

**REGIONAL DISTRICT OF NANAIMO**

**REGULAR BOARD MEETING  
TUESDAY, OCTOBER 4, 2016  
7:00 PM**

***(RDN Board Chambers)***  
*RDN meetings may be recorded*

**A G E N D A**

**1. CALL TO ORDER**

**2. DELEGATIONS**

13-15            **Joe Dennie and Patrick Tibando**, re Spider Lake.

**3. BOARD MINUTES**

16-22            Minutes of the Regular Board meeting held Tuesday, August 23, 2016 (All Directors – One Vote).

*That the minutes of the Regular Board meeting held Tuesday, August 23, 2016 be adopted.*

23-24            Minutes of the Special Board meeting held Tuesday, September 13, 2016 (All Directors – One Vote).

*That the minutes of the Special Board meeting held Tuesday, September 13, 2016 be adopted.*

**4. BUSINESS ARISING FROM THE MINUTES**

**5. COMMUNICATIONS/CORRESPONDENCE**

(All Directors – One Vote)

25                **Lynda and Zoltan Pataky**, re Development Permit with Variance Application No. PL2016-107 – Lot 56, Plan 47638 – Electoral Area 'E'.

26-28            **Tara Faganello and Gary MacIsaac, Green Communities Committee**, re Corporate Carbon Neutrality for the 2015 Reporting Year.

**6. UNFINISHED BUSINESS**

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

**7.1 ELECTORAL AREA SERVICES COMMITTEE**

29-34 Minutes of the Electoral Area Services Committee meeting held Tuesday, September 13, 2016 (All Directors – One Vote).

*That the minutes of the Electoral Area Services Committee meeting held Tuesday, September 13, 2016 be received for information.*

**PLANNING**

**DEVELOPMENT PERMIT**

**Development Permit Application No. PL2016-081 – 2821 Parker Road East – Electoral Area ‘E’** (Electoral Area Directors, Except EA ‘B’ – One Vote).

*That the Board approve Development Permit No. PL2016-081 to amend Development Permit No. 60425 and allow the release of a Section 219 covenant on the subject property, subject to the conditions outlined in Attachments 2 to 3.*

**Development Permit Application No. PL2016-120 – Lot 30, Terrien Way – Electoral Area ‘G’** (Electoral Area Directors, Except EA ‘B’ – One Vote).

*That the Board approve Development Permit No. PL2016-120 to permit the placement of fill and the construction of a dwelling unit on the property subject to the conditions outlined in Attachments 2 to 4.*

**DEVELOPMENT PERMIT WITH VARIANCE**

**Development Permit with Variance Application No. PL2016-107 – Lot 56, Plan 47638 – Electoral Area ‘E’** (Electoral Area Directors, Except EA ‘B’ – One Vote).

**Delegations wishing to speak to Development Permit with Variance Application No. PL2016-107 – Lot 56, Plan 47638 – Electoral Area ‘E’.**

*That the Board approve Development Permit with Variance No. PL2016-107 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.*

**Development Permit with Variance Application No. PL2016-122 – 892 McFeely Drive – Electoral Area ‘G’** (Electoral Area Directors, Except EA ‘B’ – One Vote).

**Delegations wishing to speak to Development Permit with Variance Application No. PL2016-122 – 892 McFeely Drive – Electoral Area ‘G’.**

*That the Board approve Development Permit with Variance No. PL2016-122 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.*

**DEVELOPMENT VARIANCE PERMIT**

**Development Variance Permit Application No. PL2016-093 and Frontage Relaxation Application No. PL2016-011 – 1150 Ganske Road – Electoral Area ‘G’** (Electoral Area Directors, Except EA ‘B’ – One Vote).

**Delegations wishing to speak to Development Variance Permit Application No. PL2016-093 and Frontage Relaxation Application No. PL2016-011 – 1150 Ganske Road – Electoral Area ‘G’.**

- 1. That the Board approve Development Variance Permit No. PL2016-093 to increase the permitted parcel depth for proposed Lot A from 40% to 44% and Lot B from 40% to 43% of the length of the perimeter of the parcel subject to the conditions outlined in Attachment 2.*
- 2. That the Board approve the request to relax the minimum 10% perimeter frontage requirement for proposed Lot B in relation to Subdivision Application No. PL2016-011.*

**Development Variance Permit Application No. PL2016-121 – 1959 Seahaven Road – Electoral Area ‘E’** (Electoral Area Directors, Except EA ‘B’ – One Vote).

**Delegations wishing to speak to Development Variance Permit Application No. PL2016-121 – 1959 Seahaven Road – Electoral Area ‘E’.**

*That the Board approve Development Variance Permit No. PL2016-121 to vary the maximum permitted height and the setback from the sea to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.*

**OTHER**

**Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2016-041 – 2800 Benson View Road – Electoral Area ‘C’ (Electoral Area Directors, Except EA ‘B’ – One Vote).**

*That the Board approve the requested relaxation of the minimum 10% perimeter frontage requirement for the proposed Lot B, in relation to Subdivision Application No. PL2016-041.*

**COMMUNITY PARKS**

35 **Amendment to Electoral Area ‘B’ Community Parks Bylaw No. 799 (All Directors – One Vote).**

1. *That the Board rescind third reading of "Electoral Area 'B' Community Parks Local Service Amendment Bylaw No. 799.09, 2016".*
2. *That "Electoral Area 'B' Community Parks Local Service Amendment Bylaw No. 799.09, 2016" be amended as follows:*
  - *by adding the words "and public water access sites" after the word "trails" throughout the bylaw;*
  - *by deleting the words "and sidewalks secured by permit, licence or lease from the Province of British Columbia" from the preamble of the bylaw; and*
  - *by deleting the words "and sidewalks" and "that are secured by way of permit, licence or lease from the Province of British Columbia Ministry responsible for public roads in Electoral Areas" from Section 1 of the bylaw.*
3. *That the Board give third reading as amended to "Electoral Area ‘B’ Community Parks Local Service Amendment Bylaw No. 799.09, 2016" and forward the bylaw to the Inspector of Municipalities for approval.*

**PARKS AND OPEN SPACE ADVISORY COMMITTEE MINUTES AND RECOMMENDATIONS**

36-38 **Electoral Area ‘H’ Parks and Open Space Advisory Committee meeting held Thursday, May 26, 2016 (All Directors – One Vote).**

*That the minutes of the Electoral Area ‘H’ Parks and Open Space Advisory Committee meeting held Thursday, May 26, 2016 be received for information.*

**Phase 2 Water Access Development** (All Directors – One Vote).

1. *That staff be directed to remove the negative Regional District of Nanaimo signage from all water accesses and community parks and replace it with simple water access/community park identification signage.*
2. *That staff be directed to remove the negative Regional District of Nanaimo signage from all water accesses and community parks in all Electoral Areas and replace it with simple water access/community park identification signage, and further, that this item be referred to the Electoral Area 'E' Parks and Open Space Advisory Committee.*

39-41

**Electoral Area 'G' Parks and Open Space Advisory Committee meeting held Wednesday, June 1, 2016** (All Directors – One Vote).

*That the minutes of the Electoral Area 'G' Parks and Open Space Advisory Committee meeting held Wednesday, June 1, 2016 be received for information.*

**Stanhope Trail** (All Directors – One Vote).

*That the Board direct staff to proceed with the proposed works to develop Stanhope trail.*

**FIRE PROTECTION**

**FIRE SERVICES ADVISORY COMMITTEE MINUTES AND RECOMMENDATIONS**

42-43

**Fire Services Advisory Committee meeting held Wednesday, July 6, 2016** (All Directors – One Vote).

*That the minutes of the Fire Services Advisory Committee meeting held Wednesday, July 6, 2016 be received for information.*

44-47

**Volunteer Fire Rescue Service Level Policy** (All Directors – One Vote).

*That the Volunteer Fire Rescue Service Level Policy be adopted.*

48-50

**Fire Rescue Services Coordinator Job Description – Draft** (All Directors – One Vote).

1. *That the Fire Rescue Services Coordinator Job Description be adopted as presented.*
2. *That the Fire Rescue Services Coordinator Job Description be reviewed annually by the Fire Services Advisory Committee.*

**Appointment to the Fire Services Advisory Committee** (All Directors – One Vote).

*That the Fire Services Advisory Committee Terms of Reference be amended to include the Electoral Area 'A' Director.*

**BYLAW ENFORCEMENT**

51-55                    **992 Lee Road, Electoral Area 'G' – Unsightly Premises** (All Directors – One Vote).

**Property owner wishing to speak to 992 Lee Road, Electoral Area 'G' – Unsightly Premises.**

*That the Board, pursuant to Unsightly Premises Regulatory Bylaw No. 1073, 1996, directs the owner of Lot 2 District Lot 29 Nanoose District and Part Of The Bed Of The Strait of Georgia VIP63647 (992 Lee Road), to remove the accumulation of derelict boats, derelict trailers, various containers, rope, scrap wood, metal and pipes, assorted household garbage, discarded or disused building materials and components such as lumber, windows, wooden shutters, building wrap, and plumbing materials from the property within thirty (30) days, or the work will be undertaken by the Regional District of Nanaimo (RDN) or its agents at the owner's cost.*

**BUSINESS ARISING FROM DELEGATIONS, COMMUNICATIONS OR DIRECTORS' FORUM**

**Community Wildfire Protection** (Electoral Area Directors – Weighted Vote).

1. *That the Board direct staff to work with City of Nanaimo staff to determine how the city's Community Wildfire Protection Plan integrates with Electoral Area 'A' adjacent lands.*
2. *That the Board direct staff to prepare a report on the steps required to undertake a wildfire interface fuel inventory for Electoral Areas including possible partners and funding sources.*

**7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE**

56-60                    Minutes of the Committee of the Whole meeting held Tuesday, September 13, 2016 (All Directors – One Vote).

*That the minutes of the Committee of the Whole meeting held Tuesday, September 13, 2016 be received for information.*

**FINANCE**

61

**Bylaw No. 1749 – Alberni-Clayoquot Regional District – 2017 Permissive Tax Exemption**

(All Directors – One Vote)

1. *That "Property Tax Exemption (Alberni-Clayoquot Mt. Arrowsmith Regional Park) Bylaw No. 1749, 2016" be introduced and read three times.*

(All Directors – 2/3 Majority Vote)

2. *That "Property Tax Exemption (Alberni-Clayoquot Mt. Arrowsmith Regional Park) Bylaw No. 1749, 2016" be adopted.*

**Operating Results for the Period Ending June 30, 2016** (All Directors – One Vote).

*That the summary report of financial results from operations to June 30, 2016 be received for information.*

**Audit Service Contract Award** (All Directors – Weighted Vote).

*That the Board appoint the firm of MNP LLP as auditors for the Regional District of Nanaimo and authorize staff to enter into a five-year agreement for the provision of external financial audit services commencing with the 2016 fiscal year.*

**2017-2021 Financial Plan Schedule** (All Directors – One Vote).

*That the schedule for the review and adoption of the 2017 to 2021 Financial Plan be approved:*

November 8 & 15, 2016	Public seminars with Board for 2016 preliminary budget & business plans
November 22, 2016	Report on 2017 preliminary budget to Board Meeting Agenda
February 7 & 14, 2017	Public seminars with Board for 2017 to 2021 Financial Plan
February 14, 2017	Report on 2017 to 2021 Financial Plan to Committee of the Whole Agenda
February 17, 2017	Publication of budget edition of Regional Perspectives
March 14, 2017	Introduce bylaw to adopt the 2017 to 2021 Financial Plan
March 28, 2017	Adopt Financial Plan Bylaw

**REGIONAL AND COMMUNITY UTILITIES AND SOLID WASTE**

**WASTEWATER SERVICES**

**Contract Award for the French Creek Pollution Control Centre Trucked Liquid Waste Receiving Facility Upgrades (All Directors – Weighted Vote).**

*That the Board direct staff to award a tender for upgrades to the trucked liquid waste receiving facility at the French Creek Pollution Control Centre (FCPCC) to Cogen Mechanical Services for \$257,340.*

62-96

**Introduction of Trucked Liquid Waste Bylaw No. 1732 and Ticketing Bylaw No. 1418.07.**

(All Directors, except EA 'B' – Weighted Vote)

1. *That "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016" be introduced, read three times, and forwarded to the Inspector of Municipalities for Approval.*

(All Directors – One Vote)

2. *That "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.07, 2016" be introduced and read three times.*

**RECREATION AND PARKS**

**RECREATION**

**Utilization of Island Health 2016 Community Wellness Grant (All Directors – Weighted Vote).**

*That the Board direct staff to utilize the Island Health 2016 Community Wellness Grant as outlined:*

Regional District of Nanaimo - District 69	\$47,260
Regional District of Nanaimo - District 68 (Electoral Area 'A')	\$7,290
Regional District of Nanaimo - District 68 (Electoral Area 'B')	\$4,500
Regional District of Nanaimo - District 68 (Electoral Area 'C')	\$2,950
District of Lantzville	\$3,900
City of Nanaimo	\$89,000



**STRATEGIC AND COMMUNITY DEVELOPMENT**

**INTERGOVERNMENTAL LIAISON**

**Regional District of Nanaimo/Vancouver Island University Memorandum of Understanding – Reducing Child Poverty** (All Directors – Weighted Vote).

*That the Board endorse and authorize the signing of a Memorandum of Understanding between Vancouver Island University and the Regional District of Nanaimo for the purpose of establishing a foundation for exchange, dialogue, cooperation and advocacy to reduce child poverty in the region.*

**ADVISORY, SELECT COMMITTEE AND COMMISSION**

**Minutes of the Agricultural Advisory Committee meeting held Friday, June 24, 2016** (All Directors – One Vote).

*That the minutes of the Agricultural Advisory Committee meeting held Friday, June 24, 2016 be received for information.*

**Minutes of the Agricultural Advisory Committee meeting held Friday, August 26, 2016** (All Directors – One Vote).

*That the minutes of the Agricultural Advisory Committee meeting held Friday, August 26, 2016 be received for information.*

**Changes to the Agriculture Land Reserve Regulations** (Electoral Area Directors, except EA ' B' – One Vote).

1. *That the Board consider amendments to zoning Bylaws 500 and 1285 to address recent amendments to the Agriculture Land Reserve Regulations (B.C. Reg. 210/2016).*
2. *That the Board refer the matter of zoning bylaw amendments to address recent changes to the Agriculture Land Reserve Regulations (B.C. Regulations 210/2016) to the Agricultural Advisory Committee for recommendations to the Board.*

**Increased Public Awareness of Agricultural Area Plan** (All Directors – One Vote).

*That the Board direct staff to look into ways to better inform the public of the existence of the Agricultural Area Plan and its merits.*

**NEW BUSINESS**

**Disposition of Grants-in-Aid Funds set aside for Island Corridor Foundation** (All Directors – Weighted Vote).

*That the Board return the funds raised for the Island Corridor Foundation through the grants-in-aid tax requisition as part of the 2017 budgeting process, and that staff be directed to provide a report on options on the disposition of the provincial grant funds originally dedicated to the Island Corridor Foundation.*

**7.5 SCHEDULED STANDING, ADVISORY, AND SELECT COMMITTEES**

97-98                    **Arrowsmith Water Service Management Board** (All Directors – One Vote).

*That the minutes of the Arrowsmith Water Service Management Board meeting held Thursday, September 1, 2016 be received for information.*

99-100                **Solid Waste Management Select Committee** (All Directors – One Vote).

*That the minutes of the Solid Waste Management Select Committee meeting held Tuesday, September 20, 2016 be received for information.*

101-107              **Acquire Used Reconditioned Compactor Report** (All Directors – Weighted Vote).

*That the Board approve the purchase of a used reconditioned landfill compactor for an amount not to exceed \$600,000.*

108-111              **Regional Parks and Trails Select Committee** (All Directors – One Vote).

*That the minutes of the Regional Parks and Trails Select Committee meeting held Tuesday, September 20, 2016 be received for information.*

112-114              **Coats Marsh Bats Recovery Strategy Report** (All Directors – Weighted Vote).

*That the Board direct staff to allocate \$5,000 in the 2017 Regional Parks Budget to complete an environmental assessment of the cabin at Coats Marsh Regional Park to determine if the structure provides critical bat habitat and to determine mitigation measures to implement with the planned decommissioning of the structure if the building is found to provide critical bat habitat.*

115-133              **Mt. Benson Regional Park / Witchcraft Lake Regional Trail Parking Report** (All Directors – Weighted Vote).

*That the Board direct staff to continue to explore a long-term parking solution for Mount Benson Regional Park and the Witchcraft Lake Regional Trail.*

134-189

**Benson Creek Falls Regional Park Parking Report** (All Directors – Weighted Vote).

1. *That the Creekside Place parking lot remain open as the primary access and trailhead parking area for Benson Creek Falls Regional Park from the south.*
2. *That the Board direct staff to continue to monitor the Creekside Place parking lot and maintain open communication with the residents of the area regarding issues and mitigation measures.*
3. *That, pending lease renewal with the Province of BC, staff be directed by the Board to examine the feasibility of developing a parking lot within the undeveloped road allowance leading towards Benson Creek Falls Regional Park from Weigles Road, and that staff examine formalizing the loop trail through the crown woodlot W0012.*
4. *That, pending lease renewal with the Province of BC, staff be directed by the Board to engage the services of a geotechnical and structural engineer to assess the feasibility and design options for pedestrian access across Benson Creek and to the base of Ammonite Falls, as per the Management Plan.*
5. *That, pending lease renewal with the Province of BC and evidence of parking demand/capacity requirements at the Jameson Road trailhead, staff be directed by the Board to present long-term options for consideration of developing additional parking at this site, under permit with MOTI, or at the end of Longview Place or Galloway Gulch, under agreement with the Province and the operators of the Vancouver Island University crown woodlot W0020.*

190-195

**Regional Parks Parcel Tax Review Report** (All Directors – Weighted Vote).

*That the Board maintain the parcel taxation at its current level and the use of Parcel Tax for the Regional Parks Acquisition and Development Fund be deferred to the Regional Services Review and budget discussions.*

196-198

**Salish Sea Marine Trail Proposal BC Marine Trails Network Association Report** (All Directors – Weighted Vote).

1. *That the Board direct staff to continue to show support for the concept of marine trails.*
2. *That the Board direct staff to work with the BC Marine Trails Network Association on developing, for Board approval, a partnership agreement that establishes Descanso Bay Regional Park as a Salish Sea Marine Trail camping site.*

3. *That consideration of the Nelson Road Boat Launch (Area 'A') and Blueback Community Park (Area 'E') as Salish Sea Marine Trail access points be referred to the Electoral Area 'E' Parks and Open Space Advisory Committee and the EA 'A' Parks, Recreation & Culture Commission for further discussion.*

199-201

**Trans Canada Trail IT Licence Renewal Report** (All Directors – Weighted Vote).

*That the Board accept Island Timberland's offer to renew the Region's non-exclusive licence permitting approximately 16 km of Trans Canada Trail.*

**Wallace Point, Nanoose Bay** (All Directors – Weighted Vote).

*That the Board direct staff to prepare a report with respect to the history of Wallace Point and work in conjunction with the Snaw-Naw-As First Nation to support the use of Wallace Point as a public park.*

**Horne Lake Historic Regional Trail** (All Directors – Weighted Vote).

*That the following motion - That the Board direct staff to work with Directors and commence planning work for the Historic Horne Lake Regional Trail including meeting with Alberni-Clayoquot Regional District, Horne Lake Strata, Qualicum First Nation, and First Nation communities in the Alberni Valley and that the trail's development costs be included the Regional Parks and Trails Five Year Financial Plan - be referred to staff to report back with cost and resource implications.*

**8. ADMINISTRATOR'S REPORTS**

202-206

**Zoning Amendment Application No. PL2015-025 – Electoral Area 'H' – Amendment Bylaw 500.400, 2015 – Adoption** (Electoral Area Directors, except EA 'B' – One Vote).

**9. ADDENDUM**

**10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**11. NEW BUSINESS**

**12. IN CAMERA**

*That pursuant to sections 90 (1) (a), (e), and (m) of the Community Charter the Board proceed to an In Camera Meeting for discussions related to Board appointments, land acquisition, and third-party business interests.*

**13. ADJOURNMENT**

**Delegation:** Joe Dennie and Patrick Tibando, re Spider Lake

**Summary:** Joe Dennie and Patrick Tibando will be speaking on the subject of Spider Lake.

# SPIDER LAKE

## THE NEED FOR ELECTRIC MOTOR USEAGE

1. SAFTEY, ELECTRIC MOTOR USEAGE PERMITS QUICKER RESPONSE TIME TO ASSIST OTHERS IN TROUBLE
2. SAFTEY, ELECTRIC MOTOR USEAGE ALLOWS PEOPLE TO MAKE IT BACK TO THE RAMP IN CASE OF HIGH WINDS AND HIGH WAVES
3. ELECTRIC MOTOTR USEAGE ALLOWS USERS WITH HANDICAP CHALLENGES (OF ALL AGES) AND THE AGING POPULATION OF CANADA (BC HAS THE FASTEST AGING POPULATION) TO CONTINUE USING THE LAKE AND ENJOYING LIFE LONG OR NEWLY GAINED INTERESTS
4. PERMITTING THE USE OF ELECTRIC MOTORS FOR SPIDER LAKE SYNCHS WITH THE OTHER LAKE UNDER THE REGIONAL DISTRICT OF NANAIMO (SEE ATTACHED LIST

### FACTS:

1. BC HAS THE FASTEST AGING POPULATION IN CANADA. MANY RETIREES COME FROM ALL OVER CANADA TO SETTLE ON VANCOUVER ISLAND BECAUSE OF CLIMATE AND THE MANY OPPORTUNITIES TO RECREATE.
2. THE AGE DEMOGRAPHICS FOR PEOPLE 50 YRS TO 80 YEARS IN BC COMPRISE SOME TWO MILLION PEOPLE AND REPRESENT SOME 30% OF ITS POPULATION
3. THE OCEANSIDE ANGLERS, BC IS COMPRISED OF SOME 150 MEMBERS WHO HAVE RETIRED TO THE ISLAND IS THE PAST THREE YEARS WITH MANY COMING TO THE ORGANIZATION THRU THE NEWCOMERS CLUB OF QUALICUM BEACH. THERE ARE ANOTHER 100 MEMBERS OF THE MID ISLAND CASTAWAYS FLY FISHING CLUB
4. AS EVIDENCED BY THE ATTACHED PHOTOS THE USERS OF SPIDER IS VARIED FROM FAMILIES WITH YOUNG CHILDREN TO KAYAKERS, CANOEIST, PADDLE BOARDS AND FISHERS.

R.D.N. JUNE 27, 2016

Bill Veenhof, Board Chair

Director, Electoral Area H

4737 Maple Guard Drive Bowser, BC V0R 1G0 Residence: 778-424-2810 Cell: 250-797-6313

bill.veenhof@shaw.ca Sent by Royal Mail

**RE: Spider Lake**

**Dear Mr. Veenhof,**

During my investigation into the motor ban on Spider Lake I have uncovered a number of inconsistencies.

The RDN has no information on file to support this ban which itself is a mystery..

There are signs that are posted on the lake but the RDN says they did not put them up even though the RDN has been identified as the authority.

The FLNR states they will uphold this regulation but confirm they do not know how.

The local RCMP have advised me they will not answer any calls regarding this.

Transport Canada states the RDN was the authority but will not release any information.

No one can recall who were the stakeholders at the time.

The dates as to when it went into force are just too many 1975, 1979, 1989, 1990???

Who was the authority at the time and why did that authority make the application? Why isn't this information available to the residents of this province?

What was the cause of the problem(s)?

Were there any regulations in place that could have addressed any identified problems?

Were any solutions put forward that may have addressed the issues of the day?

Who were the stakeholders at the time?

Did any stakeholder identify any costs and benefits of possible solutions?

What were the impacts on any of the stakeholders of the day?

Were these identified?

Did the RDN develop a consultation plan and circulate it to all stakeholders?

Were the stakeholders given an opportunity to review the the issue, provide their input?

Transport Canada does not accept vessel operation restrictions based on the number of supporters, but because of merit and need.

This ban on electric motors inhibits the Senior Friendly and Disability Friendly population from participating safely both in fishing and recreational use of Spider Lake. It flies in the face of the BC Accessibility Act.

Correcting this today is the right thing to do. Please give this your full attention.

There-fore I am respectfully requesting that the RDN, as the official authority notify Transport Canada to advise them that the present ban be canceled and a new application will be submitted.

A new application would see that the ban on outboard motors be retained and that a limit on the size of a watercraft be limited to 12 feet or 4 meters.

It is inherent that governments must adhere to a well structured process to address these problems on our waterways. This new application would there-fore meet the requirements of the provinces Accessibility 2024 plan and thus open the lake to a safer environment. This lake is really more recreational than fishing and its location serves many communities.

Respectfully submitted

Joseph E. Dennie

960 Royal Dornoch Drive

Qualicum Beach V9K 1E1

**REGIONAL DISTRICT OF NANAIMO**  
**MINUTES OF THE REGULAR BOARD MEETING**  
**OF THE REGIONAL DISTRICT OF NANAIMO HELD ON**  
**TUESDAY, AUGUST 23, 2016 AT 7:00 PM IN THE**  
**RDN BOARD CHAMBERS**

In Attendance:

Director C. Haime	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
Director J. Stanhope	Electoral Area G
Alternate	
Director M. Recalma	Electoral Area H
Director B. McKay	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Hong	City of Nanaimo
Director W. Pratt	City of Nanaimo
Alternate	
Director D. Brennan	City of Nanaimo
Director I. Thorpe	City of Nanaimo
Alternate	
Director G. Fuller	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director T. Westbroek	Town of Qualicum Beach

Regrets:

Director W. Veenhof	Chairperson
Director J. Kipp	City of Nanaimo
Director B. Yoachim	City of Nanaimo

Also in Attendance:

D. Trudeau	Interim Chief Administrative Officer
R. Alexander	Gen. Mgr. Regional & Community Utilities & Solid Waste
G. Garbutt	Gen. Mgr. Strategic & Community Development
T. Osborne	Gen. Mgr. Recreation & Parks
J. Harrison	Director of Corporate Services
W. Idema	Director of Finance
T. Armet	Mgr. Building & Bylaw Services
J. Hill	Mgr. Administrative Services
B. Ritter	Recording Secretary



## **CALL TO ORDER**

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

The Chairperson welcomed Alternate Directors Fuller and Recalma to the meeting.

## **DELEGATIONS**

### **Line Robert, Island Coastal Economic Trust, re Status Report and Outline of Funds Available**

Line Roberts provided a presentation on the Island Coastal Economic Trust, providing an overview of its history and programs, and an overview of the services it has provided to the community over the past 10 years.

### **Roy Alexander, San Pariel Owners and Residents Association, re Support for Developing a San Pariel Community Neighborhood Plan.**

Roy Alexander provided an overview of the concerns of the San Pariel neighbourhood residents, and the desire for the residents and the Regional District of Nanaimo to cooperate together in creating an open, inclusive San Pariel community neighbourhood plan.

## **BOARD MINUTES**

### **Minutes of the Regular Board meeting held Tuesday, July 26, 2016.**

- 16-566 MOVED Director Stanhope, SECONDED Director Thorpe, that the minutes of the Regular Board meeting held Tuesday, July 26, 2016, be adopted.

CARRIED

## **COMMUNICATION/CORRESPONDENCE**

### **Doug Anastos, Telus, re Request from the Regional District of Nanaimo to Commence a Dispute Resolution Process for a Telecommunications Tower.**

- 16-567 MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Doug Anastos, Telus, regarding the request from the Regional District of Nanaimo to commence a dispute resolution process for a telecommunications tower be received.

CARRIED

### **Leonard F. Bradley, re Commendation to staff of the Recreation and Parks Office.**

- 16-568 MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Leonard F. Bradley, regarding commendation to staff of the Recreation and Parks office be received.

CARRIED

### **John Adams, Cook Roberts LLP, re 2954 Canyon Road, Electoral Area 'A'.**

- 16-569 MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from John Adams, Cook Roberts LLP, regarding 2954 Canyon Road, Electoral Area 'A', be received.

CARRIED

**Colin Stewart and Kathryn Stuart, Stewart McDannold Stuart, July - August 2016 Correspondence re 2954 Canyon Road, Electoral Area 'A'.**

- 16-570 MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Colin Stewart and Kathryn Stuart, Stewart McDannold Stuart, regarding 2954 Canyon Road, Electoral Area 'A', be received.

CARRIED

**Kelly Olson, French Creek Cell Towers.**

- 16-571 MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Kelly Olson regarding French Creek cell towers be received.

CARRIED

**SCHEDULED STANDING, ADVISORY, AND SELECT COMMITTEES**

**Emergency Management Select Committee**

**Minutes of the Emergency Management Select Committee meeting held Monday, July 25, 2016.**

- 16-572 MOVED Director Houle, SECONDED Director Rogers, that the minutes of the Emergency Management Select Committee meeting held Monday, July 25, 2016 be received for information.

CARRIED

**ADMINISTRATOR'S REPORTS**

Directors Bestwick, Brennan, Fuller, Hong and Kipp left the meeting at 7:34 pm citing a potential perceived conflict of interest with the next agenda item.

**2954 Canyon Road, Electoral Area 'A' - Hazardous and Dilapidated Property.**

- 15-573 MOVED Director McKay, SECONDED Director Fell, that the matter regarding 2954 Canyon Rd, Electoral Area 'A' - Hazardous and Dilapidated Property be deferred until the next Regular Board meeting.

DEFEATED

- 15-574 MOVED Director McPherson, SECONDED Director Stanhope, that the Board declare that the remaining burned out structure and burned/charred building materials, open foundation, metal stair and landing assembly, open well/wellhead and ground openings on the property legally described as Lot 1, Section 3, Range 8, Cranberry District, Plan 15453 (2954 Canyon Road) create an unsafe condition and are so dilapidated and unclean as to be offensive to the community pursuant to Sections 73(1) and 74(1) of the *Community Charter*.

CARRIED

15-575 MOVED Director McPherson, SECONDED Director Stanhope, that the owner of the property, 0904255 B.C. Ltd. (the Owner) be ordered to take the following remedial actions within fifteen (15) days of the receipt of notice of this Order:

- Lawfully remove and lawfully dispose of any asbestos or other hazardous materials present at the property;
- Demolish and remove from the property the burned building;
- Cover securely the well and protect the wellhead to prevent access and groundwater contamination;
- Fill in or cover securely all artificial openings in the ground located at the property including two underground storage tanks and the open foundation and basement of the burned out building that remains as an artificial opening in the ground once the burned out building is demolished and removed; and
- Contract with a specialist in hazardous materials to conduct tests for asbestos on the burned out building remnants and provide the results to the Regional District of Nanaimo (RDN).

The time period for carrying out this work is shorter than the default time period of thirty (30) days in section 76 of the *Community Charter*, under section 79 of the *Community Charter* because the conditions at the property pose a significant risk to the health and safety of the community.

CARRIED

15-576 MOVED Director McPherson, SECONDED Director Rogers, that the Regional District of Nanaimo or its contractors be authorized, in default of such remedial measures being undertaken by the Owner, to carry out or have such work carried out and the expense charged to the Owner. If unpaid on December 31st in the year in which the work is done, the expense shall be added to and form part of the taxes to be paid on the real property as taxes in arrears or be collected as a debt.

CARRIED

15-577 MOVED Director McPherson, SECONDED Director Rogers, that the time period of fourteen (14) days to seek reconsideration of this Order as set out in section 78 of the *Community Charter* be shortened to seven (7) days under section 79 of the *Community Charter* because there is a significant risk to the health and safety of the public due to the unsafe conditions at the property.

CARRIED

15-578 MOVED Director McPherson, SECONDED Director Rogers, that resolutions 16-414, 16-415 and 16-416 of the Board made June 28, 2016 regarding this property be repealed because of the change in circumstances caused by the fire at the property after the June 28, 2016 resolutions were made.

CARRIED

Directors Bestwick, Brennan, Fuller, Hong and Kipp returned to the meeting at 7:56 pm.

Director Recalma left the meeting at 7:57 pm citing a possible conflict of interest with the next agenda item.

**Qualicum First Nation Cooperation Protocol Working Group.**

15-579 MOVED Director Stanhope, SECONDED Director Lefebvre, that the report Qualicum First Nation Cooperation Protocol Working Group be received for information.

CARRIED

Director Recalma returned to the meeting at 8:01 pm.

**Release of Funds from the Gabriola Island Recreation Service Reserve Fund to Gabriola Recreation Society.**

15-580 MOVED Director Houle, SECONDED Director Young, that the Board return the surplus fund transfer payment of \$6,058.54 made by Gabriola Recreation Society in 2015.

CARRIED

15-581 MOVED Director Houle, SECONDED Director Young, that the Board release \$20,000 from the Gabriola Island Recreation Service Reserve Fund to the Gabriola Recreation Society to be used for the acquiring of capital - equipment (\$10,000) and as a contingency fund (\$10,000).

CARRIED

**Green's Landing Wharf Reserve Fund Establishment Bylaw No. 1748.**

15-582 MOVED Director Houle, SECONDED Director Lefebvre, that "Green's Landing Wharf Reserve Fund Establishment Bylaw No. 1748, 2016" be introduced and read three times.

CARRIED

15-583 MOVED Director Houle, SECONDED Director Thorpe, that "Green's Landing Wharf Reserve Fund Establishment Bylaw No. 1748, 2016" be adopted.

CARRIED

**To Introduce Community Sewer Amendment Bylaws Nos. 888.07 and 889.72.**

15-584 MOVED Director McKay, SECONDED Director Brennan, that "Regional District of Nanaimo Southern Community Sewer Local Service Amendment Bylaw No. 888.07, 2016" be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.

CARRIED

15-585 MOVED Director Fell, SECONDED Director McKay, that "Regional District of Nanaimo Northern Community Sewer Local Service Amendment Bylaw No. 889.72, 2016" be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.

CARRIED

15-586 MOVED Director Fell, SECONDED Director McKay, that "Regional District of Nanaimo Southern Community Sewer Local Service Amendment Bylaw No. 888.06, 2015" be abandoned.

CARRIED

15-587 MOVED Director Fell, SECONDED Director McKay, that "Regional District of Nanaimo Northern Community Sewer Local Service Amendment Bylaw No. 889.71, 2015" be abandoned.

CARRIED

**Westerne Heights Water Service Area - Transfer of Ownership to the RDN.**

15-588 MOVED Director Fell, SECONDED Director Young, that the Board direct staff to execute the agreements and legal documents required to transfer ownership of the Westerne Heights Water Utility to the Regional District of Nanaimo.

CARRIED

**Nanoose Bay Peninsula Water Service Area Capital Improvements - Security Issuing Bylaw No. 1750.**

15-589 MOVED Director Rogers, SECONDED Director Fell, that Regional District of Nanaimo "Nanoose Bay Peninsula Water Service Area Capital Improvements Security Issuing Bylaw No. 1750, 2016", be introduced and read three times.

CARRIED

15-590 MOVED Director Rogers, SECONDED Director Fell, that Regional District of Nanaimo "Nanoose Bay Peninsula Water Service Area Capital Improvements Security Issuing Bylaw No. 1750, 2016", be adopted.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**San Pareil Neighbourhood Plan.**

15-591 MOVED Director Stanhope, SECONDED Director Rogers, that the Board direct staff to prepare a report to the Board outlining options and recommendations to address San Pareil Owners and Residents Association's request for a San Pareil neighbourhood plan.

CARRIED

**Island Coastal Economic Trust.**

15-592 MOVED Director Westbroek, SECONDED Director Hong, that the Regional District of Nanaimo write to the Provincial government asking Premier Clark to reconsider replenishing the funds that have been used by the Island Coastal Economic Trust for the Trust's purposes.

CARRIED

**NEW BUSINESS**

**Nelson Road Boat Ramp – Park Use Permit.**

15-593 MOVED Director McPherson, SECONDED Director Houle, that the Board direct staff that in the review and consideration of issuing a Park Use Permit to the owners of 1628 Murdoch Road, who have requested use of the Nelson Road boat ramp in Electoral Area 'A' for access to the foreshore to construct a retaining wall, that no blanket daily closures be permitted, that public access to the ramp must be maintained on a daily basis, and the public must be notified of when the ramp will not be available for use when machinery is in transport on the ramp to the construction site.

CARRIED

**IN CAMERA**

15-594 MOVED Director Stanhope, SECONDED Director Lefebvre, that pursuant to sections 90 (1) (a), (c), (e) and (i) of the *Community Charter* the Board proceed to an In Camera Meeting for discussions related to Board appointments, labour relations, land acquisition and solicitor-client privilege.

CARRIED

TIME: 8.15 PM

**ADJOURNMENT**

MOVED Director Stanhope, SECONDED Pratt, that this meeting be adjourned.

CARRIED

TIME: 9:00 PM

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CHAIRPERSON

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CORPORATE OFFICER

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE SPECIAL BOARD MEETING  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY, SEPTEMBER 13, 2016 AT 8:14 PM IN THE  
RDN BOARD CHAMBERS**

In Attendance:

Director W. Veenhof	Chairperson
Director C. Haime	Deputy Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director B. Rogers	Electoral Area E
Director J. Fell	Electoral Area F
Director J. Stanhope	Electoral Area G
Director B. McKay	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Hong	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director W. Pratt	City of Nanaimo
Director I. Thorpe	City of Nanaimo
Director B. Yoachim	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director T. Westbroek	Town of Qualicum Beach

Regrets:

Director M. Young	Electoral Area C
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Also in Attendance:

D. Trudeau	Interim Chief Administrative Officer
R. Alexander	Gen. Mgr. Regional & Community Utilities & Solid Waste
T. Osborne	Gen. Mgr. Recreation & Parks
J. Hill	A/Director of Corporate Services
W. Idema	Director of Finance
C. Golding	Recording Secretary

**CALL TO ORDER**

**IN CAMERA**

- 16-595 MOVED Director Houle, SECONDED Director Lefebvre, that pursuant to Sections 90 (1) (c) and (e) of the *Community Charter* the Board proceed to an In Camera Meeting for discussions related to labour relations and land acquisition.

CARRIED

TIME: 8:14 PM

**RISE AND REPORT**

**Management and Excluded Staff Salaries.**

- 16-596 MOVED Director Pratt, SECONDED Director Lefebvre, that management and excluded staff salaries, excluding the Chief Administrative Officer salary, be increased by 2% effective May 1, 2016, consistent with the increase provided to CUPE staff for 2016, and that the formal salary survey provided for in Management Salary Administration Policy A3-16 and scheduled for this year, be conducted in 2017 under the direction of the permanent Chief Administrative Officer.

CARRIED

**ADJOURNMENT**

MOVED Director Stanhope, SECONDED Director Haime, that this meeting be adjourned.

CARRIED

TIME: 9:25 PM

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CHAIRPERSON

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CORPORATE OFFICER



**From:** Zoltan Pataky  
**Sent:** Tuesday, September 27, 2016 2:02 PM  
**To:** Planning Email  
**Subject:** NOTICE OF DEVELOPMENT PERMIT with VARIANCE APPLICATION NO. PL2016-107 LOT 56 Andover Road

2411 Andover Road, Lot 57  
Nanoose Bay, BC  
V9P 9G9

September 27, 2016

**PLANNING DEPARTMENT  
RE: NOTICE OF DEVELOPMENT PERMIT with VARIANCE  
APPLICATION NO. PL2016-107 LOT 56 ANDOVER ROAD**

We have received notice of the Development Permit with variance on Lot 56, Andover Road regarding Bylaw No. 500, 1987. We have no opposition to item **3.4.31**. We do however request that item **3.3.8 - Setbacks - Watercourses, excluding the Sea** remain at 9.0 metres. A substantial portion of the proposed large cantilevered deck encroaches into the 9.0 metre setback as outlined in the above bylaw, and at the worst point encroaches by **3.17 metres**.

The area in question backs onto the creek that runs from the pond through Lot 56 and mostly through our Lot 57. Our garden is on both sides of the creek thus making it a very peaceful, tranquil area filled with wildlife including, otter, beaver, kingfisher diving for fish as well as blue heron and of course deer.

We bought our property recently largely because of this very lovely setting. We can hear the creek running behind our living spaces and would ask that an outdoor social area not be moved closer to the watercourse which in turn would be closer to our private space particularly the master bedroom by **3.17 metres** than was already set out in the above Bylaw.

Our main indoor/outdoor living space is only slightly above creek level, so any reduction in setback towards the creek would result in a deck looming over our living space and thereby greatly reducing our privacy. We ask that the original 9.0 metre setback be retained as this would greatly reduce the steep angle at which the large cantilevered deck would overlook our peaceful and serene spaces therefore maintaining the enjoyment of our property.

Thank you very much for your consideration of our concerns regarding the requested changes to **Bylaw 500, 1987: 3.3.8**.

We are unfortunately unable to attend the RDN Board Meeting on **Tuesday October 4** as we are in Vancouver for medical reasons. We hope that this letter will convey our concerns adequately.

Yours sincerely



Lynda and Zoltan Pataky

cc: Kristy Marks  
Matt O Halloran

**Please confirm receipt of this email for submission at the October 4 Meeting.**



September 21, 2016

Ref: 168782

Mr. William Veenhof  
and Board Members  
Regional District of Nanaimo  
6300 Hammond Bay Rd  
Nanaimo, BC V9T 6N2

RDN CAO'S OFFICE			
CAO	<input checked="" type="checkbox"/>	GM RP	
GM SCD	<input checked="" type="checkbox"/>	GM TSW	
GM RCU		DF	
DCS		CPC AGENDA	
SEP 28 2016			
BOARD / COW AGENDA			<input checked="" type="checkbox"/>
BOARD CORRESPONDENCE			
CHAIR			<input checked="" type="checkbox"/>

Dear Chair William Veenhof and Board Members:

On behalf of the joint Provincial-Union of British Columbia Municipalities (UBCM) Green Communities Committee (GCC), we would like to extend our congratulations for successfully achieving your goal of corporate carbon neutrality for the 2015 reporting year.

As a signatory to the Climate Action Charter, you have demonstrated your commitment to work with the Province of British Columbia and UBCM to take action on climate change and to reduce greenhouse gas emissions in your community and corporate operations.

The work that local governments are undertaking to reduce their corporate emissions demonstrates significant climate leadership and sets the stage for broader climate action in the community. With the recent release of the B.C. Climate Leadership Plan, your leadership and commitment continues to be essential to building on progress already made and ensuring the achievement of our collective climate action goals. For more information about B.C.'s Climate Leadership Plan, please go to: <https://news.gov.bc.ca/releases/2016PREM0089-001501>.

The GCC was established under the Charter to support local governments in achieving their climate goals. In acknowledgement of the efforts of local leaders, the GCC is again recognizing the progress and achievements of local governments such as yours through the multi-level Climate Action Recognition Program. A description of this program is enclosed for your reference.

As a Charter signatory who has achieved Level 1 and Level 2 recognition, and additionally met the goal of corporate carbon neutrality for the 2015 reporting year, you have been awarded Level 3 recognition – 'Achievement of Carbon Neutrality'.

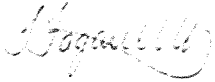
In recognition of your significant achievements, the GCC is very pleased to provide you with carbon neutral branding for use on websites and letterheads. An electronic file with the 2015 logo will be provided to your Chief Administrative Officer. Also enclosed is a 2015 Climate Action Community Carbon Neutral window decal, for use on public buildings.

.../2

Mr. William Veenhof and Board Members  
Page 2

Congratulations again on your achievement. We applaud your leadership and wish you continued success in your ongoing commitment to the goal of corporate carbon neutrality, and your efforts to reduce emissions in the broader community.

Sincerely,



Tara Faganello  
Assistant Deputy Minister  
Local Government Division



Gary MacIsaac  
Executive Director  
Union of British Columbia Municipalities

Enclosures



## GCC Communiqué on the Climate Action Recognition Program

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B.C. local governments continue to play a critical role in reducing GHG emissions across the province. In acknowledgment of the ongoing efforts of local leaders, the joint Provincial-UBCM Green Communities Committee (GCC) is pleased to be continuing the Climate Action Recognition Program for B.C. local governments for the 2015 reporting year. This is a multi-level program that provides the GCC with an opportunity to review and publicly recognize the progress and achievements of each Climate Action Charter (*Charter*) signatory.

