *Disposal Facility Future Cost Projections* based on two potential scenarios.

BACKGROUND

Over the past two years the Regional District of Nanaimo (RDN) has experienced a decreasing trend in the volume of waste being delivered to the Regional Landfill. The road to Zero Waste, as per our Solid Waste Management Plan, has included many initiatives to divert materials from the landfill for re-use, recycling, etc.; however, the magnitude of this decrease is attributed more to the current practice of commercial waste export than the success of waste diversion programs.

Management of the lifespan of the landfill includes the evaluation of available airspace for waste filling, a predicted annual tonnage of waste material and an overall compaction rate for the waste. What is developed is called a fill-plan that basically tells us how much waste can be fit in the space available. Based on historical events the public preference is to maximize the life of the existing landfill rather than construct a new landfill. Given this general mandate, engineers have developed a fill-plan that includes various expansions to the landfill over time to expand the available footprint and achieve the longest lifespan possible for the site. In addition to the operating costs of the landfill, there are also capital costs associated with various projects to complete engineered expansions such as berms.

There are currently no mechanisms in place to control the destination of waste generated within the RDN. Given the recent commercial practice of exporting waste outside of the RDN, the tonnages delivered to the landfill from 2010 to 2014 have dropped from approximately 70,700 metric tonnes (MTs) to 51,400 MTs. The loss of revenue associated with this change in tonnage is approximately \$2,412,500. With no means to control the leakage of residual waste from the district, the ability to forecast future projections and generate an engineered fill-plan becomes increasingly challenging.

Looking ahead, there are a number of scenarios that could occur at this point. The observed decreasing trend could continue or, conversely, management directives or changes in market conditions could result in a return of waste to the landfill. The development of the landfill site must allow for either option to ensure the landfill is prepared and there is a place for the waste should the volumes return to a "normal level." The RDN tasked the engineers to review a number of options, three of which are discussed in more detail in the following paragraphs.

Scenario 1: This scenario evaluated the effects of a continued decreasing trend in waste volume. It assumes there are no mechanisms in place to control the flow of waste from the district and the continued success of waste diversion programs would drop the annual tonnage to approximately 20,000 MTs. At this volume and with current tipping fees, which include allowances for general inflation, growth rates for garbage generation and interest rates, the landfill life could extend until the year 2075. The net present value for the site until closure in 2075 and including 25 years post-closure care is -\$67.9 million.

Scenario 2: This scenario evaluated the outcome if the Zero Waste Program achieved an 80% diversion rate and assumes 10% of waste generated is exported outside the region. At our current volume and existing tipping fees, which include allowances for general inflation, growth rates for garbage generation and interest rates, the landfill life could extend until the year 2052. The net present value for the site until closure in 2052 and including 25 years post closure care is -\$47.9 million.

Scenario 3: This scenario evaluated the outcome if the Zero Waste Program achieved an 80% diversion rate and flow control measures directed all RDN generated waste to the local landfill. At our current volume and existing tipping fees, which include a 2% tip fee increase over inflation, growth rates for garbage generation and interest rates, the landfill life could extend until the year 2048. The net present value for the site until closure in 2048 and including 25 years post-closure care is \$12.4 million.

Normalizing Net Present Values: To aid with comparing each scenario, net present values were normalized for a 25 year period (2015 to 2050). The results are summarized below:

Scenario	Alternative Description	Closure Year	Net Present Value (25 year period)	Net Present Value (closure + 25 years)
1	Waste Volume Decrease - 22,000 tonnes, no flow control	2075	-\$40.4 million	-\$67.9 million
2	80 percent waste diversion, <u>no</u> flow control in place (10% waste export)	2052	-\$37.9 million	-\$47.9 million
3	80 percent waste diversion, flow control in place	2048	-\$3.7 million	\$12.4 million

While the landfill may last a much longer time if the annual tonnage drops and waste continues to leave the district, the financial implications are stark. Each scenario has implications to waste management practices to mitigate the cost such as closing the landfill, constructing a transfer station and also exporting waste off-Island for final disposal.

ALTERNATIVES

There are no alternatives for this report.

FINANCIAL IMPLICATIONS

There are no financial implications with this report.

STRATEGIC PLAN IMPLICATIONS


Flow Management impacts the ability of the RDN Strategic Plan to consider future options for waste management, disposal and facility development to meet the needs of a growing population.

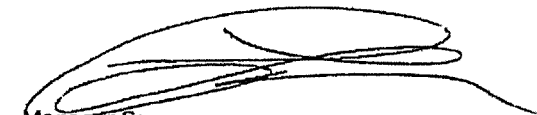
SUMMARY / CONCLUSIONS

The operation of the Regional Landfill requires preparing future fill-plan options for maximizing the use of air-space and landfill life. The fill-plan guides the day-to-day operation of the site and development of expansion areas to achieve optimal capacity within a defined footprint space. Decreasing trends in waste volumes over the past few years have generated a concern in the ability to adequately predict the future development and costs associated with operating the landfill. Realistic scenarios that evaluate the status quo and flow control measures generate significantly different cost implications and indicate further attention to managing solid waste in the district is economically imperative to the district.

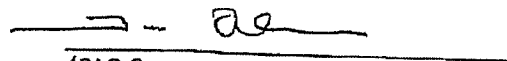
RECOMMENDATIONS

That the Board receive this report for information.


Report Writer Jane McIntosh


Manager Concurrence


A/General Manager Concurrence


A /CAO Concurrence



englishman river
WATER SERVICE

**MINUTES OF THE EMERGENCY MEETING OF THE
ENGLISHMAN RIVER WATER SERVICE (ERWS) MANAGEMENT BOARD
HELD ON FRIDAY, MARCH 13, 2015 AT 8:30 AM
IN THE PARKSVILLE FORUM**

Present:

Director J. Stanhope, Chair	Regional District of Nanaimo
Director B. Rogers	Regional District of Nanaimo
Director M. Lefebvre	City of Parksville
Counsellor S. Powell	City of Parksville

Also in Attendance:

P. Thorkelsson	Regional District of Nanaimo
R. Alexander	Regional District of Nanaimo
M. Donnelly	Regional District of Nanaimo
G. St. Pierre	Regional District of Nanaimo
F. Manson	City of Parksville
M. Squire	City of Parksville
R. Graves	Recording Secretary

CALL TO ORDER

Chair Stanhope called the meeting to order at 8:30 AM.

DELEGATIONS

MINUTES

MOVED Director Lefebvre, SECONDED Director Rogers, that the minutes from the meeting of the Englishman River Water Services Management Board held November 13, 2014, be adopted.

CARRIED

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

Fisheries and Oceans Canada.

Dr. P. Hasselback, Island Health to Trevor Wicks.

MOVED Director Lefebvre, SECONDED Director Rogers, that the correspondence dated February 23, 2015, from Fisheries and Oceans Canada and Dr. P. Hasselback be received.

CARRIED

MOVED Director Lefebvre, SECONDED Director Rogers, that correspondence be sent to Fisheries and Oceans Canada requesting a second look at our grant application.

CARRIED

REPORTS

Fisheries and Oceans Canada.

MOVED Director Lefebvre, SECONDED Director Powell, that the following recommendations be received.

- Receive this report and direct staff to update the project implementation plan.
- Undertake federal and provincial political involvement (MLA, MP) in lobby efforts.
- Direct staff to move forward with the application process with DFO.
- Direct staff resources and budgets towards focusing on a contingency plan to meet current and future water needs until such time as authorization for surface water extraction of the Englishman River is achieved.
- Direct staff to advise Island Health that we will not be in compliance with our Operating Permit.

CARRIED

Funding Update.

MOVED Director Powell, SECONDED Director Lefebvre, that the Funding Update report be received.

CARRIED

Aquifer Storage and Recovery.

MOVED Director Lefebvre, SECONDED Director Rogers that the Aquifer Storage and Recovery report be received.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

Submission Of Funding Application For The Federal Gas Tax Fund Strategic Priorities Fund.

MOVED Director Powell, SECONDED Director Rogers that the Englishman River Management Board direct staff to make application to the Federal Gas Tax Strategic Priorities Fund (Capital Infrastructure Projects Stream) for a financial contribution toward the cost of construction of the Englishman River Water Service drinking water treatment and intake infrastructure and distribution system.

CARRIED

Updated ERWS Communications Plan.

MOVED Director Lefebvre, SECONDED Director Powell that the updated ERWS Communications Plan be received.

CARRIED

OTHER

QUESTIONS

The Chair opened the floor to questions and comments.

Elaine Hoffer asked if the Parksville town hall meeting will be cancelled and commented that the ERWS website is difficult to locate items and would like to see more links to City of Parksville and RDN site.

Director Lefebvre replied that it won't be on the date planned but will take place in the months ahead.

Al Pastors commented on the DFO letter and the concern of the proposal of the existing intake and the current state of the fishery and questioned if anyone has looked into putting in a smaller pipe.

Mike Squire replied that the issue with DFO is that do not recognizing the original intent of the dam which was to supply water for fish habitat and human consumption. M. Squire commented that a smaller pipe size would not have changed the outcome of the letter received from DFO.

Dwayne Round commented that he lives on the Englishman River in between the current water intake and the new proposed water intake and has noticed since the development of the dam a marked improvement in water levels and fish population. D. Round commented that the City of Parksville have been good stewards of the river and will encourage the Martindale Residents Association to contact DFO and senior levels of government to support the water intake.

Doug Kits questioned if alternative storage of water reservoirs as a secondary Plan B has been addressed and have you considered another reservoir on another part of the river? D. Kits also commented on the lack of snow pack and believes there should be incentives for cisterns so the residents can store water.

Director Stanhope agreed that development within Nanoose and Parksville will have to comply with water supply and the lack of snow fall will impact aquifers not only in coming years but years to follow.

Mike Squire commented that ASR is a small part of the overall project and when we looked at how it's been achieved in other communities it could be a benefit for our community. In regards to looking at the south Englishman River arm for future reservoir and storage, there was an application brought forward by BCCF to AWS approximately 4/5 years ago, for a non-consumptive license if we wanted to go forward as a joint venture.

Trevor Wicks remarked that 20 years ago we realized there was going to be issues with water in this community. In the last 5-10 years there has been \$5-6 million spent on a project that at this point in time seems to have stalled and now looking at contingency plans. On March 24, 2015, T. Wicks will give a presentation about options for water.

Mike Jessen, representing the Arrowsmith Parks and Land Use Council, remarked on EPCOR and Morningstar Golf Course drilling new wells and questioned when there would be a plan for alternate options for the Englishman River situation and where would they money come from?

