

REGIONAL DISTRICT OF NANAIMO

**REGULAR BOARD MEETING
TUESDAY, AUGUST 25, 2015
7:00 PM**

(RDN Board Chambers)

A D D E N D U M

PAGES

5. COMMUNICATIONS/CORRESPONDENCE

(All Directors – One Vote)

- 2-3 **Nigel and Annerose Lutz**, re Property at 1417 Pilot Way, Electoral Area 'E'.
- 4-6 **Ian Porter, Seacliff Properties**, re Fairwinds Community and Resort.
- 7-9 **Paul Grinder, Arrowsmith Parks and Land-Use Council**, re Development and Carrying Capacity.
- 10-11 **Patrick C. Livolsi, Ministry of Transportation and Infrastructure**, re New Building Canada Fund – Small Communities Fund – Project #N20103 – Whiskey Creek Water System Treatment.
- 12-13 **Patrick C. Livolsi, Ministry of Transportation and Infrastructure**, re New Building Canada Fund – Small Communities Fund – Project #N20112 – Greater Nanaimo Pollution Control Centre Secondary Treatment Upgrades: Centrifuge and Polymer System.
- 14-15 **Patrick C. Livolsi, Ministry of Transportation and Infrastructure**, re New Building Canada Fund – Small Communities Fund – Project #N20113 – French Creek Pollution Control Centre: Interceptor and Pump Station Upgrades.

Wednesday, August 12, 2015

To the Nanaimo Regional District Board of Directors,

We are writing to you today as we have been unsuccessful so far with the Building Regulations and Licensing Department front desk and cannot get a hold of the Supervisor or someone that can solve/advise-on our dilemma.

Recently, my wife and I purchased a property that is a vacant lot at 1417 Pilot Way in Nanoose Bay. Our plan is to eventually build a house on it but due to financial constraints, this will not be possible for many years. Last week, one of our neighbors, [REDACTED]

* [REDACTED] offered to give us their 625sq foot cottage if we were willing to pay to have it transported to our lot. They are building a beautiful new home but are not allowed, under Land Use Regulations, to have two domiciles on their property.

The cottage that our neighbors are willing to give us is beautiful. They had a bank appraisal done in 2010 when they bought the property and it showed that the value, due to its small size, is \$79,300.00 (a conservative number strictly for mortgaging purposes) and due to its excellent condition, has an expected life of 40 years.

Our neighbors are reluctant to tear down the cottage as it is in perfect shape and goes against moral principle to dump it in a landfill in a time when recycling, reusing and environmental stewardship is paramount in our communities.

My wife and I thought we had the perfect solution; we would be able to have a beautiful weekend home that we could use until we are able to construct a larger home later down the road. We could become active members in the community, tidy up our property and enjoy the lifestyle that Nanoose and the region has to offer.

Unfortunately, the permits and regulations state that when relocating a 'Moved On Building',

"The building must appraise (as determined by an accredited appraiser (A.A.C.I.) at a value equal to or greater than 100 percent of the average assessed value of the improvements (as determined by the BC Assessment Authority) of the neighboring developed properties within 100 meters;" - 18.(2)(e) - Building Regulations Bylaw No. 1250, 2001

We have been informed that the average value of the surrounding homes (which range from trailers, manufactured homes to brand new custom designs) is \$155,000.00 which is far above the cottages value due to its size.

The staff at the desk of Building Regulations informed us that this regulation is in place to stop derelict homes from being relocated that would devalue the neighboring houses. Fair enough. However, we feel

* Personal information withheld under FOIPPA s. 22

that our situation is a special case and would have the complete opposite affect; adding this beautifully renovated cottage to our property would not only save it from further contributing to the growing landfill, but it would allow us to use the property as it is meant to be used rather than in its current state which is a vacant lot with wild grass and shrubs slowly taking over. We planned on landscaping the property ourselves, meeting our neighbors and contributing to both the neighborhood and to the economy by our many visits. Without this cottage, we will be unable to do so for many years to come.

We sincerely hope that the Board will be able to advise what recourse we can take to make this house-move a reality as we only see a benefit to the neighborhood and not a detriment that the building regulation is intending to avoid.

- * As well, [REDACTED] have extended an open invitation for someone in authority from the RDN to visit their house and the surrounding intended neighbourhood to determine for themselves if it will degrade the neighbourhood in question.

Thank you very much; we hope to hear from you soon.