Recognition is provided on an annual basis to local governments who demonstrate progress on their *Charter* commitments, according to the following:

### *Level 1: Progress on Charter Commitments*

All local governments who demonstrate progress on fulfilling one or more of their *Charter* commitments will receive a letter from the GCC acknowledging their accomplishments.

### *Level 2: Measurement*

Local governments who achieve Level 1 recognition, have completed a corporate carbon inventory for the reporting year, and demonstrate that they are familiar with the Community Energy and Emissions Inventory (CEEI) will receive a 'Climate Action Community 2015' logo, for use on websites, letter head and similar.

### *Level 3: Achievement of Carbon Neutrality*

Local governments who achieve Level 1 and Level 2 recognition and achieve carbon neutrality in the reporting year will receive a 'Climate Action Community – Carbon Neutral 2015' logo, for use on websites, letter head and similar.

To be eligible for this program, local governments will need to complete a Climate Action Revenue Incentive Program (CARIP) Climate Action/Carbon Neutral Progress Survey and submit it online to the Province in accordance with the program guidelines. Determination of the level of recognition that each community will receive will be based on the information included in each local government's annual CARIP report. Additional information on CARIP reporting is available online at: [www.cscd.gov.bc.ca/lgd/greencommunities/carip.htm](http://www.cscd.gov.bc.ca/lgd/greencommunities/carip.htm).

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA SERVICES COMMITTEE MEETING  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY, SEPTEMBER 13, 2016 AT 2:00 PM IN THE  
RDN BOARD CHAMBERS

In Attendance:

Director W. Veenhof	Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director B. Rogers	Electoral Area E
Director J. Fell	Electoral Area F
Director J. Stanhope	Electoral Area G

Regrets:

Director M. Young	Electoral Area C
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Also in Attendance:

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

**CALL TO ORDER**

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

**MINUTES**

**Regular Electoral Area Planning Committee meeting held Tuesday, July 12, 2016.**

MOVED Director Stanhope, SECONDED Director McPherson, that the minutes of the Regular Electoral Area Planning Committee meeting held Tuesday, July 12, 2016 be adopted.

CARRIED

**Emergency Management Select Committee meeting held Monday, July 25, 2016.**

MOVED Director Stanhope, SECONDED Director Rogers, that the minutes of the Emergency Management Select Committee meeting held Monday, July 25, 2016 be adopted.

CARRIED

## COMMUNICATIONS/CORRESPONDENCE

**Councillor Barbara Price and Director Noba Anderson, Association of Vancouver Island Coastal Communities, re Electoral Area Forum at AVICC Convention – Input Requested.**

MOVED Director Stanhope, SECONDED Director Fell, that the correspondence from Councillor Barbara Price and Director Noba Anderson, Vancouver Island Coastal Communities, regarding the Electoral Area Forum at the Association of Vancouver Island and Coastal Communities Convention be received.

CARRIED

**Alan J. Short, re Request for Property Hearing Rescheduling, 992 Lee Road, Electoral Area ‘G’ – Unsightly Premises.**

MOVED Director Stanhope, SECONDED Director Fell, that the correspondence from Alan J. Short regarding a request for a property hearing rescheduling for 992 Lee Road, Electoral Area ‘G’, be received.

CARRIED

## PLANNING

### DEVELOPMENT PERMIT

**Development Permit Application No. PL2016-081 – 2821 Parker Road East – Electoral Area ‘E’.**

MOVED Director Rogers, SECONDED Director McPherson, that the Board approve Development Permit No. PL2016-081 to amend Development Permit No. 60425 and allow the release of a Section 219 covenant on the subject property, subject to the conditions outlined in Attachments 2 to 3.

CARRIED

**Development Permit Application No. PL2016-120 – Lot 30, Terrien Way – Electoral Area ‘G’.**

MOVED Director Stanhope, SECONDED Director McPherson, that the Board approve Development Permit No. PL2016-120 to permit the placement of fill and the construction of a dwelling unit on the property subject to the conditions outlined in Attachments 2 to 4.

CARRIED

### DEVELOPMENT PERMIT WITH VARIANCE

**Development Permit with Variance Application No. PL2016-107 – Lot 56, Plan 47638 – Electoral Area ‘E’.**

MOVED Director Rogers, SECONDED Director Stanhope, that the Board approve Development Permit with Variance No. PL2016-107 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.

CARRIED

MOVED Director Rogers, SECONDED Director Stanhope, that the Board direct staff to complete the required notification for Development Permit with Variance No. PL2016-107.

CARRIED

**Development Permit with Variance Application No. PL2016-122 – 892 McFeely Drive – Electoral Area ‘G’.**

MOVED Director Stanhope, SECONDED Director Fell, that the Board approve Development Permit with Variance No. PL2016-122 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.

CARRIED

MOVED Director Stanhope, SECONDED Director Fell, that the Board direct staff to complete the required notification for Development Permit with Variance No. PL2016-122.

CARRIED

#### **DEVELOPMENT VARIANCE PERMIT**

##### **Development Variance Permit Application No. PL2016-093 and Frontage Relaxation Application No. PL2016-011 – 1150 Ganske Road – Electoral Area ‘G’.**

MOVED Director Stanhope, SECONDED Director McPherson, that the Board approve Development Variance Permit No. PL2016-093 to increase the permitted parcel depth for proposed Lot A from 40% to 44% and Lot B from 40% to 43% of the length of the perimeter of the parcel subject to the conditions outlined in Attachment 2.

CARRIED

MOVED Director Stanhope, SECONDED Director McPherson, that the Board direct staff to complete the required notification for Development Variance Permit No. PL2016-093.

CARRIED

MOVED Director Stanhope, SECONDED Director McPherson, that the Board approve the request to relax the minimum 10% perimeter frontage requirement for proposed Lot B in relation to Subdivision Application No. PL2016-011.

CARRIED

##### **Development Variance Permit Application No. PL2016-121 – 1959 Seahaven Road – Electoral Area ‘E’.**

MOVED Director Rogers, SECONDED Director Stanhope, that the Board approve Development Variance Permit No. PL2016-121 to vary the maximum permitted height and the setback from the sea to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.

CARRIED

MOVED Director Rogers, SECONDED Director Stanhope, that the Board direct staff to complete the required notification for Development Variance Permit No. PL2016-121.

CARRIED

#### **OTHER**

##### **Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2016-041 – 2800 Benson View Road – Electoral Area ‘C’.**

MOVED Director Rogers, SECONDED Director Stanhope, that the Board approve the requested relaxation of the minimum 10% perimeter frontage requirement for the proposed Lot B, in relation to Subdivision Application No. PL2016-041.

CARRIED

##### **Electoral Area ‘H’ Official Community Plan Review.**

Staff provided a briefing to the Committee including goals, progress to-date, key issues and next steps.

MOVED Director Stanhope, SECONDED Director Houle, that the Board receive the report on the Electoral Area 'H' Official Community Plan Review for information.

CARRIED

## **COMMUNITY PARKS**

### **Amendment to Electoral Area 'B' Community Parks Bylaw No. 799.**

MOVED Director Houle, SECONDED Director Rogers, that the Board rescind third reading of "Electoral Area 'B' Community Parks Local Service Amendment Bylaw No. 799.09, 2016".

CARRIED

MOVED Director Houle, SECONDED Director Rogers, that "Electoral Area 'B' Community Parks Local Service Amendment Bylaw No. 799.09, 2016" be amended as follows:

- by adding the words "and public water access sites" after the word "trails" throughout the bylaw;
- by deleting the words "and sidewalks secured by permit, licence or lease from the Province of British Columbia" from the preamble of the bylaw; and
- by deleting the words "and sidewalks" and "that are secured by way of permit, licence or lease from the Province of British Columbia Ministry responsible for public roads in Electoral Areas" from Section 1 of the bylaw.

CARRIED

MOVED Director Houle, SECONDED Director Rogers, that the Board give third reading as amended to "Electoral Area 'B' Community Parks Local Service Amendment Bylaw No. 799.09, 2016" and forward the bylaw to the Inspector of Municipalities for approval.

CARRIED

### **Monthly Update of Community Parks and Regional Parks and Trails Projects – June, July and August 2016.**

MOVED Director Stanhope, SECONDED Director Houle, that the Parks Update Report for June, July and August 2016 be received for information.

CARRIED

## **PARKS AND OPEN SPACE ADVISORY COMMITTEE MINUTES AND RECOMMENDATIONS**

### **Electoral Area 'H' Parks and Open Space Advisory Committee meeting held Thursday, May 26, 2016.**

MOVED Director Stanhope, SECONDED Director Fell, that the minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee meeting held Thursday, May 26, 2016 be received for information.

CARRIED

### **Phase 2 Water Access Development.**

MOVED Director Fell, SECONDED Director Rogers, that staff be directed to remove the negative Regional District of Nanaimo signage from all water accesses and community parks and replace it with simple water access/community park identification signage.

CARRIED

MOVED Director Fell, SECONDED Director Houle, that staff be directed to remove the negative Regional District of Nanaimo signage from all water accesses and community parks in all Electoral Areas and replace it with simple water access/community park identification signage, and further, that this item be referred to the Electoral Area 'E' Parks and Open Space Advisory Committee.

CARRIED



**Electoral Area 'G' Parks and Open Space Advisory Committee meeting held Wednesday, June 1, 2016.**

MOVED Director Stanhope, SECONDED Director Fell, that the minutes of the Electoral Area 'G' Parks and Open Space Advisory Committee meeting held Wednesday, June 1, 2016 be received for information.

CARRIED

**Stanhope Trail.**

MOVED Director Stanhope, SECONDED Director Fell, that the Board direct staff to proceed with the proposed works to develop Stanhope trail.

CARRIED

**FIRE PROTECTION**

**FIRE SERVICES ADVISORY COMMITTEE MINUTES AND RECOMMENDATIONS**

**Fire Services Advisory Committee meeting held Wednesday, July 6, 2016.**

MOVED Director Rogers, SECONDED Director Fell, that the minutes of the Fire Services Advisory Committee meeting held Wednesday, July 6, 2016 be received for information.

CARRIED

**Volunteer Fire Rescue Service Level Policy.**

MOVED Director Rogers, SECONDED Director McPherson, that the Volunteer Fire Rescue Service Level Policy be adopted.

CARRIED

**Fire Rescue Services Coordinator Job Description – Draft.**

MOVED Director Fell, SECONDED Director Rogers, that the Fire Rescue Services Coordinator Job Description be adopted as presented.

CARRIED

MOVED Director Fell, SECONDED Director Rogers, that the Fire Rescue Services Coordinator Job Description be reviewed annually by the Fire Services Advisory Committee.

CARRIED

**Appointment to the Fire Services Advisory Committee.**

MOVED Director Rogers, SECONDED Director Fell, that the Fire Services Advisory Committee Terms of Reference be amended to include the Electoral Area 'A' Director.

CARRIED

**BYLAW ENFORCEMENT**

**992 Lee Road, Electoral Area 'G' – Unsightly Premises.**

MOVED Director Stanhope, SECONDED Director Rogers, that the Board, pursuant to Unsightly Premises Regulatory Bylaw No. 1073, 1996, directs the owner of Lot 2 District Lot 29 Nanoose District and Part Of The Bed Of The Strait of Georgia VIP63647 (992 Lee Road), to remove the accumulation of derelict boats, derelict trailers, various containers, rope, scrap wood, metal and pipes, assorted household garbage, discarded or disused building materials and components such as lumber, windows, wooden shutters, building wrap, and plumbing materials from the property within thirty (30) days, or the work will be undertaken by the Regional District of Nanaimo (RDN) or its agents at the owner's cost.

CARRIED

**DIRECTORS' FORUM**

The Directors' Forum convened and included discussions related to planning and community parks.

MOVED Director Veenhof, SECONDED Director Stanhope, that the Committee recess and reconvene in 10 minutes.

CARRIED

RECESS: 4:07 PM

RECONVENE: 4:17 PM

The Directors' Forum reconvened and included discussions related to emergency preparedness, fire protection, bylaw enforcement, and building inspection.

**BUSINESS ARISING FROM DELEGATONS, COMMUNICATIONS OR DIRECTORS' FORUM**

**Community Wildfire Protection.**

MOVED Director McPherson, SECONDED Director Stanhope, that the Board direct staff to work with City of Nanaimo staff to determine how the city's Community Wildfire Protection Plan integrates with Electoral Area 'A' adjacent lands.

CARRIED

MOVED Director McPherson, SECONDED Director Stanhope, that the Board direct staff to prepare a report on the steps required to undertake a wildfire interface fuel inventory for Electoral Areas including possible partner's and funding sources.

CARRIED

**ADJOURNMENT**

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

CARRIED

TIME: 5:02 PM

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CHAIRPERSON

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CORPORATE OFFICER

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 799.09**

**A BYLAW TO AMEND ELECTORAL AREA 'B' COMMUNITY PARKS LOCAL SERVICE**

**ESTABLISHMENT BYLAW NO. 799, 1990**

WHEREAS the Regional District deems it necessary to amend the purpose for which the Community Parks service was established to include the construction and maintenance of paths, trails and sidewalks secured by permit, licence or lease from the Province of British Columbia;

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

**1. Amendment**

Electoral Area 'B' Community Parks Local Service Establishment Bylaw No. 799, 1990 is amended by deleting Section 1 in its entirety and replacing it with the following:

"1. Community Parks is established as a service for the purpose of acquiring, developing, operating and maintaining land and facilities on land acquired by the Regional District of Nanaimo and designated as community park land; to construct and maintain paths, trails and sidewalks within Electoral Area 'B' that are secured by way of permit, licence or lease from the Province of British Columbia Ministry responsible for public roads in Electoral Areas; and to provide assistance for the operations and improvement of buildings owned and operated by incorporated non-profit organizations for the purpose of providing recreation and cultural opportunities to residents within Electoral Area 'B'."

**2. Citation**

This bylaw may be cited as "Electoral Area 'B' Community Parks Local Service Amendment Bylaw No. 799.09, 2016".

Introduced and read three times this 22nd day of March, 2016.

Received the approval of the Inspector of Municipalities this      day of

Adopted this      day of      .

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CHAIRPERSON

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CORPORATE OFFICER

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE ELECTORAL AREA 'H' PARKS AND OPEN SPACE ADVISORY  
REGULAR COMMITTEE MEETING  
THURSDAY, MAY 26, 2016  
10:00 AM  
(Lighthouse Community Centre, Qualicum Bay)**

**ATTENDANCE:** Bill Veenhof, Chair, Director, RDN Board  
David Wiwchar  
Nancy Robertson  
Valerie Weismiller

**STAFF:** Elaine McCulloch, Parks Planner

**REGRETS:** Barry Ellis  
Dagmar Sedel

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**CALL TO ORDER**

Chair Veenhof called the meeting to order at 10:00am.

**ELECTION OF SECRETARY**

No secretary was elected. This item needs to appear on the next meeting's agenda. E. McCulloch will take the minutes for this meeting.

**DELEGATIONS**

**L. Bonner, Bowser Elementary School RE: Bowser Elementary Outdoor Cultural Learning Centre**

Laura Bonner, a teacher at Bowser Elementary School is working with School District Staff, teachers, students, local first nations, and community members to develop an Outdoor Cultural Learning Centre on the elementary school grounds. One of the main features of the space is a covered "longhouse-style" shelter. Volunteers are available to provide building materials and complete the construction however the group needs \$4,000 in funding to have it professionally designed and approved by a structural engineer before they can apply for a building permit.

**MINUTES**

MOVED N. Robertson, SECONDED V. Weismiller that the minutes of the regular Electoral Area 'H' Parks and Open Space Advisory Committee meeting held February 25<sup>th</sup>, 2016 be adopted.

CARRIED

**UNFINISHED BUSINESS**

**Phase 2 Water Access Development - discussion**

Staff to add the Crab Rd water access to the development priorities. B. Veenhof to be copied on any correspondence between staff and MoTI regarding the removal of trespass over Water Access.

MOVED V. Weismiller, SECONDED N. Robertson that staff be directed to remove the negative RDN signage from all water accesses and community parks and replace it with simple water access/community park identification signage.

CARRIED

## **CORRESPONDANCE / COMMUNICATIONS**

The Committee discussed the Lion's Park ball fields and their need for upgrading. Staff was directed to consult with the Recreation Department to discuss their involvement in this matter.

## **REPORTS**

### **Monthly Update Regional and Community Parks and Trail Projects –February 2016 – April 2016**

Ms. McCulloch provided a summary of the Regional and Community Parks and Trail Projects reports and answered questions.

#### **Dunsmuir CP – Concept Plan**

Ms. McCulloch presented two alternative Concept Plans for Dunsmuir CP. An open house will be held on Friday, September 16<sup>th</sup> from 5pm-7pm to present the concept plans to the community. A preferred concept plan will be developed from the feedback that is collected through this community consultation. Advertising to be similar to last year's open house.

E. McCulloch to contact V. Weismiller and N. Robertson in July to arrange a walk through the forested portion of Dunsmuir CP with community trail builders.

MOVED D. Wiwchar, SECONDED B. Ellis that the reports be received.

CARRIED

## **BUSINESS ARISING FROM DELEGATION**

### **L. Bonner, Bowser Elementary School RE: Bowser Elementary Outdoor Cultural Learning Centre**

E. McCulloch reported that unfortunately the Bowser Elementary Cultural Learning Space project does not conform to the Community Works Fund's eligibility requirements. Director Veenhof suggested that this be looked into further as it may be eligible due to its connection to First Nations Truth and Reconciliation objectives. Committee members also suggested the delegate investigate RDN Grant-in-Aid funding.

## **NEW BUSINESS**

None

## **DIRECTOR'S UPDATE**

B. Veenhof provided an update on the trail mapping project. He is looking into the possibility of the RDN taking on the map development project.

## COMMITTEE ROUND TABLE

**B. Ellis** – Question: What is happening with the possibility of widening the roads to improve pedestrian and cyclist safety?

**B. Veenhof** – Answer: The interest to improve pedestrian and cyclist safety along the highway is also coming out of the discussions with the OCP working group. Gabriola Island is currently working with MoTI to see if the RDN can create a separate function to be responsible for the development and maintenance of roadside trails. He would like to wait and see if Gabriola is successful in their roadside trail project before starting one in Electoral Area H.

**D. Wiwchar** – Perhaps we could at least improve what we already have by working with MoTI to have the road shoulders swept more frequently in order to improve what we already have?

## ADJOURNMENT

MOVED D. Wiwchar that the meeting be adjourned at 12:20 pm.

CARRIED

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Chair

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE ELECTORAL AREA 'G' PARKS AND OPEN SPACE ADVISORY**

**REGULAR COMMITTEE MEETING HELD**

**Wednesday, June 1, 2016**

**4:30 PM**

**(Oceanside Place, Meeting Room)**

**Attendance:** Joe Stanhope, Director  
Brian Coath  
Ted Malyk  
Rick Horte  
Catherine Watson  
Michael Foster

**Staff:** Lesya Fesiak, Parks Planner  
Wendy Marshall, Parks Planner

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**CALL TO ORDER**

Chair Stanhope called the meeting to order at 4:00 p.m.

**ADOPTION OF AGENDA**

MOVED R. Horte, SECONDED B. Coath that the title of the second item under REPORTS be corrected – with the removal of the words “rezoning and” – and changed to “Proposed Park Land Dedication in Conjunction with Proposed Subdivision of Lot 4, District Lot 76, Newcastle District, Plan 2619.”

CARRIED

MOVED R. Horte, SECONDED B. Coath, to adopt the amended agenda for the June 1, 2016 Regular Electoral Area 'G' Parks and Open Space Advisory Committee meeting .

CARRIED

**ELECTION OF SECRETARY**

C. Watson volunteered to fill the role of Secretary.

**DELEGATIONS**

Helen Simms, Simms Associates  
Rachel Hamling, Fern Road Consulting

**MINUTES**

MOVED T. Malyk, SECONDED B. Coath to adopt the Minutes of the Regular Electoral Area 'G' Parks and Open Space Advisory Committee meeting held March 7, 2016.

CARRIED

## **BUSINESS ARISING FROM MINUTES**

None

## **CORRESPONDENCE / COMMUNICATIONS**

None

## **UNFINISHED BUSINESS**

## **REPORTS**

### **Monthly update Regional and Community Parks and Trail Projects – February – April, 2016**

W. Marshall highlighted Area G projects and tasks from the monthly report.

### **Proposed Park Land Designation in Conjunction with Proposed Subdivision of Lot 4, District Lot 76, Newcastle District, Plan 2619 Except Parts in Plan 26594 (1150 Ganske Road), Electoral Area "G"**

R. Hamling gave an overview of the Subdivision Application on behalf of the developer and noted that the appraisal for the subject property has yet to be completed.

H. Simms indicated that the property owners wanted the benefit of the parkland dedication to go to the neighbours.

POSAC members discussed the proposed parkland and cash dedication and alternatives, including full 5% parkland dedication and a trail on the west side of the property (as opposed to the east) from Ganske Rd to an undeveloped road allowance adjacent to the E&N rail corridor. M. Marshall and L. Fesiak outlined benefits of the proposal from a parks perspective, including the establishment of a community connector trail for existing residents; they also explained that a connection to the undeveloped road allowance along the E&N corridor already exists at Texada Rd.

MOVED M. Foster, SECONDED Director Stanhope that the Subdivision Application with a 1.75% parkland dedication for the purpose of a public connector trail between Ganske Road and Dewberry Way, and 3.25% cash-in-lieu of parkland, be accepted. TIED VOTE

DEFEATED

### **Stanhope Trail**

L. Fesiak presented an overview of a proposed trail (from Ackerman Rd to Walley's Way) and an alternate trail (from Ackerman Rd to Wembley Rd) with cost estimates and rationale. POSAC members discussed both options and agreed that the proposed trail would be an appropriate approach to trail development, in consideration of site conditions and concerns from neighbouring residents.

MOVED R. Horte, SECONDED B. Coath that the Board direct staff to proceed with the proposed works to develop Stanhope trail.

CARRIED



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

None

## **NEW BUSINESS**

None

## **COMMITTEE ROUND TABLE**

Director Stanhope invited committee members to a round table forum:

**B. Coath** mentioned the erosion at Admiral Tryon Road. RDN staff will contact MOTI.

**M .Foster** asked for an update on the progress on the restoration project for the Dashwood Hall. W. Marshall responded that there had been no further work done at this time.

**T. Malyk** indicated that St. Andrews Strata would like a meeting with MOTI regarding the traffic speed limits and potential sidewalks in their area. Director Stanhope has contacted the MLA for the area over this issue. T. Malyk indicated that Hollywood Trail near Texada Road is not accessible to the beach. Director Stanhope indicated that this is a MOTI issue.

**R. Horte** indicated that a survey of Parks near Centre Crescent should be done to prevent intrusion on parks property. RDN staff will direct bylaw enforcement to observe the Centre Crescent area.

**C. Watson** indicated a neighbour had concerns over fallen trees across Morningstar Creek. Director Stanhope said the matter had been referred to the MLA.

## **ADJOURNEMENT**

MOVED B. Coath, SECONDED M. Foster that the meeting be adjourned at 5:30 pm.

CARRIED

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Chairperson

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE FIRE SERVICES ADVISORY COMMITTEE MEETING  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
WEDNESDAY, JULY 6, 2016 AT 7:00 PM IN THE  
RDN BOARD CHAMBERS**

In Attendance:

Director W. 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
Director J. Stanhope	Electoral Area G
L. Brown	Bow Horn Bay VFD Director
B. Lovegrove	Bow Horn Bay VFD Training Officer
G. MacIntosh	Bow Horn Bay VFD Deputy Chief
S. Mynen	Bow Horn Bay VFD Treasurer
A. Poirier	Coombs-Hilliers VFD Chief
S. Stahley	Coombs-Hilliers VFD Director
D. Neden	Coombs-Hilliers VFD Chair
G. Bing	Errington VFD Director
J. Hamel	Errington VFD Chair
G. Klemm	Errington VFD A/Deputy Chief
P. McBride	Errington VFD Secretary
W. Geselbracht	Nanoose Bay Fire Protection Society Chair
J. Jacobsen	Nanoose Bay Fire Protection Society Director
D. Penny	Nanoose Bay VFD Chief
N. Watson	Nanoose Bay Fire Protection Society Director

Also in Attendance:

D. Trudeau	Chief Administrative Officer
G. Garbutt	Gen Mgr. Strategic & Community Development
W. Idema	Director of Finance
T. Armet	Mgr. Building & Bylaw Services
C. Golding	Recording Secretary

**CALL TO ORDER**

The Chairperson called the meeting to order and attendees and roundtable introductions were made.

**MINUTES**

**Minutes of the Fire Services Advisory Committee meeting held Wednesday, April 27, 2016.**

MOVED Director Stanhope, SECONDED Director Rogers, that the minutes of the Fire Services Advisory Committee meeting held Wednesday, April 27, 2016, be adopted.

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

MOVED Director Rogers, SECONDED Director Stanhope, that the correspondence from Will Geselbracht, Chairperson, Nanoose Fire Protection Society, regarding Increased Involvement of Regional District Supervision of Nanoose Volunteer Fire Department Society be received.

CARRIED

MOVED Director Rogers, SECONDED Director Stanhope, that the correspondence from Julian Fell, Electoral Area 'F' Director, regarding Fire Services Coordinator Draft Job Description be received.

CARRIED

**Volunteer Fire Rescue Service Level Policy.**

MOVED Director Rogers, SECONDED Director Fell, that the Volunteer Fire Rescue Service Level Policy be adopted.

CARRIED

**Fire Rescue Services Coordinator Job Description – Draft.**

MOVED Director Rogers, SECONDED Director Fell, that the Fire Rescue Services Coordinator Job Description be adopted as presented.

CARRIED

MOVED Director Young, SECONDED L. Brown, that the Fire Rescue Services Coordinator Job Description be reviewed annually by the Fire Services Advisory Committee Committee.

CARRIED

**NEW BUSINESS**

**Appointment to the Fire Services Advisory Committee.**

MOVED Director Rogers, SECONDED Director Stanhope, that the Fire Services Advisory Committee Terms of Reference be amended to include the Electoral Area 'A' Director.

CARRIED

**Next Fire Services Advisory Committee Meeting.**

MOVED Director N. Watson, SECONDED Director Stanhope, that the next meeting of the Fire Services Advisory Committee be held in 3 months.

CARRIED

**ADJOURNMENT**

MOVED Director Stanhope, SECONDED Director Young, that this meeting be adjourned.

CARRIED

TIME: 8:02 PM

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CHAIRPERSON

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CORPORATE OFFICER

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**TO:** Dennis Trudeau  
Interim Chief Administrative Officer

**DATE:** June 25, 2016

**FROM:** Geoff Garbutt  
General Manager of Strategic and  
Community Development

**MEETING:** Fire Services Advisory Committee  
July 6, 2016

**FILE:**

**SUBJECT:** Volunteer Fire Rescue Service Level Policy

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#### RECOMMENDATION

That the Volunteer Fire Rescue Service Level Policy be adopted.

#### PURPOSE

The purpose of this report is to introduce a Volunteer Fire Rescue Service Level Policy that will declare the firefighting service level for the RDN fire departments.

#### BACKGROUND

The Office of the Fire Commissioner of British Columbia (OFC) has established a minimum standard of training for fire service personnel in British Columbia and has also developed a competency based ladder that provides for a minimum level of training and operational requirements. The competency ladder document is known as the "Playbook".

The Playbook document standards are drawn from the National Fire Protection Association standards and are organized into three service levels:

1. Exterior Operations;
2. Interior Operations; and
3. Full Service

It is the responsibility of each Authority Having Jurisdiction (the RDN) to select and declare its firefighting service level. The service level must be declared by formal policy, whether by bylaw or policy statement, which in turn will be reflected in the fire departments operating guidelines.

Through the RDN fire services review process, the consultants worked with the six RDN Volunteer Fire Rescue Departments to consider the current level of training of their departments and the goals/priorities of the departments as it relates to their desired fire service levels. Through this process, the fire departments have indicated that they support these proposed fire service levels.

As a result of this consultation, the Volunteer Fire Rescue Service Level Policy was drafted (see Attachment 1) and the following fire service levels have been considered and are being proposed to be declared.

- Bow Horn Bay: Interior Operations
- Dashwood: Interior Operations
- Coombs-Hilliers: Interior Operations
- Errington: Interior Operations
- Extension: Exterior Operations
- Nanoose: Interior Operations

Even though a service level must be declared by June 2016, the fire services do not have to meet all the competency standards at that date but they do have to be training and progressing to achieve the appropriate competencies. It is important to note that the fire service levels that will be declared will be reviewed on a periodic basis with the RDN fire departments to reflect any changes in focus or training levels. It is anticipated that one of the tasks that the Fire Service Coordinator will do is reconfirm these declarations with the Chiefs and Fire Training Officers.

#### ALTERNATIVES

1. Adopt the Volunteer Fire Rescue Service Policy as proposed
2. Provide Alternative Direction to staff

#### FINANCIAL IMPLICATIONS

To meet the training requirements set out in the service level, training budgets may need prioritizing to allocate funds towards compliancy training programs. As contemplated in the RDN Fire Services Review Report, in coordination with the Volunteer Fire Departments, the Fire Services Coordinator will assist the Chiefs and training officers to find efficient and cost saving training opportunities towards maintaining firefighting service levels.

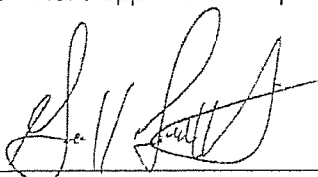
#### STRATEGIC PLAN IMPLICATIONS

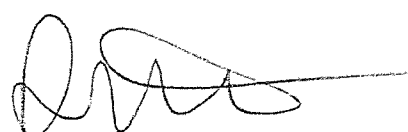
Adopting the Volunteer Fire Service Level Policy will bring the RDN into compliance with the applicable Provincial regulations and is consistent with RDN Strategic Plan. In particular, adopting this policy will support the RDN Board Key Focus area of Service and Organizational Excellence and the Strategic Priority to view Emergency Services as core elements of community safety.

#### SUMMARY/CONCLUSIONS

As required by the OFC, the RDN must select and declare its firefighting service level by the end of June 2016. The service level must be declared by formal policy, whether by bylaw or policy statement, which in turn will be reflected in the fire departments operating guidelines. Through the RDN fire services review process, the consultants worked with the six RDN Volunteer Fire Rescue Departments to consider the current level of training of their departments and the goals/priorities of the departments as it relates to their desired fire service levels. Through this process, the fire departments have indicated that they support these proposed fire service levels outlined in the Volunteer Fire Rescue Service Level Policy.

Given the consultation with RDN Fire Departments and the requirements of the OFC Playbook. Staff recommend approval of the proposed Volunteer Fire Rescue Service Level Policy.

  
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Report Writer

  
\_\_\_\_\_  
C.A.O. Concurrence

# REGIONAL DISTRICT OF NANAIMO

## P O L I C Y

<i>SUBJECT:</i>	VOLUNTEER FIRE RESCUE SERVICE LEVEL POLICY	POLICY NO: B5.1 CROSS REF.:
EFFECTIVE DATE:	xxxx	APPROVED BY: Board
REVISION DATE:	xxxx	PAGE: 1 of 3

### PURPOSE

To establish a policy for declaring fire rescue service and training levels for each of the RDN Volunteer Fire Rescue Departments.

### POLICY

#### Declaration

The following service levels are declared for each of the Volunteer Fire Rescue Departments as follows:

- Bow Horn Bay: Interior Operations
- Dashwood: Interior Operations
- Coombs-Hilliers: Interior Operations
- Errington: Interior Operations
- Extension: Exterior Operations
- Nanoose: Interior Operations

#### Definitions

1. Exterior Operations  
Fire service firefighters shall not enter any building, vehicle, dumpster or other object if an Immediately Dangerous to Life and Health (IDLH) atmosphere is present. If an IDLH atmosphere is present, Exterior Operations firefighters shall only engage in external fire suppression activities.
2. Full Service Operations  
Fire Rescue Departments are equipped and have completed the appropriate training identified in the Playbook to provide a full spectrum of fire services. These services are based on the competencies included within the NFPA 1001 Firefighter 2 Standards and relevant NFPA 1021 Fire Officer Standards.
3. IDLH (Immediately Dangerous to Life and Health)

Refers to incident conditions that present an immediate threat to a person's safety through inhalation or exposure and includes any oxygen-deficient atmosphere or any untested confined space.

4. Interior Operations

Fire Rescue Departments may engage in internal fire suppression activities within simple structures or objects such as a vehicle, single family dwelling or other small structures. Interior Operations may also include larger or more complex structures that have been assessed and pre-planned for, such that it determines the structure to be safe for Internal Operations qualified firefighters. Firefighters must be trained specifically to the risks associated with these structures.

**Operational Standard and Limitations**

5. Fire Rescue Departments who have declared Interior Level Operations will strive to provide Interior Level Operations. Services provided by the Fire Rescue Departments are dependent on the availability of staff that has completed appropriate levels of training.
6. The number of personnel, qualifications and equipment available for delivery of emergency services will determine the level of service the Fire Rescue Department can provide at the time of an emergency incident. Services may be limited to a lesser level, specifically, Exterior Operations Level. Also an increased level of service may be conducted on larger more complex structures if the structure has been pre-planned, members have been appropriately trained, and sufficient qualified staff and equipment are available.
7. To ensure Interior Operations Level is achieved, the number of personnel should be operating at less than Interior Operations qualifications should be limited.

**Training Standard**

8. The Fire Rescue Departments shall train its members to the minimum competencies required by the Playbook for the Interior Operations Level.
9. The required training competencies, as described in the Playbook, will be achieved by members within 2 - years of start date.
10. During the 24 month training period, new firefighters will progress through Exterior, then Interior Operations Service Level training as described in the Playbook. During this qualification period firefighters will only be authorized to operate under the qualification they have achieved.

**Responsibilities**

11. The Fire Chief Fire and the RDN Fire Services Department are responsible for ensuring this policy is compliant through use of appropriate operational guidelines as well as service/ mutual aid agreements.
12. The Fire Chief shall, on a regular basis or as directed, report to the RDN Fire Services Department on the departments' readiness, effectiveness and efficiency.

## REGIONAL DISTRICT OF NANAIMO

### JOB DESCRIPTION

**POSITION TITLE:** FIRE RESCUE SERVICES COORDINATOR

**REPORTS TO:** General Manager, Strategic and Community Development

**SUBORDINATE POSITIONS:** n/a

#### POSITION SUMMARY:

Responsible for ensuring the effective and efficient delivery, administration and feasibility of fire protection services and programs in the Electoral Areas of the Regional District of Nanaimo (RDN). As the administrative leader of the RDN's Fire Rescue Services, the Coordinator will work collaboratively to optimize fire rescue services, fire prevention, education, training, project management and the procurement and distribution of goods and services necessary to support fire and rescue operations. The position will be the key contact for multiple fire rescue service providers.

The Coordinator is expected to work a flexible work schedule to ensure participation in evening and weekend training, meetings and other events held by multiple fire rescue service providers, stakeholders and interest groups.

#### MAJOR DUTIES & RESPONSIBILITIES

1. Builds and manages effective relationships with RDN staff and stakeholders including fire rescue service providers, local governments, senior governments, non-government agencies, community groups and the general public in order to ensure effective fire protection in the electoral areas of the RDN.
2. Provides collaborative leadership and shares information on common issues regarding fire prevention and suppression, arson, new technologies, emergency management, recruitment, retention, benefits and communications. Provides expertise and advice to fire rescue services in ensuring certification standards are adhered to on an ongoing basis.
3. Coordinates and facilitates the RDN's Fire Services Advisory Committee meetings and serves as the RDN representative with multiple stakeholders, in multiple environments.
4. Serves as a liaison and facilitates communication between fire rescue service providers and the RDN's Emergency Program.
5. Researches legislation and best practices to assist volunteer fire departments in ensuring that regional fire rescue services meet and/or exceed all regional, provincial and federal legislation and guidelines, such as the Office of the Fire Commissioner, National Fire Protection Association, Work-Safe BC, Occupational Health and Safety Regulation, National Safety Code Standards etc. Provides advice to the RDN's senior management and Board regarding rural fire protection issues that impact the RDN.
6. Reviews, manages and updates RDN agreements held with Volunteer Fire Department Societies, Improvement Districts and Municipalities for the delivery of fire rescue services within the electoral areas. Identifies areas of risk and makes recommendations to the RDN Board and senior management for improvements to Fire Rescue Services within the RDN.



7. Coordinates with Fire Departments and other RDN departments to maintain Fire Rescue Services Bylaws, Mutual and Automatic Aid Agreements and recommends changes as appropriate.
8. Assists with the preparation of standardized operating guidelines, procedures and plans for fire departments with the RDN. Assists with and ensures completion of required tracking of training, occupational health and safety and other related records of fire departments in order to ensure compliance with WorkSafe BC and other legislation.
9. Cooperatively develops long-term budgets and capital plans for each of the fire protection areas through collaboration with fire departments and the RDN Finance department, including development of business cases for capital purchases.
10. Administers the procurement of capital acquisitions and manages capital projects on behalf of volunteer fire departments within the RDN's policies and procedures. Participates in the tendering, negotiation and awarding of contracts where required. Ensures contracts are adhered to and resolves issues with vendors as necessary.
11. Provides input for the annual operating budget of the RDN and fire service areas; controls spending within the approved RDN administrative portion of budget and reports to the General Manager and Director of Finance regarding any anticipated variances. Identifies resource requirements in order to undertake work plans and recommends appropriate actions.
12. Assists with the development of fire service area boundary amendments and with determining the feasibility of delivering fire protection and rescue services outside of existing boundaries. Facilitates conflict resolution in jurisdictional fire rescue matters.
13. Supports regional training and provides guidance and opportunities for firefighter and officer development.
14. Participates in the development, review and maintenance of policies, guidelines, standards, plans and programs that govern the fire suppression model, training and services of fire rescue departments. Executes and administers approved policies and procedures within established budgets.
15. In an emergency situation that requires the activation of the RDN's Emergency Operations Centre (EOC), may be called upon with other RDN employees and assigned a role and/or tasks to support the EOC. Courses and/or workshops may be offered by the RDN to support this role.
16. Performs other related duties as requested.

**REQUIRED EDUCATION AND EXPERIENCE:**

Firefighter I & II and Fire Officer Certifications, as well as volunteer/resource management training will be considered assets. Diploma or degree in emergency management, business administration or related field, supplemented by courses in fire services, and occupational health and safety; or an equivalent combination of training and experience. A current Class 5 BC driver's license is required, and preference will be given to those who maintain a professional level of competency through educational courses, seminars and literature review.

Five years of directly related experience including volunteer management. Considerable knowledge of and demonstrated ability to interpret relevant legislation. Excellent interpersonal, negotiation, written and verbal communication skills are essential as well as the ability to develop and maintain effective and productive relationships with stakeholders in the delivery of Fire Rescue Services. Demonstrated administrative and organizational skills and knowledge of current computer software including fire department management systems.

Ability to work a variety of shifts to meet operational requirements, including weekends, evenings and long days. Must be able to work long hours under stressful conditions during emergency situations.

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
C.A.O. Concurrence



**REGIONAL  
DISTRICT  
OF NANAIMO**

RDN REPORT		
CAO APPROVAL		DN
EAP		
COW		
SEP 06 2016		
RHD		
BOARD		
EASC		

**STAFF REPORT**

**TO:** Tom Armet, Manager  
Building & Bylaw Services

**DATE:** September 1, 2016

**FROM:** Jack Eubank  
Bylaw Enforcement Officer

**MEETING:** EASC – September 13, 2016

**FILE:** CE20160000195

**SUBJECT:** 992 Lee Road, Electoral Area 'G' – Unsightly Premises

**RECOMMENDATION**

That the Board, pursuant to *Unsightly Premises Regulatory Bylaw No. 1073, 1996*, directs the owner of Lot 2 District Lot 29 Nanoose District and Part Of The Bed Of The Strait of Georgia VIP63647 (992 Lee Road), to remove the accumulation of derelict boats, derelict trailers, various containers, rope, scrap wood, metal and pipes, assorted household garbage, discarded or disused building materials and components such as lumber, windows, wooden shutters, building wrap, and plumbing materials from the property within thirty (30) days, or the work will be undertaken by the Regional District of Nanaimo (RDN) or its agents at the owner's cost.

**PURPOSE**

To obtain Board direction regarding an ongoing property maintenance contravention on the subject property.

**BACKGROUND**

**Property:** 992 Lee Road, Electoral Area 'G'

**Legal Description:** Lot 2 District Lot 29 Nanoose District and Part Of The Bed Of The Strait of Georgia VIP63647

**Property Owner:** Mary Short, 1419 Larkhaven Cres, Ottawa, ON K1C 5A2

The subject property is a 0.85 acre waterfront parcel located in the French Creek area a short distance from the French Creek Marina (see Attachment No. 1 – Subject Map). Since the spring of 2016, the Regional District of Nanaimo has received numerous complaints from an area resident concerning the unsightly condition of the property. Staff inspected the property and confirmed it is being used for the storage of derelict vehicles, discarded materials from the demolition of a neighbouring property and other assorted debris, in contravention of the Unsightly Premises bylaw (see Attachment No. 2 - Photos).

Regional District staff directed the owner in writing, in person and by telephone to clean up the property. The owner, who currently lives in Ottawa, understands the condition of the property, but has been met with resistance from the tenant on the property, to the efforts to have the property

cleaned-up. The neighbour has become increasingly frustrated by the owner's/occupant's lack of cooperation in cleaning up the property.

#### ALTERNATIVES

1. That the owner be directed to bring the property into compliance with Regional District of Nanaimo regulations.
2. That no further action be taken with respect to the condition of the subject property.


#### FINANCIAL IMPLICATIONS

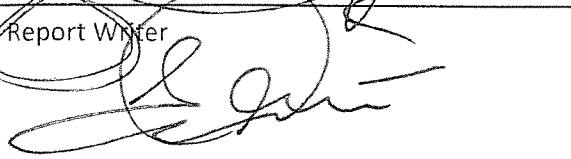
If the Board adopts a resolution to have the identified discarded and disused material removed from the property, any costs incurred by the Regional District of Nanaimo or its agents with respect to the removal may be recovered from the property owners. If unpaid on December 31<sup>st</sup> in the year in which the work is done, the expense may be added to taxes in arrears or be collected as a debt. If the taxes and debts remain unpaid, the Province could undertake a forfeiture process after a period of time, in which case, it may become necessary for the RDN to recover the clean-up costs through adjustments to the Unsightly Premises Service tax requisition.

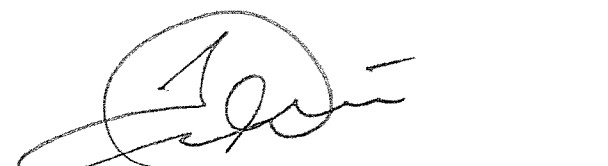
#### SUMMARY/CONCLUSIONS

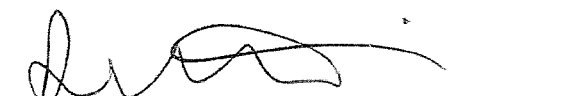
In early 2016 the Regional District of Nanaimo received a complaint concerning the condition of the subject property in relation to the significant accumulation of derelict boats, derelict trailers, various containers, rope, scrap wood, metal and pipes, assorted household garbage, discarded or disused building materials and components such as lumber, windows, wooden shutters, building wrap, and plumbing materials. On three occasions staff directed the owner, in writing, in person and by telephone to clean up the property. Throughout the spring and summer of 2016 several further complaints were received that the property remains in an unsightly condition with much of the same material present that had previously been observed by staff on the property.

As the owner has failed to take permanent steps to clean up the property, Board direction appears to be the only remaining option available to bring the property into with Regional District of Nanaimo regulations.