Paul Thorkelsson replied that the Board has given staff directions to halt work on the ASR project and look at a contingency plans and how to move forward with the treatment plant project. Any recommendations will come to the Board.

IN CAMERA

OTHER

NEXT MEETING

ADJOURNMENT

MOVED Director Lefebvre, SECONDED Director Rogers that the meeting be adjourned.

CARRIED

J. Stanhope, Chairperson



RDN REPORT		
CAO APPROVAL		
EAP		
COW		
APR 14 2015		
RHD		
BOARD	✓	

MEMORANDUM

TO: Daniel Pearce
A/General Manager, Transportation & Solid Waste Services

DATE: March 26, 2015

FROM: Larry Gardner
Manager, Solid Waste Services

FILE: 5360-00

SUBJECT: Landfill Tip Fee Analysis

PURPOSE

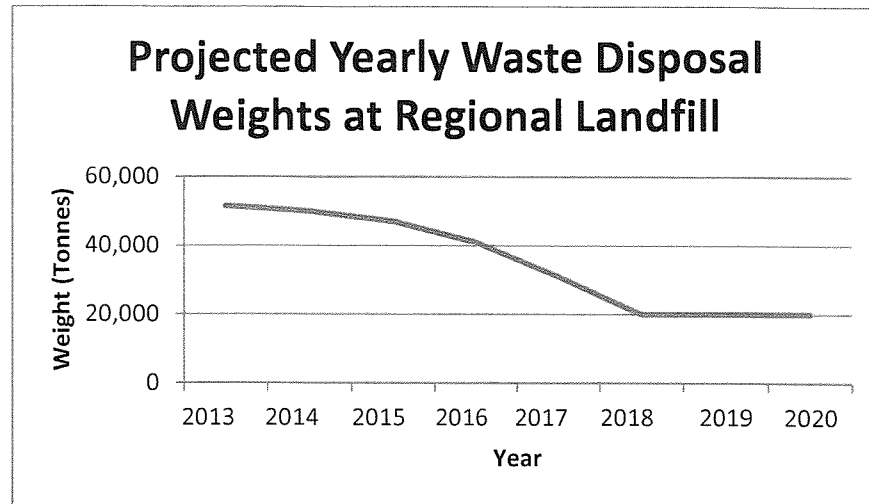
To request the Board consider a tip fee reduction in order to stabilize Solid Waste Services revenue while the Solid Waste Management Plan (SWMP) is under review. The SWMP will detail future services and associated costs and will be the basis for establishing revenue including the appropriate tip fees at the landfill and transfer station.

BACKGROUND

The Regional District’s Solid Waste Services function is financed primarily by tipping fees. The proposed 2015 tax requisition of \$462,470 makes up about 6% of the overall annual revenue. Tip fee revenues for 2014 were \$850,000 less than originally projected in the 2014 budget. This lower amount can be attributed to a combination of influences including: 1) less waste generation due to economic factors; 2) higher use of waste stewardship and recycling programs; 3) reduction in packaging; and, 4) shipping of waste outside of region for low-cost disposal.

The last point, shipping out of region, is the greatest threat to future years tip fee revenue. Seven large commercial waste haulers operate in the region. In September 2013, two of the commercial waste haulers discontinued shipping waste to the Regional Landfill in favour of out-of-region disposal. Informal discussions with two of the other waste haulers have indicated that they are regularly solicited for waste disposal by large USA landfilling companies and, in order to compete for business, it may be necessary to also take advantage of this lower cost option.

In the Regional District of Nanaimo (RDN), in the worst case scenario, leakage could increase to the point that only waste sourced from curbside collection under the current control of the RDN would continue to go to the Regional Landfill. Even under such a circumstance, it is likely that there would continue to be some modest use of the Regional Landfill by the commercial sector for difficult to dispose of items like asbestos waste. Although the commercial sector is likely to increasingly target self-haul waste, some amount of self-haul waste would continue to be taken to the Regional Landfill. It is estimated that in such a worst case scenario, total tonnage received at the Regional Landfill would fall to approximately 20,000 tonnes. The following graph provides a plausible, if highly unlikely, projection and suggests that waste disposal, and commensurate tip fee revenue, could fall by 60% by 2018.



DISCUSSION

It appears that tip fees in the RDN have crossed the threshold where shipping to the USA has a cost advantage. Consequently, the RDN engaged Carey McIver and Associates (CMA) to undertake an analysis of: the extent to which waste export is occurring; what the motivation is for waste export; what barriers exist to waste export; and based on the foregoing, an opinion on whether or not waste export is likely to increase and on what timeline. The CMA report is attached (Appendix 1) and the major findings are summarized below:

1. Commercial hauling companies deliver the majority of Municipal Solid Waste (MSW) to RDN disposal facilities. The amount of MSW delivered by commercial haulers has declined by almost 25%. This significant reduction cannot be explained by increased diversion opportunities to the industrial/commercial/institutional (ICI) and multi-family sector or by economic factors. The reduction can be attributed primarily to two waste management companies that ship to the USA.
2. Based on discussions with the two companies, their motivation to waste export was not in response to high RDN tipping fees but was instead to internalize cost concerns as follows:
 - One of the companies is an international operation owning a large USA landfill. They made a corporate decision to internalize costs and ship waste to their landfill in Oregon.
 - The other company cited internal cost savings associated with equipment and labour costs. Specifically they cited an average tire repair cost of \$5,000 per month due to punctures as a result of the landfill conditions. Secondly they claimed to be experiencing average turnaround times at the landfill of at least 1 hour representing a labour cost in the order of \$30,000 annually. Their business is hauling roll-off containers, which makes it necessary to take single trips to the landfill as compared to a front load compactor truck making multiple pickups. Therefore, they historically accessed the landfill several times a day and much more often than a compactor truck. Tire damage and the cost impact of wait times are a function of the number of visits to the landfill and, therefore, why this company is particularly impacted and why the same complaint was not heard from all haulers. Costs to ship waste to the USA are claimed to be about \$140/tonne.

3. Discussions with two of the other major haulers indicate that they have no immediate intentions to export waste citing that they have not lost market share.

The CMA report concludes that it is unlikely that any of the large haulers will begin to export waste due to the low value of the Canadian dollar and the RDN has at least one year to consider options. The report further concludes that reduction in tipping fees is unlikely to encourage currently exported waste to return to RDN facilities.

It is worthy of note that scale records were reviewed for the hauler claiming long turnaround times. For the period between 2008 and 2014, average time at the landfill was approximately 20 minutes; for the 5 month period prior to commencing transport to the USA average times were 17.5 minutes with a maximum time of 21 minutes. Scale records do not include any line up times to enter the site.

Over the last year, informal discussions between RDN staff and area waste management representatives have suggested that the break-even point for waste export was somewhere between \$95 and \$110 per tonne. It is difficult to predict to what extent the recent fluctuation of the Canadian dollar, as well as fuel prices, have had on these estimates. CMA suggest export costs are \$140/tonne. It would be very difficult to determine a true value for waste export but the current range most likely lies somewhere between \$110 and a \$140/tonne. Certainly there is more risk to ship to the USA as demonstrated by fluctuations in the dollar and fuel prices, which remain a deterrent to export.

It is worthy of note that both the transportation and waste disposal industry benefit by increased quantities and lower unit cost, i.e., the more you ship the cheaper it is to ship. On this basis, if leakage does increase in the region, it starts the progression of falling unit costs to ship waste that further attracts more waste to be shipped out.

ALTERNATIVES

Alternative 1: Reduce tip fees for large waste haulers accessing the Regional Landfill and introduce a *Transaction Fee* at both the Regional Landfill and the Church Road Transfer Station.

Alternative 2: Continue with the status quo: leave the tip fees at current rates and continue to monitor out-of-region waste disposal trends.

Alternative 3: Establish an alternate fee structure as directed by the Regional Board.

FINANCIAL IMPLICATIONS

Alternative 1:

Alternative 1 proposes to reduce tipping fees for large loads received at the Regional Landfill with the intention of reducing or removing the disparity in costs between local waste disposal and waste export. Although there is some question as to what extent there is a disparity in costs, lowering disposal fees for large loads makes it less likely that other large commercial haulers will leave the system. If this were to happen, where another large hauler leaves the RDN waste disposal system, it would place a significant burden on the RDN to finance the service requiring an increase in tipping fees or a higher level of taxation.

The fee structure is contemplated to be a tiered rate ranging from \$110 to \$125/tonne for waste received at the Regional Landfill. A reduction in the tip rate would apply commensurate with the increasing mass of the load. The rationale being that large loads cost less to process on a unit basis than small loads. The fee reduction would not apply at the Church Road Transfer Station on the basis that: 1) RDN hauling costs for transporting waste from the transfer station to the landfill are about \$15/tonne plus the additional cost to handle the waste; and, 2) it encourages large load transporters to haul directly to the Regional Landfill resulting in overall system efficiency and lowering operational costs at the transfer station.

This alternative also suggest the introduction of a \$2 “transaction fee” that would apply to all loads regardless of size at both the transfer station and the landfill and offsets the fixed facility costs such as weigh scales and attendant staff. For small loads, i.e., <48 kg, this would essentially increase the minimum charge from the current \$6 to \$8. Approximately 155,000 self-haul, curbside and small commercial loads were processed at the solid waste facilities in 2014. A \$2 transaction fee would increase revenue by approximately \$300,000.

It is proposed the following tip fee structure be considered:

<i>Fee</i>	<i>Regional Landfill</i>	<i>Church Road Transfer Station</i>
Transaction Fee	\$2/load	\$2/load
Min. Load Charge (<48 kg)	\$6/load	\$6/load
< 5 tonnes	\$125/tonne	\$125/tonne
≥5 to <6 tonnes	\$122/tonne	\$125/tonne
≥6 to <7 tonnes	\$119/tonne	\$125/tonne
≥7 to <8 tonnes	\$116/tonne	\$125/tonne
≥8 to <9 tonnes	\$113/tonne	\$125/tonne
>9 tonne load	\$110/tonne	\$125/tonne

Rate applied to entire load, i.e., 9 tonne load at \$110/tonne = \$990 + \$2 = \$992.

The progressive tip fee reduction starting at 5 tonnes considers the range of primarily commercial traffic. Front load compactor trucks typically have a payload in excess of 9 tonnes. Roll off containers commonly range in the order of 5 to 10 tonnes. A progressive rate change softens the impact of the rate change at each of the rate thresholds.