Sincerely,

Nigel and Annerose Lutz

604-537-8051

n_lutz@shaw.ca

* [REDACTED]
[REDACTED]

** Personal information withheld under FOIPPA s. 22*



RECEIVED
AUG 20 2015
REGIONAL DISTRICT
OF NANAIMO
RDN CAOS OFFICE

CAO	<input checked="" type="checkbox"/>	GM R&P	<input checked="" type="checkbox"/>
GMS&CD	<input checked="" type="checkbox"/>	GM T&SW	<input checked="" type="checkbox"/>
GM R&CU	<input checked="" type="checkbox"/>	DF	<input checked="" type="checkbox"/>
AUG 20 2015			
DCS		BOARD	<input checked="" type="checkbox"/>
CHAIR			

Aug. Board Agenda

August 18, 2015

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

Attention: Director of Corporate Services

Dear Sir/Madam,

I would like to take this opportunity to introduce ourselves as the new owner of Fairwinds Community and Resort.

FW Enterprises Ltd. is the new owner of the Fairwinds Golf Course, Marina and Fairwinds Centre and a sister company, FW Developments Ltd. is the new owner of the remaining development lands. Both of these companies are wholly owned divisions of Seacliff Properties Ltd., a privately owned real estate company based in Vancouver, British Columbia.

Enclosed is a notice regarding assignment of the Phased Development Agreement which transfers all right, title and interest in and to the Agreement from 3536696 Canada Inc. and bclMC Realty Corporation to FW Enterprises Ltd. and FW Developments Ltd.

We look forward to meeting with you over the ensuing weeks and months and to a mutually beneficial business relationship. In the interim, if you have any questions or concerns, please do not hesitate to contact me by e-mail or telephone.

Best regards,

Ian Porter
Direction, Real Estate
ian@seacliffgroup.com
T: 604-957-4218

NOTICE RE: ASSIGNMENT OF PHASED DEVELOPMENT AGREEMENT

TO: Regional District of Nanaimo (“**RDN**”)
FROM: 3536696 Canada Inc. (“**353**”), bcIMC Realty Corporation (“**bcIMC**”), FW Developments Ltd. and FW Enterprises Ltd. (together, the “**Purchaser**”)
RE: Assignment of Phased Development Agreement dated for reference July 23, 2014 (the “**Agreement**”)

TAKE NOTICE that 353 and bcIMC have assigned all their right, title and interest in and to the Agreement to the Purchaser. The Purchaser hereby acknowledges and confirms to RDN that the Purchaser assumes the obligations of the Owner (as defined in the Agreement) under the Agreement.

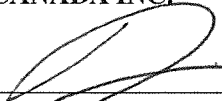
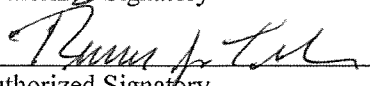
YOU ARE HEREBY AUTHORIZED AND DIRECTED, effective immediately, to deliver all notices under the Agreement as follows:

FW Enterprises Ltd.
#305 – 1788 West 5th Avenue
Vancouver, B.C., V6J 1P2

Attention: Mr. Ian Porter
Telephone: (604) 736-6677
Email Address: ianpor@gmail.com

DATED as of July 31, 2015.

3536696 CANADA INC.

By: 
Authorized Signatory
By: 
Authorized Signatory

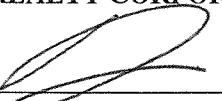
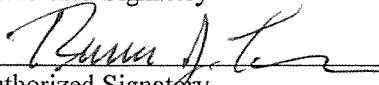
FW DEVELOPMENTS LTD.

By: _____
Authorized Signatory

FW ENTERPRISES LTD.

By: _____
Authorized Signatory

BCIMC REALTY CORPORATION

By: 
Authorized Signatory
By: 
Authorized Signatory

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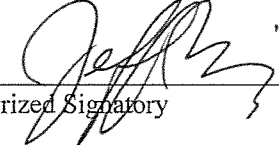
By: _____
Authorized Signatory

BCIMC REALTY CORPORATION

By: _____
Authorized Signatory

By: _____
Authorized Signatory

FW DEVELOPMENTS LTD.

By:  _____
Authorized Signatory

FW ENTERPRISES LTD.

By:  _____
Authorized Signatory



**Arrowsmith Parks
and Land-Use
Council**

An association of individuals and groups committed to engaging with community, government, and industry to advocate for the conservation and expansion of parks and protected areas within the Mount Arrowsmith watershed.

RDN CAO'S OFFICE	
CAO	GM R&P
GMS&CD	GM T&SW
GM R&CU	DF
AUG 24 2015	
DCS	BOARD <input checked="" type="checkbox"/>
CHAIR	

3349 Blueback Drive
Nanose Bay, BC V9P 9H9
250 468 1714
pgrinder@gmail.com

August 21, 2015

RDN Board;

Re: Development and Carrying Capacity.