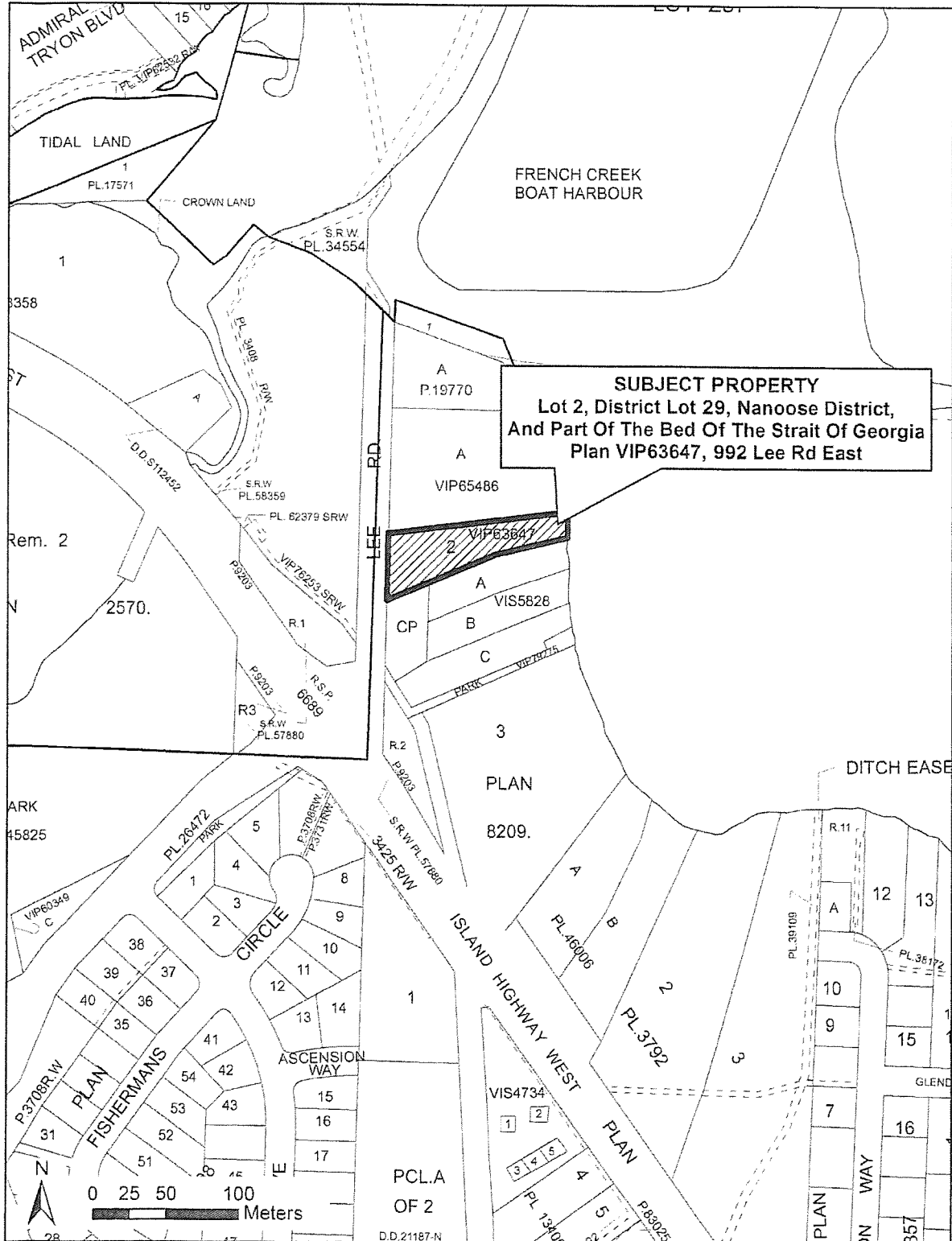
  
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Report Writer

  
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Manager Concurrence

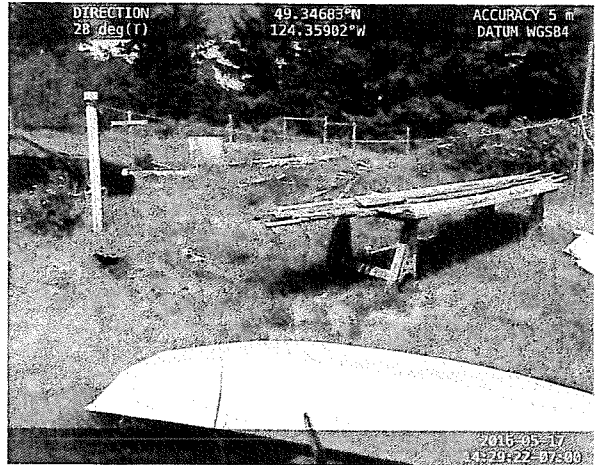
  
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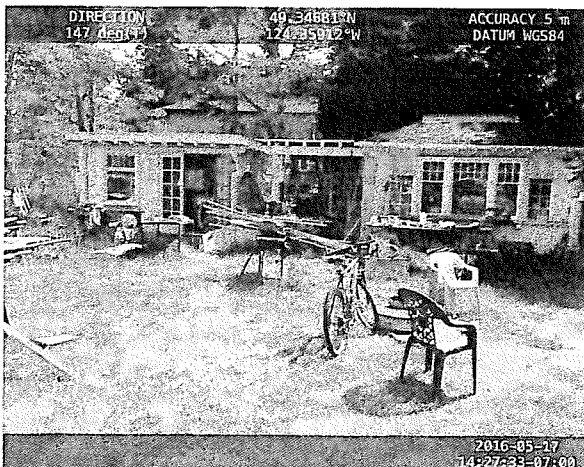
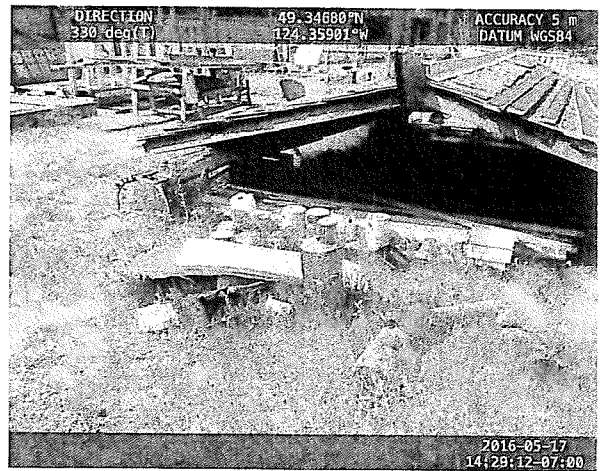
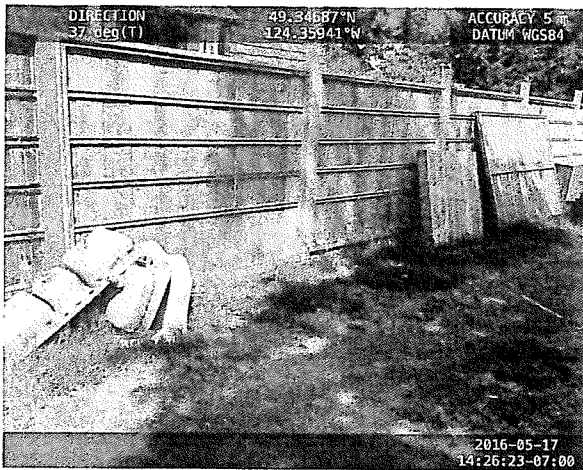
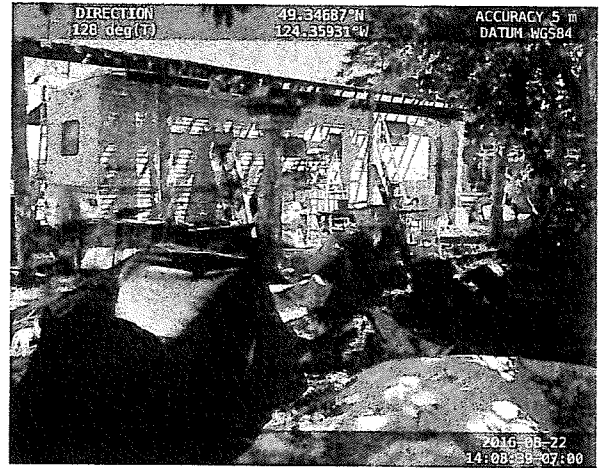
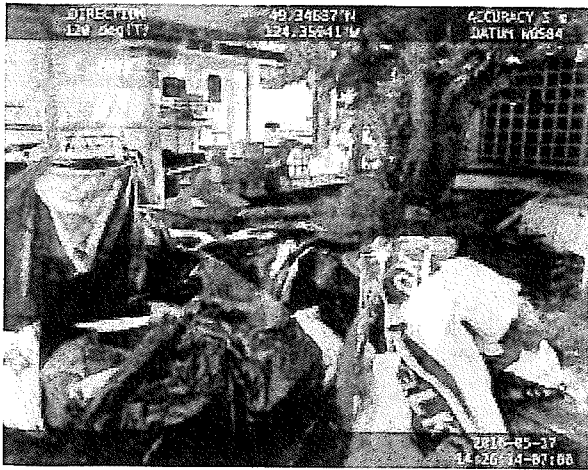
  
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Attachment No. 1  
Subject Map



Attachment No. 2  
Photos





REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE REGULAR COMMITTEE OF THE WHOLE MEETING  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY, SEPTEMBER 13, 2016 AT 7:00 PM IN THE  
RDN BOARD CHAMBERS

In Attendance:

Director W. Veenhof	Chairperson
Director C. Haime	Deputy Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director B. Rogers	Electoral Area E
Director J. Fell	Electoral Area F
Director J. Stanhope	Electoral Area G
Director B. McKay	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Hong	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director W. Pratt	City of Nanaimo
Director I. Thorpe	City of Nanaimo
Director B. Yoachim	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director T. Westbroek	Town of Qualicum Beach

Regrets:

Director M. Young	Electoral Area C
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Also in Attendance:

D. Trudeau	Interim Chief Administrative Officer
R. Alexander	Gen. Mgr. Regional & Community Utilities & Solid Waste
T. Osborne	Gen. Mgr. Recreation & Parks
J. Hill	A/Director of Corporate Services
W. Idema	Director of Finance
C. Golding	Recording Secretary



**CALL TO ORDER**

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

**DELEGATIONS**

**Lisa Griffith, Gabriola Historical and Museum Society, re Update on Activities.**

Lisa Griffith thanked the Board for their support and presented a slide show highlighting accomplishments achieved during the past year and an overview of 2016 -2017 projects.

**COMMITTEE OF THE WHOLE MINUTES**

**Minutes of the Committee of the Whole meeting held Tuesday, July 12, 2016.**

MOVED Director Pratt, SECONDED Director Lefebvre, that the minutes of the Committee of the Whole meeting held Tuesday, July 12, 2016, be adopted.

CARRIED

**FINANCE**

**Bylaw No. 1749 – Alberni-Clayoquot Regional District – 2017 Permissive Tax Exemption.**

MOVED Director Houle, SECONDED Director Stanhope, that "Property Tax Exemption (Alberni-Clayoquot Mt. Arrowsmith Regional Park) Bylaw No. 1749, 2016" be introduced and read three times.

CARRIED

MOVED Director Houle, SECONDED Director Stanhope, that "Property Tax Exemption (Alberni-Clayoquot Mt. Arrowsmith Regional Park) Bylaw No. 1749, 2016" be adopted.

CARRIED

**Operating Results for the Period Ending June 30, 2016.**

MOVED Director Thorpe, SECONDED Director Stanhope, that the summary report of financial results from operations to June 30, 2016 be received for information.

CARRIED

**Audit Service Contract Award.**

MOVED Director Pratt, SECONDED Director Hong, that the Board appoint the firm of MNP LLP as auditors for the Regional District of Nanaimo and authorize staff to enter into a five-year agreement for the provision of external financial audit services commencing with the 2016 fiscal year.

CARRIED

**2017-2021 Financial Plan Schedule.**

MOVED Director Hong, SECONDED Director Houle, that the schedule for the review and adoption of the 2017 to 2021 Financial Plan be approved:

November 8 & 15, 2016	Public seminars with Board for 2016 preliminary budget & business plans
November 22, 2016	Report on 2017 preliminary budget to Board Meeting Agenda
February 7 & 14, 2017	Public seminars with Board for 2017 to 2021 Financial Plan
February 14, 2017	Report on 2017 to 2021 Financial Plan to Committee of the Whole Agenda
February 17, 2017	Publication of budget edition of Regional Perspectives
March 14, 2017	Introduce bylaw to adopt the 2017 to 2021 Financial Plan
March 28, 2017	Adopt Financial Plan Bylaw

CARRIED

## REGIONAL AND COMMUNITY UTILITIES AND SOLID WASTE

### WASTEWATER SERVICES

#### **Contract Award for the French Creek Pollution Control Centre Trucked Liquid Waste Receiving Facility Upgrades.**

MOVED Director Rogers, SECONDED Director McPherson, that the Board direct staff to award a tender for upgrades to the trucked liquid waste receiving facility at the French Creek Pollution Control Centre (FCPCC) to Cogen Mechanical Services for \$257,340.

CARRIED

#### **Introduction of Trucked Liquid Waste Bylaw No. 1732 and Ticketing Bylaw No. 1418.07.**

MOVED Director Stanhope, SECONDED Director Rogers, that "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016" be introduced, read three times, and forwarded to the Inspector of Municipalities for Approval.

CARRIED

MOVED Director Stanhope, SECONDED Director Rogers, that "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.07, 2016" be introduced and read three times.

CARRIED

MOVED Director Stanhope, SECONDED Director Rogers, that "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.07, 2016" be adopted.

CARRIED

## RECREATION AND PARKS

### RECREATION

#### **Utilization of Island Health 2016 Community Wellness Grant.**

MOVED Director Kipp, SECONDED Director Westbroek, that the Board direct staff to utilize the Island Health 2016 Community Wellness Grant as outlined;

1) Regional District of Nanaimo - District 69	\$47,260
2) Regional District of Nanaimo - District 68 (Electoral Area 'A').	\$7,290
3) Regional District of Nanaimo - District 68 (Electoral Area 'B').	\$4,500
4) Regional District of Nanaimo - District 68 (Electoral Area 'C').	\$2,950
5) District of Lantzville	\$3,900
6) City of Nanaimo	\$89,000

CARRIED

## STRATEGIC AND COMMUNITY DEVELOPMENT

### INTERGOVERNMENTAL LIAISON

#### **Regional District of Nanaimo/Vancouver Island University Memorandum of Understanding – Reducing Child Poverty.**

MOVED Director McKay, SECONDED Director Rogers, that the Board endorse and authorize the signing of a Memorandum of Understanding between Vancouver Island University and the Regional District of Nanaimo for the purpose of establishing a foundation for exchange, dialogue, cooperation and advocacy to reduce child poverty in the region.

CARRIED

## **ADVISORY, SELECT COMMITTEE AND COMMISSION**

### **Minutes of the Agricultural Advisory Committee meeting held Friday, June 24, 2016.**

MOVED Director Houle, SECONDED Director Lefebvre, that the minutes of the Agricultural Advisory Committee meeting held Friday, June 24, 2016 be received for information.

CARRIED

### **AAP Implementation – Project 6: Exploration of Composting, Project Discussion.**

This item was deferred.

### **Minutes of the Agricultural Advisory Committee meeting held Friday, August 26, 2016.**

MOVED Director Houle, SECONDED Director Lefebvre, that the minutes of the Agricultural Advisory Committee meeting held Friday, August 26, 2016 be received for information.

CARRIED

### **Changes to the Agriculture Land Reserve Regulations.**

MOVED Director Houle, SECONDED Director Lefebvre, that the Board consider amendments to zoning Bylaws 500 and 1285 to address recent amendments to the Agriculture Land Reserve Regulations (B.C. Reg. 210/2016).

CARRIED

MOVED Director Houle, SECONDED Director Lefebvre, that the Board refer the matter of zoning bylaw amendments to address recent changes to the Agriculture Land Reserve Regulations (B.C. Regulations 210/2016) to the Agricultural Advisory Committee for recommendations to the Board.

CARRIED

### **Increased Public Awareness of Agricultural Area Plan.**

MOVED Director Houle, SECONDED Director Lefebvre, that the Board direct staff to look into ways to better inform the public of the existence of the Agricultural Area Plan and its merits.

CARRIED

## **NEW BUSINESS**

### **Disposition of Grants-in-Aid Funds set aside for Island Corridor Foundation.**

MOVED Director Stanhope, SECONDED Director Houle, that staff be directed to provide a report on options on the disposition of the funds that were reserved for the Island Corridor Foundation.

MOVED Director Westbroek, SECONDED Director Yoachim, that the main motion be amended by adding "That the Board return the funds raised for the Island Corridor Foundation through the grants-in-aid tax requisition as part of the 2017 budgeting process" and that the staff report instead provide options on "the disposition of the provincial grant funds originally dedicated to the Island Corridor Foundation."

CARRIED

The vote was taken on the main motion as amended:

MOVED Director Westbroek, SECONDED Director Yoachim, that the Board return the funds raised for the Island Corridor Foundation through the grants-in-aid tax requisition as part of the 2017 budgeting process, and that staff be directed to provide a report on options on the disposition of the provincial grant funds originally dedicated to the Island Corridor Foundation.

CARRIED

**Director's Round Table.**

Directors provided updates to the Board.

**IN CAMERA**

MOVED Director Houle, SECONDED Director Lefebvre, that pursuant to Sections 90 (1)(c), (e) and (i) of the *Community Charter* the Committee proceed to an In Camera Meeting for discussions related to labour relations or other employee relations, land acquisition and solicitor-client privilege.

CARRIED

TIME: 8:10 PM

**ADJOURNMENT**

MOVED Director Yoachim, SECONDED Director Stanhope, that this meeting be adjourned.

CARRIED

TIME: 8:13 PM

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CHAIRPERSON

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CORPORATE OFFICER

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1749**

**A BYLAW TO AUTHORIZE A PROPERTY  
TAX EXEMPTION FOR THE YEAR 2017**

WHEREAS a Board may, by bylaw adopted by at least 2/3 of the votes cast, exempt property from property taxes under Section 391(3), in accordance with Section 391(4) of the *Local Government Act*;

AND WHEREAS the Alberni-Clayoquot Regional District is the owner of properties located within the boundaries of the Regional District of Nanaimo and the properties are used as a public park;

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

1. The properties described as:
  - a) District Lot 2000, Cameron Land District
  - b) Lot 1, Block 1324, Plan 28909, Cameron Land District

which are owned by the Alberni-Clayoquot Regional District and are used for public park purposes, are authorized to be exempt from property taxes in accordance with Section 391(4)(g) of the *Local Government Act* for the year 2017.

2. This bylaw may be cited as the "Property Tax Exemption (Alberni-Clayoquot Mt. Arrowsmith Regional Park) Bylaw No. 1749, 2016".

Introduced and read three times this \_\_\_\_ day of \_\_\_\_, 2016.

Adopted this \_\_\_\_ day of \_\_\_\_, 2016.

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CHAIRPERSON

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CORPORATE OFFICER

**REGIONAL DISTRICT OF NANAIMO**  
**Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016**

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**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1732**

**A BYLAW TO REGULATE AND IMPOSE CHARGES FOR  
THE CONVEYANCE, TREATMENT, AND DISPOSAL OF  
TRUCKED LIQUID WASTE AT FACILITIES OPERATED BY  
THE REGIONAL DISTRICT OF NANAIMO**

**WHEREAS** the Regional District of Nanaimo owns and operates the service of the conveyance, treatment, and disposal of trucked liquid waste at its sewage facilities under “Regional District of Nanaimo Southern Community Sewer Local Service Conversion Bylaw No. 888, 1993” and “Regional District of Nanaimo Northern Community Sewer Local Service Conversion Bylaw No. 889, 1993”;

**AND WHEREAS** under section 397 of the *Local Government Act*, the Regional Board may impose fees or charges payable for the use of the service, and those fees or charges may be structured to provide different fees or charges to different classes of persons, property, businesses, and activities;

**AND WHEREAS** under section 335 of the *Local Government Act*, the Regional Board may regulate and prohibit in relation to the service and may provide for a system of licences, permits, or approvals in relation to a Regional District service;

**AND WHEREAS** under section 30 of the *Environmental Management Act*, the Regional Board may make bylaws respecting the direct or indirect discharge of wastes into any sewer or drain connected to a sewage facility operated by the Regional District;

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

**PART I: INTERPRETATION**

**1. APPLICATION**

This Bylaw applies to:

- (1) any waste discharges at a trucked liquid waste receiving facility that is owned and operated by the Regional District; and,
- (2) the use of any trucked liquid waste receiving facility that is owned and operated by the Regional District.

**2. CITATION**

This Bylaw may be cited for all purposes as “Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016”.

**3. DEFINITIONS**

The following terms, words and phrases when used in this Bylaw shall have the meanings set forth in this section, whether appearing in capital or lower case form. If not defined below, the



words and phrases used in this Bylaw shall have their common and ordinary meanings to the degree consistent with the technical subjects in this Bylaw.

**ADMINISTRATIVE CHARGE**

means a charge issued to a Hauler who submits incorrect information regarding the source or type of waste discharged at a trucked liquid waste receiving facility, as set in Schedule 'D'.

**AFTER HOUR CHARGES**

means a charge issued to any person who uses a trucked liquid waste receiving facility at any time other than regular operating hours, as set in Schedule 'D'.

**AIR**

means the atmosphere but, except in a sewer, on-site sewage system, or a sewage facility or as the context may otherwise require, does not include the atmosphere inside a constructed enclosure that is not open to the weather.

**AIR CONTAMINANT**

means any substance or odour whether gaseous, liquid, solid or a combination that is emitted into the air and that:

- (1) injures or is capable of injuring the health or safety of a person,
- (2) injures or is capable of injuring property or any life form,
- (3) interferes or is capable of interfering with visibility,
- (4) interferes or is capable of interfering with the normal conduct of business,
- (5) causes or is capable of causing material physical discomfort to a person, or
- (6) damages or is capable of damaging the environment.

**APPROVAL**

means the consent, in writing, of the Sewage Control Manager.

**AUTHORIZED PERSON**

has the same meaning as defined in the *Sewerage System Regulation*.

**BETX**

means benzene, ethyl benzene, toluene, xylenes

**BIOMEDICAL WASTE**

has the same meaning as defined in the *Hazardous Waste Regulation*.

**BIOSOLIDS**

means stabilized sewage sludge resulting from a wastewater treatment process or septage treatment process which has been sufficiently treated to reduce pathogen densities and vector attraction to allow the sludge to be beneficially recycled in accordance with the requirements of the *Organic Matter Recycling Regulation*.

**BOARD**

means the Board of Directors of the Regional District of Nanaimo.

**BOD**

means Biochemical Oxygen Demand, being the quantity of oxygen utilized in the biochemical oxidation of organic substances under standard laboratory procedures in 5 days at 20 degrees Celsius expressed in milligrams per litre, as determined by the appropriate procedure in Standard Methods.

**BUSINESS**

means:

- (1) carrying on a commercial or industrial activity or undertaking of any kind, and
- (2) providing professional, personal or other services for the purpose of gain or profit,

but does not include any activity carried on by the Regional District or a municipality.

**CHASE RIVER PUMP STATION**

means the trucked liquid waste receiving facility owned and operated by the Regional District, located at 1174 Island Highway, Nanaimo BC.

**CHLORINATED PHENOLS**

means the chlorinated derivatives of phenols and as determined by the appropriate procedure described in Standard Methods.

**COD**

means Chemical Oxygen Demand, being a measure of the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidation, as determined by the appropriate procedure in Standard Methods.

**COMPOSITE SAMPLE**

means a sample of waste which is composed of equivalent portions of a specified number of grab samples collected manually or automatically at the same sampling point, at specified times or flow intervals during a specified sampling period.

**CONTAMINANT**

means any substance, whether gaseous, liquid, or solid, whether dissolved or suspended, or any sewage quality parameter that, when present above a certain concentration in sewage:

- (1) injures or is capable of injuring the health or safety of a person;
- (2) injures or is capable of injuring property or any life form;
- (3) interferes or is capable of interfering with the proper operation of a sewer or sewage facility;
- (4) causes or is capable of causing material physical discomfort to a person; or
- (5) damages or is capable of damaging the environment.

**CONTROL WORKS**

means any device, equipment, process, or method used to separate, treat, remove, or otherwise prevent restricted or prohibited waste from entering or forming part of a load or discharge, including, but not limited to, traps, interceptors, filters, and separators.

**DISCHARGE**

*noun.* means any substance that is directly or indirectly introduced into a sewer, trucked liquid waste receiving facility, or sewage facility by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means;

*verb.* means to directly or indirectly introduce a substance into a sewer, trucked liquid waste receiving facility, or sewage facility by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means.

**DOMESTIC SEWAGE**

means sewage produced on a residential premise, or sanitary waste and wastewater resulting from the ordinary use of showers and restroom washbasins produced on a non-residential property.

**EMERGENCY**

means any unexpected event or circumstance that poses immediate and significant harm to human health, safety or welfare, damage to property or harm to the environment.

**ENACTMENT**

means any act, regulation, bylaw, order, or authorization, including any amendments or replacements, by a federal, provincial, regional, or municipal government or their authorized representatives.

**FRENCH CREEK POLLUTION CONTROL CENTRE**

means the sewage facility owned and operated by the Regional District that has trucked liquid waste receiving facilities on site, located at 957 Lee Road, Parksville BC.

**GRAB SAMPLE**

means a sample of waste collected at a particular time and place.

**GREATER NANAIMO POLLUTION CONTROL CENTRE**

means the sewage facility owned and operated by the Regional District that collects trucked liquid waste by way of interceptor from the Chase River Pump Station, and can accommodate trucked liquid waste disposal on site in the case of emergency, located at 4600 Hammond Bay Road, Nanaimo BC.

**GROUND WATER**

means water in a saturation zone or stratum beneath the surface of land or below a surface water body.

**HAULER**

means any person who owns or operates one (1) or more trucked liquid waste hauling trucks.

**HAULER DISCHARGE LICENCE**

means a Licence issued by the Regional District that permits a Hauler to enter upon and use trucked liquid waste receiving facilities.

**HAZARDOUS WASTE**

has the same meaning as defined in the *Hazardous Waste Regulation*.

**HOLDING TANK**

means a watertight container for holding sewage until the sewage is removed for treatment.

**HOLDING TANK PERMIT**

means a permit for a holding tank issued under the *Sewerage System Regulation*.

**IMPROVEMENT DISTRICT**

means an Improvement District incorporated under the *Local Government Act*.

**LICENCE**

see "HAULER DISCHARGE LICENCE"

**LOAD**

means any waste that is carried or to be carried by a trucked liquid waste hauling truck, or that is discharged at a trucked liquid waste receiving facility.

**MARINA**

means any dock, harbour, moorage, pier, or other facility where marine vessels are moored.

**MARINE SEWAGE RECEPTION FACILITY**

means any works or facilities at a marina that are for the purpose of collecting sewage from marine vessels.

**MARINE VESSELS**

means any boat, yacht, seaplane, ship, watercraft, submarine, or other vehicle for the purpose of transporting persons and goods across a body of water.

**MONITORING POINT**

means an access point to sewage or a sewage system for the purpose of:

- (1) measuring the rate of flow or volume of sewage being discharged;
- (2) collecting representative samples of sewage being discharged.

**MUNICIPALITY**

means any participating member city, town, district, or other incorporated area of the Regional District incorporated as a municipality or the Regional District itself.

**NON-DOMESTIC SEWAGE**

means all sewage except domestic sewage, storm water, ground water, trucked liquid waste, and uncontaminated water.

**NUCLEAR SUBSTANCE**

has the same meaning as defined in the *Nuclear Safety and Control Act*.

**OFFICER**

see "SEWAGE CONTROL OFFICER".

**OIL AND GREASE**

means *n*-Hexane extractable matter as described in Standard Methods and includes, but is not limited to, hydrocarbons, esters, fats, oils, waxes, and high-molecular weight carboxylic acids.

**ON-SITE SEWAGE SYSTEM**

means any wastewater system that stores sewage on-site, including, but not limited to, holding tanks, septic tanks, and pit-toilets.

**OCCUPIER**

in respect of property has the same meaning as defined in the *Community Charter*.

**ORDER**

means an order issued by the Sewage Control Manager.

**OWNER**

means:

- (1) in respect of property, owner as defined in the *Community Charter*;
- (2) in respect of business, the owner, director, manager, president, or person who may otherwise act on behalf of a business;
- (3) in respect of waste, the person who produces, carries, possesses, or is otherwise responsible for that waste.

**PCB**

means any monochlorinated, dichlorinated, or polychlorinated biphenyl or any mixture that contains one or more of these.

**PESTICIDE**

has the same meaning as defined in the *Integrated Pest Management Act*.

**pH**

means the expression of the acidity or basicity of a solution as defined and determined by the appropriate procedure described in Standard Methods.

**PHENOLS**

means the hydroxy derivatives or aromatic hydrocarbons as determined by the appropriate procedure described in Standard Methods.

**PIT-TOILET**

means any container or pit that is for the purpose of collecting sewage that may or may not use chemicals to help the wastes decompose, typically designed with little to no plumbing features, including outhouses, privies, and composting toilets.

**POLYCYCLIC AROMATIC HYDROCARBONS (PAH)**

means the total of all of the following polycyclic aromatic hydrocarbons: Acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i,)perylene, benzo(k)fluoranthene, chrysenes, dibenzo(a,h)anthracene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, methylnaphthalene, naphthalene, phenanthrene, pyrene.

**PREMISES**

means any land or building or both or any part thereof.

**PROHIBITED WASTE**

means prohibited waste as defined in Schedule 'A' of this Bylaw.

**RECREATIONAL VEHICLE WASTE**

means sanitary sewage accumulated in a holding tank in a trailer, camper, transportable housing unit, bus, aircraft, boat, houseboat, long-haul truck with on-board personal lavatory fixtures, or similar vehicles, but specifically excludes wastes carried in trucked liquid waste hauling trucks.

**REGIONAL DISTRICT**

means the Regional District of Nanaimo.

**RESIDENTIAL PROPERTY**

means a property classified as “Class 1” by BC Assessment.

**RESTRICTED WASTE**

means restricted waste as defined in Schedule ‘B’ of this Bylaw.

**SANITARY SEWAGE**

means human excreta and waterborne waste from the non-commercial and non-industrial preparation and consumption of food and drink, dishwashing, bathing, showering, and general household cleaning and laundry.

**SANITARY SEWER**

means a sewer which carries sanitary sewage but which is not intended to carry storm water or uncontaminated water.

**SEAWATER**

means any water from a marine environment.

**SEPTAGE**

means any sewage collected in a septic tank or accumulated in wastewater lines and appurtenances.

**SEPTIC TANK**

means a watertight container for receiving, treating, and settling sewage.

**SEWAGE**

means the composite of water wastes and water-carried wastes from residential, commercial, industrial, or institutional premises or any other source.

**SEWAGE CONTROL MANAGER**

means the Sewage Control Manager appointed by the Board, or a person appointed by the Board as her or his deputy, under the *Environmental Management Act*.

**SEWAGE CONTROL OFFICER**

means a Municipal Sewage Control Officer appointed by the Board under the *Environmental Management Act*.

**SEWAGE SLUDGE**

means the removed material resulting from chemical treatment, coagulation, flocculation, sedimentation, flotation, or biological oxidation of sewage.

**SEWAGE FACILITY**

means any works owned or operated by the Regional District to treat, store, utilize, or discharge sewage.

**SEWER**

means all pipes, conduits, drains, pumping stations, and other equipment and facilities, owned or otherwise under the control or jurisdiction of the Regional District or a Municipality for the purpose of providing sewage collection, conveyance, treatment, or disposal.

**SHARPS**

means hypodermic needles, hypodermic syringes, blades, broken glass, and any devices, instruments or other objects which have acute rigid corners, edges or protuberances.

**SLUDGE**

means sewage containing more than 0.5% total solids.

**STANDARD METHODS**

means the latest edition of "Standard Methods for the Examination of Water and Wastewater" jointly prepared and published from time to time by the American Public Health Association, American Water Works Association, and the Water Pollution Control Federation.

**STORM SEWER**

means a sewer for the collection and transmission of storm water.

**STORM WATER**

means water resulting from natural precipitation from the atmosphere, including water from inflow and infiltration.

**SUBSTANCE**

includes any solid, liquid, or gas.

**SUSPENDED SOLIDS**

means the portion of total solids retained by a filter, as determined by the appropriate procedure in Standard Methods.

**TRUCKED LIQUID WASTE**

means any waste that originates from any plumbing fixtures or works that are not directly and permanently connected to a sewer system, including, but not limited to, holding tank waste, septic tank waste, pit toilet waste, chemical toilet content, and other sludge of organic or inorganic origin, but specifically excludes recreational vehicle waste.

**TRUCKED LIQUID WASTE HAULING TRUCK**

means any vehicle that collects trucked liquid waste for the purposes of transporting and disposing of that waste.



**TRUCKED LIQUID WASTE RECEIVING FACILITY**

means a sewage facility that receives trucked liquid waste, or other sewer works that receive trucked liquid waste for conveyance to a sewage facility, that is owned and operated by the Regional District.

**UNCONTAMINATED WATER**

means any water excluding storm water but including cooling water and water from municipal waterworks or a private water supply to which no contaminant has been added as a consequence of its use or to modify its use by any person.

**USER-FEE**

means the total charge calculated for the use of a trucked liquid waste receiving facility based upon the user-rate per volume.

**USER-RATE**

means the price per volume of waste that is discharged a trucked liquid waste receiving facility.

**WASTE**

means any substance that is or is intended to be discharged or discarded, including sewage.

**WASTEWATER**

see "SEWAGE"

**WATER**

means any water including seawater, surface water, groundwater, and ice.

**WATERWORKS**

means any works owned or otherwise under the control or jurisdiction of the Regional District or one or more of its member municipalities or an Improvement District that collects, treats, transports, or stores drinking water.

**WORKS**

includes:

- (1) a drain, sewer, or waste disposal system including a sewage facility, pumping station, or outfall;
- (2) a device, equipment, land, or a structure that:
  - (a) measures, handles, transports, stores, treats, or destroys waste or a contaminant; or
  - (b) introduces waste or a contaminant into the environment;
- (3) an installation, plant, machinery, equipment, land or a process that causes or may cause a release of a contaminant into the environment or is designed or used to measure or control the introduction of waste into the environment or to measure or control a contaminant;
- (4) an installation, plant, machinery, equipment, land or a process that monitors or cleans up a contaminant or waste.

**4. ENACTMENTS**

- (1) A reference in this Bylaw to an enactment includes a reference to the enactment as amended or replaced.
- (2) The following enactments are specifically referenced in this Bylaw and may be referred to as necessary. This list is for reference purposes only and in no way alters, limits, or enlarges the intent or scope of these and other enactments and their application to this Bylaw.

Title	Level	Reference
<i>Community Charter</i>	Provincial	[SBC 2003, c.26]
<i>Environmental Management Act</i>	Provincial	[RSBC 1996, c.118]
▫ <i>Hazardous Waste Regulation</i>		
▫ <i>Organic Matter Recycling Regulation</i>		
<i>Fertilizers Act</i>	Federal	[RSC 1985, c.F-10]
▫ <i>Fertilizers Regulations</i>		CRC c. 666
<i>Integrated Pest Management Act</i>	Provincial	[SBC 2003, c.58]
<i>Local Government Act</i>	Provincial	[2015 c.1]
<i>Nuclear Safety and Control Act</i>	Federal	[SC 1997, c.9]
<i>Public Health Act</i>	Provincial	[SBC 2008, c.28]
▫ <i>Sewerage System Regulation</i>		[B.C. Reg. 326/2004]
<i>Taxation (Rural Area) Act</i>	Provincial	[RSBC 1996, c.448]

**PART II: ALL DISCHARGES TO TRUCKED LIQUID WASTE RECEIVING FACILITIES**

**5. RESTRICTIONS**

No person shall directly or indirectly discharge or allow or cause to be discharged into a trucked liquid waste receiving facility:

- (1) any prohibited waste, in any volume, as described in Schedule 'A';
- (2) any restricted waste, in any volume unless specified, as described in Schedule 'B';

- (3) any uncontaminated water, in any volume greater than 2.0 m<sup>3</sup>/day;
- (4) any storm water or ground water, in any volume;
- (5) any waste that originates from outside the Regional District or Lasqueti Island;
- (6) any water or other substance for the purpose of diluting any sewage, septage, sewage sludge, or non-domestic wastes in any volume.

### **PART III: TRUCKED LIQUID WASTE RECEIVING FACILITIES**

#### **6. REGULATIONS**

- (1) No person shall discharge any trucked liquid waste within the Regional District, except:
  - (a) at a trucked liquid waste receiving facility listed in Schedule 'C', or,
  - (b) at a privately owned or operated facility that accepts trucked liquid waste;
- (2) No person shall discharge waste except in accordance with this Bylaw.

#### **7. USE OF TRUCKED LIQUID WASTE FACILITIES**

- (1) No person shall discharge any trucked liquid waste at a trucked liquid waste receiving facility, unless that person:
  - (a) is an employee of the Regional District,
  - (b) is a Hauler with a Licence that is not suspended, revoked, or expired,
  - (c) is an agent of or is otherwise authorized by the Regional District to make use of the trucked liquid waste receiving facility;
- (2) Any person who uses a trucked liquid waste receiving facility must follow the rules for that facility as follows:
  - (a) as set out in Schedule 'D' of this Bylaw,
  - (b) as stated on any signage or materials published by the Regional District,
  - (c) as indicated by an employee or agent of the Regional District;
- (3) Any person making a discharge at a trucked liquid waste receiving facility shall immediately stop the discharge at the instruction of an employee of the Regional District if that employee has reasonable grounds to believe that the discharge does not meet the provisions of this Bylaw or any other applicable enactment.

#### **8. AFTER HOURS**

No person shall make use of a trucked liquid waste receiving facility at any time other than the regular hours and days of operation, unless:

- (1) that person is an employee, contractor or agent of the Regional District; or,
- (2) there is an emergency situation, and the person using the trucked liquid waste receiving facility pays the After Hour Charges as set out in Schedule 'D'.

## 9. MONITORING

- (1) Any waste being discharged at a trucked liquid waste receiving facility may be metered, monitored, or sampled at any time and in any manner by a Sewage Control Officer or other employee, agent or contractor of the Regional District authorized by the Regional District to do so;
- (2) A person using a trucked liquid waste receiving facility must provide complete and accurate information regarding the nature or source of the waste as reasonably requested by a Sewage Control Officer or other employee, agent or contractor of the Regional District;
- (3) A Sewage Control Officer or other employee, agent or contractor of the Regional District may, at the sole expense of the Hauler, require that a Hauler weigh a hauling truck before and after discharging a load and use the calculated weight to determine the volume of the load, as determined by the formula in Schedule 'F';
- (4) The Hauler must provide the information regarding the weight of the hauling truck obtained under subsection 9(3) to the Sewage Control Officer or other employee, agent or contractor of the Regional District.

## PART IV: HAULER DISCHARGE LICENCES

### 10. HAULER DISCHARGE LICENCES

- (1) A person must submit an application for a Licence to the Regional District at least thirty (30) working days prior to the date for which a Licence is required;
- (2) All costs and expenses directly or indirectly incurred by any person to obtain, maintain, or amend a Licence, or resulting from meeting the terms of the Licence, or an amendment, suspension or termination of a Licence shall be borne by the person;
- (3) A person that submits an application for a Licence must not use a trucked liquid waste receiving facility until a Licence is issued by the Regional District;
- (4) All information provided in the Licence application must be complete and accurate to the knowledge of the person submitting the application;
- (5) One (1) Licence is required for each person or hauling business that uses or intends to use a trucked liquid waste receiving facility;
- (6) The Licence only applies to the vehicles described or listed in the application;
- (7) A Hauler must immediately inform the Regional District of any changes or updates to the information provided in the application including, without limiting the generality of the foregoing, the vehicles to be used by the Hauler;
- (8) An employee of the Regional District may require a person who has submitted an application under subsection (1) to submit any additional information or documentation at any time to assist the evaluation of the application;
- (9) An application under subsection (1) must be submitted substantially in the form and manner set out in Schedule 'E'.

### 11. HAULER DISCHARGE LICENCE CONDITIONS AND REQUIREMENTS

- (1) No Licence is effective until signed by the Sewage Control Manager;

- (2) The Sewage Control Manager may withhold consent or refuse to approve a Licence:
  - (a) if the information provided is insufficient to permit the Sewage Control Manager to be satisfied that the application complies with this Bylaw, or
  - (b) if the Hauler or any person involved in the management of the Hauler's business has in the past failed to comply with the terms and conditions or restrictions in a Licence or this Bylaw, or
  - (c) where the Sewage Control Manager has other grounds to reasonably believe that the Hauler or any person involved in the management of the Hauler's business will not comply with the terms, conditions or restrictions of this Bylaw or a Licence, or
  - (d) if the application includes false or materially misleading information.
- (3) A Hauler must immediately inform the Regional District of any changes or updates to the information provided in the Licence;
- (4) Unless otherwise stated or compromised, a Licence shall be effective for five (5) years from the date it is issued;
- (5) A Hauler may renew a Licence up to sixty (60) working days before the expiry date stated on the existing Licence;
- (6) An expired Licence is deemed ineffective;
- (7) The Sewage Control Manager may, at any time, impose any additional provisions, requirements, or restrictions on a Licence related to the purposes of this Bylaw that the Hauler must meet in order to obtain, maintain or renew the Licence;
- (8) Licences cannot be transferred or assigned without the Sewage Control Manager's written approval.

## **12. HAULER DISCHARGE LICENCE SUSPENSION AND TERMINATION**

- (1) Without limiting the Sewage Control Manager's authority under the *Environmental Management Act*, the Sewage Control Manager may suspend a Licence where there has been a circumstance or event that results in a breach of this Bylaw, an event or circumstance that causes damage to any part of a trucked liquid waste receiving facility or Regional District property, or a spill, until the circumstance or event has been corrected, or remediation of a spill site is complete;
- (2) Before reinstating the Licence, the Sewage Control Manager may require that the Hauler provide documentation sufficient to show that the circumstance, event, or spill is corrected or remediated;
- (3) Without limiting subsection 12(1), the Sewage Control Manager may suspend or terminate a Licence if that Hauler:
  - (a) fails to comply with the terms, conditions, or restrictions of the Licence,
  - (b) fails to comply with this Bylaw, or any applicable enactment,
  - (c) provides or has provided any false, incorrect, or misleading information to the Regional District,

- (d) owes any monies to the Regional District under this Bylaw and fails to pay such monies within ten (10) days of a demand for such money mailed to the most recent address for the Hauler in Regional District records.
- (4) The Sewage Control Manager may, at any time, reconsider, amend, or cancel her or his decision with respect to the granting, refusal, suspension, amendment, or termination of a Licence.

### **13. TRANSITION: HAULERS**

A Hauler who is hauling trucked liquid waste to a trucked liquid waste receiving facility at the date of adoption of this bylaw must submit an application for a Licence within six (6) months from the date that this Bylaw is adopted.

## **PART V: TRUCKED LIQUID WASTE RECEIVING FACILITIES USER-FEES AND USER-RATES**

### **14. ALL USER-FEES**

- (1) Any person disposing of waste at a trucked liquid waste receiving facility shall pay the user-fee in accordance with this Bylaw;
- (2) All user-fees shall be due within thirty (30) days of the date of invoice;
- (3) No complaint of an error in any user fee shall be considered and no adjustment of any such error shall be made after a period of one (1) year has elapsed since the end of the period for which such user fees imposed.