Residential curbside collection trucks operated by the City of Nanaimo (City) and RDN contractors typically have payloads of 3 to 5 tonnes. Therefore, the net impact of the rate structure proposed here would be the addition of the transaction fee of \$2 per load. The City and the RDN curbside collection programs deliver approximately 1200 and 1900 loads respectively. Therefore the net increase would correspond to \$2400 and \$3800.

With a \$2 transaction fee and the \$6 minimum charge for waste, the minimum cost to customers at the RDN facilities would be \$8. The proposed transaction fee for RDN facilities is less in minimum cost than those of the Capital Regional District and Comox Valley Regional District and equal to that of the Alberni Clayoquot Regional District. The minimum charge for waste at the Regional Districts of Mount Waddington and Cowichan Valley is \$3 and \$5 respectively but this is for a smaller quantity of waste. Regional Districts on Vancouver Island have solid waste tip fees that vary between \$95 and \$140; therefore, the proposed tip fee structure falls within this range. A tip fee and minimum charge comparison is presented in *Appendix 2*.

The above rate structure is targeted to make local waste disposal competitive with USA disposal. The rate is likely not low enough to curb the current leakage from the region but merely intended to slow or halt the trend while the SWMP is under review. It is believed that the proposed rate structure will not be disruptive to the region's waste management industry whether they are using the Regional Landfill or hauling out of region. Furthermore, the proposed rate is still high enough that it continues to encourage zero waste policies.

Stabilizing the waste flow in the regions is expected to result in about 47,000 tonnes of waste per year requiring disposal for the next several years. Based on this rate structure, projected tip fee revenues are \$6.43 million¹. The addition of a \$300,000 received through Transaction Fees, results in a total combined revenue of \$6.76 million.

Alternative 2:

Alternative 2 contemplates continuing with the status quo, which is to leave the tip fees at current rates and continue to monitor out-of-region waste disposal trends.

The CMA report concluded that it is unlikely that any of the large haulers will begin to export waste in the near future and the RDN has at least one year to consider options. This timeline is consistent with the SWMP review that is currently underway and will be looking at options for future financing of waste management services.

However, even if one of the large haulers was to decide to export waste to the USA in the interim, the consequence would be a loss of 2000 to 10,000 tonnes of waste from the system with a revenue loss of between \$250,000 and \$1,250,000.

Assuming there is no further trend to waste export, under the status quo with tip fees at \$125/tonne, revenues are projected at \$6.8 million².

Analysis

The following table provides a comparison of Alternatives 1 and 2:

	Tonne Rate	2015 Projected Tonnes	Revenue	Total
Alternative 1				
Status Quo	\$125	47,000	\$6,800,000	\$6,800,000
Alternative 2				
Tiered Rate:				
>9 tonnes	\$110	16,700	\$1,837,700	
8-8.9 tonnes	\$113	2,700	\$305,100	
7-7.9 tonnes	\$116	2,400	\$278,400	
6-6.9 tonnes	\$119	2,300	\$273,700	
5-5.9 tonnes	\$122	3,500	\$427,000	
<5 tonnes and controlled waste	\$125 and \$250	19,400	\$3,350,830	
Transaction Fee	Fee per load \$2	Total transactions		

¹ Revenue projections are a combination of the base rate plus the premium rate for controlled waste.

per load		150,000	\$300,000	
Tiered Rate & Transaction Fee Total				\$6,762,730

STRATEGIC PLAN IMPLICATIONS

Changes to tipping fee rates as discussed in this report are consistent with the “user pay” principal, are still at such a level that promotes waste reduction and, therefore, are consistent with the current SWMP.

SUMMARY/CONCLUSIONS


The export of waste out of the region for disposal is a concern as it challenges the ability to finance the solid waste service. As solid waste services is managed primarily on a user-pay model, as the revenue is lost tip fees need to be increased to offset the loss. This only creates a greater disparity in the cost of local disposal and waste export. A further concern is that as waste export increases, the unit costs for transportation fall, widening the disparity. This has the potential for disposal costs to drop to such an extent that the RDN’s waste reduction success is eroded. As disposal cost drop, the financial incentive for alternatives to disposal are lost.

The content of this report presents some of the complexities in developing future projections for waste disposal and revenue. The amount of waste received at RDN facilities changes with the economy, with zero waste programs and export of waste outside of the region. It is the export of significant amounts of waste that have the most immediate and pronounced impact but also are most difficult to predict. The alternative to tier the tip fee and introduce a transaction fee could result in greater stability with a minimal change in revenue. This model better apportions the cost consistent with the “user-pay” principal and has the benefit of reducing the financial incentive to seek out cheaper waste export. In this regard, it is considered a lower risk option.


Staff recommend Alternative 1, to proceed with a tiered tip fee and introduction of a Transaction Fee. Should the Board support the recommendation, staff will prepare amendments to Bylaw 1531 for further consideration.

RECOMMENDATION

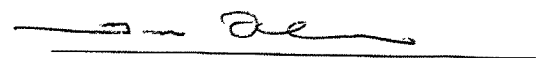
That staff be directed to proceed with bylaw preparation that establishes a tiered tip fee and introduction of a transaction fee while the Solid Waste Management Plan is under review.



 Report Writer



 A/General Manager Concurrence



 A/CAO Concurrence

APPENDIX 1



Carey McIver & Associates Ltd.

ENVIRONMENTAL CONSULTANTS

February 10, 2015

Larry Gardner
Manager Solid Waste Services
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Dear Larry,

Re: RDN Waste Export Analysis

The RDN has experienced a significant reduction in tipping fee revenue over the last two years. While the majority of this revenue loss is likely due to the export of residual waste out of the RDN by private haulers, additional waste diversion activity may also be contributing to the shortfall. The loss of revenue associated with waste flow out of the RDN has a significant impact on the financial sustainability of the RDN solid waste management system.

Consequently, the RDN engaged Carey McIver & Associates (CMA) to undertake a detailed analysis of: the extent to which waste export is occurring; what the motivation is for waste export; what barriers exist to waste export; and based on the foregoing, an opinion on whether or not waste export is likely to increase and on what timeline. The following letter report provides the results of this analysis.

1. Scale Data Results – *What and Who?*

The RDN solid waste disposal system is funded primarily through tipping fees. Tipping revenue is calculated by multiplying tonnes of materials (municipal solid waste, controlled waste and recyclables) received at the Regional Landfill and Church Road Transfer Station (CRTS) by the corresponding fee for each specific material type. The RDN uses the GEOWARE Waste Management Information and Control System software to provide automated weight scale processing, waste management data collection and information management tasks.

CMA undertook a detailed examination of GEOWARE generated scale data to determine the source of material loss by type and hauler. The following reports were generated by RDN staff and provide the basis for this analysis:

- Material type reports for the last three years (2012, 2013, 2014);
- Hauler reports (curbside residential, commercial haulers and self-haul) for the last five years (2010-2015) categorized by for both waste and recyclables; and,
- Top Ten commercial hauler reports for the last five years (2010-2015).

Carey McIver & Associates Ltd., 1964 Crows Nest Lane, Nanoose Bay, BC V9P 9H7

The following Figure 1 provides a summary of the relative proportion of each major material type and tonnages for the last three years. A detailed material type and tonnage table is attached to this report as Appendix 1. As indicated in Figure 1, the vast majority of material delivered to RDN facilities is municipal solid waste (MSW).

Figure 1: Material Type Summary

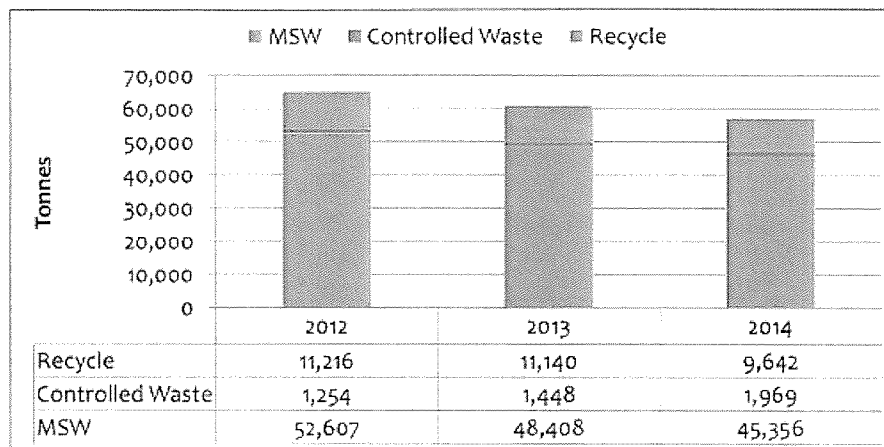


Table 1 summarizes the data in Figure 1 and indicates the net material loss by tonne for 2013 and 2014.

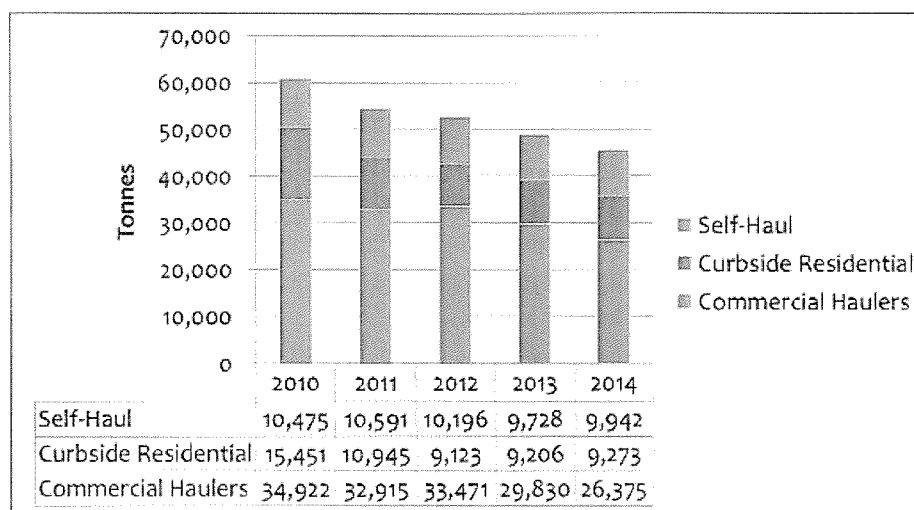
Table 1: Net Material Loss by Tonne

Type	2012 tonnes	2013 tonnes	Diff tonnes	2014 tonnes	Diff tonnes
MSW	52,607	48,408	-4,199	45,356	-3,052
Controlled Waste	1,254	1,448	+194	1,969	+521
Recycle	11,216	11,140	-76	9,642	-1,498
Total	65,077	60,996	-4,081	56,967	-4,029

As indicated in Table 1 the net material loss between 2012 and 2013 was 4,081 tonnes, with most of this loss attributed to MSW. The net loss between 2013 and 2014 was 4,029 tonnes however this amount would be less if the roughly 815 tonnes of food waste that City of Nanaimo delivered directly to the NOW composting facility rather than the Regional Landfill is taken into consideration.