APLUC applauds the concept espoused by Mr. Dawe in his July 23rd letter in the PQB News (copy attached) regarding the need for us to consider the ecosystem carrying capacity when making decisions on future development. In other words, we need to learn to live within our means, as determined by our natural environment.

The human population is no different from any other animal population on the planet. It can only grow within the limitations set by the supporting natural environment. Unfortunately, we have drifted into a belief that we can somehow grow our numbers beyond these natural limitations, by borrowing, buying or stealing resources from others, or by hoping that natural conditions will improve in the future and thereby provide more carrying capacity. These are risky assumptions to make, with a great chance of failure, as nature will always dictate the terms and will ultimately show the folly of living beyond our means. Accommodating our growth to these natural limits is best done when it is comfortable to do so, and not when our backs are against the wall, so we suggest that we act now.

Before allowing further growth, let's take a step back, acknowledge the futility of population growth beyond natural limitations, and accept more appropriate development concepts that are aligned with natural processes.

Limited capacity has been well demonstrated this year by the drought condition which is affecting both human and natural ecosystem supply and demand for water – a situation that careful planners may consider a new normal for future years.

We urge RDN and member municipalities to consider not only the human needs, but also the natural ecosystem needs for adequate, clean water for fish, wildlife, etc., as part of a determination of water resources available for present and future populations. In many ways, our human water demand is in direct competition with natural ecosystem needs, and it is likely that we cannot satisfy all needs in the future, particularly under a scenario of additional human growth. Our various OCPs place a high priority on protecting the natural environment. Limiting our human demand for water will be one way of ensuring that such protection policies can be realized. We need to begin the process of changing community planning to acknowledge water as the chief limiting factor, and not land, and to bring our human demand into balance with natural ecosystem needs.

Respectfully,

On behalf of the Arrowmith Parks and Land-Use Council,

Paul Grinder

Paul Grinder

3349 Blueback Drive

Nanoose Bay, BC

V9P 9H9

The ecological illiteracy of our local municipal governments

July 23, 2015

“Literally right now if we continue at the consumption levels that we are at right now we will have insufficient water by (the) end of August.” So said Fred Manson, Parksville’s chief administrative officer, in a CBC News story about Parksville’s Level 4 water restrictions.

The thought of running out of water is scary. But then it’s just an unusually dry summer, right? Wrong. Climate scientists have been warning us for decades that extreme weather events will increase in number. And they have; just ask the insurance companies. They report a 650 per cent increase in damages caused by extreme weather events between 2009 and 2012 and the trend is upward.

If we run out of water in Parksville it will be further proof of the ecological illiteracy of our local governments. During recent public input to official community plans (OCPs) and sustainability plans, ecologically-minded organizations encouraged local governments to determine our regional carrying capacity in order to be able meet basic needs, such as water, in times of stress, such as now.

But these suggestions were deemed unimportant and ignored. As a result, our communities are still not moving in a sustainable direction, despite the green-speak in their planning documents. Qualicum Beach perhaps comes closest with its OCP vision statement that projects a potential capacity of approximately 12,000 people. This sounds like a genuine attempt at setting a limit as opposed to the garden variety — and temporary — urban containment boundary that eventually is expanded.

We shall see if their future councils have the ecological sense and courage to make it stick.

In the meantime, if we turn on our taps in Parksville this August and find there’s no water, it won’t be because of the drought. It will be because our local governments chose to ignore basic ecological principles in favour of land use planning policies and zoning decisions to accommodate a population that exceeds the carrying capacity of our local ecosystems.

Neil Dawe
Parksville

New Building Canada Fund – Small Communities Fund

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE
5C - 940 Blanshard Street, Victoria, BC V8W 3E6

August 14, 2015

Joe Stanhope
 Chair of the Regional District of Nanaimo
 6300 Hammond Bay Rd
 Nanaimo, BC V9T 6N2

RDN CAO'S OFFICE			
CAO		GM R&P	
GMS&CD		GM T&SW	
GM R&CU		DF	<input checked="" type="checkbox"/>
Aug 20 2015			
DCS		BOARD	<input checked="" type="checkbox"/>
CHAIR	<input checked="" type="checkbox"/>		

Cliff# 236684

Dear Joe Stanhope:

Re: New Building Canada Fund - Small Communities Fund (NBCF-SCF)
Project #N20103 - Whiskey Creek Water System Treatment

It is my pleasure to inform you that your application for funding under the New Building Canada Fund – Small Communities Fund (NBCF-SCF) has been approved at a maximum federal/provincial contribution of \$290,532.

Please ensure that all public information material for the approved project clearly and prominently indicates funding is provided from the NBCF-SCF.