### **15. HAULER BILLING TO USERS**

- (1) Any fees, charges, or user-rates established by the Regional District are separate from any service charges or fees charged by the Hauler;
- (2) It is a condition of use of the trucked liquid waste receiving facility that any invoice issued by a Hauler to a person regarding the discharge of waste at a trucked liquid waste receiving facility must clearly and separately state:
  - (a) the date that the load was pumped from the on-site sewage system,
  - (b) the date that the load was discharged at a trucked liquid waste receiving facility,
  - (c) the volume of the load discharged,
  - (d) the type of waste discharged,
  - (e) the Regional District user-rate that applied to the load,
  - (f) the total calculated user fee invoiced to the person,
  - (g) the full name of the person invoiced,
  - (h) the civic address from where the load originated, and
  - (i) the current contact information of the person invoiced.

### **16. REGIONAL DISTRICT BILLING TO HAULERS**

- (1) The Regional District shall invoice any Hauler that discharges waste at a trucked liquid waste receiving facility;

- (2) If section 18 [*holding tank waste disposal user-rate*] or section 19 [*municipal step-system user-rate*] of this Bylaw applies to a load, a Hauler must submit all billing information regarding the discharge of that load at a trucked liquid waste receiving facility to the Regional District for each month on or before the last day of the following month, including a copy of any invoice described in subsection 15(2) and any trucked liquid waste disposal claim slips;
- (3) Upon the request of the Regional District, a Hauler must submit all billing information regarding the discharge of waste at a trucked liquid waste receiving facility to the Regional District within thirty (30) days of the request, including a copy of any invoice described in subsection 15(2) and any trucked liquid waste disposal claim slips;
- (4) Any invoice issued by the Regional District to a Hauler for the use of a trucked liquid waste receiving facility is separate from any other charges or fees imposed by the Regional District;
- (5) A Hauler must pay to the Regional District the full amount of the invoice within thirty (30) days of the invoice date;
- (6) Any amount outstanding thirty (30) days after the invoice date shall bear interest at the rate of one and one-quarter percent (1.25%) per month;
- (7) A person must not provide incorrect, false or misleading information to the Regional District regarding the characteristics of waste discharged at a trucked liquid waste receiving facility, including, the volume, strength, origin, and type of the discharge;
- (8) If a person provides incorrect, false or misleading information, as described in subsection 16(7), the invoice relating to the waste shall be re-calculated by the Regional District accordingly, and the Hauler must pay to the Regional District the amount owing as corrected within thirty (30) days of receiving the corrected invoice and the Hauler must pay the Administrative Charge as set in Schedule 'D' in addition to any amount owing;
- (9) The Regional District may retroactively invoice a Hauler for any corrections made to an invoice for up to one (1) year from the date that the billing information was first submitted by the Hauler to the Regional District;
- (10) A Hauler must retain all billing information regarding the use of a trucked liquid waste receiving facility for at least one (1) year from the date that the billing information was first submitted by the Hauler to the Regional District;
- (11) Subsections 16 (4), (5), and (6) of this Bylaw apply to any amount owing to the Regional District from the Hauler.

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## **PART VI: USER-RATES**

### **17. SEPTAGE DISPOSAL USER-RATE**

Any person discharging waste at a trucked liquid waste receiving facility shall pay the Septage Disposal User-Rate for that waste, unless the property from which the waste originates is registered under the Holding Tank Registration or is listed in Schedule 'F' to receive the Municipal STEP-System User-Rate.

**18. HOLDING TANK WASTE DISPOSAL USER-RATE**

Any person discharging waste at a trucked liquid waste receiving facility from a property that is registered under the Holding Tank Registration shall pay the Holding Tank Waste Disposal User-Rate for that waste.

**19. MUNICIPAL STEP-SYSTEM USER-RATE**

Any person discharging waste from a property listed in Schedule 'F' at a trucked liquid waste receiving facility shall pay the Municipal Step-System User-Rate for that waste.

**PART VII: HOLDING TANK REGISTRATION**

**20. HOLDING TANK REGISTRATION ELIGIBILITY**

A property that is within the Regional District is eligible for Holding Tank Registration if:

- (1) the owner or occupier of that property has first obtained a holding tank permit in accordance with the Sewerage System Regulation, and each of the following apply:
  - (a) the property is within Electoral Area 'B', 'E', 'F', 'G', or 'H', the City of Nanaimo, or the District of Lantzville,
  - (b) the property is a parcel that is greater than 700m<sup>2</sup>,
  - (c) the property is for existing uses and the on-site sewage disposal system malfunctioned, or the property is currently vacant and will only be used for the construction of a single family residence,
  - (d) the property is a parcel that cannot be further subdivided, including subdivision under the *Strata Property Act*, according to existing zoning or a section 219 covenant under the *Land Title Act*,
  - (e) a community sewer system is not available,
  - (f) including the property will not facilitate development of any additional units on the property, and,
  - (g) the development conforms to zoning bylaws.
- (2) section 24 [*marine sewage reception facilities*] of this Bylaw applies; or,
- (3) section 25 [*temporary eligibility*] of this Bylaw applies.

**21. AVAILABILITY OF COMMUNITY SEWER**

The owner or occupier of a property that is included in the Holding Tank Registration under subsection 20(1) must, within a reasonable timeframe, connect the property to the community sewer system if a community sewer system is constructed and becomes available for connection adjacent to that parcel.

**22. HOLDING TANK REGISTRATION FORM**

To register a property under the Holding Tank Registration, the owner or occupier of an eligible property must submit a registration form to the Regional District, substantially in the form set out in Schedule 'G': and,



- (1) the registration form must be approved as complete by the Regional District before the owner or occupier of the property is qualified for the Holding Tank Waste Disposal User-Rate;
- (2) an employee of the Regional District may require that a person submit additional information or documentation at any time to assist the evaluation of the property's qualification for the Holding Tank Registration;
- (3) the Regional District may reject a registration form where it is incomplete or the property does not meet the criteria in section 20.

**23. HOLDING TANK REGISTRATION FEE**

Unless section 25 applies, any person submitting a registration form for the Holding Tank Registration must pay the registration fee, as set in Schedule 'G': and,

- (1) the registration fee must be paid in full at the time the registration form is submitted;
- (2) a registration form will not be considered if the registration fee is unpaid;
- (3) the registration fee is non-refundable.

**24. MARINE SEWAGE RECEPTION FACILITIES**

A property that has a marine sewage reception facility is eligible for Holding Tank Registration if:

- (1) no person using the marine sewage reception facility is directly or indirectly charged for the disposal of sanitary sewage from marine vessels; and
- (2) the marine sewage reception facility accepts only sanitary sewage from marine vessels.

**25. TEMPORARY ELIGIBILITY**

- (1) A property is eligible for the Holding Tank Registration for a temporary period of time if:
  - (a) the property's on-site sewage disposal system malfunctioned;
  - (b) the property's on-site sewage disposal system has been converted to a holding tank for the purpose of storing sewage until the on-site sewage disposal system is repaired;
  - (c) an Authorized Person inspected the site and confirms to the Regional District that the on-site sewage disposal system has failed and that the system can be repaired; and,
  - (d) an Authorized Person provides a date to the Regional District by which the failed on-site sewage disposal system shall be repaired, which date is not longer than ninety (90) days following the date of submission of a Registration form to the Regional District.
- (2) It is a condition of eligibility under section 25(1) that the Septage Disposal User-Rate shall apply to any load that accumulated in the on-site sewage disposal system prior to the malfunction, including but not limited to septage in a septic tank.

**26. MAXIMUM TERM OF TEMPORARY ELIGIBILITY**

- (1) The maximum term for temporary eligibility for Holding Tank Registration under section 25 is ninety (90) days from the date that the registration form is approved by the Regional District;

- (2) The Regional District may extend the term for up to an additional ninety (90) days if:
  - (a) the owner or occupier of the subject property requests an extension not less than ten (10) days prior to the expiry date first stated, and,
  - (b) an Authorized Person confirms to the Regional District that the on-site sewage system can be repaired within the extended term.

**27. TERMINATION OR SUSPENSION OF HOLDING TANK REGISTRATION**

The Regional District may remove a property from the Holding Tank Registration where the property ceases to meet the conditions for registration under section 20 of this Bylaw.

**28. TRANSITION: SERVICE AREAS TO REGISTRATION SYSTEM**

- (1) Any property that was previously:
  - (a) included in “Regional District of Nanaimo Pump and Haul Local Service Establishment Bylaw No. 975, 1995”, and its subsequent amendments, prior to its repeal, or,
  - (b) included in “Horne Lake Pump and Haul Service Establishment Bylaw No. 1217, 2001”, and its subsequent amendments, prior to its repeal, or,
  - (c) a marine sewage reception facility approved to receive a reduced rate under Bylaw 988, and its subsequent amendments, prior to the adoption of this Bylaw,shall automatically be transitioned to the Holding Tank Registration, and the owner or occupier of that property shall be exempt from paying the registration fee;
- (2) Where section 28(1)(a) or (b) applies to a property, the adoption of this Bylaw in no way limits, expands, or alters any restriction, covenant, or other requirement that was placed on that property for the purpose of including that property to the applicable bylaw;
- (3) Any person with temporary authorization for access to the equivalent Holding Tank Waste Disposal User-Rate at the time this Bylaw is adopted shall continue to be eligible to pay at that rate until the expiry date of such temporary authorization.

**29. MULTIPLE PROPERTIES**

If a person wishes to register more than one (1) property under the Holding Tank Registration, she or he must submit a separate application for each property.

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**PART VIII: OFFENCES AND PENALTIES**

**30. MAXIMUM FINE**

A person who contravenes this Bylaw, or other requirements made or imposed under this Bylaw, commits an offence and is liable to a fine not exceeding \$2,000.00.

**31. RECURRING OFFENCES**

Where an offence is committed on or continues for more than one day, a person shall be deemed to have committed a separate offence for each day on or during which an offence

occurs or continues, and separate fines, each not exceeding \$2,000.00, may be imposed for each day on or during which an offence occurs or continues.

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## **PART IX: GENERAL**

### **32. OTHER ENACTMENTS**

- (1) Nothing in the Bylaw shall be interpreted as relieving a person, business, or organization from complying with federal, provincial, and local government enactments;
- (2) Nothing in this Bylaw shall be interpreted as restricting the powers of the Regional District or its employees, the Sewage Control Manager, or Officers under the *Local Government Act*, *Environmental Management Act*, *Public Health Act*, or any other applicable enactments of the Province of British Columbia or the Government of Canada.

### **33. ENFORCEMENT**

The Sewage Control Manager, an Officer, or a Bylaw Enforcement Officer may enforce the provisions of this Bylaw.

### **34. AUTHORITY OF THE BOARD**

When the Board has authority to direct that a matter or thing be done by a person, the Board may also direct that, if the person fails to take the required action, the matter or thing shall be done at the expense of the person in default in accordance with the *Local Government Act*. If the action in default is taken, the Board may recover the expense from that person, together with costs and interests at the rate prescribed under the *Taxation (Rural Area) Act*, in the same manner as municipal taxes.

### **35. SCHEDULES**

- (1) The schedules attached to this Bylaw shall be deemed to be an integral part of this Bylaw;
- (2) An employee of the Regional District may update, re-format, or edit any application, registration, or other form that accompanies a schedule as necessary, including both paper and digital forms, without an amendment to this Bylaw provided that the changes or edits are not inconsistent with this Bylaw.

### **36. SEVERABILITY**

If any provision of this Bylaw is found to be invalid by a court of competent jurisdiction, it may be severed from the Bylaw without affecting the interpretation or validity of any other provision of this Bylaw.

### **37. HEADINGS AND TABLE OF CONTENTS**

The headings and the table of contents in this Bylaw are inserted for convenience of reference only and in no way limit, expand, or alter the contents of this Bylaw.

### **38. REPEAL**

The following bylaws are hereby repealed:

- (1) "Regional District of Nanaimo Pump & Haul Local Service Establishment Bylaw No. 975, 1995";
- (2) "Regional District of Nanaimo Trucked Liquid Waste Disposal Bylaw No. 988, 1995";
- (3) "Horne Lake Pump and Haul Service Establishment Bylaw No. 1217, 2001";
- (4) "Horne Lake Service Area Sewage Disposal Regulation Bylaw No. 1218, 2001"; and,
- (5) "Regional District of Nanaimo Sewage Disposal Regulation Bylaw No. 1224, 2000".

Introduced and read three times this \_\_\_\_ day of \_\_\_\_\_, 201\_.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 201\_.

Received the approval of the Inspector of Municipalities this \_\_\_\_ day of \_\_\_\_\_, 201\_.

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CHAIRPERSON

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CORPORATE OFFICER

SCHEDULE 'A' to accompany "Trucked Liquid  
Waste Rates and Regulations Bylaw No. 1732,  
2016".

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CHAIRPERSON

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CORPORATE OFFICER

### SCHEDULE 'A': PROHIBITED WASTES

Prohibited waste means any one (1) or more of the following, in any volume:

1. **HAZARDOUS WASTE** as defined by the *Hazardous Waste Regulation*;
2. **AIR CONTAMINANT WASTE**, meaning any waste, other than sanitary waste which, by itself or in combination with another substance is capable of creating, causing, or introducing an air contaminant outside any sewer or sewage facility or is capable of creating, causing, or introducing any air contaminant within any sewer or sewage facility which would prevent safe entry by authorized personnel;
3. **FLAMMABLE, COMBUSTIBLE, OR EXPLOSIVE WASTE**, meaning any waste which, by itself or in combination with another substance, is capable of causing or contributing to an explosion or supporting combustion in any sewer or sewage facility including, but not limited to gasoline, naphtha, propane, diesel, fuel, oil, kerosene, or alcohol;
4. **OBSTRUCTIVE WASTE**, meaning any waste which, by itself or in combination with another substance, is capable of obstructing the flow of or interfering with the operation or performance of any sewer or sewage facility including, but not limited to, sludge, earth, sand, sweepings, gardening or agricultural waste, ash, chemicals, paint, metal, glass, sharps, rags, wipes, cloth, tar, asphalt, cement-based products, plastic, wood, waste portions of animals, fish, or fowl, and solidified fat;
5. **CORROSIVE WASTE**, meaning any waste with corrosive properties which, by itself or in combination with any other substance, causes or may cause damage to any sewer or sewage facility or which may prevent safe entry by authorized personnel;
6. **HIGH TEMPERATURE WASTE**, meaning:
  - (1) any waste which, by itself or in combination with another substance, creates or will create heat in amounts which will interfere with the operation and maintenance of a sewer or sewage facility or with the treatment of waste in a sewage facility;
  - (2) any waste which will raise the temperature of waste entering any sewage facility to 40 degrees Celsius or more;
  - (3) any non-domestic waste with a temperature of 65 degrees Celsius or more.

7. **BIOMEDICAL WASTE**, including, but not limited to, any of the following categories: human anatomical waste, animal waste, untreated microbiological waste, waste sharps, and untreated human blood and body fluids known to contain viruses and pathogens listed in “Risk Group 4” defined in “Laboratory Biosafety Guidelines” published by Health Canada;
8. **SPECIAL RISK ORGANIC WASTE**, meaning any substances that:
  - (1) are affected by bovine spongiform encephalopathy as defined by federal *Fertilizers Regulations*; or,
  - (2) are produced by the dissolving of remains;
9. **RADIOACTIVE WASTE**, meaning any waste containing nuclear substances that, at the point of discharge into a sewer, exceeds the limitations as established under the *Nuclear Safety and Control Act* and its Regulations.
10. **PCBs OR PESTICIDES**, meaning any waste containing PCBs or pesticides;
11. **PHARMACEUTICAL WASTE**, meaning any unused or unconsumed pharmaceutical substance, which, by itself or in combination with another substance, alters or may alter the chemical composition of treated effluent;
12. **CONTROL WORKS WASTE**, meaning any wastes accumulated in or collected by control works, including but not limited to oil and grease collected in grease traps;
13. **ODOUROUS WASTE**, meaning any waste which, by itself or in combination with another substance, may cause offensive odour to emanate from sewage works or facilities, including hydrogen sulphide, carbon disulphide, other sulphur compounds, amines, or ammonia;
14. **MISCELLANEOUS WASTE**, meaning any substance which, by itself or in combination with another substance:
  - (1) constitutes or may constitute a significant health or safety hazard to any person, animal or vegetation;
  - (2) causes or may cause damage, pollution, or harm to any property or environment;
  - (3) causes or may cause any conveyance or treatment process to not comply with any requirement by or under any permits, laws, certifications, enactments, or any regulations governing the conveyance or treatment process;
  - (4) causes or may cause a discharge from a sewage treatment facility to contravene any requirement by or under any permits, laws, certifications, enactments, or any regulations governing the quality of the discharge;
  - (5) causes or may cause biosolids to fail criteria for beneficial land application use in British Columbia under the *Organic Matter Recycling Regulation*, or to fail any requirement of or under any other applicable permits, laws, certifications, enactments, or regulation governing the quality of biosolids.

SCHEDULE 'B' to accompany "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016".

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CHAIRPERSON

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CORPORATE OFFICER

### SCHEDULE 'B': RESTRICTED WASTES

Restricted waste means any one (1) or more of the following, in any volume unless otherwise specified:

- CONTAMINATED WASTE**, meaning any waste which, by itself or in combination with another substance, contains contaminants at or above the limits identified as follows:

Item	Limit [mg/L]
Biochemical Oxygen Demand	20,000.00
Chemical Oxygen Demand	40,000.00
Oil and Grease, total	3,500.00
Total Suspended Solids	35,000.00
BETX	1.00
Chlorinated Phenols	0.05
Polycyclic Aromatic Hydrocarbons	0.05
Phenols	2.00
Petroleum Hydrocarbons	15.00
Arsenic	1.00
Cadmium	0.20
Chromium	4.00
Cobalt	5.00

Item	Limit [mg/L]
Copper	65.00
Cyanide	1.00
Iron	500.00
Lead	1.00
Manganese	8.00
Mercury	0.05
Molybdenum	1.00
Nickel	2.00
Silver	1.00
Sulphate	1,500.00
Sulphide	10.00
Zinc	71.00

- all concentrations expressed are total concentrations, which include all forms of the contaminant, whether dissolved or undissolved.
  - the concentration limits expressed apply to both grab and composite samples.
  - contaminant definitions and methods of analysis to determine concentration limits are outlined in Standard Methods, or, where the Sewage Control Manager considers that the methods prescribed in Standard Methods are insufficient or inappropriate, as specified by the Sewage Control Manager.
- ACIDIC OR ALKALINE WASTE** meaning any non-domestic waste which, at the point of discharge into a sewer, has a pH lower than 5.5 or higher than 10.0, as determined by either a grab or a composite sample
- NON-DOMESTIC FOOD WASTE** meaning any non-domestic waste from cooking and handling of food that, at the point of discharge into a sewer, contains particles larger than 0.50 centimetres in any dimension.

4. **DYES AND COLOURING MATERIALS** meaning any dyes or colouring materials which may pass through a sewage treatment facility and discolour the effluent from a sewage treatment facility except where the dye is used by the Regional District, or one of the municipalities, as a tracer.
5. **SEAWATER** meaning any water from a marine environment.



SCHEDULE 'C' to accompany "Trucked Liquid  
Waste Rates and Regulations Bylaw No. 1732,  
2016".

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CHAIRPERSON

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CORPORATE OFFICER

### **SCHEDULE 'C': TRUCKED LIQUID WASTE RECEIVING FACILITIES**

**1. Trucked liquid waste receiving facilities:**

- (1) Chase River Pump Station  
1174 Island Highway, Nanaimo BC.
  
- (2) French Creek Pollution Control Centre  
957 Lee Road, Parksville BC.

**2. Alternate trucked liquid waste receiving facility in case of emergency:**

Greater Nanaimo Pollution Control Centre  
4600 Hammond Bay Road, Nanaimo BC.

SCHEDULE 'D' to accompany "Trucked Liquid  
Waste Rates and Regulations Bylaw No. 1732,  
2016".

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CHAIRPERSON

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CORPORATE OFFICER

## **SCHEDULE 'D': RULES OF USE FOR FACILITIES AND APPLICABLE CHARGES**

### **1. Rules of Use:**

The rules of use for trucked liquid waste receiving facilities are as follows:

- (1) A vehicle transporting trucked liquid waste to a trucked liquid waste receiving facility must be of such width, length, height, and capacity so that the vehicle can enter the facility without blocking or hindering other traffic;
- (2) A hauling vehicle must have connection devices compatible with those of the facility;
- (3) A Hauler must ensure that all vehicles, tanks, and ancillary equipment are maintained and inspected to ensure a safe and spill free operation;
- (4) Vehicles with dripping or leaking hoses, valves, tanks, or other ancillary equipment are not allowed to enter or use the facilities;
- (5) A Hauler must not lift or cause to be lifted a vehicle's tank;
- (6) A Hauler is liable for any damage to a trucked liquid waste receiving facility or Regional District property caused by the Hauler or caused by the functioning or operation of a Hauler's vehicle, tank, or equipment.
- (7) A Hauler must only park a hauling vehicle while awaiting discharge or while discharging;
- (8) A Hauler must only discharge a load to an inlet intended for trucked liquid waste receiving, and a Hauler must not discharge a load to any other manhole or other sewer works;
- (9) A Hauler must notify the Regional District at least two (2) days before discharging any waste from a pit-toilet;
- (10) Priority of use of a trucked liquid waste facility shall be determined on a first-come-first-serve basis;
- (11) A Hauler must not wash or service a vehicle at a trucked liquid waste receiving facility or on Regional District property, except for required clean-up;
- (12) Office, telephone, and washroom facilities are for the use of Regional District employees only.

**2. After Hour Charges**

The After Hour Charges are set as follows:

<b>AFTER HOUR CHARGES</b>	
Minimum charge, up to one (1) hour	\$100.00
Every additional half (½) hour, or portion of, after the first hour	\$75.00

**3. Administrative charge**

The Administrative Charges are set as follows:

<b>ADMINISTRATIVE CHARGE</b>	
First submission of incorrect information	\$50.00
Each subsequent submission of incorrect information	\$75.00

SCHEDULE 'E' to accompany "Trucked Liquid  
Waste Rates and Regulations Bylaw No. 1732,  
2016".

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CHAIRPERSON

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CORPORATE OFFICER

### SCHEDULE 'E': HAULER DISCHARGE LICENCES

#### 1. Application form

The application form shall request from the applicant not less than the following:

- (1) Applicant information including her or his name and current contact information;
- (2) Emergency contact information for the applicant or designated emergency contact;
- (3) Business information including the business name and location;
- (4) Fleet description, including the number of hauling trucks, each licence plate, the size of each truck tank, and each truck's Commercial Vehicle Inspection Program decal number and expiry date;
- (5) Declaration, where the application must be signed by the owner of the business.

The application form shall also include:

- (1) The Regional District's current address and contact information;
- (2) Information on how to obtain a copy of this Bylaw.

#### 2. Hauler Discharge Licence

An employee of the Regional District must prepare the Licence, and the Licence must include:

- (1) The Licence number issued to the Hauler or hauling business, in accordance with the current method of determining the Licence number;
- (2) The name and address of the Hauler or hauling business;
- (3) The date that the Licence is issued;
- (4) The date that the Licence shall expire;
- (5) Any additional terms, conditions, or restrictions imposed on the Licence;
- (6) A line for the signature of the Sewage Control Manager.

SCHEDULE 'F' to accompany "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016".

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CHAIRPERSON

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CORPORATE OFFICER

### SCHEDULE 'F': USER-RATES

The user-rates are set as follows:

USER-RATE CLASSIFICATION	USER-RATE	
	PER IMPERIAL GALLON	PER 100 LITRES*
SEPTAGE DISPOSAL USER-RATE	\$0.23	\$5.06
HOLDING TANK WASTE DISPOSAL USER-RATE	\$0.01	\$0.22
MUNICIPAL STEP-SYSTEM USER-RATE, which is for the following properties: -All properties on Protection Island -The following properties within the City of Nanaimo: 1323/1325 Fielding Road    1390 Fielding Road 1335 Fielding Road        1400 Fielding Road 1341 Fielding Road        1403 Fielding Road 1343 Fielding Road        1416/1420 Fielding Road 1350 Fielding Road        1417 Fielding Road 1357 Fielding Road        1421 Fielding Road 1373 Fielding Road	\$0.00	\$0.00

\*User-rate per one-hundred (100) Litres is provided for reference only. The total user fee shall be based upon the price per imperial gallons.

The volume of a load discharged may be determined by the following weight to volume formula:

$$\left[ \begin{array}{c} \text{TRUCK WEIGHT} \\ \text{BEFORE DISCHARGE} \\ \text{kilograms} \end{array} \right] - \left[ \begin{array}{c} \text{TRUCK WEIGHT} \\ \text{AFTER DISCHARGE} \\ \text{kilograms} \end{array} \right] \times \frac{1 \text{ imperial gallon}}{4.59 \text{ kilograms}} = \begin{array}{c} \text{LOAD VOLUME} \\ \text{imperial gallons} \end{array}$$

SCHEDULE 'G' to accompany "Trucked Liquid  
Waste Rates and Regulations Bylaw No. 1732,  
2016".

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CHAIRPERSON

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CORPORATE OFFICER

### SCHEDULE 'G': HOLDING TANK REGISTRATION

#### 1. Registration form

The application form shall request from the applicant not less than the following:

- (1) A copy of the holding tank permit obtained under the Sewerage System Regulation, if applicable;
- (2) The full name of the property owner;
- (3) The property owner's phone number and email address;
- (4) The full address of the property for which the application is being made;
- (5) The full legal description of the property for which the application is being made;
- (6) The name and affiliation of the Authorized Person who installed, inspected, or otherwise maintained the on-site sewage system;
- (7) A place for the property owner's signature;
- (8) For temporary registration, a place for the Authorized Person's signature;
- (9) For temporary registration, the estimated date of repair for the on-site sewage system.

#### 2. Registration fee

The registration fee is set as follows:

REGISTRATION FEE	
For a single-family residential property	\$100.00
For any property other than a single-family residential property	\$300.00

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1418.07**

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO BYLAW  
ENFORCEMENT TICKET REGULATION BYLAW NO. 1418, 2005**

WHEREAS the Board of the Regional District of Nanaimo wishes to amend “Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Bylaw No. 1418, 2005” for the purpose of including fines for the contravention of “Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016”;

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

**1. Citation**

This Bylaw may be cited as “Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.07, 2016.”

**2. Amendments**

“Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Bylaw No. 1418, 2005” is amended as follows:

- (1) By replacing the words “Schedules 2-22” in section 4 to “Schedules 2-23”;
- (2) By replacing the words “Schedules 2-22” in section 5 to “Schedules 2-23”;
- (3) By replacing the words “Schedules 1-22” in section 6 to “Schedules 1-23”;
- (4) By adding Schedule 23 as attached to and forming part of this Bylaw.

Introduced and read three times this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

Adopted this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

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CHAIRPERSON

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CORPORATE OFFICER

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CHAIRPERSON

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CORPORATE OFFICER

**REGIONAL DISTRICT OF NANAIMO  
 BYLAW ENFORCEMENT TICKET REGULATION  
 BYLAW NO. 1418, 2005**

**SCHEDULE 23**

<b>Column I</b>	<b>Column II</b>	<b>Column III</b>
<b>Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016</b>	<b>Section of Bylaw 1732</b>	<b>Amount of Fine</b>
1. Discharge of prohibited waste	5(1)	\$1,000.00
2. Discharge of restricted waste	5(2)	\$750.00
3. Discharge of uncontaminated water over 2.0m <sup>3</sup> /day	5(3)	\$250.00
4. Discharge of storm water or ground water	5(4)	\$250.00
5. Discharge of waste from outside RDN or Lasqueti Island	5(5)	\$100.00
6. Discharge of substance for dilution	5(6)	\$250.00
7. Unauthorized use of trucked liquid waste receiving facility	7(1)	\$750.00
8. Failure to obey rules of trucked liquid waste receiving facility	7(2)	\$500.00
9. Failure to stop discharge at instruction of RDN employee	7(3)	\$500.00





**MINUTES OF THE REGULAR MEETING OF THE  
ARROWSMITH WATER SERVICE (AWS) MANAGEMENT BOARD  
HELD ON THURSDAY, SEPTEMBER 1, 2016 AT 9:30AM  
CITY OF PARKSVILLE FORUM**

<b>Present:</b>	M. Lefebvre, Chair B. Luchtmeijer B. Rogers	City of Parksville Town of Qualicum Beach Regional District of Nanaimo
<b>Also Present:</b>	M. Squire L. Butterworth B. Weir C. Midgley G. St.Pierre R. Graves	City of Parksville City of Parksville Town of Qualicum Beach Regional District of Nanaimo Regional District of Nanaimo Recording Secretary
<b>Regrets:</b>	J. Stanhope R. Alexander	Regional District of Nanaimo Regional District of Nanaimo

**CALL TO ORDER**

The Chair called the meeting to order at 9:32am.

**DELEGATIONS**

**MINUTES**

MOVED Director Luchtmeijer, SECONDED Director Rogers, that the minutes of the regular meeting of the Arrowsmith Water Service Management Board held May 10, 2016 be adopted.

CARRIED

**BUSINESS ARISING FROM MINUTES**

**COMMUNICATIONS/CORRESPONDENCE**

**UNFINISHED BUSINESS**

**REPORTS**

**Arrowsmith Dam and Reservoir Update.**

M. Squire gave a brief update on the Arrowsmith Dam and Reservoir.

**ADDENDUM**

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**NEW BUSINESS**

**OTHER**

**QUESTIONS**

The Chair opened the floor to questions and comments, none received.

**NEXT MEETING**

To be announced.

**IN CAMERA**

MOVED Director Lefebvre, SECONDED Director Luchtmeijer, that pursuant to Sections 90 (1)(e) of the Community Charter the Board proceed to an In Camera meeting for discussions related to land acquisitions. CARRIED

**ADJOURNMENT**

MOVED Director Luchtmeijer, SECONDED Director Rogers, that the meeting be adjourned. CARRIED

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Marc Lefebvre, CHAIRPERSON

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE SOLID WASTE MANAGEMENT SELECT COMMITTEE  
MEETING HELD ON TUESDAY, SEPTEMBER 20, 2016 AT 3:30 PM  
RDN COMMITTEE ROOM**

**Present:**

Director A. McPherson	Chairperson
Director H. Houle	Electoral Area 'B'
Director J. Stanhope	Electoral Area 'G'
Director C. Pinker	Electoral Area 'C'
Alternate	
Director B. McKay	City of Nanaimo
Director J. Hong	City of Nanaimo
Director M. Lefebvre	City of Parksville

**Also in Attendance:**

R. Alexander	General Manager, RCU, RDN
L. Gardner	Manager of Solid Waste, RDN
M. Larson	Solid Waste Planner, RDN
R. Graves	Recording Secretary, RDN

**Regrets:**

Director T. Westbroek	Town of Qualicum Beach
Director M. Young	Electoral Area 'C'
Director J. Kipp	City of Nanaimo

**CALL TO ORDER**

The meeting was called to order at 3:31pm by the Chairperson.

**MINUTES**

MOVED Director Stanhope, SECONDED Director Houle, that the minutes from the Solid Waste Select Committee meeting held May 17, 2016 be received.

CARRIED

**BUSINESS ARISING FROM THE MINUTES**

**COMMUNICATIONS/CORRESPONDENCE**

**UNFINISHED BUSINESS**

**ADVISORY COMMITTEE**

MOVED Director Stanhope, SECONDED Director Lefebvre, that the minutes from the Regional Solid Waste Advisory Committee meeting held June 23, 2016 be received for information only.

CARRIED

**REPORTS**

**Curbside Outreach Summary Report**

MOVED Director Lefebvre , SECONDED Director Stanhope , that the report on the Curbside Outreach Summary be received for information.

**2016 Green Bin Audit Report**

MOVED Director Lefebvre , SECONDED Director Stanhope , that the report on the 2016 Green Bin Audit be received for information.

CARRIED

**Acquire Used Reconditioned Compactor Report**

MOVED Director Houle, SECONDED Director Stanhope, that the Solid Waste Management Select Committee recommend that the Regional Board approve the purchase of a used reconditioned landfill compactor for an amount not to exceed \$600,000.

CARRIED

**PRESENTATION**

**Status Update SWMP Review Process.**

L. Gardner gave a verbal presentation on recent activities within the SWMP review process. This included the outcome of RSWAC meetings on Stage 2 evaluated options, drafting the Stage 2 report, further discussion on regulatory and economic tools.

MOVED Director Lefebvre, SECONDED Director Stanhope, that the verbal report on Status Update SWMP Review Process be received for information.

**NEW BUSINESS**

B. McKay commented on the recommendation coming forward at UBCM to impose a five cent deposit on cigarettes.

**NEXT MEETING**

Next SWMSC meeting October 25, 2016.

**ADJOURNMENT**

Moved Director Stanhope, SECONDED Director Houle, that the meeting be adjourned.

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CHAIRPERSON

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**TO:** Larry Gardner  
Manager, Solid Waste Services

**DATE:** September 16, 2016

**FROM:** Jane MacIntosh  
Superintendent, Landfill Operations

**FILE:** 1240-20-SW

**SUBJECT:** Acquire Used Reconditioned Landfill Compactor

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### RECOMMENDATION

That the Solid Waste Management Select Committee (SWMSC) recommends that the Regional Board approve the purchase of a used reconditioned landfill compactor for an amount not to exceed \$600,000.

### PURPOSE

The purpose of this report is to request that the SWMSC endorse the purchase of a used reconditioned landfill compactor for an amount not to exceed of \$600,000 in advance of the projected timeline of 2018.

### BACKGROUND

The current landfill compactor has approximately 18 months remaining service life based on current industry expectations. As the unit approaches the end of service life, the risk of a significant mechanical breakdown increases. Cost savings on the North Berm construction and tip fee revenues higher than projected for 2016 provide an opportunity to purchase a landfill compactor in advance of the current projected timeline of 2018. The advantage of moving up the timeline, and retaining the existing unit as a backup, provides operational efficiency by providing redundancy in compaction equipment. The previous plan had delayed the purchase of a used compactor until 2018 because of the higher priority to complete the North Berm construction which required a large contingency for potential geotechnical issues. The advanced timeline is expected to result in future cost savings realized over the next 10 to 15 years by allowing improved maintenance of equipment and deferment of future replacement costs.

Effective compaction of waste at the landfill is essential to the efficient operation of a sanitary landfill. Compaction has profound consequences to the long and short term operation and environmental impacts on a landfill including: leachate, landfill gas and odour production; vector attraction (e.g. rodents, birds) and litter; differential settlement and site stability; and, fire prevention and control. From an economic perspective, compaction saves space, which can mean substantial cost savings over the life of any landfill. Landfill compactors are specialized equipment with acquisition timelines in the order of several months. The previous plan to defer purchase to 2018 would have resulted in the use of alternate equipment with less effective compaction rates for times when the existing compactor is out of service for repairs.

The landfill compactor is used for approximately 2,000 hours per year. The general service life of the machine is between 10,000 to 12,000 hours (5-6 years) before major factory rebuilds or replacements of engines, transmissions and wheels have to be completed. Rebuilds of these major components costs approximately \$350,000 and adds another 6-years of service life to the machine.

The existing compactor, model CAT 826, was purchased through a lease agreement from Finning over a four year period from 2011 to 2015 at a total cost of \$620,647. The compactor has now logged over 9,000 hours and has approximately one and half years of remaining service life.

If a second reconditioned compactor is to be purchased at the current time, it provides a number of advantages:

- A second compactor provides redundancy given the importance of compaction for efficient landfill operations.
- The second compactor allows the primary unit to be taken out of operation at regular planned service intervals, which will reduce repair costs, reduce disruptions to the landfill work and it is expected to increase the life of both the units. The existing unit, used as a backup, will have an extended service life of approximately 4 years.
- Purchase of the same model of compactor provides advantages given the familiarity by both operators and maintenance staff. Furthermore, as parts are common between the two machines, it is expected that the ultimate of life of an operational unit can be extended for the maximum period (i.e. parts exchange as backup unit is late in its service live).
- Within 4 to 5 years, the current unit could be rebuilt to become the primary unit the reconditioned unit purchased now would be reassigned as a backup (\$350,000 estimated cost). Staggering the use and reconditioning periods of the compactors has the potential to satisfy compaction equipment needs for the next 10 to 15 years. This would be a lower cost than the acquisition of two units over the same period based on a 6 year service life.

The table below lists all the known same model compactors (Cat 826H) currently for sale in North America. Staff has made inquiries with Finning Canada on the availability of a used same model compactor in their Canadian inventory. At this time, they have not identified any available units.

Year	Hours	Rebuilt	Price (CAD)	Location	Vendor	Comments
2010	10,514 frame hours	Yes	\$500,000	London Ontario	Marcel Equipment Ltd.	- 1 year parts and labour warranty - Eligible for extended warranty
2011	8,500 frame hrs	Yes	-	London Ontario	Marcel Equipment Ltd.	- 1 year parts and labour warranty - Eligible for extended warranty
2013	7,750	No	\$493,000	Knoxville , Tennessee	C&K Equipment Co.	- Potentially sold
2006	~12,000	Yes	\$571,000	Knoxville , Tennessee	C&K Equipment Co.	- Potentially sold - Comes with factory 3yr/5000 hour warranty valued at \$21K
2010	8,558	No	\$435,000	Dartmouth, Nova Scotia	Atlantic Tractor & Equipment	
2008	9,295	No		Indianapolis, Indiana	MacAllister Machinery	- Does not appear to have landfill capable wheels
-	-	Yes	\$486,000	Ann Arbor, Michigan	Best Equipment Inc.	- 2015 rebuild - Vendor reports the unit has just been sold
-	-	Yes	\$472,000	Ann Arbor, Michigan	Best Equipment Inc.	- 2015 rebuild - New factory engine - Vendor reports the unit has just been sold
-	-	Yes	\$393,000	Ann Arbor, Michigan	Best Equipment Inc.	- 2015 rebuild - New factory engine - Vendor reports the unit has just been sold
2005	10,812	No	\$420,000	Monterrey, Mexico	MaQuinas Diesel	
2005	10,811	No	\$394,000	Houston, Texas	Tierra Equipment Ltd.	

Vendors report that they are regularly moving units through their service facilities. It is not uncommon to presell the units while reconditioning is underway. Of the units listed above, at the time of writing this report, 5 of the reconditioned units may no longer be available.

The most promising options appear to be equipment available from Marcel Equipment Ltd. in London, Ontario or C&K Equipment Company in Knoxville, Tennessee. These two companies appear to be the premier vendors of used landfill compactors in Canada and the United States collectively. The 3 preferred options are:

1. 2006 Cat 826H – 12,000 frame hours. Complete Cat certified component rebuild. Price includes 3 year/5,000 hour powertrain warranty. This unit is may already be sold. The cost is \$571,000.
2. 2010 Cat 826H – 10,514 frame hours. Cat certified component rebuilds on the engine, torque converter, transmission and transfer case. The components will come with a 1 year, parts and labour warranty supported by the Cat dealer. Since these are being rebuilt to Cat certified standards, there is an option to purchase additional extended warranty from your dealer beyond the 1 year. The compaction wheels will have new 7.25" HDT weld-on tips installed and wheel edges built up. The cost is \$500,000.
3. 2011 Cat826H – 8,500 hours. This unit will be delivered to Marcel within a few weeks. It is expected to be sold for approximately \$400,000 with normal reconditioning but not rebuilding any components. With Cat certified component rebuilds the price will be \$550,000.

The actual selection of the compactor would be based on best value to the RDN and would consider price, availability, actual components rebuilt and transportation costs.

The prices quoted for these reconditioned compactors compare favorably with that of a new unit with current pricing over \$1,000,000.

## ALTERNATIVES

Alternatives in proceeding with the compactor replacement are as follows:

- 1) Approve the purchase of a reconditioned compactor to the maximum amount of \$600,000 at this time.
- 2) Defer purchase until 2018 and acquire a used or reconditioned compactor when the existing machine reaches its end of service life.
- 3) Defer purchase until 2018 and issue a Request for Proposals (RFP) in 2017 for a new compactor to ensure adequate lead time for purchase.
- 4) Alternate direction as provided by the Regional Board.

Appendix A and B summarize the implications of the above options.

## FINANCIAL IMPLICATIONS

The 10 year financial plan included the use of only one compactor and the purchase of a reconditioned compactor in 2018 and then again in 2025 with an estimated total cost over the 10 years of \$1.4 million assuming reconditioned units were available and prices remained relatively stable. Under this revised plan, there is an estimated additional cost of \$250,000 over 10 years; however, because there will be two compactors available, improved compaction rates and landfill efficiencies will be realized. The savings on the North Berm construction project, additional tipping fees and the return of higher volumes in the last year support the purchase of a second compactor at this time. Appendix B shows the projected costs for both options. This plan and timing will extend the life of the existing unit and defer future costs of compactor replacements over a 10 to 15 year time frame.

## STRATEGIC PLAN IMPLICATIONS

This equipment purchase is consistent with key priorities of the 2016-2020 Strategic Plan in the following areas:

- *Focus on service and organizational excellence.* The landfill serves many commercial and regional haulers and compact conditions and efficient service is valued.
- *Focus on the environment.* Ensuring proper compaction is a regulatory requirement due to the potential environmental impact of poorly compacted waste.

## SUMMARY/CONCLUSIONS


The current landfill compactor has approximately 18 months remaining service life based on current industry expectations. As the unit approaches the end of service life, the risk of a significant mechanical breakdown increases.

The costs for landfill compactors have increased significantly in recent years due to new engine designs as well as the value of the Canadian dollar as compared to US currency. The current price on a new equivalent model compactor is over \$1,000,000.

Acquisition of a reconditioned second compactor for a maximum of \$600,000 provides for operational redundancy. This strategy provides the opportunity to rotate the two compactors to extend service lives, with rebuilds, for possibly 10 to 15 years, thereby reducing future capital costs.



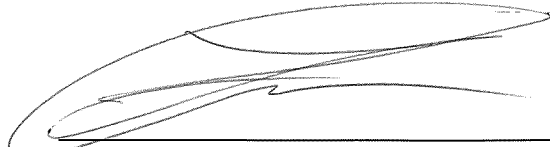
Subject to board approval, staff would proceed to negotiate purchase based on best value to the RDN.

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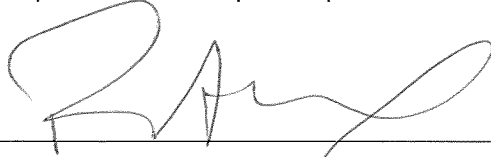
FOR JANE MACINTOSH

Report Writer,  
Superintendent Disposal Operations

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Solid Waste Manager Concurrence

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General Manager Concurrence

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A/CAO Concurrence

## Appendix A

Landfill Compactor Acquisition			
Option	Estimated Cost	Service Life	Considerations
1) <b>2016</b> Acquire Reconditioned Unit	\$500,000 to \$600,000	6 years (extends back up unit life by 4 years to 2020)	<ul style="list-style-type: none"> <li>Provides operational redundancy as existing unit approaches end of service life</li> <li>Allows for primary unit to be taken out of service for maintenance</li> <li>Provides adequate time to source same model reconditioned unit</li> <li>Defers rebuild period by 4 years on existing unit</li> </ul>
2) <b>2018</b> Acquire Reconditioned Unit	\$700,000 (budget amount)	6 years (2018 is the end of service life for existing unit at current use levels)	<ul style="list-style-type: none"> <li>Consistent with 5 year budget</li> <li>Impractical to rebuild existing unit without replacement compactor due to 3 month rebuild period</li> <li>May be limited on available used models to acquire</li> <li>Cost for rebuilding existing unit for operational redundancy is \$350,000</li> </ul>
3) <b>2018</b> Acquire New Unit	\$1,000,000+	6 years (2018 is the end of service life for existing unit at current use levels)	<ul style="list-style-type: none"> <li>5 year budget does not currently contemplate this level of expenditure</li> <li>New equipment with lower maintenance costs and higher reliability</li> </ul>

## Appendix B

	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	Total
<b>Previous Plan</b>												
One compactor only with no redundancy												
Purchase used in 2018 & 2025			700,000							700,000		\$ 1,400,000
<b>Revised Plan</b>												
Purchase reconditioned in 2016 for additional capacity & recondition existing compactor in 2019 or 2020. Provides estimated 10 years before next compactor purchase	600,000				350,000						700,000	\$ 1,650,000

Notes: all of these plans involve the purchase of reconditioned units vs: new which have current costs of \$1 million

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE  
REGIONAL PARKS AND TRAILS SELECT COMMITTEE MEETING  
HELD ON TUESDAY SEPTEMBER 20, 2016  
12:00 PM  
(RDN COMMITTEE ROOM)

**Attendance:** Director Haime, Chair, District of Lantzville  
Director McPherson, Electoral Area 'A'  
Director Houle, Electoral Area 'B'  
Alternate Director Pinker, Electoral Area 'C'  
Director Rogers, Electoral Area 'E'  
Director Fell, Electoral Area 'F'  
Director Stanhope, Electoral Area 'G'  
Director Westbroek, Town of Qualicum Beach  
Director Lefebvre, City of Parksville  
Director Thorpe, City of Nanaimo  
Director Hong, City of Nanaimo

**Staff:** Tom Osborne, General Manager of Recreation and Parks  
Wendy Idema, Director of Finance  
Wendy Marshall, Manager of Park Services  
Tyler Brown, Intergovernmental Liaison  
Ann-Marie Harvey, Recording Secretary

**Regrets:** Director Pratt, City of Nanaimo  
Director Yoachim, City of Nanaimo  
Director Young, Electoral Area 'C'  
Director Veenhof, Electoral Area 'H'

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**CALL TO ORDER**

Chair Haime called the meeting to order at 12:03pm.