Figure 2 illustrates who actually delivered MSW to RDN disposal facilities by self-haul, curbside residential and commercial haulers.

Figure 2: Business Type by Material Summary – 2010-2014



As indicated in Figure 2, commercial hauling companies delivered the majority of MSW to RDN disposal facilities. This material is primarily from industrial, commercial, institutional (ICI) and the multi-family housing sectors. Curbside residential haulers (single-family residential waste collected by the City of Nanaimo and RDN) and self-haul customers represent the remaining, almost equal portions of waste.

Since 2010, the amount of MSW delivered by self-haul customers has declined by 5%. This is likely due to increased diversion opportunities within the region. The amount of MSW delivered by curbside residential haulers (City of Nanaimo and RDN) has declined by 40%. This is primarily due to the introduction of the Green Bin food waste collection program. The amount of MSW delivered by commercial haulers has declined by almost 25%. This significant reduction cannot be explained by either increased diversion opportunities to the ICI and multi-family sector or by economic factors.

The GEOWARE Top 10 Customer report was used to determine which commercial haulers were responsible for the reduction in MSW delivered to RDN facilities. The following Table 2 illustrates MSW by customers ranked by total tonnes delivered in descending order for the years 2010-2014. Table 3 narrows this information down to three years (2012-2014) and identifies the gain or loss in MSW tonnes by customer. It is clear from these two tables that DBL Disposal Services (DBL) and Waste Management Canada (WM Nanaimo) are responsible for the majority of the reduction in MSW delivered to RDN facilities.

Table 2: Top 10 Customers 2010-2014

Customer	2010	2011	2012	2013	2014
BFI Canada	11,370	9,618	9,749	9,463	9,567
DBL Disposal	5,952	5,240	5,419	3,377	144
Waste Mgmt.	5,943	5,403	4,966	3,178	900
Haarsma Waste	4,215	4,916	5,365	5,710	6,104
SunCoast Waste	1,567	1,552	1,619	1,762	1,982
Emterra	1,440	1,589	1,491	1,529	1,509
Alpine	1,244	1,712	1,850	1,530	1,062
Super Save	802	833	754	854	812
Contain-a-Way	325	0	0	0	0
GLS Disposal	337	476	608	656	959
Milner	0	0	255	288	546
Ministry of Forests	0	0	0	0	1,306
Total	33,195	32,455	32,076	28,347	24,891

Table 3: Net Material Loss by Top 10 Customers 2012-2014

Customer	2012	2013	Diff	2014	Diff
BFI Canada	9,749	9,463	-286	9,567	104
DBL Disposal	5,419	3,377	-2,042	144	-3,233
Waste Mgmt.	4,966	3,178	-1,788	900	-2,278
Haarsma Waste	5,365	5,710	345	6,104	394
SunCoast Waste	1,619	1,762	143	1,982	220
Emterra	1,491	1,529	38	1,509	-20
Alpine	1,850	1,530	-320	1,062	-468
Super Save	754	854	100	812	-42
GLS Disposal	608	656	48	959	303
Milner	255	288	33	546	258
Ministry of Forests	0	0	0	1,306	1,306
Total	32,076	28,347	-3,729	24,891	-3,456

To summarize, RDN disposal facilities experienced a net reduction of 7,251 tonnes of MSW from commercial haulers over two years from 2013 to 2014. This equates to an average net loss of 3,625 tonnes annually. This reduction can be attributed primarily to two companies: DBL and WM Nanaimo.

2. Current Waste Exporters – *How and Why?*

DBL Disposal Services (DBL) is a locally owned and operated company that has provided waste disposal and recycling services to residential, commercial and industrial clients throughout Nanaimo and the surrounding area since 1954. Their business consists of 18 trucks and 400 roll-off bins, containers and compactors as well as recycling depot.

The recycling depot, located at 333 10th Street in Nanaimo, holds a facility license issued under RDN Waste Stream Management Bylaw 1386 in August 2012. The following Table 4 shows the materials and annual quantities approved under their facility license. The table also indicates the actual types and quantities of materials processed at the facility in 2014 as reported by DBL. A fee comparison between DBL and the RDN is also provided to illustrate the DBL business model.

Table 4: DBL Facility License, Actual Quantities and Fee Comparison 2014

Material	WSML tpy	Received tpy	Shipped tpy	DBL Fee	RDN Fee
Const. & Demo (mixed loads)	720	5,152		\$210	\$360
Wood (separated)	1,020	3,725	4,563	\$135	\$250
Metal	120	0	429	\$0	\$6
Gypsum	360	396	0	\$215	\$250
Asphalt Roofing	480	1,162	0	\$150	\$125
Yard Waste	72	766	766	\$52	\$55
Cardboard	180	0	194	\$0	\$6
Concrete (Clean)	72	1,072	0	\$35	NA
Concrete (with metal)	72	0	0	\$100	NA
Clean Fill	NA	548	1,620	\$30	NA
Co-mingled MSW	NA	2,160		\$150	\$125
Residual MSW	NA		7,226		
Total	3,096	14,992	14,799		

Under the RDN facility license, DBL has approval to operate a material recovery facility for mixed loads of construction demolition (CD) material. Prior to mid-2013, DBL shipped residual waste arising from their material recovery activities to the RDN landfill. However, in 2013 the company changed their business model to not only start accepting co-mingled loads of MSW (which is out-of-compliance with their RDN facility license), but to also to ship their residual waste the Columbia Ridge Landfill in Arlington Oregon owned by Waste Management Inc. Their major customer for co-mingled MSW is WM Nanaimo.

As indicated in the following Figure 3, co-mingled loads of MSW from the ICI sector are dumped outside of the DBL facility for manual sorting by DBL staff. Figure 4 represents a typical load of co-mingled MSW. Due to RDN disposal bans, this material is relatively free from putrescible material such as food and yard waste. This makes the loads relatively dry which in turn facilitates manual recovery of

recyclables such as metal, wood, and cardboard. According to DBL, their recovery rate for mixed loads of CD waste is 70%. The recovery rate for co-mingled loads of garbage is 40%. Based on DBL's 2014 material report, their overall recovery rate is 48%.

Figure 3: Truck Delivering Co-Mingled MSW to DBL Recycling Facility

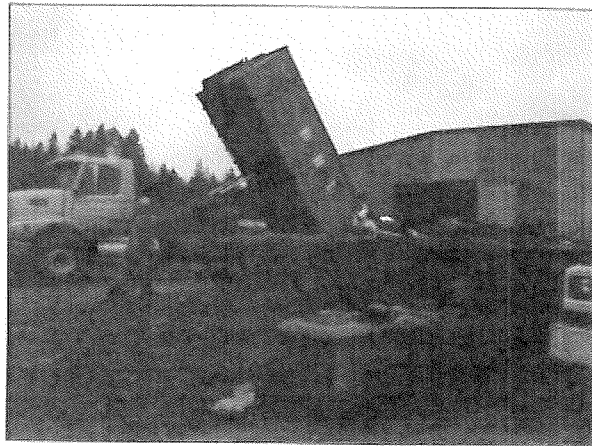


Figure 4: Typical Load of Co-Mingled MSW



Although the DBL Recycling facility is currently out of compliance with their RDN facility license, it is not unreasonable to expect that the RDN would approve an amendment given that DBL is operating as a material recovery facility and not as a waste transfer station. This facility is consistent with the objectives of the RDN Solid Waste Management Plan and contributes not only to the high RDN diversion rate but also to local community economic development.

With respect to residual waste, DBL ships this material to the Columbia Ridge Landfill in trailers provided by Waste Management Inc. This is illustrated in Figure 5 below.

Figure 5: DBL Transfer Truck and Trailers



Based on discussions with DBL, the trailers are hauled to Duke Point for barging to Vancouver. From Vancouver the containers are hauled by truck to Portland Oregon where they are loaded onto rail cars for transfer to Columbia Ridge. According to DBL, the current cost for this service is \$132 CDN per tonne from Duke Point and closer to \$140 CDN per tonne if DBL loading and trucking costs to Duke Point are included.

Although, due to the value of the Canadian dollar, the cost to export waste to Columbia Ridge may have been closer to \$105 per tonne when DBL first started the practice in 2013, DBL claim that their motivation to ship their residual waste out-of-region was not lower tipping fees. Instead they strongly assert that they were motivated by internal cost savings associated with equipment and labour costs.

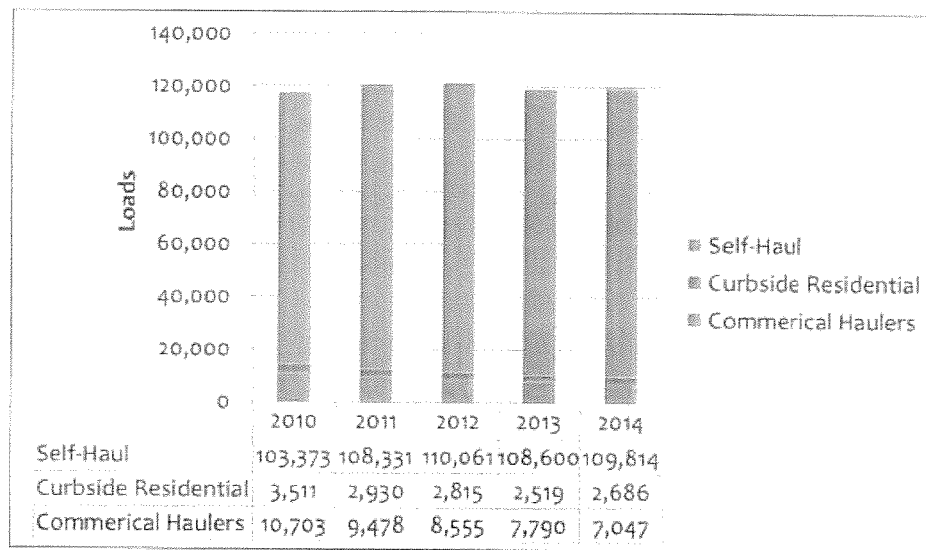
As discussed above, DBL has a fleet of 18 vehicles. Based on GEOWARE data, DBL delivered roughly 7 loads per day to the landfill in 2012. According to DBL, due to conditions at the working face, their tire repair costs were averaging \$5,000 per month. In particular, DBL claim that the use of ground CD waste or asphalt shingles for temporary road beds at the working face resulted in an unacceptable number of flat tires and associated down time. Over the years DBL has not been the only hauler to complain about excessive tire repair costs. WM Nanaimo has also been vocal regarding this issue.