The Province will require you to submit online periodic progress reports along with budget forecasting reports using the new online Local Government Information System. Details outlining this requirement will be sent to the project contact shortly.

Claim form information along with final report requirements will soon be available on the website: www.gov.bc.ca/smallcommunitiesfund.

A contribution agreement will be sent to your Chief Administrative Officer.

Please note, it is your responsibility to obtain and comply with all necessary authorizations and/or permits as an ongoing condition of our funding.

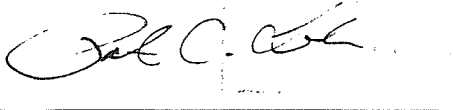
If you have any questions regarding the above, please do not hesitate to contact Liam Edwards, Executive Director, Local Government Infrastructure and Finance Branch, Ministry of Community, Sport and Cultural Development, at 250-387-4060.

... /2



I wish you every success with your infrastructure project.

Yours truly,



Patrick C. Livolsi, P. Eng.
Provincial Co-Chair, Oversight Committee, Small Communities Fund
Assistant Deputy Minister
Infrastructure and Major Projects Division

cc: Scott Fraser, MLA
Alberni-Pacific Rim

Sean Nacey, Senior Manager
Infrastructure Development Branch
Ministry of Transportation and Infrastructure

Liam Edwards, Executive Director
Local Government Infrastructure and Finance Branch
Ministry of Community, Sport and Cultural Development

Mike Donnelly
Manager of Water and Utility Services
Regional District of Nanaimo

New Building Canada Fund - Small Communities Fund

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE
5C - 940 Blanshard Street, Victoria, BC V8W 3E6

August 19, 2015

Cliff# 236982

Paul Thorkelsson
Chief Administrative Officer
Regional District of Nanaimo
6300 Hammond Bay Rd
Nanaimo, BC V9T 6N2

Dear Paul Thorkelsson:

Re: New Building Canada Fund - Small Communities Fund (NBCF-SCF)
N20112 - Greater Nanaimo Pollution Control Centre Secondary Treatment
Upgrades: Centrifuge and Polymer System

Thank you for your application for funding under the New Building Canada Fund - Small Communities Fund (NBCF-SCF). After careful consideration, the above noted project was not selected for funding.

The program received significantly more applications than could be funded. This decision does not reflect on the importance of this project, but rather the degree by which the program has been oversubscribed. All applications were equitably reviewed and given consideration for funding.

The NBCF-SCF program will have a second application intake. The date of this intake has not been determined. Additional program information can be found at the NBCF-SCF website at: www.gov.bc.ca/smallcommunitiesfund.

If you have any questions, please do not hesitate to contact Liam Edwards, Executive Director, Local Government Infrastructure and Finance Branch, Ministry of Community, Sport and Cultural Development, at 250-387-4060.

Thank you for your interest in the NBCF-SCF. I wish you every success with your community project.

Yours truly,



Patrick C. Livolsi, P. Eng.
Provincial Co-Chair, Oversight Committee, Small Communities Fund
Assistant Deputy Minister
Infrastructure and Major Projects Division

.../2



cc: Sean Nacey, Senior Manager
Infrastructure Development Branch
Ministry of Transportation and Infrastructure

Liam Edwards, Executive Director
Local Government Infrastructure and Finance Branch
Ministry of Community, Sport and Cultural Development

Sean De Pol
Manager of Wastewater Services
Regional District of Nanaimo

New Building Canada Fund - Small Communities Fund

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE
5C - 940 Blanshard Street, Victoria, BC V8W 3E6

August 19, 2015

Cliff# 236982

Paul Thorkelsson
Chief Administrative Officer
Regional District of Nanaimo
6300 Hammond Bay Rd
Nanaimo, BC V9T 6N2

Dear Paul Thorkelsson:

**Re: New Building Canada Fund - Small Communities Fund (NBCF-SCF)
N20113 - French Creek Pollution Control Centre: Interceptor and Pump Station
Upgrades**

Thank you for your application for funding under the New Building Canada Fund - Small Communities Fund (NBCF-SCF). After careful consideration, the above noted project was not selected for funding.

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Thank you for your interest in the NBCF-SCF. I wish you every success with your community project.

Yours truly,



Patrick C. Livolsi, P. Eng.
Provincial Co-Chair, Oversight Committee, Small Communities Fund
Assistant Deputy Minister
Infrastructure and Major Projects Division

.../2



cc: Sean Nacey, Senior Manager
Infrastructure Development Branch
Ministry of Transportation and Infrastructure

Liam Edwards, Executive Director
Local Government Infrastructure and Finance Branch
Ministry of Community, Sport and Cultural Development

Sean De Pol
Manager of Wastewater Services
Regional District of Nanaimo