**DELEGATIONS**

**Chief Edwards, Chris Edwards, Mark Stevens, Director of Operations - Snaw-Naw-As First Nations**  
RE: Wallace Point, Nanoose Bay

Chief Edwards gave a history of the Snaw-Naw-As First Nations use of Wallace Point. He requested a letter of support to the Federal Government in support of allowing use of CFMETR lands at Wallace Point as public park space.

**MINUTES**

MOVED Director Houle SECONDED Director Thorpe that the Minutes of the Regular Regional Parks and Trails Select Committee meeting held June 7, 2016 be adopted.

CARRIED

**BUSINESS ARISING FROM THE MINUTES**

None

## **COMMUNICATIONS/CORRESPONDENCE**

None

## **REPORTS**

### **Monthly Update of Community and Regional Parks and Trails Projects –June-August 2016**

Ms. Marshall answered questions from the directors regarding items in the report.

MOVED Director Lefebvre, SECONDED Director Westbroek that the Monthly Update of Community and Regional Parks and Trails Projects June – August be received.

CARRIED

### **Coats Marsh Bats Recovery Strategy Report**

MOVED Director Westbroek, SECONDED Director Lefebvre that the Board direct staff to allocate \$5,000 in the 2017 Regional Parks Budget to complete an environmental assessment of the cabin at Coats Marsh Regional Park to determine if the structure provides critical bat habitat and to determine mitigation measures to implement with the planned decommissioning of the structure if the building is found to provide critical bat habitat.

CARRIED

### **Mt. Benson Regional Park / Witchcraft Lake Regional Trail Parking Report**

MOVED Director McPherson, SECONDED Director Thorpe that the Board direct staff to continue to explore a long-term parking solution for Mount Benson Regional Park and the Witchcraft Lake Regional Trail.

CARRIED

### **Benson Creek Falls Regional Park Parking Report**

MOVED Director Houle, SECONDED Director Thorpe that the Creekside Place parking lot remain open as the primary access and trailhead parking area for Benson Creek Falls Regional Park from the south.

CARRIED

MOVED Director Houle, SECONDED Director Thorpe that the Board direct staff to continue to monitor the Creekside Place parking lot and maintain open communication with the residents of the area regarding issues and mitigation measures.

CARRIED

MOVED Director Houle, SECONDED Director Thorpe that, pending lease renewal with the Province of BC, staff be directed by the Board to examine the feasibility of developing a parking lot within the undeveloped road allowance leading towards Benson Creek Falls Regional Park from Weigles Road, and that staff examine formalizing the loop trail through the crown woodlot W0012.

CARRIED

MOVED Director Houle, SECONDED Director Thorpe that, pending lease renewal with the Province of BC, staff be directed by the Board to engage the services of a geotechnical and structural engineer to assess the feasibility and design options for pedestrian access across Benson Creek and to the base of Ammonite Falls, as per the Management Plan.

CARRIED

MOVED Director Houle, SECONDED Director Thorpe that, pending lease renewal with the Province of BC and evidence of parking demand/capacity requirements at the Jameson Road trailhead, staff be directed by the Board to present long-term options for consideration of developing additional parking at this site, under permit with MOTI, or at the end of Longview Place or Galloway Gulch, under agreement with the Province and the operators of the Vancouver Island University crown woodlot W0020.

CARRIED

#### **Regional Parks Parcel Tax Review Report**

MOVED Director Westbrook, SECONDED Director Fell that the Board maintain the parcel taxation at its current level and the use of Parcel Tax for the Regional Parks Acquisition and Development Fund be deferred to the Regional Services Review and budget discussions.

CARRIED

#### **Salish Sea Marine Trail Proposal BC Marine Trails Network Association Report**

MOVED Director Rogers, SECONDED Director Westbrook that the Board direct staff to continue to show support for the concept of marine trails.

CARRIED

MOVED Director Westbrook, SECONDED Director Houle that the Board direct staff to work with the BC Marine Trails Network Association on developing, for Board approval, a partnership agreement that establishes Descanso Bay Regional Park as a Salish Sea Marine Trail camping site.

CARRIED

MOVED Director Westbrook, SECONDED Director Rogers that consideration of the Nelson Road Boat Launch (Area 'A') and Blueback Community Park (Area 'E') as Salish Sea Marine Trail access points be referred to the Electoral Area 'E' Parks and Open Space Advisory Committee and the EA 'A' Parks, Recreation & Culture Commission for further discussion.

CARRIED

#### **Trans Canada Trail IT Licence Renewal Report**

MOVED Director Thorpe, SECONDED Director Westbrook that the Board accept Island Timberland's offer to renew the Region's non-exclusive licence permitting approximately 16 km of Trans Canada Trail.

CARRIED

#### **BUSINESS ARISING FROM THE COMMUNICATIONS/CORRESPONDENCE/DELEGATIONS**

MOVED Director Lefebvre, SECONDED Director Rogers that the Board direct staff to prepare a report with respect to the history of Wallace Point and work in conjunction with the Snaw-Naw-As First Nation to support the use of Wallace Point as a public park.

CARRIED

**NEW BUSINESS**

**Horne Lake Historic Regional Trail**

Mr. Osborne gave a summary of the history of the Horne Lake Historic Regional Trail area to the Committee. Ms. Marshall explained some of the work that would be involved to develop the trail.

MOVED Director McPherson, SECONDED Director Houle that the following motion - That the Board direct staff to work with Directors and commence planning work for the Historic Horne Lake Regional Trail including meeting with Alberni-Clayoquot Regional District, Horne Lake Strata, Qualicum First Nation, and First Nation communities in the Alberni Valley and that the trail's development costs be included the Regional Parks and Trails Five Year Financial Plan - be referred to staff to report back with cost and resource implications.

CARRIED

**IN CAMERA**

MOVED Director Lefebvre, SECONDED Director Houle that pursuant to Section 90(1) (e) of the Community Charter the Committee proceed to an In Camera Committee meeting to consider items related to land and legal issues.

Time: 1:55pm

CARRIED

**ADJOURNMENT**

MOVED Director Houle that the meeting be adjourned at 2:17pm.

CARRIED

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Chairperson

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**TO:** Wendy Marshall  
Manager of Park Services

**DATE:** August 30, 2016

**MEETING:** RPTSC – September 20, 2016

**FROM:** Elaine McCulloch  
Parks Planner

**FILE:**

**SUBJECT:** Review of the *Recovery Strategy for the Little Brown Myotis, Northern Myotis, and Tri-colored Bat in Canada*

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#### RECOMMENDATION

That the Board direct staff to allocate \$5,000 in the 2017 Regional Parks Budget to complete an environmental assessment of the cabin at Coats Marsh Regional Park to determine if the structure provides critical bat habitat and to determine mitigation measures to implement with the planned decommissioning of the structure if the building is found to provide critical bat habitat.

#### PURPOSE

To review the *Recovery Strategy for the Little Brown Myotis, Northern Myotis, and Tri-colored Bat in Canada*, and to determine how Federal and Provincial Species at Risk legislation impacts bat conservation efforts in regards to RDN park management and development.

#### BACKGROUND

The Regional District of Nanaimo received correspondence from the Canadian Wildlife Service on July 22, 2016 requesting review and feedback of the draft *Recovery Strategy for the Little Brown Myotis, Northern Myotis, and Tri-colored Bat in Canada*. At the July 26, 2016 Regional District of Nanaimo Board meeting the following resolution #16-561 was carried:

*“That the Board direct Parks staff to review the information provided by the Canadian Wildlife Service regarding critical habitat for two endangered bat species and provide feedback to the Species at Risk Recovery Team, copied to the Regional Parks and Trails Select Committee.”*

Staff have reviewed the *Recovery Plan* and spoken with Federal and Provincial biologists to determine how Federal and Provincial Species at Risk legislation impacts bat conservation efforts in regards to RDN park management and development.

Once a species is added to the federal *List of Wildlife Species at Risk*, prohibitions against harm apply to the listed species on federal lands therefore, as the RDN does not currently manage any Federal Crown land as park, no RDN comments were provided regarding the *Recovery Plan*. Within Provincial jurisdiction, the BC *Wildlife Act* protects all bat species in BC from being killed, wounded, captured, hunted, trapped, or transported however, since no bat species have been designated as provincially Endangered or Threatened, there are no additional habitat protections for bats in BC.



Although the protection of bat habitat on RDN Park land is not regulated at either a federal or provincial level, the *Recovery Strategy* provides other organizations such as the RDN, with information to help take action on species conservation. In addition, the BC Ministry of Environment has recently published *Best Management Practices Guides for Bats in British Columbia, February 2016* ) and the Community Bat Programs of BC has also published a *BC Guide for Managing Bats in Buildings (February 2016)*.

As a landowner, the RDN can play an important role in bat conservation by striving to minimize the destruction of bat habitat as a result of park management decisions and/or development. After a review of upcoming regional park projects, it is recommended that an environmental assessment by a qualified bat biologist be completed of the cabin at Coats Marsh Regional Park prior to its scheduled demolition in 2018. This assessment is required first to identify if bats are present and, if they are, to identify which species they are and to determine mitigation measures.

#### **ALTERNATIVES**

1. That the Board direct staff to allocate \$5,000 in the 2017 Regional Parks Budget to complete an environmental assessment of the cabin at Coats Marsh Regional Park to determine if the structure provides critical bat habitat and to determine mitigation measures to implement with the planned decommissioning of the structure if the building is found to provide critical bat habitat.
2. That the staff report be received as information and alternative direction be provided.

#### **FINANCIAL IMPLICATIONS**

\$5,000 will need to be added to the 2017 Regional Parks budget to complete an environmental assessment of the cabin at Coats Marsh Regional Park.

#### **STRATEGIC PLAN IMPLICATIONS**

The Board Strategic Plan 2016-2020 identifies a strong focus on protecting and enhancing the environment in all decisions. Completing an environmental assessment to determine the presence of bats in the cabin at Coat Marsh Regional Park prior to its decommissioning follows this priority.

#### **SUMMARY/CONCLUSIONS**

The Regional Board at their July 26<sup>th</sup> Board Meeting directed staff to review and provide feedback on the draft *Recovery Strategy for the Little Brown Myotis, Northern Myotis, and Tri-colored Bat in Canada*.

In their review of the Recovery Plan, staff determined that no official RDN response regarding the Plan was required as the *Species at Risk Act*, and therefore the *Recovery Plan*, only pertains to federally managed Crown lands and does not apply to private lands and / or RDN-owned parks. There are no additional Provincial habitat protections for bats on Vancouver Island as there are no bat species listed under the British Columbia endangered species legislation, however, bats in general are afforded some protections under the *BC Wildlife Act*

In an effort to play a role in bat conservation, the potential destruction of bat habitat within RDN parks can be minimized through thoughtful, well-informed park management and development by ensuring that an environmental assessment is completed where bat habitat is suspected. As a first step, it is recommended that \$5,000 be allocated in the 2017 Regional Parks budget to complete an environmental

assessment of the cabin at Coats Marsh Regional Park to identify if bats are present and if so, what mitigation measures are recommended prior to the planned decommissioning of the structure in 2018.



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Report Writer



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Per / Manager Concurrence



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General Manager Concurrence



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C.A.O. Concurrence

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**TO:** Wendy Marshall  
Manager of Park Services

**DATE:** August 29, 2016

**FROM:** Kelsey Cramer  
Parks Planner

**MEETING:** RPTSC – September 20 / 2016

**FILE:**

**SUBJECT:** Mount Benson Regional Park & Witchcraft Lake Regional Trail Parking

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### **RECOMMENDATIONS**

That the Board direct staff to continue to explore a long-term parking solution for Mount Benson Regional Park and the Witchcraft Lake Regional Trail.

### **PURPOSE**

To examine the current parking situation on Benson View Road and consider options for providing more parking space near the trailhead to Mount Benson Regional Park and Witchcraft Lake Regional Trail.

### **BACKGROUND**

Mount Benson Regional Park is situated on the upper north-eastern face of Mount Benson, preserving the picturesque backdrop to Nanaimo. It was acquired by the RDN in 2006, with the Nanaimo & Area Land Trust fundraising half of the purchase cost. The approximately 5-hour round-trip hike to the top is becoming increasingly popular by individual and group users. Trail counter data from July 17 to August 5, 2016 indicated an average of 54 users per day. Parks staff have also had inquiries about permitting organized running events up the Mountain, and are working towards an event in 2017.

The park is accessed by Witchcraft Lake Regional Trail, the only formal public access to the park, which passes through the VIU Crown Woodlot 0020 and City of Nanaimo parkland at Witchcraft Lake. This trailhead is located on Benson View Road and provides roadside parking for approximately 24 vehicles and a kiosk map. The parking lot was installed, under permit with the Ministry of Transportation and Infrastructure in 2010 and cost approximately \$34,000.

As is evidenced by the trail counter data over a two-week window in mid-summer, there is currently an insufficient number of parking stalls for the number of users to the site. This is further supported by correspondence received by Benson View Road residents in June of 2015, including photographs of a congested road and stating upwards of 66 vehicles parked along the road shoulders (*Appendix A*). The correspondence suggests an expansion of the parking lot towards Witchcraft Lake as a possible solution, creating a complete parking lot off the road similar to that on Creekside Place, which services Benson Creek Falls Regional Park.

In the late-spring of 2016, staff proposed a short-term improvement with the addition of 12 more roadside parking stalls west of the trailhead and a letter was sent to the residents expressing the intent. The idea was quickly given a negative response. Letters from the residents were sent to the RDN, copying representatives from NALT and VIU, voicing numerous concerns that have arisen since the

formalization of Witchcraft Lake Regional Trail and Mount Benson Regional Park (*Appendix B*). The letters clearly reject the proposal for more roadside parking as it will not address the long-term sustainability of this site as a trailhead to this popular hiking route. In addition to the road congestion created by vehicles parking along the narrow road shoulders, other concerns noted include: litter left by park users, noise from loud conversations, barking dogs and partiers, illegal use of off-road motorcycles on the trail and bridge, speeding on the road, blockage of the cul-de-sac and emergency/fire access by vehicles parked in the no-parking zones, a lack of enforcement for these infractions, a decrease in property values over the last 10-years since the park was acquired, and a loss of enjoyment of the rural setting.

Given the current situation and the expected growing interest from the public in hiking Mount Benson, a long-term parking solution is needed. Suggestions from the residents' letters include expanding parking towards Witchcraft Lake or the purchase of land from adjacent land owners.

An overview of various parking options is presented below for information; however all have limitations (see corresponding map in Appendix C):

*A. Expand the Existing Parking Area towards the Lake:*

Witchcraft Lake ranges between approximately 40m away at the west end and 27m away at the east end of the existing parking area. Best management practices would keep any works beyond 30m of the lake's high water mark. Any parking lot development towards the lake would impact lands within 30m of the lake, involve the removal of many trees and likely require fill retention to create a level parking surface on the downward slope to the lake. An engineer and a biologist would be required to design the parking lot, including ingress/egress, and to assist with any regulatory permit applications and mitigation measures related to works near lake. Permission would be required by the City of Nanaimo and by the Ministry of Transportation and Infrastructure. A preliminary sketch of the site (*Appendix D*) shows that about 44 vehicles could be accommodated in an off-road lot at this site.

Similarly, the area on the west side of the trailhead could be considered for parking lot development as it provides more space beyond 30m of the lake. However, the slope down to the lake is steeper which, if feasible, would result in a higher retaining wall or greater footprint to support the parking lot. Many trees would require removal. This site may be sufficient to accommodate approximately 26 vehicles (*Appendix D*). Given the numbers, both of these parking lots together would be necessary to service the current numbers of vehicles at the site. This would be a costly project, both financially and environmentally and will likely not serve future demand.

*B. Additional Roadside Parking on Benson View Road – South side:*

In the spring of 2016, Staff prepared a concept plan that shows 12 new parking stalls in the road shoulder west of the existing parking lot. This project would involve the installation of a culvert and fill to create a parking area similar to that on the east side of the trailhead. Very few, if any trees would need removal. Permission from MoTI and the City of Nanaimo would be required. This option was not viewed favourably by the residents of the area.

*C. Road Shoulder Parking on Benson View Road – North side:*

The narrow shoulder on the north side of the road is intercepted by driveways, hydro poles, ditches and rocky outcrops. Any parallel parking formalized on this side would be somewhat piece-meal and would do little to alleviate congestion on the road. It would also result in hikers having to walk a long way down Benson View Road to the trailhead.

*D. Road Shoulder Parking on Benson View Road – South side:*

Similarly to the above option, formalizing additional shoulder parking east of the existing parking lot is limited by proximity of the lake, ditches and private residence driveways. A long walk down Benson View Road to the trailhead would also result.

*E. Parking on Crown Land east of the last residence on the south side of Benson View Road:*

The Harrow Road ROW runs along the south shore of Witchcraft Lake and contains partially developed trail. The trail peters out before connecting with Benson View Road an approximate 750m from the Witchcraft Lake bridge. The option to develop parking off Benson View Road at this junction or on the adjacent crown land would be ideal as there is a direct trail opportunity via the undeveloped Harrow Rd. In addition, vehicles would not need to travel farther up Benson View Road where all of the residential properties exist. Unfortunately, steep, ravine-like topography on the crown land in this location limits parking development here.

*F. Northwood Drive undeveloped right-of-way:*

Approximately 1,750m west of the Witchcraft Lake bridge is the dead ended Northwood Road, accessed off Jameson Rd. Staff explored the feasibility of this site as an access point for both Mount Benson Regional Park and Benson Creek Falls Regional Park, as the undeveloped Harrow Road right-of-way presents a possible link between the two parks. A steep, narrow and rough logging road, with very rough terrain on both sides, leads into the crown land. This terrain limits this site as a likely solution to improving the parking in the Mount Benson area.

*G. Property purchase from adjacent land-owners:*

This option requires further investigation, but could present a viable long-term solution to establishing a parking and staging area for the Witchcraft Lake trailhead to Mount Benson Regional Park.

**ALTERNATIVES**

1. That staff continue to explore options for improving parking over the long-term since no short-term parking solutions are viable at this time.
2. That staff engage an engineer and biologist to assess and design a parking lot expansion and/or new parking lot between Witchcraft Lake and Benson View Road (Option A above).
3. That the Board provide alternative direction to staff.

**FINANCIAL IMPLICATIONS**

Given the terrain, developing a parking area for Mount Benson Regional Park/Witchcraft Lake Regional Trail within the lands near the trailhead would be a costly endeavor, requiring engineering and biological services, permission from the City of Nanaimo and relevant regulatory permits. A preliminary cost estimate for such a project could be provided once an engineer has been engaged.

The 2016 Regional Parks and Trails Budget has \$20,000 included for the construction of the expanded roadside parking. No other funds have been identified for Mount Benson Parking in the five-year financial plan.

**STRATEGIC PLAN IMPLICATIONS**

The Strategic Plan 2016-2020 identifies a focus on relationships, and through this process, the RDN will aim to foster and strengthen the two-way communication with the local community. The Plan also addresses recreational amenities as a core service. The need to secure and provide long-term access to regional parks and trails is an important goal for the region. Our decisions must also have a strong focus on protecting and enhancing our environment.

**SUMMARY/CONCLUSIONS**

Staff have been aware of the parking challenges at the Mount Benson Regional Park and Witchcraft Lake Regional Trail access site since June of 2015, when correspondence was received by the residents of Benson View Road. No simple long-term solution is available and a short-term proposal for 12 additional roadside parking stalls was proposed. This concept was quickly rejected by the residents as it would not address the parking issues or any of their other concerns with this trailhead location. Staff have presented an overview of various parking options, all with limitations. Staff are recommending the Board continue to explore long-term parking and staging area solutions for this site.



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Report Writer



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Manager Concurrence



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GM Concurrence



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A/CAO Concurrence

## Appendix 'A'

**From:** [Marshall, Wendy](#)  
**To:** [Harvey, Ann-Marie](#)  
**Cc:** [Osborne, Tom](#); [Cramer, Kelsey](#); [van Ossenbruggen, Chris](#)  
**Subject:** FW: Mt. Benson Regional Park - Parking Issues  
**Date:** Wednesday, April 08, 2015 11:14:53 AM

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Hi Ann-Marie,

Can you please include this correspondence in the next agenda of the RPTSC. I will forward the pictures as well.

Wendy

*Wendy Marshall*  
*Manager of Parks Services*

Regional District of Nanaimo Recreation and Parks Dept.  
Oceanside Place  
830 West Island Highway  
Parksville, BC  
V9P 2X4  
Ph: 250-248-3252 or 1-888-828-2069  
Fax: 250-248-3159  
[www.rdn.bc.ca](http://www.rdn.bc.ca)

**From:** Marshall, Wendy  
**Sent:** Wednesday, April 08, 2015 11:13 AM  
**To:** 'rjodonnell@shaw.ca'  
**Cc:** 'patdc@shaw.ca'; 'trholmes@shaw.ca'; Paridaen, Margaret  
**Subject:** RE: Mt. Benson Regional Park - Parking Issues

Hi Randy,

Thank you for forwarding the information on the parking issues at Mount Benson Regional Park. I will send your email for inclusion in the next agenda of the Regional Parks and Trail Select Committee on June 16. We are in the process of doing a five year Management Plan Review for the park so this information is timely. We will include some comments regarding the increased use of the park and the parking issues. We are aiming to present the Management Plan report at the June 16<sup>th</sup> meeting.

There are no plans to expand the parking lot at the end of Benson View Drive at this time. We have only recently started hearing about the increased parking issues at this site. As you mention in your email, this site is complicated and requires the involvement of several parties. The parking lot at Creekside Community Park for Benson Creek Falls was first installed years ago as part of the park dedication during the development of the subdivision. Last year we resurfaced and expanded the existing site to provide space for the Regional Park parking.

Once the parking issue has been presented to the Select Committee, we can add this to our list of projects for consideration for 2016. The work plan and budget has already been set for 2015. In the

meantime, any other information you can provide on the parking, such as the number of vehicles during the summer weekends, the long weekends and weekdays, would be most helpful.

I will let you know the outcome of the Select Committee meeting.

Regards,

Wendy

*Wendy Marshall*  
*Manager of Parks Services*

Regional District of Nanaimo Recreation and Parks Dept.  
Oceanside Place  
830 West Island Highway  
Parksville, BC  
V9P 2X4  
Ph: 250-248-3252 or 1-888-828-2069  
Fax: 250-248-3159  
[www.rdn.bc.ca](http://www.rdn.bc.ca)

**From:** Randy J. O'Donnell [<mailto:rjodonnell@shaw.ca>]  
**Sent:** Tuesday, April 07, 2015 3:34 PM  
**To:** Paridaen, Margaret  
**Cc:** [wmarshall@ren.bc.ca](mailto:wmarshall@ren.bc.ca); [patdc@shaw.ca](mailto:patdc@shaw.ca); [trholmes@shaw.ca](mailto:trholmes@shaw.ca)  
**Subject:** Mt. Benson Regional Park - Parking Issues

Good afternoon, Ms. Paridaen;

I am a resident of 'Area C' living at 2920 Benson View Road. Our property is across the road from the parking area for **Mt. Benson Regional Park**. As you may be aware, the popularity of the park has increased exponentially since the parking area and trail improvements were made. The route has become known as Nanaimo's 'Grouse Grind' and on any given weekend the parking area is fully occupied early in the morning. Overflow traffic lines one and sometimes both sides of Benson View Road and due to the narrow to non-existent shoulder, impedes the driving lanes of the road. While the parking area accommodates roughly 20 vehicles, we have had as many as **66 vehicles** on a weekend day. The 'overflow' often occupies not only the **designated 'no parking' areas**, but those areas **designated as 'emergency parking'** for the East Wellington Fire Department.

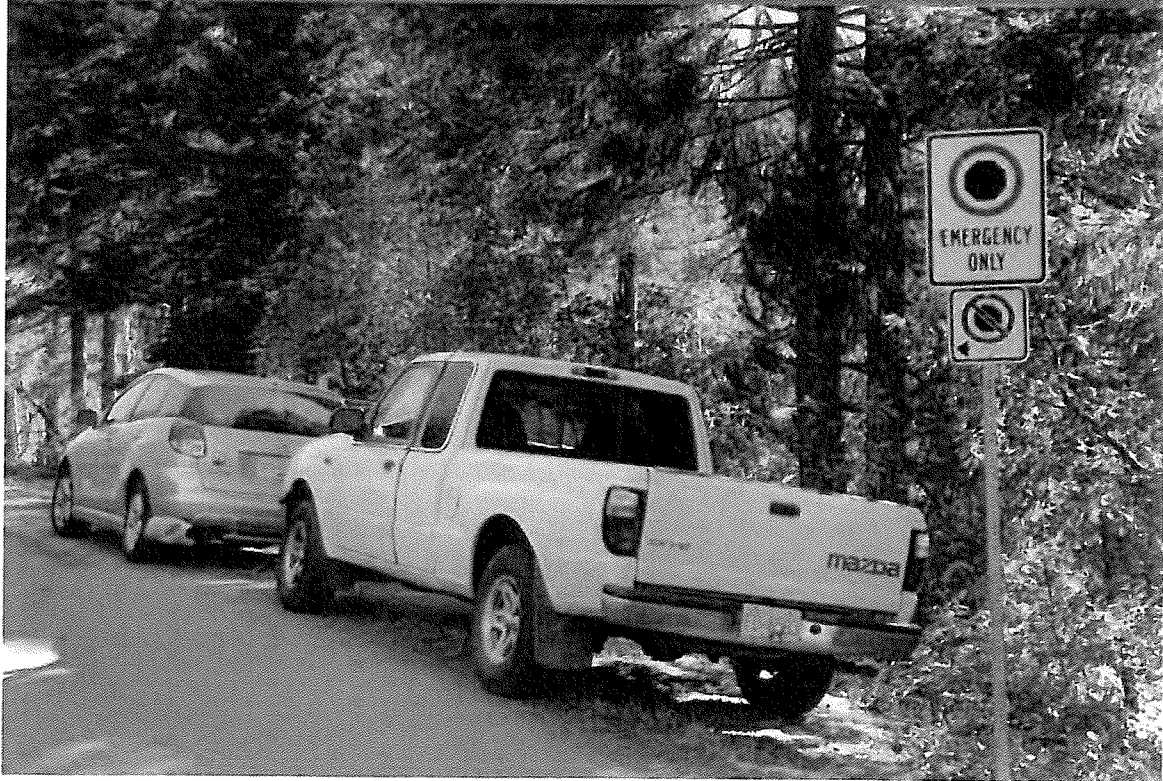
I have had discussions with each of the neighbours affected by those parking along Benson View Road and all agree that it is time the parking lot be expanded to accommodate the needs of local hikers. The four property owners affected all feel that their quality of life has been drastically altered with the restricted parking and that it is unfair that we carry the burden of increased traffic and noise for the benefit of those choosing to access the park. I understand that a solution will require some study since access to Mt. Benson Regional Park requires access through City of Nanaimo, VIU and Regional District property – as well as the co-operation of MOT. I broached the subject at a recent 'Area C' Parks and Open Spaces Committee meeting, and the RDN parks planner promised to take it to the appropriate authorities on our behalf.



After checking the topography and giving consideration to the 'best' solution for the residents, our preference is to see the parking lot expanded towards Witchcraft lake rather than further along the roadway. The parking lot for Benson Creek Regional Park (see attached photo) is an example of what we feel should be considered. I am attaching a few photographs to illustrate the current problem – they were taken on a 'typical' weekend and not a long weekend or summer weekend when both sides of the road can be filled with vehicles. The fourth photo shows the Benson Creek parking area which is much better designed but has little occupancy.

We trust your staff will give consideration to solving this problem and will consult with the residents before remedial action is undertaken. Thanks for your attention and we will look forward to working with you.

Randy O'Donnell  
2920 Benson View Road.  
(250) 591-8363





## Appendix 'B'

To: Lesya Fesiak – Park Planner, Regional District of Nanaimo

Cc: Bill Veenhoff, Board Chair RDN; Colin Haime Deputy Board Chair RDN; RDN Board members: Alex McPherson; Howard Houle; Maureen Young; Bob Rodges; Julian Fell; Joe Stanhope; Bill McKay; Bill Bestwick; Jerry Hong; Jim Kipp; Wendy Pratt; Ian Thorpe; Bill Yoachim; Mark Lefebvre; Teunis Westbroek.

RDN Parks and Recreation: T. Osborne, Manager of Recreation and Parks, J. Ainge, Parks Supervisor and J. Michel, Parks and Trails Coordinator.

NALT: Gail Adrienne, ED; Cyndi Pitvor; Paul Chapman; Jenny Webb; Holly Blackburn; Jennifer Davidson; Dean Gaudry (Chair); Allan Hawryzki; Linda Nichol; Charlee Touchette; Wally Wells; Fraser Wilson; Jim Young; Barbara Hourston; John Manning; Andre Sullivan; Mike Delves

Malaspina University/College: Louise Mandell, Chancellor; Dr. Ralph Nilson, President/Vice Chancellor; Dan Hurley, Ex. Dir. University Relations

June 15, 2016

Dear Ms. Fesiak

The proposed addition to parking on Benson View Road accessing Mt. Benson Regional Park is but an expansion of the existing problem. Rather than a solution, it exacerbates and compounds the situation, further impacting additional residential properties. This plan has been presented to residents as a *'fait accompli'*, with no consultation or input, but a planned completion *"before the winter of 2016"*.

We are not opposed to the regional park, recognizing the benefit it provides to the population of both the city of Nanaimo and the regional district. Nonetheless, the *Regional District of Nanaimo* in partnership with the *Nanaimo Area Lands Trust* and *Malaspina University*, has created this serious ongoing problem, and together, you must find a solution that mitigates the *apparently unanticipated* problem inflicted upon the residents.

The affected are not recent purchasers. Owners did not purchase property in anticipation that a heavily trafficked regional park would become a part of 'rural life'. We are not 'NIMBYS'. Homeowners directly affected are primarily seniors who have owned their properties for at least a decade and in some cases, twenty years or more. All residents have invested heavily in their properties - financially, physically and emotionally.

Components of the problems we experience due to the new park include but are not limited to:

1. **Traffic and parking** issues. Weekends, holidays and summer days produce an ongoing stream of traffic with scores of drivers using the cul-de-sac as a turnaround. As many as 77 cars have been parked, with the overflows occupying both shoulders of Benson View Road. Since 8 cars often park in the same shoulder area, adding 12 spaces is obviously not a viable long-term solution.
2. **Garbage**. Residents are on constant garbage detail. Attempting to maintain our quality of life and property values, we pick up fast food containers, liquor containers and even condoms. When garbage is discarded by others, day hikers feel no personal obligation to dispose of it themselves.
3. **Noise**. Arriving hikers tend not to realize they are in a residential area. We contend with large groups in loud conversations, multiples of barking dogs (including professional dog walkers) and parties.
4. **Off road motorcycles**. Despite *numerous complaints* to all levels of local authority, nothing has been done to prevent or discourage 2 stroke motorcycles from accessing the trails. Motorcyclists use the bridge over Witchcraft Lake as well as the logging road extending from Northwood Rd. These vehicles create tremendous noise, destroy the hiking trails and on more than one occasion, riders have *physically threatened* residents.

(Over)

5. Fire access. A major concern for residents is fire access. Witchcraft Lake is the water source for our volunteer fire department and the designated 'fire access only' signs are ignored on busy days. The additional 12 spaces in your plan will not mitigate this serious safety issue, as the population and park popularity continues to increase.
6. Financial impact and loss of enjoyment. Properties along Benson View Rd. represent *significant financial investment* by the owners. We have seen our property values diminish due to the problems associated with the park. Furthermore, we residents invested in our properties expressly for the rural quality of life that existed prior to the creation of Mt. Benson Regional Park.

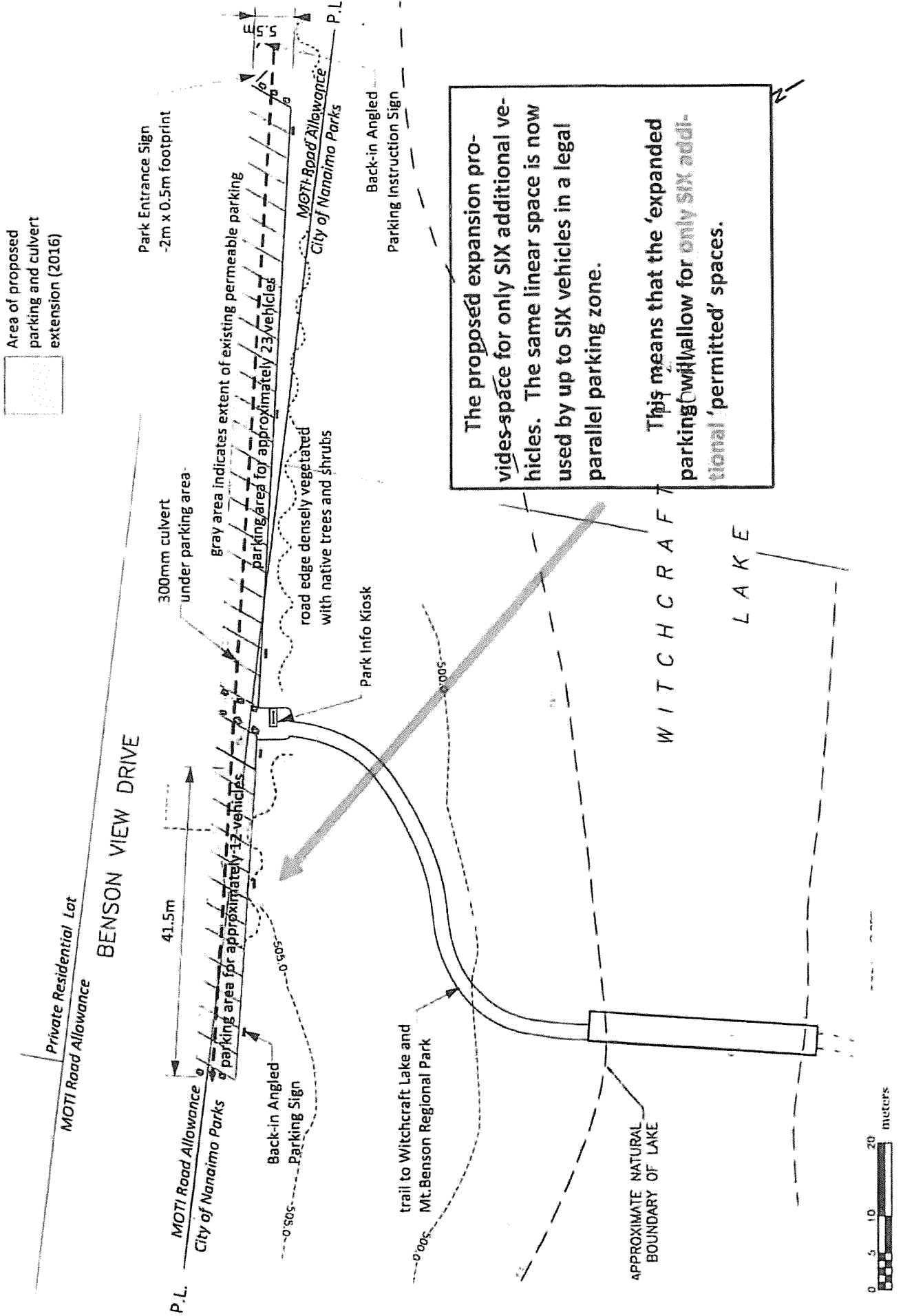
The present 'parking lot' is wholly inadequate and sound initial planning would have anticipated future need – population is expected to expand 45% over 2001 by 2025. Current parking is simply an widening of the shoulder, enabling cars and trucks to 'nose in' rather than parallel park on the roadway. Pick up trucks for example, often extend over the pavement and with 'shoulder parkers', make Benson View Rd. a congested, single lane street. The proposed expansion is simply a low cost bandaid imposing a bad situation on more residents. We cannot and will not, accept an *expansion* of an unworkable situation.

We are calling on all regulatory authorities - Ministry of Transportation, Regional District of Nanaimo, City of Nanaimo and the Nanaimo Area Lands Trust and Malaspina University/College – to work together in conjunction with local residents to find a workable and acceptable solution to this serious problem. It may involve expansion of parking into the lake foreshore area, the purchase of land from adjacent land owners or some other possibility, but given the present volume and the likelihood of additional future numbers of park users, a more workable and reasonable accommodation must be found.

Respectfully

Owner: Lorayne Borne Address: 2910 Benson View Rd  
 Owner: Shelly Holden Address: 2880 Benson View Rd  
 Owner: Tania & Dylan Rocker Address: ~~1978~~ 2761 Benson View Road  
 Owner: Al & Diane Pennington Address: 2790 & 2800 Benson View Rd.  
 Owner: Sharon Rocker Address: 2832 Benson View Rd.  
 Owner: Nancy & Michael C. Hill Address: 2920 Benson View Rd.  
 Owner: [Signature] Address: 2765 Benson View Rd.  
 Owner: [Signature] Address: 2920 Benson View Rd  
 Owner: [Signature] Address: 2976 Benson View Rd.

**WITCHCRAFT LAKE PARKING EXPANSION - BENSON VIEW DRIVE, NANAIMO**  
 Mt. Benson Regional Park Trailhead, Regional District of Nanaimo, May 2016



Tom and Shelley Holmes  
2880 Benson View Road,  
Nanaimo, B.C.  
V9R 6W7

June 15, 2016

Regional District Of Nanaimo

*Ph. 250-714-6667*

Attention: Lesya Fesiak

The expanded parking notice arrived in my mailbox this week. Where did you seek input for this plan? Did you ask any of the residents along this street what they would like to see? This parking area is a skinny little piece off the side of the road, and we, the residents are not in favour of this plan for many reasons.

Last year you were given a propossal which we, the residents felt would solve a great many of our concerns going forward. The proposed plan would be to have a regular parking lot constructed BELOW the street, as there is room in the forested area between the lake and the road for a regular parking lot. I see the end of Jameson Road had a good sized parking lot built across and away from the residents' homes. Our park gets significantly more use than Jameson Road does, yet we have no proper parking lot like theirs, and that is what is needed here.

The cheapest plan is not always a plan that is any good. You might as well do it prudently so the parking situation is dealt with properly, by constructing a parking lot that achieves the intended goal. A parking lot that actually can hold a larger number of cars is long overdue, as 12 additional parking spots as you have planned for, is so inadequate, it is not worth even stating to build it. There are upwards of 60 or more cars here all along our residential street on summer and weekend days. Why not a proper parking lot that can hold 40 or more cars, as that number is topped on many days?

Our home is located at 2880 Benson View Road and directly across from our property is the emergency vehicle No Parking zone to enable fire trucks to get their hoses into Witchcraft Lake, should a fire arise. I have the list of 12 vehicles, their make, license numbers, etc., from last Sunday, as every weekend day that no parking zone is packed full of cars. I called the RCMP, and the ministry of transportation last week about the concern we have. So the 12 cars parking now in the fire zone will just fit and fill up your tiny expansion.

In addition to the current parking area, and the emergency zone that is used as a parking area, our street has cars all up and down it. Car doors slamming, litter from lunches and snacks left for residents to pick up, kids and pets making a racket, people blowing their horns to get their hiking party back. All these crowding and congestion problems have made for a less than enjoyable place for us to live. Our quality of life is diminished, and our property values have fallen due to this ongoing congestion and inadequate parking that has been banded over, but not properly dealt with to date.

*(OVER)*

We, as residents have our life saving in our homes, and the enjoyment of our properties has been diminished more and more with the increase of parking and noise. We pay taxes, and deserve to not have this park and its problems shoved down our throats like we are not to be considered important enough to have a say in what type and where the parking area is to be constructed.

The proposed parking area plan which was given to you last year, is screened from the road, is far larger than the 12 car proposal of yours. Signage should also be placed prominently to state that this park is for dawn to dusk use only, and that to note that they are in a residential area and to keep their noise down. I see cars speeding past my home at 80 plus kph and I only live some 60 feet from the parking lot.

This is not the peaceful country existence my husband I and I chose 12 years ago when we purchased our home. On that note, the 5 properties most affected by the park entrance and parking congestion have lived on this street for an average of close to 20 years! We deserve to be respected and heard, as we were here first, and new inadequate infrastructure outlined in the letter I received this week is not the answer here.

Due to our summer plans, my husband and I will not be present should any public meetings regarding this important issue occur in July or August. We are stating our feelings via this letter, and will be actively supporting in the fall an alternative plan that will be more likely to have a positive result for everyone's enjoyment, safety, and peace.

I urge you to consider all the aspects of park use, and who is affected, and how the public's access to these parks can be allowed, yet the residents' interests are also taken into consideration.

Thanking you in advance for your consideration of our concerns for our residential area.

Shelley Holmes

A handwritten signature in black ink, appearing to read 'Shelley Holmes', with a long horizontal flourish extending to the right.



To: Lesya Fesiak – Park Planner, Regional District of Nanaimo

Dear Ms. Fesiak;

Others have addressed the numerous problems the installation of Mt. Benson Regional Park has created for the adjoining residents, so I will focus on the nature of the neighbourhood itself.

We are 'original owners, purchasing our home from the builder 22 years ago. For the majority of years, our family enjoyed the peace and tranquility on which we made our purchase. While the properties are 5 acres, due to the terrain, slope and native forest cover, all of the impacted homes 'front' onto Benson View Rd. with our 'living space' between house and road.

Because our home is the last on Benson View Rd., we experience literally scores of cars turning in our cul-de-sac with many using our gravel driveway. At peak periods the cars create 'convoys', each following the other into the turnabout. Some hikers prefer to access the trail by crossing private property adjacent to us, parking in the clearly marked 'no parking' areas of the cul-de-sac. Some hikers, when asked to respect the 'no parking' signs have been verbally abusive, suggesting that because the parking lot is full or because this is a rural area there should be no issue with their parking.

The extension of the parking will only encourage more people to access the trail by trespassing and will do absolutely nothing to solve the greater problem

Prior to the implementation of the park and 'parking lot' we had our home evaluated at \$998,900. Ten years later, we have had the house re-evaluated and despite numerous and costly upgrades, three realtors have said a value of \$850,000 would be realistic, despite what has been a 'hot' housing market.

By contrast, a home in the Benson Meadows area (incidentally, across from the proper parking lot for Ammonite Falls) with a *lower B.C. Assessment value*, similar size and *no view*, recently sold for \$1,099,000. It is apparent that the park has had a severe negative impact on property values in our area.

At the same time, we have been paying taxes based on *assessed values*, which are largely based on 'recent sales of similar properties in the area'. Yet we have had no sales in our neighbourhood in several years. Our 'assessed value' has been determined by sales activity of homes in Benson Meadows which are unaffected by the problems we face. In effect, we have seen our homes devalued while being assessed at values unrelated to our neighbourhood or circumstance.