With respect to labour costs, in 2012 DBL was experiencing average turn around times at the landfill of at least one hour. This includes time spent waiting at the in-bound and out-bound scale as well as dumping waste at the working face. This wait time is due to the number of self-haul customers using the facility. In 2012, based on 1,522 loads at \$20 per hour, this represented a labour cost of \$30,440.

As indicated in Figure 6, although self-haul customers represent 17% of the waste delivered to RDN disposal facilities, they represent over 90% of the loads. This dichotomy provides a customer service challenge in that the vast majority of customers provide the least revenue to this reverse retail operation.

Even though wait times were improved in 2006 with the introduction of a cash only policy for loads under \$10, and stored tare weights allow some commercial haulers to avoid the out-bound scale, the only practical solution to this problem is the provision of a dedicated commercial scale. An un-staffed, automated commercial scale had been discussed as part of the solid waste capital plan for several years.

Figure 6: Business Type Load Summary



Nevertheless, based on a total cost impact of over \$90,000 per year in equipment and labour costs, DBL decided to look for alternatives to the RDN landfill. Although DBL report that they were in negotiations with both Republic Services for transfer to the Roosevelt Regional Landfill in Roosevelt, Washington and Waste Management Inc. for transfer to the Columbia Landfill in Arlington Oregon, they settled on Waste Management Inc.

With respect to WM Nanaimo, according to Nanaimo staff, they were directed by senior management to internalize their disposal costs and send their waste, through DBL, to Columbia Ridge. This was in part in response to reduced landfill tonnages as a result of successful diversion programs in Washington and Oregon.

Consequently, based on discussions with DBL and WM Nanaimo their motivation for waste export was not in response to high RDN tipping fees but instead to internal cost concerns.

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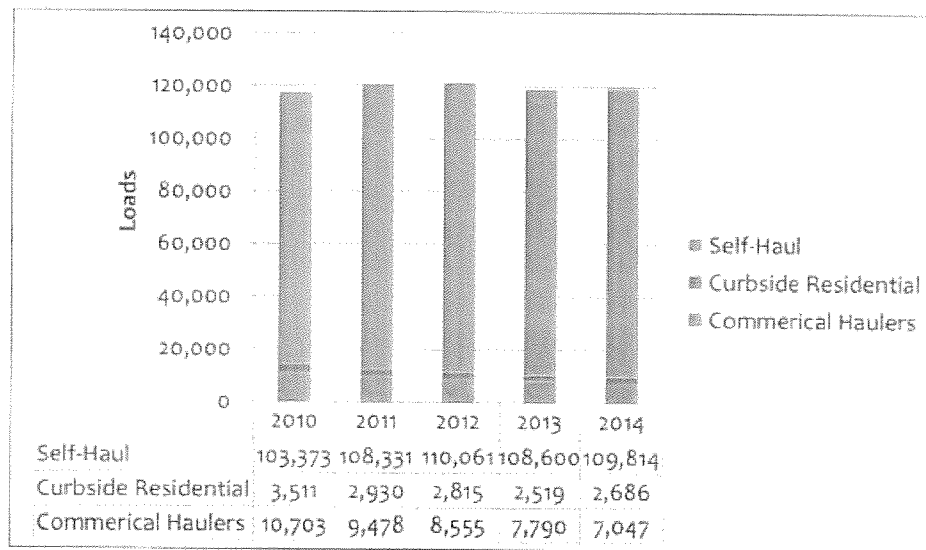
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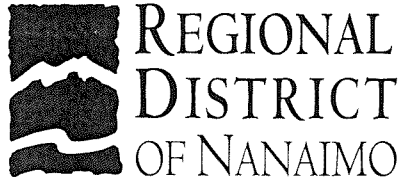
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APPENDIX 2

Tipping Rate Summary Table			
Regional District	MSW Tonne Rate	Minimum Charge	Transaction Fee
Alberni Clayoquot Regional District	\$95	\$8 up to 84 kg	NA
Capital Regional District	\$110	Commercial loads accessing face \$10	Additional \$10 for public drop-off access
Comox Valley Regional District	\$120	\$6 up to 100 kg	Site access fee \$4 for all vehicles over scales
Regional District of Nanaimo	\$125	\$6 up to 50 kg	<i>Proposed \$2 fee on all loads</i>
Regional District of Mount Waddington	\$125	\$3 per bag	NA
Cowichan Valley Regional District	\$140	\$5 up to 25 kg	NA



RDN REPORT		
CAO APPROVAL		
EAP		
COW		
APR 21 2015		
RHD		
BOARD	✓	

MEMORANDUM

TO: Jeremy Holm
Manager, Current Planning

DATE: April 21, 2015

FROM: Lainya Rowett
Senior Planner

FILES: PL2014-095 & PL2014-098

SUBJECT: **OCP and Zoning Amendment Applications No. PL2014-095 & PL2014-098**
Lot A, Section 3, Range 8, Cranberry District, Plan VIP54591
2930 Trans Canada Highway – Electoral Area ‘A’
Amendment Bylaws 1620.03, 2015 and 500.397, 2015 - Third Reading

PURPOSE

To receive the report summarizing the minutes and submissions received at the Public Hearing held on April 20, 2015 and to consider “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.03, 2015” and “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.397, 2015” for third reading.

BACKGROUND

The Regional District of Nanaimo has received an application from Jack Anderson on behalf of Judith Stauffer to re-designate and rezone the subject property in order to permit the redevelopment of a non-conforming restaurant (Country Kitchen) which was lost due to a fire in May of 2014. The applicant proposes to amend the Official Community Plan (OCP) and zoning boundaries to align with the parcel boundaries, including a portion (approximately 650 m²) of Beck Road and Trans Canada Highway which is proposed to be closed and consolidated within the subject property. The applicant proposes to re-designate portions of the property and adjacent road area from Rural to Commercial use; to extend the boundary of the South Wellington Industrial-Commercial Development Permit Area to align with the proposed parcel boundaries; and to rezone the entire parcel and adjacent road area from Rural 4 Zone and Commercial 5 Zone, Subdivision District ‘D’ to Comprehensive Development (CD50) Zone, Subdivision District ‘D’ to allow the proposed restaurant and limited commercial uses.

Amendment Bylaws No. 1620.03 and 500.397 were introduced and given first and second reading on January 27, 2015 (see Attachments 2 and 3). The Public Hearing was then delayed to allow sufficient time for Stz’uminus First Nation and the Ministry of Transportation and Infrastructure to deliberate about the related disposal of Crown land (the road acquisition area). SFN has since confirmed that it is satisfied with the consultation process for these applications and a Public Hearing was held on April 20, 2015. The summary of the minutes and submissions is attached for the Board’s consideration (see Attachment 1).

Following the close of the Public Hearing no further submissions or comments from the public or interested persons can be accepted by members of the Board, as established by legal precedent. Having received the minutes of the Public Hearing eligible Board members may vote on the Bylaw.

ALTERNATIVES

1. To receive the report of the Public Hearing and give third reading to “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.03, 2015” and “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.397, 2015”.
2. To receive the report of the Public Hearing and deny “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.03, 2015” and “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.397, 2015”.

SUMMARY/CONCLUSIONS

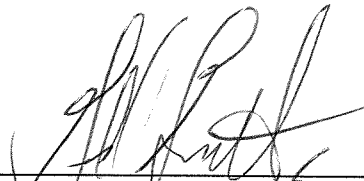
The applicant proposes to re-designate and rezone the subject property in order to permit the redevelopment of a non-conforming restaurant (Country Kitchen) which was lost due to a fire in May of 2014. The proposed amendments would align the boundaries of the OCP Commercial land use designation, the South Wellington Industrial-Commercial Development Permit Area, and the proposed Comprehensive Development (CD50) Zone with the proposed parcel boundaries, including a portion (approximately 650 m²) of the adjacent Beck Road and Trans Canada Highway which is proposed to be consolidated within the property. If adopted, these amendments would legalize the siting of the former commercial use and allow the redevelopment of the restaurant and limited commercial uses within the proposed parcel boundaries. The Amendment Bylaws were introduced and given first and second reading on January 27, 2015, and proceeded to Public Hearing on April 20, 2015. Staff recommend that Amendment Bylaws No. 1620.03, 2015 and 500.397, 2015 be considered for third reading.

RECOMMENDATIONS

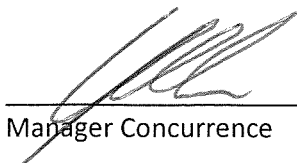
1. That the report of the Public Hearing held on April 20, 2015 for “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.03, 2015” and “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.397, 2015” be received.
2. That “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.03, 2015” be read a third time.
3. That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.397, 2015” be read a third time.



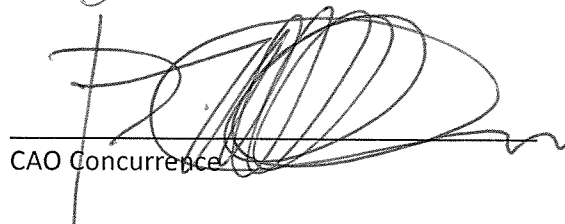
Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

Attachment 1
Summary of the Public Hearing
Held at Western Maritime Institute
3519 Hallberg Road, Ladysmith
Monday, April 20, 2015 at 6:30 pm
To Consider Regional District of Nanaimo Electoral Area 'A' Official Community Plan
Amendment Bylaw No. 1620.03, 2015 and
Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.397, 2015

Note: This report is not a verbatim recording of the proceedings but a summary of the comments of those in attendance at the Public Hearing.

PRESENT:

Alec McPherson, RDN	Chair, Electoral Area 'A' Director
Jeremy Holm, RDN	Manager, Current Planning
Lainya Rowett, RDN	Senior Planner
Jack Anderson	Agent

Ten (10) members of the public attended the meeting.

The Chair called the hearing to order at 6:37 pm, introduced those present representing the Regional District, and outlined the procedures to be followed during the hearing.

Lainya Rowett provided an explanation of the proposed amendment bylaws and application process.

The Chair called for formal submissions with respect to Bylaws 1620.03, 2015 and 500.397, 2015.

No written submissions were received at the hearing. The following comments were received.