There has even been discussion amongst residents regarding a class action suit against the Regional District of Nanaimo, the City of Nanaimo and Nanaimo Area Lands Trust, based on loss of value and enjoyment of property due to inadequate planning, lack of consultation and blatant disregard for the legitimate complaints and concerns of residents.

We trust that before this 'expansion plan' is enacted, there will be consultation with residents and that a resolution will be implemented based on resolving the problem, rather than simply minimizing costs.

Respectfully



Randy and Mary-Lou O'Donnell 2929 Benson View Rd.

June 18, 2016

Regional District of Nanaimo

Attention: Lesya Fesiak

I am assuming I missed the planning meeting you held with the neighbors of Mount Benson Regional Park to discuss the further expansion of the parking area. If consulted, I would have voiced my concerns and helped with a plan to benefit rather than alienate its closest neighbors and only neighborhood watch for the area.

So, since we were not included in the planning, I feel it is necessary to voice our concerns. The initial park expansion and parking lot has forced our hand to move and caused us to rent out our home of 24 yrs. Since the initial expansion, our property value has decreased drastically and the noise level has increased to a 24/7 intolerable amount. Now with the further increase of parking stalls, we will be at an even greater disadvantage.

How you ask? By inviting people to our neighborhood without providing garbage receptacles to house their waste and inviting them to hike for an hour, a day or overnight without providing outhouses for them to use. Where do you think they are going to use the washroom? My incredible neighbors take turns at picking up the litter consisting of condoms, syringes to papercups and beer cans. If we were still there---- we would be on garbage duty too. As well, we have called the police many times to attend to unruly groups of people outside our home since it is a park with an open invitation and not regulated with security. Several times we have not been able to leave our home and acreage due to vehicles parked too close to our driveway.

Thank you for hearing our concerns and we look forward to creating a safe and sustainable plan for the future of the park and its adjoining neighbors.

Sincerely,



Larry and Bonnie Lemmon 2910 Benson View Rd

Nanaimo BC V9R 6W7

email *bonnie\_lemmon@hotmail.com*

To: Lesya Fesiak, Park Planner, Regional District of Nanaimo

Re: Parking Expansion on Benson View Road

Date: June 16, 2016

Dear Ms. Fesiak:

I certainly have concerns regarding the proposed parking expansion on Benson View Road. In my opinion adding an extra 12 parking spaces would be an absolute waste of time, energy and tax payer money and will not alleviate any of the problems which have been imposed upon area residents.

These problems include not only the obvious parking and road safety issues (including large numbers of off leash dogs in the area) but also:

- Noise pollution (which is often magnified by the mountain – people talking on the other side of the lake sound as if they are in the driveway): traffic noise, loud conversations, car stereo systems, car alarms, car horns, car locking/unlocking 'beeps', dogs barking, motor cycles on trails.
- Overnight camping/parking/partying.
- Driveways being used as turnarounds with accompanying loss of gravel/surface and resulting pot holes.
- Loss of peaceful rural life style.
- Diminished property values.
- Garbage.

Any proposed solutions to the above problems must be accompanied by enforceable regulations. I understand illegal parking at the end of Jamieson Road was addressed by towing the offenders – this seems entirely appropriate. There also needs to be consequences for littering, overnight parking/camping and riding motor bikes on trails. Putting up signs saying these activities are not allowed is a waste of time and money unless there are consequences.

Patricia Cuttriss

2900 Benson View Road

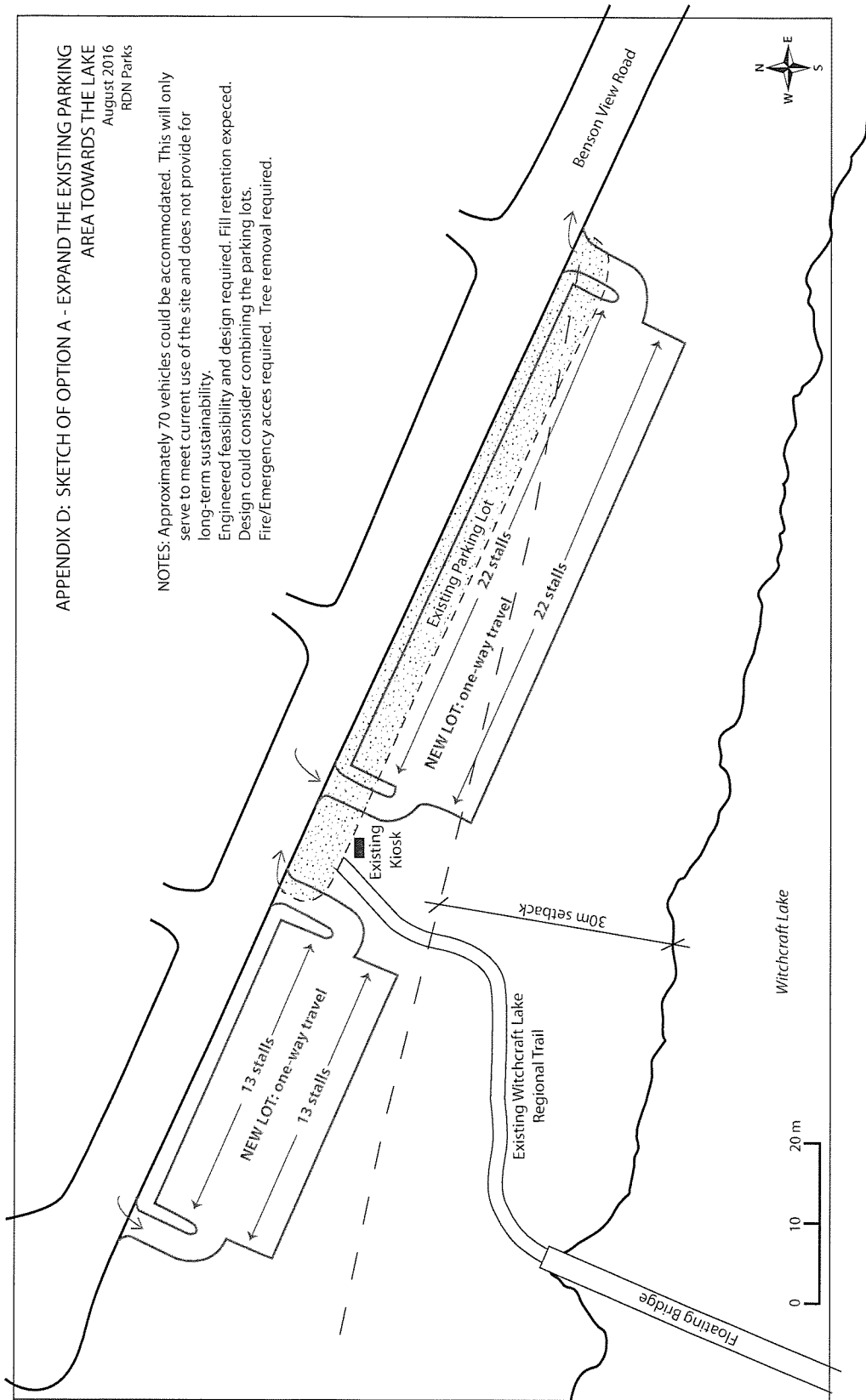
Nanaimo BC V9R 6W7

APPENDIX C - Mount Benson Regional Park and Witchcraft Lake Regional Trail Parking - August 2016



**APPENDIX D: SKETCH OF OPTION A - EXPAND THE EXISTING PARKING AREA TOWARDS THE LAKE**  
 August 2016  
 RDN Parks

NOTES: Approximately 70 vehicles could be accommodated. This will only serve to meet current use of the site and does not provide for long-term sustainability.  
 Engineered feasibility and design required. Fill retention expected.  
 Design could consider combining the parking lots.  
 Fire/Emergency access required. Tree removal required.



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**TO:** Wendy Marshall  
Manager of Park Services

**DATE:** August 31, 2016

**FROM:** Kelsey Cramer  
Parks Planner

**MEETING:** RPTSC – September 20, 2016

**FILE:**

**SUBJECT:** Benson Creek Falls Regional Park Parking

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### **RECOMMENDATIONS**

1. That the Creekside Place parking lot remain open as the primary access and trailhead parking area for Benson Creek Falls Regional Park from the south.
2. That the Board direct staff to continue to monitor the Creekside Place parking lot and maintain open communication with the residents of the area regarding issues and mitigation measures.
3. That, pending lease renewal with the Province of BC, staff be directed by the Board to examine the feasibility of developing a parking lot within the undeveloped road allowance leading towards Benson Creek Falls Regional Park from Weigles Road, and that staff examine formalizing the loop trail through the crown woodlot W0012.
4. That, pending lease renewal with the Province of BC, staff be directed by the Board to engage the services of a geotechnical and structural engineer to assess the feasibility and design options for pedestrian access across Benson Creek and to the base of Ammonite Falls, as per the Management Plan.
5. That, pending lease renewal with the Province of BC and evidence of parking demand/capacity requirements at the Jameson Road trailhead, staff be directed by the Board to present long-term options for consideration of developing additional parking at this site, under permit with MOTI, or at the end of Longview Place or Galloway Gulch, under agreement with the Province and the operators of the VIU crown woodlot W0020.

### **PURPOSE**

To re-examine options for parking access for Benson Creek Falls Regional Park. To specifically review the parking situation at Creekside Place off Jameson Road, the southern trailhead access point to Benson Creek Falls Regional Park via the Ammonite Falls Regional Trail, based on neighbourhood input that this parking lot is problematic to the community and should be closed.

### **BACKGROUND**

Benson Creek Falls Regional Park is the Region's second oldest Regional Park, managed under Provincial crown lease issued in 1991, for a 30-year term. The Park's first Management Plan Brief was prepared in

1999. In 2014, an updated 10-year Management Plan was produced, within which, access was a primary focus (see Appendix A for the relevant sections from the Management Plan). Access includes both to the park (parking and trail connections) and within the park, to the regionally touted “Ammonite Falls.” Two creeks, Flynnfall Creek and Benson Creek, traverse the park, and two falls are located along these watercourses – one on Benson Creek, known regionally as “Ammonite Falls” and Flynnfall Falls, located farther downstream at the confluence of the two creeks.

Much of the advertisement for the park and the falls has come outside the RDN’s communications, stemming from online blogs, social media and tourism websites. Benson Creek Falls Regional Park is virtually at the City of Nanaimo’s backdoor: the park and surrounding lands are highly used by recreationalists for hiking, biking, and dog-walking, and it is expected that demand for access to these lands will only increase in time. The lands around the park are a mix of crown land (managed as woodlot W0020, W0012, and gravel quarry) and private resource lands (forestry and gravel quarry). See Appendix B for a map of the park and surrounding lands.

The park is formally accessed at two locations: from Weigles Road to the north and from Jameson Road to the south. It is important to note for context that the access from the south (Jameson Road) provides an easier and more direct route to Ammonite Falls. While the trail to Ammonite Falls from the south is approximately half a kilometre longer than from the north, the route is much less difficult from Jameson Road. As such, when people visit the park with the goal of seeing Ammonite Falls, they most likely begin their hike from south of the park. Formal trail access via the Ammonite Falls Regional Trail was established in the spring of 2015 by inclusion within the RDN’s existing Provincial Recreation Site and Trail Partnership Agreement for the Witchcraft Lake Regional Trail. Recreationalists also access the park from the east, at the end of Galloway Gulch via relatively flat logging roads in the crown woodlot W0020. However, this route has not been formalized by the RDN with the Province or the Woodlot Operator.

From the Weigles Road end, hikers need to descend the steep and wide Benson Creek ravine, making it a very challenging route. At the bottom, there is no bridge, but a fallen log provides the crossing. This difficult route is not advertised by the RDN, and signage marks it as unmaintained trail. The Management Plan addresses the constraints of the ravine and recommends a geotechnical and engineering study to assess the feasibility of stairs and/or a bridge crossing to provide easier access across the channel. For added context, the span of the Capilano Suspension Bridge in North Vancouver is 137 metres; the anticipated length of a bridge across Benson Creek (at top of bank), as noted in the Management Plan, is 160 metres. Beyond hiking difficulty and hiker safety, there is environmental concern with trails scouring and eroding down towards the Benson Creek channel. While some people using the Weigles Road trailhead may be on-route to cross Benson Creek, it is expected that the majority of users who enter the park from the north are not crossing the creek, but are making use of the myriad of trails in the woodlot and surrounding lands. There is one trail in the woodlot W0012 that creates a loop with the RDN’s trail to the park. This loop is highly frequented by dog-walkers and is a loop that the RDN hopes to formalize one day with the Woodlot Manager.

Another important point to note is that the RDN is currently in communications with the Province regarding an early lease renewal for Benson Creek Falls Regional Park. Some of the projects identified in the Management Plan (referenced above) involve a high level of investment and capital works, which warrant a long-term agreement with the Province prior to pursuing. The Ammonite Falls site itself also requires significant work to improve safety and environmental and recreational sustainability of the site. The current lease expires in 2021. An early renewal of the 30-year lease now would mean the park is secured until 2046. All major capital works regarding this park, including additional parking lot development, should await confirmation of this lease renewal. Furthermore, regardless of whether the lease is renewed with the RDN, the land remains crown land and a public amenity. If Benson Creek Falls

Regional Park ceases to exist as a regional park, the draw towards the falls and the myriad of mountain biking and hiking trails in the area on crown land will remain strong.

***The Current Parking Situation:***

Parking at both the north and south trailheads has been problematic in the past, and this was confirmed during the Management Plan public consultation process. (See map in Appendix B for corresponding locations).

*A) Weigles Road (north access)*

The Weigles Road parking area is a small disorganized roadside lot, often filling up, resulting in vehicles parking along the Weigles Road shoulder. While this is not ideal, the surrounding land use is resource-based; therefore there is no conflict between a residential community and congested roadways. The Management Plan identifies an Action to upgrade, reorganize and expand the Weigles Road parking lot. There is room available within the undeveloped road allowance to create an off-road parking lot that could hold approximately 20-30 cars. This would require detailed design and would involve the removal of several trees, grading the site, and installing one or two access points to/from Weigles Road. A permit would be required by the Ministry of Transportation and Infrastructure (MOTI) to construct and maintain the lot. A parking lot at this site has been on the radar for Parks staff since prior to the Management Plan, and would be a substantial upgrade to what is there now. A cost for this would be available following detailed design.

*B) Jameson Road/Creekside Place (south access)*

At the Jameson Road end, during and prior to the Management Plan, vehicles parked along road shoulders at the end of Jameson Road and on Creekside Place, causing congestion and impeding residents of the area from passing through. This issue was a concern for residents as well as for general safety because the gate at the end of Jameson Road would sometimes be blocked by parked cars. The Management Plan process looked at this parking issue in 2013 and explored three possible options to formalizing parking at this site (see Appendix A). Public Open Houses were held and options to improve the situation were reviewed (see Appendix C for relevant pages from the Management Plan).

As a result of the management planning process, the option to improve an existing parking lot on Creekside Place (Option P1) was deemed the least-cost and most effective for improving the congestion in the area. The Creekside Place parking lot straddles the road allowance and the RDN's Creekside Place Community Park. In the fall of 2014, the parking lot on Creekside Place was improved to formally accommodate 24 vehicles, and 'No Parking' and directional signs were installed on Jameson Road, all under permit with the Ministry of Transportation and Infrastructure.

In the months following, residents noted low compliance with people continuing to park on the road and not in the parking lot. To re-inforce the message, flyers were placed on vehicles that continued to park on Jameson Rd and the RDN website and social media was used to advertise the parking lot. RDN inquired with RDN Bylaw, MOTI and the RCMP on next steps towards enforcement.

Jurisdiction of these roads falls with the Ministry of Transportation and Infrastructure, not with the City of Nanaimo or the RDN. The roads and signage are governed under the Motor Vehicle Act, including signage installed under permit by the RDN. The RCMP enforces the Motor Vehicle Act, and therefore can enforce the traffic signs on Jameson Rd and Creekside Place. As a legal requirement (advised to Parks staff by the RCMP), additional signs were installed under MOTI permit along Jameson Road and upper Creekside Place on January, 21, 2015 stating "vehicles will be towed at owners' expense." The RCMP



indicated, with the signs now installed, they would begin patrolling the Jameson area. Their enforcement program would involve issuing warning tickets as a first measure and towing repeat offenders. People returning to find their vehicle towed could contact the RCMP non-emergency line (250-754-2345), or Mid Island Towing (250-758-1728). Any parking or traffic complaints for the Jameson area should be directed to the 24-hour RCMP Non-Emergency line.

Footprints Security was also engaged by the RDN to patrol the area and report on traffic violations. All of their reports are provided in Appendix D. A summary of their 2015 reports is below.

<i>Footprints Security Report Summary</i>		
<b>Year</b>	<b>Date</b>	<b>General Comments</b>
2015	Feb 21-22	Full compliance with parking regulations.
	Feb 28-Mar 1	Nearly full compliance, 1 truck parked illegally: RCMP/Towing called by Guard (truck left before RCMP arrived). Off-road vehicles noted (entered woodlot at gate).
	Apr 4 - 5	Nearly full compliance, 1 car parked illegally, RCMP called by Guard and car was ticketed. Parking lot full on the 5 <sup>th</sup> , 4 cars parked on road legally.
	May 16 - 17	Full compliance with parking regulations.

For the remainder of 2015, there was little correspondence on the situation from the Creekside area residents.

In March 2016, the area residents provided a summary to the RDN outlining concerns (Appendix E: *“Ammonite Falls Parking Concerns of Creekside Place/Jameson Road Property Owners”*). At this time, some of the possible solutions to their concerns, as noted in their correspondence include: larger, clear signage; regular towing of parking offenders; a clear process for neighbours to report offenders; enlarge the parking lot south towards Jameson to increase capacity and improve visibility of the parking lot from the intersection; install garbage cans and notices about bears active in the area; and organize a collaborative brainstorming session for other improvements. Parks staff and the Electoral Area ‘C’ Director met with area residents in April 2016 to discuss concerns and possible solutions, and again in May 2016, along with a representative from the RCMP and MOTI.

Out of this meeting, the RCMP proposed a ticketing and towing “blitz” and residents recommended this be done on long-weekend afternoons. Residents were also provided the RCMP non-emergency line to report traffic violations. The RDN arranged for Footprints Security to continue patrols and report incidents of parking violations and parking lot overcrowding (see 2016 summary below and Appendix D for full reports). In addition, staff made plans to improve signage on site.

<i>Footprints Security Report Summary</i>		
<b>Year</b>	<b>Date</b>	<b>Comments</b>
2016	Mar 19, 20, 26, 27	Full compliance with parking regulations.
	Apr 23-24	Full compliance with parking regulations.
	May 21-22	Full compliance with parking regulations.
	Jun 25-26	Full compliance with parking regulations.
	Jul 2-3	Full compliance with parking regulations.
	Jul 9-10	Full compliance with parking regulations.
	Jul 16-17	Nearly full compliance, 2 cars parked illegally on the 16 <sup>th</sup> , both were towed.
	Jul 23-24	Full compliance with parking regulations.
	Jul 30-Aug 1	Full compliance with parking regulations.
	Aug 6-7	Full compliance with parking regulations.

In May 2016, community members attended the East Wellington/Pleasant Valley Parks and Open Spaces Advisory Committee and were advised to present their concerns at the Regional Parks and Trails Select Committee (RPTSC) meeting in early June 2016, as the issue is related to regional parks and trails. The correspondence provided by the residents to the RPTSC is included in Appendix E: *“Creekside/Jameson Roads Community Issues.”*

The message presented to the RPTSC by the residents was a request that the parking lot at Creekside Place be closed; that the Community Park be restored and; that the main entrance to Benson Creek Falls Regional Park be at Weigles Road, with a new parking lot developed there. The letter states:

*“In an attempt to ease the parking situation, the RDN chose to use our Community Park to create a parking lot for people using the Benson Falls Regional Park, rather than develop a parking lot off of Weigles Road, which already has a dedicated road into the park for that purpose. (Please see attached plan.) The result was a rapid increase of traffic to our neighbourhood, with social media promoting of Jameson Road/Creekside as now being the main access for Ammonite Falls.”*

From this paragraph, there appears to be a misunderstanding that the Jameson Road trailhead parking improvement was chosen instead of the Weigles Road parking improvement. This is not the case: the Creekside Parking lot was developed to improve the parking congestion situation on Jameson Road. Improving parking at Weigles Road has been, and still is, a major goal for the Parks Department since the long-standing sanctioned trail access to the park is from this side. Parking improvements at the Jameson Road end were never intended to replace improvements at the Weigles Road end. If the concern, as described in the above paragraph, is that the parking lot on Creekside Place straddles the Community Park boundary, the Management Plan did offer Option P2: to develop parking at the corner of Jameson Road and Creekside Place in the road allowance. Option P2 (see Appendix A), received equal support during the public consultation process but, since it was more difficult and costly to install, the option to improve the existing lot on Creekside Place (Option P1) was pursued.

Additional points of concern noted in the letter include: cars blocking driveways and impeding the intersection; trespassing on private lands; litter and concern about attracting bears; use of trails and community park as an outdoor bathroom; illegal activities and overnight camping; speeders and people doing “break stands” on roads; inadequate RDN signage, and; inability of RDN, MOTI to ticket/tow and RCMP ranking concerns as low priority. Until the new parking lot (on Weigles Road) is created, the letter explains that most residents would like to see improved signage, more RCMP and Footprints Security Checks, the “Dead End” sign moved to the right side of Creekside Road to improve visibility of it and that

the RDN contact various website editors to request removal of directions to Ammonite Falls that reference Jameson Road or the Creekside Place parking lot. The letter also indicates that most residents do not want the RDN to install a toilet, garbage can, kiosk sign, path alongside Creekside Place from the parking lot to Jameson Road, or any expansion of the existing parking lot, expressing that these amenities will invite illegal camping in the lot, and that fewer services will deter parking lot users.

Several of the previous suggestions noted in the March 2016 correspondence from the residents to attempt to mitigate some of their concerns, were identified in the June correspondence as no longer wanted and the desire is now for the parking lot to be closed. Regarding the reference to social media above, the RDN used social media to educate hikers about the parking lot in an effort to encourage improved compliance with the parking changes in the area. Social media outside of the RDN has for many years directed people to Jameson Road as the main access to Ammonite Falls because it is the more direct route to the falls. Staff have attempted to inform tourism and hiking related websites of the parking issues at Jameson Road and have requested them to amend their sites to reflect the parking requirements of the area.

The outcome of the June RPTSC meeting was the following resolution, which was then approved by the Board on June 28, 2016:

*# 16-481 "That the Board direct staff to report on options to relieve parking congestion at Creekside Place and Jameson Road caused by public use of area to access the Benson Creek Falls Regional Park and the VIU woodlot."*

In addition to concerns about parking issues, the RDN and the RCMP received correspondence from a resident of Creekside Place at the end of June 2016 about "burn-outs" in the cul-de-sac. The correspondence notes that while some issues have been brought to the RCMP's attention over the years, the problems have been made much worse since the parking lot was developed. RDN Parks staff responded that the RCMP had proposed a ticketing "blitz" in the area for the up-coming long-weekend (Canada Day); that the RDN will be installing improved signage, as requested by the community, and; that a report to the Regional Board addressing the community's request that the Creekside parking lot be closed, would be prepared. RDN staff also noted that public roads are not within the jurisdiction of the Regional District so the RDN is not able to monitor driving infractions or make repairs to roads.

Following the long weekend, the RCMP Constable assigned to the area to patrol for parking infractions notified Parks staff on July 5, 2016 that, due to no observed violations in three separate attendances to the area (weekdays and a long week-end afternoon (specifically 3:45pm on July 2, 2016)), they would not continue with any form of planned enforcement in the area. However, time permitting; he would continue to check on things in the area. Specifically regarding the issue of "burn-outs", the RCMP Constable offered comment that it is a fact of living in a rural area where people know the risk of getting caught is low, citing Cedar as an example of an area where many "burn-outs" occur. He further expressed that closing the parking lot, in his opinion, would make the issue worse. The trail access in the area will continue to be used, parking or no parking, noting that closing the parking lot will not change bad driving, and that the hiking crowd is mostly not the same as the "burn-out" crowd. Residents are encouraged to continue reporting traffic violations to the RCMP's non-emergency line.

In August 2016, Parks staff visited multiple other locations around the Park in an attempt to identify if any other sites could serve the purpose of additional or relocated parking/trailhead for Benson Creek Falls Regional Park. The sites that staff reviewed were either noted in the Management Plan as possibilities or, not noted in the Management Plan, but visited by staff to assess suitability at a

preliminary level. A summary of alternative parking options is below (See map in Appendix B for corresponding locations).

**Alternative Parking Options:**

*Other Parking Options as noted in the Management Plan:*

Two other parking options (P2 and P3) were explored in detail in the Management Plan (see Appendix A). Additionally, two other sites, Galloway Gulch and Longview Place, were noted as possible sites to explore in more detail because they both offer trail access towards Benson Creek Falls Regional Park (from the east and south, respectively). Staff visited each of these sites in August 2016 and spoke with the Woodlot Operator, who manages the land related to the P3, Galloway Gulch and Longview Place options.

- C) *Management Plan Option P2:* This option is a new parking lot in the road allowance at the corner of Jameson Rd. and Creekside Pl. It received equal support to the P1 Option (to expand the existing Creekside Pl. parking lot). This site could be explored further to provide additional parking at the Jameson Road end. The lot will be smaller than the existing Creekside Place lot and may face constraints due to slope, possibly requiring slope retention on the north/east side of the parking lot. Engineered design would be required, as would permission from MOTI.
- D) *Management Plan Option P3:* This option explored the creation of a new parking lot within woodlot W0020, inside the gate at the end of Jameson Rd. This option received the least support during the management plan public process. The sloping topography within the woodlot makes finding an ideal site challenging. Furthermore, the access road at the end of Jameson Road is narrow. Significant improvements to the road to allow for two-way travel would be required. Permission from the woodlot operator, the Province and MOTI would be required.
- E) *Galloway Gulch:* At the end of this road, which is accessed from roads off Jingle Pot Road, a gate marks the entrance to the VIU woodlot W0020. Two logging roads diverge into the property. There is a relatively large flat area at the junction of these roads that could be cleared, graded and designed for a parking lot. Parks staff contacted the Woodlot Manager to explore the possibility of developing a parking lot at this site. Currently, this is not something they are willing to explore. A recent reduction in the size of the woodlot due to private forestry lands no longer forming a part of the greater W0020 woodlot means the woodlot manager is reluctant to lose any more lands, including for the purposes of a parking lot. Furthermore, the process would require permission from the Province and all referrals that would occur during that process. During the conversation with the Woodlot Manager, he indicated that he too has received requests that access to the woodlot from the end of Jameson Road be blocked, but explained that he is unable to deny access to public land.

A secondary option at this site is the possibility of creating roadside parking on the north side of the road allowance at the end of Galloway Gulch. The road allowance is quite wide, and appears to offer enough space to develop roadside parking similar to that at the Witchcraft Lake trailhead. This would require permission from MOTI, following design work. A sanctioned trail agreement through the woodlot to the park would also be required by the Province, in consultation with VIU.

- F) *Longview Place:* Similarly to Galloway Gulch, Longview Place, which is accessed from Jameson Road, is terminated with a gate that marks the entrance to the VIU woodlot W0020. A single narrow logging road/trail leads into the property. The area immediately inside the gate appears to be relatively flat and large enough to offer space for a parking lot. However, similarly to Galloway Gulch,

and Option P3, the Woodlot Manager is not currently interested in exploring parking lot development within the woodlot itself.

As a long term possibility, Galloway Gulch and Longview Place could function as additional formal trailheads and parking areas into the Benson Creek Falls Regional Park and surrounding lands. On-going dialogue with VIU and the Province regarding this possibility should remain. Another factor to consider is that formalizing parking/trailheads at either of these locations has the potential to generate a similar reaction from these rural neighbourhoods as has occurred in the Creekside area. Clear and open communication with neighbouring landowners during the planning of any future parking lot development should occur.

*Other Parking Options explored by staff in August 2016:*

Further to the suggestions noted in the Management Plan, Parks staff visited additional road ends in the vicinity of the park to assess, at a preliminary level, the feasibility of new parking lot development. The sites visited include: Northwood Road, Englewood Drive, Manly Road, and farther west along Weigles Road. The ends of Biggs Pit Road, Andres Road and Richards Road were not visited because they are all currently serving the gravel quarries in the area.

None of the four locations listed below offer a reasonable site for parking lot development, which is surely why they were not suggested in the management plan when parking options were reviewed at that time. (See map in Appendix B for corresponding locations).

- G) *Northwood Road:* The dead ended Northwood Road is accessed off Jameson Rd. Staff explored the feasibility of this site as an access point for both Mount Benson Regional Park and Benson Creek Falls Regional Park, because the undeveloped Harrow Road right-of-way presents a possible link between the two parks. A steep, narrow and rough logging road, with very rough terrain on both sides, leads into the crown land. This terrain limits this site as a likely solution to improving the parking in the Benson Creek/Mount Benson area.
- H) *Englewood Drive:* This site, at a preliminary level, did not appear to offer a suitable location for parking lot development. The road end was very enclosed, with fencing of neighbouring properties bordering it and quite vegetated. Furthermore, this road terminates at the VIU woodlot W0020 and the same concerns/restraints to developing parking on woodlot land, as noted above, would exist.
- I) *Manly Road:* The end of the developed Manly Road is currently providing access to a private residence. The undeveloped portion of Manly Road is inaccessible because a ravine intersects the road allowance immediately beyond the private driveway. The topography in the area is the main limitation to parking lot development at this site.
- J) *Weigles Road (farther west):* An existing logging road in the crown woodlot W0012 heads west from Benson Creek Falls Regional Park and meets Weigles Road about 1.17 km west of the existing parking area on Weigles Rd. This site was explored, but because it emerges on a bend in Weigles Road, it did not appear to be a safe place to consider additional parking. Furthermore, the walk into the park from this location is much longer. The issues with crossing the Benson Creek ravine also remain.

Of all of the sites explored, the ones that appear to offer a feasible option for additional off-road parking space are:

Site (Appendix B location reference in brackets)	Permissions	Timing
Existing Weigles Road trailhead (A)	MOTI	Short-medium term
Corner of Jameson Road and Creekside Place (C)	MOTI	Short-medium term
End of Galloway Gulch (E)	MOTI/VIU/Province	Long term
End of Longview Place (F)	VIU/Province	Long term

## ALTERNATIVES

1. That Creekside Place parking lot remain open as the primary access and trailhead parking area for Benson Creek Falls Regional Park from the south and staff maintain clear communication with area residents regarding concerns and proposed improvements to mitigate concerns. Staff continue to monitor compliance and enforcement with the RCMP. Pending lease renewal with the province, staff be directed to pursue parking lot development within the undeveloped road allowance leading towards Benson Creek Falls Regional Park from Weigles Road. And, pending lease renewal with the province, staff pursue engineering studies required to formalize a crossing of Benson Creek and to ensure safe access to the base of Ammonite Falls.
2. That Creekside Place parking lot be closed and the Community Park is restored as per the residents request and, pending lease renewal with the province, staff be directed to explore the option of developing a new parking lot at the corner of Jameson Rd and Creekside Pl within the road allowance to provide off-road parking in the area. Pending lease renewal with the province, staff would then also be directed to pursue parking lot development within the undeveloped road allowance leading towards Benson Creek Falls Regional Park from Weigles Road. And, pending lease renewal with the province, staff pursue engineering studies required to formalize a crossing of Benson Creek and to ensure safe access to the base of Ammonite Falls.
3. That Creekside Place parking lot remain open as the primary access and trailhead parking area for Benson Creek Falls Regional Park from the south for the foreseeable future and that, pending lease renewal with the province, staff be directed to explore the long-term option of developing parking within the VIU crown woodlot W0020 at the end of Longview Place or Galloway Gulch.
4. That staff be directed to not renew the lease with the Province and the land no longer be designated as a Regional Park upon expiry of the Lease and the land becomes the complete jurisdiction of the Crown.
5. The Board provides alternative direction to staff.

## FINANCIAL IMPLICATIONS

To date, all works associated with improving the parking lot on Creekside Place have come from funds under the Regional Parks function. Depending on the direction provided, a new parking lot will likely be required at Weigles Road or at the corner of Jameson Road and Creekside Place, or possibly both in the longer-term. Parking lot development will require survey and engineering services to best locate and design the lot. An allowance of \$10,000 to \$15,000 could be allocated for this purpose. The construction costs will depend on the design, ease of access to the site, and timing of construction. It is difficult to assign a value for construction at this time.

Costs associated with keeping the Creekside parking lot open include: on-going patrols by Footprints Security, if continued monitoring is deemed necessary; additional amenities at the Creekside Place parking lot, if deemed valuable to aid in mitigating community concerns; and signage to improve communication about the parking lot, respecting the neighbourhood and directional information.

Costs associated with closing the Creekside parking lot, assuming it is restored to a natural vegetation state, will include removal/disposal of gravel, culverts and signage; importing and installation of clean growing medium, and; planting, watering, and maintenance of a restoration area for several years until the site becomes established.

Costs for geotechnical and engineering design for a Benson Creek crossing and for a safe descent at Ammonite Falls were estimated at a combined value of \$75,000 in the Management Plan. Costs to construct would follow, depending on the design outcomes. Other costs may arise in relation to any studies or permissions required to undertake the described works.

As there is a significant amount of financial investment that could be targeted for Benson Creek Falls Regional Park in the short to medium term, Parks staff initiated an early lease renewal process with the Province. Confirmation that the park is secured for an additional 30-year lease term should be received from the Province prior to pursuing any capital works related to this park.

Should the Board decide to no longer manage the lands as a Regional Park, responsibility of its management would shift to the Province. The Province would then need to determine what the highest and best use of the lands would be and manage the lands accordingly. This option could lead to a loss or reduction of public access to this popular recreational area depending on the direction the Province may take. This in turn could have a negative impact to the Region with the lands being less accessible for the eco-tourism sector as well as for area residents.

## **STRATEGIC PLAN IMPLICATIONS**

The Strategic Plan 2016-2020 identifies recreational amenities as a core service and the need to secure and provide long-term access to regional parks and trails is an important goal for the region. The crown lands in the Benson Creek area, while managed mostly for resource-use, are highly used for recreation by residents of and visitors to the City of Nanaimo and the region. Securing the Regional Park and access to it should remain a priority for the RDN; however, if the park lease is no longer in place, the land could potentially continue to function as a public asset into the future. The Strategic Plan also focuses on relationships, and the RDN will aim to strengthen the two-way communication with the local community, and continue to work in collaboration with the Province, Woodlot Managers, VIU and private land managers into the future.

## **SUMMARY/CONCLUSIONS**

Trail access from Jameson Road has been unofficially used by the public since at least 1991, with people using trails and logging roads on the private forest land as well as on the crown land. With the subdivision plan for the Creekside area coming into effect in 2005 and the rural residential neighbourhood developing, problems with traffic congestion have slowly grown. People are continuing to access the lands at the end of Jameson Road, and now in more numbers, as the unique geographical feature, Ammonite Falls, is becoming more well-known and advertised over online media.

Within the 2014 Benson Creek Falls Regional Park Management Plan, solutions to improve the Jameson Road parking situation were explored and the option to improve an existing parking lot on Creekside Place was carried out. Around the same time, a trail alignment from the end of Jameson Road to the Park (through the crown woodlot) was sanctioned with the Province as an official public route to the Park from this popular access point.

Initially, it appeared that this parking lot was not being used and residents continued to experience congestion on the roads. RDN Parks staff attempted to educate hikers about the new parking lot with flyers on vehicles and social media. Improved signage indicating vehicles would be towed was installed and enforcement, by way of Footprints Security and RCMP patrols was renewed in the spring of 2016. Reports from the Footprints Security patrols for 2016 show that compliance with the parking regulations in the area has improved, and very few incidents of parking violations are noted in their reports. At the Regional Parks and Trails Select Committee meeting in early June 2016, the area residents requested, that the Creekside Parking lot be closed. A motion from that meeting directed staff to produce a report on the subject. This report has attempted to summarize the last three years on the topic, since the time the Management Plan for the park was commissioned in 2013. Research, planning and correspondence between Parks staff, Footprints Security, the RCMP, and residents has been presented, as well as various steps that have occurred to mitigate the parking congestion at the end of Jameson Road.

Prior to requesting that the Creekside Parking lot be closed, correspondence from the residents included some ideas that may serve to help mitigate some of the issues. Parks staff wish to revisit the ideas that were put forward in more detail, as there is concern that closing the parking lot will lead to further problems for the community. Jameson Road is a long-standing access point to trails in the adjacent crown land and Benson Creek Falls Regional Park and it will be extremely difficult to prevent people from parking in the area. Parks staff recognize that it has become more popular over recent years, mostly due to word-of-mouth in the community (both on- and off-line). A similar situation is currently occurring on Benson View Drive, where the parking lot provided for the Witchcraft Lake Regional Trail and Mount Benson Regional Park is not meeting current demand, causing traffic congestion in this neighbourhood as well.


As more people learn about the recreational opportunities in the City of Nanaimo's backyard, these sites (and others) will feel the pressure of increased use. Effort is needed to monitor and manage the Jameson Road trailhead so as not to compromise the residential neighbourhood. Short-term improvements to the site, such as improved signage, garbage cans, and continued reporting of non-compliance should be revisited with the community. If the Creekside parking lot is closed, it is expected that serious congestion on Jameson Road and Creekside Place will resume; some form of parking in this area will be needed. As demand increases, the idea of expanding the parking lot or developing additional parking at the corner of Jameson Road and Creekside Place should also be reviewed.

Once the lease renewal with the Province is confirmed, efforts to move towards developing the Weigles Road parking lot should occur. This has been a long-standing project since sanctioned trail access into Benson Creek Falls Regional Park from this location has been in place for many years. However, until engineering feasibility, design and construction of a suitable Benson Creek crossing occurs, access to Ammonite Falls from Weigles Road will not be promoted by the RDN. Furthermore, the descent to the base of Ammonite Falls is currently extremely unsafe and environmentally hazardous, and there may be merit in prioritizing engineering work for this site over the Benson Creek crossing.

Access to the public lands, via public roads is not something that can be denied to the greater community. The RDN is a land manager, ready to work with other land managers (VIU, Province, Forestry and Gravel operations) around Benson Creek Falls Regional Park to support the safe use of the lands for



recreation, conservation, resource extraction and educational purposes into the future. RDN staff also acknowledge the need to ensure open and on-going communication with residential neighbours to parks and trails and the importance of promoting respectful recreational use of parks and trails within the community.



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Report Writer



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Per/ Manager Concurrence



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General Manager Concurrence



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CAO Concurrence



## 6.2 Park Access

**The Issue:** Benson Creek Falls Regional Park has two main access routes: Weigles Road on the north side of the Park and Jameson Road on the south side of the park. Both of these primary access routes have limitations.

In Spring 2013, the RDN installed trail counters at the Weigles Road and Jameson Road access points. **Table 1** shows the number of people accessing BCFRP between May and August 2013.

**Table 1: Trail Counter Data – May to August 2013**

Access Route	May	June	July	August	Total <sup>9</sup> (4 months)
Weigles Road	1,388	1,108	1,118	1,580	5,194
Jameson Road	1,023	1,218	1,256	1,158	4,655

Trail counts suggest that both routes to BCFRP are well-used. While further counts will identify trends, it appears that Weigles Road may be used more consistently throughout the year as a destination for regular visitors, such as dog walkers. The Jameson Road route may have more frequent use during summer as a popular route for visitors accessing Ammonite Falls.

*Policy 3:*

**Secure two public access routes to Benson Creek Falls Regional Park – one to the north side of Benson Creek and one to the south side.**

### *Weigles Road Access (North Access)*

The Weigles Road Park Access is the official entrance to Benson Creek Falls Regional Park. There is a small existing parking lot with space for about 8-10 vehicles and the RDN has a lease that provides trail access from the parking lot to the main area of the park.

The parking lot is small, poorly organized and, on busy days, overflow parking spills onto Weigles Road. The lot is also in relatively poor condition with uneven grade and potholes.

*Action 2:*

*Upgrade, reorganize and expand the Weigles Road parking lot.*



*Disorganized parking at the Weigles Road parking lot.*

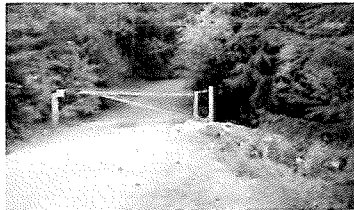
<sup>9</sup> Trail counts may include both park entry and exit of an individual during a single park visit.



To help keep people from parking on Weigles Road, expansion and improvements to the organization of the parking lot are recommended. Key considerations when planning parking lot improvements:

- Connect with the adjacent Crown Lot lease-holder of Woodlot #W0012 regarding opportunities for aligning future forestry access with parking lot improvements.
- Confirm the legal boundaries of the parking area to determine if the lot falls within the BCFRP lease area or within the road ROW.
- Contact the adjacent gravel quarry to identify opportunities for obtaining gravel for parking lot development.

### *Jameson Road Access (South Access)*



*Woodlot gate at the Jameson Road Access Route.*



*Informal parking on Jameson Road and Creekside Place.*

Jameson Road is a popular park access point, but currently does not have official access agreements in place and does not have sufficient parking.

The north access at Weigles Road is popular for park users accessing shorter trail loops or bike routes at the north end of the park; however, people destined for Ammonite Falls typically enter the park from an unofficial access point at the end of Jameson Road on the south side of the park. The trail to Ammonite Falls in this location is shorter and easier than the route from Weigles Road. However, park users must cross privately-leased Crown woodlot (Woodlot Licence W0020) to access the trailhead.

There is no formal parking at the Jameson Road entrance which results in roadside parking at the intersection of Jameson Road and Creekside Place, a concern for local residents. On busy days at the park, on-street parking may restrict access for large vehicles, including emergency vehicles.

During the management planning process, several options to address the access and parking issues were considered, including:

- Securing official parking at Jameson Road and a formalized access route through the woodlot into the park;
- Improved trail access to Ammonite Falls from the Weigles Road access to make it a more attractive and easier route; and
- Identifying an alternative access point to the park from the east.

A review of these options identified that the best short-term solution for public access to Ammonite Falls was from Jameson Road. While improvements to the trails from Weigles Road are planned (see Section 6.3.1), the terrain through Benson Creek Ravine will continue to be a barrier for those with lesser mobility. Several access points from the east were also investigated, but land ownership and parking were identified as deterrents to



these routes. It was also determined that Jameson Road provides the best emergency access point to the park and surrounding area.

**Action 3:**

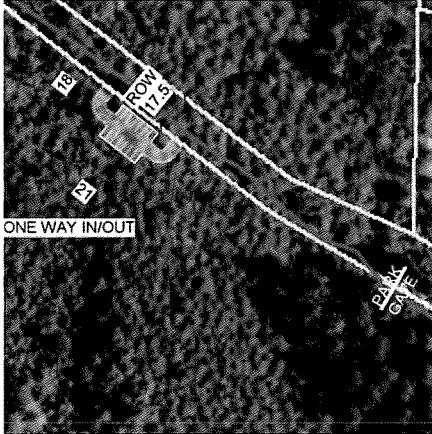
*Develop an off-road parking area at the Jameson Road Access point.*

Because it is anticipated that Jameson Road will remain a popular park access point for the foreseeable future, a parking solution is required to resolve on-street parking concerns. During the plan development, three potential parking lot options were identified. **Table 2** shows preliminary analysis of the three options.