Murray McNab, 4659 Yellow Point Road spoke in favour of the proposed amendments which would resolve the zoning issues and allow a locally owned business to continue to operate.

Jack Anderson (Agent), 1655 Cedar Road, spoke in favour of the proposed amendments and noted the importance of the local business to the community and the need to resolve the non-conforming use of the property.

The Chair called for further submissions for the second time.

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

There being no further submissions, the Chair adjourned the Public Hearing at 6:50 pm.

Certified true and accurate this 21st day of April, 2015.



Lainya Rowett
Recording Secretary

Attachment 2
Proposed Amendment Bylaw No. 1620.03, 2015

REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1620.03

A Bylaw to Amend Regional District of Nanaimo Electoral Area 'A'
Official Community Plan Bylaw No. 1620, 2011"

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 Electoral Area 'A' Official Community Plan Amendment Bylaw No. 1620.03, 2015".

- B. The "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011" is hereby amended as set out in Schedule 'A' of this Bylaw.

Introduced and read two times this 27th day of January 2015.

Considered in conjunction with the Regional District of Nanaimo Financial Plan and any applicable Waste Management Plans this 27th day of January 2015.

Public Hearing held pursuant to Section 890 of the *Local Government Act* this 20th day of April, 2015.

Read a third time this ___ day of _____ 20 __.

Received approval pursuant to Section 882 of the *Local Government Act* this ___ day of _____ 20 __.

Adopted this ___ day of _____ 20 __.

Chairperson

Corporate Officer

Attachment 2
Proposed Amendment Bylaw No. 1620.03, 2015

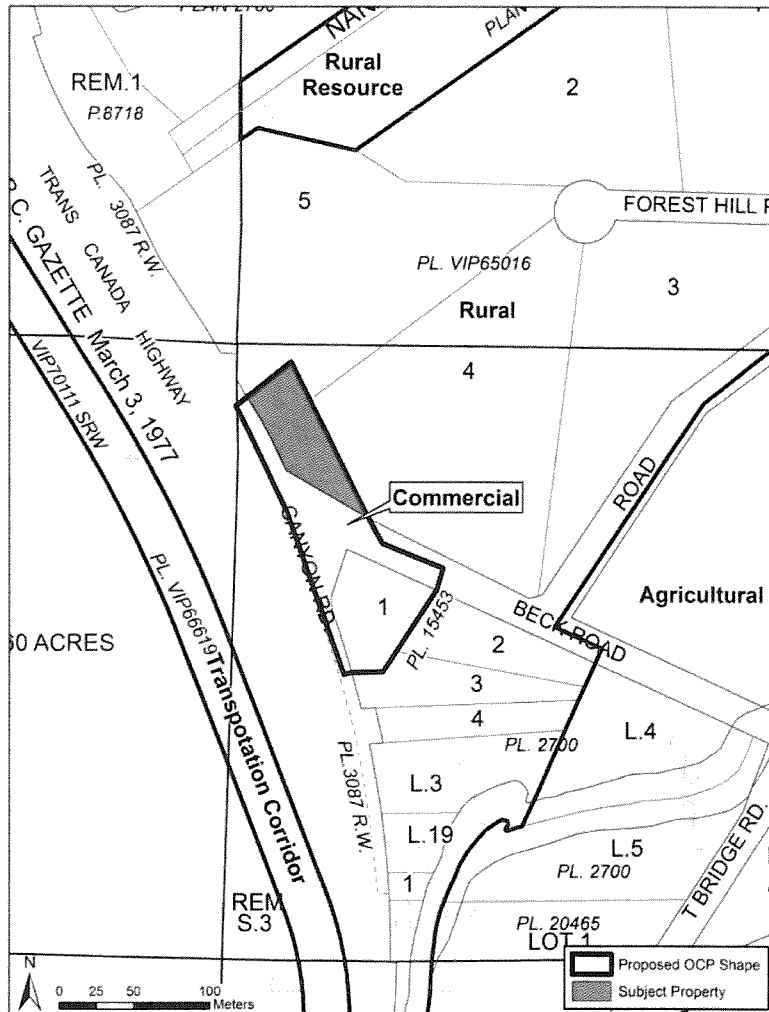
Schedule 'A' to accompany "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Amendment Bylaw No. 1620.03, 2015".

Chairperson

Corporate Officer

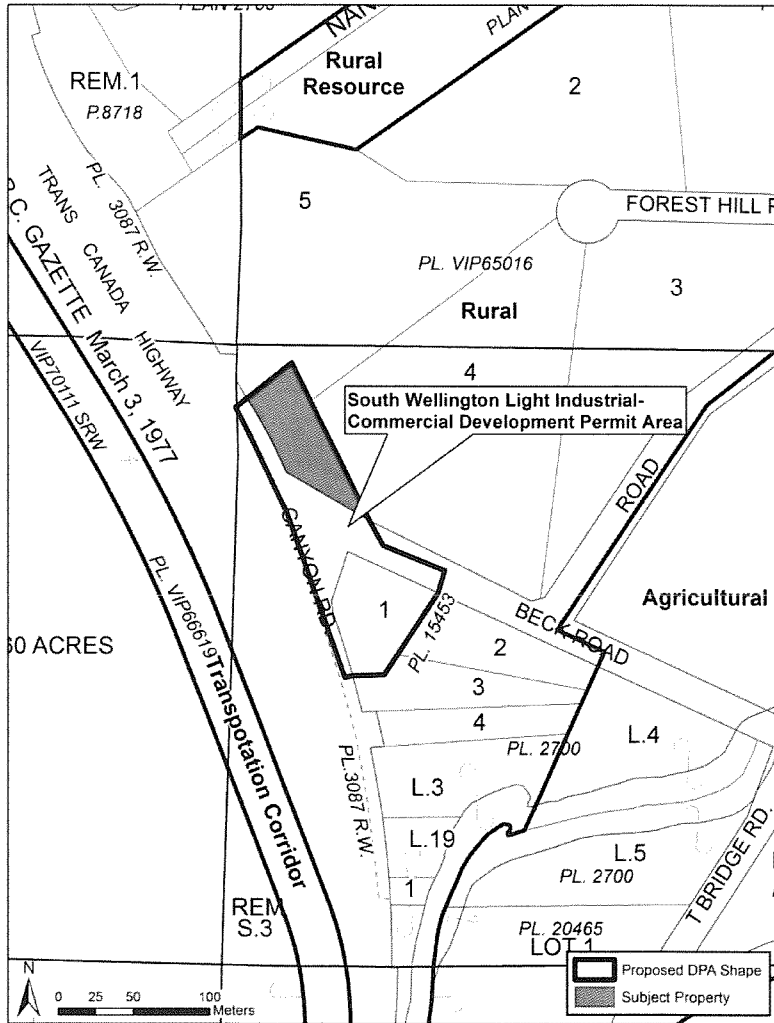
Schedule 'A'

1. "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011" is hereby amended as follows:
 - a) On "Map No. 3 Land Use Designations and Growth Containment Boundaries", by expanding the "Commercial" designation to include the lands legally described as Lot A, Section 3, Range 8, Cranberry District, Plan VIP54591 and adjacent portions of Trans Canada Highway and Beck Road as illustrated in the map below and contained in this Schedule:



Attachment 2
Proposed Amendment Bylaw No. 1620.03, 2015

- b) On "Map No. 10 Development Permit Areas for the Purpose of Form & Character and Protecting Farm Land", by expanding the "South Wellington Light Industrial – Commercial Development Permit Area" designation to include the lands legally described as Lot A, Section 3, Range 8, Cranberry District, Plan VIP54591 and adjacent portions of Trans Canada Highway and Beck Road as illustrated in the map below and contained in this Schedule:



**Attachment 3
Proposed Amendment Bylaw No. 500.397, 2015**

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500.397**

**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. 500.397, 2015”.
- B. “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:
 - 1. Under **PART 3 LAND USE REGULATIONS, Section 3.1 Zones** by adding the following zoning classification and corresponding short title after CD50 Zone:

Beck Road Comprehensive Development Zone 50
 - 2. By adding Section 3.4.150 (CD50)

as shown on Schedule ‘1’ which is attached to and forms part of this Bylaw.
 - 3. By rezoning the lands shown on the attached Schedule ‘2’ and legally described as

Lot A, Section 3, Range 8, Cranberry District, Plan VIP54591 and adjacent portions of
Trans Canada Highway and Beck Road

from Rural 4 (RU4), Subdivision District ‘D’ to Beck Road Comprehensive Development Zone 50 (CD50), Subdivision District ‘D’.

Introduced and read two times this 27th day of January 2015.

Public Hearing held this 20th day of April, 2015.

Read a third time this ___ day of _____ 20__.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this ___ day of _____ 20__.

Adopted this ___ day of _____ 20__.

Chairperson

Corporate Officer

Attachment 3
Proposed Amendment Bylaw No. 500.397, 2015

Schedule '1' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.397, 2015".

Chairperson

Corporate Officer

Schedule '1'

Section 3.4.150

BECK ROAD COMPREHENSIVE DEVELOPMENT ZONE 50

CD50

3.4.150.1 Permitted Uses

Permitted Uses

- a) Neighbourhood Pub
 - b) Residential Use
 - c) Restaurant
 - d) Tourist Information Booth
 - e) Tourist Store
-

3.4.150.2 Maximum Number and Size of Buildings and Structures

Dwelling units/parcel	1
Floor Area Ratio	0.40
Height	10.0 m
Parcel coverage	40%

3.4.150.3 Minimum Setback Requirements

For all buildings and structures unless otherwise set out in Part 3 Land Use Regulations:

Front lot line	8.0 m
Other lot lines	5.0 m

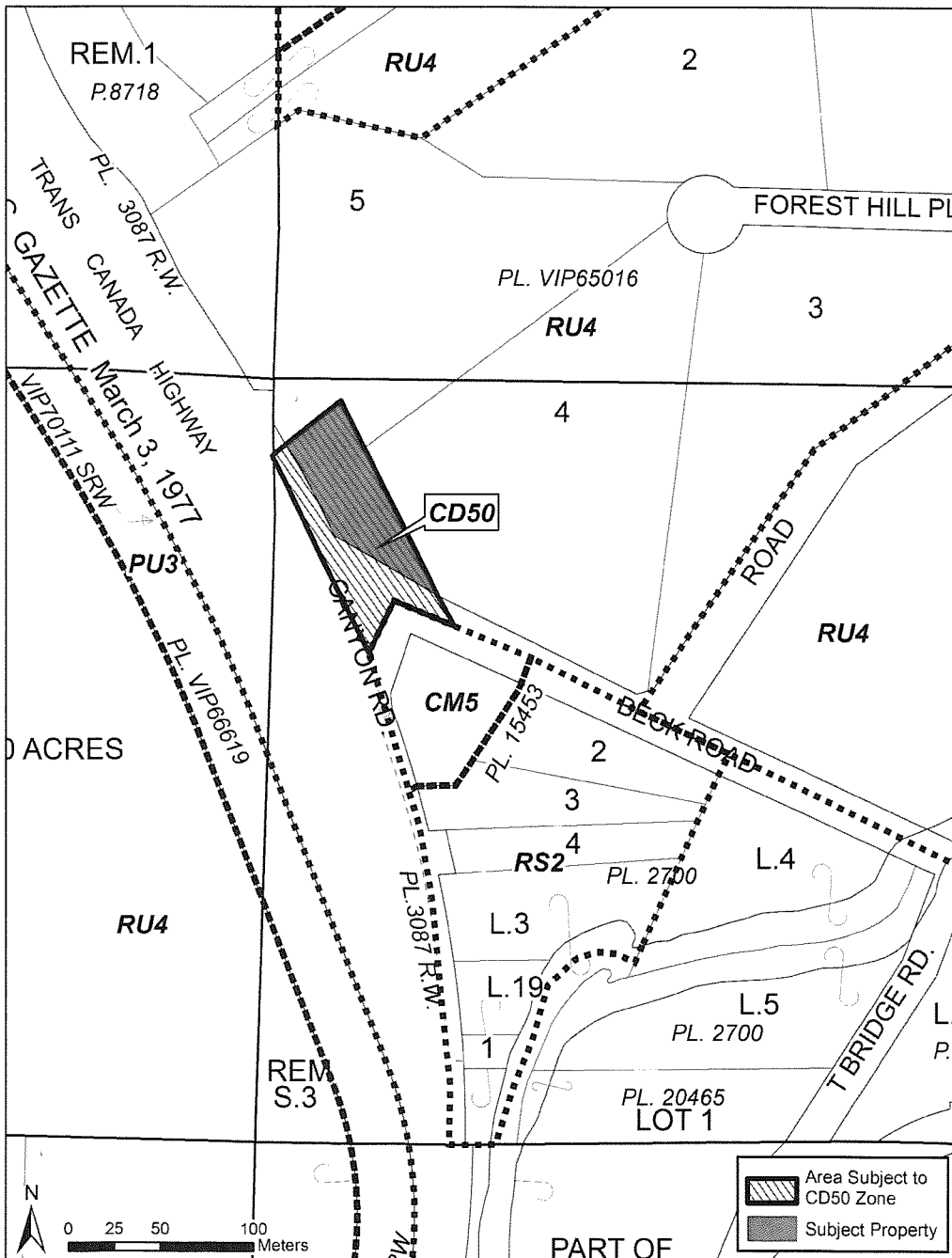
Attachment 3
Proposed Amendment Bylaw No. 500.397, 2015

Schedule '2' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.397, 2015".

 Chairperson

 Corporate Officer

Schedule '2'





RDN REPORT		[Handwritten initials]
CAO APPROVAL		
EAP		
COW		
APR 22 2015		
RHD		
BOARD	/	

MEMORANDUM

TO: Wendy Marshall
Manager of Parks Services

DATE: April 21, 2015

FROM: Kelsey Cramer
Parks Planner

FILE:

SUBJECT: Licence Renewal for the upper half of the Arrowsmith CPR Regional Trail on Island Timberlands Property

PURPOSE

To obtain approval to renew Island Timberlands’ non-exclusive licence to use land for the Arrowsmith CPR Regional Trail.

BACKGROUND

In 2000, the RDN obtained a five-year non-exclusive licence from Island Timberlands (then Weyerhaeuser) for use of about 6 kilometres of trail corridor on their land that contains the upper half of the historical Arrowsmith CPR Regional Trail (attached). The conclusion of a similar licence from TimberWest occurred in 2001 for the bottom half of the historic trail, and the RDN’s Arrowsmith CPR Regional Trail was inaugurated. The Regional Trail starts at Cameron Lake and ends at the Alberni-Clayoquot Regional District’s park next to Mount Arrowsmith Massif Regional Park.

The RDN has renewed both Island Timberlands and TimberWest licences twice. As of the end of March 2015, the Island Timberlands licence is up for its third renewal. Previous terms were for five year periods. This round, the company has agreed to a two year renewal of the original 2000 agreement for a fee of \$300 plus GST.

The Arrowsmith CPR Regional Trail is one of the RDN’s seven developed regional trails. It is well used and appreciated by residents and tourists to the area. Earlier this year, Parks staff installed an updated trailhead sign and map.

ALTERNATIVES

1. To accept and execute the 2015-2017 licence renewal agreement with Island Timberlands in order to continue operating the Arrowsmith CPR Regional Trail.
2. To not accept the licence renewal and to provide alternative direction.

FINANCIAL IMPLICATIONS

The cost of renewing the licence for two years (April 1st 2015 – March 31st 2017) is \$300 plus GST and is funded through the Regional Parks Operations Budget. Operations and maintenance of the Arrowsmith CPR Regional Trail is carried out by staff and is also funded through the Regional Park Operations budget.

The previous renewal of this licence was for a 5-year term with a fee of \$700 or \$140 per year. The new licence is for a 2-year term for \$300 or \$150 per year.

STRATEGIC PLAN IMPLICATIONS

The Arrowsmith CPR Regional Trail provides outdoor recreation opportunities primarily for avid hikers. As a true alpine experience, this trail fits with the strategic goal of ensuring a diversity of parks that meet recreational objectives. The Arrowsmith CPR Regional Trail, included in the widely disseminated Regional Parks and Trails Guide, is an example of a free recreational amenity where citizens and visitors can get out, get active and experience nature.

SUMMARY/CONCLUSIONS

The Arrowsmith CPR Regional Trail was inaugurated in 2000-2001 with the conclusion of five-year licence agreements between the RDN and land owners Island Timberlands and TimberWest. Each of the licences has been renewed twice. The Island Timberlands licence is once again up for renewal and the company has agreed to a two year licence under the terms of the original 2000 licence. The renewal fee is \$300 plus GST. It is recommended the licence be renewed for the two-year term.

RECOMMENDATION

That the 2015 - 2017 licence renewal agreement with Island Timberlands for the purpose of continuing the operation of the Arrowsmith CPR Regional Trail be accepted and executed.



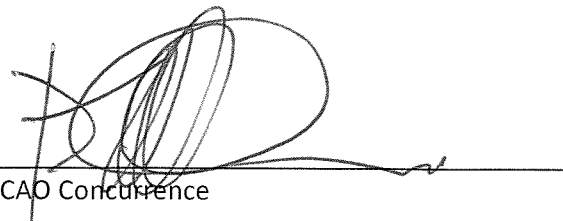
Per / Report Writer



Manager Concurrence



GM Concurrence



CAO Concurrence

Appendix I

Original 2000-2005 Licence from Island Timberlands (Weyerhaeuser)
for the upper Arrowsmith CPR Regional Trail

and

2005-2010 Licence Renewal

and

2010-2015 Licence Renewal



1. **EFFECTIVE DATE:** April 1, 2000 **EXPIRY DATE:** March 31, 2005
- LICENSOR:** Weyerhaeuser Company Limited ("WY")
925 West Georgia Street
Vancouver, B.C.
V6C 3L2
3. **LICENSEE:** Regional District of Nanaimo
Box 1119
Parksville, B.C.
V9P 2H2
4. **GRANT:** WY grants to the Licensee, the non-exclusive licence to enter and be upon that part of the "Lands" shown in red on the attached print and described as
Part of Block 1324, Alberni District, containing approximately 6.11 kilometers of trail over WY
Private Lands
5. **PURPOSE:** This Licence is granted for the purpose of establishing, maintaining and managing the use of a hiking trail
and no other purpose, upon the terms agreed to herein.
6. **LICENCE FEES:** \$500.00 plus GST payable in advance on or before April 1, 2000
7. **SECURITY DEPOSIT:** N/A
The Security Deposit is security for the performance of all obligations by the Licensee under this Licence. If the Licensee defaults in the performance of any obligation herein, WY may, without prejudice to any right or remedy hereunder, apply the said security to the extent necessary.
8. **TAXES:** On demand from WY the Licensee shall pay all taxes associated with the Lands and improvements on the Lands
9. **MAINTENANCE AND REPAIR:** The Licensee shall keep the Lands and WY roads used in connection therewith in a neat and tidy condition and in a state of repair acceptable to WY. On termination, the Licensee shall leave the Lands and any WY roads used in a condition acceptable to WY.
10. **IMPROVEMENTS:** No improvements may be placed on, or physical changes made to, the Lands without the prior written consent of WY. On termination the Licensee shall forthwith remove any improvements placed on the Lands if requested by WY. If such improvements are not removed within thirty (30) days of termination, they shall belong to WY, without cost, at the option of WY.
11. **TIMBER:** The Licensee shall not cut or damage, or allow the cutting or damaging of, trees on the Lands without the prior written consent of WY.
12. **ROAD USE RULES:** If any WY road is used in connection with this Licence, the Licensee shall
a) strictly observe all speed limits and traffic regulations, and
b) suspend use of WY roads whenever such use is likely to cause excessive damage to them.
13. **PROTECTION AGAINST FIRE:** The Licensee shall
a) lawfully dispose of all slashings and debris created by the Licensee on the Lands in a manner satisfactory to WY,
b) keep the Lands free of flammable and/or explosive material,
c) have on the Lands at all times fire fighting tools and equipment as advised are necessary by WY,
d) immediately notify WY and the nearest Ministry of Forests office upon discovery of any fire in the vicinity of the Lands, and
e) strictly observe WY and Ministry of Forests closure instructions with regard to forest fire hazards.
14. **ENVIRONMENTAL RESPONSIBILITY:**
a) The Licensee shall comply with all applicable environmental laws and implement practicable measures to protect environmental quality and human health.
b) The Licensee shall use the Lands in a manner to prevent the occurrence of any adverse events and minimize potential hazards that may affect WY and it's contractors, invitees, licensees, employees, agents and servants, the public and the environment; and in connection with any occurrence the Licensee shall implement effective control measures and notify all concerned parties.
c) The Lands used by the Licensee shall be subject to environmental audits at the Licensee's cost, as WY, in its sole discretion, thinks advisable.

COMPLIANCE WITH LAWS AND REGULATIONS: The Licensee shall comply with all laws, by-laws, and regulations, Federal, Provincial or otherwise.