**Table 2: Summary of Parking Options**

Option	Potential Layout Study	Potential Pros	Potential Cons
P1: Creekside Place Community Park using the Existing Parking Lot		<ul style="list-style-type: none"> <li>▪ Lowest cost</li> <li>▪ Could be implemented immediately at low cost</li> <li>▪ Minimal disturbance</li> </ul>	<ul style="list-style-type: none"> <li>▪ Could affect available parking for Community Park</li> <li>▪ Longer walk to Park</li> </ul>
P2: Corner of Jameson Road and Creekside Place		<ul style="list-style-type: none"> <li>▪ Very close to existing informal parking on Jameson Road</li> <li>▪ Easy to access</li> <li>▪ Safe sightlines</li> <li>▪ Keeps traffic out of residential area</li> </ul>	<ul style="list-style-type: none"> <li>▪ Higher cost including costs for grading and building new lot</li> <li>▪ Retaining walls may be needed at edge of ravine</li> </ul>



Option	Potential Layout Study	Potential Pros	Potential Cons
P3: Inside Woodlot Gate		<ul style="list-style-type: none"> <li>▪ Closest to the park entrance</li> </ul>	<ul style="list-style-type: none"> <li>▪ Highest cost, including costs for clearing, grading, retaining and road access to parking</li> <li>▪ Requires agreements with Crown/MOTI</li> <li>▪ No passive surveillance/potential security issues</li> <li>▪ Potential closures during fire season</li> </ul>

The three parking options were presented for public review and feedback during Open House #2. Feedback suggested that:

- Option P1: Creekside Place Community Park using the Existing Parking Lot and Option P2: Corner of Jameson Road and Creekside Place were equally preferred.
- Option P3: Inside Woodlot Gate received the lowest support due to challenges with access, cost, potential conflict with Woodlot uses and potential security issues.

Based on this feedback the following approach to parking at the Jameson Road Access is provided:

- 1) Complete minor improvements at Creekside Place Community Park to upgrade surfacing and potentially expand the existing parking area (Option P1).
- 2) Install 'No Parking' signage at corner of Jameson Road and Creekside Place (where people are currently parking and blocking access) with direction to parking at Creekside Place Community Park.
- 3) Monitor parking demand through one summer season and identify if people are parking at the park and if parking in that area is sufficient.
- 4) If demand exceeds capacity in that location, or people do not abide by 'No Parking' signs, consider development a new parking lot at the corner of Creekside Place and Jameson Road (Option 2). Parking lot in this location will require design development for grading and creek protection prior to development.



**Action 4:**

Obtain a formal agreement with MFLNRO, with support from the Woodlot #0020 Manager, for a public access route from Jameson Road to BCFRP.

Typical components of the trail application will include:

- Completed application form
- Updated Management Plan
- Rationale for selecting the route
- Information that addresses potential issues (e.g. parking impacts) that could arise through formalization of the route

Public input noted that the existing Jameson Road Access Route has several steep and difficult slopes. During development of the Management Plan, an existing alternate route with gentler slopes was identified and supported by the Woodlot manager. See **Figure 3: Potential Jameson Route Alignment** for an approximate alignment for this route.

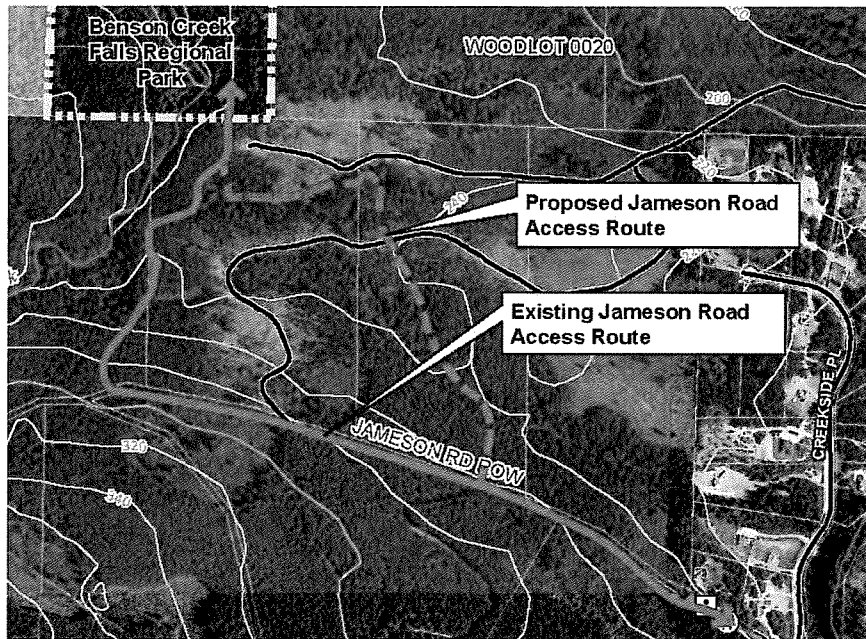


Figure 3: Potential Jameson Route Alignment



During Open House #2, public feedback about the proposed alternate route was mixed – with participants both supporting and not supporting the route.

Concerns about the route included:

- Potential conflicts with motorized/equestrian users on the alternate route.
- Development of an alternate, easier route may make it 'too easy' to access the park – inviting increased use and potential impacts to the environment and local neighbourhood.
- Some prefer the challenge of the existing route.

It is recommended that the RDN investigate potential route alternatives prior to identifying and securing the preferred access to the park.

A Section 56 Provincial Trails Partnership Agreement for this route may warrant consideration to establish this route and require its consideration during future resource planning.

### 6.3 Park Trails

**The Issue:** Commonly used trail sections within the park have identified challenges to public use.

Three priority trail routes within BCFRP were identified during the management planning process. See **Figure 4: Priority Trail Routes** (next page) for approximate alignment of each route.

These routes are the most commonly used and were identified as having the highest priority for improvements:

- The North-South route from the Weigles Road parking lot to the south boundary of the park (just past Ammonite Falls);
- The Jameson Road access route from Jameson Road to the south boundary of the park (connecting with the north-south route); and
- The short trail loop at the Weigles Road entrance that includes the BCFRP access and an existing trail through Woodlot W0012.



*Small side trail that intersects with the north-south route.*

Beyond these major routes, several minor trail routes cross or link to trails within the park. These routes are typically used by the mountain biking community as part of their larger Doumont trail network. While these routes are not as popular amongst BCFRP users, they can confuse users if they are not familiar with the area.

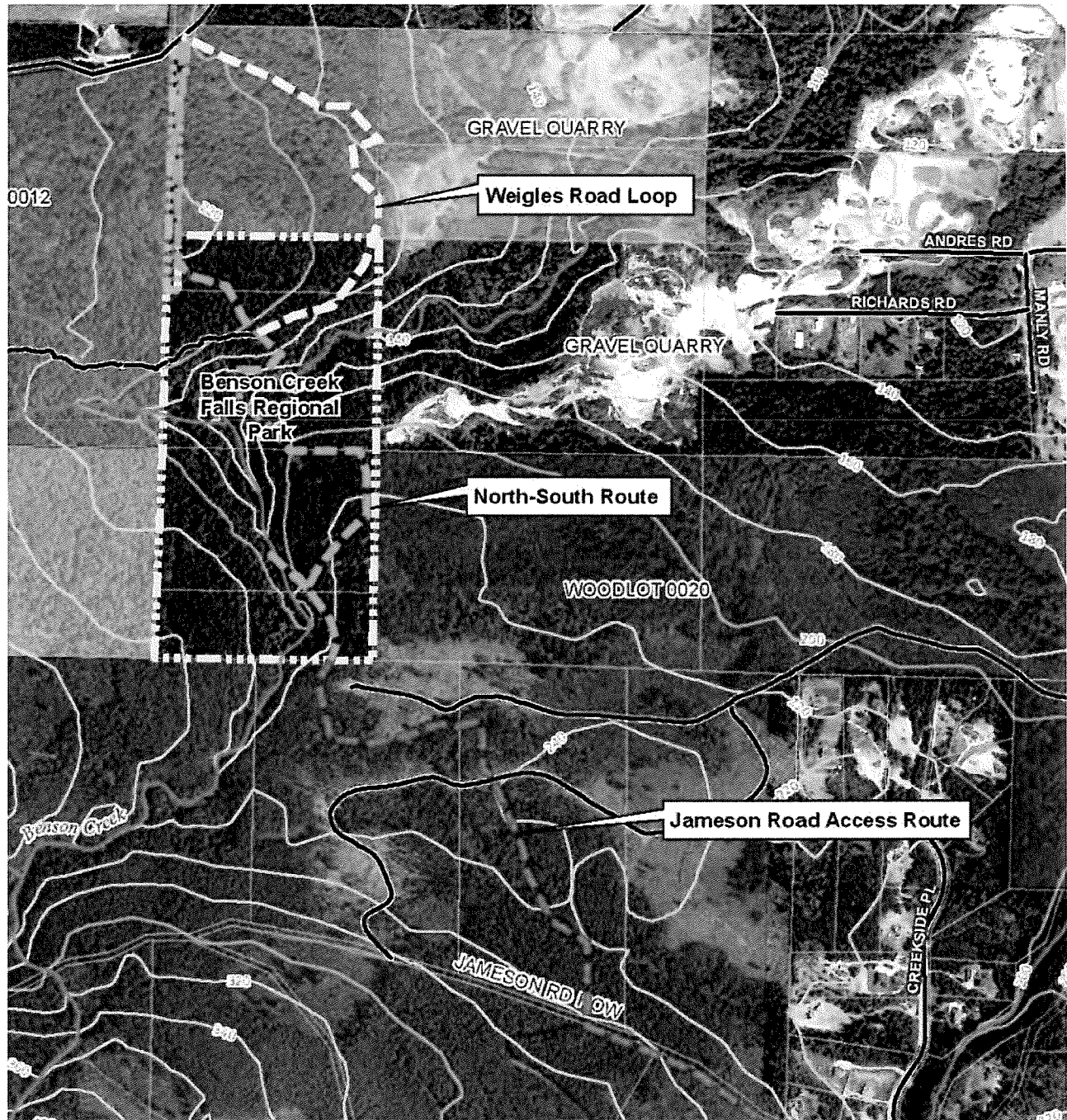


Figure 4: Priority Trail Routes





*Policy 4:*

**Improve and maintain trail access on the three priority trail routes identified in this plan.**

*North-South Route*



*Unmaintained Trail sign at the top of Benson Creek Ravine.*



*Flagged, but undeveloped alternate route.*

The trail route between the Weigles Road parking lot and south boundary of the park has potential to provide access to Ammonite Falls; however, two notable gaps exist:

- At Benson Creek Ravine, steep-sided banks (approx. 50 m deep) require switchback trails and the creek crossing is a fallen log that is used for crossing the creek. These barriers are a challenge and safety issue for many park users. Due to these issues this route is not currently identified as a route for accessing the falls – it is signed as an “unmaintained trail”. On the north side of the creek, bank erosion is especially present, largely due to informal “short-cut” trails that have been created to shorten the switchbacks down the slope.
- A portion of trail route, approximately 250m in length, on the south side of Benson Creek Ravine previously crossed private land and has been decommissioned by the private land owner. An alternate route has been flagged, but has not yet been cleared or constructed.

*Action 5:*

*Undertake trail improvements or relocation of the ravine descent to Benson Creek in conjunction with a new bridge crossing over the ravine (See Section 6.5: Park Infrastructure). Consult with MFLNRO for review and selection of the preferred crossing location.*

As a first step in the process, it is recommended that the ravine area be reviewed to determine if an alternate route exists that has better grades and safety. MFLNRO should be consulted during the crossing location review process for input on potential alternative routes. If a new route can be identified, the existing route should be closed and remediated.



*Improvements to the Benson Creek ravine trail should include closing and rehabilitation of short-cut routes.*

If the existing route is determined to be the preferred route, trail improvements should include enhanced delineation of the switchbacks and closing and rehabilitation of short-cut routes using techniques such as staked small-diameter logs and native shrub planting and signage – especially on the north side of the creek<sup>10</sup>.

<sup>10</sup> Per Ursus Environmental Overview of Benson Creek Falls Regional Park.



**Action 6:**

*Clear and develop the flagged trail route to reconnect the Weigles Park Access to Ammonite Falls. Trail construction should be routed to avoid larger standing trees and their drip-lines<sup>11</sup>.*

**Jameson Road Access Route**

Action #3 of this plan recommends securing formal public access from Jameson Road. The most commonly-used route from Jameson Road has a steep section of trail, approximately 250 m in length. It is recommended that the formalized public access follow an existing trail about 600 m west of the woodlot gate (see Map 5), as this route has easier grades. A small bridge over an intermittent creek may be required as part of the trail development.

**Action 7:**

*Once a formalized agreement with MFLNRO has been obtained (See Action #4), develop and sign the Jameson Road access route as an entrance to BCFRP.*

**Weigles Road Loop**

Many users entering BCFRP from Weigles Road are using a 1.3 km trail loop that starts and finishes at the parking lot. Approximately 500 m of this loop is on Woodlot W0012, outside the park boundary. Trail users are not generally aware that a portion of the loop is outside the park.

Public input suggested that this loop route is very popular and efforts should be made to support its continued availability for public use. Recognizing that it is on privately-leased Woodlot land, the RDN should work closely with the woodlot owner to maintain trail access in the event of logging activities.

**Action 8:**

*Work with MFLNRO and the Woodlot owner to secure an agreement for the Loop Route at the Weigles Road Entrance as a recreational trail and maintain its use during woodlot activities. Sign the trail to inform users when they are outside the park boundary.*

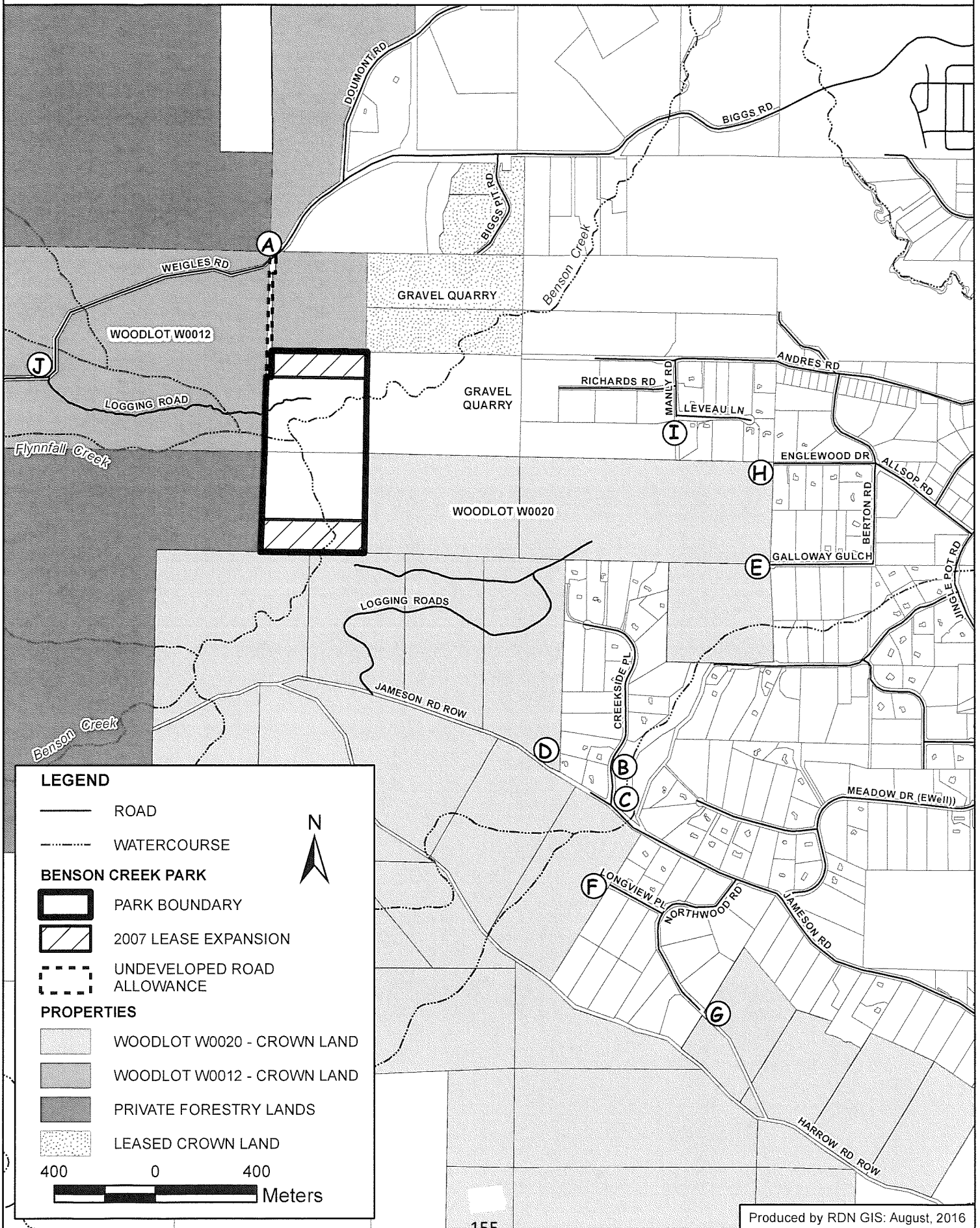


*The Weigles Road Loop traverses a small stream at the northeast corner of the park before crossing onto Woodlot W0012.*

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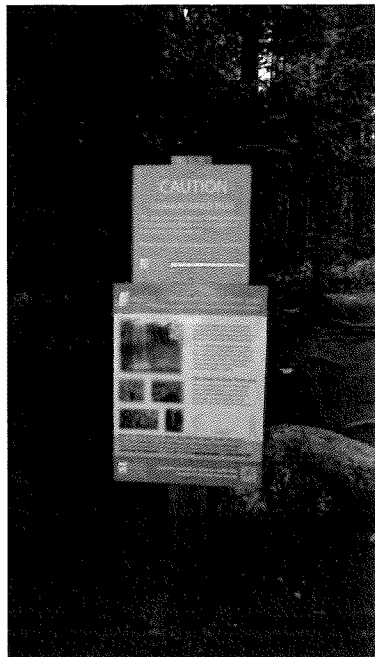
<sup>11</sup> Per Ursus Environmental Overview of Benson Creek Falls Regional Park, p.17.

# APPENDIX B: Map of Lands Surrounding Benson Creek Falls Regional Park





### 3.2 Outreach



*A key component of Phase 1 was outreach to let people know about the planning process and how to participate. As part of the outreach process, signs were posted at BCFRP to inform park users.*

A key component of the planning process was to undertake outreach to solicit input from nearby residents, park users and others with an interest in the park. Outreach for the process occurred at the following key milestones in the project, these were:

- 1) Introduction and notification of the planning process initiation
- 2) Advertisement for public events
- 3) Notification of the draft plan and opportunity to provide comment
- 4) Notification of the final plan and approval

Messaging was provided through the following means:

- Project webpage hosted on the RDN Parks website, with regular updates and postings
- Signage within BCFRP, including a QR code link to take people to the project webpage
- Email communications to stakeholder groups and phone/meeting follow-up with key stakeholder groups
- Email communications to park user groups and other community group email/list-serves
- Door to door notification for nearby residents
- Flyer/post card drops at community parks/facilities
- Newspapers, community publications, social media ads and local radio ads to notify people about public events
- Posters on local area bulletin boards and postal boxes

### 3.3 Summary of Consultations

Several engagement strategies were used to solicit input about the plan update:

- Project Webpage & Social Media
- Park User Survey
- Public Open Houses
- Stakeholder Consultations
- Staff Working Group & Advisory Committee

Each consultation strategy is summarized below and further details about the events and outcomes are available in **Appendix B: Summary of Public and Stakeholder Consultation**.



**Project Webpage & Social Media:**

The RDN website hosted a BCFRP Management Plan Update page which hosted background information about the park, information about the planning process, the online survey and summaries of input and events. Throughout the process the page was updated to maintain current information.

In addition to the project webpage, regular updates and notification of events were posted to the RDN's Facebook Page and on Twitter.

**Park User Survey:**

A survey was launched at the onset of the project to opportunities for community members to record their ideas about park use, current issues, opportunities and updates to the vision statement. This early feedback, combined with input from the first open house, was used to identify key management plan issues and recommend directions for the plan update.

**Survey Summary:**

<b>Dates:</b>	Open from May 27 <sup>th</sup> through June 29 <sup>th</sup> , 2013
<b>Locations:</b>	Available online and in hard copy at the first public open house and the RDN offices.
<b>Responses:</b>	106 completed surveys
<b>Key Feedback:</b>	<p><b>Vision:</b></p> <ul style="list-style-type: none"> <li>▪ 1999 Vision remains applicable today</li> <li>▪ Expanded recreation uses such as mountain biking and trail running could be considered</li> </ul> <p><b>Key Issues:</b></p> <ul style="list-style-type: none"> <li>▪ Navigation &amp; park signage</li> <li>▪ Park access</li> <li>▪ Parking</li> <li>▪ Trail improvements</li> </ul>

*The project website hosted information about the project, process and events over the course of the project.*



**Public Open Houses:**

Over the course of the project, two public open houses events were completed.

**Open House #1**



Open House #1

A public open house was early in the process to obtain input on issues, opportunities, vision and program development and provide the public with an opportunity to record and discuss their ideas with RDN staff, the consulting team and each other.

*Open House #1 Summary:*

<b>Date:</b>	Saturday, June 22, 2013 10:00am – 1:00pm
<b>Locations:</b>	Main Venue – Creekside Place Community Park Satellite Venues – Weigles Road Park Entry and Jameson Road Access
<b>Participants:</b>	Approximately 75 contacts
<b>Key Feedback:</b>	<ul style="list-style-type: none"> <li>▪ Improve accessibility to Ammonite Falls. Suggestions primarily focused on addition of stairs and a safer viewing platform.</li> <li>▪ Improve signage throughout the park. Suggestions indicated directional signage as a top priority, but also included park boundary information and park maps.</li> <li>▪ Improve parking and access into park. Ideas included improvements at the Weigles Road entry (with an improved route to Ammonite Falls), parking/access from Galloway Gulch, formalized parking/access at Jameson Road or potential access through the adjacent gravel quarry.</li> <li>▪ Add/improve connections to adjacent public lands (e.g. Creekside Place Community Park and Mount Benson Regional Park).</li> <li>▪ Address parking issues and garbage at Jameson Rd. access. Many residents adjacent to the park indicated the Jameson access was problematic due to roadside parking restricting vehicle passage, nuisance and garbage.</li> <li>▪ Protect and acknowledge geological history. Several residents told stories about fossils found in the park.</li> </ul>



Open House #2

A second public open house was held after the Draft Plan development to obtain input and confirmation on proposed vision and directions. Participants were asked to provide feedback on the plan through a series of interactive boards, as well as through a feedback form.

*Open House #2 Summary:*

<b>Date:</b>	Wednesday, October 23, 2013 5:00pm – 8:00pm
<b>Location:</b>	Mountain View Elementary School
<b>Participants:</b>	Approximately 45 attendees
<b>Key Feedback:</b>	<ul style="list-style-type: none"> <li>▪ Support for the proposed vision and goals for the park.</li> <li>▪ General support for actions and priorities.</li> <li>▪ Caution should be exercised when increasing public access to BCFRP. If access becomes too easy there is risk of overuse and damage.</li> <li>▪ The RDN should consider opportunities to obtain more land to expand the park.</li> <li>▪ Signage improvements should include distance markers, trail maps and information about level of difficulty.</li> <li>▪ If use increases, issues between motorized and non-motorized use may occur. While conflicts weren't identified as an existing major concern within the park, the trails accessing the park may have more potential conflicts.</li> <li>▪ Parking options: <ul style="list-style-type: none"> <li>○ Even support for Option 1 (Creekside Place Community Park) and Option 2 (Corner of Creekside Pl. and Jameson Road)</li> <li>○ Little support for Option 3 (within woodlot)</li> <li>○ Alternate suggestions included having access only from Weigles Road or moving the north access to Galloway Gulch or Longview Road</li> <li>○ Concern that improved parking will attract more traffic to the area</li> </ul> </li> </ul>



	<ul style="list-style-type: none"> <li>▪ Priority Actions:             <ul style="list-style-type: none"> <li>○ Developing stair access and viewing platform to Ammonite Falls</li> <li>○ Designing and Implementing a comprehensive park sign system</li> </ul> </li> <li>▪ Priorities for amenities at trailheads included:             <ul style="list-style-type: none"> <li>○ Jameson Road: Trail maps, signage, restrooms</li> <li>○ Weigles Road: Signage, bench</li> <li>○ Mixed support</li> <li>○ Concerns there could be trail user conflicts</li> <li>○ Some current users like the challenge of the steeper slope and that it takes some effort to access the park</li> </ul> </li> <li>▪ Feedback on the proposed new Jameson Road Access Route (to avoid steep slopes):             <ul style="list-style-type: none"> <li>▪ Alternate routes suggested</li> </ul> </li> </ul>
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**Stakeholder Consultations:**

Adjacent land owners, first nations and a variety of organizations, agencies and individuals were contacted to inform them about the process and seek their input about Benson Creek Falls Regional Park. See **Appendix C: Stakeholder Consultation List** for a list of stakeholders contacted during the planning process. The purpose of stakeholder engagement was to gain input on issues and opportunities relevant to the stakeholders and obtain feedback on draft plan directions.

Initial contact with all stakeholders was established through email to inform stakeholders about the management plan process and invite participation in the online survey and initial public open house. Subsequent contacts and meetings were undertaken during the draft plan development to meet with key stakeholders and review emerging draft plan directions.

First Nations with traditional territories in the vicinity of the park were contacted to invite their engagement in discussing any interests and concerns for the park. Letters of invitation signed by Joe Stanhope were sent in May 2013 to the Snuneymuxw, Snaw-naw-as, Stz-uminus First Nations and the Te'Mexw Treaty Association and were followed up by email and phone calls. The First Nations were also directly invited by email letters and by phone in October 2013 to review and relay any concerns about the





Draft Management Plan. No direct concerns or issues were received during the project term.

***Staff Working Group & Advisory Committee:***

Two committees were involved with the development of the plan update:

- **Staff Working Group:** This group was comprised of RDN parks staff and members of the consulting team. The working group met regularly over the course of the project to review ongoing project developments and directions.
- **BCFRP Advisory Committee:** This group was comprised of members of the Staff Working Group, along with representatives of the Regional District of Nanaimo's Parks & Trails Select Committee. Three meetings were held with this group at key project milestones to gain initial input on issues and opportunities and review outreach and engagement materials, review the draft plan and review the final plan.



APPENDIX D

**Shift Summary - Ammonite Falls  
Feb. 21-22, 2015**

Feb. 21, 2015

Time	Vehicles Arriving in Lot	Vehicles Leaving Lot	Total Number of Vehicles
10:00	0	0	0
11:00	8	0	8
12:00	7	4	11
13:00	16	3	24
14:00	5	14	15

Feb. 22, 2015

Time	Vehicles Arriving in Lot	Vehicles Leaving Lot	Total Number of Vehicles
10:00	2	0	2
11:00	6	0	8
12:00	12	2	18
13:00	9	6	21
14:00	11	10	22

**Summary:**

Our static guard made the above notations regarding cars parking in the designated parking area as request. Further to this information, the Guard also noted for Saturday Feb. 21<sup>st</sup> and Sunday Feb 22<sup>nd</sup> that he talked to all drivers arriving on site and did not have any problems. Everyone was compliant with the parking regulations and No one was towed on either day.



## Shift Summary - Ammonite Falls Feb. 28 – Mar. 1, 2015

### Feb. 28, 2015

Time	Vehicles Arriving in Lot	Vehicles Leaving Lot	Total Number of Vehicles
11:00	--	--	4
12:00	4	3	7
13:00	6	2	11
14:00	10	4	17
15:00	9	6	20

**Roadside Parking:** None

**RCMP Contact:** None

**Number of Cars Towed:** None

**General Comments:** One off-road vehicle with two male occupants drove by and went around the gate – would not stop when told to.

### Mar. 1, 2015

Time	Vehicles Arriving in Lot	Vehicles Leaving Lot	Total Number of Vehicles
11:00	--	--	5
12:00	9	4	10
13:00	10	3	17
14:00	10	7	20
15:00	1	12	9

**Roadside Parking:** 1 truck (BC# [REDACTED]) was parked in the “no parking” zone. Mid Island Towing and RCMP contacted. The owner arrived shortly before the tow truck and departed.

**RCMP Contact:** Once (see above)

**Number of Cars Towed:** None (see above – vehicle not actually towed)

**General Comments:** Two quads went around the gate and onto the site.



## Shift Summary - Ammonite Falls April 4 – April 5, 2015

### April 4, 2015

Time	Vehicles Arriving in Lot	Vehicles Leaving Lot	Total Number of Vehicles
11:00	--	--	7
12:00	7	2	9
13:00	0	1	8
14:00	0	2	6
15:00	-	-	-

**Roadside Parking:** None  
**RCMP Contact:** None  
**Number of Cars Towed:** None

**General Comments:** Guard did not experience anything out of the ordinary

### April 5, 2015

Time	Vehicles Arriving in Lot	Vehicles Leaving Lot	Total Number of Vehicles
11:00	--	--	9
12:00	9	1	17
13:00	25	7	35
14:00	2	22	15
15:00	4	7	12

**Roadside Parking:** 5  
**RCMP Contact:** 1  
**Number of Cars Towed:** None – one car ticketed

**General Comments:** When arriving on site at 1100, SG noted one car parked in the No Parking zone. Guard then called RCMP non-emergency, and RCMP dispatched car. M1 mobile attended site at 1130, RCMP arrived at 1140 - RCMP ticketed car and did not tow. Static guard did not report license plate number or take picture.

Also of note, at 1300 when there were 31 cars in the parking lot, 4 cars were parked along the Creekside Place due to the parking lot being full (hence the 4 extra cars that were tallied into the "roadside parking" section above).



**Shift Summary - Ammonite Falls  
May 16 – May 17, 2015**

April 4, 2015

Time	Vehicles Arriving in Lot	Vehicles Leaving Lot	Total Number of Vehicles
11:00	--	--	7
12:00	8	5	10
13:00	7	8	9
14:00	9	4	14
15:00	8	8	14

**Roadside Parking:** None

**RCMP Contact:** Drive by between 1100-1200

**Number of Cars Towed:** None

**General Comments:** Guard did not experience anything out of the ordinary

May 17, 2015

Time	Vehicles Arriving in Lot	Vehicles Leaving Lot	Total Number of Vehicles
11:00	--	--	8
12:00	11	8	11
13:00	4	8	7
14:00	5	6	6
15:00	5	4	7

**Roadside Parking:** None

**RCMP Contact:** 0

**Number of Cars Towed:** None

**General Comments:** Orange and Black Motorcycle parked in lot for ½ hour. Guard talked to him, he left at 1320. Guard cleaned up some garbage at the intersection of Creekside and Jamieson.

## Shift Summary- Ammonite Falls

**March 19th, 2016**

Time	Vehicles on Lot
1100	3
1200	6
1300	15
1400	18
1500	18

**Roadside Parking: 0**

**RCMP Contact: 0**

**Number of Cars Towed: 0**

**March 20th, 2016**

Time	Vehicles on Lot
1100	4
1200	4
1300	7
1400	6
1500	8

**Roadside Parking: 0**

**RCMP Contact: 0**

**Number of Cars Towed: 0**

**March 26th, 2016**

Time	Vehicles on Lot
1100	9
1200	10
1300	10
1400	7
1500	12

**Roadside Parking: 0**

**RCMP Contact: 0**

**Number of Cars Towed: 0**

**March 27th, 2016**

<b>Time</b>	<b>Vehicles on Lot</b>
1100	12
1200	16
1300	22
1400	18
1500	16

**Roadside Parking: 0**

**RCMP Contact: 0**

**Number of Cars Towed: 0**

**Guard Comments:** The guards reported that there were no issues. They received no push back from anyone, and everyone parked in the parking lot and not on the road.

## Shift Summary- Ammonite Falls

**April 23rd, 2016**

Time	Vehicles on Lot
1100	6
1200	20 arrived, 12 left
1300	7 arrived, 9 left
1400	9 arrived, 11 left
1500	8 arrived, 6 left

**Roadside Parking: 0**

**RCMP Contact: 0**

**Number of Cars Towed: 0**

**April 24th, 2016**

Time	Vehicles on Lot
1100	6 in lot
1200	6 left, 4 arrived
1300	4 arrived, 8 out
1400	6 arrived, 3 out
1500	7 arrived, 1 out

**Roadside Parking: 0**

**RCMP Contact: 0**

**Number of Cars Towed: 0**

**RCMP Contact: 0**

**Number of Cars Towed: 0**

**Guard Comments:** The guards reported that there were no issues. They received no push back from anyone, and everyone parked in the parking lot and not on the road.



## Shift Summary- Ammonite Falls

**May 21, 2016**

<b>Time</b>	<b>Vehicles on Lot</b>
1100	10 in lot
1200	13 in lot
1300	12 in lot
1400	8 in lot
1500	11 in lot

**Roadside Parking: 0**

**RCMP Contact: 0**

**Number of Cars Towed: 0**

**May 22, 2016**

<b>Time</b>	<b>Vehicles on Lot</b>
1100	9 in lot
1200	11 in lot
1300	14 in lot
1400	17 in lot
1500	14 in lot

**Roadside Parking: 0**

**RCMP Contact: 0**

**Number of Cars Towed: 0**

**RCMP Contact: 0**

**Number of Cars Towed: 0**

**Guard Comments:** The guards reported that there were no issues. They received no push back from anyone, and everyone parked in the parking lot and not on the road.

## Shift Summary- Benson Creek Falls

**Date: Saturday June 25, 2016**

Time	Vehicles on Lot
1100	
1200	9 cars @ 12:22
1300	
1400	
1500	

**Jameson roadside parking: 0**

**RCMP Contact: n/a**

**Number of Cars Towed: n/a**

**Weather: Cloudy, showers off and on**

**Guard Comments: Picture taken at 12:22**

**Date: Sunday June 26, 2016**

Time	Vehicles on Lot
1100	
1200	
1300	
1400	15 cars @ 14:28
1500	

**Jameson roadside parking: 0**

**RCMP Contact: n/a**

**Number of Cars Towed: n/a**

**Weather: Sunny and Clear**

**Guard Comments: Picture taken at 14:28**

## Shift Summary- Benson Creek Falls

**Date: Saturday July 2, 2016**

Time	Vehicles on Lot
1100	
1200	2 cars in lot @ 12:21
1300	
1400	
1500	

**Jameson roadside parking: 0**

**RCMP Contact: n/a**

**Number of Cars Towed: n/a**

**Weather: Sunny Day**

**Guard Comments: Picture taken at 12:21**

**Date: Sunday July 3, 2016**

Time	Vehicles on Lot
1100	
1200	18 cars in lot @ 12:30
1300	
1400	
1500	

**Jameson roadside parking: 0**

**RCMP Contact: n/a**

**Number of Cars Towed: n/a**

**Weather: Sunny Day**

**Guard Comments: Picture taken at 12:30**

## Shift Summary- Benson Creek Falls

**Date: Saturday July 9, 2016**

Time	Vehicles on Lot
1100	
1200	7 cars in lot @12:30
1300	
1400	
1500	

**Jameson roadside parking: 0**

**RCMP Contact: n/a**

**Number of Cars Towed: n/a**

**Weather: Rainy**

**Guard Comments: Picture taken at 12:30**

**Date: Sunday July 10, 2016**

Time	Vehicles on Lot
1100	
1200	9 cars in lot @ 1321
1300	
1400	
1500	

**Jameson roadside parking: 0**

**RCMP Contact: n/a**

**Number of Cars Towed: n/a**

**Weather: Sunny**

**Guard Comments: Picture taken at 13:21**

## Shift Summary- Benson Creek Falls

**Date: Saturday July 16, 2016**

Time	Vehicles on Lot
1100	
1200	
1300	
1400	9 cars in lot @ 14:05
1500	

**Jameson roadside parking: 2**

**RCMP Contact:**

**Number of Cars Towed: 2**

**Grey Infinity** [REDACTED]

**Silver Mazda Protégé 5** [REDACTED]

**Weather: Cloudy**

**Guard Comments: Picture taken at 14:00**

**Date: Sunday July 17, 2016**

Time	Vehicles on Lot
1100	
1200	
1300	
1400	15 cars @ 12:34
1500	

**Jameson roadside parking: 0**

**RCMP Contact: n/a**

**Number of Cars Towed: n/a**

**Weather: Sunny, partly cloudy**

**Guard Comments: Picture taken at 12:34**

## Shift Summary- Benson Creek Falls

**Date: Saturday July 23, 2016**

Time	Vehicles on Lot
1100	
1200	
1300	
1400	4 cars in lot @ 14:05
1500	

**Jameson roadside parking: 2**

**RCMP Contact:**

**Number of Cars Towed: 0**

**Weather: Sunny 28 Degrees**

**Guard Comments: Picture taken at 14:00**

**Date: Sunday July 24, 2016**

Time	Vehicles on Lot
1100	
1200	6 Cars in lot @ 12:11
1300	
1400	
1500	

**Jameson roadside parking: 0**

**RCMP Contact: n/a**

**Number of Cars Towed: n/a**

**Weather: Sunny**

**Guard Comments: Picture taken at 14:05**

## Shift Summary- Benson Creek Falls

**Date July 30<sup>th</sup>, 2016**

Time	Vehicles on Lot
1100	
1200	5 Vehicles @ 12:32
1300	
1400	
1500	

**Jameson roadside parking: 0**

**RCMP Contact: 0**

**Number of Cars Towed: 0**

**Weather: Sunny 24 degrees**

**Guard Comments:**

**Date July 31<sup>st</sup>, 2016**

Time	Vehicles on Lot
1100	
1200	
1300	7 Vehicles @ 13:28
1400	
1500	

**Jameson roadside parking: 0**

**RCMP Contact: 0**

**Number of Cars Towed: 0**

**Weather: Overcast 21 degrees**

**Guard Comments:**

**Date August 1<sup>st</sup>, 2016**

<b>Time</b>	<b>Vehicles on Lot</b>
1100	
1200	
1300	
1400	9 Vehicles @ 14:07
1500	

**Jameson roadside parking: 0**

**RCMP Contact: 0**

**Number of Cars Towed: 0**

**Weather: Cloudy**

**Guard Comments:**



## Shift Summary- Benson Creek Falls

**Date August 6<sup>th</sup>, 2016**

<b>Time</b>	<b>Vehicles on Lot</b>
1100	
1200	
1300	12 Vehicles @ 12:54
1400	
1500	

**Jameson roadside parking: 0**

**RCMP Contact: 0**

**Number of Cars Towed: 0**

**Weather: Cloudy**

**Guard Comments:**

**Date Aug 7<sup>th</sup>, 2016**

<b>Time</b>	<b>Vehicles on Lot</b>
1100	
1200	
1300	
1400	6 Vehicles @ 14:51
1500	

**Jameson roadside parking: 0**

**RCMP Contact: 0**

**Number of Cars Towed: 0**

**Weather: Sun, cloud/rain mix**

**Guard Comments:**



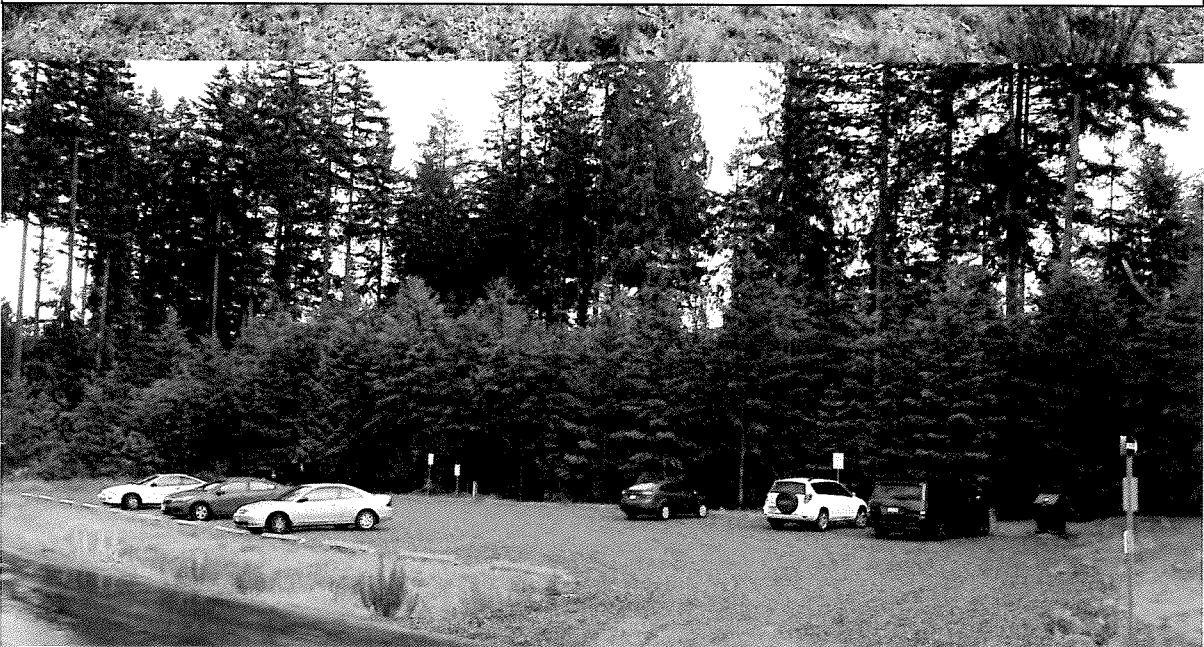
Saturday June 25, 2016



Saturday July 2, 2016



Sunday July 3, 2016



Saturday July 9, 2016



Sunday July 10, 2016



Sunday July 24, 2016



Saturday July 30, 2016



Sunday July 31, 2016



Saturday August 6, 2016



Sunday August 7, 2016

## APPENDIX E

### Ammonite Falls

#### Parking Concerns of Creekside Place/Jameson Road Property Owners

##### Key Issues

- -Continual parking in “No Parking” areas
- -Safety concerns caused by cars blocking Emergency Vehicle access to both the trails and the homes in the area
- -Cars blocking driveway accesses
- -Inadequate and confusing signage
- -Road construction design is narrow and the hill drops away. Lots of swing room is needed and one side of the roadway pavement is already eroding. Cars blocking intersection make it difficult for neighbours to get their trailers, boats and large work trucks around the corner.
- -Growing problems as the park is gaining in popularity
- -Parking lot is often now full on the weekends and park users are parking on Creekside as well
- -No garbage cans in the parking lot
- -Neighbours having to clean up the garbage from the parking lot
- -Worry that garbage will attract our local bears
- -Increased traffic down Creekside Road due to park users not knowing it is a dead end
- -Park users trespassing on private property (in spite of clear signage) at the end of Creekside Road to access trails and occasionally parking in the cul-de-sac
- -Footprints Security effective when they are present but people immediately parking illegally when they leave
- -Waste of taxpayers money to employ Footprints when other solutions are available
- -Drug deals on occasion occurring in the evenings in the parking lot
- -Vagrants sleeping in their vehicles in the parking lot on occasion
- -Waste of RCMP resources having to spend time on parking issues

##### Communication Concerns

- -Lack of communication between the RDN and neighbours
- -Neighbours getting the “run around” from RDN staff. Having concerns dismissed by RDN staff and rudeness by RDN staff to three neighbours

- -Being told it is not an RDN issue, to phone RCMP or Ministry of Transportation and Highways (who then refer back to RDN) rather than being directed to RDN officials who are willing to listen to concerns and work collaboratively on solutions with the RCMP and neighbours
- -Many RDN decisions have not only created more problems but have shifted the responsibility onto neighbours for acting as parking regulators and for garbage maintenance
- -Former residents Constable Jen Allen and Assistant Fire Chief Mary Drakely were very helpful to neighbours. Since they both moved, we have noticed an increase in problems

### Possible Solutions

- -Willingness of RDN to work collaboratively with neighbours and communicate with neighbours on a regular basis
- -Larger, clearer signage
- -Regular towing of parking offenders
- -A clearly defined process for neighbours to report offenders and have immediate action taken (perhaps two neighbours who will have the authority for calling the towing company)
- -"No post" barrier on the high side of Jameson Road
- -Enlarge capacity of the parking lot on the south side (towards Jameson Road) that will also increase the site lines and visibility of the parking lot from the intersection
- -Well sealed garbage cans in the parking lot with regular garbage removal
- -Notice of "Bears active in the area" signs
- -Brainstorming session of other possible improvements



## Creekside/Jameson Roads Community Issues

**Problem Synopsis:** The Creekside/Jameson Road neighbourhood area has been experiencing an increasing influx of vehicle and pedestrian traffic, as an access point for Benson Creek Regional Park (Ammonite Falls). Cars parking on the roads block driveways and impede usage of the intersection frequently creating frustrating and unsafe situations. Increased traffic has also brought people trespassing on private lands, garbage strewn about which attracts bears, use of trails and the community park as an outdoor bathroom, use of the community park for illegal activities and overnight camping, and speeders and people doing “brake stands” on our roads. And, inadequate RDN signage adds to peoples’ confusion. Those are only some of our neighbourhood concerns. Neighbours have been unfairly left with the policing of inappropriate behaviour due to inability of the RDN and MOTI to either ticket or tow cars, and the RCMP ranking our concerns as a low priority, due to staff shortages.

In an attempt to ease the parking situation, the RDN chose to use our Community Park to create a parking lot for people using the Benson Falls Regional Park, rather than develop a parking lot off of Weigles Road, which already has a dedicated road into the park for that purpose. (Please see attached plan.) The result was a rapid increase of traffic to our neighbourhood, with social media promoting of Jameson Road/Creekside as now being the main access for Ammonite Falls.

Our problems have increased. This was not what our community wanted!

### **Creekside Road/Jameson Road Residents Requests**

1. We want our Community Park restored to its original purpose.
  - Create a new parking lot off of Weigles Road as the main access to Benson Falls Regional Park;
  - Permanently close the parking lot in our community park and restore it back to being a green area with the intended trail through to the Meadow Drive area
  - Place signage notifying park users that the Creekside lot will be closing and parking will be transferred to the Weigles Road lot, to begin ‘retraining’ parkers users
  - Advertise locally and notify all current hiking websites when that change is nearing
2. Until the new parking lot is created...

- Improve signage; for example larger "No Parking/ Towing in effect" signs along Jameson and Creekside Roads, more and larger signs directing people to the parking lot, bear/cougar warning signs
- Please do not put a toilet into the parking lot, as most residents believe it will only increase illegal camping in the lot, and further establish the lot as "the" parking lot for Ammonite Falls. Providing fewer services will likely deter parking lot users, and we will have to continue to put up with toilet paper and feces on the trails until then.
- Most residents do not want a path created from the lot to Jameson Road, again, as this further legitimizes the parking lot
- Most residents do not want a kiosk for the above reason
- Most residents do not want the parking lot increased in any way
- Ask MOTI to move the small "Dead End" sign from the left hand side of the road under the stop sign, to the right hand side of the turn onto Creekside Road, where it can be seen by drivers
- Ask the RCMP for more regular checks of parking violators on weekends
- Continue usage of "Footprints Security" personnel on long weekends

3. RDN to contact the Editors of the websites such as those below, and have them remove directions to park in our community park or park on the side of Jameson Road

- [www.trailpeak.com](http://www.trailpeak.com)
- - "Continue straight on Jameson onto the gravel. You can park a few hundred feet up the gravel, near the yellow gate."
- [www.getonthebeatenpath.blogspot.ca](http://www.getonthebeatenpath.blogspot.ca)
- - "At the end of Jameson there is a paved sideroad to the right but keep going straight on Jameson and park near the yellow gate."
- [www.nanaimoinformation.com](http://www.nanaimoinformation.com)
- - " the approach from Jameson Rd (east) is more straightforward" "take the first right onto Jameson Rd. Stay right and look for the Creekside Place Community Park parking lot."
- [www.lornecollicutt.com](http://www.lornecollicutt.com)
- - repeats nanaimo information directions
- [www.tourismnanaimo.com](http://www.tourismnanaimo.com)
- - Repeats Trailpeak instruction to park on the side of the road near the yellow gate!
- [www.inclinemage.ca](http://www.inclinemage.ca)

- - "drive down Jameson Road and park in the Creekside Place Community Park parking lot"
- [www.fototripper.com](http://www.fototripper.com)
- - Take a right on Jameson and drive until the road ends at a logging road complete with a yellow gate. There is about enough space for one car right next to the gate so I prefer to parking further down the paved road so as not to block access to any of the private residences that are on that logging road"
- [www.girlwithadogandgoodshoes.wordpress.com](http://www.girlwithadogandgoodshoes.wordpress.com)
- - "Drive to the end of Jameson Road until it ends at Creekside Road. Park here along the side of the road."

These are just a sampling of hiking websites. Websites geared towards people who mountain bike, and ATV will also need to be checked.

4. RDN to liaise with Tourism Nanaimo and other groups promoting Nanaimo to clarify how to promote Ammonite Falls, in a manner that is respectful to our community

We recognize that there will be no easy fix for the woes we have been experiencing for several years now. We also recognize that they have increased dramatically since the parking lot was installed in our Community Park. We ask that the RDN continue to work collaboratively with our neighbourhood, in hopes of restoring some of the peace we used to have in our community.

Thank you very much.

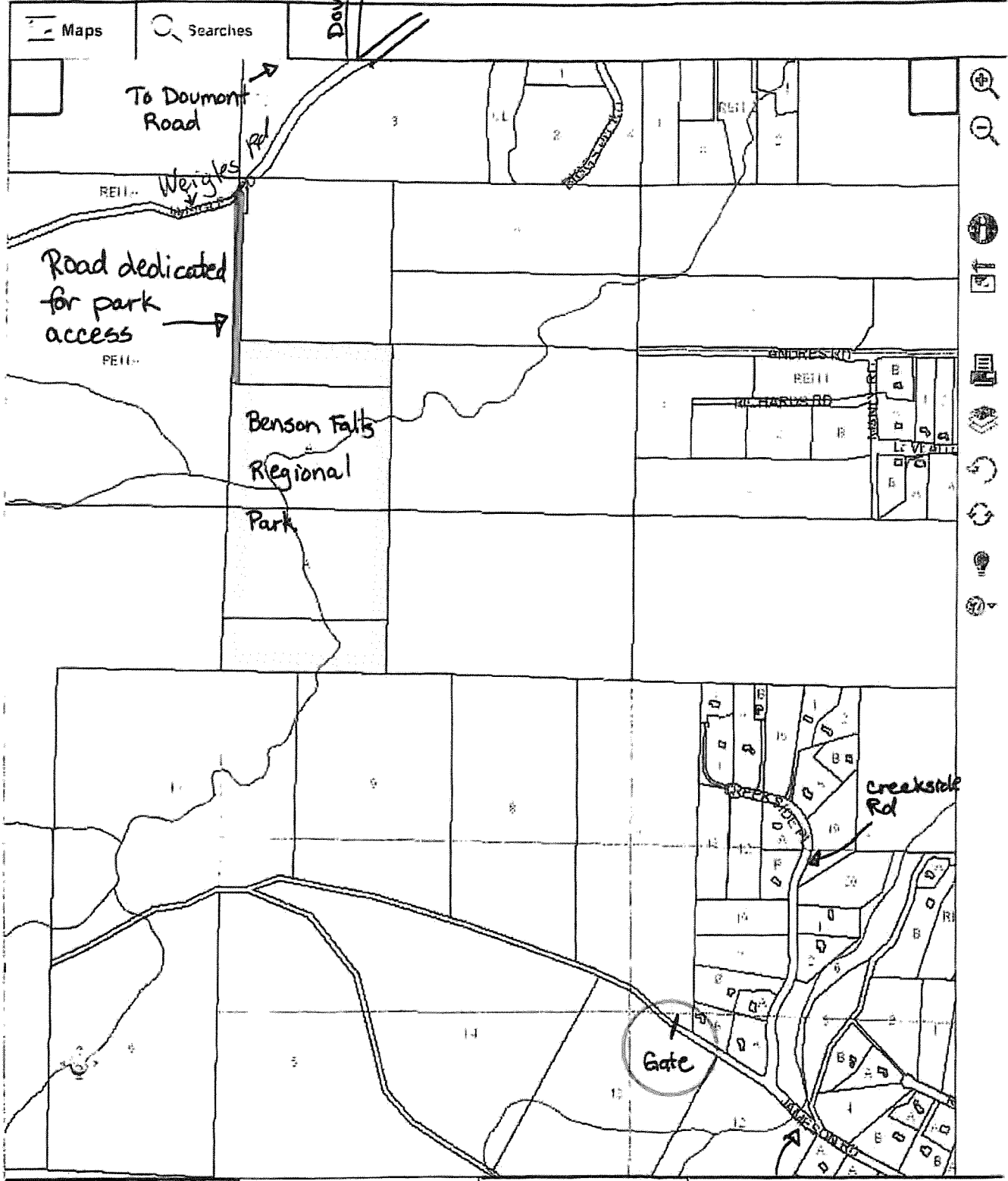


Basic

Advanced



Click Here for help with this page



Scale 1: 12,889.09 GO

Active Map: PROPERTIES

Jameson Rd.



**SURVEY PLAN of BLOCK A of SECTIONS 17, 18 & 19,  
RANGE 1, MOUNTAIN DISTRICT.**

167895

BCGS 92F.020

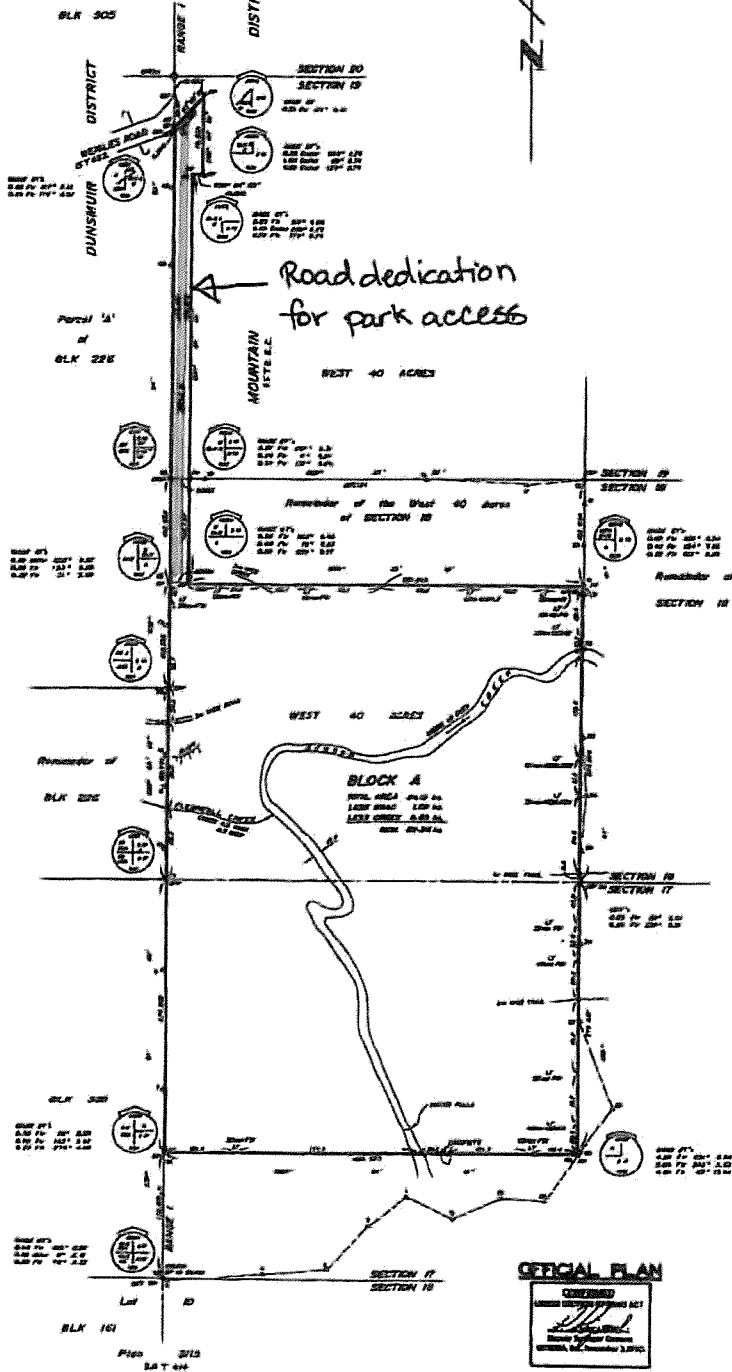
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SCALE 1:2000



**LEGEND**

- BOUNDARY OF COUNTY OR PROVINCE
- BOUNDARY OF TOWN
- BOUNDARY OF RANGE
- BOUNDARY OF DISTRICT
- BOUNDARY OF SECTION
- BOUNDARY OF BLOCK
- BOUNDARY OF LOT
- BOUNDARY OF TRAIL
- BOUNDARY OF ROAD
- BOUNDARY OF CANAL
- BOUNDARY OF RIVER



→ Road dedication for park access

LOT	AREA	PERCENT
1-1	1000	0.60
1-2	1000	0.60
1-3	1000	0.60
1-4	1000	0.60
1-5	1000	0.60
1-6	1000	0.60
1-7	1000	0.60
1-8	1000	0.60
1-9	1000	0.60
1-10	1000	0.60
1-11	1000	0.60
1-12	1000	0.60
1-13	1000	0.60
1-14	1000	0.60
1-15	1000	0.60
1-16	1000	0.60
1-17	1000	0.60
1-18	1000	0.60
1-19	1000	0.60
1-20	1000	0.60
1-21	1000	0.60
1-22	1000	0.60
1-23	1000	0.60
1-24	1000	0.60
1-25	1000	0.60
1-26	1000	0.60
1-27	1000	0.60
1-28	1000	0.60
1-29	1000	0.60
1-30	1000	0.60

4 T 1485

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**TO:** Dennis Trudeau  
Interim Chief Administrative Officer

**DATE:** September 8, 2016

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

**MEETING:** RPTSC – September 20, 2016

**FILE:**

**SUBJECT:** Regional Parks Parcel Tax Review

---

### RECOMMENDATION

That taxation for Regional Parks Acquisition and Capital Development Fund continue to be collected by way of a parcel tax.

### PURPOSE

To review taxation approaches for the Regional Parks Acquisition and Capital Development Fund.

### BACKGROUND

As part of the 2016 Annual Budget and Five Year Financial Plan approval process, the Regional Board was considering annual parcel tax increases to the Regional Parks Acquisition and Capital Development Fund. Through this process the Regional Board increased the parcel tax from \$13.00 to \$14.00 for 2016. During these deliberations by the Board, additional information was requested on other forms of taxation that the Board could use as an alternative to the parcel tax approach for this service area.

At the April 26, 2016 Regional Board Meeting the following resolution #16-250 was approved:

*“That Bylaw No. 1231 be referred to staff for alternatives for the 2017 - 2022 parcel tax rate increases.”*

### History of Regional Parks Function and Parcel Tax

In 1995 the Regional Parks Function was established with the Electoral Areas only as participants.

In 1999 a Regional Services Review was initiated and in December 2000 the Regional District and its member municipalities entered into a Regional Parks Services Agreement. The agreement provided for a municipal contribution to the operations and maintenance of Regional Parks allocated on a per capita basis.

The Regional Services Review also resulted in new sports field and recreation facilities cost sharing agreements to include Electoral Area funding for certain municipally provided services. It is important to note that the agreements for Regional Parks and the cost sharing of recreation facilities and sports fields were approved as a package in 2000. *Appendix I* provides a summary of the contributions provided

through these agreements from the Electoral Areas and Lantzville to the Nanaimo, Parksville and Qualicum Beach since 2001.

Consideration of the establishment of Regional Parks Acquisition and Capital Development Fund along with full participation by all municipalities and Electoral Areas as participants in the Regional Parks Function and related bylaw took place in 2005.

Through this process Board members discussed potential funding approaches. Various forms of taxation were discussed with Board members and respective administrative staff within each municipality. Forms of taxation under consideration at that time included assessment based, population based, parcel tax based or a combination of the three forms of taxation. Through further dialogue with the Regional Board the following four options were formally considered:

1. Amend the service to add the three remaining municipalities of Nanaimo, Parksville and Qualicum Beach and apportion costs using the existing 50/50 assessment – population formula for acquisitions and per capita for operations.
2. Amend the service to add the three remaining municipalities of Nanaimo, Parksville and Qualicum Beach. Change the acquisitions funding approach from property taxes to a \$10.00 parcel / folio tax. Operations and maintenance cost sharing would be unchanged at a per capita basis and would continue to be collected as a property tax.
3. Amend the service as outlined in Alternative 2 above to include Nanaimo at a \$10.00 parcel / folio tax for capital acquisitions (as Nanaimo was looking to advance the purchase of Mount Benson at this time) and allow for a four year phase in of the parcel / folio tax for the municipalities of Lantzville, Parksville and Qualicum Beach starting in 2007. Operations and maintenance cost sharing would be unchanged at a per capita basis and would continue to be collected as a property tax.

The Regional Board approved moving forward with Option 3 above and on October 25, 2005 the related bylaw was approved.

As part of the options noted above, amendments were recommended and subsequently approved to adjust contributions from Electoral Areas and Lantzville (former Electoral Area D) by \$200,000 over a five year period to recognize land purchases commitments that were made prior to participation by the three remaining municipalities.

Further Amendments to the parcel tax were undertaken in subsequent year as follows: \$11 - 2011 / \$12 - 2012 / \$13 – 2013 / \$14 – 2016.

Tables in *Appendix I* provide a summary of the contributions provided to the Regional Parks Acquisition Capital Fund from all participants since 2001.

For reference, the list below shows the Regional Parks that have been secured since 1988. *Appendix II* provides additional details where the acquisition and capital funds collected were expended since 2001.

1. Beachcomber R.P. – donation (1988) (1 ha)
2. Benson Creek Falls R.P – Crown Licence (1991) (31 ha)
3. Little Qualicum River R.P. – secured through rezoning (1999) (44 ha)
4. Nanaimo River R.P. - shared purchase with other land trusts (2000) (56 ha)
5. Horne Lake R.P – secured through rezoning (2002) (109 ha)
6. Descanso Bay R.P.– purchase (2002) (16 ha)
7. Little Qualicum River RCA – purchase with land trust (2003) (5 ha)
8. Englishman River – shared purchase with other land trusts (2005) (207 ha)

9. Mount Benson – purchase with land trust (2006) (212 ha)
10. Coats Marsh – purchase with land trust (2008) (46 ha) 11. Mount Arrowsmith Massif R.P. – Crown Licence (2008) (1300 ha)
11. Moorcroft R.P. – purchase with funding assistance from land trusts (2011) (34 ha)

#### ALTERNATIVES

1. That taxation for Regional Parks Acquisition and Capital Development Fund continue to be collected by way of a parcel tax.
2. That taxation for Regional Parks Acquisition and Capital Development Fund be collected by way of a property assessment tax and Bylaw 1231 be amended to reflect this change.
3. That taxation for Regional Parks Acquisition and Capital Development Fund be collected by way of a tax based on per capita (population) and Bylaw 1231 be amended to reflect this change.
4. That taxation for Regional Parks Acquisition and Capital Development Fund be collected by way of a tax based 50% Assessment and 50% per capita (population) and Bylaw 1231 be amended to reflect this change.
5. That taxation for Regional Parks Acquisition and Capital Development Fund be collected by way of land improvements and Bylaw 1231 be amended to reflect this change.
6. That the Regional Board provide alternative direction on taxation for the Regional Parks Acquisition and Capital Development Fund.

#### FINANCIAL IMPLICATIONS

Using the 2016 approved budget for Regional Parks Acquisition and Capital Development Fund as a reference, the table below details how the allocation of taxation amongst all participants would change depending on the method of taxation. Figures are based on 2016 revised roll assessment values and 2011 census data.

Participant	Parcel Tax @ \$14	Property (Land & Improvements) Assessment Tax	100% Population Based Tax	50% Assessment/ 50% Population	Improvements Only Assessment Tax
City of Nanaimo	\$474,152	\$505,288	\$540,937	\$523,112	\$543,233
District of Lantzville	\$20,818	\$23,818	\$23,242	\$23,530	\$20,128
City of Parksville	\$93,212	\$80,212	\$77,303	\$78,758	\$74,904
Town of Qualicum Beach	\$67,788	\$64,219	\$56,069	\$60,143	\$59,858
Electoral Area 'A'	\$40,642	\$35,695	\$46,439	\$41,066	\$35,740
Electoral Area 'B'	\$52,822	\$33,919	\$26,108	\$30,014	\$29,591
Electoral Area 'C'	\$19,922	\$29,735	\$20,725	\$25,229	\$17,571
Electoral Area 'E'	\$47,572	\$55,843	\$37,939	\$46,891	\$53,232
Electoral Area 'F'	\$41,860	\$38,072	\$47,904	\$42,988	\$41,003
Electoral Area 'G'	\$51,996	\$49,174	\$46,200	\$47,687	\$46,530
Electoral Area 'H'	\$35,252	\$30,061	\$23,170	\$26,618	\$24,246
<b>Total</b>	<b>\$946,036</b>	<b>\$946,036</b>	<b>\$946,036</b>	<b>\$946,036</b>	<b>\$946,036</b>



## STRATEGIC PLAN IMPLICATIONS

Reviewing the ways of securing Regional Parks and Acquisition and Capital development Fund align with the Board's Strategic Plan in protecting and enhancing the environment. The Board also desires to ensure appropriate service levels are available to residents, and the costs for these services are shared as fairly as possible among those who benefit.

## SUMMARY

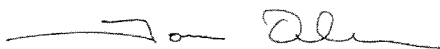
As part of the 2016 Annual Budget and Five Year Financial Plan approval process, the Regional Board was considering annual parcel tax increases to the Regional Parks Acquisition and Capital Development Fund. Through this process the Regional Board increased the parcel tax from \$13.00 to \$14.00 for 2016.

During these deliberations by the Board, additional information was requested on April 26, 2016 for staff to bring forward a report on other forms of taxation that could be considered as an alternative to the parcel tax approach for this service area.

The alternatives as provided in this report are as follows:

1. That taxation for Regional Parks Acquisition and Capital Development Fund continue to be collected by way of a parcel tax.
2. That taxation for Regional Parks Acquisition and Capital Development Fund be collected by way of a property assessment tax and Bylaw 1231 be amended to reflect this change.
3. That taxation for Regional Parks Acquisition and Capital Development Fund be collected by way of a tax based on per capita (population) and Bylaw 1231 be amended to reflect this change.
4. That taxation for Regional Parks Acquisition and Capital Development Fund be collected by way of a tax based 50% Assessment and 50% per capita (population) and Bylaw 1231 be amended to reflect this change.
5. That taxation for Regional Parks Acquisition and Capital Development Fund be collected by way of land improvements and Bylaw 1231 be amended to reflect this change.

As outlined in the report, contributions from each jurisdiction will vary depending on the form of taxation. With this information provided as requested, the Regional Board can now consider the most appropriate form of taxation to use for collecting funds for the Regional Parks Acquisition and Capital Development fund.



Report Writer



C.A.O. Concurrence

**Appendix I - Recreation Facilities & Sports Fields Funding and Regional Parks Acquisition Capital Fund**

<b>D68 RECREATION SERVICES CONTRIBUTIONS</b>			<b>D69 RECREATION SERVICES</b>		
<b>2001 - 2016 TOTAL CONTRIBUTIONS</b>			<b>CONTRIBUTIONS 2001 - 2016</b>		
	<b>Facilities</b>	<b>Sportsfield</b>	<b>Total</b>	<b>SPORTS FIELDS</b>	
Lantzville	\$ 2,883,587	\$ 1,190,001	\$ 4,073,588	<b>Total</b>	
Area A	\$ 3,957,082	\$ 1,061,536	\$ 5,018,618	Area E	\$ 812,685
Area B	\$ 1,376,688	\$ 93,279	\$ 1,469,967	Area F	\$ 1,037,688
Area C	\$ 1,687,643	\$ 633,538	\$ 2,321,181	Area G	\$ 1,380,533
Area D	\$ 752,892	\$ 213,051	\$ 965,943	Area H	\$ 326,747
	\$10,657,892	\$ 3,191,405	\$ 13,849,297		\$ 3,557,653
	<b>PAYMENTS</b>			<b>PAYMENTS</b>	
To City of Nanaimo	\$10,619,925	\$ 2,619,015	\$ 13,238,940	To Parksville	\$ 1,908,039
Held for RDN facilities	\$ 37,967	\$ 572,390	\$ 610,357	To Qualicum Beach	\$ 1,644,574

Sports fields only, as RDN owns facilities

<b>REGIONAL PARKS</b>	
<b>ACQUISITIONS REQUISITION</b>	
<b>TOTAL COLLECTED 2001-2016</b>	
City of Nanaimo	\$ 4,177,718
Parksville	\$ 659,246
Qualicum Beach	\$ 479,882
Lantzville	\$ 198,355
Area A	\$ 528,411
Area B	\$ 595,666
Area C	\$ 245,692
Area D (pre-Lantzville)	\$ 63,277
Area E	\$ 581,162
Area F	\$ 526,728
Area G	\$ 632,511
Area H	\$ 408,996
<b>Total</b>	<b>\$ 9,097,643</b>

Parcel tax effective 2006

Prior to 2006 = EA's only assessment based

**Appendix II - Regional Parks Acquisition Capital Fund Expenditures**

Spending since 2001, includes \$437,000 carried forward from pre 2001 requisitions

Amounts spent from tax requisition only, does not include purchases funded by grants and donations

Cumulative Amount held in Reserve @ Aug 31, 2016	\$ 2,407,400
Cumulative in Reserve for municipal rail trail @ Aug 31, 2016	450,000
2016 Legal for Mt Benson, Donation agreements, E&N Rail Trail	9,188
E&N Rail Trail Project	28,526
Moorecroft post purchase capital upgrades	261,527
Moorecroft debt servicing for borrowed portion of purchase	595,528
Moorecroft purchase downpayments include legal + surveys + initial repairs	2,689,434
Horne Lake Capital projects (campsite development/toilet replace, trails, water system)	205,356
Coats Marsh Berm & post purchase capital upgrades	45,500
Coats Marsh Purchase 2008 to 2012	307,610
Englishman River Estuary Boardwalk	8,265
Englishman River Purchase Agreement 2004	320,152
Little Qualicum Estuary - Purchase share from Ducks Unlimited includes legal etc 2003 to 2007	106,488
Little Qualicum Estuary Env Review	2,564
Descanso Bay Purchase 2002 to 2007	502,921
Descanso Bay Capital Upgrades includes house demo	14,996
Mt. Benson upgrades (Witchcraft Lake Parking)	70,172
Mt. Benson land purchase includes legal, debt issuing, interim financing net of NALT contribution	584,595
Nanaimo River RP Land Conservancy Lease Payment Agreement	150,000
Lighthouse Country Regional Trail including Nash/Ridgewell Bridge net of grant funding	150,657
Top Bridge Construction portion funded by parcel tax net of grants	185,686
Haslam Creek Bridge net of grants	74,559
Management Plans (Moorecroft, Mt. Benson, Arrowsmith, Coats Marsh, Little Qualicum)	129,730
Miscellaneous Legal from 2001-2010 - includes Coats, Mt Benson or other	36,131
DCC bylaw review 2011-2012	41,876
Regional Parks Acquisition Criteria Review 2008	15,666
Regional Parks 2006 taxation review - municipal inclusion, parcel tax, Regional Perspectives mailout postage	32,923
<b>Total expense</b>	<b>\$ 9,427,451</b>

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**TO:** Wendy Marshall  
Manager of Parks Services

**DATE:** August 29, 2016

**FROM:** Joan Michel  
Parks and Trails Coordinator

**MEETING:** RPTSC – September 20, 2016

**FILE:**

**SUBJECT:** Salish Sea Marine Trail Proposal from BC Marine Trails Network Association

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**RECOMMENDATION**

1. That the Board direct staff to continue to show support for the concept of marine trails and recognize paddlers as a stakeholder group when undertaking park planning.
2. That the Board direct staff to work with the BC Marine Trails Network Association on developing for Board approval a partnership agreement that establishes Descanso Bay Regional Park as a Salish Sea Marine Trail camping site, and the Nelson Road Boat Launch (Area A) and Blueback Community Park (Area E) as Salish Sea Marine Trail access points, and provides for continuing site assessment and potential expansion of RDN park and water access sites to be included in BC marine trails.

**PURPOSE**

To review the BC Marine Trails Network Association's proposed Salish Sea Marine Trail and partnership proposal.

**BACKGROUND**

The BC Marine Trails Network Association (BCMTNA) is a registered non-profit society comprised of ten paddling clubs and numerous individuals and businesses located on Vancouver Island, the Gulf Islands and the lower Mainland. The BCMTNA launched its first network of trails for paddlers, the Gulf Island Marine Trail, in 2011. At that time, the trail involved 27 existing waterfront parks, campgrounds and access sites from Island View Beach Regional Park (CRD) in the south to Newcastle Island (BC Parks) and Descanso Bay Regional Park on Gabriola (RDN).

In the following years, the BCMTNA's web page map revealed additional sites stretching up and around Vancouver Island. Additional sites within the Regional District ranged from private waterfront lands like Nanoose's Schooner Cove Marina and the Qualicum First Nation's Big Qualicum River Campground to MoTI water accesses such as the Nelson Road Boat Launch (Area A community park facility at the water access) and Buccaneer Beach (Area H). One RDN community park, Blueback (Area E), is shown on the BCMTNA map.

Participation in the Gulf Island Marine Trail and inclusion of other sites like the Nelson Road Boat Launch and Blueback on the BCMTNA map have not involved extra work on the part of the RDN. Descanso Bay Regional Park and the Nelson Road Boat Launch already serve the paddling community. Blueback is currently being improved as a paddler's access point.

Aside from the BCMTNA web site, there has until recently been no obvious promotion of the Gulf Island Marine Trail or the Marine Trail concept, at least in the mid-Island area. The Descanso Bay Regional Park brochure includes a note about the Marine Trail and provides a web address. No dedicated signage was ever developed by the Association to mark marine trail sites, and the RDN was not contacted again by the BCMTNA until the spring of 2016.

The BCMTNA is now rejuvenating and looking to develop an association with the Trans Canada Trail in order to help build recognition of existing marine trail networks and advance the overall concept. Since the TCT is focused on one linear cross-country connection, the BCMTNA has conceived the Salish Sea Marine Trail – termed a ‘blueway’ as opposed to a network – to complement the land-based Victoria to Nanaimo to Vancouver stretch of the TCT. At the June 26, 2016 Regional Board meeting, BCMTNA Acting Project Manager John Kimantas briefed members on marine trails and requested that the RDN partner in the Salish Sea Marine Trail initiative. Subsequently, Staff obtained further information from the Association on its status, goals and Salish Sea Marine Trail partnership proposal in particular.

At this time, the BCMTNA is actively identifying camping and access sites for the Salish Sea Marine Trail which involves Electoral Areas A, B and E. While Association members are still out scouting, no RDN regional or community sites other than existing BCMTNA identified access points Nelson Road Boat Launch and Blueback Community Park and camping site Descanso Bay Regional Park are considered suitable for inclusion in the proposed Salish Sea Marine Trail. Moorecroft Regional Park was examined but found wanting as an access point at low tide. Similarly, Beachcomber Regional Park is not particularly suitable as an access for paddlers. It is too early to determine the status of Electoral Area E’s new Oak Leaf Drive Community Park. There are no additional RDN park possibilities along the Cedar waterfront at this time, and none required on Gabriola Island for the Salish Sea Marine Trail.

The current BCMTNA organization is intent on creating formal partnership agreements with those who own or manage the access and camping sites shown on its public maps. They have no agreement template developed as yet and continue to work out what might be required. The Association is also concerned with ensuring that paddlers’ interests be taken into consideration by local government in general park planning. They are proposing establishment of a marine trail advisory panel. It has been made clear to the Association that inclusion of a site in a BCMTNA marine trail requires agreement by the relevant landowner or manager.

## **ALTERNATIVES**

1. That the Board direct staff to recognize paddlers as stakeholders in park planning, and work with the BC Marine Trail Network Association on formalizing the inclusion of select RDN owned or managed parks and water accesses in marine trails and, specifically, in the Salish Sea Marine Trail.
2. That the Board direct staff not to formalize any participation in the BC marine trail network and alternate direction be provided.

## **FINANCIAL IMPLICATIONS**

The BCMTNA has been encouraged to produce some signage at their cost, similar to what the Trans Canada Trail organization provides for participating trail organizations. At present, there are no costs associated with pursuing the proposed marine trail initiative aside from staff time. To the extent that the Salish Sea Marine Trail is incorporated into the Trans Canada Trail, some minor event-related costs may arise during 2017 in order for the RDN to participate in the Canada-wide celebrations.

**STRATEGIC PLAN IMPLICATIONS**

The Salish Sea represents a significant recreational playground for the Regional District. Kayaking is a growth sport and leisure past-time that features highly now in eco-tourism development. Formally extending trail planning work at the RDN to include marine as well as land-based trails will help the RDN maximize its tourism potential as well as clarify ocean frontage resources and development for residents.

**SUMMARY/CONCLUSIONS**

The BC Marine Trail Network Association wishes to engage with the Regional District in the formal planning and establishment of marine trail access and camping sites. Specifically, the Association wishes to conclude a Salish Sea Marine Trail in association with the Trans Canada Trail and in time for the national trail's 25<sup>th</sup> anniversary in 2017. Three long-standing waterfront RDN park sites, the Nelson Road Boat Launch (Area A), Descanso Bay Regional Park (Area B) and Blueback Community Park (Area E), are well situated to be formally recognized as part of a marine trail network. No additional work is required to perform as a marine trail site, though installation of Association-produced signage is recommended. Staff have provided initial feedback to the Association on a draft partnership agreement but more work will be required to achieve a useful document.



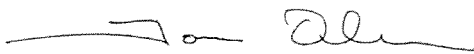
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Report Writer



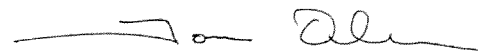
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Manager Concurrence



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GM Concurrence



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A/C.A.O. Concurrence

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**TO:** Wendy Marshall  
Manager of Parks Services

**DATE:** August 29, 2016

**FROM:** Joan Michel  
Parks and Trails Coordinator

**MEETING:** RPTSC – September 6, 2016

**FILE:**

**SUBJECT:** Trans Canada Trail - Island Timberlands Private Lands Licence Renewal

---

**RECOMMENDATION**

That the Board accept Island Timberland's offer to renew the Region's non-exclusive licence permitting approximately 16 km of Trans Canada Trail.

**PURPOSE**

To review the tenure status of the Trans Canada Trail and obtain approval to renew for two years the regional trail licence involving Island Timberlands property.

**BACKGROUND**

In 1999, Island Timberlands (then Weyerhaeuser) granted the RDN a five-year renewable non-exclusive licence for access to private forest lands for the purpose of securing volunteer initiated Trans Canada Trail (TCT). The Island Timberlands licence was renewed under similar terms in 2004 and 2009. In 2014 a two-year renewal was offered and accepted, and this term has now expired. Island Timberlands subsequent two-year licence renewal offer for 2016-2018 is attached as *Appendix I*.

For the short stretch of TCT situated on TimberWest private lands, the RDN was granted a five-year non-exclusive licence by that company first in 2002 and then in 2007. The 2007 agreement contains three automatic five-year roll-overs which leaves it active until 2026. Both TimberWest and Island Timberlands private land TCT licenses concern trail in addition to the Haslam Creek Suspension Bridge.

The TCT is one of seven developed long trails within the RDN. Located within Electoral Area C, the TCT begins at the border with the Cowichan Valley Regional District (the Bush Creek Trail) and ends at the City of Nanaimo's Colliery Dam Trail. A gap exists where the RDN's TCT route is proposed to cross the Nanaimo River.

The RDN's TCT is enjoyed by hikers, mountain bikers and equestrians. The Extension Ridge section south of the City is most popular with mountain bikers while the White Pine section off the end of Spruston Road is a favourite of the mid-Island equestrian community. Many people enjoy just a short trip off the end of Timberlands Road by the airport to take in the Haslam Creek Suspension Bridge.

**ALTERNATIVES**

1. That the Board accept Island Timberlands' offer of a two-year licence renewal for Trans Canada Trail.
2. That the Board not to accept Island Timberlands' licence renewal and alternate direction be provided.

**FINANCIAL IMPLICATIONS**

The cost of Island Timberlands's 2016-2018 licence renewal is \$525 plus GST. This will be covered by the 2016 Regional Parks budget. Trail maintenance will continue to be covered by the same budget.

**STRATEGIC PLAN IMPLICATIONS**

Renewal of Island Timberlands' licence to use their private forest lands for public trail reaffirms the value placed by the Regional Board on the provision of recreational amenities for residents and the development of tourism opportunities for visitors. Participation in the national trail enhances the Region's position as an eco-tourism destination. It is noted that 2017 will mark the 25<sup>th</sup> anniversary of the TCT (as well as Canada's 150<sup>th</sup> birthday) and celebrations that spotlight the national trail can be expected.

**SUMMARY/CONCLUSIONS**


The 2014-2016 Trans Canada Trail licence from Island Timberlands has expired and the RDN has been offered another two-year renewal. The cost of renewal is \$525 plus GST. Maintained by RDN Parks staff in collaboration with user groups, the Trans Canada Trail provides much valued authorized access to the private forestlands south of the City of Nanaimo.



Report Writer



Manager Concurrence



G.M. Concurrence



A/C.A.O. Concurrence





Island Timberlands LP  
65 Front Street, 4<sup>th</sup> Floor  
Nanaimo, BC V9R 5H9

Tel (250) 755-3552  
Fax (250) 755-3540  
Email dsakai@islandtimberlands.com

Our File: G-4413

August 16, 2016

RDN Recreation and Parks, Oceanside Place  
830 W. Island Highway  
Parksville, B.C  
V9P 2X4

Attention: Joan Michel

Dear Joan:

**Re: Renewal of Non-Exclusive Licence – Parts of Sections 6, 7, 8, 9, 10, 14, 15 and 16, Range 2. Parts of Sections 3, 4, 5, 6, 16, 17, 18, 19 and 20, Range 1, All Within Cranberry District. Section 4, Range 1, Nanaimo District. Parts of Block 87, Bright, Douglas and Cranberry Districts. Block 714, Bright District Containing approximately 15.99 Kilometers of Trail.**

Island Timberlands Limited Partnership (ITLP), hereby offers to renew your Licence dated August 1, 1999, and any subsequent amendments and renewals, on the following terms and conditions:

1. The term of this renewal shall be for two years commencing August 1, 2016 and expiring July 31, 2018.
2. The fee for this renewal shall be \$525.00 for the term plus GST, payable on receipt of invoice.

All other terms and conditions of the Licence dated August 1, 1999 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

Denise Sakai,  
Real Estate Co-ordinator

Agreed to and accepted by:  
**Authorized signatory of**  
RDN Recreation and Parks

\_\_\_\_\_

Print Name

Date





RDN REPORT	
CAO APPROVAL	<input checked="" type="checkbox"/>
EAP	<input type="checkbox"/>
COW	<input type="checkbox"/>
SEP 23 2016	
RHD	<input type="checkbox"/>
BOARD	<input checked="" type="checkbox"/>

**STAFF REPORT**

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

**DATE:** September 23, 2016

**FROM:** Jamai Schile  
Planner

**MEETING:** Board - October 4, 2016

**FILE:** PL2015-025

**SUBJECT: Zoning Amendment Application No. PL2015-025  
Lot A, District Lot 90 and of Block 359, Newcastle District, Plan VIP67156 and  
Block 1372 Newcastle District, Electoral Area 'H'  
Amendment Bylaw 500.400, 2015 – Adoption**

**RECOMMENDATION**

That the Board adopt “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.400, 2015”.

**PURPOSE**

To consider “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.400, 2015” for adoption.

**BACKGROUND**

The Regional District of Nanaimo has received an application from Brian Gaudet on behalf of 0848214 BC Ltd. to rezone portions of the subject property from Rural 1 (RU1), Subdivision District 'V', to Rural 1, Subdivision District 'B'; from Resource Management 1 (RM1), Subdivision District 'A', to Rural 1, Subdivision District 'B'; and from Rural 1, Subdivision 'B' to Resource Management 1, Subdivision District 'A' in order to facilitate a future 21 lot subdivision.

Amendment Bylaw No. 500.400 was introduced and given first and second reading on October 27, 2015, (see Attachment 1). A Public Hearing was held on December 1, 2015 and the Bylaw received third reading on January 26, 2016. Following the close of a Public Hearing no further submissions or comments from the public or interested persons can be accepted by members of the Board, as established by legal precedent. Having received the minutes of the Public Hearing eligible Board members may vote on the Bylaw.

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

1. The applicant shall provide a voluntary community amenity contribution in the amount of \$21,000.00 to be earmarked for:

- i. Fire equipment, with a preference for water storage tanks, for the local fire departments if the subject properties, or a portion of the subject properties, are within a fire service area or fire service areas prior to final approval of a subdivision of the subject properties; or
  - ii. the Electoral Area 'H' Parks Reserve Fund if the subject properties are not within a fire service area prior to subdivision of the subject properties.
2. The applicant is required to register, subject to approval by the Agricultural Land Commission and at the applicant's expense, a Section 219 Covenant on both property titles requiring that not more than 21 lots, including the remainders, shall be created through subdivision.
3. The applicant is required to register, at the applicant's expense, a Section 219 Covenant on both property titles requiring that prior to final approval for the subdivision of the lands, wells for each new parcel shall be constructed and a report from a professional engineer (registered in BC) shall be completed to the satisfaction of the Regional District of Nanaimo in accordance with Board Policy B1.21 *Groundwater - Application requirements for rezoning of un-serviced lands*.

The applicant has satisfied the conditions of approval. With respect to the community amenity contribution of \$21,000 the sum has been received and the option for disbursement will be determine once the final plan of subdivision has been approved.

#### **ALTERNATIVES**

1. To adopt "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.400, 2015".
2. To not adopt "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.400, 2015".

#### **SUMMARY/CONCLUSIONS**

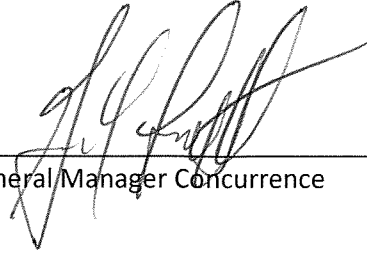
The proposed Amendment Bylaw No. 500.400 would rezone portions of the subject property from Rural 1 (RU1), Subdivision District 'V', to Rural 1, Subdivision District 'B'; from Resource Management 1 (RM1), Subdivision District 'A', to Rural 1, Subdivision District 'B'; and from Rural 1, Subdivision 'B' to Resource Management 1, Subdivision District 'A' in order to facilitate a future 21 lot subdivision.

The Amendment Bylaw was introduced and read two times on October 27, 2015 proceeded to Public Hearing on December 1, 2015 and received third reading on January 26, 2016. Given that the applicant has completed the conditions of approval, staff recommend that the Board adopt Amendment Bylaw No. 500.400, 2015.



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Report Writer



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General Manager Concurrence



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Manager Concurrence



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CAO Concurrence

**Attachment 1**

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 500.400**

**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. 500.400, 2015”.
- B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:

- 1. By rezoning portions of the lands shown on the attached Schedule ‘1’ and legally described as

Lot A, District Lot 90 and of Block 359, Newcastle District, Plan VIP67156; and

Block 1372, Newcastle District

from Rural 1, Subdivision District ‘V’, to Rural 1, Subdivision District ‘B’; from Resource Management 1, Subdivision District ‘A’, to Rural 1, Subdivision District ‘B’; and from Rural 1, Subdivision ‘B’ to Resource Management 1, Subdivision District ‘A’

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

Public Hearing held this 1st day of December, 2015.

Read a third time this 26th day of January, 2016.

Adopted this \_\_\_ day of \_\_\_\_\_ 20XX.

\_\_\_\_\_  
Chairperson

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

Schedule '1' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.400, 2015".

\_\_\_\_\_  
Chairperson

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

**Schedule '1'**