ASSUMPTION OF RISK AND LIABILITY OF LICENSEE:

- a) WY has made no representations or given any warranties save as set forth herein.
- b) The Licensee assumes all risk of damage to property of, or injury to the Licensee and the Licensee's contractors, invitees, licensees, employees, agents and servants ("said Licensee") in connection with the exercise of the privileges hereunder.
- c) The Licensee shall pay for all damage resulting directly or indirectly from any act or omission of the said Licensee, whether negligent or otherwise, and shall reimburse WY for all expenses incurred for fighting fire resulting directly or indirectly from said Licensee's acts or omissions hereunder, whether negligent or otherwise.
- d) The Licensee shall indemnify and save harmless WY against all claims or liabilities asserted by third persons resulting directly or indirectly from said Licensee's acts or omissions whether negligent or otherwise.

17. INSURANCE: The Licensee shall obtain and maintain during the term hereof

- a) Comprehensive general liability insurance including non-owned automobile, covering bodily injury and property damage including loss of use thereof, and loss of use of tangible property which has not been physically injured or destroyed. The policy shall also include coverage for:
 - i) unlicensed and specially licensed vehicles,
 - ii) contractual liability covering the Licensee's liability under this Licence; and
- b) Motor vehicle liability covering all said Licensee's licensed vehicles (owned and leased) exercising privileges granted under this Licence. The minimum limits of liability for (a) and (b) shall be \$2,000,000 inclusive. Such insurance shall be issued by an insurance company acceptable to WY, and shall include an endorsement requiring thirty (30) days notice to WY prior to cancellation. The Licensee shall furnish evidence of the insurance prescribed in sub-paragraphs (a) and (b) above to WY before exercising any privileges granted hereunder.

13. TERMINATION, SUSPENSION AND RENEWAL:

- a) Either party may terminate this Licence by giving the other thirty (30) days notice and if WY terminates this Licence for any reason the unearned portion of any prepaid consideration shall be returned to the Licensee, without interest.
- b) If the Licensee defaults, all privileges hereunder terminate ten (10) days after notice of default is given by WY to the Licensee, if the default is not remedied within such time. WY's termination of this Licence shall not prejudice WY's right to collect damages on account of the Licensee's breach of any term hereof.
- c) Any failure to exercise WY's right to terminate this Licence in case of default does not constitute a waiver of the Licensee's obligations to perform strictly in accordance with the terms of this Licence. Any such right to terminate shall remain in effect and may be exercised as long as the default continues.
- d) The privileges granted under this Licence may be suspended or modified as WY, in its sole discretion, thinks advisable.
- e) If the Licensee requests a renewal of this Licence at least three(3) months before the Expiry Date, WY may, but is not obligated to, grant a renewal on terms satisfactory to it.

19. NON-ASSIGNMENT: Neither this Licence nor the privileges hereunder may be assigned in whole or in part by operation of law or otherwise, without the previous written consent of WY.

NOTICES: All notices shall be written and deemed duly given if delivered by hand or mailed by registered mail, postage prepaid, addressed to the party concerned at the address herein set forth or at such other address as may from time to time be communicated by notice. Notices shall be deemed to have been received, if delivered by hand, on the day delivered, and, if mailed, on the third day after posting unless there is between the time of mailing and actual receipt a mail strike, slowdown or other dispute which might affect delivery of the mail, in which case notice shall be only effective when actually delivered.

21. INTEREST CHARGES: The Licensee agrees to pay WY interest at a rate of 1.5% monthly on any overdue amounts payable under this Licence

22. OTHER TERMS

- a) For greater clarity, Section 18 d) includes but is not limited to, fire hazard closures and operational safety concerns
- b) This licence and the privileges of using the trail by the general public will not restrict the activities of WY in any way.
- c) WY in its sole discretion has the right to require the licence to relocate the trail or portions thereof either temporarily or permanently. Failure to comply may result in termination of the licence.

23. SIGNED:

Weyerhaeuser Company Limited
 Timberlands and Properties Division
 Per Kim Pentecost

 Signature
 Kim Pentecost

 Type/Print Name
 Property Assistant

 Position
 June 14, 2000

 Dated

Licensee
 Per Kathy Daniels

 Signature
 KATHY DANIELS CAROL MASON

 Type/Print Name
 CAO GM CORP SVCS

 Position

	Initial	Date
Content	AC	Jul 13/00
Legal Form	[Signature]	July 2000
Authority	[Signature]	July 13/00



RECEIVED
JAN 07 2005

Weyerhaeuser Company Limited
Timberlands and Properties
4th Floor - 925 West Georgia Street
Vancouver, British Columbia
Canada V6C 3L2
Tel (604) 661-8000
Fax (604) 681-9674

TIMBERLANDS AND PROPERTIES DIVISION

Direct Tel: (604)661-8194
Direct Fax: (604)681-9674
Email: Andrea.Williams@weyerhaeuser.com

Our File: P-1541-04

January 5, 2005

Regional District of Nanaimo
Recreation and Parks
Oceanside Place
830 West Island Highway
Parksville, B.C.
V9P 2X4

Attention: Jeff Ainge - Parks Supervisor

Re: Non-Exclusive Licence over Part of Block 1324, Alberni, Dunsmuir and Cameron Districts, except part in Plan 28909 and VIP66605 for the purpose of a hiking trail (Arrowsmith Trail)


The Non-Exclusive Licence granted to the Regional District of Nanaimo over private property owned by Weyerhaeuser Company Limited, and legally described above will expire on March 31, 2005. Weyerhaeuser Company Limited offers to renew this agreement on the following terms and conditions:

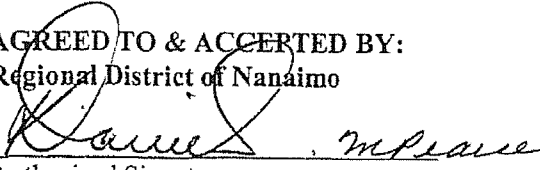
- 1) The term shall be five (5) years commencing April 1, 2005 and expiring March 31, 2010;
- 2) The Licence fee for the term shall be \$550.00 + GST, payable on or before April 1, 2005; ✓
- 3) All other terms and conditions of the Non-Exclusive Licence effective April 1, 2000 shall remain in full force and effect throughout the term of this renewal. ✓



To indicate your acceptance please sign where indicated below and return one copy of this agreement to my attention at the address shown above. The remaining copy is for your records. ✓

Yours truly,
Weyerhaeuser Company Limited
Timberlands and Properties Division

AGREED TO & ACCERTED BY:
Regional District of Nanaimo


Andrea Williams
Property Administrator


Name: H. Pearce
Date: Mar. 2/05

	Initial	Date	Authorized Signatory
Content	NC	Feb 27/05	K. DANIELS
Legal Form		Mar. 1/05	
Authority		03/10/05	



Island Timberlands LP
65 Front Street, 4th Floor
Nanaimo, BC V9R 5H9

Tel (250) 755-3552
Fax (250) 755-3540

Jrow

Our File: G-4517, P-1541-04

March 19, 2010

Regional District of Nanaimo, Recreation and Parks
Oceanside Place
830 West Island Highway
Parksville, BC
V9P 2X4

expires March 2015

Attention: Joan Michel

**Re: Non-Exclusive Licence over Part of Block 1324, Alberni, Dunsmuir and Cameron Districts
except part in Plan 28909 and VIP66605 for the purpose of hiking trail (Arrowsmith Trail)**

Island Timberlands Limited Partnership (ITLP), hereby offers to renew your Licence dated April 1, 2000, and any subsequent amendments and renewals, on the following terms and conditions:

1. The term of this renewal shall be for 5 years commencing April 1, 2010 and expiring March 31, 2015.
2. The fee for this renewal shall be \$700.00 for the term plus GST, payable on receipt of invoice.

All other terms and conditions of the Licence dated April 1, 2000 and any subsequent amendments and renewals will remain in effect during the term. Please sign where indicated in the space below to indicate your acceptance of these terms and conditions, and return the "original" agreement to the address shown above. The "copy" is for your records. Island Timberlands Limited Partnership's G.S.T. Registration Number is R860211499 RT0001.

Yours truly,
Island Timberlands Limited Partnership,
by its general partner Island Timberlands GP Ltd.
Real Estate Group

Agreed to and accepted by:
Authorized signatory of
Regional District of Nanaimo

Joe Stanhope
Joe Stanhope, Chairperson

Print Name

Denise Sakai
Property Administrator

Maureen
Maureen Pearse, Sr. Mgr. Corporate Adm.

Print Name

	Initial	Date
Content (Mgr)	<i>WJM</i>	<i>May 3 2010</i>
Approved (CM)	<i>JD</i>	<i>May 3 2010</i>
Legal Form (SMCA)	<i>mgp</i>	<i>10/05</i>
Authority (CAC)	<i>CPW</i>	<i>May 11 10</i>

Date



Appendix II

2015-2017 Licence Renewal



Island Timberlands LP
65 Front Street, 4th Floor
Nanaimo, BC V9R 5H9

Tel (250) 755-3552
Fax (250) 755-3540

Our File: G-4517

March 30, 2015

Regional District of Nanaimo, Recreation and Parks
Oceanside Place
830 West Island Highway
Parksville, BC
V9P 2X4

ORIGINAL

Attention: Joan Michel

**Re: Non-Exclusive Licence over Part of Block 1324, Alberni, Dunsmuir and Cameron Districts
except part in Plan 28909 and VIP66605 for the purpose of hiking trail (Arrowsmith Trail)**

Island Timberlands Limited Partnership (ITLP), hereby offers to renew your Licence dated April 1, 2000, and any subsequent amendments and renewals, on the following terms and conditions:

1. The term of this renewal shall be for two (2) years commencing April 1, 2015 and expiring March 31, 2017.
2. The fee for this renewal shall be \$300.00 for the term plus \$15.00 GST, payable on receipt of invoice.

All other terms and conditions of the Licence dated April 1, 2000 and any subsequent amendments and renewals will remain in effect during the term. Please sign where indicated in the space below to indicate your acceptance of these terms and conditions, and return the "original" agreement to the address shown above. The "copy" is for your records. Island Timberlands Limited Partnership's G.S.T. Registration Number is R860211499 RT0001.

Yours truly,
Island Timberlands Limited Partnership,
by its general partner Island Timberlands GP Ltd.
Real Estate Group

Agreed to and accepted by:
**Authorized signatory of
Regional District of Nanaimo**

Denise Sakai
Property Administrator

Signature

Print Name

Date

